



HRA Meeting - 6:50 p.m.

CITY COUNCIL AGENDA

Tuesday, July 2, 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. *Home for Generations* Program Bright Ideas Award from Harvard Kennedy School

Approval of Minutes of Previous Meeting(s)

June 18, 2013, Work Session

June 18, 2013, Regular Meeting

June 18, 2013, Closed Session

Consent Agenda

2. Cons. Resolution 13-69 to Accept the Donation of Funds To Be Used Toward the Purchase of Pickleball Equipment from the Super Senior Club
3. Authorize Final Payment, Project 12-8, 2012 Sanitary Sewer Relining
4. Approve Temporary On-Sale 3.2% Malt Liquor License for the Coon Rapids American Legion Post 334 for July 13, 2013
5. Approve Temporary On-Sale 3.2% Malt Liquor License for the Coon Rapids American Legion Post 334 for August 3, 2013
6. Approve Therapeutic Massage Enterprise License, Tiny Apples Massage Therapy, 544 Northdale Boulevard
7. Approve Agreement for Backup Management Services for Anoka County Joint Law Enforcement Central Records Project

Reports on Previous Open Mic

8. Open Mic Report: Ed Chuinard, 565 127th Lane Re: Driveway

9. Open Mic Report: Jason Haggard, Semi-Truck Parking Ordinance
10. Open Mic Report: Jerry Pierce, 12236 Patridge Street, re: Contract Lawsuit with Teamsters

Public Hearing

None

Bid Openings and Contract Awards

None

Old Business

None

New Business

11. Cons. Appeal of Rental License Denial, Timothy Somerville, 11911 Woodbine Street NW

Other Business

Adjourn



City Council Regular

Meeting Date: 07/02/2013

SUBJECT: Approval of Minutes

Attachments

6-18-13 Work Session

6-18-13 Regular Meeting

6-18-13 Closed Session

UNAPPROVED

COON RAPIDS CITY COUNCIL WORK SESSION OF JUNE 18, 2013

A work session of the Coon Rapids City Council was called to order by Mayor Tim Howe on Tuesday, June 18, 2013, at 6:15 p.m. in Conference Room #1 at Coon Rapids City Hall.

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

Members Absent: Councilmember Jerry Koch

Staff Present: City Manager Steve Gatlin, Finance Director Sharon Legg, Manager of Accounting Kevin Vouk, Assistant City Manager Matt Stemwedel

1. CALL TO ORDER

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

2. COMPREHENSIVE ANNUAL FINANCIAL REPORT REVIEW

Dave Mol, HLB Tautges Redpath, provided an overview of the 2012 Annual Financial Statement. He stated the City received a clean opinion, no items of internal control weakness were noted, no findings of noncompliance found with Minnesota Legal Compliance Audit Guide, there were no difficulties encountered in performing audit, and no disagreements with management were identified.

He extended his appreciation to the Finance Department staff for their efforts and cooperation during the audit.

3. OTHER BUSINESS

There was no other business.

4. ADJOURN

Mayor Howe adjourned the work session at 6:50 p.m.

Respectfully submitted,

Cathy Sorensen
City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF JUNE 18, 2013

OPEN MIC/PUBLIC COMMENT

Ed Chuinard, 565 127th Lane NW, requested that a meeting be set with the City and County and neighbors to discuss the driveway area that runs through their back yards that is currently not being maintained.

Jason Haggard, 2710 9th Lane, Anoka, shared a statement regarding the recent ordinance on parking and storage of recreational vehicles, trucks, semi-tractors and trailers in commercial and office districts. He said while he understands the views there are complications the ordinance brings. He said that professional drivers are limited in the number of hours for driving and that local governments are not provided this information. Mr. Haggard said he doesn't want to refute the validity but suggested that some alternatives are created. He said surrounding cities also have to bear this burden but the focus seems to be on Coon Rapids due to the number of locations for delivery. He said he is not blaming anyone but said the federal government is not always transparent and don't convey the standards to local governments, adding the easiest solution would be change the time period to 10.25 hours to allow for rest and pre-trip safety inspection. He requested a meeting with the Council so they can work to have the commercial drivers stay compliant and not repeatedly violate City Code. Mr. Haggard submitted standards of commercial hours/rules.

Jerry Pierce, 12236 Partridge Street NW, requested an update on the four-year old lawsuit with the Teamsters, stating when a case is referred to the Court of Appeals it becomes expensive. Mr. Pierce also made comments with regard to the parking ordinance and how this topic has become very public due to FaceBook. He stated that ordinances have to be passed by the majority of the Council which makes the Council part of the problem.

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of June was called to order by Mayor Tim Howe at 7:13 p.m. on Tuesday, June 18, 2013, 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, Ron Manning, Paul Johnson, Bruce Sanders and Steve Wells

Members Absent: Councilmember Jerry Koch

ADOPT AGENDA

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

PROCLAMATIONS/PRESENTATIONS

1. CONSIDER RESOLUTION 13-65 ACCEPTING GRANT MONIES FROM CENTERPOINT ENERGY FOR MULTI-GAS MONITORS

Mike Zanderoski, CenterPoint Energy, presented the City with a grant for \$2,500 to be used by the Coon Rapids Fire Department for multi-gas monitors. A round of applause was offered by all in attendance.

Fire Chief Piper thanked CenterPoint for their generous donation and explained how the multi-gas monitors would be used in emergency situations to monitor air quality.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER MANNING, TO ADOPT RESOLUTION 13-65 ACCEPTING THE GRANT MONIES FROM CENTERPOINT ENERGY IN THE AMOUNT OF \$2,500. THE MOTION PASSED UNANIMOUSLY.

2. CROOKED LAKE AREA ASSOCIATION REPORT

Steve Sibinski, 13208 Gladiola Street, provided a report on the Crooked Lake Area Association. He presented the Council with a copy of the association's newsletter. He thanked the Council for their past generous financial contributions, which have assisted in maintaining the lake. Mr. Sibinski discussed the lake's present milfoil situation indicating additional treatments were needed. He reviewed the portions of the lake that would be treated in 2013 and 2014. He requested the Council consider future contributions to the association, which would greatly assist with the necessary milfoil treatments.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

JUNE 4, 2013, COUNCIL MEETING

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, FOR APPROVAL OF THE MINUTES OF THE JUNE 4, 2013, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

3. CONSIDER RESOLUTION 13-66 AMENDING THE 2013 RECYCLING FUND BUDGETS
4. ACCEPT EASEMENT FOR DRAINAGE AND UTILITY PURPOSES FROM CBS RADIO MEDIA CORPORATION, 3237 COON RAPIDS BOULEVARD NW
5. APPROVE GRANT OF EASEMENT RIGHTS TO GREAT RIVER ENERGY FOR UTILITY PURPOSES AND AUTHORIZE EXECUTION OF EASEMENT FOR PROPERTY ON SOUTH SIDE OF MAIN STREET AND WEST OF ROUND LAKE BOULEVARD
6. AUTHORIZE FINAL PAYMENT, PROJECT 12-16, MAIN STREET TRAIL CONSTRUCTION (DNR GRANT)
7. CONSIDER RESOLUTION 13-68 DECLARING THE CITY'S PARTICIPATION WITH THE COUNCIL ON LOCAL RESULTS AND INNOVATION'S PERFORMANCE MEASUREMENT PROGRAM FOR 2013
8. ACCEPT 2012 ANNUAL FINANCIAL STATEMENT

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

REPORTS ON PREVIOUS OPEN MIC

9. OPEN MIC REPORT – LISA DENISON BOIKE – 2145 111TH LANE – RE: RECENT SANITARY SEWER BACKUP IN NEIGHBORHOOD

Mayor Howe discussed Ms. Boike's comments made during Open Mic at the June 4, 2013 Council meeting regarding the recent sanitary sewer backup in her neighborhood.

