

## COON RAPIDS CITY COUNCIL MEETING MINUTES OF FEBRUARY 16, 2016

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### CALL TO ORDER

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The second regular meeting of the Coon Rapids City Council for the month of February was called to order by Mayor Jerry Koch at 7:00 p.m. on Tuesday, February 16, 2016, in the Council Chambers.

### PLEDGE OF ALLEGIANCE TO THE FLAG

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Mayor Koch led the Council in the Pledge of Allegiance.

### ROLL CALL

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

Members Absent: None

### ADOPT AGENDA

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MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT THE AGENDA AS AMENDED ADDING ITEM 1A TO THE AGENDA, A PRESENTATION FROM MARK UGLEM. THE MOTION PASSED UNANIMOUSLY.

### PROCLAMATIONS/PRESENTATIONS

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#### 1A. PRESENTATION FROM REPRESENTATIVE MARK UGLEM

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State Representative Mark Uglem thanked the Council for their time. He was honored to represent a portion of Coon Rapids and the City of Champlin. He discussed the upcoming session noting it would be extremely short. He indicated a great deal of work would have to be conducted in a short span of time (March 8 through May 27). He noted the Capitol was under renovation and there were limited facilities. He provided the Council with an update on the proposed bonding bills, TIF extension and transportation bill. It was his hope this would be a productive session.

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

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#### 1. FEBRUARY 2, 2016, COUNCIL MEETING

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MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER JOHNSON,

FOR APPROVAL OF THE MINUTES OF THE FEBRUARY 2, 2016, COUNCIL MEETING.  
THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

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2. AUTHORIZE PURCHASE OF JETTER/CAMERA TRUCK
  3. ADOPT RESOLUTION 16-32 AMENDING THE 2016 BUDGET FOR THE PURCHASE OF A REPLACEMENT POLICE VEHICLE
  4. AUTHORIZE APPLICATION FOR COON CREEK WATERSHED GRANT
  5. ADOPT RESOLUTION 16-31, ACCEPTING 2016 SCORE GRANT FROM ANOKA COUNTY
  6. RECEIVE 2015 YEAR END GAMBLING EXPENDITURE REPORT
  7. RECEIVE GAMBLING REPORT AND AUTHORIZE PAYMENT TO COMMUNITY STRENGTH FOUNDATION
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MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER DEMMER, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

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8. HOLD PUBLIC HEARING/ASSESSMENT HEARING, ADOPT RESOLUTION 16-1(6A) ORDERING PROJECT, ADOPTION RESOLUTION 16-1(8) APPROVING PLANS AND SPECIFICATIONS
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The Staff report was shared with Council.

Mayor Koch asked if anyone attended the recent Open House for this project. Assistant City Engineer Hansen reported there were 12 to 15 people in attendance at the Open House.

Mayor Koch opened and closed the public hearing at 7:25 p.m. since no one appeared to address the Council.

Councilmember Johnson appreciated staff's thorough and detailed report on the proposed project.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-1(6A) ORDERING THE IMPROVEMENT.

Councilmember Demmer discussed the major trucking facility along this roadway. He asked if the proposed improvements would withstand the heavy truck traffic. Assistant City Engineer reported this was the case.

THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-1(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS. THE MOTION PASSED UNANIMOUSLY.

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

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The Staff report was shared with Council.

Councilmember Geisler asked if the proposed bike lane would be on one side of the street. Assistant City Engineer Hansen explained the bike lane would run on both sides of the street.

Councilmember Klint expressed concern with the safety of those using the proposed bike lanes. She questioned how the City felt about this safety concern. City Attorney Brodie advised that bikers would have to understand that they are sharing the road with automobiles. He reported the City would not have any liability and noted these lanes were also used in the City of Minneapolis. He anticipated there would have to be an education standpoint.

Councilmember Klint asked how the City could educate the public on the proper use of these lanes. Assistant City Engineer Hansen indicated staff could draft articles for the City newsletter, posts on the website, along with completing a segment for the local cable programming.

