



HRA Regular Meeting - 6:50 p.m.

CITY COUNCIL AGENDA

Tuesday, April 19, 2016

7:00 p.m.

Coon Rapids City Center

Council Chambers

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Proclamations/Presentations

1. Commissioner Scott Schulte
2. Crooked Lake Area Association

Approval of Minutes of Previous Meeting

3. Approve Minutes of April 5, 2016

Consent Agenda

4. Accept the 2015 Community Development Annual Report
5. Approve Final Payment for Project 15-6, Sanitary Sewer Lining
6. Approve Agreement between the City of Coon Rapids and Coon Rapids North Star Lions Club to provide concession services
7. Adopt Resolution 16-50 Accepting Fire Department Grant

Public Hearing

8. Annual Public Hearing on City's Storm Water Pollution Prevention Program (SWPPP)
9. Vacation of Drainage and Utility Easements, 3338 and 3352 116th Avenue

Bid Openings and Contract Awards

10. Consider Resolution No. 16-52 Awarding Additional Contracts for Sand Creek Building Improvements - Project 15-16

Old Business

11. PC 16-3: Consider Adoption of Ordinance 2161 Revising the Allowed Exterior Building Materials

New Business

12. Consider Introduction of Proposed Ordinances to Allow Chickens
13. Consider Introduction of Ordinance for Native Plantings and Landscapes
14. Consider Adopting Assessments for Project 16-1, MSA Street Reconstruction
15. Consider Adopting Assessments for Project 16-2, MSA Street Reconstruction
16. Adopt Assessments for Project 16-3, MSA Street Reconstruction
17. Adopt Assessments for Project 16-4, MSA Street Reconstruction
18. Announce 2016 Summer Concert Schedule
19. Consider Adoption of Resolution 16-51 Authorizing Transfer of Funds
20. Consider Memorandum of Understanding and Term Sheet, Riverdale Station Development

Open Mic/Public Comment

Reports on Previous Open Mic

Other Business

Adjourn



City Council Regular

1.

Meeting Date: 04/19/2016

Subject: Commissioner Scott Schulte

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Commissioner Scott Schulte will be present to address Council.

DISCUSSION

RECOMMENDATION



City Council Regular

2.

Meeting Date: 04/19/2016

Subject: Crooked Lake Area Association

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Crooked Lake Area Association representative Gary Nereson will be present to address Council.

DISCUSSION

RECOMMENDATION



City Council Regular

3.

Meeting Date: 04/19/2016

SUBJECT: Approve Minutes of April 5, 2016

Attachments

April 5, 2016 Minutes

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF APRIL 5, 2016

CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of April was called to order by Mayor Jerry Koch at 7:00 p.m. on Tuesday, April 5, 2016, 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, Wade Demmer, Jennifer Geisler, Brad Johnson and Steve Wells

Members Absent: None

ADOPT AGENDA

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

PROCLAMATIONS/PRESENTATIONS

1. OATH OF OFFICE OF NEW POLICE OFFICERS

Police Chief Wise introduced newly hired Police Officers Dennis Cook and Daniel Durette to the City Council. He explained the Coon Rapids Police Department prided themselves on the relationships they had with the public and believed both of these officers would be a great fit in the department and encouraged the new officers to honor the badge they would be receiving.

Mayor Koch administered the Oath of Office to Officers Cook and Durette and welcomed them both to the City of Coon Rapids Police Department. Badges were pinned onto the new officers and a round of applause was offered by all in attendance.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

2. MARCH 22, 2016, COUNCIL MEETING

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER GEISLER, FOR APPROVAL OF THE MINUTES OF THE MARCH 22, 2016, COUNCIL MEETING. THE MOTION PASSED 5-0-2 (KLINT AND MANNING ABSTAINED).

CONSENT AGENDA/INFORMATIONAL BUSINESS

3. ADOPT RESOLUTION 16-40 ACCEPTING COON CREEK WATERSHED GRANT
4. ADOPT RESOLUTION 16-44 AUTHORIZING DONATION OF PLAYGROUND EQUIPMENT
5. ADOPT RESOLUTION 16-45 APPOINTING KATHIE CASEY TO THE PLANNING COMMISSION
6. ADOPT RESOLUTION 16-47 APPOINTING BRADLEY JANOWSKI AND CINDY NUTTER TO THE SAFETY COMMISSION
7. ADOPT RESOLUTION 16-48 AUTHORIZING DONATION OF FIRE DOG ROBOT EQUIPMENT

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

PUBLIC HEARING

None.

BID OPENINGS AND CONTRACT AWARDS

8. CONSIDER CONTRACT AWARD FOR 2016 STREET MAINTENANCE PROGRAM, PROJECT 16-5

The Staff report was shared with Council.

Councilmember Manning asked what fog sealing was. Public Works Director Himmer reported this was a single application sealant used on cul-de-sacs.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-5(9A) AWARDED A CONTRACT TO PEARSON BROS. INC. FOR BITUMINOUS SEALCOATING IN THE BASE

BID AMOUNT OF \$1,562,617.20 AND ALTERNATE AMOUNT OF \$1,541,936.26. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-5(9B) AWARDED A CONTRACT TO AAA STRIPING SERVICE CO. FOR PAVEMENT MARKINGS IN THE AMOUNT OF \$188,094.40. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-5(9C) AWARDED A CONTRACT TO PEARSON BROS. INC. FOR SEASONAL STREET SWEEPING IN THE AMOUNT OF \$62,780.00. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-5(9D) AWARDED A CONTRACT TO AMERICAN PAVEMENT SOLUTIONS INC. FOR CRACK SEALING IN THE AMOUNT OF \$327,277.30. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-5(9E) AWARDED A CONTRACT TO PEARSON BROS. INC. FOR FOG SEALING IN THE AMOUNT OF \$115,750.00. THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

None.

NEW BUSINESS

9. CONSIDER RESOLUTION NO. 15-16(9) AWARDED CONTRACT FOR SAND CREEK BUILDING IMPROVEMENTS – PROJECT 15-16

The Staff report was shared with Council.

Mayor Koch asked if there was an alternate bid that should be considered. Public Works Director Himmer reported an alternate bid for the masonry exterior was provided. However, this bid came in \$90,000 higher than the low bidder. He reported he would have further information regarding Contract C-22 at the Council's next meeting.

Councilmember Klint questioned if the proposed contract included the building materials as discussed at a previous council worksession meeting. Public Works Director Himmer reported this was the case, noting the building would include wood, metal and EIFS.

Mayor Koch went on the record stating the City should have purchased the block building last year.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER WELLS, AWARDED CONTRACTS C-01, C-02, C-04 THROUGH C-21, C-23, AND C-24 FOR THE SAND CREEK PARK BUILDING IMPROVEMENTS AS RECOMMENDED BY THE CONSTRUCTION MANAGER.

Councilmember Demmer was disappointed the expense of the building came back higher than originally thought by the Council. Public Works Director Himmer indicated the garage portion would be removed which would reduce the price of the construction approximately \$80,000.

Councilmember Klint stated it was hard for her to approve this building based on a materials board without seeing better renderings. Public Works Director Himmer understood Councilmember Klint's concerns and indicated this would be a unique building.

THE MOTION PASSED UNANIMOUSLY.

10. CONSIDER INTRODUCTION OF ORDINANCE ESTABLISHING NEW LIQUOR LICENSE FEES FOR MICRODISTILLERIES, COCKTAIL ROOMS, BREW PUBS AND BREWER TAPROOMS

The Staff report was shared with Council.

Mayor Koch considered the Ordinance establishing new liquor license fees for microdistilleries, cocktail rooms, brew pubs and brewer taprooms to be introduced.

11. PC 16-7, CONSIDER RESOLUTION 16-39 APPROVING REGISTERED LAND SURVEY, 9055-9065 EAST RIVER ROAD, CITY OF COON RAPIDS HRA

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 16-39, APPROVING THE PROPOSED REGISTERED LAND SURVEY INCLUDING THE FOLLOWING CONDITIONS:

1. THE APPROPRIATE DRAINAGE AND UTILITY EASEMENTS BE APPROVED BY THE CITY ENGINEER AND RECORDED AT THE COUNTY.
2. COMPLIANCE WITH TITLE 11, LAND DEVELOPMENT REGULATIONS.

THE MOTION PASSED UNANIMOUSLY.

12. PC 16-3: CONSIDER INTRODUCTION OF AN ORDINANCE REVISING THE ALLOWED EXTERIOR BUILDING MATERIALS

The Staff report was shared with Council.

Mayor Koch considered the Ordinance for Planning Case 16-3 regarding allowed exterior building materials to be introduced.

13. CONSIDER WATER RATE INCREASE

The Staff report was shared with Council.

Councilmember Klint commented this was a hard issue given the fact residents were working to conserve water yet rates continued to increase. She understood the need for an increase, but questioned if the proposed increase should be reduced. She wanted to see the City balance the reduction in water use more properly. Public Works Director Himmer explained the City does pump less water in the winter months and therefore used less chemicals. This was done to save money because less water was being pumped and consumed. However, the wear and tear on the City's infrastructure could not be avoided.

Councilmember Klint wanted to see the City working towards a goal and for the water rate to level off. Public Works Director Himmer discussed the City's well rehab plan and noted this program was assisting the City in maintaining its wells at a constant level.

Mayor Koch believed the City had to maintain its water pumping capacity given the fact the City would be adding hundreds of new housing units.

Councilmember Manning asked why the City sold 24% more water in 2012 than in 2015. Finance Director Legg commented a lot of this was due to sprinkling in that year. City Manager Stemwedel discussed the City's tiered water schedule.

Councilmember Manning stated that while he did not want to raise the water rates he understood the purpose and found the increase to be reasonable. He questioned how the proposed rate increase would impact the average homeowner. Finance Director Legg anticipated water rates would increase by approximately \$3 per quarter for the average homeowner. She provided

further comment on how the City was working to enhance its infrastructure, which was costly but would reduce maintenance fees in the long run.

Councilmember Johnson commended staff for thinking proactively and for providing first rate water for this community. He understood no one liked rate increases but believed this increase was money really well spent to maintain and enhance the City's infrastructure. He fully supported the water rate increase as proposed by staff.

Councilmember Wells agreed and asked if funding from the State would ever be provided to City's that have worked diligently to maintain their water system. Public Works Director Himmer understood that the State funding was to assist cities with maintenance and was not geared for increasing the size of water systems.

Councilmember Manning was pleased that the City of Coon Rapids had never been in a crisis situation with regard to its infrastructure. He believed this made Coon Rapids a healthy City. Public Works Director Himmer reported this was due to the City Council's willingness to invest in its public services and infrastructure.

Councilmember Geisler discussed the inverse relationship between water conservation and proper infrastructure maintenance. She understood that in order to deliver a good service, the City Council would have to support the water rate increase.

Councilmember Klint supported a water rate increase, but questioned if 10% was too high. She requested further information on the proposed water rate increases. Finance Director Legg noted staff was proposing a \$2 increase in the base fee along with slight increases for each tier.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION NO. 16-41 ESTABLISHING WATER RATES. THE MOTION PASSED 6-1 (KLINT OPPOSED).

14. CONSIDER SEWER RATE INCREASE

The Staff report was shared with Council.

Councilmember Klint understood staff was proposing a 5% sewer rate increase. Finance Director Legg reported this was the case. She discussed how staff was trying to drive up the base rate to assist in covering the City's infrastructure costs.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER DEMMER, TO ADOPT RESOLUTION NO. 16-42 ESTABLISHING SEWER RATES.

Councilmember Manning reported the City has not raised the sewer rates since 2014.

THE MOTION PASSED UNANIMOUSLY.

15. CONSIDER RESOLUTION 16-43 YEAR END BUDGET APPROPRIATIONS

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER GEISLER, TO RESOLUTION NO. 16-43 REALLOCATING THE 2015 GENERAL FUND BUDGET AND AMENDING THE 2015 AND 2016 BUDGETS.

Councilmember Klint questioned how the City was off by \$1 million on its budget. Public Works Director Himmer reported this was due to the fact the well rehabilitation program, SCADA and sanitary sewer lining projects were started in 2015 but would be paid for in 2016.

Councilmember Klint requested staff provide the Council with a more clear explanation on this in the future.

Councilmember Demmer agreed that further information would be beneficial. He then commented on the small percentage this reallocation was from the City's entire budget.

THE MOTION PASSED UNANIMOUSLY.

16. CONSIDER ADOPTING RESOLUTION NO. 16-8(8) APPROVING PLANS AND SPECS AND ORDERING AD FOR BIDS FOR MISCELLANEOUS TRAIL CONSTRUCTION AND REHABILITATION

The Staff report was shared with Council.

Public Works Director Himmer clarified the Park Improvement Fund that would be used for this project and not the General Fund.

Councilmember Klint asked if the extra area within Peppermint Park would be utilized. Public Works Director Himmer indicated this project did not include that additional property. He discussed where the new trails would be located.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-8(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT OF BIDS FOR THE MISCELLANEOUS TRAIL CONSTRUCTION, REHABILITATION AND ERLANDSON PARK PEDESTRIAN BRIDGE REPLACEMENT CONTRACT; AND AUTHORIZE A

PURCHASE ORDER WITH CONTECH ENGINEERING SOLUTIONS, LLC IN THE AMOUNT OF \$37,518 FOR THE DIRECT PURCHASE OF THE PEDESTRIAN BRIDGE AND ABUTMENTS. THE MOTION PASSED UNANIMOUSLY.

17. CONSIDER EASEMENT AGREEMENT FOR PROJECT 15-15, INTERSECTION
 IMPROVEMENT AT NORTHDALE BOULEVARD AND REDWOOD STREET

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER DEMMER, TO ACCEPT THE PERMANENT EASEMENT FOR DEDICATION OF RIGHT-OF-WAY DETAILED HEREIN, AND AUTHORIZE THE EXECUTION OF THE AGREEMENT BETWEEN THE CITY OF COON RAPIDS AND LANDOWNERS OF THE PROPERTY. THE MOTION PASSED UNANIMOUSLY.

18. CONSIDER POLICIES ON PARK DONATIONS AND NAMING PARKS, PARK
 FACILITIES AND TRAILS

The Staff report was shared with Council.

Councilmember Klint requested further information on how plaques would be assigned. Public Works Director Himmer stated the City was trying to memorialize what has historically been done. He explained trees and benches would be named on a case by case basis. The more costly items would have to be reviewed by the Park and Recreation Commission and the City Council.

Mayor Koch suggested the language on the plaques also not include anything offensive.

Councilmember Manning supported the specific examples as provided by staff.

Councilmember Johnson commented this was not an Ordinance, but rather was a guide for staff to memorialize items within City parks and trails. He understood the concern being raised and he believed the Council could always decline a request.

Mayor Koch indicated this was a policy and perhaps additional language should be written in to address anything offensive. Public Works Director Himmer stated language could be added to the policy stating questionable or offensive language would be brought before the City Council. City Manager Stemwedel believed it would be fairly simple to add language to the policy addressing this concern.

Councilmember Johnson suggested the language be as simple as that if staff determines what is being proposed is not in the best interests of the City of Coon Rapids, the request shall be

reviewed by the City Council.

Councilmember Klint asked if the language should also include a ban on religious affiliations.

Mayor Koch believed this was already covered within the proposed policy.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER KLINT, TO APPROVE THE PARK PHYSICAL IMPROVEMENT DONATION POLICY AND POLICY FOR NAMING AND RENAMING OF PARKS, PARK FACILITIES AND TRAILS DIRECTING STAFF TO ADJUST THE POLICY TO ADD LANGUAGE REGARDING OFFENSIVE LANGUAGE. 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.

REPORTS ON PREVIOUS OPEN MIC

None.

OTHER BUSINESS

Councilmember Manning discussed an email he received regarding the chicken ordinance. He wanted property owners to be responsible for reporting any illness that would impact their flock.

Mayor Koch indicated the chicken ordinance would be introduced at the Tuesday, April 19th Council meeting and would be considered on Tuesday, May 3rd.

Councilmember Klint asked if staff would be following up with the members from the Chinese Consulate. City Manager Stemwedel reported he had exchanged emails with a member from the consulate over the last month.

Councilmember Demmer wished the residents that would be representing the City of Coon Rapids well in the Boston Marathon.

Mayor Koch congratulated Hamilton Elementary School on their 50th Anniversary.

Mayor Koch encouraged the public to review the Coon Rapids Parks and Recreation Guide.

Councilmember Manning noted the 4th of July parade would be held on Saturday, July 2nd.

Fire Chief Piper commented the City would be holding a Transportation Roundtable on Friday, April 8th at 10:00 a.m. at City Hall to discuss local transportation issues, along with the Hanson Boulevard grade separation issue.

City Manager Stemwedel reported he would be sending out a conformation email to members of the City Council due to the fact the roundtable meeting time had changed from 10:30 a.m. to 10:00 a.m.

Public Works Director Himmer stated the Coon Rapids Ice Show would be held on Thursday, April 21st through Sunday, April 24th. He reported tickets were available now.

ADJOURN

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER WELLS, TO ADJOURN THE MEETING AT 8:31 P.M. THE MOTION PASSED UNANIMOUSLY.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

4.

Meeting Date: 04/19/2016

Subject: Accept the 2015 Community Development Annual Report

From: Grant Fernelius, Community Development Director

INTRODUCTION

The 2015 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 and redevelopment and building inspections. Separate reports are also attached which highlight the work of the Planning Commission and the Board of Adjustment and Appeals.

There was a great deal of work accomplished in 2015 and staff looks forward to new opportunities in 2016.

RECOMMENDATION

It is recommended that the Council accept the 2015 Community Development Annual Report.

Attachments

2015 CD Annual Report
Letter from PC Chair
2015 PC Annual Report
2015 BAA Annual Report

Year in Review

On behalf of the entire team of dedicated staff in the Community Development Department, I am pleased to present the 2015 Annual Report. This is the fourth year that staff has prepared a summary of the major projects, programs and service activities from the previous year.

2015 was a year of change and transition in the department, with several new staff joining the team and a few existing staff stepping into new roles and responsibilities. These changes have allowed us to align our skills, talents and resources with the needs of the organization and the community we serve.

The 2015 report includes updates on some of the City's key priorities, including:

- Progress in redeveloping areas along Coon Rapids Boulevard, such as the new senior housing under construction at Port Campus Square; completion of the Mother Baby Center at Mercy Hospital in Port Wellness; and renewed development interest at Port Riverwalk.
- Continuation of efforts to retain and attract businesses through outreach, the *Open to Business* advisory service and financial incentives – with the goal of adding jobs and tax base to the community.

- Continuation of programs to encourage neighborhood investment through the nationally recognized *Homes for Generations II* program; the *ReGenerations Down Payment Assistance Program*, and *North Suburban Home Improvement Show*.
- A re-focused philosophy in the area of code enforcement that places a greater emphasis on education and other pro-active measures to encourage property maintenance in all neighborhoods.
- Enhanced use of technology to share information on a timelier basis and improve communication with both internal and external customers.

Delivering quality services and programs to Coon Rapids residents, businesses and other stakeholders is an essential part of our mission. We hope you find this report helpful in understanding what we do in the Community Development Department. Thanks to our staff for a great year in 2015 and to good things in the year ahead.

—Grant Fernelius
Community Development Director



Inside this issue:

Coon Rapids Boulevard	2
Finance & Business Development	3
Board & Commission	4
Building Inspections	5
Housing Preservation and Rehabilitation	6
Neighborhood Reinvestment	8
Marketing and Outreach	11
Residential Redevelopment	11

Coon Rapids Boulevard

RIVER NORTH APARTMENTS

A groundbreaking ceremony for the River North Apartments, by senior housing developer Dominion, was held in December 2015. This 167-unit senior apartment building, at the intersection of 109th Lane and Crooked Lake Boulevard next to the Coon Rapids Ice Center, is expected to open in early 2017. The building will include primarily one and two-bedroom units with a few three-bedroom units. Occupancy will be for seniors ages 55 and up. The project represents a major step forward in development efforts in the Port Campus Square district and along the Coon Rapids Boulevard corridor. The site previously contained an unused parking lot and two older houses. The City played an active role in facilitating this project, including selling the land, providing a loan, and providing tax-increment financing. This is a \$31 million project. Additional information can be found at www.rivernorth-apts.com or 763-762-4762.



River North Apartments



Port Riverwalk



Port Riverwalk Master Plan

The City relocated tenants of a blighted 20-unit apartment complex at 9864-9950 East River Road in Port Riverwalk. The Coon Rapids Fire Department burned the buildings as part of a training exercise in November 2015. The property will be held for future development.

City staff has met with various potential developers for portions of Housing and Redevelopment Authority-owned land in Port Riverwalk. The City adopted a new master plan for Port Riverwalk in 2013, which 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. Potential housing types could include townhomes, apartments or senior housing. The HRA will then decide to work with one or more developers. It is unlikely that a single developer would be interested in the entire 30+ acre site, given the amount of housing the market can support in a particular year.



Firefighter training at blighted apartment complex



Coon Rapids Boulevard

Mercy Hospital

In the Port Wellness district, a Mother Baby Center addition was constructed at Mercy Hospital. After completing a comprehensive review of the obstetrical services offered at Mercy and Unity hospitals, Allina Health combined the programs into one all-inclusive program at the new Mother Baby Center. The new center, a partnership between Allina Health and Children's Hospitals & Clinics of Minnesota, opened in July 2015. This was a \$20 million project.



The Mother Baby Center at Mercy Hospital

SuperAmerica

Construction of a new SuperAmerica convenience store on the corner of Egret Boulevard and Coon Rapids Boulevard began in the fall of 2015. Located in the Port Riverwalk redevelopment district, the new 3,500 square foot store includes a car wash and 16 fuel pumps. The store replaces an older car wash building on the site that sat vacant for several years. This was a \$2 million project.



SuperAmerica



Finance & Business Development

Open to Business

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. At the beginning of 2015, the program was offered in all of Anoka County. About 40 Coon Rapids businesses and residents were served by Open to Business in 2015.



Magnum Freight

Magnum Freight completed construction of a 42,000 square foot freight terminal on Evergreen Boulevard. The City's commercial revolving loan fund provided gap financing for the project, which relocated 172 jobs and added 65 jobs to the City and leveraged millions of dollars in private investment.



Board of Adjustment and Appeals

The Board of Adjustment and Appeals is composed of five community members appointed by the City Council. The functions of the Board are to conduct hearings and decide variances from the terms of the zoning and building maintenance codes; to consider and decide appeals from decisions made by the Building Official and Zoning Administrator and, for the purpose of such decisions, to interpret, construe, and decide meanings of the zoning and building codes; and to perform other duties prescribed by City Code or Minnesota Statutes. Under these duties, the Board of Adjustment and Appeals hears appeals to the decisions of the Hearing Examiner in the City's Administrative Citation process and hears objections of contested miscellaneous assessments, providing recommendations to the City Council on the application of these special assessments.

The Board considered forty-six cases during four regularly scheduled meetings held in 2015. Their case load included variance requests for two property owners from the City's land use regulations and forty-four miscellaneous assessment hearings. The Board approved a variance from the City's development regulations that reduced the required side yard setback for an accessory structure. On appeal of Board denial in a variance case, the City Council authorized a reduced setback for a fence from the public street right of way in a case where relocation of the fence was required when additional right-of-way was obtained for a roadway reconstruction project. Without exception, the City Council adopted the recommendations of the Board in special assessment objection hearings.

The Board of Adjustment and Appeals conducted two work sessions in 2015. In March, the Board reviewed the process by which the special assessment objection hearings are held. In September, the Board discussed the review and decision making process of granting variances. At that same work session, the Board reviewed basic principles of meeting rules, including the role of the chair and how motions are made and debated under Robert's Rules of Order.

See the appendix for the complete 2015 Board of Adjustment and Appeal hearing schedule.

Planning Commission



Exterior Elevations for Taco Bell

In 2015, the Planning Commission considered thirty-three planning cases during eleven regularly scheduled meetings. The Commission's review included ten site plans, six code changes, four zone changes and six land use plan amendments, and approval of the application of Use Flexibility. See appendix for the complete report. Some of the significant planning cases were:

- Coon Rapids Chrysler, Dodge and Jeep dealership. Approval for a property at Egret Boulevard and Woodcrest Drive for an expansion of the parking lot for .
- Taco Bell restaurant. Approval for a 2,800 square foot at 1885 Gateway Drive, Gateway Commerce Center.
- River North Apartments. Approval for a 167-unit senior apartment building with underground parking.
- Gateway Commerce Center. Amendment to the PUD, located at Hanson Boulevard and Highway 10, to allow an auto dealership and swim center.
- Approval for property at 1005 Coon Rapids Boulevard Extension to change from Single Family Residential to Moderate Density Residential zoning for redevelopment of the property into a townhome development.
- SuperAmerica convenience store. Approval for the construction of a 3,500 square foot with a car wash at Egret Boulevard and Coon Rapids Boulevard.
- Hope 4 Youth was granted "Use Flexibility" for a 12-resident transitional housing facility located at 80 Coon Rapids Boulevard.
- An ordinance amendment adding regulations governing taprooms, breweries, distilleries and cocktail rooms.



