



*Council Work Session - 6:15 p.m.
HRA Regular Meeting, 6:50 p.m.*

**CITY COUNCIL AGENDA
Tuesday, July 15, 2014
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. Coon Rapids Fire Department Presentation of \$20,244 to Muscular Dystrophy Association.

Approval of Minutes of Previous Meeting

2. Consider Approval of July 1, 2014 City Council Minutes.

Consent Agenda

3. Adopt Resolution 14-73, Declaring Costs to be Assessed, Ordering Preparation of Proposed Assessment Roll and Ordering Public Hearing for August 6, 2014 to Consider Miscellaneous Assessments.
4. Approve Temporary On-Sale 3.2 Malt Liquor License for the American Legion Post 334 on August 2, 2014 for the American Legion Annual Picnic.
5. Approve Temporary On-Sale 3.2 Percent Malt Liquor License for Hope4Youth for the Rum River Music Fest at Sand Creek Park on July 19, 2014.
6. Informational Item Informing Council of Corporate Officer Change at Texas Roadhouse, Inc.
7. Approve Class A On-Sale and Sunday Liquor License for Diggity, LLC. at 133 Coon Rapids Boulevard.
8. Adopt Resolution 14-74, a Resolution Concurring with Issuance of a Gambling Premises Permit for Coon Rapids Youth Hockey Association at Chanticlear Pizza 11706 Crooked Lake Boulevard.
9. Adopt Resolution 14-76, a Resolution Concurring with Issuance of a Gambling Premises Permit for Coon Rapids National Little League at Sammy's Pizza d/b/a 54 Lounge 445 99th Avenue NW, Suite 54.

Reports on Previous Open Mic

10. Open Mic Report - Jerry Pierce, 12236 Partridge Street, RE: Bunker Hills Clubhouse

Public Hearing

11. Public Hearing to Consider Ordinance 2122, An Ordinance Amending Section 1-400 of the City's Charter.
 - a) Conduct Public Hearing;
 - b) Adopt Ordinance 2122, An Ordinance Amending Chapter 1-400 Nominations and Elections; or, alternatively
 - c) Open public hearing and continue to August 6, 2014 City Council meeting.
12. Public Hearing to Consider Vacation of Utility and Drainage Easement Neitge Addition.
 - a) Conduct Public Hearing;
 - b) Adopt Resolution 14-72 Vacating Utility and Drainage Easements Neitge Addition.

Bid Openings and Contract Awards

13. Contract Award for Boulevard Park Site Grading - Project 14-26
 - a) Award Contract to Sauter & Sons, Inc. in the amount of \$62,000.00.
14. Contract Award for Purchase and Installation of Three Roof Top HVAC Units
 - a) Award Contract to McDowall Comfort Management in a Total Amount of \$202,587.

Old Business

New Business

15. Consider Emergency Vehicle Preemption System at Fire Station No. 3
 - a) Approve Installation of push button at Fire Station No. 3 for EVP System at 113th Avenue and Crooked Lake Blvd.;
 - b) Adopt Resolution 14-75, A Resolution Amending the Budget for Fire Station No. 3 to Allow for EVP System Push Button.
16. Consider Rental License Denial Appeal for Jeff Kaitz, 990 120th Lane NW.

Other Business

Adjourn



City Council Regular

1.

Meeting Date: 07/15/2014

Subject: CRFD to present the 'Fill-the-Boot' check to MDA

Submitted For: John Piper, Fire Chief

From: Joan Lenzmeier, City Clerk

INTRODUCTION

The Coon Rapids Fire Department will present the Muscular Dystrophy Association with a check for \$20,244 collected during the fill the boot campaign held June 23 through June 25, 2014.

DISCUSSION

The Coon Rapids Fire Department partnered with the Muscular Dystrophy Association to raise money for the organization as part of the "Fill the Boot" campaign (Monday, June 23 – Wednesday, June 25.) Firefighters stood at the intersection of Main Street and Northdale Boulevard and allowed motorists (stopped at the stop lights) to donate money to help "Fill the Boot." The campaign was very successful, raising \$20,244 in three days! This is a significant increase from the \$10,800 raised in 2008.

RECOMMENDATION



City Council Regular

2.

Meeting Date: 07/15/2014

SUBJECT: Minutes of July 1, 2014

Attachments

July 1, 2014 Minutes

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF JULY 1, 2014

OPEN MIC/PUBLIC COMMENT

Jerry Pierce, 12236 Partridge Street asked Council who paid for the leak in the roof at Harvest Grill. Mr. Pierce also asked if there were problems with the old building that the Harvest Grill replaced. Mr. Pierce indicated that the roof repairs at the Harvest Grill were being done during a memorial dinner for his brother-in-law.

CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of July was called to order by Mayor Tim Howe at 7:10 p.m. on Tuesday, July 1, 2014, 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, Paul Johnson, Jerry Koch, Bruce Sanders and Steve Wells

Members Absent: Councilmember Ron Manning

ADOPT AGENDA

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

PROCLAMATIONS/PRESENTATIONS

1. INTRODUCE OFFICER BILL HAMMES AND K9 PARTNER BILLY

Police Chief Wise introduced Police Officer Bill Hammes and K9 partner Billy to the City Council. He explained that K9 officer Billy was the newest member of the Coon Rapids Police Department. He thanked staff, the City Council and the Coon Rapids Crime Prevention Association for supporting the Police Department by allowing the department to pursue and train another K9. He then commended numerous local organizations that assisted with fundraising for K9 Officer Billy.

Mayor Howe also thanked the local businesses and community organizations for supporting the Police Department through their fundraising efforts. He then welcomed K9 Billy to the City of Coon Rapids. A round of applause was offered by all in attendance.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

2. JUNE 17, 2014, COUNCIL MEETING

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER WELLS, FOR APPROVAL OF THE MINUTES OF THE JUNE 17, 2014, COUNCIL MEETING. THE MOTION PASSED 5-0 (JOHNSON ABSTAINED).

CONSENT AGENDA/INFORMATIONAL BUSINESS

3. APPROVE JOINT POWERS AGREEMENT AND QUIT CLAIM DEED FOR THE WOODCREST CREEK STORMWATER PROJECT.
4. ACCEPT EASEMENT FROM JAMES AND PAMELA MATTSON FOR RIGHT-OF-WAY DEDICATION ROUND LAKE BOULEVARD/WEDGEWOOD DRIVE.
5. APPROVE REVISED JOINT POWERS AGREEMENT WITH THE STATE OF MINNESOTA FOR MAINTENANCE OF ATHLETIC FACILITIES AND ADJACENT AREAS AT ANOKA RAMSEY COMMUNITY COLLEGE.
6. APPOINT REBECCA HOLMLUND AND CHRISTY LAMOREAUX TO THE SUSTAINABILITY COMMISSION.
7. APPROVE JOINT POWERS AGREEMENT WITH THE STATE OF MINNESOTA TO PROVIDE SECURITY PATROLS AND STUDENT ESCORT SERVICES TO ANOKA-RAMSEY COMMUNITY COLLEGE.

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

REPORTS ON PREVIOUS OPEN MIC

None.

PUBLIC HEARING

None.

BID OPENINGS AND CONTRACT AWARDS

8. **ROUND LAKE BOULEVARD RECONSTRUCTION PROJECT 14-2:**
 - A. **CONSIDER RESOLUTION NO. 14-2(9), A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO PARK CONSTRUCTION COMPANY IN THE AMOUNT OF \$1,955,586.15;**
 - B. **CONSIDER RESOLUTION NO. 14-2(12), A RESOLUTION ADOPTING THE ASSESSMENT FOR THE ROUND LAKE BOULEVARD RECONSTRUCTION PROJECT.**
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 14-2(9) AWARDING A CONTRACT TO PARK CONSTRUCTION COMPANY IN THE AMOUNT OF \$1,955,586.15; AND RESOLUTION NO. 14-2(12) ADOPTING ASSESSMENTS. THE MOTION PASSED UNANIMOUSLY.

9. **CONSIDER CONTRACT AWARD FOR CRESCENT PONDS 8TH ADDITION – PROJECT 14-23.**
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 14-23(3), ACCEPTING BIDS AND AWARDING A CONTRACT TO HYDROCON, INC., IN THE AMOUNT OF \$159,631.00. THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

10. **CONSIDER ADOPTION OF RESOLUTION NO. 14-9(8), A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE RIVERVIEW PARK REDEVELOPMENT PROJECT AND AUTHORIZING ADVERTISEMENT FOR BID.**
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER KOCH, TO ADOPT RESOLUTION NO. 14-9(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR REDEVELOPMENT OF RIVERVIEW PARK.

