



Council Work Session - Immediately Following Regular Council Meeting

CITY COUNCIL AGENDA

Wednesday, August 3, 2016

7:00 p.m.

Coon Rapids City Center

Council Chambers

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Proclamations/Presentations

Approval of Minutes of Previous Meeting

1. Approve July 19, 2016 Minutes

Consent Agenda

2. Adopt Resolution 16-81, Amending Budget for Recycling Center to Allow Purchase of Two Paper Shredders
3. Approve Special Assessment and Waiver Agreement with Anoka Hennepin School District #11
4. Adopt Resolution 16-83, Establishing Hearing Date on Imposition of Fees - Creek Meadows II Owners Association Housing Improvement Area

Public Hearing

Bid Openings and Contract Awards

Old Business

New Business

5. Consider Resolution 16-84, Accepting Donation from Coon Rapids Athletic Association for Construction Labor at Sand Creek Park and Approve Agreement
6. PC 16-14: Consider Approval of Alternative Exterior Material for Anoka County Gun Range Storage Building, 13299 Hanson Blvd, Crew 2
7. PC 16-17: Consider Adoption of Ordinance 2173, An Ordinance Opting Out of the State Temporary Health Care Dwellings Statute
8. Consider Introduction of Ordinance Allowing Amendment to the Administrative Citation Ordinance
9. Consider Resolution 16-85, A Resolution of Support for Coon Creek Watershed District Headquarters Project

Open Mic/Public Comment

Reports on Previous Open Mic

Other Business

Adjourn



City Council Regular

1.

Meeting Date: 08/03/2016

SUBJECT: Approve July 19, 2016 Minutes

Attachments

July 19, 2016 Minutes

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF JULY 19, 2016

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of July was called to order by Mayor Jerry Koch at 7:00 p.m. on Tuesday, July 19, 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 GEISLER, SECONDED BY COUNCILMEMBER DEMMER, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

PROCLAMATIONS/PRESENTATIONS

None.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

1. JULY 5, 2016, COUNCIL MEETING

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER DEMMER, FOR APPROVAL OF THE MINUTES OF THE JULY 5, 2016, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

2. APPROVE GREEN VIEW INC. CONTRACTS FOR RECYCLING CENTER STAFF/PARK STAFF
 3. ADOPT RESOLUTION 16-80, AUTHORIZING CITY STAFF TO APPLY FOR THE METROPOLITAN COUNCIL PLANNING ASSISTANCE GRANT
 4. ADOPT RESOLUTION 16-82 ACCEPTING FIREWORKS DONATION
-

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER DEMMER, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED.

Councilmember Johnson asked if the Metropolitan Council Grant had any guidelines or restrictions that would be attached to the funding. Community Development Director Fernelius reported he was not aware of any restrictions attached to the grant funding.

THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

None.

BID OPENINGS AND CONTRACT AWARDS

None.

OLD BUSINESS

None.

NEW BUSINESS

None.

OPEN MIC/PUBLIC COMMENT

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

David Pernah, 1456 121st Avenue, stated he lost a child six months ago on the railroad tracks.

He understood that Burlington Northern has erected no trespassing signs at 121st and on Northdale. He believed this was a good start, however he wanted to sit down with the City to see what more can be done to keep people out of the railroad right-of-way. He suggested the public be further educated as to the dangers of trains as well. He stated he would be more than willing to speak at the local schools regarding the tragedy that his family has endured.

REPORTS ON PREVIOUS OPEN MIC

None.

OTHER BUSINESS

Mayor Koch reported Night to Unit would be observed on Tuesday, August 2, 2016. He encouraged residents to register their block parties with the Coon Rapids Police Department.

Councilmember Geisler stated the League of Women Voters would be folding a forum on Wednesday, July 20th at 6:30 p.m.

Councilmember Manning reported Bunker Hills was in impeccable condition and invited the public to take in a round of golf at this fine course.

City Manager Stemwedel indicated the Farmer's Market would take place on Wednesday, July 20th at the Coon Rapids Ice Center and the theme would be wellness. He reported a summer concert would be held on Thursday, July 21st at the Coon Rapids Dam. He stated the next City in the Park meeting would be held at Vineyard Park on Tuesday, July 26th from 6:30 to 8:00 p.m.

Police Chief Wise discussed the recent tragedies in the nation and stated these were trying times for the Police Department. He explained that several officers attending the funerals in Dallas and several other officers would be attending the funerals in Baton Rouge. He was proud of these officers for showing their support, making this trip at their own expense and how warmly they are being received by the citizens of Coon Rapids. He appreciated the cards and treats the Coon Rapids Police Department has been receiving from the community. He discussed the professionalism of his officers and encouraged the public to participate in the upcoming citizen's academy.

Mayor Koch stated he was very proud of the Coon Rapids Police Department and appreciated the work of its dedicated officers on a daily basis.

ADJOURN

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER JOHNSON, TO ADJOURN THE MEETING AT 7:15 P.M. THE MOTION PASSED UNANIMOUSLY.

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July 19, 2016
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UNAPPROVED

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

2.

Meeting Date: 08/03/2016

Subject: Adopt Resolution 16-81, Amending Budget for Recycling Center to Allow Purchase of Two Paper Shredders

Submitted For: Colleen Sinclair, Recycling Coordinator

From: Colleen Sinclair, Recycling Coordinator

INTRODUCTION

Council is being asked to review and approve Resolution 16-81, amending the Recycling Center budget to allow the purchase of two paper shredders at the drop off facility.

DISCUSSION

Currently the Recycling Center hosts monthly paper shredding events. These have become increasingly popular and are one of the most widely attended programs at the facility. With the success of this program the facility is experiencing increasing logistical issues. Of particular concern is the increased traffic congestion along adjacent local streets and significant delays. Staff is concerned that these issues will only continue to grow or, worse yet, people will use the facility less frequently due to these inconveniences.

Currently this service is provided through a monthly agreement with a vendor that provides one truck for four hours, or until it is full (which typically happens more times than not). The vendor then retains the rights to the shredded paper and can resell it at market value as an additional revenue stream (approx. \$150/ton). Each month the Coon Rapids Recycling Center event collects about 5.5 tons of paper from facility users. In recent tours of other recycling centers, staff has seen the success of on-site paper shredding. These shredders are smaller heavy duty commercial style stations that users have access to during normal facility hours, or can make an appointment for after hours usage. Besides providing our residents with better and more convenient opportunities, we also will be able to bale and sell the paper collected.

The one time cost of these shredder units is comparable to the annual cost of the current monthly truck vendor. Staff would like to purchase two units as soon as practical so we have the opportunity to measure the effects on the monthly paper shredding events. We would like to observe this change to evaluate whether it's advantageous for us to add additional shredders in the future so we could spread out the usage and allow us to discontinue service with a monthly mobile truck vendor. The transition would initially add costs, as we would continue along a dual track (shredder use during regular facility hours and the monthly event), but we believe this expense could be covered by the resale of the on-site shredder waste. Long term staff believes we could eliminate the annual contract cost of the mobile shredding event all together, and those funds

could be redirected for other improvements and/or equipment at the Recycling Center.

Various price quotes were obtained and the lowest is from Clary Business Machines LLC at \$3,580 each with an electrical cost of \$500 to bring power to the location, for a grand total of \$7,660. Clary Business Machines is also a local company, making installation and servicing easier for staff. These shredders will handle larger quantities of paper than other options available and are simple and safe for residents to operate. We feel this is our best option to meet the needs of our residents in a timely and efficient manner, and minimize the ancillary concerns in and around the facility. The addition of paper shredders at the Recycling Center has been reviewed and approved by both the City safety rep. and City Attorney.

RECOMMENDATION

Staff recommends the City Council approve Resolution 16-81, amending the Recycling Center budget for the purchase of two paper shredders.

BUDGET IMPACT:

All costs for this equipment will be covered under the Anoka County SCORE grant.

BUDGET IMPACT:

Attachments

Resolution 16-81

RESOLUTION 16-81

**RESOLUTION AMENDING THE 2016 BUDGET FOR TWO PAPER SHREDDERS FOR
THE RECYCLING CENTER**

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

WHEREAS, the Recycling Center is in need of paper shredders for resident convenience and operational efficiency; and

WHEREAS, the total cost to complete the purchase is estimated to be \$7,660; and

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

WHEREAS, sufficient funds are available in the Recycling Fund other charges and services category to make this purchase.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota to re-appropriate \$7,660 from other charges and services to capital outlay in the 2016 Recycling Fund budget for the purchase of two paper shredders.

Adopted this 3rd day of August, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

3.

Meeting Date: 08/03/2016

Subject: Approve Special Assessment and Waiver Agreement with Anoka Hennepin School District #11

Submitted For: Tim Himmer, Public Works Director

From: Sarah Greene, Administrative Assistant II

INTRODUCTION

Staff requests City Council accept the attached Agreement with Anoka Hennepin School District #11 (ISD #11) to allow entry upon property located at 11301 Dogwood Street NW to perform work in conjunction with improvement project 16-4, MSA Street Reconstruction.

DISCUSSION

The attached agreement between the City and ISD #11 is for the installation of water and sewer utilities to serve the proposed maintenance facility at 11301 Dogwood Street NW. Exhibit A shows the specific work to be performed. The agreement provides that the District gives permission for City staff and the project Contractor to perform installations in conjunction with approved project plans and specifications for City project 16-4. The agreement also outlines how the costs of such improvements will be paid by the school district, by either lump sum or in the form of a special assessment against the property.

RECOMMENDATION

Staff recommends the City Council approve and execute the special assessment and waiver agreement with Anoka Hennepin School District #11 to complete the required improvements under City project 16-4.

Attachments

Agreement
Exhibit A

SPECIAL ASSESSMENT AND WAIVER AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of _____, 2016, by and between ANOKA HENNEPIN SCHOOL DISTRICT # 11, a political subdivision of the State of Minnesota ("Owner") and the CITY OF COON RAPIDS, a Municipal Corporation, hereinafter referred to as "City."