Building Inspections

The year of 2015 brought changes within the Building Inspections Division. Updated versions of the State Building Codes and State Septic System regulations have kept the department busy updating public information and making changes to enforcement policies. These changes were also incorporated in the new website design process at the same time. Despite the challenge, the work was completed and implemented over the course of the past year.

There are 36 property owners with onsite septic systems in the City. They were sent reminder letters to have the system's tank pumped out to keep them in good working order. Some of the owners have decided to hook up to sewer to avoid the maintenance regulations. The goal is to have all properties within the City on sewer and water services if it is available in the area.

Single Family home construction remained strong with 25 new homes built in 2015. This number is up 12 units from the previous year. The housing market in Coon Rapids has been gaining momentum since late 2014. Interest in vacant properties slowed a bit but remain healthy as investors purchased bank owned homes and made improvements to them. The City issued 115 permits for the inspection of vacant properties, this is down from 154 in 2014. Home remodeling and addition work was also down as interest has shifted more toward new construction as prices rise.

Commercial and industrial saw increases in new construction projects while remodeling and additions to existing buildings fell off slightly.

<u>Number of Permits Issued</u>	<u>2015</u>	<u>2014</u>	<u>Inspections Completed by Type</u>	<u>2015</u>	<u>2014</u>
Comm/Indust - New	12	9	Building	6492	7327
Comm/Indust - Remodel/Add	56	67	Electrical	2069	2315
Single Family - New	25	13	Mechanical	1541	1763
Single Family - Remodel/Add	140	166	Plumbing /Sewer & Water	1599	1941
TH Detached - New	3	0	User Defined	123	123
TH Attached - New	1	0			
Water Restoration/Vacant Property	115	154			

<u>Number of Permits Issued by Type</u>	<u>2015</u>	<u>2014</u>	<u>Key Numbers & Metrics</u>	<u>2015</u>	<u>2014</u>
Building	2074	2038	Total Inspections	11,912	13,639
Electrical	1385	1582	Total Project Valuation	\$92,763,137	\$170,622,209
Mechanical	1019	1020	Total Permit Fees	\$1,154,216	\$1,525,151
Plumbing	1264	1300			
Sewer & Water	65	66			
Signs	124	126			

Major Projects in 2015

River North Apartments	\$18,800,000
SuperAmerica	\$2,000,000
Oxbowl Bend Apartment Remodel	\$1,900,000
Morris Bye Elementary HVAC Upgrade	\$1,360,000
Taco Bell	\$1,000,000
Smash Burger	\$450,000



Taco Bell, Gateway Drive



Coon Rapids Mortgage Assistance Foundation



Sterling Family Before and After photos of a kitchen remodel. Sterlings were the recipient of both the Home for Generations II program incentives and home improvement loan.



Home Improvement Loan Programs

The Coon Rapids Mortgage Assistance Foundation (CRMAF) established a housing loan program in 2005 offering several home improvement loan products to Coon Rapids residents. Included in the program are the following funds:

- Home for Generations II Program – fixed, low interest loans of up to \$50,000 for participants in the City’s Home for Generations II program that provides incentives for homeowners to undertake large scale, value-added remodeling projects. There are no income restrictions for borrowers. The CRMAF has provided grants totaling \$32,500 to underwrite the cost to homeowners for architectural consultations required by the program.
- Home Improvement Incentive Loan Program – 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. There are no income limits for borrowers.
- Home Rehabilitation Assistance Loan Program – low-interest loans for necessary repairs or improvements for borrowers earning not more than 110 percent of area median income. Area median income for the metropolitan statistical area was \$86,600 in 2015. Loan payments may be deferred for homeowners at or below 50 percent of area median income.
- Two-family Home Rehabilitation Program – loans at attractive interest rates for the exterior maintenance of two-family dwellings and program guidelines require that the work ensure the exteriors of both units remain compatible. There are no income limits for borrowers and payments may be deferred for borrowers at or below 50 percent of area median income.

Emergency Home Repair Program – loans 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.

This program provided \$279,848 in loan funds in 2015 to nine households accessing the Home Improvement Incentive, Home Rehab and Home for Generations II loan funds. In 2015, 18 homeowners entered agreements with the City to participate in the Home for Generations II program and six homeowners closed CRMAF Home for Generations II loans totalling \$258,940 to complete their major remodeling projects.

Down Payment Assistance

The ReGenerations Down Payment Assistance Loan Program was established in November 2009 with CRMAF program funds to provide down payment assistance for homebuyers using the FHA Section 203(k) mortgage product. The 203(k) mortgage permits the buyer to roll the purchase price plus rehabilitation costs into a single mortgage. The ReGenerations Program provides 3½ percent of the purchase price plus rehab costs – up to \$6,000 – in down payment assistance for undertaking a minimum of \$10,000 in rehab or remodeling investment in the property. There are no income limits imposed on borrowers. FHA mortgage limits of the 203(k) program apply. The ReGenerations loan is forgiven after ten years of owner occupancy. In 2015, the program closed loans for two first-time homebuyers providing \$12,000 in down payment assistance, leveraging \$33,115 in reinvestments to the properties, both of which were foreclosed properties. As of December 2015, the program has provided down payment assistance to 26 homebuyers, representing \$500,000 in property renovation on housing purchases of more than \$3.3 million. Over eighty percent of the sales have returned vacant, foreclosed properties to homeowner occupancy.



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 2014 program year operated throughout the year, closing on December 31, 2015. Through the Joint Request, and in accordance with a formula allocation established by HUD, Coon Rapids received a grant award of \$283,236, a decrease of nearly five percent from the prior program 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, was directed to the City's CDBG Housing Rehabilitation Loan Program – a program that addresses minimum housing quality standards and reducing energy cost burdens by providing deferred, zero-interest home rehabilitation or energy conservation loans for qualifying households. Owner-occupied, low- and moderate-income households having earnings of not more than 80 percent of the area median income, based on family size – \$65,800 for a four person household in 2015 – can qualify for the program. In 2015, the program provided home rehabilitation or energy conservation loans for ten households. Since 2004, the City's CDBG program has provided deferred loans to 164 low- and moderate-income Coon Rapids households, helping them maintain suitable, safe and affordable housing.

Remodeling Advisor Visits

Coon Rapids 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 where they 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. Participants in the Home for Generations II remodeling program are encouraged to use this service. The service assists homeowners in identifying and prioritizing improvements and by providing objective remodeling advice. This is a free service to all homeowners. In 2015, Remodeling Advisor Visits were performed for 62 Coon Rapids homeowners by construction industry professionals of CEE.

Home Improvement Show



On March 21, 2015, Coon Rapids participated in the 17th annual North Suburban Home Improvement Show. Hosted by the cities of Coon Rapids, Andover and Anoka, Anoka

County and the Anoka Area Chamber of Commerce, the home improvement trade show has been held at the Andover YMCA Community Center each spring since 2007. Lowe's Home Improvements of Coon Rapids sponsored the ever popular Kids Workshop, providing more than 200 children opportunity to build their choice of toy trucks, birdhouses or other wooden projects. Local Cub Scout Pack 609 members provided assistance with the Kids Workshop and by collecting and delivering donations for the home improvement show's March is Minnesota Food Share Month food drive. Over 1,500 residents from the surrounding north metro area attended, including many Coon Rapids residents.



Home for Generations II



Home for Generations II was first made available in May 2013. This program offers subsidized consultations with architects, building permit rebates, grants and low interest loans to homeowners planning to make a large investment into their home valued at \$35,000 or higher. To be eligible, the home must be owner-occupied and at least 20 years old, and the scope of work must include at least one value added project such as: 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 and 4.5% loans are available up to \$50,000.



In total, there have been 146 applications submitted and 48 projects subsidized through this program (2013 - 2015), leveraging more than \$3.4 Million worth of home improvements.

Home for Generations II was selected as a semi-finalist in Harvard's Innovations in American Government Award in 2015.



Six homes remodeled through the program were showcased in the 2015 Coon Rapids Home Remodeling Tour in May with hundreds of people touring each home. It was a great opportunity to showcase the great remodeling projects taking place in Coon Rapids which hopefully has inspired others to do the same at their own homes.

Summer in the City

The *Summer in the City* neighborhood meetings in the parks continued to be very well received and 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, resident surveys, raffle drawing were also provided. City staff set up several tables with information and representatives from all City departments. Four *Summer in the City* neighborhood meetings were hosted – each hosted in one of the parks had been recently improved. Each meeting had between 75 - 125 people in attendance.



Property Maintenance

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 2015, the city issued a total of 1,631 Administrative Citations (including those for long grass). This volume is up from previous years since we now have two Property Maintenance Inspectors. Of the citations issued, the city abated 58 properties of junk and debris in the yard and 61 properties for long grass. Long grass complaints have been the number one complaint, followed by junk & debris, over the past 5 years.

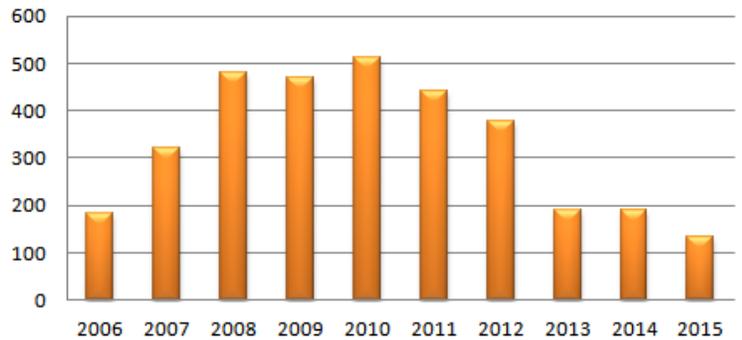


Vacant Properties

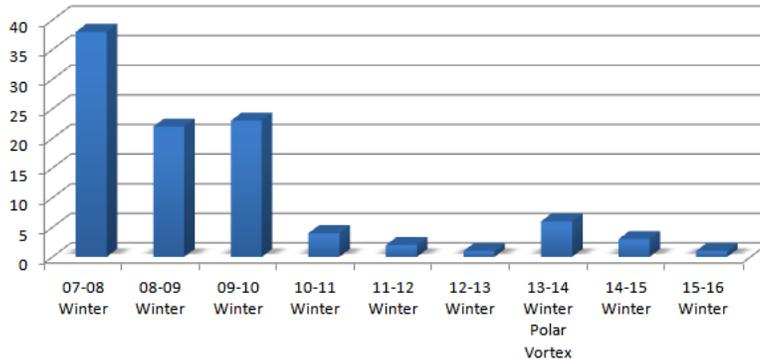
Coon Rapids continues to see a decline in foreclosures. In 2015, there were 134 foreclosures in Coon Rapids - the lowest since 2006. Vacant homes are vulnerable to a variety of issues such as vandalism, freezing pipes, flooding, squatting, and other property neglect like un-mowed lawns.

The Water Ordinance (City Code Chapter 13-216) has allowed City staff to turn water at vacant properties and has been an effective tool to protect the homes from excessive water damage. In 2015, there were 155 new vacant homes identified (down from 238 in 2014) and City staff disconnected water service at 105 of those and other vacant properties (down from 170 in 2014). The program's success is also reflected in fewer flooded homes each year.

City of Coon Rapids Foreclosures



Flooded Properties due to Frozen Water Pipes



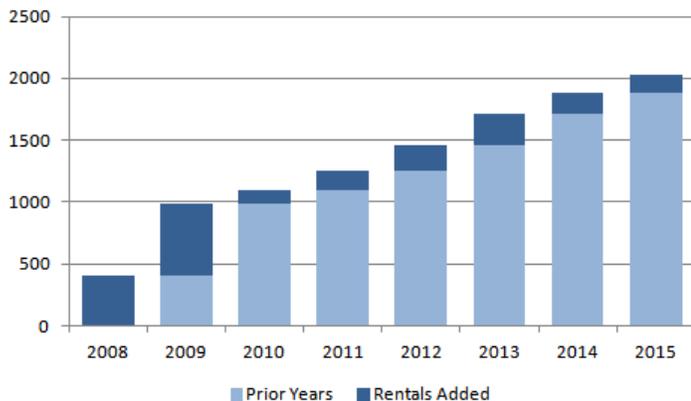
began tracking them in 2008. During the foreclosure crisis, Coon Rapids had over 800 vacant properties. The City's vacant housing stock is dwindling and sales prices are increasing.

Owners, realtors and mortgage companies continue to have the option of signing a waiver to keep water on at vacant properties as long as they do so within two weeks of the property being posted for water shut off and the property is connected to electric and gas service. In 2015, 59 requests for waivers were submitted (consistent with 60 in 2014) and 45 of them were approved to keep the water on. Those denied were done so because gas and/or electricity was disconnected, the water had been off longer than the two week grace period, or there were known building code deficiencies.

The City of Coon Rapids currently monitors a total of 234 vacant properties – the lowest level since City staff

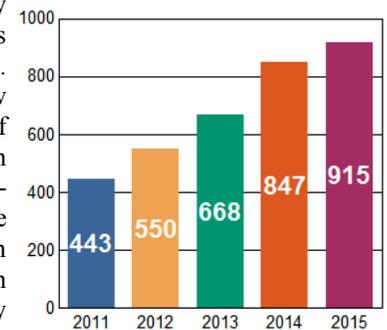
Rental Properties

Current Rental Units units added each year that are still rental (does not include apartment units)



The City's Rental Licensing ordinance (City Code Chapter 12-900) allows staff to identify and monitor the City's growing rental housing stock. In 2015, there were 149 new rental licenses issued – 143 of these properties had been converted from owner-occupied to rental. There are now a total of 5,703 (5,625 in 2014) licensed rental units in the city (674 single family homes, 1,082 townhomes, 272 twin homes, and 3,673 apartment units).

Number of Rental Inspections by Year



New Website

The City of Coon Rapids launched a new website in 2015. The new design and features include easy navigation, interactive mapping, event calendars, language translation, better search functions and much more. City staff provide regular updates to the website. Economic Development is featured as a “website within a website”. The Economic Development pages contain information on doing business in Coon Rapids, development opportunities with an interactive map to available space and land, Coon Rapids Boulevard development, and additional business resources. The site also includes a Business Directory, featured on the Economic Development homepage.

The screenshot shows the homepage of the Coon Rapids Minnesota website. At the top left is the logo for Coon Rapids Minnesota with the tagline "Resources. Opportunities. Success." To the right of the logo are social media icons for Facebook, Twitter, YouTube, and LinkedIn, along with a search bar labeled "Search Coon Rapids...". Below the header is a navigation menu with five items: "DOING BUSINESS HERE", "DEVELOPMENT OPPORTUNITIES", "COON RAPIDS BOULEVARD", "RESOURCES", and "HOW DO I...". The main content area features three large cards. The first card on the left is titled "Groundbreaking Celebration for NEW Senior Apartments in Coon Rapids" and includes a photo of a meeting and a "Read More" link. The middle card is titled "OPEN TO BUSINESS" and features a green sign graphic with the text "Free Business Advice Available" and a "Read More" link. The third card on the right is titled "Development Highlights" and includes a photo of a modern interior space with a "Learn More" link. Below these cards is a horizontal navigation bar with six icons and labels: "Plans & Publications" (Info at Your Fingertips), "Map It" (Interactive Mapping of Coon Rapids), "Business Directory" (Businesses in Coon Rapids), "Request Business Visit" (We Want to Meet With You), "FAQs" (Frequently Asked Questions), and "Notify Me®" (Sign Up for News Updates). The lower section of the page is divided into three columns: "News Flash" with a "Construction Underway on New Senior Apt. Project" article, "Calendar", and "Video" with a "Coon Rapids Business Success!" video player. The footer contains the Coon Rapids logo, contact information for the Economic Development department, and two columns of "Popular Links" and "Helpful Links".



Marketing and Outreach

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 2015, which provided increased exposure for Coon Rapids throughout the year.

- 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 2015 Site Selector Familiarization Tour which gave the City exposure to national site selectors.
- Advertised in a brand new State of Minnesota economic development publication to be used at national trade shows and other events to promote business development in the state.
- Published a semi-annual *Business Update* newsletter, which is mailed to all businesses in the City.
- Partnered with Greater MSP and Anoka County on the first ever Anoka County Commercial Real Estate Summit, which was attended by several dozen commercial real estate brokers from around the metro area.
- Hosted its annual Bankers' Breakfast in June. This event helps City staff build relationships with key businesses in the community and promote available resources.
- Continued a partnership with the Metro North Chamber of Commerce to host its Coon Rapids Business Council meetings, which help build relationships between the City and business community.



MNCAR booth

Residential Redevelopment

The Scattered Site Acquisition (SSA) program involves removing blighted or substandard structures and replacing them with high-quality homes. In 2015, the HRA acquired a property at 807 87th Lane for redevelopment and sold lots at 8554 East River Road, 1607 103rd Avenue, 11400 Hanson Boulevard, and 2260 Coon Rapids Boulevard. For each of the lots sold, new single family dwellings have been built, or permits have been issued, with the exception of 11400 Hanson Boulevard. Anoka County HRA moved a dwelling from Foley Boulevard to 11400 Hanson Boulevard.

The property at 12019 Round Lake Blvd was purchased in 2014 under the SSA program, and the structure was demolished. The lot was sold and a new single family dwelling was constructed in 2015.



8554 East River Rd



1607 103rd Ave



11400 Hanson Blvd



12019 Round Lake Blvd





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

Community Development Staff

Cheryl Bennett, Housing and Zoning Coordinator	763-767-6422
Greg Brady, Chief Building Official	763-767-6475
Matt Brown, Economic Development Coordinator	763-767-6460
Steve Cook, Building Inspector	763-767-6595
Kristin DeGrande, Neighborhood Coordinator	763-767-6517
Leya Drabczak, Housing Inspector	763-767-6420
Grant Fernelius, Community Development Director	763-767-6451
Scott Harlicker, Planner	763-767-6452
Cindy Hintze, Administrative Support Supervisor	763-767-6404
Wade Hoffman, Electrical Inspector	763-767-6567
Rebecca Jarombek, PT Administrative Assistant	763-767-6514
Brian Koopman, Plumbing Inspector	763-767-6592
Joy Lang, Permit Technician	763-767-6574
Adam Mitlyng, Building Inspector	763-767-6593
Heather Rodgers, Property Maintenance Inspector	763-767-6596
Matt Small, Housing Inspector	763-767-6575
Steve Smith, Plans Examiner	763-767-6551
Josh Stewart, Mechanical Inspector	763-767-6572
Trevor White, Property Maintenance Inspector	763-767-6427
Sia Vu, Permit Technician	763-767-6469





January 21, 2016

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

Re: Report of Planning Commission Activities for 2015

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 2015.

During 2015, the Commission considered thirty-six planning cases during eleven regularly scheduled Commission meetings.

The Commission's development review included the consideration of ten site plans. The site plans included Taco Bell, Coon Rapids Chrysler parking lot expansion, Super American, and Dominion Senior Apartments.

The Commission also considered six code change, six comp plan amendments, seven conditional use permits, two lot splits, four plats, and one registered land survey.

The Commission's contributions and efforts in 2015 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, Chair
Coon Rapids Planning Commission

Attachment



2015 PLANNING COMMISSION ANNUAL REPORT

COMMISSIONERS

Jenny Geisler, Chair (January meeting only)

Wayne Schwartz, Vice-Chair and Chair

Denise Hosch, Vice-Chair

Ray Knoblauch

Jonathan Lipinski (resigned in August)

Mary Schmolke

Zachary Stephenson

Julia Stevens



2015 PLANNING COMMISSION REGULAR MEETING ATTENDANCE

Meeting/Commissioner	Schwartz, Chair	Hosch	Knoblauch	Lipinski	Schmolke	Stephenson	Stevens
January	o (Vice-Chair)	o	(vacant seat)	x	o (J. Geisler, Chair)	o	o
February	o (Chair)	x	o	x	o	o	x
March	o	o	o	o	o	x	o
April	o	o (Vice-Chair)	x	o	o	o	o
May	o	o	o	o	o	o	o
June	No Meeting						
July	x	o	x	x	o	o	o
August	o	x	o	x	o	x	o
September	o	o	o	x (resigned)	o	o	o
October	o	o	x	-	o	o	x
November	o	o	o	-	o	o	o
December	o	o	o	-	o	o	o

o = present x = absent



2015 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	15-2									15-1		
February		15-3, 15-8	15-4, 15-9				07-16			15-6	15-5, 15-7	
March		15-12, 15-11a								15-6, 15-10	15-5, 15-11	
April	15-15	15-13	15-14									
May		15-17	15-18		15-16, 15-20, 15-19					15-21	15-22	
June												
July					15-26				15-23	15-25	15-26, 15-27	
August	15-29, 15-30			15-28 (use flexibility)								
September				15-28 (use flexibility)								
October					15-31		88-37				15-31	
November	15-33				15-31				15-32		15-31	
December	15-36				15-34					15-35	15-34	

2015 PLANNING COMMISSION DEVELOPMENT CONSIDERATIONS AND APPROVALS

Case	Petitioner Location	Proposal	Staff Recommendation	Commission		Council	
				Date	Action	Date	Action
88-37	John Becker 9526 Foley Blvd	Revocation of Conditional Use Permit - semi-trailer storage	Revoke	10/15/2015	Revoke	11/3/2015	Revoke
07-16	McGee 1919 122nd Ave	Revocation of Conditional Use Permit - home occupation for massage therapy	Revoke	2/19/2015	Revoke	n/a	n/a
15-1	Deleo and RMS Company 8600 Evergreen Blvd	Registered Land Survey - subdivide three lots into two	Approve	1/15/2015	Approve	2/3/2015	Approve
15-2	City of Coon Rapids	Code Change - Include approval procedures for ordinance amendments	Approve	1/15/2015	Approve	2/3/2015 2/17/15	Introduce Adopt
15-3	TCA Real Estate Egret Blvd & Woodcrest Dr	Comprehensive Plan Amendment - from Moderate Density Residential (MDR) to General Commercial (GC)	Deny	2/19/2015	Approve	3/17/2015	Adopt
15-4	TCA Real Estate Egret Blvd & Woodcrest Dr	Zone Change - from Moderate Density Residential (MDR) to General Commercial (GC)	Deny	2/19/2015	Approve	3/3/2015 3/17/15	Introduce Adopt
15-5	The Salvation Army Coon Rapids Blvd Ext & Vale St	Site Plan - 103,000 sq ft adult rehabilitation facility	Deny	2/19/15 3/19/2015	Postponed Withdrawn	n/a	n/a
15-6	The Salvation Army Coon Rapids Blvd Ext & Vale St	Preliminary Plat - replat into two lots	Approve	2/19/15 3/19/2015	Postponed Withdrawn	n/a	n/a
15-7	Border Foods 1865 Gateway Dr	Site Plan - restaurant with drive-thru	Approve	2/19/2015	Approve	n/a	n/a
15-8	Coon Rapids Association 80 Coon Rapids Blvd	Comprehensive Plan Amendment - from Office (O) to Community Commercial (CC)	Approve	2/19/2015	Approve	3/17/2015	Adopt
15-9	Coon Rapids Association 80 Coon Rapids Blvd	Zone Change - from Office (O) to Community Commercial (CC)	Approve	2/19/2015	Approve	3/3/2015 3/17/2015	Introduce Adopt

Case	Petitioner Location	Proposal	Staff Recommendation	Commission		Council	
				Date	Action	Date	Action
15-10	Coon Rapids Leased Housing 109th Ln & Crooked Lake Blvd	Preliminary Plat - replat 30 acres in PORT Campus Square into two lots and three outlots	Approve	3/19/2015	Approve	4/7/2015	Approve
15-11	Coon Rapids Leased Housing 109th Ln & Crooked Lake Blvd	Site Plan - 166 unit senior housing apartment building	Approve	3/19/2015	Approve	4/7/2015	Approve
15-11a	City of Coon Rapids	Comprehensive Plan Amendment - find that proposed Tax Increment Financing District is consistent with Comp Plan	Approve	3/19/2015	Adopt	n/a	n/a
15-12	Silverstone Realty & Development, LLC Gateway Commerce Center	Amend PUD - to include auto dealership and a swim center	Approve	3/19/2015	Approve	4/7/2015	Approve
15-13	Pederson Floral & adjacent properties	Comprehensive Plan Amendment - from Office, General Commercial and Moderate Density Residential to High Density Residential.	Approve	4/16/2015	Approve	5/19/2015	Withdrawn
15-14	Pederson Floral & adjacent properties	Zone Change - from Office, General Commercial and Moderate Density Residential to High Density Residential	Approve	4/16/2015	Approve	5/5/2015 5/19/2015	Introduce Withdrawn
15-15	City of Coon Rapids	Code Change - amend procedural requirement for rescinding subdivision approval	Approve	4/16/2015	Approve	5/5/2015 5/19/2015	Introduce Adopt
15-16	Butler 11948 Eldorado St	Home Occupation Permit - beauty salon	Approve	5/21/2015	Approve	n/a	n/a
15-17	Vision Bank 1005 Coon Rapids Blvd Ext	Comprehensive Plan Amendment - from Low Density Residential to Moderate Density Residential	Approve	5/21/2015	Approve	6/16/2015	Adopt
15-18	Vision Bank 1005 Coon Rapids Blvd Ext	Zone Change - from Low Density Residential to Moderate Density Residential	Approve	5/21/2015	Approve	6/2/2015 6/16/2015	Introduce Adopt
15-19	Lakeside Oil 2825 Coon Rapids Blvd	Conditional Use Permit - to operate a gas station with eight dispensing hoses	Approve	5/21/2015	Approve	n/a	n/a
15-20	Noe 952 86th Ave	Home Occupation Permit - dog grooming	Approve	5/21/2015	Approve	n/a	n/a