BID OPENINGS AND CONTRACT AWARDS

10. CONSIDER RESOLUTION AWARDING CONTRACT FOR WATERMAIN LINING, 93RD AVENUE AND EVERGREEN BOULEVARD, PROJECT 12-9

The staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION 12-9(9) AWARDING A CONTRACT TO NORTHDALE CONSTRUCTION, INC. IN THE AMOUNT OF \$1,093,421.25. THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

11. CONSIDER ADOPTION OF ORDINANCE AMENDING THE ZONING, MID AMERICA REAL ESTATE, 2624-2760 COON RAPIDS BOULEVARD, PC 13-10
-

The staff report was shared with Council.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT AN ORDINANCE AMENDING THE ZONING FROM OFFICE, PLANNED UNIT DEVELOPMENT (PUD) AND RIVER RAPIDS OVERLAY TO GENERAL COMMERCIAL AND RIVER RAPIDS OVERLAY BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED REZONING TO GENERAL COMMERCIAL IS CONSISTENT WITH THE LAND USE DESIGNATION OF GENERAL COMMERCIAL.
2. THE PROPOSED REZONING IS COMPATIBLE WITH THE ADJACENT LAND USES AND ZONING.
3. THE TIMES AND CONDITIONS HAVE CHANGED SO THAT A REASONABLE USE OF THE PROPERTY CANNOT BE MADE UNDER THE CURRENT ZONING.
4. THE PROPOSED ZONE CHANGE WOULD NOT HAVE AN ADVERSE IMPACT ON THE AREA.
5. THE PROPOSED REZONING IS CONSISTENT WITH THE COON RAPIDS BOULEVARD FRAMEWORK PLAN AND THE RIVER RAPIDS OVERLAY DISTRICT.

THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

12. CONSIDER RESOLUTION 13-67 AMENDING THE COMPREHENSIVE PLAN, MID AMERICA REAL ESTATE 2624-2760 COON RAPIDS BOULEVARD, PC 13-9
-

The staff report was shared with Council.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION 13-67, APPROVING THE PROPOSED LAND USE AMENDMENT FROM OFFICE TO GENERAL COMMERCIAL BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED AMENDMENT IS CONSISTENT WITH THE COMPREHENSIVE PLAN IN THAT IT PROMOTES THE IMPROVED APPEARANCE AND FUNCTION OF COON RAPIDS BOULEVARD AND WILL ELIMINATE AN OBSOLETE LAND USE.
2. THE PROPOSED LAND USE AMENDMENT IS COMPATIBLE WITH THE SURROUNDING LAND USE DESIGNATION AND LAND USES.
3. THE PROPOSED LAND USE AMENDMENT WOULD NOT HAVE AN ADVERSE IMPACT ON THE AREA.
4. THE PARCEL FRONTS ON COON RAPIDS BOULEVARD, WHICH IS A CLASS A ARTERIAL STREET.

Councilmember Johnson noted the zoning amendment and adjustment to the comprehensive plan would allow the property owner greater use of their shopping center and was a positive move for the Coon Rapids Boulevard.

THE MOTION PASSED UNANIMOUSLY.

13. CONSIDER RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS, SANITARY SEWER LIFT STATION NO. 8, PROJECT 13-24
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The staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION 13-24(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS. THE MOTION PASSED UNANIMOUSLY.

14. CONSIDER RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDER ADVERTISEMENT FOR BIDS, 2013 SANITARY SEWER RELINING PROGRAM, PROJECT 13-25
-

The staff report was shared with Council.

Councilmember Manning asked how many feet of sewer lines the City had. City Manager Gatlin stated the City had 240 miles of sanitary sewer lines and 80 miles of these lines were clay, which required relining.

Mayor Howe questioned the investment that has been made in the relining program. City Manager Gatlin stated the City has spent approximately \$1 million a year for the past seven or eight years.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION 13-25(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE SANITARY SEWER LINING PROJECT. THE MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS

Councilmember Klint stated the boulevard along Main Street near the sound wall was in poor condition with weeds and long grass. She requested the City speak with the County regarding this matter.

Mayor Howe reported the parade would take place on Wednesday, July 3rd at 6:00 p.m. and fireworks would be held on July 4th at dusk. He discussed the other events planned for the 4th of July weekend. He encouraged all to attend the City celebration.

Fire Chief Piper added the annual 4th of July celebration carnival and car show would be held through the weekend from 11:00 a.m. to 7:00 p.m. daily.

ADJOURN

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER WELLS, TO ADJOURN THE MEETING AT 7:43 P.M. THE MOTION PASSED UNANIMOUSLY.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL CLOSED SESSION OF JUNE 18, 2013

An executive work session of the Coon Rapids City Council was called to order by Mayor Tim Howe at 7:52 p.m. on June 18, 2013, in Conference Room #1.

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

Members Absent: Councilmember Jerry Koch

Staff Present: City Manager Steve Gatlin, Assistant City Manager Matt Stemwedel, City Attorney Dave Brodie, City Clerk Cathy Sorensen

CALL TO ORDER

Mayor Howe called the work session to order at 7:52 p.m.

THE HARVEST GRILL LEASE

Pursuant to Minnesota Statute 13D.05, subd. 3(b), the City Council will be meeting in executive work session to discuss litigation/settlement discussion for Weaver/Bunker Hills Corporation.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER WELLS, TO ENTER INTO A CLOSED SESSION. THE MOTION PASSED UNANIMOUSLY.

OTHER

There was no other business.

ADJOURN

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADJOURN THE CLOSED SESSION AT 8:05 P.M. THE MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Cathy Sorensen
City Clerk



City Council Regular

1.

Meeting Date: 07/02/2013

Subject: Award Received for Home for Generations Program

From: Kristin DeGrande, Neighborhood
Coordinator

INTRODUCTION

Phase I of the Home for Generations program has been awarded a 'Bright Ideas' Award for government innovation from the Harvard Kennedy School.

DISCUSSION

In April 2012, the City submitted an application to the Harvard Kennedy School - Ash Center for Democratic Governance and Innovation to be considered for one of their Innovations in American Government Awards for the work completed through the *Home for Generations* program. There were over 600 applications submitted nationwide. In July, the City was notified that *Home for Generations* program had been one of 100 applications selected to progress to the next level of consideration. A very lengthy application process ensued. And finally this spring, the City was notified that the *Home for Generations* program was awarded Harvard Kennedy School's Bright Ideas Award.

Bright Ideas is an initiative that recognizes creative and promising government programs and partnerships. The initiative is offered through the Innovations in Government Program, a program of the Ash Center for Democratic Governance and Innovation at Harvard Kennedy School.