WITNESSETH:

The City is reconstructing Dogwood Street NW as part of City Project 16-4. Owner requested the installation of water and sewer connections up to the property line for the proposed maintenance facility at Owner's property, located at 11401 Dogwood Street N.W., City of Coon Rapids, Minnesota (the "Property"). The Property is legally described as:

Block 1, Lot 6, Anoka Hennepin 1st Addition.

PIN: 13-31-24-14-0007

To expedite and coordinate with the Dogwood Street NW street reconstruction, the parties have agreed to add the water and sewer connections to serve the Property. Further it is agreed, that the curb will be removed and a temporary apron installed at the future entrance to the Property.

Owner agrees that this will provide benefit to the Property and has requested City advance the costs of the utility and assess the costs against the Property. The City has determined it is in its best interests to construct the improvement in order to incorporate it with the Dogwood Street NW street reconstruction, City Project 16-4, to decrease cost and future disruption in the area and to assess the costs against Owner.

NOW, THEREFORE, the undersigned as Owner of the above described Property, in consideration of construction of water and sewer connections up to the property line to serve the

maintenance facility to be constructed on the Property:

1. Owner hereby grants to the City and its construction agents, the right to install water and sewer connections to the property line of the Property and other minor improvements as shown on Exhibit A to be installed concurrently with City street reconstruction project 16-4 for the benefit of Owner.
2. The City shall take all reasonable steps to complete the improvement by August 12, 2016.
3. City estimates the cost of work to be \$19,954.00 for construction and \$1,596.32 to cover construction administration, staking, and inspections costs for a total estimated amount of \$21,550.32. The Owner shall pay actual costs incurred for the indicated work which shall not exceed \$25,000.00 which the Owner shall pay upon the City's satisfactory completion of work in one installment or pay in annual installments, not to exceed 5 years total.
4. Owners hereby waive notice of assessment hearing for the improvement and specifically waive their right to appeal said assessment as provided by Minnesota Statutes Section 429.081.
5. Agrees this agreement shall have the same force and effect as a petition presented pursuant to Minnesota Statutes Section 429.031 and specifically waive any public hearings with respect to the proposed assessment.

Neither party waives any additional claims that may arise out of the entry.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

CITY OF COON RAPIDS

By:

Jerry Koch, Mayor

By:

Matt Stemwedel, City Manager

[Signatures continue on following page]

**ANOKA HENNEPIN SCHOOL
DISTRICT # 11**

By:

Its:

STATE OF MINNESOTA)
)ss.
COUNTY OF ANOKA)

On this _____ day of _____, 2016, before me a Notary Public within and for said County, personally appeared Jerry Koch and Matt Stemwedel, to me personally known, who each by me duly sworn, each did say that they are respectively the Mayor and the City Manager of Coon Rapids, the municipal corporation named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed in behalf of said municipality by authority of its City Council and said Mayor and City Manager acknowledged said instrument to be the free act and deed of said municipal corporation.

Notary Public

STATE OF MINNESOTA)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____, the _____ of Anoka Hennepin School District #11.

Notary Public

This Document Drafted By:

David J. Brodie
Coon Rapids City Attorney

11155 Robinson Drive
Coon Rapids, Minnesota 55433
(763) 767-6495

EXHIBIT A

EXCERPT FROM THE SWPPP NARRATIVE

The following is from the Storm Water Pollution Prevention Plan Narrative, Section 01 89 13 of the Project Manual. In accordance with Section 110 06, the Contractor shall be responsible for full implementation of and maintenance required by the SWPPP Narrative until the Notice of Termination is approved by the MPCA. Should differences arise between the SWPPP Narrative information described below and the information contained within the SWPPP Narrative, bound into the Project Manual, the SWPPP in the Project Manual shall govern.

V. General Construction Sequence (in conjunction with the Construction Manager's Construction Schedule)

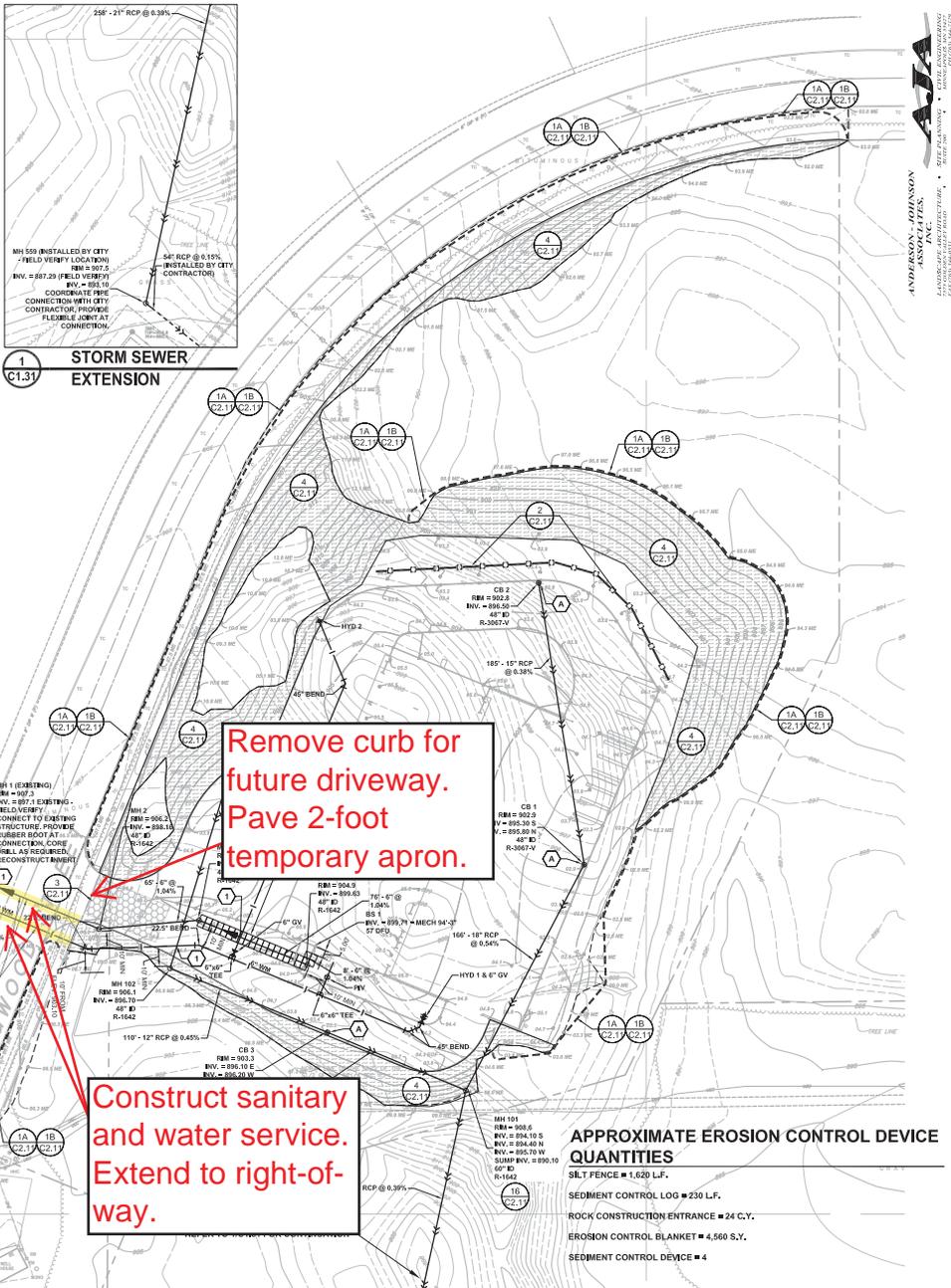
- A. Erosion Control Devices, noted herein include:
 1. Silt fence
 2. Sediment Control Device at storm sewer inlets
 3. Treatment log
 4. Rock construction entrance
 5. Rock check dams
 6. Filter strip
 7. Storm water treatment basins
 8. Temporary sediment basins
 9. Storm sewer systems
 10. Temporary outlet ditches
 11. Erosion control blanket
 12. Temporary seeding
 13. Final seeding / sodding
 14. Temporary permanent vegetation
 15. Other features identified by the Minnesota Pollution Control Agency, City or Engineer as a Best Management Practice (BMP) device.
- B. Contractor and Owner shall apply for NPDES Phase II Permit within 24 hours of award of Contract.
 1. Once obtained, the Contractor shall post the permit in the job site trailer or other suitable temporary storage area.
- C. The Contractor shall review the SWPPP and its sequencing and requirements. The Contractor shall notify the Engineer if the conditions, construction sequencing, or other items are different or require modification from the written SWPPP. Modifications to the SWPPP may be made upon approval of the Engineer.
 1. Initial protective fencing and barricading and installation of Plans.
 2. Construct Sediment Control Devices (SCDs) at existing storm sewer inlets (if bays around catch basins and all those under existing will not be acceptable). SCDs shall be installed and maintained at structures scheduled for removal and at those structures on removal.
 3. Install all fence (per site).
 4. Obtain all erosion control devices inspected by local authorities, as required by the local authority.
 5. Construct the rock construction entrances.
 6. Establish concrete curb and sidewalk areas and post with signs.
 7. Remove existing site features including tree removal and grubbing.
 8. Strip and stockpile topsoil. Provide temporary seed and mulch as described herein.
 9. Strip and stockpile topsoil in the area of the proposed building. Provide temporary seed and mulch on stockpile as described herein.
 10. Begin rough grading for the building pad.
 11. Design footings, foundations and slab construction for building.
 12. Complete the grading of the building pad area.
 13. Begin utility construction.
 14. Construct the sanitary sewer system.
 15. Construct permanent storm sewer system.
 16. Construct the watermain system.
 17. Construct Sediment Control Devices at proposed storm sewer inlets (if bays around castings and all fence under castings will not be acceptable).
 18. Begin rough grading of the paved areas.
 19. Gravel topsoil and thin grade the building areas. Provide temporary seeding and mulch.
 20. Rough and thin grade the substrate for parking lot and drives.
 21. Prepare walking areas for permanent seeding and sodding (permanent stabilization) in accordance with the specified seeding and sodding rates.
 22. Construct the silt and aggregate base course over paved areas. This will serve as temporary stabilization for the parking lots and drives.
 23. Construct curb and gutter and concrete walks. This will serve as permanent stabilization for the walk areas.
 24. Construct site fencing.
 25. Install lighting systems.
 26. Construct final bit of pavement for the parking and drive areas. This will serve as permanent stabilization for the parking lots and drives.
 27. Provide final bit of pavement and pavement markings.
 28. Provide final stabilization and cleanup of the site.
- D. Provide maintenance to erosion control devices and BMP's to comply with the requirements of the permit.
- E. Remove all sediment control devices that have been adjusted or removed to accommodate short-term activities, such as passage of construction vehicles or stockpiles, immediately after the short-term activity has been completed. All sediment control devices shall be re-installed before the next precipitation event if the short-term activity is not complete.
- F. Inspect erosion control devices and provide routine maintenance as follows:
 1. Inspect erosion control devices a minimum of once per week and inspect, repair and cover over/underlaid areas at the end of the next business day after discovery or as soon as field conditions allow access unless otherwise specified.
 2. All weather protection devices shall be replaced or repaired as needed. If replacement when they become non-functional or the sediment reaches one-half (1/2) of the height of the devices. These repairs must be made by the end of the next business day after discovery or when the next precipitation event occurs.
 3. Record inspection on log provided. Contractor's construction trailer or other suitable temporary storage area. All inspections and maintenance shall be recorded within 24 hours.
 - a. Record of work inspection and maintenance activity shall include:
 - (1) Date and time of inspection
 - (2) Name of person conducting inspection
 - (3) Findings of inspection, including recommendations for corrective actions
 - (4) If any discharge is observed to accompany daily inspection, a record of all points of the property, from which there is a discharge must be made, and the discharge should be described (i.e., color, odor, flow, turbidity, solids, suspended solids, foam, oil, grease, and other obvious indications of pollution). Photographs shall be taken and kept with the inspection log.
 - (5) Corrective actions including dates, times, and party conducting maintenance activities
 - (6) Date and amount of all rainfall events greater than one half inch (0.5 inch) in 24 hours. Rainfall amounts must be obtained by a properly maintained rain gauge located on-site, a weather station that will be 1/4 mile or more from the site, or a weather reporting system that provides site specific rainfall data from radar summaries.
 - (7) Documentation of charges made to the SWPPP as required by the NPDES General Stormwater Permit for Construction Activity (MN 1002001).
 4. Inspections are not required where the ground is frozen. The required inspections and maintenance schedule must begin within 24 hours after travel occurs all the time 24 hours after resuming construction, will never occur first.
- G. Provide maintenance for all devices as follows:
 - a. Silt fences, sediment logs, temporary berms, and erosion control devices at storm sewer inlets shall be inspected for depth of sediment, tears, breaches, to see if fabric is securely attached to support posts or structure, and to see that posts and devices are securely deployed.
 - b. Silt fences, sediment logs, temporary berms, and erosion control devices at storm sewer inlets, and other erosion control devices shall be cleaned when sediment reaches 1/3 the height of the erosion control device, within 24 hours.
 - c. Rock construction entrances shall be inspected for digging of river rock, river rock that has become displaced with sediment shall be removed and replaced with fresh river rock.
 - d. Berms or sediments to all erosion control devices shall occur within 24 hours of discovery.
 - e. Trackbed and/or construction vehicles on to public streets and paved areas including paved areas on the construction site shall be removed within 24 hours of discovery.
 - f. Streets and other areas adjacent to the project must be inspected for evidence of white accumulation of sediment. If sediment is present, it must be removed in a manner and at a frequency sufficient to mitigate slide impacts.
 - g. Removal of sediment and reestablishment of Surface Waters shall be accomplished within 24 hours of discovery (note: surface waters include curb and gutter, pavements, storm sewer, swales, or other similar storm water conveyance devices).
- H. Provide decontaminating of excavations as identified in Section 31 00 00.
- I. Temporary Silt Stockpiles:
 1. Temporary silt stockpiles shall be placed in surface waters of the site, including surface conveyances such as curb and gutter, swales, or ditches.
 2. Install all stockpiles at the base of the temporary silt stockpile (fill sediment). Temporary silt stockpiles shall be seeded with temporary seed mix and hydromulch when stockpiles are left in place for seven (7) days. Note: this does not apply to aggregate stockpiles, clean rock, clean sand and other clean aggregates.
- J. Stockpile denuded areas (including stockpiles) within the following number of days of last construction activity (temporary or permanent) in that area:
 1. As soon as possible but no less than seven (7) days.
- K. Provide maintenance of all sodded areas as follows:
 1. Provide decontaminating of storm sewer system at the completion of the project. Cleaning shall include removal of accumulated sediment from all surface waters as defined by the permit (for example, curb and gutter, pavements, swales, and storm sewer ditches and structures).
- L. Remove all fences and erosion control devices at storm sewer inlets following full establishment of site vegetation. Dispose materials properly off-site.
- M. Apply for Notice of Termination (NOT) with MPCA, NOT must be submitted within 30 days after:
 1. Site has undergone final stabilization (at least 90% vegetative cover), and
 2. Removal of all temporary erosion control measures (Silt fence, silt, and
 3. Final cleanup and maintenance of all permanent storm water features, and
 4. Completion of all maintenance activities and site cleanup.