Case	Petitioner Location	Proposal	Staff Recommendation	Commission		Council	
				Date	Action	Date	Action
15-21	Carousel Motors 10541 Woodcrest Dr	Preliminary Plat - replat two existing lots into one lot	Approve	5/21/2015	Approve	6/2/2015	Approve
15-22	Coon Rapids Chrysler 10541 Woodcrest Dr	Site Plan - 321 space parking lot expansion	Approve	5/21/2015	Approve	n/a	n/a
15-23	Kayser 3338/3352 116th Ave	Subdivision Exception - to complete a lot line adjustment	Approve	7/16/2015	Approve	8/18/2015	Approve
15-24	Case number not used						
15-25	C-Store Partners Egret Blvd & Coon Rapids Blvd	Preliminary Plat - replat two existing lots into one lot	Approve	7/16/2015	Approve	8/5/2015 9/15/15	Approve Approve
15-26	C-Store Partners Egret Blvd & Coon Rapids Blvd	Site Plan/Conditional Use Permit - 3,5000 square foot convenience store with 16 dispensing hoses with car wash	Approve	7/16/2015	Approve	8/5/2015	Approve
15-27	Anoka-Hennepin School District Sand Creek Elementary School	Site Plan - parking lot expansion	Approve	7/16/2015	Approve	n/a	n/a
15-28	Hope 4 Youth 80 Coon Rapids Blvd	Use Flexibility - transitional housing	Postpone Approve	8/20/2015 9/14/2015	Approve	10/6/2015	Approve
15-29	City of Coon Rapids	Code Change - revise fence height from 6 feet to 7 feet	Approve	8/20/2015	Approve	9/1/2015 9/15/15	Introduce Adopt
15-30	City of Coon Rapids	Code Change - eliminate the Floor to Area Ratio in PORT Districts	Approve	8/20/2015	Approve	9/1/2015	
15-31	Mayflower Properties 9900 Vale St	Conditional Use Permit and Site Plan - expansion of outdoor storage area	Postpone Postpone	10/15/2015 11/19/15 1/21/2016			
15-32	Rachel Neiman 12856 Crooked Lake Blvd	Lot Split - subdivide two parcels into two lots	Approve	11/19/2015	Approve	12/1/2015	

Case	Petitioner Location	Proposal	Staff Recommendation	Commission		Council	
				Date	Action	Date	Action
15-33	City of Coon Rapids	Code Change - Section 11-1101 Floodplain Management	Approve	11/19/2015	Approve	12/1/2015	
15-34	Anoka-Hennepin School District 11301 Dogwood St	Conditional Use Permit/Site Plan - to construct and operate a vehicle maintenace facility	Postpone Approve	12/17/15 1/21/16			
15-35	Anoka-Hennepin School District 11301 Dogwood St	Preliminary Plat - 79 acres into seven lots and one outlot	Postpone Approve	12/17/15 1/21/16			
15-36	City of Coon Rapids	Code Change - to allow brewpubs and tap rooms	Approve	12/17/2015	Approve	1/19/2016	



2015 BOARD OF ADJUSTMENT AND APPEALS ANNUAL REPORT

COMMISSIONERS

Aaron Vande Linde, Chair

Ronald Bradley

Teri Spano-Madden

Patricia Thorup

Tracy Wigen

CITY STAFF

Cheryl Bennett, Housing and Zoning Coordinator

Melissa Westervelt, Assistant City Attorney

SECRETARY

Amanda Staple, Time Saver Off Site Secretarial, Inc.

2015 BOARD OF ADJUSTMENT AND APPEALS MEETING ATTENDANCE

Meeting/Commissioner	Vande Linde, Chair	Bradley	Spano-Madden	Thorup	Wigen
January	NO MEETING				
February	NO MEETING				
March	o	o	o	o	o
March Work Session	o	o	o	o	o
April	NO MEETING				
May	NO MEETING				
June	NO MEETING				
July	NO MEETING				
August	o	o	o	o	o
August Work Session	o	o	o	o	o
September	NO MEETING				
October	o	o	o	o	o
November	o	o	o	o	o
December	NO MEETING				

o = present x = absent

**2015 Board of Adjustment and Appeals
Case Log**

Case No.	Petitioner Location	Description	Code Section	Board		Council	
				Date	Action	Date	Action
15-01V	Roger and Leotha Womble 11901 Round Lake Blvd	Special Assessment Objection - Administrative Citation Penalty - Long Grass, Removal & Disposal	2-1104 8-502 8-503 8-109	3/5/2015	Affirm	3/17/2015	Adopt
15-02V	Regal Car Wash/Eva Sperber-Porter 1521 Coon Rapids Blvd	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Affirm	3/17/2015	Adopt
15-03V	Susan Fraboni 1246 107th Ave NW	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Affirm	3/17/2015	Adopt
15-04V	Kristy Hansen 2006 104th Ave NW	Special Assessment Objection - Administrative Citation Penalty - Rental License	2-1104 12-903(1)	3/5/2015	Affirm	3/17/2015	Adopt
15-05V	Robert Edstrom 11731 Kumquat St	Special Assessment Objection - Administrative Citation Penalty - Rental License	2-1104 12-903(1)	3/5/2015	Affirm	3/17/2015	Adopt
15-06V	Gabriel Enrique Borrera 10575 Martin St	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Affirm	3/17/2015	Adopt
15-07V	Jara Linville 11863 Tulip St	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Affirm	3/17/2015	Adopt
15-08V	Curtis Botner 12816 Verdin St	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Affirm	3/17/2015	Adopt
15-09V	Valerie Gustafson 11442 Osage St	Special Assessment Objection - Administrative Citation Penalty - Removal & Disposal	2-1104 8-109	3/5/2015	Modify	3/17/2015	Adopt
15-10V	Douglas and JoAnn Lawrence Verdin St & 129th Ln NW	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Affirm	3/17/2015	Adopt
15-11V	David Thelen 1121 109th Ave NW	Special Assessment Objection - Administrative Citation Penalty - Junk Vehicles	2-1104 11-601.5	3/5/2015	Rescind	3/17/2015	Adopt
15-12V	Jacob Sartwell 11517 Yukon St	Special Assessment Objection - Administrative Citation Penalty - Expired Tabs	2-1104 11-601.5	3/5/2015	Rescind	3/17/2015	Adopt

**2015 Board of Adjustment and Appeals
Case Log**

15-13V	Paul Thomas 490 104th Ln	Special Assessment Objection - Rental License Violation and Administrative Fine	12-917 12-903(1)	3/5/2015	Rescind	3/17/2015	Adopt
15-14V	Rachid Khallaf and Touria Fouzbi 550 121st Ave NW	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Affirm	3/17/2015	Adopt
15-15V	Jesse Schabert 10311 Hummingbird St	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Modify	3/17/2015	Adopt
15-16V	Bertha Ventura 2510 Northdale Blvd	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Affirm	3/17/2015	Adopt
15-17V	Kongmong Lo for Thor and Tsong Lo 12551 Avocet St	Special Assessment Objection - Administrative Citation Penalty - Expired Tabs	2-1104 11-601.5	3/5/2015	Rescind	3/17/2015	Adopt
15-18V	Clarence Hawkins 12131 Lily St	Special Assessment Objection - Administrative Citation Penalty - Removal & Disposal and Junk Vehicles	2-1104 8-109 11-601.5	3/5/2015	Affirm	3/17/2015	Adopt
15-19V	Shawn Larsen 10961 Foley Blvd	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Affirm	3/17/2015	Adopt
15-20V	Neil Fleahman 2137 109th Ave NW	Special Assessment Objection - Administrative Citation Penalty - Expired Tabs and Parking Off Pavement	2-1104 11-601.5 11-603.1(7)(i)	3/5/2015	Modify	3/17/2015	Adopt
15-21V	Amy Deutsch 13271 Grouse St	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	3/5/2015	Rescind	3/17/2015	Adopt
15-26V	Anoka Hennepin ISD 11 Sand Creek Elementary School 12156 Olive St	Variance - 15-foot setback variance from public street right-of-way/parking lot addition	11-304.9 11-702.2(4)(b)(i)	8/6/2015	Withdrawn	n/a	n/a
15-27V	Unassigned						
15-28V	Usman Mian 1290 105th Ave	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	10/1/2015	Affirm	10/20/2015	Adopt
15-29V	Raymond Warren, Jr. 2170 108th Ave	Special Assessment Objection - Administrative Citation Penalty - Parking Off Pavement	2-1104 11-603.1(7)(i)	10/1/2015	Affirm	10/20/2015	Adopt

**2015 Board of Adjustment and Appeals
Case Log**

15-30V	Nera Muratovic 12334 Norway St	Special Assessment Objection - Administrative Citation Penalty - Parking Off Pavement	2-1104 11-603.1(7)(i)	10/1/2015	Affirm	10/20/2015	Adopt
15-31V	Liquenda Allotey 1040 105th Ave	Special Assessment Objection - Administrative Citation Penalty - No Rental License	2-1104 12-903(1)	10/1/2015	Affirm	10/20/2015	Adopt
15-32V	Katie and Anthony Ficocello 11434 North Heights Dr	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	10/1/2015	Affirm	10/20/2015	Adopt
15-33V	Andrea Waytashek 9748 Foley Blvd	Special Assessment Objection - Administrative Citation Penalty - Building Materials, Junk & Debris	2-1104 8-109	10/1/2015	Removed from Agenda	n/a	n/a
15-34V	Michael Grover 10740 Grouse St	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	10/1/2015	Affirm	10/20/2015	Adopt
15-35V	Charles Okusanya 1562 119th Ln	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	10/1/2015	Affirm	10/20/2015	Adopt
15-36V	Chad Morgan 11021 Olive St	Special Assessment Objection - Crime Free Housing Program	2-1104 12-915	10/1/2015	Affirm	10/20/2015	Adopt
15-37V	Nancy Skager 10324 Hollywood Blvd	Special Assessment Objection - Administrative Citation Penalty - Long Grass and Expired Tabs	2-1104 8-502 8-503 11-601.5	10/1/2015	Affirm	10/20/2015	Adopt
15-38V	Cheryl Lee Upton/Charles Dodge 10885 Osage St	Special Assessment Objection - Administrative Citation Penalty - No Rental License	2-1104 12-903(1)	10/1/2015	Rescind	10/20/2015	Adopt
15-39V	Jason & Rhonda Twaddle 10558 Martin St	Special Assessment Objection - Administrative Citation Penalty - Building Materials, Junk & Debris	2-1104 8-109	10/1/2015	Affirm	10/20/2015	Adopt
15-40V	Andrew Gabatino 3356 115th Ln	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	10/1/2015	Affirm	10/20/2015	Adopt
15-41V	Jeremy Gordon 9938 Cottonwood St	Special Assessment Objection - Administrative Citation Penalty - Building Materials, Location of Containers and Yard Waste, Junk & Debris, Truck and Trailer Storage, Parking and Drives	2-1104 8-109 8-206(4) 11-601.2(1) 11-603.1(7)(i)	10/1/2015	Affirm	10/20/2015	Adopt
15-42V	Jeff and Gloria Emmerich 12912 Marigold St	Special Assessment Objection - Administrative Citation Penalty - No Rental License	2-1104 12-903(1)	10/1/2015	Affirm	10/20/2015	Adopt

**2015 Board of Adjustment and Appeals
Case Log**

15-43V	Jeff and Gloria Emmerich 3749 123rd Ln	Special Assessment Objection - Administrative Citation Penalty - No Rental License	2-1104 12-903(1)	10/1/2015	Affirm	10/20/2015	Adopt
15-44V	Jeff and Gloria Emmerich 11990 Orchid St	Special Assessment Objection - Administrative Citation Penalty - No Rental License	2-1104 12-903(1)	10/1/2015	Affirm	10/20/2015	Adopt
15-45V	Nancy Pham 150 Northdale Blvd	Special Assessment Objection - Administrative Citation Penalty - Building Materials, Junk & Debris	2-1104 8-109	10/1/2015	Modify	10/20/2015	Adopt
15-46V	Heidi Meade 10348 Xavis St	Special Assessment Objection - Administrative Citation Penalty - No Rental License	2-1104 12-903(1)	10/1/2015	Affirm	10/20/2015	Adopt
15-47V	Brianna Robinson 2263 110th Ln	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	10/1/2015	Affirm	10/20/2015	Adopt
15-48V	Citimortgage, Inc. 798 Northdale Blvd	Special Assessment Objection - Administrative Citation Penalty - Building Materials, Junk & Debris	2-1104 8-109	10/1/2015	Affirm	10/20/2015	Adopt
15-49V	Carla Itie 10253 Mississippi Blvd	Special Assessment Objection - Administrative Citation Penalty - Junk Vehicles, and Parking and Drives	2-1104 11-601.5 11-603.1(7)(i)	10/1/2015	Affirm	10/20/2015	Adopt
15-50V	Mary Muller 10424 Xavis St	Special Assessment Objection - Administrative Citation Penalty - Building Materials, Junk & Debris, and Junk Vehicles	2-1104 8-109 11-601.5	10/1/2015	Affirm	10/20/2015	Adopt
15-51V	Will Ziehurt 2900 109th Ln	Special Assessment Objection - Administrative Citation Penalty - Long Grass	2-1104 8-502 8-503	10/1/2015	Rescind	10/20/2015	Adopt
15-52V	Marvin Hanson 10841 Kumquat St	Special Assessment Objection - Administrative Citation Penalty - Building Materials, Junk & Debris, Major Recreational Equipment, and Junk Vehicles	2-1104 8-109 11-601.3(1)(b) 11-601.5	10/1/2015	Affirm	10/20/2015	Adopt
15-53V	John Brandstetter 10441 Goldenrod St	Variance - 3-foot setback variance from public street right-of-way/Fence	11-304.9 11-1204.3(2)	10/1/2015	Denied	10/20/2015	Granted on Appeal

**2015 Board of Adjustment and Appeals
Case Log**

15-54V	Mary Kayser 3338 116th Ave	Variance - 1.2-foot side yard setback variance for existing accessory storage shed from proposed relocation of side property line/Existing accessory structure only/Effective upon reestablishment of common boundary line	11-304.9 11-603.2(12)(a)	11/5/2015	Granted	n/a	n/a
15-55V	Charles Reichow 11671 Alder St	Variance - 3-foot setback variance from public street right-of-way/Fence	11-304.9 11-603.2(12)(a)	11/5/2015	Determination of Non-conformity - Fee Refunded	n/a	n/a



City Council Regular

5.

Meeting Date: 04/19/2016

Subject: Approve Final Payment for Project 15-6, Sanitary Sewer Lining

Submitted For: Sharon Legg, Finance Director

From: Dianne Nelson, Advanced Accounting Technician

INTRODUCTION

The City Engineer has recommended final payment to Insituform Technologies USA, LLC in the amount of \$102,653.34 for Project 15-6, Sanitary Sewer Lining.

DISCUSSION

A summary of Project 15-6 is as follows:

Contract completion date	12/4/15
Substantial completion date	10/16/15
Final completion date	12/4/15

Contract amount	\$794,469.40
Total additions/deletions	(\$16,772.14)
Final contract amount	\$777,697.26
Actual project costs	\$777,697.26
Less: previous payments by City	\$675,043.92
Amount due	\$102,653.34
Amount under final contract	(\$16,772.14)

The change order for the project was to adjust the contract amount to reflect the actual quantities completed versus the quantities bid.

RECOMMENDATION

All of the above dates and amounts are reasonable and accurate according to the project file. No liquidated damages are recommended. Staff recommends approval of change order and final payment to Insituform Technologies USA, LLC in the amount of \$102,653.34 for Project 15-6, Sanitary Sewer Lining.



City Council Regular

6.

Meeting Date: 04/19/2016

Subject: Approve Agreement between the City of Coon Rapids and Coon Rapids North Star Lions Club to provide concession services

Submitted For: Tim Himmer, Public Works Director

From: Kim Reid, Administrative Legal Assistant

INTRODUCTION

The City Council is asked to approve the Agreement between the City of Coon Rapids and Coon Rapids North Star Lions Club to provide concession services at the Sand Creek Park Athletic Complex.

DISCUSSION

The attached agreement will allow the Coon Rapids North Star Lions Club to provide management services for food concessions at the Sand Creek Park Athletic Complex. The initial term is until December 31, 2018. This lease will automatically renew after the initial term for one year terms thereafter. Either party may terminate the lease by providing written notice to the other party at least 60 days prior to the renewal date. The renewal date is January 1st of each year after the initial term. The revenue from the concession services will be distributed as follows:

- 50% for Contractor expenses for concessions under the Agreement;
- 25% to the Lions Club to be expended for community related activities in the City; and
- 25% to the organization hosting the event for which the concession stand is operating. In the event the City is the host organization then such funds shall be deposited into the park improvement fund.

RECOMMENDATION

Staff recommends that the City Council approve the Agreement between the City of Coon Rapids and Coon Rapids North Star Lions Club to provide concession services at the Sand Creek Park Athletic Complex, and authorize the appropriate staff to execute such agreement.

Attachments

Agreement

**AGREEMENT BETWEEN THE CITY OF COON RAPIDS AND
COON RAPIDS NORTH STAR LIONS CLUB TO PROVIDE CONCESSION
SERVICES**

This Agreement is entered into this _____ day of _____,
between the City of Coon Rapids (hereinafter, the "City") and Coon Rapids North Star
Lions Club (hereinafter, the "Contractor").

RECITALS

WHEREAS, the City desires to make available food concessions at Sand Creek
Complex; and

WHEREAS, the City desires to offer to patrons of those facilities beverages, food,
candy and other refreshments; and

WHEREAS, the Contractor submitted a proposal representing that they possessed
the ability to provide said services, and the City desires to enter into a contract with the
Contractor to provide concession services at Sand Creek Complex;

NOW, THEREFORE, the City and Contractor hereto mutually agree to the
conditions and covenants set forth below.

**ARTICLE I.
CONTRACT DURATION**

This Agreement shall be in effect from the date of execution of this Agreement
until December 31, 2018, ("Initial Term") This Agreement shall automatically renew
after the Initial Term for one year terms thereafter provided that either party may
terminate this lease by providing written notice to the other party at least 60 days prior to
the renewal date. The renewal date shall be January 1 of each year after the Initial Term.

**ARTICLE II.
DUTIES OF THE CONTRACTOR**

Section 1. Food Concessions Services

The Contractor agrees to provide management services for food concessions for
the length of this Agreement at Sand Creek Complex, located at 1008 Northdale
Boulevard. The area of the leased space contemplated under this Agreement is shown on
Exhibit A.

Section 2. Inventory Requirements

The Contractor agrees to purchase and maintain an inventory of food and to provide such food as concession sale items. The Contractor agrees further to provide other supplies as necessary for proper concession operations.

Section 3. Specific Food Concessions to be Provided

The Contractor agrees to provide customary food and beverages including but not limited to hot dogs, popcorn, candy, and other refreshments for sale to the general public at the locations listed in Section 1 above.

The Contractor will be responsible for intentional or negligent damage caused by its employees, volunteers or contractors to the concession building, equipment, appliances, and misuse of utilities.

Contractor agrees not to make any improvements or alterations to the premises without the prior written consent of the City. Any improvements or alterations will be at the Contractor's expense and must be done in a workmanlike manner and must meet any local, state, or federal ordinance, code, statute and regulations.

Section 4. Times and Dates of Food Concessions Sales

The City and Contractor will conduct a preseason meeting in February of each year to discuss scheduling of proposed events and concession needs for the upcoming season. Within two week after the preseason meeting, the Contractor shall submit a schedule to the City of Coon Rapids Public Works Director of operation days and hours based on prescheduled events, league play, tournaments, and other events. Contractor will provide two weeks to the City of any schedule changes that may incur after the initial schedule is submitted. If an additional event is scheduled after the preseason meeting, City and Contractor will provide to each other updated scheduling and concession needs within two week after the additional event is scheduled

Section 5. Management of Food Concession Operations

The Contractor shall provide an adult manager for concession operations. The Contractor agrees also to hire, train, and supervise all employees and/or volunteers needed for concession operations. The Contractor agrees that it will be responsible for all concession services and all requirements to provide such services.

Section 6. Revenue:

The Contractor and City agrees that the Contractor will distribute revenue from concession sales in the following manner

50% for Contractor expenses for concession under this Agreement

25% to the Lions Club to be expended for community related activities in the City.

25% to the organization hosting the event for which the concession stand is operating. In the event the City is the host organization then such funds shall be deposited into Sand Creek park improvement fund.

Section 7. Compliance with Laws

The Contractor agrees to comply with all City Code requirements, including licensing and permit requirements for concession operations, and shall abide by the orders and instructions of the City Inspections Division. The Contractor also agrees to comply with all local, State, and Federal laws, rules, and regulations that apply to such food concessions, including nondiscrimination provisions. The Contractor shall, at its own expense, obtain and keep in effect all licenses and permits which may be required by law to operate the concession stand.

The Contractor shall, where applicable, comply with the requirements of all federal, state, and local laws, rules and regulations relating to minimum wages, social security, unemployment insurance, and workers compensation. If required, the Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the appropriate governmental agency setting forth the fact that Contractor is an "Equal Opportunity Employer" and the applicable non-discrimination provisions. Contractor shall require all employees to exercise courtesy and consideration in their relations with the public.

The Contractor shall be responsible for the payment of any sales taxes and/or personal property taxes which may be due as a result of the operation of the concession stands.

Section 8. Records and Reports

At the end of year, the Contractor's records and accounting procedures including a list of those who benefitted from concession sales will be subject to review and approval by the City.

Minnesota Statutes, Section 16C.05, Subd. 5 states that the books, records, documents, and accounting procedures and practices of the Contractor relevant to this Contract are subject to examination by the City and either the Legislative or State Auditor as a result of this Contract.

Section 9. Clean Up and Area Maintenance

The Contractor agrees to be responsible for monitoring each of the locations listed in Section 1 above for all concession-related debris. The Contractor shall be responsible for the cleaning of all equipment as needed and the removal of all food and beverage supplies immediately following the close of each of the seasons at the facilities. The Contractor shall be responsible for the timely and prompt clean up of all concession related debris, including liquid spills, located within 100 feet of the concession location.

Section 10. Access to Lease Premises

During term of the Lease, City will provide six (6) set of keys to Contractor which will allow Contractor access to the concession area. Contractor will not duplicate or permit duplication of such keys. If the keys are lost or become inoperable due to fault of the Contractor, Contractor will be responsible for any replacement cost and costs for rekeying, if any.

ARTICLE III. BUILDING, EQUIPMENT, AND SUPPLIES

The City will supply the concession building at Sand Creek Park with utilities (not including telephone). The building has a three-compartment sink, handwashing sink and a location and connection for an ice machine. The City will supply the initial necessary freezers and refrigerators. Contractor will supply all other necessary equipment needed to provide proper concession operation. Contractor will be responsible for maintenance, repair, and replacement of all existing equipment, whether City supplied or Contractor supplied, and be responsible for acquisition, maintenance, and repair of new or additional equipment to provide concessions.

ARTICLE IV. INSURANCE AND INDEMNIFICATION

Section 1. Insurance

During the performance of services, the Contractor shall maintain the following minimum insurance coverage:

A. Liability. The Contractor agrees to maintain commercial general liability insurance in a minimum amount of \$1,000,000 per occurrence; \$2,000,000 annual aggregate. The policy shall cover liability arising from premises, operations, products-completed operations, personal injury, advertising injury, and contractually assumed liability. The City shall be named as an additional insured.

B. Automobile Liability. If the Contractor operates a motor vehicle in performing the services under this Agreement, the Contractor shall maintain commercial automobile liability insurance, including owned, hired, and non-owned automobiles, with a minimum liability limit of \$1,000,000, combined single limit.

C. Workers' Compensation. The Contractor agrees to comply with all applicable workers' compensation laws in Minnesota.

D. Certificate of Insurance. The Contractor shall, prior to commencing services, deliver to the City a Certificate of Insurance as evidence that the above coverages are in full force and effect.