The first phase of the *Home for Generations* program was meant to help stabilize neighborhoods in Coon Rapids. The City launched the *Home for Generations* program to provide feasible and relatable demonstrations of home remodeling techniques to its residents and potential homebuyers in the area. The City's Housing and Redevelopment Authority purchased five foreclosed homes over four years each at a modest price; then, with the City's guidance, local contractors remodeled the houses using innovative and budget-friendly improvement ideas. The community's residents were invited to view the remodeling progress before, during and after construction was complete thus demonstrating that home remodeling can be creative as well as affordable.

Now that the housing economy is beginning to stabilize, the City has moved on to Phase II of this program offering resources and financial incentives to private homeowners to complete large remodeling projects at their own home.

RECOMMENDATION

Accept the Bright Ideas Award from the Harvard Kennedy School for the accomplishments of the *Home for Generations* program.

Attachments

Harvard Award Letter



HARVARD Kennedy School

ASH CENTER
for Democratic Governance
and Innovation

March 26, 2013

Ms. Kristin DeGrande
Neighborhood Coordinator
11155 Robinson Drive
Coon Rapids, MN 55433

Re: Home for Generations

Dear Ms. DeGrande,

Thank you for submitting your application for consideration for the Innovations in American Government Award Program. I am pleased to report that our evaluators have selected your program to receive designation as a Bright Idea.

The Bright Ideas initiative serves to complement the Innovations in American Government Awards Program by shining a light on noteworthy and promising government programs and practices so that government leaders, public servants, and other individuals can learn about these ideas and adopt initiatives that work. As a Bright Idea, your program will be highlighted on the Ash Center's Government Innovator's Network, and you will receive a seal designating your program as a Bright Idea. All Bright Ideas will also become a part of the Government Innovator's Network open collection of innovations, and we hope that in time, some of these Bright Ideas will be adopted widely and will become winners of the Innovations in American Government Award.

In the coming weeks, you will receive a certificate designating your program as a Bright Idea, you will be provided with the Bright Ideas seal and information about your program will be posted on the Government Innovators Network. **Please refrain from making any public announcement regarding your program's status until you are provided with additional instructions from the Innovations in American Government Awards staff.**

If for some reason you have decided to decline recognition as a Bright Idea, please inform us of your decision as soon as possible via an email to christina_marchand@harvard.edu.

We greatly appreciate your committing the time and thought necessary to present a formidable application. On behalf of the reviewers, members of the Innovations staff, and the Ash Center for Democratic Governance and Innovation, we wish you continued success in all of your endeavors.

Sincerely,

Christina Marchand
Associate Director for Outreach
Innovations in American Government Awards

Kara O'Sullivan
Associate Director for Evaluation
Innovations in American Government Awards

79 John F. Kennedy Street
Cambridge, Massachusetts 02138

www.ash.harvard.edu



City Council Regular

2.

Meeting Date: 07/02/2013

Subject: Super Senior Club Donation for Pickleball

Submitted For: Ryan Gunderson, Recreation Coordinator

From: Cathy Sorensen, City Clerk

INTRODUCTION

The Council is asked to accept a donation from the Super Senior Club to purchase equipment for Pickleball.

DISCUSSION

The Super Senior Club has generously donated \$250 to help purchase equipment for Pickleball, a new activity being held on the outdoor rink at the Coon Rapids Ice Center (CRIC). Pickleball is a game played on a badminton court with the net lowered to 34 inches at the center. It is played with a perforated plastic baseball (similar to a whiffle ball) and wood or composite paddles.

Pickleball is offered from 8:00 a.m. - 1:00 p.m. Monday - Friday at the CRIC. Equipment can be checked out at the front desk of the CRIC, and there is no charge to play.

RECOMMENDATION

Council is asked to adopt Resolution 13-69 accepting the donation from the Super Senior Club to purchase equipment for Pickleball.

Attachments

Resolution 13-69

RESOLUTION NO. 13-69

**A RESOLUTION TO ACCEPT THE DONATION OF FUNDS
TO BE USED TOWARD THE PURCHASE OF
PICKLEBALL EQUIPMENT FROM
THE SUPER SENIOR CLUB**

WHEREAS, the Super Senior Club has offered to donate \$250 to the City to be used toward the purchase of equipment for pickleball at the Coon Rapids Ice Center; 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 \$250 is hereby accepted.

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

Adopted by the Coon Rapids City Council this 2nd day of July, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

3.

Meeting Date: 07/02/2013

Subject: Final Payment for Project 12-8 2012 Sanitary Sewer Relining

Submitted For: Kevin Vouk, Manager of Accounting/Treasurer

From: Dianne Nelson, Advanced Accounting
Technician

INTRODUCTION

The City Engineer has recommended final payment to Insituform Technologies USA, Inc. in the amount of \$39,047.74 for Project 12-8.

DISCUSSION

A summary of Project 12-8 is as follows:

Contract completion date	10/15/12
Substantial completion date	11/15/12
Final completion date	05/10/13

Contract amount	\$856,077.60
Total additions/deletions	(\$75,122.80)
Final contract amount	\$780,954.80
Actual project cost	\$780,954.80
Less: previous payments by City	(\$741,907.06)
Amount due	\$39,047.74
Amount over final contract	\$0.00

The changes to the contract was to reflect actual work performed under the contract (less quantities were needed than originally bid).

RECOMMENDATION

All of the above dates and amounts are reasonable and accurate according to the project file. No liquidated damages are recommended. Staff recommends approval of final payment to Insituform Technologies USA, Inc. in the amount of \$39,047.74 for Project 12-8.



City Council Regular

4.

Meeting Date: 07/02/2013

Subject: Temporary On-Sale 3.4% Malt Liquor License for Coon Rapids American Legion on July 13, 2013

From: Vincent Vu, Management
Analyst/Deputy Clerk

INTRODUCTION

An application was received from the American Legion Post 334 to obtain a temporary on-sale 3.2% malt liquor license to be used on July 13, 2013 for the "Raise the Roof" Fundraiser located at the American Legion Post 334, 11640 Crooked Lake Blvd NW.

DISCUSSION

The appropriate license fee has been paid. The Police Department conducted a background investigation on the applicant and found nothing that would prohibit issuance of this license. The area for the event will be within the confined area of the American Legion parking lot. The event will take place from 11 a.m. to 9 p.m.

RECOMMENDATION

Approval of a temporary on-sale 3.2% malt liquor license for the American Legion Post 334 to use on July 13, 2013 between the hours of 11 a.m. and 9 p.m. for the "Raise the Roof" fundraiser.



City Council Regular

5.

Meeting Date: 07/02/2013

Subject: Temporary On-Sale 3.4% Malt Liquor License for Coon Rapids American Legion on August 3, 2013

From: Vincent Vu, Management
Analyst/Deputy Clerk

INTRODUCTION

An application was received from the American Legion Post 334 to obtain a temporary on-sale 3.2% malt liquor license to be used on August 3, 2013 for the American Legion Annual Picnic located at the American Legion Post 334, 11640 Crooked Lake Blvd NW.

DISCUSSION

The appropriate license fee has been paid. The Police Department conducted a background investigation on the applicant and has found nothing that would prohibit issuance of this license. The area for the event will be within the confined area of the American Legion parking lot. The event will take place from 11 a.m. to 7 p.m.

RECOMMENDATION

Approval of a temporary on-sale 3.2% malt liquor license for the American Legion Post 334 to use on August 3, 2013 between the hours of 11 a.m. and 7 p.m. for the American Legion Annual Picnic.



City Council Regular

6.

