



Council Work Session - 6:15 p.m.

CITY COUNCIL AGENDA

Tuesday, February 5, 2013

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. Presentation by Senator John Hoffman, District 36
2. Presentation on Heart Safe Community Efforts

Approval of Minutes of Previous Meeting

December 18, 2012, Council Meeting

January 7, 2013, Council Meeting

January 29, 2013, Special Meeting

January 29, 2013, Council Work Session

January 29, 2013, Executive Session

Consent Agenda

3. Approve Agreement for Clean Up of Hazardous Premises, 9853 Palm Street NW, Assess Costs Back to Property, and Authorize the Mayor and City Manager to Execute Agreement
4. Approve Professional Services Agreement with Mediation Services for Anoka County
5. Approve Grant Agreement with Metropolitan Council for the Livable Communities Demonstration Account Pre-Development TOD Grant Program
6. Accept Easement for Drainage and Utility Purposes from Federal National Mortgage Association over Portions of their Property at 396 and 388 107th Lane NW
7. Authorize Final Payment, Project 11-28, Vehicle Storage Facility
8. Cons. Resolution 13-36 Accepting the Donation of Funds from the Community Strength Foundation Movie in the Park Events

9. Cons. Resolution 13-34 Accepting the Donation of a Lifepak AED 1000 from the Coon Rapids Kiwanis Club
10. 2012-2013 Insurance Renewals
11. Cons. Resolution 13-28 Supporting Development of the Mississippi River (U.S. Bicycle Route 45)
12. Approve Temporary On-Sale Intoxicating Liquor License to Conduct Wine Tasting for Coon Rapids Lions Club Fundraiser at Anoka-Ramsey Community College
13. Approve Temporary On-Sale Intoxicating Liquor License to Conduct Wine Tasting for Epiphany's Cana Dinner
14. Approve Temporary 3.2% Malt Liquor License for Epiphany Church for 2013 Springfest
15. Cons. Resolution 13-32 Concurring with Issuance of Off-Site Lawful Gambling Permit for Coon Rapids Youth Hockey Association
16. Cons. Resolution 13-33 Concurring with Issuance of a Gambling Premises Permit for Coon Rapids Lions Club at MGM Liquor Warehouse, 2929 Coon Rapids Blvd

Reports on Previous Open Mic

17. Open Mic Report, Jerry Pierce, 12236 Partridge Street, re: Establishing a Stop Sign on Partridge Street at Quinn Street/121st Lane

Public Hearing

None

Bid Openings and Contract Awards

18. Cons. Resolution Awarding Contract for Well Rehabilitation Services
19. Award Contracts for Construction of Reader Board Monument Sign at Bunker Hills Regional Park:
 - a. Steel
 - b. Concrete and Masonry
 - c. Electrical

Old Business

None

New Business

20. Residential Street Reconstruction, Order Preparation of Feasibility Report and Preparation of Plans, Project 13-1:
 - a. Cons. Resolution Ordering Preparation of Feasibility Report
 - b. Cons. Resolution Ordering Preparation of Plans and Specifications
21. Collector Street Reconstruction, Order Preparation of Feasibility Report and Preparation of Plans, Project 13-2:
 - a. Cons. Resolution Ordering Preparation of Feasibility Report
 - b. Cons. Resolution Ordering Preparation of Plans and Specifications

22. Collector Street Reconstruction, Order Preparation of Feasibility Report and Preparation of Plans, Project 13-3:
 - a. Cons. Resolution Ordering Preparation of Feasibility Report
 - b. Cons. Resolution Ordering Preparation of Plans and Specifications
23. Cons. Resolution Approving Plans and Specifications and Order Advertisement for Bids, 2013 Street Maintenance Program, Project 13-5
24. Residential Street Reconstruction, Order Preparation of Feasibility Report and Preparation of Plans, Project 13-8:
 - a. Cons. Resolution Ordering Preparation of Feasibility Report
 - b. Cons. Resolution Ordering Preparation of Plans and Specifications
25. Residential Street Reconstruction, Order Preparation of Feasibility Report and Preparation of Plans, Project 13-9:
 - a. Cons. Resolution Ordering Preparation of Feasibility Report
 - b. Cons. Resolution Ordering Preparation of Plans and Specifications
26. Cons. Resolution No. 13-35 Awarding the Sale of \$6,615,000 General Obligation Bonds, Series 2013A; Fixing their Form and Specifications; Directing their Execution and Delivery; and Providing for their Payment
27. 2013 Safe Routes To School Infrastructure Grant Applications:
 - a. Cons. Resolution No. 13-29 Approving Grant Application for Electronic Speed School Zone Feedback Signs for Morris Bye Elementary School
 - b. Cons. Resolution No. 13-30 Approving Grant Application for Bituminous Trail through Wilderness Park between Main Street and 121st Avenue
 - c. Cons. Resolution No. 13-31 Approving Grant Application for Bituminous Trail from Bunker Hills Regional Park to the Main Street Pedestrian Tunnel East of Avocet Street

Other Business

Adjourn



City Council Regular

Meeting Date: 02/05/2013

SUBJECT:

Attachments

December 18, 2012 Council Minutes

January 7, 2013 Council Minutes

January 29, 2013 Special Meeting

January 29, 2013 Work Session

January 29, 2013 Executive Session

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF DECEMBER 18, 2012

OPEN MIC/PUBLIC COMMENT

Bradley Worcester, 9240 University Avenue #211, noted that Round Lake Boulevard was incorrectly listed as Riesling Avenue on Metro Transit's automated system and asked that the City have it updated. Councilmember Schulte said there was a portion of that road that was named Riesling Boulevard at one point. He said staff will contact Metro Transit to get the map updates.

Mr. Worcester also inquired about the former Tequilaberrys restaurant and why the restaurant name keeps changing. Mayor Howe said the location has had several different owners over the past few years and that hopefully this next one will be successful.

Alan Williams 10744 Yellowpine Street NW, referred to the Scott Nellis appeal and asked that Council consider a better solution rather than abatement for the time and effort and costs involved. He also thanked Councilmembers Larson and Schulte for their years of service.

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of December was called to order by Mayor Tim Howe at 7:10 p.m. on Tuesday, December 18, 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, Bruce Sanders and Scott Schulte

Members Absent: Councilmember Jerry Koch

ADOPT AGENDA

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER SCHULTE, TO ADOPT THE AGENDA AS AMENDED, REMOVING ITEM 4 FROM THE CONSENT AGENDA FOR DISCUSSION. THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

NOVEMBER 20, 2012, COUNCIL MEETING
DECEMBER 4, 2012, COUNCIL MEETING

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, FOR APPROVAL OF THE MINUTES OF THE NOVEMBER 20, 2012, COUNCIL MEETING. THE MOTION PASSED 4-0-2, COUNCILMEMBERS LARSON AND JOHNSON ABSTAINED.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, FOR APPROVAL OF THE MINUTES OF THE DECEMBER 4, 2012, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

1. ACCEPT 2012 COON RAPIDS MORTGAGE ASSISTANCE FOUNDATION REPORT
2. CONSIDER RESOLUTION NO. 12-127 AUTHORIZING THE SALE OF TAX FORFEIT PROPERTIES
3. APPROVE CLASS A ON-SALE AND SUNDAY LIQUOR LICENSE TO CLS ENTERPRISES, LLC D.B.A. CRAZY LOON SALOON, 133 COON RAPIDS BOULEVARD
- ~~4. APPROVE CLASS A ON-SALE AND SUNDAY LIQUOR LICENSE TO AZAR LLC D.B.A. LA CASITA, 8955 SPRINGBROOK DRIVE~~
5. APPROVE 2012 WORKERS COMPENSATION COVERAGE WITH THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST
6.
 - A. CONSIDER RESOLUTION NO. 12-137 CANCELING THE JANUARY 15, 2013, CITY COUNCIL MEETING
 - B. CONSIDER RESOLUTION NO. 12-138 RESCHEDULING THE AUGUST 6, 2013, CITY COUNCIL MEETING TO AUGUST 7, 2013

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER SCHULTE, FOR APPROVAL OF THE CONSENT AGENDA AS AMENDED REMOVING ITEM 4 FOR DISCUSSION.

Councilmember Schulte stated he was honored to serve another term with the Coon Rapids Mortgage Assistance Foundation.

Donna Naeve addressed the Council and provided further information regarding the Coon Rapids Mortgage Assistance Foundation. She described how the program could be used and how the funds available have benefited local homeowners. She explained that the foundation was working to market the program to increase awareness and housing regeneration in the City of Coon Rapids.

THE MOTION PASSED UNANIMOUSLY.

6.5 APPROVE CLASS A ON-SALE AND SUNDAY LIQUOR LICENSE TO AZAR LLC
D.B.A. LA CASITA, 8955 SPRINGBROOK DRIVE

City Clerk Sorensen presented a memorandum to Council stating DeJin Zheng, for Osaka Northtown Inc., has submitted an application for a Class A On-Sale and Sunday liquor license for Osaka Steakhouse at 77 85th Avenue NW.

Osaka Northtown, Inc. formerly Osaka Steakhouse, Inc. ownership has changed but not the location. The license had previously been in the manager's name but has left employment. DeJin Zheng is now the owner and formed Osaka Northtown, Inc. The schedule change in corporation name change is January 1, 2013. The business would still operate under the name of Osaka Steakhouse.

The license and investigation fees have been paid and Certificate of Insurance evidencing liquor liability and workers' compensation coverage has been received, however, the Police Department has conducted a comprehensive background investigation on DeJin Zheng and has found reason to recommend denial of licensing. This recommendation is based on the following information: a misdemeanor gambling offense in 2009; three pending gambling offenses from 2011 and 2012; pending felony check forgery in 2012; and falsely indicating that he had not been convicted of any crime or violations of any ordinance other than traffic. Minnesota Statutes 340A.402(3) Persons Eligible states that no retail license may be issued to a person not of good moral character and repute and City Code 5-214(2), Persons Ineligible for License, states that no on-sale or off-sale license may be issued to, or held by, any Person who does not meet all the requirements and qualifications for a license as established by state law or this Chapter. Based on this information, staff is recommending denial of the license.

Staff is recommending Council deny issuance of a Class A On-Sale and Sunday liquor license to Osaka Northtown, Inc. d.b.a. Osaka Steakhouse, 77 85th Avenue NW, based on the reasons stated above.

DeJin Zheng, 77 85th Avenue NW, addressed the Council stating he was a local business owner and has had no problems with his customers in the past two years. He explained he misunderstood the question on the application and answered it incorrectly. He then discussed the misdemeanor he had in 2009 in Scott County. Mr. Zheng indicated the liquor license was very important to the operation of his business. He requested the Council approve his liquor license.

Mayor Howe questioned how long Mr. Zheng had been in business. Mr. Zheng stated he has been in operation and had his liquor license for the past two years.

Mayor Howe asked if Mr. Zheng was the original liquor license holder. Mr. Zheng commented he previously had the liquor license in the manager's name.

Mayor Howe requested further information from staff on Mr. Zheng's criminal background report. Police Chief Wise indicated Mr. Zheng was arrested in January 2, 2011 for a gambling offense and was also arrested in Anoka County on May 2, 2012 for a felony gambling offense. These cases were

pending. He noted Mr. Zheng was arrested again by the Bloomington Police on October 31, 2012 for a check forgery case. This case was also pending. He explained the cases were pending, but he found it troubling and recommended denial of the liquor license.

Councilmember Sanders asked if the Council could approve the liquor license at this time given the fact those cases were pending. Police Chief Wise did not have a comment. City Clerk Sorensen stated the Council had the authority to approve the liquor license as the City.

Councilmember Larson asked if liquor license could remain in the manager's name. City Clerk Sorensen stated this would be acceptable, however, the previous manager was not employed with Osaka. If Mr. Zheng were to hire a new manager, that person would have to apply for a liquor license with the City.

Councilmember Schulte indicated that State Statute requires the City to approve liquor licenses only to those of high moral character. He stated this was not being met in this case.

Councilmember Sanders recommended Mr. Zheng have a manager reapply for the liquor license.

Mayor Howe agreed stating the City had a responsibility to follow City Code and act accordingly.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER JOHNSON, TO DENY ISSUANCE OF A CLASS A ON-SALE AND SUNDAY LIQUOR LICENSE TO OSAKA NORTHTOWN, INC. D.B.A. OSAKA STEAKHOUSE, 77 85TH AVENUE NW.

Councilmember Johnson suggested Mr. Zheng seek a manager that was of high moral character that would serve his business well and reapply for the liquor license in the near future.

THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

7. **MODIFICATION OF TIF DISTRICT 1-11:**
 - A. **PUBLIC HEARING, 7:00 P.M.**
 - B. **CONSIDER RESOLUTION NO. 12-136 AMENDING BUDGET OF TAX INCREMENT DISTRICT 1-11**
-

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

On October 16, the Economic Development Authority authorized modification of the Housing and Redevelopment Plan for Housing and Redevelopment Project No. 1. At that time, the EDA requested

and the City Council did call for a public hearing to be held.

Tax Increment Financing District 1-11 is a district that was established in 1987 and was modified in 2001. The District expires at the end of 2012. Therefore, the budget should be modified to reflect actual prior tax increment expenditures. Actual physical boundaries of the district are not being expended. Because this district was pooled with the other tax increment districts for Project Area No. 1, funds were available in other districts to transfer to this district where the expenditures were made. Pooling allows funds from one tax increment district to be used in the pooled area, however, budgets still need to be accounted for in the individual district. Since the budget is increasing, a public hearing is required. Additionally, the school and the county were also notified.

Mayor Howe opened and closed the public hearing at 7:30 p.m. since no one appeared to address the Council.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT RESOLUTION NO. 12-136 AMENDING BUDGET OF TAX INCREMENT DISTRICT 1-11.

Councilmember Schulte requested an amendment to the language changing the word expended to expanded.

Councilmember Klint asked for further information on why the TIF District was being amended. Finance Director Legg discussed the project area stating the money from this TIF District was assisting businesses along Coon Rapids Boulevard with redevelopment. She commented the request this evening was to amend the budget as the TIF District was about to expire.

THE MOTION PASSED UNANIMOUSLY.

8. **COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION:**
 - A. **PUBLIC HEARING, 7:00 P.M.**
 - B. **AUTHORIZE APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR PROGRAM YEAR 2013 FOR HOUSING REHABILITATION PROGRAM**
 - C. **AUTHORIZE EXECUTION OF AGREEMENT FOR IMPLEMENTATION OF 2013 PROGRAM**
-

Housing and Zoning Coordinator Bennett presented a memorandum requesting the Council authorize the Community Development Block Grant application for 2013 encompassing an 18-month program running from July 1, 2013, through December 31, 2014. Council is requested to conduct a public hearing on the proposed use of the funds for a Housing Rehabilitation Program. The 2013 CDBG project application must be placed on file with the Anoka County Community Development Department by January 14, 2013.

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

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

The amount of the CDBG award will be made according to HUD's allocation guidelines; however, because funding levels have not yet been established for program year 2013, last year's funding level has been used for planning purposes. Funding in 2012 provided \$197,122 for housing rehabilitation projects in Coon Rapids. This represented 70 percent of our allocation; the remaining 30 percent is set aside for County program administration costs (15 percent) and County-administered public service program funding (15 percent) as provided for in a Memorandum of Understanding that is part of the Joint Cooperation Agreement.

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

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

The application process requires the City Council hold a public hearing to take comments on the proposal. Council is also requested to authorize the application for Community Development Block Grant funds for program year 2013 and to authorize the Mayor and City Manager to execute all necessary documents with Anoka County to implement the 2013 CDBG program.

Mayor Howe opened and closed the public hearing at 7:35 p.m. since no one appeared to address the Council.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER SCHULTE, TO AUTHORIZE THE APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR PROGRAM YEAR 2013 FOR A HOUSING REHABILITATION PROGRAM; AND AUTHORIZE THE MAYOR AND CITY MANAGER TO EXECUTE A CDBG AGREEMENT, TOGETHER WITH ANY OTHER NECESSARY DOCUMENTS, WITH ANOKA COUNTY REGARDING THE IMPLEMENTATION OF THE 2013 CDBG PROGRAM. THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

9. CONSIDER ADOPTION OF ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY FROM LOW DENSITY RESIDENTIAL 2 TO MODERATE DENSITY RESIDENTIAL, TIM TRONSON, 1354 121ST AVENUE NW, PC 12-27
-

Planner Harlicker presented a memorandum to Council stating the applicant is requesting the adoption of an ordinance rezoning certain property from Low Density Residential 2 to Moderate Density Residential. The applicant has also submitted a request for a corresponding change to the Comprehensive Land Use Plan from Low Density Residential to Moderate Density Residential.

Background

The applicant is requesting a zone change from Low Density Residential 2 (LDR2) to Moderate Density Residential (MDR). The property is five acres in size and contains a single family home and several outbuildings. It is estimated that approximately 1.5 acres is within the 100-year flood plain according to FEMA flood maps. The area within the flood plain is the southeastern portion of the lot, adjacent to the ditch. Areas within a floodplain are difficult to development because any floodplain filled has to be replaced within the same drainage basin. A more accurate delineation of the floodplain will be required with future development plans

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

The property has been zoned single family residential since 1976. There has been no change in the zoning since that time. Staff does not believe that there is evidence to support the case that there was a mistake in the original zoning.

Reasonable Use of the Property

The surrounding properties have been developed with a mix of moderate density townhomes and single-family residences. This remaining parcel is a triangular shape that does not lend itself to being developed efficiently into single-family lots. The flexibility of design available with a townhouse development would allow full development of the site that also allows for a buffer with the adjacent single-family homes. 121st Avenue is designated a collector street and could accommodate the traffic generated by a townhome development on this site.

The Council should also give consideration to the evaluation criteria found in Section 11- 307 when making their decision 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 townhouse developments and single-family homes.
Effect on present and potential surrounding land uses.	OK - The proposed zoning will not adversely impact the surrounding residential land uses. Future moderate density residential development would serve as an extension of the adjacent townhouse developments.
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 Moderate Density Residential.
Conformance with any applicable development district.	OK - There is no applicable district plan in this area.

City Council Meeting

At the City Council meeting held on December 4th the Council introduced the proposed ordinance. The Council did not have any questions or comments regarding the application.

Planning Commission Meeting

At the Planning Commission meeting held on November 15th, six residents spoke at the public hearing. The residents' concerns included the following:

- potential impact on their property values
- the City does not anymore townhouses
- removal of the trees would increase the noise they experience

- make sure that any grading would not impact their property
- potential impacts on wildlife
- loss of open space

Staff also answered questions regarding the site plan review process, who was requesting the zone change, was the City involved with the sale of the property and the environmental review process.

The Commission believed that the rezoning to Moderate Density Residential is reasonable and would be compatible with the adjacent single-family homes. The Commission voted 7:0 to recommend approval of the rezoning.

Councilmember Klint requested further information on the floodplain. Planner Harlicker discussed the location of the floodplain as designated by FEMA in detail noting it was located on only one side of the pond.

Councilmember Klint asked if the floodplain area could be built in. Planner Harlicker stated all watershed requirements would have to be followed and mitigation was possible. He explained that further information on the flood plain was still needed.

Mayor Howe allowed for public comment at this time.

Melinda Beezik, 1413 120th Avenue NW, explained she has abutted this parcel for the past 31 years. She understood Mr. Tronson's right to develop his property, but expressed concern with how the grading of this property would affect her yard.

Councilmember Klint indicated if the ordinance were to pass if the grading could be regulated by the City. Community Development Director Nevinski commented the grading and development of the parcel would be reviewed by Staff through the Site Plan approval process.

Bob Patterson, 11946 Yellow Pine Street NW, stated he has lived on the east side of the pond for the past 18 years. He recommended the parcel be rezoned to resemble Nature's Cove with single-family homes and not multi-family homes.

Mayor Howe questioned what could be developed on the property if it were rezoned to moderate density residential. Planner Harlicker explained the density would allow for up to seven units per acre. He noted City Code does not regulate the style of units, this would be up to the developer.

Councilmember Klint asked if the parcel could be developed with single-family residential homes through a PUD if the zoning remained as is. Community Development Director Nevinski stated this would not be allowed in the LDR zoning district. He explained the rezoning would be helpful in redeveloping this site.

Councilmember Schulte indicated a townhome development would be a nice fit for this parcel and the surrounding neighborhood. He supported the Ordinance as recommended by Staff.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER JOHNSON, 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 CANNOT BE MADE UNDER THE CURRENT ZONING.

Councilmember Johnson encouraged the future developer to take advantage of the natural amenities on this parcel. He commended the Planning Commission for reviewing this matter in detail prior to making a recommendation to the Council.

Councilmember Sanders encouraged staff to remember the concerns expressed by the adjacent property owners when this parcel was developed. He noted he would support the rezoning.

Councilmember Larson indicated she would not be supporting the rezoning as the neighborhood did not need another 35 townhomes. She was in favor of this parcel remaining Low Density Residential with single-family homes to reduce the impact on the adjacent neighborhoods.

Mayor Howe stated the rezoning was a reasonable use for the property and for that reason he would be supporting the request.

THE MOTION PASSED 4-2, COUNCILMEMBERS KLINT AND LARSON OPPOSED.

10. CONSIDER RESOLUTION APPROVING A COMPREHENSIVE LAND USE PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL TO MODERATE DENSITY RESIDENTIAL, TIM TRONSON, 1354 121ST AVENUE, PC 12-2
-

Planner Harlicker presented a memorandum to Council stating the applicant is requesting approval on an amendment to the City's Comprehensive Land Use Plan to change the land use designation from Low Density Residential to Moderate Density Residential.

Background

The applicant is requesting a change in the land use designation from *Low Density Residential* to *Moderate Density Residential*. The property fronts on 121st Avenue, is five acres in size and contains a house and several outbuildings. There is a drainage ditch that borders the east property line. Approximately 1.5 acres is within the 100-year floodplain according to FEMA flood maps. The area within the floodplain is located in the southeastern portion of the site, adjacent to the ditch. Areas within a floodplain are difficult to develop because any floodplain filled has to be replaced within the same drainage basin.

Analysis

The description of the *Low Density Residential* land use designation is mostly single-family homes with some two family homes and open space within the development at a gross density of 2 to 4 units per acre. The description of the *Moderate Density Residential* designation is generally detached housing including two family homes and townhomes at a gross density of 4 to 7 units per acre.

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

- The subject property fronts a collector street.
- It abuts townhome developments on three sides.
- It is adjacent to single family homes on one side.

The proposed amendment supports the City's Comprehensive Land Use Plan in that it is consistent with the goal of maintaining complete and balanced neighborhoods that include a variety of housing resources, and is consistent with the policy of preserving the integrity of single family neighborhoods by locating higher density residential housing at the fringes of single family neighborhoods and along transit corridors.

A land use designation of *Moderate Density Residential* would be consistent with the adjacent townhome developments and would be compatible with the adjacent single homes to the west. Any additional traffic generated by the development of this site as townhomes could be accommodated by 121st Avenue. No traffic generated by the development of this parcel would have to go through the single-family neighborhood to access the site.

This proposed land use amendment would increase the amount of land that is guided *Moderate Density Residential* by five acres, from 986 acres to 991 acres. The proposed amendment would not have a significant impact on the amount of land that is currently designated *Low Density Residential*. It would decrease the amount of land that is currently guided *Low Density Residential* from 6,809 to 6,804 acres.

At the Planning Commission meeting held on November 15th, six residents spoke at the public hearing. The residents' concerns included the following:

- potential impact on their property values
- the City does not anymore townhouses
- removal of the trees would increase the noise they experience
- make sure that any grading would not impact their property
- potential impacts on wildlife
- loss of open space

Staff also answered questions regarding the site plan review process, who was requesting the land use change, was the City involved with the sale of the property and the environmental review process.

The Commission believed that the land use change to Moderate Density Residential is reasonable and would be compatible with the adjacent single-family homes. The Commission voted 7:0 to recommend approval of the Comprehensive Land Use Plan amendment.

City Attorney Brodie indicated the Comprehensive Land Use Plan Amendment required a 5:1 vote to be approved.

MOTION BY MAYOR HOWE, SECONDED BY COUNCILMEMBER SANDERS, TO TABLE ACTION ON THIS ITEM. THE MOTION PASSED UNANIMOUSLY.

11. CONSIDER ADOPTION OF 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 RVs, 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 corrected once a truck leaves the property.

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 the proposed 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 1) given notice that a vehicle had been ticketed on their property for parking outside of designated zones, and 2) a subsequent violation occurs within an established period 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.

Council considered adoption of this ordinance on November 7, 2012. At that time, Council discussed several components of the ordinance, including the prohibition of RVs and the standards considered if property owners were to be cited. Council decided to postpone action on the ordinance and directed the following modifications:

1. Property owners cannot be cited administratively unless a third ticket has been issued to a vehicle. (Modified from a second ticket.)
2. Notice of two prior tickets issued to vehicles on the property must be given to the owner. (Modified from one ticket.)
3. The "look-back window" for citing a property owner is reduced from twelve months to six months.

Also, per Council request, staff has developed the following administrative guidelines for enforcement of the ordinance:

A. Property Owner Action Steps:

Property Owners may be cited if they fail to take necessary and appropriate action to ensure compliance with City Code 9-204 and 9-205. Such actions include, among others:

1. The placement and maintenance of signs informing the public of the requirements of the ordinance
2. The active monitoring, patrolling and enforcement of the ordinance by the owner

3. Formal requests indicated by the owner to the police department to cite offending drivers
4. The preparation and application of a formal, written action plan to address comply with the ordinance

B. Citation Considerations to Property Owner

Prior to the issuance of a citation to a property owner, staff will consider the following:

1. The steps taken by the owner to remedy the problem (see above)
2. The number of prior citations issued to the owner
3. The number and frequency of vehicles cited on the property
4. The general and documented trends regarding overnight parking on the property

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT AN ORDINANCE REGULATING THE OVERNIGHT PARKING AND STORAGE OF TRUCKS, RVS, SEMI-TRACTORS, AND TRAILERS, IN THE COMMERCIAL AND OFFICE DISTRICTS.

Councilmember Johnson had several issues with the Ordinance and found it disadvantageous to approve the Ordinance without further reviewing the language. He did not oppose truck owner-operators parking in commercial areas not seen by the public.

Councilmember Sanders stated initially he did not support the Ordinance, however, he has come to support the language. He explained that allowing an exception would be difficult for the Police Department to enforce.

Councilmember Klint indicated enforcement of the Ordinance should be considered and the language at this time was extremely clear. She commented there were complaints stemming from trucks and trailers parking behind Home Depot.

Councilmember Sanders encouraged owner-operators to find a local industrial area to park their trucks.

Community Development Director Nevinski explained the Ordinance was designed to address trucks parked in a quasi public area. He noted it would be difficult to effectively enforce parked trucks in service/loading areas. This matter would fall to the Police Department.

Mayor Howe stated truck parking behind the theater was a concern. He questioned if truck drivers at this location would be fined on their first violation. Community Development Director Nevinski stated the truck driver would be cited on their first offense. At that point, a ticket would be issued and Community Development Department would be made aware and the property owner would be put on notice as well. After a second violation on the property, the property owner would also be cited with an administrative fine.

Mayor Howe asked if notification should be given prior to the first violation. Police Chief Wise stated a warning could be given for first violations with fines given after the second offense. City Attorney Brodie commented this would be within the limits of the Ordinance language and could be left to the Police Department's discretion.

Councilmember Schulte indicated he expressed concerns this evening based on comments made to him by a constituent who was not able to be present this evening.

Councilmember Johnson asked if RVs were defined in the Ordinance. Community Development Director Nevinski stated the term recreational vehicles was used and referred to City Code.

Councilmember Sanders inquired how the local business owners responded to the proposed Ordinance. Community Development Director Nevinski explained there was some concern as they would be held accountable for the actions of others. He noted the property owners would need to post proper signage and patrol their site to assure it would remain in compliance. The property owners did not raise any huge issue as the property owners understood the parking of overnight trucks-trailers had becoming a concern.

THE MOTION PASSED 5-1, COUNCILMEMBER JOHNSON OPPOSED.

NEW BUSINESS

12. COON RAPIDS COMMUNITY FACILITIES COMPLEX PHASE II MASTER PLAN:
 - A. ACCEPT PROPOSAL FROM PERKINS+WILL FOR PROFESSIONAL SERVICES IN DEVELOPING A PHASE II MASTER PLAN
 - B. APPROPRIATE FUNDS FROM FACILITIES CONSTRUCTION FUND FOR MASTER PLAN STUDY
-

City Manager Gatlin presented a memorandum to Council stating since last May, staff has been meeting with interested community groups and public agencies to discuss the feasibility of a Community Facilities Complex. There appears to be interest in moving forward with some type of project at this time. Perkins+Will has provided a proposal for professional services to complete a master plan for this project. Consideration of the Perkins+Will proposal by City Council is appropriate at this time.

Beginning in June 2012, staff began discussions with various public agencies and community groups to talk about the feasibility of moving forward with a Community Facilities project. During those meetings, the focus was away from intense athletic and recreational facilities and more toward joint use facilities shared by a variety of community groups. Direction from City Council was to seek partners for the project and not to consider components that would compete directly with the private sector. Staff met on several occasions with representatives from a variety of groups including the following:

- City staff
- Anoka Hennepin School District #11
- Coon Rapids Athletic Association
- Coon Rapids Senior Center
- Anoka Ramsey Community College
- Anoka County/Anoka County Library

A summary of each group's preliminary interest is summarized as follows:

Anoka County

Anoka County is considering relocation and replacement of the Crooked Lake Library to a new site. It has been noted that this project is second or third on a priority list of future Anoka County Library projects. Anoka County is interested in working with the City in the planning process but cannot give any definite schedule for moving forward with the project.

Anoka Hennepin School District #11

School District #11 is considering relocation of current leased space in the Red Owl building on the north side of Coon Rapids Boulevard at Crooked Lake Boulevard. Some of this leased space could be moved to a new Community Facilities Complex. They are also interested in relocating the Crossroads Alternative School to a new site with shared classrooms, shared gymnasiums, and a shared library complex. Also, the School District is considering the possibility of relocating its District Welcome Center to a new facility.

Anoka Ramsey Community College

Anoka Ramsey Community College is interested in relocating its Career Development Center to a new site. They are also planning to move to a four year Baccalaureate degree program in the future and will need additional classrooms. They have also expressed an interest in a future shared library facility.

City of Coon Rapids

The City would like to consider new senior activity space and additional community meeting room space.

Coon Rapids Athletic Association

The Coon Rapids Athletic Association is interested in a shared basketball and multi-use athletic facility, possibly shared with the School District and other governmental agencies.

These needs have been expressed by various groups over the course of several meetings during the past seven months. A meeting was held on December 13 where each group committed to participating in the master plan study. I have met with Library, County, and Community College staff and made a presentation to the Anoka Hennepin School District #11 Board. They have all given their support to move ahead with the master plan study.

Perkins+Will plans to proceed with the study in late January and have it completed by the end of May. Staff proposed to the various potential user groups that the City would pay 50% of the cost of the master plan study and the remaining 50% would be split equally between Anoka Hennepin School District #11, Anoka Ramsey Community College, and Anoka County and its Library Board. The Anoka County Library Board has requested that their share of the planning study cost be reduced to reflect past planning work they have already completed. This request seems reasonable and staff will discuss possible fee reductions for this with Perkins+Will.

Staff believes it is appropriate to move forward with the master plan study at this time. Once the master plan has been completed, more detailed discussions can be held with individual agencies and user groups about specific needs and interests regarding moving forward with a specific project. He noted the Library Board has requested a fee credit based on prior work completed on this same matter. The City anticipated a reduction in the overall fee to be \$5,00-6,000.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, TO ACCEPT THE PROPOSAL FROM PERKINS+WILL FOR PROFESSIONAL PLANNING SERVICES IN DEVELOPING A PHASE II MASTER PLAN FOR THE COON RAPIDS COMMUNITY FACILITIES PROJECT; AND APPROPRIATE \$64,500 FROM THE FACILITIES CONSTRUCTION FUND TO FUND THE COST OF THE MASTER PLAN STUDY.

Councilmember Johnson was pleased with the partnerships being formed for this initiative as the project would service the entire community.

Councilmember Schulte agreed stating this was an exciting project. He noted he would remain involved in this project, even after he moves onto the County Commission.

Councilmember Sanders stated in the end this project would be dynamic for the community and would attract businesses to Coon Rapids Boulevard.

Councilmember Johnson noted he was willing to represent the Council on the ad-hoc group.

Councilmember Sanders stated the original vision varied from the present proposal, but he fully supported the project and it's potential.

Mayor Howe understood the project needed Council support and he would support the proposal, however, he wanted the Council to remain a part of the planning process going forward.

THE MOTION PASSED UNANIMOUSLY.

13. **CONSIDER RESOLUTION NO. 12-135 AMENDING BUDGETS OF TAX INCREMENT DISTRICTS 1-6 AND 1-10**

Finance Director Legg presented a memorandum requesting the Council modify the budget for two tax increment districts.

Tax increment districts 1-6 and 1-10 are expiring at the end of 2012. The present budgets for the districts were last modified in 2011 and 2001, respectively. At this time, the budgets for the two districts should be modified to reflect historical expenditures as well as allowing for available tax increment to be used for public improvements. Additionally, one of the districts requires a transfer from the other. These two districts were included in Project Area No. 1. Therefore, expenditures from the project area could be made in either of the districts. Because the budgets for these two districts are not increasing, but only being reallocated, no public hearing is necessary.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 12-135 AMENDING BUDGETS OF TAX INCREMENT DISTRICTS 1-6 AND 1-10. THE MOTION PASSED UNANIMOUSLY.

14. **CONSIDER RESOLUTION NO. 12-132 PROVIDING FOR THE ISSUANCE AND SALE OF G.O. IMPROVEMENT AND REFUNDING BONDS, SERIES 2013A, TO BE ISSUED IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$5,895,000**

Finance Director Legg presented a memorandum to Council stating a bond issue is being proposed to be sold on or about January 15, 2013.

Staff is recommending that the City Council authorize the proposed resolution providing for the issuance of G.O. Improvement Bonds and the Refunding Bonds, Series 2013A. The G. O. Improvement Bonds will fund the following street projects:

- Project 11-1 2011 Street Reconstruction
- Project 12-1 2012 Street Reconstruction
- Project 12-3 2012 Street Reconstruction (MSA)
- Project 12-4 2012 Street Reconstruction (MSA)

The refunding will issue new Water Revenue Bonds to replace the Water Revenue Bonds issued in

2003, saving interest costs. It is anticipated that there should be \$180,000 saved by issuing the refunding bonds.

Since there will not be a City Council meeting on January 15, 2013, staff is recommending that on January 7, 2013, the City Council authorize a pricing committee to accept the bids that will be received on January 15, within certain interest rates.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER SCHULTE, TO ADOPT RESOLUTION NO. 12-132 PROVIDING FOR THE ISSUANCE AND SALE OF G.O. IMPROVEMENT AND REFUNDING BONDS, SERIES 2013A, TO BE ISSUED IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$5,895,000. THE MOTION PASSED UNANIMOUSLY.

15. CONSIDER RESOLUTION NO. 12-133 RE-APPROPRIATING FUNDS WITHIN THE 2012 GENERAL FUND BUDGET AND AMENDING THE 2012 AND 2013 BUDGETS

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

General Fund expenditures were reviewed with activity managers or department heads. It is anticipated that overall expenditures for 2012 will be \$24,554,197, which includes \$105,068 being carried forward to next year. This is \$823,200 under the 2012 estimate shown in the 2013 budget document. The carry-forwards include budgeted amounts that will not be received before year-end or are not needed until 2013. Accounting standards require that purchases be recorded in the year the items or services are actually received.

The 2012 revenues are estimated to be \$26,243,937 or \$268,244 more than previously estimated in the 2013 budget document.

The 2012 General Fund balance is projected to increase by \$1,091,444, after carry-forwards, over the estimate shown in the 2013 budget.