E. The Contractor agrees to notify the City 30 days days prior to cancellation or a change in any of the aforementioned policies.

Section 2. Indemnification

To the fullest extent permitted by law, the Contractor agrees to defend, indemnify and hold harmless the City, and its employees, officials, volunteers and agents from and against all claims, actions, damages, losses and expenses, including attorney fees, arising out of the Contractor's negligence or the Contractor's performance or failure to perform its obligations under this Agreement. The Contractor's indemnification obligation shall apply to the Contractor's subcontractor(s), or anyone directly or indirectly employed or hired by the Contractor, or anyone for whose acts the Contractor may be liable. The Contractor agrees this indemnity obligation shall survive the completion or termination of this Agreement.

ARTICLE V. MISCELLANEOUS

Section 1. Non Discrimination

In the hiring of employees to perform work under this Agreement, the Contractor shall not discriminate against any person by reason of any characteristic protected by state or federal law.

Section 2. Independent Contractor

It is agreed that nothing herein contained is intended or should be construed in any manner as creating or establishing the relationship of copartners between the parties hereto or as constituting the Contractor as the agent, representative or employee of the City for any purpose or in any manner whatsoever. The Contractor is to be and shall remain as independent contractor with respect to all services performed under this contract. The Contractor represents that it has, or will secure at its own expense, all personnel required in performing services under this contract. Any and all personnel of the Contractor or other persons, while engaged in the performance of any work or services required by the Contractor under this contract, and shall not be considered employees of the City, and all claims that may or might arise under the Workers Compensation Act of the State of Minnesota on behalf of said personnel or other persons while so engaged, and any and all claims whatsoever on behalf of any such person or personnel arising out of employment or alleged employment including, without limitation, claims of discrimination against the Contractor, its officers, agents, contracts or employees, shall in no way be the responsibility of the City; and the Contractor shall

defend, indemnify and hold the City, its officers, agents and employees harmless from any and all such claims regardless of any determination of any pertinent tribunal, agency, board, commission or court. Such personnel or other persons shall not require nor be entitled to any compensation, rights or benefits of any kind whatsoever from the City, including, without limitations, tenure rights, medical and hospital care, sick and vacation leave, Workers' Compensation, Unemployment Compensation, disability, severance pay and PERA.

Section 3. Governing Law

This Agreement shall be governed by the laws of the State of Minnesota.

Section 4. Entire Agreement

This Agreement represents the entire Agreement between the Contractor and the City and supersedes and cancels any and all prior agreements or proposals, written or oral, between the parties relating to the subject matter hereof; any amendments, addenda, alterations, or modifications to the terms and conditions of this Agreement shall be in writing and signed by both parties.

Section 5. Assignment

The Contractor may not assign or otherwise dispose of this Agreement except with the written consent of the City.

Section 6. Mediation

The Parties shall cooperate and use their best efforts to ensure that the various provisions of the Agreement are fulfilled. The Parties agree to act in good faith to undertake resolution of disputes, in an equitable and timely manner and in accordance with the provisions of this Agreement. If disputes cannot be resolved informally by the Parties, the following procedures shall be used:

A. Whenever there is a failure between the Parties to resolve a dispute on their own, the Parties shall first attempt to mediate the dispute. The parties shall agree upon a mediator, or if they cannot agree, shall obtain a list of court-approved mediators from the Anoka County District Court Administrator and select a mediator by alternately striking names until one remains. The City shall strike the first name followed by the Contractor, and shall continue in that order until one name remains.

B. Litigation. If the dispute is not resolved within thirty (30) days after the end of mediation proceedings, the Parties may litigate the matter.

Section 7. City Policies

The Contractor agrees, as a condition of being awarded this contract, to require each of its agents, officers and employees to abide by the City's policies prohibiting sexual harassment, firearms and smoking, as well as all other reasonable work rules,

safety rules or policies regulating the conduct of persons on City property at all times while performing duties pursuant to this contract. The Contractor agrees and understands that a violation of any of these policies or rules constitutes a breach of the Contract and sufficient grounds for immediate termination of the Contract by the City.

Section 8. Notices.

All notices and other communications under this Agreement must be in writing and must be given by registered or certified mail, postage prepaid, or delivered by hand at the addresses set forth below:

Notice to City: Public Workers Director
11155 Robinson Drive NW
Coon Rapids, MN 55433

Notice to Contractor: _____

ARTICLE VI.
NON-PERFORMANCE AND TERMINATION

Notwithstanding Article I, if the Contractor refuses or fails to complete the duties described in this agreement or to complete the services in a manner satisfactory to the City, the City may, by written notice to the Contractor, give notice of its intention to terminate this Agreement. After such notice, the Contractor shall have fifteen (15) days to cure, to the satisfaction of the City. If the Contractor fails to cure, the City shall send the Contractor a written termination letter which shall be effective upon deposit in the United States mail to the Contractor's address.

If the Contractor refuses or fails to furnish goods or services in accordance with the requirements of the contract, the City may contract with another Contractor to provide such goods or services.

At the expiration or termination of this lease, Contractor agrees to surrender the leased premises in a neat and orderly condition and in as good of condition as existed at the commencement of the Agreement, normal wear and tear accepted.

CITY OF COON RAPIDS

By: _____

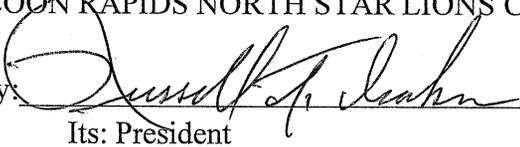
Matthew Stemwedel

Its City Manager

Reviewed and approved by the
City Attorney.

City Attorney

COON RAPIDS NORTH STAR LIONS CLUB

By:  _____

Its: President



City Council Regular

7.

Meeting Date: 04/19/2016

Subject: Adopt Resolution 16-50 Accepting Fire Department Grant

Submitted For: Aaron Johnston, Assistant Fire Chief **From:** Sharon Legg, Finance Director

INTRODUCTION

The Minnesota Board of Fire Training and Education (MBFTE) offers training grants for conferences, workshops, symposiums and speakers, with the sole purpose of providing quality training opportunities to fire departments in Minnesota. The Coon Rapids Fire Department was been awarded \$3,100 from this program in 2016.

DISCUSSION

The Coon Rapids Fire Department has secured two separate grants and will use these funds to support their missions for citizens. The Fire department will spend \$2,500 toward a two day seminar on officer training and fire ground tactics. The Department will use the other grant of \$600 toward the registration fee for the Fire Department Instructors Conference (FDIC). FDIC is the nation's largest training conference for fire department training officers. Attendance of this conference is highly beneficial to the fire department staff.

RECOMMENDATION

Staff recommends Council adopt Resolution 16-50 to Accept the Training and Education Grant from the Minnesota Board of Fire Training and Education and to Amend the 2016 Budget.

Attachments

RS 16-50

RESOLUTION NO. 16-50

**RESOLUTION TO ACCEPT TRAINING AND EDUCATION GRANT FROM THE
MINNESOTA BOARD OF FIRE TRAINING AND EDUCATION AND TO AMEND THE
2016 BUDGET**

WHEREAS, the Minnesota Board of Fire Training and Education offers training grants to Fire Departments in Minnesota; and

WHEREAS, the City of Coon Rapids was awarded \$3,100 in 2016 under this grant program; and

WHEREAS, and the Coon Rapids Fire Department will use \$2,500 toward a seminar on officer training and fire ground tactics and \$600 toward the Fire Department Instructors Conference; and

WHEREAS, Minn. Stat. 465.03 allows cities to accept grants 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; and

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

WHEREAS, the City of Coon Rapids extends its gratitude to the Minnesota Board of Fire Training and Education for the Training and Education Grant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota, that the grant of \$3,100 for Fire Department training is hereby accepted.

BE IT FURTHER RESOLVED that the 2016 General Fund Budget be amended as follows:

Activity 222 – Fire Training Intergovernmental Revenue: \$3,100

Activity 222 – Fire Training Charges & Services Expenditures: \$3,100

Adopted by the Coon Rapids City Council this 19th day of April, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

8.

Meeting Date: 04/19/2016

Subject: Annual Public Hearing on City's Storm Water Pollution Prevention Program (SWPPP)

Submitted For: Mark Hansen, Assistant City Engineer

From: Sarah Greene, Administrative Assistant II

INTRODUCTION

The City of Coon Rapids, under the authority of the Minnesota Pollution Control Agency (MPCA) Municipal Separate Storm Sewer Systems (MS4) permit, is required to implement a Storm Water Pollution Prevention Plan (SWPPP). The plan establishes annual goals and objectives for the City in an effort to implement policies and procedures that will meet storm water quality requirements of the permit. One requirement is to have an annual public hearing to review the progress made on permit activities during the past year. The last annual public hearing was held on April 21, 2015. This annual meeting is typically the final item to complete before submitting the City's annual report to the MPCA by June 30, 2016.

DISCUSSION

As part of the City's approved MS4 permit and SWPPP requirements, an annual public hearing is required. The SWPPP includes Best Management Practices that detail actions the City will take to meet the requirements of the permit. The MS4 permit includes a provision for continued monitoring of existing storm sewer structures and pond areas to ensure appropriate infiltration rates and water quality provisions are being adhered to. Additionally, requirements must be enforced on all new development and reconstruction projects that disturb more than one acre of land. In June of each year, the City must submit an annual report of the prior year's activities to aid the MPCA in their review of our permit compliance. Following is a brief description of the required SWPPP activities, and comments on the City's progress in meeting each objective.

Provide public education on the City's Storm Water Pollution Prevention Plan in the City newsletter: In 2015, City staff published four articles in the City's quarterly newsletter (one each publication) providing homeowners with information on timely storm water items. These articles included such topics as: debris (leaves, trash, and pet waste) that can reach the storm sewer system; winter salt usage; identification of wetlands; what impacts wetlands; and, general water quality items including information on what homeowners can do to assist. The City website also contains information regarding our street sweeping program and erosion control concerns.

Provide training for City employees on erosion control and storm water treatment: Internal training is provided to all snow plow drivers at the beginning of each season on proper calibration

of deicing equipment and salt usage practices. Three engineering technicians maintained their existing certifications for construction site storm water management in 2015. In addition, the City's Assistant City Engineer is also certified in the design and review of Storm Water Pollution Prevention Plans for construction projects taking place within the City. The Coon Creek Watershed District provided training to Public Works, Inspections, and Community Development staff on January 27, 2015 on proper erosion and sediment control techniques for construction projects.

Hold a public meeting on the City's Storm Water Pollution Prevention Program: The annual public hearing is scheduled for April 19, 2016. In 2015, the City partnered with the Coon Creek Watershed District to attend two neighborhood meetings (held in Moor Park on July 28, 2015, and Riverview Park on August 25, 2015) where handouts were given to residents on topics that included fall lawn care, non-toxic household cleaner recipes, and a household hazardous waste checklist.

Provide information on recycling options: The City has its own community recycling center. In the City's Community Resources Guide, articles appeared in 2015 describing various recycling programs available to City residents (City and County options). The "Recycling Review" is included with the City's quarterly newsletter, and sent to all residents of Coon Rapids. Promotional material was also published in the UnionHerald, as well as the Anoka Shopper. Extensive education and partnerships are coordinated with many area Coon Rapids schools, and the Anoka-Hennepin School District. Special events were conducted throughout the year to cover gaps that are not met with our regular daily operations, such as paper shredding and collecting appliances, electronics, and mattresses.

Provide staff training on soil erosion and review components of the Storm Water Pollution Prevention Plan with staff: Two Public Works employees are responsible for inspecting, repairing, and maintaining catch basins and pond inlets/outlets. These employees work in cooperation with the Engineering division to periodically review the City's SWPPP plan, and incorporate new and/or necessary revisions to policies and standards. Four Engineering employees are also certified in erosion control and storm water management.

Review current construction site inspection and enforcement programs and revise as necessary to reduce pollutant discharge: The City continues to utilize WSB & Associates, Inc. to inspect large construction sites for erosion control issues. WSB works directly with the Contractor on site to ensure compliance with permit requirements. All projects that disturb more than one acre of land surface (including City reconstruction projects) are required to obtain a permit from the Coon Creek Watershed District and the MPCA, with the City being a responsible party for enforcement actions.

Inspect 20% of the storm water outfalls and sediment basins and ponds each year: The City is required to inspect at least 20% of our storm sewer outfalls and ponds under the current permit. In 2015, the City inspected approximately 40% of our outfalls and ponds, which equates to 95 locations/structures out of a total of 229.

Train staff in Best Management Practices in handling equipment and hazardous materials: The City's Safety Coordinator conducts annual training for all Public Works personnel on the safe

handling of hazardous materials. This was conducted in the summer of 2015.

Review its salt application policies and practices, calibrate equipment, and inspect vehicles as necessary to minimize pollution: In 2015, staff continued monitoring salt usage using a scale previously installed on the loader, and all trucks that spread deicing chemicals are calibrated annually. GPS tracking devices are now installed on all large dump trucks used for plowing, which can track salt usage during each storm event.

Sweep streets twice annually: Streets were swept five times in the spring of 2015, resulting in the removal of 4,065 cubic yards of material. There were also two additional sweepings conducted in the fall, resulting in another 4,954 cubic yards of material removed. Approximately 9,000 total cubic yards of material was removed from the storm sewer system in 2015 as a result of street sweeping activities.

Evaluate its Public Works Maintenance Facility and apply for a general industrial activity permit under the NPDES requirements: This activity was completed in 2004 and reviewed again in 2014 for compliance. Staff is currently evaluating potential site modifications, including the construction of a berm along the west side of the storage yard that would minimize the potential for runoff into a nearby wetland area.

Inspect and repair components of the storm water system needing maintenance including manholes, catch basins, ditches and sewer mains: During 2015, Public Works personnel inspected 14 sump structures, repaired 22 catch basins, cleaned approximately 10,000 feet of storm sewer pipe, and removed approximately 50 cubic yards of dirt/debris from the system. Maintenance crews also cleaned out several ditches/swales in various locations throughout the City to improve flow within the system, and correct flooding concerns.

Prepare and implement a capital improvement program for the storm water system: The City reconstructed over seven miles (8.7 miles including mill and overlay streets) of local roads in 2015. This reconstruction program included the addition of new storm sewer pipes, and the repair/replacement of approximately 90 catch basins to correct infiltration concerns, and improve surface drainage. Additionally, the City partnered with the Coon Creek Watershed District to perform a bank stabilization project on areas of Sand Creek, and to construct one rain garden in Acorn Park.

RECOMMENDATION

It is recommended that the City Council conduct the annual stormwater public hearing as required under the City's MPCA MS4 permit and SWPPP.

BUDGET IMPACT:

Funding for all stormwater activities comes from the City's Storm Water Utility.



City Council Regular

9.

Meeting Date: 04/19/2016

Subject: Vacation of Drainage and Utility Easements, 3338 and 3352 116th Avenue

Submitted For: David Brodie, City Attorney

From: Kim Reid, Administrative Legal Assistant

INTRODUCTION

On March 22, 2016, Council accepted a petition requesting the vacation of drainage and utility easements submitted by Mary Kayser over portions of property located between 3338 and 3352 116th Avenue, Coon Rapids, MN.

DISCUSSION

In 2012 the property at 3352 went into foreclosure and Wells Fargo Home Mortgage took possession of the property. The bank informed petitioner, Mary Kayser the property line was not in the location that she and the previous owners thought it was. The property line bisected a storage building used to store firewood. The bank and petitioner have reached an agreement on a new location of the property line. The petitioner submitted an application to the City requesting a subdivision exception in order to complete a lot line adjustment. On July 16, 2015 the Planning Commission approved a request for subdivision exception for a lot line adjustment between 3338 and 3352 116th Avenue. It was approved and one of the conditions is the existing drainage and utility easements along the current lot line be vacated and new five foot easements be granted on either side of the new lot line. All utilities have been notified and all have no objection to the vacation. The process for vacating an easement under the City's charter requires a public hearing and passage of a resolution.

RECOMMENDATION

Council is asked to conduct a public hearing and adopt Resolution Number 16-46 vacating the utility and drainage easements over portions of property located between 3338 and 3352 116th Avenue, Coon Rapids, MN.

Attachments

Location Map

Resolution 16-46



**COON
RAPIDS**
Minnesota



RESOLUTION NO. 16-46

**RESOLUTION VACATING UTILITY AND DRAINAGE EASEMENTS
(3352 and 3338 116th Avenue)**

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

LOT 9

Vacating that part of Lot, 9 Block 3, Pheasant Ridge, Anoka County, Minnesota, according to the plat thereof, described as follows:

The West 5.00 feet of Lot 9.

LOT 10

Vacating that part of Lot 10, Block 3, Pheasant Ridge, Anoka County, Minnesota, according to the plat thereof, described as follows:

The East 5.00 feet of LOT 10.

WHEREAS, notice of said public hearing was duly published in the Coon Rapids Herald on March 25, 2016 and April 1, 2016 and notice of said public hearing was duly posted all as provided by City Charter Section 1-1206, and as evidenced by exhibits attached hereto and made a part hereof; and

WHEREAS, said hearing was duly held on the 19th day of April, 2000 at 7:00 o'clock p.m. at the City Hall and all persons so desiring to be heard were then heard.

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

LOT 9

Vacating that part of Lot, 9 Block 3, Pheasant Ridge, Anoka County, Minnesota, according to the plat thereof, described as follows:

The West 5.00 feet of Lot 9.

LOT 10

Vacating that part of Lot 10, Block 3, Pheasant Ridge, Anoka County, Minnesota, according to the plat thereof, described as follows:

The East 5.00 feet of LOT 10.

Adopted by the Coon Rapids City Council the 19th day of April, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

10.

Meeting Date: 04/19/2016

Subject: Consider Resolution No. 16-52 Awarding Additional Contracts for Sand Creek Building Improvements - Project 15-16

Submitted For: Tim Himmer, Public Works Director

From: Sarah Greene, Administrative Assistant II

INTRODUCTION

Council is requested to review bid packages for the Fire Protection component of the Sand Creek Park warming house and concession stand and award contract, and to consider a revised contract for the Hollow Metal Doors & Frames contract.

DISCUSSION

Council authorized the solicitation of bids for the Sand Creek Park Building package on May 19, 2015. At the same meeting, Council awarded a construction management contract to Amcon Construction. Bids were received on July 13th and, at that time, all bids were rejected and it was decided to rebid the project at a later date with alternative exterior materials and construction type (structurally insulated panels vs. masonry construction). The final package was designed by Oertel Architects, and included two alternative exterior material options (architectural metal and masonry veneer).

Council approved redesigned plans and specifications and authorized the project for bid at its January 5, 2016 meeting. Council also authorized funds to cover additional work related to the redesign completed by the architect, mechanical and structural engineers and construction manager. The project was advertised in the Anoka County UnionHerald and several trade publications in January, and bids for were received February 8, 2016. Council awarded contracts C-01, C-02, C-04 through C-21, C-23, and C-24 at its regular meeting held April 5, 2016.

Bids for the Fire Protection contract (C-22) were again solicited by Amcon Construction, and two were received. An updated recommendation letter and summary of bids is attached. Additionally, while preparing contracts for the project components awarded on April 5th, Amcon discovered an error in their initial award letter for contract C-11 (Hollow Metal Doors & Frames). The previous award recommendation to Bredemas Hardware was inaccurate in that the bidder did not submit a bid bond, which was a requirement of the contract terms. Amcon now recommends Straughan Hardware for item C-11 at a contract value of \$17,207, as Straughan was the low responsible bidder that complied with all bid requirements. This updated recommendation is made to avoid any contractor from challenging the contract award, and is agreeable to the City Attorney.

Construction is anticipated to begin in early May and be completed in August.

RECOMMENDATION

Staff recommends adopting Resolution No. 16-52 awarding the Sand Creek Park Building Improvements Fire Protection contract C-22 to Viking Automatic Sprinkler Company and revising the contract award for Hollow Metal Doors & Frames contract C-11 to Straughan Hardware, Inc. as recommended by the construction manager and detailed herein.

BUDGET IMPACT:

The total project budget previously approved by Council for this improvement was \$1,482,659.19 which included the estimated costs for fire protection (\$50,000) and miscellaneous metals (\$5,000). If Resolution No. 16-52 is approved as detailed herein, the updated project budget will total \$1,479,799.19. All funding for this project will come from the City's Facilities Construction Fund.

Attachments

Updated Recommendation Letter
Low Bid Summary
Contract C-22 Bid Tab
Resolution No. 16-52

April 12, 2016

City of Coon Rapids
Robinson Boulevard
Coon Rapids, MN

Attention: Tim Himmer, P.E., Public Services Director

Subject: Sand Creek Warming House/Concession Building – Recommendation to award contracts for construction

Dear Mr. Himmer

Please find attached the Contract Award Recommendations and Budget Update. We are recommending the award of contract C-22 Fire Protection as listed and highlighted in green. We recommend that the Council make the award of this contract.

Amcon Construction as the Construction Manager for the Sand Creek Park Bldg. had advertised and solicited fire protection proposals for the public bid opening on 2/8/16 and no bids were received. Amcon Consturction working with the City solicited proposals for the fire protection systems in accordance with Minn. Stat. § 471.345, subd. 4. *Griswold v. Ramsey County*, 242 Minn. 529, 65 N.W.2d 647 (1954).

(If the price of the contract is estimated to exceed \$25,000, but not to exceed \$100,000, competitive bidding is allowed but not required. The city has the option of either using the competitive bidding process or making the contract by direct negotiation. If the city chooses to use the competitive bidding process, however, it must likely comply with the requirements of this process even though it was not originally required. If direct negotiation is used, the city must get at least two quotations when possible and keep them on file for at least one year.)

The public bid opening was conducted on 2/8/16 at City Hall where multiple bids on each of these contracts were opened. In the previous bid recommendation letter dated 2/11/16, it was recommended that bid package C-11 Hollow Metal Doors & Frames be awarded to Bredemas Hardware for \$15,070. This recommendation was incorrect due to Bredemas had followed the bid instructions to provide a bid bond. Amcon Construction would recommend Straughan Hardware for a contract value of \$17,207 as Straughan has complied with all the bid documents. This recommendation is made to avoid any contractor from challenging the contract award.

In addition to plans and specifications prepared by Oertel Architects LTD, all contracts as bid include the City of Coon Rapids standard contract requirements, prevailing wage requirements, and safety procedures. Amcon will prepare the contracts for signature by the contractors and then submit them to the City for final execution. Please call me if you need additional information prior to the meeting.

Sincerely,
Amcon

Scott Quiring
Project Manager

BID TABULATION FORM
Sand Creek Park Warming House/Concession Building
Coon Rapids, MN
Revised 4/12/16
FINAL TABULATION SUMMARY

	CONTRACT	Apparent Low Bidder	BASE BID	Alternates			Unit Prices			APPARENT LOW BIDDER
				A-1	A-2	A-3	UP-1	UP-2	UP-3	
C-01	Concrete and Excavating	KELLEHER CONSTRUCTION	112,316	N/A	-	-	-	-	-	KELLEHER CONSTRUCTION
C-02	Masonry	CORNERSTONE	9,600	N/A	-	-	-	-	-	CORNERSTONE
C-03	Miscellaneous Metals	NO BID-- ALLOWANCE	5,000	-	-	-	-	-	-	ALLOWANCE (NO BID)
C-04	Stainless Steel Countertops	LSV METALS	21,839	N/A	-	-	-	-	-	LSV METALS
C-05	Carpentry	PARKOS	230,800	N/A	-	-	-	-	-	PARKOS
C-06	Structural Insulated Panels	GREENBERG CONSTRUCTION	217,000	N/A	-	-	-	-	-	GREENBERG CONSTRUCTION
C-07	Sheet Waterproofing	WATERPROOFING BY EXPERTS	9,800	N/A	-	-	-	-	-	WATERPROOFING BY EXPERTS
C-08	Exterior Stucco	AMERICAN STUCCO	12,000	N/A	-	-	-	-	-	AMERICAN STUCCO
C-09	Composite Roofing Tiles	MINNESOTA HOME IMPROVEMENT	99,898	-	-	-	-	-	-	MINNESOTA HOME IMPROVEMENT
C-10	Architectural Metal Panels	ADVANCED DESIGN CONTRACTING	45,168	N/A	-	-	-	-	-	ADVANCED DESIGN CONTRACTING
C-11	Hollow Metal Doors and Frames	STRAUGHAN HARDWARE	17,207	N/A	-	-	-	-	-	STRAUGHAN HARDWARE
C-12	Overhead Coiling Shutter	AMERICAN DOOR WORKS	15,526	N/A	-	-	-	-	-	AMERICAN DOOR WORKS
C-13	Aluminum Framed Entrances	TOP LITE CONTRACT GLAZING	29,900	N/A	-	-	-	-	-	TOP LITE CONTRACT GLAZING
C-14	Gypsum Board	RTL	46,900	N/A	-	-	-	-	-	RTL
C-15	Tiling	ADVANCED TERRAZZO & TILE	24,860	N/A	-	-	-	-	-	ADVANCED TERRAZZO & TILE
C-16	Acoustical Ceiling Panels	ACOUSTIC ASSOCIATES	33,900	N/A	-	-	-	-	-	ACOUSTIC ASSOCIATES
C-17	Rubber Flooring	ACOUSTIC ASSOCIATES	19,600	N/A	-	-	-	-	-	ACOUSTIC ASSOCIATES
C-18	Paintings & Coatings	WASCHE COMMERCIAL FLOORING	14,270	N/A	-	-	-	-	-	WASCHE COMMERCIAL FLOORING
C-19	Signage	NORDQUIST SIGN	4,267	N/A	-	-	-	-	-	NORDQUIST SIGN
C-20	Misc Specialties	CONSTRUCTION SUPPLY	5,325	N/A	-	-	-	-	-	CONSTRUCTION SUPPLY
C-21	Plumbing	NORTHERN MECHANICAL	179,800	N/A	-	-	-	-	-	NORTHERN MECHANICAL
C-22	Fire Protection	VIKING AUTOMATIC SPRINKLER	45,003	-	-	-	-	-	-	VIKING AUTOMATIC SPRINKLER
C-23	HVAC	METRO SHEET METAL	103,500	N/A	-	-	-	-	-	METRO SHEET METAL
C-24	Electrical	AID ELECTRIC	176,320	N/A	-	-	-	-	-	AID ELECTRIC
	TOTAL		1,479,799		-	-				

A-1 Provide a masonry veneer finish in lieu of prefinished metal panel.