Meeting Date: 07/02/2013

Subject: Approve Therapeutic Massage Enterprise License for Tiny Apples Massage Therapy, 544 Northdale Boulevard

From: Vincent Vu, Management Analyst/Deputy Clerk

INTRODUCTION

Debra Lynn Johnson of Tiny Apples Massage Therapy has submitted an application for a Therapeutic Massage Enterprise license for use at 544 Northdale Boulevard.

DISCUSSION

Ms. Johnson has paid the background investigation and license fee for a Therapeutic Massage Enterprise. The Police Department has conducted a background investigation and nothing has been found that would prohibit licensing. Ms. Johnson anticipates procuring a final inspection and obtaining a Certificate of Occupancy upon successful issuance of the license.

RECOMMENDATION

Council is requested to approve the issuance of a Therapeutic Massage Enterprise license to Ms. Debra Johnson pending a final inspection and procurement of a Certificate of Occupancy.



City Council Regular

7.

Meeting Date: 07/02/2013

Subject: Agreement with JLEC for Backup IT Services for Central Records

From: Brad Wise, Police Chief

INTRODUCTION

The Anoka County Joint Law Enforcement Council (JLEC) would like to contract with the IT Department of the City of Coon Rapids for the purpose of providing backup services to maintain the Anoka County central records system. This contract will allow the City to bill the JLEC for any services rendered through 2014.

DISCUSSION

The Anoka County Joint Law Enforcement Council (JLEC) contracts with IT departments of Anoka County law enforcement agencies for central records systems maintenance of hardware and software. The JLEC has contracted with the City of Columbia Heights as primary provider of this service through 2014, and is looking to add the IT department of the City of Coon Rapids to provide backup services during this time period. Coon Rapids had previously been the primary provider to the JLEC for this service. This agreement will allow Coon Rapids to bill the JLEC for any IT services provided up to a \$5000 maximum for the remainder of 2013 and a maximum amount to be determined for 2014. The JLEC is contracting with the cities of Ramsey and Blaine to provide backup IT services in addition to this agreement with Coon Rapids.

The IT Manager for Coon Rapids is familiar with the workings of the central records system and confirms his department is capable of providing this service.

This agreement will be between the City of Coon Rapids and the JLEC as represented by Anthony Palumbo, Chair.

RECOMMENDATION

Staff recommends the City enter into an agreement with the JLEC to provide backup IT services for the Anoka County central records system through 2014.

Attachments

JLEC Records Backup Agreement

**AGREEMENT
FOR BACKUP MANAGEMENT SERVICES
FOR THE ANOKA COUNTY JOINT LAW ENFORCEMENT
CENTRAL RECORDS PROJECT**

THIS AGREEMENT is made and entered into between the Anoka County Joint Law Enforcement Council, a joint powers board established pursuant to Minnesota Statutes Chapter 471, hereinafter referred to as the "JLEC," and the City of Coon Rapids, a Minnesota municipal corporation, 11155 Robinson Drive, Coon Rapids, Minnesota 55433, hereinafter referred to as the "City."

WITNESSETH:

WHEREAS, the County of Anoka and the many and various cities located within the boundaries of Anoka County have previously recognized the need to cooperate in their law enforcement efforts and have created the JLEC through a joint powers agreement pursuant to Minn. Stat. § 471.59; and

WHEREAS, the members of the JLEC have determined that there is a need to store and gain access to law enforcement data, to communicate among law enforcement agencies, and to improve the speed and accuracy with which law enforcement information is shared with a requesting jurisdiction; and

WHEREAS, the members of the JLEC previously entered into a Joint Powers Agreement for the purpose of acquiring computer hardware and software for an integrated central records communication system to address the foregoing need; and

WHEREAS, the JLEC has contracted with the City of Columbia Heights for the purpose of providing a manager for its central records system to manage and develop usable applications for the use of the JLEC in conjunction with the foregoing communications system; and

WHEREAS, the City of Columbia Heights and the JLEC need backup services from time to time for the management of the system; and

WHEREAS, the City of Coon Rapids is agreeable to rendering such additional services on terms and conditions hereinafter set forth; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein and the aforementioned statutes, it is agreed and understood as follows:

I. TERM

This Agreement shall commence on the first day of July, 2013, and shall continue until it is terminated in accord with the provisions of Section VII.

II. SERVICES

A. The City shall provide the services of a manager to manage and develop usable applications of the JLEC central records project. The duties of the manager shall include generally those described in Schedule A, attached and incorporated hereto, as shall be updated and amended from time to time.

B. The City agrees that these management services will be provided by a Police Information Support Specialist of the Coon Rapids Police Department, and any other City of Coon Rapids employee as deemed necessary by the Coon Rapids Police Department Police Chief. If appropriate staff becomes unavailable, the JLEC reserves the right to approve their replacements for the purposes of staffing this contract. If acceptable replacements cannot be found, this contract will be terminated pursuant to Section VII.

C. The City acknowledges that management services may occur on nights, weekends, and holidays, and may be on short notice in the event of an emergency.

III. COMPENSATION

The JLEC shall reimburse the City annually for the cost of the salary and benefits of the manager for the hours spent by the manager on the duties described in this Agreement up to the contract maximum of \$5,000.00 for the remaining six months of 2013 with the costs for 2014 and any subsequent years to be determined.

IV. STRICT ACCOUNTABILITY, AUDIT AND RETENTION OF RECORDS

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

B. The City agrees to make available to duly authorized representatives of the JLEC and of the State of Minnesota, for the purpose of audit examination pursuant to Minn. Stat. § 16C.05, any books, documents, papers, and records of the City that are pertinent to the City's provision of services hereunder. The City further agrees to maintain all such required records for six (6) years after receipt of final payment and the closing of all other related matters.

V. AFFIRMATIVE ACTION

In accordance with Anoka County Affirmative Action Policy and the County Commissioners' policies against discrimination, no person shall illegally be excluded from full-time employment rights in, be denied the benefits of, or be otherwise subjected to discrimination in the program which is the subject of this Agreement on the basis of race, creed, color, sex, sexual orientation, marital status, public assistance status, age, disability, or national origin.

VI. INDEMNIFICATION

The City agrees to indemnify and hold harmless the JLEC from any claims, losses, costs, expenses, damages, injuries, or sickness resulting from the negligent acts or omissions of

the Police Information Support Specialist, or other City employee as designated, for activities conducted under this Agreement.

VII. TERMINATION

This Agreement may be terminated by either party at any time without cause upon thirty (30) days written notice delivered by mail or in person to the other party. Notices delivered by mail shall be deemed to be received two (2) days after mailing. Such termination shall not be effective with respect to services prior to such notice of termination.

VIII. NOTICE

For purposes of delivering any notices hereunder, notices shall be effective if delivered to the JLEC in care of the Anoka County Attorney, Anoka County Government Center, 2100 Third Avenue, STE 720, Anoka, Minnesota 55303, on behalf of the JLEC, and to the City Manager of the City of Coon Rapids, 11155 Robinson Drive, Coon Rapids, Minnesota 55433, on behalf of the City.

IX. ANNUAL REVIEW AND MODIFICATION OF SCHEDULE A

This Agreement shall be reviewed on an annual basis by the City and the JLEC with ratification at the first JLEC meeting of each calendar year. Schedule A may be updated and changes approved at the Annual Review as necessary. Changes to Schedule A will be documented first in the minutes of the JLEC meeting, and will be thereafter appended to the written Schedule A attached to this Agreement.

