

## UNAPPROVED

### COON RAPIDS CITY COUNCIL MEETING MINUTES OF NOVEMBER 19, 2013

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#### OPEN MIC/PUBLIC COMMENT

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Chelly Leibel, Teen Center, thanked Cedar Valley Exteriors for their generous donation. She said that both she and the teens were very grateful and that thank you letters have been sent to the firm. Ms. Leibel said she hopes to be part of the 2014 discussions as the City moves forward in decisions regarding the Teen Center. She stated they are working on creating an overall Youth Council that will assist with events at the school district and other locations. Ms. Leibel said she appreciates the support the City has shown as well as the school district and looks forward to a good collaboration.

Dennis Dohls, Blaine, said he has attended the Teen Center and shared how everyone is highly supportive of the effort. He said the Teen Center is like a second home to him and thanked Cedar Valley Exteriors for their donation. He said he has brought many newcomers to the Teen Center and hopes it can remain in the budget as it is a great program.

#### CALL TO ORDER

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The second regular meeting of the Coon Rapids City Council for the month of November was called to order by Mayor Tim Howe at 7:18 p.m. on Tuesday, November 19, 2013, in the Council Chambers.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

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Mayor Howe led the Council in the Pledge of Allegiance, along with members of Boy Scout Weblo Pack 406.

#### ROLL CALL

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

Members Absent: None

#### ADOPT AGENDA

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

**PROCLAMATIONS/PRESENTATIONS**

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None.

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

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NOVEMBER 6, 2013, COUNCIL MEETING  
NOVEMBER 13, 2013, SPECIAL MEETING

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MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER KOCH, FOR APPROVAL OF THE MINUTES OF THE NOVEMBER 6, 2013, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, FOR APPROVAL OF THE MINUTES OF THE NOVEMBER 13, 2013, SPECIAL MEETING. THE MOTION PASSED 4-3, COUNCILMEMBERS JOHNSON, SANDERS AND WELLS ABSTAINED.

**CONSENT AGENDA/INFORMATIONAL BUSINESS**

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1. CIVIC CENTER POLICY AND RATES:
    - A. APPROVE POLICY FOR USE OF CITY CENTER FACILITIES
    - B. CONSIDER RESOLUTION 13-103 ESTABLISHING CERTAIN FEES AND CHARGES FOR USE OF THE CITY CENTER FACILITIES
  2. CONSIDER RESOLUTION 13-96 AUTHORIZING ALLOCATION OF SAC UNITS FROM PORT CAMPUS SQUARE DEMOLITIONS FOR REDEVELOPMENT PROJECTS IN PORT CAMPUS SQUARE
  3. CONSIDER RESOLUTION 13-104 AMENDING THE BUDGET OF TAX INCREMENT DISTRICT NO. 1-9
  4. ENGINEERING MASTER CONSULTING AGREEMENT:
    - A. APPROVE ENGINEERING MASTER CONSULTING AGREEMENT
    - B. AUTHORIZE CITY OFFICIALS TO EXECUTE AGREEMENTS WITH KIMLEY-HORN & ASSOCIATES, SEH, INC., BOLTON & MENK, INC., AND WSB & ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES
  5. APPROVE PROFESSIONAL SERVICES CONTRACT FOR ADDITIONAL ELECTRICAL INSPECTIONS
  6. CORPORATE OFFICER CHANGE – DAVANNI’S PIZZA AND HOT HOAGIES – 3430-129<sup>TH</sup> AVENUE NW
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MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER WELLS, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED.

Councilmember Sanders noted a minor typographical change needed for the Policy for Use of City Center Facilities.

Councilmember Koch asked if SAC fees were charged for Port Riverwalk. Community Development Director Nevinski stated this development was pre-Met Council and for this reason, there were no SAC charges.

THE MOTION PASSED UNANIMOUSLY.

REPORTS ON PREVIOUS OPEN MIC

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None.

PUBLIC HEARING

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7.      CONNEXUS ENERGY FRANCHISE AGREEMENT:
    - A.      PUBLIC HEARING, 7:00 P.M.
    - B.      CONSIDER ADOPTION OF ORDINANCE GRANTING A UTILITY FRANCHISE TO CONNEXUS ENERGY
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The staff report was shared with Council.

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

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT AN ORDINANCE GRANTING A UTILITY FRANCHISE TO CONNEXUS ENERGY. THE MOTION PASSED UNANIMOUSLY.