CONTRACT No. C-22 Fire Protection

CONTRACTOR	BASE BID	ALTERNATES			UNIT PRICES			BID BOND	ADDENDA		
		A-1	A-2	A-3	UP-1	UP-2	UP-3		1	2	3
VIKING AUTOMATIC SPRINKLER	\$45,003										
ESCAPE FIRE	\$64,500										

APPARENT LOW BIDDER*

VIKING AUTOMATIC SPRINKLER	\$45,003	\$0	\$0	\$0	\$0	\$0	\$0	0%	\$0.00	\$0.00	\$0.00
----------------------------	----------	-----	-----	-----	-----	-----	-----	----	--------	--------	--------

A-1 Provide a masonry veneer finish in lieu of prefinished metal panel.

RESOLUTION NO. 16-52

**A RESOLUTION ACCEPTING BID AND
AWARDING CONTRACT**

WHEREAS, pursuant to an advertisement for bids for building improvements at Sand Creek Park by new construction, bids were received, opened and tabulated according to law by the construction project manager, Amcon Construction Company, LLC, and low bids were received complying with the advertisement; and

WHEREAS, the Project Manager tabulated bids and made recommendation to award the low bids at the regular meeting of the City Council held April 5, 2016 per Resolution No. 15-16(9); and

WHEREAS, a revised recommendation for C-11, Hollow Metal Doors and Frames contract is made to comply with all bidding requirements; and

WHEREAS, additional quotes were solicited for C-22, Fire Protection contract as no original bids were received; 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 \$45,003.00 by Viking Automatic Sprinkler Company for Coon Rapids Improvement Project 15-16 contract C-22 be accepted as the lowest responsible bid.

BE IT FURTHER RESOLVED that Resolution No. 15-16(9) be revised to award contract C-11 to Straughan Hardware, Inc. as the lowest responsible bid in the amount of \$17,207.00.

BE IT FURTHER RESOLVED that the Mayor and City Manager are hereby authorized and directed to enter into a contract with the contractors and suppliers listed herein for the improvement of Sand Creek Park by new construction 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 19th day of April, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

11.

Meeting Date: 04/19/2016

Subject: PC 16-3: Consider Adoption of Ordinance 2161 Revising the Allowed Exterior Building Materials

From: Scott Harlicker, Planner

INTRODUCTION

The City Council is being asked to approve the attached Ordinance 2161 amending the list of allowed exterior materials in the Low Density Residential 1 and 2 districts, Moderate Density Residential district, High Density Residential district, General, Community and Neighborhood Commercial districts, Office district and Industrial district.

DISCUSSION

Background

In January, the Planning Commission considered and recommended approval of an ordinance revising the requirements regarding exterior building materials. The proposed ordinance included a revised list of acceptable materials and a provision that would have given the Director discretion to approve other materials that were not specifically listed. The proposed ordinance was considered for introduction by the Council on February 2nd. Council introduced the ordinance, but asked for several changes to be made. At a following workshop, staff requested Council clarification on several issues raised at the previous meeting. Council had concerns about prohibiting "mirrored glass" and asked that the non-reflective clause be removed from the description of architectural glass. In addition, Council wanted to reserve discretion for itself to approve alternative materials that are not on the acceptable list. Staff determined the proposed changes were significant enough to warrant a second review by the Planning Commission. The Commission reviewed the proposed changes at their March 17th meeting.

Proposed Changes

Listed below are the proposed changes to the ordinance the Council considered in February.

Description of Architectural Glass

The Council did not want to limit or prohibit a mirrored glass building. The Northtown Financial Plaza building on Coon Rapids Boulevard and Springbrook Drive was referenced as an example. To address this concern, staff is proposing to eliminate the term "non-reflective" from the description of architectural glass.

Approval of Other Materials (Exceptions)

The process for reviewing exceptions to the list and mixes of materials would be similar to that for design flexibility. The Commission would review and approve/deny the site plan; however, the exterior elevations of the building would go to the Council for consideration (following the Commission's review).

The attached ordinance includes the changes noted above. Other language in the ordinance has not been revised from the ordinance considered by the Council in February.

Planning Commission Meeting

At the Planning Commission meeting held on March 17th, no one spoke at the public hearing. Staff explained the proposed changes to the previous ordinance and how exceptions to the list and mix of materials would be processed. The Commission voted unanimously to recommend approval of the proposed ordinance.

City Council Meeting

The City Council introduced the proposed ordinance at the April 5th meeting. There were no proposed changes or issues raised.

RECOMMENDATION

In Planning Case 16-3, the City Council approve the attached Ordinance 2161 revising the acceptable materials for multi-family, institutional, commercial and industrial buildings.

Attachments

Ordinance 2161

ORDINANCE NO. 2161

AN ORDINANCE ADDING SECTION 11-601.12; DELETING SECTIONS 11-602.2(3), 11-603.2(3) AND 11-604.2(2)(f) AND AMENDING SECTIONS 11-605.2(2)(e), 11-701.2(5) AND 11-801.2(6), REGARDING EXTERIOR BUILDING MATERIALS

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section, 11-601.12 Institutional and Commercial

Building Materials is hereby added as follows:

(Deletions in brackets, additions double underlined)

11-601.12 Institutional and Commercial Building Materials. The exterior of institutional and commercial buildings, excluding city park structures, must include a variation in building materials and colors, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure.

(1) Acceptable exterior building materials include the following:

(a) Brick or similar custom masonry unit having brick like appearance

(b) Natural or cementitious stone

(c) Architectural glass (ie. curtain wall)

(d) Architectural, Single Skin Roll Formed Profiles metal panel, minimum 22 gauge

(e) Masonry stucco, or EFIS in conformance with ICC ES report

(f) Integrally colored split face (rock face), burnished or glazed concrete masonry units

(g) Integrally colored architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, natural stone veneer, brick face and/or cast stone type finish (excluding single-T or double-T panels, plain, uncolored, or raked finish)

(2) The City Council may approve alternative materials or mix of materials provided the applicant demonstrates the modification results in a better integration of the building with the surrounding area.

(3) Front facades and side and rear facades visible from a public right-of-way, parks and adjacent residential uses must be composed of not more than 35 percent of any one acceptable material. Brick with a distinctively different color may be considered a second material. Side and rear facades not visible from a public right-of-way, parks and adjacent residential uses may use any combination of acceptable material. Other materials may be used as accents if found they are compatible with the listed materials and provided it does not cover more than 15 percent of a building face.

Section 2 Revised City Code- 1982 Sections, 11-602.2(3) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-602.2(3) ~~[Institutional and Commercial Building Materials. The exterior of institutional and commercial buildings must include a variation in building materials, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Exterior building materials must be primarily brick, stone, fiber cement, non-reflective architectural glass. (i.e. curtain wall), integrally colored split face (rock face), burnished or glazed concrete masonry units (excluding smooth/plain or painted), integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels and approved architectural metal. EIFS can be used as an accent material, provided it does not cover more than 15 percent of a building face.]~~

Section 3 Revised City Code- 1982 Sections, 11-603.2(3) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-603.2(3) ~~[Institutional and Commercial Building Materials. The exterior of institutional and commercial buildings must include a variation in building materials, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Exterior building materials must be primarily brick, stone, fiber cement siding, non-reflective architectural glass. (i.e. curtain wall), integrally colored split face (rock face), burnished or glazed concrete masonry units (excluding smooth/plain or painted), integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels and approved architectural metal. EIFS can be used as an accent material, provided it does not cover more than 15 percent of a building face.]~~

Section 4 Revised City Code- 1982 Sections, 11-604.2(2)(f) is hereby amended as

follows:

(Deletions in brackets, additions double underlined)

11-604.2(2)(f) ~~[Institutional and Commercial Building Materials. The exterior of institutional and commercial buildings must include a variation in building materials, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Exterior building materials must be primarily brick, stone, fiber cement siding, non-reflective architectural glass. (i.e. curtain wall), integrally colored split face (rock face),~~

~~burnished or glazed concrete masonry units (excluding smooth/plain or painted), integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels and approved architectural metal. EIFS can be used as an accent material, provided it does not cover more than 15 percent of a building face.]~~

Section 5 Revised City Code- 1982 Section, 11-605.2(2)(e) is hereby amended as

follows:

(Deletions in brackets, additions double underlined)

11-605.2(2)(e) [~~Residential, Institutional and Commercial Building Materials. The exterior of residential, institutional and commercial buildings must include a variation in building materials, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Exterior building materials must be primarily brick, stone, fiber cement siding, non-reflective architectural glass. (i.e. curtain wall), integrally colored split face (rock face), burnished or glazed concrete masonry units (excluding smooth/plain or painted), integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels and approved architectural metal. EIFS can be used as an accent material, provided it does not cover more than 15 percent of a building face.]~~

Residential Building Materials. The exterior of residential buildings must include a variation in building materials and colors, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. Brick with a distinctively different color may be considered a second material. Acceptable exterior building materials include the following:

- (a) Brick or similar custom masonry unit having brick like appearance
- (b) Natural or cementitious stone
- (c) Architectural glass (ie. curtain wall)
- (d) Architectural, Single Skin Roll Formed Profiles metal panel, minimum 22 gauge
- (e) Masonry stucco, or EIFS in conformance with ICC ES report
- (f) Integrally colored split face (rock face), burnished or glazed concrete masonry units
- (g) Integrally colored architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, natural stone veneer, brick face and/or cast stone type finish (excluding single-T or double-T panels, plain, uncolored, or raked finish)

The Council may approve an alternative material or mix of materials provided the applicant demonstrates that the modification results in a better integration of the building with the surrounding area and will further the intent of this Section.

Other materials may be used as accents if found they are compatible with the listed materials and provided it does not cover more than 15 percent of a building face.

Section 6 Revised City Code- 1982 Section, 11-701.2(5) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-701.2(5) All exterior wall surfaces must include a variation in building materials and color, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. [~~Exterior building materials must be primarily brick, stone, fiber cement siding, stucco, non-reflective architectural glass. (i.e. curtain wall), integrally colored split face (rock face), burnished or glazed concrete masonry units (excluding smooth/plain or painted), integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels and approved architectural metal. Other materials may be used as accents if found they are compatible with the listed materials and provided it does not cover more than 15 percent of a building face.~~]

Acceptable exterior building materials include the following:

- (a) Brick or similar custom masonry unit having brick like appearance
- (b) Natural or cementitious stone
- (c) Architectural glass (ie. curtain wall)
- (d) Architectural, Single Skin Roll Formed Profiles metal panel, minimum 22 gauge
- (e) Masonry stucco, or EFIS in conformance with ICC ES report
- (f) Integrally colored split face (rock face), burnished or glazed concrete masonry units
- (g) Integrally colored architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, natural stone veneer, brick face and/or cast stone type finish (excluding single-T or double-T panels, plain, uncolored, or raked finish)

The Council may approve an alternative material or mix of materials provided the applicant demonstrates that the modification results in a better integration of the building with the surrounding area and will further the intent of this Section.

Front facades and side and rear facades visible from a public right-of-way, parks and adjacent residential uses must be composed of not more than 35 percent of any one acceptable material. Brick with a distinctively different color may be considered a second material. Side and rear facades not visible from a public right-of-way, parks and adjacent residential uses may use any combination of acceptable material. Other materials may be used as accents if found they are compatible with the listed materials and provided it does not cover more than 15 percent of a building face.

Section 7 Revised City Code- 1982 Section, 11-801.2(6) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-801.2(6) High quality, exterior building materials must be used. All exterior wall surfaces must include a variation in building materials and color, which are to be distributed throughout the building facades and coordinated into the architectural design of the structure. [~~Such materials include brick, natural stone, integrally colored (excluding single-T or double-T panels, aggregate, plain, uncolored, or raked finish) specially designed, cast-in-place concrete panels, integrally colored, concrete masonry units and similar materials, prefinished architectural metal panels, non-reflective architectural glass. (i.e. curtain wall). Accent materials may include metal, glass block, EIFS and similar materials. Exterior materials shall not include smooth-faced concrete block, pre-fabricated steel panels, reflective glass or aluminum, fiberglass or vinyl siding.~~] Acceptable exterior building materials include the following:

- (a) Brick or similar custom masonry unit having brick like appearance
- (b) Natural or cementitious stone
- (c) Architectural glass (ie. curtain wall)
- (d) Architectural, Single Skin Roll Formed Profiles metal panel, minimum 22 gauge
- (e) Masonry stucco, or EFIS in conformance with ICC ES report
- (f) Integrally colored split face (rock face), burnished or glazed concrete masonry units
- (g) Integrally colored architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, natural stone veneer, brick face and/or cast stone type finish (excluding single-T or double-T panels, plain, uncolored, or raked finish)

The Council may approve an alternative material or mix of materials provided the applicant demonstrates that the modification results in a better integration of the building with the surrounding area and will further the intent of this Section.

Front facades and side and rear facades visible from a public right-of-way, parks and adjacent residential uses must be composed of not more than 65 percent of any one acceptable material. Brick with a distinctively different color may be considered a second material. Side and rear facades not visible from a public right-of-way, parks and adjacent residential uses may use any combination of acceptable material. Other materials may be used as accents if found they are compatible with the listed materials and provided it does not cover more than 15 percent of a building face.

Introduced this ____ day of _____, 2016.

Adopted this ____ day of _____, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

12.

Meeting Date: 04/19/2016

Subject: Consider Introduction of Proposed Ordinances to Allow Chickens

From: Kristin DeGrande, Neighborhood Coordinator

INTRODUCTION

Council is asked to consider ordinances that would allow the raising and keeping of chickens in the City.

DISCUSSION

Last summer, the Sustainability Commission approached Council and staff about the possibility of allowing the raising and keeping of chickens in the City. This topic was considered at Council work sessions in both October 2015 and March 2016. Ordinances from other metro cities have been reviewed and considered, and staff from various City departments have been meeting over the past several months to discuss how such an ordinance would best fit in the City of Coon Rapids. The highlights of the proposed ordinance include:

- Maximum of 4 chickens
- No roosters allowed
- Specific standards for the storing of food material and removal of discarded food material
- Specific standards for the sanitary conditions on premises where chickens are kept
- No slaughtering or processing of chickens allowed
- No chickens are to be kept inside a house or garage, except during brooding
- Specific standards for the proper disposal of dead chickens
- Specific standards for the construction and maintenance of coops and runs including:
 - Maximum size is 60 square feet
 - To be located in rear yard only
 - Prohibited within the first 100 feet of lot depth for properties along the Mississippi River and Crooked Lake
 - Fully enclosed run with fencing and netting
 - Located at least 10 feet from side and rear lot lines, 30 feet from adjacent property owner's house, 50 feet from any well, and at least 6 feet from the house or other accessory structures on the property.
 - Coop and run must be removed if the keeping of chickens is discontinued for more than 12 months
- One-time permit required with site plan information

The proposed ordinance does allow City staff to inspect the property on an as-needed basis if there is concern for code compliance. If violations are found on site, the permit can be revoked and/or the property owner could be subject to administrative citations and/or criminal action.

The permitting process and enforcement of this ordinance will be handled through the Neighborhood Reinvestment Division of the Community Development Department. If the proposed ordinance is approved, City staff will continue to work interdepartmentally to create and promote educational materials about the raising and keeping of chickens in Coon Rapids (a sample is attached).

The Council is also asked to introduce an ordinance to amend the Non-Domestic Animal Ordinance Chapter 6-500. The proposed amendment would remove chickens from the list of non-domestic animals which are prohibited by this ordinance.

RECOMMENDATION

The Council is asked to introduce an ordinance regulating chickens by adding Chapter 6-700 and introduce an ordinance to amend the Non-Domestic Animal Ordinance Chapter 6-500.

Attachments

Non-Domestic Animal Ordinance
Chicken Ordinance
Chicken Handout

ORDINANCE NO.

AN ORDINANCE REVISING NON-DOMESTIC ANIMALS TO EXCLUDE CHICKENS FROM THE DEFINITION AND THEREBY AMENDING REVISED CITY CODE - 1982, SECTIONS 6-501(1), 6-502(2)

The City of Coon Rapids does ordain:

Section 1. Revised City Code - 1982 Section 6-501(1) is hereby amended as follows:

(deletions in brackets, additions double underlined)

6-501 Application. This Chapter shall apply to all animals both domestic and non-domestic, except:

(1) dogs, ~~and cats,~~ and chicken which are regulated by City Code Chapter 6-100, 6-200, ~~and 6-400;~~ and 6-700; ~~and~~

Section 2. Revised City Code - 1982 Section 6-502(2) is hereby amended as follows:

(deletions in brackets, additions double underlined)

6-502 Definitions. For purposes of this Chapter, the following definitions shall apply:

(2) Non-domestic animals are defined as all other animals such as cows, sheep, pigs, potbellied pigs, bees, goats, swine, llamas, mules, horses or other hoofed animal, ~~chickens,~~ ducks, or other agricultural animals or domestic fowl and any animal, reptile or fowl, which is not naturally tame or gentle but is of a wild nature or disposition or which, because of its vicious nature or other characteristics, would constitute a danger to human life or property including:

(a) any animal or species prohibited by Minnesota or federal law;

(b) any skunk, raccoon, badger, weasel, wild ferret or fox, whether captured in the wild, domestically raised, de-scented or not de-scented, vaccinated against rabies or not vaccinated against rabies;

(c) any cats of the family Felidae, including lions, tigers, jaguars, leopards, cougars, cheetahs, ocelots and servals, but not including commonly accepted domesticated house cats or cats recognized as a domestic breed, registered as a domestic breed, and shown as a domestic breed by a national or international multibreed cat registry association;

(d) any members of the family Canidae, such as wolves, foxes, coyotes, dingos, jackals but not including domesticated dogs;

(e) any crossbreeds such as crossbreeds between dogs and coyotes or dogs and wolves, but does not include crossbreeds between domesticated animals;

(f) any snake, that is a member of the pit viper or Boidae family, including but not limited to copperheads, water moccasins, rattlesnakes, fer-de-lances, bushmasters, asps, cobras, mamba, kraits, coral snakes, sea snakes, South American anacondas, Asian reticulated pythons, boa constrictors, tree boas and sand boas;

(g) any other snake or reptile which by their size, vicious nature, or other characteristic is dangerous to human beings;

(h) any poisonous spiders;

(i) any apes, gorillas, monkeys or other primates;

(j) any other animals which are not listed explicitly but which can be easily defined as a non-domesticated animal including bears and wolverines.

Introduced this 5th day of April, 2016.

Adopted this ____ day of _____.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

ORDINANCE NO.

**AN ORDINANCE REGULATING CHICKENS AND THEREBY AMENDING
REVISED CITY CODE – 1982 BY ADDING
CHAPTER 6-700, CHICKENS**

The City of Coon Rapids does ordain:

Section 1. Revised City Code - 1982 is hereby amended by adding Chapter 6-700,
Chickens as follows: (additions double underlined)

CITY OF COON RAPIDS, MINNESOTA

CHAPTER 6-700

CHICKENS

6-701 Definitions. For the purposes of this Chapter, the following definitions shall apply:

- (1) Chicken shall be defined as a domesticated bird that serves as a meat or egg source.
- (2) Hen shall be defined as a female chicken.
- (3) Coop means the structure for the keeping or housing of chickens permitted by the Chapter.
- (4) Rooster shall be defined as a male chicken
- (5) Run means a fully-enclosed and covered area attached to a coop where the chickens can roam unsupervised.

6-702 Requirements for the keeping of chickens. The following shall be required of for persons keeping chickens:

- (1) No more than four chicken hens are permitted to be maintained on one property.
- (2) Keeping of roosters is prohibited.
- (3) Food material must be stored outside in closed, metal container to avoid pests.
- (4) Food shall not be allowed to accumulate around feeders, run or coops and must be removed to avoid rodent and vermin.
- (5) All premises on which chickens are kept or maintained shall be kept in a clean, sanitary and healthy manner from filth, garbage, and any substances and all droppings and body excretions collected daily. All waste must be properly disposed of or composted. .
- (6) Slaughtering and processing of the chickens on the property is prohibited.
- (7) Chickens must not be housed in a residential house or in an attached or detached garage, except chickens under the age of 6 weeks for brooding purposes.
- (8) No chicken may be kept or raised in a manner as to cause injury or annoyance to persons or other animals on other property in the vicinity by reason of noise, odor, or filth.
- (9) Dead chickens must be disposed of according to the Minnesota Board of Animal

Health rules which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Acceptable methods of chicken carcass disposal include burial or, off-site incineration, rendering, or composting.

6-703 Chicken Coops and Runs. All persons keeping or maintaining chickens must have a chicken coop to house the chickens and a chicken run. The coop and run must meet the following minimum requirements:

(1) Coop requirements are as follows:

(a) Be fully enclosed, wind proof, and have one square foot of window to 15 square feet of floor space.

(b) Constructed with architecturally appropriate building materials including exterior grade siding and either a metal, composite or shingled roof, or in the alternative, coop shall be purchased from a commercial source that constructs structures specifically to be used as coops for chickens.

(c) Comply with current zoning and building codes

(d) Coop shall be fully enclosed to prevent any escape by the chickens or entrance by migratory birds.

(2) Run requirements are as follows:

(a) Fence around the run enclosure shall be securely constructed with mesh type material

(b) Protective overhead netting to keep chickens separated from other animals

(3) Total area for coop and covered run is limited to no more than sixty (60) square feet.

(4) Coop and run must be located entirely in the rear yard. Lots with shoreline on the Mississippi River or Crooked Lake are permitted to maintain a coop and run in the front yard except within the first 100 feet of lot depth.

(5) Coop and run shall be located at least ten feet from side or rear lot lines.

(6) Coop and run shall be at least 30 feet from an adjacent property's primary residence.

(7) Coop and run must be located at least fifty feet from any well.

(8) Coop and run must be located more than six feet from the primary structure or any accessory structures on the property.

(9) Chickens must not be allowed to free range unless rear yards are completely fenced in.

(10) Coop and run must be removed and site restored if keeping of chickens is discontinued for more than twelve months.

6-704 Permit.

(1) No person shall anywhere in the City keep, harbor, or maintain care, custody, or control over any chicken without obtaining a permit issued by City.

(2) No permit shall be issued to a rental property unless the property owner provides written consent to the application. For properties located within a managed community with a

home ownership association, the association management must provide written consent to the application.

(3) This section shall not apply to veterinarians or licensed pet shops.

(4) Application for permit. Any person desiring a permit under this chapter shall make written application to Community Development Director on a form prescribed by the City:

(a) Among other things, the application shall contain the following information:

(i) A description of the real property upon which it is desired to keep the chickens.

(ii) The breed and number of chickens to be maintained on the premises.

(iii) A site plan of the property showing the location and size of the proposed chicken coop and run, setbacks from the chicken coop to property lines and surrounding buildings (including houses and buildings on adjacent lots), and the location, style, and height of fencing proposed to contain the chickens in a run or exercise area. Portable coops and cages are allowed, but portable locations must be included with the site plan.

(iv) Statements that the applicant will at all times keep the chickens in accordance with all of the conditions prescribed by the City, or modification thereof, and that failure to obey such conditions will constitute a violation of the provisions of this article and grounds for cancellation of the permit.