X. ENTIRE AGREEMENT

It is understood and agreed by the parties that the entire agreements of the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous agreements presently in effect between the JLEC and City relating to the subject matter hereof. The parties hereto revoke any prior oral or written agreement between themselves and hereby agree that this Agreement is the only and complete agreement regarding the subject hereof.

The remainder of this page intentionally left blank

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands.

JOINT LAW ENFORCEMENT COUNCIL

CITY OF COON RAPIDS

By: _____
Anthony C. Palumbo, Chair
Joint Law Enforcement Council

By: _____
Tim Howe
Mayor

Dated: _____

Dated: _____

By: _____
Steve Gatlin
City Manager

Dated: _____

Schedule A
Duties of Backup Records Manager

1. Participate in central records management efforts between participating law enforcement agencies;
2. Provide day-to-day management of the application when requested by the City of Columbia Heights on a backup basis, i.e., establish user accounts, passwords, access lists, code tables, and manage security of the network;
3. Prepare batching data to provide to the State of Minnesota for MNCIS when requested by the City of Columbia Heights on a backup basis;
4. Assist with management and development of current applications used by the member agencies of the JLEC as requested by the City of Columbia Heights, including: RMS Laser fiche; Ticketwriter; email notification to Corrections; electronic discovery records production to the County Attorney and City Attorneys; the Mobile Data Network; and other current applications not listed;
5. Complete Criminal Justice data reporting on a monthly basis as required by the State of Minnesota (lbase) as requested by the City of Columbia Heights on a backup basis;
6. Participate in meetings on an as-needed basis with lead records technicians from the member agencies of the JLEC to identify application needs and develop, research, and explore additional applications as those needs are identified;
7. Coordinate and provide training to local system administrators on hardware and records application issues as requested by the City of Columbia Heights on a backup basis;
8. Provide "help desk" service to law enforcement members of the JLEC as requested by the City of Columbia Heights on a backup basis;
9. Maintain accurate records of support time provided to each individual agency;
10. Assist in disaster recovery efforts as needed;
11. Periodically meet with information technology representatives and operations managers from the member agencies to discuss current issues; and
12. Provide such other central records management services as requested by the JLEC.



City Council Regular

8.

Meeting Date: 07/02/2013

Subject: Open Mic Report: Ed Chuinard, 565 127th Lane Re: Driveway

Submitted For: Tim Himmer, Public Works Director

From: Cathy Sorensen, City Clerk

INTRODUCTION

Ed Chuinard, 565 127th Lane NW, appeared at Open Mic on June 18 to share concerns about a driveway area that runs through his back yard and who is responsible for maintaining it.

DISCUSSION

Mr. Chuinard shared that the driveway that runs through back yard is currently not being maintained (see attached map). Staff has met with Anoka County, Mr. Chuinard and other neighbors regarding this area and is currently working on a solution, which may include vacation of an easement and/or right-of-way at a later date.

RECOMMENDATION

No action is requested at this time. Staff will continue to work with Anoka County and keep Mr. Chuinard and the surrounding neighbors informed.

cc: Ed Chuinard

Attachments

Map



City Council Regular

9.

Meeting Date: 07/02/2013

Subject: Open Mic Report: Jason Haggard - Reconsider Semi-truck Parking Ordinance

From: Marc Nevinski, Community
Development Director

INTRODUCTION

Mr. Jason Haggard appeared before Council at the June 18th open mic session to share the challenges truck drivers face with regard to federal drive-time standards. He asked that Council reconsider the City's recently passed ordinance and adjust the time limitations in City code for truck parking.

DISCUSSION

Over the past several years, the Council has received complaints regarding, and observed first hand, semi trucks parking for extended overnight periods and leaving tractors and trailers in the public areas of commercial parking lots, effectively turning public areas into mini-truck stops. Attempts had been made with several property owners to address this activity and comply with city code prohibiting it. Unfortunately, the activity persisted and the Council approved an ordinance authorizing the ticketing of such vehicles. The ordinance also authorizes the fining of the property owner if vehicles are repeatedly ticketed on the property and no attempts are made by the property owner to address the matter. To date, the police department has only issued warning letters to drivers to discourage the parking activity. The ordinance is attached.

Mr. Haggard raised concerns with the ordinance limiting semi-truck parking to no more than eight hours, which makes it difficult for drivers to comply with Federal drive-time standards. Staff did not consider the drive-time standards when drafting the ordinance. From the City's perspective, semi-truck parking in commercial areas was a land use issue and the Council's goal in adopting the ordinance was to better manage such parking, not accommodate it.

RECOMMENDATION

No action is required unless Council wishes to discuss this ordinance further.

cc: Jason Haggard

Attachments

Ordinance

9-204 Parking and Storage of Recreational Vehicles, Trucks, Semi Tractors and Trailers in Commercial and Office Districts

(1) Purpose. The maintenance of certain vehicles in areas outside of designated loading bays and loading zones is unsightly, causes public safety concerns, impacts site parking and traffic circulation, and degrades surrounding property values. Regulation is necessary to alleviate these impacts, and to provide land use uniformity for businesses to operate competitively.

(2) Violation. It is a misdemeanor to stand, park, store, or allow to stand, be parked, or be stored, in a place affected with a public interest, a recreational vehicle, a truck whose gross vehicle weight is 26,000 pounds or more, a semi tractor, or a trailer, between the hours of 9:00 p.m. and 6:00 a.m., except when the vehicle:

- a) is in a queue approved on a site plan or by the Community Development Director, for a loading dock or loading area, for not more than eight hours; or
- b) is being actively loaded or unloaded.

(3) Enforcement.

a) Community Service Officers may issue citations for violations of Section 9-204(2) and may be processed in a Citizen Awareness Project diversion program.

b) Violations may also be subject to civil process and abatement under Chapter 8-1100. [Adopted 12/18/12, Ordinance 2100]

9-205 Liability of Property Owners for Violations of 9-204.

(1) Any owner of real property on which a violation exists is deemed to allow, and may be prosecuted for, a third or subsequent violation of Section 9-204(2), provided:

a) the owner has notice of two or more previous violations of Section 9-204(2);
and

b) the new violation occurs within 6 months of the giving of the notices.
9-200-2

2) Nothing herein limits the liability of the actual driver or user of the vehicle, or the presumption afforded in Section 9-102, (liability of vehicle owners for violations). [Adopted 12/18/12, Ordinance 2100]



City Council Regular

10.

Meeting Date: 07/02/2013

Subject: Open Mic - Jerry Pierce, Re: Contract Lawsuit with Teamsters

Submitted For: Matt Stemwedel, Assistant City Manager

From: Cathy Sorensen, City Clerk

INTRODUCTION

Jerry Pierce, 12236 Partridge Street, appeared at Open Mic on June 18 requesting an update on a contract lawsuit with the Teamsters.

DISCUSSION

On November 10, 2011, the Teamsters Local No. 320 filed a Petition for Clarification with the Bureau of Mediation Services (BMS) regarding seasonal employees and their inclusion in the bargaining unit after reaching "public employee" status as defined by state statute. Upon review, the BMS issued a decision in April 2012 that certain seasonal employees should be included in the bargaining unit after working 67 days, or 100 days for full-time students under age 22. The City raised an issue with BMS regarding the process used to make the decision and their interpretation of the contract language. Ultimately, this matter was decided upon by the Minnesota Court of Appeals, which ruled in favor of the Teamsters Local No. 320 and the original BMS decision.