Comparisons of the 2012 estimated General Fund revenues and expenditures to the 2012 amended budget are as follows:

REVENUES

Revenues are estimated to be \$26,243,937, which is \$154,882 or 0.6% over the amended revenue budget of \$26,089,055. A summary of budgeted General Fund revenues compared to the current estimate is as follows:

Amended Budget	Mid Year Estimate	Current Estimate	Current Estimate Over (Under) Amended Budget
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UNAPPROVED

General Property Taxes	\$17,839,056	\$17,660,665	\$17,660,665	(\$178,391)
Business Licenses	441,580	530,580	592,351	150,771
Non-business Licenses/Permits	983,700	1,071,200	1,086,640	102,940
Fines and Forfeitures	503,500	415,000	404,877	(98,623)
Investment Income	237,600	236,300	220,800	(16,800)
Intergovernmental Revenue	802,800	902,174	909,428	106,628
Charges for Services	1,721,210	1,711,200	1,956,375	235,165
Utilities Tax	3,161,101	3,015,715	2,980,059	(181,042)
Other	398,508	432,859	432,742	34,234
TOTAL	\$26,089,055	\$25,975,693	\$26,243,937	\$154,882

EXPENDITURES

Expenditures, including carry-forwards of \$105,068, are estimated to be \$24,554,197, which is \$1,058,104 or 4.1% under the amended budget of \$25,612,301. A summary of expenditure estimates compared to budget by department is as follows:

	Amended Budget*	Mid Year Estimate	Current Estimate (Including carry-forwards)	Current Estimate Over (Under) Amended Budget
City Manager Department	\$1,925,215	\$1,838,927	\$1,744,215	(\$181,000)
Legal Department	823,463	783,983	668,063	(155,400)
City Clerk Department	257,051	238,120	239,851	(17,200)
Finance Department	1,700,633	1,719,190	1,632,933	(67,700)
Community Development Dept.	1,762,119	1,822,595	1,637,219	(124,900)
Police Department	8,425,912	8,361,222	8,210,612	(215,300)
Fire Department	4,038,282	3,934,914	3,845,082	(193,200)
Public Works Department	6,659,722	6,658,542	6,576,222	(83,500)
Contingency	19,904	19,904		(19,904)
TOTAL	\$25,612,301	\$25,377,397	\$24,554,197	(\$1,058,104)

*prior to reallocating funds

Personal Services

It is estimated that expenditures in the Personal Services category will be \$19,215,118. This is \$786,004 under budget primarily due to vacancies.

Other Charges and Services

It is estimated that expenditures in the Other Charges and Services category will be \$3,719,680 or \$3,761,040 with carry-forwards. This is \$140,200 under budget primarily due to less being spent than was budgeted for professional and consulting services and maintenance and repair of equipment.

Supplies

It is estimated that expenditures in the Supplies category will be \$1,270,380. This is \$126,000 under budget primarily due to less being spent than was budgeted for office supplies, motor fuels, equipment repair parts, and salt.

Capital Outlay

It is estimated that expenditures in the Capital Outlay category will be \$213,951 or \$277,659 with carry-forwards. This is \$17,900 under budget primarily due to savings from the amounts originally budgeted.

Other Disbursements

It is estimated that expenditures in the other disbursements category will be \$30,000, which is \$12,000 over budget due to higher than anticipated concession merchandise purchases at the Ice Center.

2012 CARRY-OVER TO 2013 BUDGET

Council is asked to consider carrying forward \$105,068 in the General Fund and \$701,205 for other funds into fiscal year 2013 for items not purchased or completed in 2012 as detailed in Resolution No. 133.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT RESOLUTION NO. 12-133 RE-APPROPRIATING FUNDS WITHIN THE 2012 GENERAL FUND BUDGET AND AMENDING THE 2012 AND 2013 BUDGETS. THE MOTION PASSED UNANIMOUSLY.

16. CONSIDER RESOLUTION NO. 12-134 AMENDING THE RECYCLING FUND BUDGET FOR PURCHASE OF A SIGN AND PALLET JACK FOR THE RECYCLING CENTER
-

Finance Director Legg presented a memorandum requesting the Council authorize to purchase an electronic reader board sign and a pallet jack for the Recycling Center.

SCORE funds are available to purchase a reader board sign and a pallet jack for the Recycling Center. Two quotes have been received for the reader board sign and the pallet jack would be

purchased off the State Contract. The funds are for use before year end. Staff is recommending that funds are allocated for this capital purchase and the purchase be authorized.

The electronic LED reader board would replace the existing sign, which is manually maintained and wording is limited. The new board can have varying messages to hopefully increase the tonnage recycled as well as the number of users of the center. The cost including sales tax is \$24,000.

The pallet jack, at a cost of \$3,730 including sales tax, was anticipated for the 2013 budget, but can be purchased sooner using SCORE funds.

Because these two items are capital outlay, the City Code requires they be identified and funds made available.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 12-134 AMENDING THE RECYCLING FUND BUDGET FOR THE PURCHASE OF A SIGN AND PALLET JACK.

Councilmember Johnson asked if this was a new or replacement pallet jack. City Manager Gatlin noted he would investigate this matter and report back to the Council.

THE MOTION PASSED UNANIMOUSLY.

17. CONSIDER RESOLUTION NO. 12-139 ESTABLISHING THE 2013 WAGE SCHEDULE FOR UNREPRESENTED EMPLOYEES

City Manager Gatlin presented a memorandum to Council stating a resolution was being presented in compliance with City Code Section 3-301, which requires the annual presentation of a compensation plan to the City Council. City Staff requests that the City Council adopt a resolution establishing the 2013 wage schedule for unrepresented employees.

The City's 2013 Compensation Plan includes the following components:

1. There are 23 pay grades and nine steps within each grade.
2. Each salary range minimum is approximately 75 percent of its range maximum.
3. The wage schedule includes a six percent merit pay range to reward employees who demonstrate excellent work performance.
4. The 2013 wage schedule for unrepresented positions includes a 1% pay adjustment effective January 1, 2013, and 1.5% pay adjustment effective July 1, 2013. These increases are the same as the ones provided for in the City's four collective bargaining agreements.

The number of positions approved for the 2013 City Budget is 226 full-time equivalents (FTEs).

This represents an increase of one over the 2012 budget, but slightly less than the 10-year average for FTEs. All regular full-time and part-time employees will be compensated at a rate between the minimum and maximum of their salary range. The only exceptions are employees who exceeded the maximum rate when the current pay plan was implemented January 2005.

The City is currently undergoing a full classification and compensation study; however, the results of that study were not available to modify the City's compensation plan for the start of 2013. The City will receive those results in early 2013 and staff will develop an implementation plan afterward. Council will be updated on the progress of this study as it moves forward.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER SCHULTE, TO ADOPT RESOLUTION NO. 12-139 ESTABLISHING THE 2013 WAGE SCHEDULE FOR UNREPRESENTED EMPLOYEES. THE MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS

Councilmember Sanders noted this was Councilmember Schulte's and Councilmember Larson's last City Council meeting. He thanked them both for their dedicated service to the City of Coon Rapids. He wished Councilmember Schulte the best as he will now serve on the Anoka County Board.

Councilmember Larson thanked the City for the opportunity to represent her ward for the past four years.

Councilmember Schulte thanked the Staff, Council and citizens for allowing him to serve as a Councilmember. He indicated it has been both a privilege and an honor to represent the City of Coon Rapids. He encouraged the Council to continue their work on behalf of its residents. He looked forward to working with the Council at the County level.

Mayor Howe wished Councilmember Schulte and Councilmember Larson both the best and thanked them for their service to the City of Coon Rapids. The Council and staff offered them both a round of applause.

ADJOURN

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON, TO ADJOURN THE MEETING AT 8:43 P.M. THE MOTION PASSED UNANIMOUSLY.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF JANUARY 7, 2013

OPEN MIC/PUBLIC COMMENT

Jerry Pierce, 12236 Partridge Street NW, said he would like the Safety Commission to review the stop sign installation at Quinn Street/Partridge Street. He said the traffic should be stopped at Quinn Street and not Partridge Street because of a bad curve.

Richard Vining, Kwik Trip on Coon Rapids Boulevard and Springbrook, distributed business statistics since the prepay ordinance went into effect. He said their guest count has severely declined and that the only metric that has increased is food sales. The Council asked some clarifying questions regarding the data.

CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of January was called to order by Mayor Tim Howe at 7:15 p.m. on Monday, January 7, 2013, in the Council Chambers.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Howe led the Council in the Pledge of Allegiance.

OATHS OF OFFICE

1. OATHS OF OFFICE FOR NEW COUNCILMEMBERS

The Honorable Tammi A. Fredrickson issued the Oaths of Office to Councilmembers Klint, Manning, Koch, and Wells. A round of applause was offered by those in attendance.

ROLL CALL

Members Present: Mayor Tim Howe, Councilmembers Denise Klint, Ron Manning, Paul Johnson, Jerry Koch, Bruce Sanders and Steve Wells

Members Absent: None

ADOPT AGENDA

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER SANDERS,

TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

PROCLAMATIONS/PRESENTATIONS

2. **PRESENT PROCLAMATION AND CONSIDER RESOLUTION 13-25 ACCEPTING DONATION OF FUNDS FROM THE 2012 EISENHOWER ELEMENTARY SCHOOL PENNY DRIVE**

Mayor Howe indicated Patty Sathre from Eisenhower Elementary School would like to present monies collected from this year's Kookies Penny Drive. He explained that Eisenhower Elementary's child nutrition staff is giving back to the community through a penny drive that lasts all school year. Proceeds from their penny drives are donated monthly to several different agencies and nonprofit organizations. Students place pennies in a large jar in the cafeteria designated for a different organization each month. Ms. Sathre said the children are excited to place their pennies in the jar and often comment that they have been saving their pennies for a long time.

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

Patty Sathre presented the Council with a check for their total donation of \$84.84.

Mayor Howe thanked Ms. Sathre and all of the students at Eisenhower Elementary School for their generous donation. He then read a proclamation acknowledging the Kookies Penny Drive and presented it to Ms. Sathre.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION NO. 13-25 ACCEPTING THE DONATION OF FUNDS FROM THE 2012 EISENHOWER ELEMENTARY SCHOOL PENNY DRIVE. THE MOTION PASSED UNANIMOUSLY.

COUNCIL BUSINESS

3. **DESIGNATING COUNCIL SECRETARY:**
- A. **CONSIDER RESOLUTION 13-1 DESIGNATING TIMESAVER OFF SITE SECRETARIAL, INC. AS COUNCIL SECRETARY FOR 2013**
 - B. **APPROVE ADDENDUM TO RECORDING SECRETARY SERVICE AGREEMENT**
-

City Clerk Sorensen presented a memorandum to Council stating each year Council enters into an agreement for recording secretarial services for meeting minutes.

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

TOSS has submitted an Addendum to the Recording Secretary Service Agreement for 2013. While the addendum does reflect a rate increase, the increase is less than 2.25%. TimeSaver has not increased their rates since 2008 and staff has verified that this increase will still be within budget.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER KOCH, TO ADOPT RESOLUTION NO. 13-1 DESIGNATING TIMESAVER OFF SITE SECRETARIAL, INC. AS COUNCIL SECRETARY FOR 2013; AND APPROVE ADDENDUM TO RECORDING SECRETARY SERVICE AGREEMENT. THE MOTION PASSED UNANIMOUSLY.

4. **COUNCIL RULES OF PROCEDURE:**
 - A. **CONSIDER RESOLUTION 13-2 ESTABLISHING COUNCIL RULES OF PROCEDURE**
 - B. **CONSIDER ADDENDUM TO RESOLUTION 13-2, DEFINITIONS AND EXPLANATIONS OF CITY COUNCIL ORDER OF BUSINESS**
-

City Clerk Sorensen presented a memorandum requesting the Council adopt Rules of Procedure. She noted the Council annually adopts Rules of Procedure setting forth the order of business for regular meetings, along with certain definitions and explanations. These documents have not been modified from last year's format.

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 13-2 ESTABLISHING COUNCIL RULES OF PROCEDURE; AND ADOPT THE ADDENDUM TO RESOLUTION 13-2, DEFINITIONS AND EXPLANATIONS OF CITY COUNCIL ORDER OF BUSINESS. THE MOTION PASSED UNANIMOUSLY.

5. **CONSIDER RESOLUTION 13-3 DESIGNATING THE COON RAPIDS HERALD AS THE OFFICIAL NEWSPAPER FOR 2013**
-

City Clerk Sorensen presented a memorandum stating each year the Council designates the City's official legal newspaper. The Coon Rapids Herald has submitted a proposal to serve as the City's legal newspaper for 2013. Their publication rates remain unchanged from prior years. The Herald meets all requirements for this obligation.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 13-3 DESIGNATING THE COON RAPIDS HERALD AS THE

OFFICIAL NEWSPAPER FOR 2013. THE MOTION PASSED UNANIMOUSLY.

6. **CONSIDER RESOLUTION 13-9 DESIGNATING DEPOSITORIES AND INVESTMENT COLLATERAL MANAGEMENT PROCEDURES**

Finance Director Legg presented a memorandum to Council stating that Chapter 118A of the Minnesota Statutes sets forth the requirements for the deposit of public funds and the management of collateral. She noted State Statutes allow the City Council to authorize the treasurer or chief financial officer to designate depositories for City funds and to manage the collateral for those funds. The resolution designates Wells Fargo Bank Minnesota, N.A. as the official depository and authorizes the Manager of Accounting/Treasurer or Finance Director to designate additional depositories for investment purposes, approve wire transfer agreements with the depositories, and manage the collateral as prescribed by State Statute.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION NO. 13-9 DESIGNATING DEPOSITORIES AND INVESTMENT COLLATERAL MANAGEMENT PROCEDURES. THE MOTION PASSED UNANIMOUSLY.

7. **COUNCIL APPOINTMENTS:**
- A. **CONSIDER RESOLUTION 13-4 APPOINTING CHIEF OF POLICE AND ONE OTHER VOTING MEMBER AND ALTERNATE TO THE ANOKA COUNTY JOINT LAW ENFORCEMENT COUNCIL**
 - B. **CONSIDER RESOLUTION 13-5 APPOINTING A DELEGATE AND ALTERNATE TO THE ANOKA-HENNEPIN DISTRICT 11 COMMUNITY EDUCATION ADVISORY COUNCIL**
 - C. **CONSIDER RESOLUTION 13-6 APPOINTING A DELEGATE AND ALTERNATE TO METRO CITIES**
 - D. **CONSIDER RESOLUTION 13-7 APPOINTING A DELEGATE AND ALTERNATE TO THE LEAGUE OF MINNESOTA CITIES**
 - E. **CONSIDER RESOLUTION 13-8 APPOINTING A REPRESENTATIVE AND ALTERNATE TO THE LOCAL GOVERNMENT INFORMATION SYSTEMS (LOGIS)**
 - F. **CONSIDER RESOLUTION 13-10 APPOINTING A REPRESENTATIVE, ALTERNATE MINNESOTA METRO NORTH TOURISM (TWIN CITIES GATEWAY)**
 - G. **CONSIDER RESOLUTION 13-11 APPOINTING TWO MEMBERS AND ALTERNATE TO THE SCHWAN'S SUPER RINK JOINT BOARD**
 - H. **CONSIDER RESOLUTION 13-12 APPOINTING A REPRESENTATIVE AND ALTERNATE TO THE NORTHSTAR CORRIDOR DEVELOPMENT AUTHORITY**
 - I. **CONSIDER RESOLUTION 13-22 APPOINTING A REPRESENTATIVE TO THE**

NORTH METRO CROSSING COALITION
J. CONSIDER APPOINTMENT TO LOWER RUM WATERSHED MANAGEMENT ORGANIZATION

City Clerk Sorensen presented a memorandum to Council stating each year Council makes appointments to certain organizations. Council is asked to make the 2013 appointments at this time.

Council is asked to appoint members to represent the City on several organizations. The following are the 2012 representatives:

Anoka County Joint Law Enforcement Council	Scott Schulte; Chief Brad Wise; Bruce Sanders alternate
Anoka-Hennepin Community Ed. Advisory Council	Denise Klint; Melissa Larson alternate
Metro Cities	Paul Johnson; Jerry Koch alternate
League of Minnesota Cities	Paul Johnson; Denise Klint alternate
Local Government Information Systems	Former City Manager Matt Fulton; Dave Sack
Minnesota Metro North Tourism (TC Gateway)	Jerry Koch; Former City Manager Matt Fulton; Paul Johnson alternate
Schwan's Super Rink Joint Board	Mayor Howe; Scott Schulte; Bruce Sanders alternate
Northstar Corridor Development Authority	Bruce Sanders; Tim Howe alternate
North Metro Crossing Coalition	Bruce Sanders; Mayor Howe alternate

In addition, a new appointment is needed for the Lower Rum River Watershed Management Organization (LRRWMO). This is a joint powers special purpose unit of government that includes the cities of Ramsey, Anoka, and portions of Coon Rapids and Andover. State statute requires the appointment by an elected official, appointed official, or a member of the public. The LRRWMO will be scheduling a joint meeting with the Board and the member cities and Councils, sometime in March or April. Council is asked to provide direction on this Board.

Mayor Howe requested that the resolutions be approved individually.

Councilmember Johnson agreed and recommended Steve Wells, Chief Brad Wise and Bruce Sanders (alternate) be appointed to the Anoka County Joint Law Enforcement Council.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 13-4 APPOINTING CHIEF OF POLICE AND ONE OTHER VOTING MEMBER AND ALTERNATE TO THE ANOKA COUNTY JOINT LAW ENFORCEMENT COUNCIL. THE MOTION PASSED UNANIMOUSLY.

Councilmember Johnson recommended Denise Klint and Ron Manning (alternate) serve on the Anoka-Hennepin Community Education Advisory Council.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 13-5 APPOINTING A DELEGATE AND ALTERNATE TO THE ANOKA-HENNEPIN DISTRICT 11 COMMUNITY EDUCATION ADVISORY COUNCIL. THE MOTION PASSED UNANIMOUSLY.

Councilmember Johnson suggested himself and Jerry Koch (alternate) be appointed to Metro Cities.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 13-6 APPOINTING A DELEGATE AND ALTERNATE TO METRO CITIES. THE MOTION PASSED UNANIMOUSLY.

Councilmember Johnson recommended he and Denise Klint (alternate) be appointed to the League of Minnesota Cities.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 13-7 APPOINTING A DELEGATE AND ALTERNATE TO THE LEAGUE OF MINNESOTA CITIES. THE MOTION PASSED UNANIMOUSLY.

Councilmember Johnson recommended City Manager Gatlin and IT Manager Dave Sack represent the City for the Local Government Information Systems (LOGIS) group.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 13-8 APPOINTING A REPRESENTATIVE AND ALTERNATE TO THE LOCAL GOVERNMENT INFORMATION SYSTEMS (LOGIS). THE MOTION PASSED UNANIMOUSLY.

Councilmember Johnson requested Jerry Koch, City Manager Gatlin, and himself (alternate) serve on Minnesota Metro North Tourism (TC Gateway).

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 13-10 APPOINTING A REPRESENTATIVE, ALTERNATE MINNESOTA METRO NORTH TOURISM (TWIN CITIES GATEWAY). THE MOTION PASSED UNANIMOUSLY.

Councilmember Johnson suggested Mayor Howe, Steve Wells and Bruce Sanders (alternate) be appointed to the Schwan's Super Rink Joint Board.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 13-11 APPOINTING TWO MEMBERS AND ALTERNATE TO THE SCHWAN'S SUPER RINK JOINT BOARD. THE MOTION PASSED UNANIMOUSLY.

Councilmember Johnson recommended Bruce Sanders and Mayor Howe (alternate) be represent the City on the Northstar Corridor Development Authority.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 13-12 APPOINTING A REPRESENTATIVE AND ALTERNATE TO THE NORTHSTAR CORRIDOR DEVELOPMENT AUTHORITY. THE MOTION PASSED UNANIMOUSLY.

Councilmember Johnson suggested Bruce Sanders and Mayor Howe (alternate) be appointed to the North Metro Crossing Coalition.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 13-22 APPOINTING A REPRESENTATIVE TO THE NORTH METRO CROSSING COALITION. THE MOTION PASSED UNANIMOUSLY.

Mayor Howe indicated Ron Manning and Bruce Sanders (alternate) were interested in serving on the Lower Rum Watershed Management Organization.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO APPOINT RON MANNING AND BRUCE SANDERS (ALTERNATE) TO THE LOWER RUM RIVER WATERSHED MANAGEMENT ORGANIZATION. THE MOTION PASSED UNANIMOUSLY.

8. BOARD AND COMMISSION APPOINTMENTS:
 - A. ADOPT RESOLUTION 13-16 APPROVING THE REAPPOINTMENTS TO THE ARTS COMMISSION
 - B. ADOPT RESOLUTION 13-13 APPROVING REAPPOINTMENTS TO THE BOARD OF ADJUSTMENT AND APPEALS
 - C. ADOPT RESOLUTION 13-14 APPROVING REAPPOINTMENT TO THE POLICE AND FIREFIGHTER'S CIVIL SERVICE COMMISSION
 - D. ADOPT RESOLUTION 13-17 APPROVING REAPPOINTMENTS TO THE HISTORICAL COMMISSION
 - E. ADOPT RESOLUTION 13-27 APPROVING REAPPOINTMENTS TO THE PARKS COMMISSION
 - F. ADOPT RESOLUTION 13-15 APPROVING REAPPOINTMENTS TO THE PLANNING COMMISSION
 - G. ADOPT RESOLUTION 13-18 APPROVING REAPPOINTMENTS TO THE SAFETY COMMISSION
 - H. ADOPT RESOLUTION 13-20 APPROVING REAPPOINTMENTS TO THE SUSTAINABILITY COMMISSION
-

City Clerk Sorensen presented a memorandum requesting the Council approve the annual appointments of members to the City's Boards and Commissions.

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

Arts Commission

- Re-appoint Lewis Anderson, Elaine Stulc, and Jim Ulwelling to terms to expire on December 31, 2015. Cindy Bornetun, Kristin Shields, and Jennifer Stone did not wish to be reappointed.

Board of Adjustment and Appeals

- Re-appoint Jeanette Rosand and Aaron Vande Linde to terms to expire on December 31, 2015.

Police and Firefighter's Civil Service Commission

- Al Hofstedt's term expired on this Commission on December 31, 2012, and he is seeking reappointment with a term to expire December 31, 2013.

Historical Commission

- Re-appoint Robert Powell and Ron Wendel to terms that expire on December 31, 2015.

Parks and Recreation Commission

- Re-appoint Tim Arntson, Michael Jacobsen, and Gen Sand. Steven Head did not wish to be reappointed, but the Commission is recommending the appointment of John Angell. All members would have terms to expire December 31, 2015.

Planning Commission

- Re-appoint Cedric Lattimore, Wayne Schwartz, and Julia Stevens to terms expiring on December 31, 2015.

Safety Commission

- Re-appoint Al Hofstedt, Amit Sirsikar, and Jeffrey Abraham to terms expiring on December 31, 2015. Sean Novack did not wish to seek reappointment.

Sustainability Commission

- Re-appoint Robert Krahn, Pamela Foster, and Dave King to terms expiring on December 31, 2015. Gabriel Routh does not wish to seek reappointment.

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

Councilmember Sanders recommended Jenny Geisler serve as the Planning Commission Chair.

Councilmember Johnson noted there were several Commission openings at this time and invited those interested in serving to contact City Hall for further information.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER KOCH,

TO ADOPT RESOLUTION NO. 13-16 APPROVING THE REAPPOINTMENTS TO THE ARTS COMMISSION; ADOPT RESOLUTION 13-13 APPROVING REAPPOINTMENTS TO THE BOARD OF ADJUSTMENT AND APPEALS; ADOPT RESOLUTION 13-14 APPROVING REAPPOINTMENT TO THE POLICE AND FIREFIGHTER'S CIVIL SERVICE COMMISSION; ADOPT RESOLUTION 13-17 APPROVING REAPPOINTMENTS TO THE HISTORICAL COMMISSION; ADOPT RESOLUTION 13-27 APPROVING REAPPOINTMENTS TO THE PARKS COMMISSION; ADOPT RESOLUTION 13-15 APPROVING REAPPOINTMENTS TO THE PLANNING COMMISSION WITH JENNY GEISLER SERVING AS THE CHAIR; ADOPT RESOLUTION 13-18 APPROVING REAPPOINTMENTS TO THE SAFETY COMMISSION; AND ADOPT RESOLUTION 13-20 APPROVING REAPPOINTMENTS TO THE SUSTAINABILITY COMMISSION. THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

None.

CONSENT AGENDA/INFORMATIONAL BUSINESS

9. AUTHORIZE FINAL PAYMENT FOR PROJECT 11-23, PHASE II DEMOLITION, ICE ARENA

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, TO APPROVE THE CHANGE ORDERS AND FINAL PAYMENT TO ALL METRO EXCAVATING IN THE AMOUNT OF \$14,571.00 FOR PROJECT 11-23. THE MOTION PASSED UNANIMOUSLY.

10. AUTHORIZE FINAL PAYMENT FOR PROJECT 12-13, LARGE BITUMINOUS PATCHING

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KOCH, TO APPROVE THE CHANGE ORDERS AND FINAL PAYMENT TO RUM RIVER CONTRACTING IN THE AMOUNT OF \$51,881.85 FOR PROJECT 12-13.

Mayor Howe asked why traffic control was not included in the original bid. City Manager Gatlin stated this was generally included in the bid; however, there were some unanticipated additional expenses.

THE MOTION PASSED UNANIMOUSLY.

REPORTS ON PREVIOUS OPEN MIC

11. **OPEN MIC REPORT – BRADLEY WORCESTER, 9240 UNIVERSITY AVENUE #211 –
RE: CORRECTION OF METRO TRANSIT INFORMATION REGARDING
ERRONEOUS USE OF REISLING BOULEVARD**

Mayor Howe presented a memorandum from Staff to Council stating on December 18, 2012, Mr. Bradley Worcester informed Council that Metro Transit was incorrectly referring to Round Lake Boulevard as Riesling Boulevard. On a separate matter, Mr. Worcester also expressed concern regarding the frequent turnover of restaurant operators in the former Tequilaberry's space on Coon Rapids Boulevard.

Staff has reviewed the printed and online material regarding Metro Transit bus routes which serving the Round Lake Boulevard corridor. This includes routes 805, 850, 852, and 860. Staff has found Round Lake Boulevard used correctly on all reviewed materials, including maps and schedules. A search of Metro Transit's website, as well as the Anoka County Traveler webpage, using "Riesling" returns no results. Staff has contacted a Metro Transit official regarding Mr. Worcester's reported error, but has not yet received a response. Any additional information Mr. Worcester can provide City staff regarding this error would be helpful.

Regarding Mr. Worcester's concern about the former Tequilaberry's, as Council noted at the December 18th meeting, the owners of the property have been working diligently over the years since Tequilaberry's closed to find new operators for the restaurant space. Many of the operators who have opened new restaurants in the space have had considerable experience in the industry, but have unfortunately struggled in that location. A new operator is planning to open a new restaurant shortly.

OLD BUSINESS

12. **CONSIDER RESOLUTION 13-19 APPROVING A COMPREHENSIVE LAND USE
PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL, TIM TRONSON, 1354
121ST AVENUE, PC 12-2**

Planner Harlicker presented a memorandum to Council stating the applicant is requesting approval on an amendment to the City's Comprehensive Land Use Plan to change the land use designation from Low Density Residential to Moderate Density Residential.

Background

The applicant is requesting a change in the land use designation from *Low Density Residential* to *Moderate Density Residential*. The property fronts on 121st Avenue, is five acres in size and contains a house and several outbuildings. There is a drainage ditch that borders the east property line. Approximately 1.5 acres is within the 100-year floodplain according to FEMA flood maps. The area within the floodplain is located in the southeastern portion of the site, adjacent to the ditch.

Areas within a floodplain are difficult to develop because any floodplain filled has to be replaced within the same drainage basin.

Analysis

The description of the *Low Density Residential* land use designation is mostly single-family homes with some two family homes and open space within the development at a gross density of 2 to 4 units per acre. The description of the *Moderate Density Residential* designation is generally detached housing including two family homes and townhomes at a gross density of 4 to 7 units per acre.

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

- The subject property fronts a collector street.
- It abuts townhome developments on three sides.
- It is adjacent to single family homes on one side.

The proposed amendment supports the City's Comprehensive Land Use Plan in that it is consistent with the goal of maintaining complete and balanced neighborhoods that include a variety of housing resources, and is consistent with the policy of preserving the integrity of single family neighborhoods by locating higher density residential housing at the fringes of single family neighborhoods and along transit corridors.

A land use designation of *Moderate Density Residential* would be consistent with the adjacent townhome developments and would be compatible with the adjacent single homes to the west. Any additional traffic generated by the development of this site as townhomes could be accommodated by 121st Avenue. No traffic generated by the development of this parcel would have to go through the single-family neighborhood to access the site.

This proposed land use amendment would increase the amount of land that is guided *Moderate Density Residential* by five acres, from 986 acres to 991 acres. The proposed amendment would not have a significant impact on the amount of land that is currently designated *Low Density Residential*. It would decrease the amount of land that is currently guided *Low Density Residential* from 6,809 to 6,804 acres

Planning Commission Meeting

At the Planning Commission meeting held on November 15th, six residents spoke at the public hearing. The residents' concerns included the following:

- potential impact on their property values
- the City does not anymore townhouses

- removal of the trees would increase the noise they experience
- make sure that any grading would not impact their property
- potential impacts on wildlife
- loss of open space

Staff also answered questions regarding the site plan review process, who was requesting the land use change, was the City involved with the sale of the property and the environmental review process.

The Commission believed that the land use change to Moderate Density Residential is reasonable and would be compatible with the adjacent single-family homes. The Commission voted 7:0 to recommend approval of the Comprehensive Land Use Plan amendment.

At the December 18th meeting, Council voted 4:2 to approve the corresponding zone change and tabled the Comprehensive Land Use Plan amendment. It should be noted it takes a super majority of five votes to approve an amendment to the Comprehensive Land Use Plan. Two residents spoke at the meeting. They voiced concerns about what the future development might look like and potential grading impacts.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION 13-19 APPROVING THE PROPOSED AMENDMENT TO THE COMPREHENSIVE LAND USE PLAN BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED LAND USE AMENDMENT IS CONSISTENT WITH THE ADJACENT THE TOWNHOMES.
2. THE PROPOSED AMENDMENT WOULD BE COMPATIBLE WITH THE SINGLE FAMILY HOMES TO THE WEST.
3. THE PARCEL FRONTS ON A COLLECTOR STREET THAT IS DESIGNED TO ACCOMMODATE ANY ADDITIONAL TRAFFIC GENERATED BY A TOWNHOME DEVELOPMENT ON THIS SITE.

Councilmember Manning questioned if there was opposition by the surrounding property owners.

Mayor Howe noted two homeowners did express concern about the drainage from the proposed property along with the proposed density proposed for this site.

Councilmember Koch commented at the Planning Commission meeting there were several other single-family homeowners that spoke out against the project. He indicated he supported the proposed land use amendment.

Community Development Director Nevinski further reviewed the comments made at the Planning Commission in detail with the Council. He noted the Planning Commission saw this site being used for either single family or moderate density residential.

Councilmember Manning asked who requested the zone change. Community Development Director Nevinski stated the request was made by the property owner.

Councilmember Sanders noted the Planning Commission approved the proposed Comprehensive Land Use Amendment unanimously and he found the proposed change to be a reasonable use for this land.

THE MOTION PASSED 6-1, COUNCILMEMBER KLINT OPPOSED.

13. CONSIDER CLASS A ON-SALE AND SUNDAY LIQUOR LICENSE TO OSAKA
NORTHTOWN, INC. D.B.A. OSAKA STEAKHOUSE, 77 85TH AVENUE NW

City Clerk Sorensen presented a memorandum to Council stating Jian Rong Chen, manager for Osaka Northtown Inc., has submitted an application for a Class A On-Sale and Sunday liquor license for Osaka Steakhouse at 77 85th Avenue NW.

Osaka Northtown, Inc. formerly Osaka Steakhouse, Inc. ownership has changed but not the location. The license had previously been in a former manager's name who has left Osaka's employment. DeJin Zheng, owner, formed Osaka Northtown, Inc., which was to take effect on January 1, 2013. The business would still operate under the name of Osaka Steakhouse.

Mr. Zheng applied for the license but was denied by Council on December 18 due to information discovered in the background investigation. The new manager, Jian Rong Chen, is now applying for this license, which is allowed per City Code.

The license and investigation fees have been paid and Certificate of Insurance evidencing liquor liability and workers' compensation coverage has been received. The Police Department has conducted a comprehensive background investigation on Mr. Chen and found no reason to recommend denial of licensing but has noted that his United States of America Employment Authorization Card expires on January 12, 2013. Mr. Chen has provided a copy of his Application for Employment Authorization, dated December 7, 2012. The Police Department attempted several times to contact the Department of Homeland Security to verify the application and timeline for receipt of a new card but was unable to speak with anyone. While an employment card is not required by City Code it is required by federal law and therefore necessary.

Mayor Howe suggested a condition be added to the motion to have approval of the liquor license be contingent upon the proper receipt of a valid employment authorization card for Jian Chen.

Councilmember Sanders suggested the liquor license not be approved until the valid employment

authorization card was presented to the City.

Councilmember Koch supported the liquor license subject to the fulfillment of all necessary paperwork to secure the employment card.

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER KLINT, TO APPROVE ISSUANCE OF A CLASS A ON-SALE AND SUNDAY LIQUOR LICENSE TO OSAKA NORTHTOWN, INC. D.B.A. OSAKA STEAKHOUSE, 77 85TH AVENUE NW, CONTINGENT UPON RECEIVING A CURRENT UNITED STATES OF AMERICA EMPLOYMENT AUTHORIZATION CARD.

Councilmember Johnson asked if the establishment had a license at this time. City Clerk Sorenson stated at this time, Osaka did not have a liquor license at this time. She explained Osaka could operate under the current employment card until January 13th at which time the card would expire.

City Attorney Brodie explained the suspension could be appealed by the applicant if the request before the Council this evening were denied.

THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

14. **CONSIDER RESOLUTION APPROVING A PROPOSED LOT SPLIT AND VARIANCE TO MINIMUM LOT DEPTH REQUIREMENT, STOCKWELL, 396 AND 388 107TH LANE, PC 12-28**
-

City Planner Harlicker presented a memorandum to Council stating the applicant is requesting approval of a lot split and a variance to the minimum lot depth to subdivide a twin home lot into two parcels. The variance to the 135-foot lot depth requirement would allow a lot depth of 120 feet.

Background

The Planning Commission approved the conditional use permit authorizing the construction of this two-family dwelling on May 20, 2004. When the CUP for the twin home was approved, Foley Boulevard was considered the front lot line and the lot line opposite was considered the rear lot line, making the lot dimensions 120 feet wide and 175 feet deep. On corner lots, the front lot line is defined as the lot side having the shortest frontage on a public street, Foley Boulevard had the shortest dimension. The rear lot line is defined as the line opposite the front lot line. The lot and twin home complied with setback and dimensional requirements.

The house could have been located facing Foley Boulevard with driveway access from Foley Boulevard. However, to avoid having driveway access on to Foley Boulevard, they located it facing 107th Lane.

When the lot is split, the front and rear lot lines are changed. On Parcel B, the corner lot, the frontage on 107th becomes the shortest dimension and therefore the front lot line and the line opposite the rear line. On Lot A, the interior lot, 107th is also considered the front lot line. The lot dimensions for the two new lots become 98 feet wide by 120 feet deep for Lot B and 75 feet wide by 120 feet deep for Lot A.

On January 3, 2005 the City Council approved a lot split and the variance to the lot depth requirement for the this parcel; however, the applicant never recorded the approved split with Anoka county. The property has been through foreclosure and the new owner would like to subdivide the parcel.

While looking into the background of this lot split, the planning case files were reviewed going back to 1990 to see how many zero lot line lot splits have been proposed. Between 1990 and 1999 there were 19 zero lot line lots splits. Since 2000 there have been six zero lot line lot splits approved. There are 600 twin homes on separate lots. Most of the twin homes that are on separate lots were approved and platted that way. There are currently about 30 double bungalow lots that might be eligible candidates for a zero lot line lot split, meaning the lot is large enough and the house style is such that the lot could be split in two.

Approving the lot split would allow the two homes to be sold individually. In other words, each unit could have a different owner. Without the lot split, the two homes would have to be sold as one. In other words, one owner would own both units. The proposed lot split will not alter the appearance of the units or the site from the street or adjacent properties.

Analysis

The applicant is proposing a zero lot line subdivision for a twinhome lot so that each half of the twinhome is on its own lot. The proposed lot split would divide the parcel into two lots with a common party wall. A variance is also needed to the lot depth requirement for both parcels. The lot depth for both parcels is 120 feet, the minimum requirement is 135 feet. Both parcels comply with the minimum lot area requirement and setback requirements.

The proposed lot split was forwarded to Anoka County for comments. The County has advised that they will need additional right-of-way along Foley Boulevard. The exact amount has yet to be determined. All County comments should be incorporated into the proposed lot split. The City Engineer recommended that a five-foot utility easement be provided along the south property line of both lots and a sidewalk and utility easement be provided along Foley Boulevard.