Mayor Koch was confident that residents would become accustomed to the lane.

Councilmember Demmer commented on the length of the driveways in this area. He anticipated people would continue to bike in the narrow parking lane and would jet out into traffic if there was a car parked along the roadway. Assistant City Engineer Hansen indicated he could provide a plan view of the roadway for the Council to review.

Public Works Director Himmer believed that the proposed roadway with the bike lanes was the best solution to address the traffic situation. He discussed the two-way bicycles that were already using this roadway. He anticipated the new lanes would offer additional safety after the public was properly educated.

Councilmember Klint anticipated that the new lane would offer the bicycles too much right of way. She was in favor of the roadway having no parking on one side to allow for a separate lane for bicycles.

Councilmember Johnson believed that Mississippi Boulevard was a relatively safe roadway for bikers. He indicated cyclists were already keeping pace with traffic. He supported the proposed concept from staff and looked forward to viewing the concept plan view from staff.

Councilmember Geisler stated she has lived along Mississippi Boulevard for the past 20 years. She noted there were a large number of bikers and walkers along this roadway. She was in favor of the City encouraging the bicycle trail.

Mayor Koch asked if the City Council was approving the bicycle lane this evening. Assistant City Engineer Hansen commented staff would be providing additional information to the Council regarding this lane and how the roadway would be designed.

Assistant City Engineer Hansen noted for the record staff had received a letter of objection from David Cooder, 10245 Mississippi Boulevard. He read the letter in full for the Council.

Mayor Koch questioned when Mississippi Boulevard was last milled and overlaid. Assistant City Engineer Hansen indicated this work was conducted in mid-1996, which meant the road had not been improved in 20 years.

Mayor Koch reported Mississippi Boulevard was a State Aid Street which meant the pavement thickness was doubled to withstand the high level of traffic along this roadway.

Mayor Koch opened the public hearing at 7:47 p.m.

Robert Fruland, 10335 Mississippi Boulevard, expressed concern with the information that was provided to the residents regarding the proposed dedicated bike lane. He discussed how pedestrians walk against traffic while bicycles ride with traffic. He added that he has not seen any problems with parking or bicycles along this roadway in the past 40+ years. For this reason, he did not believe the City needed to redesign the roadway.

Mayor Koch anticipated the City would be holding another Open House with the neighbors to further discuss the plans for the designated bike and parking lanes.

Cindy Johnson, 10495 Mississippi Boulevard, understood a lot of people used her street, for walking, biking and traveling via automobile. She expressed concern with the speed of traffic along this roadway. She requested the City increase the number of police patrols along Mississippi Boulevard when school lets out to improve safety. She wanted to see a wide lane for walkers and bikers.

Councilmember Manning suggested the City look into a speed monitoring sign near the school as this may assist with calming traffic along Mississippi Boulevard. Assistant City Engineer Hansen reported the solar powered speed monitoring signs cost \$10,000 each and the City would need two of them. He explained research shows that these signs only reduce traffic by one or two miles per hour. He stated staff could review the corridor to see if additional speed limit signs were warranted.

Mayor Koch closed the public hearing at 8:01 p.m.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-2(6A) ORDERING THE IMPROVEMENT.

Councilmember Wells looked forward to viewing the layout of this roadway from staff.

Councilmember Geisler explained only 20% of the roadway improvement expenses would be paid by the residents living along Mississippi Boulevard.

THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-2(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS.

Councilmember Klint asked if the plans would be approved as is. Public Works Director Himmer reviewed a brief sketch of how the roadway would be designed with parking, bicycle and driving lanes. He noted the 10 foot parking lane would be reduced to eight feet. This width would then be used to create a designated bicycle lane.

Councilmember Demmer questioned if now was the time to discuss the design of this roadway. Public Works Director Himmer stated this was the case. It was his hope the project would not be delayed due to the fact the entire water main would be replaced and it was staff's hope the project would begin on time this spring. He commented he could hold another neighborhood meeting to discuss the roadway layout with the residents.