The City's decision to pursue clarification through the Court of Appeals is not considered a lawsuit. Rather, the Court of Appeals is the body tasked with reviewing decisions made by the BMS when there is disagreement about the decision they render. The City is currently working with Teamsters Local No. 320 to agree upon language pertaining to seasonal employees, their potential union status, and the implications of that status after reaching the 67, or 100, working day threshold.

RECOMMENDATION

No further action is necessary regarding this item.

cc: Jerry Pierce, 12236 Partridge Street



City Council Regular

11.

Meeting Date: 07/02/2013

Subject: Timothy Somerville, Rental License Denial Appeal

From: Kristin DeGrande, Neighborhood
Coordinator

INTRODUCTION

City staff has denied Mr. Somerville's request for a rental license at his property at 11911 Woodbine Street. Mr. Somerville is appealing Staff's decision.

DISCUSSION

City Staff contacted the property owner of 11911 Woodbine Street in early June after claims that it may be an unlicensed rental property. A rental license application was then received by Mr. Somerville on June 10, 2013. According to City code 12-904, all new rental property owners must fill out and submit criminal background investigation forms as part of their rental license application.

The Coon Rapids Police Department conducts all background investigations and on June 13, 2013 found Mr. Somerville to have been convicted of a background check crime which is grounds for denial of a rental license (City code 12-916). A background check crime as defined in Minnesota Statutes Section 299C.67, subd. 2 means: a felony violation of section 609.185 (first degree murder); 609.19 (second degree murder); 609.20 (first degree manslaughter); 609.221 (first degree assault); 609-222 (second degree assault); 609.223 (third degree assault); 609.25 (kidnapping); 609.342 (first degree criminal sexual conduct); 609.343 (second degree criminal sexual conduct); 609.344 (third degree criminal sexual conduct); 609.345 (fourth degree criminal sexual conduct); 609.561 (first degree arson); or 609.749 (stalking). Additionally, Mr. Somerville failed to disclose his felony conviction on his background investigation form which is also grounds for denial of a rental license.

Coon Rapids Police Department called Mr. Somerville on June 13, 2013 to discuss the findings of the background check, and a letter was sent to him denying his application for a rental license. A partial refund of his rental application fees was submitted for processing on June 18, 2013.

Mr. Somerville submitted a written appeal to City Staff's decision on June 24, 2013.

RECOMMENDATION

It is requested that the City Council affirm the denial of a rental license to Timothy Somerville, property owner of 11911 Woodbine Street.

Attachments

Somerville Appeal

APPLICATION FOR APPEAL TO CITY COUNCIL

CASE NUMBER WO# 52611

DATE FILED _____

APPEAL SET FOR _____

This form must be received at City Hall by 4:30 on 6/24/2013 for this appeal to be considered. (Being postmarked by this date is not adequate. The form must be at City Hall.)

APPLICANT Timothy H. Somerville

ADDRESS 2354 149th Ave NE
Ham Lake, MN 55304 PHONE _____

I formally request that action on Case Number 52611 be appealed to the Coon Rapids City Council for the following reason(s)

The Crime is over 25 years old

[Signature]
Signature

6-20-2013
Date

PROPERTY ADDRESS: 11911 WOODBINE ST

PIN: 083124310029

Task Name	Scheduled Start	Actual Start	Assigned To	COMMENTS
INFORMATION SENT	6/3/13	6/3/13	POSCH, MICHELLE	PACKET/LETTER - ANON FEMALE WENT TO OPEN HOUSE. LOTS OF ELECT HAZARDS IN GARAGE. OWNER SAID HE DIDNT NEED A LICENSE.
RENTAL VIOLATION	6/10/13	6/10/13	POSCH, MICHELLE	\$500 NO LICENSE - ANON FEMALE WENT TO OPEN HOUSE.
INFORMATION SENT	6/4/13	6/4/13	POSCH, MICHELLE	IN COMPLIANCE
APPLICATIONS	6/10/13	6/10/13	POSCH, MICHELLE	letter sent to City Attny office regarding unlicensed rental with hazards. see attached
CONVERSION FEE RCVD	6/10/13	6/10/13	POSCH, MICHELLE	RECVD
CRIME FREE TRAINING	6/18/13	6/18/13	POSCH, MICHELLE	PD \$545 CREDIT CARD
RENTAL INSPECTION	6/13/13	6/13/13	POSCH, MICHELLE	OWNER REGISTERED FOR CR NOV TRAINING - LICENSE DENIED FAILED BACKGROUND CHECK.
COMMUNICATE W OWNER	6/13/13	6/13/13	POSCH, MICHELLE	INSPECTION DONE BY PAUL BUCHANAN ON 6/6/13 2 POINTS, RECVD ANON LETTER THRU ATTNYS OFFICE REGARDING ELECT HAZARDS IN GARAGE. PAUL DIDNT INSPECT GARAGE. 2 HAZARDS FOUND ON 6/12/2013. TIM WAS UPSET. 4 POINTS TOTAL.
FOLLOW-UP INSPECTION	6/18/13	6/18/13	POSCH, MICHELLE	TIM EMAILED REQUESTING EMAILED CORRECTIONS FOR PROPERTY. SEE ATTACHED EMAIL REPLY.
BACKGROUND CHECK	6/13/13	6/13/13	TONINATO, DESIREE	ELECT INSP WADE WILL INSPECT GARAGE ITEMS TO FINAL PERMIT. THEY WILL CALL FOR INSPECTION - FAILED
INFORMATION SENT	6/13/13	6/13/13	POSCH, MICHELLE	LICENSE DENIED NO FOLLOWUP INSPECTION FOR RENTAL
COMMUNICATE W OWNER	6/14/13	6/14/13	DEGRANDE, KRISTIN	C/N 13128045 background completed on Timothy Hugh Somerville D.O.B. Background indicates Somerville was convicted of a disqualifying felony under city code 12-916 E. MN statute 299C.67 subd 2. Consulted with City Attorney. Posch advised Letter sent to Somerville regarding denial of rental license for failing background. Letter approved by n Prodie.
COMMUNICATE W OWNER	6/17/13	6/17/13	POSCH, MICHELLE	Owner Tim . called about being denied a rental license. I explained why (felony charge), explained where in city code that can be found and told him he would be getting a partial refund. Claims he found a buyer already & is selling house.
INFORMATION SENT	6/18/13	6/18/13	POSCH, MICHELLE	TIM ASKED IF SOMEONE ELSE COULD RENT IT OUT FOR HIM. TOLD HIM NO.
COMMUNICATE W OWNER	6/18/13	6/18/13	POSCH, MICHELLE	SENT OUT REFUND TO FINANCE FOR \$365 (\$330 CONVERSION FEE AND \$35 CFT FEE)
APPEAL SUBMITTED	6/27/13	6/24/13	DEGRANDE, KRISTIN	sent appeal to city council appl at Tim Somervilles request. Property owner Timothy Somerville submitted a written appeal to Council arguing his rental license denial.

~ ADMINISTRATIVE CITATION INFORMATION ~ If blank, no Administrative Citation was issued on this work order.