Section 11-705(14) Zero Lot Line for Two-Family Residential Lots

Section 11-705(14) establishes requirements for zero lot line subdivisions for twinhomes.

Criteria	Parcel A	Parcel B
----------	----------	----------

Minimum Lot Area 7,425 sf	Yes - 8,800 sf.	Yes - 12,093 sf.
Separate services for each dwelling	Yes	Yes
Two separate dwelling units maintained	Yes	Yes
Dwelling units constructed side by side	Yes	Yes
Party Wall Agreement	Yes - condition of approval	Yes - condition of approval

Variance to Lot Depth Requirement

The proposed lot split requires a variance to the minimum lot depth requirement. Because the two-family dwelling was constructed facing 107th Lane NW to avoid driveway access to Foley Boulevard, the resulting lot depth is only 120 feet where 135 feet is required. The two lots have similar lot depths as the three lots across the street; those lots have a depth of 125 feet. The two adjacent lots to the east have lot depths of 120 feet.

The Subdivision Regulations permit the granting of variances. The variances can be granted provided the following are met:

Criteria for Granting a Variance	
The intent of this Chapter is met	Yes - Section 11-705(14) allows for zero lot line subdivisions for twinhomes
The granting of the variance will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the property is located	Yes - The granting of this variance will not be detrimental to the public or neighborhood.
The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are generally not applicable to other property	Yes - To avoid driveway access to Foley Boulevard the twin home was placed facing 107th Lane
The literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district	Yes - there are other lots that are located in the area that do not meet the lot depth requirement.
The special conditions and circumstances do not result from the actions of the applicant	Yes - the special condition is a result of where the house located
Because of the particular natural surroundings, shape, or topographical conditions of the specific property involved, unusual hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out	Yes - without the variance the twinhomes will not be able to locate on separate lots.

At the Planning Commission meeting held on December 20th no one spoke at the public hearing The Planning Commission discussed the merits of the lot split; they thought it would provide an

opportunity for additional entry level home ownership and voted 7:0 to recommend approval of the proposed lot split and lot depth variance.

Councilmember Manning asked if this request would open the door to additional requests and asked how the structure would remain uniform. He noted there were approximately 30 other similar units in the City that could come before the City for the same request. He commented this could become a problem in the future.

Mayor Howe noted this was more of a concern prior to 2005 when the construction of duplexes and twinhomes were more prevalent. He noted the party wall agreement would address all exterior uniformity concerns.

Councilmember Sanders questioned if this variance request was reasonable. City Attorney Brodie indicated the new variance standards would have to be reviewed for this request.

Community Development Director Nevinski added that the party wall agreement would resolve the conflicts for the structural maintenance of the unit. He explained the variance requested was a variance from the subdivision of land language and not a variance to the City's Zoning Code.

City Attorney Brodie explained future requests were not 100% approved, as each request was reviewed on a case-by-case basis.

Councilmember Klint supported the request stating the party wall agreement benefited the property in the long run.

Councilmember Koch asked if the City had backing to defend a party wall agreement. City Attorney Brodie stated this was not up to the City, as the agreement was between the two property owners.

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION PC12-28 (L.S.) APPROVING THE PROPOSED LOT SPLIT AND THE VARIANCE TO MINIMUM LOT DEPTH REQUIREMENT WITH THE FOLLOWING CONDITIONS:

- 1. THE APPLICANT SUBMIT TO THE CITY ATTORNEY FOR APPROVAL A PARTY WALL AGREEMENT RELATING, AT A MINIMUM, TO MAINTENANCE OF THE STRUCTURE, MAINTENANCE OF OPEN AND/OR COMMON SPACE, ACCESSORY STRUCTURES AND EXTERIOR DECORATION.**
- 2. ALL COUNTY COMMENTS MUST BE ADDRESSED PRIOR TO RELEASING THE LOT SPLIT FOR RECORDING.**
- 3. A DRAINAGE AND UTILITY EASEMENT BE PROVIDED ALONG THE SOUTH LOT LINE OF BOTH LOTS AND A SIDEWALK AND UTILITY EASEMENT BE PROVIDED**

ALONG FOLEY BOULEVARD, SUBJECT TO APPROVAL BY THE CITY ENGINEER PRIOR TO RELEASING THE LOT SPLIT FOR RECORDING.

4. COMPLIANCE WITH TITLE 11, LAND DEVELOPMENT REGULATIONS.

Councilmember Koch stated he would not be supporting this item as the request could create potential problems in the future. He indicated the property would benefit by having one owner.

THE MOTION PASSED 4-3, COUNCILMEMBERS MANNING, KOCH AND MAYOR HOWE OPPOSED.

15. BUNKER HILLS PRACTICE RANGE/LEARNING CENTER

- A. CONSIDER RESOLUTION NO. 13-23 ACCEPTING PRELIMINARY PLANS AND COST ESTIMATES AND AUTHORIZE PROJECT BUDGET FOR NEW DRIVING RANGE/PRACTICE GREEN, SHORT-GAME FACILITY AND LEARNING CENTER BUILDING
 - B. APPROVE LEASE AGREEMENT WITH GOLFTEC FOR OPERATION OF GOLF INSTRUCTION LEARNING CENTER AT BUNKER HILLS
-

Golf Pro/Manager Anderson presented a memorandum to Council stating Staff is recommending acceptance of preliminary plans and cost estimates as well as authorization of the project budget for a new driving range/practice green, short-game area and learning center building.

Staff is also recommending approval of a lease agreement with golfTEC Minnesota (GTMN Partners, LLC) to begin April 1, 2013 effective until September 30, 2018 for operation of the Golf Instruction Learning Center at Bunker Hills. This lease agreement will be provided to Council prior to the meeting.

Bunker Hills Golf Club has a driving range and a practice green that were designed and built for an 18-hole golf facility. The high level of activity on these areas, created by a very busy 36-hole complex, does not meet the high standard expected for the facility. Expansion and renovation of the general practice area will provide for more teeing ground and additional practice opportunities. Staff is also recommending the construction of a Learning Center building at Bunker Hills Golf Club. The Learning Center could place Bunker Hills Golf Club at the top of the list for quality instruction in the State of Minnesota.

The City of Coon Rapids will benefit from additional driving range and instructional revenues as well as a practice facility that matches the quality of the golf course and clubhouse. Additionally, it would benefit the City of Coon Rapids by creating a regional destination for golf instruction and growth of golf programs.

As you know, the City Council authorized Herfort Nordby, Golf Course Architects, LLC, to prepare a preliminary renovation plan, a final renovation plan and the delivery of construction cost estimates

for this project. The total cost estimate to enhance the driving range/practice green, build a short-game area and Learning Center building is between \$835,000 and \$965,000. Additional annual revenue of \$55,000 to \$100,000 would be generated with a combination of increased practice sales, rent and various additional instructional revenues to repay the debt. If the City moves forward with the project, it would be built in 2013 using an internal City loan until permanent financing is obtained.

Staff realizes that a Learning Center without a tenant would not be in the best interest of the City. On October 2, the City Council accepted a request for proposal from golfTEC for the operation of the Golf Instruction Learning Center at Bunker Hills and authorized City staff to negotiate a lease agreement. Approval of the lease agreement with golfTEC would confirm the viability of the construction project and vitality of future instructional operations at Bunker Hills.

The lease agreement essentially sets out the terms between golfTEC and the City including base rent, incentive rent, utilities, marketing, signage, etc.

Kevin Nordby, Herfort Nordby Architecture, reviewed the proposed short-game facility proposed for Bunker Hills. He discussed the potential for this facility and how golfTEC would be added into the existing driving range. Mr. Nordby stated a concrete tee line was proposed to assist with turf preservation. He reviewed the location of the proposed golfTEC building, in addition to the short game facility. The short game facility would have three target green areas that would be used for practice chip, wedge and bunker shots. Mr. Nordby explained the adjacent greens would be shifted slightly to allow for golfer safety. He noted the proposed improvements would begin this spring if approved by the Council.

Councilmember Manning asked if the short game facility was open to the public. Golf Pro/Manager Anderson explained this as a secluded space that would be allowed for use by members or private instruction.

Mayor Howe questioned how the existing putting green would be affected. Mr. Nordby reviewed how the area would be reconfigured to allow for the new putting area and short game facility. Golf Pro/Manager Anderson explained that a number of trees would be added between the instructional facility and the adjacent tees.

Mayor Howe inquired how members would reach the short game practice area. Golf Pro/Manager Anderson stated these individuals would reach the site by golf cart.

Golf Pro/Manager Anderson then discussed the technology advancements that would be brought to Bunker Hills through the proposed golfTEC building. He then introduced Jim McNanny to the Council and had him step forward.

Jim McNanny, golfTEC Minnesota, explained he was excited to be partnering with the City at Bunker Hills. He noted the proposed facility would greatly improve the golf instruction provided at Bunker Hills.

Councilmember Sanders asked if there were any risks to the City through the proposed improvements. Golf Pro/Manager Anderson stated the Council would be committing to a five-year lease and he believed the lease would extend beyond those five years. He stated revenues were projected to be positive, but this would remain to be seen after the first five years.

Finance Director Legg reviewed the financial projections further with the Council stating the improvements would be bonded over 15 years to take advantage of the low interest rates at this time.

Mayor Howe requested further information on the proposed golfTEC building. Golf Pro/Manager Anderson explained the building would be built to resemble the clubhouse but would function as a standalone business. He commented there would be a reception area, a small amount of office space and two bays for instruction within the building. He indicated the building would be 40 feet x 33 feet in size.

Mayor Howe asked if signage was proposed on this building. Golf Pro/Manager Anderson stated the signage was specified in the lease agreement and the color scheme was proposed to match the other signs at Bunker Hills.

Councilmember Klint requested further information on the construction timeline. Golf Pro/Manager Anderson stated work would begin as soon as possible this spring. He anticipated lessons would begin April 15th in the temporary location and would continue in the new building after completion.

Councilmember Manning suggested the driving range provide more golf balls within each bucket.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION NO. 13-23 ACCEPTING THE PRELIMINARY PLANS AND COST ESTIMATES AS WELL AS AUTHORIZING THE PROJECT BUDGET FOR A NEW DRIVING RANGE/PRACTICE GREEN, SHORT-GAME FACILITY AND LEARNING CENTER BUILDING; AND APPROVAL OF A LEASE AGREEMENT WITH GOLFTEC FOR OPERATION OF THE GOLF INSTRUCTION LEARNING CENTER AT BUNKER HILLS.

Councilmember Koch commented the bid prices could vary by 25% before the Council could deny the project. He expressed concern with this margin level. City Manager Gatlin stated this was the State Statute allowed threshold and he did not anticipate the bid amount coming in 25% over the engineer's estimate.

Councilmember Johnson supported the proposed projects as it would greatly enhance the amenities provided by the golf course.

THE MOTION PASSED UNANIMOUSLY.

16. CONSIDER RESOLUTION 13-24 PROVIDING FOR THE SALE OF GENERAL OBLIGATION IMPROVEMENT AND REFUNDING BONDS, SERIES 2013A SUBJECT TO CERTAIN PARAMETERS: DELEGATION TO PRICING COMMITTEE

Finance Director Legg presented a memorandum requesting the Council authorize the parameters in which bonds can be sold.

The City is proposing to sell bonds on or about January 15, 2013 as authorized at the last Council meeting. Since there will not be a City Council meeting on January 15, staff is recommending that the Council authorize a pricing committee to accept the bids within certain interest rates. The bonds will fund a number of street reconstruction projects as well as refund water revenue bonds, saving interest costs. The sale was scheduled to hopefully take advantage of low interest rates, after the holiday downtime, and when there is not a lot of competition from other sellers.

Finance Director Legg noted the golf course project could also have a portion bonded given the current market conditions and low interest rates. Staff recommended the Council approve the amended Resolution to include the golf course project.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 13-24(A) PROVIDING FOR THE SALE OF GENERAL OBLIGATION IMPROVEMENT AND REFUNDING BONDS, SERIES 2013A SUBJECT TO CERTAIN PARAMETERS; DELEGATION TO PRICING COMMITTEE.

Mayor Howe noted Finance Director Legg, City Manager Gatlin and himself served as the Pricing Committee.

THE MOTION PASSED UNANIMOUSLY.

17. CONSIDER RESOLUTION 13-26 ESTABLISHING BUNKER HILLS GOLF COURSE FEES AND CHARGES

Golf Pro/Manager Anderson presented a memorandum to Council describing the proposed 2013 golf rates. Anticipated expenses, as well as course quality and demand at Bunker Hills, are taken into consideration when setting the rates.

The 2012 and 2013 rates of some comparable public golf courses were reviewed, as well as the proposed 2013 rates for Bunker Hills.

The Patron Card has become the membership base for customer loyalty at Bunker Hills. 2013 rates focus on continuing the positive growth of these loyal users for the entire facility at Bunker Hills (2012 patron card sales increased by 397 or 27% more than 2011). A slight increase in golf cart rates more closely aligns with comparable golf facilities and provides for additional revenue to fund new GPS systems and rejuvenate the current cart fleet. The offering of a competitively priced membership for both golf and golf carts caters to the committed, avid golfer. Continuing to provide complimentary access to junior golfers after 4:00 p.m. on the Executive Course with a paid adult should further several facility-wide goals:

1. Promotion of family/community recreational activities
2. Promotion and growth of junior golf initiatives
3. Promotion and growth of beginner/new golfer initiatives
4. Promotion of Bunker Hills Golf Club as a community gathering place
5. Create more activity on the Executive Course during historically slow periods

Mayor Howe noted the only proposed rate increase was to the cart rates. He was pleased with the rate structure proposed for 2013.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION NO. 13-26 ESTABLISHING BUNKER HILLS GOLF COURSE FEES AND CHARGES. THE MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS

Councilmember Koch indicated last summer a resident asked if the City would be readdressing the non-domestic animal regulations, specifically regarding chickens. He indicated the Council has not done so to date.

Community Development Director Nevinski indicated this was typically done through a formal change to the City Code, or by direction from the City Council.

City Manager Gatlin explained this would be discussed at the February workshop meeting.

Mayor Howe introduced Stephanie Ring as the Market and Communications Coordinator for the City of Coon Rapids. He also welcomed Vincent Vu as the Management Analyst/ Deputy City Clerk for the City.

Mayor Howe discussed Snowflake Days and encouraged all to review their website for further information on all of the events planned.

ADJOURN

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER MANNING, TO ADJOURN THE MEETING AT 8:56 P.M. THE MOTION PASSED UNANIMOUSLY.

Tim Howe, Mayor

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UNAPPROVED

ATTEST:

Cathy Sorensen, City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL SPECIAL MEETING MINUTES OF JANUARY 29, 2013

CALL TO ORDER

The special meeting of the Coon Rapids City Council was called to order by Mayor Tim Howe at 6:20 p.m. on Tuesday, January 29, 2013, in the Council Chambers.

ROLL CALL

Members Present: Mayor Tim Howe, Councilmembers Paul Johnson, Jerry Koch, Bruce Sanders and Steve Wells

Members Absent: Councilmembers Denise Klint, Ron Manning

1. APPROVE THE 2013 PAY EQUITY ERPORT

Assistant City Manager Stemwedel reviewed the City of Coon Rapids' 2013 Pay Equity Implementation Report and asked for Council's approval of the report.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER WELLS, TO APPROVE THE 2013 PAY EQUITY REPORT AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

2. CONSIDER RESOLUTION 13-21 2013(1) MISCELLANEOUS ASSESSMENTS DECLARING THE COST TO BE ASSESSED, ORDERING PREPARTION OF PROPOSED ASSESMENT ROLL AND ORDERING PUBLIC HEARING FOR FEBRUARY 19, 2013

Assistant City Manager Stemwedel stated a date for a public hearing should be set to consider miscellaneous assessments to be certified to the County for collection with the 2014 property taxes.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION 13-21 2013(1) MISCELLANEOUS ASSESSMENTS DECLARING THE COST TO BE ASSESSED, ORDERING PREPARTION OF PROPOSED ASSESMENT ROLL AND ORDERING PUBLIC HEARING FOR FEBRUARY 19, 2013. THE MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS

None.

City Council Special Meeting Minutes
January 29, 2013
Page 2

ADJOURN

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, TO ADJOURN THE MEETING AT 6:20 P.M. THE MOTION PASSED UNANIMOUSLY.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL WORK SESSION OF JANUARY 29, 2013

A work session of the Coon Rapids City Council was called to order by Mayor Tim Howe on Tuesday, January 29, 2013, at 6:30 p.m. in Conference Room 1 at Coon Rapids City Hall.

Members Present: Mayor Tim Howe, Councilmembers Ron Manning, Paul Johnson, Jerry Koch, Bruce Sanders, and Steve Wells

Members Absent: Councilmember Denise Klint

Others: City Manager Steve Gatlin, Assistant City Manager Matt Stemwedel, Finance Director Sharon Legg, City Attorney Dave Brodie, Golf Course Director Tim Anderson

1. CALL TO ORDER

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

2. POTENTIAL DISCUSSION TOPICS FOR FUTURE LEGISLATIVE MEETING

Council discussed potential topics for the Legislative Meeting tentatively scheduled for February 26, 2013, which included LGA formula, Highway 610 completion, and challenges in a redeveloping city such as water, sewer, and housing stock.

3. PARKS/TRAIL MASTER PLAN DISCUSSION

City Manager Gatlin reviewed the current parks/trail master plan. He outlined the proposed \$22 million in proposed improvements. He outlined the latest timeline for a survey and potential education on the referendum, including sharing with all City Commissions during the upcoming appreciation event tentatively scheduled for April 2013.

Council consensus was to bring the parks/trail master plan forward for formal approval.

4. OTHER BUSINESS

City Manager Gatlin distributed potential dates and locations for the 2013 Summer in the City neighborhood meetings.

Council asked staff to review how the 4th of July festival could be moved to the Coon Rapids Ice Center site by 2014.

5. ADJOURN

Mayor Howe adjourned the work session at 7:15 p.m.

Respectfully submitted,

Cathy Sorensen
City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL EXECUTIVE WORK SESSION OF JANUARY 29, 2013

An executive work session of the Coon Rapids City Council was called to order by Mayor Tim Howe at 7:20 p.m. on January 29, 2013, in Conference Room #1.

Members Present: Mayor Tim Howe, Councilmembers Ron Manning, Paul Johnson, Jerry Koch, Bruce Sanders, Steve Wells

Members Absent: Councilmember Denise Klint

Staff Present: City Attorney Dave Brodie, Finance Director Sharon Legg, Golf Director Sharon Legg

CALL TO ORDER

Mayor Howe called the work session to order at 7:20 p.m.

THE HARVEST GRILL LEASE

Pursuant to Minnesota Statute 13D.05, subd. 3(b), the City Council met in executive work session to discuss The Harvest Grill Lease.

OTHER

There was no other business.

ADJOURN

MOTION TO ADJOURN THE EXECUTIVE SESSION AT 9:05 P.M. THE MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Cathy Sorensen
City Clerk



City Council Regular

1.

Meeting Date: 02/05/2013

Subject: Senator John Hoffman

From: Cathy Sorensen, City Clerk

INTRODUCTION

Senator John Hoffman will be present to speak to the Council.

DISCUSSION

Senator John Hoffman, District 36, will be attending the February 5 Council meeting to introduce himself to the Council and City and to share an update on the 2013 legislative session.

RECOMMENDATION

No formal action is necessary.



City Council Regular

2.

Meeting Date: 02/05/2013

Subject: Heart Safe Community

Submitted For: Bryan Platz, Officer

From: Cathy Sorensen, City Clerk

INTRODUCTION

The Police Department is working toward getting Coon Rapids certified as a heart safe community. Officer Bryan Platz will be present to share some information on this program and their efforts.

DISCUSSION

In an effort to certify Coon Rapids as a heart safe community, the Police Department will be offering free classes to the community and businesses in compression-only CPR as well as how to use AEDs. Efforts are also underway to encourage local businesses to place AEDs in their establishments. As we grow, we will be training the public to become trainers themselves. Police and Fire respond to hundreds of cardiac emergencies a year in retail establishments, and in the event of sudden cardiac arrest, hands-only CPR and the use of an AED increases a persons survival rate to about 85% in the first two minutes. If members of the community are trained in CPR and the use of an AED this will provide critical minutes for survival of victims until the arrival of emergency services.

RECOMMENDATION

No formal action is necessary.

Attachments

Heart Safe Information

Heart Safe Application

HEART SAFE



How many residents and public safety officials in your community can recognize the symptoms of cardiac arrest and know how to get help “on the way, right away?”

Who knows CPR in your community and is prepared to administer it?

Where are automated external defibrillators (AEDs) located and who is trained to use them?

Chain of Survival



Through the Heart Safe Community program, communities can strengthen what the American Heart Association calls the “chain of survival.”

STEP 1: Early Access to Emergency Care

Bystanders recognize the symptoms of cardiac arrest and call 9-1-1 immediately.

EMS dispatchers are equipped with instructions for the caller and can get an Advanced Life Support response vehicle to the scene quickly.

STEP 2: Early CPR

CPR, when properly administered, buys precious minutes until a defibrillator is available.

Public knowledge and awareness must be increased so that those trained in CPR will actually use it when necessary.

STEP 3: Early Defibrillation

Defibrillation is the delivery of electric shock to restore the heart’s normal rhythm.

Early Defibrillation is considered to be the most critical link in the chain of survival.

New AEDs are light-weight, sturdy, and easy to use by anyone who has been trained.

STEP 4: Early Advanced Care

Advanced care is delivered by an Advanced Life Support response vehicle staffed by advanced care providers.

Medications and oxygen therapy delivered can be critical to the survival of cardiac arrest victims.

STEP 5: Post-Cardiac Arrest Care

Integrated, multidisciplinary care for patients following cardiac arrest both in the hospital and following discharge.





How To Apply for Heart Safe Designation

The outlined steps are suggestions for successful completion of the application process:

1. Review application materials to become a Heart Safe Community
2. Identify a Heart Safe Community champion
3. Identify a Heart Safe Community team and partners
4. Define your community's need to achieve the requirements for Heart Safe designation
5. Develop an action plan to achieve the Heart Safe designation
6. Complete and submit the Heart Safe Community application and submit according to deadline
7. Gain and CELEBRATE recognition as a MN Heart Safe Community!

For questions or technical assistance, contact:

American Heart Association

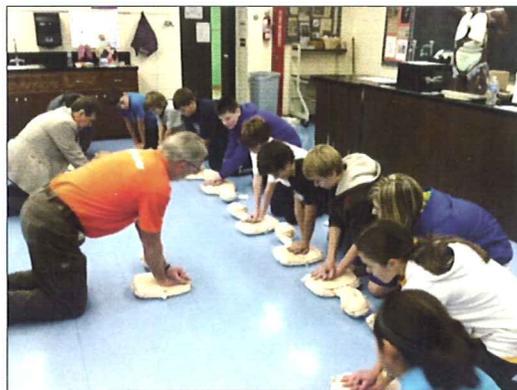
4701 West 77th Street/Edina, MN/55438

952-278-7910

heart.safe@heart.org

OR

Minnesota Department of Health website



FAQs

Why should my community be a designated Heart Safe Community?

To make the community a safer place to live, work, and play by being prepared to reduce the number of deaths and disabilities associated with Sudden Cardiac Arrest.

Who can apply to be a designated Heart Safe Community?

Any municipality, county or organization is eligible to apply for the Heart Safe designation. Applicants can be determined by geographic locations or organization size. Geographic locations are cities, townships or counties. Organizational applicants are determined by campus size and average daily population.

What do we get for becoming a Heart Safe Community?

In addition to a healthier community that is able to respond quickly and effectively to cardiac emergencies and save lives, communities that attain the Heart Safe Community designation will receive:

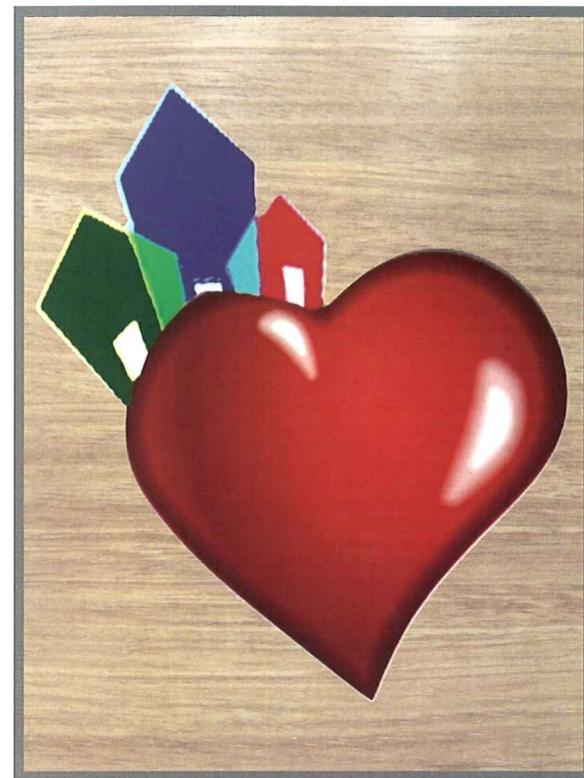
1. Framed award and two signs, presented at a public celebration
2. Access to public service announcements and media releases, certificates for posting in public areas, and items to purchase for community participants
3. Information designed to promote the community's involvement in ongoing Heart Safe activities

Is there an application fee?

While there is no application fee, there are often costs associated with meeting the criteria to become a Heart Safe Community. Cost will vary depending on the Community's size and needs (i.e. CPR training and equipment or AED placement). A proper assessment of your Community will determine the needs.

HEART SAFE

COMMUNITY DESIGNATION



Making your community a SAFER place to live, work, and play by being prepared to reduce the number of deaths and disabilities associated with Sudden Cardiac Arrest.





ADVANCED FIRST AID, INC.

Application

This Heart Safe project meets the criteria/guidelines of Heart Safe Communities across Minnesota and other parts of the USA.

Prepared for the community of:



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Summary of the Problem

*The Problem: Heart Disease & SCA is the #1 Killer in the USA

For every 100 patients that arrive in the ER in cardiac arrest and have been treated with CPR:

- 95 die
- 2 to 3 survive a few days
- 1 to 2 have a chance of full recovery
- 4000 Minnesotan's die annually
- Waiting for 911 to arrive results in death 96% of the time

Source: American Heart Association

*The Solution: Community Public Access Defibrillation (AED's & CPR)

When a lay rescuer responds to the side of the SCA victim with an AED and delivers a shock within the **first two minutes**, the success rate is 85%. Recent statistics show your chances of surviving a cardiac arrest outside of a hospital are better in Hennepin County than almost anywhere else in the United States.

- In 2010 pre-hospital survival rate in the county was 16.5%
- Other USA counties averaged 10.4%
- County witnessed SCA victims who were shocked with AED & received CPR =49.4% survived
- Other USA counties =31.8%

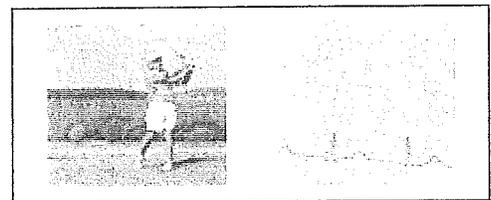
Suzanne Gaines, who supervises EMS unit in the county's Human Services and Public Health Department, supervisor, "More people in the community should be getting CPR training, she said, and more defibrillators should be installed." "If you have a heart attack for whatever reason, it's nice to know you have a better chance here."

**Source: Star Tribune, May 3, 2011, Kevin Duchscher, Author*

Minnesota Heart Safe Communities

Make a strong effort to prevent death from SCA by placing AED's where people live, work & play. The program helps communities & organizations:

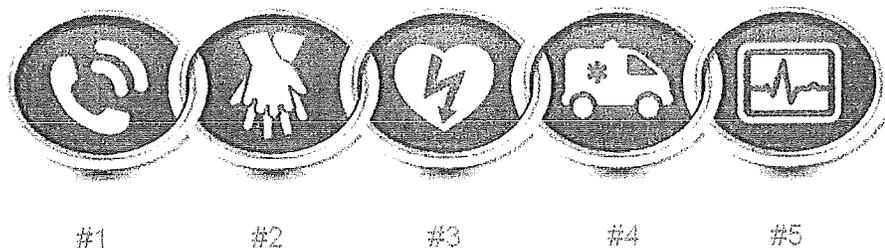
- Educate citizens about SCA, CPR, AED & protection from Good Samaritan Laws
- Implement *Public Access Defibrillation* by placing AED's in all businesses, schools and other public places where people assemble
- Train people how to use the AED, CPR (hands only) to save more lives



DO YOU LIVE IN A HEARTSAFE COMMUNITY?

- If someone in your community suffers a SCA, how likely will the victim survive due to rapid access to life-saving treatment of Public Access Defibrillation (PAD)?
- Who knows hands only-CPR and is prepared to take action when necessary?
- Are there automated external defibrillators (AEDs) readily available?
- Who has been appropriately trained to use them?

The answers to these questions could determine whether or not your community qualifies as a Heart Safe Community. North Memorial Heart Safe Communities aims to help your community improve the chances that anyone suffering a SCA will have the best possible chance for survival. Through the Heart Safe Community program, communities can strengthen what the American Heart Association has called the "chain of survival," which has five critical steps:



1) Early access to emergency care

- Bystanders recognize the emergency & calls 911 immediately.
- EMS dispatchers are equipped with instructions for the caller and can get an Advanced Life Support response vehicle to the scene quickly.

2) Early CPR

- CPR, when properly administered, buys precious minutes until an AED is available.
- Public knowledge and awareness must be increased so that those trained in CPR will actually use it when needed.

3) Early defibrillation

- Defibrillation is the delivery of electric shock to restore the heart's normal rhythm.
- Early defibrillation is considered to be the most critical link in the chain of survival.
- AEDs should be very accessible & organizations should have AED training
- Programs should have medical oversight and be integrated with local EMS

4) Early advanced care

- Advanced care is an Advanced Life Support vehicle staffed by paramedics.
- Medications and oxygen therapy can be critical to the survival of SCA victim

5) Integrated post cardiac care

- SCA victims should be transported to hospitals that provide comprehensive, multidisciplinary system of post-cardiac arrest care, services that are "Level I" heart
- Treatment should include cardiopulmonary & neurologic support including therapeutic hypothermia, percutaneous coronary interventions & cardiac rehab



Frequently Asked Questions



Can my community become Heart Safe?

Any city, county, or organization can become Heart Safe designated. A community is simply a defined geographic area by population, or an organization campus size & average daily population.

Will an AED always resuscitate a SCA?

90% of all SCA is the rhythm call Ventricular Fibrillation (FV or V-Fib). VF is a chaotic rhythm and is defined as clinical death. The only treatment for VF is early defibrillation (AED). Not all sudden deaths are VF and not all VF victims are resuscitated. However, statistics show that defibrillation in the first two minutes of SCA has a 85% success rate.

Is the AED safe to use and who's liable?

AED's (Automatic External Defibrillator) is exactly that! The AED auto analyzes the victim's cardiac heart rhythm. If the rhythm is the fatal chaotic VF (ventricular fibrillation) the AED will charge up for a shock, and the rescuer then pushes the shock button, when advised to, to deliver the shock. Some models deliver the shock automatically so the rescuer does not have to push any shock button at all. If the cardiac rhythm is not a shock-able rhythm, then the AED will never charge or deliver a shock. A rescuer CAN NOT accidentally or purposely deliver a shock.

Does the Good Samaritan Law apply?

Yes. GSL protect the AED owner and rescuers. Statute 604a.01 defines the two main subdivisions: the duty to act and genera immunity from liability. Basic liability covers rendered emergency scene that includes CPR and AED.

How much does it cost?

There is no cost to become designated. There is costs involved with the purchase of the AED, accessories, & ongoing training. North will provide free quarterly hands-only CPR/AED training to the community during the initial application process. The cost of the AED is on the owner. Any AED will suffice. North has secured discounted pricing on Lifepak brand (brand used by North Memorial Hospital and Ambulance) from a local vendor.

Can anyone buy an AED?

Any business or individual can purchase AED for public access or private use. The FDA requires a physician prescription for some AED's. North Memorial Heart Safe Communities provides the prescription.



Steps to Becoming a Heart Safe Community

Step 1: Review Application Materials for Requirements to become a Heart Safe Community.

- a. Heartbeat criteria
- b. Heart Safe community request criteria

Step 2: Identify a Heart Safe Community Champion and support staff. The Champion will act as a catalyst to help community members articulate and achieve the requirements to become a designated Heart Safe Community. Tasks include: gathering a team, organizing and planning team meetings, and delegating tasks. Resources for a Heart Safe Champion may be found through local EMS, a community medical facility or a survivor or family member of a cardiac arrest survivor.

Lead Organization

Advanced First-Aid, Inc.
(Coon Rapids Business)

Contact Information

Paul Mendoza 612.325.3465
paul@afaaed.com

Community Champion-Lead

Community Champion-Assistants

Contact phone # & email address



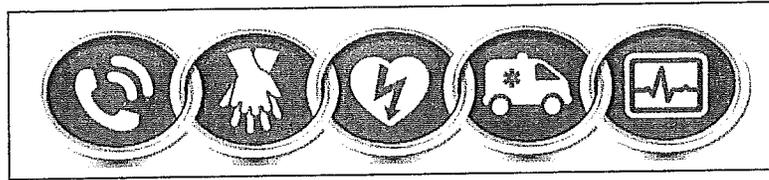
DETERMINING YOUR STATUS--COON RAPIDS

Communities of 50,001 to 150,000

- 750 Heartbeats are required to become a designated Heart Safe Community
- 320 Heartbeats is required for CPR/AED training & AED placement
- 15 training programs
- 17 AED sites in public locations
- 60 Heartbeats from first responders with AED equipped vehicles ALS support
- Ongoing process to evaluate and improve the 'Chain of Survival'

CALCULATE YOUR COMMUNITIES HEARTBEATS WORKSHEET

Attach additional documentation or attach any forms that are used to show criteria listed.



1. Early Access



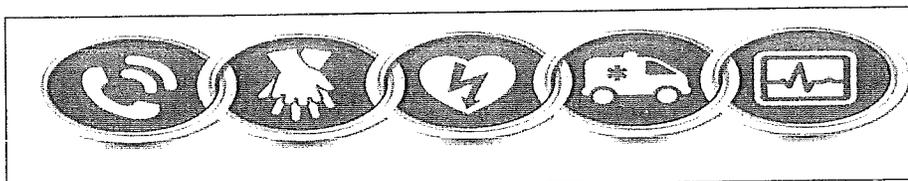
- Provide education on warning signs: Know the warning signs of heart attack, sudden cardiac arrest or stroke.
- Provide education on importance of calling 911 – Take Action
- Provide information on prevention and heart health
- Provide materials on Emergency Procedures – call 911, CPR, prevention

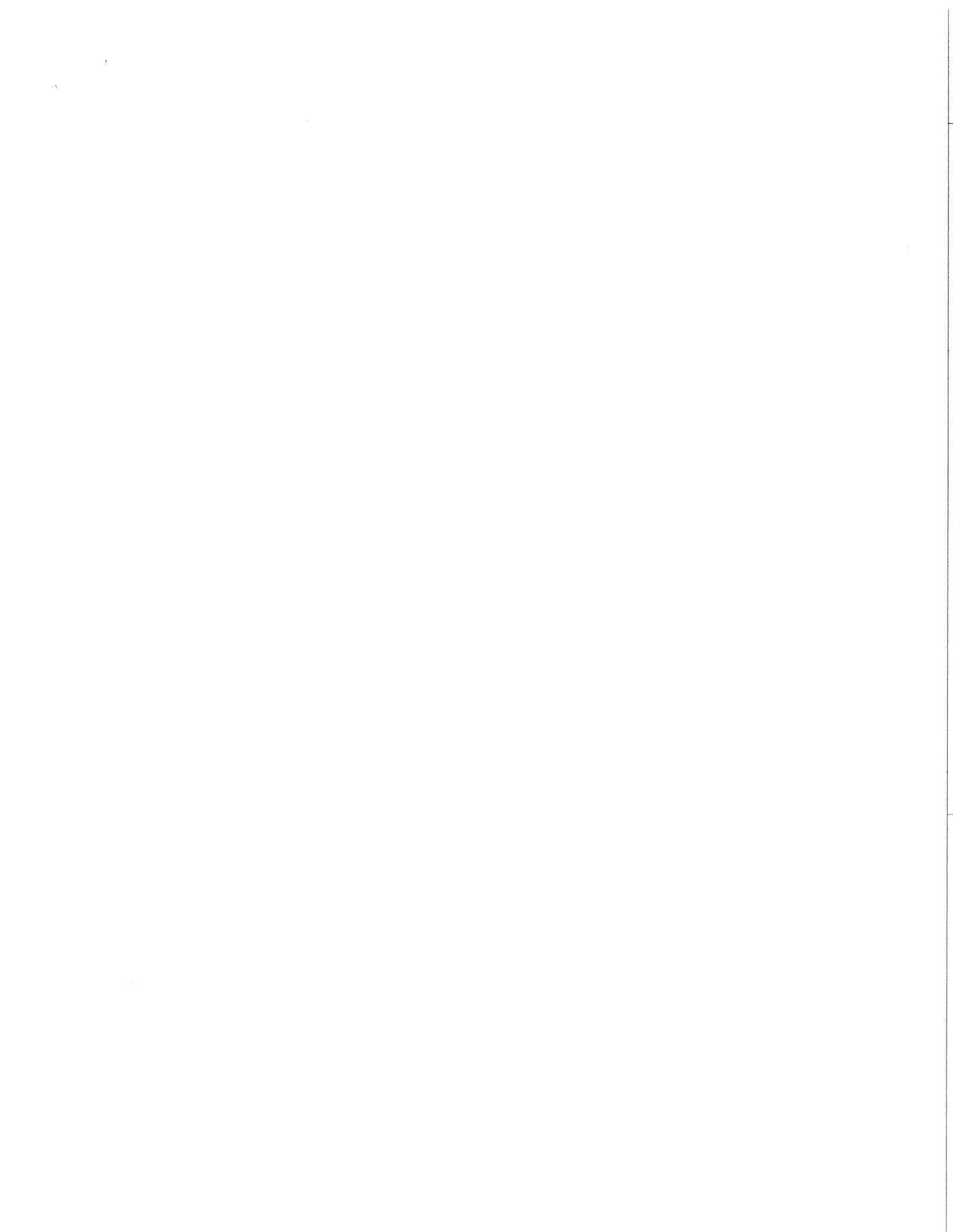
Heartbeats:

Heart Health and Emergency Awareness:

- 10 Heartbeats are awarded for each public event held minimum of 25 participants each event
- Events can include community, schools or at public service agencies.