Councilmember Manning believed that bikers had the right to use the road. He supported the roadway being striped and painted as such.

Councilmember Demmer indicated when he saw these lanes in Minneapolis he believed it was a problem. However, he stated he could support the designated bike lanes in Coon Rapids if this was staff's best plan. He anticipated the higher roadway width would assist in keeping the cyclists safe, along with proper striping and signage.

Mayor Koch commented he lived on this roadway. He did not anticipate that the painted and striped designated bicycle lanes would calm traffic. He feared that going from a 12 foot lane width to 14 foot lane width would have the adverse effect. He stated he liked the roadway as it was and did not see a need to make any changes.

Councilmember Wells agreed.

Councilmember Geisler suggested the striping for the roadway be put into the bid as an alternate in order for this matter to move forward. Public Works Director Himmer commented this would address the Council's concerns.

Councilmember Johnson called the question.

THE MOTION PASSED UNANIMOUSLY.

10. HOLD PUBLIC HEARING/ASSESSMENT HEARING, ADOPT RESOLUTION 16-3(6A) ORDERING PROJECT, ADOPT RESOLUTION 16-3(8) APPROVING PLANS AND SPECIFICATIONS

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The Staff report was shared with Council.

Assistant City Engineer Hansen reported Dale Voltane and Doug and Joanne Lawrence contested their assessments. He indicated the protest from Mr. Voltane stemmed from the fact that his properties were being charged a commercial rate and should be charged a residential rate. He explained the Lawrence's were working to replat their property and have been made aware of the City's project timeline.

Councilmember Klint questioned if 128<sup>th</sup> was narrower than the City's other roadways. Assistant City Engineer Hansen understood this roadway had parking challenges and noted the roadway was slightly narrower.

Mayor Koch opened and closed the public hearing at 8:26 p.m. since no one appeared to address the Council.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER MANNING, TO ADOPT RESOLUTION NO. 16-3(6A) ORDERING THE IMPROVEMENT. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 16-3(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS. THE MOTION PASSED UNANIMOUSLY.

11. HOLD PUBLIC HEARING/ASSESSMENT HEARING, ADOPT RESOLUTION 16-4(6A) ORDERING PROJECT, ADOPT RESOLUTION 16-4(8) APPROVING PLANS AND SPECIFICATIONS

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The Staff report was shared with Council.

Assistant City Engineer Hansen reported the City received several written objections on the assessments for this project. The first objection was submitted by Ryan Brandt (Coon Rapids Chiropractic) noting he has rear access to his property. He discussed the easement the City has over this property and noted the City would be working with him to resolve this matter. Staff reported the next objection was submitted by the funeral home for their frontage along Foley Boulevard. He

explained the assessment amount would be adjusted after the frontage footage was adjusted by the County.

Mayor Koch opened the public hearing at 8:32 p.m.

Glen Gazale, 412 Egret Boulevard, explained he was new to the area. He discusses how his property taxes have increased in the last year and now he would be facing an assessment. He believed the City's budget should cover the entire expense for the improvements given the high level of traffic along Egret Boulevard.

Mayor Koch understood that this portion of Egret Boulevard was heavily traveled and noted the City did receive State Aid Funding to assist with improving this street.

Councilmember Geisler believed it was more efficient for homeowners to pay their portion of the street improvements versus raising taxes on all residents to cover the costs of the City's improvement projects on a yearly basis.

Paul Burning, Kennedy Scales at 11585 Xeon Street, expressed concern with the commercial assessment rate that he was being charged by the City. He questioned why the City did not send out notices earlier to business owners. He stated he owned a small business that did not generate a large amount of traffic when compared to the other businesses surrounding him. He suggested that the businesses located off of Zion also be assessed for the project.

Patty Johnson, Modern Tool at 112 Northdale Boulevard, agreed the commercial assessment rates were high. She encouraged the City to consider assessing the other businesses surrounding the project area to assist in reducing the commercial rates overall.

Assistant City Engineer Hansen explained that the City would receive push back from the adjacent business owners as to the benefit received from the proposed improvement project from a legal standpoint. He did not believe other cities have been successful in assessing businesses in this manner.