City Code Inspection Date Fine Inspected By Compliance Date & Instructions Citation Issued To

Jan. 4/4/2013 Rental Home Inspection Monday
 by Paul Buchanan morning call



Item 1

Page 1 of 2

Pa \$545 - VISA
 Rental Bkgrd + Pd
 CRT Ownership + Pd
 6/10/2013 [Signature]

Rental License Application

For office use only:
 License No. 52611 PID No. _____

RENTAL ADDRESS

COMPLEX NAME: (if multi-family) _____ RENTAL ADDRESS: 11911 Woodbine St. NW Coon Rapids mn.

DWELLING UNIT INFORMATION

Type of dwelling: single family twin home townhome apartment
 # of buildings: 1 total # of units: 1

RENTAL PROPERTY OWNER INFORMATION

OWNER NAME: Timothy H. Somerville DATE OF BIRTH: _____ PHONE: _____
 ADDRESS: 2354 149th Ave. NE CITY: Ham Lake STATE: MN. ZIP: 55304
 EMAIL ADDRESS: _____

MANAGER CONTACT INFORMATION (if other than owner)

CONTACT NAME: _____ DATE OF BIRTH: _____ PHONE: _____
 ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____
 EMAIL ADDRESS: _____

The undersigned hereby applies for a rental dwelling license and acknowledges receipt of a copy of City Ordinance Chapter 12-900, acknowledges the provisions of the Building Maintenance and Occupancy Code have been reviewed; and attests the subject premises will be operated and maintained according to the requirements contained therein, subject to applicable sanctions and penalties. The undersigned further agrees the subject premises may be inspected by the compliance official as provided in Chapter 12-900 of said ordinance. The undersigned hereby certifies that the above information is true and correct to the best of their knowledge.

Applicant Signature: _____ Date: 6-4-13

Your property must pass a City of Coon Rapids rental property inspection conducted by a Housing Inspector before a rental license is issued. An inspection time will only be scheduled after Neighborhood Reinvestment Division staff have received and reviewed all five items listed on the 'Licensing of Rental Property Application Checklist.'
 Rental property inspections are performed Monday thru Friday 7:00 a.m. and 5:30 p.m.

Rental License Application

Applicant must initial each section and sign at the bottom.

By initialing each section you are acknowledging an understanding of key provisions of City Ordinance Chapter 12-900 regarding the Licensing of Rental Property.

1. PK I understand that by owning rental property in Coon Rapids, I am operating a business in a residential zone of the city.
2. JK I have received a copy of City Ordinance Chapter 12-900, Licensing of Rental Dwellings, and understand I am subject to the requirements contained therein.
3. JK I or my manager has attended or is scheduled to attend a **Crime Free Rental Housing Phase I** training or its equivalent (12-915).
4. JK I understand the rental property must pass a rental property inspection conducted by a City Housing Inspector, and must continue to maintain the property accordance with provisions of 12-914.
5. JK I understand I must screen all potential tenants by using a written rental application which contains sufficient information to conduct a Criminal Background check and a Credit History check (12-903).
6. JK I must use a written lease for all tenants (12-903).
7. JK In addition to a written lease, I understand my tenants must also sign a "Lease Addendum for Crime-Free/Drug-Free Housing" (12-903).
8. JK I understand the City will conduct a Criminal Background Investigation on the Property Owner consistent with the provisions of 12-904.
9. JK I understand I must provide 24 hour contact information for a person who resides within the twin city metropolitan service area who is responsible for code compliance of the rental property. This person will be either the owner or manager of the property (12-903).
10. JK I understand the City Manager may deny or not renew a license and the City Council may revoke or suspend a rental license for failure to address any tenant or property issues as provided for in 12-916.
11. JK In addition to any other sanctions or administrative penalties, it is a Misdemeanor to operate a rental dwelling in the City without a license for each building (12-921).
12. JK I understand my rental license is not transferrable (12-905).
13. JK I understand my rental license must be renewed annually (12-907).

The undersigned acknowledges that this is a partial listing of provisions within City Ordinance Chapter 12-900, and that a complete understanding of the ordinance can only be had by thoroughly reading it in its entirety. The purpose of providing this list is to address questions frequently asked by license applicants.

Applicant Signature: _____

Date: 6-4-13

WO# 52611

13-128045
Toninato-71



Item 2

Page 1 of 2

LICENSING OF RENTAL PROPERTY Criminal Background Investigation Form

12-904 Requires a criminal background investigation be conducted on the Property Owner listed on the Rental License Application. If the property is owned by more than one individual the City may request additional information from the license applicant regarding all Property Owners.

Rental Property Address(es): 11911 Woodbine St. NW Coon Rapids MN 55433

Timothy H. Somerville _____
 First Middle Last Name Date of Birth

2354 149th Ave NE Ham Lake MN 55804
 Home Address City State Zip Code

Daytime Phone Number

Have you ever been convicted of a crime; Felony, Gross Misdemeanor or Misdemeanor? Yes No

If yes, list the location, nature of the offense, and the disposition: _____

I understand that the City has the need to investigate my background and history in order to better evaluate my rental license application. I authorize any law enforcement official and any other person to furnish information regarding my criminal background to the City, and to permit the City to inspect and make copies of any such information. I further authorize any such persons to answer any questions concerning my criminal background. I fully understand that the information so obtained by the City may be used in the evaluation of my rental license application.

I hereby release any person who complies with this authorization and provides information from any and all liability for having done so.

DATE: 6-4-13

SIGNATURE: [Signature]

For office use only:	Date Received <u>6/6/13</u>
<input type="checkbox"/> Make and attach a photocopy of the government issued ID shown by the applicant.	
<input checked="" type="checkbox"/> The \$45.00 Background Investigation fee been paid.	<input type="checkbox"/> Cash <input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card



Item 2

Page 2 of 2

LICENSING OF RENTAL PROPERTY
Minnesota Bureau of Criminal Apprehension
Computerized Criminal History (CCH) Data Request

The following information is necessary for the Police Department to properly identify the applicant for the required criminal background investigation. This information will be retained only by the Police Department, as required by law, and will not be included in any investigative report submitted to the City Council or representatives, and will not become a part of the public record or released to the public except as required by law.

Timothy Hugh Somerville
 First Middle Last

 Date of birth

- Male
- Female

Race: white

Note that "Race" cannot be left blank. We are required to collect race data, as provided by the applicant, to perform a Computerized Criminal History.



Welcome to the Web site of

Anoka County
 Minnesota

Property Details

Summary

General Information	
Property ID	08-31-24-31-0029
Tax Year	2013
Situs Address	11911 WOODBINE ST NW , COON RAPIDS, MN 55433-0000
Property Description	VINEYARDS -THE- LOT 9 BLK 3 THE VINEYARDS-SUBJ TO UTIL & DRAIN EASE OVER REAR 5 FT-
Linked Property Group Position	
Status	Active
Abstract/Torrens	Abstract

Property Classification	
Tax Year	Classification
2014	4BB1-Residential Non-Homestead single unit
2013	1A-Residential Homestead

Property Characteristics	
Lot Size	W102*150
Year Built	1954

* Lot Size: Approximate lot size in feet, clockwise beginning with the direction the lot faces

Tax District Information	
City Name	COON RAPIDS
Watershed	COON CREEK WATERSHED
School District Number and Name	ANOKA-HENNEPIN SCHOOL DISTRICT #11

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Welcome to the Web site of

Anoka County
 Minnesota

Property Details

Parties

Property ID	08-31-24-31-0029	Situs Address	11911 WOODBINE ST NW , COON RAPIDS, MN 55433-0000
-------------	------------------	---------------	---

Parties					
Role	Percent	Name	Address	Since	To
Owner	100.00	SVETLANA SOMERVILLE	2354 149TH AVE NE, HAM LAKE, MN 55304-0000 UNITED STATES	12/07/2012	Current
Owner	100.00	TIMOTHY H SOMERVILLE	2354 149TH AVE NE, HAM LAKE, MN 55304-0000 UNITED STATES	12/07/2012	Current
Taxpayer	100.00	TIMOTHY H SOMERVILLE	2354 149TH AVE NE, HAM LAKE, MN 55304-0000 UNITED STATES	12/07/2012	Current

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(f) For rental dwellings with less than four units, meet with tenants at least one time per year, inspect the exterior of the dwelling at least quarterly, and inspect the interior of the dwelling unit at least one time per year and provide written verification on a form provided by the City [Revised 4/5/11, Ordinance 2066]

12-916 License Denial, Suspension, or Revocation.