8.      2014 FEE REVISIONS:
  - A.      PUBLIC HEARING, 7:00 P.M.
  - B.      CONSIDER ORDINANCE TO AMEND THE CITY CODE FOR NON-DOMESTIC ANIMALS
  - C.      CONSIDER ORDINANCE TO AMEND THE CITY CODE FOR DOG CONTROL
  - D.      CONSIDER ORDINANCE ADJUSTING CERTAIN FEES
  - E.      CONSIDER ORDINANCE ADJUSTING BUILDING INSPECTION FEES
  - F.      CONSIDER RESOLUTION 13-97 ESTABLISHING CERTAIN FEES AND CHARGES
  - G.      CONSIDER RESOLUTION 13-98 ESTABLISHING CERTAIN FEES AND CHARGES FOR USE OF CTN STUDIO FACILITIES
  - H.      CONSIDER RESOLUTION 13-99 REVISING SEWER AVAILABILITY CHARGES (SAC)
  - I.      CONSIDER RESOLUTION 13-100 ESTABLISHING CERTAIN FEES AND

- CHARGES FOR USE OF ICE CENTER FACILITIES
- J. CONSIDER RESOLUTION 13-101 ESTABLISHING CERTAIN FEES AND CHARGES FOR USE OF CITY PARK FACILITIES
  - K. CONSIDER RESOLUTION 13-102 ESTABLISHING CERTAIN FEES AND CHARGES FOR ADULT SOFTBALL LEAGUES
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The staff report was shared with Council.

Councilmember Koch questioned why a change was being made to the non-domestic animal ordinance fees. City Clerk Sorensen explained while the permitting process had been changed many years ago a fee was never established for the permit as well as a fee for a background investigation.

Councilmember Koch suggested this language be reviewed to assure that non-profit organizations were able to obtain a non-domestic animal permit without the fee. City Clerk Sorensen commented that the language regarding educational uses of non-domestic animals was removed from the code in 2010 and replaced with the current language. She reported the Council could always choose to waive the permit fee.

Councilmember Manning suggested staff make non-profit organizations aware that the fee could be waived to ensure that Coon Rapids students were allowed to partake in educational events with non-domestic animals.

Councilmember Koch recommended the Council table action on this item to allow the Council to review language to allow for exemptions for schools and non-profit organizations.

Councilmember Klint stated that any school that would be considering educational curriculum that would include non-domestic animals would have this outlined well in advance and reviewed by the school district fairly extensively. She suggested that schools could be notified of the City's new process to ensure that organizations were made aware of the change.

Councilmember Sanders said he was in favor of moving forward with the proposed fees this evening.

Mayor Howe opened and closed the public hearing at 7:40 p.m. since no one appeared to address the Council.

**MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT AN ORDINANCE TO AMEND THE CITY CODE FOR NON-DOMESTIC ANIMALS EFFECTIVE JANUARY 1, 2014. THE MOTION PASSED UNANIMOUSLY.**

**MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER MANNING, TO ADOPT AN ORDINANCE TO AMEND THE CITY CODE FOR DOG CONTROL EFFECTIVE JANUARY 1, 2014. THE MOTION PASSED UNANIMOUSLY.**

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT AN ORDINANCE ADJUSTING CERTAIN FEES EFFECTIVE JANUARY 1, 2014; ADOPT AN ORDINANCE ADJUSTING BUILDING INSPECTION FEES EFFECTIVE JANUARY 1, 2014; ADOPT RESOLUTION 13-97 ESTABLISHING CERTAIN FEES AND CHARGES EFFECTIVE JANUARY 1, 2014; ADOPT RESOLUTION 13-98 ESTABLISHING CERTAIN FEES AND CHARGES FOR USE OF CTN STUDIO FACILITIES EFFECTIVE JANUARY 1, 2014; ADOPT RESOLUTION 13-99 REVISING SEWER AVAILABILITY CHARGES (SAC) EFFECTIVE JANUARY 1, 2014; ADOPT RESOLUTION 13-100 ESTABLISHING CERTAIN FEES AND CHARGES FOR USE OF ICE CENTER FACILITIES EFFECTIVE JANUARY 1, 2014; ADOPT RESOLUTION 13-101 ESTABLISHING CERTAIN FEES AND CHARGES FOR USE OF CITY PARK FACILITIES EFFECTIVE JANUARY 1, 2014; AND ADOPT RESOLUTION 13-102 ESTABLISHING CERTAIN FEES AND CHARGES FOR ADULT SOFTBALL LEAGUES EFFECTIVE JANUARY 1, 2014. THE MOTION PASSED UNANIMOUSLY.

**OLD BUSINESS**

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None.

