



Council Work Session - 6:30 p.m.
HRA Regular Session - 6:50 p.m.

CITY COUNCIL AGENDA

Tuesday, March 3, 2015

7:00 p.m.

Coon Rapids City Center

Council Chambers

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Proclamations/Presentations

1. Senator Alice Johnson and Representative Jerry Newton
2. Crooked Lake Area Association

Approval of Minutes of Previous Meeting

3. Approve Minutes of February 17, 2015

Consent Agenda

4. Adopt Resolution 15-49 Accepting A Water Conservation Education Grant From The Coon Creek Watershed District
5. Accept the 2014 Community Development Annual Report
6. Adopt Resolution 15-43 Appointing Valerie Weaver to the Parks Commission
7. Adopt Resolution 15-44 Appointing Tracy Wigen to Board of Adjustment and Appeals
8. Approve Waiver of Carnival License Fees for the 2015 Springfest Celebration on May 15, 16, & 17, 2015.
9. Approve Temporary On-Sale 3.2% Malt Liquor License for Springfest at Epiphany Church
10. Adopt Resolution 15-45 Requesting Advance of State Aid Funding for the 2015 Street Reconstruction Program

11. Recommend Appointment of Byron Westlund to Coon Creek Watershed District Board of Managers

Public Hearing

Bid Openings and Contract Awards

12. Adopt Resolution No. 15-6(9) Awarding a Contract for 2015 Sanitary Sewer Lining Program
13. Consider Awarding Bid for Water Treatment Chemicals to DPC Industries
14. Consider Awarding the Self Contained Breathing Apparatus (SCBA) Equipment Contract to Clarey's Safety Equipment.

Old Business

15. Consider No Fault Sewer Back up Coverage

New Business

16. Cable Franchise - Notice of Intent to Franchise
17. Consider Resolution 15-46 Authorizing \$950,000 Public Communication High Definition Upgrade Project
18. Consider Relocation Benefits for Tenants, 9864-9950 East River Road
19. PC15-9 Zone Change: Consider Introduction of an Ordinance Changing the Zoning from Office to Community Commercial, 80 Coon Rapids Blvd.
20. PC 15-4: Consider the Introduction of an Ordinance to Change Zoning from Moderate Density Residential to General Commercial
21. Consider Resolution 15-47 Providing for the Sale of \$10,000,000 General Obligation Bonds, Series 2015A.
22. Consider New Manager Liquor Sales Denial Appeal
23. Adopt Resolution No. 14-10(8), Approving Plans and Specifications and Ordering Advertisement for Bids for Sand Creek Park Redevelopment
24. Consider Authorization to Purchase Replacement Semi-Rugged Computers for Fire Trucks
25. Consider Formal Appointments to Task Force for Riverdale Station TOD Site
26. Consider Adoption of Resolution 15-48 Amending the 2015 Golf Budget for Design of Renovations to the Clubhouse
27. Consider New Manager Tobacco Sales Denial Appeal

28. Consider Adoption of Ordinance 2130 Regarding Chapter 8-1200 - Surface Water Management
29. Consider Adoption of Ordinance 2131 Adopting 2015 State Building Code
30. Consider Introduction of Ordinance Establishing Fee for Temporary On Sale Intoxicating Liquor (Strong Beer and Wine)License
31. Consider Adoption of Ordinance 2132 Revising Temporary On-Sale Intoxicating Liquor Licenses and Ordinance 2133 Allowing Malt Beverages/Wine City Park

Open Mic/Public Comment

Reports on Previous Open Mic

32. Open Mic Report - Jeff Cosman, Re: Park Shelter Rental Fees

Other Business

Adjourn



City Council Regular

1.

Meeting Date: 03/03/2015

Subject: Senator Alice Johnson and Representative Jerry Newton

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Senator Alice Johnson and Representative Jerry Newton will be present to discuss legislative issues with Council.

DISCUSSION

RECOMMENDATION



City Council Regular

2.

Meeting Date: 03/03/2015

Subject: Crooked Lake Area Association

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Gary Nereson of the Crooked Lake Area Association has asked to speak to Council.

DISCUSSION

RECOMMENDATION



City Council Regular

3.

Meeting Date: 03/03/2015

SUBJECT: Approve Minutes of February 17, 2015

Attachments

February 17, 2015 Minutes

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF FEBRUARY 17, 2015

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of February was called to order by Mayor Jerry Koch at 7:00 p.m. on Tuesday, February 17, 2015, in the Council Chambers.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Koch led the Council in the Pledge of Allegiance.

ROLL CALL

Members Present: Mayor Jerry Koch, Councilmembers Denise Klint, Ron Manning, Jennifer Geisler, Brad Johnson and Steve Wells

Members Absent: Councilmember Wade Demmer

ADOPT AGENDA

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

PROCLAMATIONS/PRESENTATIONS

1. PRESENTATION OF SNOWFLAKE DAYS CHILI CHALLENGE TROPHY AND DONATIONS TO HOPE 4 YOUTH

Lori Anderson Coon Rapids Lions, discussed the success of the Snowflake Days Chili Challenge. She thanked all who participated in this wonderful event and noted the trophy for best chili was awarded to the Coon Rapids Lions. She explained that the proceeds generated from the Chili Challenge event would be donated to Hope 4 Youth.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

2. FEBRUARY 3, 2015, CITY COUNCIL

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, FOR APPROVAL OF THE MINUTES OF THE FEBRUARY 3, 2015, COUNCIL MEETING.

THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

3. APPROVE RESOLUTION 15-35, ACCEPTING MN BCA SOFTWARE GRANT
 4. ADOPT RESOLUTION 15-37, APPROVING NEW GAMBLING PREMISES PERMIT FOR COON RAPIDS YOUTH HOCKEY ASSOCIATION
 5. INFORMATIONAL ITEM: CORPORATE OFFICER CHANGE – FAMOUS DAVE’S – 3211 NORTHDALÉ BOULEVARD
 6. RECEIVE YEAR END GAMBLING EXPENDITURE REPORT
 7. RECEIVE GAMBLING REPORT AND AUTHORIZE PAYMENT TO COMMUNITY STRENGTH FOUNDATION
 8. APPROVE TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE TO CONDUCT WINE TASTING FOR FAITH LUTHERAN CHURCH OF COON RAPIDS
 9. APPROVE NEW GAMBLING PREMISE PERMIT FOR COON RAPIDS MAT BANDITS WRESTLING CLUB
 10. INFORMATIONAL ITEM: CORPORATE OFFICER CHANGE – CUB FOODS SOUTH – 2050 NORTHDALÉ BOULEVARD
 11. ADOPT RESOLUTION 15-41, APPOINTING BRUCE SANDERS TO POLICE AND FIREFIGHTER’S CIVIL SERVICE COMMISSION
 12. ADOPT RESOLUTION 15-40, APPOINTING RONALD BRADLEY TO BOARD OF ADJUSTMENT AND APPEALS
 13. ADOPT RESOLUTION 15-39, APPOINTING MARY SCHMOLKE AND RAY KNOBLAUCH TO THE PLANNING COMMISSION
-

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

PUBLIC HEARING

14. HOLD PUBLIC HEARING/ASSESSMENT HEARING, ADOPT RESOLUTION 15-1(6A) ORDERING PROJECT, ADOPT RESOLUTION 15-1(8) APPROVING PLANS AND SPECIFICATIONS
-

The Staff report was shared with Council.

Councilmember Manning understood that the City could not receive federal grants for the proposed project. He asked what the yearly increase was to a homeowners property taxes. Assistant City Engineer Hansen estimated that property taxes within the project area would be increased by \$200 per year.

Mayor Koch opened the public/assessment hearing at 7:17 p.m.

Melvin Schulte, 1700 125th Lane NW, stated he has lived in Coon Rapids since 1958. He noted he owns two lots for his home and has two driveways, one to his home and a second (which the City required) to an accessory structure. He explained that he would rather remove the second driveway than pay a second assessment.

Mayor Koch recommended that Mr. Schulte combine his lots. Public Works Director Himmer agreed it was only fair for Mr. Schulte to pay one assessment and stated he could work with him to combine his two lots.

Mr. Schulte was in favor of combining his lots.

Bill Gallup, 10455 Drake Street NW, stated he moved to Coon Rapids four months ago. He discussed the train tracks near Egret and Eagle. He explained that his home shakes when heavy trains go through the City. This concerned him in that the underground water and sewer lines may be damaged. He recommended that staff review this issue through the proposed street improvement project.

Mayor Koch closed the public/assessment hearing at 7:34 p.m.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER MANNING, TO ADOPT RESOLUTION NO. 15-1(6A) ORDERING THE PROJECT; AND RESOLUTION NO. 15-1(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS. THE MOTION PASSED UNANIMOUSLY.

15. HOLD PUBLIC HEARING/ASSESSMENT HEARING, ADOPT RESOLUTION 15-3(6A) ORDERING PROJECT, ADOPT RESOLUTION 15-3(8) APPROVING PLANS AND SPECIFICATIONS
-

The Staff report was shared with Council.

Councilmember Klint questioned why only a select few streets were being replaced within a neighborhood. Assistant City Engineer Hansen explained that these streets either had poor soil conditions or were missed with previous street improvement projects.

Mayor Koch asked if staff would be taking into consideration the concerns Mr. Gallup raised regarding the heavy trains passing through Coon Rapids. Assistant City Engineer Hansen stated this was not something that staff considered through the road design process. Public Works Director Himmer explained that all sewer lines within the street improvement project area would be televised and if any breaks were found they would be addressed.

Mayor Koch opened the public/assessment hearing at 7:44 p.m.

Gary Anderson, 224 94th Avenue NW, noted he owns an additional parcel along 94th. He asked if there would be any utility work on 94th between Flintwood and 95th. He questioned how property assessments were determined. Public Works Director Himmer explained that properties were assessed based on the location of driveways. He noted that corner lots were only assessed once.

Mr. Anderson inquired if his street had to be repaved, since it was already blacktop. Public Works Director Himmer stated the condition of the blacktop was poor and was in need of replacement. He discussed how staff assessed the City's street condition based on a three-year cycle.

Curt Stikowski, 9424 Flintwood Street, explained his street was supposed to be overlaid several years ago, but the work was not completed. He questioned if curb and gutter would be a part of the proposed improvement project, and if not, was his assessment lower than other homeowners within the service project area. Assistant City Engineer Hansen commented that the City would only be replacing curb and gutter portions that were damaged. He understood that in Mr. Stikowski's case, his portion of the street did not currently have curb and gutter.

Councilmember Klint asked why curb and gutter was not being proposed for Flintwood Street. Public Works Director Himmer stated staff was proposing to keep the roadway in same condition as it was and not have to spend big dollars when the curb and gutter would be torn out in the near future when the area further develops.

Mr. Stikowski stated he has lived in his home for the past 20 years and the proposed "development" has not occurred.

Councilmember Johnson did not believe it was fair to charge neighborhoods without curb and gutter the same amount as neighborhoods with curb and gutter.

Mayor Koch commented that curb and gutter would only be replaced where needed.

Councilmember Manning explained that the entire assessment policy would need to be revamped if a critical eye was used when determining assessment amounts based on the amount of curb and gutter replacement, the amount of watermain work or sewer line replacements, etc.

Mayor Koch asked if the City should commit to the curbs since the street was being improved at this time. Public Works Director Himmer discussed how the entire neighborhood would be adversely impacted if curbing was added due to the fact the roadway would need to be raised by six inches.

Mr. Stikowski understood that he would not be receiving curb and gutter. He expressed frustration that he was paying taxes for storm sewer, when this was not offered on his roadway.

Mr. Anderson requested further information on the road replacement process. Public Works Director Himmer stated six inches of the road would be reclaimed and then it would be repaved.

Mayor Koch closed the public/assessment hearing at 8:19 p.m.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 15-3(6A) ORDERING THE PROJECT; AND RESOLUTION NO. 15-3(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS. THE MOTION PASSED UNANIMOUSLY.

16. HOLD PUBLIC HEARING/ASSESSMENT HEARING, ADOPT RESOLUTION 15-2(6A) ORDERING PROJECT, ADOPT RESOLUTION 15-2(8) APPROVING PLANS AND SPECIFICATIONS
-

The Staff report was shared with Council.

Mayor Koch opened and closed the public/assessment hearing at 8:25 p.m. since no one appeared to address the Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION NO. 15-2(6A) ORDERING THE IMPROVEMENT; AND RESOLUTION NO. 15-2(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS. THE MOTION PASSED UNANIMOUSLY.

BID OPENINGS AND CONTRACT AWARDS

None.

OLD BUSINESS

17. CONSIDER APPROVAL OF THERAPEUTIC MASSAGE ENTERPRISE LICENSE FOR THERAPEUTIC SPA, INC. DBA ORIENTAL MASSAGE – 2740 MAIN STREET, SUITE 116
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER JOHNSON, TO APPROVE THE ISSUANCE OF THE 2015 THERAPEUTIC MASSAGE ENTERPRISE LICENSE FOR THERAPEUTIC SPA, INC. DBA ORIENTAL MASSAGE LOCATED AT 2740 MAIN STREET, SUITE 116. THE MOTION PASSED UNANIMOUSLY.

18. CONSIDER ADOPTION OF ORDINANCE 2129 ADDING PROCEDURE FOR APPROVAL OF ORDINANCE AMENDMENTS
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER MANNING, TO ADOPT ORDINANCE 2129, AN ORDINANCE AMENDING SECTIONS 11-304 AND 11-305 TO INCLUDE APPROVAL PROCEDURES FOR ORDINANCE AMENDMENTS. THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

19. CONSIDER INTRODUCTION OF ORDINANCE REGARDING CHAPTER 8-1200 – SURFACE WATER MANAGEMENT
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER GEISLER, TO INTRODUCE THE UPDATED ORDINANCE FOR SURFACE WATER MANAGEMENT, AND AMEND THE CITY CODE ACCORDINGLY. THE MOTION PASSED UNANIMOUSLY.

20. CONSIDER RESOLUTION 15-36 CALLING FOR PUBLIC HEARING TO ESTABLISH TAX INCREMENT FINANCING DISTRICT 1-31, 110XX CROOKED LAKE BOULEVARD
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER WELLS, TO APPROVE THE NON-BINDING TERM SHEET; AND ADOPT RESOLUTION 15-36 CALLING FOR A PUBLIC HEARING ON APRIL 7, 2015 TO MODIFY REDEVELOPMENT PROJECT AREA NO. 1 AND ESTABLISH TAX INCREMENT FINANCING DISTRICT 1-31.

Councilmember Johnson stated for personal reasons he would be abstaining from taking action on this matter.

THE MOTION PASSED 5-0-1 (JOHNSON ABSTAINED).

21. CONSIDER INTRODUCTION OF ORDINANCE AMENDMENT ADOPTING 2015 STATE BUILDING CODE
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, TO INTRODUCE THE PROPOSED LANGUAGE AMENDING CHAPTER 12-200 OF THE CITY CODE. THE MOTION PASSED UNANIMOUSLY.

22. CONSIDER APPROVAL OF SERVICE AGREEMENT WITH MHC BUNKER HILLS

The Staff report was shared with Council.

Councilmember Klint asked if a determination has been made on the restaurant name. Bill Morrissey explained the name would come after the concept development plan was completed. He anticipated that a final recommendation would be made in a week or two.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER KLINT, TO AUTHORIZE THE BUNKER HILLS GOLF CLUB FOOD AND BEVERAGE SERVICE AGREEMENT WITH THE STAFF RECOMMENDED CHANGE TO SECTION 5.6 CHANGING 90 DAYS TO 60 DAYS. THE MOTION PASSED UNANIMOUSLY.

23. CONSIDER ADOPTING RESOLUTION 15-5(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR PROJECT 15-5

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION 15-5(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE 2015 STREET MAINTENANCE PROGRAM. THE MOTION PASSED UNANIMOUSLY.

24. CONSIDER INTRODUCTION OF ORDINANCE REVISING TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSES AND ORDINANCE ALLOWING MALT BEVERAGES/WINE IN CITY PARKS

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER WELLS, TO INTRODUCE AN ORDINANCE REVISING TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSES AND INTRODUCE AN ORDINANCE REVISING CITY CODE CHAPTER 10-416 ALLOWING MALT BEVERAGES AND WINE IN CITY PARKS IF SOLD BY SOMEONE LICENSED BY THE CITY TO SELL IN THE PARK. THE MOTION PASSED UNANIMOUSLY.

OPEN MIC/PUBLIC COMMENT

Mayor Koch reviewed the rules of order for the Open Mic/Public Comment portion of the meeting.

Jeff Cosman, 3049 116th Avenue NW, explained the Council changed the fee schedule with regard to park pavilions in 2015. He stated that parties with 75 or more people were required to reserve an additional pavilion and pay a larger fee. It was his opinion that the \$150 fee was asking too much from Coon Rapids residents. He requested that the Council reconsider the fee and set a maximum fee of \$100. He believed that the rates should more closely reflect the income levels and housing values within Coon Rapids. He recommended that the pavilion rental rates be made more affordable in order for the City's residents to take advantage of this park amenity.

Jerry Pierce, 12236 Partridge Street, thanked City Manager Gatlin for providing the Council with clarity on the expense to hire a new City Manager. Mr. Pierce expressed general displeasure with City Staff. He questioned why the Council was in such a hurry to replace its staff members. He recommended that the Council not take the Open Mic portion of the meeting as a joke.

REPORTS ON PREVIOUS OPEN MIC

Mayor Koch discussed the comments made during Open Mic at the February 3, 2015 Council meeting.

OTHER BUSINESS

Councilmember Manning stated he attended a meeting at Anoka County regarding invasive species. He indicated the County was trying to gather information on which cities want to be involved in an educational program. He questioned if Coon Rapids wanted to participate.

Councilmember Johnson stated the Coon Creek Watershed would be a good resource to address this concern as well. He suggested the City newsletter be used as an educational resource. Public Works Director Himmer was in favor of posting information on the City's website, or passing flyers along to residents.

Public Works Director Himmer provided the Council with an update on the proposed revisions for Sand Creek Park and discussed how the base bid would be impacted.

Police Chief Wise discussed the upcoming Polar Plunge, which was planned for February 28th and encouraged residents to participate in this wonderful event.

ADJOURN

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER KLINT, TO
ADJOURN THE MEETING AT 9:01 P.M. THE MOTION PASSED UNANIMOUSLY.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

4.

Meeting Date: 03/03/2015

Subject: Adopt Resolution 15-49 Accepting A Water Conservation Education Grant From The Coon Creek Watershed District

Submitted For: Colleen Sinclair, Recycling Coordinator

From: Colleen Sinclair, Recycling Coordinator

INTRODUCTION

The Coon Creek Watershed has administered a Water Education Grant for non-chemical cleaner kits to be used as a make and take project at the 2015 Green Expo.

DISCUSSION

The City of Coon Rapids has been approved for the Water Education Grant in the amount of \$1000.00. Residents who attend the event will be able to make their own all-purpose cleaner to take home based on the Minnesota PCA recipes. All the ingredients used will be common household items including borax, white vinegar, dish soap and essential oils, rather than harsh chemicals found in many cleaners. Attendees will add the ingredients to the bottle themselves and add water once they get home and are ready to use it. The spray bottle will have the recipe printed on it to encourage re-use when the cleaner is gone. This project will allow for outreach and education about the importance of understanding risks associated with using chemicals in your home for cleaning. It will also provide education regarding protecting water quality by using natural products.

RECOMMENDATION

Staff recommends that Council adopt Resolution 15-49, accepting the grant of \$1000 from the Coon Creek Watershed District for water education tools for the Green Expo, and authorize staff to execute the required agreement.

Attachments

Resoution 15-49

Grant Agreement

RESOLUTION NO. 15-49

**A RESOLUTION TO ACCEPT A WATER CONSERVATION EDUCATION GRANT
FROM THE COON CREEK WATERSHED DISTRICT**

WHEREAS, the Coon Creek Watershed District has awarded the City of Coon Rapids a grant of \$1000 for non-chemical cleaner kits to be used as a make and take project at the 2015 Green Expo.

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 grant to be in the public interest.

NOW THEREFORE BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that a grant in the amount of \$1000 from the Coon Creek Watershed District be accepted for non-chemical cleaner kits for the 2015 Green Expo.

Adopted by the Coon Rapids City Council this 3rd day of March, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

**COON CREEK WATERSHED DISTRICT
WATER EDUCATION GRANT AGREEMENT**

This Grant Agreement is entered into on _____, 2015, between the Coon Creek Watershed District (District), a political subdivision of the State of Minnesota, and Colleen Sinclair, City of Coon Rapids, MN, Recycling Coordinator (Grantee), located at 1831- 111th Avenue NW Coon Rapids, MN 55433.

WHEREAS, the District has established an educational grant program to provide financial assistance to various organizations to implement educational and outreach programs for improving water quality and other natural resources in the watershed district.

WHEREAS, the Grantee has applied to the District for funds under the District educational grant program to help pay for Grantee to hand out 500 Non-toxic Cleaner Activity Supplies at the Green Expo on April 25th, 2015, located at the National Sports Center as described in the Grant Application attached as Exhibit A.

WHEREAS, the Coon Creek Watershed District Board of Managers at its February 9th, 2015, Board meeting Approved Grantee's Water Education Grant Application.

The District and Grantee therefore agree as follows:

1. Grantee will implement the education project as described in its Grant Application attached as Exhibit A and incorporated as part of this Agreement.
2. The District will provide Grantee up to the following grant amount for Grantee's completion of the education project, including a Project Summary within 30 days of implementation, as described in the attached Exhibit A:

up to \$1000.00 for reimbursement of cost.

3. Grantee is an independent contractor, not an employee or agent of the District, and will obtain all required permits and approvals necessary for implementing the education project.

COON CREEK WATERSHED DISTRICT

CITY OF COON RAPIDS

By _____
Timothy Kelly

By _____
Colleen Sinclair

Its Administrator

Its Recycling Coordinator

Date: _____

Date: _____



City Council Regular

5.

Meeting Date: 03/03/2015

Subject: Accept the 2014 Community Development Annual Report

Submitted For: Grant Fernelius, Community Development Director

From: Cindy Hintze, Administrative Specialist

INTRODUCTION

The 2014 Community Development Annual Report is presented to Council for its review and consideration.

DISCUSSION

The report is prepared annually and summarizes the various activities in the Community Development Department, including planning, housing and neighborhoods, economic development and redevelopment, and building inspections. Additionally, the report summarizes the activities of the Planning Commission, Board of Adjustment and Appeals, and the Coon Rapids Mortgage Assistance Foundation.

The complete Planning Commission and Board of Adjustment and Appeals appendixes are included as attachments for anyone wishing for more data. The Board of Adjustment and Appeals appendix is a draft copy and will be presented to the Board at their March 5 meeting. Staff does not anticipate changes to the appendix.

There was a great deal of good work accomplished in 2014 and staff looks forward to new opportunities in 2015.

RECOMMENDATION

It is recommended that the Council accept the 2014 Community Development Annual Report.

Attachments

2014 Community Development Annual Report

2014 PC Letter to Council

2014 PC Appendix

2014 BAA Appendix - Draft

Redevelopment News

The City completed implementing a Brownfields Assessment Grant from the U.S. Environmental Protection Agency. The funds were used for environmental and pre-demolition work on various properties along Coon Rapids Boulevard, as well as updating master plans for Port Riverwalk and Port Campus Square.

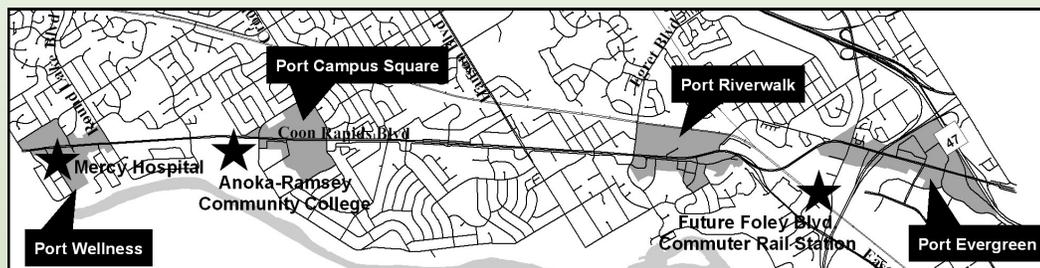
In Port Wellness, work was completed on Autumn Glen Senior Living, a 100-unit senior housing complex on the former Frank's Nursery site on Coon Rapids Boulevard near Round Lake Boulevard. The City's Brownfields Assessment Grant assisted with environmental assessment and pre-demolition work at this site, and the City provided tax-increment financing assistance for the project.

City staff began meeting with potential developers for portions of Housing and Redevelopment Authority-owned land in Port Riverwalk. The HRA had purchased the property, demolished blighted buildings, and cleaned up contamination several years ago. After development proposal by Shamrock Development and Rottlund Homes in 2006 never materialized due to the downturn in the housing market, the HRA entered into an agreement with Shamrock to develop the property once market conditions improved. In the fall of 2014, representatives of Sham-

rock Development indicated they were no longer interested in developing the Port Riverwalk property and the HRA terminated its agreement with Shamrock. The plan calls for a variety of types of residential development, a "parkway" connecting Egret Boulevard with Avocet Street to replace the existing Coon Rapids Boulevard frontage road, and possibly a small amount of commercial development. The City acquired a blighted 20-unit apartment complex at 9864-9950 East River Road in Port Riverwalk. Relocation of the tenants and demolition of the buildings are expected to occur in 2015.

City staff began negotiations with Dominion, a multi-family housing developer, for a senior apartment building on Economic Development Authority-owned land east of the Coon Rapids Ice Center in Port Campus Square. The Housing and Redevelopment Authority acquired and demolished a single-family house at 10920 Crooked Lake Boulevard that will be incorporated into the development site.

The City implemented a \$40,000 Livable Communities Transit-Oriented Development Grant for pre-development activities near the Foley Boulevard Park-and-Ride. The grant will fund land use and infrastructure planning near the transit station to prepare the area for redevelopment and improve access.



Key locations along Coon Rapids Boulevard



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Coon Rapids Boulevard

O'Reilly Auto Parts opened a 7,300 square foot building at 2111 Coon Rapids Boulevard on the site of a former gas station.



Autumn Glen Senior Housing Complex at 3175 Coon Rapids Boulevard offers 32 units of independent living, 36 units of assisted living, and 32 memory care units.



The skyway across Coon Rapids Boulevard connecting Mercy Hospital to the Medical Office Building is complete.



Finance & Business Development

The City approved two commercial loans through its Revolving Loan Fund for business expansion projects—one for Chanticlear Pizza and Grill involving tenant improvements for a bar/restaurant on Northdale Boulevard, and one for Magnum Freight for a trucking terminal on Evergreen Boulevard. These two projects will result in the creation of over 100 new jobs in the City and have leveraged millions of dollars in private investment.



The City continued participation in the Metropolitan Consortium of Community Developers' Open to Business program, which provides technical assistance to existing and aspiring business owners, as well as financial resources for businesses that may not qualify for conventional financing. A total of 44 Coon Rapids businesses and residents were served by Open to Business in 2014. In addition, Open to Business made a loan to a Coon Rapids hotel owner for a renovation project, leveraging \$1.8 million in private investment.



New marketing material



COON RAPIDS
Minnesota

Resources.
Opportunities.
Success.

www.CoonRapidsMN.gov

Marketing and Outreach Efforts

- Staff attended the Minnesota Commercial Association of Realtors (MNCAR) **Commercial Real Estate Expo** to market the City and its development opportunities and build relationships with commercial real estate brokers.
- The City was a **MNCAR Sponsor** in 2014, which provided increased exposure for Coon Rapids throughout the year.
- Coon Rapids continued its participation in the **Minnesota Marketing Partnership**, a marketing consortium comprised of cities and regions throughout the state, which provides communities cost-effective marketing opportunities. City Staff participated in the Minnesota Marketing Partnership's **2014 Site Selector Fam Tour** which gave the City exposure to national site selectors.

- Staff established relationships with several key business recruiters at **GreaterMSP** and conducted several business visits as part of GreaterMSP's **Business Retention and Expansion** program.
- The City continued publication of a semi-annual **Business Update newsletter**, which is mailed to all businesses in the City.
- The City hosted a **Manufacturers' Breakfast** and a **Bankers' Breakfast** in June. These events help City staff build relationships with key businesses in the community.
- The City continued a partnership with the **Anoka Area Chamber of Commerce** to host periodic events for manufacturing businesses.



Building Inspections

| <u>Number of Permits Issued</u> | <u>2014</u> | <u>2013</u> | <u>Inspections Completed by Type</u> | <u>2014</u> | <u>2013</u> |
|-----------------------------------|-------------|-------------|--|-------------|-------------|
| Comm/Indust - New | 9 | 11 | Building | 7,327 | 7,835 |
| Comm/Indust - Remodel/Add | 67 | 99 | Electrical | 2,315 | 2,593 |
| Single Family - New | 13 | 15 | Mechanical | 1,763 | 1,751 |
| Single Family - Remodel/Add | 166 | 287 | Plumbing /Sewer & Water | 1,941 | 2,528 |
| TH Detached - New | 0 | 0 | User Defined (Stop Work/Damage, etc.) | 123 | 219 |
| TH Attached - New | 0 | 0 | | | |
| Water Restoration/Vacant Property | 154 | 234 | | | |

| <u>Number of Permits Issued by Type</u> | <u>2014</u> | <u>2013</u> | <u>Key Numbers & Metrics</u> | <u>2014</u> | <u>2013</u> |
|---|-------------|-------------|------------------------------------|---------------|---------------|
| Building | 2,038 | 2,230 | Total Inspections | 13,639 | 14,939 |
| Electrical | 1,582 | 1,738 | Total Project Valuation | \$170,622,209 | \$144,615,295 |
| Mechanical | 1,020 | 1,091 | Total Permit & Plan Review Fees | \$1,525,151 | \$1,216,024 |
| Plumbing | 1,300 | 1,377 | | | |
| Sewer & Water | 66 | 52 | | | |
| Signs | 126 | 124 | | | |

Major Projects in 2014

| | |
|-------------------------------------|--------------|
| Mercy Hospital Mother Baby Addition | \$20,020,000 |
| 3 Elementary School Additions | \$9,360,000 |
| Magnum Trucking | \$1,400,000 |
| Coon Rapids Middle School Addition | \$3,967,000 |
| O'Reilly Auto Parts | \$774,175 |
| McDonalds | \$650,000 |
| Spiral Manufacturing | \$500,000 |
| Panera Bread buildout | \$400,000 |



Mercy Hospital Mother Baby 50,000 sq ft addition



Housing Preservation and Rehabilitation

Coon Rapids Mortgage Assistance Foundation

The Coon Rapids Mortgage Assistance Foundation (CRMAF) established a housing loan program in 2005 offering several home improvement loan products. The Home Improvement Incentive Loan Program fund provides revolving loans for repairs or value-added improvements to single- and two-family structures and interior work on townhouse and other common interest community properties. The interest rate varies by borrower income but there is no income limit on borrowers. The Home Rehabilitation Assistance Loan Program fund provides low-interest loans for necessary repairs or improvements for borrowers earning not more than 110 percent of area median income (\$82,900 in 2014). Loan payments may be deferred for homeowners at or below 50 percent of area median income. The Two-family Home Rehabilitation Program fund provides loan funds at attractive interest rates for the exterior maintenance of two-family dwellings. Program guidelines require that the work ensure the exteriors of both units remain compatible. There is no income limit for borrowers and payments may be deferred for borrowers at or below 50 percent of area median income. The program also includes the Emergency Home Repair Program fund for homeowners facing emergency repair needs but who are unable to access other funding sources. This fund is restricted to residents at or below 110 percent of area median income; payments are deferred. In 2010, the program was extended to interior work for townhouses and other common interest community properties and exterior work in cases where the homeowner is responsible for the work. In 2013, a fifth loan program fund was added to complement the Home for Generations II residential remodeling incentive program. The fund provides fixed, low-interest loans of up to \$50,000 for participants in the program; there are no income restrictions. The Coon Rapids Mortgage As-

sistance Foundation has provided grants totaling \$22,500 to underwrite the cost to homeowners for the architectural consultations required by this program.