NOTES

1. REFER TO SHEET C1.21, GRADING AND DRAINAGE PLAN, FOR GENERAL NOTES.
2. ALL WATERMAIN PIPE SHALL BE DP, CLASS 52. ALL WATERMAIN SHALL HAVE MINIMUM 8" BURY (TOP OF PIPE TO FINISH GRADE), DP SHALL BE ENCASED WITH POLYETHYLENE FLM CONFORMING TO ASTM D 1248-88B.
3. ALL SANITARY SEWER PIPE SHALL BE PVC PIPE (ASTM D 3034, SDR 35), UNLESS OTHERWISE NOTED. SANITARY SEWER INSTALLATION SHALL BE IN ACCORDANCE WITH ASTM D2321.
4. ALL STORM SEWER PIPE SHALL BE RCP, CLASS III (M/N), WITH FLEXIBLE WATERTIGHT JOINTS IN ACCORDANCE WITH ASTM C-361, UNLESS OTHERWISE NOTED.
5. FLEXIBLE JOINTS AT CATCH BASIN AND MANHOLE CONNECTIONS:
 - a. IN ACCORDANCE WITH MINNESOTA PLUMBING CODE, PROVIDE FLEXIBLE JOINTS AT ALL PIPE CONNECTIONS TO ALL CATCH BASINS AND MANHOLES.
 - b. ACCEPTABLE MANUFACTURERS / PRODUCTS:
 - I. FERROCON, "CONCRETE MANHOLE ADAPTORS" OR "LARGE-DIAMETER WATERSTOPS"
 - II. PRESSEAL, WATERSTOP GROUTING RINGS
 - III. OR APPROVED EQUAL.
6. WATERMAIN SHALL BE INSTALLED AT LEAST 10 FEET HORIZONTALLY FROM ANY MANHOLE, CATCH BASIN, STORM SEWER, SANITARY SEWER, DRAIN TILE OR OTHER POTENTIAL SOURCE FOR CONTAMINATION PER MINNESOTA PLUMBING CODE. THIS ISOLATION DISTANCE SHALL BE MEASURED FROM THE OUTER EDGE OF THE PIPE TO THE OUTER EDGE OF THE CONTAMINATION SOURCE (OUTER EDGE OF STRUCTURES OR PIPING OR SIMILAR).
7. LOCATE ALL EXISTING UTILITIES, VERIFY LOCATION, SIZE AND INVERT ELEVATION OF ALL EXISTING UTILITIES, UTILITY LOCATIONS, SIZES AND ELEVATIONS OF SAME BEFORE BEGINNING CONSTRUCTION.
 - a. PRIOR TO CONSTRUCTION OF PROPOSED BUILDING UTILITY SERVICES (SANITARY SEWER, WATERMAIN), VERIFY ALL PROPOSED BUILDING UTILITY SERVICE PIPE SIZES, LOCATIONS AND ELEVATIONS WITH MECHANICAL PLANS, COORDINATE CONSTRUCTION AND CONNECTIONS WITH MECHANICAL CONTRACTOR.
 - b. CONTRACTOR SHALL STAKE LIMITS OF WALKS AND CURBING PRIOR TO INSTALLATION OF GATE VALVES AND MANHOLES, GATE VALVE AND MANHOLE LOCATIONS SHALL BE ADJUSTED TO AVOID PLACEMENT OF THESE STRUCTURES IN WALKS AND CURB AND GUTTER.
8. REFER TO SWPPP NARRATIVE (SECTION 01 89 13) FOR CONSTRUCTION SEQUENCING AND EROSION CONTROL REQUIREMENTS.
9. MAINTAIN ADJACENT PROPERTY AND PUBLIC STREETS CLEAR FROM CONSTRUCTION CAUSED DIRT AND DEBRIS ON A DAILY BASIS, PROTECT DRAINAGE SYSTEMS FROM SEDIMENTATION AS A RESULT OF CONSTRUCTION RELATED DIRT AND DEBRIS.
10. MAINTAIN DUST CONTROL DURING GRADING OPERATIONS.
11. ALL EROSION CONTROL METHODS SHALL COMPLY WITH MPCA AND OTHER LOCAL REGULATIONS.
12. IF EROSION AND SEDIMENT CONTROL MEASURES TAKEN ARE NOT ADEQUATE AND RESULT IN DOWNSTREAM SEDIMENT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING OUT DOWNSTREAM STORM SEWERS AS NECESSARY, INCLUDING ASSOCIATED RESTORATION.
13. SEDIMENT CONTROL DEVICE AT STORM SEWER INLETS. AT THE INLETS TO ALL STORM SEWER STRUCTURES, PROVIDE A PRODUCT FROM THE FOLLOWING LIST, ACCEPTABLE PRODUCTS:
 - A. WMCO TOP SLAB™ MODEL RD 27.
 - B. INFRASAFE® SEDIMENT CONTROL BARRIER, DISTRIBUTED BY ROYAL ENVIRONMENTAL SYSTEMS, INC. SIZE'S SHALL BE SIZED SPECIFICALLY FOR THE STRUCTURE AND CASTING SPECIFIED. SCB'S SHALL BE EQUIPPED WITH FRAME AND PERFORATED SHROUD AND SHALL BE WRAPPED ON THE OUTSIDE, COVERING THE PERFORATED WALL ONLY, WITH A GEOTEXTILE SOCK.
 - C. DANDY BAGS® OR DANDY BAG II® DISTRIBUTED BY BROCK WHITE COMPANY, ST. PAUL, MN (615) 647-0620. DANDY BAG SHALL BE USED ONLY FOR CURB INLETS AFTER PAVEMENT FINISH COURSE OR WEAR COURSE IS INSTALLED OR AT EXISTING PAVED AREAS.
 - D. INFRASAFE® DEBRIS COLLECTION DEVICE BY ROYAL ENVIRONMENTAL SYSTEMS, INC., DISTRIBUTED BY ESS BROTHERS, 9350 COUNTY ROAD 19, CORCORAN, MN 55037. DCD'S SHALL BE SIZED SPECIFICALLY FOR THE STRUCTURE AND CASTING SPECIFIED, PROVIDE FILTER BAGS AND TIES FOR COMPLETE INSTALLATION.
 - E. OR APPROVED EQUAL.