Mayor Howe questioned when a determination on the bid alternates for this project would be made. Public Works Director Himmer stated the project had five alternates and after bids were received staff would make a determination on which alternates would move forward. He reported portions of the infield may be sodded and irrigated by the little league organization.

THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

11. CONSIDER FLEXIBILITY WITH REGARD TO SIGN HEIGHT AND SIZE FOR
 MONUMENT SIGN FOR ALLINA HEALTH SYSTEM CLINIC.

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER WELLS, TO APPROVE OF THE REQUEST FOR DESIGN FLEXIBILITY TO ALLOW A 17 FOOT TALL, 102 SQUARE FOOT MONUMENT SIGN BASED ON THE FOLLOWING FINDINGS:

1. THE APPLICANT DEMONSTRATED THAT THE MODIFICATION IS NECESSARY TO RESPOND TO SITE CONDITIONS. THE LARGE BUILDING AND THE AMOUNT OF INFORMATION THAT HAS TO BE DISPLAYED CREATES THE NEED FOR A TALLER SIGN TO ENSURE THAT LETTERING IS LEGIBLE.
2. THE LARGER SIGN WILL RESULT IN BETTER INTEGRATION OF USES. THE SIGN CAN BETTER DIRECT TRAFFIC INTO AND AROUND THE SITE.
3. THE UNIFORM DESIGN OF THE SIGNS WILL HELP PEOPLE IDENTIFY THAT THEY ARE ON THE ALLINA MEDICAL CLINIC COMPLEX AND NOT AN ADJACENT SITE.

Councilmember Klint said she was not sure she could support the request. She questioned if the Council should continue to support further sign flexibility, given the fact the requests continue to stretch the City's Ordinance.

Cheryl O'Donnell, Visual Communications in St. Paul, explained she was representing Allina. She discussed the proposed signage changes, noting Allina was altering signs state-wide. Ms. O'Donnell indicated the current sign was 20 feet in size. It was noted the new sign would be three feet smaller and would be brought closer to the entrance.

Councilmember Klint asked whether the new sign would impact sight lines. Ms. O'Donnell believed that the new sign would improve the visibility and flow of traffic for the site. She commented sight lines would not be impacted with the new sign.

Councilmember Sanders expressed concern the City seemed to be allowing flexibility for some requests and not for others. For this reason, he recommended the Sign Code be reviewed by the Council.

Mayor Howe said he believed that the proposed sign would be an improvement.

THE MOTION PASSED UNANIMOUSLY.

12. PRIMARY ELECTION:
- A. APPROVE APPOINTMENT OF ELECTION JUDGES
 - B. AUTHORIZE CITY CLERK TO APPOINT AND ASSIGN ADDITIONAL ELECTION JUDGES AS NECESSARY
 - C. APPROVE PROPOSED ELECTION JUDGE SALARIES
 - D. SCHEDULE CANVASS MEETING
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO APPROVE APPOINTMENT OF ELECTION JUDGES AS OUTLINED ON THE ATTACHED LIST; AUTHORIZE THE CITY CLERK TO APPOINT AND ASSIGN ELECTION JUDGES DURING THE 25 DAYS PRECEDING THE ELECTION IF SUBSTITUTIONS ARE NECESSARY; APPROVE HOURLY SALARY FOR ELECTION JUDGES AT \$9.00 PER HOUR; ASSISTANT HEAD JUDGES AT \$9.50 PER HOUR; HEAD JUDGES AT \$10.00 PER HOUR; AND STUDENT TRAINEES AT \$8.10 PER HOUR; AND SCHEDULE A SPECIAL MEETING TO CANVASS THE RESULTS OF THE PRIMARY ELECTION FOR FRIDAY, AUGUST 15, 2014 AT 8:00 A.M.

Councilmember Klint noted that she would not be able to attend the canvass meeting on August 15, 2014.

THE MOTION PASSED UNANIMOUSLY.

13. CONSIDER IMPLEMENTING NO WAKE RESTRICTION ON CROOKED LAKE
-

The Staff report was shared with Council.

Councilmember Koch indicated the City was proposing an emergency 30 day no wake zone, or until the lake level drops.

Councilmember Johnson questioned who would determine if the lake level drops. Mayor Howe indicated the lake association had specific water levels in place.

Councilmember Johnson recommended the lake levels be placed on the City's website.

Darin Prom, Crooked Lake Association, discussed the current lake level noting it was currently under the no wake zone requirements. However, if this level were to rise above the stated limit, a no wake zone would be implemented for three days.

Councilmember Koch asked if the association endorsed the proposed no wake zone. Mr. Prom indicated the association does endorse the proposed no wake zone due to the damage that was being caused to property. He understood the no wake zone was a temporary fix and the association was still considering long-term solutions.

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER SANDERS, TO DECLARE A 30 DAY TEMPORARY EMERGENCY WATER SURFACE USE SLOW NO WAKE RESTRICTION ON CROOKED LAKE PURSUANT TO MINNESOTA RULES 6110.300-6110-3800, UNDER THE FOLLOWING CONDITIONS:

1. THE ELEVATION THAT TRIGGERS THE SLOW NO-WAKE RESTRICTION SHALL BE AT 861.6 FEET AS ESTABLISHED BY THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES AND THE COON CREEK WATERSHED DISTRICT WHERE DAMAGE TO PROPERTY IS EXPECTED.
2. THE SLOW NO-WAKE AREA WILL BE SET ACROSS THE ENTIRE WATER BODY, WHICH IS THE MINIMUM RESTRICTION ON WATERCRAFT USE NEEDED TO PROTECT AND MINIMIZE HARM TO NATURAL RESOURCES.
3. THE SLOW NO-WAKE RESTRICTION SHALL BE LIFTED ONCE THE WATER BODY HAS BEEN 0.1 FEET BELOW THE ELEVATION THAT TRIGGERS THE SLOW NO-WAKE FOR THREE DAYS. THE SLOW NO-WAKE RESTRICTION SHALL BE LIFTED A MAXIMUM OF 30 DAYS FROM THE FIRST DAY IT IS ENACTED, UNLESS THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES APPROVES AN EXTENSION.
4. THE CITY OF COON RAPIDS IN COOPERATION WITH THE CITY OF ANDOVER WILL NOTIFY THE COMMISSIONER (VIA THE DNR BOAT AND WATER SAFETY UNIT) AS SOON AS PRACTICABLE OF THE RESTRICTION.
5. THE CITY OF COON RAPIDS DESIGNATES THE ANOKA COUNTY SHERIFF AS THE PRIMARY ENFORCEMENT AGENCY BUT ANY OTHER LICENSED PEACE OFFICERS MAY ALSO ENFORCE THE RESTRICTION.

Councilmember Klint asked if homeowners would be notified of the no wake zone. Public Works Director Himmer stated the City of Andover was making signs that would be posted at the boat landings. In addition, the information would be posted on the City's website.

THE MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS

Mayor Howe wished all the best to Councilmember Manning as he is dealing with a serious illness.

Mayor Howe reported the City lost an important member of the community after the recent passing of Paul Perez. He sent his condolences to the Perez family.

City Manager Gatlin discussed an upcoming Town Hall meeting noting local legislators would be in attendance.

Councilmember Sanders invited all to attend the Flag Raising Ceremony at the Anoka County Courthouse at 7:00 a.m. The event was being hosted by the Veteran's Association and the guest speaker would be Anoka County Commissioner Scott Schulte.

Mayor Howe reviewed the 4th of July events planned for the coming week.

ADJOURN

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

Tim Howe, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

3.

Meeting Date: 07/15/2014

Subject: Set Hearing for Misc. Assessments 2014 (2)

From: Heidi Cederstrand, Assessment Clerk II

INTRODUCTION

A date for a public hearing should be set to consider miscellaneous assessments to be certified to the County for collection with the 2015 property taxes.

DISCUSSION

The City Council must set a public hearing as required by State Statutes. At that hearing, the City Council may refer appellants to the Board of Adjustment and Appeals. The Board of Adjustment and Appeals will then give their recommendation.

The Board of Adjustment and Appeals is expected to conduct this hearing on September 4 and make a recommendation to the City Council at the September 16 Council meeting. Staff will incorporate the process in the required mailing to the property owner.

These assessments include services provided to taxpayers, in most cases code enforcement violations. The terms of repayment are determined by the amount being assessed. The proposed assessments are categorized by the number of years to be assessed and the interest rate recommended.

RECOMMENDATION

Staff recommends adoption of Resolution 14-73 Miscellaneous Assessment declaring the cost to be assessed, ordering preparation of the proposed assessment roll and ordering the public hearing for August 6 on the proposed assessment roll.