Public Works Director Himmer commented that the assessment rates for commercial properties were calculated on a front footage basis. He reported the assessment rates would not be reduced if adjacent businesses were also assessed, rather, the City's portion of the project would be reduced. He explained the City had sent notices to business owners and held an Open House in both December and January regarding this project. He indicated the notifications and meetings allowed business owners the opportunity to contact the City regarding any concerns they had regarding assessments.

Councilmember Klint was in favor of delaying action on this matter until the City Council could evaluate the commercial assessments further. She believed the rates were unfair when considering how much Kennedy Scales would be paying compared to the adjacent trucking businesses given the size and scope.

Mayor Koch closed the public hearing at 8:49 p.m.

Mayor Koch asked if this road would be constructed in a manner to handle the truck traffic. Assistant City Engineer explained the road would be constructed with an increased weigh capacity to withstand the high truck traffic.

Councilmember Johnson commented the Council had a lengthy discussion at a recent worksession meeting regarding this roadway. He noted concrete was even proposed in order to meet the demands of this roadway. He was empathetic to the businesses in this project area and understood the trucks were hard on the road. He stated the fairness issues were addressed and in the end, the per front foot method for assessing the project was selected. He appreciated the concerns voiced this evening by the local business owners and recommended the Council discuss this matter further in a worksession, in order to offer these local business owners assessment relief.

**MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER DEMMER, TO ADOPT RESOLUTION NO. 16-4(6A) ORDERING THE IMPROVEMENT.**

Councilmember Demmer asked if commercial assessments could be paid out over 10 years. Assistant City Engineer Hansen reported this was the case.

Councilmember Demmer requested the City align and replace the curbs properly for this project. Assistant City Engineer Hansen discussed the City's approach for curb replacements noting these would be done in 15 foot segments.

**THE MOTION PASSED 6-1 (KLINT OPPOSED).**

**MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION NO. 16-4(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS. THE MOTION PASSED 6-1 (KLINT OPPOSED).**

#### **BID OPENINGS AND CONTRACT AWARDS**

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12. **CONSIDER RESOLUTION NO. 15-20(9) AWARDING CONTRACT FOR 2016 PARK REDEVELOPMENT AND APPROVE CONSTRUCTION ADMINISTRATION CONTRACT AND DIRECT PURCHASE**
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The Staff report was shared with Council, along with the bid alternates.

**MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 15-20(9) AWARDING A CONTRACT TO CUSTOM BUILDERS, INC., INCLUDING THE BASE BID WITH ALTERNATES 1 AND 4, IN THE**

AMOUNT OF \$810,523.50; AUTHORIZE STAFF TO EXECUTE CONSTRUCTION ADMINISTRATION AND WETLAND DELINEATION CONTRACTS/LETTERS OF ENGAGEMENT WITH KIMLEY-HORN IN THE AMOUNT OF \$122,795.00; AND AUTHORIZE STAFF TO ISSUE PURCHASE ORDERS FOR THE FOLLOWING DIRECT PURCHASES:

VENDOR	DESCRIPTION	AMOUNT
ST. CROIX RECREATION (PO1)	PLAYGROUND EQUIPMENT	\$200,000.00
UBC Precast (PO2)	PRE-FABRICATED RESTROOM SHELTER	\$ 49,150.00
MINNESOTA NATIVE LANDSCAPES, INC. (PO3)	NATIVE PRAIRIE ESTABLISHMENT	\$ 19,700.00

Councilmember Klint was pleased that the play structure would have a canopy. She requested the canopy be oriented properly to block out the late afternoon sun.

Councilmember Demmer questioned the lifetime cost of the bathroom structure. He asked if it was more cost effective to update the existing structure versus bringing in a metal building. Public Works Director Himmer discussed the cost benefit analysis of the proposed pre-cast structure versus retrofitting the existing structure.

Councilmember Demmer commented the playgrounds are used in the winter months and looked forward to this park having restroom facilities.