LEGEND

- | | |
|--|---------------------------------------------------------------------------------------------------------------------|
| | REFERENCE KEY TO SITE DETAILS |
| | DETAIL SHEET NUMBER (TOP) |
| | DETAIL SHEET NUMBER (BOTTOM) |
| | EXISTING CONTOUR |
| | PROPOSED CONTOUR |
| | PROPOSED SPOT ELEVATION |
| | ME = MATCH EXISTING |
| | PROPOSED SANITARY SEWER |
| | PROPOSED STORM SEWER |
| | PROPOSED WATERMAIN |
| | PROPOSED MANHOLE (MH) |
| | PROPOSED CATCH BASIN (CB) |
| | PROPOSED HYDRANT (HYD) |
| | PROPOSED GATE VALVE (GV) |
| | PROPOSED POST INDICATOR VALVE (PIV) |
| | PROVIDE MINIMUM 18" VERTICAL SEPARATION AT CROSSING - PROVIDE VERTICAL BENDS IN WATERMAIN AS REQUIRED TO ACCOMPLISH |
| | SEDIMENT CONTROL DEVICE AT STORM SEWER INLET |
| | PROPOSED SILT FENCE WITH TOPSOIL BERM |
| | PROPOSED SEDIMENT CONTROL LOG |
| | PROPOSED ROCK CONSTRUCTION ENTRANCE |
| | PROPOSED EROSION CONTROL BLANKET |
| | PROPOSED BUILDING STOOP - REFER TO ARCHITECTURAL PLANS |
| | PROPERTY LINE |



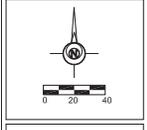
Remove curb for future driveway. Pave 2-foot temporary apron.

Construct sanitary and water service. Extend to right-of-way.

APPROXIMATE EROSION CONTROL QUANTITIES
 SILT FENCE # 1,620 L.F.
 SEDIMENT CONTROL LOG # 230 L.F.
 ROCK CONSTRUCTION ENTRANCE # 24 C.Y.
 EROSION CONTROL BLANKET # 4,560 S.Y.
 SEDIMENT CONTROL DEVICE # 4

MIKE KRAFT ARCHITECTS
 1442 98TH LANE N.W.
 COON RAPIDS, MN. 55433
 612-309-6002
 mike@mikekraftarchitects.com

ANOKA-HENNEPIN SCHOOLS
 VEHICLE STORAGE BUILDING
 ANOKA-HENNEPIN SCHOOL DISTRICT
 11301 DOGWOOD ST NW
 COON RAPIDS, MN 55448



UTILITY AND EROSION AND SEDIMENT CONTROL PLAN

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

DAVID A. REY
 40180 REG. NO. 5202018 DATE

CHECKED BY DAR
 DRAWN BY MLB
 DATE 5/20/2016
 PROJECT NO. 15095
 SHEET NO. C1.31



City Council Regular

4.

Meeting Date: 08/03/2016

Subject: Adopt Resolution 16-83, Establishing Hearing Date on Imposition of Fees - Creek Meadows II Owners Association Housing Improvement Area

Submitted For: David Brodie, City Attorney

From: Kim Reid, Administrative Legal Assistant

INTRODUCTION

On June 7, 2016, Council adopted an ordinance establishing the Creek Meadows II Owners Association Housing Improvement Area. The costs of the improvements have now been determined and Council is asked to set a hearing date so those costs can be collected from the property owners in the same manner as a special assessment.

DISCUSSION

Council will recall that State law authorizes cities to establish Housing Improvement Areas and finance the costs of improvements to housing within those areas if no other financing source is available. In June, Council established a housing improvement area for the 44 units in the Creek Meadows II Owners Association Housing Improvement Area. The improvements include new siding, gutters, windows, doors, concrete aprons, sidewalks, landscaping, remove and replace curb and gutters and prep all driveways for paving.

The costs of the improvements have now been determined. The next step in the process is to adopt a resolution to collect the improvement fees from the owners of the units. A hearing is necessary before that resolution can be adopted. The attached resolution would set September 6, 2016 as the date for that hearing.

RECOMMENDATION

Adopt Resolution 16-83 setting the hearing on the establishment of improvement fees for the Creek Meadows II Owners Association Housing Improvement Area for Tuesday, September 6, 2016 at 7:00 PM in the Coon Rapids City Council Chambers.

Attachments

16-83 Resolution

RESOLUTION NO. 16-83

**RESOLUTION SETTING HEARING DATE ON IMPOSITION
OF IMPROVEMENT FEES FOR HOUSING IMPROVEMENT AREA -
CREEK MEADOWS II OWNERS ASSOCIATION**

WHEREAS, pursuant to Minnesota Statutes Section 428A.13, the City Council, on June 7, 2016, adopted an ordinance establishing the Creek Meadows II Owners Association Housing Improvement Area; and

WHEREAS, the affected property owners have indicated their intent not to veto the ordinance; and

WHEREAS, said ordinance provided that the improvement costs would be paid equally by all members of the affected townhouse association and collected over a period of 15 years in the same manner as a special assessment in accordance with Minn. Stat. §428A.14; and

WHEREAS, the cost for the improvements has now been determined.

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

1. A hearing shall be held on the 6th day of September, 2016, in the Council Chambers at the Coon Rapids City Center at 7:00 PM, or as soon thereafter as the matter may be heard, to pass on the proposed improvement fees to be assessed against the 44 housing units within the Creek Meadows II Owners Association Housing Improvement Area and at such time and place all persons owning units that are subject to the fees will be given an opportunity to be heard with reference to such fees.

2. The City Clerk is hereby directed to cause a notice of the hearing on the imposed fees to be published once in the official newspaper and mailed to each of the affected unit owners at least seven days prior to the hearing.

Adopted by the Coon Rapids City Council this 3rd day of August, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

5.

Meeting Date: 08/03/2016

Subject: Consider Resolution 16-84, Accepting Donation from Coon Rapids Athletic Association for Construction Labor at Sand Creek Park and Approve Agreement

Submitted For: Tim Himmer, Public Works Director

From: Sarah Greene, Administrative Assistant II

INTRODUCTION

The Coon Rapids Athletic Association (CRAA) would like to present a donation in the form of all labor necessary to construct the City's maintenance garage and storage garage as part of the Sand Creek Park redevelopment project.

DISCUSSION

As part CRAA providing recreational opportunities to the youth of the community, it wishes to have the ability to store equipment for its activities conducted at Sand Creek Park and provide additional storage to the City. Per the attached agreement, the City agrees to purchase and provide all necessary building materials to construct both the maintenance garage and the storage garage as identified on Exhibit A provided herein. CRAA wishes to donate to the City all labor necessary to construct the City's maintenance garage and the storage garage, at CRAA's expense under the terms of the Agreement.

The design for the maintenance garage was completed by the City's architect as part of the warming house/concession stand building plan set that was bid earlier this year. The cost to construct the maintenance garage under the building project was approximately \$90,000. CRAA wishes to have a place on the site to store equipment and supplies to support their use of the facility, and has agreed to construct a garage for this use to match the design of the maintenance garage. Both structures will be constructed to the design plans and specifications, and will match architecturally with the main building on the site. With the City purchasing the supplies under our tax exempt status, and CRAA constructing the garages, it is estimated that both structures can be built at a cost to the City of approximately \$30,000. CRAA will secure all necessary permits and build the structures consistent with all required standards and codes.

RECOMMENDATION

It is recommended the City Council take the following action:

- 1) Adopt Resolution 16-84 to accept the donation from Coon Rapids Athletic Association for all labor necessary to construct the City's maintenance garage and storage garage at Sand Creek Park.
- 2) Authorize the Mayor and City Manager to execute the Agreement with Coon Rapids Athletic

Association for construction and use of the City's maintenance garage and storage garage at Sand Creek Park.

Attachments

Agreement

Exhibit A

Resolution No. 16-84

**AGREEMENT
COON RAPIDS ATHLETIC ASSOCIATION**

THIS AGREEMENT made and entered into this ____ day of _____, 2016, by and between the City of Coon Rapids, a Minnesota municipal corporation, hereinafter referred to as “City” and the Coon Rapids Athletic Association, hereinafter referred to as “Association”.

WITNESSETH:

The City is the owner and operator of the Sand Creek Athletic Complex in Coon Rapids, hereinafter referred to as the “Facility”. In addition, the City has an interest in providing recreational opportunities for the youth of the community.

The City is planning to construct a maintenance garage at the Facility, as shown on Exhibit A.

As part of the Association providing recreational opportunities to the youth of the community, it wishes to have the ability to store equipment for its activities conducted at the Facility and provide additional storage to the City

City agrees to the construction of a storage garage at the Facility to provide storage for both parties, as shown on Exhibit A.