Date of Event	Event Title	# of Participants	Heartbeats Earned
Section 1 Early Access Heartbeats Earned			





2. Early CPR

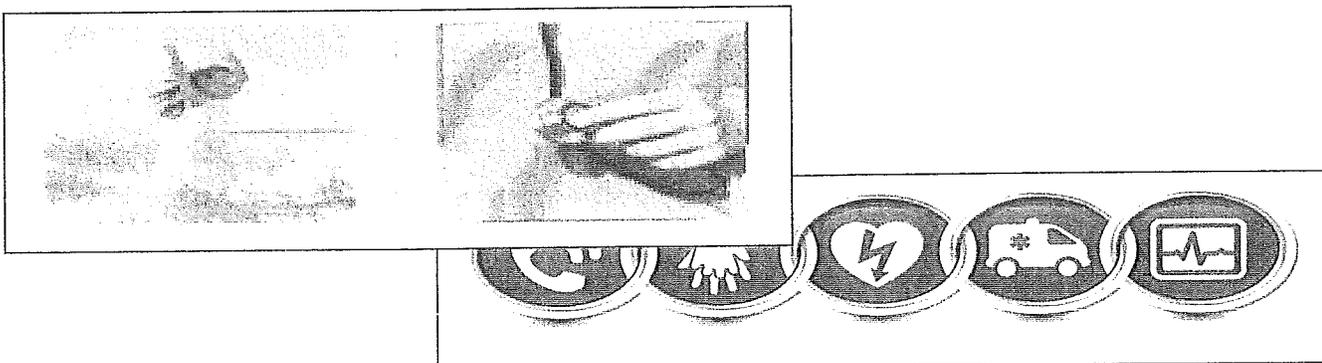


- **Conduct approved CPR and AED training sessions in community group settings.** These trainings do not have to fulfill requirements to meet CPR certification as the goal is emergency bystander education and activation.
- **Identify CPR / AED training offered to existing community agencies or businesses requiring credentials or certification.**

Heartbeats: Hands-Only CPR/AED Training:

- 10 Heartbeats are awarded for each training with a minimum of ten (10)
- All courses must include a hands-on component of CPR and AED use.
- Courses should be completed over the last calendar year from date of application.

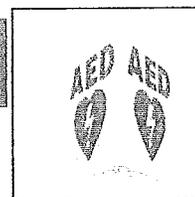
Date of Event	Event Title	# of Participants	Heartbeats Earned
Section 2 Hands-Only CPR/AED Training Heartbeats Earned			



3. Early Defibrillation



- **Permanent placement of AEDs in public areas where people congregate or may be at higher risk.** These may be at shopping malls, supermarkets, theaters, health clubs, schools, libraries, town pools, beaches, town halls, convention site, hotels, athletic arenas, long-term care facilities, public transportation stations or senior centers, any where.
- **AED placement in all First Responder vehicles.** First Responder vehicles are equipped & personnel are currently updated in training.
- **Location of Public Access AEDs is identified and recorded.** Public Access AEDs are identified with a signs and entry "AED On Site" decals. City dispatch or emergency personnel are aware of location of public AEDs.



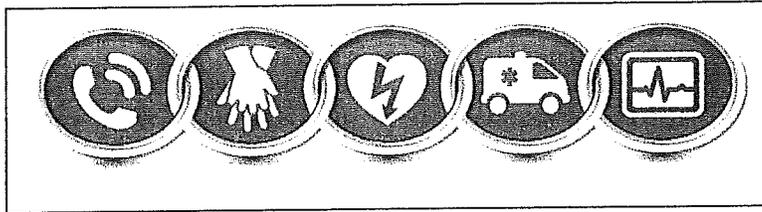
Heartbeats:AED Placement: 10 Heartbeats are awarded for each location.

Bonus Heartbeats: Identification of AED Placement

- 20 Heartbeats for AEDs identified and exterior signs
- 10 Heartbeats for designated First Responders with AED equipped vehicles and current training.
- These AED's **MUST** be registered at: <https://www.nationalaedregistry.com/>

LOCATION NAME	ADDRESS	CONTACT	EMAIL	PHONE #	BRAND/MODEL SIGN / DECAL	ELECTRODES BATTERY UP TO DATE YES/NO	AED REGISTRY
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

AED ADDRESS	LOCATION NAME	CONTACT	EMAIL	PHONE #	BRAND/MODEL SIGN / DECAL	ELECTRODES BATTERY UP TO DATE YES/NO	REGISTERED IN THE NAT'L AE REGISTR
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
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SECTION 3 BONUS HEARTBEATS					SECTION 3 TOTAL HEART BEATS		



4. Early Advanced Care

- **Rapid response by First Responders.** First Responders, equipped with AEDs and CPR training, are located and posted to locations that encourage a response time of 2 minutes or less.
- **Transfer of care to highly trained EMS personnel or paramedics.** Advanced care is dispatched to all medical emergencies. Advanced care organization is actively participating in current AHA recommendations for care and transfer of cardiac patients.

Who Provides Your Emergency Medical Services?

JEFF CZYSON	ALLINA MED TRANS	MOUNDS VIEW, MN
Contact Person(s)	Agency	Address

ALS Response: 10 Heartbeats are awarded for ALS response to all medical emergencies.



Section 4 Total Heartbeats	10
----------------------------	----

5. Sustainability plan for your community

- **Create an ongoing process to evaluate and improve the “Chain of Survival”**
- **Develop plans to continue CPR/AED training**
- **Identify locations that would benefit from AED placement (use map to find gaps) and assist with placement**
- **Plan events or work with outside groups to ensure awareness and improve outcomes from Sudden Cardiac Arrest**

Sustainability: 30 Heartbeats are awarded a community plan for sustainability.

Section 5 Total Heartbeats	
----------------------------	--

6. Bonus Heartbeats

- Twenty (20) Heartbeats for Healthy Weight: create opportunities for citizens to reduce their weight. This could include getting sidewalks in neighborhoods, bike paths, neighborhood park creation, nutritional counseling, walking/running programs, access to support groups, free access to community gymnasiums and fitness centers, and more.
- Twenty (20) Heartbeats for Access to Care. This would include access to screening, counseling for risk reduction, and referral to quality physicians to reduce risk.
- Twenty (20) Heartbeats for Tobacco Control. This can include adherence to the smoke-free worksite law, zero sales to minors, cessation and treatment opportunities available, and community counseling.
- One Hundred (100) Heartbeats for City/Town ordinance requiring AEDs in large buildings, multi-story buildings, and/or buildings with large numbers of occupants where first responder access may be impeded due to building use, occupancy, location, layout, construction, or other reasons.

Heart Safe Community Application

To help communities develop programs to meet these needs, a set of criteria has been put together from many resources and best practices. Please include any supporting material and the heartbeat calculation worksheet.

Name/Address of municipality seeking designation:

--

Community

	MN	
--	----	--

Address

ZIP Code

Lead organization for Coordination of Heart Safe designee

--	--

NAME

JOB TITLE

--	--

BUSINESS ADDRESS

BUSINESS PHONE

--	--	--

CONTACT NAME/TITLE

PHONE NUMBER

EMAIL ADDRESS

Indicate your community's population and the total number of heartbeats earned for certification. (See attached worksheet.)

--

Community Population

--

Total Number of Heartbeats Earned

I attest that all information contained in this application is correct. Supporting documentation on AED placement and training is on file for review.

Municipal Chief Elected Officer or Designee: _____
Title

Name (Print) *Signature*

REVIEWER USE ONLY Recommended Not Recommended (Explanation Attached)

Recommendation

--	--

NAME/TITLE (PRINT)

SIGNATURE

AWARD PRESENTED: _____
Date *Place*

Please use this sheet to report your community's Heartbeats.

Heartbeats
Earned:

1. Early Access

Heart Health and Emergency Awareness:

10 Heartbeats are awarded for each public event held or planned with a minimum of twenty-five (25) participants in each event. Events can include community, schools or at public service agencies.

2. Early CPR

CPR / AED Training:

10 Heartbeats are awarded for each training with a minimum of ten (10) participants in each program. Course can be for certification or awareness, all courses must include a hands-on component of CPR and AED use.

3. Early Defibrillation **AED Placement:**

10 Heartbeats are awarded for each location.

Bonus Heartbeats:

Identification of AED Placement:

- 20 additional Heartbeats for a city with all public access AEDs identified and exterior sign
- 10 additional Heart beats for designated First Responders with AED equipped vehicles and training.

4. Early Advanced Care

- 10 additional Heartbeats are awarded for ALS response to all medical emergencies.

5. Sustainability Plan

- 10 additional Heartbeats are awarded a community plan for sustainability.

6. Bonus points

Total Heartbeats Earned:

Please mail this application and worksheets to the address listed below. Be sure and call if you have any questions or would like assistance with the application.

Advanced First-Aid, Inc.
13260 Marigold street NW
Minneapolis, MN 55448-1090

Attention/Contact
Paul Mendoza
612.325.3465
paul@afaed.com

Acknowledgements

This document was prepared by North Memorial Ambulance Heart Safe Communities, a community project of North Memorial Health Care. We would like to acknowledge the following contributors and extend to them our sincere thanks: Allina Heart Safe Communities, Allina Health, Allina Medical Transportation, HeartSafe Kansas, Contra Costa County Heart Safe, Butler County HEARTSafe, Physio-Control's HeartSafe Communities guidelines, and the American Heart Association.

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AED Sales, Service & Training
t-612.325.3465 • f-888.846.1036
13260 Marigold St. NW
Minneapolis, MN 55448-1090
paul@afaaed.com
www.advancedfirstaidinc.com

HEART BEAT SUMMARY

+ CITY OF COON RAPIDS

POPULATION: 61,000

HEARTBEATS NEEDED: 750

BREAKDOWN

TRAINING:	320
TRAINING SESSIONS:	15
PUBLIC AED SITES:	17
FIRST RESPONDER AED'S:	60
BONUS:	?

Dear Business Manager,

The city council of Coon Rapids has decided to become an officially recognized Heart Safe Community.

Did you know that without warning, sudden cardiac arrest affects 4000 people each year in Minnesota? For every 100 patients that arrive in the ER in cardiac arrest and have been treated with CPR, 95 die, 2-3 survive a few days, and only 1-2 have a chance of full recovery. These statistics are a tragic reality, but if a lay rescuer responds to the side of a sudden cardiac arrest (SCA) victim with an automatic external defibrillator (AED) and delivers a shock within the **FIRST TWO MINUTES**, the success rate for survival increases to as high as 85%! Community education, CPR (chest compression only), and early public access defibrillation (PAD) to AED's are best factors that can significantly improve cardiac arrest survival. Without AED's and chest compression readily available, the SCA outcome is grim at best.

As a prominent business leader, you are in a unique position to help make a difference. Heart Safe Communities program is looking for champions within our own community to help promote this endeavor by:

- Educating citizens about SCA, CPR and AED
- Implementing public access defibrillation by placing AED's in all businesses, schools and other public places where people congregate
- Train people how to use the AED and do chest compression to save more lives

Additionally, as part of our Heart Safe Community program, discounted pricing for an AED purchase has been secured from a Coon Rapids vendor, Advanced First-Aid, Inc. There are several options for an AED and free hands only-CPR training is available well.

Together, your business, our community, CAN achieve the goal to make this community a safer place. Please, be our partner; make Coon Rapids a Heart Safe Community!

For more information, please contact myself, the mayor, one of the city council members or contact our leader, Paul Mendoza, Paramedic, Heart Safe Communities Coordinator at 612.325.3465 or paul@afaaed.com.

Respectfully,



City Council Regular

3.

Meeting Date: 02/05/2013

Subject: Approve Agreement; Steven K. Johnson; 9853 Palm Street NW

Submitted For: David Brodie, City Attorney

From: MariBeth Parks, Administrative
Secretary III

INTRODUCTION

Council is asked to approve an agreement to assist the owner in removing hazardous and uninhabitable conditions found to occur on owner's property located at 9853 Palm Street NW.

DISCUSSION

The premises at 9853 Palm Street NW is part of a townhome style condominium with shared walls, floor and ceilings owned by Steven K. Johnson. On December 5, 2012, City staff were notified of a hazardous concern at the dwelling on the property and conducted an inspection that same day. Following the inspection by staff members, it is staff's opinion that the premises is uninhabitable and a hazardous condition exists.

Per Minnesota Statutes, Section 463.15 to 463.26, a city may order the owner of any hazardous building or property within the municipality to correct or remove the hazardous condition of the building or property. With the intent of expediting the remedy of the hazardous conditions within the townhome, staff has requested and the owner has agreed to grant permission to the City to enter the premises for the purpose of commencing cleanup and repairs on the site. The owner has indicated an inability to pay for the cost of the removal of the hazardous site and has requested the City advance the costs and assess the costs against the property. Staff has determined it is in the best interest of the City to have the violations corrected as soon as possible in order to correct the unsafe and unfit conditions now existing on the premises, and to assess the costs of the cleanup against the property.

The owner of the property has signed an agreement allowing the City to clean up and remove the hazardous conditions from the premises and requests that the costs be assessed to the property.

RECOMMENDATION

Approve agreement for City to clean up hazardous premises at 9853 Palm Street NW, assess the costs back to the property, and authorize the Mayor and City Manager to execute said agreement.

Attachments

Agreement

Location Map

AGREEMENT

14th 5:51

THIS AGREEMENT is made and entered into this 14th day of January, 2013, by and between Steve K. Johnson, a single person, hereinafter referred to as "Owner(s)" and the City of Coon Rapids, a municipal corporation, hereinafter referred to as "City."

WITNESSETH:

The City is proposing to assist the Owner in removing hazardous conditions found to occur on Owner's property (outlined in the report dated December 5, 2012) located at 9853 Palm Street NW, Coon Rapids Minnesota (the "Property"). The Property is legally described as:

Unit 1 including 1.08% interest in Common Elements Condo 49 Tralee Terrace

PIN: 26-31-24-14-0040

In the spirit of cooperation between the parties with the intent of expediting the remedy of the hazards, City has requested and Owner has agreed to grant permission to the City and its agents to enter upon the Property with at least a twenty-four hour notice for purposes of commencing cleanup and repairs on the site.

Owner has indicated they are unable to pay for the cost of abating the hazards existing on the premises and has requested City advance the costs of the abatement thereof and assess the costs against the Property. The City has determined it is in its best interest to have the violations abated forthwith in order to correct the unsafe and hazardous conditions now existing on the Property, and to assess the costs thereof against the Owner.

NOW, THEREFORE, the undersigned as Owner of the above described Property, in consideration of the site being cleaned so as no longer to contain hazardous conditions:

1. Hereby grants unto City of Coon Rapids and its agents, the right to enter immediately, clean and make repairs on the property.

2. Requests City assess its costs against Owner's property, together with a 15% administrative fee, such assessment and fee to be spread in a manner according to policies on file with the City Assessor for miscellaneous assessments, not to exceed 10 years. Owners hereby waive notice of assessment hearing for the abatement and specifically waive their right to appeal said assessment as provided by Minnesota Statutes Section 429.081.

3. Owner agrees this agreement shall have the same force and effect as a petition presented pursuant to Minnesota Statutes Section 429.031 and specifically waive any public hearings with respect to the proposed abatement.

Neither party waives any additional claims that may arise out of the entry.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

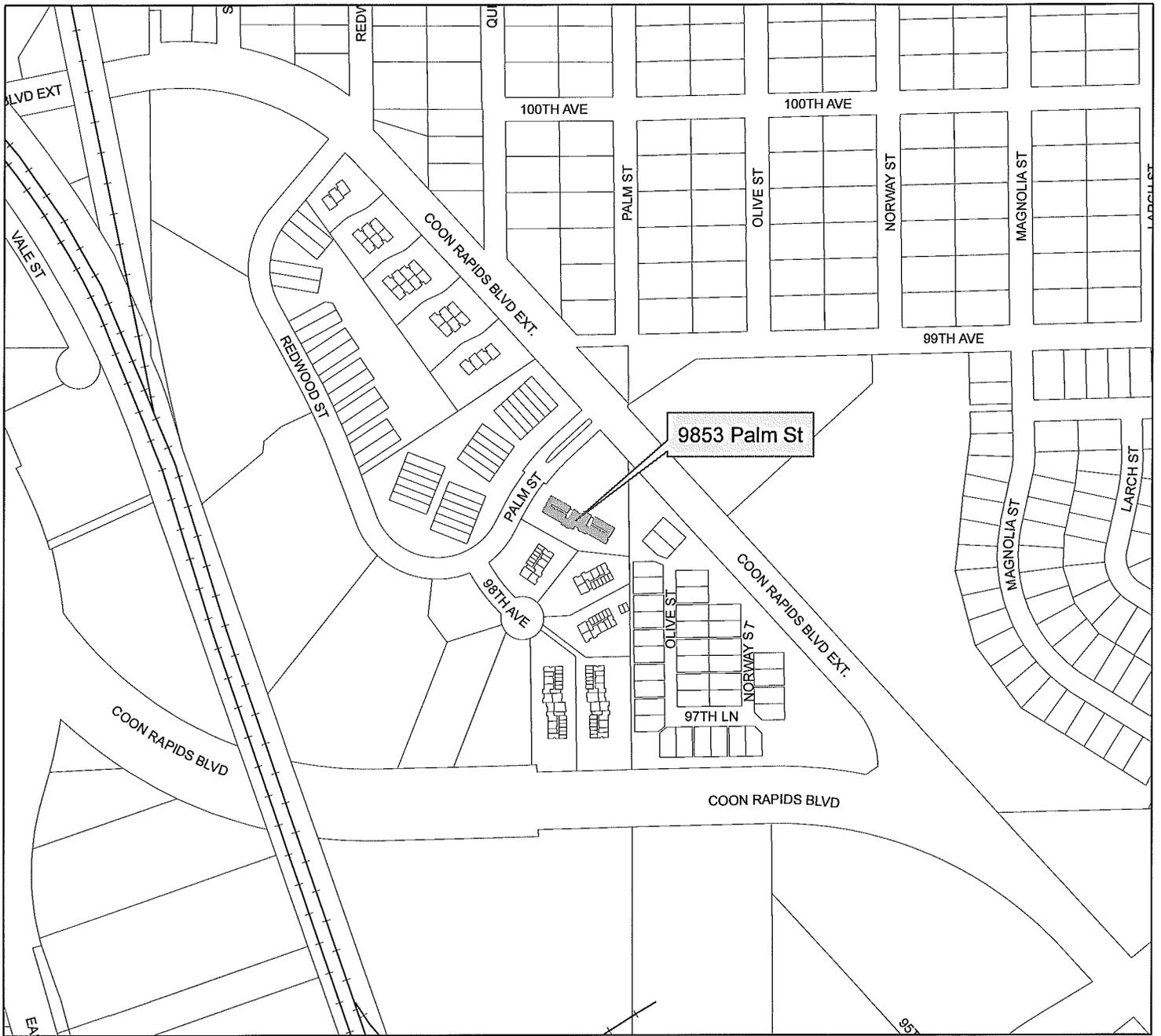
CITY OF COON RAPIDS

By: _____
Tim Howe, Mayor

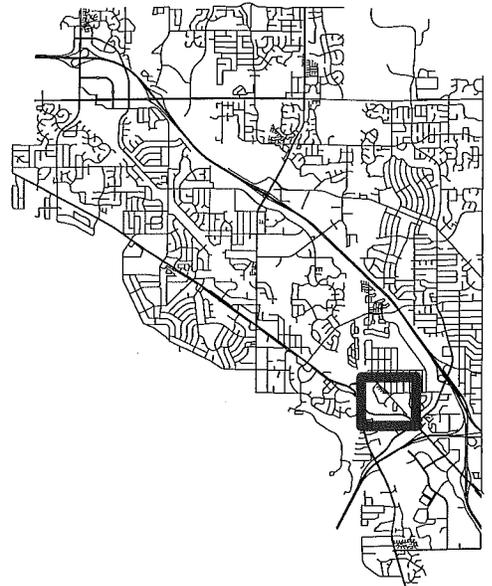
By: _____
Steven D. Gatlin, City Manager

OWNER:

Steve K. Johnson



**COON
RAPIDS**
Minnesota





City Council Regular

4.

Meeting Date: 02/05/2013

Subject: Service Agreement with Mediation Services for Anoka County

From: Brad Wise, Police Chief

INTRODUCTION

Council is being asked to consider continuing an agreement with "Mediation Services for Anoka County" to provide mediation/conflict resolution services for Coon Rapids citizens.

DISCUSSION

Since the 1980s, Mediation Services has provided conflict resolution services to Coon Rapids residents through their use of highly trained mediators. Coon Rapids has compensated Mediation Services for this work over the last several years at a cost ranging from \$6500.00 to \$7001.00 per year. The expense for 2013 will be \$6762.00.

This has been money well spent as among the programs they provide are direct interventions into neighborhood problems with the goal of finding long-term solutions. These solutions often prevent the continuing expenditure of public safety and legal budgets on quality of life issues where criminal charges may ultimately not be terribly effective.

Mediation Services also offers Peaceful Alternative Classes to community youth and facilitates Restorative Justice programs for victims of juvenile crime. Both of these programs can be effective interventions for correcting the behavior of youth to lessen the chance they become adult offenders.

RECOMMENDATION

Staff is recommending Council continue its service agreement with Mediation Services for Anoka County.

Fiscal Impact

BUDGET IMPACT:

The 2013 expense will be \$6762.00. \$7001.00 had been allocated in the 2013 budget for this purpose.

Attachments

agreement

PROFESSIONAL SERVICES AGREEMENT

This Agreement is made on the ____ day of _____, 2012, by and between the City of Coon Rapids, Minnesota (hereinafter "City"), whose business address is 11155 Robinson Drive, Coon Rapids, MN 55433, and Mediation Services for Anoka County (hereinafter "Consultant") whose business address is 3200 Main Street, Suite 210, Coon Rapids, MN 55448

WHEREAS:

City agrees to engage the professional services of Consultant to provide direct dispute resolution services to residents, referral and education.

NOW, THEREFORE, the parties hereto agree as follows;

1. Consultant agrees to provide conflict resolution services for City commencing January 1, 2013.
2. Consultant agrees to supply all materials for the performance of the above-mentioned services.
3. Consultant agrees to defend, indemnify and hold the City, its officers, and employees harmless from any liability, claims, damages, costs, judgments, or expenses, including reasonable attorney's fees, resulting directly or indirectly from a negligent act or omission (including without limitation professional errors or omissions) of the Consultant, its agents, employees, or subcontractors in the performance of the services provided by this Agreement and against all losses by reason of the failure of said Consultant fully to perform, in any respect, all obligations under this Agreement.
4. Consultant agrees to take no action which would adversely affect this agreement including but not limited to: failure to file its own quarterly withholdings, failure to provide for its own workers' compensation insurance, or the filing for unemployment compensation against City for services performed under this Agreement.
5. In return for Consultant's professional services, City agrees to pay consultant a total of \$6,762 for services rendered for the year 2013. Consultant will invoice City annually for services rendered. It is agreed that Consultant is entitled to no other compensation or benefits.
6. Consultant agrees to complete requested work for City in a timely fashion.
7. At all times and for all purposes herein, Consultant is an independent contractor and not an employee of the City. No statement herein shall be construed so as to find Consultant an employee of the City.
8. During the performance of this Agreement, Consultant shall not discriminate against any employee or applicants for employment because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation or age. Consultant shall post in places available to employees and applicants for employment,

age. Consultant shall post in places available to employees and applicants for employment, notices setting forth the provision of this non-discrimination clause and stating that all qualified applicants will receive consideration for employment. Consultant shall incorporate the foregoing requirements of this paragraph in all of its subcontracts for program work, and will require all of its subcontractors for such work to incorporate such requirements in all subcontracts for program work. Consultant further agrees to comply with all aspects of the Minnesota Human Rights Act, Minnesota Statutes 363.01, et. seq., Title VI of the Civil Rights Act of 1964, and the Americans with Disabilities Act of 1990.

9. Either Consultant or City may terminate this agreement upon 30 days written notice to the other party without cause.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

CITY OF COON RAPIDS

By: _____
Tim Howe, Mayor

By: _____
Steve Gatlin, City Manager

APPROVED AS TO FORM:



David J. Brodie, City Attorney

MEDIATION SERVICES FOR ANOKA
COUNTY

By: 

Dave Bartholomay, Executive Director

By signing the above, the official of
Consultant certifies that he/she is duly
authorized to bind Consultant to the terms of
this agreement.



City Council Regular

5.

Meeting Date: 02/05/2013

Subject: Consider Grant Agreement with Metropolitan Council for Livable Communities TOD Grant

From: Matt Brown, Community Development Specialist

INTRODUCTION

The Council is asked to consider a grant agreement with the Metropolitan Council for a \$40,000 Transit-Oriented Development (TOD) Grant awarded through the Livable Communities Act.

DISCUSSION

The Metropolitan Council has awarded a \$40,000 Livable Communities Transit-Oriented Development grant to the City for pre-development activities near the Foley Boulevard Park-and-Ride. The intent of the Transit-Oriented Development grant program is to catalyze development around light rail transit, commuter rail, and high-frequency bus transit stations. The City will use the grant funds for land use and infrastructure planning near the transit station to prepare the area for redevelopment and improve access to the station. Staff expects work to begin on this project in the spring. A consultant will be selected to complete the work. The City's matching funds will be provided as an in-kind contribution of staff time. The attached grant agreement requires that the planning activities are completed by December 2014.

RECOMMENDATION

Staff recommends that the Council approve the Grant Agreement with the Metropolitan Council for the Livable Communities Demonstration Account Pre-Development TOD Grant Program.

Attachments

Grant Agreement

**DEMONSTRATION ACCOUNT
PRE-DEVELOPMENT GRANT PROGRAM
TRANSIT ORIENTED DEVELOPMENT (TOD) PROGRAM**

GRANTEE: City of Coon Rapids	GRANT NO. SG012-136
PROJECT: Foley Boulevard Station Area Planning	
GRANT AMOUNT: \$40,000	FUNDING CYCLE: 2012
COUNCIL ACTION: December 12, 2012	EXPIRATION DATE: December 31, 2014

**METROPOLITAN LIVABLE COMMUNITIES ACT
GRANT AGREEMENT**

THIS GRANT AGREEMENT (“Agreement”) is made and entered into by the Metropolitan Council (“Council”) and the Municipality, County or Development Authority identified above as “Grantee.”

WHEREAS, Minnesota Statutes section 473.251 creates the Metropolitan Livable Communities Fund, the uses of which fund must be consistent with and promote the purposes of the Metropolitan Livable Communities Act (“LCA”) and the policies of the Council’s Metropolitan Development Guide; and

WHEREAS, Minnesota Statutes sections 473.251 and 473.253 establish within the Metropolitan Livable Communities Fund a Livable Communities Demonstration Account and require the Council to use the funds in the account to make grants or loans to municipalities participating in the Local Housing Incentives Program under Minnesota Statutes section 473.254 or to Counties or Development Authorities to fund the initiatives specified in Minnesota Statutes section 473.25(b) in Participating Municipalities; and

WHEREAS, the Council has established an LCA Transit Oriented Development (“TOD”) program to help leverage the metropolitan area’s public investment in its transit infrastructure; and

WHEREAS, the Grantee is a Municipality participating in the Local Housing Incentives Account program under Minnesota Statutes section 473.254, a County or a Development Authority; and

WHEREAS, the Council allocated a portion of its Livable Communities Demonstration Account funds to a pre-development TOD grant program to help Municipalities implement community development objectives and comprehensive plan components that promote high-density, mixed-use development adjacent to transit stations using pedestrian-friendly design standards; and

WHEREAS, the Grantee seeks funding in connection with an application for Livable Communities Demonstration Account Pre-Development TOD Grant Program funds submitted in response to the Council’s notice of availability of grant funds for the “Funding Cycle” identified above and will use the grant funds made available under this Agreement to help fund the “Pre-Development TOD Project” within the “Project Area” as described in the application; and

**DEMONSTRATION ACCOUNT
PRE-DEVELOPMENT GRANT PROGRAM
TRANSIT ORIENTED DEVELOPMENT (TOD) PROGRAM**

WHEREAS, the Grantee represented in its application that certain land use guidelines or official controls and other required threshold criteria were in place at the time of the application or that certain land use guidelines and official controls and other required threshold criteria would be in place within thirty-six (36) months from the date of the "Council Action" identified above; and

WHEREAS, the Council awarded Livable Communities Demonstration Account Pre-Development TOD Grant Program funds to the Grantee subject to any terms, conditions and clarifications stated in its Council Action, and with the understanding that the Pre-Development TOD Project described in the application will proceed to completion in a timely manner, that all grant funds will be expended prior to the "Expiration Date" identified above, and that the land use guidelines and official controls and other required threshold criteria identified in the Grantee's application currently are in place or will be in place as stated in the Grantee's application.

NOW THEREFORE, in reliance on the above statements and in consideration of the mutual promises and covenants contained in this Agreement, the Grantee and the Council agree as follows:

I. DEFINITIONS

1.01. Definition of Terms. The terms defined in this section have the meanings given them in this section unless otherwise provided or indicated by the context.

- (a) **Council Action.** "Council Action" means the action or decision of the governing body of the Metropolitan Council, on the meeting date identified at Page 1 of this Agreement, by which the Grantee was awarded Livable Communities Demonstration Account Pre-Development TOD Grant Program funds.
- (b) **County.** "County" means Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington Counties.
- (c) **Development Authority.** "Development Authority" means a statutory or home rule charter city, a housing and redevelopment authority, an economic development authority, or a port authority in the Metropolitan Area.
- (d) **Future TOD Development Project.** "Future TOD Development Project" means the future TOD development project described in the Grantee's application for Demonstration Account Pre-Development TOD Grant Program funds that through its design and execution will deliver benefits such as housing, connections, and/or jobs to the region. The Future Development TOD Project for which the grant funds were awarded must be undertaken within the Project Area. The Future TOD Development Project may recognize or acknowledge regional park lands and regional trails that cross through or are located adjacent to the Project Area, but the Pre-Development TOD Project may not include regional park lands.
- (e) **Metropolitan Area.** "Metropolitan Area" means the seven-county metropolitan area as defined by Minnesota Statutes section 473.121, subdivision 2.

**DEMONSTRATION ACCOUNT
PRE-DEVELOPMENT GRANT PROGRAM
TRANSIT ORIENTED DEVELOPMENT (TOD) PROGRAM**

- (f) **Municipality.** "Municipality" means a statutory or home rule charter city or town participating in the Local Housing Incentives Account Program under Minnesota Statutes section 473.254.
- (g) **Named TOD Area.** "Named TOD Area" means the TOD area identified by name and location in the Grantee's application for TOD program funds and in the Pre-Development TOD Project Summary attached to this Agreement.
- (h) **Participating Municipality.** "Participating Municipality" means a statutory or home rule charter city or town which has elected to participate in the Local Housing Incentive Account program and negotiated affordable and life-cycle housing goals for the Municipality pursuant to Minnesota Statutes section 473.254.
- (i) **Pre-Development TOD Project.** "Pre-Development TOD Project" means the grant-funded activities for which funding is requested in the Grantee's application for Demonstration Account Pre-Development TOD Grant Program funds.
- (j) **Project Area.** "Project Area" means the specific geographic area within which the Future TOD Development Project must be undertaken and within which the Pre-Development TOD Project will be conducted as described in the Grantee's application. The Project Area must be located within a "developed area," a "developing area," or a "rural growth center" as those terms are defined in the Council's Metropolitan Development Guide. The Project Area cannot include regional park lands. The Project Area may include regional trails that cross through or are located adjacent to the Project Area, but neither the Future TOD Development Project nor the Pre-Development TOD Project may provide for the alteration or elimination of any regional park lands or trails.
- (k) **Transit Oriented Development.** "Transit Oriented Development" means high-density, mixed-use development adjacent to transit stations using pedestrian-friendly design standards.

II. GRANT FUNDS

2.01. Source of Funds. The grant funds made available to the Grantee under this Agreement are from the Livable Communities Demonstration Account of the Metropolitan Livable Communities Fund. The grant funds are derived from the property tax authorized by Minnesota Statutes section 473.253, subdivision 1 and are not from federal sources.

2.02. Total Grant Amount. The Council will grant to the Grantee the "Grant Amount" identified at Page 1 of this Agreement. Notwithstanding any other provision of this Agreement, the Grantee understands and agrees that any reduction or termination of Livable Communities Demonstration Account TOD program grant funds made available to the Council may result in a like reduction in the Grant Amount made available to the Grantee.

2.03. Local Funding Match. The Grantee must provide a local match contribution that equals at least twenty-five percent (25%) of the Grant Amount identified at Page 1 of this Agreement. The local match contribution may be one or more of the following: cash; in-kind staff services, if the staff time is specifically allocated to conducting or completing grant-eligible Pre-Development TOD Project activities; or cash or in-kind contributions from partners that are specific to grant-

**DEMONSTRATION ACCOUNT
PRE-DEVELOPMENT GRANT PROGRAM
TRANSIT ORIENTED DEVELOPMENT (TOD) PROGRAM**

eligible Pre-Development TOD Project activities. Local match contributions must cover grant-eligible Pre-Development TOD Project activities, and they must be contributed after the date of the Council Action and before the Expiration Date identified at Page 1 of this Agreement. The local match contribution may be allocated among different grant-eligible activities of the Pre-Development TOD Project.

2.04. Authorized Use of Grant Funds. The Grant Amount made available to the Grantee under this Agreement shall be used only for the purposes and activities described in the application for Livable Communities Demonstration Account Pre-Development TOD Grant Program funds. A Pre-Development TOD Project Summary that describes eligible uses of the grant funds as approved by the Council is attached to and incorporated into this Agreement as Attachment A. Grant funds must be used to fund the initiatives specified in Minnesota Statutes section 473.25(b), in a Participating Municipality.