(1) Grounds for Denial, Suspension or Revocation. The City Manager may deny or not renew a license and the City Council may revoke or suspend a license for any of the following reasons that shall also constitute a violation of this Chapter.[Revised 4/5/11, Ordinance 2066]

(a) The property does not conform to City Code Title 11, Land Development Regulations;[Revised 4/5/11, Ordinance 2066]

(b) The property does not comply with a health, building, maintenance, or other provisions of the City Code or State Law;[Revised 4/5/11, Ordinance 2066]

(c) The Licensee has failed to pay the license fee, inspection fees, the investigation fee, or a fine that has been imposed;[Revised 4/5/11, Ordinance 2066]

(d) The Licensee has made fraudulent statements, misrepresentations, or false statements in the application or investigation or in any information required by this Chapter;[Revised 4/5/11, Ordinance 2066]

(e) Conviction of a background check crime as defined in Minnesota Statutes Section 299C.67, subd.2, as may be amended from time to time; or any crime related to the business licensed and failure to show, by competent evidence, rehabilitation and present fitness to perform the duties of the business;[Revised 4/5/11, Ordinance 2066]

(f) Operating or allowing the rental property to be used in such a manner as to constitute a breach of the peace, a menace to the health, safety, and welfare of the public, or a disturbance of the peace or comfort of the residents of the City, upon recommendation of the Chief of Police;

(g) Actions unauthorized or beyond the scope of the license granted;

(h) The Licensee's rental license to operate a rental dwelling in another jurisdiction has been denied, revoked, or suspended;[Revised 4/5/11, Ordinance 2066]

(i) Failure to schedule and/or allow rental or building inspections of the licensed premises, for the purpose of ensuring compliance with rental licensing requirements, City Code requirements, State building codes, or other applicable State or Federal law;

(j) Failure to continuously comply with all conditions required as precedent to the approval of the license;

(k) Real estate or personal property taxes have become delinquent and the property owner and the Licensee are the same person or entity, or have any common ownership where they are a different person or entity;[Revised 4/5/11, Ordinance 2066]

(l) Violation of any regulation or provision of the City Code applicable to the activity for which the license has been granted, or any regulation or State or Federal law that may be applicable;[Revised 4/5/11, Ordinance 2066]

(m) Excessive calls for service as determined by the Chief of Police based on the number and nature of the calls compared to the number of dwelling units on the property when the Licensee has been notified of the calls by the Chief of Police and the Licensee has failed to supply an appropriate written action plan for reducing the calls for service, or when the calls for service exceed an established threshold a second time within 12 months of completing an action plan for previously exceeding the threshold [Revised 4/5/11, Ordinance 2066]

WS # 52611

299C.67 DEFINITIONS.

Subdivision 1 **Terms.** The definitions in this section apply to sections 299C 66 to 299C 71.

Subd 2 **Background check crime.** "Background check crime" means:

(a)(1) a felony violation of section 609 185 (first-degree murder); 609 19 (second-degree murder); 609 20 (first-degree manslaughter); 609 221 (first-degree assault); 609 222 (second-degree assault); 609 223 (third-degree assault); 609 25 (kidnapping); 609.342 (first-degree criminal sexual conduct); 609 343 (second-degree criminal sexual conduct); 609 344 (third-degree criminal sexual conduct); 609 345 (fourth-degree criminal sexual conduct); 609 561 (first-degree arson); or 609 749 (stalking);

(2) an attempt to commit a crime in clause (1); or

(3) a conviction for a crime in another jurisdiction that would be a violation under clause (1) or an attempt under clause (2) in this state; or

(b)(1) a felony violation of section 609 195 (third-degree murder); 609.205 (second-degree manslaughter); 609 21 (criminal vehicular homicide and injury); 609 2231 (fourth-degree assault); 609 224 (fifth-degree assault); 609.24 (simple robbery); 609 245 (aggravated robbery); 609.255 (false imprisonment); 609.52 (theft); 609 582, subdivision 1 or 2 (burglary); 609 713 (terroristic threats); or a nonfelony violation of section 609 749 (stalking);

(2) an attempt to commit a crime in clause (1); or

(3) a conviction for a crime in another jurisdiction that would be a violation under clause (1) or an attempt under clause (2) in this state

Subd 3 [Repealed, 2009 c 59 art 6 s 25]

Subd. 4 **Manager.** "Manager" means an individual who is hired or is applying to be hired by an owner and who has or would have the means, within the scope of the individual's duties, to enter tenants' dwelling units "Manager" does not include a person who is hired on a casual basis and not in the ongoing course of the business of the owner

Subd. 5. **Owner.** "Owner" has the meaning given to "landlord" in section 504B 001, subdivision 7 However, "owner" does not include a person who owns, operates, or is in control of a health care facility or a home health agency licensed by the commissioner of health or human services under chapter 144, 144A, 144B, or 245A, or a board and lodging establishment with special services registered under section 157.17.

Subd. 6. **Superintendent.** "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

Subd 7 **Tenant.** "Tenant" has the meaning given to "residential tenant" in section 504B 001, subdivision 12.

History: 1995 c 226 art 4 s 14, 1996 c 408 art 10 s 7, 1999 c 199 art 2 s 7,8, 2001 c 7 s 62, 2010 c 299 s 14



JUNE 13, 2013

TIMOTHY H. SOMERVILLE
2354 149TH AVE NE
HAM LAKE, MN 55304

RE: 11911 WOODBINE ST

On June 3, 2013 a rental license application and background check were accepted for 11911 Woodbine St. An inspection was made on June 6, 2013 with several repairs to be made. The required background check returned June 13, 2013 disqualifies you from obtaining a rental license due to a felony charge. A partial refund of the conversion fee will be returned under separate cover.

Please be aware that if the property is occupied by anyone other than the owner, whether money is being exchanged or not, criminal charges will be filed with the City Attorney's Office. A rental license is not required if an immediate family member occupies the property as long as it is classified as a Relative Homestead property with Anoka County in the family members name. This must be done prior to that person moving into the property.

You have the right to appeal within 10 days from the date of this letter. An appeal form can be obtained by contacting the Neighborhood Redevelopment Department below.

If you have questions please feel free to contact me and I'll be happy to assist you.

Michelle Posch
Housing Inspector
763-767-6575
mposch@coonrapidsmn.gov
WO#52611