(v) Agreement that property may be inspected by City at all reasonable times

(vi) Such other and further information as may be required by the officer.

(b) Approval of application is subject to conditions prescribed by City. Failure to adhere to conditions is cause for cancellation of the permit and/or may result in an administrative fine.

(5) Permit Conditions. If granted, the permit shall be issued by the Community Development Director and shall state the conditions, if any, imposed upon the permitted for the keeping of chickens under this permit. The permit shall specify the restrictions, limitations, conditions and prohibitions which the City deems reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise or odors, or annoyance, or to protect the public health and safety.

(6) All permits will remain in effect until voluntarily cancelled, or revoked and are subject to revocation should the Chapter be repealed in its entirety or modified in such a way. Permits are non-transferrable.

(7) Any person aggrieved by the decision of the Community Development Director may appeal that decision to the City Council by filing a request for appeal with the City Manager within ten calendar days after the Community Development Director's decision. The City Manager shall cause the appeal to be placed on the agenda of the next regular City Council meeting that is held not less than ten calendar days following receipt of the appeal request. The City Council may affirm or reject the decision of the Community Development Director. The Council may add

reasonable conditions to any decision granting a license or permit or may delete any conditions previously imposed by the Community Development Director.

6-705 Violations. Failure to comply with a provision of this Chapter is a violation and the City is authorized to take one or more of the following actions:

(1) Initiate a criminal action by citation or formal complaint. A violation of this chapter is a misdemeanor.

(2) Process the violation as a public nuisance abatement matter under Chapter 8-1100.

(3) Process the violation or violations as an administrative procedures action under Chapter 2-1100.

(4) Process the matter in any other way as allowed by statute or federal law.

(5) Community Development Director may revoke permit issued under this Chapter if the person holding the permit refuses or fails to comply with this Chapter, with any regulations promulgated by the City pursuant to this Chapter, or any state or local law governing cruelty to animals or the keeping of animals. Any person whose permit is revoked shall, within ten days thereafter, humanely dispose of all chickens being owned, kept or harbored by such person, and no part of the permit fee shall be refunded.

6-706 Impounding chicken. Any chicken found at large in violation of this Chapter may be impounded by the City, and after being impounded for five (5) business days or more without being reclaimed by the owner, may be humanely euthanized or sold. A person reclaiming any impounded chicken shall pay the cost of impounding and keeping the same.

Introduced this 19th day of April, 2016.

Adopted this ____ day of _____ 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

Chicken Basics

Chickens take time and commitment— be sure you know the requirements before getting started! Raising backyard chickens can be a great way to have access to fresh eggs and learn more about agriculture and caring for animals. Chickens require daily care, specific food, shelter and sanitation to ensure they stay healthy and happy for continued egg production.

Coon Rapids requires any residents interested in raising chickens to obtain a permit. Specific requirements must be met before purchasing chickens. Be aware of all rules to ensure you meet City Code.



Additional Resources

Coon Rapids City Code Section 6-7000
Chickens: www.coonrapidsmn.gov

University of MN Extension Backyard
Chicken Basics:
www.extension.umn.edu/food/small-farms/livestock/poultry/backyard-chicken-basics

Minnesota Institute for Sustainable
Agriculture (MISA):
www.misa.umn.edu/FarmFoodResources/CropsLivestock/Livestock/index.htm

Additional resources for new chicken owners:
BackyardChickens.com
MyPetChicken.com

Chicken Classes:
Anoka-Hennepin Community Education
www.discovercommunityed.com

Egg Plant Urban Farm Supply
www.eggplantsupply.com

Contact Us

Inspections Department
763-767-6476

Raising Backyard Chickens



CITY PERMIT REQUIRED



Community strength...for generations

Code Requirements

A permit is required for any resident raising chickens in Coon Rapids. The permit fee is _____.

City Code specifications:

- No more than four female chickens
- No roosters
- No slaughtering/processing on the property
- Chickens over 4 weeks old cannot be kept inside
- Chickens are not allowed to roam free in yards

See City Code 6-700 (chickens) for additional requirements

Raising Chickens

Residents need to consider the time and money involved with keeping chickens. In addition to the City permit required, be aware of up-front and ongoing costs and commitments for proper chicken care. Hens require daily attention to keep them healthy and laying eggs. Chickens must be properly protected, cared for, and kept in a humane manner to avoid nuisance conditions. Permits may be revoked if regulations are not met.

Coop & Run Requirements

Location:

- In rear yard only, cannot be adjacent to garage
- At least 30 feet from adjacent property's primary residence
- At least 50 feet from any well
- At least 10 feet from side or rear lot lines
- More than 6 feet from primary or accessory structures

Design and Size:

- Total area for coop and run no more than sixty square feet
- Architecturally appropriate building materials
- Fully enclosed coop and run to prevent escape & keep birds safe
- Fence must be made with mesh type material
- Must comply with all city building and zoning codes



Happy Chickens and Neighbors

Well maintained chicken coops should not create any nuisance to neighbors. Be sure your chickens are properly protected from the weather and predators in their coops. Food must be stored outside in a closed, metal container to avoid pests. Food and all droppings must be cleaned from the chicken coop daily to prevent odor and filth, keeping the chickens healthy and happy.

Talk to your Neighbors!

Let your neighbors know about your chickens, the benefits they provide and be aware of code requirements to ensure your animals do not cause disturbance.



Getting Started

There are various breeds of backyard chickens and coop options. Local farm supply stores can help you get started and there are ample resources available online. Also be sure to follow City Code guidelines. Learn which will work best for your needs.

Chickens at Large!

Any chicken found running loose is in violation of City Code and will be impounded. After five business days, without being reclaimed, chickens may be humanely euthanized or sold.



City Council Regular

13.

Meeting Date: 04/19/2016

Subject: Consider Introduction of Ordinance for Native Plantings and Landscapes

Submitted For: Colleen Sinclair, Recycling Coordinator

From: Colleen Sinclair, Recycling Coordinator

INTRODUCTION

The City Council is asked to introduce changes to Chapter 8-500 of the City Code to include new definitions for gardens, native plant landscaping areas, natural areas, and rain gardens.

DISCUSSION

At the March 8, 2016 work session, the City Council reviewed a draft of the proposed changes to Chapter 8-500 of the City Code to include new definitions for gardens, native plant landscaping areas, natural areas, and rain gardens. At this work session, staff explained how these changes would allow pollinator and native planting areas to be acceptable in the City for those residents following code requirements.

City staff has been working together to find a balanced approach for this change that is both environmentally beneficial and can be effectively enforced. Long grass/weed complaints are the most frequent complaints received by the City during the growing season. The current ordinance does not provide adequate detail for staff to draw distinctions between traditional long grass/weed enforcement issues and the intentional planting of gardens and native plants. As a result, there is a need for clearer standards, better definitions and to simplify the administrative process to allow for native plantings. Education and outreach on this matter will also be important if the City decides to allow the use of native plantings within the proposed code update.

The new code provides detailed definitions and establishes a set of minimum standards. Residents choosing to change the landscapes of their property can do so through detailed requirements in our revised code standards. Residents will now be able to follow guidelines on plant types, defined borders, location requirements, and more, thus allowing more flexibility in their landscape plans. The code still allows City staff to address long grass and noxious weed issues. Penalties and violations are also defined. This code update will allow staff in the field to have clear cut guidelines and will eliminate some of the confusion over what is and is not allowed related to maintained landscapes. At this time, staff does not feel a permit process would be needed for native plantings. The only exception would be if a property owner wants to create a rain garden (i.e. re-grading, altering curb lines, etc.) within a right-of-way, which would require a separate review and permit process through Engineering.

Education and outreach are included in the City's plan for implementation. This includes resources on plant species, state noxious weed list, and training for how to maintain native plant landscape areas. Organizations such as Prairie Restorations (currently working with the City) have offered assistance where needed as we transition, including resources and education materials. Educational information will be added to our website outlining code requirements, plant information, professional services and other education information. These resources also include the name, description and photo of each plant and noxious weed type. Photos can be used to give a visual understanding to the written definition. A draft standards handout has been developed by staff, and is attached for Council review and comment. The City would also utilize traditional communication outlets such as CTN and the City newsletter to reach a broader audience on this subject.

RECOMMENDATION

Staff recommends that the City Council introduce ordinance 8-500 revisions allowing native plantings and landscapes.

Attachments

Native landscape flyer

Native Landscape

Benefits of Native Plants

Native plants provide numerous benefits not found with traditional turf grass lawns. These landscape areas require careful planning, precise species selection, plus time and money to become properly established. Typically they take about three years to become established but once complete, little maintenance is required.

Once established, native plants require less maintenance, less water, less fertilizer/pesticides and provide habitat to pollinators including bees, butterflies and more. The use of native plants can be a great option for residents looking for something different in their yards while providing numerous environmental benefits. By selecting the correct plants, your yard can thrive in our climate and create a unique lawn that requires minimal maintenance once established.

City Code outlines specifications for establishing and caring for these native planting areas. The code also includes provisions for gardens, rain gardens and more. Read specifics at www.coonrapidsmn.gov. Be sure to follow the code carefully to ensure your yard meets all requirements.

Additional Resources

Coon Rapids City Code Section 8-500
Maintenance of Vegetation & Landscaping:
www.coonrapidsmn.gov

Minnesota Department of Agriculture:
Noxious weed information
www.mda.state.mn.us/plants/pestmanagement/weedcontrol/noxiouslist

Anoka County Soil & Water Conservation
District: resources, information and
assistance
www.anokaswcd.org

University of Minnesota Extension: plant
lists, landscape plans and maintenance
www.extension.umn.edu/garden/yard-garden/landscaping/native-plants-for-sustainable-landscapes/

Contact Us

Neighborhood Reinvestment Division
763-951-7200

www.coonrapidsmn.gov

Native Plant Landscape Areas



Landscaping alternative options in Coon Rapids beyond traditional turf grass



Community strength...for generations

Code Requirements

City Code Chapter 8-500 outlines requirements for grass, landscaping and planted areas. Traditional turf grass must be under eight inches in height, however natural areas/grasses can be taller than eight inches. Native plantings may not be within a public right of way (unless a permit is obtained) or within a Sight Triangle (intersection formed by two roads that must be clear of obstructions), and may not include weeds. By using native plantings, residents may be able to reduce the amount of water used for irrigation as the plants are very environmentally friendly.

Native Planting Landscape Areas

- Must be in well-defined areas with borders, no overgrown yards
- May include higher-growing plantings
- Setbacks include: 20 feet from front lot line and 5 feet from side and rear lot lines
- Soil erosion must be controlled during and after plantings are established
- Must be maintained to industry standards

What to Expect in Your Neighborhood

Native plantings can look similar to an overgrown, unmaintained yard to those who are unfamiliar with them. Grasses can be very tall and plants can look unmanaged, especially in the first few years. However, native plant areas may not include turf grass including overgrown or unmanaged turf grass. Properly grown and established native plants must be well-maintained and provide a unique option/addition for yards.



How are Native Plants Beneficial?

Be aware—deciding to turn your yard into a native planting landscape area is not an easy task! Establishing successful native plantings takes time and money, but once established, maintenance is minimal. The plants require little water, fertilizer and care which is beneficial to both you and the environment. The plants also help to absorb rainwater into the ground, rather than simply letting the water run into storm drains. Properly planted native plants will thrive, create pollinator habitats and a unique aesthetic landscape alternative.

Talk to your neighbors!
Let your neighbors know about native plants, the process for establishing new plants and how native plants differ from overgrown turf grass and noxious weeds.

What's Going on with Pollinators

In recent years there has been a decline in bee and pollinator populations, which has caused environmental concerns. Native plants provide a great habitat for pollinators in Coon Rapids! Select native species that produce flowers for pollinators to benefit these species.



Native planting landscape areas may include a variety of plant types. Research which plants will thrive in your yard, provide the desired environmental benefit and fit the look you want. All plants require different maintenance and care to become established.

ORDINANCE NO.

**AN ORDINANCE REPEALING IN ITS ENTIRETY SECTION 8-501 MAINTENANCE
OF VEGETATION AND LANDSCAPING THEREBY AMENDING
REVISED CITY CODE – 1982 SECTION 8-501**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section, 8-501 Maintenance of Vegetation and Landscaping is hereby repealed in its entirety.

Section 2 Revised City Code- 1982 Section, 8-501 Maintenance of Vegetation and Landscaping is hereby amended as follows: (additions double underlined)

8-501 Intent. This Chapter intends to encourage landscape and vegetation throughout the City that is friendly to pollinators and encourages the use of Native Plants, while respecting existing community values in landscaping, to include well-maintained yards, compatibility with structures, and maintaining safety sight lines, visibility, air movement, and light transmission.

8-502 Definitions. For the purposes of this Chapter, the following terms have these definitions:

(1) “Gardens” mean cultivated areas dedicated to growing vegetables, fruits, flowers, ornamental grasses, shrubs, and similar plants, planted and maintained in well-defined borders.

(2) “Landscape Manager” means the City Manager or designee.

(3) “Native Plants” mean grasses, including Meadow Vegetation, sedges (solid, triangular-stemmed plants resembling grasses), forbs (flowering broadleaf plants), trees, and shrubs, that are plant species native to or naturalized to the state of Minnesota, excluding prohibited exotic species defined by Minnesota Statutes Chapter 84D. Native plants do not include Weeds.

(4) “Native Plant Landscape Areas” mean areas where Native Plants are being or have been planted in a well-defined and maintained border. Native Plant Landscape Areas do not include Gardens.

(5) “Natural Areas” mean undeveloped landscapes not changed, altered, moved, cultivated or planted by human or mechanical means, and which do not contain Turfgrass.

(6) “Meadow Vegetation” means grasses and flowering broad-leaf plants, other than Weeds, that are native to, or adapted to, the state of Minnesota, and that are commonly found in meadow and prairie plant communities.

(7) “Rain Gardens” mean shallow landscape features planted with moisture-loving wildflowers, grasses, shrubs and trees, used to manage storm water run-off by allowing water to soak into the ground.

(8) “Turfgrass” means commercially available cultured grass varieties that are grown to create turf, including bluegrass, fescue, and ryegrass blends, commonly used in regularly cut lawn areas.

(9) “Weeds” mean (a) Noxious weeds as defined and designated pursuant to the “Minnesota Noxious Weed law”, Minnesota Statutes Sections 18.76-18.91, as amended from time to time, or (b) volunteer plants, including, but not limited to, garlic mustard (Alliaria petiolata), spotted knapweed (Centaurea maculosa), or burdock (Arctium minus), and other plants designated by the Landscape Manager. Weeds do not include dandelions or clover.

8-503 Prohibited Activities and Nuisances.

(1) It is a misdemeanor and a nuisance to grow or allow the growth of Noxious weeds on any land within the City.

(2) The growing of herbaceous vegetation, other than Noxious weeds, to a height greater than eight inches, or that have gone to seed or are about to go to seed, is declared to be a nuisance. This section applies to the following lands:

- a. Within 100 feet of an occupied dwelling, office, commercial, or industrial building;
- b. Within a Sight Triangle as defined by Section 11-201, unless a right of way permit is obtained;
- c. Within a public right of way, including the area between a sidewalk or trail and the curb of a street, unless a right of way permit is obtained.

8-504 Locational regulations applying to all vegetation. Section 8-503(2) does not apply to vegetation grown on the following lands, unless such lands fall within 8-503(2)(b) or (c):

- (1) Whose slopes are at or steeper than three units horizontal to one unit vertical (3:1);
- (2) Natural Areas;
- (3) That are part of or comprise a designated scenic or conservation easement;
- (4) That are maintained as Gardens or Rain Gardens, or as Native Plant Landscape Areas that meet Section 8-505;
- (5) City park lands;
- (6) Officially-designated floodplains;
- (7) Drainage ponds or ditches that store or convey storm water.

8-505 Requirements for Native Plant Landscape Areas. Except where prohibited in Section 8-503, a Native Plant Landscape Area is permitted if the property owner or agent demonstrates all the following conditions are met:

- (1) The area is set back not less than twenty feet from the front lot line. For the purposes of this section, corner lots are deemed to have two front yards;
- (2) The area is set back not less than five feet from the side and rear lot lines. No set back is required on the side or rear lot lines if (1) there is a fully opaque fence at least five feet in height installed between the Native Plants and the side or rear lot lines or (2) the Native Plants abut a neighboring Native Plant Landscape Area that meets this Section;

(3) The area is maintained according to current industry standards for the kind of vegetation being grown, to include seasonal cutting as appropriate;

(4) Turfgrass is immediately eliminated, and the area is planted through transplanting or seed by human or mechanical means;

(5) Soil erosion is controlled, subject to the time requirements of Section 11-1204.1, while the ground is bare of plant growth that is sufficient to inhibit erosion.

8-506 - Permitting a Nuisance.

(1) Notice. When the owner and/or occupant permit a nuisance to exist in violation of this Chapter, the Landscape Manager shall serve notice in the form of an administrative citation pursuant to City Code Chapter 2-1100 ordering that such weeds or grass be cut and removed or otherwise eradicated. The administrative penalties and procedures set forth in Chapter 2-1100 shall apply.

(2) Noncompliance with Notice. If the weeds or grass are not cut and removed or otherwise eradicated as required by the administrative citation and the time periods prescribed by Chapter 2-1100, the Landscape Manager shall abate the nuisance by having such weeds cut and removed or otherwise eradicated. The cost of the abatement shall be paid as part of an administrative penalty pursuant to City Code Section 2-1104.

(3) Subsequent Violations in Same Growing Season. The Notice required in Subsection 8-504(1) shall include language notifying the owner and/or occupant that in the event the Weed Inspector is required to abate the nuisance, no further notice will be given prior to abatement if the nuisance is again allowed to exist within the same growing season. Each subsequent abatement within the same growing season is subject to an additional penalty.

(4) Appeal. An administrative citation issued for weeds or grass may be appealed as authorized in City Code Section 2-1106.

8-507 Phosphorous Fertilizer Sales. From and after January 1, 2004, all displays for retail sale to the general public of fertilizers containing phosphorous must be posted with a sign containing, at a minimum, the following information:

(1) The fertilizer in the display contains phosphorus.

(2) State law prohibits the application of phosphorous fertilizers on any turf except:

a. Where a state approved test conducted within the previous three years demonstrates that the level of phosphorous in the soil is insufficient to support healthy turf growth.

b. During the first growing season of a newly sodded or seeded turf.

c. On a golf course under the direction of a person licensed, certified, or approved by an organization with an ongoing training program authorized by the State.

(3) A person who applies phosphorous fertilizer except when authorized by this Section or State law is guilty of a petty misdemeanor and subject to a fine.

(4) Additional consumer information on phosphorous fertilizer use restrictions and best turf management practices as produced by the State Commissioner of Agriculture must be posted or made available for distribution at all retail points of sale.

8-508 - Obstructing City Employees. It is a misdemeanor to obstruct the Landscape Manager, or assignee or agents, in the cutting, removal, or eradication of weeds or grass pursuant to Section 8-506. Each day on which such obstruction continues shall constitute a separate offense.

Introduced this 19th day of April, 2016

Adopted this ____ day of _____ 2016

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

14.

Meeting Date: 04/19/2016

Subject: Consider Adopting Assessments for Project 16-1, MSA Street Reconstruction

Submitted For: Mark Hansen, Assistant City Engineer

From: Sarah Greene, Administrative Assistant II

INTRODUCTION

The City is proposing to improve 1.74 miles of State Aid streets by reconstruction as part of project 16-1. Staff completed the plans, and is currently advertising for bids. The bids will be received on April 25, 2016, and Council will be asked to award the project at its regular meeting on May 3, 2016. Council is requested to adopt the assessments at this time.

DISCUSSION

All streets within the project area are designated as State Aid streets. Streets are proposed to be rehabilitated via reconstruction methods. The project area is illustrated on the attached Project Location Map.

Improvements to streets proposed for reconstruction include reclamation of the existing bituminous surface and aggregate base, removal and replacement of damaged curb and gutter, sidewalk and pedestrian curb ramp improvements in accordance with ADA requirements, watermain valve and hydrant replacements, and repairs or replacements to the existing storm sewer and sanitary sewer as needed.

The following streets are proposed for reconstruction:

- Evergreen Boulevard from 85th Avenue to Cul-de-sac (SAP 114-117-004)
- 90th Avenue from Evergreen Boulevard to Springbrook Drive (SAP 114-131-001)
- 93rd Avenue from Evergreen Boulevard to Coon Rapids Boulevard (SAP 114-118-004)

Neighborhood meetings were held on December 2, 2015 and January 20, 2016 to provide information about the project, and to listen to comments and concerns from area residents and businesses. Additionally, an open house meeting was held during regular business hours from noon to 5:00 p.m. on February 11, 2016 at the Magnum Trucking facility located at 8835 Evergreen Boulevard to listen to concerns from all affected businesses near the project area.

A public hearing and assessment hearing was held on February 16, 2016. Properties proposed to be assessed include one City-owned property, two commercial properties, and 47 industrial properties. The reconstruction assessment rates approved by City Council on November 17, 2015 are \$1,835.45 for single family residential property, \$22.94 per front foot for multi-family

residential property, \$45.88 per front foot for commercial property, and \$59.64 per front foot for industrial property. Since all properties on this project are located within an industrial zoned area, all are to be assessed at the industrial rate per front foot. Properties with multiple access points located on separate streets each proposed for reconstruction are assessed based on the total front footage along both streets being reconstructed. The total estimated cost of the proposed improvement is \$6,787,392.20, with the total amount assessed of \$993,743.75.

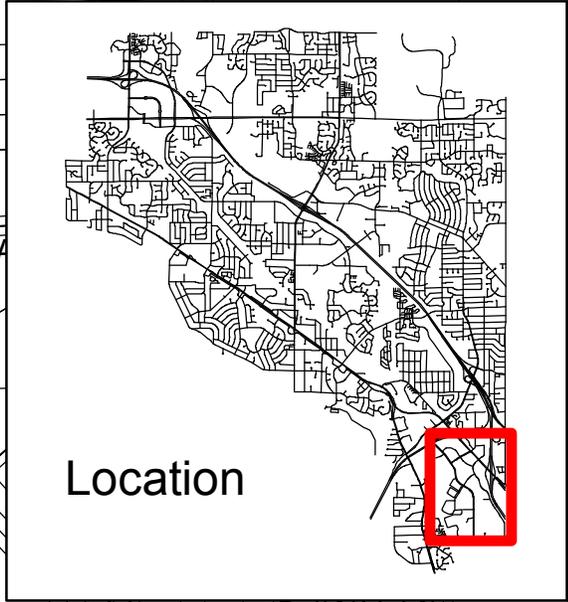
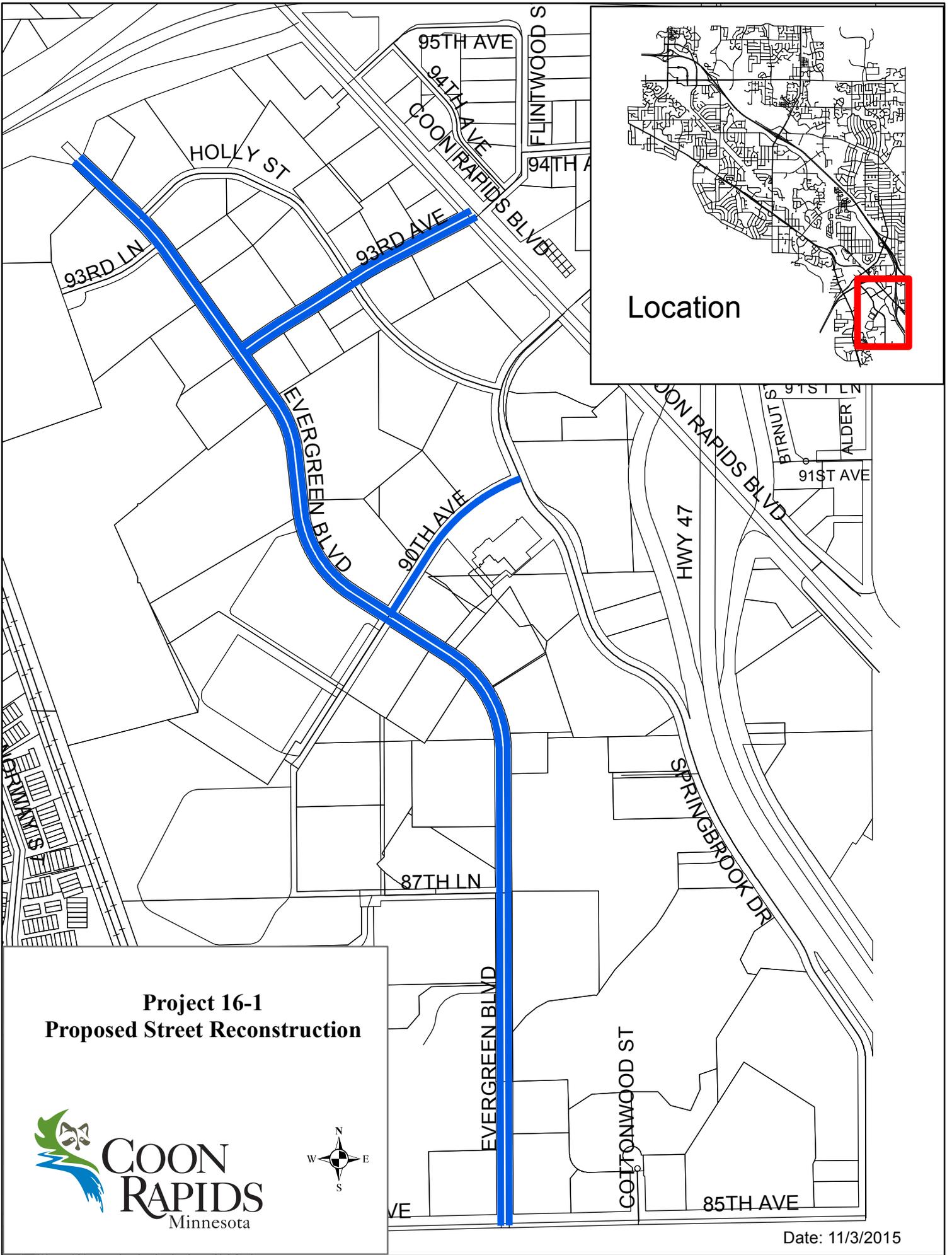
Council accepted the feasibility report on November 17, 2015, and ordered the improvement and advertisement for bids on February 16, 2016. There were no objections to the assessments presented by property owners within the project area either before or at the public hearing. Bids will be received on April 25, 2016, and contract award will be recommended at the May 3, 2016 Council meeting.