2.05. Ineligible Uses. Grant funds must be used for costs directly associated with the Pre-Development TOD Project activities for which the Council awarded grant funds and shall not be used for: land acquisition, demolition, infrastructure, or construction costs; administrative overhead; travel expenses, food or beverages; legal fees; insurance; bonds; permits, licenses or authorization fees; costs associated with preparing other grant proposals; operating expenses, other than staff time used as in-kind local match contributions; planning costs that are not identified as eligible grant-funded activities in the *2012 TOD Grants Application Guide* (updated 7/30/12 & 8/1/12), including comprehensive planning costs; prorated lease and salary costs; and marketing expenses. Grant funds may not be used for Pre-Development TOD Project costs that occurred prior to the grant award. A detailed list of ineligible and eligible costs is available from the Council's Livable Communities program office. Grant funds also shall not be used by the Grantee or others to supplant or replace: (a) grant or loan funds obtained for the Pre-Development TOD Project from other sources; or (b) Grantee contributions to the Pre-Development TOD Project, including financial assistance or other resources of the Grantee. The Council shall bear no responsibility for cost overruns which may be incurred by the Grantee or others in the implementation or performance of the Pre-Development TOD Project activities. The Grantee agrees to comply with any "business subsidy" requirements of Minnesota Statutes sections 116J.993 to 116J.995 that apply to the Grantee's expenditures or uses of the grant funds.

2.06. Restrictions on Loans. The Grantee shall not use the grant funds to make loans to any subgrantee or subrecipient, and the Grantee shall not permit any subgrantee or subrecipient to use the grant funds for loans to any subrecipient at any tier. The requirements of this Section 2.06 shall be included in all subgrant and subrecipient agreements.

2.07. Pre-Development TOD Project Changes. The Grantee must promptly inform the Council in writing of any significant changes to the Pre-Development TOD Project activities described in Attachment A. Failure to inform the Council of any significant changes to the Pre-Development TOD Project or significant changes to grant-funded Pre-Development TOD Project activities, and use of grant funds for ineligible or unauthorized purposes, will jeopardize the Grantee's eligibility for future LCA awards. Grant funds will not be disbursed prior to Council approval of significant changes to the Pre-Development TOD Project or the grant-funded activities described in Attachment A.

DEMONSTRATION ACCOUNT
PRE-DEVELOPMENT GRANT PROGRAM
TRANSIT ORIENTED DEVELOPMENT (TOD) PROGRAM

2.08. Budget Variance. A variance of twenty percent (20%) in the budget amounts for grant-funded activities identified in Attachment A shall be considered acceptable without Council approval, provided no budget amount for any individual grant-funded activity may be increased or decreased by more than twenty percent (20%) from the budget amount identified in Attachment A. Budget variances any individual grant-funded activity identified in Attachment A exceeding twenty percent (20%) will require Council approval. Notwithstanding the aggregate or net effect of any variances, the Council's obligation to provide grant funds under this Agreement shall not exceed the Grant Amount identified at Page 1 of this Agreement.

2.09. Loss of Grant Funds. The Grantee agrees to remit to the Council in a prompt manner: any unspent grant funds, including any grant funds that are not expended prior to the Expiration Date identified at Page 1 of this Agreement; any grant funds that are not used for the authorized purposes; and any interest earnings described in Section 2.11 that are not used for the purposes of implementing the grant-funded Pre-Development TOD Project activities described in Attachment A. For the purposes of this Agreement, grant funds are "expended" prior to the Expiration Date if the Grantee pays or is obligated to pay for expenses of eligible grant-funded Pre-Development TOD Project activities that occurred prior to the Expiration Date and the eligible expenses were incurred prior to the Expiration Date. Unspent or unused grant funds and other funds remitted to the Council shall revert to the Council's Livable Communities Demonstration Account for distribution through application processes in future Funding Cycles or as otherwise permitted by law.

2.10. Payment Request Forms and Disbursements. The Council will disburse grant funds in response to written payment requests submitted by the Grantee and reviewed and approved by the Council's authorized agent. Written payment requests shall be made using payment request forms, the form and content of which will be determined by the Council. Payment request and other reporting forms will be provided to the Grantee by the Council. The Council will disburse grant funds on a reimbursement basis or a "cost incurred" basis. The Grantee must provide with its written payment requests documentation that shows grant-eligible Pre-Development TOD Project activities (or components of grant-eligible activities) actually have been completed. The Grantee must provide documentation of the local match contribution required under Section 2.03. Subject to verification of each payment request form (and its documentation) and approval for consistency with this Agreement, the Council will disburse a requested amount to the Grantee within two (2) weeks after receipt of a properly completed and verified payment request form.

2.11. Interest Earnings. If the Grantee earns any interest or other income from the grant funds received from the Council under this Agreement, the Grantee will use the interest earnings or income only for the purposes of implementing the Pre-Development TOD Project activities described in Attachment A.

III. ACCOUNTING, AUDIT AND REPORT REQUIREMENTS

3.01. Accounting and Records. The Grantee agrees to establish and maintain accurate and complete accounts and records relating to the receipt and expenditure of all grant funds received from the Council. Notwithstanding the expiration and termination provisions of Sections 4.01 and 4.02, such accounts and records shall be kept and maintained by the Grantee for a period of six (6) years following the completion of the Pre-Development TOD Project activities described in

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Attachment A or six (6) years following the expenditure of the grant funds, whichever occurs earlier. Accounting methods shall be in accordance with generally accepted accounting principles.

3.02. Audits. The above accounts and records of the Grantee shall be audited in the same manner as all other accounts and records of the Grantee are audited and may be audited or inspected on the Grantee's premises or otherwise by individuals or organizations designated and authorized by the Council at any time, following reasonable notification to the Grantee, for a period of six (6) years following the completion of the Pre-Development TOD Project activities or six (6) years following the expenditure of the grant funds, whichever occurs earlier. Pursuant to Minnesota Statutes section 16C.05, subdivision 5, the books, records, documents and accounting procedures and practices of the Grantee that are relevant to this Agreement are subject to examination by the Council and either the Legislative Auditor or the State Auditor, as appropriate, for a minimum of six (6) years.

3.03. Report Requirements. The Grantee will report to the Council on the status of the Pre-Development TOD Project activities described in Attachment A, implementation of the land use guidelines and official controls and other required threshold criteria identified in the Grantee's application, and the expenditures of grant funds. Submission of properly completed payment request forms (with proper documentation) required under Section 2.10 will constitute periodic status reports. However, if the Grantee has not submitted any payment request forms during the first three months of the term of this Agreement, the Grantee must submit quarterly reports prior to the Grantee's first draw request. The Grantee also must complete and submit to the Council a grant activity closeout report. The closeout report form must be submitted within 120 days after the expiration or termination of this Agreement, whichever occurs earlier. Within 120 days after the Expiration Date, the Grantee must complete and submit to the Council a certification of expenditures of funds form signed by the Grantee's chief financial officer or finance director. The form and content of the closeout report and the certification form will be determined by the Council. These reporting requirements shall survive the expiration or termination of this Agreement.

IV. AGREEMENT TERM

4.01. Term. This Agreement is effective upon execution of the Agreement by the Council. Unless terminated pursuant to Section 4.02, this Agreement expires on the "Expiration Date" identified at Page 1 of this Agreement. Notwithstanding Section 4.03, the two-year term of this Agreement may not be extended by amendment or otherwise. **ALL GRANT FUNDS NOT EXPENDED BY THE GRANTEE PRIOR TO THE EXPIRATION DATE SHALL REVERT TO THE COUNCIL.**

4.02. Termination. This Agreement may be terminated by the Council for cause at any time upon fourteen (14) calendar days' written notice to the Grantee. Cause shall mean a material breach of this Agreement and any amendments of this Agreement. If this Agreement is terminated prior to the Expiration Date, the Grantee shall receive payment on a pro rata basis for eligible Pre-Development TOD Project activities described in Attachment A that have been completed prior to the termination. Termination of this Agreement does not alter the Council's authority to recover grant funds on the basis of a later audit or other review and does not alter the Grantee's obligation to return any grant funds due to the Council as a result of later audits or corrections. If the Council determines the Grantee has failed to comply with the terms and conditions of this Agreement and the applicable provisions of the Metropolitan Livable Communities Act, the Council may take any

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action to protect the Council's interests and may refuse to disburse additional grant funds and may require the Grantee to return all or part of the grant funds already disbursed.

4.03. Amendments. The Council and the Grantee may amend this Agreement by mutual agreement. Amendments of this Agreement shall be effective only on the execution of written amendments signed by authorized representatives of the Council and the Grantee.

V. GENERAL PROVISIONS

5.01. Equal Opportunity. The Grantee agrees it will not discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local civil rights commission, disability, sexual orientation or age and will take affirmative action to insure applicants and employees are treated equally with respect to all aspects of employment, rates of pay and other forms of compensation, and selection for training.

5.02. Conflict of Interest. The members, officers and employees of the Grantee shall comply with all applicable state statutory and regulatory conflict of interest laws and provisions.

5.03. Liability. Subject to the limitations provided in Minnesota Statutes chapter 466, to the fullest extent permitted by law, the Grantee shall defend, indemnify and hold harmless the Council and its members, employees and agents from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from the conduct or implementation of the Pre-Development TOD Project activities funded by this grant, except to the extent the claims, damages, losses and expenses arise from the Council's own negligence. Claims included in this indemnification include, without limitation, any claims asserted pursuant to the Minnesota Environmental Response and Liability Act (MERLA), Minnesota Statutes chapter 115B, the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended, United States Code, title 42, sections 9601 *et seq.*, and the federal Resource Conservation and Recovery Act of 1976 (RCRA) as amended, United States Code, title 42, sections 6901 *et seq.* This obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which otherwise would exist between the Council and the Grantee. The provisions of this section shall survive the expiration or termination of this Agreement. This indemnification shall not be construed as a waiver on the part of either the Grantee or the Council of any immunities or limits on liability provided by Minnesota Statutes chapter 466, or other applicable state or federal law.

5.04. Acknowledgments and Signage. The Grantee will acknowledge the financial assistance provided by the Council in promotional materials, press releases, reports and publications relating to the Pre-Development TOD Project and the Future TOD Development Project. The acknowledgment will contain the following or similar language:

*Funding support for this project was provided by the Metropolitan
Council Metropolitan Livable Communities Fund.*

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Until the Future TOD Development Project is completed, the Grantee shall ensure the above acknowledgment language, or alternative language approved by the Council's authorized agent, is included on all signs (if any) located at the Future TOD Development Project or construction sites that identify project funding partners or entities providing financial assistance for the Future TOD Development Project. The acknowledgment and signage should refer to the "Metropolitan Council" (not "Met Council" or "Metro Council").

5.05. Permits, Bonds and Approvals. The Council assumes no responsibility for obtaining any applicable local, state or federal licenses, permits, bonds, authorizations or approvals necessary to perform or complete any Pre-Development TOD Project activities described in Attachment A.

5.06. Subgrantees, Contractors and Subcontractors. The Grantee shall include in any subgrant, contract or subcontract for Pre-Development TOD Project activities appropriate provisions to ensure subgrantee, contractor and subcontractor compliance with all applicable state and federal laws and this Agreement. Along with such provisions, the Grantee shall require that contractors and subcontractors performing work covered by this grant comply with all applicable state and federal Occupational Safety and Health Act regulations.

5.07. Stormwater Discharge and Water Management Plan Requirements. To the extent appropriate, the Pre-Development TOD Project should include consideration of stormwater discharge and water management plan requirements in federal and state laws, the Council's *2030 Water Resources Management Policy Plan* and the local water management plan(s) for the jurisdiction(s) within which the Project Area is located.

5.08. Authorized Agent. Payment request forms, written progress reports and correspondence submitted to the Council pursuant to this Agreement shall be directed to:

Metropolitan Council
Attn: LCA Grants Administration
390 Robert Street North
Saint Paul, Minnesota 55101-1805

5.09. Non-Assignment. Minnesota Statutes section 473.253, subdivision 2 requires the Council to distribute grant funds to eligible "municipalities," metropolitan-area counties or "development authorities" for projects in municipalities participating in the Local Housing Incentives Account program. Accordingly, this Agreement is not assignable and shall not be assigned by the Grantee.

5.10. Warranty of Legal Capacity. The individuals signing this Agreement on behalf of the Grantee and on behalf of the Council represent and warrant on the Grantee's and the Council's behalf respectively that the individuals are duly authorized to execute this Agreement on the Grantee's and the Council's behalf respectively and that this Agreement constitutes the Grantee's and the Council's valid, binding and enforceable agreements.

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IN WITNESS WHEREOF, the Grantee and the Council have caused this Agreement to be executed by their duly authorized representatives. This Agreement is effective on the date of final execution by the Council.

GRANTEE

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

METROPOLITAN COUNCIL

By: _____

Guy Peterson, Director
Community Development Division

Date: _____



ATTACHMENT A

PRE-DEVELOPMENT TOD PROJECT SUMMARY

This attachment comprises this page and the succeeding page(s) which contain(s) a summary of the Pre-Development TOD Project described in the application for Livable Communities Demonstration Account TOD program grant funds submitted in response to the Council's notice of availability of Demonstration Account Pre-Development TOD Grant Program funds for the Funding Cycle identified at Page 1 of this Agreement. The summary reflects the Pre-Development TOD Project activities for which the Grantee was awarded grant funds by the Council Action, and may reflect changes in Pre-Development TOD Project funding sources, changes in funding amounts, or minor changes in the proposed Pre-Development TOD Project that occurred subsequent to application submission. The application is incorporated into this Agreement by reference and is made a part of this Agreement as follows. If the application or any provision of the application conflicts with or is inconsistent with the Council Action, other provisions of this Agreement, or the Pre-Development TOD Project Summary contained in this Attachment A, the terms, descriptions and dollar amounts reflected in the Council Action or contained in this Agreement and the Pre-Development TOD Project Summary shall prevail. For the purposes of resolving conflicts or inconsistencies, the order of precedence is: (1) the Council Action; (2) this Agreement; (3) the Pre-Development TOD Project Summary; and (4) the grant application.



Livable Communities LCDA Pre-Development Transit-Oriented Development Project Summary

Type:	LCDA TOD Pre-Development	Grant #:	SG012-136
Requested amount:	\$40,000	Recommended amount:	\$40,000
Applicant:	City of Coon Rapids		
Project Name:	Foley Boulevard Station Area Planning		
Project Location:			
	Northstar/Brown Line – Foley Boulevard Station Area		
Council District:	9 – Edward Reynoso		
Project Summary:	Currently, the Foley Boulevard Station Area is an auto-oriented environment that offers poor pedestrian connections, suburban densities, and obsolete land uses. This project will address the need for land use, and pedestrian and bicycle infrastructure planning to transform the area into a multi-modal, transit-supportive district. The Pre-Development project will include design workshops, an alternatives analysis, zoning tools, and strategies for land banking and acquisition that will lead to the development of a station area plan. Completion of the proposed pre-development activities in the TOD Area will allow for implementation of higher residential and employment densities, higher FARs, minimal setbacks, connected streets, open spaces, and pedestrian and bicycle connections through future investments in infrastructure and redevelopment projects.		
Comments:	This project is an example of station area planning for transit-oriented development near commuter rail.		
Other LCA Funding:	None.		
Funded Items			
	Uses to be completed by 12/31/2015		
\$10,000	Station area plan		
10,000	Alternatives analysis		
10,000	Strategies for land banking and acquisition		
5,000	Design workshops		
5,000	Zoning and land use implementation tools		
\$40,000	Total		
Funding Match (25%)			
\$10,000	In-kind staff time		

Appendix 5 – Amendment Procedures

I. Introduction

The Metropolitan Council (“Council”) anticipates that grantees of the Livable Communities Demonstration Account (LCDA), Local Housing Incentives Account (LHIA) and Tax Base Revitalization Account (TBRA) will complete their Projects within the timelines and conditions identified in their applications and grant agreements. However, occasionally circumstances may delay Project implementation or create the potential for changes to the Project. The Council may consider amendments to grant agreements at its discretion. Grantees should contact Livable Communities (LCA) staff as soon as they become aware of the potential for needed amendments.

II. Procedure

A. Definitions

- For TBRA Contamination Cleanup grants, LCDA Development grants and LHIA grants, **Project** means the development or redevelopment project identified in the Attachment A to the grant agreement that through its design and execution will deliver benefits such as housing, connections, jobs and/or an increase to the tax base to the region.
- For LCDA Pre-Development grants and TBRA Contaminated Site Investigation grants, the Pre-Development Project is the set of Grant-Funded Activities for which funding is requested in the application. The Future Development Project is the future development or redevelopment that through its design and execution will deliver benefits such as housing, connections, and/or jobs.
- For TBRA Contamination Cleanup grants, LCDA Development grants and LHIA grants, Grant-Funded Activities are components of the Project described in the Attachment A to the grant agreement. The Grant-Funded Activities do not in and of themselves comprise the Project for which grant funds are awarded.
- Project Commencement means initiation of development – i.e., tangible work on a building, such as laying a foundation.
- Site Control means having acceptable evidence, such as a purchase commitment, option, or letter of intent from a government body or sole developer, etc. If there will be no transfer of ownership, then a warranty deed or contract for deed is acceptable. The evidence of site control must be current, fully executed, include a legal description of the land, and extend to the anticipated date of the funding recommendation.
- **Significant Change** to the Project or to the demonstrative value(s) of the Grant-Funded Activities is defined based on considerations of account-specific legislative outcomes and on factors considered when the application for funding was scored. These account specific legislative outcomes and factors are listed below in Section VII.
- The **Directors** are the Director of Community Development and the Director of Housing and Livable Communities.

B. Amendment Types

Grant agreements may be amended for the following reasons:

1. Change in the term of the grant agreement;

2. Change in the Grant-Funded Activities;
 3. Change to the Project, and/or
 4. Change to both Grant-Funded Activities and to the Project.
- C. Requirements
- To request and be considered for a grant agreement amendment:
5. The request for an amendment must be submitted in writing to Livable Communities staff no less than 90 days prior to the expiration of the grant agreement.
 6. The requested amendment must be consistent with the scope and intent of the original grant award made by the Council's governing body.
 7. The amendment must be executed by both parties prior to the current grant agreement expiration date.

III. Request for a Change in the Grant Term

In addition to the requirements listed in Section II.C., a request for an extension to the term of the grant agreement must include information evidencing:

- A. site control;
- B. significant progress toward full financing;
- C. significant progress toward an executed development agreement;
- D. a schedule showing the commencement and completion dates for all Grant-Funded Activities as described in Attachment A of the grant agreement;
- E. a schedule showing the commencement and completion dates of the Project described in Attachment A the grant agreement.
- F. The schedules must demonstrate that the Grant-Funded Activities will be completed and the Project will have Commenced within the requested extension timeframe.

Note: Neither TBRA Contaminated Site Investigation grants nor LCDA Pre-Development grants are eligible for extensions to the term of the grant agreement.

Exception to the Policy Governing the Extension of TBRA Grants:

The Directors may authorize additional 24-month extensions to the term of a TBRA grant agreement beyond the typical twenty-four month extension period, in order to pay for costs associated with MPCA-required air and/or groundwater monitoring, until all MPCA-required air and/or groundwater monitoring is completed or until all TBRA award funds are expended, whichever comes first. Each request for such an extension must be submitted to Livable Communities staff in writing and include a status report on Grant-Funded Activities.

IV. Request for a Change in Grant-Funded Activities

In addition to requirements listed in Section II.C. a request for a change in the Grant-Funded Activities, including budget variances of more than twenty percent (20%) for any individual grant-funded activity identified in Attachment A to the grant agreement, must:

- A. state the proposed eligible use(s);
- B. explain the impact the proposed change(s) will have on:
 - 1. the Project, the account-specific factors on which the application was scored, and on the Project benefits identified in the grant application, such as affordable housing units or jobs;
 - 2. the schedule for the completion of the Grant-Funded Activities;
 - 3. the schedule for completion of the Project; and C. submit a revised Project budget.

V. Request for a Change in the Project

In addition to the requirements listed in Section II.C. a request for a change in the Project must:

- A. describe the specific change(s) to the Project;
- B. explain what impact the proposed change(s) will have on:
 - 1. the Project and the account-specific factors on which the application was scored, and on the Project benefits identified in the grant application, such as affordable housing or jobs;
 - 2. the schedule for the completion of the Grant-Funded Activities; and
 - 3. the schedule for completion of the Project; and
- C. submit a revised Project budget.

VI. Request for a Change in the Grant-Funded Activities and in the Project

In addition to the requirements listed in Section II.C. a request for a change in the Project must comply with the requirements in Sections IV and V, above.

VII. Review and Approval or Denial

The Directors have discretion to administratively approve:

- A. an extension to the term of a grant agreement for a period of up to 24 months and for additional periods as identified in the exception policy for TBRA grants; and/or
- B. a change in the Grant-Funded Activities and/or the Project when they determine that the proposed change(s) do not “significantly change” the Project or, for LCDA, the demonstrative value(s) of the Grant-Funded Activities or Project.

The determination of “significant” change will be based on consideration of the account-specific factors considered when the application for funding was scored. Only the factors applicable to the Project as originally proposed and scored will be evaluated.

- a. For the **TBRA Cleanup** grants, a proposed change will be considered significant if the change:
 - 1. proposes to replace the Project as originally proposed with a completely different Project; or
 - 2. will result in a reduction of 20 percent or more of the total net tax capacity expected to be generated by the Project as originally proposed; or

3. proposes to reduce by 15 percent or more, or by 50 jobs (whichever is higher), the total number of new or retained jobs; or
 4. proposes to reduce by 10 percent or more, or by 50 units (whichever is higher) the total number of housing units; or
 5. proposes to reduce the total percentage of affordable housing units from the Project as originally proposed.
- b. For the **TBRA Site Investigation** grants, a proposed change will be considered **significant** if the change:
1. proposes adding a residential land use that was no included in the Project land use(s) identified in Attachment A to the grant agreement; or
 2. proposes excluding a residential land use that was included in the Project land use(s) identified in Attachment A to the grant agreement.
- c. For the **LCDA Development** grants, a proposed change will be considered significant if the change:
1. proposes to replace the Project as originally proposed with a completely different Project; or
 2. proposes to substantially change the mix and type of land uses originally proposed in a way inconsistent with program objectives or that substantially change the nature of the Project originally proposed; or
 3. will reduce the overall Project density and/or land use intensity below the density guidelines for developments in the Project location, or 20 percent below the density and/or land use intensity originally proposed (whichever is higher); or
 4. proposes to reduce the total percentage of affordable housing units from the Project as originally proposed.
- d. For the **LCDA Pre-Development** grants, a proposed change will be considered **significant** if the change:
1. proposes to replace the Project as originally proposed with a completely different Project; or
 2. proposes to substantially change the intended grant-funded activities for which the funds were awarded.
- e. For the **LHIA** grants, a proposed change will be considered **significant** if the change:
1. proposes to replace the Project as originally proposed with a completely different Project; or
 2. proposes to reduce the total percentage of affordable units; or
 3. no longer meets the Minnesota Housing funding requirements resulting in the withdrawal of Minnesota Housing funds from the Project.

When the change is deemed to be significant by Livable Communities staff, the request will be presented to the Community Development Committee (CDC) for their

consideration. Staff will provide the CDC with a memorandum assessing the proposed amendment's eligibility and compliance with additional account-specific criteria and reporting the results of the rescoring (when possible) of the Project as proposed. Representatives of the grantee will present to the CDC their amendment request(s) and answer Committee members' questions. The CDC will make a final decision regarding disposition of the request(s).

The CDC, or the Directors, in the case of determination made under administrative discretion, may authorize an amendment to the grant agreement and to the Project Summary description included as Attachment A to the grant agreement provided that the Project, as revised, will produce the intended results described in the Livable Communities Act (shown below in italics) and meets additional account-specific conditions as follows:

1. TBRA

- a. provide the highest return in public benefits for the public costs incurred, encourage development that will lead to the preservation or growth of living-wage jobs or the production of affordable housing, and enhance the tax base of the recipient municipality; and,
- b. meets the account eligibility criteria; and
- c. if the revised Project is acceptable to the Council's funding partners that have also granted funds to the project; and
- d. if the revised Project would score similarly to the original Project (i.e., it would have ranked within the list of Projects recommended for funding) in the areas of jobs/housing and net tax capacity increase.

2. LCDA

- a. interrelate development or redevelopment and transit; interrelate affordable housing and employment growth areas; intensify land use that leads to more compact development or redevelopment; involve development or redevelopment that mixes incomes of residents in housing, including introducing or reintroducing higher value housing in lower income areas to achieve a mix of housing opportunities; or encourage public infrastructure investments which connect urban neighborhoods and suburban communities, attract private sector redevelopment investment in commercial and residential properties adjacent to the public improvement, and provide project area residents with expanded opportunities for private sector employment, and
- b. meets the account eligibility criteria; and
- c. if an examination of the record of review for the grant award indicates that the development/redevelopment Project, as amended, would still include the elements of demonstration and innovation that contributed to the Livable Communities Advisory Committee's recommendation of the Project for funding; and, in addition
- d. if the revised Project would have at least met the minimum evaluation point scoring threshold in the staff technical evaluation.

3. LHIA

- a. create incentives for developing communities to include a full range of housing opportunities; create incentives to preserve and rehabilitate affordable housing in the fully developed area;
- b. meets the account eligibility criteria; and
- c. if the revised Project is acceptable to the Council's Metropolitan Housing Implementation Group funding partners that have also granted funds to the Project.

In addition to the conditions outlined above, the CDC may authorize an amendment to the grant agreement and to the Project Summary description included as Attachment A to the grant agreement, provided the Project, as revised will provide improved outcomes, based on the account-specific criteria, and would likely have scored equal or higher points in the evaluation than the Project originally awarded the Livable Communities Act grant.

The Community Development Committee will endeavor to inform grantees of the committee's decision regarding requested amendments in writing within 45 days of receipt of the grantee's written requests, subject to the committee's meeting schedule.

VIII. Appeal Process

The Community Development Committee will be informed of any request for a grant amendment denied by the Directors. A grantee may appeal the decision of the Directors to the Council's Community Development Committee by submitting written appeal request to Livable Communities staff. Staff will schedule an appeal discussion on an upcoming Committee meeting agenda, subject to the Committee's schedule and Committee workload.



City Council Regular

6.

Meeting Date: 02/05/2013

Subject: Accept Easement from Federal National Mortgage Association

Submitted For: David Brodie, City Attorney

From: MariBeth Parks, Administrative
Secretary III

INTRODUCTION

Council is asked to accept an easement for drainage and utility purposes from Federal National Mortgage Association over portions of their property at 396 and 388 107th Lane NW.

DISCUSSION

At its meeting of January 7, 2013, Council approved a lot split and variance regarding the above properties which created the two lots. As a condition of the lot split and variance, Council requested an easement along the back portion of the property for drainage and utility purposes. Federal National Mortgage Association has provided such an easement at no cost for Council's acceptance.

RECOMMENDATION

Accept easement for drainage and utility purposes from Federal National Mortgage Association over portions of their property at 396 and 388 107th Lane NW.

Attachments

Easement
map

EASEMENT AGREEMENT

(pc12-28)

THIS INDENTURE, made this 5th day of February, 2013, between FEDERAL NATIONAL MORTGAGE ASSOCIATION, a Federally chartered corporation, herein referred to as the Landowner, and the CITY OF COON RAPIDS, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "City".

WITNESSETH:

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

A permanent easement for drainage and utility purposes, over, under and across the South 5.00 feet of that part of Lot 18 of Auditor's Subdivision No. 8, Anoka County, Minnesota described as follows: Commencing at the Northwest corner of said Lot 18; thence East on the North line of said Lot 18 a distance of 264 feet; thence South and parallel with the West line of said Lot 18, a distance of 165 feet; thence West and parallel with the North line of said Lot 18 a distance of 264 feet; thence North on the West line of said Lot 18 a distance of 164 feet to the point of beginning, except the east 90.20 feet thereof.

EXEMPT FROM STATE DEED TAX

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

and other obstructions from the easement area, as well as the right to deposit earthen materials within the easement area.

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

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

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

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

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

FEDERAL NATIONAL MORTGAGE
ASSOCIATION

By: _____

Its: assistant vice president

*Caryn
Ladino*

CITY OF COON RAPIDS

By: _____
Tim Howe, Mayor

By: _____
Steven D. Gatlin, City Manager

STATE OF TEXAS)
) ss.
COUNTY OF DALLAS)

On this 27th day of January 2013, before me a Notary Public within and for said County, personally appeared Carlyn Saladino the Assistant Vice President of Federal National Mortgage Association, a Federally chartered corporation, on behalf of the corporation



[Redacted Signature]
Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

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

Notary Public

This instrument was drafted by:

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





City Council Regular

7.

Meeting Date: 02/05/2013

Subject: Final Payment for Project 11-28, Vehicle Storage Facility

Submitted For: Sharon Legg, Finance Director

From: Dianne Nelson, Advanced Accounting
Technician

INTRODUCTION

The City Engineer has recommended final payment to Jorgenson Construction, Inc. in the amount of \$79,984.49 for Project 11-28.

DISCUSSION

A summary of Project 11-28, Vehicle Storage Facility, is as follows:

Contract completion date	11/1/12
Substantial completion date	10/16/12
Final completion date	1/24/13

Contract amount	\$1,528,300.00
Total additions/deletions	71,389.93
Final contract amount	1,599,689.93
Actual project cost	1,599,689.93
Less: previous payments by City	1,519,705.44
Amount due	\$79,984.49
Amount over final contract	\$0.00

The changes to this project were for WAC/SAC fees, sidewalk, curb and grade modifications, removal of additional trees, overflow scupper rework, installation of pipe bollards at electrical transformer, modifications to fire sprinkler/alarm system, additional asphalt work as well as miscellaneous items.

RECOMMENDATION

All of the above dates are reasonable and accurate according to the project file. No liquidated damages are recommended. Staff recommends approval of the change orders and final payment to Jorgenson Construction, Inc. in the amount of \$79,984.49 for Project 11-28.



City Council Regular

8.

Meeting Date: 02/05/2013

Subject: Community Strength Foundation Donation for Movie in the Park Events

From: Cathy Sorensen, City Clerk

INTRODUCTION

The Community Strength Foundation would like to make a donation to the Movie in the Park events.

DISCUSSION

Last year the Community Strength Foundation donated \$1,500 toward the Movie in the Park event held in August 2012. The event was so successful that the Foundation would like to support both movie events this year with their donation of \$4,000, which will be held on Friday, May 24 and Friday, August 9. The movie selection has not been finalized yet but will again be a family-friendly event.

RECOMMENDATION

Adopt Resolution 13-36 accepting the donation of funds for the Movie in the Park events in 2012 and 2013 and extend the City's thanks for their support of these family-friendly events.

Attachments

Resolution 13-36

RESOLUTION NO. 13-36

**A RESOLUTION TO ACCEPT THE DONATIONS OF MONIES TO BE
USED TOWARD MOVIE IN THE PARK EVENTS
FROM THE COMMUNITY STRENGTH FOUNDATION**

WHEREAS, the Community Strength Foundation donated \$1,500 to the City for the 2012 Movie in the Park events; and

WHEREAS, the Community Strength Foundation has offered to donate \$4,000 to the City to be used toward the 2013 Movie in the Park events; 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 \$4,000 for 2013 is hereby accepted along with the 2012 donation of \$1,500 for Movie in the Park events.

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

Adopted by the Coon Rapids City Council this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

9.

Meeting Date: 02/05/2013

Subject: Accept the Donation of an AED from the Coon Rapids Kiwanis Club

Submitted For: Brad Wise, Police Chief

From: Brad Wise, Police Chief

INTRODUCTION

The Coon Rapids Kiwanis Club would like to donate an Automated External Defibrillator (AED) to the City by presenting one to the Police Chief at a club meeting.

DISCUSSION

Mr. Lewis Peterson, on behalf of the Coon Rapids Kiwanis Club, would like to donate a Lifepak 1000 AED (valued at \$2,400) to be placed in a squad car. In 2012 the City budgeted and placed AEDs in nineteen of twenty marked squad cars. The Kiwanis generously requested the opportunity to provide the twentieth AED.

AEDs can help save lives, as precious minutes count when a patient suffers a sudden cardiac incident. The City has made it a priority to ensure that police officers have the capability to supplement the emergency medical response of the Fire Department. By completing this project, officers will be able to have this life saving tool in an emergency. Staff recommends that the City gratefully accept the donation.

RECOMMENDATION

Council is requested to adopt Resolution 13-34 accepting the donation of a Lifepak AED 1000 from the Coon Rapids Kiwanis Club.

Attachments

Resolution 13-34

RESOLUTION NO. 13-34

**A RESOLUTION TO ACCEPT THE DONATION OF AN AUTOMATED
EXTERNAL DEFIBRILLATOR FROM THE COON RAPIDS KIWANIS CLUB**

WHEREAS, the Coon Rapids Kiwanis Club has offered to donate an automated external defibrillator to the City for use by the Police Department; 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 an automated external defibrillator is hereby accepted.

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

Adopted by the Coon Rapids City Council this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

10.

Meeting Date: 02/05/2013

Subject: 2012-2013 Insurance Renewals

Submitted For: Sharon Legg, Finance Director

From: Stephanie Lincoln, Purchasing Clerk

INTRODUCTION

Staff recommends accepting the quote from the League of Minnesota Cities Insurance Trust (LMCIT) for property and liability insurance for the period December 1, 2012 through November 30, 2013.

DISCUSSION

Mr. Mark Lenz, Bearence Management Group, the City's insurance agent, has presented a quotation for the property and liability policy, which includes a \$50,000 deductible up to an aggregate of \$200,000 as in previous policies. The premium savings, by utilizing the \$50,000 deductible rather than a \$1,000 deductible, will be \$183,100. The City paid \$91,583 in property and liability losses in 2012.

Property Rates Property rates decreased two percent for 2013. Coon Rapids is insuring \$114.6 million in buildings/contents and 171 vehicles as compared to \$108 million in buildings/contents and 200 vehicles for the prior year. The number of vehicles is dependent on how quickly older vehicles are deleted from the fleet. Property values increased overall by three percent and the new garage was added.

Liability Premium The LMCIT changed the way liability premiums are calculated beginning with renewals after November 15, 2012. The new rating system is designed to be simpler, do a better job of allocating premium costs to members, and uses just five key factors: number of households, sewer connections, city employees, police officers and overall city expenditures. This change affects the municipal liability and auto liability premiums.

Experience shows that these categories consistently accounted for most of the LMCIT's liability loss costs, about 85% of the total. Land use, measured by number of homes, accounted for 20-25%, police about 20%, employment claims about 15%, sewer backup 10-12%, administrative errors and omissions about 10%, streets and sidewalks about 7%. Everything else was about 15%. That category includes claims related to water and other utilities, parks and recreation, licensing, airports, etc. Therefore, premium costs will shift toward cities with police operations. Liability premium increases are capped at 30 percent.

The experience rating factor also changed and is based on six categories of losses: police, land use, employment, sewer backups, automobile and all other. Actual losses are compared to expected losses in cities with comparable numbers over the past three years. The experience modification factor increased from .739 to .804. When less than one, the rating represents a discount from the standard premium. This year's premium is based on 2009, 2010 and 2011 losses. The smaller the factor, the better.

Legal Limit Statutory limits are \$500,000 per claimant and \$1.5 million per occurrence. The City has the option to waive these limits, allowing the LMCIT to pay claims in excess of the statutory limit. Waiving the limit does increase the premium. Staff recommends the City not to waive the statutory limit.

No Fault Sewer Back-up Coverage The City carried this coverage from 2002 through 2010 but declined in

2011. Staff recommends that the City not purchase this coverage which would cost roughly \$10,000.

RECOMMENDATION

Staff recommends authorization for the following:

- Purchasing insurance through the LMCIT with a \$50,000 deductible up to an annual aggregate of \$200,000.
- Maintaining statutory legal limits of \$1.5 million per occurrence.
- Not purchasing sewer backup liability insurance.