Attachments

Res. Set Hearing Misc. 2014(2)

RESOLUTION NO. 14-73

**RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING
PUBLIC HEARING ON PROPOSED ASSESSMENT ROLL FOR
2014(2) MISCELLANEOUS ASSESSMENTS**

WHEREAS, costs to the City for abatement of code violations, securing and monitoring fees for vacant property, mowing of weeds, utility bankruptcy and any other unpaid fees, with total cost incurred for the improvements being \$137,041.50 and administrative fees of \$7,620.00 making the total cost of the improvements \$144,661.50.

WHEREAS, the Clerk has notified the Council that such proposed assessment has been completed and filed in the Clerk's Office for public inspection,

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

1. The cost of such improvement to be specially assessed is hereby declared to be \$144,661.50.
2. The City Clerk with the assistance of the City Assessor shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation as provided by law, and the City Assessor shall file a copy of such proposed assessment for public inspection.
3. An assessment hearing shall be held on the 6th day of August, 2014 in the Council Chambers at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such assessment will be given an opportunity to object to the assessment. A written objection must be filed prior to or at the assessment hearing to preserve the owner's right to appeal the assessment to district court.
4. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper.

Adopted by the Coon Rapids City Council this 15th day of July, 2014.

Tim Howe, Mayor

Attest:

Joan Lenzmeier, City Clerk



City Council Regular

4.

Meeting Date: 07/15/2014

Subject: Temporary On-Sale 3.2 Malt Liquor License American Legion Annual Picnic

Submitted For: Joan Lenzmeier, City Clerk

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is being asked to consider approval of Temporary On-Sale 3.2 Percent Malt Liquor License for the American Legion Post 334 Annual Picnic.

DISCUSSION

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 2, 2014 for the American Legion Annual Picnic located at the American Legion Post 334, 11640 Crooked Lake Blvd NW.

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 9 p.m.

RECOMMENDATION

Approve a Temporary On-Sale 3.2 Malt Liquor License for the American Legion Post 334 to use on August 2, 2014 between the hours of 11 a.m. and 9 p.m. for the American Legion Annual Picnic.



City Council Regular

5.

Meeting Date: 07/15/2014

Subject: Temporary On-Sale 3.2 Malt Liquor License Hope 4 Youth Music Fest

Submitted For: Joan Lenzmeier, City Clerk

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is asked to consider approval of a Temporary On-Sale 3.2 Percent Malt Liquor License for Hope4Youth.

DISCUSSION

Hope4Youth applied for a Temporary On-Sale 3.2 Percent Malt Liquor License for their Rum River Music Fest being held at Sand Creek Park on Saturday, July 19, 2014. 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 license would be in effect from 12 noon to 11 p.m.

While Hope4Youth is not a Coon Rapids based non-profit, assurances were provided by the Clerk's office in April 2014 that a temporary 3.2 on-sale license would be granted for the Rum River Music Fest. With those assurances, the applicant obtained event insurance and has significant time and expense in planning and promoting this event which is expected to draw a large crowd.

Hope4Youth is an organization serving youth experiencing homelessness through Housing, Outreach, Prevention and Education throughout Anoka County.

RECOMMENDATION

Approve a Temporary On-Sale 3.2 Percent Malt Liquor License for Hope4Youth for the Rum River Music Fest being held at Sand Creek Park on July 19, 2014.



City Council Regular

6.

Meeting Date: 07/15/2014

Subject: Corporate Officer Change - Texas Roadhouse, Inc.

Submitted For: Joan Lenzmeier, City Clerk

From: Joan Lenzmeier, City Clerk

INTRODUCTION

The representative for Texas Roadhouse, Inc. has notified the City of a Corporate Officer change.

DISCUSSION

City Code Section 5-216(6) requires that the City Council be notified of any change in legal ownership or beneficial interest of a liquor license holder. The letter advising the City of Texas Roadhouse, Inc.'s change in Corporate Officers is attached.

RECOMMENDATION

This item is provided for information only.

Attachments

Texas Roadhouse Corporate Officer Change



June 18, 2014

City of Coon Rapids
ATTN: Vincent Vu, Deputy City Clerk
11155 Robinson Drive NW
Coon Rapids, MN 55433-3761

Re: Officer Changes of Texas Roadhouse, Inc., 100% owner/manager of Texas Roadhouse Holdings LLC, Licensee

Dear Vincent:

Please accept this letter as formal notice of the below Officer change.

On November 6, 2013, Jill Marchant, our General Counsel, resigned her position with the Company, effective November 12, 2013.

Celia Catlett has been appointed to the position of General Counsel in addition to her current role as Corporate Secretary effective November 12, 2013, Price Cooper remains Chief Financial Officer, and Kent Taylor remains Chairman & Chief Executive Officer. Steve Ortiz remains the Chief Operating Officer and Scott Colosi remains the President.

Thank you for your attention to this matter. If you need additional information, please do not hesitate to contact me direct at 502.855.5512 or e-mail me at katie.mccullum@texasroadhouse.com.

Very truly yours,

Katie McCullum
Senior Paralegal

ORGANIZATIONAL FLOW CHART

Texas Roadhouse Holdings LLC
(LICENSEE/APPLICANT)

Texas Roadhouse, Inc.
(A Publicly Traded Company)
(100% Owner/Manager of Texas Roadhouse Holdings LLC)

Officers of Texas Roadhouse, Inc.:

<u>Officer Title</u>	<u>Full Name/Home Address</u>	<u>Common Stock Ownership</u>
Chairman & CEO:	W. Kent Taylor, 7500 Hanna Road, Crestwood, KY 40014	8.7%
President:	Scott M. Colosi, 14602 Woodstream Place, Louisville, KY 40245	*
CFO:	G. Price Cooper, IV, 13901 Fairway Lane, Goshen, KY 40026	*
COO:	Steven L. Ortiz, 212 Terrace View, Stateline, NV 89449	*
General Counsel & Corporate Secretary:	Celia Catlett, 1301 Shakes View Ct., Fisherville, KY 40023	*

Directors of Texas Roadhouse, Inc.:

<u>Title</u>	<u>Full Name/Home Address</u>	<u>Common Stock Ownership</u>
Director:	W. Kent Taylor, 7500 Hanna Road, Crestwood, KY 40014	8.7%
Director:	Gregory Nance Moore, 62 New Dawn, Irvine, CA 92620	*
Director:	James F. Parker, 5808 Lupton, Dallas, TX 75225	*
Director:	James Ramsey, 8902 Adrienne Court, Louisville, KY 40245	*
Director:	James Richard Zarley, 600 Saint Croix, Henderson, NV 89012	*
Director:	Kathleen Medaris Widmer, 913 North Pennsylvania Ave., Yardley, PA 19067	*

* Represents beneficial ownership of less than 1.0% of the outstanding shares of class.



City Council Regular

7.

Meeting Date: 07/15/2014

Subject: Class A On Sale and Sunday Liquor License for Diggity's LLC

Submitted For: Joan Lenzmeier, City Clerk

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is asked to approve a Class A On Sale and Sunday Liquor License for Diggity's LLC.

DISCUSSION

Peter Ahn, Partner in Diggity's LLC, along with Tim Cary, Ali Alizadeh, Reza Alizadeh, and Anoush Ansarigh has submitted an application for a Class A On-Sale and Sunday Liquor License for Diggity's LLC located at 133 Coon Rapids Boulevard.

Diggity's LLC has purchased the former Tequilaberry's site and is in the process of finalizing remodeling. The tentative plan is to open Diggity's on July 16, 2014. Diggity's is a fresh fast restaurant serving Beef Sandwiches, Sausages, Gourmet Dogs, Salads, Burgers, Pastas and a full bar - all made from scratch in a vintage Americana environment with a state-of-the-art ordering system. Hemisphere Restaurant Partners (the Diggity's partners) owns and operates several other restaurants in Minnesota including the Tavern Grill, Blaine; Tavern Grill, Woodbury; Tavern on France, Edina; Atlas Grill and Clubroom, Minneapolis; Mission Americana, Minneapolis; and Good To Go, Minneapolis.

The license and investigation fees have been paid. The Police Department has conducted a comprehensive background investigation on all partners of the business and found nothing to prevent licensing.

A Certificate of Insurance evidencing liquor liability and workers' compensation coverage has been received. Approval of the license would be conditioned upon a Certificate of Occupancy and Anoka County Environmental Services issuing a food service license.

RECOMMENDATION

Approve issuance of a Class A On-Sale and Sunday Liquor License to Diggity's LLC, d/b/a Diggity, 133 Coon Rapids Boulevard, effective July 16, 2014 contingent upon obtaining a Certificate of Occupancy and an Anoka County food service license.



City Council Regular

8.

Meeting Date: 07/15/2014

Subject: Gambling Premise Permit for Coon Rapids Youth Hockey Association at Chanticlear Pizza

Submitted For: Joan Lenzmeier, City Clerk

From: Joan Lenzmeier, City Clerk

INTRODUCTION

City Council is asked to adopt Resolution 14-74, a Resolution Concurring with the Issuance of a Gambling Premises Permit for Coon Rapids Youth Hockey Association at Chanticlear Pizza, 11706 Crooked Lake Boulevard NW.

DISCUSSION

The City received a Lawful Gambling Premises Permit application from Coon Rapids Youth Hockey Association for Chanticlear Pizza. This would allow charitable gambling to be conducted on the premises. Coon Rapids Youth Hockey Association has obtained a signed lease agreement with Chanticlear Pizza Grill to conduct charitable gambling at their location at 11706 Crooked Lake Boulevard NW.

Coon Rapids Youth Hockey Association currently operates two other sites. Those sites are located at Broadway Pizza, and CR's Sports Bar.

State Charitable Gambling law requires premises permits for gambling activities be approved or denied by the City Council.

RECOMMENDATION

Adopt Resolution 14-74, a Resolution Concurring with Issuance of a Gambling Premises Permit for Coon Rapids Youth Hockey Association at Chanticlear Pizza, 11706 Crooked Lake Boulevard NW.

Attachments

Resolution 14-74

RESOLUTION 14-74

**RESOLUTION CONCURRING WITH ISSUANCE
OF A GAMBLING PREMISES PERMIT FOR
COON RAPIDS YOUTH HOCKEY ASSOCIATION AT
CHANTICLEAR PIZZA, 11706 CROOKED LAKE BOULEVARD NW**

WHEREAS, the Coon Rapids City Council has received an application for issuance of a Gambling Premises Permit from Coon Rapids Youth Hockey Association at Chanticlear Pizza, 11706 Crooked Lake Boulevard; 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, Coon Rapids Youth Hockey Association 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 Youth Hockey Association at Chanticlear Pizza, 11706 Crooked Lake Boulevard NW, Coon Rapids.

Adopted by the Coon Rapids City Council this 15th day of July, 2014.

Tim Howe, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

9.

Meeting Date: 07/15/2014

Subject: Gambling Premise Permit for Coon Rapids National Little League

Submitted For: Joan Lenzmeier, City Clerk

From: Joan Lenzmeier, City Clerk

INTRODUCTION

City Council is asked to adopt Resolution 14-76, a Resolution Concurring with the Issuance of a Gambling Premises Permit for Coon Rapids National Little League at Sammy's Pizza d/b/a 54 Lounge, 445 99th Avenue NW, Suite 54.

DISCUSSION

The City received a Lawful Gambling Premises Permit application from Coon Rapids National Little League for Sammy's Pizza d/b/a 54 Lounge. This would allow charitable gambling to be conducted on the premises. Coon Rapids National Little League has obtained a signed lease agreement with Sammy's Pizza d/b/a 54 Lounge to conduct charitable gambling at their location at 445 99th Avenue NW, Suite 54.

Coon Rapids National Little League currently operates two other sites. Those sites are located at Willy's and The Well.

State Charitable Gambling law requires premises permits for gambling activities be approved or denied by the City Council.

RECOMMENDATION

Adopt Resolution 14-76, a Resolution Concurring with Issuance of a Gambling Premises Permit for Coon Rapids National Little League at Sammy's Pizza d/b/a 54 Lounge 445 99th Avenue NW, Suite 54.

Attachments

Resolution 14-76

RESOLUTION 14-76

**RESOLUTION CONCURRING WITH ISSUANCE
OF A GAMBLING PREMISES PERMIT FOR
COON RAPIDS NATIONAL LITTLE LEAGUE AT
SAMMY'S PIZZA D/B/A 54 LOUNGE, 445 99TH AVENUE, SUITE 54**

WHEREAS, the Coon Rapids City Council has received an application for issuance of a Gambling Premises Permit from Coon Rapids National Little League at Sammy's Pizza d/b/a 54 Lounge, 445 99th Avenue NW, Suite 54; 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, Coon Rapids National Little League 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 National Little League at Sammy's Pizza d/b/a 54 Lounge, 445 99th Avenue NW, Suite 54, Coon Rapids.

Adopted by the Coon Rapids City Council this 15th day of July, 2014.

Tim Howe, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

10.

Meeting Date: 07/15/2014

Subject: Open Mic Report - Jerry Pierce, 12236 Partridge Street, RE: Bunker Hills Clubhouse

Submitted For: Steve Gatlin, City Manager

From: Cher Ridout, Admin Secretary II

INTRODUCTION

At the July 1, 2014 meeting, Jerry Pierce, 12236 Partridge Street, appeared at Open Mic. He had questions relating to the Bunker Hills Clubhouse. His questions included the following:

- What was wrong with the original clubhouse and why did it need to be replaced?
- What was the cause of the recent leak in the banquet facility and who would pay for repairs?

DISCUSSION

From the time period 2005 - 2007, the City conducted a comprehensive study by City Building Inspection staff and an outside architect to review the condition of the Bunker Hills Clubhouse. Findings of those studies indicated significant deficiencies in several areas. These included the following:

- Plumbing system
- Electrical system
- Heating system
- Mechanical system
- Insulation and windows
- Leaking walls and roof
- Lack of handicapped access

The architectural firm and City officials then prepared cost estimates to repair all of these problems. At the time, the estimated cost to repair all the deficiencies was in the range of \$3-\$5M.

City Council deliberated what to do with the building and made a determination to demolish the old building and build a new clubhouse. Council's thinking was that if we spent \$3-\$5M on the old building, we would still be left with a 35-40 year old building that consisted of several additions. The building was not very functional and still subjected to operational difficulties.

In terms of the leaking roof, Golf Course staff determined that the minor leak was caused by a plugged roof scupper. The scupper was plugged with leaves. The leak was repaired and the minor cost will be borne by the City. In addition, there were some sheetrock repairs being made to the walls in the banquet facility and restaurant area at the same time. The leak repair was done by the same contractor repairing the sheetrock.

RECOMMENDATION

No action is needed on this item at this time. The report is provided for information purposes only.

cc: Jerry Pierce

BUDGET IMPACT:

Repairs to the building required at this time will be made from the Building Operation and Repair budget for the Golf Course.



City Council Regular

11.

Meeting Date: 07/15/2014

Subject: Public Hearing to Consider Ordinance 2122, Amending Chapter 1-400 Write In Candidates

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is being asked to consider adoption of Ordinance 2122, an Ordinance amending Chapter 1-400 Nominations and Elections to add a Section (3) as follows:

(3) A write-in candidate who wants their write-in votes to be counted in the general election must file a written request with the City Clerk no later than seven (7) days before the general election. All write-in votes cast for candidates who have not filed a written request to have their votes counted shall be treated collectively as votes for a single candidate labeled "All Other Write-Ins".

DISCUSSION

The Charter Commission has recommended an amendment to the City Charter that would require all write-in candidates for a City office to file a written request to have their votes compiled with the City Clerk's office no later than seven (7) days before the General Election if they want their write-in votes compiled. All other write-in votes cast for City office candidates who have not filed a written request would be treated collectively as votes for a single candidate labeled "All Other Write-Ins".

This method of tabulating write-ins has been done on the federal, state and county levels for several elections. Staff anticipates this proposed amendment would save time for the election judges compiling write-ins on election night.

The proposed language is included in bold and underlined below.

(3) A write-in candidate who wants their write-in votes to be counted in the general election must file a written request with the City Clerk no later than seven (7) days before the general election. All write-in votes cast for candidates who have not filed a written request to have their votes counted shall be treated collectively as votes for a single candidate labeled "All Other Write-Ins".

State law requires a unanimous vote of all members of the City Council in order to amend the City's Charter by Ordinance. In the event that full Council is not present, staff recommends the public hearing be opened and continued to the August 6, 2014 City Council meeting.

RECOMMENDATION

- a) Hold public hearing;
- b) Adopt Ordinance 2122, An Ordinance Amending Chapter 1-400 Nominations and Elections; or, alternatively
- c) Open public hearing and continue to August 6, 2014 City Council meeting.

ORDINANCE NO. 2122

**AN ORDINANCE AMENDING CHAPTER 1-400
NOMINATIONS AND ELECTIONS
THEREBY AMENDING REVISED CITY CODE – 1982 SECTION 1-404 CANDIDATES**

The City of Coon Rapids does ordain:

Section 1.Revised City Code – 1982, Chapter 1-400 is hereby revised by amending
Section 1-404 as follows: (additions double underlined)

1-404 Candidates

(1) No more than 10 nor less than eight weeks before the date of the primary election as established in State law in even numbered years, a candidate for a City office shall file an affidavit with the City Clerk, or an application on behalf of any registered voter of the City whom they desire to be a candidate may be made and filed by not less than five voters thereof; provided that service of a copy of the application shall be made on such candidate and proof of service endorsed on the application before filing. In either case, the non-refundable filing fee shall be \$10.00. Such affidavit or application shall state that the candidate is a registered voter of the City of Coon Rapids, and name the office to be filled.[Revised 4/27/93, Ordinance 1451] [Revised 1/3/95, Ordinance 1516][Revised 6/1/10, Ordinance 2037]

(2) Any candidate may withdraw no later than two days after the last day for filing of an application or petition by filing a notice of withdrawal with the City Clerk. [Revised 4/27/93, Ordinance 1451][Revised 4/19/05, Ordinance 1888]

(3) A write-in candidate who wants their write-in votes to be counted in the general election must file a written request with the City Clerk no later than seven (7) days before the general election. All write-in votes cast for candidates who have not filed a written request to have their votes counted shall be treated collectively as votes for a single candidate labeled "All Other Write-Ins".

Introduced the 3rd day of June, 2014.

Adopted the _____, day of _____, 2014.

Tim Howe, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

12.

Meeting Date: 07/15/2014

Subject: Vacation of Drainage and Utility Easements

Submitted For: David Brodie, City Attorney

From: David Brodie, City Attorney

INTRODUCTION

On June 17, 2014, Council accepted a petition requesting the vacation of drainage and utility easements submitted by Allina Health for property located over portions of property located in Neitge Addition and ordered a public hearing.

DISCUSSION

The City of Coon Rapids has utility and drainage easements over portions of Neitge Addition. Allina Health is now planning an expansion of the Mercy Hospital parking lot and, as a result, the easement will need to be relocated. The Engineering Department suggests vacating the entire drainage and utility easements and Allina, as the property owner, has petitioned for such vacation of the drainage and utility easements. Following construction of the new parking lot and placement of the utility lines, a new legal description will be drafted for the location of the easements, which will be executed and recorded against the property. All Utilities have been notified and all have no objection to the vacation. The process for vacating an easement under the City's charter requires a public hearing and passage of a resolution.

RECOMMENDATION

Council is asked to conduct a public hearing and adopt Resolution Number 14-72 vacating the utility and drainage easements over portions of property located in Neitge Addition.

Attachments

Resolution

Location Map

RESOLUTION NO. 14-72

**RESOLUTION VACATING UTILITY AND DRAINAGE EASEMENT(S)
(Allina Health)**

WHEREAS, the Council of the City of Coon Rapids ordered a public hearing on the vacation of a utility and drainage easement as follows:

Together with that part of the utility and drainage easement as dedicated in Lot 37, said Block 1, which lies northwesterly of a line drawn southwesterly from a point on the northerly line of said Lot 37 distant 135.00 feet southeasterly of the most northerly corner thereof to a point on the west line of said Lot 37 distant 135.00 feet southerly of the most northerly corner thereof.

WHEREAS, notice of said public hearing was duly published in the Coon Rapids Herald on June 20, 2014 and notice of said public hearing was duly posted all as provided by City Charter Section 1-1206; and

WHEREAS, said hearing was duly held on the 15th day of July, 2014 at 7:00 o'clock p.m. at the City Hall and all persons so desiring to be heard were then heard.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Coon Rapids finds it is in the public interest to vacate, and does so vacate said utility and drainage easement as follows:

Together with that part of the utility and drainage easement as dedicated in Lot 37, said Block 1, which lies northwesterly of a line drawn southwesterly from a point on the northerly line of said Lot 37 distant 135.00 feet southeasterly of the most northerly corner thereof to a point on the west line of said Lot 37 distant 135.00 feet southerly of the most northerly corner thereof.

Adopted by the Coon Rapids City Council the 15th day of July, 2014.

Tim Howe, Mayor

ATTEST:

Joan Lenzmeier, City Clerk





City Council Regular

13.

Meeting Date: 07/15/2014

Subject: Contract Award for Boulevard Park Site Grading - Project 14-26

Submitted For: Tim Himmer, Public Works Director **From:** Cher Ridout, Admin Secretary II

INTRODUCTION

As part of the park referendum, Boulevard Park has been approved for development on land the City acquired adjacent to the Coon Rapids Ice Center. Site grading of this location is proposed to be completed in 2014. Quotes were solicited for this phase of the park improvements. Council is requested to award a contract for this work.

DISCUSSION

As part of the park referendum, development of Boulevard Park is proposed on Coon Rapids Boulevard adjacent to the Ice Center on the former Firestone property. Early preparations are being made to level the area and establish turf in 2014 in anticipation of providing a location for the City's annual 4th of July celebration in 2015 and beyond. The 4th of July celebration is typically held at Sand Creek Park, but Sand Creek Park is scheduled for redevelopment in 2015 and 2016. Staff and Council previously discussed the status of the July 4th celebration in work session while reviewing the concept plan for Sand Creek Park, and preparations have already begun for utilizing this Boulevard Park location. This grading and turf restoration is only a small portion of the planned improvements at Boulevard Park (see attached concept plan for full build out), which will be fully implemented at a later date.

Quotes were solicited to four contractors for tree removal, site grading, minor storm sewer work to handle drainage, and construction of a temporary bituminous trail that is necessary to meet ADA and building code requirements for the arena access in the northwest corner of the building (see attached plan sheet). Only two contractors responded to the solicitation, due to workload restrictions, and their quotes are listed as follows:

- Sauter & Sons, Inc. - \$62,000.00
- Dave Perkins Contracting, Inc. - \$106,305.00

The engineers estimate for the work was \$85,000. The low bidder, Sauter & Sons, Inc., came in well below the estimate and has performed well on other similar projects in the past. Staff is recommending a contract be awarded to Sauter & Sons, Inc. Work under this contract is anticipated to begin in mid August, with turf restoration occurring in early September

RECOMMENDATION

It is recommended the City Council award a contract to Sauter & Sons, Inc. in the amount of \$62,000.00.

BUDGET IMPACT:

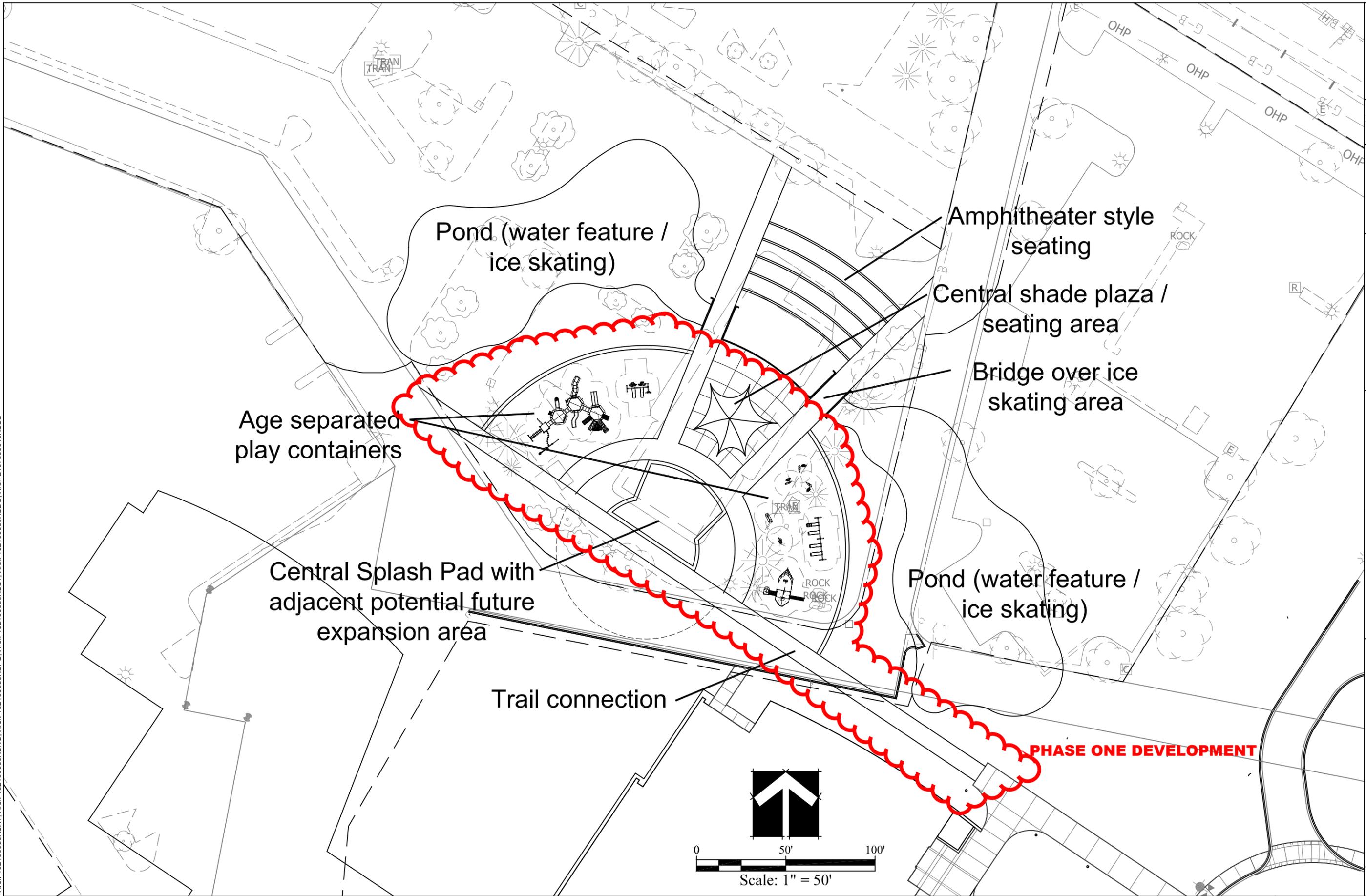
Funds for site grading, seeding, and bituminous trail construction for Boulevard Park are contained in the park referendum budget.

Attachments

Park Concept Plan

Proposed Grading Project

Date: Feb 20, 2013 Drawing File: k:\01431-3501\arch\drawings\blvd park\162100050-final standard\base\map for park concept.dwg Page Setup: Sheet Layout: L2 (2)
XREFS: Xref: 162100050XSXT; Xref: 162100050XSNO; Xref: 162100050XSG; Xref: 162100050XSDD; Xref: 2497090040XS55



Pond (water feature / ice skating)

Amphitheater style seating

Central shade plaza / seating area

Bridge over ice skating area

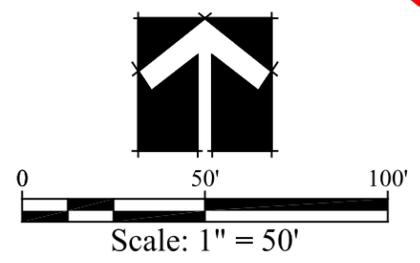
Age separated play containers

Central Splash Pad with adjacent potential future expansion area

Pond (water feature / ice skating)

Trail connection

PHASE ONE DEVELOPMENT



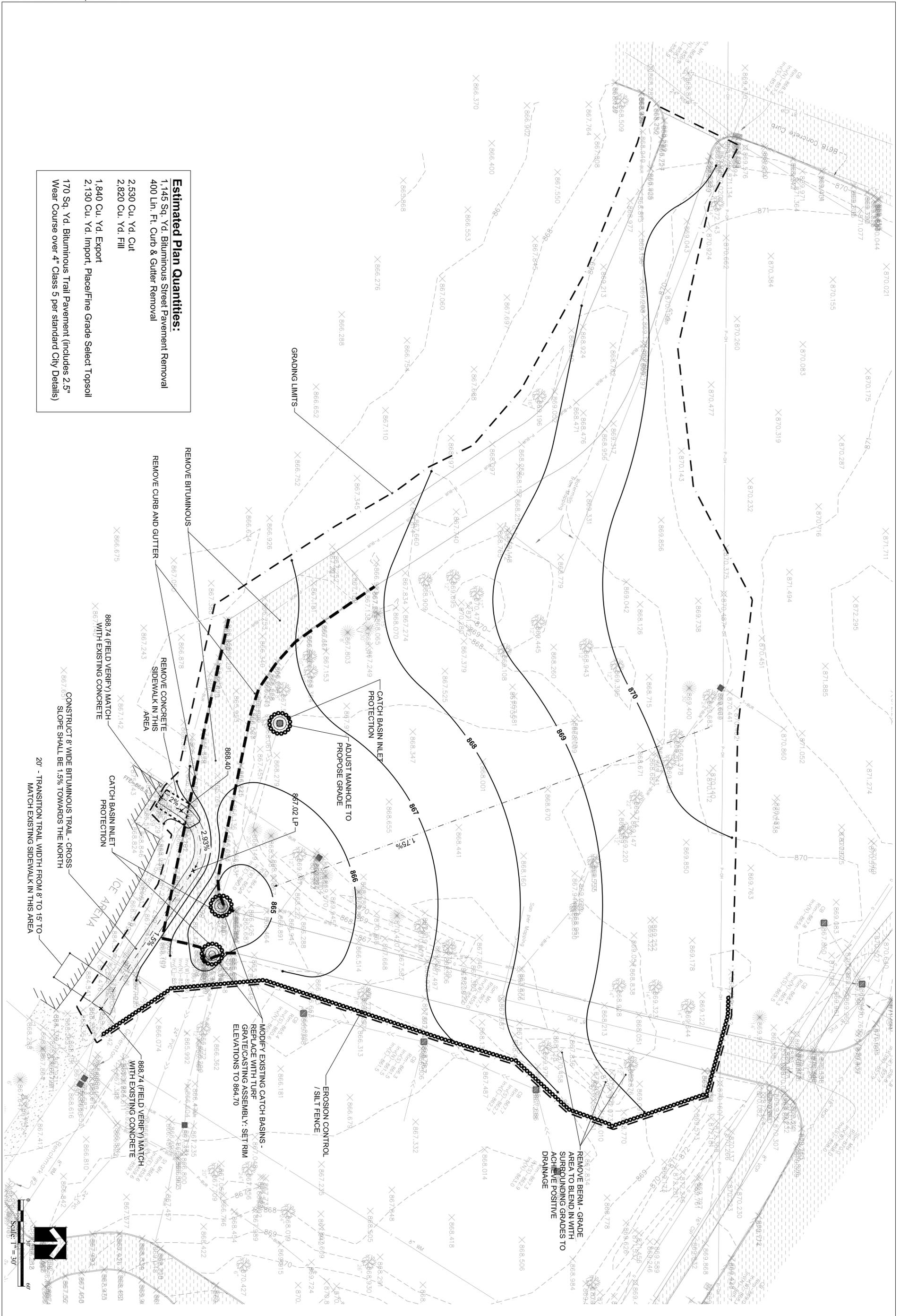
REVISION NO.	DATE	DESCRIPTION

SCALE	AS NOTED	DESIGNER	DATE
PLANNING	DESIGN BY	PROJECT NO.	RECORD COPY BY
CHECKED BY	DATE		

WEBSBERG ASSOCIATES, INC. is a fully licensed registered landscape architect under the laws of the state of Minnesota.
Printed name: _____
DATE: _____, 2013 LC. No: _____

Coon Rapids, MN
Ice Arena Park Concept Plan

701 Xenia Avenue South, Suite 300
Minneapolis, MN 55416
www.websberg.com
763-541-4800 Fax 763-541-1700
WSB
ASSOCIATES, INC.
INFRASTRUCTURE ■ ENGINEERING ■ PLANNING ■ CONSTRUCTION



Estimated Plan Quantities:
 1,145 Sq. Yd. Bituminous Street Pavement Removal
 400 Lin. Ft. Curb & Gutter Removal
 2,530 Cu. Yd. Cut
 2,820 Cu. Yd. Fill
 1,840 Cu. Yd. Export
 2,130 Cu. Yd. Import, Place/Fine Grade Select Topsoil
 170 Sq. Yd. Bituminous Trail Pavement (includes 2.5" Wear Course over 4" Class 5 per standard City Details)

WSB
 & Associates, Inc.
 701 Xenia Avenue South, Suite 300
 Minneapolis, MN 55416
 www.wsbeng.com
 763-541-4900 - Fax 763-541-1700
 INFRASTRUCTURE ■ ENGINEERING ■ PLANNING ■ CONSTRUCTION

BOULEVARD PARK - COON RAPIDS, MN
GRADING PLAN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA

 printed name
 DATE: MARCH 19, 2014 LIC. NO. _____

SCALE:	AS NOTED	REVISION NO. DATE	EXPLANATION
PLAN BY:	---		
CHECKED BY:	---		
RECORD COPY BY:	---		
DESIGN BY:	---		
PROJECT NO.:	01431-440		
DATE:			

SHEET
 L1.0



City Council Regular

14.

Meeting Date: 07/15/2014

Subject: Award Contract for Roof Top HVAC Units

From: Stephanie Lincoln, Purchasing Clerk

INTRODUCTION

Staff requests approval of a contract for the purchase of three Roof Top HVAC Units (RTU) as well as a contract for the installation of the RTU's.

DISCUSSION

Bids were received on June 27, 2014 for the purchase and the installation of three RTU's. New Minnesota State regulations require that the City solicit separately for equipment as well as labor on purchases such as the RTU replacement project in order to take full advantage of the tax exemption status. Therefore, a Request for Proposal (RFP) was sent out for the equipment and materials of the RTU's and then a separate RFP was sent out for the labor and installation of the RTU's. Two vendors submitted proposals. The results are listed below:

<u>Vendor</u>	<u>RTU 2-1/Engineering Area</u>	<u>RTU 2-2/Hallway Area</u>	<u>RTU 2-3/Council Chambers</u>	<u>Equipment Total</u>	<u>Installation</u>	<u>Grand Total</u>
McDowall Comfort Management	\$60,544	\$49,353	\$49,353	\$159,250	\$43,337	\$202,587
Corval Constructors, Inc	\$65,245	\$54,135	\$57,355	\$176,735	\$56,285	\$233,020

Although there was a potential for awarding two separate contracts, the lowest proposal for both RFP's came from McDowall Comfort Management for a grand total of \$202,587.

RECOMMENDATION

Award the contract for the purchase of Three Roof Top HVAC Units - Materials and Equipment to McDowall Comfort Management in the amount of \$159,250 as well as award the contract for the Installation of the Three Roof Top Units to McDowall Comfort Management in the amount of \$43,337, for a grand total of \$202,587 for the entire project.

BUDGET IMPACT:

The 2014 Facility Construction Fund budget includes \$250,000 for the completion of this project. Therefore, sufficient funds are available.



City Council Regular

15.

Meeting Date: 07/15/2014

Subject: Installation of Emergency Vehicle Preemption System for Fire Station No. 3

Submitted For: Sharon Legg, Finance Director

From: Stephanie Lincoln, Purchasing Clerk

INTRODUCTION

Council is being asked to approve installation of a push button at Fire Station No. 3 for the Emergency Vehicle Preemption (EVP) system at the traffic light on 113th Ave and Crooked Lake Blvd and the approval of Resolution 14-75 amending the budget to cover the project cost.

DISCUSSION

The goal of the Emergency Vehicle Preemption (EVP) system is to improve response times and the safety of emergency responders and the driving public. The system is designed to capture a signal light and turn it to green which allows same direction traffic to clear the intersection prior to the arrival of the emergency vehicle.

Currently when the firefighters respond east out of Station No. 3, the emitter of the fire truck triggers the EVP system on 113th and Crooked Lake Blvd. starts the process of turning the light green. However, due to the short distance from the fire station to the intersection, the truck gets to the intersection before it changes green. This creates a safety issue as the fire trucks are entering the intersection when the light is still red and the traffic hasn't been allowed to clear.

The solution to this problem is to install an EVP push button in the station that starts the cycling of the signal light prior to the fire truck leaving the station. The firefighters push the button prior to getting in the truck which causes the intersection to be changed to green, and the traffic cleared, prior to the fire truck entering the intersection.

There is a system in place at Fire Station No. 1 due to the close proximity to Coon Rapids Blvd.

The cost to install the push button at Fire Station No. 3 is approximately \$12,000. \$10,000 is for the purchase of the system. It is estimated that it will cost another \$2,000 to finish the installation by the Anoka County Highway Department.

RECOMMENDATION

Staff recommends:

a. The authorization to install a push button at Fire Station No. 3 for the Emergency Vehicle Preemption (EVP) system for the traffic light at 113th Ave and Crooked Lake Blvd.

b. The approval of Resolution 14-75 amending the budget for Fire Station No. 3 to install the push button for the Emergency Vehicle Preemption system.

Attachments

Resolution 14-75

RESOLUTION NO. 14-75

**RESOLUTION AMENDING THE 2014 FACILITIES CONSTRUCTION FUND
BUDGET**

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

WHEREAS, the 2014 budget does not include funds for a Vehicle Preemption System at Fire Station No. 3; and

WHEREAS, the Fire Department is in need of a system to trigger the EVP system at 113th and Crooked Lake Blvd for increased safety; and

WHEREAS, the total cost to complete the purchase is estimated to be \$12,000; and

WHEREAS, capital outlay purchases must specifically be identified per the City Code 2-803,

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota to increase the Facilities Construction Fund budget by \$12,000 in for the installation of the push button at Fire Station No. 3 to trigger the EVP at the signal.

Adopted this 15th day of July, 2014.

Tim Howe, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

16.

Meeting Date: 07/15/2014

Subject: Jeff Kaitz, 990 120th Lane NW, Rental License Denial Appeal

From: Kristin DeGrande, Neighborhood
Coordinator

INTRODUCTION

City staff has denied Jeff Kaitz's request for a rental license for his property at 990 120th Lane NW. Mr. Kaitz is appealing Staff's decision.

DISCUSSION

Jeff Kaitz came in to City Hall to apply for a rental license on June 23, 2014. Mr. Kaitz's information was then forwarded to the Coon Rapids Police Department to conduct a criminal background check as is required for all new rental property owners in Coon Rapids (City Code 12-904). Mr. Kaitz indicated on his application that he had been convicted of a misdemeanor for vandalism, which does not show on his criminal history. On June 30, 2014, the criminal background check was completed by Police and it shows that Mr. Kaitz pled guilty and was convicted of a Felony First Degree Arson charge in 2002 which he did not include on his rental application. Failure to disclose this information is grounds for denial on its own. The conviction was later deemed a misdemeanor level offense upon Mr. Kaitz completing his sentence, however the Koskinen Law and City Code decisions are based solely upon the original conviction. The Koskinen Law (Minnesota State Statute 299C.67 Sub. 2) includes Felony convictions of First Degree Arson. In criminal law, a First Degree conviction is more serious than a Second or Third Degree conviction.

The Koskinen Law was created to protect the safety of tenants. Under this law, no person with a background check crime, such as the one listed above, would be allowed to have access into a tenant's home. The intention of applying the standards established through the Koskinen Law to not only property managers but also to rental property owners who often serve as the property manager (as would be the case for this owner), is to ensure tenants' safety in Coon Rapids.

A Felony First Degree Arson conviction is grounds for denial of a rental license in Coon Rapids (City Code 12-916). Likewise, through the Koskinen Law, this conviction would make Mr. Kaitz ineligible to be a property manager in the State of Minnesota.

On July 1, 2014, a letter was sent to Mr. Kaitz denying his application for a rental license and a refund of \$500 (his application/license fees minus \$45 for the background check) was processed.

Mr. Kaitz submitted an electronic written appeal (e-mail) to City staff's decision on July 6, 2014.

Past Council discussions regarding rental license denial appeals have considered the following findings:

- 1) if the applicant has any other criminal convictions on record,
- 2) if the applicant has clearly shown documented rehabilitation since the conviction, and
- 3) if there is any reason to believe an occurrence would happen again.

RECOMMENDATION

Staff recommends the City Council affirm the denial of a rental license to Jeff Kaitz, property owner of 990 120th Lane NW.

Attachments

Kaitz Denial

Kristin DeGrande - Fwd: Jeff Kaitz

From: "Marc Nevinski" <MNevinski@coonrapidsmn.gov>
To: Kristin DeGrande <KDeGrande@coonrapidsmn.gov>
Date: 7/8/2014 1:31 PM
Subject: Fwd: Jeff Kaitz

FYI

Sent from my iPhone

Begin forwarded message:

From: "Steve Gatlin" <gatlin@coonrapidsmn.gov>
Date: July 8, 2014 at 12:31:25 PM CDT
To: "Jeff kaitz" <jikpropmn@gmail.com>
Cc: "Marc Nevinski" <Nevinski@coonrapidsmn.gov>
Subject: Re: Jeff Kaitz

Jeff, I'll review your request with our staff to see what the next step is. Someone will contact you this week.

>>> Jeff kaitz <jikpropmn@gmail.com> 7/6/2014 9:03 PM >>>

Dear Mr. Gatlin,

On June 16th, 2014 I turned in a rental application for the property address 990 120th Lane NW Coon Rapids, MN. On July 1st, 2014 I recieved a letter in the mail notifying me that I am disqualified from holding a rental license in the city of Coon Rapids because of a felony conviction. I was also informed that I have the right to appeal to the city manager.

As a property owner and businessman, I have taken every necessary and legal step in pursuing my rental license. No tenants have moved into the property and the property is ready for city inspection. I do not intend to sign any lease of the property until a rental license has been issued.

As for my felony conviction, I am a different person than I was twelve years ago when I had just turned 18. I still feel regret and embarrassment and take full responsibility for what happened. If you look at my record, you will see that the felony has been reduced to a misdemeanor. My criminal record is otherwise flawless. Since the incident I have graduated from college, gotten married and had two kids. I also have rental licenses in Plymouth, Maple Grove, Fridley, Blaine and Brooklyn Park, some which I have held for 3 years without incident. Please reconsider my application.

Sincerely,

Jeff Kaitz
JIK Properties L.L.C.
763-516-2159

NEIGHBORHOOD REINVESTMENT

Work Order: 57381
 Date Initiated: 6/30/14

New Rental

PIN: 113124410049

Address: **990 120TH LN**

990 120TH LN

<u>Projected Start</u>	<u>Task Name</u>	<u>Assigned To</u>	<u>Finish Date</u>	<u>COMMENTS</u>
	APPLICATIONS	SMALL, MATT	6/23/14	New Rental Application Rcvd
	CONVERSION FEE RCVD	SMALL, MATT	6/23/14	Paid \$545 check 2112.
	CRIME FREE TRAINING	SMALL, MATT	6/23/14	CFT completed on October 9, 2013.
	BACKGROUND CHECK		6/23/14	Sent to PD
	FEE PAID	SMALL, MATT	6/23/14	Paid 545 check 2112 included both conversion and background check fees.
7/14/14	RENTAL INSPECTION	SMALL, MATT		
	LICENSE ISSUED			
	LICENSE RENEWAL DUE			
	NEXT INSPECTION DUE			
	BACKGROUND CHECK	HARMONING, TANYA	6/30/14	Background completed 06/30/14 (14135395); crim hist, dvs, cr in-house records checked; shows conviction for 1st degree arson; license not recommended.
	LICENSE DENIED	SMALL, MATT	7/1/14	
	COMMUNICATE W OWNER	SMALL, MATT	7/3/14	Phone discussion with owner regarding denial of license. Referred over to PD to discuss criminal history. Explained to owner that he will more than likely have to appeal license denial to City Council.



Item 1

Page 1 of 2

Rental License Application

6/23/2014

For office use only:

License No. 57381

PID No. _____

RENTAL ADDRESS

COMPLEX NAME:
(if multi-family)

RENTAL ADDRESS: 990 120th Lane NW Coon Rapids, MN 55448

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: JIK Properties LLC

DATE OF BIRTH:

PHONE:

763-516-2159

ADDRESS: 624 1st Ave NE

CITY: Osseo

STATE:

MN

ZIP:

55369

EMAIL ADDRESS: jikpropmn@gmail.com

MANAGER CONTACT INFORMATION (if other than owner)

CONTACT NAME:

JEFF Kaitz

DATE OF BIRTH:

6-23-83

PHONE:

763-516-2159

ADDRESS: 624 1st Ave NE
Osseo, MN 55369

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. All information that you are asked to provide is classified by Minnesota State Statute §13.41 as Licensing Data, which is classified as Public information.

Applicant Signature: _____

Date: 6-22-14

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. JK 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: 6-22-14

COON RAPIDS POLICE DEPARTMENT 11155 ROBINSON DR NW, COON RAPIDS MN 55433				JCF	CASE NUMBER						
				ADD'L PAGES	14135395						
CLASSIFICATION	CODE	DISP	CLASSIFICATION	CODE	DISP						
BACKGROUND/EMPLOYMENT/CCH CHE	09956										
CLASSIFICATION	CODE	DISP	CLASSIFICATION	CODE	DISP						
CLASSIFICATION	CODE	DISP	CLASSIFICATION	CODE	DISP						
REPORTING OFFICER(S) K107 HARMONING, TANYA											
DATE REPORTED	ASSIGNED	ARRIVED	CLEARED	EARLIEST DATE/TIME OCCURRED	LATEST DATE/TIME OCCURRED						
6/30/2014	1527	1527	1527								
LOCATION OF OFFENSE/INCIDENT			APT #	GRID	VALUE STOLEN						
990 120 LN NW, COON RAPIDS, MN 55448-				10I	\$						
					VALUE DAMAGED						
					\$						
					VALUE RECOVERED						
					\$						
A/J	REPORTING PARTY'S NAME			DATE OF BIRTH	SEX RACE HOME PHONE						
ADDRESS			APT	CITY	STATE ZIP WORK PHONE						
NARRATIVE											
THE COON RAPIDS NEIGHBORHOOD REINVESTMENT DEPARTMENT REQUESTED A BACKGROUND INVESTIGATION ON RENTAL LICENSE APPLICANT KAITZ.											
CRIM HIST/NCIC, DVS AND C.R. IN HOUSE RECORDS CHECKED. KAITZ PLEAD GUILTY AND SHOWS A FELONY 1ST DEGREE ARSON CONVICTION IN 2002. THE CONVICTION WAS DEEMED A MISDEMEANOR LEVEL OFFENSE UPON KAITZ COMPLETING HIS SENTENCE.											
KAITZ INDICATED ON HIS APPLICATION THAT HE WAS CONVICTED OF A MISDEMEANOR FOR VANDALISM, WHICH DOES NOT SHOW ON HIS CRIMINAL HISTORY.											
THE KOSKINEN LAW, MN STATUTE 299C.67 SUB 2, INCLUDES FELONY VIOLATIONS OF 1ST DEGREE ARSON.											
THEREFORE, I DO NOT RECOMMEND THIS INDIVIDUAL TO OBTAIN A RENTAL LICENSE.											
A/J/U	CODE	NAME			DOB	SEX	RACE	HGT	WGT	HAIR	EYES
A	M	JEFFREY RYAN KAITZ			6/23/1983	M	W				
ADDRESS			APT	CITY	STATE	ZIP					
624 1 AVE NE				OSSEO	MN	55369-					
ALIAS			HOME / BUS PHONE		WORK / 2ND BUS PHONE		CELL / PAGER / FAX				
A/J/U	CODE	NAME			DOB	SEX	RACE	HGT	WGT	HAIR	EYES
ADDRESS			APT	CITY	STATE	ZIP					
ALIAS			HOME / BUS PHONE		WORK / 2ND BUS PHONE		CELL / PAGER / FAX				
A/J/U	CODE	NAME			DOB	SEX	RACE	HGT	WGT	HAIR	EYES
ADDRESS			APT	CITY	STATE	ZIP					
ALIAS			HOME / BUS PHONE		WORK / 2ND BUS PHONE		CELL / PAGER / FAX				
A/J/U	CODE	NAME			DOB	SEX	RACE	HGT	WGT	HAIR	EYES
ADDRESS			APT	CITY	STATE	ZIP					
ALIAS			HOME / BUS PHONE		WORK / 2ND BUS PHONE		CELL / PAGER / FAX				
ENTRY 1	ENTRY 2	ENTRY 3	ENTRY 4	SUPERVISOR	COPY TO	RELATED CASE NUMBERS:					



July 1, 2014

Jeff Kaitz
624 1st Ave NE
Osseo, MN 55369

Dear Mr. Kaitz,

Re:

On date the City of Coon Rapids received a rental application for the above property. The background check as required by Minnesota State Statute 299C.67-69 disqualified you from obtaining a rental license in the City of Coon Rapids due to felony charges. (Coon Rapids City Code Section 12-916)

It is the responsibility of the owner of address to notify the tenants of the need to vacate the property. The property must be vacant by date. If the property remains occupied by anyone other than the owner after that date, this matter may be referred to the City Attorney's Office for consideration of criminal charges. In addition, you may be subject to the penalties as described in City Code Section 12-900.

You have the right to appeal in writing to the City Manager's Office within 7 days of receiving notice.

Please contact me if you have any questions I will be happy to assist you.

Sincerely,

Matt Small
Housing Official
City of Coon Rapids
763-767-6420
msmall@coonrapidsmn.gov

cc: Tenants at 990 120th Lane NW Coon Rapids, MN

ADVICE TO FINANCE DEPARTMENT
CITY OF COON RAPIDS

DATE: 7-1-14

The Inspection Department has received a request for refund of a rental dwelling license that was ~~paid twice in error.~~ denied.

Based on departmental policy, this request has been reviewed and
 Approved Not Approved.

PLEASE REFUND Jeff Kaitz
(Name)

624 1st Ave. NE Osseo, MN 55369
(Address)

in the amount of \$ 500.⁰⁰ for a rental license at the following address.

990 120th Ln NW Coon Rapids

CODE: 10000.422

DEPARTMENT: NRD

BY: M. Small