RECOMMENDATION

It is recommended Council adopt Resolution No. 16-1(12) adopting assessments for project 16-1.

Attachments

Project Location Map
Resolution No. 16-1(12)



**Project 16-1
Proposed Street Reconstruction**



RESOLUTION NO. 16-1(12)

(12) RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the improvement of various State Aid streets by street reconstruction; and

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

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

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

1. Such proposed assessment is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefitted by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10 years, beginning the first Monday in January, 2017 and shall bear interest at the rate of 3.06% per annum from the date of the adoption of this assessment Resolution. Assessments less than \$500.00 shall be payable over a period of three years and shall bear interest at the rate of 1.77% per annum from the date of the adoption of this assessment Resolution.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Property Records and Taxation Division, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this Resolution; and the owner may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid. Such payment must be made before November 14 or interest will be charged through December 31 of the next succeeding year.
4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted this 19th day of April, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

15.

Meeting Date: 04/19/2016

Subject: Consider Adopting Assessments for Project 16-2, MSA Street Reconstruction

Submitted For: Mark Hansen, Assistant City Engineer

From: Sarah Greene, Administrative Assistant II

INTRODUCTION

The City is proposing to improve 2.41 miles of State Aid streets by reconstruction as part of project 16-2. Staff completed the plans, and is currently advertising for bids. The bids will be received on April 22, 2016, and Council will be asked to award the project at its regular meeting on May 3, 2016. Council is requested to adopt the assessments at this time.

DISCUSSION

All streets within the project area are designated as State Aid streets. Streets are proposed to be rehabilitated via reconstruction methods. The project area is illustrated on the attached Project Location Map.

Improvements to streets proposed for reconstruction include reclamation of the existing bituminous surface and aggregate base, removal and replacement of damaged curb and gutter, sidewalk and pedestrian curb ramp improvements in accordance with ADA requirements, watermain pipe/valve/hydrant replacements, and repairs or replacements to the existing storm sewer and sanitary sewer as needed.

The following streets are proposed for reconstruction:

- Mississippi Boulevard from Hanson Boulevard to Coon Rapids Boulevard (SAP 114-105-015)

Neighborhood meetings were held on December 2, 2015 and January 20, 2016 to provide information about the project, and to listen to comments and concerns from area residents and businesses. Additionally, staff met with Anoka Ramsey Community College staff on February 2, 2016 to discuss the project and schedule. A public hearing and assessment hearing was held on February 16, 2016. The property owner at 10245 Mississippi Boulevard NW objected to the assessment in writing at the February 16 public hearing. The reasoning for the contested assessment was not based upon benefit from the improvement, which is the criteria for State Statute 429, and, thus, it is staff's recommendation to uphold the assessment. Staff did, however, follow up with this property owner after the hearing to explain the City's position and the process to continue their appeal in district court.

Properties proposed to be assessed include 158 single family properties, 39 multi-family and condominium properties, one commercial property, and five government/institutional properties. The reconstruction assessment rates approved by City Council on November 17, 2015 are \$1,835.45 for single family residential property, \$22.94 per front foot for multi-family residential property, \$45.88 per front foot for commercial property, and \$59.64 per front foot for industrial property. The total estimated cost of the proposed improvement is \$6,662,401.63, with a total amount assessed of \$422,663.08.

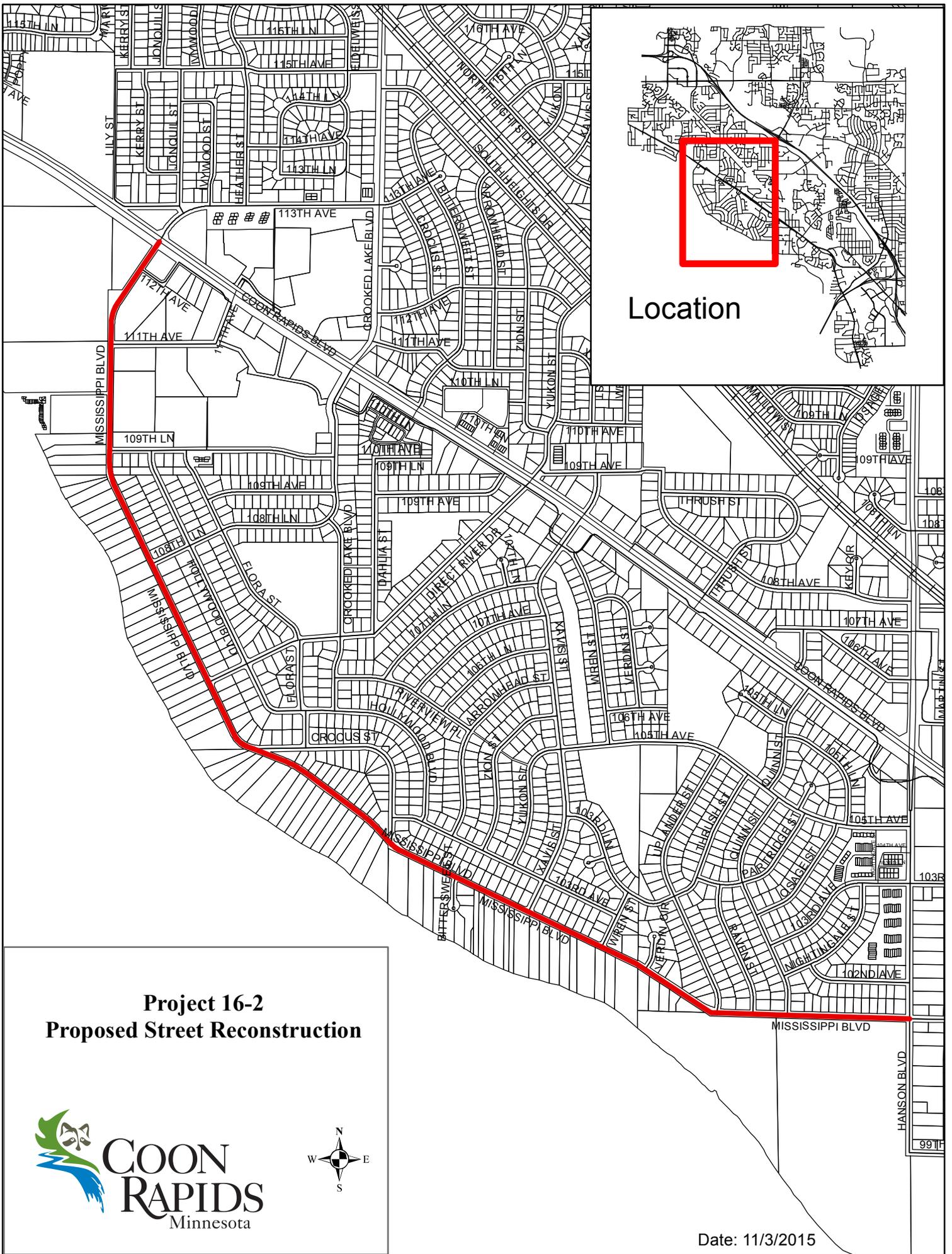
Council accepted the feasibility report on November 17, 2015, and ordered the improvement and advertisement for bids on February 16, 2016. Bids will be received on April 22, 2016, and contract award will be recommended at the May 3, 2016 Council meeting.

RECOMMENDATION

It is recommended Council adopt Resolution No. 16-2(12) adopting assessments for project 16-2.

Attachments

Project Location Map
Resolution No. 16-2(12)



**Project 16-2
Proposed Street Reconstruction**



Date: 11/3/2015

RESOLUTION NO. 16-2(12)

(12) RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the improvement of various State Aid streets by street reconstruction; and

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

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

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

1. Such proposed assessment is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefitted by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10 years, beginning the first Monday in January, 2017 and shall bear interest at the rate of 3.06% per annum from the date of the adoption of this assessment Resolution. Assessments less than \$500.00 shall be payable over a period of three years and shall bear interest at the rate of 1.77% per annum from the date of the adoption of this assessment Resolution.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Property Records and Taxation Division, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this Resolution; and the owner may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid. Such payment must be made before November 14 or interest will be charged through December 31 of the next succeeding year.
4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted this 19th day of April, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

16.

Meeting Date: 04/19/2016

Subject: Adopt Assessments for Project 16-3, MSA Street Reconstruction

Submitted For: Mark Hansen, Assistant City Engineer

From: Sarah Greene, Administrative Assistant II

INTRODUCTION

The City is proposing to improve 1.66 miles of State Aid streets by reconstruction as part of project 16-3. Staff completed the plans, and is currently advertising for bids. The bids will be received on May 6, 2016, and Council will be asked to award the project at its regular meeting on May 17, 2016. Council is requested to adopt the assessments at this time.

DISCUSSION

All streets within the project area are designated as State Aid streets. Streets are proposed to be rehabilitated via reconstruction methods. The project area is illustrated on the attached Project Location Map.

Improvements to streets proposed for reconstruction include reclamation of the existing bituminous surface and aggregate base, removal and replacement of damaged curb and gutter, sidewalk and pedestrian curb ramp improvements in accordance with ADA requirements, watermain valve and hydrant replacements, and repairs or replacements to the existing storm sewer and sanitary sewer as needed.

The following streets are proposed for reconstruction:

- Crooked Lake Boulevard from 127th Circle to 133rd Avenue (SAP 114-135-011)
- 128th Avenue from Crooked Lake Boulevard to Coon Creek Boulevard (SAP 114-135-011)
- Mississippi Drive from Round Lake Boulevard to Pheasant Ridge Drive (SAP 114-121-014)
- Round Lake Boulevard from Mississippi Drive to 115th Avenue (SAP 114-121-013)

Neighborhood meetings were held on December 8, 2015 and January 14, 2016 to provide information about the project and to listen to comments and concerns from area residents. A public hearing and assessment hearing was held on February 16, 2016. Properties proposed to be assessed include 136 single family residential properties, three conservation land/agricultural properties, two commercial properties, and two government/institutional properties.

The reconstruction assessment rates approved by City Council on November 17, 2015 are \$1,835.45 for single family residential property, \$22.94 per front foot for multi-family residential property, \$45.88 per front foot for commercial property, and \$59.64 per front foot for industrial

property. The total estimated cost of the proposed improvement is \$2,879,534.45, with the total amount assessed of \$342,914.97.

A total of two property owners objected to their proposed assessments in writing before the public hearing.

The owner of the properties with the following PINs objected to the proposed assessments.

PIN 04-31-24-24-0055 (13021 Crooked Lake Boulevard NW)

PIN 04-31-24-24-0056 (13019 Crooked Lake Boulevard NW)

PIN 04-31-24-24-0057 (13017 Crooked Lake Boulevard NW)

PIN 04-31-24-24-0061 (12975 Crooked Lake Boulevard NW)

PIN 04-31-24-24-0062 (12929 Crooked Lake Boulevard NW)

These properties are mostly vacant lots that were part of the Stonelight Estates plat approved in 2009. The contested assessments were not based upon benefit received, which will occur with the reconstruction project, and thus staff recommends to uphold the assessments. Staff did follow up with this property owner after the hearing, explained our rationale for the denial and provided information on the process to appeal the assessments in district court.

The owners of the vacant properties with the following PINs also objected to the proposed assessments before the public hearing.

PIN 04-31-24-43-0003 (Unassigned Address)

PIN 04-31-24-43-0004 (Unassigned Address)

These properties are part of the Lawrence Estates plat that was approved by Council in early 2014. The property owners are working to record the plat with the County at this time. The property owner requests to be assessed at the single family rate for the 10 proposed lots - versus being assessed at the current proposed commercial rate per front foot. Staff is working with the property owner to sign an assessment agreement and waiver document. This document will require the property owner to record the plat by October 1, 2016, or be assessed at the current proposed commercial rate. Staff recommends adopting the assessment based on the current amount calculated at the commercial rate, and then adjusting to the single family rate once the plat is recorded, and before the assessment is certified to Anoka County this November. Staff will present the assessment agreement and waiver document to Council for approval once its signed by the property owner.

Council accepted the feasibility report on November 17, 2015, and ordered the improvement and advertisement for bids on February 16, 2016. Bids will be received on May 6, 2016, and contract award will be recommended at the May 3, 2016 Council meeting.

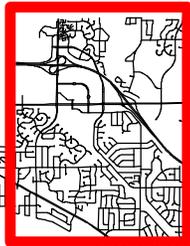
RECOMMENDATION

It is recommended Council adopt Resolution No. 16-3(12) adopting assessments for project 16-3.

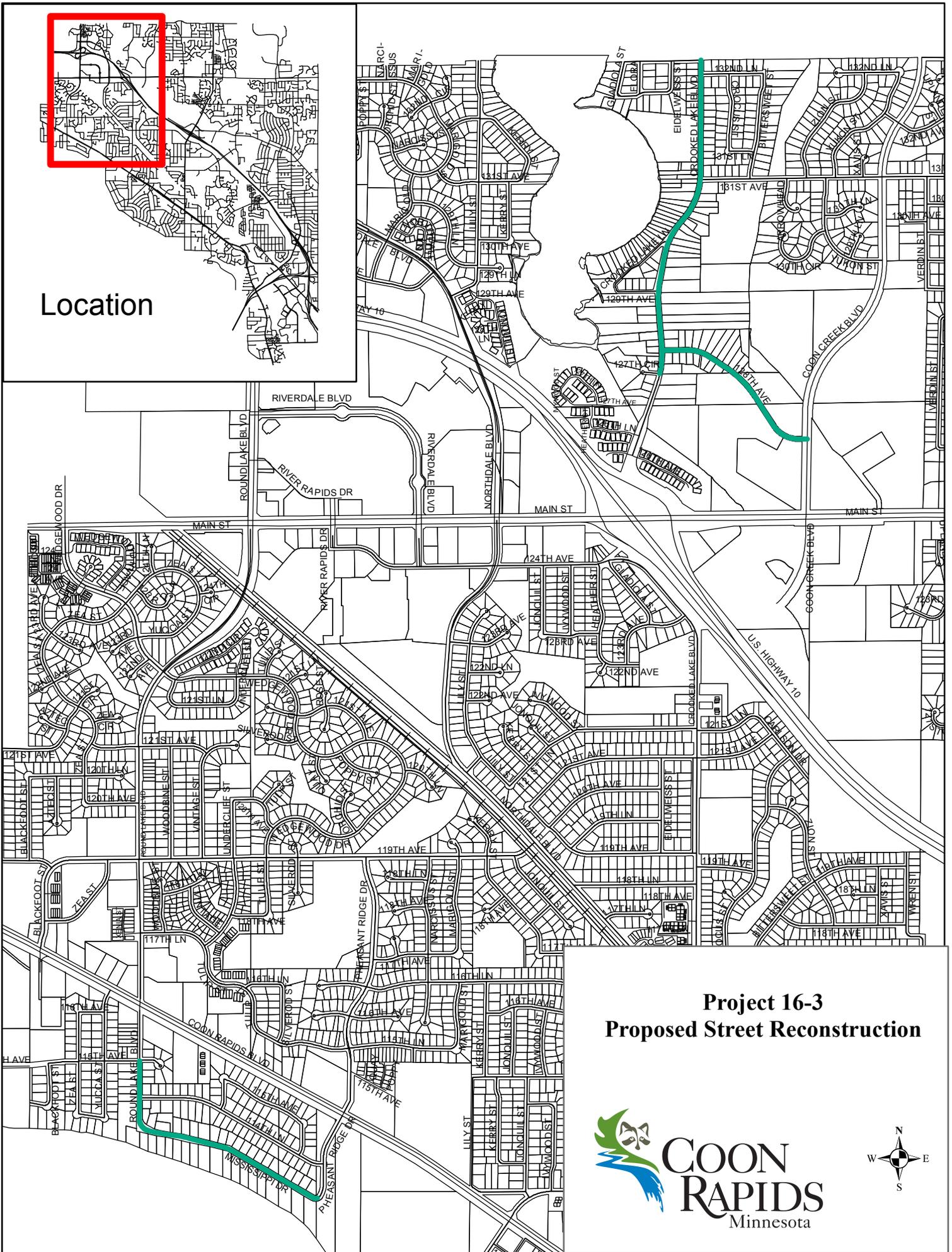
Attachments

Project Location Map

Resolution No. 16-3(12)



Location



Project 16-3 Proposed Street Reconstruction



RESOLUTION NO. 16-3(12)

(12) RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the improvement of various State Aid streets by street reconstruction; and

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

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

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

1. Such proposed assessment is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefitted by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10 years, beginning the first Monday in January, 2017 and shall bear interest at the rate of 3.06% per annum from the date of the adoption of this assessment Resolution. Assessments less than \$500.00 shall be payable over a period of three years and shall bear interest at the rate of 1.77% per annum from the date of the adoption of this assessment Resolution.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Property Records and Taxation Division, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this Resolution; and the owner may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid. Such payment must be made before November 14 or interest will be charged through December 31 of the next succeeding year.
4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted this 19th day of April, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

17.

Meeting Date: 04/19/2016

Subject: Adopt Assessments for Project 16-4, MSA Street Reconstruction

Submitted For: Mark Hansen, Assistant City Engineer

From: Sarah Greene, Administrative Assistant II

INTRODUCTION

The City is proposing to improve 1.7 miles of State Aid streets by reconstruction as part of project 16-4. Staff completed the plans, and is currently advertising for bids. The bids will be received on April 22, 2016, and Council will be asked to award the project at its regular meeting on May 3, 2016. Council is requested to adopt the assessments at this time.

DISCUSSION

All streets within the project area are designated as State Aid streets. Streets are proposed to be rehabilitated via reconstruction methods. The project area is illustrated on the attached Project Location Map.

Improvements to streets proposed for reconstruction include reclamation of the existing bituminous surface and aggregate base, removal and replacement of damaged curb and gutter, sidewalk and pedestrian curb ramp improvements in accordance with ADA requirements, watermain valve and hydrant replacements, and repairs or replacements to the existing storm sewer and sanitary sewer as needed.

The following streets are proposed for reconstruction:

- Egret Boulevard from Kumquat Street to University Avenue (SAP 114-104-020)
- 113th Avenue from Foley Boulevard to Northdale Boulevard (SAP 114-122-003)
- Dogwood Street from Northdale Boulevard to 115th Avenue (SAP 114-123-003)
- 115th Avenue from Dogwood Street to University Avenue (SAP 114-123-003)
- Xeon Street from 114th Avenue to Northdale Boulevard (SAP 114-120-008)

Neighborhood meetings were held on December 8, 2015 and January 14, 2016 to provide information about the project, and to listen to comments and concerns from area residents and businesses. Additionally, an open house was held at Lexington Manufacturing (1292 Northdale Boulevard) during regular business hours on February 10, 2016 to address concerns from all affected businesses in the area of construction. A public hearing and assessment hearing were held on February 16, 2016.

Properties proposed to be assessed include 50 single family residential properties, 40 multi-family

properties, eight industrial properties, five commercial properties, and nine government/institutional properties. The reconstruction assessment rates approved by City Council on November 17, 2015 are \$1,835.45 for single family residential property, \$22.94 per front foot for multi-family residential property, \$45.88 per front foot for commercial property, and \$59.64 per front foot for industrial property. The total estimated cost of the proposed improvement is \$4,305,460.95, with the total amount assessed of \$497,046.98.

A total of two property owners objected to their proposed assessments in writing prior to the public hearing.

The owner of the property located at 11275 Foley Boulevard (PIN 13-31-24-42-0079) objected to his assessment for the eastern portion of the property. At the time of the public hearing, Anoka County was in negotiations with this property owner to purchase an easement for stormwater ponding purposes related to the Foley / Northdale Boulevard project over the eastern portion of this property. Anoka County has since modified its stormwater design, which removed this ponding location from its project plans. Therefore, staff recommends assessing this property based on the total length of the property boundary along 113th Avenue minus the amount purchased by the County adjacent to Foley Boulevard (14.5-feet).

The owner of the property located at 330 Northdale Boulevard (PIN 13-31-24-42-0008) objected to his assessment for this property, as well as the assessment for an undeveloped lot (no address) with the PIN 13-31-24-42-0085. The property at 330 Northdale Boulevard has access onto 113th Avenue, and this was the basis for that proposed assessment. This access is shared with the property located at 11237 Foley Boulevard. Based on past practice, when access driveways are shared, the proposed assessment is split equally between the benefiting properties. Staff therefore recommends reducing the proposed assessment by half from \$1,559.92 to \$779.96 for 330 Northdale Boulevard. Past practice has not been to increase assessment amounts once public hearing notices are sent to property owners, so staff recommends no change to the assessment for the property at 11237 Foley Boulevard. The assessment for the undeveloped property with the PIN 13-31-24-42-0085 is proposed to be postponed until the property develops in the future. Postponement of this assessment requires a separate Council resolution. The property owner was notified of these adjustments, and confirmed he was acceptable to these recommendations.

Council accepted the feasibility report on November 17, 2015, and ordered the improvement and advertisement for bids on February 16, 2016. Bids will be received on April 22, 2016, and contract award will be recommended at the May 3, 2016 Council meeting.

RECOMMENDATION

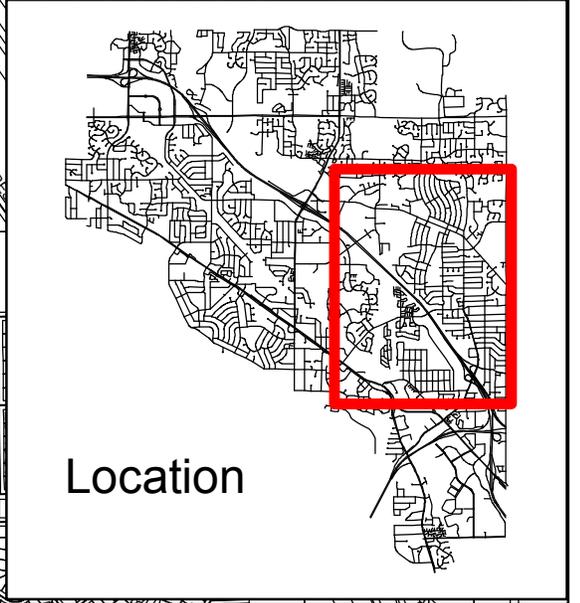
It is recommended Council adopt Resolution No. 16-4(12) adopting assessments for project 16-4.

Attachments

Project Location Map
Resolution No. 16-4(12)
Resolution No. 16-49



**Project 16-4
Proposed Street Reconstruction**



RESOLUTION NO. 16-4(12)

(12) RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the improvement of various State Aid streets by street reconstruction; and

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

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

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

1. Such proposed assessment is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefitted by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10 years, beginning the first Monday in January, 2017 and shall bear interest at the rate of 3.06% per annum from the date of the adoption of this assessment Resolution. Assessments less than \$500.00 shall be payable over a period of three years and shall bear interest at the rate of 1.77% per annum from the date of the adoption of this assessment Resolution.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Property Records and Taxation Division, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this Resolution; and the owner may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid. Such payment must be made before November 14 or interest will be charged through December 31 of the next succeeding year.
4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted this 19th day of April, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

RESOLUTION NO. 16-49

RESOLUTION ADOPTING POSTPONED ASSESSMENT FOR PROJECT 16-4

WHEREAS, on April 19, 2016, the City Council for the City of Coon Rapids, Minnesota, following proper publication and public hearing, and in accordance with all other legal requirements therefore, adopted Resolution No. 16-4(12) adopting street assessments for City Project 16-4; and

WHEREAS, the amount assessed in the improvement area under Resolution No. 16-4(12), was \$497,046.98 which represented a portion of the project costs; and

WHEREAS, property identification number 13-31-24-42-0085 was included in the assessment role but does not receive benefit at this time; and

WHEREAS, the amount of the assessment to be postponed is \$7,841.81; and

WHEREAS, the assessment will be activated and recomputed based on the current construction cost index for the Minneapolis area at such time as the property is developed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota to approve the postponement of \$7,841.81 for 13-31-24-42-0085 in the amount of \$7,841.81 until such time as the parcel is developed.

Adopted by the Coon Rapids City Council this 19th of April 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

18.

Meeting Date: 04/19/2016

Subject: Announce 2016 Summer Concert Schedule

From: Stephanie Lincoln, Deputy City Clerk

INTRODUCTION

The Arts Commission is pleased to announce the 2016 Summer concert series at the Coon Rapids Dam Regional Park.

DISCUSSION

The Arts Commission would like to announce their 2016 Thursday Nites LIVE! At The Dam Summer series, which will feature the following nine performers:

- June 9 - T.C. Cats (Doo-Wop, Classic Rock and Roll)
- June 16 - The Naked Cowboys (Southern Rock)
- June 23 - Centennial Community Band (Variety)
- July 7 - Holy Rocka Rollaz (Early Rock and Roll)
- July 14 - Hitchville (Country)
- July 21 - Sam Kuusisto (Funk, Rock and R&B)
- July 28 - New Riverside Ramblers (Cajun Dance)
- Aug 4 - Gravel Roads (Traditional Country)
- Aug 11 - Buddy and the Boys (Buddy Holly Tribute 50's)

All performances begin at 7:00 p.m. at the Performance Pavilion at the Coon Rapids Dam Regional Park. The concerts are offered at no charge to the community, and Anoka County has once again agreed to waive the parking fee during these evenings. The Arts Commission would like to recognize the assistance of the Anoka County Parks and Recreation Department Rangers and other staff in presenting this series.

A local boy scout troop will sell popcorn, candy, soda, and water during the concerts. The Northstar Lions Club will be selling food items such as hamburgers, hot dogs, and brats.

The Arts Commission appreciates the opportunity to continue presenting this series to the community.

RECOMMENDATION

In addition to being available at City Hall, the 2016 schedule has been distributed via utility bill mailings and will be in the City newsletter and on the website.



City Council Regular

19.

Meeting Date: 04/19/2016

Subject: Consider Adoption of Resolution 16-51 Authorizing Transfer of Funds

From: Kevin Vouk, Manager of Accounting/Treasurer

INTRODUCTION

The 2015 and 2016 budget documents include a number of fund transfers that affect 2015. Resolution 16-51 requesting these transfers is attached to this memo.

DISCUSSION

The transfers which affect 2015 are as follows:

General Fund to the Retirement Insurance Fund--\$525,000. This is a budgeted transfer, which when combined with other revenues and fund balance in the Retirement Insurance Fund, will fund the actuarial requirement for health insurance benefits for qualified retired police and firefighters.

General Fund to the Facilities Construction Fund--\$300,000. City policy is to maintain an unassigned fund balance in the General Fund of at least 45% of the following year expenditures and transfers. Based on 2015 financial results and 2016 budgeted amounts, sufficient funds are available for this transfer while adhering to the fund balance policy.

Coon Rapids MAF Program Fund to the Housing Program Fund--\$500,000. This is a transfer of funding previously approved by the City Council for the housing loan program.

Lodging Tax Fund to the General Fund--\$13,749. The 3% lodging tax collected by hotels and motels in the City is recorded in the Lodging Tax Fund. The City remits 95% of the payments received to Minnesota Metro North Tourism and retains 5% which is transferred to the General Fund to defray administrative expenses.

Senior Activity Fund to the General Fund--\$16,000. This budgeted transfer is from earnings on trips accounted for in the Senior Citizen Activity Fund and covers related administrative costs in the General Fund.

Park Improvement Bonds Fund to the Park Improvement Fund--\$1,150,000. Tax levies for the referendum approved park improvement bonds began in 2014. Since the first year of principal and interest payments on the bonds was not due until 2016, a portion of the previous levies can be used to pay for park improvements directly and there will be a corresponding decrease in the amount of bonds that need to be issued to get to the total of \$17,400,000 for improvements.

Equipment Certificate Debt Service Fund to the Equipment Certificate Capital Projects Fund--\$238,601. Available funds in the Debt Service Fund are used toward the cost of fire trucks in the Capital Projects Fund instead of issuing equipment certificates.

HRA Debt Service Fund to the HRA Capital Projects Fund--\$3,951,993. The HRA no longer has any outstanding bonds, so the remaining balance in the HRA Debt Service Fund can be transferred to the HRA Capital Projects Fund. In the past, any funds in this debt service fund were included with the capital projects fund when discussing balances available for the HRA, so this is not additional available funding, but rather a change in where the funds are recorded.

Revolving Construction Fund to the General Fund--\$16,929. Several recent street reconstruction projects included streets bordering City parks. Therefore the City is responsible for paying its portion of the assessments for those projects. The assessment revenue goes in the Improvement Bonds Funds to repay the bonds. This transfer will reimburse the General Fund.

Revolving Construction Fund to the Street Reconstruction Fund--\$303,316. The balance of revenues over expenditures in the Revolving Construction Fund contributes to the sealcoating program and the City's portion of street reconstruction costs.

Facilities Construction Fund to the Park Improvement Fund--\$1,200,000. Council approved \$1,482,659 for construction of the Sand Creek Park warming house and concession stand with funding to come from the Facilities Construction Fund. The budget included \$1,200,000 of the funding to be transferred in 2015. The balance will be transferred in 2016 after costs are finalized.

Insurance Reserve Fund to the General Fund--\$10,000. Operating income in the Insurance Reserve Fund is used to subsidize insurance costs in the General Fund.

Insurance Reserve Fund to the Retirement Insurance Fund--\$59,075. Prior year interest income in the Insurance Reserve Fund contributes toward the funding of the liability of other post employment benefits.

Various transfers as follows are needed so the funding or expenditures from certain construction projects or other items are in the proper fund or to close funds which are no longer needed:

2008 Improvement Bonds Fund to the Special Assessment Bonds Fund to redirect assessments--\$44,666

2000 Improvement Bonds Fund to the 2005 Improvement Bonds Fund to redirect assessments--\$771,805

2013 Bonded Projects Fund closed to the 2014/2015 Bonded Projects Fund--\$650,986

Various funds to the Compensated Absences Fund--\$199,851. Compensated absences (unused sick/vacation balances) for the non-enterprise funds are accounted for in the Compensated Absences Fund. To fully fund the liability of \$2,383,463 in this fund as of December 31, 2015, the following transfers are needed to cover the 2015 change in each fund's liability: \$195,148 from the General Fund, \$4,064 from the Public Communications Fund and \$639 from the HRA

Capital Projects Fund.

RECOMMENDATION

Staff recommends the adoption of Resolution 16-51 Authorizing the Transfer of Funds.

Attachments

RS 16-51

RESOLUTION 16-51

RESOLUTION AUTHORIZING TRANSFER OF FUNDS

WHEREAS, the 2015 and 2016 budgets include 2015 transfers between various funds;
and

WHEREAS, funds are available to complete the transfers.

NOW, THEREFORE, BE IT RESOLVED to authorize the following 2015 transfers:

<u>Transfers from</u>	<u>Transfers to</u>	<u>Amount</u>
General Fund	Retirement Insurance Reserve Fund	\$525,000
General Fund	Facilities Construction Fund	300,000
Coon Rapids MAF Program Fund	Housing Program Fund	500,000
Lodging Tax Fund	General Fund	13,749
Senior Activity Fund	General Fund	16,000
Park Improvement Bonds Fund	Park Improvement Fund	1,150,000
Equipment Certificate Debt Service	Equipment Certificate Capital Projects	238,601
Revolving Construction Fund	General Fund	16,929
Revolving Construction Fund	Street Reconstruction Fund	303,316
Facilities Construction Fund	Park Improvement Fund	1,200,000
Insurance Reserve Fund	General Fund	10,000
Insurance Reserve Fund	Retirement Insurance Fund	59,075
2008 Improvement Bonds Fund	Special Assessment Bonds Fund	44,666
2000 Improvement Bonds Fund	2005 Improvement Bonds Fund	771,805
2013 Bonded Projects Fund	2014/2015 Bonded Projects Fund	650,986
General Fund	Compensated Absences Fund	195,148
Public Communications Fund	Compensated Absences Fund	4,064
HRA Capital Projects Fund	Compensated Absences Fund	639

Adopted by the Coon Rapids City Council this 19th day of April, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

20.

Meeting Date: 04/19/2016

Subject: Consider Memorandum of Understanding and Term Sheet, Riverdale Station Development

From: Matt Brown, Economic Development Coordinator

INTRODUCTION

The Council is asked to consider a Memorandum of Understanding with the Anoka County Regional Rail Authority and a Term Sheet with Sherman Associates for a transit-oriented development project adjacent to the Riverdale Transit Station along Northdale Boulevard.

DISCUSSION

The City and the Anoka County Regional Rail Authority have been seeking development interest at the Riverdale Station site, which is adjacent to the Northstar commuter rail station, since 2014. Discussions with Minneapolis-based Sherman Associates have occurred over the last year or so. Sherman proposes a first phase of approximately 239 apartments in 2 buildings on about 8 acres of the 16 acre site. Approximately 48 of the units (20%) are affordable to households earning 50% of AMI in order to qualify for tax credits and a housing TIF district. The remaining 80% of units would be market-rate apartments. All apartments will be more contemporary than existing apartment offerings in the City and are expected to have a high level of finish and amenity. A small retail component may be included in one of the buildings. A second phase would likely include senior housing on the balance of the site and would be constructed within a few years of the completion of the first phase.

Because Sherman intends to submit funding applications for the project this spring, it needs to demonstrate site control. The HRA and City Council are asked to enter into a non-binding Memorandum of Understanding (MOU) with the Anoka County Regional Rail Authority outlining the terms of the real estate transaction, as well as a Term Sheet with Sherman outlining the overall terms of the project. It is expected that the Rail Authority will consider the MOU at its April 26 meeting. Binding purchase agreements and a development agreement will be drafted at a later date. A summary of the basic project terms is as follows:

Land. Because the HRA has more flexibility with respect to acquisition and sale of property than the Rail Authority, the HRA will purchase property from the Rail Authority and then sell it to the developer. The HRA would purchase the land for Phase I for \$1,500,000 and immediately sell it to Sherman for \$1,500,000, with the two closings occurring simultaneously. The HRA would purchase the land for Phase II from the Rail Authority for \$800,000 and hold it for a period of up to three years. Sherman would enter into an option with the HRA to purchase the land for Phase II

for \$800,000 from the HRA within three years of closing on the land for Phase I.

Financial Assistance. A new housing TIF district will be established. For Phase I, a total of 90% of the available increment will be paid to developer on a pay-as-you-go basis for no more than 10 years of the 26 year maximum and totaling not more than \$1,776,698. For Phase II, a total of 90% of the available increment will be paid to developer for no more than 10 years. The Rail Authority and City would enter into a binding agreement that would memorialize the time limit for the TIF districts. The development agreement will include a "lookback" provision that will require the developer to submit audited financials to the City for review. Based upon actual costs, sources of funding and revenues generated, the TIF note may be adjusted downward if a pre-determined rate of return is exceeded. The City and developer will also apply for Metropolitan Council funding for an estimated \$1,000,000 of project costs.

Staff, in consultation with the City's financial advisor, feels that this level of assistance falls well within industry standards for a project of this size. The next steps in the process involve drafting purchase agreements for both transactions and preparing funding applications. Provided the project receives tax credit funding, construction could begin by early 2017. Staff expects that there will be several opportunities for public input on the project as more detailed plans are prepared.

It should be noted that the attached MOU has a provision highlighted in red (2.a) which was unresolved at the time of this report. The issue concerns the date upon which tax increment is first collected and thus when the 10 year clock begins. This is essentially a technical issue already governed by statute, however the County will provide clarification on this point before Tuesday so that the final draft reflects the parties intentions. Final versions of both the MOU and Term Sheet to be considered will be provided at Tuesday's meeting.

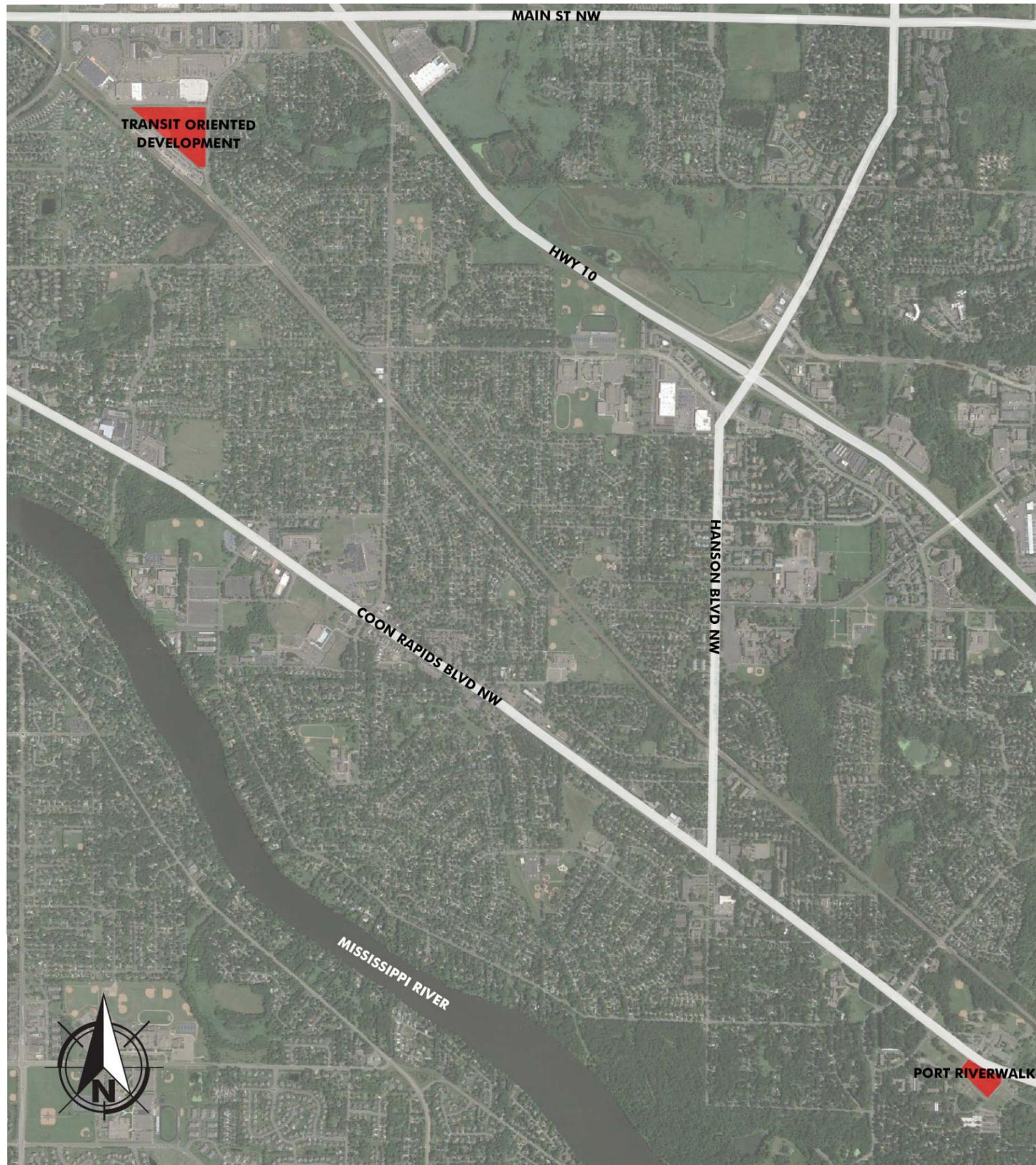
RECOMMENDATION

Approve the Memorandum of Understanding with the Anoka County Regional Rail Authority and Term Sheet with Sherman Associates for a development project at Riverdale Station.

Attachments

Location Map
Concept Plan
Term Sheet
MOU (4.15.16)





kaas
wilson
architects

SHERMAN - COON RAPIDS
COON RAPIDS, MN



Term Sheet

This Term Sheet is executed as of this ____ day of _____, 2016 by and between Owner, the Housing and Redevelopment Authority in and for the City of Coon Rapids (the "HRA"), and the City of Coon Rapids (the "City") and is intended to set forth the terms upon which the parties hereto may be willing to enter into a Development Agreement. Except for Section 10 below (which shall be binding upon the Owner), this Term Sheet shall not be deemed conclusive or legally binding upon either party and neither party shall have any obligations regarding the property defined below unless and until a definitive Development Agreement is approved by the City and executed by both parties.

1. Owner: Sherman Associates, Inc. and/or its permitted successors and assigns.
2. Property: approximately 15.9 acres of land near the intersection of 123rd Avenue NW and Northdale Boulevard in Coon Rapids, Minnesota, adjacent to the Coon Rapids-Riverdale Station on the Northstar commuter rail line. A map showing the approximate boundaries is attached as Exhibit A.
3. Minimum Improvements: Phase I of the project, covering approximately 8 acres, will include the construction of 191 market rate apartments and 48 affordable apartments. Phase II of the project, covering the remainder of the 15.9-acre property, will include the construction of additional housing units, including senior apartments. A concept plan for Phase I is attached as Exhibit B.
4. Key Business Terms – Owner:
 - a. Execution of Development Agreement
 - b. Acquisition of property currently owned by the Anoka County Regional Rail Authority and to be conveyed to the HRA as stipulated by Development Agreement. The sale price for the land for Phase I of the project, covering approximately 8 acres, shall be \$1,500,000. The Owner shall enter into an option to purchase the remainder of the site from the HRA for Phase II of the project for a sale price of \$800,000. The closing on the site for Phase II shall occur within 3 years of the closing date of Phase I.
5. Key Business Terms – City:
 - a. Establishment of new Tax Increment Financing Housing District
 - b. City approval of Construction Plans
 - c. Execution of Development Agreement
 - d. City determination that Owner has sufficient financial means to construct Minimum Improvements
6. Construction Schedule: Closing on Phase I of the project is anticipated to occur on or about June 30, 2017. Construction on Phase I shall commence by June 30, 2017, and be completed by December 31, 2019. Construction on Phase II shall commence by June 30, 2020, and be completed by December 31, 2022. For the purpose hereof, "Commence" shall mean beginning of physical improvement to the Property, including grading, excavation, or other physical site preparation work; and "Completed" shall mean that

the Minimum Improvements are sufficiently complete for the issuance of a Certificate of Occupancy.

7. Project Assistance: Subject to all terms and conditions of the Development Agreement, for Phase I of the project, the City will reimburse Owner a total of 90 percent of available tax increments generated by Phase I for a period of not more than 10 years. The assistance is subject to a review of the Owner's pro forma and demonstration of need.

For Phase II of the project, the City will reimburse Owner a total of 90 percent of available tax increments generated by Phase II for a period of not more than 10 years. The assistance is subject to a review of the Owner's pro forma and demonstration of need.

8. Lookback Provision: The Development Agreement shall include a "lookback" provision that will require the developer to submit audited financials to the City and its financial advisor at a specified time for review. Based upon actual costs, sources of funding and revenues generated, a portion of Owner's revenues may be distributed to the City if a pre-determined rate of return is exceeded.
9. Project Cost: Total development cost is estimated at \$51,500,000.00.
10. Fees: The Owner shall submit a \$12,000 TIF application fee to pay for the costs of establishing a housing TIF district. The Owner shall submit, in addition to the application fee, the sum of \$10,000 to pay for the reasonable out-of-pocket legal, financial consultant and administrative fees associated with this transaction.
11. Miscellaneous:
- a. No transfer of Property or Development Agreement without City consent, which consent rights will be subject to investor and lender requirements and will not be unreasonably withheld.
 - b. Owner covenants to pay property taxes and maintain customary insurance.
 - c. The financial assistance provided is assistance for housing and thus not subject to the Business Subsidy Act per Minnesota Statutes.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

SHERMAN ASSOCIATES, INC.

By: _____
Its: _____

CITY OF COON RAPIDS

By: _____

Its: Mayor

By: _____

Its: City Manager

HOUSING AND REDEVELOPMENT AUTHORITY IN
AND FOR THE CITY OF COON RAPIDS

By: _____

Its: Chair

By: _____

Its: Secretary

Term Sheet
Memorandum of Understanding

This Term Sheet and Memorandum of Understanding ("**MOU**"), is entered into this ____ day of _____, 2016, between the Anoka County Regional Railroad Authority (**the "ACRRA"**), and the City of Coon Rapids (**the "City"**), Minnesota, and the Housing and Redevelopment Authority in and for the City of Coon Rapids (**the "HRA"**), Minnesota.

WHEREAS, the ACRRA purchased property in the City of Coon Rapids adjacent to the Northstar commuter rail station (**the "Riverdale Site"**) for the purposes of facilitating transit oriented development, increasing Northstar ridership and reducing the net operating subsidy of the line; and

WHEREAS, the Riverdale Site is approximately 15.9 acres and is located at Northdale Boulevard and 123rd Avenue, adjacent to the Riverdale Commuter Rail Station; and

WHEREAS, the ACRRA and the City have worked to identify an appropriate development for the site that meets the public goals of the City and the ACRRA; and

WHEREAS, the City intends to enter into a development agreement with Sherman Associates (**the "Developer"**) and would like to purchase the Riverdale Site from the ACRRA for the purposes of developing a market rate apartment building, an affordable family apartment building, and potentially a senior housing facility (**collectively, the "Riverdale Development"**); and

WHEREAS, the City intends to create a Tax Increment Financing District for housing (**the "Housing District"**) for the Riverdale Development; and

WHEREAS, the ACRRA desires to sell the Riverdale Site to the HRA for such purposes, subject to certain conditions enumerated below.

NOW, THEREFORE the parties hereto agree as follows:

1. Subject to the negotiation of a definitive purchase and sale agreement, the ACRRA will sell, and the HRA will buy, the following real estate interests for the transit-oriented development on the Riverdale Site: PIN 08-31-24-14-0030 described as Tract A, registered Land Survey No. 209, Anoka County, Minnesota, subject to restrictions, reservations and easements of record, if any.
2. The ACRRA's sale of the property is subject to the following conditions:
 - a. The City will agree that it will limit the maximum life of the Housing District to 10 years from the receipt of first increment, provided that the applicable authority **[may/may not]** elect to defer the receipt of first increment as provided in Minnesota Statutes, Section 469.175, subd. 1(b).
 - b. The City will agree that it will not approve the extension of the term of the Housing District beyond the initial 10-year term.
 - c. If the City or the Developer succeeds in securing any grants in excess of \$1,000,000 for the Riverdale Development, the term of the District will be shortened commensurately.
 - d. The City's agreements with respect to the duration of the Housing District will be evidenced by an enforceable binding agreement ("TIF Agreement") obligating the City to pay to Anoka County in each and every year that the tax increment district remains in effect beyond the permitted 10-year term, a payment in the amount of the county's portion of the tax increment generated by the property in such year.
 - e. The ACRRA acknowledges that the City may decide to undertake the Riverdale Development in two phases. Phase 1 would include the market rate apartment building and the affordable family apartment building. Phase 2 would include the senior housing facility. In the event that the Riverdale Development is implemented in two phases, the ACRRA would agree that a Housing District may be established for each phase; however, the conditions set forth in this MOU would apply to each Housing District including the ten-year limitation on duration of the District.
 - f. Moreover, the ACRRA acknowledges that if the Riverdale Development is implemented in two phases, the City may utilize the services of the Developer or may contract with another developer to complete the project.
3. The HRA will pay the ACRRA the amount of \$2,300,000 for the Riverdale Site, payable at closing.

4. The closing for the sale of the Riverdale Site is anticipated to occur on or about June 30, 2017.

5. The parties agree to negotiate in good faith to finalize and enter into the definitive Purchase and Sale Agreement and TIF Agreement before June 30, 2016. This memorandum is only an expression of the parties' present mutual intent regarding the proposed transaction and does not constitute a legal binding and enforceable agreement of the ACRRRA and the City.

IN WITNESS HEREOF, the ACRRRA and the City have executed this Memorandum of Understanding on the day and date indicated immediately below their respective signatures.

ANOKA COUNTY REGIONAL RAILROAD AUTHORITY

By: _____

Name: _____

Title: _____

CITY OF COON RAPIDS

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

**COON RAPIDS HOUSING AND REDEVELOPMENT
AUTHORITY**

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____