Fiscal Impact

BUDGET IMPACT:

The 2013 budget for insurance premiums is as follows:

General Fund	\$138,036
Water Fund	\$45,000
Sewer Fund	\$15,000
Golf Fund	\$59,782
Storm Drain Fund	\$5,014
Insurance Fund	\$200
Miscellaneous Fund	<u>\$10,000</u>
	\$273,032
Less Agent's Commission	(\$15,500)
Total Budget	<u>\$257,532</u>
Property/Liability thru L.M.C.I.T.	\$214,769
Employee dishonesty bond	1,268
Accident policy for volunteers	\$1,450
Lawyer's professional coverage	3,534
Total premiums	\$221,021

Attachments

Premium Summary

City of Coon Rapids, MN

Proposed Insurance Premiums 2012/13 as compared to prior years

Deductible: 50,000/200,000

	2012/13	2011/12	2010/11	2009/10	2008/09	2007/08
Insured property in millions	114.6	107.8	89.8	71.4	69.3	67.1
Number of vehicles/trailers (1)	171	200	189	186	195	190
Expenditures (\$ millions) for liability coverage		30.7	28.8	28.7	29.3	28.8
Expenditures (\$ millions) for error & omission coverage		48.5	53.3	48.3	50.3	51.7
Expenditures (\$millions) total	55.7					
Statutory limits:						
Per claimant	500,000	500,000	500,000	500,000	400,000	300,000
Per occurrence (\$ millions)	1.5	1.5	1.5	1.5	1.2	1.2
Experience rating	0.804	0.739	0.836	0.846	0.91	0.986
Premium:						
Property	47,538	60,524	42,352	39,527	39,975	42,044
Inland marine	9,048	10,716	7,725	8,511	9,754	10,350
Municipal liability	116,528	89,881	100,975	106,182	126,011	134,372
Automobile liability & physical	25,438	23,706	27,007	28,621	34,966	35,669
Petrofund reimbursement	Included	Included	Included	Included	Included	Included
Open meeting law	Included	Included	Included	Included	1,496	1,657
Bonds	1,268	1,303	1,373	1,656	1,595	1,491
No fault sewer back-up	0	0	0	9,024	10,718	10,529
Equipment breakdown	16,217	15,028	12,511	9,967	9,664	10,988
Accident plan for volunteers (est)	1,450	1,450	1,595	2,175	2,175	2,175
Total LMCIT policy	217,487	202,608	193,538	205,663	236,354	249,275
Other vendors						
Lawyer's professional (Aug 1 renewal)		3,534	3,574	3,574	3,759	3,942
Clinic professional (June 1 renewal)	n/a	n/a	n/a	n/a	n/a	n/a
Total other vendors	0	3,534	3,574	3,574	3,759	3,942
Excess liability (\$1,000,000)	n/a	n/a	n/a	n/a	n/a	n/a
Total premium	217,487	206,142	197,112	209,237	240,113	253,217

(1) Based on number of vehicles at time of application. Fluctuations occur due to overlap in delivery of new units and disposal of old ones.

2006/07	2005/06	2004/05	2003/04	2002/03
63.6	59.4	55	53.2	49.6
181	196	196	174	173
27	26.2	27.2	22.5	21.6
49.1	49.2	51.3	39.2	44.1
300,000	300,000	300,000	300,000	300,000
1	1	1	1	1
0.94	N/A	N/A	N/A	N/A
39,082	29,614	28,200	33,597	25,523
8,207	6,749	7,610	7,370	7,141
113,784	94,234	93,997	99,851	97,524
30,176	28,055	29,031	29,268	26,804
Included	Included	576	621	698
1,742	1,599	1,738	1,812	2,077
1,374	1,350	1,405	1,384	1,646
9,672	11,069	7,990	8,486	8,262
10,416	9,490	8,703	8,428	7,844
2,175	2,175	2,175	2,175	2,175
216,628	184,335	181,425	192,992	179,694
3,942	3,942	3,876	3,876	3,555
4,756	4,754	4,756	4,756	3,805
8,698	8,696	8,632	8,632	7,360
n/a	n/a	n/a	n/a	n/a
225,326	193,031	190,057	201,624	187,054



City Council Regular

11.

Meeting Date: 02/05/2013

Subject: Cons. Resolution of Concurrence and Support for the Mississippi River Trail Alignment and Designation as a United States Bike Route

From: Tim Himmer, Public Works Director

INTRODUCTION

The Minnesota Department of Transportation (MnDOT) is seeking City concurrence with the proposed Mississippi River Trail (MRT) alignment through the City limits, and support for an American Association of State Highway and Transportation Officials (AASHTO) application to designate the MRT as a United States Bike Route (USBR). The intent is to “create” a nationally significant recreational travel opportunity right here in Minnesota. MnDOT is nearing completion of an application that would designate the metro section of the MRT (between Elk River and Hastings) as a USBR, and is now gathering support letters and resolutions from all affected jurisdictions

This is the third and final segment of the MRT for nomination as a USBR. The first MRT segment in southeast Minnesota was designated this past May with considerable media attention. The second segment from the Headwaters in Lake Itasca to Elk River was submitted to AASHTO for their consideration this past October.

The attached map shows the proposed route through Coon Rapids. All segments within the City are in place and have been signed accordingly; no further construction is required for this route through the City.

DISCUSSION

Over the past few years, MnDOT has been convening meetings up and down the river to invite local road and trail authorities to join them in identifying an exciting bicycle adventure route along the Mississippi River within Minnesota. In the process they have discovered grass-root support for taking something that already exists (low use roads, roads with shoulders, and off-road trails) and string together a bicycle route with appeal to local, regional, national and even international users.

The USBR designation is a great opportunity to promote bicycle use in and through the area, and celebrate the 2012 Minnesota Legislature naming of the MRT as Minnesota’s very first authorized bikeway. The USBR System is a national network of bicycle routes. These routes are nominated for numbered designation by State Departments of Transportations (DOTs) and are cataloged by AASHTO through the Special Committee on U.S. Route Numbering (the same committee that assigns numbers to U.S. and interstate highways).

Concurrence by all MRT road and trail authorities is required to move this USBR application forward. The attached resolution is essential to inform the MnDOT Commissioner (the actual “applicant”) of our support to attract new visitors to our area, celebrate the unique culture of the Mississippi River, and promote additional local bicycling for health and pleasure.

The Mississippi River is recognized throughout the world as “America’s great river.” To travel along it is to understand the essence of the United States. The pre-history and history that surrounds it, the folklore that popularizes it, and elements of nature that depend on it are all uniquely available to bicycle travelers. This, in addition to local opportunities for travel, recreation and public health, makes the route very special within Minnesota, the United States and beyond.

Additional reasons to support development of the MRT include completion of gaps in the Mississippi National River and Recreation Area (MNRRA) alternate transportation system, opportunities to connect both sides of the river or connect people to the river, improved circulation and visitor access within the MNRRA, and the trail system is all ready programmed and in place.

RECOMMENDATION

Staff recommends that the City Council approve the attached resolution of concurrence and support for the Mississippi Rive Trail.

Attachments

Location Map

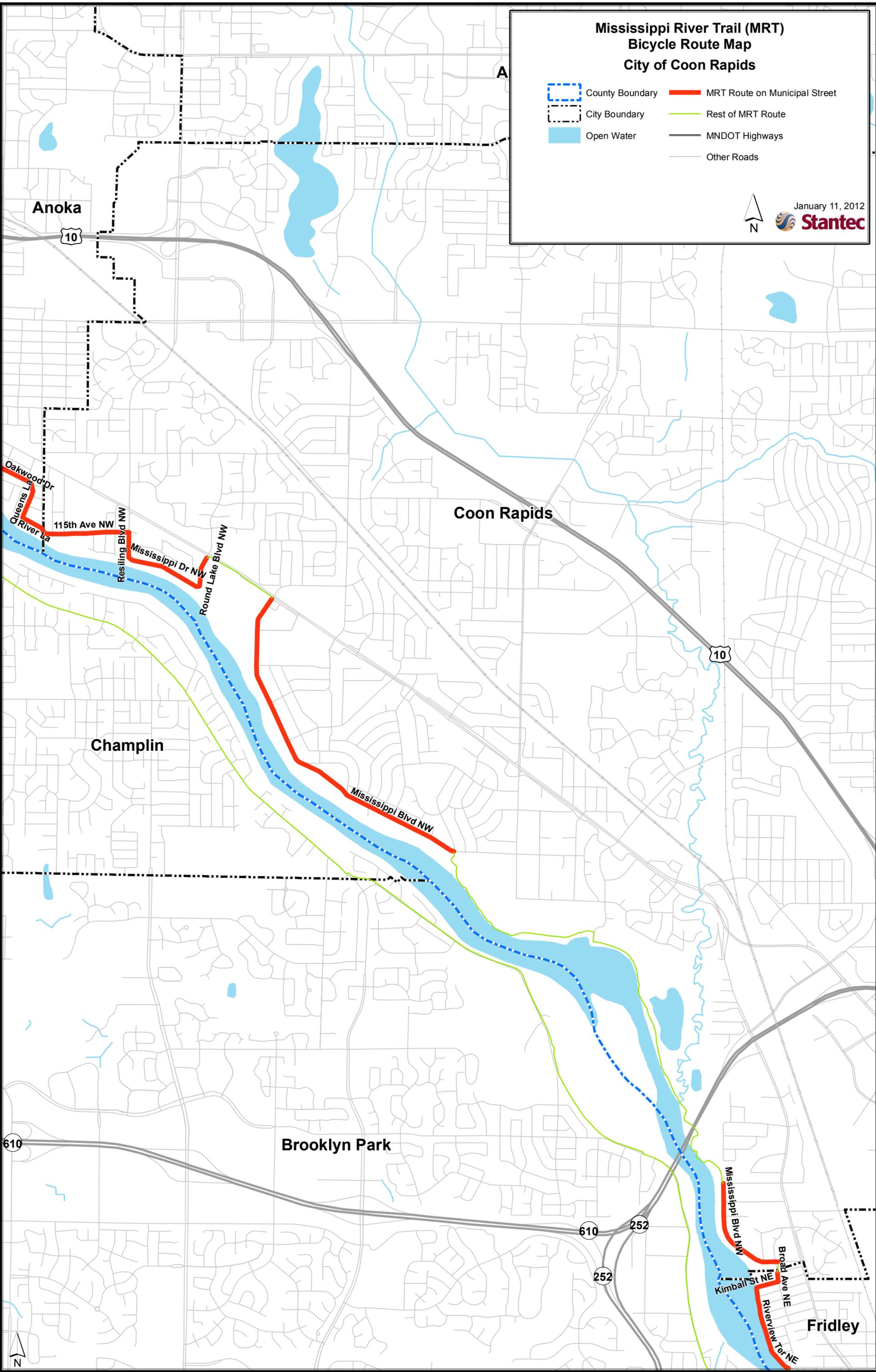
Resolution

**Mississippi River Trail (MRT)
Bicycle Route Map
City of Coon Rapids**

-  County Boundary
-  MRT Route on Municipal Street
-  City Boundary
-  Rest of MRT Route
-  Open Water
-  MNDOT Highways
-  Other Roads



January 11, 2012
Stantec



RESOLUTION NO. 13-28

**RESOLUTION SUPPORTING DEVELOPMENT OF THE
MISSISSIPPI RIVER TRAIL (U.S.BICYCLE ROUTE 45)**

WHEREAS, bicycle tourism is a growing industry in North America, presently contributing approximately \$47 billion dollars a year nationally to the economies of communities that provide facilities for said tourism; and

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor along the Mississippi River to be developed as United States Bike Route 45; and

WHEREAS, the Minnesota Department of Transportation has convened several public meetings during the previous eighteen months locally and throughout the river's corridor to gather information, review route alternatives and to provide assistance; and

WHEREAS, the Minnesota Department of Transportation in cooperation with road and trail authorities have proposed a specific route to be designated as the Mississippi River Trail (USBR 45), a map of which is herein incorporated into this resolution by reference; and

WHEREAS, the proposed Mississippi River Trail (USBR 45) traverses through the City of Coon Rapids and is expected to provide a benefit to local residents and businesses; and

WHEREAS, the Minnesota Department of Transportation will continue to maintain statewide mapping and information regarding Mississippi River Trail (USBR 45), convene meetings and facilitate the resolution of issues and future alignment revisions within the State; and

WHEREAS, the City of Coon Rapids has duly considered said proposed route and determined it to be a suitable route through the City of Coon Rapids and desire that the route be formally designated so that it can be appropriately mapped and signed, thereby promoting bicycle tourism locally and throughout Minnesota along the Mississippi River.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the City of Coon Rapids hereby expresses its approval and support for the development of the Mississippi River Trail (USBR 45) and requests that the appropriate government officials take action to officially designate the route accordingly as soon as possible.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

12.

Meeting Date: 02/05/2013

Subject: Temporary On-Sale Intoxicating Liquor License to Conduct Wine Tasting for Coon Rapids Lions Club Fundraiser at Anoka-Ramsey Community College

From: Vincent Vu, Management
Analyst/Deputy Clerk

INTRODUCTION

Beth Janish, on behalf of the Coon Rapids Lions Club, has applied for a temporary on-sale intoxicating liquor license to conduct wine tasting to be used for fundraising efforts at Anoka-Ramsey Community College on Saturday, February 23rd, 2013, from 6 to 9 PM.

DISCUSSION

The appropriate fees have been paid, the police department has conducted a background check and has found nothing to prevent licensing, and the Certificate of Insurance for liquor liability is on file. The on-sale intoxicating liquor license to conduct wine tasting will be valid from 6 - 9 PM on Saturday, February 23, 2013.

RECOMMENDATION

Council approval of a temporary on-sale intoxicating liquor license to conduct wine tasting for the Coon Rapids Lions Club fundraising efforts on Saturday, February 23rd, 2013 from 6 - 9 PM.



City Council Regular

13.

Meeting Date: 02/05/2013

Subject: Temporary On-Sale Intoxicating Liquor License to Conduct Wine Tasting for Cana Dinner at Epiphany Church

From: Vincent Vu, Management
Analyst/Deputy Clerk

INTRODUCTION

Jay Tomaszewski, on behalf of Epiphany Church, 1900 111th Avenue NW, has applied for a temporary on-sale intoxicating liquor license to conduct wine tasting to be used for the church's Cana Dinner on Sunday, February 10th, 2013, from 5 to 9 PM.

DISCUSSION

The appropriate fees have been paid, the police department has conducted a background check and has found nothing to prevent licensing, and the Certificate of Insurance for liquor liability is on file. The on-sale intoxicating liquor license to conduct wine tasting will be valid from 5 - 9 PM on Sunday, February 10th, 2013.

RECOMMENDATION

Council approval of a temporary on-sale intoxicating liquor license to conduct wine tasting for Epiphany's Cana Dinner on Sunday, February 10th, 2013 from 5 - 9 PM.



City Council Regular

14.

Meeting Date: 02/05/2013

Subject: Temporary On-Sale 3.2% Malt Liquor License for Springfest at Epiphany Church

From: Vincent Vu, Management
Analyst/Deputy Clerk

INTRODUCTION

Jay Tomaszewski, on behalf of Epiphany Church, 1900 111th Avenue NW, has applied for a temporary on-sale 3.2% malt liquor license to be used at Springfest on May 17th, 18th, and 19th 2013.

DISCUSSION

The appropriate fees have been paid, the Certificate of Insurance for liquor liability is on file, and Mr. Tomaszewski has cleared background investigation.

The On-sale 3.2% malt liquor license will be valid from 5:00 to 11:00 p.m. on Friday, May 17th; 11:00 a.m. to 11:00 p.m. on Saturday, May 18th; and 10:00 a.m. to 5:00 p.m. on Sunday, May 19th.

RECOMMENDATION

Council approval of a temporary 3.2% malt liquor license for Epiphany Church for use at Springfest on May 17th, 18th, and 19th, 2013.



City Council Regular

15.

Meeting Date: 02/05/2013

Subject: Off-Site Gambling Permit for Coon Rapids Youth Hockey Association at the Harvest Grill for the Coon Rapids Youth Hockey Dance

From: Vincent Vu, Management
Analyst/Deputy Clerk

INTRODUCTION

The City received an application from Michelle Picknell-Lange on behalf of the Coon Rapids Youth Hockey Association to conduct off-site gambling at The Harvest Grill. This would temporarily allow charitable gambling to be conducted on the premises on February 15th, 2013 for the purposes of the Coon Rapids Youth Hockey Dance.

Council is asked to adopt a resolution for issuance of an Off-Site Gambling Permit for the Coon Rapids Youth Hockey Association to conduct raffles, bingo, and tipboards at 12800 Bunker Prairie Road.

DISCUSSION

Coon Rapids Youth Hockey Association is requesting approval of an off-site gambling permit. The Minnesota Gambling Control Board requires City Council adoption of a resolution approving the issuance of an off-site gambling permit.

RECOMMENDATION

Council is requested to adopt Resolution 13-32 Concurring with Issuance of an Off-site Lawful Gambling Permit on February 15th 2013 for Coon Rapids Youth Hockey Association at the Harvest Grill.

Attachments

Resolution 13-32

RESOLUTION 13-32

**RESOLUTION CONCURRING WITH ISSUANCE OF AN
OFF-SITE LAWFUL GAMBLING PERMIT
ON FEBRUARY 15TH 2013 FOR COON RAPIDS YOUTH HOCKEY ASSOCIATION AT
THE HARVEST GRILL**

WHEREAS, the Coon Rapids Youth Hockey Association is licensed by the Minnesota Gambling Control Board to conduct lawful gambling at Broadway Pizza and Carbone's/CR Billiards, and

WHEREAS, the Coon Rapids Youth Hockey Association is seeking Council approval to conduct raffles, bingo, and tipboards at the Harvest Grill during the Coon Rapids Youth Hockey Dance event on February 15th, 2013; and

WHEREAS, the Minnesota Gambling Control Board requires City Council adoption of a resolution approving the issuance of an off-site gambling permit.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Coon Rapids, Minnesota, hereby concurs with the issuance of an off-site lawful gambling permit for the Coon Rapids Youth Hockey Association to conduct lawful gambling during the Coon Rapids Youth Hockey Dance at the Harvest Grill, 12800 Bunker Prairie Road, on February 15th, 2013.

Adopted by the Coon Rapids City Council this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk



City Council Regular

16.

Meeting Date: 02/05/2013

Subject: New Gambling Premise Permit for Coon Rapids Lions Club at MGM Liquor Warehouse

From: Vincent Vu, Management
Analyst/Deputy Clerk

INTRODUCTION

The City received a Lawful Gambling Premises Permit application from Lori Anderson, on behalf of the Coon Rapids Lions Club, for MGM Liquor Warehouse. This would allow charitable gambling to be conducted on the premises. Council is asked to adopt a resolution for issuance of a Premises Permit for the Coon Rapids Lions Club to conduct pull tabs with a dispensing device at 2929 Coon Rapids Blvd.

DISCUSSION

The Coon Rapids Lions Club has obtained a signed lease agreement with MGM Liquor Warehouse to conduct charitable gambling at their location at 2929 Coon Rapids Blvd. Pull-tab dispensing devices are permitted at establishments licensed for off-sale intoxicating liquor under state statute 349.1721, subdivision 3.

The Coon Rapids Lions Club currently has two other sites at Classic Bowl, 11707 Round Lake Blvd., and The Harvest Grill at Bunker Hills, 12800 Bunker Prairie Road. By obtaining MGM Liquor Warehouse, the Coon Rapids Lions Club would have their maximum of three gambling sites.

The Coon Rapids Lions Club is requesting approval of a gambling premise permit. State Charitable Gambling law requires premises permits for gambling activities be approved or denied by the City Council.

RECOMMENDATION

Council is requested to adopt Resolution 13-33 Concurring with Issuance of a Gambling Premises Permit for Coon Rapids Lions Club at MGM Liquor Warehouse, 2929 Coon Rapids Blvd.

Attachments

Resolution 13-33

RESOLUTION 13-33

**RESOLUTION CONCURRING WITH ISSUANCE
OF A GAMBLING PREMISES PERMIT FOR
COON RAPIDS LIONS CLUB AT
MGM LIQUOR WAREHOUSE, 2929 COON RAPIDS BLVD**

WHEREAS, the Coon Rapids City Council has received an application for issuance of a Gambling Premises Permit from Coon Rapids Lions Club at MGM Liquor Warehouse, 2929 Coon Rapids Blvd; and

WHEREAS, Minnesota State Gambling Control Division requires the local governing body approve or deny the premises permit by adopting a resolution stating such facts; and

WHEREAS, the resolution must be submitted to the Gambling Control Division and must be valid for a two-year license period; and

WHEREAS, the Coon Rapids City Council has adopted City Code Section 5-2000 which states additional provisions that apply to the issuance of gambling licenses; and

WHEREAS, the Coon Rapids Lions Club meets the criteria established within the City Code.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Coon Rapids, Minnesota hereby concurs with the issuance of a Gambling Premises Permit for Coon Rapids Lions Club at MGM Liquor Warehouse, 2929 Coon Rapids Blvd, Coon Rapids.

Adopted by the Coon Rapids City Council this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk



City Council Regular

17.

Meeting Date: 02/05/2013

Subject: Open Mic Report - Jerry Pierce, 12236 Partridge Street, Stop Sign Installation at Partridge Street and Quinn Street/121st Lane

Submitted For: Tim Himmer, Public Works Director

From: Cher Ridout, Admin Secretary II

INTRODUCTION

Mr. Pierce asked that the Safety Commission re-evaluate the recent installation of a stop sign at the intersection of Partridge Street and Quinn Street/121st Lane. The Traffic Review Committee; comprised of the City Engineer, Public Works Director, and Police Chief, reviewed requests for stop sign installation at this intersection on four separate occasions dating back to 2006. Such requests were denied in 2006, 2008, and 2010, but was approved in February of 2012.

With the most recent request for stop sign installation, the Traffic Review Committee met in the field on December 19, 2011 to evaluate the intersection of Partridge Street and Quinn Street/121st Lane. At that time they concluded that the curvature of Quinn Street (to the west) created limited visibility for vehicles traveling southbound on Partridge Street. Quinn Street/121st Lane functions as a collector street in the area, and therefore higher volumes and speeds may be a concern on this section of roadway. Also, additional school buses began picking up children at this intersection in the fall of 2011. For these reasons the Traffic Review Committee concluded that a stop condition on Partridge Street would provide a safer intersection for children boarding the buses, and would reduce vehicle conflicts with the higher volume collector road (Quinn Street/121st Lane).

The City Council reviewed the matter at their January 17, 2012 meeting, agreed with the recommendation of the Committee, and introduced an ordinance establishing a stop sign on southbound Partridge Street at Quinn Street/121st Lane. On February 5, 2012 the City Council then adopted the ordinance, and the stop sign was ordered for installation. Unfortunately there was some internal miscommunication and the stop sign was never installed at the time. Mr. Pierce contacted the Public Works Director in December of 2012 requesting stop signs to be installed on Quinn Street/121st Lane. Upon investigation it was discovered that this matter had already been through the process on several occasions, and that the Council had already approved the installation of a stop sign on Partridge Street. This information was communicated to Mr. Pierce and he stated that this was a mistake and that no sign should be installed until it is fully evaluated. Staff told him that since the process had already been followed, and a resolution already adopted, the sign would be installed at the first available opportunity. The sign was installed the first week in January 2013.

DISCUSSION

Prior to discovering that this issue had been investigated on several previous occasions, the Public Works Director visited the intersection and told Mr. Pierce that he would be willing to support a stop condition on Partridge Street. Mr. Pierce stated that this wouldn't help because the problem is speeding on Quinn Street/121st Lane; those streets should be the stop condition to slow drivers down. If stop signs were installed to reduce potential speeding concerns in neighborhoods they would be located at every intersection across the country. Subsequent investigations discovered the previous reviews and approvals, and further reinforced the decision made in early 2012.

Staff also contacted the Transportation Director for the school district to determine whether they may have any concerns associated with safety at this intersection. Their response was that no complaints had been registered at this location from the bus drivers, parents, or students; and therefore they did not view this as a significant concern. They also commented that they would be open to further discussions if specific concerns were brought to their attention.

RECOMMENDATION

Since this matter has been studied on several occasions, and the fact that a cursory review in late 2012 came to the same conclusion as the approving resolution for a stop sign on Partridge Street, staff recommends no modifications to previous actions taken. If Mr. Pierce still objects to this recommendation he has the ability to appeal to the Safety Commission at their next available meeting, which is scheduled for March 14, 2013. It is further recommended that police enforcement be stepped up in the area, including the use of the speed trailer, in an effort to increase driver awareness with respect to their speeds in a residential neighborhood.

cc: Jerry Pierce

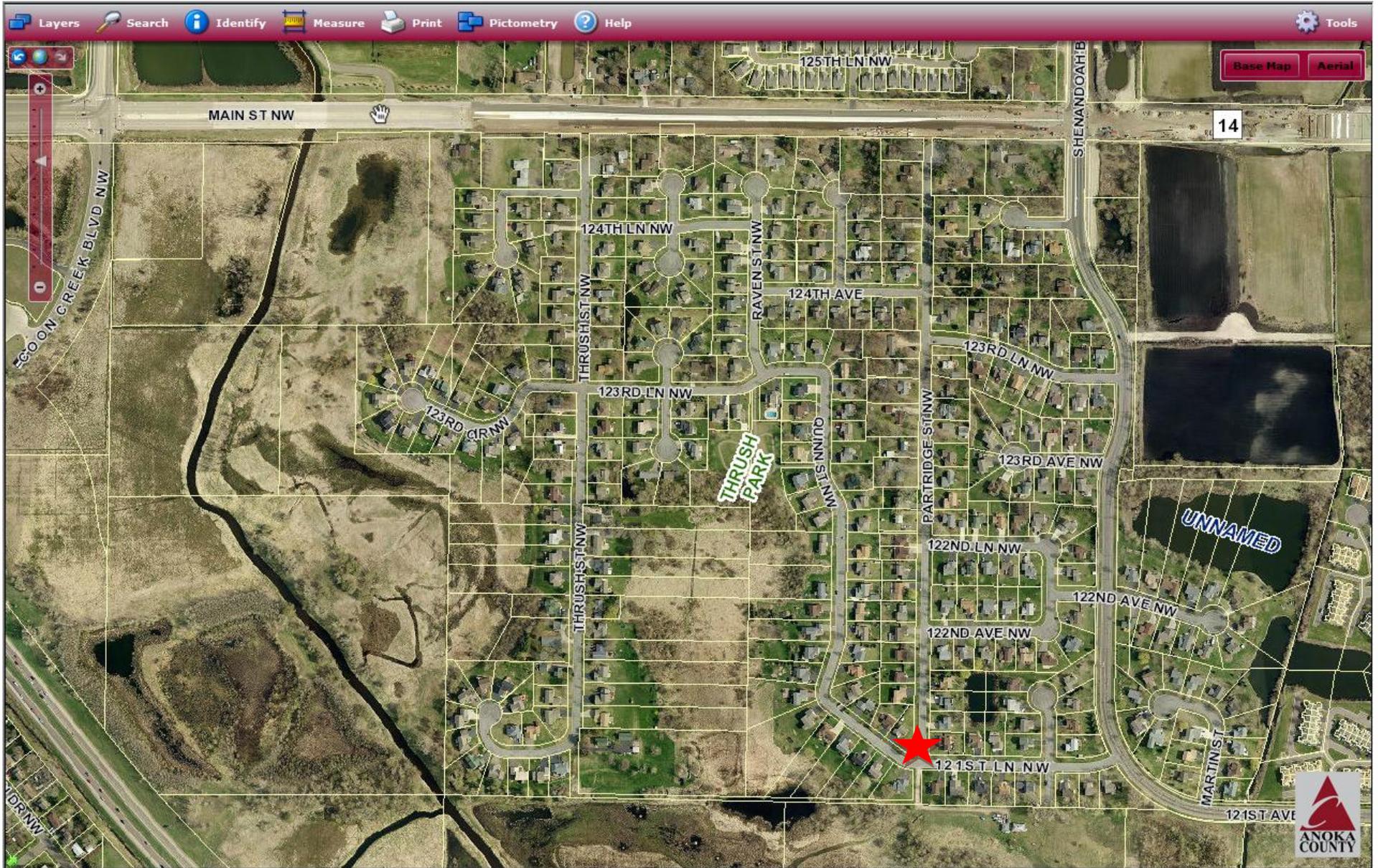
Fiscal Impact

BUDGET IMPACT:

This item has no major budget impact other than the initial installation cost of the sign.

Attachments

Location Map



 Stop Sign Location



City Council Regular

18.

Meeting Date: 02/05/2013

Subject: Award of Contract for City Project 11-18; 2011 Well Rehabilitation Program

From: Tim Himmer, Public Works Director

INTRODUCTION

Following completion of the Water System Master Plan in 2001, the City began implementing a comprehensive well rehabilitation program. The initial rehab program began in 2001 and continued through 2007. All 25 of the City's municipal wells, as well as the booster pumping systems at both treatment plants, were rehabilitated. On April 5, 2011 the City Council awarded a contract to Progressive Consulting Engineers (PCE) to evaluate the City's water production system and develop a program for continuous monitoring and maintenance.

DISCUSSION

As part of the City's on-going capital improvement program, it is necessary to continuously monitor the municipal water supply system. This proposed program will kick off another 5-6 year well rehabilitation program and includes wells 11, 14, 16, and 17. It was originally planned to also include booster pumps 4 and 5, and the backwash recycle pump at the City's west water treatment plant, but due to budget constraints those items have been delayed. During the next five years staff will be proposing that the Council consider rehabilitation of 4 to 6 wells per year to complete this new program.

Major improvements were completed on each well during the initial well rehabilitation program that began in 2001; including rehab of well pump houses, replacement of pumps, inspection of well casings, and other major well components. At this time the well rehabilitation program will involve lesser amounts of work on each well, primarily focusing on inspections and required maintenance (as needed).

Bids were received and the low bid from E.H. Renner & Sons, Inc. is being recommended for approval. See the attached recommendation and bid tab.

RECOMMENDATION

Staff recommends that the City Council approve the attached resolution awarding a contract for well rehabilitation services to E.H. Renner & Sons in the amount of \$251,634.19.

Fiscal Impact

BUDGET IMPACT:

The Water Fund includes \$220,000 for this rehabilitation program. The proposed contract award in the amount of \$251,634.19 exceeds the budgeted amount but it is unlikely that this total contract amount will be realized. The base bid of \$87,221 will be required to inspect, examine, and test the associated wells and equipment. Project alternates (\$164,413.19) would only be necessary if something is discovered during the inspections that requires repair and/or replacement of the equipment. Each alternate item that may require additional work would be reviewed and approved by City and PCE staff prior to implementation. If the alternates are required, it would be important to address the situation quickly. If the project budget is anticipated to exceed the budget, staff will

request additional funds be appropriated in the Water Fund as soon as known.

Attachments

PCE Award Recommendation

Resolution

January 21, 2013

Rick Bednar
Utilities Operations Supervisor
City of Coon Rapids
1831 111th Ave NW
Coon Rapids, MN 55433

Re: 2012 Well Rehabilitation
City Project 11-18
Recommendation to Award Bid

Dear Mr. Bednar:

The bids submitted for the above referenced project are summarized on the attached bid summary. Three bids were submitted. Apparent low bidder is E. H. Renner & Sons, Inc. E.H. Renner & Sons, Inc. submitted a total base bid of \$87,221.00 and a total alternate bid of \$164,413.19 for a total bid of \$251,634.19

No irregularities were found in the bids.

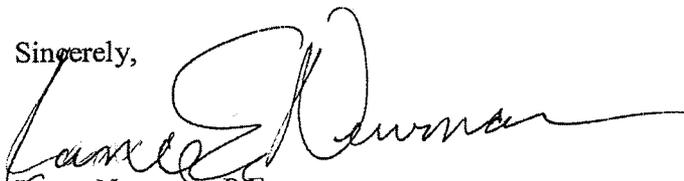
We have reviewed the bid from E.H. Renner & Sons, Inc.; we recommend that the bid be awarded to E.H. Renner & Sons, Inc. based on the following:

1. The submitted bid meets all bid requirements.
2. E. H. Renner & Sons, Inc. is an experienced, reputable well contractor that has successfully completed multiple well related projects for the City of Coon Rapids.

We recommend that the bid be awarded for the amount with all of the alternatives (\$251,634.19). Whether a specific alternative is necessary will be contingent upon the condition of the existing equipment, wells and pumps. After examining the equipment, wells and pumps, only those alternatives deemed necessary by the engineer and City staff will be approved and implemented. Therefore the final contract amount will be only for the work that is completed.

Should you have any questions or concerns you would like to discuss, please do not hesitate to contact me.

Sincerely,



Lance Newman, P.E.
Project Manager

2012 Well Rehabilitation Bid Summary

Item	Description	Engineer	Bergerson Caswell Inc	Keys Well Drilling	E. H. Renner & Sons
1	Bid Security (yes/no)	NA	Yes	Yes	Yes
2	Addendum No. 1 (yes/no)	NA	Yes	Yes	Yes
3	Well 11 Base Bid	\$27,580.00	\$24,150.00	\$22,400.00	\$18,112.00
4	Well 11 Alternate Bid	\$47,195.00	\$41,635.00	\$44,690.00	\$36,528.00
5	Well 14 Base Bid	\$35,050.00	\$32,125.00	\$32,975.00	\$25,112.00
6	Well 14 Alternate Bid	\$47,695.00	\$46,350.00	\$51,190.00	\$39,187.00
7	Well 16 Base Bid	\$40,700.00	\$36,600.00	\$37,250.00	\$32,209.00
8	Well 16 Alternate Bid	\$58,195.00	\$52,760.00	\$60,165.00	\$51,210.19
9	Well 17 Base Bid	\$21,440.00	\$18,400.00	\$15,075.00	\$11,788.00
10	Well 17 Alternate Bid	\$49,695.00	\$40,375.00	\$43,890.00	\$37,488.00
11	Total Base Bid	\$124,770.00	\$111,275.00	\$107,700.00	\$87,221.00
12	Total Alternate Bid	\$202,780.00	\$181,120.00	\$199,935.00	\$164,413.19
13	Total Bid With Alternates	\$327,550.00	\$292,395.00	\$307,635.00	\$251,634.19
14	Bid Signed (yes/no)	NA	Yes	Yes	Yes
15	Bidder Address	NA	5115 Industrial St. Maple Plain, MN 55359	1156 Homer Street, St. Paul, MN 55116	15688 Jarvis St. N.W., Elk River, MN 55330
16	Project References (yes/no)	NA	Yes	Yes	Yes
17	Affidavit of Non-Collusion (y/n)	NA	Yes	Yes	Yes

RESOLUTION NO. 11-18(9)

**(9) RESOLUTION ACCEPTING BID AND
AWARDING CONTRACT**

WHEREAS, pursuant to an advertisement for bids for the improvement of the City's water system by Well Rehabilitation of Wells 11, 14, 16, and 17, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

<u>Contractor</u>	<u>Base Bid</u>	<u>Alternate Bid</u>	<u>Total Bid</u>
E.H. Renner & Sons	\$ 87,221.00	\$ 164,413.19	\$ 251,634.19
Keys Well Drilling Co.	\$ 107,700.00	\$ 199,935.00	\$ 307,635.00
Bergerson-Caswell, Inc.	\$ 111,275.00	\$ 181,120.00	\$ 292,395.00

WHEREAS, it appears that E.H. Renner & Sons of Elk River, Minnesota is the lowest responsible bidder; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the total bid of \$251,634.19 by E.H. Renner & Sons for Coon Rapids Improvement Project 11-18 be accepted as the lowest responsible bid.

BE IT FURTHER RESOLVED that the Mayor and City Manager are hereby authorized and directed to enter into a contract with E.H. Renner & Sons of Elk River, Minnesota for the improvement of the City's water system by Well Rehabilitation of Wells 11, 14, 16 and 17 according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next two lowest bidders shall be retained until a contract has been signed.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

19.

Meeting Date: 02/05/2013

Subject: Cons. Award of Contracts to Construct a Reader Board Monument Sign at Bunker Hills Regional Park

From: Cher Ridout, Admin Secretary II

INTRODUCTION

City staff and Anoka County have been working on the planning and construction of a reader board monument sign at Bunker Hills Regional Park for some time. The reader board will be used by both groups to advertise the various activities and facilities located within the park. The City Council approved the Joint Powers Agreement for the project on December 4, 2012, which included a 50-50 cost split and outlined the responsibilities of each party through project completion.

DISCUSSION

In addition to the 50-50 cost split for project funding, both entities will be providing labor and materials for portions of the work in an effort to keep costs down. The City responsibility of site plan development and grading is now substantially complete. Project plans have since been completed and Amcon, the construction manager, has solicited and collected proposals for all aspects of construction. Attached is a summary of the proposals received, and an updated project budget.

RECOMMENDATION

Staff recommends the following contract awards for the construction of a reader board monument sign at Bunker Hills Regional Park:

- a. Linco- Furnish and install steel - \$4,610
- b. Kiffmeyer – Concrete and Masonry work - \$28,600
- c. Master Electric – Electrical Work - \$6,750

Fiscal Impact

BUDGET IMPACT:

On May 15, 2012 the City Council authorized a project budget of up to \$255,000 from the Facilities Construction Fund. The updated project budget is well within this budgeted amount.