Councilmember Klint inquired if the bathroom structure had to have two designated stalls or if just a single stall could be offered. Public Works Director Himmer stated this could be an option for the park.

Mayor Koch asked if the City had any experience with Custom Builders. Public Works Director Himmer reported he had experience with this company when he worked for another community. He explained that references were checked and favorable reviews were given.

THE MOTION PASSED UNANIMOUSLY.

#### OLD BUSINESS

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None.

#### NEW BUSINESS

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13. CONSIDER ADOPTING RESOLUTION 16-5(8) APPROVING PLANS AND

SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR PROJECT 16-5

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The Staff report was shared with Council.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION NO. 16-5(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE 2016 STREET MAINTENANCE PROGRAM.

Councilmember Manning questioned how much the City saved through the joint powers agreement. Public Works Director Himmer stated he could investigate this further and would report back to the City Council. He estimated the City was saving 6% to 8% through the agreement.

THE MOTION PASSED UNANIMOUSLY.

14. CONSIDER INTRODUCTION OF ORDINANCE ADDING REQUIREMENTS FOR MICRODISTILLERIES, BREW PUBS AND BREWER TAPROOMS

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The Staff report was shared with Council.

Mayor Koch considered the Ordinance regarding microdistilleries, brew pubs and brewer taprooms to be introduced.

15. CONSIDER 2015-2016 INSURANCE RENEWALS

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The Staff report was shared with Council.

Councilmember Manning believed it was preposterous the City had to carry this coverage given the expense. He encouraged residents to still have flood insurance as a backup.

Councilmember Klint discussed the issue the City had several years ago when road work was conducted. She questioned who determined if the City was at fault. Finance Director Legg reported the League's adjustors review and make a determination on all claims.

Councilmember Klint asked if most cities carried this coverage. Finance Director Legg indicated most cities were smaller outstate cities and very few in the metro area.

Councilmember Demmer supported City of Coon Rapids offering this coverage to its residents.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT RESOLUTION NO. 16-33 PURCHASING SEWER BACKUP LIABILITY

INSURANCE; APPROVING THE PURCHASE OF INSURANCE THROUGH THE LMCIT WITH A \$50,000 DEDUCTIBLE UP TO AN ANNUAL AGGREGATE OF \$200,000; MAINTAINING STATUTORY LEGAL LIMITS OF \$1.5 MILLION PER OCCURRENCE.

Councilmember Klint indicated she would not be supporting the motion.

THE MOTION PASSED 6-1 (KLINT OPPOSED).

#### OPEN MIC/PUBLIC COMMENT

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

Brad Sanford, 11826 Palisade Street in Blaine, informed the City Council he would be seeking the Republican endorsement for State District 37 for State Senator. He indicated he was a graduate of Blaine High School but was a 30 year resident of Anoka County. He reported he has a wife and four kids. He explained he works as a business banker by trade and understood how new laws would impact his industry. He wanted to work on behalf of the Coon Rapids residents to hold the government accountable for their actions.

#### REPORTS ON PREVIOUS OPEN MIC

None.

#### OTHER BUSINESS

City Manager Stemwedel introduced Maria \_\_\_\_\_ to the City Council. He reported she was the new Assistant to the City Manager.

Mayor Koch welcomed Maria to the City of Coon Rapids.

Councilmember Manning requested staff look into the cable monitors as his was not functioning this evening.

Councilmember Johnson sent his condolences to the Leo Foley family. He believed the community was truly blessed to have been served by this individual.

Mayor Koch sent his thanks to the Coon Rapids Police Department and Officer Platz for his great efforts on the Heart Safe Community Initiative. Police Chief Wise indicated he would pass along this thanks and noted Officer Platz would be going to England shortly to assist with beginning a Heart Safe program in England.

ADJOURN

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MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER WELLS,  
TO ADJOURN THE MEETING AT 9:44 P.M. THE MOTION PASSED UNANIMOUSLY.

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Jerry Koch, Mayor

ATTEST:

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Joan Lenzmeier, City Clerk