The Association wishes to donate to the City all labor necessary to construct the City’s maintenance garage and the storage garage at the Facility, at Association’s expense under the terms of this Agreement.

The City agrees to purchase and provide all necessary building materials to construct both the maintenance garage and the storage garage.

The City is willing to accept the donation from the Association under the terms of this Agreement.

The City and the Association agree that constructing the maintenance garage and storage garage at the Facility is in the best interest of the City and the Association to provide recreational opportunities for the youth of the community.

NOW, THEREFORE,

1. The Association will provide all necessary labor to construct at its expense the maintenance garage and the storage garage at the Facility.

2. The City will accept the donation of the labor from the Association and permit the construction of the storage garage at the Facility. Construction of the maintenance garage

and storage garage shall be consistent with the plans and specifications as prepared by the City and shall meet with all requirements of the State of Minnesota and the City, including obtaining and paying for all necessary building permits.

3. The City will be responsible for providing all necessary materials for construction of the maintenance garage and the storage garage.

4. The City agrees that the Association's equipment may be stored in the storage garage in a manner agreed upon by the parties.

5. Any remaining costs of the equipment, installation, warranties, and miscellaneous expenses related to the construction of the buildings thereto shall be paid by the Association.

6. The Association shall be responsible for the ongoing maintenance and operation of the storage garage including any costs associated with such maintenance and operation. City shall be responsible for the ongoing maintenance and operation of its maintenance garage including any costs associated with such maintenance and operation.

7. Association Insurance.

A. Liability. The Association 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 Association operates a motor vehicle in performing the services under this Agreement, the Association 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 Association agrees to comply with all applicable workers' compensation laws in Minnesota.

D. Certificate of Insurance. The Association 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.

8. The Association shall be responsible for any and all defects that may develop in any part of the entire work or installation furnished, and upon receipt of written notice from the City, shall immediately replace and make good, without expense to the City any faulty part or parts and damage done by reason of the same during a period of one year from the date of completion. Concrete work shall have a two (2) year warranty period.

9. This Agreement may not be assigned or otherwise transferred by the Association to any third party without the prior written consent of the City.

10. To the fullest extent permitted by law, the Association 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 Association's negligence or the Association's performance or failure to perform its obligations under this Agreement. The Association agrees this indemnity obligation shall survive the completion or termination of this Agreement.

11. Each party shall have the option to terminate this Agreement at any time. Termination shall be effective upon 60 days written notice to the other party.

12. This Agreement contains and embodies the entire agreement of the parties hereto and no representations, inducements, or agreements oral or otherwise, between the parties not contained and embodied herein shall be of any force or effect, and this Agreement may not be modified in whole or in part other than by an agreement in writing duly signed by all parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

CITY OF COON RAPIDS

By: _____
Jerry Koch, Mayor

By: _____
Matt Stemwedel, City Manager

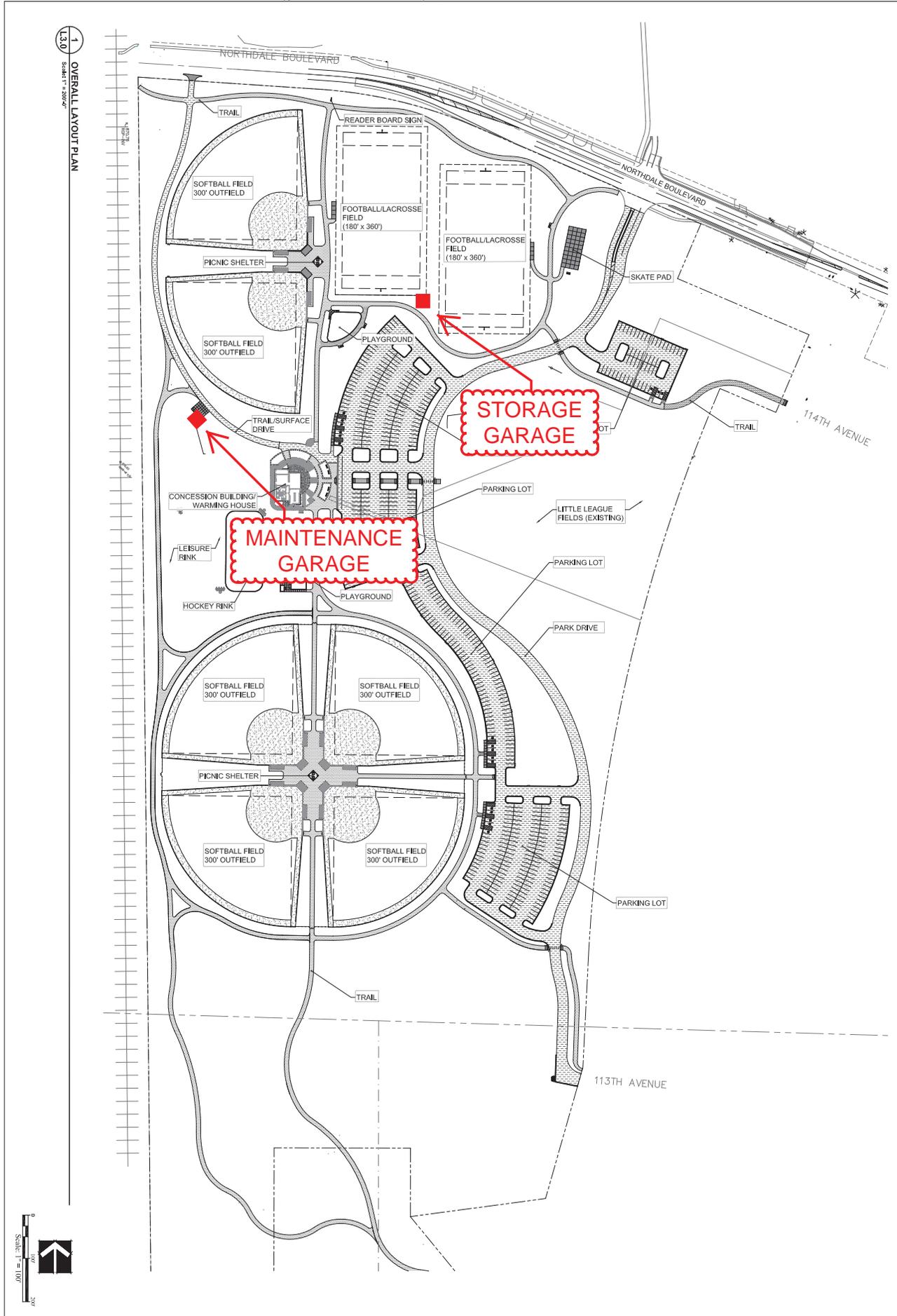
COON RAPIDS ATHLETIC
ASSOCIATION

By: _____
Its: _____

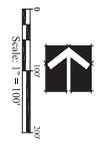
By: _____
Its: _____

EXHIBIT A

Date: May 18, 2015 Drawing File: k:\01431-420\cad\to consultants\01431-420 layout 051515 city graphic.dwg Page Setup: -- Sheet Layout: L3.0 - Overall Layout
 XREFS: Xref: 01431-420 Title Block; Xref: 1431-37 TOPC; Xref: 01431-420 Base-Playgrounds; Xref: 01431-420 Base 051515 City Graphic



1
 L3.0
 Scale: 1" = 300'



WSB
 701 Xerxes Avenue South, Suite 300
 Minneapolis, MN 55416
 Tel: (763) 544-8800 • Fax: (763) 544-7700
 wsbeng.com
 engineering • planning • environmental • construction

Sand Creek Park
 City of Coon Rapids, MN
Overall Layout Plan

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

Robert A. Blisko II
 DATE: MARCH 13, 2015 (L3.0) 44337

NO.	AS NOTED	REVISION	DATE	EXPLANATION
1	BS	BS		
2	PROJECT NO:	01431-420		
3	DATE:	03-13-2015		

RESOLUTION NO. 16-84

**A RESOLUTION ACCEPTING THE DONATION OF CONSTRUCTION LABOR
FROM THE COON RAPIDS ATHLETIC ASSOCIATION**

WHEREAS, the Coon Rapids Athletic Association (CRAA) provides recreational opportunities to the youth of the community; and,

WHEREAS, the CRAA wishes to have the ability to store equipment for its activities conducted at Sand Creek Park and provide additional storage to the City; and,

WHEREAS, the CRAA wishes to donate to the City all labor necessary to construct the City's maintenance garage as part of the Sand Creek Park reconstruction project, City Project 14-10, and the proposed storage garage, at the CRAA's expense; and,

WHEREAS, the City agrees to purchase and provide all necessary building materials to construct the maintenance garage and the storage garage; and,

WHEREAS, Minn. Stat. § 465.03 allows cities to accept donations of real or personal property by resolution adopted by a two-thirds majority of Council; and,

WHEREAS, the City Council finds the offered donation to be in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the donation of construction labor for the maintenance garage and storage garage at Sand Creek Park is hereby accepted.

BE IT FURTHER RESOLVED that the City of Coon Rapids hereby extends its gratitude to the Coon Rapids Athletic Association for its generosity.

Adopted this 3rd day of August, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

6.

Meeting Date: 08/03/2016

Subject: PC 16-14: Consider Approval of Alternative Exterior Material for Anoka County Gun Range Storage Building, 13299 Hanson Blvd, Crew 2

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting City Council approval of an alternative exterior building material. The applicant is requesting to use 29 gauge steel as exterior material for a new storage building.

DISCUSSION

Section 11-601.12(2) allows the use of alternative exterior materials provided the applicant demonstrates that the modification results in better integration of the building with the surrounding area. The applicant is requesting approval to use an alternative metal material on the exterior of a new storage building. The metal will match the exterior of the existing building at the gun range.

The existing building was constructed in 2013, prior to the current exterior materials standards. At the time, it complied with code. In order to continue a consistent appearance between the buildings, the applicant would like to construct the new storage building out of the same material as the existing building. The applicant is proposing to construct the new building with brick red, ribbed metal siding. The proposed location is well within all setback requirements; it will be in line with the existing building. The building will only be visible from the dog park and the composting site.