**NEW BUSINESS**

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9. 2014 RESIDENTIAL STREET RECONSTRUCTION, PROJECT 14-1:
    - A. CONSIDER RESOLUTION ORDERING PREPARATION OF FEASIBILITY REPORT
    - B. CONSIDER RESOLUTION ORDERING PREPARATION OF PLANS AND SPECIFICATIONS
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The staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION NO. 14-1(3), ORDERING PREPARATION OF FEASIBILITY REPORT; AND RESOLUTION NO. 14-1(6), ORDERING PREPARATION OF PLANS AND SPECIFICATIONS. THE MOTION PASSED UNANIMOUSLY.

10. 2014 RESIDENTIAL STREET RECONSTRUCTION, PROJECT 14-3:
    - A. CONSIDER RESOLUTION ORDERING PREPARATION OF FEASIBILITY REPORT
    - B. CONSIDER RESOLUTION ORDERING PREPARATION OF PLANS AND SPECIFICATIONS
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The staff report was shared with Council.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 14-3(3), ORDERING PREPARATION OF FEASIBILITY REPORT; AND RESOLUTION NO. 14-3(6), ORDERING PREPARATION OF PLANS AND SPECIFICATIONS. THE MOTION PASSED UNANIMOUSLY.

11. 2014 RESIDENTIAL STREET RECONSTRUCTION, PROJECT 14-4:
    - A. CONSIDER RESOLUTION ORDERING PREPARATION OF FEASIBILITY REPORT
    - B. CONSIDER RESOLUTION ORDERING PREPARATION OF PLANS AND SPECIFICATIONS
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The staff report was shared with Council.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 14-4(3), ORDERING PREPARATION OF FEASIBILITY REPORT; AND RESOLUTION NO. 14-4(6), ORDERING PREPARATION OF PLANS AND SPECIFICATIONS. THE MOTION PASSED UNANIMOUSLY.

12. CONSIDER RESOLUTION 13-105 PROVIDING FOR THE SALE OF \$5,640,000 G.O. BONDS, SERIES 2013B
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The staff report was shared with Council.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION 13-105 PROVIDING FOR THE SALE OF \$5,640,000 G.O. BONDS, SERIES 2013B. THE MOTION PASSED UNANIMOUSLY.

13. CONSIDER APPROVAL OF FIFTH AMENDMENT TO THE LEASE AGREEMENT BUNKER HILLS GOLF COURSE RESTAURANT AND CATERING PROVIDER, POTLUCK CATERING, INC., D/B/A TOWN AND COUNTRY CATERERS
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The staff report was shared with Council.

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER MANNING, TO APPROVE THE FIFTH AMENDMENT TO THE LEASE AGREEMENT BUNKER HILLS GOLF COURSE RESTAURANT AND CATERING PROVIDER, POTLUCK CATERING, INC., D/B/A TOWN AND COUNTRY CATERERS.

Councilmember Sanders discussed the new lease terms. He recommended an escrow fund be established to ensure that future events taking place at Bunker Hills would be covered in case of a default on behalf of the caterer.

Councilmember Klint understood that the other party was not agreeable to this suggestion.

Councilmember Manning stated the caterer may not have the resources available to make the escrow account a possibility. He wanted to see the City work with the vendor, have them success and the escrow account could be discussed in the future.

Councilmember Sanders supported the proposed agreement amendments, but recommended the escrow account be considered by the Council in the future.

Councilmember Klint commented she would not be supporting the proposed amendment this evening.

Mayor Howe reviewed the proposed amendments within the lease agreement in detail with the Council.

Councilmember Koch questioned the amount of deposits that were being collected by the caterer. Finance Director Legg stated approximately \$900 was held for each event, or \$30,000 based on last year's events. She reported the current contract does not allow the City to review the financial operations or amount in escrow for the catering business.

Councilmember Wells explained he would support the motion reluctantly. He did want to see the parties renting the facility protected.

Councilmember Koch suggested the Council take formal action to prepare a Plan B for the caterer.

**THE MOTION PASSED 6-1, COUNCILMEMBER KLINT OPPOSED.**

#### **OTHER BUSINESS**

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The staff report was shared with the Council regarding the fence addition at Alexandra's Cove townhome development.

Councilmember Klint requested that staff address the number of yard signs being posted near Riverdale and throughout the City. She then discussed the proposed events for the 50<sup>th</sup> Anniversary of SnowFlake Days which would be held in late January and early February of 2014.

Councilmember Koch indicated a Facebook page has been created for this event if the public would like further information.

ADJOURN

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MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER MANNING, TO ADJOURN THE MEETING AT 8:10 P.M. THE MOTION PASSED UNANIMOUSLY.

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Tim Howe, Mayor

ATTEST:

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Cathy Sorensen, City Clerk