Attachments

Bid Summary

Updated Budget

Bunker Hills Monument Sign

BID DATE: January 10, 2013
BID TIME: 1:00 PM

CONTRACTOR	Base Bid	Apparent Low Bid
<u>Concrete and Masonry - incl excav and backfill</u>		
Kiffmeyer	28,600	28,600
Dayco	33,874	
YAW Construction	35,410	
Gresser	39,500	
Hollenback and Nelson	39,600	
Northland Concrete Masonry	39,865	
Classic Construction	43,088	
CR Concrete - invited, no bid submitted		
<u>Steel - Fabrication and Installation</u>		
Linco	4,610	4,610
Superior	4,800	
DG Welding	5,800	
<u>Electrical</u>		
Master	6,750	6,750
Phasor (verify scope required - with all 3 bidders)	8,200	
Ace Electrical (incomplete scope)	3,915	

City of Coon Rapids
 Bunker Hills
 Monument Sign
 Project Budget

Project Development Costs

A/E Services plus reimbursable expenses est. 12,000
 Survey - Const Staking by City Staff -

Subtotal \$ 12,000

Construction Cost

General Cond, City permit Fee, Supervision, misc 7,000
 Construction Hard Costs
 Demo and remove existing sign 3,000
 Excavation, Backfill - included in Kiffmeyer -
 Landscape and restoration - by city 1,575
 Concrete and masonry - Kiffmeyer 28,600
 Steel fabrication and erection - Linco 4,610
 Electrical Work - verify scope with low bid 6,750
 Sign Fabrication and installation 97,300
 -

Subtotal \$ 148,835

Construction Manager Fee - 8% \$ 11,907

Contingency - 6.5% Construction 9,674

Total \$ 182,416





City Council Regular

20.

Meeting Date: 02/05/2013

Subject: Project 13-1, Residential Street Reconstruction, Order Preparation of Feasibility Report and Preparation of Plans

Submitted For: Bob Moberg, City Engineer

From: Cher Ridout, Admin Secretary II

INTRODUCTION

Project 13-1 includes reconstruction of approximately 2.9 miles of local streets in a neighborhood lying west of Crooked Lake Boulevard and north of 113th Avenue. Oakwood Drive between 9th Avenue and Eldorado Street is also included in the project area (see map).

DISCUSSION

In 1994, the City began a street reconstruction program to replace aging street infrastructure. Since then, more than 76 miles of the City's 220 mile system have been reconstructed. This project would continue the program for 2013. Streets in the project area are 40 years old, except for Oakwood Drive which is 36 years old and 117th Avenue which is 20 years old. In addition to full replacement of the pavement and underlying gravel base, storm sewer, curb and gutter, sidewalk and driveway aprons would be replaced as needed. Street signs would also be replaced.

City staff is currently evaluating the need to replace fire hydrants and watermain valves in the project area. Boulevard tree trimming would be completed in advance of the street project.

City policy calls for an assessment to be levied against properties that benefit from the proposed street improvements. Generally, properties to be assessed are those with a direct access to the street(s) being reconstructed. The goal of the policy is to assess up to 50% of the project cost. Actual project costs and the number of assessable properties will cause the assessable share to vary. For 2013, City staff is recommending a unit assessment rate of \$1620 per single-family residential home. This is a 2.8% increase over the 2012 rate of \$1575 per home, reflecting an increase in the Construction Cost Index for 2012.

Estimated project costs and assessment amounts will be presented to Council in the form of a feasibility report, prepared in accordance with Minnesota Statute 429.

Property owners were notified of the pending project in December 2012. An informational meeting will be held with the neighborhood prior to any public hearings ordered by Council.

RECOMMENDATION

It is recommended that Council adopt the following resolutions:

- a. Resolution No. 13-1(3), ordering preparation of a feasibility report.
- b. Resolution No. 13-1(6), ordering preparation of plans and specifications.

BUDGET IMPACT:

The feasibility report will include an estimated project cost along with impacts to the General Fund, Utility Fund and Storm Water Utility Fund. It will also identify the amount proposed for special assessments.

Attachments

13-1 Map

Resolution No. 13-1(3)

Resolution No. 13-1(6)



2013 Street Reconstruction

— Project 13-1 Streets

RESOLUTION NO. 13-1(3)

**(3) RESOLUTION ORDERING PREPARATION OF
FEASIBILITY REPORT ON IMPROVEMENT
(NO PETITION OR INADEQUATE PETITION)**

WHEREAS, it is proposed to improve various residential streets in the area west of Crooked Lake Boulevard and north of 113th Avenue, and Oakwood Drive between 9th Avenue and Eldorado Street by street reconstruction and to assess the benefitted properties for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Sections 429.011 to 429.111,

NOW THEREFORE BE IT RESOLVED BY THE CITY OF COON RAPIDS, MINNESOTA:

That the proposed improvement be referred to the City Engineering Division and the City Engineering Division is hereby instructed to prepare and submit to the Council a feasibility report indicating in a preliminary manner whether the proposed improvement is necessary, cost effective, and feasible, whether it should best be constructed as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 13-1(6)

(6) RESOLUTION ORDERING PREPARATION OF PLANS

WHEREAS, it is proposed to improve various residential streets in the area west of Crooked Lake Boulevard and north of 113th Avenue, and Oakwood Drive between 9th Avenue and Eldorado Street by street reconstruction; and

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

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

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

The City Engineering Division is hereby designated as the engineer for this improvement. The City Engineering Division shall prepare plans and specifications for the making of such improvement.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

21.

Meeting Date: 02/05/2013

Subject: Project 13-2, Collector Street Reconstruction, Order Preparation of Feasibility Report and Preparation of Plans

Submitted For: Bob Moberg, City Engineer

From: Cher Ridout, Admin Secretary II

INTRODUCTION

Project 13-2 includes reconstruction of Woodcrest Drive between Egret Boulevard and 99th Avenue. This 1.08 mile roadway is part of the City's Municipal State Aid (MSA) system.

DISCUSSION

In 1994, the City began a street reconstruction program to replace aging street infrastructure. Since then, more than 76 miles of the City's 220 mile system have been reconstructed. This project would continue the program for 2013. Woodcrest Drive was constructed in 1987, except for a 900 foot section immediately south of Egret Boulevard, which was constructed in 1982. In addition to full replacement of the pavement and underlying gravel base, storm sewer, curb and gutter, sidewalk and driveway aprons would be replaced as needed. Street signs would also be replaced.

City staff is currently evaluating the need to replace fire hydrants and watermain valves in the project area. Boulevard tree trimming would be completed in advance of the street project.

City policy calls for an assessment to be levied against properties that benefit from the proposed street improvements. Generally, properties to be assessed are those with a direct access to the street being reconstructed. The goal of the policy is to assess up to 50% of the project cost. Actual project costs and the number of assessable properties will cause the assessable share to vary. For 2013, City staff is recommending a unit assessment rate of \$1620 per single-family residential home, \$20.24 per front foot for multi-family residential property, and \$40.48 per front foot for commercial property. This is a 2.8% increase over the 2012 rate of \$1575 per home, reflecting an increase in the Construction Cost Index for 2012. Municipal State Aid funds will be used to pay for costs not recovered through assessments.

Estimated project costs and assessment amounts will be presented to Council in the form of a feasibility report, prepared in accordance with Minnesota Statute 429.

Property owners were notified of the pending project in December 2012. An informational meeting will be held with the neighborhood prior to any public hearings ordered by Council.

RECOMMENDATION

It is recommended that Council adopt the following resolutions:

- a. Resolution No. 13-2(3), ordering preparation of a feasibility report.
- b. Resolution No. 13-2(6), ordering preparation of plans and specifications.

Fiscal Impact

BUDGET IMPACT:

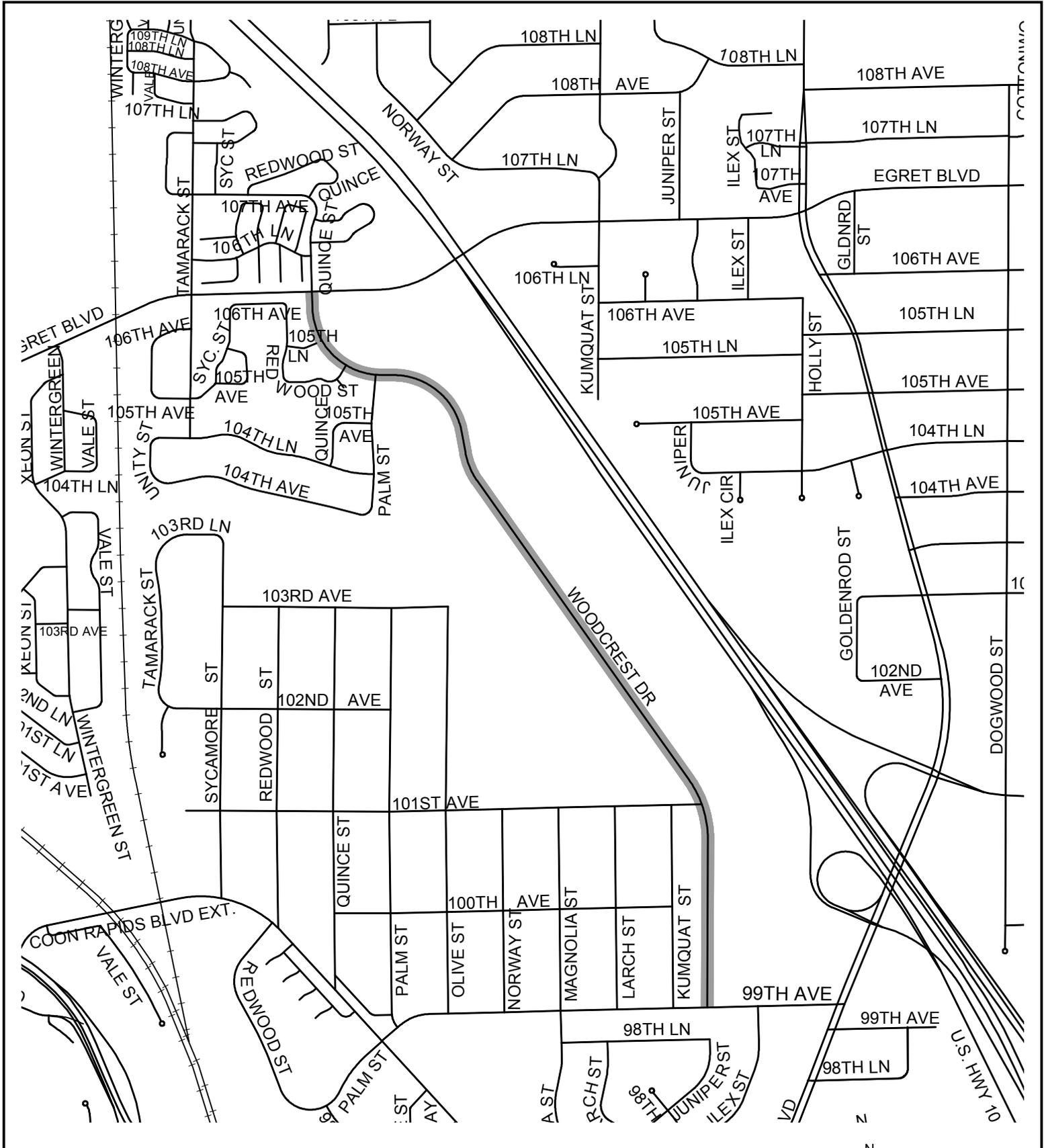
The feasibility report will include an estimated project cost along with impacts to the Municipal State Aid Fund, General Fund, Utility Fund and Storm Water Utility Fund. It will also identify the amount proposed for special assessments.

Attachments

13-2 Map

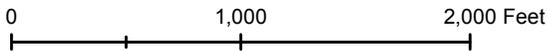
Resolution No. 13-2(3)

Resolution No. 13-2(6)



2013 Street Reconstruction

█ Project 13-2 Woodcrest Dr



RESOLUTION NO. 13-2(3)

**(3) RESOLUTION ORDERING PREPARATION OF
FEASIBILITY REPORT ON IMPROVEMENT
(NO PETITION OR INADEQUATE PETITION)**

WHEREAS, it is proposed to improve Woodcrest Drive between Egret Boulevard and 99th Avenue by street reconstruction and to assess the benefitted properties for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Sections 429.011 to 429.111,

NOW THEREFORE BE IT RESOLVED BY THE CITY OF COON RAPIDS, MINNESOTA:

That the proposed improvement be referred to the City Engineering Division and the City Engineering Division is hereby instructed to prepare and submit to the Council a feasibility report indicating in a preliminary manner whether the proposed improvement is necessary, cost effective, and feasible, whether it should best be constructed as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 13-2(6)

(6) RESOLUTION ORDERING PREPARATION OF PLANS

WHEREAS, it is proposed to improve Woodcrest Drive between Egret Boulevard and 99th Avenue by street reconstruction; and

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

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

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

The City Engineering Division is hereby designated as the engineer for this improvement. The City Engineering Division shall prepare plans and specifications for the making of such improvement.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

22.

Meeting Date: 02/05/2013

Subject: Project 13-3, Collector Street Reconstruction, Order Preparation of Feasibility Report and Preparation of Plans

From: Bob Moberg, City Engineer

INTRODUCTION

Project 13-3 includes reconstruction of 113th Avenue between Hanson Boulevard and Robinson Drive. This 0.30 mile roadway segment is part of the City's Municipal State Aid (MSA) system (see map).

DISCUSSION

In 1994, the City began a street reconstruction program to replace aging street infrastructure. Since then, more than 76 miles of the City's 220 mile system have been reconstructed. This project would continue the program for 2013. 113th Avenue was constructed in stages between 1976 and 1983. In addition to full replacement of the pavement and underlying gravel base, storm sewer, curb and gutter, sidewalk and driveway aprons would be replaced as needed. Street signs would also be replaced.

City staff is currently evaluating the need to replace fire hydrants and watermain valves in the project area. Boulevard tree trimming would be completed in advance of the street project.

City policy calls for an assessment to be levied against properties that benefit from the proposed street improvements. Generally, properties to be assessed are those with a direct access to the street being reconstructed. The goal of the policy is to assess up to 50% of the project cost. Actual project costs and the number of assessable properties will cause the assessable share to vary. For 2013, City staff is recommending a unit assessment rate of \$1620 per single-family residential home, \$20.24 per front foot for multi-family residential property, and \$40.48 per front foot for commercial property. This is a 2.8% increase over the 2012 rate of \$1575 per home, reflecting an increase in the Construction Cost Index for 2012. Municipal state aid funds will be used to pay for costs not recovered through assessments.

Estimated project costs and assessment amounts will be presented to Council in the form of a feasibility report, prepared in accordance with Minnesota Statute 429.

Property owners were notified of the pending project in December 2012. An informational meeting will be held with the neighborhood prior to any public hearings ordered by the Council.

RECOMMENDATION

It is recommended that Council adopt the following resolutions:

- a. Resolution No. 13-3(3), ordering preparation of a feasibility report.
 - b. Resolution No. 13-3(6), ordering preparation of plans and specifications.
-

Fiscal Impact

BUDGET IMPACT:

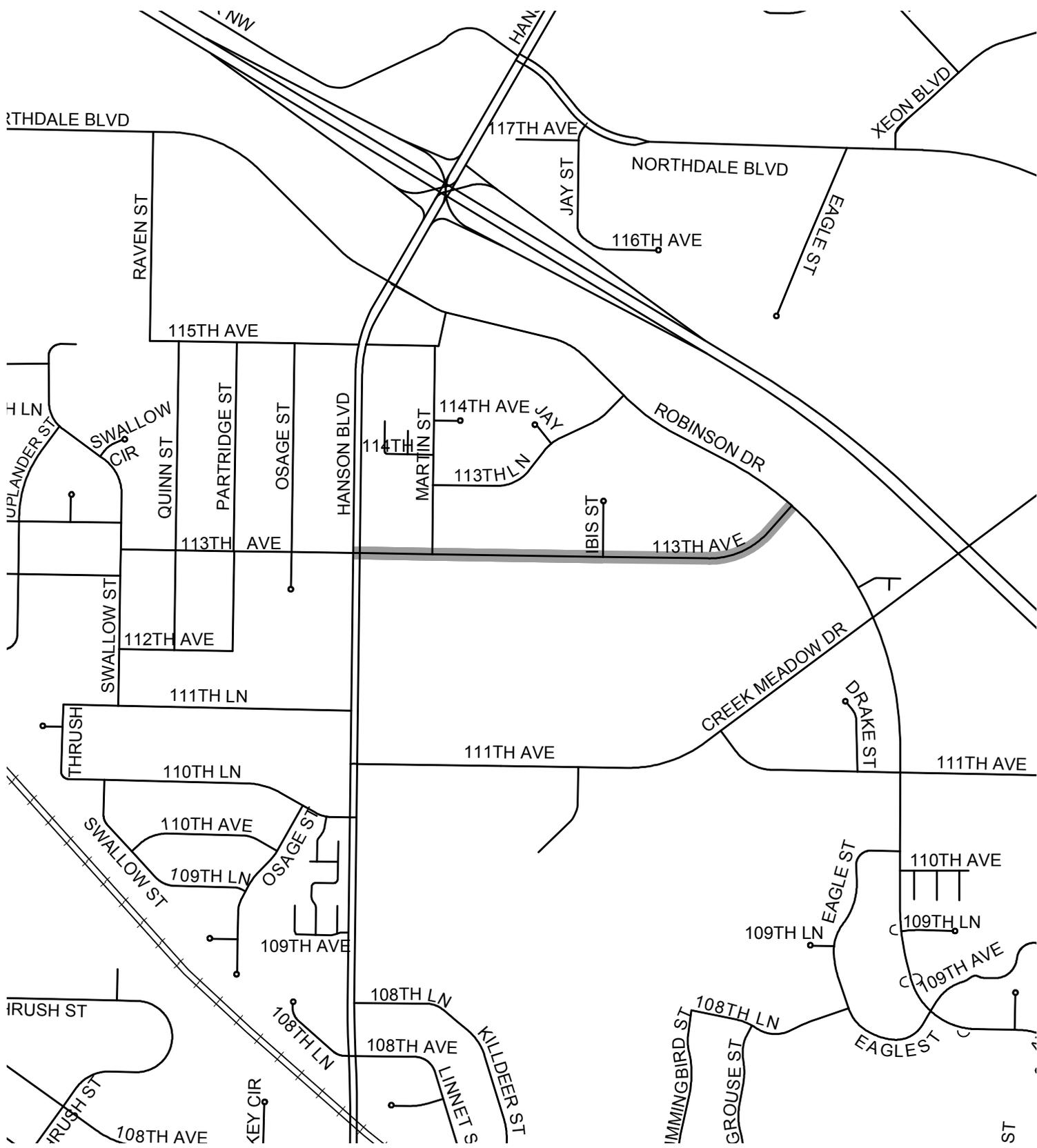
The feasibility report will include an estimated project cost along with impacts to the Municipal State Aid Fund, General Fund, Utility Fund and Storm Water Utility Fund. It will also identify the amount proposed for special assessments.

Attachments

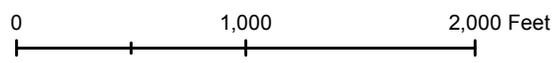
13-3 Map

Resolution No. 13-3(3)

Resolution No. 13-3(6)



2013 Street Reconstruction
 Project 13-3 113th ave



RESOLUTION NO. 13-3(3)

**(3) RESOLUTION ORDERING PREPARATION OF
FEASIBILITY REPORT ON IMPROVEMENT
(NO PETITION OR INADEQUATE PETITION)**

WHEREAS, it is proposed to improve 113th Avenue between Hanson Boulevard and Robinson Drive by street reconstruction and to assess the benefitted properties for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Sections 429.011 to 429.111,

NOW THEREFORE BE IT RESOLVED BY THE CITY OF COON RAPIDS, MINNESOTA:

That the proposed improvement be referred to the City Engineering Division and the City Engineering Division is hereby instructed to prepare and submit to the Council a feasibility report indicating in a preliminary manner whether the proposed improvement is necessary, cost effective, and feasible, whether it should best be constructed as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 13-3(6)

(6) RESOLUTION ORDERING PREPARATION OF PLANS

WHEREAS, it is proposed to improve 113th Avenue between Hanson Boulevard and Robinson Drive by street reconstruction; and

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

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

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

The City Engineering Division is hereby designated as the engineer for this improvement. The City Engineering Division shall prepare plans and specifications for the making of such improvement.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

23.

Meeting Date: 02/05/2013

Subject: 2013 Street Maintenance Program, Project 13-5, Approve Plans and Specifications and Order Advertisement for Bids

Submitted For: Tim Himmer, Public Works Director

From: Cher Ridout, Admin Secretary II

INTRODUCTION

Since 2005, several area cities have participated in a regional street maintenance contract. Council is requested to approve plans and specifications and order advertisement for bids for the project.

DISCUSSION

The City of Coon Rapids serves as lead agency for the Street Maintenance Program. Cities participating in the 2013 program include Andover, Anoka, Brooklyn Center, Columbia Heights, Coon Rapids, East Bethel, Fridley, Ham Lake, and Mahtomedi. The plans and specifications include street maintenance material items and services as done in the past. Services include sealcoating, pavement markings, street sweeping, and crack sealing.

Plans and specifications have been completed and Council approval is requested at this time. After bids are received on March 1, 2013, the cities are given a 20 day comment period as outlined in the Joint Powers Agreement. Award of the contract will be considered by Council at their April 2, 2013 meeting. The cities then have 60 days to decide whether or not they wish to proceed. Work will begin in early June. We anticipate a completion date for work in all cities on or about September 6, 2013 for sealcoating and crack sealing. Pavement markings and street sweeping will continue beyond September 6, 2013 and possibly into the spring of 2014.

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

RECOMMENDATION

I recommend the Council adopt Resolution No. 13-5(8) approving plans and specifications and ordering advertisement for bids for the 2013 Street Maintenance Program.

Fiscal Impact

BUDGET IMPACT:

As noted in the past, the Street Maintenance Program has saved the City considerable amounts of money in purchasing of street maintenance materials and services. We will continue to provide these services in this manner. All funding for maintenance operations have been included in the appropriate budgets.

Attachments

Resolution No. 13-5(8)

Location Map



RESOLUTION NO. 13-5(8)

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

WHEREAS, the City Public Works Department/Engineering Division have prepared plans and specifications for the improvement of streets in various communities by sealcoating, pavement markings, street sweeping, and crack sealing and has presented such plans and specifications to the Council for approval; and

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

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

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper, an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the City of Coon Rapids until 10:00 a.m. on the 1st day of March, 2013, at which time they will be publicly opened in the City Hall by the Engineer, will then be tabulated, and will be considered by the Council at 7:00 p.m. on the 2nd day of April, 2013, in the Council Chambers, and that no bids will be considered unless sealed and filed with the City and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the Clerk for 5% of the amount of such bid.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



Legend

 2013 Proposed Sealcoat 24.25 miles , including 18 cul de sacs

I:\gis\pw\street\sealcoat 2013\Proposedseal2013_1-9-2013.mxd

The City of Coon Rapids manages approx. 231 miles of street pavement



City Council Regular

24.

Meeting Date: 02/05/2013

Subject: Project 13-8, Residential Street Reconstruction, Order Preparation of Feasibility Report and Preparation of Plans

Submitted For: Bob Moberg, City Engineer

From: Cher Ridout, Admin Secretary II

INTRODUCTION

Project 13-8 includes reconstruction of approximately 4.2 miles of local streets in a neighborhood lying east of Crooked Lake Boulevard and north of Coon Rapids Boulevard (see map).

DISCUSSION

In 1994, the City began a street reconstruction program to replace aging street infrastructure. Since then, more than 76 miles of the City's 220 mile system have been reconstructed. This project would continue the program for 2013. Streets in the project area are 45 years old, except for the Coon Rapids Boulevard Service Road which is 40 years old. In addition to full replacement of the pavement and underlying gravel base, storm sewer, curb and gutter, sidewalk and driveway aprons would be replaced as needed. Street signs would also be replaced.

City staff is currently evaluating the need to replace fire hydrants and watermain valves in the project area. Boulevard tree trimming would be completed in advance of the street project.

City policy calls for an assessment to be levied against properties that benefit from the proposed street improvements. Generally, properties to be assessed are those with a direct access to the street(s) being reconstructed. The goal of the policy is to assess up to 50% of the project cost. Actual project costs and the number of assessable properties will cause the assessable share to vary. For 2013, City staff is recommending a unit assessment rate of \$1620 per single-family residential home. This is a 2.8% increase over the 2012 rate of \$1575 per home, reflecting an increase in the Construction Cost Index for 2012.

Estimated project costs and assessment amounts will be presented to Council in the form of a feasibility report, prepared in accordance with Minnesota Statute 429.

Property owners were notified of the pending project in December 2012. An informational meeting will be held with the neighborhood prior to any public hearings ordered by Council.

RECOMMENDATION

It is recommended that Council adopt the following resolutions:

- a. Resolution No. 13-8(3), ordering preparation of a feasibility report.
- b. Resolution No. 13-8(6), ordering preparation of plans and specifications.

Fiscal Impact

BUDGET IMPACT:

The feasibility report will include an estimated project cost along with impacts to the General Fund, Utility Fund and Storm Water Utility Fund. It will also identify the amount proposed for special assessments.

Attachments

13-8 Map

Resolution No. 13-8(3)

Resolution No. 13-8(6)



2013 Street Reconstruction

— Project 13-8 Streets

RESOLUTION NO. 13-8(3)

**(3) RESOLUTION ORDERING PREPARATION OF
FEASIBILITY REPORT ON IMPROVEMENT
(NO PETITION OR INADEQUATE PETITION)**

WHEREAS, it is proposed to improve various residential streets in the area east of Crooked Lake Boulevard and north of Coon Rapids Boulevard by street reconstruction and to assess the benefitted properties for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Sections 429.011 to 429.111,

NOW THEREFORE BE IT RESOLVED BY THE CITY OF COON RAPIDS, MINNESOTA:

That the proposed improvement be referred to the City Engineering Division and the City Engineering Division is hereby instructed to prepare and submit to the Council a feasibility report indicating in a preliminary manner whether the proposed improvement is necessary, cost effective, and feasible, whether it should best be constructed as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 13-8(6)

(6) RESOLUTION ORDERING PREPARATION OF PLANS

WHEREAS, it is proposed to improve the area east of Crooked Lake Boulevard and north of Coon Rapids Boulevard by street reconstruction; and

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

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

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

The City Engineering Division is hereby designated as the engineer for this improvement. The City Engineering Division shall prepare plans and specifications for the making of such improvement.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

25.

Meeting Date: 02/05/2013

Subject: Project 13-9, Residential Street Reconstruction, Order Preparation of Feasibility Report and Preparation of Plans

Submitted For: Bob Moberg, City Engineer

From: Cher Ridout, Admin Secretary II

INTRODUCTION

Project 13-9 includes reconstruction of approximately 2.0 miles of local streets in a neighborhood lying west of Robinson Drive and north of the BNSF railroad tracks. Vale Street west of East River Road and 99th Avenue between Mississippi Boulevard and 99th Lane are also included in the project area (see map).

DISCUSSION

In 1994, the City began a street reconstruction program to replace aging street infrastructure. Since then, more than 76 miles of the City's 220 mile system have been reconstructed. This project would continue the program for 2013. Streets in the project area are 33 years old, except for 88th Avenue which is 41 years old and Vale Street which is 19 years old. In addition to full replacement of the pavement and underlying gravel base, storm sewer, curb and gutter, sidewalk and driveway aprons would be replaced as needed. Street signs would also be replaced.

City staff is currently evaluating the need to replace fire hydrants and watermain valves in the project area. Boulevard tree trimming would be completed in advance of the street project.

City policy calls for an assessment to be levied against properties that benefit from the proposed street improvements. Generally, properties to be assessed are those with a direct access to the street(s) being reconstructed. The goal of the policy is to assess up to 50% of the project cost. Actual project costs and the number of assessable properties will cause the assessable share to vary. For 2013, City staff is recommending a unit assessment rate of \$1620 per single-family residential home. This is a 2.8% increase over the 2012 rate of \$1575 per home, reflecting an increase in the Construction Cost Index for 2012.

Estimated project costs and assessment amounts will be presented to Council in the form of a feasibility report, prepared in accordance with Minnesota Statute 429.

Property owners were notified of the pending project in December 2012. An informational meeting will be held with the neighborhood prior to any public hearings ordered by Council.

RECOMMENDATION

It is recommended that Council adopt the following resolutions:

- a. Resolution No. 13-9(3), ordering preparation of a feasibility report.
 - b. Resolution No. 13-9(6), ordering preparation of plans and specifications.
-

Fiscal Impact

BUDGET IMPACT:

The feasibility report will include an estimated project cost along with impacts to the General Fund, Utility Fund and Storm Water Utility Fund. It will also identify the amount proposed for special assessments.

Attachments

13-9 Map

Resolution No. 13-9(3)

Resolution No. 13-9(6)

RESOLUTION NO. 13-9(3)

**(3) RESOLUTION ORDERING PREPARATION OF
FEASIBILITY REPORT ON IMPROVEMENT
(NO PETITION OR INADEQUATE PETITION)**

WHEREAS, it is proposed to improve various residential streets in the area west of Robinson Drive, Vale Street, and 88th Avenue by street reconstruction and to assess the benefitted properties for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Sections 429.011 to 429.111,

NOW THEREFORE BE IT RESOLVED BY THE CITY OF COON RAPIDS, MINNESOTA:

That the proposed improvement be referred to the City Engineering Division and the City Engineering Division is hereby instructed to prepare and submit to the Council a feasibility report indicating in a preliminary manner whether the proposed improvement is necessary, cost effective, and feasible, whether it should best be constructed as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 13-9(6)

(6) RESOLUTION ORDERING PREPARATION OF PLANS

WHEREAS, it is proposed to improve various residential streets in the area west of Robinson Drive, Vale Street, and 88th Avenue by street reconstruction; and

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

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

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

The City Engineering Division is hereby designated as the engineer for this improvement. The City Engineering Division shall prepare plans and specifications for the making of such improvement.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

26.

Meeting Date: 02/05/2013

Subject: Bond Issue

From: Sharon Legg, Finance Director

INTRODUCTION

Bids were received on January 15, 2013 for the sale of a bond issue.

DISCUSSION

As you will recall, on January 7, 2013, City Council authorized a bond sale subject to certain parameters. The bids were received and the terms did fall within the set parameters. Therefore, City Council is now being asked to authorize the bond sale. The true interest cost of the issue is 1.3316 percent with nine bids having been received. The lowest bid was received from BOSCO, Inc., A Subsidiary of BOK Financial Corporation out of Milwaukee, Wisconsin.

There were three parts to the bonds. The first was to refund water revenue bonds of 2003, saving interest costs. It was anticipated that there would have been savings of \$180,000. Actual present value savings will be \$203,415.

The second part of the bond issue was to fund four street reconstruction projects:

- City Project 11-1, 2011 Street Reconstruction
- City Project 12-1, 2012 Street Reconstruction
- City Project 12-2, 2012 Street Reconstruction, MSA
- City Project 12-3 2012 Street Reconstruction, MSA

And, the third part of the bonds will fund the construction of the golf learning center.

RECOMMENDATION

Staff recommends adoption of Resolution No. 13-35 Awarding the Sale of \$6,615,000 General Obligation Bonds, Series 2013A; Fixing their Form and Specifications; Directing their Execution and Delivery; and Providing for their Payment.

Attachments

Bond Sale

RESOLUTION 13-35

**A RESOLUTION AWARDING THE SALE OF \$6,615,000 GENERAL
OBLIGATION BONDS, SERIES 2013A;
FIXING THEIR FORM AND SPECIFICATIONS;
DIRECTING THEIR EXECUTION AND DELIVERY;
AND PROVIDING FOR THEIR PAYMENT**

BE IT RESOLVED By the City Council of the City of Coon Rapids, Anoka County, Minnesota (the “City”) as follows:

Section 1. Sale of Bonds.

1.01. Authority. It is hereby determined that:

(a) the City engineer has recommended the acquisition, construction and equipping of improvements to the City’s municipal golf course (the “Golf Course Project”);

(b) the City is authorized by Minnesota Statutes, Chapter 475 and Laws of Minnesota, 1967, Chapter 33 (the “Golf Course Act”) to finance all or a portion of the cost of the Golf Course Project (the “Golf Course Project Costs”) by the issuance of general obligation bonds of the City payable from the net revenues of the golf course;

(c) the net revenues (as defined below and in the City’s resolution authorizing the issuance of the City’s Taxable General Obligation Golf Course Revenue Bonds, Series 2010A (Build America Bonds - Direct Pay) (the “2010A Bonds”)) of the City’s municipal golf course for the fiscal year ending December 31, 2012 were roughly \$545,000 which exceeds the maximum amount of principal and interest to become due on the Golf Course Bonds (as defined below) and the 2010A Bonds in any future year, and therefore the Golf Course Bonds may be issued as general obligations of the City without submitting the question of their issuance to the electors of the City;

(d) the following assessable public improvements (the “Improvements”) have been made, duly ordered or contracts let for the construction thereof, by the City pursuant to the provisions of Minnesota Statutes, Chapter 429 (the “Improvement Act”);

Project Designation

- Street Reconstruction Project 11-1
- Street Reconstruction Project 12-1
- Street Reconstruction Project 12-2
- Street Reconstruction Project 12-3

(e) Minnesota Statutes, Section 475.67, subdivision 4 permits the sale of refunding obligations during the six month period prior to the date on which the obligations to be refunded may be called for redemption;

(f) it is necessary and expedient to the sound financial management of the affairs of the City to issue approximately \$6,615,000 General Obligation Bonds, Series 2013A (the “Bonds”) pursuant to Minnesota Statutes, Chapters 444 and 475, as amended, (and, collectively with the Golf Course Act and the Improvement Act, the “Act”) to provide financing to construct the Improvements, construct the Golf Course Project and to refund certain outstanding bonds of the City (the “Refunding”).

(g) the outstanding bonds to be refunded (the “Refunded Bonds”) consist of the \$6,150,000 General Obligation Water Revenue Bonds, Series 2003A, dated September 1, 2003, of which \$2,305,000 in principal amount is currently outstanding and is callable on March 1, 2013.

1.02 Award to the Purchaser and Interest Rates. The proposal of BOSC, Inc., a Subsidiary of BOK Financial Corporation, in Milwaukee, Wisconsin (the “Purchaser”) to purchase \$6,615,000 General Obligation Bonds, Series 2013A (the “Bonds”) of the City described in the sale details was determined by the Pricing Committee in accordance with Resolution No. 13-24A, a Resolution Providing for the Sale of General Obligation Improvement and Refunding Bonds, Series 2013A Subject to Certain Parameters; Delegation to Pricing Committee, adopted January 7, 2013, to be a reasonable offer and acceptance of the proposal of the Purchaser is hereby ratified and confirmed, the proposal being to purchase the Bonds at a price of \$6,836,873.90 plus accrued interest, if any, to date of delivery, for Bonds bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2014	2.00%	2020	2.00%
2015	2.00	2021	2.00
2016	2.00	2022	2.00
2017	2.00	2023	2.00
2018	2.00	2025*	2.00
2019	2.00	2028*	2.10

*Term Bonds

1.03. Purchase Contract. The sum of \$2,213.95 being the rounding amount determined in pricing the Bonds shall be credited to the Debt Service Fund hereinafter created. The Finance Director is directed to retain the good faith check of the Purchaser, pending completion of the sale of the Bonds, and to return the good faith checks of the unsuccessful proposers. The City Council authorizes and directs, and ratifies and confirms, execution by the Mayor and City Manager on behalf of the City of a contract with the Purchaser.

1.04. Terms and Principal Amounts of the Bonds. The City will forthwith issue and sell the Bonds pursuant to the Act, in the total principal amount of \$6,615,000 originally dated the date of issue, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1,

upward, bearing interest as above set forth, and maturing serially on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2014	\$795,000	2020	\$425,000
2015	805,000	2021	435,000
2016	820,000	2022	445,000
2017	810,000	2023	375,000
2018	870,000	2025*	155,000
2019	415,000	2028*	265,000

*Term Bonds

\$3,565,000 of the Bonds (the “Improvement Bonds”) maturing in the amounts and on the dates set forth below are being issued to finance the Equipment:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2014	\$355,000	2019	\$360,000
2015	360,000	2020	365,000
2016	370,000	2021	370,000
2017	355,000	2022	375,000
2018	355,000	2023	300,000

\$795,000 of the Bonds (the “Golf Course Bonds”) maturing in the amounts and on the dates set forth below are being issued to finance the Equipment:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2018	\$50,000	2022	\$70,000
2019	55,000	2023	75,000
2020	60,000	2025*	155,000
2021	65,000	2028*	180,000

*Term Bonds

The remaining \$2,255,000 of the Bonds (the “Refunding Bonds”) maturing in the amounts and on the dates set forth below are being issued to refund the Refunded Bonds:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2014	\$440,000	2017	\$455,000
2015	445,000	2018	465,000
2016	450,000		

1.05. Optional Redemption. The City may elect on February 1, 2020, and on any day thereafter, to prepay Bonds due on or after February 1, 2021. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 6 hereof) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant’s interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

1.06. Term Bonds; Mandatory Redemption. The Bonds maturing on February 1, 2025, and February 1, 2028 shall hereinafter be referred to collectively as the “Term Bonds.” The principal amounts of the Term Bonds subject to mandatory sinking fund redemption on any date may be reduced through earlier optional redemptions, with any partial redemptions of the Term Bonds credited against future mandatory sinking fund redemptions of such Term Bonds in such order as the City shall determine. The Term Bonds are subject to mandatory sinking fund redemption and shall be redeemed in part by lot at par plus accrued interest on the sinking fund installment dates and in the principal amounts as follows:

<u>Sinking Fund Installation Date</u>	<u>Principal Amount</u>
<u>February 1, 2025 Term Bonds</u>	
2024	\$75,000
2025 (maturity)	80,000
<u>February 1, 2028 Term Bonds</u>	
2026	\$85,000
2027	90,000
2028 (maturity)	90,000

Section 2. Registration and Payment.