Planning Commission Meeting

At the July 21st Planning Commission meeting no one spoke at the public hearing. The Commission believed that the proposed material was appropriate for the site and voted unanimously to recommend approval of the proposed material.

RECOMMENDATION

In Planning Case 16-14, the Planning Commission recommends the City Council approve the request to allow an alternative metal siding because it would be consistent with the existing building and better integrate the building with the surrounding area.

Attachments

Location Map

Air photo of the site

Building Elevations

Location Map



Location Map

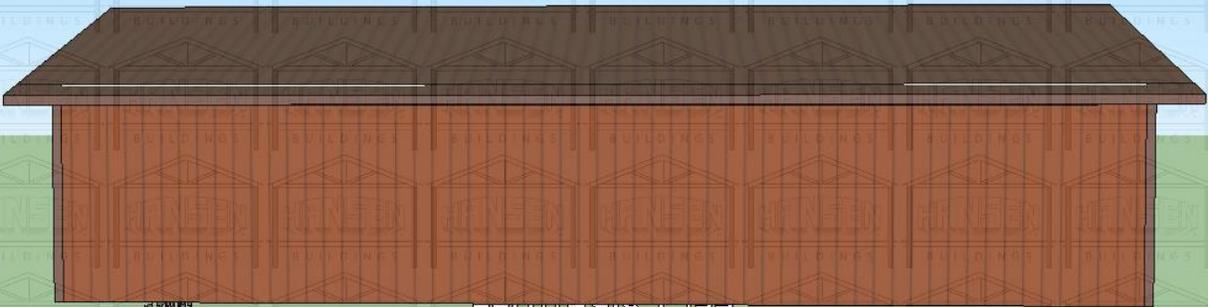


*Prepared for Anoka County Sherriff's Dept.
by Hansen Pole Buildings, LLC*



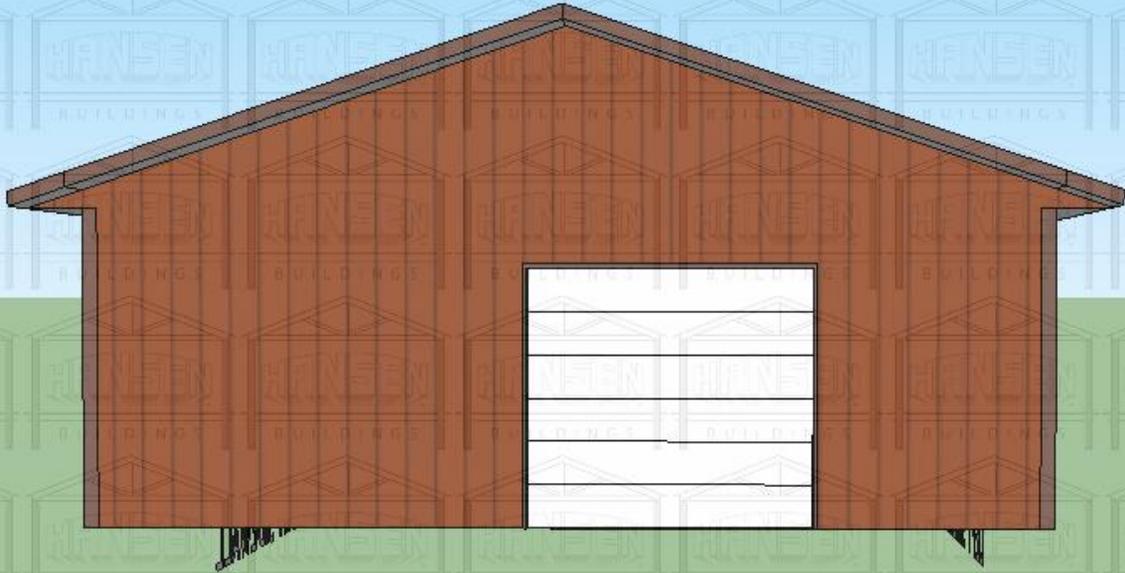
FRONT ENDWALL

*Prepared for Anoka County Sherriff's Dept.
by Hansen Pole Buildings, LLC*



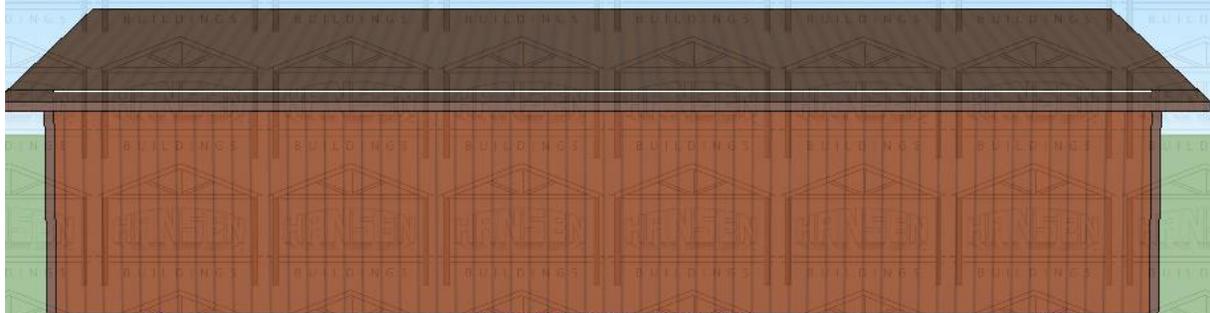
RIGHT SIDEWALL

*Prepared for Anoka County Sherriff's Dept.
by Hansen Pole Buildings, LLC*



REAR ENDWALL

*Prepared for Anoka County Sherriff's Dept.
by Hansen Pole Buildings, LLC*



LEFT SIDEWALL



City Council Regular

7.

Meeting Date: 08/03/2016

Subject: PC 16-17: Consider Adoption of Ordinance 2173, An Ordinance Opting Out of the State Temporary Health Care Dwellings Statute

From: Scott Harlicker, Planner

INTRODUCTION

The City Council is asked to approve the attached Ordinance 2173 that would allow the City to opt out of a new statute that would otherwise allow temporary family health care dwellings to be used in the City's residential districts.

DISCUSSION

Background and Discussion

In the past term, the Minnesota Legislature passed and the governor signed a law that would institute a permitting process for so-called "temporary family health care dwellings" in residential districts. These would basically be recreational vehicles or modified tiny houses, 300 gross square feet or less, that can be brought to a location by a truck or truck tractor and are used to provide care for a mentally or physically impaired person on the premises. Only one unit could be on the premises, and only one person could use the unit. The permit would be valid for six months, which may be renewed once for an additional six months.

Instead of using the state's permitting process, counties and municipalities may opt out of the law by passing an ordinance as part of its zoning provisions. But because the law becomes effective September 1, 2016, the opt-out ordinance should be in place before that date because the City would otherwise have to process permit applications made on or after September 1, 2016 until the effective date of the new ordinance.

Planning Commission Meeting

At the July 21st Planning Commission meeting no one spoke at the public hearing. The Commission voted unanimously to recommended approval of the opt-out provision for a number of reasons:

- This is a very new provision and use. Only a handful of jurisdictions around the country have enacted similar measures, so there is very little track record of their compatibility within residential districts.

- The state permitting process is a “one size fits all” remedy, and was designed for communities that might wish to allow these uses with a minimum amount of effort. While there may be interest to allow these uses in the future, staff would like more time to research the types of regulations that will best fit our community.
- There are a number of questions the new law raises having to do with vagueness in the regulations and potential conflicts with our existing code provisions.
- As mentioned above, the City always opt back in, or in the alternative, fashion regulations tailored to our needs. Opting out now, if nothing else, buys more time to both evaluate the regulations and see how the process works in other communities.

Typically, a City ordinance becomes effective 15 days after its approval and subsequent publication. In this case, there wouldn't be sufficient time to enact the new ordinance and put it in place by September 1st. Under the City's Charter, there is a process for enacting an emergency ordinance. As such, this ordinance would become effective upon Council approval on Tuesday night. Five affirmative votes are required for approval in this instance.

RECOMMENDATION

The Planning Commission recommended the City Council approve Ordinance 2173 opting-out of the requirements of Minnesota Statutes, Section 462.3593.

Attachments

Ordinance 2173
State Statute

ORDINANCE NO. 2173

AN ORDINANCE DECLARING AN EMERGENCY AS PROVIDED BY CITY CHARTER SECTION 1-306 SO AS TO WAIVE THE WAITING REQUIREMENTS FOR ORDINANCES UNDER CITY CHARTER SECTIONS 1-305 AND 1-309 ADDING SECTION 11-601.13 OPTING-OUT OF THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 462.3593

PREAMBLE:

A. On May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. § 462.3593, which permit and regulate temporary family health care dwellings.

B. Subdivision 9 of Minn. Stat. 462.3593 allows cities to “opt out” of those regulations.

C. The City Council finds an emergency ordinance under City Charter Section 1-306 is necessary for the following reasons:

1. State law would permit these uses effective September 1, 2016, unless this opt-out ordinance is effective on or before that date;
2. If this ordinance is not adopted as an emergency ordinance, it will not take effect until September 3, 2016, based on a publication date of August 19, 2016; and
3. It is necessary for the public peace, health, morals, safety, or welfare for this ordinance to be effective prior to September 1, 2016.

The City of Coon Rapids does ordain:

Section 1. Revised City Code - 1982 Section 11-601 is hereby amended as follows: (deletions in brackets, additions double underlined)

11-601.13 Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Coon Rapids opts-out of the requirements of Minnesota Statutes, Section 462.3593.

Section 2. The City Clerk is directed to modify Chapter 11.601.1 Uses table to reflect the addition of 11-601.13.

Section 3. This ordinance is declared to be an emergency ordinance under the provisions of City Charter Section 1-306 and will take effect immediately upon adoption.

Adopted this 3rd day of August, 2016 by a vote of _____ Ayes and _____ Naves.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

2016 Minnesota Session Laws

Key: (1) ~~language to be deleted~~ (2) new language

CHAPTER 111--S.F.No. 2555

An act relating to local government; regulating zoning of temporary family health care dwellings; establishing temporary dwelling permits; amending Minnesota Statutes 2014, section 144D.01, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 394; 462.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2014, section 144D.01, subdivision 4, is amended to read:

Subd. 4. **Housing with services establishment or establishment.** (a) "Housing with services establishment" or "establishment" means:

(1) an establishment providing sleeping accommodations to one or more adult residents, at least 80 percent of which are 55 years of age or older, and offering or providing, for a fee, one or more regularly scheduled health-related services or two or more regularly scheduled supportive services, whether offered or provided directly by the establishment or by another entity arranged for by the establishment; or

(2) an establishment that registers under section 144D.025.

(b) Housing with services establishment does not include:

(1) a nursing home licensed under chapter 144A;

(2) a hospital, certified boarding care home, or supervised living facility licensed under sections 144.50 to 144.56;

(3) a board and lodging establishment licensed under chapter 157 and Minnesota Rules, parts 9520.0500 to 9520.0670, 9525.0215 to 9525.0355, 9525.0500 to 9525.0660, or 9530.4100 to 9530.4450, or under chapter 245D;

(4) a board and lodging establishment which serves as a shelter for battered women or other similar purpose;

(5) a family adult foster care home licensed by the Department of Human Services;

(6) private homes in which the residents are related by kinship, law, or affinity with the providers of services;

(7) residential settings for persons with developmental disabilities in which the services are licensed under Minnesota Rules, parts 9525.2100 to 9525.2140, or applicable successor rules or laws;

(8) a home-sharing arrangement such as when an elderly or disabled person or single-parent family makes lodging in a private residence available to another person in exchange for services or rent, or both;

(9) a duly organized condominium, cooperative, common interest community, or owners' association of the foregoing where at least 80 percent of the units that comprise the condominium, cooperative, or common interest community are occupied by individuals who are the owners, members, or shareholders of the units; ~~or~~

(10) services for persons with developmental disabilities that are provided under

a license according to Minnesota Rules, parts 9525.2000 to 9525.2140 in effect until January 1, 1998, or under chapter 245D; or

(11) a temporary family health care dwelling as defined in sections 394.307 and 462.3593.

Sec. 2. **[394.307] TEMPORARY FAMILY HEALTH CARE DWELLINGS.**

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have the meanings given.

(b) "Caregiver" means an individual 18 years of age or older who:

(1) provides care for a mentally or physically impaired person; and

(2) is a relative, legal guardian, or health care agent of the mentally or physically impaired person for whom the individual is caring.

(c) "Instrumental activities of daily living" has the meaning given in section 256B.0659, subdivision 1, paragraph (i).

(d) "Mentally or physically impaired person" means a person who is a resident of this state and who requires assistance with two or more instrumental activities of daily living as certified in writing by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state.

(e) "Relative" means a spouse, parent, grandparent, child, grandchild, sibling, uncle, aunt, nephew, or niece of the mentally or physically impaired person. Relative includes half, step, and in-law relationships.

(f) "Temporary family health care dwelling" means a mobile residential dwelling providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that meets the requirements of subdivision 2.

Subd. 2. Temporary family health care dwelling. A temporary family health care dwelling must:

(1) be primarily assembled at a location other than its site of installation;

(2) be no more than 300 gross square feet;

(3) not be attached to a permanent foundation;

(4) be universally designed and meet state-recognized accessibility standards;

(5) provide access to water and electric utilities either by connecting to the utilities that are serving the principal dwelling on the lot or by other comparable means;

(6) have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;

(7) have a minimum insulation rating of R-15;

(8) be able to be installed, removed, and transported by a one-ton pickup truck as defined in section 168.002, subdivision 21b, a truck as defined in section 168.002, subdivision 37, or a truck tractor as defined in section 168.002, subdivision 38;

(9) be built to either Minnesota Rules, chapter 1360 or 1361, and contain an Industrialized Buildings Commission seal and data plate or to American National Standards Institute Code 119.2; and

(10) be equipped with a backflow check valve.

Subd. 3. Temporary dwelling permit; application. (a) Unless the county has designated temporary family health care dwellings as permitted uses, a temporary family health care dwelling is subject to the provisions in this section. A temporary family health care

dwelling that meets the requirements of this section cannot be prohibited by a local ordinance that regulates accessory uses or recreational vehicle parking or storage.

(b) The caregiver or relative must apply for a temporary dwelling permit from the county. The permit application must be signed by the primary caregiver, the owner of the property on which the temporary family health care dwelling will be located, and the resident of the property if the property owner does not reside on the property, and include:

(1) the name, address, and telephone number of the property owner, the resident of the property if different from the owner, and the primary caregiver responsible for the care of the mentally or physically impaired person; and the name of the mentally or physically impaired person who will live in the temporary family health care dwelling;

(2) proof of the provider network from which the mentally or physically impaired person may receive respite care, primary care, or remote patient monitoring services;

(3) a written certification that the mentally or physically impaired person requires assistance with two or more instrumental activities of daily living signed by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state;

(4) an executed contract for septic service management or other proof of adequate septic service management;

(5) an affidavit that the applicant has provided notice to adjacent property owners and residents of the application for the temporary dwelling permit; and

(6) a general site map to show the location of the temporary family health care dwelling and other structures on the lot.

(c) The temporary family health care dwelling must be located on property where the caregiver or relative resides. A temporary family health care dwelling must comply with all setback requirements that apply to the primary structure and with any maximum floor area ratio limitations that may apply to the primary structure. The temporary family health care dwelling must be located on the lot so that septic services and emergency vehicles can gain access to the temporary family health care dwelling in a safe and timely manner.

(d) A temporary family health care dwelling is limited to one occupant who is a mentally or physically impaired person. The person must be identified in the application. Only one temporary family health care dwelling is allowed on a lot.

(e) Unless otherwise provided, a temporary family health care dwelling installed under this section must comply with all applicable state law and local ordinances.

Subd. 4. **Initial permit term; renewal.** The initial temporary dwelling permit is valid for six months. The applicant may renew the permit once for an additional six months.

Subd. 5. **Inspection.** The county may require that the permit holder provide evidence of compliance with this section as long as the temporary family health care dwelling remains on the property. The county may inspect the temporary family health care dwelling at reasonable times convenient to the caregiver to determine if the temporary family health care dwelling is occupied and meets the requirements of this section.

Subd. 6. **Revocation of permit.** The county may revoke the temporary dwelling permit if the permit holder violates any requirement of this section. If the county revokes a permit, the permit holder has 60 days from the date of revocation to remove the temporary family health care dwelling.

Subd. 7. **Fee.** Unless otherwise specified by an action of the county board, the county may

charge a fee of up to \$100 for the initial permit and up to \$50 for a renewal of the permit.

Subd. 8. **No public hearing required; application of section 15.99.** (a) Due to the time-sensitive nature of issuing a temporary dwelling permit for a temporary family health care dwelling, the county does not have to hold a public hearing on the application.

(b) The procedures governing the time limit for deciding an application for the temporary dwelling permit under this section are governed by section 15.99, except as provided in this section. The county has 15 days to issue a permit requested under this section or to deny it, except that if the county board holds regular meetings only once per calendar month the county has 30 days to issue a permit requested under this section or to deny it. If the county receives a written request that does not contain all required information, the applicable 15-day or 30-day limit starts over only if the county sends written notice within five business days of receipt of the request telling the requester what information is missing. The county cannot extend the period of time to decide.

Subd. 9. **Opt-out.** A county may by resolution opt-out of the requirements of this section.

Sec. 3. [462.3593] TEMPORARY FAMILY HEALTH CARE DWELLINGS.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Caregiver" means an individual 18 years of age or older who:

(1) provides care for a mentally or physically impaired person; and

(2) is a relative, legal guardian, or health care agent of the mentally or physically impaired person for whom the individual is caring.

(c) "Instrumental activities of daily living" has the meaning given in section 256B.0659, subdivision 1, paragraph (i).

(d) "Mentally or physically impaired person" means a person who is a resident of this state and who requires assistance with two or more instrumental activities of daily living as certified in writing by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state.

(e) "Relative" means a spouse, parent, grandparent, child, grandchild, sibling, uncle, aunt, nephew, or niece of the mentally or physically impaired person. Relative includes half, step, and in-law relationships.

(f) "Temporary family health care dwelling" means a mobile residential dwelling providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that meets the requirements of subdivision 2.

Subd. 2. **Temporary family health care dwelling.** A temporary family health care dwelling must:

(1) be primarily assembled at a location other than its site of installation;

(2) be no more than 300 gross square feet;

(3) not be attached to a permanent foundation;

(4) be universally designed and meet state-recognized accessibility standards;

(5) provide access to water and electric utilities either by connecting to the utilities that are serving the principal dwelling on the lot or by other comparable means;

(6) have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;

(7) have a minimum insulation rating of R-15;

(8) be able to be installed, removed, and transported by a one-ton pickup truck as defined in section 168.002, subdivision 21b, a truck as defined in section 168.002, subdivision 37, or a truck tractor as defined in section 168.002, subdivision 38;

(9) be built to either Minnesota Rules, chapter 1360 or 1361, and contain an Industrialized Buildings Commission seal and data plate or to American National Standards Institute Code 119.2; and

(10) be equipped with a backflow check valve.

Subd. 3. Temporary dwelling permit; application. (a) Unless the municipality has designated temporary family health care dwellings as permitted uses, a temporary family health care dwelling is subject to the provisions in this section. A temporary family health care dwelling that meets the requirements of this section cannot be prohibited by a local ordinance that regulates accessory uses or recreational vehicle parking or storage.

(b) The caregiver or relative must apply for a temporary dwelling permit from the municipality. The permit application must be signed by the primary caregiver, the owner of the property on which the temporary family health care dwelling will be located, and the resident of the property if the property owner does not reside on the property, and include:

(1) the name, address, and telephone number of the property owner, the resident of the property if different from the owner, and the primary caregiver responsible for the care of the mentally or physically impaired person; and the name of the mentally or physically impaired person who will live in the temporary family health care dwelling;

(2) proof of the provider network from which the mentally or physically impaired person may receive respite care, primary care, or remote patient monitoring services;

(3) a written certification that the mentally or physically impaired person requires assistance with two or more instrumental activities of daily living signed by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state;

(4) an executed contract for septic service management or other proof of adequate septic service management;

(5) an affidavit that the applicant has provided notice to adjacent property owners and residents of the application for the temporary dwelling permit; and

(6) a general site map to show the location of the temporary family health care dwelling and other structures on the lot.

(c) The temporary family health care dwelling must be located on property where the caregiver or relative resides. A temporary family health care dwelling must comply with all setback requirements that apply to the primary structure and with any maximum floor area ratio limitations that may apply to the primary structure. The temporary family health care dwelling must be located on the lot so that septic services and emergency vehicles can gain access to the temporary family health care dwelling in a safe and timely manner.

(d) A temporary family health care dwelling is limited to one occupant who is a mentally or physically impaired person. The person must be identified in the application. Only one temporary family health care dwelling is allowed on a lot.

(e) Unless otherwise provided, a temporary family health care dwelling installed under this section must comply with all applicable state law, local ordinances, and charter provisions.

Subd. 4. Initial permit term; renewal. The initial temporary dwelling permit is valid for

six months. The applicant may renew the permit once for an additional six months.

Subd. 5. **Inspection.** The municipality may require that the permit holder provide evidence of compliance with this section as long as the temporary family health care dwelling remains on the property. The municipality may inspect the temporary family health care dwelling at reasonable times convenient to the caregiver to determine if the temporary family health care dwelling is occupied and meets the requirements of this section.

Subd. 6. **Revocation of permit.** The municipality may revoke the temporary dwelling permit if the permit holder violates any requirement of this section. If the municipality revokes a permit, the permit holder has 60 days from the date of revocation to remove the temporary family health care dwelling.

Subd. 7. **Fee.** Unless otherwise provided by ordinance, the municipality may charge a fee of up to \$100 for the initial permit and up to \$50 for a renewal of the permit.

Subd. 8. **No public hearing required; application of section 15.99.** (a) Due to the time-sensitive nature of issuing a temporary dwelling permit for a temporary family health care dwelling, the municipality does not have to hold a public hearing on the application.

(b) The procedures governing the time limit for deciding an application for the temporary dwelling permit under this section are governed by section 15.99, except as provided in this section. The municipality has 15 days to issue a permit requested under this section or to deny it, except that if the statutory or home rule charter city holds regular meetings only once per calendar month the statutory or home rule charter city has 30 days to issue a permit requested under this section or to deny it. If the municipality receives a written request that does not contain all required information, the applicable 15-day or 30-day limit starts over only if the municipality sends written notice within five business days of receipt of the request telling the requester what information is missing. The municipality cannot extend the period of time to decide.

Subd. 9. **Opt-out.** A municipality may by ordinance opt-out of the requirements of this section.

Sec. 4. **EFFECTIVE DATE.** This act is effective September 1, 2016, and applies to temporary dwelling permit applications made under this act on or after that date.

Presented to the governor May 12, 2016

Signed by the governor May 12, 2016, 1:27 p.m.

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City Council Regular

8.

Meeting Date: 08/03/2016

Subject: Consider Introduction of Ordinance Allowing Amendment to the Administrative Citation Ordinance

From: Kristin DeGrande, Neighborhood Coordinator

INTRODUCTION

The Administrative Citation Ordinance was adopted in April 2011. The code currently allows for a city official to extend a property owner's compliance date up to 30 days following the date the citation was issued. The proposed amendment would increase that time allowance from 30 days to 90 days.

DISCUSSION

The Administrative Citation Ordinance (City Code Section 2-1105) is the main tool the City uses to help enforce the various sections of City Code, especially in terms of property maintenance conditions. The City annually issues approximately 2,000 such administrative citations. The code states that compliance dates assigned must be at least 7 days and no longer than 30 days from the date a citation is issued, but property owners sometimes need more time to comply and they submit a time extension request.

Currently, the requests submitted for up to a 30 day extension can be granted immediately by the inspector who issued the citation. In this scenario, the inspector accepts the time extension request from the property owner, answers any questions, discusses the plan to comply, and prepares the time extension agreement which both the inspector and the property owner sign formalizing the new compliance date. Typically, this all occurs during one visit to City Hall. If a request is submitted for a time extension longer than 30 days, the inspector does not have the authority to approve this request, and instead it is forwarded to the City's internal hearing officer. In this case, the hearing officer receives the request and the inspector is responsible to provide all of the documentation and photos regarding the violation and resulting citation to the hearing officer for their review and consideration. After the information has been reviewed, the hearing officer contacts the property owner to schedule a hearing when they would come in to City Hall where the request is discussed, and either approved or denied and formalized into an agreement which both parties sign. This process is much more time consuming and cumbersome for both City staff as well as the property owner. At least half of these time extension requests are for less than 90 days.

In order to improve the efficiency of time extension requests while also reducing the inconvenience for property owners to request and receive the time they need to bring their

property into compliance, it is proposed to allow inspectors the authority to approve time extension requests up to 90 days.

RECOMMENDATION

It is recommended the City Council approve the ordinance revising the compliance date extension for a citation and thereby amending revised City Code Section 2-1105(2).

Attachments

Revised Ordinance

ORDINANCE NO.

**AN ORDINANCE REVISING THE COMPLIANCE DATE EXTENSION FOR
A CITATION AND THEREBY AMENDING
REVISED CITY CODE – 1982 SECTION 2-1105(2)**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 2-1105(2) is hereby amended as follows:

(deletions in brackets, additions double underlined)

2-1105 Citation; Authorization to Issue and Contents.

(2) Contents of Citation. The citation must state the date, time, and nature of the offense, the identity of the person issuing the citation, the amount of the scheduled fine, the manner of paying the fine or appealing the citation, a date by which the fine must be paid, a compliance date, if any, and the manner and time for taking an appeal. If a compliance date is given, the citation must state the action that must be taken to achieve compliance. Any compliance date must be not less than seven nor more than 30 days following the date the citation is issued. The compliance date may be extended by the city official who issued the citation up to [~~30~~] 90 days following the date of the citation upon a determination by the city official that a reasonable plan for remedying the violation exists. The plan must be agreed to in writing by the owner of the property for an extension to be granted. The citation may include a date, range of dates, or number of days following the compliance date on which abatement of the violation will occur. If the citation further includes a conspicuous notice that abatement will occur without further warning and, in the case of property violations, with assessments of the costs therefor to the subject property, unless an appeal is taken or compliance is achieved before the compliance date, no further notice is necessary prior to the entry on the property by City officials or their agents and assignees to abate the violation and assess the costs of abatement to the property

Introduced this 3rd day of August, 2016.

Adopted this ____ day of _____, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

9.

Meeting Date: 08/03/2016

Subject: Consider Resolution 16-85, A Resolution of Support for Coon Creek Watershed District Headquarters Project

From: Grant Fernelius, Community Development Director

INTRODUCTION

The Council is asked to consider a resolution supporting the proposed development of a new headquarters building for the Coon Creek Watershed District adjacent to the Clay Hole in Al Flynn Park.

DISCUSSION

For several months, the Coon Creek Watershed District (CCWD) has been evaluating options for a new headquarters location. The organization's administrative offices are currently located in Blaine and its board meetings are held at the Bunker Hills Activity Center in Andover. Earlier this year, the CCWD approached city staff about potential locations in Coon Rapids. While several sites were discussed (Port Riverwalk, 1425 Coon Rapids Blvd.) the conversation mostly focused on the land around the Clay Hole in Al Flynn Park. CCWD likes the location due to its proximity to Coon Creek. Their current lease expires in October 2017 and the District needs to move fairly quickly to get the project started this fall.

On June 28th, the City Council and representatives from the CCWD met in a work session to discuss the project. The general consensus of the Council was to continue to the discussions and gather additional information. Since that meeting, the CCWD has hired a design/build contractor to assist them with the concept plans and other tasks. The district is prepared to spend additional funds on architectural designs, but is requesting a commitment from the City on site location and project cooperation. Several different ideas were discussed and the attached resolution was acceptable to the CCWD. The resolution expresses support for the project and directs staff to continue the discussions, but reserves final right of approval with the City Council. However, it does not create any binding obligation of the City to approve a project.

In terms of next steps, staff anticipates that the CCWD will have a site plan and building elevations prepared in the next month or so. In addition, we expect to outline the key business terms for a potential land lease. The goal would be to present a more formal project package for Council consideration some time in late August or early September.

RECOMMENDATION

Staff recommends the City Council adopt Resolution 16-85 supporting the proposed development of a new headquarters building for the Coon Creek Watershed District adjacent to the Clay Hole in Al Flynn Park.

Attachments

Resolution of Support



RESOLUTION NO. 16-85

RESOLUTION OF SUPPORT FOR COON CREEK WATERSHED HEADQUARTERS PROJECT

BE IT RESOLVED by the City Council of the City of Coon Rapids, Minnesota (the “City”) as follows:

WHEREAS, the Coon Creek Watershed District (the “CCWD”), has expressed interest in constructing a new headquarters building (the “HQ Building”) within the city of Coon Rapids, Minnesota; and

WHEREAS, the parties have discussed locating the HQ Building within a portion of Al Flynn Park adjacent to the Clay Hole (the “Land”) as shown on Exhibit A; and

WHEREAS, the CCWD envisions developing a HQ Building that meets City standards while also providing a unique environmental and educational amenity along Coon Creek, and

WHEREAS, the City Council would like to express its support for the HQ Building being located at the described Land in order to allow the CCWD to further develop plans for the HQ Building.

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

1. The City Council authorizes staff to continue discussions with CCWD for the purposes of outlining additional project details and negotiating the business terms of a potential lease (the “Lease Terms”) for the Land.

2. Any Lease Terms, architectural designs, and other project elements are subject to the formal review and approval of the City Council.

Approved by the City Council of the City of Coon Rapids, Minnesota this 3rd day of August, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

EXHIBIT A

PROPOSED LOCATION FOR HQ BUILDING