In 2014, these programs provided \$419,766 in loan funds to 12 homeowners accessing all loan funds except the Emergency Home Repair Fund. The dollar volume of CRMAF loans more than doubled over the previous year, due in large part to the Home for Generations II program. In 2014, 19 homeowners entered into agreements with the City to participate in this program, nine accessed local CRMAF program funding to complete their major remodeling projects.



The ReGenerations Down Payment Assistance Loan Program was established in November 2009 with CRMAF program funds to provide down payment assistance loans for housing purchased using the FHA Section 203(k) loan product. This mortgage vehicle permits the buyer to roll the purchase price plus rehabilitation costs into a

single mortgage. The ReGenerations Program provides three and one-half percent of the purchase plus rehab costs up to a maximum of \$6,000 and requires a minimum of \$10,000 in rehab or remodeling investment in the property. There are no program limits imposed on the borrower's income or the purchase price, however, FHA mortgage limits of the 203(k) program apply. The ReGenerations down payment assistance loan is forgiven after ten years if the buyer maintains the property as a principal, homesteaded residence. In 2014, the ReGenerations Program closed loans on two properties providing \$10,834 in down payment assistance that leveraged \$45,062 in rehabilitation investments to these properties, one of which was a previ-

ously foreclosed residence. As of the close of 2014, 23 ReGenerations down payment assistance loans have been issued representing nearly \$450,000 in property rehabilitation with sales totaling \$2,822,250. Seventy-eight percent of the purchases have returned vacant, foreclosed properties to homeowner occupancy.



Housing Preservation and Rehabilitation (cont.)

Community Development Block Grant Program

Title 1 of the Federal Housing and Community Development Act of 1974 established the Community Development Block Grant (CDBG) program. Administered by the U.S. Department of Housing and Urban Development (HUD), the objective of the program is the sustainability of viable communities through decent housing, suitable living environments, and expanded economic opportunities. Coon Rapids receives its metropolitan city entitlement grant through a Joint Request with Anoka County to HUD.

The City's CDBG 2013 program year closed on December 31, 2014. Through the Joint Request, and in accordance with a formula allocation established by HUD, Coon Rapids received a grant award of \$283,236, an increase of one percent over the previous year. Through an agreement with Anoka County, thirty percent of the award is reserved for program administration, planning activities and public service programs. The remainder, together with program income, provided \$217,537 for the City's Housing and Rehabilitation Loan Program. This program provided home rehabilitation and energy conservation loans for fourteen owner-occupied residential properties of low- and moderate-income households earning not more than 80 percent of the area median income based on family size (\$63,900 for a four person household in 2014).

Remodeling Advisor Visits

The City contracts with the Center for Energy and Environment (CEE) to provide Remodeling Advisor Visits for its homeowners. They are a required component of the rehabilitation loan products offered through the Coon Rapids Mortgage Assistance Foundation loan programs and the visits are paid for through program funds. In addition, the City's Housing and Redevelopment Authority provides funds to make this service available to all Coon Rapids homeowners and participants in the Home for Generations II remodeling program are encouraged to use this service. The service provides assistance to homeowners in identifying and prioritizing improvements, providing objective remodeling advice and assistance with the collection and evaluation of project bids. This is a free service to all homeowners. In 2014, 52 Remodeling Advisor Visits were performed by CEE professionals for Coon Rapids homeowners.



The City participated in the 16th annual home improvement trade show hosted by the cities of Coon Rapids, Andover and Anoka, Anoka County and the Anoka Area Chamber of Commerce, on March 22, 2014. The North Suburban Home Improvement Show has been held at the Andover YMCA Community Center each March for the past eight years. The Home Depot sponsored a well-attended hands-on power tool demonstration. Lowe's Home Improvements again sponsored the always popular Kid's Workshop. Local Cub Scout Pack 609 members provided assistance with the Kid's Workshop and by collecting and delivering donations for the show's *March is Minnesota Food Share Month* food drive. In 2014, over 1,800 residents from the surrounding north metro area attended; a large number of attendees were Coon Rapids residents.



Neighborhood Reinvestment

Home for Generations II was first made available in May 2013. This program offers subsidized consultations with architects, building permit rebates and grants to homeowners planning to make large, value added investments into their home. To be eligible, projects must be valued at \$35,000 or higher, the home must be owner-occupied and at least 20 years old, and the scope of work must include at least one of a number of required projects including: an addition, a covered front porch, moving/removing interior walls to change the layout, major kitchen, bathroom, or basement remodel, finishing a previously unfinished basement or attic, adding a bathroom, or converting a garage into livable space. Grants are available up to \$5,000.



In total, there have been 32 projects subsidized through this program (2013 and 2014) that has leveraged more than \$2.3 Million worth of home improvements!

Home for Generations II was awarded a "City of Excellence Award" from the League of Minnesota Cities at their annual conference in June 2014. Only four such awards were awarded to communities throughout the State of Minnesota.

New in 2014 was the Coon Rapids Home Remodeling Tour. Six recipients of the *Home for Generations II* program showcased their recently remodeled homes during this one day event. Each home was staffed with the homeowner(s), the contractor who performed the work, a loan officer from CEE (the city's program administrator for the Home for Generations II loan program) and city staff. The event was successful with 250-440 people touring each home!

Creekside Mobile Home Park

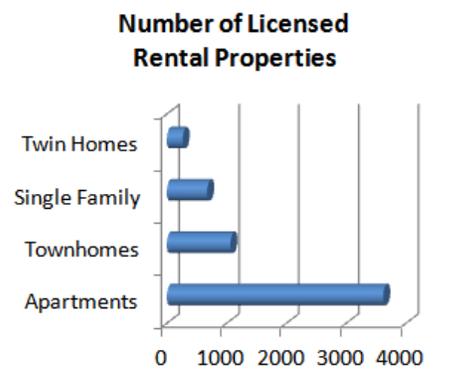
The Neighborhood Reinvestment Division spent a second year dedicating focused attention in the Creekside Mobile Home Park. Neighborhood Reinvestment, Police, Fire, Community Development, Building Inspections, Legal, Utility Billing, and Public Works all worked together to do comprehensive inspection sweeps of the 278 homes in this community. Meetings were held with the park owners, manager and attorney and letters were sent to the residents informing them of the inspections and expectations. Violations of building, nuisance, rental licensing, and fire codes were identified and City staff worked with all parties to gain compliance, including re-writing the Planned Unit Development for the community.

'Summer in the City' Neighborhood Events

Four *Summer in the City* neighborhood meetings were hosted – each in one of the parks to be improved through the Park Bond Referendum. Each meeting had 50-100 people in attendance, and are a great alternative to holding more traditional, indoor meetings. Police squad cars, fire trucks, and Public Works equipment were on-site for kids and families to look at and climb into. Music, ice cream, and picnic tables were also provided. City staff set up several tables with information and representatives from various departments – Parks Department, Recycling, Forestry, Bunker Hills, Engineering, Public Works, City Manager, and Neighborhood Reinvestment.

Rental Licensing

The City's Rental Licensing ordinance (City Code Chapter 12-900) is extremely successful in identifying and monitoring the City's growing rental housing stock. In 2014, there were 1,518 rental licenses renewed in Coon Rapids and an additional 194 new rental licenses issued - 184 of these properties had been converted from owner-occupied to rental. There are now a total of 5,625 licensed rental units in the City.



Neighborhood Reinvestment (cont.)

Monitoring long grass continues to be an issue at vacant properties as well as occupied properties. In 2014, the City inspected and posted 884 properties for grass higher than 8” (City Code Chapter 8-502 and 8-503). Of those, 68 had to be abated by the City’s mowing crew. The City continues to perform these mowing abatements in-house.

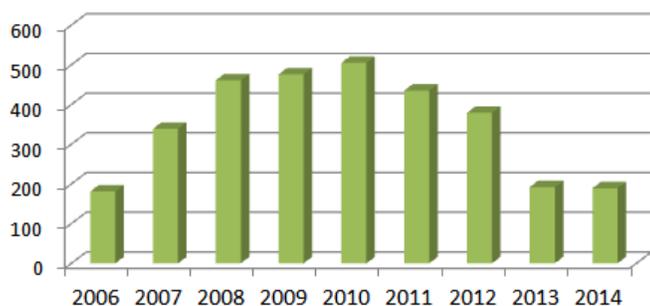


In 2014, the City initiated 1,980 new code enforcement work orders and investigated each of them. This activity is broken down to the following categories:

- Weeds, Unkept Lawns: 884
- Yard and Lot Issues (junk and debris in yard, parking off pavement): 689
- Vacant Monitor (vacant properties): 232
- Miscellaneous Housing Issues (occupied homes without gas and/or electricity, lack of garbage service): 64
- Vacant Hazardous Conditions (at a residential property – fire, flood): 6
- Other: (exterior structure issues, animal issues, home occupation, illegal dumping): 105

The Administrative Penalties Ordinance (City Code Chapter 2-1100) is a tool that has significantly increased the compliance rate with property owners in a timely manner. The Administrative Citation for a first offense is \$300, \$600 for a second offense, and so on, doubling at each offense. In 2014, the City issued a total of 1,201 Administrative Citations (including those for long grass). This volume is down a little from 2013 levels. Of the Citations issued, the City abated 60 properties of junk and debris in the yard - down from 178 abatements performed in 2013.

**Number of Foreclosures per Year
in Coon Rapids**



Vacant Properties

Coon Rapids has continued to experience a decline in foreclosures for a fourth year in a row. The Water Ordinance has allowed City staff to shut off water at vacant properties and has been an extremely effective tool to protect the homes from water damage from burst or frozen pipes. The program’s success is reflected in fewer flooded homes each year. In 2014, Coon Rapids had only one known flooded home. In comparison, there were five flooded homes in 2013, two in 2012, five in 2011, nine in 2010, 15 in 2009 and 41 in 2008. Owners, realtors, and mortgage companies continue to have the option of signing a waiver to keep water on at these properties as long as they do so within two weeks of the property being posted for water shut off and that the property continues to be heated.

The City of Coon Rapids is currently monitoring 326 vacant properties – the lowest level since we started tracking them in 2008! The City’s vacant housing stock is dwindling and sales prices are increasing.





11155 Robinson Dr NW
Coon Rapids, MN 55433
763-767-6430 Department
763-755-2880 Main

For a full, detailed report of
the City of Coon Rapids
Community Development
Annual Report, please contact
763-767-6430

Residential Redevelopment



The Scattered Site Acquisition (SSA) program is intended to remove blighted or sub-standard structures and replace them with high-quality homes. In 2014, the HRA acquired a property at 12019 Round Lake Boulevard for redevelopment. The structure was demolished and the residential lot is for sale.

The HRA also provided funding to Twin Cities Habitat for Humanity for a new single-family house completed at 10121 Quince Street.





February 19, 2015

Honorable Mayor and Councilmembers
City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN 55433

Re: Report of Planning Commission Activities for 2014

Dear Mayor Koch and Councilmembers:

On behalf of the members of the Planning Commission, I wish to provide you with this report of the Planning Commission's activities for the year 2014.

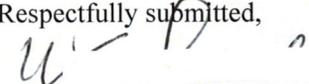
During 2014, the Commission considered forty planning cases during ten regularly scheduled Commission meetings. The Commission also conducted one workshop meeting to discuss the new code section 11-1600 for Wind Generators and Solar Energy Systems.

The Commission's development review included the consideration of seven site plans. The site plans included design flexibility, freight terminal, Spiral Manufacturing 7,750 sq ft addition, and Mercy Hospital parking lot.

The Commission also considered one code change, one comp plan amendment, three conditional use permits, revocation of twenty-one conditional use permits, one PUD, two lot splits, three plats, and one registered land survey.

The Commission's contributions and efforts in 2014 continue to reflect each Commissioner's dedication to their role in shaping the physical development of our community. We wish to express our appreciation for the continuing respect received from the City Council and the support provided to us by the City's cable television, engineering, legal and planning staffs and by our recording secretary.

Respectfully submitted,


Wayne Schwartz, Vice Chair
Coon Rapids Planning Commission

Attachment



2014 PLANNING COMMISSION ANNUAL REPORT

COMMISSIONERS

Jenny Geisler, Chair

Wayne Schwartz, Vice Chair

Denise Hosch (March-December)

Cedric Lattimore (Jan-March)

Jonathan Lipinski

Donna Naeve

Zachary Stephenson

Julia Stevens



2014 PLANNING COMMISSION REGULAR MEETING ATTENDANCE

| Meeting/Commissioner | Geisler, Chair | Schwartz, Vice Chair | Hosch | Latimore | Lipinski | Naeve | Stephenson | Stevens |
|----------------------|----------------|----------------------|----------------|----------|----------|-------|------------|---------|
| January | ● | ● | | ● | ● | ● | ○ | ● |
| February | ● | ● | | ● | ○ | ○ | ● | ○ |
| March | ● | ● | Appointed ● | Resigned | ● | ○ | ● | ● |
| April | ● | ● | ● | - | ● | ● | ● | ○ |
| May | No Meeting | | | | | | | |
| June | ● | ○ | ● | - | ● | ● | ● | ● |
| July | ● | ● | ● | - | ● | ● | ○ | ● |
| August | ● | ● | ○ | - | ● | ● | ● | ● |
| September | ● | ● | ● | - | ● | ● | ● | ● |
| October | ○ | ● | ● | - | ● | ● | ● | ● |
| November | ● | ● | ● | - | ● | ○ | ● | ● |
| December | No Meeting | | | | | | | |

● = present ○ = absent



2014 PLANNING COMMISSION WORK SESSION ATTENDANCE

| Meeting/Commissioner | Geisler, Chair | Schwartz, Vice Chair | Hosch | Latimore | Lipinski | Naeve | Stephenson | Stevens |
|----------------------|----------------|----------------------|----------------|----------|----------|-------|------------|---------|
| January | | | | | | | | |
| February | | | | | | | | |
| March | ● | ● | Appointed ○ | Resigned | ● | ● | ● | ● |
| April | | | | | | | | |
| May | | | | | | | | |
| June | | | | | | | | |
| July | | | | | | | | |
| August | | | | | | | | |
| September | | | | | | | | |
| October | | | | | | | | |
| November | | | | | | | | |
| December | | | | | | | | |

● = present ○ = absent



2014 PLANNING COMMISSION PLANNING CASES BY MONTH AND TYPE

| | Code Changes | Amendments | | Conditional Use Permits | Conditional Use Permit Home Occupation | | | PUD | Property Subdivision | | | Site Plan |
|-----------|--------------|------------|--------|-------------------------|--|--------|--|-------|----------------------|------------------|-------|---------------------|
| | | Comp Plan | Zoning | | New | Review | Revoke | | Lot Split | Preliminary Plat | RLS | |
| January | | | | | 13-30 | | | | | | | |
| February | | | | | | | | | | 13-31 | 14-02 | 13-24, 13-32, 14-01 |
| March | | | | 14-03 | | | | | | 14-06 | | 14-05, 14-07 |
| April | 14-08 | | | | | | | | | | | 14-04 |
| May | No Meeting | | | | | | | | | | | |
| June | | | | 14-09 | | | 89-56 | | | | | 14-10 |
| July | | | | | | | 91-59, 91-92, 95-35, 95-53, 96-25/A | | | | | |
| August | | | | | | | 98-46, 99-05, 99-59 | | | 14-11 | | |
| September | | | | | | | 00-15, 00-51, 01-86, 03-24, 03-57, 03-66 | | 14-12 | | | |
| October | | 14-17 | | | | | 04-43, 06-16, 06-37, 06-45, 06-56, 08-23 | | 14-16 | | | |
| November | | | | | | | | 14-15 | | | | |
| December | No Meeting | | | | | | | | | | | |

2014 PLANNING COMMISSION DEVELOPMENT CONSIDERATIONS AND APPROVALS

| Case | Petitioner Location | Proposal | Staff Recommendation | Commission | | Council | |
|---------|---|--|----------------------|------------|-------------|---------|--------|
| | | | | Date | Action | Date | Action |
| 89-56 | Virginia Mattson 360 124th Ln | Revocation of Conditional Use Permit for Home Occupation - Photography Studio | Revoke | 6/19/2014 | Revoked | n/a | n/a |
| 91-59 | Ronald Fries 405 112th Ln | Revocation of Conditional Use Permit for Home Occupation - Small Engine Repair | Revoke | 7/17/2014 | Revoked | n/a | n/a |
| 91-92 | Joseph Faubert 341 110th Ln | Revocation of Conditional Use Permit for Home Occupation - Vertical Blinds Assembly | Revoke | 7/17/2014 | Revoked | n/a | n/a |
| 95-35 | Kathryn Howard 11900 Kerry St | Revocation of Conditional Use Permit for Home Occupation - Beauty Shop | Revoke | 7/17/2014 | Revoked | n/a | n/a |
| 95-53 | Patricia Berg Johnson 13060 Raven St | Revocation of Conditional Use Permit for Home Occupation - Beauty Shop | Revoke | 7/17/2014 | Revoked | n/a | n/a |
| 96-25/A | Keith Christensen 2787 128th Ave | Revocation of Conditional Use Permit for Home Occupation - Photography Studio | Revoke | 7/17/2014 | Revoked | n/a | n/a |
| 98-46 | Frank Ronneng 3944 123rd Ave | Revocation of Conditional Use Permit for Home Occupation - Vacuum Cleaner Sales | Revoke | 8/21/2014 | Not Revoked | n/a | n/a |
| 99-05 | Clayton Toman 11832 Olive St | Revocation of Conditional Use Permit for Home Occupation - Piano Lessons | Revoke | 8/21/2014 | Revoked | n/a | n/a |
| 99-59 | Del Nies 12549 Flintwood Dr | Revocation of Conditional Use Permit for Home Occupation - Tax Preparation | Revoke | 8/21/2014 | Revoked | n/a | n/a |
| 00-15 | Stephen Engle 900 117th Ln | Revocation of Conditional Use Permit for Home Occupation - Chiropractic Office | Revoke | 9/18/2014 | Revoked | n/a | n/a |
| 00-51 | Barton & Ann Stark 2608 116th Ln | Revocation of Conditional Use Permit for Home Occupation - Chiropractic Office | Revoke | 9/18/2014 | Revoked | n/a | n/a |

| Case | Petitioner Location | Proposal | Staff Recommendation | Commission | | Council | |
|-------|---|--|----------------------|---------------------------------------|----------------------------------|----------|----------|
| | | | | Date | Action | Date | Action |
| 01-86 | Daniel Swezey 2620 111th Ave | Revocation of Conditional Use Permit for Home Occupation - Trusted Roof Company | Revoke | 9/18/2014 | Revoked | n/a | n/a |
| 03-24 | James Wiemann 517 108th Ave | Revocation of Conditional Use Permit for Home Occupation - Gun Smith | Revoke | 9/18/2014 | Revoked | n/a | n/a |
| 03-57 | Patricia Urick 13234 Martin St | Revocation of Conditional Use Permit for Home Occupation - Skin Care Business | Revoke | 9/18/2014 | Revoked | n/a | n/a |
| 03-66 | Laurel Benedict 10277 Mississippi Blvd | Revocation of Conditional Use Permit for Home Occupation - Music Lessons | Revoke | 9/18/2014 | Revoked | n/a | n/a |
| 04-43 | Cindy Pfeifer 12231 Foley Blvd | Revocation of Conditional Use Permit for Home Occupation - Beauty Shop | Revoke | 10/16/2014 | Revoked | n/a | n/a |
| 06-16 | Gregory & Ruth Bittner 9829 Ilex St | Revocation of Conditional Use Permit for Home Occupation - Tea with Grace | Revoke | 10/16/2014 | Revoked | n/a | n/a |
| 06-37 | Patricia Jewelle 559 113th Ave | Revocation of Conditional Use Permit for Home Occupation - Massage Therapy | Revoke | 10/16/2014 | Revoked | n/a | n/a |
| 06-45 | Vy Tuong Nguyen 9940 Norway St | Revocation of Conditional Use Permit for Home Occupation - Retail Sales | Revoke | 10/16/2014 | Revoked | n/a | n/a |
| 06-56 | Chad Loxtercamp 10028 Linnet St | Revocation of Conditional Use Permit for Home Occupation - Beauty Shop | Revoke | 10/16/2014 | Revoked | n/a | n/a |
| 08-23 | Jason Ellie 12416 Flintwood St | Revocation of Conditional Use Permit for Home Occupation - Chiropractic Office | Revoke | 10/16/2014 | Revoked | n/a | n/a |
| 13-24 | Jack Ovick 430 Coon Rapids Blvd | Site Plan - amend to allow design flexibility | Deny | 2/20/2014 | Denied | 3/4/2014 | Failed |
| 13-30 | North Point Church 10731 Hanson Blvd | Conditional Use Permit - place of worship | Approve | 11/21/2013 12/19/2013 1/16/2014 | Postponed Postponed Denied | 2/5/2014 | Approved |

| Case | Petitioner Location | Proposal | Staff Recommendation | Commission | | Council | |
|-------|--|---|----------------------|------------------------|-----------------------|---------------------|-----------------------|
| | | | | Date | Action | Date | Action |
| 13-31 | T & J Balfany 127th Ave | Plat - Tylers Cove | Postpone Approve | 1/16/2014 2/20/2014 | Postponed Approved | 3/4/2014 | Approved |
| 13-32 | Frauenschuh Healthcare 11850 Blackfoot St | Site Plan - amend to allow design flexibility | Postpone Approve | 1/16/2014 2/20/2014 | Postponed Approved | 3/4/2014 | Approved |
| 14-01 | Amcon Construction Evergreen Blvd & 87th Ln | Site Plan - 42,000 sq ft freight terminal | Approve | 2/20/2014 | Approved | n/a | n/a |
| 14-02 | Amcon Construction Evergreen Blvd & 87th Ln | Registered Land Survey - subdivide 23 acre parcel into two lots | Approve | 2/20/2014 | Approved | 3/4/2014 | Approved |
| 14-03 | Chanticlear Pizza 11706 Crooked Lake Blvd | Conditional Use Permit - restaurant | Approve | 3/20/2014 | Approved | n/a | n/a |
| 14-04 | Spiral Manufacturing 11419 Yellow Pine St | Site Plan - 7,750 sq ft addition and outdoor storage | Postpone Approve | 3/20/2014 4/17/2014 | Postponed Approved | n/a | n/a |
| 14-05 | Mercy Hospital 3848-3960 Coon Rapids Blvd | Site Plan and Conditional Use Permit - construct a parking lot | Approve | 3/20/2014 | Approved | 4/1/2014 | Approved |
| 14-06 | Mercy Hospital Coon Rapids Blvd & Yucca St | Plat - Mercy Hospital Addition | Approve | 3/20/2014 | Approved | 4/1/2014 | Approved |
| 14-07 | Mercy Hospital 4050 Coon Rapids Blvd | Site Plan - design flexibility for overall signage plan | Approve | 3/20/2014 | Approved | 4/1/2014 | Approved |
| 14-08 | City of Coon Rapids | Code Change - establish Section 11-1600 Alternative Energy Sources and Systems | Approve | 4/17/2014 | Approved | 5/6/2014 5/20/14 | Introduced Adopted |
| 14-09 | Hmong Alliance Church 11299 Hanson Blvd | Conditional Use Permit - place of worship | Approve | 6/19/2014 | Approved | n/a | n/a |
| 14-10 | Allina Clinic 9055 Springbrook Dr | Site Plan - design flexibility for overall signage plan | Approve | 6/19/2014 | Approved | 7/1/2014 | Approved |

| Case | Petitioner Location | Proposal | Staff Recommendation | Commission | | Council | |
|-------|--|--|----------------------|---------------------------------------|-------------------------------------|-----------|----------|
| | | | | Date | Action | Date | Action |
| 14-11 | Richard Nordlund 8780 University Ave | Plat - Tyler Addition | Postpone Approve | 7/17/2014 8/21/14 | Postponed Approved | 9/2/2014 | Approved |
| 14WC1 | AT&T Pheasant Ridge Park | Cell Tower | Postpone Postpone | 8/21/2014 10/16/2014 11/20/2014 | Postponed Postponed withdrawn | n/a | n/a |
| 14-12 | Dan Super 10425 Jay St | Lot Split | Approve | 9/18/2014 | Approved | 10/7/2014 | Approved |
| 14-13 | n/a | withdrawn | n/a | n/a | n/a | n/a | n/a |
| 14-14 | Mercy Hospital 4050 Coon Rapids Blvd | Site Plan - design flexibility for two monument signs | Approve | 9/18/2014 | Approved | 10/7/2014 | Approved |
| 14-15 | Gateway Commerce Center 1865 Gateway Dr | PUD - amend to allow restaurant with drive-thru instead of bank | Approve | 10/16/2014 11/20/14 | Postponed Approved | 12/2/2014 | Approved |
| 14-16 | Boden 1221 Olive St | Lot Split | Approve | 10/16/2014 | Approved | 11/5/2014 | Approved |
| 14-17 | City of Coon Rapids | Comp Plan - Foley Blvd Station Area | Approve | 10/16/2014 | Approved | 11/5/2014 | Tabled |



**2014 BOARD OF ADJUSTMENT AND APPEALS
ANNUAL REPORT**

COMMISSIONERS

Gary Wessling, Chair

Teri Spano-Madden

Patricia Thorup

Aaron Vande Linde

CITY STAFF

Cheryl Bennett, Housing and Zoning Coordinator

Melissa Westervelt, Assistant City Attorney

SECRETARY

Amanda Staple, Time Saver Off Site Secretarial, Inc.

2014 BOARD OF ADJUSTMENT AND APPEALS MEETING ATTENDANCE

| Meeting/Commissioner | Wessling, Chair | Spano-Madden | Thorup | Vande Linde | Vacancy |
|----------------------|-----------------|--------------|--------|-------------|---------|
| January | NO MEETING | | | | |
| February | ● | ● | ● | ● | |
| March | NO MEETING | | | | |
| April | NO MEETING | | | | |
| May | NO MEETING | | | | |
| June | ● | ● | ● | ○ | |
| July | NO MEETING | | | | |
| August | NO MEETING | | | | |
| September | ● | ● | ● | ● | |
| October | NO MEETING | | | | |
| November | ● | ○ | ● | ● | |
| December | NO MEETING | | | | |

● = present ○ = absent

| Case No. | Petitioner Location | Description | Code Section | Board | | Council | |
|----------|--|---|--|----------|------------------------|-----------|---------|
| | | | | Date | Action | Date | Action |
| 14-01V | Douglas Tierney 11300 Palm St | Special Assessment Objection - Vacant Monitor Fee | 12-312 | 2/6/2014 | Reduced \$600 to \$300 | 2/18/2014 | Adopted |
| 14-02V | Jenifer Turner 9951 Palm St | Special Assessment Objection - Administrative Citation Penalty - Long Grass | 2-1104 8-502 8-503 | 2/6/2014 | Affirm | 2/18/2014 | Adopted |
| 14-03V | John Stiles for Lancelot Properties LLC 3054 116th Ave | Special Assessment Objection - Administrative Citation Penalty - Expired Tabs | 2-1104 11-601.5 | 2/6/2014 | Rescind | 2/18/2014 | Adopted |
| 14-04V | Patricia Woodard 10824 Cottonwood St | Special Assessment Objection - Administrative Citation Penalty - Removal & Disposal, Expired Tabs | 2-1104 8-109 11-601.5 | 2/6/2014 | Rescind | 2/18/2014 | Adopted |
| 14-05V | Sarah Moenga 2841 113th Ln | Special Assessment Objection - Administrative Citation Penalty - Garbage Collection | 2-1104 8-204(2) | 2/6/2014 | Affirm | 2/18/2014 | Adopted |
| 14-06V | Sarah Moenga 11845 Jonquil St | Special Assessment Objection - Administrative Citation Penalty - Long Grass | 2-1104 8-502 8-503 | 2/6/2014 | Affirm | 2/18/2014 | Adopted |
| 14-07V | Shannon Morris for Creekside Estates 10475 Xeon St | Special Assessment Objection - Administrative Citation Penalty - Removal & Disposal | 2-1104 8-109 | 2/6/2014 | Affirm | 2/18/2014 | Adopted |
| 14-08V | Shannon Morris for Creekside Estates 10255 Xeon St | Special Assessment Objection - Administrative Citation Penalty - Secure Skirting, Secure Side Panels, Egress Required | 2-1104 11-307.6 12-306(1) 12-306(3) | 2/6/2014 | Affirm | 2/18/2014 | Adopted |
| 14-09V | Shannon Morris for Creekside Estates 10460 Vale St | Special Assessment Objection - Securing and Monitoring of Premises and Buildings | 12-312(1) | 2/6/2014 | Affirm | 2/18/2014 | Adopted |
| 14-10V | Shannon Morris for Creekside Estates 10253 Yellow Pine St | Special Assessment Objection - Administrative Citation Penalty - Removal & Disposal | 2-1104 8-109 | 2/6/2014 | Affirm | 2/18/2014 | Adopted |

| | | | | | | | |
|--------|--|--|---|----------|--------------------------------|------------|------------------|
| 14-11V | Shannon Morris for Creekside Estates 10312 Wintergreen St | Special Assessment Objection - Administrative Citation Penalty - Removal & Disposal | 2-1104 8-109 | 2/6/2014 | Affirm | 2/18/2014 | Adopted |
| 14-12V | Shannon Morris for Creekside Estates 10220 Xeon St | Special Assessment Objection - Administrative Citation Penalty - Public Nuisance | 2-1104 8-101 | 2/6/2014 | Rescind | 2/18/2014 | Adopted |
| 14-13V | Jill Larsen 11231 Wren St | Special Assessment Objection - Administrative Citation Penalty - Expired Tabs | 2-1104 11-601.5 | 2/6/2014 | Reduced \$900 to \$300 | 2/18/2014 | Adopted |
| 14-14V | Kyle Nordlund 2125 131st Ln | Special Assessment Objection - Administrative Citation Penalty - Removal & Disposal | 2-1104 8-109 | 2/6/2014 | Reduce \$2,100 to \$300 | 2/18/2014 | Adopted |
| 14-15V | Ryan S. Healy 11894 Avocet Cir | Variance - 8-foot Front Yard Setback Variance | 11-603.2(12)(a) 11-603.2(13) | 6/5/2014 | Approved | n/a | n/a |
| 14-16V | Lleyami Ramos & Clemente Ramos 10958 Norway St | Special Assessment Objection - Excessive Consumption of Services Fee | 12-317 | 9/4/2014 | Rescind | 9/16/2014 | Adopted |
| 14-17V | Eva Sperber-Porter 1521 Coon Rapids Blvd | Appeal Staff Decision in the Assessment of a Vacant Property Monitoring Fee | 12-312(4) | 9/4/2014 | Affirm | 11/18/2014 | Denied Appeal |
| 14-18V | Okuni Okwan 165 Egret Blvd | Special Assessment Objection - Administrative Citation Penalty - Removal & Disposal, Long Grass | 2-1104 8-109 8-502 8-503 | 9/4/2014 | Reduced \$600 to \$300 | 9/16/2014 | Adopted |
| 14-19V | Malik N. Alkamel 9933 Dogwood St | Special Assessment Objection - Administrative Citation Penalty - Expired Tabs | 2-1104 11-601.5 | 9/4/2014 | Affirm | 9/16/2014 | Adopted |
| 14-20V | Carl Villella 10659 Foley Blvd | Special Assessment Objection - Rental License Violation and Administrative Fine, and Administrative Citation Penalty - Long Grass | 12-917 12-903(1) 2-1104 8-502 8-503 | 9/4/2014 | Reduced \$1,800 to \$300 | 9/16/2014 | Adopted |
| 14-21V | Rome Noone 12331 Gladiola St | Special Assessment Objection - Administrative Citation Penalty - Parking and Drives | 2-1104 11-603.1(7)(i) | 9/4/2014 | Affirm | 9/16/2014 | Adopted |

| | | | | | | | |
|--------|---|--|--------------------------------------|------------------------|---------------------------|------------|------------|
| 14-22V | Robert Olson & Laurie Olson 12528 Flintwood St | Special Assessment Objection - Rental License Violation | 12-917 12-903(1) | 9/4/2014 | Reduce \$3,000 to \$1,500 | 9/16/2014 | Adopted |
| 14-23V | Richard Smiley 2720 Northdale Blvd | Special Assessment Objection - Excessive Consumption of Services Fee | 12-317 | 9/4/2014 | Affirm | 9/16/2014 | Adopted |
| 14-24V | Brandy Herbst c/o Anona Smith 859 111th Ave | Special Assessment Objection - Administrative Citation Penalty - Removal & Disposal, Long Grass | 2-1104 8-109 8-502 8-503 | 9/4/2014 | Affirm | 9/16/2014 | Adopted |
| 14-25V | John Smulders & Diana Smulders 852 86th Ln | Special Assessment Objection - Administrative Citation Penalty - Junk Vehicles, Parking and Drives | 2-1104 11-601.5 11-603.1(7)(i) | 9/4/2014 | Affirm | 9/16/2014 | Adopted |
| 14-26V | Glenn Williams/Superior Investments of MN, LLC 11098 Thrush St | Special Assessment Objection - Administrative Citation Penalty - Removal & Disposal | 2-1104 8-109 | 9/4/2014 | Affirm | 9/16/2014 | Adopted |
| 14-27V | Thomas Boden 12221 Olive St | Variances - 8-foot Rear Yard Setback Variance/House 4-foot Rear Yard Setback/Attached Deck | 11-603(12)(a) 11-603(12)(a) | 11/6/2014 11/6/2014 | Approved Approve | n/a n/a | n/a n/a |



City Council Regular

6.

Meeting Date: 03/03/2015

Subject: Adopt Resolution 15-43 Appointing Valerie Weaver to the Parks Commission

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is asked to adopt Resolution 15-43, a Resolution Appointing Valerie Weaver to the Parks and Recreation Commission.

DISCUSSION

Staff has recommended appointment of Valerie Weaver to the Parks and Recreation Commission.

RECOMMENDATION

Staff recommends that Council Adopt Resolution 15-43 A Resolution Appointing Valerie Weaver to the Parks and Recreation Commission.

Attachments

Resolution 15-43

RESOLUTION NO. 15-43

**APPROVING APPOINTMENT TO THE
PARKS AND RECREATION COMMISSION**

WHEREAS, a vacancy for a term expiring December 31, 2016 exists on the Parks and Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Valerie Weaver be appointed to the Parks and Recreation Commission for 2015.

Adopted this 3rd day of March, 2015, by the Coon Rapids City Council.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

7.

Meeting Date: 03/03/2015

Subject: Adopt Resolution 15-44 Appointing Tracy Wigen to Board of Adjustment and Appeals

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is asked to adopt Resolution 15-44, a Resolution Appointing Tracy Wigen to the Board of Adjustment and Appeals.

DISCUSSION

Staff and a Committee of Councilmembers interviewed prospective applicants and has recommended appointment of Tracy Wigen to the Board of Adjustment and Appeals.

RECOMMENDATION

Adopt Resolution 15-44, a Resolution Appointing Tracy Wigen to the Board of Adjustment and Appeals with a term expiring December 31, 2017.

Attachments

Resolution 15-44

RESOLUTION NO. 15-44

**APPROVING APPOINTMENT TO THE
BOARD OF ADJUSTMENT AND APPEAL TO FILL PREVIOUSLY DECLARED
VACANCY**

WHEREAS, there is one existing vacancy on the Board of Adjustment and Appeals; and

WHEREAS, it is necessary to fill the vacancy at this time; and

WHEREAS, Tracy Wigen is being recommended for appointment to fill the vacant term ending December 31, 2017; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Tracy Wigen be appointed to fill the existing vacant term expiring December 31, 2017.

Adopted this 3rd day of March, 2015, by the Coon Rapids City Council.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

8.

Meeting Date: 03/03/2015

Subject: Approve Waiver of Carnival License Fees for the 2015 Springfest Celebration on May 15, 16, & 17, 2015.

Submitted For: Stephanie Lincoln, Deputy City Clerk

From: Stephanie Lincoln, Deputy City Clerk

INTRODUCTION

Jay Tomaszewski, on behalf of the Church of the Epiphany, has submitted a request to waive their licensing fees for the 2015 Springfest celebration.

DISCUSSION

Jay Tomaszewski, on behalf of the Church of the Epiphany, has submitted a request to waive the carnival fees for their annual Springfest celebration on May 15, 16, & 17, 2015. Historically these fees have been waived for this community event.

While the Clerk's office has the authority to issue the licenses, any fee adjustment must be approved by Council.

RECOMMENDATION

Council is requested to approve the waiver of carnival license fees for the 2015 Springfest celebration on May 15, 16, & 17, 2015.

Attachments

Epiphany Letter

The Church of the
EPIPHANY
Lighting the Way to Christ

February 19, 2015

City of Coon Rapids
11155 Robinson Dr.
Coon Rapids, MN 55433

Dear Council Members,

The Church of the Epiphany Springfest celebration is on May 15, 16 & 17, 2015. We are asking for the City Council to waive the Carnival ride fee. Springfest is a major fundraiser for Epiphany and we appreciate your consideration of this request.

Sincerely,



Jay Tomaszewski
Parish Administrator



City Council Regular

9.

Meeting Date: 03/03/2015

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

Submitted For: Stephanie Lincoln, Deputy City Clerk

From: Stephanie Lincoln, Deputy City Clerk

INTRODUCTION

Jay Tomaszewski, on behalf of Epiphany Church, 1900 111th Avenue NW, has applied for a temporary on-sale 3.2% malt liquor license to be used at Springfest on May 15th, 16th, and 17th 2015.

DISCUSSION

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

The On-sale 3.2% malt liquor license will be valid from 5:00 to 10:30 p.m. on Friday, May 15th; 8:30 a.m. to 10:30 p.m. on Saturday, May 16th; and noon to 5:00 p.m. on Sunday, May 17th.

RECOMMENDATION

Council approval of a temporary 3.2% malt liquor license for Epiphany Church for use at Springfest on May 15th, 16th, and 17th, 2015 contingent upon the Police Department's approval of the background investigation.



City Council Regular

10.

Meeting Date: 03/03/2015

Subject: Adopt Resolution 15-45 Requesting Advance of State Aid Funding for the 2015 Street Reconstruction Program

Submitted For: Mark Hansen, Assistant City Engineer

From: Cher Ridout, Admin Secretary II

INTRODUCTION

City staff is preparing for the 2015 construction season, and is proposing to reconstruct approximately 1.5 miles and mill and overlay 1.7 miles of Municipal State Aid (MSA) streets as part of this program. Due to the continuance of our aggressive street reconstruction program, we need to request advance funding through MnDOT to cover the costs. Essentially, we are borrowing ahead from the City's MSA construction funds. The City receives approximately \$2M of dedicated funds per year for construction and maintenance of our MSA roadway system, but since a majority of these funds have been previously advanced to cover the 2013 and 2014 programs, we will be requesting another advance for 2015. Council is being asked to consider staff's request to adopt the attached resolution seeking advanced funding from MnDOT for MSA street reconstruction and mill and overlay in 2015.

DISCUSSION

Each year, the City receives approximately \$2M from the State gas tax (administered through MnDOT), which is deposited into the City's MSA street fund. These funds are available for construction of MSA streets within the City, including the City's share of County State Aid Highway projects. To continue improving the condition of our collector street system, staff is proposing to reconstruct approximately 1.5 miles, and mill and overlay approximately 1.7 miles of MSA streets in 2015. If approved by the State, these advance funds totaling \$4.0M will be available for use by the City in 2015, interest free. Currently the City is about one year ahead in our advance funding requests, so improvements considered in future years will require additional advances.

MSA streets proposed for reconstruction in 2015 are listed below:

- 124th Avenue from Northdale Boulevard to East of Ivywood Street
- 121st Avenue from Hanson Boulevard to East of Drake Street
- Egret Boulevard from BNSF Railroad to Woodcrest Drive

MSA streets proposed for mill and overlay in 2015 are listed below:

- Northdale Boulevard from Round Lake Boulevard to 129th Avenue
- 124th Avenue from River Rapids Drive to East of Riverdale Boulevard
- 111th Avenue/Creek Meadow Drive from Hanson Boulevard to Robinson Drive
- Egret Boulevard from Woodcrest Drive to Kumquat Street

All locations are shown on the attached map.

There are also other outstanding MSA costs that will be coming due; including maintenance activities, and the last payment on an existing bond that was issued on 11/29/2005. The City has successfully used this advance funding program in the past, and staff will continue tracking our dedicated fund allotments in the future, along with potential projects, to ensure adequate funding will be available in future years to cover anticipated costs.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 15-45, requesting advance MSA funding for the 2015 street reconstruction program.

Attachments

MSA Project Location Map

Resolution No. 15-45



2015 Proposed Street Reconstruction & Overlay Project 15-2

- 15-2 MSA Reconstruction 1.54 miles
- 15-2 MSA Mill & Overlay 1.7 miles

June 20, 2014

RESOLUTION NO. 15-45

**RESOLUTION REQUESTING STATE AID ADVANCE FUNDING
FOR 2015 STREET RECONSTRUCTION PROGRAM**

WHEREAS, the Municipality of Coon Rapids is planning to implement Municipal State Aid Street Projects in 2015 which will require State Aid funds in excess of those available in its State Aid Construction Account; and

WHEREAS, said Municipality is prepared to proceed with the construction of said project(s) through the use of an advance from the Municipal State Aid Street Fund to supplement the available funds in their State Aid Construction Account; and

WHEREAS, the advance is based on the following determination of estimated expenditures:

| | | |
|--|-----------------|--------------------|
| Account Balance as of February 24, 2015 | | (\$ 355,653.57) |
| Less estimated disbursements: | | |
| 121st Avenue | SAP 114-102-017 | \$ 567,293.08 |
| Egret Boulevard | SAP 114-104-018 | \$ 1,361,503.39 |
| Egret Boulevard | SAP 114-104-119 | \$ 217,574.65 |
| 111th Avenue/ Creek Meadow Drive | SAP 114-120-007 | \$ 382,225.73 |
| Northdale Boulevard | SAP 114-127-008 | \$ 282,259.00 |
| 124th Avenue | SAP 114-136-004 | \$ 307,959.10 |
| 124th Avenue | SAP 114-136-005 | \$ 170,531.48 |
| Bond Principle | | \$ 355,000.00 |
| Total Estimated Disbursements | | \$3,644,346.43 |
| Advance Amount (amount in excess of account balance) | | \$4,000,000.00 |

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.14, Subd. 6 and Minnesota Rules, Chapter 8820.1500, Subp. 10b; and

WHEREAS, the Municipality acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved Municipal State Aid Street Projects of the Municipality of Coon Rapids in an amount up to \$4,000,000. The City hereby authorizes repayments from subsequent accruals to the Municipal State Aid Street Construction Account of said Municipality from future year allocations until fully repaid.

Adopted this 3rd day of March, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

11.

Meeting Date: 03/03/2015

Subject: Recommend Appointment of Byron Westlund to Coon Creek Watershed District Board of Managers

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is asked to recommend appointment of Byron Westlund to the Coon Creek Watershed District Board of Managers.

DISCUSSION

Byron Westlund has been serving on the Coon Creek Watershed District Board of Managers and his term expires on May 27, 2015. The Anoka County Board of Commissioners is the entity responsible for the appointment but the City makes a recommendation to the County on candidates to consider.

RECOMMENDATION

Recommend that Byron Westlund be appointed to the Coon Creek Watershed District Board of Managers for a three year term.



City Council Regular

12.

Meeting Date: 03/03/2015

Subject: Adopt Resolution No. 15-6(9) Awarding a Contract for 2015 Sanitary Sewer Lining Program

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

INTRODUCTION

As part of the 10 year capital improvement program, we have selected several neighborhoods to continue the sanitary sewer lining program. Lining in 2015 will be done in areas as shown on the attached map. The consulting engineer, SEH, Inc., completed plans and specifications for this year's sanitary sewer lining program and advertised for bids. Council is requested to award a contract at this time.

DISCUSSION

The City is continuing the lining program for the sanitary sewer system that began in 2008. Lining will be done in areas where the sanitary sewer pipe exhibits significant maintenance concerns due to root intrusion and open joints. Pipe material is clay pipe that was installed in the 1960s and 1970s. The project will include work only on the main line sanitary sewer and includes a total of 34,261 lineal feet of pipe.

On February 3, 2015, Council approved the plans and specifications and authorized advertisement for bids. Bids were advertised in February and received on February 25, 2015. Three bids were received and are summarized as follows:

| <u>Contractor</u> | <u>Bid Amount</u> |
|----------------------------------|-------------------|
| Insituform Technologies USA, LLC | \$794,469.40 |
| Veit & Company, Inc. | \$1,028,995.00 |
| Lametti & Sons, Inc. | \$1,222,036.00 |

The engineer's estimate for this work is \$1,042,558. The low bidder, Insituform Technologies USA, LLC, has successfully completed similar projects for the City in the past. If Council awards a contract award on March 3, 2015, it is anticipated work can begin in April and be completed in November, 2015.

RECOMMENDATION

It is recommended the City Council adopt Resolution No. 15-6(9) awarding a contract to Insituform Technologies USA, LLC in the amount of \$794,469.40 for the 2015 Sanitary Sewer Lining Program.

BUDGET IMPACT:

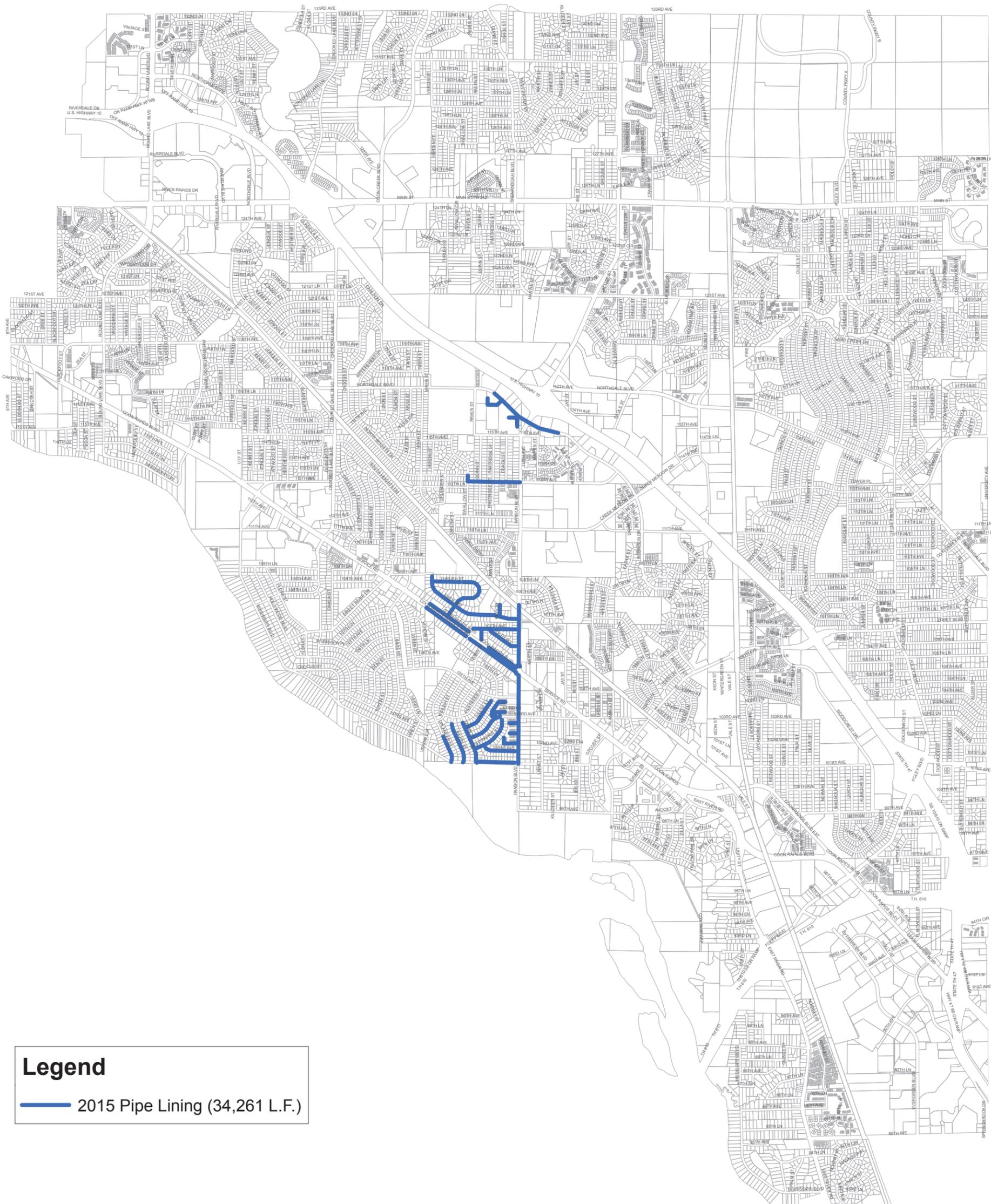
The recommended contract award amount of \$794,469.40 is well below the engineer's estimate and the amount budgeted in the Sanitary Sewer Utility Fund for 2015 (\$1,278,265).

Attachments

Location Map

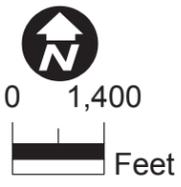
Bid Tabulation

Resolution No. 15-6(9)



Legend

 2015 Pipe Lining (34,261 L.F.)



3535 VADNAIS CENTER DR.
ST. PAUL, MN 55110
PHONE: (651) 490-2000
FAX: (888) 908-8166
TF: (800) 325-2055
www.sehinc.com

Project: COONR 130838
Print Date: 12/23/2014
Map by: dc
Projection: MN SP South Nad 83 ft
Source: City of Coon Rapids, SEH

Sanitary Sewer 2015 Planned Pipe Lining
Sanitary Sewer Pipe Lining Program
Coon Rapids, MN

Figure
1

D:\GIS\Projects\130838\130838_122314.mxd

This map is neither a legally recorded map nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources based on this map and is to be used for reference purposes only. SEH does not warrant the Geographic Information System (GIS) Data used to prepare this map are error free, and SEH does not represent that the GIS Data can be used for navigational, tracking, or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that SEH shall not be liable for any damages which arise out of the user's access or use of data provided.



TABULATION OF BIDS

1

2

4

| 2015 Sanitary Sewer Lining Coon Rapids, MN SEH No.: COONR 130838 25-Feb-15 | | | | Engineer's Estimate \$1,042,588.00 | | Insituform Technologies 17988 Edison Avenue Chesterfield, MO 63005 \$794,469.40 | | Viet & Company, Inc. 14000 Viet Place Rogers, MN 55371 \$1,028,995.00 | | Lametti & Sons, Inc. 16028 Forest Blvd. N City, State ZipHugo, MN 55038 \$1,222,036.00 | |
|---|---|------|---------------|---|-----------------------|--|-------------|--|-------------|---|-------------|
| Item No. | Item | Unit | Est. Quantity | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price |
| 1 - 01 71 13 | SANITARY SEWER REPAIR MOBILIZATION | LS | 1 | \$ 30,000.00 | \$30,000.00 | \$5,800.00 | \$5,800.00 | \$26,000.00 | \$26,000.00 | \$40,000.00 | \$40,000.00 |
| 2 - 01 55 25 | SANITARY SEWER REPAIR TRAFFIC CONTROL (AREA 1) | LS | 1 | \$ 8,000.00 | 8,000.00 | \$1,700.00 | 1,700.00 | \$6,200.00 | 6,200.00 | \$1,000.00 | 1,000.00 |
| 3 - 01 55 25 | SANITARY SEWER REPAIR TRAFFIC CONTROL (AREA 2) | LS | 1 | \$ 10,000.00 | 10,000.00 | \$2,250.00 | 2,250.00 | \$10,500.00 | 10,500.00 | \$5,000.00 | 5,000.00 |
| 4 - 01 55 25 | SANITARY SEWER REPAIR TRAFFIC CONTROL (AREA 3) | LS | 1 | \$ 9,000.00 | 9,000.00 | \$1,675.00 | 1,675.00 | \$8,500.00 | 8,500.00 | \$1,000.00 | 1,000.00 |
| 5 - 33 01 35 | SANITARY SEWER CLEANING AND TELEVISIONING | LF | 33688 | \$ 2.30 | 77,482.40 | \$1.90 | 64,007.20 | \$1.25 | 42,110.00 | \$2.00 | 67,376.00 |
| 6 - 33 01 35 | SANITARY SEWER 8" VCP PIPE LINING | LF | 27657 | \$ 24.00 | 663,768.00 | \$18.20 | 503,357.40 | \$25.00 | 691,425.00 | \$30.00 | 829,710.00 |
| 7 - 33 01 35 | SANITARY SEWER 10" VCP PIPE LINING | LF | 4540 | \$ 30.00 | 136,200.00 | \$21.20 | 96,248.00 | \$27.00 | 122,580.00 | \$33.00 | 149,820.00 |
| 8 - 33 01 35 | SANITARY SEWER 12" VCP PIPE LINING | LF | 1490 | \$ 39.00 | 58,110.00 | \$26.70 | 39,783.00 | \$32.00 | 47,680.00 | \$37.00 | 55,130.00 |
| 9 - 33 01 35 | MAINLINE SANITARY SEWER REPAIR ALLOWANCE | EA | 4 | \$ 10,000.00 | 40,000.00 | \$18,512.20 | 74,048.80 | \$17,500.00 | 70,000.00 | \$17,500.00 | 70,000.00 |
| 10 - 33 01 35 | LANDSCAPE AND TURF RESTORATION W/PRIOR APPROVAL | SY | 1000 | \$ 10.00 | 10,000.00 | \$5.60 | 5,600.00 | \$4.00 | 4,000.00 | \$3.00 | 3,000.00 |
| TOTAL BID PRICE | | | | | \$1,042,588.00 | \$794,469.40 | | \$1,028,995.00 | | \$1,222,036.00 | |

RESOLUTION NO. 15-6(9)

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

WHEREAS, pursuant to an advertisement for bids for the improvement of the City's sanitary sewer system by lining existing sewer pipe, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

| | |
|----------------------------------|-----------------|
| Insituform Technologies USA, LLC | \$ 794,469.40 |
| Veit & Company, Inc. | \$ 1,028,995.00 |
| Lametti & Sons, Inc. | \$ 1,222,036.00 |

WHEREAS, it appears that Insituform Technologies USA, LLC of Chesterfield, Missouri is the lowest responsible bidder; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the bid of \$794,469.40 by Insituform Technologies USA, LLC for Coon Rapids Improvement Project 15-6 be accepted as the lowest responsible bid.

BE IT FURTHER RESOLVED that the Mayor and City Manager are hereby authorized and directed to enter into a contract with Insituform Technologies USA, LLC of Chesterfield, Missouri for the improvement of the City's sanitary sewer system by lining existing sewer pipe according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

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

Adopted this 3rd day of March, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

13.

Meeting Date: 03/03/2015

Subject: Consider Awarding Bid for Water Treatment Chemicals to DPC Industries

From: Traci Reimringer, Purchasing Clerk

INTRODUCTION

Staff requests awarding the Water Treatment Chemicals contract to DPC Industries.

DISCUSSION

Bids were received from three different vendors and opened on February 20, 2015. A one year contract is recommended with an option to renew for two additional one year periods. The bid tab is attached.

RECOMMENDATION

Award the Water Treatment Chemicals to DPC Industries in the amount of \$168,872.00 for a 1-year contract with the option to renew for two additional one year periods if desired.

Attachments

14-23 Water Treatment Chemicals Bid Tab

Bid Tabulation: Water Treatment Chemicals (Purch 14-23)

| Item # | Qty | Product Description | DPC industries, Inc | | Hawkins, Inc | | Shannon Chemical | |
|---------------------------------|-----------|---|---------------------|---------------|-----------------|---------------|------------------|---------------|
| | | | Amount per Unit | Total Cost | Amount per Unit | Total Cost | Amount per Unit | Total Cost |
| 1 | 90 | 1-Ton Cylinders Chlorine | \$ 438.80 | \$ 39,492.00 | \$ 438.80 | \$ 39,492.00 | No Bid | \$ - |
| 2 | 30 | 150# Cylinders Chlorine | \$ 52.50 | \$ 1,575.00 | \$ 54.00 | \$ 1,620.00 | No Bid | \$ - |
| 3 | 45 | 1-Ton Cylinders Sulfur Dioxide | \$ 625.00 | \$ 28,125.00 | \$ 1,035.00 | \$ 46,575.00 | No Bid | \$ - |
| 4 | 12,000 | Fluoride H ₂ SIF ₆ (BULK) | \$ 2.90 | \$ 46,400.00 | \$ 2.879 | \$ 46,064.00 | \$ 3.47 | \$ 41,640.00 |
| 5 | 1000 gal. | 100% Polyphosphate | \$ 5.40 | \$ 7,830.00 | \$ 4.82 | \$ 6,989.00 | \$ 8.47 | \$ 12,281.50 |
| 6 | 7500 gal. | 70-30 Blend Orthoployphospate | \$ 5.05 | \$ 45,450.00 | \$ 4.89 | \$ 44,010.00 | \$ 8.47 | \$ 76,230.00 |
| Total: | | | | \$ 168,872.00 | | \$ 184,750.00 | | \$ 130,151.50 |
| # of Calendar Days to Delivery: | | | | 2-4 | | 2-3 | | 7 |
| Bid Bond Submitted? | | | | yes | | yes | | yes |



City Council Regular

14.

Meeting Date: 03/03/2015

Subject: Consider Awarding the Self Contained Breathing Apparatus (SCBA) Equipment Contract to Clarey's Safety Equipment.

Submitted For: Sharon Legg, Finance Director

From: Traci Reimringer, Purchasing Clerk

INTRODUCTION

Staff requests awarding the Self Contained Breathing Apparatus (SCBA) Equipment contract to Clarey's Safety Equipment.

DISCUSSION

Clarey's Safety Equipment provided the sole bid for SCBA Equipment that was opened on February 20, 2015. The bid of \$288,335. includes training, delivery, a ten year warranty on the SCBA, a fifteen year warranty on the pressure reducers and a five year warranty on electronic components. The 2015 budget includes \$313,340 for the SCBA Equipment. The City has worked with Clarey's Safety Equipment for many years and recommends this purchase.

RECOMMENDATION

Award the SCBA Equipment contract to Clarey's Safety Equipment in the amount of \$288,355.



City Council Regular

15.

Meeting Date: 03/03/2015

Subject: Consider No Fault Sewer Back up Coverage

Submitted For: Sharon Legg, Finance Director

From: Sharon Legg, Finance Director

INTRODUCTION

City Council requested that staff consider self insuring for no fault sewer back up coverage.

DISCUSSION

As you know, the City has been purchasing no fault sewer back up coverage through the LMCIT on and off for a number of years. The coverage will pay up to \$10,000 to a homeowner even if the City did not cause the back up, i.e. no fault of the City's. The premium for the coverage is \$16,000 with a \$50,000 deductible. Lower deductibles will increase the premium.

Presently, the LMCIT handles potential claims. If there is a back up, LMCIT representatives investigate, determine responsibility and negotiate a settlement. Essentially, that is what the no fault sewer backup premium pays for. If the City were to assume this responsibility, staff would assume the role negotiating with affected citizens. In most cases, citizens will be up front and submit reimbursements for reasonable expenses. However, there will be times when citizens may not be reimbursed for what they perceive the value of the claim to be. If the City were to assume the responsibility, a policy with guidelines similar to the policy issued through the LMCIT can be implemented, limiting exposure in the event that there are major disasters or FEMA events. But, even with that limitation, there will be surprises. After providing insurance to cities since about 1980, there are still surprises that the LMCIT does not anticipate. If, for example, there is a major flood or situation where a number of homes are affected, the City would be responsible. At present, although the City has a \$10,000 deductible, after claims aggregate to \$200,000, the City will revert to a \$1,000 deductible. In other words, there is a limit on the City's liability. If the City were to self insure, there would be no aggregate.

By utilizing the LMCIT's no fault sewer back up insurance, the City is essentially contracting with the LMCIT to value losses and settle with the claimant. The LMCIT is an independent third party experienced with claim handling. If the City were to self insure, it would require the LMCIT to investigate the claim to make the determination that it is not covered under the City's liability and if need be, refer the claim back to the City to investigate under the potential no-fault coverage.

Attached is an internal LMCIT memo that discusses no-fault sewer coverage which may shed light on the complexity of the insurance.

RECOMMENDATION

Staff recommends that if the City Council would like to offer No Fault Sewer Back Up Coverage that the City continue to obtain that coverage through the LMCIT.

Attachments

LMCIT memos



August 12, 2014

Agenda Item 4

To: LMCIT Board of Trustees

From: Pete Tritz

Re: **No-Fault Sewer Backup Coverage – Suggested Changes**

Recommendation

Provide feedback and direction on suggested changes to the optional no-fault sewer coverage.

Summary

The July rainstorms resulted in over 50 claims under the no-fault sewer backup (NFSB) coverage in four cities, with a total cost estimated to be in the range of \$500,000. Based on our experience in applying the NFSB coverage in this situation, staff believes the current coverage could expose LMCIT to an extremely expensive total loss cost in some circumstances; and that the current premium rates are not adequate to support that level of exposure.

Staff has developed suggestions for coverage changes to reduce the potential catastrophe exposure, which we believe would reduce the loss cost to a level the current rates would support. At this point, we're looking for feedback from the Board regarding these suggested changes. Based on the Board's direction, we would bring the recommended changes to the Board for formal action at the October or November meeting.

Discussion

Background and participation

LMCIT has offered the NFSB coverage as an additional-cost option since 2001. The main goal in offering this coverage was to provide a solution for cities who were not comfortable telling their citizens that the city and LMCIT would not pay for the damages caused by a sewer backup in situations where the backup was not due to any negligence on the city's part.

Initially the NFSB provided a limit of \$10,000 per building. In response to requests from participants, in 2007 we added options for higher limits of \$25,000 and \$40,000. In 2009, also in response to a participant request, the coverage was expanded to also apply to damages caused by water main breaks for which the city is not legally liable.

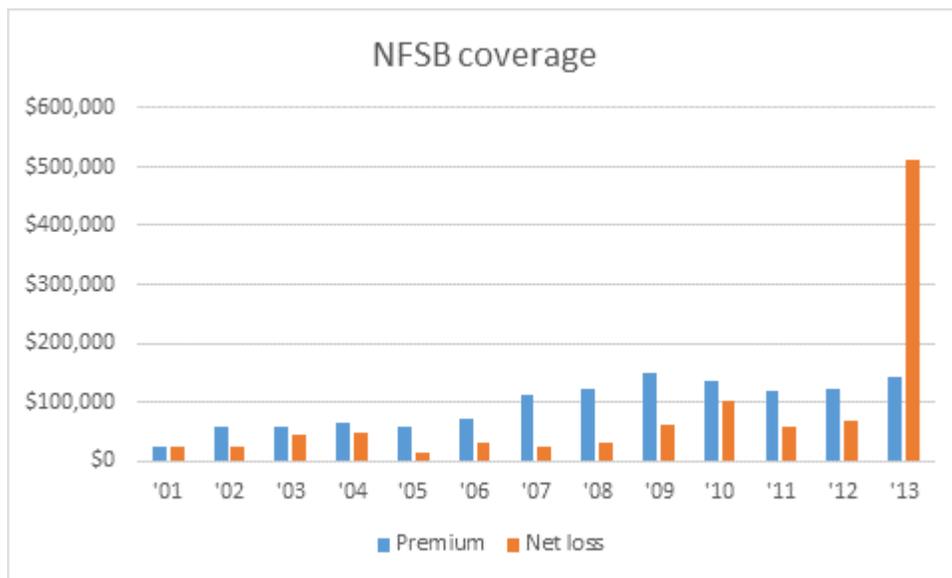
Initially the charge for the NFSB coverage was based on a percentage of the city's total liability coverage premium. When we switched to the new liability premium rating system in 2013, we also switched the NFSB coverage rating system to a per-connection charge.

Currently 77 members purchase the NFSB coverage, generating about \$156,000 in annual premiums. Participation has grown modestly over the past several years but still represents well under 10% of LMCIT’s member cities. Current participants range in size from Delhi with a total of 30 sewer connections to Coon Rapids with 20,242 connections.

Premium and loss experience

Since inception in 2001, the NFSB coverage has generated just under \$1.4 million in total premiums. Incurred loss costs, net of deductibles and subrogation recoveries, total slightly over \$1 million, for a net loss ratio of 77%.

Since the property/casualty program’s expenses for administration and agent fees average 27% of premiums, that means that for its 13 years of operation the NFSB coverage has effectively operated at a slight loss. As the chart below shows, that’s essentially because of the very high loss costs for the 2013-2014 underwriting year. Prior to this year, the total net loss ratio for the NFSB coverage was about 48%. In other words, until then the NFSB premiums were covering losses and expenses plus a small margin.



The NFSB coverage is unique in a couple ways. It’s an optional coverage, and the losses it covers are things for which the city would not otherwise be legally liable. For this reason, it’s especially important this coverage pay for itself, since it would clearly be unfair to in effect force the other members to subsidize it through the premiums they pay for other coverages.

Concerns with the current NFSB coverage structure

When we originally designed the NFSB coverage, a major problem we identified was the risk of a large-scale event that would produce multiple backups in multiple cities resulting in very high loss costs. To address this risk, we incorporated an exclusion for sewer backups resulting from a “catastrophic incident”. “Catastrophic incident” was defined as any of several situations:

- 1) Any weather-related or other event for which FEMA (Federal Emergency Management Administration) assistance is available;
- 2) Any interruption in the electric power supply to the city’s sewer system or to any city sewer lift station which continues for more than 72 hours; or
- 3) Rainfall or precipitation which exceeds the amount determined by the National Weather Service to constitute a 100-year storm event.

A separate provision in the NFSB coverage also excludes any situation that constitutes a flood as defined by the National Flood Insurance Program.

The widespread heavy rains in July, and the fact that in many areas the ground was already saturated because of the very wet weather earlier in the summer, combined to produce a number of backups in several cities that participate in the NFSB coverage:

| City | Number of claims | NFSB coverage limit |
|---------------|------------------|---------------------|
| West St. Paul | 42 | \$10,000 |
| Kasson | 10 | \$25,000 |
| Hamburg | 2 | \$10,000 |
| Lafayette | 1 | \$25,000 |
| Spring Park | 4 | \$25,000 |

In the Spring Park situation, the rainfall clearly exceeded the 100-year level so we have denied coverage on those claims. In the other four cities though, although the rainfall amounts were heavy they were clearly short of the 100-year level. We also concluded that the “FEMA assistance” portion of the definition of “catastrophic incident” could not be applied because of the way that part of the definition is worded. (Also, Dakota County is expected to be formally declared to be a disaster for purposes of FEMA assistance, but that hasn’t yet happened.) We’ve therefore accepted liability for the claims in those cities. Our adjusters are working to evaluate damages and we expect the actual damages will be less than the available limit for at least some of the claims. We estimate the total net cost to LMCIT will be in the range of \$500,000.

Essentially, this was an example of the kind of situation we had identified as being problematic and had intended to exclude. However, the experience this summer showed that our existing “catastrophic incident” language doesn’t always accomplish that purpose.

The numbers of NFSB claims we incurred this summer were significant but still fairly limited, and the loss costs are manageable. But this experience raises concerns about the potential for incurring much larger costs. Some observations:

- The experience demonstrated that in the right combination of circumstances, widespread backups can occur even when rainfall is well short of the 100-year standard used in the current coverage.

- We had 42 backup claims from West St. Paul, which is a little less than 1% of the city’s total of 5,412 sewer connections. Other members that currently have NFSB coverage have substantially greater number of connections. Examples include Burnsville (16,002), Coon Rapids (20,242), St. Louis Park (13,520), Alexandria Lake Area Sanitary District (9,905), Golden Valley (7,179), and Columbia Heights (7,233).
- NFSB loss costs from this storm event were several times greater than the total annual premiums for NFSB coverage.
- The experienced highlighted some weaknesses in the current NFSB coverage wording, especially with respect to the reference to FEMA disaster assistance.
- The NFSB coverage is currently used by a relatively small number of members who are fairly widely dispersed geographically. But the risk to LMCIT could be multiplied if in the future it were used by more cities who are geographically close to each other, so that they could all be affected similarly by the same local weather conditions. Note for example that we also had rainfall-related sewer backup liability claims submitted this summer from more than 20 other cities that don’t have the NFSB coverage.

For these reasons, staff’s recommendation is that we revise the NFSB coverage to reduce the risk of very large losses in a single event. Specifically, the definition of an excluded “catastrophic incident” should be broadened to encompass a wider range of incidents than does the current coverage. This would narrow the coverage compared to what’s currently provided. In addition, the wording should be revised to eliminate ambiguities in the current coverage document language.

Recommended changes

Staff recommends these specific changes.

1. *Revise the definition of “catastrophic incident” to include any event for which a FEMA disaster declaration has been issued.* The current language refers to events for which FEMA assistance is available, which could be interpreted to mean that it only applies if FEMA assistance is available to the individual claimant. The change would make it clear that the NFSB coverage does not apply in any situation that’s been declared a disaster under the Stafford Act, irrespective of whether that results in disaster assistance being made available to the individual.
2. *Revise the definition of “catastrophic incident” to include any situation in which local rainfall exceeds the following amounts:*
 - 2.0 inches in a 1-hour period; or*
 - 2.5 inches in a 3-hour period; or*
 - 3.0 inches in a 6-hour period; or*
 - 3.5 inches in a 12-hour period; or*
 - 4.0 inches in a 24-hour period; or*
 - 4.5 inches in a 72-hour period; or*
 - 5.5 inches in a 168-hour period.*

Rather than referring explicitly to the 100-year rainfall as the current language does, we would instead refer to these specific rainfall amounts. These suggested amounts would be a significant change from the 100-year event standard currently used. They are actually close to or slightly greater than what would constitute a 10-year rainfall event for most areas around the state. For a sense of the magnitude of the suggested change, the 100-year rainfall amounts for different areas of the state would be 1 to 2 inches greater than the suggested figure for a 1-hour period, and 2 to 4 inches greater than the suggested figures for the other time periods.

In other words, compared to the current language the suggested change would mean that significantly more rainfall events would be considered a “catastrophic incident” and would therefore be excluded. But while it’s definitely more restrictive than the current coverage, we think most people would consider these amounts to be an awful lot of rain, and therefore a situation that it’s reasonable to exclude.

Had the suggested definition been in effect, it would have excluded coverage for the West St. Paul event. The information we have indicates that they experienced about 2 inches of rain in a 2-hour period; about 3.2 inches in an 8-hour period; and about 6.3 inches in a 5.5-day period.

3. *Add an annual aggregate limit to the coverage.* The annual limit would be tied to the per-building limit the city chooses: \$250,000 if the city chooses the \$10,000 per building limit; \$625,000 for the \$25,000 per building limit; and \$1,000,000 for the \$40,000 per building limit. In other words, the suggested aggregate limit would be enough to cover 25 full-limit backup claims.

Adding an annual aggregate limit would provide an additional line of financial protection for LMCIT. Arguably it may not be necessary, if we’re comfortable that the tightened definition of “catastrophic incident” would eliminate most or all of the situations likely to generate multiple backups. As we’ve seen though, that’s hard to predict with any confidence, given the other factors that can come into play: how saturated is the ground already; what’s happened either upstream or downstream in the met council’s collector system in the metro area; and so on.

Incorporating an annual aggregate limit could also be criticized as being unfair, in a couple different ways. A large city with 10,000 or 20,000 sewer connections might argue that an aggregate limit is far more likely to affect them than it is to affect a smaller city with only a few hundred connections. And if a city’s limit were to be exhausted early in the year, property owners affected by subsequent backups might (with some justification) feel that they were unfairly treated compared to the first set of claimants who did get compensated.

For these reasons, we’d suggest the Board carefully consider whether an aggregate limit should be incorporated.

Other comments

- The staff recommendation is that we address the concerns we see by narrowing the scope of the coverage provided. Conceptually, another possible approach would be to address it on the premium side; i.e., increase the premium rates enough to cover the higher risk which the recent experience suggests we're exposed to. However, we don't think this approach is viable. If we were to assume that a loss event of the magnitude of this summer's will recur about every ten years, we'd need to raise rates significantly just to cover that cost. And that would still leave us with the problem that this summer's event was clearly not a worst case. An event causing even more widespread backups is not hard to imagine, especially if more cities opt for the NFSB coverage in the future so that we'd have more clusters of covered cities in close enough proximity to be affected by the same event.
- If the Board agrees that the NFSB coverage should be modified as suggested, it would probably be appropriate to use a different term than "catastrophic incident" in the coverage language. The rainfall amounts at which we're suggesting that the exclusion be triggered are in the range of a ten-year event, and "catastrophic" is probably not an appropriate term to use to refer to something that's expected to recur roughly every ten years. If the Board agrees that we should go in this direction, staff will revise the coverage language to use more appropriate terminology.



September 11, 2014

Agenda Item 6

To: LMCIT Board of Trustees

From: Pete Tritz and Liam Biever

Re: **No-Fault Sewer Backup Coverage**

Recommendation

Approve the proposed changes to the no-fault sewer backup (NFSB) coverage for the 2014-15 underwriting year.

Summary

Heavy rains this summer resulted in an exceptionally large number of claims under the no-fault sewer backup coverage. Our experience in applying the NFSB coverage in this situation suggested that the current coverage could expose LMCIT to a risk of extremely expensive total loss costs in some circumstances. The Board discussed this at the September meeting and directed staff to develop recommended coverage changes to reduce that risk by broadening the coverage exclusion for heavy rainfall events and by clarifying the exclusion language for natural disasters declared by FEMA. The Board also discussed whether to incorporate an annual aggregate limit on the coverage as an additional protection against catastrophically large costs but decided against it. The concern was that doing so would create significant problems of fairness, both among members and among claimants. The attached draft amends the coverage in accordance with the Board's directions.

Discussion

Background and participation

LMCIT has offered the NFSB coverage as an additional-cost option since 2001. The coverage pays for a property owner's damage caused by a sewer backup in situations where the city would not otherwise legally liable for those damages; i.e., where the damage was not the result of negligence on the city's part. The main goal in offering this coverage was to provide a solution for cities who were not comfortable telling their citizens that the city and LMCIT would not pay for the damages caused by a sewer backup in situations where the backup was not due to city negligence. The coverage is subject to certain exceptions and exclusions for situations that could result in large numbers of backups and potentially catastrophic expense to LMCIT.

Initially the NFSB provided a limit of \$10,000 per building. In response to requests from participants, in 2007 we added options for higher limits of \$25,000 and \$40,000. In 2009, also in

response to a participant request, the coverage was expanded to also apply to damages caused by water main breaks for which the city is not legally liable.

Currently 77 members purchase the NFSB coverage, generating about \$156,000 in annual premiums. Participation has grown modestly over the past several years but still represents well under 10% of LMCIT's member cities. Current participants range in size from Delhi with a total of 30 sewer connections to Coon Rapids with 20,242 connections.

Coverage changes

The recommended amended NFSB coverage language is attached. The revised coverage incorporates these changes:

1. The exclusion for FEMA-declared disasters is reworded to exclude NFSB coverage in “*any weather-related or other event which has been declared by the President of the United States to be a major disaster pursuant to 42 U.S.C. §§ 5121-5206, commonly known as the Stafford Act.*” The current language refers to situations where FEMA disaster assistance is available, which created an ambiguity as to whether the assistance had to be available to the homeowner in order for the exclusion to apply.
2. The exclusion for heavy rainfall events is revised to apply to any situation in which rainfall or precipitation exceeds the following amounts:
 - 2.0 inches in a 1-hour period; or
 - 2.5 inches in a 3-hour period; or
 - 3.0 inches in a 6-hour period; or
 - 3.5 inches in a 12-hour period; or
 - 4.0 inches in a 24-hour period; or
 - 4.5 inches in a 72-hour period; or
 - 5.5 inches in a 168-hour period.

The current coverage language excludes situations in which rainfall or precipitation exceeds the 100-year rainfall amount for the location.

3. The coverage now uses the term “excluded incident” rather than “catastrophic incident” to refer to the situations in which the NFSB coverage does not apply.

Alternate approaches

A suggestion raised at the September meeting was to consider using an even broader exclusion to eliminate NFSB coverage in any situation in which inflow and infiltration caused or contributed to the backup. This approach might have some merit, but at this point we haven't come up with a workable way to draft an exclusion along those lines. A problem with this approach is that it would require a determination of causation, and any such determination could be disputed, challenged and litigated. That sort of determination could be especially contentious if multiple causes contributed to a backup, such as a lift station failure during a rainstorm. Tying the exclusion to a specified rainfall amount is not a perfect solution, but it does have the advantage

that coverage would turn on a fact – i.e., how much did it rain – that can usually be determined relatively easily, rather than on a judgment about causation.

NFSB coverage resolutions

Part of the process for putting the NFSB coverage in place is for the city council to pass a formal resolution that makes the no-fault sewer backup protection part of the agreement between the city and the sewer customer. The idea is that by paying their sewer bill, the sewer user is purchasing not just sewer services but also the right to be reimbursed for certain specified sewer backup costs and damages. In other words, the basis for the no-fault payments to the property owner would be the contract between the city and the sewer user.

The model resolution that LMCIT provides for new NFSB members explicitly outlines the situations for which the city agrees to reimburse water and sanitary sewer customers for clean-up costs. (It basically restates the terms of the LMCIT NFSB coverage endorsement, including the FEMA-declared disaster and heavy rainfall event exclusions.) If we do modify the NFSB coverage exclusions, we'll also need to modify our model NFSB resolution. And existing NFSB members will also need to pass new resolutions, so that the contractual obligation to provide NFSB costs to water and sewer customers aligns with the coverage their purchasing with LMCIT to provide those benefits.

Underwriting criteria

At the September meeting, the Board also asked about the underwriting criteria used to evaluate whether a city qualifies for the NFSB coverage. In order to be eligible, the city must meet these underwriting criteria:

- The city must have a policy and practice of inspecting and cleaning its sewer lines on a reasonable schedule.
- If there are any existing problems in the city's system which have caused backups in the past or are likely to cause backups, the city must have and be implementing a plan to address those problems.
- The city must have a system and the ability to respond promptly to backups or other sewer problems at any time of the day or week.
- The city must have in place an appropriate program to minimize storm water inflow and infiltration.
- The city must have in place a system to maintain records of routine sewer cleaning and maintenance, and of any reported problems and responses.

When establishing these criteria, the goal of LMCIT was to focus on reasonableness rather than on creating specific standards. The intent isn't to set an arbitrary requirement that sewers be inspected and cleaned every six months, every three years, every five years, etc. What makes sense in one city with some older and sometimes sagging clay lines probably wouldn't make sense in a city with newer plastic lines, and vice versa. From the underwriting standpoint, the real concern is that

the city has considered its own situation and developed policies, practices, and schedules that make sense for its own situation.

To date, 239 members have completed the NFSB application process. 133 members qualified and 106 did not.

Here are a few examples of situations where a member did not qualify for the coverage.

- The city needed to address the frequency of their cleaning schedule for their clay sewer lines, the lines needed to be jetted and proofed, the lift stations needed to be inspected on a daily basis, and the city needed to rework the methodology for their maintenance records.
- The city needed to formalize the inspection and maintenance programs, formalize a program to identify and handle areas in the system with root problems, and rework the methodology for their maintenance records.
- The city did not have a regular/ongoing sewer line cleaning schedule, did not keep maintenance and repair records, needed to formalize the inspection and maintenance program, and needed to address areas in the system with root problems.

COMPREHENSIVE MUNICIPAL COVERAGE

No-Fault Sewer Back-up and Water Main Break Coverage Endorsement

Section I, Coverage A, Municipal Liability Coverage, is amended to include no-fault sewer back-up and water main break coverage as outlined below.

1. No-fault sewer back-up coverage

a. If all of the following four conditions are met, *LMCIT* will pay for claims presented by the *city* for *sewer back-up damage* to property of others which was not caused by *city* negligence:

- (1) The sewer back-up resulted from a condition in the *city's* sewer system;
- (2) The sewer back-up was not the result of an obstruction or other condition in sewer pipes or lines which are not part of the *city's* sewer system or which are not owned or maintained by the *city*; and
- (3) The sewer back-up was not caused by or related to an *excluded incident*; and
- (4) The date of the *occurrence* giving rise to the claim for *damages* must be on or after the retroactive date shown on this endorsement.

b. However, *LMCIT* will not pay for any *damages* or expenses:

- (1) Which are or would be covered under a National Flood Insurance Program flood insurance policy, whether or not such insurance is in effect; or
- (2) For which the property owner has been reimbursed or is eligible to be reimbursed by any homeowners' or other property insurance.

2. No-fault water main break coverage.

LMCIT will pay for claims presented by the *city* for *water main break damage* to property of others which was not caused by *city* negligence. But *LMCIT* will not pay for any *damages* or expenses for which the property owner has been or is eligible to be reimbursed by any homeowners' or other property insurance.

3. Definitions

For purposes of this endorsement, the following definitions apply.

a. *Excluded incident* means any of the following:

- (1) Any weather-related or other event which has been declared by the President of the United States to be a major disaster pursuant to 42 U.S.C. §§ 5121-5206, commonly known as the Stafford Act; or

(2) Any interruption in the electric power supply to the *city's* sewer system or to any *city* sewer lift station which continues for more than 72 hours; or

(3) Rainfall or precipitation which exceeds any of the following amounts:

- 2.0 inches in a 1-hour period; or
- 2.5 inches in a 3-hour period; or
- 3.0 inches in a 6-hour period; or
- 3.5 inches in a 12-hour period; or
- 4.0 inches in a 24-hour period; or
- 4.5 inches in a 72-hour period; or
- 5.5 inches in a 168-hour period.

b. *Sewer back-up damage* means damage to property, including removal and clean-up costs, resulting from a sewer back-up.

c. *Water main break damage* means damage to property, including removal and clean-up costs, resulting from the rupture of a *city* water main, line, or pipe.

4. Limits

a. *LMCIT* will not pay more than \$10,000 for *sewer back-up damage* to any building under this endorsement, regardless of the number of *occurrences* or the number of claimants. For purposes of this limit

(1) A structure or group of structures served by a single connection to the *city's* sewer system is considered a single building.

(2) If a single structure is served by more than one connection to the *city's* sewer system, the portion of the structure served by each respective connection is considered a separate building.

b. *LMCIT* will not pay more than \$10,000 for *water main break damage* to any claimant, regardless of the number of *occurrences* or the number of properties affected.

c. *LMCIT* will not pay more than \$250,000 for *water main break damage* resulting from any single occurrence. All *water main break damage* which occurs during any period of 72 consecutive hours is deemed to result from a single *occurrence*.

If the total *water main break damage* for all claimants in a single *occurrence* exceeds \$250,000, the reimbursement to each claimant will be calculated as follows:

1. A preliminary reimbursement figure is established for each claimant, equal to the lesser of the claimant's actual *damages* or \$10,000.
2. The sum of the preliminary reimbursement figures for all claimants will be calculated.
3. Each claimant will be paid a percentage of his or her preliminary reimbursement figure, equal to the percentage calculated by dividing \$250,000 by the sum of all claimants' preliminary reimbursement figures.

5. Deductibles

The amount *LMCIT* pays for *sewer back-up damages* or *water main break damage* under this endorsement is subject to the Municipal Liability Deductible shown in the Municipal Liability Declarations or the General Annual Aggregate Deductible if any shown in the Common Coverage Declarations.

For purposes of the Municipal Liability Deductible, all claims for *sewer back-up damages* which are covered under this endorsement, which occur within a 72 hour period, and which result from or are related to the same condition or conditions in the *city's* sewer system are deemed to be a single *occurrence*; and *water main break damage* which is covered under this endorsement and which occurs during any period of 72 consecutive hours is deemed to be a single *occurrence*.

6. Retroactive Date

The retroactive date for this endorsement is .

All other terms and conditions remain unchanged.



City Council Regular

16.

Meeting Date: 03/03/2015

Subject: Cable Franchise - Notice of Intent to Franchise

Submitted For: Steve Gatlin, City Manager

From: Matt Stemwedel, Assistant City Manager

INTRODUCTION

The City has been approached by CenturyLink regarding their desire to apply for a cable franchise. This request sets forth a quasi-judicial process and certain procedures that must be followed by the City. Staff and the City's cable attorney, Michael Bradley, will provide the City Council with a brief overview of the process and the steps that will be required.

DISCUSSION

City staff met with representatives from CenturyLink on Thursday, January 22, 2015. At this meeting, CenturyLink presented their desire to apply for a cable franchise with the City to provide cable television services. In order to consider this request, or any other similar requests, the City must follow a certain procedure as identified in the Minnesota Cable Act (Minnesota Statute Chapter 238). The first step in this procedure is for the City Council to consider approval of a "Notice of Intent to Franchise." This notice will set forth a process and timeline for cable franchise applications. A \$7,500 application fee is recommended to cover the costs associated with processing the applications. The recommended timeline for the process includes:

1. March 3, 2015 - Council considers approval of issuing the Notice of Intent to Franchise. This notice will then be published in the official city newspaper for two consecutive weeks.
2. April 3, 2015 - franchise applications are due to the City.
3. April 21, 2015 - the City will hold a public hearing at its regular City Council meeting to consider any applications that have been received.

If an application is received, the City would then commence another process to negotiate the terms of the cable franchise and to introduce a new franchise ordinance.

RECOMMENDATION

Staff recommends the City Council consider approval of the Notice of Intent to Franchise as it is presented (see attachment),

Attachments

Notice of Intent to Franchise

**NOTICE OF INTENT TO FRANCHISE
CITY OF COON RAPIDS, MINNESOTA**

The City of Coon Rapids, Minnesota (the “City”) hereby gives notice of intent to consider an application for a franchise from qualified entities that are interested in constructing a cable system and providing cable service within the territorial limits of the City. Notarized applications that contain all of the information required by Minn. Stat. § 238.081, Subd. 4 and local policies and procedures, and that comply with all state and local requirements must be received by 12:00 p.m. on April 3, 2015, at City of Coon Rapids, ATTN: Mr. Eric Strouse, 11155 Robinson Dr., Coon Rapids, MN 55433. Each franchise application must be accompanied by an application fee in the amount of \$7,500.00. This fee shall be paid to the City via a certified check made payable to City of Coon Rapids.

Every franchise application submitted by an applicant must include the information stated above. In reviewing each applicant’s franchise application, the City will consider the documentary and testimonial evidence and other information received by the City in the record of the proceeding. The City will evaluate each application and give priority to applications that meet or exceed the criteria contained in Minn. Stat. § 238.081, Subd. 4, and other relevant factors.

The City will hold a public hearing to consider any franchise applications it receives at 7:00 p.m. on April 21, 2015, at Coon Rapids City Hall, Council Chambers, 11155 Robinson Drive, Coon Rapids, MN 55433. All questions concerning the franchising process and any requests for information should be directed to City of Coon Rapids, ATTN: Mr. Eric Strouse, 11155 Robinson Dr., Coon Rapids, MN 55433 or strouse@ctnstudios.com.

ISSUED BY THE CITY OF COON RAPIDS, MINNESOTA.



City Council Regular

17.

Meeting Date: 03/03/2015

Subject: Consider Resolution 15-46 Authorizing \$950,000 Public Communication High Definition Upgrade Project

Submitted For: Eric Strouse, Production Manager

From: Sharon Legg, Finance Director

INTRODUCTION

Staff is requesting that funds be allocated to upgrade Public Communication equipment to high definition capability. A resolution allocating funds and authoring the project is attached.

DISCUSSION

The City's cable franchise with Comcast was recently extended to December 31, 2019, which will maintain the Public, Educational and Government (PEG) fees at \$2.23 per cable subscriber. Currently, \$1.54 of the \$2.23 fee goes into the City's Public Communication Fund and \$0.69 pays for past equipment loans to the City as part of the existing franchise. After July 31, 2015, the entire \$2.23 PEG amount will be included as revenue to the Public Communication Fund since there are no equipment loans addressed in the extension. Therefore, annual PEG funding will increase from approximately \$225,000 to \$300,000. PEG income is intended to be used for capital expenditures.

Included in the cable franchise extension are two high definition (HD) channels. Programming could begin this spring for one of the HD channels and the second one in January 2016. Staff plans to begin utilizing HD for community programs around the 1st of June this year. The second channel would be utilized for city government programming to begin televising January 2016.

In order to broadcast in HD, the majority of the cable television equipment will need to be upgraded. The large production truck is already fully HD capable and was paid for with PEG fees via a \$750,000 internal loan which expires in 2020. The remaining items to be upgraded include the master control/playback, the edit suites including central storage, the studio control room and sets, the small truck and the City Council chambers control room. The preliminary cost for the entire project is \$950,000 and would be funded by an internal \$650,000 loan to be repaid with the increased PEG fees and \$300,000 of the Public Communication fund balance. Staff will be doing most of the equipment installation to save costs. The loan would be an internal loan from the Revolving Construction Fund.

There are a number of benefits to doing the upgrade, including:

- a. Completing the the entire HD upgrade at one time will have pricing benefits and integration while allowing for a smoother transition.
- b. The current equipment is almost 20 years old. The studio/small-truck cameras are from 1996 and have burnt pixels in the image which can no longer be repaired. The Council Chambers switcher was replaced with a used switcher that also is in need of replacement.
- c. Additional annual revenue of \$20,000 to \$60,000 could be generated with the upgrade through production services and rental projects because of the increased capacity. Additionally, having two HD capable trucks would help alleviate project conflicts between production services (Snocross, Gophers Hockey, Twin Cities Live) and

local community television shoots.

Cost breakdown estimates and enhancements:

1. Master control/playback - (\$100,000) would allow for CTN to cable cast in HD and for increased functionality. This would replace several computers as well as the failing playback video server.
2. Facility/Editing system - (\$115,000) would add a fifth edit suite and more storage for HD, providing faster access and better asset management. Furthermore, it would add better quality control and signal monitoring.
3. Studio control room/small truck - (\$560,000) would replace the nineteen year old studio cameras, a computer and would increase flexibility. Additionally, it would now allow for studio production while both trucks are in use.
4. Studio HD Sets - (\$60,000) - would provide a new look for older sets and reorganize the thirteen year old studio layout.
5. Council chambers - (\$115,000) - would replace failing production equipment and improve audio and presentation capabilities. In 2009, an audiovisual upgrade already made it HD ready.

The total cost for all of the improvements is estimated to be \$950,000.

RECOMMENDATION

Staff recommends approval of Resolution 15-46 authorizing the \$950,000 Public Communication High Definition Upgrade Project. The project would be funded with a loan from the Revolving Construction Fund to be repaid over ten years.

Attachments

RS 15-46

RESOLUTION NO. 15-46

**RESOLUTION AUTHORIZING \$950,000 PUBLIC COMMUNICATION HIGH
DEFINITION UPGRADE PROJECT**

WHEREAS, the City has a franchise agreement with Comcast through 2019, and

WHEREAS, the Public Communication is funded with franchise fees; and

WHEREAS, the PEG fee revenue is anticipated to increase through 2019 by roughly \$75,000;
and

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

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

WHEREAS, the proposed 2015 budget does not include funds for the a proposed project to
upgrade cable equipment to be capable to produce programs in high definition; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota
to authorize the project in the amount of \$950,000.

NOW, THEREFORE BE IT FURTHER RESOLVED to amend the Public Communication
Budget for the project, financing \$650,000 of the cost with a loan from the Revolving
Construction Fund payable over ten years.

Adopted this 3rd day of March, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

18.

Meeting Date: 03/03/2015

Subject: Consider Relocation Benefits for Tenants, 9864-9950 East River Road

From: Matt Brown, Community Development Specialist

INTRODUCTION

The Council is asked to consider relocation claims for tenants of an HRA-owned apartment complex at 9864-9950 East River Road.

DISCUSSION

The HRA purchased the 20-unit apartment complex at 9864-9950 East River Road in 2014 from its previous owner, Palis Properties. The property is located in the Port Riverwalk redevelopment area and the City's Comprehensive Plan and Port Riverwalk Master Plan recommend redevelopment of this area. At present, 16 units in the three-building complex are occupied. To date, the City's relocation consultant, ProSource Technologies, has met with tenants about relocation. To date, it has been determined that 15 of the tenants are eligible for relocation benefits under the Uniform Relocation and Reestablishment Assistance Act. These benefits, as mandated by the Act, include moving expenses and a 42-month "rent differential," or the difference between the tenant's current monthly rent and that of a comparable unit, also factoring in the tenant's income. ProSource staff has completed the required research and determined the tenants are eligible for the following:

| Tenant | Fixed Moving Expenses | Maximum Assistance Eligibility (Monthly Differential x 42 mos.) | Total |
|---------------|------------------------------|--|------------------|
| Apt. 1 | \$1,100 | \$19,026 | \$20,126 |
| Apt. 2 | \$1,100 | \$13,860 | \$14,960 |
| Apt. 3 | \$1,100 | \$20,421 | \$21,521 |
| Apt. 4 | \$1,100 | \$21,521 | \$22,621 |
| Apt. 6 | \$1,100 | \$13,020 | \$14,120 |
| Apt. A | \$1,100 | \$14,280 | \$15,380 |
| Apt. B | \$1,100 | \$34,259 | \$35,359 |
| Apt. C | \$1,100 | \$14,301 | \$15,401 |
| Apt. D | \$1,100 | \$22,437 | \$23,537 |
| Apt. F | \$1,100 | \$14,330 | \$15,430 |
| Apt. H | \$1,100 | \$20,871 | \$21,971 |
| Apt. I | \$1,100 | \$30,860 | \$31,960 |
| Apt. J | \$1,100 | \$13,314 | \$14,414 |
| Apt. K | \$1,100 | \$15,698 | \$16,798 |
| Apt. M | \$1,100 | \$25,465 | \$26,565 |
| Total | \$16,500 | \$293,663 | \$310,163 |

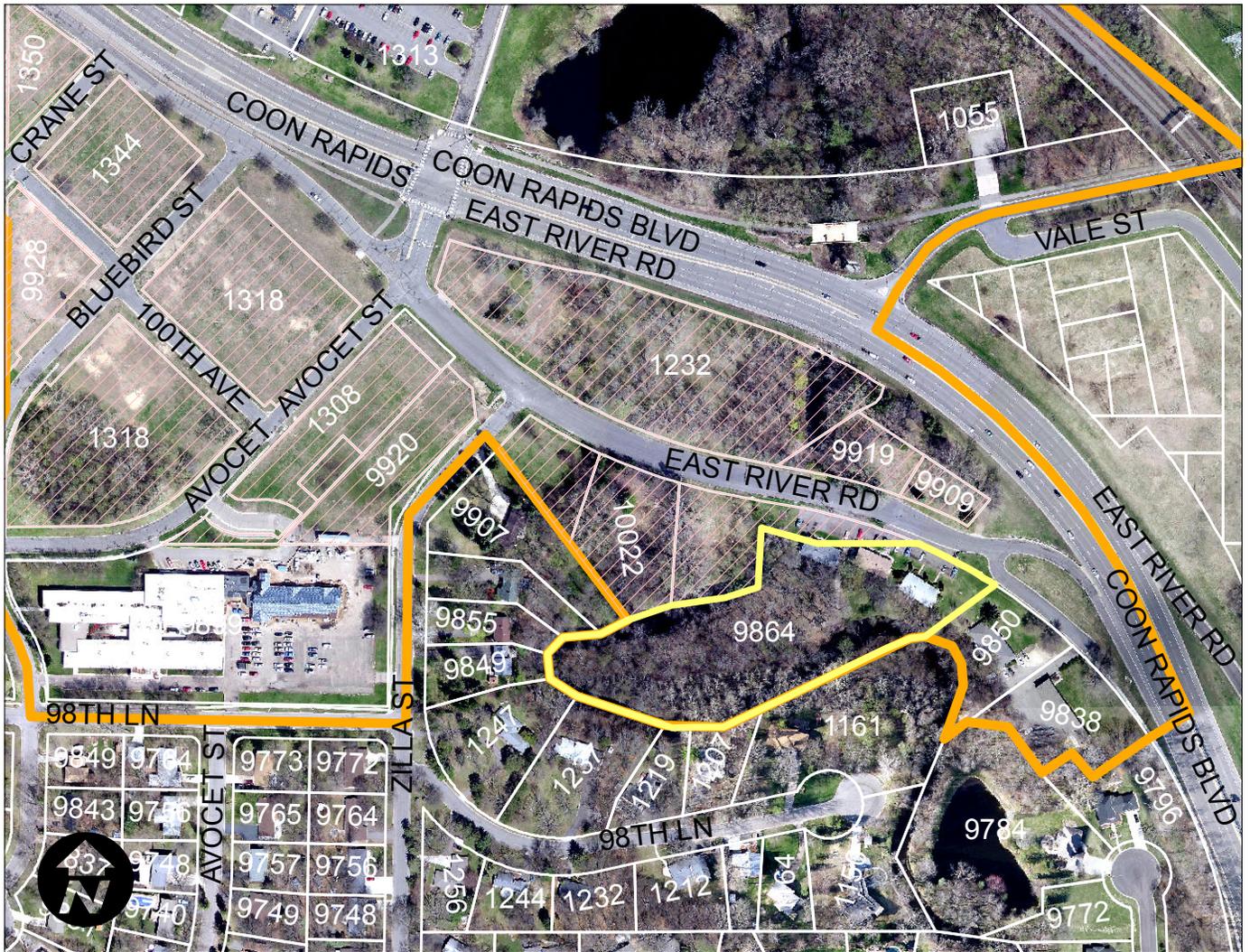
Staff has reviewed ProSource's findings and concurs that the maximum total relocation costs will be no more than \$310,163. Staff anticipates the tenants will be relocated by summer, at which time demolition of the buildings could occur. Staff proposes using funds from TIF District 1-6 for the relocation payments. Revenues from this older district have exceeded the original budget in certain categories. Use of these funds is restricted to specific activities, including property acquisition and relocation.

RECOMMENDATION

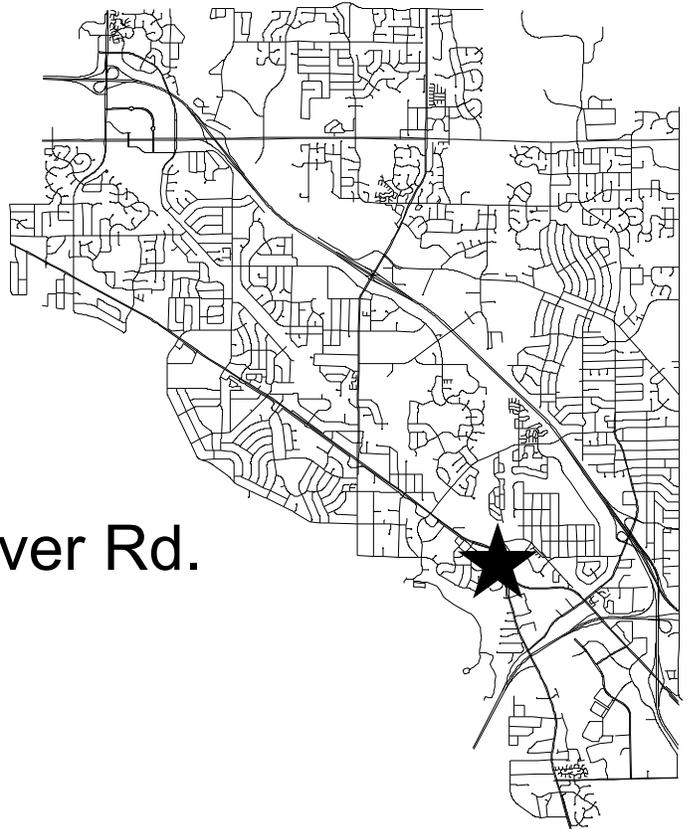
Staff recommends the Council approve relocation payments up to an amount of \$310,163 from TIF District 1-6 for tenants at 9864-9950 East River Road.

Attachments

Location Map



-  HRA-Owned Property
-  Port Riverwalk Boundary



Palis Properties
9864, 9920, 9950 East River Rd.



City Council Regular

19.

Meeting Date: 03/03/2015

Subject: PC15-9 Zone Change: Consider Introduction of an Ordinance Changing the Zoning from Office to Community Commercial, 80 Coon Rapids Blvd.

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting the introduction of an ordinance to change the zoning of certain property from Office to Community Commercial. The applicant is also proposing a corresponding land use amendment to Community Commercial.

DISCUSSION

Background

The property is approximately 1.7 acres in size. The existing 10,200 square foot multi-tenant building was constructed in 1977. It is currently vacant and most recently was occupied by a day care center and a dance studio. According to the applicant, the dance studio closed about four years ago and the daycare closed at the end of 2014. The property has been guided and zoned as office since 1986; from 1980 to 1986 it was Office-Multiple, and from 1968 to 1980 it was guided and zoned Industrial.

Access into the site is difficult. There is a right-in only available from eastbound Coon Rapids Boulevard. Other access into and out of the site is through the commercial development to the south. There is no direct access to Coon Rapids Boulevard.

Recently, there has been interest expressed from possible tenants that fit with the uses allowed in the Community Commercial zoning district. In response to inquiries and in recognition of the changing market, the applicant is requesting the zoning be changed from Office to Community Commercial and a corresponding land use change from Office to Community Commercial.

Analysis

The intent of the Community Commercial District is to minimize detrimental influences on surrounding residential neighborhoods, while encouraging efficient and attractive large scale shopping centers. Such centers should be designed as a unit and have access to arterial streets. This site sits along one of the most heavily traveled corridors in the city with its main access through an existing shopping center. Changing the zoning to Community Commercial would open it up to a wider variety of uses, typical of those allowed in shopping center and peripheral parcels. A list of uses allowed in the Community Commercial district is attached.

Compatibility with the Comprehensive Plan

Goal of improving the appearance and function of Coon Rapids Boulevard

One of the ongoing discussions relating to the Boulevard is how does the City improve it's commercial vitality. This

proposed zone change from Office to Community Commercial would lay the groundwork for the revitalization of this site.

Objective to curb the blighting characteristics along the Boulevard and eliminate under utilized and obsolete land uses

When the site was developed prior to the development of the adjacent shopping center it was a stand alone building. By changing the land use designation to Community Commercial, this under utilized and obsolete site can be in a position to be an asset to the Boulevard and take advantage of its proximity to shopping center.

Compatibility with the Coon Rapids Boulevard Framework Plan

The Framework calls out for the revitalization of obsolete, vacant and weak areas. By changing the zoning to Community Commercial, this site would be more attractive for potential users.

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

| Section 11-304 Criteria | Comments |
|---|--|
| Effect of public health, safety, order, convenience, and general welfare in the area. | OK - The proposed zoning will not adversely impact area. The surrounding properties are commercial. |
| Effect on present and potential surrounding land uses. | OK – The proposed zoning will not adversely impact the surrounding land uses. |
| Conformance with the Comprehensive Land Use Plan. | OK – Assuming the proposed land use amendment is approved, the proposed zone change will be consistent with the City’s Comprehensive Land Use Plan. The proposed land use designation is Community Commercial |
| Conformance with any applicable development district. | OK – Improvements and uses of the site will have to be in conformance with the River Rapids Overlay District. |

Planning Commission Meeting

At the Planning Commission meeting held on February 19th, no one spoke at the public hearing. The Commission discussed access to the site and how traffic has to drive through or by the adjacent shopping center. The Commission determined that the changing times and market warrants the zone change to Community Commercial. The Commission voted 4:0 to recommend approval of the proposed zone change.

RECOMMENDATION

In Planning Case 15-9, the Planning Commission recommends the City Council **introduce** the proposed ordinance **approving** the rezoning based on the following findings:

1. The proposed rezoning to Community Commercial is consistent with the land use designation of Community Commercial.
2. The proposed rezoning is compatible with the adjacent land uses and zoning.
3. The times and conditions have change so that a reasonable use of the property can not 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.

Attachments

Location Map

Zoning Map

Applicant's Narrative

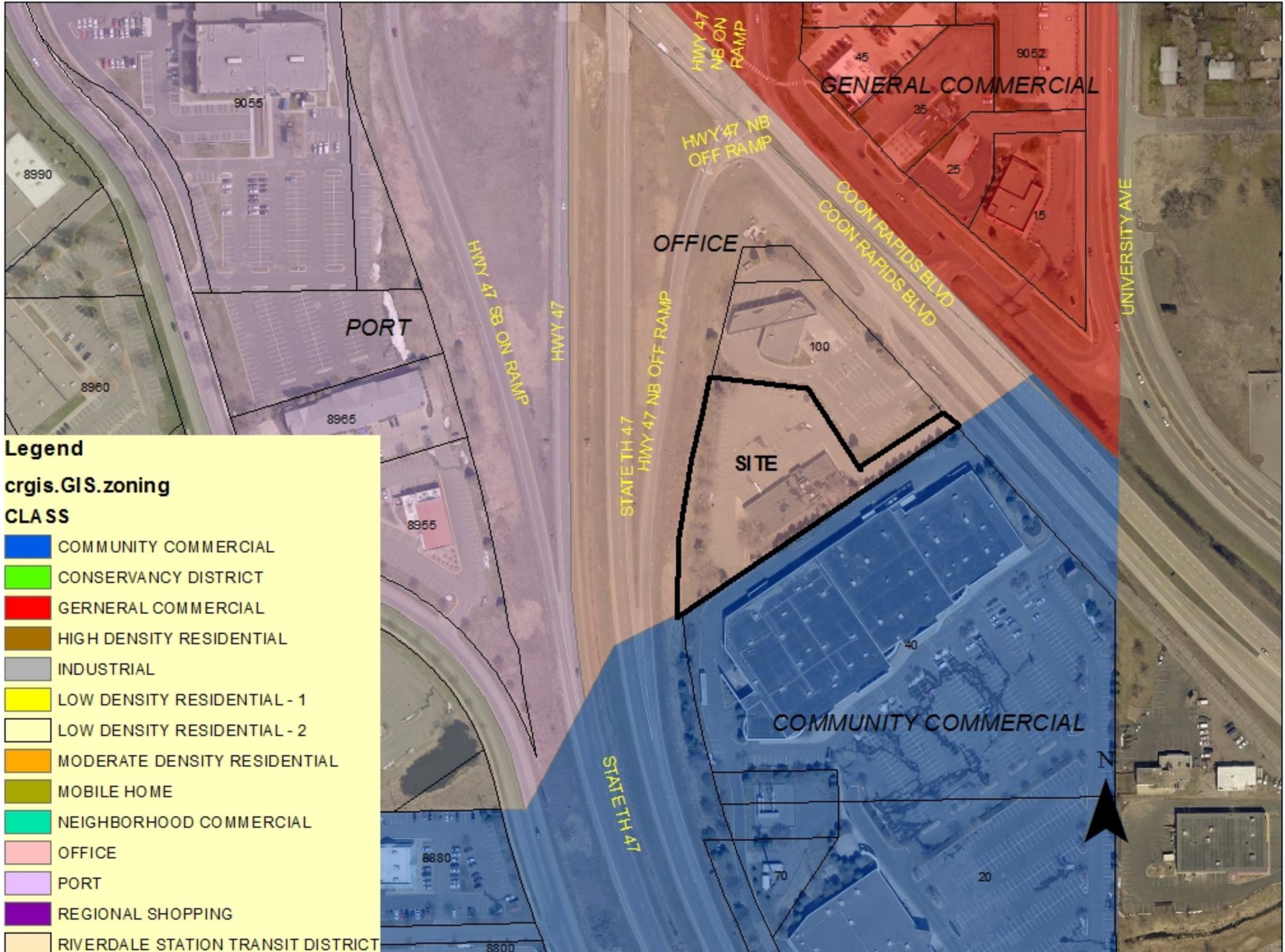
Table of Allowed Commercial Uses

Proposed Ordinance

Location Map



Zoning Map



Legend
 crgis.GIS.zoning
 CLASS

| | |
|--|------------------------------------|
| ■ | COMMUNITY COMMERCIAL |
| ■ | CONSERVANCY DISTRICT |
| ■ | GERNERAL COMMERCIAL |
| ■ | HIGH DENSITY RESIDENTIAL |
| ■ | INDUSTRIAL |
| ■ | LOW DENSITY RESIDENTIAL - 1 |
| ■ | LOW DENSITY RESIDENTIAL - 2 |
| ■ | MODERATE DENSITY RESIDENTIAL |
| ■ | MOBILE HOME |
| ■ | NEIGHBORHOOD COMMERCIAL |
| ■ | OFFICE |
| ■ | PORT |
| ■ | REGIONAL SHOPPING |
| ■ | RIVERDALE STATION TRANSIT DISTRICT |

To: City of Coon Rapids
Cc: City Planning Department
Subject: Rezoning request and Comprehensive Plan Amendment from Office to Community Commercial, 80 Coon Rapids Blvd. NW

1. **Subject Property:** The Subject property is approximately 1.7 acres in size (Please see Exhibit A attached Aerial Photo of the property). It contains a commercial building of +/- 10,200 sq. ft. in size. The building was constructed in 1977. It has been occupied by a dance studio and day care center for the past 30+ years. The dance studio closed about 4 years ago and the day care closed the end of 2014. The building is currently vacant.
2. **Surrounding Land Uses:** The property is surrounded by other commercial property (See attached Exhibit B). The property to the south is zoned and planned and occupied by Community Commercial. The property to the east and north is zoned and planned and occupied by General Commercial (with the exclusion of the Wells Fargo Bank which is zoned and planned for Office). The property to the west is zoned and planned and occupied by Community Commercial and Industrial.
3. **Reason for zoning and comprehensive plan change:** The Subject Property was developed before the other properties adjoining the site were developed as Community Commercial. The current property is essentially now a "spot zoning" as Office, rather than being in harmony and conformity with the zoning and planning of the abutting Community Commercial uses.
4. **Consistency with goals and objectives of plan:** The property has 390 feet of frontage on Highway 47 and has access from the Coon Rapids Blvd. service road. It is a highly visible property to the area's arterial road system and has vehicular access to said road system. It has been for sale for four years and the interested parties in the property have been commercial users, rather than office users. In fact, no office users have exhibited any interest in the property. The property has not been used as an office use for the past 30+ years. The planned use of the property as Community Commercial is consistent with the use of the surrounding Community Commercial businesses. The entire eastern 539 feet of the property adjoins the next door property which is zoned and planned as Community Commercial.
5. **Current Land Use Designation and Zoning:** The property is currently zoned Office and identified on the Comprehensive Plan as Office.
6. **Compatibility of Proposed Land Use with the Surrounding Area:** The property is already developed and has been used as a commercial use for the past 30+ years. Its rezoning and plan change from Office to Community Commercial will be in harmony and compatibility with the property's surrounding area.

Uses.

| PRINCIPAL USES | | | | | | |
|--|----|----|----|----|----|--|
| COMMERCIAL USES | | | | | | |
| Retail Sales and Service | O | NC | CC | GC | RS | |
| General retail sales | NP | NP | P | P | P | |
| General retail sales less than 15,000 square feet total building size | P | P | P | P | P | |
| Art gallery or studio | NP | P | P | P | P | |
| Bank or financial institution | P | NP | P | P | P | |
| Building material sales or lumber yard | NP | NP | P | P | NP | |
| Child care center, state licensed | P | P | P | P | P | |
| Commercial self storage with no outdoor storage | NP | NP | NP | C | NP | |
| Contractors office | NP | NP | NP | P | NP | |
| Dry cleaning establishment | NP | NP | NP | C | NP | |
| Farmers market | NP | P | P | P | NP | |
| Firearms dealer | NP | NP | P | P | P | |
| Funeral home | C | NP | P | P | NP | |
| Greenhouse, lawn and garden supply store | NP | NP | P | P | NP | |
| Laundry, self service | NP | P | P | P | NP | |
| No adult oriented business, as defined by Section 5-2202 , is permitted, except adult book stores, adult cabarets, adult conversation parlors, adult motion picture theaters, and adult novelty businesses, subject to regulation under Chapter 5-2200 and Section 11-1208, or state or federal law. | NP | NP | NP | P | NP | |
| Non-on-premises consumption adult bookstores and adult novelty stores, as defined by Revised City Code 1982 Section 5-2202 , subject to regulation under Revised City Code 1982 Chapter 5-2200 and Section 11-1208 | NP | NP | P | NP | NP | |
| Pawnbroker | NP | NP | P | P | NP | |
| Performing, visual or martial arts school | NP | NP | P | P | NP | |
| Personal service establishment | P | P | P | P | P | |
| Pet grooming shops, provided no animal is kept overnight or outside and no noise is audible outside of the building or bay occupied by the grooming shop | NP | P | P | P | P | |
| Pet store | NP | P | P | P | P | |
| Photocopying, duplicating services | P | P | P | P | NP | |
| Precious Metal Dealers defined and regulated by Title 5 | NP | P | P | P | P | |
| Printing and publishing | NP | NP | C | C | NP | |
| Rental business - no outdoor storage | NP | NP | P | P | NP | |
| Rental business - with outdoor storage | NP | NP | NP | C | NP | |
| Secondhand Dealers or Antique Dealers defined and regulated by Title 5 | NP | P | P | P | P | |
| Self storage facility with no outdoor storage | NP | NP | NP | C | NP | |
| Service Business | P | P | P | P | NP | |
| Transient Merchants, Solicitors, and Canvassers, defined and regulated by Title 5 | NP | P | P | P | NP | |
| Veterinary clinic, animal hospital, kennel - no outdoor runs | P | NP | P | P | NP | |
| Video store | P | P | P | P | P | |
| Automobile Services | O | NC | CC | GC | RS | |
| Automobile rental facility | NP | NP | C | C | NP | |
| Automobile repair, major | NP | NP | NP | C | NP | |
| Automobile repair, minor | NP | NP | P | P | NP | |
| Automobile sales provided that: | NP | NP | C | P | NP | |
| (a) Must have minimum of 40,000 square foot building; | | | | | | |
| (b) Indoor display area, and | | | | | | |
| (c) The building meets the development guidelines found in subsection 11-701.2. | | | | | | |
| Car wash | NP | NP | P | P | NP | |
| Convenience store | NP | NP | P | P | NP | |
| Convenience store provided that: | NP | C | P | P | NP | |
| (a) The fuel sales are incidental to a retail store; | | | | | | |
| (b) No separate building, structure, or store is used as part of the fuel sales; | | | | | | |
| (c) No more than four dispensing hoses may be operable simultaneously per neighborhood shopping center, and | | | | | | |
| (d) The fuel sales shall be accessible from off the parcel of property on which it is located by way of at least two in and out vehicular accesses. | | | | | | |
| Major recreational equipment sales, service and rental | NP | NP | NP | P | NP | |
| Food and Beverage | O | NC | CC | GC | RS | |
| Catering | NP | P | P | P | NP | |
| Coffee shop | P | P | P | P | P | |
| Liquor, off sale | NP | NP | P | P | P | |
| Restaurant, delicatessen | P | P | P | P | P | |
| Restaurant, fast food | NP | NP | P | P | P | |
| Restaurant, sit down including the serving of alcohol beverages provided they occupy no more than 25 percent of a building and have no drive up facility | P | P | P | P | P | |
| Restaurant, sit down including the serving of alcohol beverages | C | C | P | P | P | |
| Tavern or bars | NP | NP | P | P | NP | |
| Commercial Recreation, Entertainment and Lodging | O | NC | CC | GC | RS | |
| Amusement centers | NP | NP | NP | P | NP | |
| Hotel | NP | NP | P | P | P | |
| Indoor recreation | NP | NP | P | P | NP | |
| Outdoor recreation | NP | NP | C | C | NP | |
| Physical fitness center | NP | NP | P | P | P | |
| Physical fitness center 3,000 square feet floor area or less | NP | P | P | P | P | |
| Radio or television station | NP | NP | P | P | NP | |
| Reception or meeting hall | NP | C | P | P | NP | |
| Theater | NP | NP | P | P | NP | |
| Office and Medical Facilities | O | NC | CC | GC | RS | |
| Blood/ plasma collection facility | NP | NP | NP | P | NP | |
| Clinic, medical or dental | P | NP | P | P | P | |
| Clinic, medical or dental less than 15,000 square feet total building size | P | P | P | P | P | |
| General Office | P | NP | P | P | P | |
| General Office less than 15,000 square feet total building size | P | P | P | P | P | |
| Hospital | NP | NP | C | C | NP | |
| Laboratory, medical or dental | P | NP | P | P | NP | |
| Transportation | O | NC | CC | GC | RS | |
| Ambulance service | NP | NP | NP | C | NP | |
| Limousine service | NP | NP | NP | C | NP | |

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF
THE CITY OF COON RAPIDS SO AS TO PROVIDE CHANGES
IN THE ZONING CLASSIFICATION (PC 15-9)**

The City of Coon Rapids does ordain:

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

That part of the southeast 1/4 of the northeast 1/4 of section 36, township 31 range 24 described as follows: Beginning at a point on the southwesterly right of way of U.S. Highway 10, 400 feet as measured along the said right of way from the east line of said 1/4 of the 1/4 (assumed bearing north 42 degrees 27 minutes west), thence continuing north 42 degrees 27 minutes west along said right of way, 34.34 feet, thence south 55 degrees 41 minutes 03 seconds west, 170 feet, thence north 33 degrees 43 minutes 51 seconds west, 160.80 feet, thence north 82 degrees 29 minutes 24 seconds west, 161.50 feet to easterly right of way of state highway number 47, thence southerly along said right of way, 390 feet to the intersection with a line drawn from the point of beginning to a point on the south line of said 1/4 of the 1/4, 1229.7 feet west of the southeast corner of said 1/4 of the 1/4, thence northeasterly along said line 538.8 feet to the point of beginning, except for road subject to easements of record.

Introduced the 3rd day of March, 2015

Adopted on the ____ day of March, 2015

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

20.

Meeting Date: 03/03/2015

Subject: PC 15-4: Consider the Introduction of an Ordinance to Change Zoning from Moderate Density Residential to General Commercial

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting the introduction of an ordinance to change the zoning of property, located at the corner of Egret Boulevard and Woodcrest Drive, from Moderate Density Residential to General Commercial. The applicant is also proposing a corresponding land use amendment to General Commercial.

DISCUSSION

Background

The applicant is requesting a zone change from Moderate Density Residential to General Commercial. The site is currently vacant. According to the wetland inventory, there are two small wetlands on the site. The site is approximately four acres in size; it is bounded by Egret Boulevard on the north, Woodcrest Drive on the south and west and a car dealership on the east.

In 2007 a developer applied for a rezoning to change the zoning from Office to High Density Residential to allow for the construction of an apartment. Council denied his request and the associated apartment building. In 2011 the property owner applied for a rezoning to change the zoning from Office to High Density Residential; the Council also denied that application. In 2012 the property owner applied for a rezoning to change the zoning from Office to Moderate Density Residential; this request was granted by the Council.

Analysis

From 1985 to 1999 the subject property was zoned Neighborhood Commercial. The property remained undeveloped during this time. Included as part of the Comprehensive Plan update approved in 1999, the property was rezoned to Office and remained undeveloped. Since the property was rezoned from Neighborhood Commercial to Office, the properties to the east and south, which have frontage along Highway 10, have been developed. Because this property is not visible from Highway 10 and the nearest access to Highway 10 is over a mile away, it is not very desirable as commercial or office development. It is a better candidate for a use that does not depend on visibility or access from Highway 10 such as a moderate density residential development.

In 2012 the property was rezoned to Moderate Density Residential at the request of the property owner. The intent of the Moderate Density Residential District is to provide housing at moderate densities between four and seven units per acre. The subject property is located in an area that is, with the exception of the car dealership that has Highway 10 frontage, generally residential in character. There are townhomes, neighborhood commercial and a park nearby. The current zoning of Moderate Density Residential is consistent with the current residential character of the neighborhood.

Proposed General Commercial Zoning

The intent of the General Commercial District is to encourage businesses which are highway oriented and tend to include businesses that are less compatible with residential areas than other commercial districts. Because the uses are less compatible with residential areas, they require buffering. The subject property does not fit with the stated intent of the General Commercial District. Because of the lack of visibility from the highway and the distance to the nearest exit, it does not lend itself to be developed with highway oriented uses. The property is adjacent to property that is zoned Moderate Density Residential, and extending the General Commercial zoning to this property would allow uses that are not generally compatible with residential areas and makes it difficult to provide appropriate buffering.

Even though the applicant has outlined a proposed use for the parcel, when considering changes to the zoning, all of the potential uses and the potential impacts on adjacent properties should be considered. If for some reason the applicant is unable to develop the parcel as proposed, the property can be developed in any manner as allowed in the General Commercial District. The General Commercial District is our most intense commercial district. Uses allowed in the district tend to generate higher levels of traffic and tend to have multiple adverse impacts on nearby properties. Uses allowed in the General Commercial District include bars, restaurants, major recreational vehicle sales, service and rental, car washes, rental businesses with outdoor storage, and taxi and package delivery services.

The City Council should also give consideration to the evaluation criteria found in Section 11- 304 when making their recommendation on rezoning requests.

| Section 11-307 Criteria | Comments |
|---|---|
| Effect of public health, safety, order, convenience, and general welfare in the area. | NO - The proposed zoning will adversely impact the area. The property is adjacent to townhouse residential land uses; it is down the street from a city park. Uses associated with the General Commercial district tend to generate much more traffic and off site impacts than the existing zoning. |
| Effect on present and potential surrounding land uses. | NO – The proposed zoning will adversely impact the surrounding residential land uses. Future General Commercial development would not be buffered from townhouse developments. |
| Conformance with the Comprehensive Land Use Plan. | OK – If the proposed land use amendment is approved, the proposed zone change will be consistent with the City’s Comprehensive Land Use Plan. The proposed land use designation is General Commercial |
| Conformance with any applicable development district. | OK – There is no applicable district plan in this area. |

Planning Commission Meeting

At the Planning Commission meeting held on February 19th, no one spoke at the public hearing. The applicant explained that they are requesting zone change so that they can expand the parking lot/storage area for their new car inventory. It is their intention to combine this lot with their existing parcel. The Commission discussed the viability of a townhouse development on this site. They were concerned that no development had been proposed since the property was rezoned to Moderate Density Residential. The Commission also discussed buffering and future access on the parcel. The applicant explained that any future development would comply with the City's screening and buffering requirements and that no new access would be installed. Access to the parcel would be via the existing driveway on the adjacent lot. The Commission discussed the appropriateness of the the proposed use in light of the past struggle to get the site developed. They believed that the proposed zoning is the logical extension of the adjacent General Commercial district and would be a good fit on this parcel.

The Commission voted 4:0 to recommend approval of the proposed rezoning from Office to General Commercial.

RECOMMENDATION

In Planning Case 15-4, the Planning Commission recommends that the City Council **introduce** the attached ordinance **approving** the proposed zone change from Office to General Commercial with 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 proposed rezoning is the logical extension of the adjacent General Commercial district.
4. The times and conditions have change so that a reasonable use of the property can not be made under the current zoning.
5. The proposed zone change would not have an adverse impact on the area.

Attachments

Location Map

Zoning Map

Applicant's Narrative

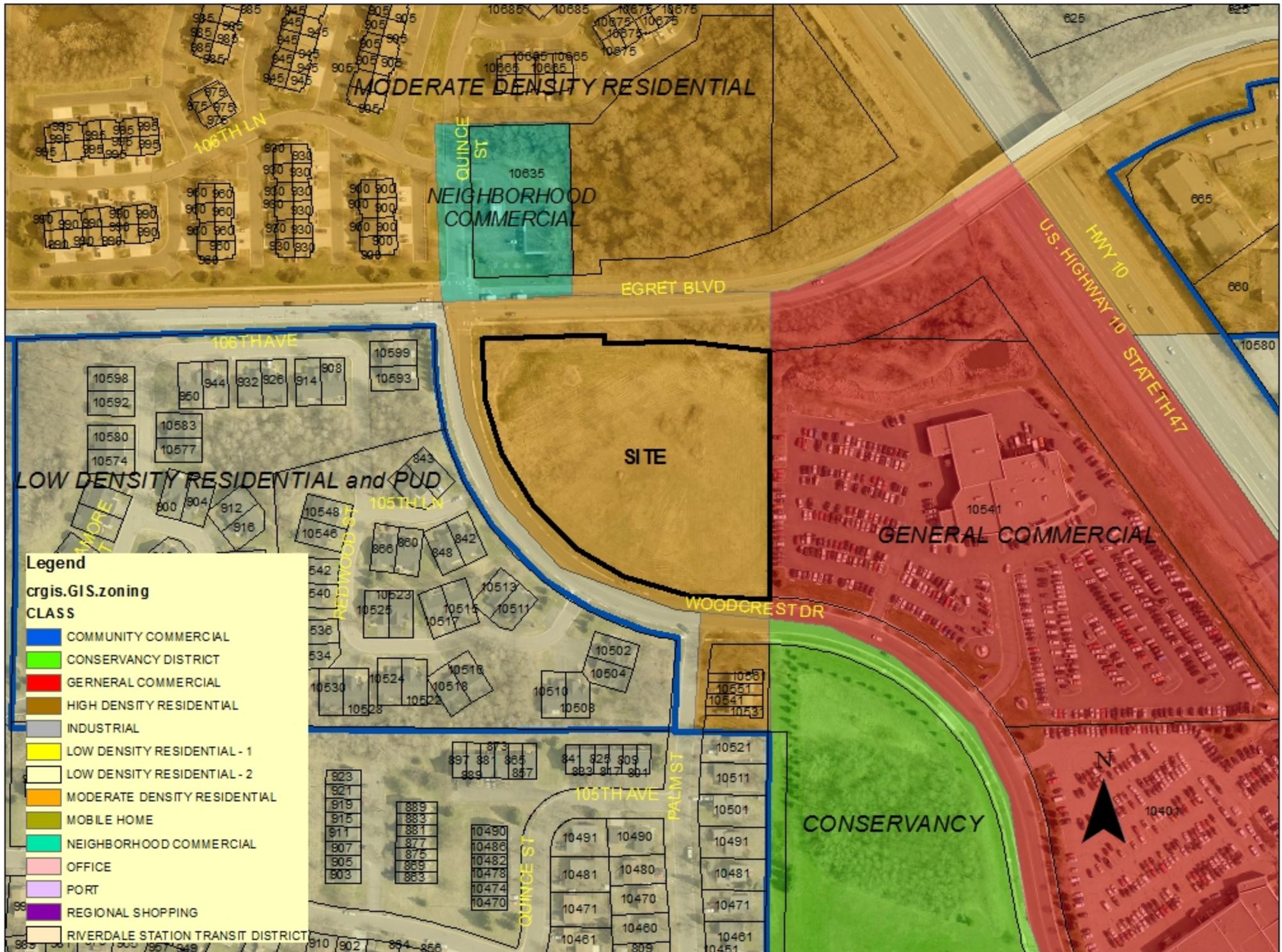
Table of Commercial Uses

Proposed Ordinance

Location Map



Zoning Map



LAND USE AND ZONE CHANGE NARRATIVE

TO: City of Coon Rapids – Department of Community Development
Attn: Scott Harlicker, Planner

FROM: TCA Real Estate, LLC (“TCA”)

DATE: January 12, 2015

RE: Lot 1, Block 3, Carla De Addition- Vacant Property at Southeast Corner of Woodcrest Drive and Egret Boulevard (“Property”)

I. **REQUEST**

We request that the City amend land use guidance for the Property and rezone the Property from Moderate Density Residential to General Commercial, contingent on our acquisition of the Property.

II. **BACKGROUND**

TCA owns the Coon Rapids Chrysler Dodge Jeep Ram dealership (“Dealership”) located east of and adjacent to the Property. We have entered into an Option Agreement to purchase the Property from Patricia Jordan. If the City of Coon Rapids rezones the Property to General Commercial, we intend to acquire the Property, combine the Property with the Dealership property and use the Property to expand our Dealership operations onto the Property and put this long-time vacant land into productive use. This expansion will improve inventory parking and exchange at the Dealership. Additionally, we anticipate that this expansion will allow us to add approximately 17 new jobs at the Dealership totaling nearly \$1,000,000 in annual employee compensation.

III. **LAND USE DESIGNATIONS AND ZONING CLASSIFICATIONS OF PROPERTY AND SURROUNDING PROPERTIES**

| | <u>Existing Use</u> | <u>Comprehensive Plan</u> | <u>Zoning</u> |
|-------------------------------------|--|--|--|
| Subject Property | Vacant | Moderate Density Residential | Moderate Density Residential |
| North | Egret Boulevard, a convenience store and vacant land | Neighborhood Commercial / Moderate Density Residential | Neighborhood Commercial / Moderate Density Residential |
| South and West | Woodcrest Drive and Townhomes | Low Density Residential | Low Density Residential 1 / PUD |
| East (adjacent to Subject Property) | The Dealership | General Commercial | General Commercial |

Source: Memorandum dated July 17, 2012, from Scott Harlicker to the City Council.

IV. **ARGUMENT FOR REZONING**

(A) Zoning History

The Property was zoned for commercial and office use for 27 years. From 1985 – 1999, the Property was zoned for commercial use, but remained undeveloped. In 1999, as part of a City Comprehensive Plan update, the City rezoned the Property to Office. However, the Property remained undeveloped. For almost 30 years, the City sought commercial development on the Property and it never occurred.

In 2011, Ms. Jordan requested that the City rezone the property to High Density Residential. At that time, Steve Thorson, representing Ms. Jordan, commented that Office zoning hampered Ms. Jordan's ability to develop the Property and that there was a "strong need for apartment development in the metro area." (Planning Commission Minutes, September 15, 2011). However, council members were concerned about high density development and neighbors were concerned about traffic impacts. Councilmember Schulte believed the site would be "more viable as a commercial property." (City Council Meeting Minutes, October 18, 2011). The City denied Ms. Jordan's request.

In 2012, Ms. Jordan returned to the City with a request to rezone the Property to Moderate Density Residential, even though Mr. Thorson had stated in 2011 that he did not see Moderate Density Residential "being viable next to the auto dealership." (City Council Meeting Minutes, October 18, 2011). Desiring to provide Ms. Jordan with what it believed would be a better opportunity to develop the Property, the City granted Ms. Jordan's request.

(B) Mistake in Original Zoning / Changed Market Conditions.

In past zoning deliberations involving the Property, the City evaluated whether there was a mistake in the original zoning or whether the character of the neighborhood changed so that a reasonable use of the subject property could not be made under the existing zoning classification. (City Council Meeting Minutes, August 8, 2012). Our analysis of these considerations follows.

1. Mistake in Original Zoning.

In 2012, the City reasoned that commercial and office zoning were inappropriate because the Property is not visible from Highway 10 and the nearest access to Highway 10 is over a mile away. Therefore, the City concluded that the Office Zoning was a mistake and that the Property was a better candidate for a use, such as residential use, that is independent of such visibility. (City Council Meeting Minutes, August 8, 2012).

Ms. Jordan wanted to build apartments on the Property, but the City did not approve High Density Residential development of the Property in 2011. At that time, Mr. Thorson was concerned that Moderate Density Residential, such as a townhome development, would not be viable on the Property. Nevertheless, in 2012, believing

Moderate Density Residential was the only zoning change she could achieve, Ms. Jordan requested, and the City approved, Moderate Density Residential zoning.

This compromise was a mistake. The townhome and condominium markets have been weak for many years and remain weak. In addition to this, as Mr. Thorson suggested, Moderate Density Residential is not viable adjacent to a car dealership. Rezoning the Property back to its originally contemplated commercial use so that we, who have the necessary Highway 10 frontage, can expand our operations, corrects that mistake.

2. Change in Market Conditions.

While the area surrounding the Property is generally residential in character, the Property is immediately adjacent to the Dealership. In 2012, Ms. Jordan believed she could develop the Property for Moderate Density Residential use. Ms. Jordan has tried to sell the Property for such development, but has been unable to do so. Current market conditions and the Property's location do not support residential development of the Property. Market conditions now support our request to productively use this long vacant land for its original purpose – commercial.

(C) City Code Section 11-304 Criteria.

When considering a rezoning request, the City considers criteria listed in Section 11-304 of the City Code. Specifically, the City considers the effect of the rezoning on public health, safety, order, convenience and general welfare in the area; effect on present and potential surrounding land uses; conformance with the Comprehensive Land Use Plan and conformance with any applicable development district.

1. Public Health / General Welfare. Our proposed rezoning will not adversely affect the public health, safety, order, convenience or general welfare of the area. We will use the Property primarily for additional vehicle parking and our proposed use will not increase traffic to the Dealership. Our proposal will likely benefit the surrounding area because the Property will permit us to more efficiently exchange inventory in a manner that improves our current system.
2. Effect on Present and Potential Land Uses. Rezoning the Property to General Commercial will not adversely impact surrounding land uses. We do not anticipate any increase in traffic from our expansion. We will merely operate the Dealership on a larger footprint. Furthermore, in 2012, the City implicitly acknowledged that General Commercial use would not detrimentally impact a nearby residential use when it rezoned the Property, which is adjacent to the Dealership, to residential use. Finally, we intend to combine the Property with the Dealership property through the City's platting process. This will provide the City and surrounding properties greater control over future independent development of the Property.

3. Conformance with the Comprehensive Land Use Plan. We are requesting a land use amendment in addition to our zone change application. If approved, the zone change will be consistent with the Comprehensive Land Use Plan. Furthermore, during the City's 2030 Visioning Process, the City identified Comprehensive Plan goals of "maintaining a diversified economic base and a climate that encourages economic development, redevelopment and ongoing business activity" and "encourag[ing] redevelopment of underutilized lands" (Comprehensive Plan, Ch. 2, Land Use, pp. 46, 50). The City hopes to accomplish these goals by promoting "the retention and expansion of existing businesses" and updating zoning regulations to allow desired uses (Comprehensive Plan, Ch. 2, Land Use, pp. 46, 50 [emphasis added]). Granting our request promotes these goals.
4. Conformance with any Applicable Development District. No district plan applies to our knowledge.

(D) Potential City Concerns.

1. Traffic. We do not anticipate an increase in traffic to the area.
2. Aesthetics. We will respect existing wetlands on the Property and will screen the Property as required by the City Code.
3. Noise / Lighting. The Dealership currently complies with City noise and lighting requirements and will continue to do so.
4. Future Independent Development. We will combine the Property with the Dealership property so that they are one parcel going forward, giving the City more control over future development of the Property.

V. **CONCLUSION**

We request that the City approve our application for a Comprehensive Plan Amendment and rezoning of the Property from Moderate Density Residential to General Commercial for the following reasons:

- General Commercial zoning is consistent with the zoning of the adjacent Dealership property with which the Property will be combined and promotes the City's stated goals of promoting and expanding existing Coon Rapids businesses.
- The City sought commercial development of the Property for nearly 30 years and mistakenly agreed to a compromise zone. There is now an opportunity to develop the Property for commercial uses.
- We do not anticipate any detrimental impact on the surrounding neighborhood and believe that the expansion will permit us to exchange vehicle inventory in a manner that will benefit the surrounding neighborhood as an improvement to our current system.

- The Dealership has been a long-term Coon Rapids business. Rezoning the Property will permit us to grow our business in Coon Rapids and add well paying jobs to the City.

Thank you for your consideration of our request.

Uses.

| PRINCIPAL USES | | | | | | |
|--|----|----|----|----|----|--|
| COMMERCIAL USES | | | | | | |
| Retail Sales and Service | O | NC | CC | GC | RS | |
| General retail sales | NP | NP | P | P | P | |
| General retail sales less than 15,000 square feet total building size | P | P | P | P | P | |
| Art gallery or studio | NP | P | P | P | P | |
| Bank or financial institution | P | NP | P | P | P | |
| Building material sales or lumber yard | NP | NP | P | P | NP | |
| Child care center, state licensed | P | P | P | P | P | |
| Commercial self storage with no outdoor storage | NP | NP | NP | C | NP | |
| Contractors office | NP | NP | NP | P | NP | |
| Dry cleaning establishment | NP | NP | NP | C | NP | |
| Farmers market | NP | P | P | P | NP | |
| Firearms dealer | NP | NP | P | P | P | |
| Funeral home | C | NP | P | P | NP | |
| Greenhouse, lawn and garden supply store | NP | NP | P | P | NP | |
| Laundry, self service | NP | P | P | P | NP | |
| No adult oriented business, as defined by Section 5-2202 , is permitted, except adult book stores, adult cabarets, adult conversation parlors, adult motion picture theaters, and adult novelty businesses, subject to regulation under Chapter 5-2200 and Section 11-1208, or state or federal law. | NP | NP | NP | P | NP | |
| Non-on-premises consumption adult bookstores and adult novelty stores, as defined by Revised City Code 1982 Section 5-2202 , subject to regulation under Revised City Code 1982 Chapter 5-2200 and Section 11-1208 | NP | NP | P | NP | NP | |
| Pawnbroker | NP | NP | P | P | NP | |
| Performing, visual or martial arts school | NP | NP | P | P | NP | |
| Personal service establishment | P | P | P | P | P | |
| Pet grooming shops, provided no animal is kept overnight or outside and no noise is audible outside of the building or bay occupied by the grooming shop | NP | P | P | P | P | |
| Pet store | NP | P | P | P | P | |
| Photocopying, duplicating services | P | P | P | P | NP | |
| Precious Metal Dealers defined and regulated by Title 5 | NP | P | P | P | P | |
| Printing and publishing | NP | NP | C | C | NP | |
| Rental business - no outdoor storage | NP | NP | P | P | NP | |
| Rental business - with outdoor storage | NP | NP | NP | C | NP | |
| Secondhand Dealers or Antique Dealers defined and regulated by Title 5 | NP | P | P | P | P | |
| Self storage facility with no outdoor storage | NP | NP | NP | C | NP | |
| Service Business | P | P | P | P | NP | |
| Transient Merchants, Solicitors, and Canvassers, defined and regulated by Title 5 | NP | P | P | P | NP | |
| Veterinary clinic, animal hospital, kennel - no outdoor runs | P | NP | P | P | NP | |
| Video store | P | P | P | P | P | |
| Automobile Services | O | NC | CC | GC | RS | |
| Automobile rental facility | NP | NP | C | C | NP | |
| Automobile repair, major | NP | NP | NP | C | NP | |
| Automobile repair, minor | NP | NP | P | P | NP | |
| Automobile sales provided that: | NP | NP | C | P | NP | |
| (a) Must have minimum of 40,000 square foot building; | | | | | | |
| (b) Indoor display area, and | | | | | | |
| (c) The building meets the development guidelines found in subsection 11-701.2. | | | | | | |
| Car wash | NP | NP | P | P | NP | |
| Convenience store | NP | NP | P | P | NP | |
| Convenience store provided that: | NP | C | P | P | NP | |
| (a) The fuel sales are incidental to a retail store; | | | | | | |
| (b) No separate building, structure, or store is used as part of the fuel sales; | | | | | | |
| (c) No more than four dispensing hoses may be operable simultaneously per neighborhood shopping center, and | | | | | | |
| (d) The fuel sales shall be accessible from off the parcel of property on which it is located by way of at least two in and out vehicular accesses. | | | | | | |
| Major recreational equipment sales, service and rental | NP | NP | NP | P | NP | |
| Food and Beverage | O | NC | CC | GC | RS | |
| Catering | NP | P | P | P | NP | |
| Coffee shop | P | P | P | P | P | |
| Liquor, off sale | NP | NP | P | P | P | |
| Restaurant, delicatessen | P | P | P | P | P | |
| Restaurant, fast food | NP | NP | P | P | P | |
| Restaurant, sit down including the serving of alcohol beverages provided they occupy no more than 25 percent of a building and have no drive up facility | P | P | P | P | P | |
| Restaurant, sit down including the serving of alcohol beverages | C | C | P | P | P | |
| Tavern or bars | NP | NP | P | P | NP | |
| Commercial Recreation, Entertainment and Lodging | O | NC | CC | GC | RS | |
| Amusement centers | NP | NP | NP | P | NP | |
| Hotel | NP | NP | P | P | P | |
| Indoor recreation | NP | NP | P | P | NP | |
| Outdoor recreation | NP | NP | C | C | NP | |
| Physical fitness center | NP | NP | P | P | P | |
| Physical fitness center 3,000 square feet floor area or less | NP | P | P | P | P | |
| Radio or television station | NP | NP | P | P | NP | |
| Reception or meeting hall | NP | C | P | P | NP | |
| Theater | NP | NP | P | P | NP | |
| Office and Medical Facilities | O | NC | CC | GC | RS | |
| Blood/ plasma collection facility | NP | NP | NP | P | NP | |
| Clinic, medical or dental | P | NP | P | P | P | |
| Clinic, medical or dental less than 15,000 square feet total building size | P | P | P | P | P | |
| General Office | P | NP | P | P | P | |
| General Office less than 15,000 square feet total building size | P | P | P | P | P | |
| Hospital | NP | NP | C | C | NP | |
| Laboratory, medical or dental | P | NP | P | P | NP | |
| Transportation | O | NC | CC | GC | RS | |
| Ambulance service | NP | NP | NP | C | NP | |
| Limousine service | NP | NP | NP | C | NP | |

ORDINANCE NO.

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF
THE CITY OF COON RAPIDS SO AS TO PROVIDE CHANGES
IN THE ZONING CLASSIFICATION (PC 15-4)**

The City of Coon Rapids does ordain:

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

Lot 1, Block 3, Carla de Addition

Introduced the 3rd day of March, 2015

Adopted on the ____ day of March, 2015

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

21.

Meeting Date: 03/03/2015

Subject: Consider Resolution 15-47 Providing for the Sale of \$10,000,000 General Obligation Bonds, Series 2015A.

Submitted For: Sharon Legg, Finance Director

From: Sharon Legg, Finance Director

INTRODUCTION

Staff recommends that three bond issues be sold on March 17.

DISCUSSION

Three bond issues are being proposed to be sold on March 17 as follows:

G.O. Improvement Bonds in the amount of \$3,300,000. This will finance the City share as well as the assessments for the following projects:

City Project 15-1 2015 Street Reconstruction various areas of the City

City Project 15-2 2015 Street MSA Reconstruction

City Project 15-3 2015 Street Reconstruction various areas of the City

Since the above projects will also replace water mains in the project areas, Water Revenue Bonds in the amount of \$1,700,000 are also being proposed. Both of the issues will be repaid over ten years. A tax levy to pay the City share of the improvement bonds will be included in taxes payable for 2016.

Additionally, staff is proposing to sell the first \$5,000,000 of the Park Bonds as a result of the referendum passing in 2013. This will pay for the renovation of Riverview in the amount of \$1,800,000 and get the City started on the Sand Creek Park Project.

Due to the fact that bonds carry a lower interest rate if they are "Bank Qualified" or "BQ", staff is limiting the total amount of the issuance to \$10 million. City Council can anticipate that bonds will again need to be sold in early 2016 to fund municipal state aid projects and then again in 2017 for more park improvement bonds. The Park Bonds will be payable over fifteen years.

It is anticipated that the bonds will pay a net interest cost of 2.20 percent.

RECOMMENDATION

Staff recommends authorization of Resolution 15-47 Providing for the Sale of \$10,000,000 General Obligation Bonds, Series 2015A.

Attachments

RS 15-47

Resolution 15-47

Resolution Providing for the Sale of \$10,000,000 General Obligation Bonds, Series 2015A

WHEREAS, the City Council of the City of Coon Rapids, Minnesota has heretofore determined that it is necessary and expedient to issue the City's \$10,000,000 General Obligation Bonds, Series 2015A (the "Bonds"), to finance various park and trail renovation and improvement, street reconstruction, and water utility improvement projects in the City; and

WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent financial advisor for the Bonds and is therefore authorized to solicit proposals in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

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

1. Authorization; Findings. The City Council hereby authorizes Ehlers to solicit proposals for the sale of the Bonds.
2. Meeting; Proposal Opening. The City Council shall meet at 7:00 p.m. on March 17, 2015, for the purpose of considering proposals for and awarding the sale of the Bonds.
3. Official Statement. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

Dated this 3rd day of March, 2015.



City Council Regular

22.

Meeting Date: 03/03/2015

Subject: Consider New Manager Liquor Sales Denial Appeal

Submitted For: Stephanie Lincoln, Deputy City Clerk

From: Stephanie Lincoln, Deputy City Clerk

INTRODUCTION

The office of the City Clerk, upon recommendation by the Police Department, has denied Mr. Anderson's liquor sales New Manager Application for the business of the American Legion Post 334 located at 11640 Crooked Lake Blvd. Mr. Anderson is appealing staff's denial.

DISCUSSION

As part of the renewal application process of liquor licensing, Mr. Anderson had applied as a new manager for the business of American Legion Post 334. After forwarding the application to the Police Department, a criminal history check revealed two active warrants for his arrest. The criminal history report also noted that Mr. Anderson has a history of DWI, fleeing police in a motor vehicle and on foot, and resisting arrest. The Police Department recommended denial of the application for Mr. Anderson on February 3, 2015 due to these findings. A written notice informing Mr. Anderson of his denial was sent to his home address on February 12, 2015.

Minnesota State Statue 340A.402 allows for denial of an application if the applicant shows proof that they are a person not of good moral character and repute.

Mr. Anderson has submitted a written appeal to City Staff's decision on February 19, 2015. (see attached)

RECOMMENDATION

It is requested that the City Council affirm the Denial of Mr. Anderson's New Manager Application for liquor sales for the business of the American Legion Post 334 located at 11640 Crooked Lake Blvd.

Attachments

Anderson letter

To whom it may concern:

I Justin Andersen would like to appeal my denial for the new manager application. I was denied due to active warrants that I have since satisfied.

Thank you,

Justin Andersen

A handwritten signature in black ink, appearing to be 'Justin Andersen', with a long horizontal flourish extending to the right.



City Council Regular

23.

Meeting Date: 03/03/2015

Subject: Adopt Resolution No. 14-10(8), Approving Plans and Specifications and Ordering Advertisement for Bids for Sand Creek Park Redevelopment

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

INTRODUCTION

As part of the Park Master Plan, Sand Creek Park was approved by Council for redevelopment. WSB & Associates, Inc. completed plans and specifications for this work. Council is requested to approve the plans and specifications and order the advertisement for bids.

DISCUSSION

Sand Creek Park is scheduled for redevelopment in 2015-2016. Reconstruction includes reconfiguration of the six softball fields, two football/lacrosse fields, one hockey rink, open skate area, additional parking, park shelters for concessions and a warming house. Additional play areas will be located throughout the park and a new trail system would be included to access the parks amenities.

On July 15, 2014, Council approved the layout for redevelopment of Sand Creek Park, accepted a consultant agreement with WSB & Associates, Inc. for final design and bidding of the project, and ordered preparation of plans and specifications. A work session was held on February 10, 2015 to discuss the overall park plan; focusing on the budget and proposed improvements. Council provided direction on removal of a few items from the project (bocce ball courts, gravity sanitary sewer, and a second hockey rink), as well as other items being moved from the base bid to alternates. The items moved to alternate bid items are primarily located on the southern area of the park and include a play structure, basketball court, tennis courts, a gazebo structure, some parking, and certain trail segments.

The project plans and specifications have now been updated to final design status and staff is requesting Council approval to advertise the project. Included in the bid proposal are several alternates; including the items identified above, an electronic reader board, a hockey dasher board upgrade (composite material vs. wood), dugout canopy structures, and concrete maintenance strips around the athletic fields. Upon review of the bids received a determination can be made on which items are awarded. The project will be advertised in March and April and bids will be received on April 14, 2015. A recommendation for contract award is scheduled to be presented to Council on April 21, 2015. If Council awards a contract at that time, construction can begin as early as May, 2015. Substantial completion of the project is anticipated to be fall of 2016.

As a point of clarification, this bid package does not include the warming house/concession stand or site maintenance building; those items will be bid separately in May and coordinated into the overall project. Additionally, the traffic signal improvement for the new site access at the intersection of Northdale Blvd and Redwood St will also be a separate bid package and will come before the Council for approval in late summer/early fall.

RECOMMENDATION

It is recommended the City Council adopt Resolution No. 14-10(8) approving plans and specifications and ordering advertisement for bids for Sand Creek Park redevelopment.

BUDGET IMPACT:

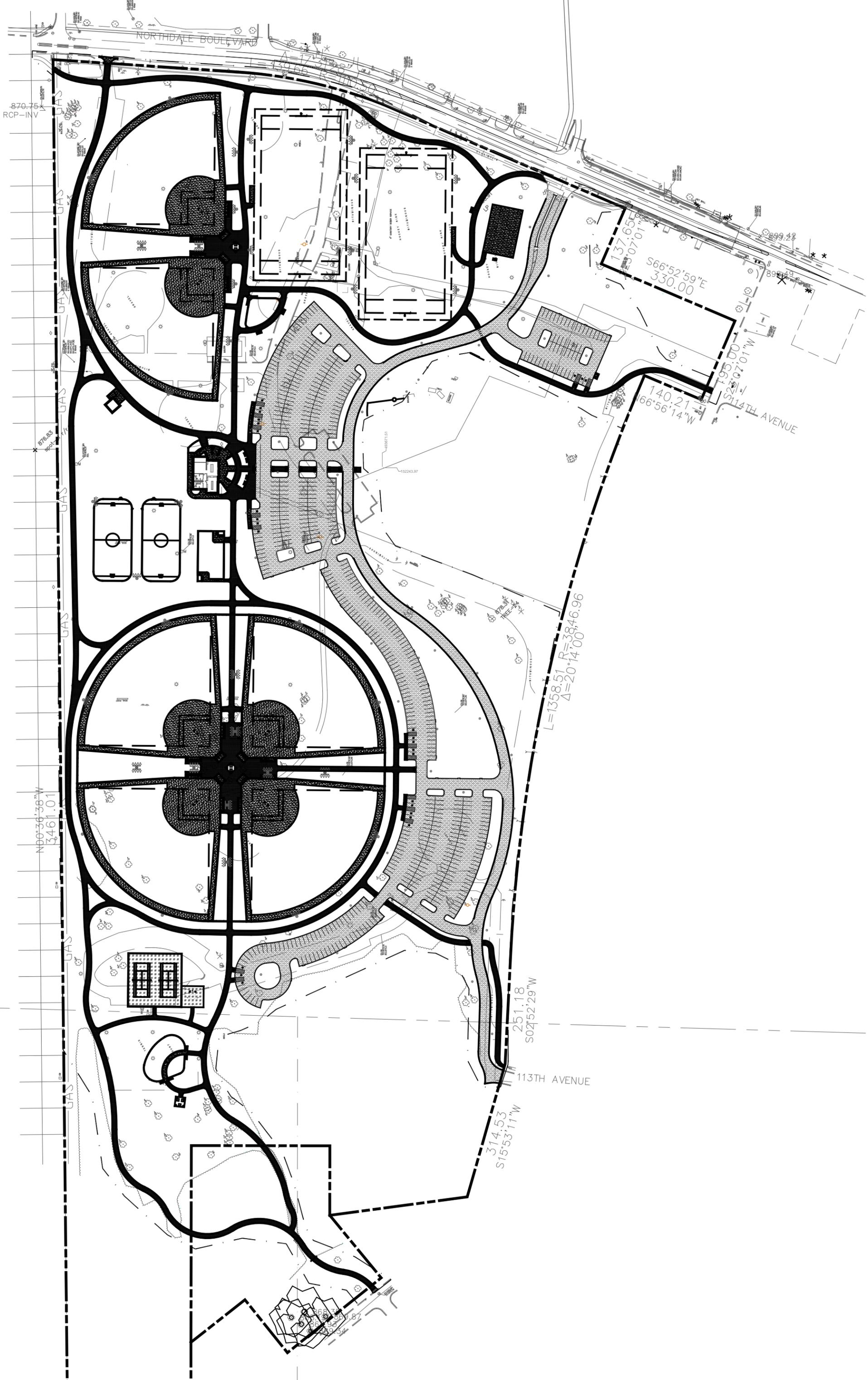
The total base bid construction estimate for redevelopment of Sand Creek Park is approximately \$7M, and the alternate items are estimated at approximately \$750,000. Funds are available in the park referendum budget for this project, and other funding sources have been identified for portions of the project (Utility Enterprise Fund, and Facilities Construction Fund).

Attachments

Overall Project

Base Bid Layout

Resolution No. 14-10(8)



NORTHDALE BOULEVARD

870.75
RCP-INV

$N00^{\circ}36'38''W$
3461.01

$L=1358.51$
 $R=38,46.96$
 $\Delta=20^{\circ}14'00''$

$S66^{\circ}52'59''E$
330.00

140.21
 $66^{\circ}56'14''W$

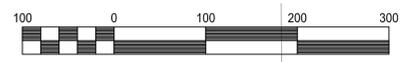
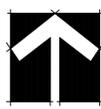
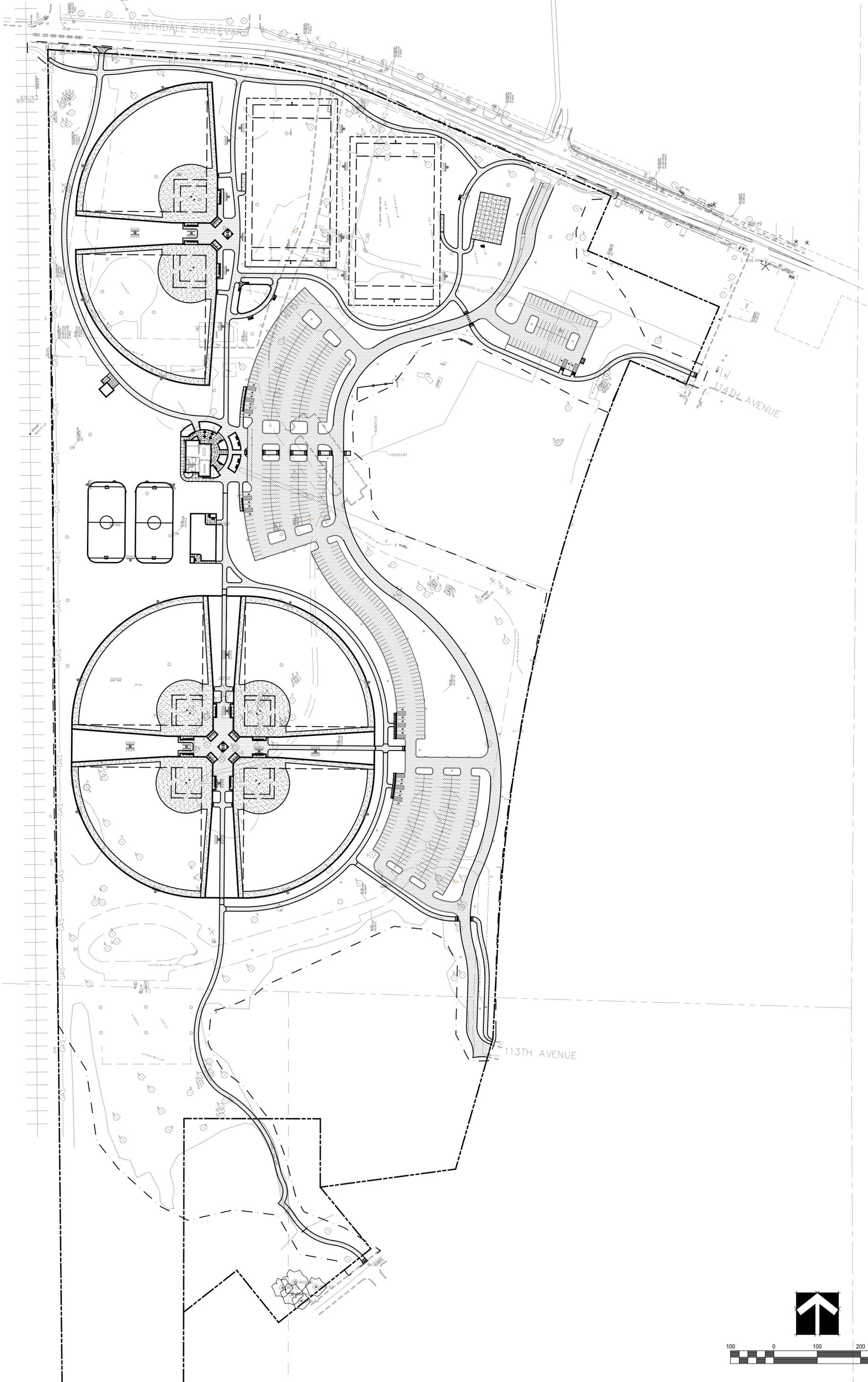
$S22^{\circ}07'01''W$
195.00

114TH AVENUE

251.18
 $S02^{\circ}52'29''W$

113TH AVENUE

314.53
 $S15^{\circ}53'11''W$



RESOLUTION NO. 14-10(8)

**(8) RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, WSB & Associates, Inc. has prepared plans and specifications for the improvement of Sand Creek Park by redevelopment of the athletic complex and has presented such plans and specifications to the Council for approval; and

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

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

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper and in a trade journal, if applicable, an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the Clerk until 10:00 a.m. on the 14th day of April, 2015, at which time they will be publicly opened in the City Hall by the City Clerk and Engineer, will then be tabulated, and will be considered by the Council at 7:00 p.m. on the 21st day of April, 2015, in the Council Chambers, and that no bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the Clerk for 5% of the amount of such bid.

Adopted this 3rd day of March, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

24.

Meeting Date: 03/03/2015

Subject: Consider Authorization to Purchase Replacement Semi-Rugged Computers for Fire Trucks

Submitted For: Sharon Legg, Finance Director **From:** Traci Reimringer, Purchasing Clerk

INTRODUCTION

Staff is requesting the authorization to purchase replacement semi-rugged computers for fire trucks.

DISCUSSION

As you know, the City works with Anoka County dispatch, which implemented a new public safety data system. The system communicates via radio and computer to the Police and Fire. Presently, the current Fire Department laptops are 3-5 years old and have issues communicating. Additionally, the current laptops only have four gig of memory versus the current IT standard of eight gig. The current laptops are under-powered to run the automatic vehicle locator that is vital for the new CAD. Funds are available from the purchase of the self contained breathing apparatus for this purchase. It is anticipated that each semi-rugged laptop will cost roughly \$3,000. Although eight are needed, funds are available in the IT budget to cover two of them.

Because capital outlay purchases must specifically be identified and funded per the City Code 2-803, staff is seeking authorization to make this purchase.

RECOMMENDATION

Staff is recommending that the budget savings from the SCBA purchase be reallocated to purchase six new semi-rugged computers for the fire trucks.



City Council Regular

25.

Meeting Date: 03/03/2015

Subject: Consider Formal Appointments to Task Force for Riverdale Station TOD Site

From: Grant Fernelius, Community
Development Director

INTRODUCTION

Staff is requesting that the City Council formally appoint three members to serve on the joint task force for the Riverdale Station TOD site.

DISCUSSION

In 2013, the Anoka County Regional Railroad Authority (ACRRA) and the City of Coon Rapids established a joint task force to review development opportunities for the Riverdale Station TOD site. As background, the ACRRA has owned the 15 acre vacant site since 2003. In September 2014, the ACRRA began a formal developer solicitation process, which did not generate significant interest. Since that time, the agency has been working with Ehlers to talk informally with a small group of developers that have experience on TOD projects. The ACRRA would like to reconvene the task force to meet on Tuesday, March 10th (11:00 AM) to provide an update on their efforts. Since there has been a turnover on the City Council, staff wants to confirm which members plan to represent the City on the task force. The task force was previously comprised of two ACRRA members; Councilmembers Klint and Manning, plus former Councilmember Sanders. Councilmember Geisler also served on the task force as a member of the Planning Commission.

RECOMMENDATION

Staff recommends that the City Council identify and appoint three members to serve on the joint task force for the Riverdale Station TOD site.



City Council Regular

26.

Meeting Date: 03/03/2015

Subject: Consider Adoption of Resolution 15-48 Amending the 2015 Golf Budget for Design of Renovations to the Clubhouse

Submitted For: Tim Anderson, Golf Pro/Manager

From: Tim Anderson, Golf Pro/Manager

INTRODUCTION

Staff is seeking authorization to engage Partners and Sirny Architects for the second phase of design for a project to consider remodeling at Bunker Hills Golf Club.

DISCUSSION

The Clubhouse at Bunker Hills has been open and operational for nearly four years. Over the course of that time, building use patterns and guest/operational feedback have exposed potential opportunities for physical remodeling/enhancements to the facility. After discussing food and beverage operations with the team from Morrissey Hospitality Companies, it is felt that this potential enhancement may produce significant increases in facility use, sales, guest satisfaction and operational advantages. On December 16, 2014, the City Council approved allocating funds to engage Partners & Sirney Architects for phase one design of a project to consider remodeling at Bunker Hills Golf Club.

In order to further understand the potential remodeling concepts including costs and benefits, it is recommended that City staff continue to work with Partners and Sirny Architects and Morrissey Hospitality Companies leadership. The attached proposal details the scope of work that would be included in the second phase of the remodel design.

Since this expense was not anticipated in the budget, staff is requesting that funds be allocated for this purpose.

RECOMMENDATION

Staff recommends adoption of Resolution 15-48 Amending the 2015 Golf Budget for Design of Renovations to the Clubhouse.

Attachments

Phase 1 Design

Phase 2 Proposal

BUNKER HILLS
 Coon Rapids, MN

RESTAURANT REMODEL

2/4/15 PHASE 1 BUDGET

ISSUED

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision, and that I am a duly Registered Architect under the laws of the State of Minnesota.

14567
 John E. Sirny Registration No.

SEAL

PROJ. DATE FEB. 4, 2015

PROJ. NO. 2918

UPPER LEVEL FLOOR PLAN

SHEET TITLE

A1.0

SHEET NO.

- PLAN NOTES:**
- 1 ALL FURNITURE, BOOTHS AND OFFICE FURNITURE IN F.F.E. (BY OWNER).
 - 2 VERIFY ALL MECH. & ELEC. AND RELOCATE EXIST. TO NEW LOCATION.
 - 3 VERIFY WITH OWNER OF ALL EXISTING CABINETS OF IT'S REPURPOSING / DISPOSAL.
 - 4 CONSTRUCTION MANAGER TO PACKAGE CONSTRUCTION COSTS PER PROJECT AREAS INDICATED ON PLAN.
 - 5 ESTIMATE ALL COSTS TO NOT INTERRUPT, OR NOTIFY OWNER DURING CONSTRUCTION.
 - 6 WHEN POSSIBLE REUSE EXISTING TRIM AND REINSTALL OR PROVIDE NEW TO MATCH EXIST.

SHEET INDEX
 A1.0 UPPER LEVEL FLOOR PLAN
 A10.0 INTERIOR ELEVATIONS
 A5.0 EXTERIOR ELEVATIONS & SECTIONS

EXISTING CEILING AND DOWN LIGHTS TO REMAIN. PATCH TO MATCH EXISTING CEILING.
 REMOVE EXIST. CARPET AND INSTALL NEW C.T. FLOOR TO MATCH GOLFER GRILL 126

NEW BOOTHS
 REMOVE & REPURPOSE EXISTING CABINETS INTO CLUB REPAIR.

REUSE AND RELOCATE EXISTING DOOR AND CASING

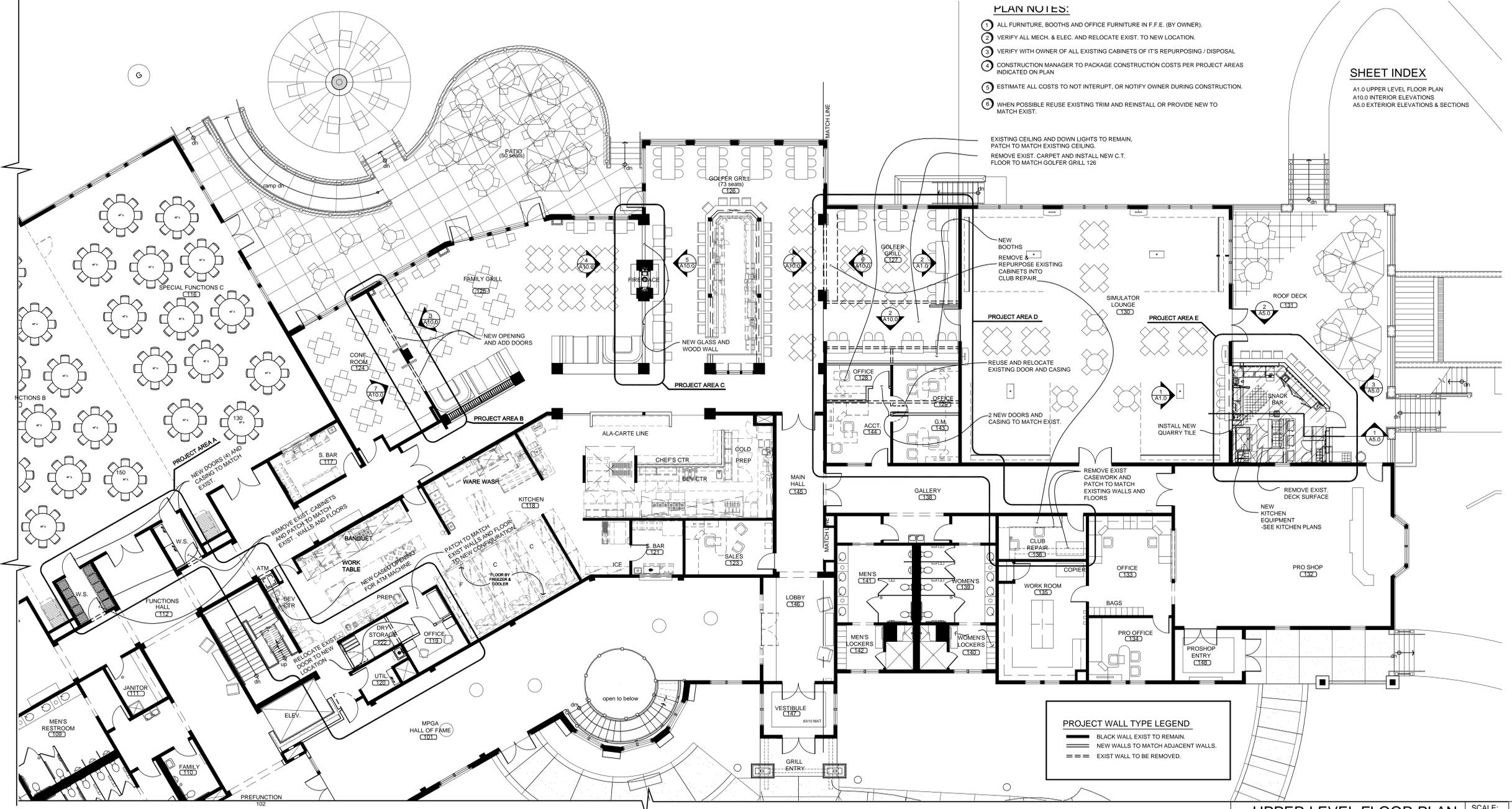
2 NEW DOORS AND CASING TO MATCH EXIST.

REMOVE EXIST. CASEWORK AND PATCH TO MATCH EXISTING WALLS AND FLOORS

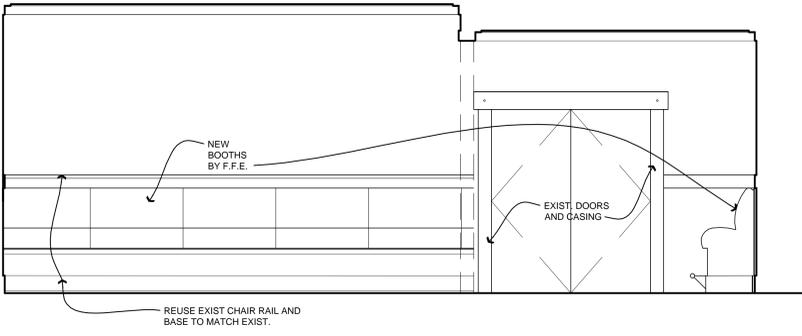
REMOVE EXIST. DECK SURFACE

NEW KITCHEN EQUIPMENT - SEE KITCHEN PLANS

PROJECT WALL TYPE LEGEND
 — BLACK WALL EXIST TO REMAIN.
 — NEW WALLS TO MATCH ADJACENT WALLS.
 - - - EXIST WALL TO BE REMOVED.



UPPER LEVEL FLOOR PLAN SCALE: 1/8" = 1'-0" 3



GOLFER GRILL NORTH ELEVATION (EXPANSION) SCALE: 3/8" = 1'-0" 2



SIMULATOR LOUNGE BAR AND GRILL ELEVATION SCALE: 3/8" = 1'-0" 1

November 3 2014

Mr. Steven D. Gatlin
City Manger
City of Coon Rapids
Coon Rapids, MN 55433

Re: Fee proposal for restaurant remodel for Bunker Hills

Dear Steve:

Per our last meeting with yourself, Tim and the Morrissey group P&S proposes the following phases and scope of services. The scope is defined to the following spaces: meeting room/ adult dining common wall development, bar expansion into member lounge, new bar/ grill at simulator/ outside deck, back of house hall development and furniture/ seating layouts at bar and simulator lounge. It is P&S understanding they will work with the Morrissey group's kitchen consultant.

Phase One Scope of Work

We propose to do the following list of work (\$7,500)

- Meeting one to review design sketches with city staff and Morrissey
- Meeting two if required to develop design and meet with city code official
- Prepare design plans, elevations and building systems from meetings (similar to Clubhouse)
- Prepare outline specification for design and building scope of work
- Coordinate with city staff and Morrissey of design presentations for city approval
- Develop project delivery type and budget with owners contractor for Phase two

Phase Two Scope of Work

We propose to do the following list of work (\$20,000- \$28,000) P&S will get Structural and M&E fees when scope is defined at the end of phase one

- Assumes the design from phase one is approved
- Architectural specifications and drawings with stamp and signature for biding and permit
- Structural specifications and drawings with stamp and signature for biding and permit
- M&E design build scope narrative and scope review of contractors M&E design
- Bid review with owner and contractor
- Shop drawing review, 3 architectural site visits and 1 structural, M&E site visit
- Final walk through and certificate of occupancy
- Other than building permit all other submittals and approvals are not included
- Owner and Morrissey to provide all FF&E and kitchen scope to the A/E design team

Phase One and Two Fee Proposal

We propose the Lump sum fee of \$7,500 to provide as described from above scope of work plus reimbursable expenses. The phase two scope of work will be developed as the design and scope is further defined, it is my understanding that our fee for these services will be an addendum to our original contract for the Clubhouse.

Thanks for the opportunity to work with you and Tim again. With the Morrissey group on board now we can further develop the high quality golf experience at Bunker Hills.

Sincerely,

Dave Carlson
Project Architect, Golf Clubhouse Studio



Approved,

Steven D. Gatlin
City Manager, approved signature and date



City Council Regular

27.

Meeting Date: 03/03/2015

Subject: Consider New Manager Tobacco Sales Denial Appeal

Submitted For: Stephanie Lincoln, Deputy City Clerk

From: Stephanie Lincoln, Deputy City Clerk

INTRODUCTION

The office of the City Clerk, upon recommendation by the Police Department, has denied Mr. Vespa's tobacco sales New Manager Application for the business of Hwy 10 Car Care Center located at 11580 Hanson Blvd. Mr. Vespa is appealing staff's denial.

DISCUSSION

As part of the renewal application process of tobacco licensing, Mr. Vespa had applied as a new manager for the business of Hwy 10 Car Care. After forwarding the application to the Police Department, a criminal history check revealed a conviction in 2008 for furnishing alcohol to a minor in Ramsey County. Mr. Vespa failed to list this offense on his application. The Police Department recommended denial of the license for Mr. Vespa on January 23, 2015 due to this omission, as well as the nature of the charges. A written notice informing Mr. Vespa of his denial was sent to his home address on January 30, 2015.

City Code 5-910(4) allow for denial based on the following factor:

The applicant fails to provide any information on the application or provides false or misleading information.

Mr. Vespa has submitted a written appeal to City Staff's decision on February 9, 2015 (see attached).

RECOMMENDATION

It is requested that the City Council affirm the denial of Mr. Vespa's New Manager Application for tobacco sales for the business of Hwy 10 Car Care Center located at 11580 Hanson Blvd.

Attachments

Vespa Letter of Appeal

The City Of Coon Rapids, MN
Attention Stephanie Lincoln, Deputy City Clerk

This Letter is regarding and to appeal to the City Council.

I apologize for the oversight to mention the incident of furnishing alcohol to a minor in Ramey County.

Our family business was a family owned up scale restaurant in White Bear Lake, MN. We were not in the business to serve minors. This happened a long time ago. I had worked a long fourteen hour day, it was closing time and I had relieved the bartender. When I took over a couple came in and ordered a round of beers. I carded them and simply made a mistake on calculating the date of birth by one year. It was an unfortunate and unintentional mistake on my part at the end of a long day. This was a sting operation by the city of White Bear Lake for which I paid my fine and learned a very valuable lesson. I would appreciate your re-evaluation to issue the requested license for tobacco sales at Hwy 10 Car Care Center.

Sincerely,



Robert Vespa



City Council Regular

28.

Meeting Date: 03/03/2015

Subject: Consider Adoption of Ordinance 2130 Regarding Chapter 8-1200 - Surface Water Management

Submitted For: Mark Hansen, Assistant City Engineer

From: Mark Hansen, Assistant City Engineer

INTRODUCTION

Over the past several months, staff have been working with a consultant to update its Municipal Separate Storm Sewer System (MS4) permit as required by the Minnesota Pollution Control Agency (MPCA). As part of this new permit, an update to the City's Surface Water Management ordinance is required.

DISCUSSION

The City Attorney's office has prepared the updates to the surface water management ordinance based on recommendations from staff and the City's consultant, WSB and Associates.

Highlights of the ordinance updates are as follows:

-The ordinance is proposed to include requirements that meet the Minimal Impact Design Standards (MIDS) developed under Minnesota Statutes 2009, Section 115.03 subdivision 5c. The emphasis with MIDS is on keeping the raindrop where it falls in order to minimize stormwater runoff and pollution and preserve natural resources. MIDS provides the flexibility to implement a wide range of Best Management Practices (BMPs) in order to achieve stormwater volume reduction, as well as pollution and sediment removals.

-Specific site plan submittal requirements and engineering design criteria are proposed to be removed from the ordinance, and instead included in a newly developed City of Coon Rapids Engineering Design Standards document. The ordinance will refer to this document where additional information and specific details will be provided. The Engineering Design Standards document will be made available to engineers and developers doing work within the City. Including specific design details and standards within a separate document allows staff to make periodic updates and revisions (as needed) without revising the ordinance itself.

-More emphasis is placed on Maintenance Agreement requirements for stormwater management facilities constructed in conjunction with site development. The purpose of a Maintenance Agreement is to delineate the future maintenance responsibilities between the City and the property owner for any stormwater management device installed as part of development. All stormwater management devices require some level of ongoing maintenance in order to function properly.

-A penalty process has been added to the ordinance that holds property owners accountable for violating the City's stormwater management requirements for erosion and sediment control.

RECOMMENDATION

Staff recommends the Council adopt the updated ordinance for surface water management, and amend the City code accordingly.

BUDGET IMPACT:

There are no impacts to the City budget with this proposed ordinance update.

The updated stormwater management ordinance may in some cases add to the cost of development by requiring additional stormwater treatment features that are designed to reduce stormwater volume, and pollutants from existing development sites. However, the updated ordinance allows for an array of flexible treatment options that will provide developers many ways to achieve water quality improvement goals.

Attachments

Surface Water Management

ORDINANCE NO. 2130

**AN ORDINANCE REVISING SURFACE WATER MANAGEMENT
AND THEREBY AMENDING REVISED
CITY CODE – 1982 CHAPTER 8-1200 BY REVISING
SECTIONS 8-1202, 8-1204, 8-1207, 8-1208, 8-1209, 8-1212, 8-1213, 8-1214
8-1217, 8-1219, 8-1220, 8-1223, 8-1224 AND ADDING 8-1225**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 8-1202 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1202 – Statutory Authorization.

This Chapter is adopted pursuant to Minnesota Statutes Section 462.351 (1990). This Chapter is adopted pursuant to the authorization and policies contained in Minnesota Statutes Chapters 103B and 462; Minnesota Rules, Parts 6120.2500-6120.3900, Minnesota Rules Chapters 8410, 8420 and 70510.0210.

This ordinance is intended to meet the Minimal Impact Design Standards (MIDS) developed under Minnesota Statutes 2009, Section 115.03 subdivision 5c.

Section 2. Revised City Code – 1982 Section 8-1204 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1204 - Applicability.

Every applicant for a building permit, subdivision approval, or a permit to allow land disturbing activities must submit a storm water management plan to the City's Community Development Department. No subdivision approval, or grading permit to allow land disturbing activities shall be issued until approval of the storm water management plan or a waiver of the approval requirement has been obtained in strict conformance with the provisions of this Chapter.

Every applicant for subdivision approval or a grading permit to allow wetland disturbing activities must submit a wetland assessment report to the City's Engineering Division. No subdivision approval or grading permit to allow wetland disturbing activities shall be issued until approval of the wetland replacement plan application or a certificate of exemption has been obtained in strict conformance with the provision of this Chapter and the Minnesota Wetland Conservation Act. This Chapter applies to all land, public or private, located within the City of Coon Rapids.

Every applicant for a building permit, subdivision approval, or a grading permit to allow land disturbing activities must adhere to erosion control measure standards and specifications contained in the MPCA publication "Protecting Water Quality in Urban Areas", the City's Engineering Design Guidelines or as approved by the City of Coon Rapids.

Section 3. Revised City Code – 1982 Section 8-1207 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1207 - Incorporation by Reference.

The following are incorporated into this Chapter by reference:

- (1) The Minnesota Wetland Conservation Act is incorporated into this Chapter by reference.
- (2) The National Pollutant Discharge Elimination System Permit, MN R100001 (NPDES general construction permit) issued by the Minnesota Pollution Control Agency, August 1, 2013, as amended. The NPDES general construction permit is incorporated into this Chapter by reference.
- (3) The City's Engineering Design Guidelines. The guidelines shall serve as the official guide for storm water principles, methods, and practices for proposed development activities. The City's Engineering Design Guidelines is incorporated into this Chapter by reference.

Section 4. Revised City Code – 1982 Section 8-1208 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1208 - Storm Water Management Plan Approval Procedures. Unless otherwise exempted by this ordinance, [A] a written application for storm water management plan approval, along with the proposed storm water management plan and maintenance agreement, shall be filed with the Community Development Department and shall include a statement indicating the grounds upon which the approval is requested, that the proposed use is permitted by right or as an exception in the underlying zoning district, and adequate evidence showing that the proposed use will conform to the standards set forth in this ordinance, as well as the requirements within the City's Engineering Design Guidelines; the Maintenance Agreement shall be prepared to meet the requirements of Section 8-1219 of this ordinance. Prior to applying for approval of a storm water management plan, an applicant may have the storm water management plans reviewed by the City's Community Development Department.

Five sets of clearly legible blue or black lined copies of all drawings and required information shall be submitted to the Community Development Department.

Storm water management and grading plan drawings shall be prepared to a scale appropriate to the site of the project and suitable for the review to be performed. At a minimum the scale shall be one inch equals 100 feet.

Section 5. Revised City Code – 1982 Section 8-1209 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1209 - Storm Water Management Plan. At a minimum, the Storm Water Management Plan shall meet the criteria as described in the City's Engineering Design Guidelines. The Storm Water Management Plan shall contain the following information:

~~(1) Existing Site Map. A map of existing site conditions showing the site and immediately adjacent areas, including:~~

- ~~{(a) The names, addresses, telephone numbers, and fax numbers of the applicant, owner, developer, surveyor, engineer and contact person;~~
- ~~(b) The section, township and range, north point, date and scale of drawing and number of sheets;~~
- ~~(c) Plat names and block, lot and outlot boundaries for adjacent platted properties and full property identification numbers for adjacent unplatted properties;~~
- ~~(d) Location and indication of demolition, relocation, or abandonment of existing structures, driveways, septic systems, alternate septic systems, and wells;~~
- ~~(e) Existing underground and overhead utilities, easements and rights of way;~~
- ~~(f) Existing topography with a contour interval appropriate to the topography of the land, but in no case having a contour interval greater than two feet;~~
- ~~(g) A delineation of all streams, rivers, public waters, and wetlands located on and immediately adjacent to the site, including depth of water, a statement of general water quality, and any classification given to the water body or wetland by the Minnesota Department of Natural Resources, the Minnesota Pollution Control Agency, and/or the United States Army Corps of Engineers;~~
- ~~(h) Location and dimensions of existing storm water drainage systems and natural drainage patterns on and immediately adjacent to the site delineating in which direction and at what rate storm water is conveyed from the site, identifying the receiving stream, river, public water, or wetland, and setting forth those areas of the unaltered site where storm waters collect;~~
- ~~(i) A description of the soils at the site, including a map indicating soil types within the areas to be disturbed as well as a soil report containing information on the suitability of the soils for the type of development proposed and describing any remedial steps to be taken by the developer to render the soils suitable;~~
- ~~(j) Vegetative cover, such as brush, grass, and trees, and clearly delineating any vegetation proposed for removal; and~~
- ~~(k) The 10 year and 100 year floodplains, flood fringes and flood ways.~~

~~{(2) Site Construction Plan. A site construction plan shall be prepared to a scale appropriate to the site of the project and suitable for the review to be performed. At a minimum the scale shall be 1 to 100. Drawing sheets shall be 22 by 34 inches. A site construction plan shall include:~~

- ~~(a) The section, township and range, north point, date, revision number, scale of drawing, and number of sheets;~~
- ~~(b) Signature and Minnesota registration number of the professional land surveyor or professional engineer under whose supervision the plan was prepared;~~
- ~~(c) Locations and dimensions of all proposed land disturbing activities and any phasing of those activities;~~
- ~~(d) Locations and dimensions of all temporary soil or dirt stockpiles;~~
- ~~(e) Locations and dimensions of all construction site erosion control measures necessary to meet the requirements of this Chapter;~~

- ~~(f) — Schedule of anticipated starting and completion dates of each land disturbing activity including the installation of construction site erosion control measures needed to meet the requirements of this Chapter;~~
- ~~(g) — Provisions for maintenance of the construction site erosion control measures during construction;~~
- ~~(h) — Existing topography with a contour interval appropriate to the topography of the land but in no case having a contour interval greater than two feet;~~
- ~~(i) — Finished grading shown at contours at the same interval as provided above or as required to clearly indicate the relationship of proposed changes to existing topography and remaining features;~~
- ~~(j) — All lot corner elevations and bench marks utilized;~~
- ~~(k) — The proposed footprint and intended use of any structures or driveways to be constructed on the site;~~
- ~~(l) — A delineation of all streams, rivers, ponds, public waters, and wetlands located on and immediately adjacent to the site, including depth of water, a statement of general water quality, and any classification given to the water body or wetland by the Minnesota Department of Natural Resources, the Minnesota Pollution Control Agency, the U.S. Fish and Wildlife Service, and/or the United States Army Corps of Engineers;~~
- ~~(m) — Emergency overflow routes from all low points, elevation of high point along overflow route, and directional flow arrows;~~
- ~~(n) — A drainage plan of the developed site delineating 10 year and 100 year design drainage area/watershed and hydrologic/hydraulic calculations verifying location and capacity of all overland drainage routes;~~
- ~~(o) — Location and dimensions of all permanent storm water facilities and calculations demonstrating that design standards in this Chapter are met. [Revised 2/15/11, Ordinance 2065]~~
- ~~(p) — Access routes for maintenance to all inlets, outlets, manholes, and lift stations at ponding areas proposed;~~
- ~~(q) — A clear delineation and tabulation of all areas which shall be paved or surfaced, including a description of the surfacing material to be used;~~
- ~~(r) — A landscape plan, drawn to an appropriate scale, including dimensions and distances, and the location, type, size, and description of all proposed landscape materials which will be added to the site as part of the development;~~
- ~~(s) — Locations and dimensions of all permanent erosion control measures;~~
- ~~(t) — Location of any proposed septic system; and~~
- ~~(u) — Any other information pertinent to the particular project which in the opinion of the applicant or the City is necessary for the review of the project.]~~

- (1) Plan Details;
- (2) Topography;

- (3) Elevation Information;
- (4) Temporary Erosion Control Best Management Practices;
- (5) Final Stabilization; and
- (6) Tree Preservation.

Section 6. Revised City Code – 1982 Section 8-1212 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1212 [~~Approval Standards. No storm water management plan which fails to meet the standards contained in this Section shall be approved by the City Council.~~] Approval Requirements. Every applicant for a building permit, subdivision approval, or permit to allow land disturbing activity shall submit an Erosion Control Plan and a Storm Water Management Plan to the City. The Erosion Control Plan and Storm Water Management Plan shall meet the submittal criteria for the plans of the City’s Engineering Design Standards prior to starting construction.

~~[(1) Site Dewatering. Water pumped from the site shall be treated by temporary sedimentation basins, grit chambers, sand filters, upflow chambers, hydro cyclones, swirl concentrators, or other controls as appropriate. Water may not be discharged in a manner that causes erosion or flooding of the site, or receiving channels, or a wetland.]~~

~~[(2) Waste and Material Disposal. All waste and unused building materials (including garbage, debris, cleaning wastes, wastewater, toxic materials, or hazardous materials) shall be properly disposed of off site and not allowed to be carried by runoff into a receiving channel or storm sewer system.]~~

~~[(3) Tracking. Each site shall have graveled roads, access drives, and parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road shall be removed by street cleaning (not flushing) before the end of each workday.~~

~~— (4) Drain Inlet Protection. All storm drain inlets shall be protected during construction until control measures are in place with a straw bale, silt fence or equivalent barrier meeting accepted design criteria, standards and specifications contained in the MPCA Publication “Protecting Water Quality in Urban Areas.”~~

~~— (5) Site Erosion Control. The following criteria apply only to construction activities that result in runoff leaving the site.~~

~~— (a) Channelized runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected as described below. Sheet flow runoff from adjacent areas greater than 10,000 square feet in area shall also be diverted around disturbed areas, unless shown to have resultant runoff rated of less than 0.5 ft./sec. across the disturbed area for the one year storm. Diverted runoff shall be conveyed in a manner that will not erode the conveyance and receiving channels.~~

~~— (b) All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time.~~

~~— (c) Runoff from the entire disturbed area on the site shall be controlled by meeting either subsection i and ii or i and iii below:~~

~~— i) all disturbed ground left inactive for 14 or more days shall be stabilized by seeding or sodding (only available prior to September 15) or by mulching or covering or other equivalent control measure.~~

~~— ii) for sites with more than 10 acres disturbed at one time, or if a channel originates in the disturbed area, one or more temporary or permanent sedimentation basins shall be constructed. Each sedimentation basin shall have a surface area of at least one percent of the area draining to the basin and at least three feet of depth and constructed in accordance with accepted design specifications. Sediment shall be removed to maintain a depth of three feet. The basin discharge rate shall also be sufficiently low as to not cause erosion along the discharge channel or the receiving water.~~

~~— iii) For sites with less than 10 acres disturbed at one time, silt fence, straw bales, or equivalent control measures shall be placed along all sideslope and downslope sides of the site. If a channel or area of concentrated runoff passes through the site, silt fences shall be placed along the channel edges to reduce sediment reaching the channel. The use of silt fences, straw bales, or equivalent control measures must include a maintenance and inspection schedule~~

~~— (d) Any soil or dirt storage piles containing more than 10 cubic yards of material should not be located with a downslope drainage length of less than 25 feet from the toe of the pile to a roadway or drainage channel. If remaining for more than seven days, the piles shall be stabilized by mulching, vegetative cover, tarps, or other means. Erosion from piles which will be in existence for less than seven days shall be controlled by placing straw bales or silt fence barriers around the pile. In street utility repair or construction, soil or dirt storage piles located closer than 25 feet of a roadway or drainage channel must be covered with tarps, or suitable alternative control, if exposed for more than seven days, and storm drain inlets must be protected with straw bale or other appropriate filtering barriers.]~~

Section 7. Revised City Code – 1982 Section 8-1213 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1213 Storm Water Management Criteria for Permanent Facilities.

(1) Unless determined by the City to be exempt or granted a waiver, all site designs shall establish storm water management facilities to control the peak flow rates and pollutants of storm water discharge associated with specified design storms and runoff volumes, as detailed in the City’s Engineering Design Guidelines.

~~[(1)] (2)[An applicant shall install or construct, on or for the proposed land disturbing or development activity, all storm water management facilities necessary to manage increased runoff so that the two year, 10 year, and 100 year storm peak discharge rates existing before the proposed development shall not be increased and accelerated and channel erosion will not occur as a result of the proposed land disturbing or development activity. An applicant may also make an in-kind or monetary contribution to the development and maintenance of community storm water management facilities designed to serve multiple land disturbing and development activities undertaken by the City or one or more persons, including the applicant.~~

~~[(2)] (3) The applicant shall give consideration to reducing the need for storm water management facilities by incorporating the use of natural topography and land cover such as wetlands, ponds, natural swales, and depressions as they exist before development to the degree that they can accommodate the additional flow of water without compromising the integrity or quality of the wetland or pond.~~

~~[(3)] (4) The following storm water management practices shall be investigated in developing a storm water management plan in the following descending order of preference:~~

- (a) natural infiltration of precipitation on-site;
- (b) flow attenuation by use of open vegetated swales and natural depressions;
- (c) storm water retention facilities; and
- (d) storm water detention facilities.

~~[(4)]~~ (5) A combination of successive practices may be used to achieve the applicable minimum control requirements specified in subsection (3) above. Justification shall be provided by the applicant for the method selected.

~~[(5) For new development or redevelopment activities that disturb one acre or more of land, the following is required:~~

~~(a) infiltration of the storm water runoff volume generated from a one-inch rainfall event over all impervious on site, for sites where Hydrologic Group A and B soils are predominant;~~

~~(b) storm water detention facilities or equivalent water quality improvements shall be provided, for sites that are not subject to the infiltration requirement under subsection (5)(a). [Revised 2/15/11, Ordinance 2065]~~

Section 8. Revised City Code – 1982 Section 8-1214 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1214 Design Standards. Permanent storm water facilities constructed in the City of Coon Rapids shall be designed according to the most current technology as reflected in the MPCA publications “Protecting Water Quality in Urban Areas” ~~[and]~~ the “Minnesota Storm Water Manual,” and ~~[shall contain, at a minimum, the following design factors:]~~ the City’s Engineering Design Guidelines.

~~[(1) Storm Water Retention/Infiltration Facilities shall:~~

~~(a) be capable of storing and infiltrating runoff from one inch of precipitation over all impervious surfaces on site within 48 hours;~~

~~(b) have pre-treatment provided for storm water runoff prior to entering storm water retention/infiltration facility to reduce sediment and maintenance;~~

~~(c) not be allowed in the following locations:~~

~~(i) within one year travel zone of a public well as determined by the wellhead protection plan; or~~

~~(ii) where known soil contamination is present; or~~

~~(iii) where less than three feet of separation between the infiltration facility and the seasonally high groundwater elevation or bedrock elevation can be provided; or~~

~~(iv) where other conditions identified by the City Engineer may make infiltration undesirable. [Revised 2/15/11, Ordinance 2065]~~

~~[(2) Storm Water Detention Facilities shall provide:~~

~~(a) a permanent pond surface area equal to two percent of the impervious area draining to the pond, or one percent of the entire area draining to the pond, whichever amount is greater;~~

~~(b) an average permanent pool depth of four to 10 feet;~~

~~(c) a permanent pool length to width ratio of 3:1;~~

~~(d) a minimum protective shelf extending 10 feet into the permanent pool with a slope of 10:1, beyond which slopes should not exceed 3:1;~~

~~(e) a device to keep oil, grease, and other floatable material from moving downstream as a result of normal operations; [Revised 2/15/11, Ordinance 2065]~~

~~(f) for new development the ability to limit peak flows in each subwatershed to those that existed before the development for the 10 year storm event. All calculations and hydrologic models/information used in determining peak flows shall be submitted along with the storm water management plan; [Revised 2/15/11, Ordinance 2065]~~

~~(g) all storm water detention facilities must have a forebay to remove coarse-grained particles prior to discharge into a watercourse or storage basin.~~

Section 9. Revised City Code – 1982 Section 8-1217 is hereby amended as

follows: (deletions in brackets, additions double underlined)

8-1217 Catch Basins. Any newly installed and rehabilitated catch basins ~~[shall]~~ may be provided with a sump area for the collection of coarse-grained material. City staff shall review the design of catch basins on a case-by-case basis. An appropriate maintenance plan shall be developed and reviewed by City staff prior to construction. Such basins shall be cleaned when they are half filled with material.

Section 10. Revised City Code – 1982 Section 8-1219 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1219~~[Inspection and Maintenance.]~~ Storm Water Management Facilities Maintenance Plan and Agreement.

(1) All storm water management facilities shall be designed to minimize the need of maintenance, to provide access for maintenance purposes and to be structurally sound. [All storm water management facilities shall have a plan of operation and maintenance that assures continued effective removal of pollutants carried in storm water runoff. It shall be the responsibility of the applicant to obtain any necessary easements or other property interests to allow access to the storm water management facilities for inspection and maintenance purposes. The City may require a developer to enter into a contract providing for access to perform maintenance and inspection to public or private storm water waste management facilities. [Revised 02/11/15, Ordinance 2065]] The Responsible Party shall enter into a Maintenance Agreement with the City that documents all responsibilities for operation and maintenance of all permanent storm water management facilities. Such responsibility shall be documented in a maintenance plan and executed through a Maintenance Agreement. The Maintenance Agreement shall be executed and recorded against the parcel. The storm water Maintenance Agreement shall be in a form approved by the City and shall describe the inspection and maintenance obligations of this section and shall, at a minimum:

- (a) Designate the Responsible Party who is permanently responsible for maintenance of the structural and nonstructural measures;
- (b) Pass responsibilities for such maintenance to successors in title;
- (c) Allow the City and its representatives the right-of-entry for the purposes of inspecting all permanent storm water management facilities;
- (d) Allow the City the right to repair and maintain the facility, if necessary maintenance is not performed after proper and reasonable notice to the responsible party of the permanent storm water management facility;

- (e) Include a maintenance plan that contains, but is not limited to the following:
- (i) Identification of all structural permanent storm water facility;
 - (ii) A schedule for regular inspection, monitoring, and maintenance of each practice. Monitoring shall verify whether the practice is functioning as designed and may include, but is not limited to quality, temperature, and quantity of runoff;
 - (iii) Identification of the Responsible Party for conducting the inspection, monitoring and maintenance for each practice; and
 - (iv) Include a schedule and format for reporting compliance with the maintenance agreement to the City.
- (f) The issuance of a permit constitutes a right-of-entry for the community or its contractor to enter upon the construction site. The applicant shall allow the community and their authorized representatives, upon presentation of credentials, to:
- (i) Enter upon the permitted site for the purpose of obtaining information, examination of records, conducting investigations or surveys;
 - (ii) Bring such equipment upon the permitted development as is necessary to conduct such surveys and investigations;
 - (iii) Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of the permit;
 - (iv) Inspect the storm water pollution control measures;
 - (v) Sample and monitor any items or activities pertaining to storm water pollution control measures; and
 - (vi) Correct deficiencies in storm water and erosion and sediment control measures.
- (2) Inspection of Storm Water Management Facilities. Inspection programs shall be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the NPDES permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to, reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other storm water management practices.
- (a) When any new storm water management facility is installed on private property, or when any new connection is made between private property and a public drainage control system, sanitary sewer, or combined sewer; the property

owner shall grant to the City the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when the City has a reasonable basis to believe that a violation of this ordinance is occurring or has occurred, and to enter when necessary for abatement of a public nuisance or correction of a violation of this ordinance.

(b) The Director of Public Works, or designated representative, shall inspect all storm water management facilities during construction, during the first year of operation, and at least once every five years thereafter. The inspection records will be kept on file at the public works department for a period of 6 years. It shall be the responsibility of the applicant to obtain any necessary easements or other property interests to allow access to the storm water management facilities for inspection and maintenance purposes.

(3) Records of Installation and Maintenance Activities. The Responsible Party shall make records of the installation and of all maintenance and repairs of the storm water management facilities, and shall retain the records for at least three (3) years. These records shall be made available to the City during inspection of the storm water management facilities and at other reasonable times upon request.

(4) Failure to Maintain Practices. If a Responsible Party fails or refuses to meet the requirements of the Maintenance Agreement, the City, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the storm water management facility in proper working condition. In the event that the storm water management facility becomes a danger to public safety or public health, the City shall notify the Responsible Party in writing. Upon receipt of that notice, the Responsible Party shall have thirty days to perform maintenance and repair of the facility in an approved manner. After proper notice, the City may specially assess the owner(s) of the storm water management facility for the cost of repair work and any penalties; and the cost of the work shall be assessed against the property and collected along with ordinary taxes by the county.

Section 11. Revised City Code – 1982 Section 8-1220 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1220 Models/Methodologies/Computations. Hydrologic models and design methodologies used for the determination of runoff and analysis of storm water management structures shall be approved by the ~~[Director of Public Services]~~ Public Works Director. Detention facilities shall be designed in accordance with NURP wet detention basin design criteria. Plans, specification, and computations for storm water management facilities submitted for review shall be sealed and signed by a registered professional engineer. All computations shall appear on the plans submitted for review, unless otherwise approved by the Director of Public Services.

Section 12. Revised City Code – 1982 Section 8-1223 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1223 Penalty. ~~[Any person, firm or corporation violating any provision of this ordinance shall be guilty of a misdemeanor and a separate offense shall be deemed committed on~~

~~each day during or on which a violation occurs or continues.]~~

(1) Notice of Violation. When the City determines that an activity is not being carried out in accordance with the requirements of this ordinance, it shall issue a written notice of violation to the owner of the property. The notice of violation shall contain:

- (a) The name and address of the owner of Applicant;
- (b) The address when available or a description of the land upon which the violation is occurring;
- (c) A statement specifying the nature of the violation;
- (d) A description of the remedial measures necessary to bring the development activity into compliance with this ordinance and a time schedule for the completion of such remedial action;
- (e) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and
- (f) A statement that the determination of violation may be appealed to the City by filing a written notice of appeal within 15 days of served notice of violation.

(2) Withholding Building Permit Inspections. The City may withhold building permit inspections if the person holding the site development permit does not respond to the notice of violation letter within the time period determined by the City and stated in the notice of violation.

(3) Stop Work Order. Persons receiving a stop work order will be required to halt all construction activities. This Stop Work Order will be in effect until the City confirms that the Land Disturbance Activity is in compliance and the violation has been satisfactorily addressed. Failure to address a notice of violation in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this ordinance.

(4) Civil or Criminal Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this ordinance shall be guilty of a misdemeanor and subject to prosecution. Such person shall be guilty of a separate offense for each day during which the violation occurs or continues.

(5) Restoration of Lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the City may take necessary corrective action, the cost of which may, after notice and opportunity for hearing, be specially assessed against the property and collected along with the ordinary taxes by the county.

Section 13. Revised City Code – 1982 Section 8-1224 is hereby amended as follows:

(deletions in brackets, additions double underlined)

8-1224 [~~Severability. If any section, subsection, sentence, clause, phrase, or portion of this Chapter is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.~~Revised 12/05/00, Ordinance 1719]] Appeals. Any person aggrieved by the action of any official charged with the enforcement of this ordinance, as the result of the disapproval of a properly filed application for approval, issuance of a written notice of violation, or an alleged

failure to properly enforce the ordinance in regard to a specific application, shall have the right to appeal the action to the City.

(1) The Applicant shall submit the appeal in writing and include supporting documentation.

(2) City staff shall make a decision on the appeal within 15 business days of receipt of a complete appeal application.

(3) The Applicant may appeal the decision of city staff to the city council. This appeal must be filed with the City within 30 days of City staff's decision.

Section 14. Revised City Code – 1982 Section 8-1225 is hereby added as follows:

(deletions in brackets, additions double underlined)

8-1225 Severability. If any section, subsection, sentence, clause, phrase, or portion of this Chapter is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.[Revised 12/05/00, Ordinance 1719]

Introduced this 17th day of February, 2015.

Adopted this _____ day of _____, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

29.

Meeting Date: 03/03/2015

Subject: Consider Adoption of Ordinance 2131 Adopting 2015 State Building Code

From: Greg Brady, Chief Building Official

INTRODUCTION

The State of Minnesota has adopted an updated version of the building code through the adoption of the 2012 International Code Council (ICC). The current edition is based on the 2006 ICC Model Code.

DISCUSSION

Under state law (326B.121) the City is required to enforce the State Building Code. The State has now adopted a new version of the Building Code. The City must now update our City Code to be in conformance with the new rules. The City Council approved the Ordinance Introduction on February 17, 2015.

RECOMMENDATION

Staff recommends the adoption of the proposed ordinance amending Chapter 12-200 of the City Code.

Attachments

2015 Building Code

ORDINANCE NO. 2131

AN ORDINANCE REVISING THE ADOPTION DATES OF THE MINNESOTA RULES AND THEREBY AMENDING REVISED CITY CODE – 1982 SECTION 12-202

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 12-202 is hereby amended as follows:

(deletions in brackets, additions double underlined)

12-202 Minnesota Rules Adopted. Minnesota State Building Code adopted by reference in Section 12-201 above includes the following Chapters of Minnesota Rules:

- (1) 1300, Administration of the Minnesota State Building Code;
- (2) 1301, Building Official Certification;
- (3) 1302, State Building Code Construction Approvals;
- (4) 1303, Minnesota Provisions;
- (5) 1305, Adoption of the 2007 International Building Code;
- (6) 1306, Special Fire Protection Systems;
- (7) 1307, Elevators and Related Devices;
- (8) 1309, Adoption of the [~~2007~~] 2015 International Residential Code;
- (9) 1311, Adoption of the [~~2007~~] 2015 Guidelines for the Rehabilitation of Existing Buildings;
- (10) 1315, Adoption of the [~~2005~~] 2014 National Electrical Code;
- (11) [~~1325, Solar Energy Systems;~~] 1322, Adoption of the Minnesota Residential Energy Code;
- (12) [~~1330, Fallout Shelters;~~] 1325, Solar Energy Systems;
- (13) [~~1335, Floodproofing Regulations~~] 1330, Fallout Shelters;
- (14) [~~1341, Minnesota Accessibility Code;~~] Floodproofing Regulations;
- (15) [~~1346, Adoption of the Minnesota State Mechanical Code~~]1341, Adoption of the 2015 Minnesota Accessibility Code;
- (16) [~~1350 Manufactured Homes;~~]1346, Adoption of the Minnesota State Mechanical Code and Fuel Gas Code;
- (17) [~~1360, Prefabricated Structures;~~] 1350, Manufactured Homes;
- (18) [~~1361, Industrialized/Modular Buildings~~] 1360, Prefabricated Structures;
- (19) [~~1370, Storm Shelters (Manufactured Home Parks)~~] 1361, Industrialized/Modular Buildings;
- (20) [~~4715, Minnesota Plumbing Code~~] 1370, Storm Shelters (Manufactured Home Parks);
- (21) ~~7670, 7672, 7674, 7676, and 7678, Minnesota Energy Code [Revised 4/6/99, Ordinance 1661][Revised 12/2/03, Ordinance 1825][Revised 12/4/07, Ordinance 1965]~~4715, Minnesota Plumbing Code; 4715, Minnesota Plumbing Code;
- (22) 5230, Minnesota High Pressure Piping Systems; and

(23) [~~7670, 7672, 7674,~~] 7676, and 7678, Minnesota Energy Code [Revised 4/6/99, Ordinance 1661][Revised 12/2/03, Ordinance 1825][Revised 12/4/07, Ordinance 1965]

Introduced this 17th day of February 2015.

Adopted this ____ day of _____ 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

30.

Meeting Date: 03/03/2015

Subject: Consider Introduction of Ordinance Establishing Fee for Temporary On Sale Intoxicating Liquor (Strong Beer and Wine)License

Submitted For: Stephanie Lincoln, Deputy City Clerk

From: Stephanie Lincoln, Deputy City Clerk

INTRODUCTION

Council is asked to consider introduction of Ordinance Establishing License Fee for Temporary On Sale Intoxicating Liquor License for strong beer and wine.

DISCUSSION

On February 17, 2015, an Ordinance Revising Temporary On-Sale Intoxicating Liquor Licenses to allow the sale of strong beer and wine was introduced. It is necessary at this time to establish a license fee with this new license. The proposed license fee of \$35 is in line with the current license fee of \$35 for the Temporary On-Sale 3.2% Malt Liquor License and the Temporary Wine Tasting License.

RECOMMENDATION

Introduce Ordinance Establishing License Fee for Temporary On Sale Intoxicating Liquor License for strong beer and wine.

Attachments

Temp On Sale Fee Ordinance

ORDINANCE NO.

**AN ORDINANCE ESTABLISHING LICENSE FEE FOR TEMPORARY ON SALE
INTOXICATING LIQUOR LICENSE**

The City of Coon Rapids does ordain:

Section 1. The City Council for the City of Coon Rapids establishes a license fee for temporary on sale intoxicating liquor license of \$35.

Introduced this 3rd day of March, 2015.

Adopted this _____ day of March, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

31.

Meeting Date: 03/03/2015

Subject: Consider Adoption of Ordinance 2132 Revising Temporary On-Sale Intoxicating Liquor Licenses and Ordinance 2133 Allowing Malt Beverages/Wine City Park

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is asked to Adopt Ordinance 2132 Revising Temporary On-Sale Intoxicating Liquor Licenses and Adopt Ordinance 2133 Amending City Code to allow Malt Beverages and Wine in City Parks if purchased from someone licensed to sell in the park by the City.

DISCUSSION

It was brought to the attention of Council and Staff by several of our non-profit groups that they are struggling to acquire 3.2 beer for sale at their community events. At that time, Council asked staff to look into an amendment to the Temporary Liquor License Code.

The proposed amendment would allow Coon Rapids based charitable, religious or non-profit organizations to sell strong beer and wine at community events.

It is also necessary to amend City Code Chapter 10-416 to allow the sale of malt beverages and wine in City Parks by someone licensed to sell in the park by the City.

RECOMMENDATION

Adopt Ordinance 2132 Revising Temporary On-Sale Intoxicating Liquor Licenses.

Adopt Ordinance 2133 Revising City Code Chapter 10-416 Allowing Malt Beverages and Wine in City Parks if sold by Someone Licensed by the City to Sell in the Park.

Attachments

Temporary on Sale Ordinance

Alcoholic Beverage Ordinance

ORDINANCE NO. 2132

**AN ORDINANCE REVISING TEMPORARY ON-SALE
INTOXICATING LIQUOR LICENSES AND THEREBY AMENDING
REVISED CITY CODE – 1982 SECTION 5-209(6), 5-209(7), 5-209(8) AND
ADDING 5-209(9)**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Sections 5-209(6) is hereby amended as follows:

(deletions in brackets, additions double underlined)

5-209 Types of Licenses and Fees.

(6) Temporary On-Sale Intoxicating Liquor Licenses-Wine Tasting. The Council may issue temporary on-sale licenses for the sale of intoxicating liquor, subject to the following:

(a) The license will only be issued to a Coon Rapids based charitable, religious or non-profit organization in existence for at least three years.

(b) A temporary on-sale intoxicating liquor license will only be issued for the purpose of a licensee to conduct a wine tasting of not more than four hours duration on premises the organization owns or leases or has donated to it, or on the licensed premises of a holder of an on-sale intoxicating liquor license that is not a temporary license. Such wine tasting will be held in connection with a social event sponsored by the licensee.

(c) The license will be issued for a specific date, time, and place.

(d) No more than three temporary on-sale intoxicating licenses for the purpose of conducting a wine tasting will be issued to any one eligible organization in any calendar year.

(e) The license fee will be established from time to time by ordinance of the City Council.

(f) No license issued under this subdivision will be valid unless first approved by the Commissioner of Public Safety.

(g) All provisions of Minnesota Statute §304A.418 shall apply.[Revised 2/17/09, Ordinance 1999]

Section 2. Revised City Code – 1982 Sections 5-209(7) is hereby amended as follows:

(deletions in brackets, additions double underlined)

5-209 Types of Licenses and Fees.

~~[(7) Off sale liquor establishments shall be separate, distinct entities with no entrances from other business activities, and shall have a minimum floor area of 2,500 square feet devoted to the liquor operations. Off sale intoxicating liquor establishments shall be located only in those zoning districts where specifically authorized under Title 11 of this Code.~~

(a) ~~Class A Off sale Intoxicating Liquor Licenses. No Class A off sale liquor establishments shall be located within one mile radius of any other licensed Class A off sale intoxicating liquor establishment. The City Council may issue no more than eight Class A Off sale Intoxicating Liquor Licenses annually.[Revised 12/2/08,~~

~~Ordinance 1995]~~

- ~~(b) Class B Off-sale Intoxicating Liquor Licenses. No Class B Off-sale liquor establishments shall be located within a two mile radius of any other licensed Class B Off-sale intoxicating liquor establishment. Class B liquor operations must be in conjunction with and secondary to an approved primary use which shall have a minimum floor area of 50,000 square feet. The liquor operation may not be sold or transferred in any manner to another party except as part of the sale or transfer of the primary use. The liquor operations shall be attached to the primary use, but shall be a separate and distinct entity from the primary use with separate entrances, warehouses and checkout lanes. The floor area of the liquor operation shall not exceed five percent of the total gross floor area of the primary use. The City Council may issue no more than two Class B Off-sale Intoxicating Liquor Licenses annually.[Revised 3/23/93, Ordinance 1443][Revised 5/6/97, Ordinance 1602] [Revised 6/4/02, Ordinance 1765][Revised 12/2/08, Ordinance 1995]~~

(7) Temporary On-Sale Intoxicating Liquor Licenses-Other. The Council may issue temporary on-sale licenses for the sale of intoxicating liquor, subject to the following:

- (a) The license will only be issued to a Coon Rapids based charitable, religious or non-profit organization in existence for at least three years.
- (b) Such temporary on-sale intoxicating liquor sales shall be limited to strong beer and wine only and will be allowed only in connection with a social event sponsored by the licensee.
- (c) A temporary on-sale intoxicating liquor license may authorize on-sales on premises other than the premises the organization owns or permanently occupies.
- (d) The license will be issued for a specific date, time, and place.
- (e) No license will be longer than four consecutive days, and the City Council shall issue no more than 12 days' worth of temporary licenses to any one organization in one calendar year.
- (f) The license fee will be established from time to time by ordinance of the City Council.
- (g) No license issued under this subdivision will be valid unless first approved by the Commissioner of Public Safety.

Section 3. Revised City Code – 1982 Sections 5-209(8) is hereby amended as follows:

(deletions in brackets, additions double underlined)

5-209 Types of Licenses and Fees.

~~[(8) The holder of both an on sale wine license and an on sale 3.2 percent malt liquor license may sell intoxicating malt liquors at on sale without an additional license provided that the gross receipts of the establishment subject to the licenses are at least 60 percent attributable to the sale of food. Within 15 days of a written request, the license holder shall provide the City with such information required in that request to establish the amount of gross receipts attributable to food sales. Failure to provide such information shall constitute grounds for revocation of the licenses.[Revised 10/3/95, Ordinance 1544][Revised 9/18/01, Ordinance 1738] [Revised 6/4/02, Ordinance 1765]]~~

(8) Off-sale liquor establishments shall be separate, distinct entities with no entrances from other business activities, and shall have a minimum floor area of 2,500 square feet devoted to the liquor operations. Off-sale intoxicating liquor establishments shall be located only in those zoning districts where specifically authorized under Title 11 of this Code.

(a) Class A Off-sale Intoxicating Liquor Licenses. No Class A off-sale liquor establishments shall be located within one mile radius of any other licensed Class A off-sale intoxicating liquor establishment. The City Council may issue no more than eight Class A Off-sale Intoxicating Liquor Licenses annually.[Revised 12/2/08, Ordinance 1995]

(b) Class B Off-sale Intoxicating Liquor Licenses. No Class B Off-sale liquor establishments shall be located within a two mile radius of any other licensed Class B Off-sale intoxicating liquor establishment. Class B liquor operations must be in conjunction with and secondary to an approved primary use which shall have a minimum floor area of 50,000 square feet. The liquor operation may not be sold or transferred in any manner to another party except as part of the sale or transfer of the primary use. The liquor operations shall be attached to the primary use, but shall be a separate and distinct entity from the primary use with separate entrances, warehouses and checkout lanes. The floor area of the liquor operation shall not exceed five percent of the total gross floor area of the primary use. The City Council may issue no more than two Class B Off-sale Intoxicating Liquor Licenses annually.[Revised 3/23/93, Ordinance 1443][Revised 5/6/97, Ordinance 1602] [Revised 6/4/02, Ordinance 1765][Revised 12/2/08, Ordinance 1995]

Section 4. Revised City Code – 1982 Sections 5-209(9) is hereby added as follows:

(deletions in brackets, additions double underlined)

5-209 Types of Licenses and Fees.

(9) The holder of both an on-sale wine license and an on-sale 3.2 percent malt liquor license may sell intoxicating malt liquors at on-sale without an additional license provided that the gross receipts of the establishment subject to the licenses are at least 60 percent attributable to the sale of food. Within 15 days of a written request, the license holder shall provide the City with such information required in that request to establish the amount of gross receipts attributable to food sales. Failure to provide such information shall constitute grounds for revocation of the licenses.[Revised 10/3/95, Ordinance 1544][Revised 9/18/01, Ordinance 1738] [Revised 6/4/02, Ordinance 1765]

Introduced this 17th day of February 2015.

Adopted this ____ day of _____ 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

ORDINANCE NO. 2133

**AN ORDINANCE REVISING ALCOHOLIC BEVERAGES
OF THE MINNESOTA RULES AND THEREBY AMENDING
REVISED CITY CODE – 1982 SECTION 10-416**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 10-416 is hereby amended as follows:

(deletions in brackets, additions double underlined)

10-416 Alcoholic Beverages.

(1) No person shall bring, have in his possession, or consume alcoholic beverages at any time in any park, except as provided in Subsection 2.

(2) Consumption of [~~3.2 percent malt beverages~~] malt beverages and wine is permitted in parks if purchased from a person licensed to sell in such park, pursuant to the provisions of City Code Section 5-209. All sales shall be in individual drinks and shall be served for consumption on the licensed premises.

Introduced this 17th day of February 2015.

Adopted this ____ day of _____ 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

32.

Meeting Date: 03/03/2015

Subject: Open Mic Report - Jeff Cosman, Re: Park Shelter Rental Fees

From: Tim Himmer, Public Works Director

INTRODUCTION

Mr. Cosman commented that the rental fee for park structures was too high, and requested that it be reduced from \$150 to \$100 for parties that exceed 75 person.

DISCUSSION

The park rental fee was included and adopted as part of the City's annual rates and charges in December of 2014. As directed by the Council, this specific item was initially pulled from the resolution and brought back at a subsequent meeting with additional information. The City Council agreed with staff's recommendation for the new rate structure but requested that it be better clarified in the future, and adopted the proposed rate.

In short, a large party (greater than 75 people) renting a park shelter(s) in 2015 will get 3 shelters for the same price as 2 under the 2014 rate. Additionally, they would be able to rent it for the entire day vs. by the hour, thus additional savings and flexibility in planning an event. These rates only apply to a total of five shelters in two City Parks (Lions Coon Creek and Crooked Lake); there are 18 other parks in the City that offer shelter usage for free on a first come first served basis.

RECOMMENDATION

This memo is in response to a resident request at open mic on the February 17, 2015 Council agenda; it is intended solely for informational purposes.