2.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.

2.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds will be payable on February 1 and August 1 of each year, commencing August 1, 2013, to the registered owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not that day is a business day.

2.03. Registration. The City will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the “Registrar”). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the 15th day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner’s attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner’s order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for a Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

2.04. Appointment of Initial Registrar. The City appoints the City Finance Director, Coon Rapids, Minnesota, as the initial Registrar.

2.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the City Finance Director and executed on behalf of the City by the signatures of the Mayor and the City Manager, provided that those signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of a Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed and authenticated, the City Finance Director will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

2.06. Temporary Bonds. The City may elect to deliver in lieu of printed definitive Bonds one or more typewritten temporary Bonds in substantially the form set forth in Section 3 with such changes as may be necessary to reflect more than one maturity in a single temporary bond. Upon the execution and delivery of definitive Bonds the temporary Bonds will be exchanged therefor and cancelled.

Section 3. Form of Bond.

3.01. Execution of the Bonds. The Bonds will be printed or typewritten in substantially the following form:

No. R-_____

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF ANOKA
CITY OF COON RAPIDS

\$_____

GENERAL OBLIGATION BOND, SERIES 2013A

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	February 1, 20__	_____, 2013	

Registered Owner: Cede & Co.

The City of Coon Rapids, Minnesota, a duly organized and existing municipal corporation in Anoka County, Minnesota (the "City"), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the principal sum of \$_____ on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above, payable February 1 and August 1 in each year, commencing August 1, 2013, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by City Finance Director, Coon Rapids, Minnesota, as Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on February 1, 2020, and on any day thereafter to prepay Bonds due on or after February 1, 2021. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify The Depository Trust Company ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

The City Council has designated the issue of Bonds of which this Bond forms a part as "qualified tax exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

This Bond is one of an issue in the aggregate principal amount of \$6,615,000 all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the City Council on February 5, 2013

(the "Resolution"), for the purpose of providing money to finance various improvements, to finance improvements to the City's golf course and to refund the February 1, 2014 through February 1, 2018 maturities of the City's General Obligation Water Revenue Bonds, Series 2003A, dated September 1, 2003, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapters 429, 444 and 475, as amended, and Laws of Minnesota 1967, Chapter 33 and the principal hereof and interest hereon are payable in part from the net revenues of the water system of the City, net revenues of the City's golf course, certain special assessments and ad valorem taxes, all as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy ad valorem taxes on all taxable property in the City in the event of any deficiency in net revenues, special assessments and taxes pledged, which taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED AND RECITED That in and by the Resolution, the City has covenanted and agreed that it will continue to own and operate the water and sewer system free from competition by other like municipal water utility; that adequate insurance on said system and suitable fidelity bonds on employees will be carried; that proper and adequate books of account will be kept showing all receipts and disbursements relating to the Water Fund, into which it will pay all of the gross revenues from the water system; that it will also create and maintain a Water Account of the General Obligation Bonds, Series 2013A Debt Service Fund, into which it will pay, out of the net revenues from the water system, a sum sufficient to pay principal hereof and interest thereon when due; and that it will provide, by ad valorem tax levies, for any deficiency in required net revenues of the water system.

IT IS HEREBY FURTHER CERTIFIED AND RECITED that in and by the Resolution, the City has covenanted and agreed that it will continue to own and operate the golf course; that adequate insurance on said golf course will be carried; that proper and adequate books of account will be kept showing all receipts and disbursements relating to the revenues and operating expenses

of the golf course, that it will also create and maintain a Golf Course Account of the General Obligation Bonds, Series 2013A Debt Service Fund, into which it will pay, out of the net revenues from the golf course a sum sufficient to pay principal hereof and interest thereon when due; and that it will provide, by ad valorem tax levies, for any deficiency in required net golf course revenues.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Coon Rapids, Anoka County, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Manager and has caused this Bond to be dated as of the date set forth below.

Dated: _____

CITY OF COON RAPIDS, MINNESOTA

(Facsimile)
City Manager

(Facsimile)
Mayor

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

BOND TRUST SERVICES CORPORATION

By _____ Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common UNIF GIFT MIN ACT _____ Custodian _____ (Cust) (Minor)

TEN ENT -- as tenants by entireties under Uniform Gifts or Transfers to Minors

JT TEN -- as joint tenants with right of survivorship and not as tenants in common Act (State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STEMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: _____

(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

<u>Date of Registration</u>	<u>Registered Owner</u>	<u>Signature of Officer of Registrar</u>
_____	Cede & Co. Federal ID #13-2555119	_____

3.02. Approving Legal Opinion. The City Manager will obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which will be complete except as to dating thereof and will cause the opinion to accompany each Bond.

Section 4. Payment; Security; Pledges and Covenants.

4.01. Funds and Accounts.

(a) Debt Service Fund. The Bonds are payable from the General Obligation Bonds, Series 2013A Debt Service Fund (the “Debt Service Fund”) hereby created. The City will maintain a “Water Account”, an “Improvement Account” and a “Golf Course Account” in the Debt Service Fund. Amounts in the Water Account are irrevocably pledged to the Refunding Bonds portion of the Bonds, amounts in the Improvement Account are irrevocably pledged to the Improvement Bonds portion of the Bonds, amounts in the Improvement Account are irrevocably pledged to the Improvements Bonds portion of the Bonds and amounts in the Golf Course Account are irrevocably pledged to the Golf Course Bonds portion of the Bonds.

(i) Water Account. To the Water Revenue Account in the Debt Service Fund (which may be established as a separate account in the City’s Water Fund which will be used only to pay principal of and interest on the Refunding Bonds portion of the Bonds and any other bonds similarly authorized) there is hereby pledged and irrevocably appropriated and there will be credited: (i) \$2,213.95 of the proceeds of the Bonds; (ii) any balance remaining after March 1, 2013 in the Debt Service Account created by the City Council resolution authorizing the issuance and sale of the Refunded Bonds (the “Series 2003A Resolution”); (iii) any collections of all taxes hereafter levied for the payment of the Refunding Bonds and interest thereon; (iv) all investment earnings on funds in the Water Revenue Account of the Debt Service Account; (v) net revenues of the City’s Water Fund, including but not limited to any net revenues pledged to the Refunded Bonds in the Series 2003A Resolution, in an amount sufficient to pay principal of and interest on all the Refunding Bonds (and any other bonds similarly authorized); and (vi) any and all other moneys which are properly available and are appropriated by the City Council to the Water Account in the Debt Service Account. If a payment of principal or interest on the Water Bonds becomes due when there is not sufficient money in the Water Account in the Debt Service Fund to pay the same, the City Finance Director is directed to pay such principal or interest from the general fund of the City, and the general fund will be reimbursed for the advances out of the proceeds of net revenues of the Water Fund and taxes when collected. The amount of any surplus remaining in the Water Account of the Debt Service Account when the Water Bonds and interest thereon are paid will be used as provided in Section 475.61, Subdivision 4 of the Act.

(ii) Improvement Account. To the Improvement Account in the Debt Service Account there is hereby pledged and irrevocably appropriated and there will be credited: (i) special assessments (the “Assessments”) with respect to the Improvements after completion of the construction of the Improvements; (ii) the general ad valorem taxes (the “Taxes”) deposited in accordance with Section 4.03 with respect to the Improvement Bonds portion of the Bonds; (iii) any collections of all taxes hereafter levied for the payment of the Refunding Bonds and interest thereon; (iv) all investment earnings on funds in the Improvement Account of the Debt Service

Account; and (v) any and all other moneys which are properly available and are appropriated by the City Council to the Improvement Account in the Debt Service Account. If a payment of principal or interest on the Improvement Bonds becomes due when there is not sufficient money in the Improvement Account in the Debt Service Fund to pay the same, the City Finance Director is directed to pay such principal or interest from the general fund of the City, and the general fund will be reimbursed for the advances out of the proceeds of Assessments and Taxes when collected. The amount of any surplus remaining in the Improvement Account of the Debt Service Account when the Improvement Bonds and interest thereon are paid will be used as provided in Section 475.61, Subdivision 4 of the Act.

(iii) Golf Course Account. To the Golf Course Account in the Debt Service Account (which may be established as a separate account in the City's Golf Course Fund which will be used only to pay principal of and interest on the Golf Course Bonds portion of the Bonds and any other bonds similarly authorized, including but not limited to the Series 2012A Bonds) there is hereby pledged and irrevocably appropriated and there will be credited: (i) \$64,408.75, which is an amount of net revenues equal to the average annual principal and interest due on the Golf Course Bonds; (ii) net revenues of the City's Golf Course Fund in an amount sufficient to pay principal of and interest on the Golf Course Bonds (and any other bonds similarly authorized); (iii) any collections of all taxes herein or hereafter levied for the payment of the Golf Course Bonds and interest thereon; (v) all investment earnings on funds in the Golf Course Account of the Debt Service Account; and (vi) any and all other moneys which are properly available and are appropriated by the City Council to the Golf Course Account in the Debt Service Account. If a payment of principal or interest on the Golf Course Bonds becomes due when there is not sufficient money in the Golf Course Account in the Debt Service Fund to pay the same, the City Finance Director is directed to pay such principal or interest from the general fund of the City, and the general fund will be reimbursed for the advances out of the proceeds of net revenues of the Golf Course Fund and taxes when collected. The amount of any surplus remaining in the Golf Course Account of the Debt Service Account when the Golf Course Bonds and interest thereon are paid will be used as provided in Section 475.61, Subdivision 4 of the Act.

(b) Water Fund. The City has created and will continue to operate its Water Fund to which will be credited all gross revenues of the water plant and system and out of which will be paid all normal and reasonable expenses of current operations of the water plant and system. Any balance therein is deemed "net revenues" and will be transferred, from time to time, to the Water Account of Debt Service Fund, in an amount sufficient to pay principal of and interest on the Refunding Bonds portion of the Bonds and any other bonds similarly authorized.

(c) Golf Course Fund. The City has created and will continue to operate its Golf Course Fund to which will be credited all gross revenues of the City's municipal golf course and out of which will be paid all normal and reasonable expenses of current operations of the City's municipal golf course. Any balance therein is deemed "net revenues" and will be transferred, from time to time, to the Golf Course Account of Debt Service Fund (and any similarly established fund or account), in an amount sufficient to pay principal of and interest on the Golf Course Bonds (and any other bonds similarly authorized).

(d) Improvement Fund. The proceeds of the Bonds in the amount of \$2,312,813.13 and \$84,862.42 of prepaid Assessments, together with any other funds appropriated for the Improvement Bonds portion of the Bonds and Assessments collected during the construction of the Improvements will be deposited in a separate construction fund (the "Improvement Fund") to be used solely to defray expenses of the Improvements and the payment of principal and interest on the Improvement Bonds portion of the Bonds prior to the completion and payment of all costs of the Improvements. Any balance remaining in the Improvement Fund after completion of the Improvements may be used to pay the cost in whole or in part of any other improvement instituted under the Act. When the Improvements are completed and the cost thereof paid, the Improvement Fund is to be closed and subsequent collections of Assessments for the Improvements are to be deposited in the Improvements Account of the Debt Service Fund.

(e) Golf Course Project Fund. The proceeds of the Bonds in the amount of \$803,138.49, together with any other funds appropriated during the construction of the Golf Course Project will be deposited in a separate construction fund (the "Golf Course Project Fund") to be used solely to defray expenses of the Golf Course Project. When the Golf Course Project is completed and the cost thereof paid, the Golf Course Project Fund is to be closed and any balance therein is to be deposited in the Debt Service Fund.

4.02. Covenants Regarding Water Revenue Portion of the Bonds. The City Council covenants and agrees with the holders of the Bonds that so long as any of the Refunding Bonds portion of the Bonds remain outstanding and unpaid, it will keep and enforce the following covenants and agreements:

(a) Maintenance and Operation of System. The City will continue to maintain and efficiently operate the water plant and system as public utilities and conveniences free from competition of other like utilities and will cause all revenues therefrom to be deposited in bank accounts and credited to the water system accounts as hereinabove provided, and will make no expenditures from those accounts except for a duly authorized purpose and in accordance with this resolution.

(b) Water Account to be Maintained as Separate Account. The City will also maintain the Water Account of the Debt Service Fund as a separate account in the Water Fund and will cause money to be credited thereto from time to time, out of net revenues from the water and sewer plant and system in sums sufficient to pay principal of and interest on the Refunding Bonds portion of the Bonds when due.

(c) Books of Records and Accounts Relating to the System. The City will keep and maintain proper and adequate books of records and accounts separate from all other records of the City in which will be complete and correct entries as to all transactions relating to the water and sewer plant and system and which will be open to inspection and copying by any bondholder, or the bondholder's agent or attorney, at any reasonable time, and it will furnish certified transcripts therefrom upon request and upon payment of a reasonable fee therefor, and said account will be audited at least annually by a qualified public accountant and statements of such audit and report will be furnished to all bondholders upon request.

(d) Persons Handling Revenues and Banks Receiving Deposits. The City Council will cause persons handling revenues of the water plant and system to be bonded in reasonable amounts for the protection of the City and the bondholders and will cause the funds collected on account of the operations of the water plant and system to be deposited in a bank whose deposits are guaranteed under the Federal Deposit Insurance Law.

(e) Insurance. The Council will keep the water plant and system insured at all times against loss by fire, tornado and other risks customarily insured against with an insurer or insurers in good standing, in such amounts as are customary for like plants, to protect the holders, from time to time, of the Bonds and the City from any loss due to any such casualty and will apply the proceeds of such insurance to make good any such loss.

(f) Performance of Duties. The City and each and all of its officers will punctually perform all duties with reference to the water and sewer plant and system as required by law.

(g) Pledge to Produce Revenues. The City will impose and collect charges of the nature authorized by Minnesota Statutes, Section 444.075 at the times and in the amounts required to produce, net revenues adequate to pay all principal and interest when due on the Bonds and to create and maintain such reserves securing said payments as may be provided in this resolution.

(h) Payment of Deficiencies, if Any. The City Council will levy general ad valorem taxes on all taxable property in the City, when required to meet any deficiency in net revenues.

(i) Sufficiency of Net Revenues. The City hereby determines that the estimated collection of net revenues, herein pledged for the payment of principal and interest on the Water Bonds will produce at least 5% in excess of the amount needed to meet, when due, the principal and interest payments on such portion of the Bonds.

4.03. Covenants Regarding Improvement Bonds Portion of the Bonds. The City hereby covenants with the holders from time to time for the Improvement Portion of the Bonds as follows:

(a) It is hereby determined that at least 20% of the costs of the Improvement Bonds portion of the Bonds to the City will be paid by Assessments. The City has caused or will cause the Assessments for the Improvement Portion of the Bonds to be promptly levied so that the first installment will be collectible not later than 2014 and will take all steps necessary to assure prompt collection, and the levy of the Assessments is hereby authorized. The City Council will cause to be taken with due diligence all further actions that are required for the construction of each Improvement financed wholly or partly from the proceeds of the Improvement Portion of the Bonds, and will take all further actions necessary for the final and valid levy of the Assessments and the appropriation of any other funds needed to pay the Bonds and interest thereon when due.

(b) In the event of any current or anticipated deficiency in Assessments, the City Council will levy ad valorem taxes in the amount of the current or anticipated deficiency.

(c) The City will keep complete and accurate books and records showing: receipts and disbursements in connection with the Improvements, Assessments levied therefor and other funds appropriated for their payment, collections thereof and disbursements therefrom, monies on hand and, the balance of unpaid Assessments.

(d) The City will cause its books and records to be audited at least annually and will furnish copies of such audit reports to any interested person upon request.

4.04. Pledge of Tax Levy. For the purpose of paying the principal of and interest on the Improvement Portion of the Bonds, there is levied a direct annual irrevocable ad valorem tax (the "Taxes") upon all of the taxable property in the City, which will be spread upon the tax rolls and collected with and as part of other general taxes of the City. The taxes will be credited to the Debt Service Fund above provided and will be in the years and amounts as follows (year stated being year of collection):

<u>Year</u>	<u>Levy</u>
-------------	-------------

(See EXHIBIT B)

It is hereby determined that the estimated collections of Assessments, revenues herein pledged and the foregoing Taxes will produce at least 5% in excess of the amount needed to meet when due the principal and interest payments on the Improvement Bonds.

4.05 Covenants Regarding Golf Course Portion of the Bonds. The City Council covenants and agrees with the holders of the Golf Course Bonds portion of the Bonds that so long as any of the Golf Course Bonds portion of the Bonds remain outstanding and unpaid, it will keep and enforce the following covenants and agreements:

(a) The City will continue to maintain and efficiently operate the golf course and will cause all revenues therefrom to be deposited in bank accounts and credited to the golf course accounts as hereinabove provided, and will make no expenditures from those accounts except for a duly authorized purpose and in accordance with this resolution.

(b) The City will also maintain the Debt Service Fund as a separate account in the Golf Course Fund and will cause money to be credited thereto from time to time, out of net revenues from the golf course in sums sufficient to pay principal of and interest on the Bonds when due.

(c) The City will keep and maintain proper and adequate books of records and accounts separate from all other records of the City in which will be complete and correct entries as to all transactions relating to the golf course and which will be open to inspection and copying by any bondholder, or the bondholder's agent or attorney, at any reasonable time, and it will furnish certified transcripts therefrom upon request and upon payment of a reasonable fee therefor, and said

account will be audited at least annually by a qualified public accountant and statements of such audit and report will be furnished to all bondholders upon request.

(d) The City Council will cause persons handling revenues of the golf course to be bonded in reasonable amounts for the protection of the City and the bondholders and will cause the funds collected on account of the operations of the golf course to be deposited in a bank whose deposits are guaranteed under the Federal Deposit Insurance Law.

(e) The Council will keep the golf course insured at all times against loss by fire, tornado and other risks customarily insured against with an insurer or insurers in good standing, in such amounts as are customary for like facilities, to protect the holders, from time to time, of the Bonds and the City from any loss due to any such casualty and will apply the proceeds of such insurance to make good any such loss.

(f) The City and each and all of its officers will punctually perform all duties with reference to the golf course as required by law.

(g) The City Council will levy general ad valorem taxes on all taxable property in the City, when required to meet any deficiency in net revenues.

(h) The City hereby determines that the estimated collection of net revenues, herein pledged for the payment of principal and interest on the Golf Course Bonds will produce at least 5% in excess of the amount needed to meet, when due, the principal and interest payments on such portion of the Bonds.

4.03. Certification to County Auditors as to Debt Service Fund Amount. It is hereby determined that the estimated collection of net revenues, Assessments and the taxes herein pledged for the payment of principal and interest on the Bonds will produce at least 5% in excess of the amount needed to meet, when due, the principal and interest payments on such portion of the Bonds.

4.04. County Auditors' Certificates as to Registration. The City Manager is directed to file a certified copy of this Resolution with the County Auditor of Anoka County and obtain the certificate required by Minnesota Statutes, Section 475.63.

Section 5. Refunding; Findings; Redemption of Refunded Bonds.

5.01. Refunded Bonds. The Refunded Bonds are the City's General Obligation Water Revenue Bonds, Series 2003A, dated September 1, 2003, of which \$2,305,000 in principal amount is callable on March 1, 2013. It is hereby found and determined that based upon information presently available from the City's financial advisers, the issuance of the Bonds is consistent with covenants made with the holders thereof and is necessary and desirable for the reduction of debt service cost to the municipality.

5.02. Sufficiency. Proceeds of the Bonds in the amount of \$2,312,813.13 shall be applied for the redemption and prepayment of the Refunded Bonds on March 1, 2013 which amount is hereby irrevocably appropriated to the debt service fund previously established for the Refunded

Bonds. It is hereby found and determined that the proceeds of the Bonds deposited in the debt service fund for the Refunded Bonds as herein provided, together with other funds on deposit in the debt service fund for the Refunded Bonds, will be sufficient to prepay all of the principal of and interest on the Refunded Bonds on March 1, 2013.

5.03. Notice of Redemption. The Refunded Bonds maturing on February 1, 2014 and thereafter will be redeemed and prepaid on March 1, 2013. The Refunded Bonds will be redeemed and prepaid in accordance with their terms and in accordance with the terms and conditions set forth in the forms of Notice of Call for Redemption attached hereto as Exhibit A which terms and conditions are hereby approved and incorporated herein by reference. The Registrar for the Refunded Bonds is authorized and directed to send a copy of the Notice of Redemption to each registered holder of the Refunded Bonds.

5.04. Discharge. When all Bonds and all interest thereon, have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

Section 6. Authentication of Transcript.

6.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, will be deemed representations of the City as to the facts stated therein.

6.02. Certification as to Official Statement. The Mayor and City Manager are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

6.03. Payment of Costs of Issuance. Proceeds of the Bonds in the amount of \$51,900 shall be applied to the payment of the costs of issuance of the Bonds.

Section 7. Tax Covenants.

7.01. Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under

the Internal Revenue Code of 1986, as amended (the “Code”), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

7.02. Rebate. The City will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bond under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States.

7.03. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be “private activity bonds” within the meaning of Sections 103 and 141 through 150 of the Code.

7.04. Qualified Tax-Exempt Obligations. The City hereby designates the Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code and, in order to qualify the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code, makes the following factual statements and representations:

- (a) the Bonds are not “private activity bonds” as defined in Section 141 of the Code;
- (b) the Refunded Bonds were previously designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code, the average maturity of the Refunding Bonds portion of the Bonds is not longer than the average maturity of the Refunded Bonds and the Refunding Bonds mature not later than 30 years after the date the Refunded Bonds were issued and therefore the Refunding Bonds portion of the Bonds is deemed designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;
- (c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds that are not qualified 501(c)(3) bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 2013 will not exceed \$10,000,000; and
- (d) not more than \$10,000,000 of obligations issued by the City during calendar year 2013 have been designated for purposes of Section 265(b)(3) of the Code; and
- (e) the aggregate face amount of the issue of the Bonds is not greater than \$10,000,000.

7.05. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 8. Book-Entry System; Limited Obligation of City.

8.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.03 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns (“DTC”). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

8.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City’s obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Manager of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words “Cede & Co.,” will refer to such new nominee of DTC; and upon receipt of such a notice, the City Manager will promptly deliver a copy of the same to the Registrar and Paying Agent.

8.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the “Representation Letter”) which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

8.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificate, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owner in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

8.05. Payments to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and all notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

Section 9. Continuing Disclosure.

9.01. City Compliance with Provisions of Continuing Disclosure Certificate. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate will not be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

9.02. Execution of Continuing Disclosure Certificate. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Mayor and City Manager and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

Section 10. Defeasance. When all Bonds (or all of either the Improvement Bonds or Utility Revenue Bonds portion thereof) have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution (with respect to the Improvement Bonds or Utility Revenue Bonds portion of the Bonds, as the case may be) to holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds (or all of either the Improvement Bonds or Utility Revenue Bonds portion thereof) which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

The motion for the adoption of the foregoing resolution was duly seconded by Member _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF ANOKA) SS.
)
CITY OF COON RAPIDS)

I, the undersigned, being the duly qualified and acting City Clerk of the City of Coon Rapids, Anoka County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on February 5, 2013 with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of \$6,615,000 General Obligation Bonds, Series 2013A of the City.

WITNESS My hand officially as such City Clerk of the City this ____ day of February, 2013.

City Clerk
Coon Rapids, Minnesota

EXHIBIT A

NOTICE OF CALL FOR REDEMPTION

**GENERAL OBLIGATION WATER REVENUE BONDS, SERIES 2003A
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

March 1, 2013

all outstanding bonds of the City designated as General Obligation Water Revenue Bonds, Series 2003A, dated September 1, 2003, totaling \$2,305,000 in aggregate principal amount, each bond maturing in installments on February 1 in the years 2014 through 2018, both inclusive:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP</u>
2014	\$430,000	21657AFP9
2015	445,000	21657AFQ7
2016	460,000	21657AFR5
2017	475,000	21657AFS3
2018	495,000	21657AFT1

The bonds are being called at a price of par plus accrued interest to March 1, 2013, 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 main office of the Finance Director, City of Coon Rapids, Minnesota, on or before March 1, 2013, at the following address:

City of Coon Rapids, Minnesota
11155 Robinson Drive NW
Coon Rapids, MN 55433-3761
Attention: Finance Director

Important Notice: In compliance with the Jobs and Growth Tax Relief Reconciliation Act of 2003, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

Dated: February 5, 2013.

BY ORDER OF THE CITY COUNCIL

EXHIBIT B

TAX LEVY SCHEDULE

YEAR *	TAX LEVY
2014	\$260,071.33
2015	260,569.80
2016	263,509.81
2017	248,387.51
2018	240,932.51
2019	238,727.51
2020	236,417.51
2021	234,002.51
2022	231,482.49
2023	229,719.92

* Year tax levy collected.



City Council Regular

27.

Meeting Date: 02/05/2013

Subject: 2013 Safe Routes To School Infrastructure Grant Applications

Submitted For: Dave Full, Project Manager

From: Cher Ridout, Admin Secretary II

INTRODUCTION

The City has been notified by the Minnesota Department of Transportation that \$3.2 million is available for infrastructure grants for Minnesota as part of the Safe Routes to School (SRTS) program. Council is requested to direct staff to submit applications for three City projects.

DISCUSSION

The Minnesota Department of Transportation is soliciting applications for grant funds available through the Safe Routes to School (SRTS) program. The purpose of these grant funds is to achieve the following goals:

- Enable and encourage children, including those with disabilities, to walk and bicycle to school.
- Make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age.
- Facilitate the planning, development and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption and air pollution in the vicinity of schools.

The SRTS grants provide federal funding for infrastructure projects located within two miles of a school with students in grades K-8 ranging in cost from \$100,000 to \$300,000. No local match is required on these grants. Funds from this program are reimbursed to communities after they are completed. Applications must be submitted by February 15, 2013. Grant award recipients will be announced in May 2013.

Staff recommends the City submit applications for the following improvements:

1. Electronic speed school zone feedback signs for Morris Bye Elementary School at 11931 Crooked Lake Boulevard. The cost estimate for installation of the signs is \$27,940.
2. Bituminous trail through Wilderness Park from the Main Street tunnel to 121st Avenue in the vicinity of Fire Station #2, providing a link to Sand Creek Elementary School. The cost estimate for construction of the trail is \$130,680.
3. Bituminous trail from Bunker Hills Regional Park to the Main Street pedestrian tunnel east of Avocet Street. The cost estimate for construction of the trail is \$52,910.

RECOMMENDATION

It is recommended the Council authorize staff to prepare applications for three City projects to be submitted for SRTS grants. Council is recommended to adopt the following resolutions:

- a. Adopt Resolution No. 13-29 approving grant application for electronic speed school zone feedback signs for Morris Bye Elementary School.
- b. Adopt Resolution No. 13-30 approving grant application for a bituminous trail through Wilderness Park between Main Street and 121st Avenue.
- c. Adopt Resolution No. 13-31 approving grant application for a bituminous trail from Bunker Hills Regional Park to the Main Street pedestrian tunnel east of Avocet Street.

Fiscal Impact

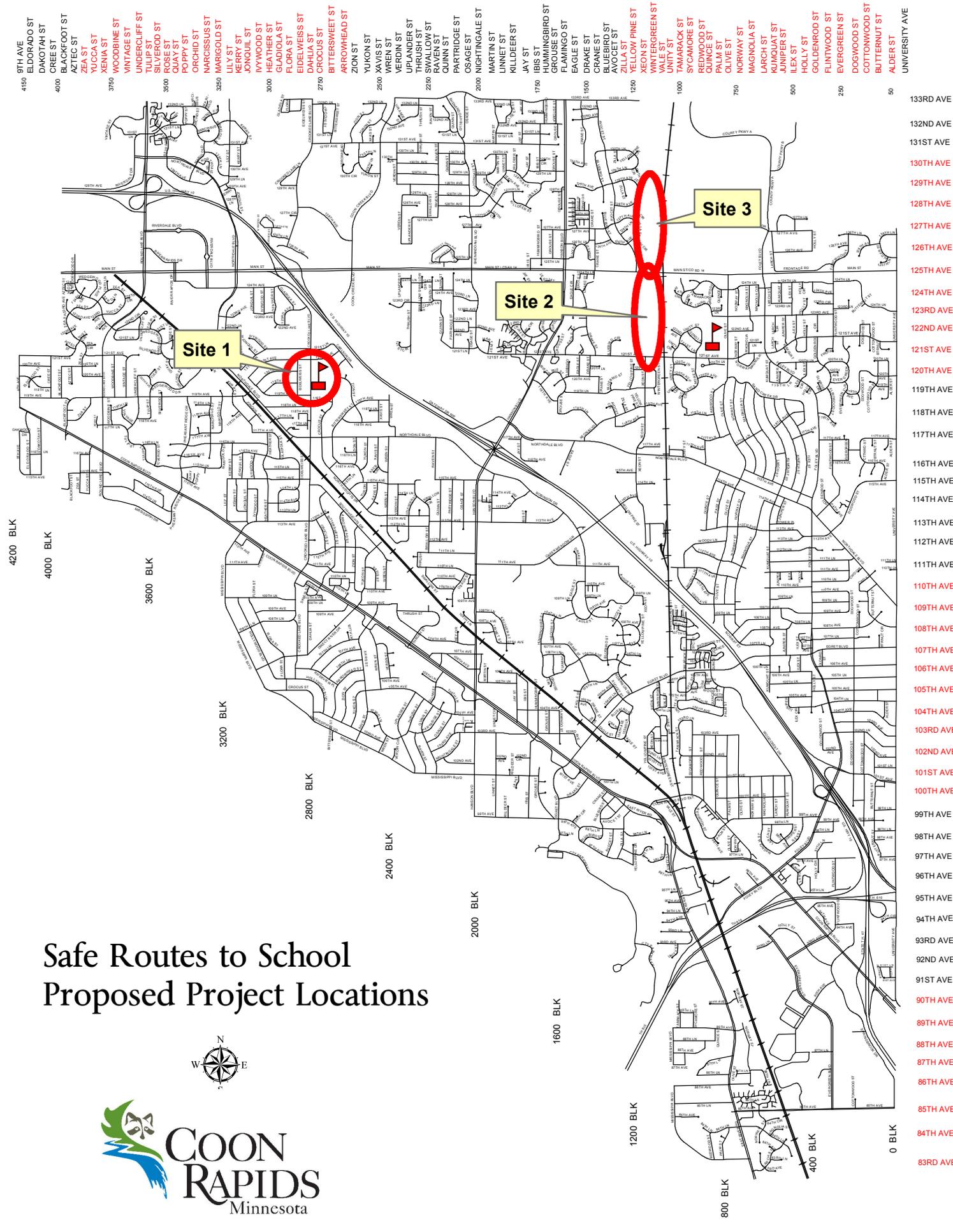
BUDGET IMPACT:

The grant applications will be submitted in 2013 and construction will take place in 2014. The City's share of the cost for these projects will be budgeted in 2014. The cost will be determined by the grants approved by the Minnesota Department of Transportation.

Attachments

- SRTS Location Map
 - Resolution No. 13-29
 - Resolution No. 13-30
 - Resolution No. 13-31
-
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Safe Routes to School Proposed Project Locations



RESOLUTION NO. 13-29

A RESOLUTION APPROVING APPLICATION FOR INFRASTRUCTURE GRANTS AS PART OF THE SAFE ROUTES TO SCHOOL (SRTS) PROGRAM FROM THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR ELECTRONIC SPEED SCHOOL ZONE FEEDBACK SIGNS NEAR MORRIS BYE ELEMENTARY SCHOOL

WHEREAS, the Minnesota Department of Transportation has notified the City of funds available through grants as part of the Safe Routes to School Program; and

WHEREAS, the purpose of the grant funds is to achieve the following goals:

- Enable and encourage children, including those with disabilities, to walk and bicycle to school.
- Make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age.
- Facilitate the planning, development and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption and air pollution in the vicinity of schools; and

WHEREAS, SRTS grants provide 100% federal funding for infrastructure projects located within two miles of a school with students in grades K-8 with no local matching funds required; and

WHEREAS, City Council finds that the implementation of electronic speed school zone feedback signs near Morris Bye Elementary School meets the goals of the grant funds; and

WHEREAS, the City Council finds it is in the best interest of the citizens of Coon Rapids for the City to apply for the SRTS grant.

NOW, THEREFORE, BE IT RESOLVED by the City Council for Coon Rapids, Minnesota that application be made for funds available through grants as part of the Safe Routes to School Program from the Minnesota Department of Transportation for the implementation of electronic speed school zone feedback signs near Morris Bye Elementary School.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 13-30

A RESOLUTION APPROVING APPLICATION FOR INFRASTRUCTURE GRANTS AS PART OF THE SAFE ROUTES TO SCHOOL (SRTS) PROGRAM FROM THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR BITUMINOUS TRAIL THROUGH WILDERNESS PARK BETWEEN MAIN STREET AND 121ST AVENUE NW

WHEREAS, the Minnesota Department of Transportation has notified the City of funds available through grants as part of the Safe Routes to School Program; and

WHEREAS, the purpose of the grant funds is to achieve the following goals:

- Enable and encourage children, including those with disabilities, to walk and bicycle to school.
- Make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age.
- Facilitate the planning, development and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption and air pollution in the vicinity of schools; and

WHEREAS, SRTS grants provide 100% federal funding for infrastructure projects located within two miles of a school with students in grades K-8 with no local matching funds required; and

WHEREAS, City Council finds that the construction of a trail through Wilderness Park between Main Street and 121st Avenue NW meets the goals of the grant funds; and

WHEREAS, the City Council finds it is in the best interest of the citizens of Coon Rapids for the City to apply for the SRTS grant.

NOW, THEREFORE, BE IT RESOLVED by the City Council for Coon Rapids, Minnesota that application be made for funds available through grants as part of the Safe Routes to School Program from the Minnesota Department of Transportation for a bituminous trail through Wilderness Park between Main Street and 121st Avenue NW.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 13-31

A RESOLUTION APPROVING APPLICATION FOR INFRASTRUCTURE GRANTS AS PART OF THE SAFE ROUTES TO SCHOOL (SRTS) PROGRAM FROM THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR BITUMINOUS TRAIL FROM BUNKER HILLS REGIONAL PARK TO THE MAIN STREET PEDESTRIAN TUNNEL EAST OF AVOCET STREET NW

WHEREAS, the Minnesota Department of Transportation has notified the City of funds available through grants as part of the Safe Routes to School Program; and

WHEREAS, the purpose of the grant funds is to achieve the following goals:

- Enable and encourage children, including those with disabilities, to walk and bicycle to school.
- Make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age.
- Facilitate the planning, development and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption and air pollution in the vicinity of schools; and

WHEREAS, SRTS grants provide 100% federal funding for infrastructure projects located within two miles of a school with students in grades K-8 with no local matching funds required; and

WHEREAS, City Council finds that the construction of a trail from Bunker Hills Regional Park to the Main Street pedestrian tunnel east of Avocet Street NW meets the goals of the grant funds; and

WHEREAS, the City Council finds it is in the best interest of the citizens of Coon Rapids for the City to apply for the SRTS grant.

NOW, THEREFORE, BE IT RESOLVED by the City Council for Coon Rapids, Minnesota that application be made for funds available through grants as part of the Safe Routes to School Program from the Minnesota Department of Transportation for a bituminous trail from Bunker Hills Regional Park to the Main Street pedestrian tunnel east of Avocet Street NW.

Adopted this 5th day of February, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk