



HRA Regular Session - 6:50 p.m.

CITY COUNCIL AGENDA

Tuesday, August 20, 2024

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 Minutes of August 5, 2024

Consent Agenda

2. Approve Therapeutic Massage Enterprise License for Massage By Rachel Ann LLC, 12685 Riverdale Blvd NW
3. Adopt Resolution 24-77 Setting Hearing Date for Misc. 2024-2 Levy
4. Approve Final Payments (Group 3) for Project 21-65, Fire Station #3

Public Hearing

Bid Openings and Contract Awards

5. Consider Budget Amendment and Resolution No. 24-18(9) Awarding Contract for East Water Treatment Plant Generator Improvements
6. Consider Contracts for Soccer Complex Field Lighting Installation & Electrical Control Cabinet Replacement

Old Business

New Business

Open Mic/Public Comment

7. Susan Stein - Open Mic. Handed out at meeting

Reports on Previous Open Mic

8. Open Mic Response: Mr. Allan Butler

Other Business

Adjourn



City Council Regular

1.

Meeting Date: 08/20/2024

Subject: Approve Minutes of August 5, 2024

From: Joan Lenzmeier, City Clerk

INTRODUCTION

DISCUSSION

RECOMMENDATION

Attachments

August 5, 2024

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF AUGUST 5, 2024

CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of August was called to order by Mayor Jerry Koch at 7:00 p.m. on Monday, August 5, 2024, 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 Brad Greskowiak, Jennifer Geisler, Brian Armstrong, and Pat Carlson

Members Absent: Kari Rehrauer and Sean Novack

ADOPT AGENDA

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

PROCLAMATIONS/PRESENTATIONS

None.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

1. APPROVE MINUTES OF JULY 23, 2024

MOTION BY COUNCILMEMBER CARLSON, SECONDED BY COUNCILMEMBER ARMSTRONG, FOR APPROVAL OF THE MINUTES OF THE JULY 23, 2024, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

2. APPROVE ACCESS AGREEMENT WITH HOBS EXCAVATING INC. FOR MK

- BUSINESS PARK FLOODPLAIN MITIGATION
3. APPROVE TEMPORARY ON-SALE STRONG BEER & WINE LIQUOR LICENSE TO COON RAPIDS NORTH STAR LIONS FOR MMSA SOFTBALL TOURNAMENT AT SAND CREEK PARK
 4. RECEIVE MID-YEAR GAMBLING EXPENDITURE REPORT
-

MOTION BY COUNCILMEMBER CARLSON, SECONDED BY COUNCILMEMBER GEISLER, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED.

Mayor Koch asked if the Golf Tournament will be in conjunction with the Military Softball Tournament. Deputy Police Chief Adam Jacobson confirmed that is correct.

THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

5. CONDUCT PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE 2312 COMCAST CABLE TELEVISION FRANCHISE
-

The Staff report was shared with Council.

Councilmember Greskowiak thanked the attorneys for their work on the agreement. He asked how any termination clauses work. Attorney Mike Bradley stated there are no termination clauses.

Mayor Koch pointed out the franchise is not exclusive.

Mayor Koch opened and closed the public hearing at 7:13 p.m. since no one appeared to address the Council.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER CARLSON, TO ADOPT ORDINANCE 2312 COMCAST CABLE FRANCHISE AGREEMENT AND AUTHORIZE SUMMARY PUBLICATION. THE MOTION PASSED UNANIMOUSLY.

BID OPENINGS AND CONTRACT AWARDS

6. CONSIDER RESOLUTION 24-6(9) AWARDING CONTRACT FOR THE COON CREEK REGIONAL TRAIL PEDESTRIAN BRIDGE OVER COON RAPIDS BOULEVARD, PROJECT 24-6
-

The Staff report was shared with Council.

Councilmember Greskowiak asked if the County also provided funds for the project. City Engineer Mark Hansen explained Coon Rapids received \$2.4 million in Federal funds and \$3.5

million from the State. The County has committed \$250,000 to the project.

Councilmember Greskowiak asked if the bid includes a contractor to oversee the project. Mr. Hansen stated there are some design funds included in the bid. There is a separate item for additional design support and oversight.

Councilmember Greskowiak asked if there was an expiration date for the use of funds by June 2024. Mr. Hansen stated the Federal funds required a contract be signed before a certain date, and the timeline was met. The project needed to be approved by June 2024.

Councilmember Carlson pointed out the City has \$340,000 into the project. Mr. Hansen noted the funds will be recouped over time.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER ARMSTRONG, ADOPT RESOLUTION NO. 24-6(9) AWARDED A CONTRACT TO AMES CONSTRUCTION, IN THE AMOUNT OF \$4,644,956.62, FOR PROJECT 24-6 COON CREEK REGIONAL TRAIL PEDESTRIAN BRIDGE OVER COON RAPIDS BOULEVARD PROJECT.

Councilmember Greskowiak noted his excitement for the project, especially since it has been considered for quite some time.

THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

7. PLANNING CASE 24-9, CONSIDER ADOPTION OF ORDINANCE NO. 2308, REZONING 10701 BUTTERNUT ST NW, SEPTEMBER SON ARCHITECTURE, LLC
-

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER CARLSON, TO REMOVE OLD BUSINESS ITEM 7. PLANNING CASE 24-9, CONSIDER ADOPTION OF ORDINANCE NO. 2308, REZONING 10701 BUTTERNUT ST NW, SEPTEMBER SON ARCHITECTURE, LLC FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY.

The Staff report was shared with Council.

Mayor Koch reiterated only the zoning is being considered, and the City doesn't know if the right-in and right-out on Butternut and access to University will be approved by the County. Senior Planner Max Pattsner confirmed that is correct. He believes there are grounds for Staff to recommend denial of the site plan should the County not approve their preferred access to University.

Councilmember Carlson asked when the County will respond to their inquiry. Mr. Hansen stated

Staff needs to provide more detailed plans to the County. In total, the City should receive a response in three or four weeks.

Mr. Pattsner stated the site plan is slated for the August Planning Commission meeting. However, the applicant may waive the timeline and push back the hearing.

City Manager Matt Stemwedel agreed the process is uncomfortable. Staff plan to inform the Planning Commission of the desires of the Council at the site plan presentation. The Council would need to approve a final plat later on. If there are any lingering concerns at that time, the Council may reconsider the project per Statute.

Mayor Koch stated the site was originally zoned as office because they assumed there would be proper access to University. It seems reasonable for the County to add the access. The Council would likely want access to University prior to approving an office use as well.

Councilmember Geisler pointed out there is always uncertainty in these processes. The Council is seeking the highest and best use for the space. Staff and County partners are aware the Council is uninterested in access to Butternut. The Council trusts Staff, Planning Commission, and Title XI requirements to create the best project for the community. Housing is good because it adds to the tax base for the City.

Mayor Koch noted if Council denied the zoning change, the developer would need to submit a new application. Mr. Pattsner confirmed that is correct and Staff would recommend denial of a site plan should there be no zoning change.

Councilmember Carlson asked if the developer could reapply with the same plan down the line. Mr. Pattsner explained someone could reapply after a denial, and they would have to keep paying new application fees. Councilmember Carlson stated the Council is firm and consistent in their distaste for an exit onto Butternut.

Councilmember Armstrong asked why the County denied University access the first time. Mr. Hansen stated it is typical for the County to deny additional access onto their roads.

Councilmember Armstrong stated he is hesitant to vote in favor of a measure that isn't entirely settled.

Mr. Stemwedel pointed out if the zoning change is denied, the applicant won't move forward with the site plan. In that scenario, the County would have no reason to consider University access. Mr. Hansen noted his agreement with the assertion.

Councilmember Greskowiak stated there aren't assurances about access to University. He asked if the applicant could receive confirmation from the County even if the Council denied the rezoning. Mr. Pattsner stated the applicant could do that. However, they would have to spend money to create final plans to receive confirmation from the County. They may be hesitant to go that route because they aren't even sure if the rezoning is approved.

Councilmember Geisler stated it is illegal for the Council to approve a zoning contingent on a site plan. Passing the rezoning would reassure the applicant there is a purpose in finalizing a site plan. The Council still needs to approve a plat before anything is built. However, the project would likely die if the rezoning were denied. She explained she has faith in the City's Staff and process.

Councilmember Carlson noted his agreement with Councilmember Geisler. His main concern is the traffic impact on Butternut.

City Attorney David Brodie pointed out there needs to be a finding to support a denial by the Council.

Mayor Koch added the owner of the land will remain the same, and they will try another way to make it work. The Council is responsible for orderly development.

Councilmember Geisler noted she served on the Planning Commission for 16 years. The Commission will consider a number of things for the site plan. However, prior to their consideration, City Staff will review the application with a fine-tooth comb.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER CARLSON, IN PLANNING CASE 24-9, TO ADOPT ORDINANCE NO. 2308 REZONING THE SUBJECT PROPERTY FROM OFFICE TO MODERATE DENSITY RESIDENTIAL.

Mr. Brodie stated the memo includes three findings. He suggested the motion be amended to reflect the three findings.

AMENDED MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER CARLSON, IN PLANNING CASE 24-9, TO ADOPT ORDINANCE NO. 2308 REZONING THE SUBJECT PROPERTY FROM OFFICE TO MODERATE DENSITY RESIDENTIAL CONSIDERING THE EFFECT ON PUBLIC HEALTH, SAFETY, ORDER, CONVENIENCE AND GENERAL WELFARE, THE EFFECT ON PRESENT AND POTENTIAL SURROUNDING LAND USES, AND WHETHER THE PROPOSAL IS IN CONFORMANCE WITH THE CITY'S COMPREHENSIVE LAND USE PLAN AND ANY APPLICABLE DEVELOPMENT DISTRICT.

Councilmember Armstrong stated the addition to the motion creates a clearer path for findings should the motion fail. The site plan has different criteria to determine. Mr. Brodie confirmed there are nine more specific conditions for the site plan to be approved. He read through the required findings for site plan approval.

Councilmember Greskowiak stated the lack of assurance from the County for the University access. The City also hasn't provided assurance regarding the access to Butternut.

Councilmember Geisler stated the site plan process offers assurance that nine findings be met for any approval. The findings address traffic and emergency vehicle access. She stated it is

concerning to see a lack of trust in Staff to abide by the regulations.

Councilmember Greskowiak noted there are intersections that have signs and requirements for right-in and right-out only. However, drivers do not abide by the rules. Therefore, he doesn't have assurances about traffic safety.

Councilmember Geisler stated the site plan process ensures it would not be approved if the right-in right-out isn't properly built.

Mayor Koch stated if the emergency vehicles can't utilize the right-in right-out then there isn't 100 percent assurance that Butternut won't be impacted. The owner of the land knows it is zoned as office, and they should know they can't make use of the land without University access.

THE MOTION FAILED 1-4 (COUNCILMEMBERS GRESKOWIAK, ARMSTRONG, CARLSON, AND MAYOR KOCH).

Community Development Director Matt Brown provided documents to the Council explaining the process and motion needed for denial.

MOTION BY COUNCILMEMBER GRESKOWIAK, SECONDED BY COUNCILMEMBER CARLSON, IN PLANNING CASE 24-9, TO DENY ORDINANCE NO. 2308 REZONING THE SUBJECT PROPERTY FROM OFFICE TO MODERATE DENSITY RESIDENTIAL BASED ON THE EFFECT ON THE FOLLOWING FINDINGS:

1. THE PROPOSED REZONING TO MODERATE DENSITY RESIDENTIAL IS NOT COMPATIBLE WITH ADJACENT COMMERCIAL AND LOW-DENSITY RESIDENTIAL LAND USES. THE REZONING IS NOT CONSISTENT WITH THE ROLE OF THE NORTHDAL/UNIVERSITY COMMERCIAL NODE AND THUS WOULD NOT MEET THE INTENT OF LAND USE POLICY 5-1 AS ARTICULATED IN THE 2040 COMPREHENSIVE PLAN.
2. THE REZONING WOULD ADD RESIDENTIAL USES INTO AN EXISTING COMMERCIAL NODE, REMOVING THE OPPORTUNITY FOR ADDED COMMERCIAL DENSITY WITHIN THE NODE AND ENCOURAGING COMMERCIAL DEVELOPMENT IN STRIPS RATHER THAN NODES, THUS NOT MEETING THE INTENT OF LAND USE POLICY 5-2 AS ARTICULATED IN THE 2040 COMPREHENSIVE PLAN.
3. THE REZONING WOULD CAUSE NEGATIVE TRAFFIC IMPACTS ON THE SURROUNDING AREA BY ADDING RESIDENTIAL TRAFFIC WHOSE MOST DIRECT ROUTE FOR TRAVELING NORTH OR WEST FROM THE SITE WOULD BE TO USE BUTTERNUT STREET, A RESIDENTIAL STREET, TO CONNECT FROM UNIVERSITY AVENUE TO NORTHDAL BOULEVARD, BOTH OF WHICH ARE ARTERIAL STREETS. THIS WOULD NOT MEET THE INTENT OF TRAFFIC POLICY 1-2 AS ARTICULATED IN THE 2040 COMPREHENSIVE PLAN.

Councilmember Geisler stated she is fearful they have opened the City to litigation because the

findings are grasping at straws.

THE MOTION PASSED 4-1 (COUNCILMEMBER GEISLER).

NEW BUSINESS

8. PLANNING CASE 24-20, CONSIDER AN AMENDMENT TO PUD FOR THE WEDGEWOOD APTS, KLEINMAN REALTY CO., 10313 HANSON BLVD

The Staff report was shared with Council.

Mayor Koch stated he read the minutes from the 1985 meeting and summarized some of the discussion. He asked for more history on the property. Mr. Pattsner stated Staff is aware of the discussion from the 1985 minutes. However, Staff chose to use the current zoning requirements for the application because they are clearer and more relevant to present development.

Mayor Koch stated the proposal meets density requirements. However, the City wouldn't allow one to build two secure apartment buildings and a random outbuilding. The proposal is trying to squeeze another apartment into a space that is intended to be an amenity. It is no different than changing a garage into another apartment.

Councilmember Carlson asked how long the owner has owned the building. Mr. Pattsner stated he doesn't know.

Councilmember Carlson noted the plumbing in the extra building is evidence of an amenity for residents rather than reasoning to support another unit. Mr. Pattsner stated the applicant indicated the space hasn't been used as a community space in quite some time.

Councilmember Greskowiak asked where the extra parking will go. Mr. Pattsner showed a map and explained there is a landscaping island that would be removed and replaced with parking. The applicant agreed to the change after a request from Staff.

Councilmember Geisler pointed out the 1985 minutes were not enlightening and that it appears the Planned Unit Development criteria was lacking in 1985. If the amenities were required for the initial approval, then they should deny the request. However, there isn't an obvious requirement indicated in the previous minutes. Councilmember Geisler stated there doesn't appear to be a compelling reason to deny the application.

MOTION BY COUNCILMEMBER GRESKOWIAK, SECONDED BY COUNCILMEMBER GEISLER, IN PLANNING CASE 24-20, TO APPROVE AN AMENDMENT TO THE PLANNED USE DEVELOPMENT APPROVED IN PLANNING CASE 85-71, TO ALLOW A 59-UNIT APARTMENT PROJECT, SUBJECT TO THE FOLLOWING CONDITIONS:

1. COMPLIANCE WITH TITLE 11 OF CITY CODE.

2. THE ADDITIONAL RESIDENTIAL UNIT SHALL MEET ALL APPLICABLE BUILDING CODES AND ENSURE CRITERIA ARE MET FOR THE BUILDING INSPECTIONS DIVISION TO ISSUE A CERTIFICATE OF OCCUPANCY.
3. TWO ADDITIONAL PARKING SPACES BE ADDED TO THE SITE, SUCH THAT A PARKING RATIO OF 2.25 SPACES OR MORE PER RESIDENTIAL UNIT BE MAINTAINED.

Mayor Koch stated his perspective is based on the tone of the Council rather than the PUD requirements. They were very insistent on the amenities. The proposal is not a responsible way to develop the property.

THE MOTION PASSED 3-2 (COUNCILMEMBER CARLSON, MAYOR KOCH).

9. PLANNING CASE 24-12 CONSIDER SITE PLAN, HOLLY STREET INDUSTRIAL, 9255 HOLLY ST. NW, JHM MEDICAL PARK LLC

The Staff report was shared with Council.

Councilmember Geisler pointed out the area is industrial, so a loading dock is not out of the question. The point of the River Rapids overlay is the view from the main road. The access and flexibilities make sense for the site.

Mayor Koch agreed he has no issue with the location of the loading dock.

Councilmember Greskowiak asked for more information on the floor spacing requirements. Senior Planner Kurt Bearinger explained because there is mainly one use of warehouse throughout the building, the building floor area is much larger than 15,000.

Councilmember Geisler pointed out the flexibility is allowed because one written provision couldn't apply to all areas on the Boulevard very well.

Councilmember Carlson noted his appreciation of the façade and the applicant's work with the Planning Commission.

MOTION BY COUNCILMEMBER CARLSON, SECONDED BY COUNCILMEMBER GEISLER, IN PLANNING CASE 24-12, TO APPROVE THE PROPOSED SITE PLAN WITH THE FOLLOWING CONDITIONS:

1. ALL ENGINEERING COMMENTS BE ADDRESSED.
2. ALL SUSTAINABILITY COMMENTS BE CONSIDERED.
3. THE APPLICANT ENTERS INTO A SITE SECURITY AGREEMENT WITH THE CITY.
4. ALL SIGNAGE IS SUBJECT TO SEPARATE SIGN PERMITS.
5. OUTDOOR SEATING AREAS, TRASH RECEPTACLES NEAR THE MAIN

ENTRANCE, AND A BIKE RACK BE ADDED TO THE SITE PLAN.

6. THE CORRESPONDING CONDITIONAL USE PERMIT BE APPROVED.
7. CORRESPONDING COON CREEK WATERSHED DISTRICT PERMITS BE APPROVED.

THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER CARLSON, SECONDED BY COUNCILMEMBER GEISLER, IN PLANNING CASE 24-12, TO APPROVE THE DIMENSIONAL FLEXIBILITY FOR MAX SETBACK, FLOOR-AREA-RATIO, MAX BUILDING AREA, AND MAX DRIVEWAY WIDTH, AND THE DESIGN FLEXIBILITY FOR EXTERIOR BUILDING MATERIALS AND BUILDING ORIENTATION. THE PLANNING COMMISSION FINDS THE MODIFICATIONS NECESSARY TO RESPOND TO SITE CONDITIONS, RESULT IN BETTER INTEGRATION OF USES, AND FURTHER THE INTENT OF THE PORT DISTRICT. THE MOTION PASSED UNANIMOUSLY.

10. PLANNING CASE 24-18, CONSIDER A COMMERCIAL TOWER APPLICATION FOR NEW TEMPORARY & PERMANENT WIRELESS TOWER, CITY OF COON RAPIDS, 11316 FOLEY BLVD NW
-

The Staff report was shared with Council.

Mayor Koch noted the summary of the Planning Commission meeting on the item mentioned two residents that commented on health impacts. He asked if they were from the same household. Mr. Pattsner confirmed that was accurate.

Councilmember Carlson asked if other parties are interested in the other antennae. Mr. Brown stated there is currently one user of the facility and there is not a present interest from other users.

Councilmember Geisler stated the cell phone coverage in the City needs to be maintained.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER ARMSTRONG, IN PLANNING CASE 24-18, THE CITY COUNCIL APPROVE THE PROPOSED TEMPORARY AND PERMANENT COMMERCIAL TOWERS WITH THE FOLLOWING CONDITIONS:

1. ALL CITY STRUCTURAL REQUIREMENTS BE MET FOR BOTH TOWERS, INCLUDING THAT TOWERS BE DESIGNED SO THAT COLLAPSE WILL BE CONFINED TO THE SUBJECT PROPERTY IF APPLICABLE.
2. SUFFICIENT LANDSCAPING TO SCREEN THE GROUND EQUIPMENT FROM PUBLIC VIEW, OR AN OPAQUE FENCE TO SERVE THE SAME PURPOSE, BE SHOWN ON THE SITE PLAN, AS DETERMINED BY CITY STAFF.

THE MOTION PASSED UNANIMOUSLY.

11. CONSIDER JOINT POWERS AGREEMENT WITH ANOKA COUNTY FOR CONSTRUCTION AND MAINTENANCE OF COON CREEK REGIONAL TRAIL PEDESTRIAN BRIDGE, PROJECT 24-6
-

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER CARLSON, SECONDED BY COUNCILMEMBER ARMSTRONG, TO APPROVE THE EXECUTION OF A JOINT POWERS AGREEMENT (JPA) WITH ANOKA COUNTY FOR THE CONSTRUCTION AND MAINTENANCE OF THE COON CREEK REGIONAL TRAIL PEDESTRIAN BRIDGE OVER COON RAPIDS BOULEVARD, PROJECT 24-6. THE MOTION PASSED UNANIMOUSLY.

12. CONSIDER LETTER OF ENGAGEMENT FOR COON CREEK REGIONAL TRAIL PEDESTRIAN BRIDGE CONSTRUCTION PHASE SERVICES (PROJECT 24-6)
-

The Staff report was shared with Council.

Mayor Koch asked how much the City will pay for the contracting. Mr. Hansen stated the maximum is \$614,560 and it includes all services. The amount is based on estimated hours.

Councilmember Greskowiak asked if they don't need to get bids because the firm is already an approved contractor. Mr. Hansen explained Kimley Horn & Associates already completed the design portion of the project.

Mr. Brodie explained Staff reviewed the criteria and decided Kimley Horn & Associates was the best fit for the project.

Mr. Brown added Kimley Horn & Associates went through a competitive process for the design phase of the project. The item is merely an extension of their services.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER ARMSTRONG, TO APPROVE A CONSTRUCTION PHASE SERVICES PROPOSAL, AND AUTHORIZE THE EXECUTION OF A LETTER OF ENGAGEMENT WITH KIMLEY HORN & ASSOCIATES FOR THE COON CREEK REGIONAL TRAIL PEDESTRIAN BRIDGE OVER COON RAPIDS BOULEVARD PROJECT 24-6.

Councilmember Geisler noted her excitement for the project. Councilmember Greskowiak expressed his agreement.

THE MOTION PASSED UNANIMOUSLY.

13. CONSIDER JOINT POWERS AGREEMENT WITH ANOKA COUNTY PARKS FOR WATER AND SANITARY SEWER SERVICE
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The Staff report was shared with Council.

MOTION BY COUNCILMEMBER CARLSON, SECONDED BY COUNCILMEMBER GEISLER, TO APPROVE THE JOINT POWERS AGREEMENT FOR THE CONSTRUCTION OF WATER AND SANITARY SEWER SERVICES FOR THE BUNKER HILLS REGIONAL PARK. THE MOTION PASSED UNANIMOUSLY.

14. CONSIDER JOINT POWERS AGREEMENT WITH THE CITY OF ANDOVER FOR THE PROVISION AND MAINTENANCE OF CERTAIN SANITARY SEWER AND WATERMAIN SERVICES
-

The Staff report was shared with Council.

Councilmember Greskowiak asked if there are similar agreements with Anoka. Mr. Hansen stated Coon Rapids recently made an agreement with Blaine, and they are likely to consider a similar agreement with Anoka in the future.

Councilmember Geisler stated the measure is a housekeeping effort and the act of being a good neighbor.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER GRESKOWIAK, TO APPROVE THE JPA WITH THE CITY OF ANDOVER FOR THE PROVISION AND MAINTENANCE OF CERTAIN SANITARY SEWER AND WATERMAIN SERVICES TO PROPERTIES LOCATED ALONG THE COMMON CITY BORDER. MOTION PASSED UNANIMOUSLY.

15. CONSIDER FINAL DESIGN SERVICES AGREEMENT FOR PROJECT 18-14, TH 610/EAST RIVER ROAD INTERCHANGE
-

The Staff report was shared with Council.

Councilmember Greskowiak asked if there should \$1.2 million left because they initially received \$1.5 million. Mr. Brown confirmed Coon Rapids originally received \$1.5 million, but there is only roughly \$300,000 left.

Councilmember Greskowiak asked if the project considers the financial applications for the bridge design. Mr. Brown confirmed the bridge widening was considered. The cost won't be incurred until the construction begins.

Councilmember Greskowiak noted Coon Rapids received regional funding. Mr. Brown noted the City is in a good position financially. The City received unanimous approval from the TAC, but it still needs approval from The Metropolitan Council. \$20.8 million has been received to support the project.

MOTION BY COUNCILMEMBER GRESKOWIAK, SECONDED BY COUNCILMEMBER

ARMSTRONG, TO APPROVE A LETTER OF ENGAGEMENT WITH TKDA UNDER ITS MASTER CONSULTING AGREEMENT IN THE AMOUNT OF \$2,009,123, FOR FINAL DESIGN OF THE TRUNK HIGHWAY 610/EAST RIVER ROAD INTERCHANGE AND AUTHORIZE APPROPRIATE STAFF TO EXECUTE SUCH AGREEMENT. THE MOTION PASSED UNANIMOUSLY.

16. CONSIDER AGREEMENTS AND RESOLUTION 24-76 BUDGET AMENDMENT FOR PROJECT 24-21, MISCELLANEOUS COMPOST

The Staff report was shared with Council.

Mayor Koch asked if the City should consider taking the funds from another source. Mr. Brown stated the area of addressing Emerald Ash Borers (EAB) and trees is already underfunded. The funds could come from any number of sources. Staff didn't want to touch money from the General Fund. However, it is the purview of the Council to spread out the funds from multiple buckets. Such a change would require amending multiple budgets.

Mayor Koch stated the stormwater fund is self-supporting. People with large parking lots pay into the fund. He stated he doesn't want to overcharge certain parties. Mr. Stemwedel stated the fees will be discussed more in the fall. There is an opportunity to sweep funds from unspent budget items back into the Stormwater Fund. There will be an opportunity to reimburse the Stormwater Fund in the future.

Councilmember Greskowiak noted it is a large allocation. He asked why the item isn't budgeted for and noted his preference for the item to be included in 2025 budget discussions. He asked why they can't let the compost sit there. Mr. Brown stated the high organic materials are near ponds. The area has become somewhat of a dump. The mix of materials and potential for contaminants must be addressed.

Councilmember Greskowiak asked if there are elevated contamination levels that must be addressed. Mr. Brown stated Staff pulled random samples and didn't find any distressing levels of contamination. However, there is 33,000 cubic yards of material. There are requirements to establish a compost site which have not been completed to allow such a buildup.

Councilmember Greskowiak asked if the Sand Creek iron filter system has the capacity to absorb the materials. Mr. Brown stated the filter is designed to handle naturally occurring organic materials rather than a buildup.

Mayor Koch stated it may have been beneficial for the Council to be involved in the conversation earlier on in the process. Nonetheless, he supports the measure.

Councilmember Geisler encouraged the Council to trust Staff. They have a plan and the necessary funds. She added she would like to consider the use of the Stormwater Funds while they have 2024 budget discussions. Alternative funding sources can be addressed.

Councilmember Greskowiak stated the amendment is for a large amount of money. They must consider the long-term plan for dumping the City's organic materials. Rather than amending the budget, there should be discussion of the plan in relation to the 2025 budget.

Mr. Stemwedel stated the recency of the request is due to the timing of the solution. He agreed the timing is awkward. The dumping has been done for thirty to forty years, so the money is a lot less if you divide it over the many years. A similar process is done at the Golf Course when they must remove trees. The Council is welcome to table the item.

Mr. Brown agreed the cost is quite large. The City has tried to be budget-conscious in the past with other projects, and some of those efforts are coming to light in this request. It would cost them more in the future, and he has done his best to get the lowest project cost as possible. Also, the request may seem out of left field, but he has been working on it for quite a while. It is his hope to resolve the buildup, start fresh, and add maintenance into the budget.

Councilmember Greskowiak thanked Staff for the explanation and their effort to make the project as affordable as possible. He asked if the material is ultimately just being moved to another site. Mr. Brown stated the contractor will go through the materials. Some of it may be used for ground cover, some for compost, and so on.

Councilmember Greskowiak asked how the space will be used once it is cleared. Mr. Brown stated the elevation on the site will be considerably lower. The contractors for the EAB component will use the space. Councilmember Greskowiak stated the City can be more particular with what materials are placed in the pile. Mr. Brown confirmed that is correct. The hope is for future savings by handling materials less.

Councilmember Carlson asked if the pile near 111th is as high. Mr. Brown stated there are a lot of trees at that site, and the pile is not very high.

Councilmember Carlson asked if there is an opportunity for future savings through better management of the materials. Mr. Brown confirmed there is a more organized plan for storing the materials to allow for reuse and saving money.

Mayor Koch noted everything that gets kicked down the road will cost more. Also, if the proposal were denied, it will add more to Staff's plate.

MOTION BY COUNCILMEMBER GEISLER SECONDED BY COUNCILMEMBER CARLSON, TO APPROVE PROJECT 24-21, MISCELLANEOUS COMPOST DISPOSAL, AND AUTHORIZE STAFF TO EXECUTE THREE STANDARD AGREEMENTS FOR CONTRACTED SERVICES AS DESCRIBED HEREIN AND TO ADOPT RESOLUTION NO. 24-76 AMENDING THE 2024 STORM WATER FUND BUDGET.

Councilmember Greskowiak asked if there is any money in the Clean Water Fund for remediation. Mr. Brown stated he didn't consider the option.

Mr. Hansen stated it could be worth checking with the Watershed District to see if they have funds to apply to the project. Mr. Brown added funds for this category of project are usually applied to new implementations rather than cleaning up previous decisions.

Mayor Koch asked if the City could be liable for any environmental impacts after moving the materials. Mr. Brodie stated the materials are primarily organic, the materials have been tested, and the contractor has agreed to take on the materials as is.

THE MOTION PASSED UNANIMOUSLY.

OPEN MIC/PUBLIC COMMENT

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

Allan Butler, 8438 Mississippi Boulevard, provided a handout to the Council. He stated the Department of Health indicated he would be able to obtain a canvas license because of the proximity of the properties on 95th Lane. The Department of Health allows for nine folks to reside with assisted living. The properties have all been inspected and approved. He rented the properties to Stepping Stone, and he would like to reinstate the allowance of occupants as allowed by the State.

Mr. Butler requested the City allow him to add two bedrooms to one of the properties. There are 244 square feet in one bedroom and the other is 296 square feet, so he would like to split each of the bedrooms. He added there is a description of the Stepping Stone organization included in the handout.

Mayor Koch stated Mr. Butler has likely received a denial that would need to be appealed. Mr. Brodie stated he isn't aware of the current status of the request. Staff will work with Mr. Butler to provide information as to his next steps.

REPORTS ON PREVIOUS OPEN MIC

None.

OTHER BUSINESS

Councilmember Geisler pointed out there is another concert for the Music in the Park series. August 6, 2024 is Night to Unite.

Deputy Chief Jacobson stated there are 105 parties planned for Night to Unite. City Vehicles will be throughout Coon Rapids visiting parties.

Mayor Koch added it is too late to officially register another party, but he encouraged folks to find

an existing party to attend with neighbors.

Councilmember Carlson pointed out the concert mentioned by Councilmember Geisler is the last one scheduled for the summer.

Mayor Koch noted the Farmer's Market is still ongoing.

City Clerk Joan Lenzmeier stated absentee voting is underway for the August 13, 2024 Primary Election.

Mr. Stemwedel stated Staff was recognized with an award for their process to create Rocky and the ongoing campaign.

ADJOURN

MOTION BY COUNCILMEMBER CARLSON, SECONDED BY COUNCILMEMBER GEISLER, TO ADJOURN THE MEETING AT 9:25 P.M. THE MOTION PASSED UNANIMOUSLY.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

2.

Meeting Date: 08/20/2024

Subject: Approve Therapeutic Massage Enterprise License for Massage By Rachel Ann LLC, 12685 Riverdale Blvd NW

From: Stephanie Lincoln, Deputy City Clerk

INTRODUCTION

Rachel Ann Turner of Massage by Rachel Ann LLC, has submitted an application for a Therapeutic Massage Enterprise License for use at 12685 Riverdale Blvd NW.

DISCUSSION

Ms. Turner has submitted an application for Massage Enterprise licensing, paid the background investigation and license fee, provided proof of the required Liability Insurance, and submitted proper educational documentation. Approval is contingent upon a successful background investigation and the issuance of a Certificate of Occupancy by the Building Inspections Department.

RECOMMENDATION

Council is requested to approve the issuance of a Therapeutic Massage Enterprise license to Massage by Rachel Ann LLC, located at 12685 Riverdale Blvd NW pending a successful background investigation and the issuance of a Certificate of Occupancy by the Building Inspections Department.



City Council Regular

3.

Meeting Date: 08/20/2024

Subject: Adopt Resolution 24-77 Setting Hearing Date for Misc. 2024-2 Levy

Submitted For: Ashley Hansen, Finance Director

From: Heidi Cederstrand, Assessment Clerk II

INTRODUCTION

A date for a public hearing should be set to consider miscellaneous assessments to be certified to Anoka County for collection with the 2025 property taxes.

DISCUSSION

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

The Board of Adjustment and Appeals is expected to conduct this hearing on October 3 and make a recommendation to the City Council at their October 15 meeting. Staff will incorporate the process in the required mailing to the property owner.

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

RECOMMENDATION

Staff recommends adoption of Resolution 24-77 Miscellaneous Assessment declaring the cost to be assessed, ordering preparation of the proposed assessment roll and ordering the public hearing for September 3, 2024 on the proposed assessment roll.

Attachments

Res. to Set Hearing Date-Misc. 2024-2 Levy

RESOLUTION NO. 24-77

**RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING
PUBLIC HEARING ON PROPOSED ASSESSMENT ROLL FOR
2024 (2) MISCELLANEOUS ASSESSMENTS**

WHEREAS, costs to the City for abatement of code violations, securing and monitoring fees for vacant property, mowing of weeds, utility bankruptcy and any other unpaid fees, with total cost incurred for the improvements being \$138,452 and administrative fees of \$6,840 making the total cost of the improvements \$145,292.

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

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

1. The cost of such an improvement to be specially assessed is hereby declared to be \$145,292.
2. The City Clerk with the assistance of the City Assessor shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation as provided by law, and the City Assessor shall file a copy of such proposed assessment for public inspection.
3. An assessment hearing shall be held on the 3rd day of September 2024 in the Council Chambers at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such assessment will be given an opportunity to object to the assessment. A written objection must be filed prior to or at the assessment hearing to preserve the owner's right to appeal the assessment to district court.
4. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper.

Adopted by the Coon Rapids City Council this 20th day of August 2024.

Jerry Koch, Mayor

Attest:

Joan Lenzmeier, City Clerk



City Council Regular

4.

Meeting Date: 08/20/2024

Subject: Approve Final Payments (Group 3) for Project 21-65, Fire Station #3

Submitted For: Ashley Hansen, Finance Director

From: Dianne Nelson, Advanced Accounting Technician

INTRODUCTION

The Public Works Director has recommended final payments to several contractors for Project 21-65, Fire Station #3.

DISCUSSION

A summary of contractors and final payment amounts for Project 21-65, Fire Station #3, are outlined on the attached spreadsheet. Net change orders totaled \$184,026.57 for soil corrections, irrigation revisions, infiltration basins, new conduit and roofing changes.

RECOMMENDATION

All of the dates and amounts are reasonable and accurate to the project file. No liquidated damages are recommended. Staff recommends approval of the change orders and final payments to the contractors listed on the attached spreadsheet.

Attachments

Project 21-65 Fire Station #3, Final Payments Group 3

Fire Station #3
Project #21-65

78922.6542.00202165

FINAL CONTRACT PAYMENTS - GROUP 3

Contractor Name	Central Roofing Company	CE LLC dba CE Contract	Neo Electrical Solutions LLC	New Look Contracting, Inc.	Peterson Companies, Inc.
Contractor Service	7A Roofing & Metal Wall Panels	12A Roller Window Shades	26A Electrical	31A Earthwork	32C Landscaping

Contract completion date	June 2023	June 2023	June 2023	June 2023	June 2023
Substantial completion date	1/3/2024	1/3/2024	1/3/2024	1/3/2024	1/3/2024
Final completion date	6/5/2024	6/5/2024	6/5/2024	6/5/2024	6/5/2024

Contract amount	\$1,132,300.00	\$26,950.00	\$1,385,000.00	\$290,011.00	\$166,660.00
Total additions/deletions	\$44,060.50	\$0.00	\$29,396.55	\$99,535.00	\$11,034.52
Final contract amount	\$1,176,360.50	\$26,950.00	\$1,414,396.55	\$389,546.00	\$177,694.52
Actual project cost	\$1,176,360.50	\$26,950.00	\$1,414,396.55	\$389,546.00	\$177,694.52
Less: previous payments by City	(\$1,119,164.25)	(\$25,602.50)	(\$1,343,676.72)	(\$370,068.70)	(\$168,809.79)
Amount due	\$57,196.25	\$1,347.50	\$70,719.83	\$19,477.30	\$8,884.73

\$3,184,947.57
(\$3,027,321.96)
\$157,625.61

Total contract amount	\$3,000,921.00
Total additions/deletions	\$184,026.57
Final contract amount	\$3,184,947.57
Actual project cost	\$3,184,947.57
Less: previous payments	(\$3,027,321.96)
Amount due	\$157,625.61



City Council Regular

5.

Meeting Date: 08/20/2024

Subject: Consider Budget Amendment and Resolution No. 24-18(9) Awarding Contract for East Water Treatment Plant Generator Improvements

Submitted For: Tim Himmer, Public Works Director

From: Sarah Greene, Administrative Support Lead - PW

INTRODUCTION

The City has proposed replacement of the emergency generator system at the City's East Water Treatment Plant under project 24-18. Staff completed the plans in conjunction with Quetica, LLC, advertised the project, and received bids on July 25, 2024. Council is asked to consider a budget amendment and award a contract at this time.

DISCUSSION

City staff, along with consultant Quetica, LLC, prepared plans and specifications to replace the emergency generator system at the City's East Water Treatment Plant (EWTP). Work will include:

- Replacement of the existing 60 KW emergency generator system with a new 130 KW emergency generator system at the EWTP and Well 21
- Installation of a new 450 KW emergency generator system at the East Booster/Well 8

Council approved the project on June 18, 2024, and the project was subsequently advertised according to City policy. Three bids were received on July 25, 2024, and are summarized as follows:

CONTRACTOR	TOTAL BID
Phasor Electric Company	\$690,700
Killmer Electric Co., Inc.	\$718,000
Construction Results Corporation	\$824,000

Phasor has successfully performed several projects for the City in the past. Pending award of contract, materials will be ordered as soon as possible. Due to long lead times for some of the materials, project completion will not occur until 2025.

Due to the bids coming in higher than 2024 budgeted estimates, a budget amendment to the Water Utility Fund (601) is required to fully fund the project. As previously discussed with the Council, the overage in estimated costs is the result of needing additional generator capacity to provide the ability to produce water at the facility should power ever be lost. The existing generator does not have the capacity to fully power the EWTP and the well and booster to supply and treat water for distribution.

RECOMMENDATION

Staff recommends Council approve resolution 24-78 amending the Water Utility Fund, and adopt Resolution No. 24-18(9) awarding a contract to Phasor Electric Company for East Water Treatment Plant Generator Improvements in the amount of \$690,700.

BUDGET IMPACT:

The approved 2024 Water Fund (601) included \$400,000 in capital funds for this project. An additional \$340,000 is required to fully fund the project and, due to better bidding on other projects, capital budget exists in other 2024 projects to cover this overage.

Attachments

Budget Amendment Resolution 24-78

Bid Tab and Recommendation Letter

Resolution No. 24-18(9)

RESOLUTION NO. 24-78

**RESOLUTION AMENDING THE 2024 WATER FUND BUDGET FOR EAST WATER
TREATMENT PLANT GENERATOR IMPROVEMENTS PROJECT**

WHEREAS, Section 1-700 of the City Charter provides for adoption of an annual budget and the subsequent amendments and re-appropriation of unencumbered balances for other purposes; and

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

WHEREAS, the 2024 budget does not include enough funds needed to complete the East Water Treatment Plant Generator Improvements project in the water utility fund; and

WHEREAS, an amount of \$340,000 is required to complete the aforementioned project; and

WHEREAS, funds are available in the Capital Outlay appropriation of the 2024 Water Fund budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the 2024 Water Fund Budget be amended to reappropriate \$340,000 from project (21-28) 85th and Evergreen to project (24-18) EWTP Generator improvements.

Adopted this 20th day of August, 2024, by the Coon Rapids City Council.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



5775 Wayzata Boulevard, Suite 700, Saint Louis Park, MN 55416
(651) 964.4646 | www.quetica.com

July 25, 2024

Mr. Dzevad Mahmutovic
Facilities Operations Manager
City of Coon Rapids
1831 111th Avenue
Coon Rapids, MN 55433

Re: City of Coon Rapids
2024 Emergency Generator Replacement
Quetica Project No.: 24101
Coon Rapids Project No.: 24-18

Dear Mr. Mahmutovic:

Quetica, LLC reviewed the City of Coon Rapids 2024 Emergency Generator Replacement project work scope with Mr. Blake Herman with Phasor Electric Company and there were no questions. Blake Herman indicated that they fully understand the work scope that they will be ready to start work as in the tentative schedule in September 2024 and will attend the preconstruction meeting tentatively scheduled for September 10, 2024. The work schedule will be discussed at the preconstruction meeting, with an anticipated start of construction in September of 2024, subject to delivery of equipment.

Phasor Electric Company is based in Blaine, Minnesota. Quetica, LLC has not previously worked with Phasor Electric Company directly, but it is our understanding that Phasor Electric Company previously successfully completed multiple projects for the City of Coon Rapids. Based on the review of project work scope with Phasor Electric Company and the fact that they are the low bidder we recommend awarding the project to them.

Quetica, LLC recommends that the base bid cost of \$690,700.00 for the City of Coon Rapids 2024 Emergency Generator Replacement project be accepted from Phasor Electric Company.

Please call (651) 964-4646 x866 with any questions, comments.

Sincerely,
QUETICA, LLC

A handwritten signature in black ink that reads "Denny R. Langer".

Denny Langer, P.E.
Sr. Engineer

Attachment: Recap of Bids

CITY OF COON RAPIDS
2024 EMERGENCY GENERATOR REPLACEMENT
QUETICA PROJECT NO. 24101
COON RAPIDS PROJECT NO. 24-18

Bid Due Date: Thursday, July 25, 2024
Time: 1:00 PM

RECAP OF BIDS

CONTRACTOR	BASE BID	Acknowledgement of Addendum No. 1	Responsible Contractor Verification and Certification of Compliance	Bid Bond
Construction Results Corporation	\$824,000.00	Yes	Yes	Yes
Killmer Electric Co., Inc.	\$718,000.00	Yes	Yes	Yes
Premier Electrical Corporation	No Bid	-	-	-
Phasor Electric	\$690,700.00	Yes	Yes	Yes

RESOLUTION NO. 24-18(9)

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

WHEREAS, pursuant to an advertisement for bids for the improvement of the City's East Water Treatment Plant by replacing the emergency generator system, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement: (3 lowest)

Phasor Electric Company	\$690,700.00
Killmer Electric Co. Inc.	\$718,000.00
Construction Results Corp.	\$824,000.00

WHEREAS, it appears that Phasor Electric Company of Blaine, Minnesota is the lowest responsible bidder; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the bid of \$690,700.00 by Phasor Electric Company for Coon Rapids Improvement Project 24-18 be accepted as the lowest responsible bid.

BE IT FURTHER RESOLVED that the Mayor and City Manager are hereby authorized and directed to enter into a contract with Phasor Electric Company of Blaine, Minnesota for the improvement of the City's East Water Treatment Plant by replacing the emergency generator system according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

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

Adopted this 20th day of August, 2024.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

6.

Meeting Date: 08/20/2024

Subject: Consider Contracts for Soccer Complex Field Lighting Installation & Electrical Control Cabinet Replacement

Submitted For: Tim Himmer, Public Works Director

From: Sarah Greene, Administrative Support Lead - PW

INTRODUCTION

The City has proposed replacement of athletic field lighting at the Coon Rapids Soccer Complex under project 24-54. Staff completed the plans in conjunction with Sports Lighting Authority, Inc., and awarded a contract for materials on July 9, 2024. Council is now asked to consider installation and electrical cabinet contracts.

DISCUSSION

City staff, along with consultant Sports Lighting Authority, Inc., prepared plans and specifications to replace athletic field lighting at the Coon Rapids Soccer Complex. The project will utilize the existing underground wiring, bases, and poles, and consists of replacing fixtures and electrical controls to meet current lighting and safety standards. Due to industry lead times for ordering certain materials, staff proposed managing the project in phases - materials first, and then installation.

Council approved the project on May 21, 2024, and the materials contract was awarded July 9. Staff prepared installation specifications tailored to the specific requirements of the material supplier requirements, and quotes consistent with the City's purchasing policy were solicited in July. Three quotes, received July 30, 2024, are summarized as follows:

CONTRACTOR	TOTAL BID
Killmer Electric Co., Inc.	\$109,800
Gunnar Electric, Inc.	\$162,000
Muska Electric Company	\$233,100

The low bidder, Killmer Electric Co., Inc. has successfully completed similar work for the City in the past. Pending award of contract and receipt of materials, installation will begin after the end of the soccer season in October.

In conjunction with this work, staff requested a proposal from Muska to replace the existing electrical control cabinet, and install a new distribution board for the updated field lights. Staff recommends approving the attached Letter of Engagement to be executed under Muska's Master Contracting Agreement.

RECOMMENDATION

Staff recommends Council award a contract to Killmer Electric Co., Inc. for Soccer Complex Field Lighting Installation in the amount of \$109,800, and authorize staff to execute a Letter of Engagement with Muska Electric Co. not to exceed \$110,000 for electrical control cabinet replacement.

BUDGET IMPACT:

A portion of the estimated costs for the overall project are included in the approved 2024 Park Improvement Fund budget. As some of the work will be completed in 2025, staff included the balance of needed funds to compete the project in the 2025 budget.

Attachments

Killmer Quote
Muska Electrical Scope

QUOTE SHEET
LIGHTING SYSTEM STRUCTURAL INSTALLATION
SOCCER COMPLEX
1705 111th AVENUE NW
CITY OF COON RAPIDS, MN

The information provided shall be in compliance with the LED lighting structural installation specifications for the Musco system (provided by owner). By signing this document, all specification requirements have been met. Quotes will be good for 60 days after opening regarding contract award. Quotes will be reviewed and awarded based on the structural installation meeting specified requirements and the project cost.

Base Quote – Structural installation of Musco LED lighting equipment on (18) existing steel poles lighting (6) soccer fields...\$ 109,800.00

CONTRACTOR Killmer Electric Co., Inc.

PHONE 763-425-2525

SIGNATURE 

EMAIL bpalmer@killmerelectric.com

CONTACT NAME Brian Palmer

DATE 7/30/2024

ATTACHMENT A

RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION OF COMPLIANCE

PROJECT TITLE: COON RAPIDS SOCCER COMPLEX FIELD LIGHTING INSTALLATION

Minn. Stat. § 16C.285, Subd. 7. **IMPLEMENTATION.** ... any prime contractor or subcontractor that does not meet the minimum criteria in subdivision 3 or fails to verify that it meets those criteria is not a responsible contractor and is not eligible to be awarded a construction contract for the project or to perform work on the project...

Minn. Stat. § 16C.285, Subd. 3. **RESPONSIBLE CONTRACTOR, MINIMUM CRITERIA.** "Responsible contractor" means a contractor that conforms to the responsibility requirements in the solicitation document for its portion of the work on the project and verifies that it meets the following minimum criteria:

- | | |
|-----|---|
| (1) | <p>The Contractor:</p> <ul style="list-style-type: none">(i) is in compliance with workers' compensation and unemployment insurance requirements;(ii) is currently registered with the Department of Revenue and the Department of Employment and Economic Development if it has employees;(iii) has a valid federal tax identification number or a valid Social Security number if an individual; and(iv) has filed a certificate of authority to transact business in Minnesota with the Secretary of State if a foreign corporation or cooperative. |
| (2) | <p>The contractor or related entity is in compliance with and, during the three-year period before submitting the verification, has not violated section 177.24, 177.25, 177.41 to 177.44, 181.13, 181.14, or 181.722, and has not violated United States Code, title 29, sections 201 to 219, or United States Code, title 40, sections 3141 to 3148. For purposes of this clause, a violation occurs when a contractor or related entity:</p> <ul style="list-style-type: none">(i) repeatedly fails to pay statutorily required wages or penalties on one or more separate projects for a total underpayment of \$25,000 or more within the three-year period;(ii) has been issued an order to comply by the commissioner of Labor and Industry that has become final;(iii) has been issued at least two determination letters within the three-year period by the Department of Transportation finding an underpayment by the contractor or related entity to its own employees;(iv) has been found by the commissioner of Labor and Industry to have repeatedly or willfully violated any of the sections referenced in this clause pursuant to section 177.27;(v) has been issued a ruling or findings of underpayment by the administrator of the Wage and Hour Division of the United States Department of Labor that have become final or have been upheld by an administrative law judge or the Administrative Review Board; or(vi) has been found liable for underpayment of wages or penalties or misrepresenting a construction worker as an independent contractor in an action brought in a court having jurisdiction. Provided that, if the contractor or related entity contests a determination of underpayment by the Department of Transportation in a contested case proceeding, a violation does not occur until the contested case proceeding has concluded with a determination that the contractor or related entity underpaid wages or penalties;* |

(3)	The contractor or related entity is in compliance with and, during the three-year period before submitting the verification, has not violated section 181.723 or chapter 326B. For purposes of this clause, a violation occurs when a contractor or related entity has been issued a final administrative or licensing order;*
(4)	The contractor or related entity has not, more than twice during the three-year period before submitting the verification, had a certificate of compliance under section 363A.36 revoked or suspended based on the provisions of section 363A.36, with the revocation or suspension becoming final because it was upheld by the Office of Administrative Hearings or was not appealed to the office;*
(5)	The contractor or related entity has not received a final determination assessing a monetary sanction from the Department of Administration or Transportation for failure to meet targeted group business, disadvantaged business enterprise, or veteran-owned business goals, due to a lack of good faith effort, more than once during the three-year period before submitting the verification;*
	* Any violations, suspensions, revocations, or sanctions, as defined in clauses (2) to (5), occurring prior to July 1, 2014, shall not be considered in determining whether a contractor or related entity meets the minimum criteria.
(6)	The contractor or related entity is not currently suspended or debarred by the federal government or the state of Minnesota or any of its departments, commissions, agencies, or political subdivisions; and
(7)	All subcontractors that the contractor intends to use to perform project work have verified to the contractor through a signed statement under oath by an owner or officer that they meet the minimum criteria listed in clauses (1) to (6).

Minn. Stat. § 16C.285, Subd. 5. **SUBCONTRACTOR VERIFICATION.**

A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project.

If a prime contractor or any subcontractor retains additional subcontractors on the project after submitting its verification of compliance, the prime contractor or subcontractor shall obtain verifications of compliance from each additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification confirming compliance with subdivision 3, clause (7), within 14 days of retaining the additional subcontractors.

A prime contractor shall submit to the contracting authority upon request copies of the signed verifications of compliance from all subcontractors of any tier pursuant to subdivision 3, clause (7). A prime contractor and subcontractors shall not be responsible for the false statements of any subcontractor with which they do not have a direct contractual relationship. A prime contractor and subcontractors shall be responsible for false statements by their first-tier subcontractors with which they have a direct contractual relationship only if they accept the verification of compliance with actual knowledge that it contains a false statement.

Minn. Stat. § 16C.285, Subd. 4. **VERIFICATION OF COMPLIANCE.**

A contractor responding to a solicitation document of a contracting authority shall submit to the contracting authority a signed statement under oath by an owner or officer verifying compliance with each of the minimum criteria in subdivision 3 at the time that it responds to the solicitation document.

A contracting authority may accept a sworn statement as sufficient to demonstrate that a contractor is a responsible contractor and shall not be held liable for awarding a contract in reasonable reliance on that statement. Failure to verify compliance with any one of the minimum criteria or a false statement under oath in a verification of compliance shall render the prime contractor or subcontractor that makes the false statement ineligible to be awarded a construction contract on the project for which the verification was submitted.

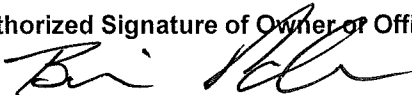
A false statement under oath verifying compliance with any of the minimum criteria may result in termination of a construction contract that has already been awarded to a prime contractor or subcontractor that submits a false statement. A contracting authority shall not be liable for declining to award a contract or terminating a contract based on a reasonable determination that the contractor failed to verify compliance with the minimum criteria or falsely stated that it meets the minimum criteria.

CERTIFICATION

By signing this document I certify that I am an owner or officer of the company, and I swear under oath that:

- 1) My company meets each of the Minimum Criteria to be a responsible contractor as defined herein and is in compliance with Minn. Stat. § 16C.285,
- 2) I have included Attachment A-1 with my company's solicitation response, and
- 3) if my company is awarded a contract, I will also submit Attachment A-2 as required.

Authorized Signature of Owner or Officer:



Printed Name:

Brian Palmer

Title:

President

Date:

7/30/2024

Company Name:

Killmer Electric Co., Inc.

NOTE: Minn. Stat. § 16C.285, Subd. 2, (c) If only one prime contractor responds to a solicitation document, a contracting authority may award a construction contract to the responding prime contractor even if the minimum criteria in subdivision 3 are not met.

ATTACHMENT A-1

FIRST-TIER SUBCONTRACTORS LIST

SUBMIT WITH PRIME CONTRACTOR RESPONSE

PROJECT TITLE: COON RAPIDS SOCCER COMPLEX FIELD LIGHTING INSTALLATION

Minn. Stat. § 16C.285, Subd. 5. A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project. ...

FIRST TIER SUBCONTRACTOR NAMES (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located
None	

ATTACHMENT A-2

ADDITIONAL SUBCONTRACTORS LIST

PRIME CONTRACTOR TO SUBMIT AS SUBCONTRACTORS ARE ADDED TO THE PROJECT

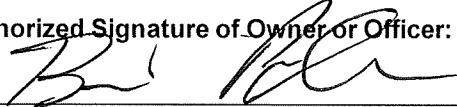
PROJECT TITLE: COON RAPIDS SOCCER COMPLEX FIELD LIGHTING INSTALLATION

This form must be submitted to the Project Manager or individual as identified in the solicitation document.

Minn. Stat. § 16C.285, Subd. 5. ... If a prime contractor or any subcontractor retains additional subcontractors on the project after submitting its verification of compliance, the prime contractor or subcontractor shall obtain verifications of compliance from each additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification confirming compliance with subdivision 3, clause (7), within 14 days of retaining the additional subcontractors. ...

ADDITIONAL SUBCONTRACTOR NAMES (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located

ADDITIONAL SUBCONTRACTOR NAMES (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located

SUPPLEMENTAL CERTIFICATION FOR ATTACHMENT A-2	
By signing this document I certify that I am an owner or officer of the company, and I swear under oath that: All additional subcontractors listed on Attachment A-2 have verified through a signed statement under oath by an owner or officer that they meet the minimum criteria to be a responsible contractor as defined in Minn. Stat. § 16C.285.	
Authorized Signature of Owner or Officer: 	Printed Name: Brian Palmer
Title: President	Date: 7/30/2024
Company Name: Killmer Electric Co., Inc.	



August 8th, 2024

To: City of Coon Rapids
Tim Himmer
thimmer@coonrapidsmn.gov

Re: SOCCER FIELD DISTRIBUTION BOARD (REVISED)

We have prepared an estimate for the cost of electrical work associated with the above-mentioned project. Our estimate is based on the site visit. Due to commodity fluctuations in the market, we reserve the right to review our proposal after 30 days.

Base Bid – Labor and Material: \$104,900.00

- Demolition
 - Shut down power at the site for a week.
 - Disconnect and label the board.
 - Remove the old distribution board and recycle it.
 - Remove the (2) cabinets on the back side of the gear.
- Lighting
 - Disconnect the Musco lighting controls that were added to the outside of the gear.
 - Install (2) Musco lighting controls inside the cabinet.
 - Reroute the wiring for the controls.
- Gear and Feeders
 - Install a new distribution board and reconnect old feeds.
 - 40-week lead time of new equipment.
 - Reinstall the cabinet for the sprinkler system and control panel.
 - Install a new 3R-rated cabinet for the panel.
 - Install a new 200-amp 3-phase panel and breakers.
- Electrical Permit

ADDER – New Concrete Pad: \$5,100.00 add

- Site Work
 - Provide and install a 24" x 12' x 6" deep concrete pad extension.

Clarifications:

- Winter Conditions are not included.
- Performance Bonding is not included.
- Means of waste disposal are to be provided by General Contractor.
- All site surveying as required to be completed by General Contractor.
- Work to be completed during the hours of 7-3:30pm, Monday – Friday. Premium time is not included.
- All information herein is proprietary to Muska Electric and is not to be shared or used without consent.

Thank you for considering Muska Electric for this project. Please call if you have any questions, or if we can be of further assistance.

Sincerely,
Muska Electric Company

Ed Adkisson

Ed Adkisson
Project Manager



City Council Regular

7.

Meeting Date: 08/20/2024

Subject: Susan Stein - Open Mic. Handed out at meeting

From: Sonja Williams, Administrative Assistant I

INTRODUCTION

DISCUSSION

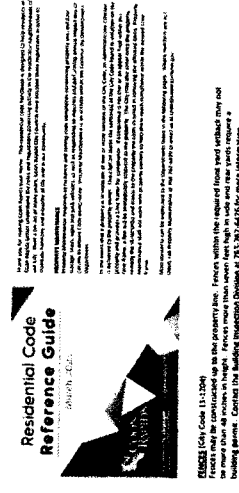
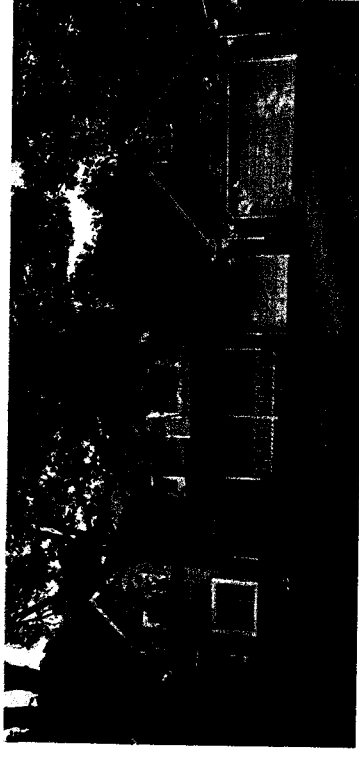
RECOMMENDATION

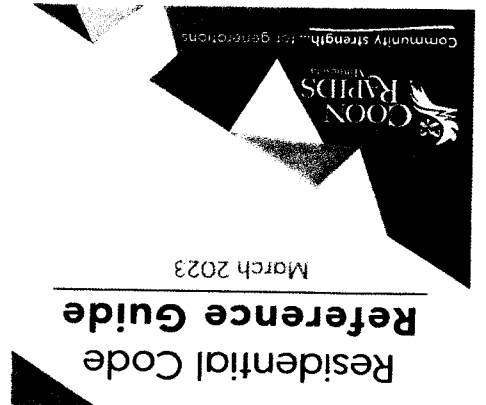
Attachments

Susan Stein Handed out at meeting

Who Am I and Why Am I Here?

- Susan Stein and my husband is Scott Ellefson
- Purchased home on Lily Street in Coon Rapids April 2019
 - Ward 1 / Brad Greskowiak
- Love the home, neighborhood and location
- Intended to be our “forever home”
- Continue to invest in home projects to increase value, improve curb appeal and enjoyment
- Seeking help from the City Council
 - Resolve compliance discrepancies between documented city codes & ordinances vs. what city officials communicate
 - Hold city officials accountable for adhering to the same city codes and ordinances for all residents





March 2023

Thank you for making Coon Rapids your home. This residential code handbook is designed to help residents of our City. Over a period of many years, Coon Rapids City Councils have adopted these regulations in order to maintain harmony and a quality of life within our community.

PROPERTY MAINTENANCE

Property Maintenance responds to nuisance and zoning code complaints concerning property use, outdoor storage, trash, signs and junk vehicles, as well as responding to inquiries and performing annual inspections of parcels to ensure Code compliance. Property Maintenance is an activity within the Community Development Department.

In the event that a property is in violation of one or more sections of the City Code, an Administrative Citation is delivered to the property owner. This citation states the section(s) of the City Code found in violation on the property and provides a time frame for compliance. If compliance is not met or an appeal filed within this time frame, a fine will be immediately assessed to the property. The City may also enter onto the property, remedy the violation(s) and assess to the property the costs incurred in removing the affected items. Property Maintenance staff will work with property owners to help them reach compliance within the desired time frame.

Most concerns can be expressed to the departments listed in the following pages. Where numbers are not listed, call Property Maintenance at 763-767-6470 or email us at code@coonrapidsmn.gov.

FENCES (City Code 11-1204)

Fences may be constructed up to the property line. Fences within the required front yard setback may not be more than 48 inches in height. Fences more than seven feet high in side and rear yards require a building permit. Contact the Building Inspection Division at 763-767-6476 for more information.

Fence Ordinance

12-309 - Maintenance Requirements	12-301 - Minimum Construction Requirements
12-308 - Garbage, Rubbish, and Recyclable Materials	
12-307 - Fences	
12-306 - Minimum Standards	
12-305 - Occupancy	
12-304 - Detachments	
Application	
12-303 - Construction and	
12-302 - Scope	
12-301 - Purpose	
CHAPTER 12-300 - BUILDING	
12-206 - Violations and Penalties	

States:

(4) Fences. Fences must consist of metal, wood, masonry, or other decay resistant material. Fences, retaining walls, kennels, and other exterior structures must be maintained in good condition both in appearance and in structure. Exterior materials must be protected against decay by use of paint or other preservatives, and must be maintained consistent with Section 12-306(1).

12-306 - Minimum Standards	12-301 - Purpose
12-305 - Occupancy	12-300 - BUILDING
12-304 - Detachments	12-206 - Violations and Penalties
12-303 - Construction and	CHAPTER 12-300 - BUILDING
12-302 - Scope	12-301 - Purpose
12-301 - Purpose	12-300 - Construction and
Application	12-206 - Violations and Penalties

All exterior wood surfaces must be protected from the elements by a protective covering or treatment.

Coon Rapids City Fence Requirements Defined



Building Inspections
11155 Robinson Drive NW, Coon Rapids, MN 55433
Web: coonrapidsmn.gov Phone: 763-767-6476

RESIDENTIAL FENCES AND WALLS

Do I Need a Permit?

A Building Permit and potentially a variance is needed:

- for any fence or wall over seven (7) feet in height and any retaining wall four (4) feet or more in height, measured from the footing

For any fence seven (7) feet or less and retaining wall less than four (4) feet, a permit is not needed, but it is required to comply with zoning and building standards of the City Code.

Location and Setbacks

Fences and walls are permitted to the property line. However, they must be setback three (3) feet from any public right-of-way, trail or sidewalk easements. Fences may be located within a drainage and utility easement; however, said fence must not impede runoff or interfere with utilities. If the City or other entity having authority to use the easement needs access to the easement, they may remove the fence and are not liable to replace, reconstruct or repair the fence. Walls are not allowed within drainage and utility easements. No fence or wall may obstruct free access to any fire hydrant.

Before performing any construction on your property, including building a fence, it is necessary to establish where your lot lines are located. Building outside setbacks or over wrongly assumed property lines may result in neighbor disputes or result in moving or dismantling your project. This can be costly and time consuming. Please see our [Locating Property Lines](#) handout on tips for finding your property lines. You can also find information on the value of a property survey with this [resource from the Minnesota Society of Professional Surveyors](#) (mnsurveyor.com).

Height

The following are maximum height limitations. No fence less than 6 feet may have boards, planks, or panels larger than twelve (12) inches in width.

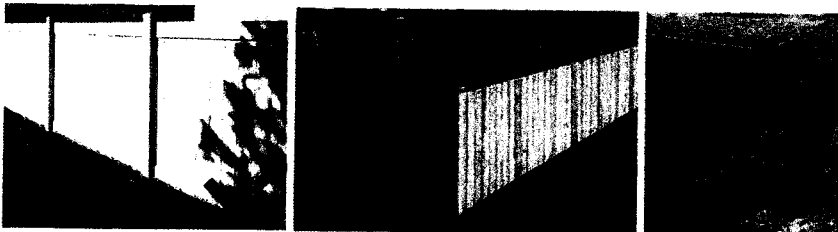
Front Yard	4 feet
Street Side Yard	4 feet, if front of house faces the front yard then 7 feet between the rear lot line and the front of the house
Side Yard	7 feet
Rear Yard	7 feet
Residential District Side and Rear yards abutting a Commercial, Industrial or Office District	8 feet (will require a building permit)
Commercial, Industrial or Office Districts	4 feet, except in an approved site plan

Construction and Maintenance

Fences and walls must be constructed of materials suitable to the purpose and in accordance with applicable building codes. They must also be maintained in accordance with applicable building code provisions. The "finished" side of the fence must face neighboring property or streets. The "finished" side is the side whose framing, supports, or posts are not visible. A double-sided fence is a fence with the vertical or horizontal pieces on alternate sides of the support/framing pieces. With this type of fence both sides are considered finished.

Fence Materials

Acceptable fence materials include, but are not limited to, vinyl, wood, wrought iron, and chain link 11 gauge or less.



Electric, barbed, razor and wire fences, which include chicken wire and single or multi-strand wire fences, are prohibited. Improper fence maintenance or facing the "unfinished" side of a fence (side showing the framing, supports, or posts of fence) towards neighboring property or streets is not allowed.

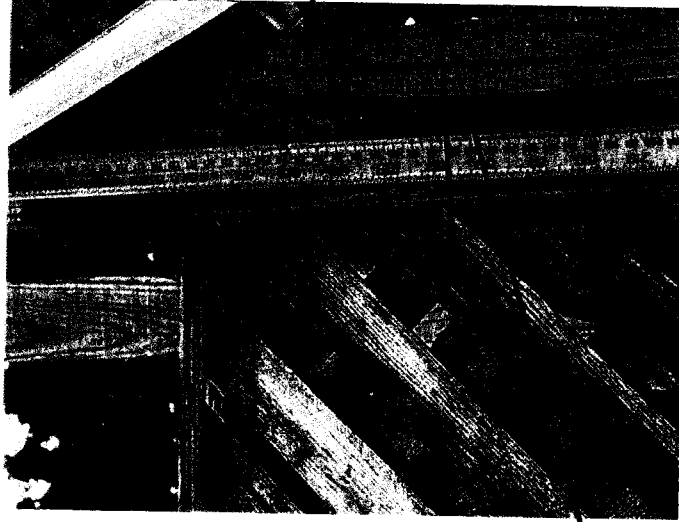
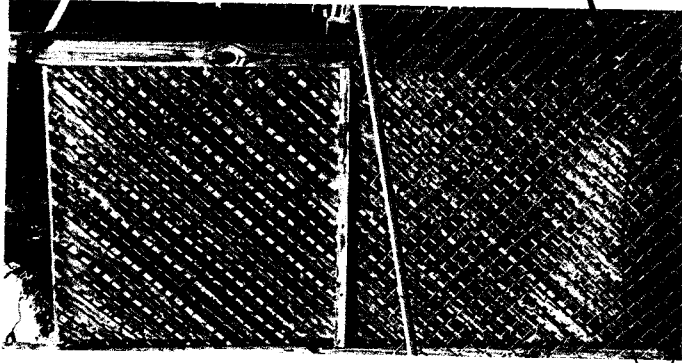


Coon Rapids City Code / Ordinance for Fences and Walls

- Ordinance 12-309 States:
 - “(4) Fences. *Fences must consist of metal, wood, masonry, or other decay resistant material. Fences, retaining walls, kennels, and other exterior structures must be maintained in good condition both in appearance and in structure. Exterior materials must be protected against decay by use of paint or other preservatives, and must be maintained consistent with Section 12-306(1).”*
- Ordinance 12-306 States:
 - “(1) Foundations, Exterior Walls, Roofs. *All exterior wood surfaces must be protected from the elements by a protective covering or treatment.”*
- City Code for Residential Fences and Walls States:
 - “A building permit and potentially a variance is needed: for any **fence or wall** over seven (7) feet in height”
 - “For any fence seven (7) feet or less.....a permit is not needed, but it is required to comply with zoning and building standards of the City Code.”
 - “Constructions and Maintenance: Fences and walls *must be constructed of materials suitable to the purpose and in accordance with applicable building codes. They must also be maintained in accordance with applicable building code provisions The “finished” side of the fence must face neighboring property or streets. The “finished” side is the side whose framing, supports, or posts are not visible. A double-sided fence with the vertical or horizontal pieces on alternate sides of the support/ framing pieces. With this type of fence both sides are considered finished.”*

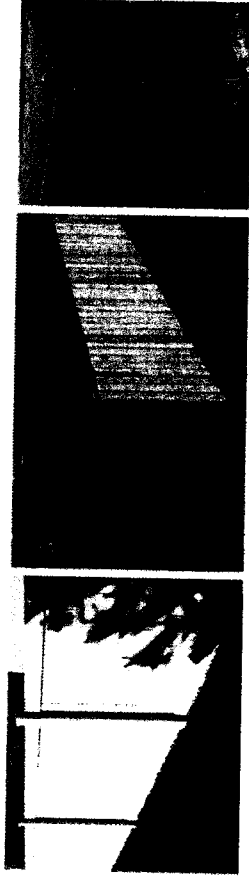
Examples for Review

- Examples given in the city code
- Would the following examples be compliant?

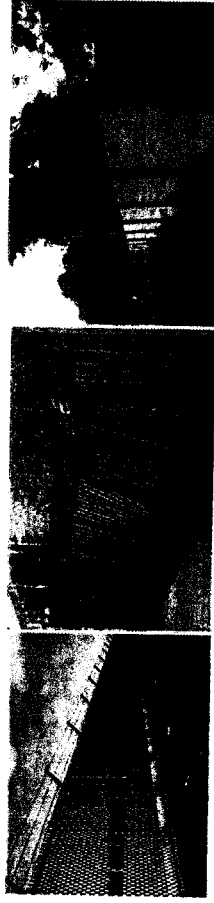


Fence Materials

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Electric, barbed, razor and wire fences, which include chicken wire and single or multi-strand wire fences, are prohibited. Improper fence maintenance or facing the "unfinished" side of a fence (side showing the framing, supports, or posts of fence) towards neighboring property or streets is not allowed.



Fence Height: 7' 4.5"

From ground to top on neighbor side

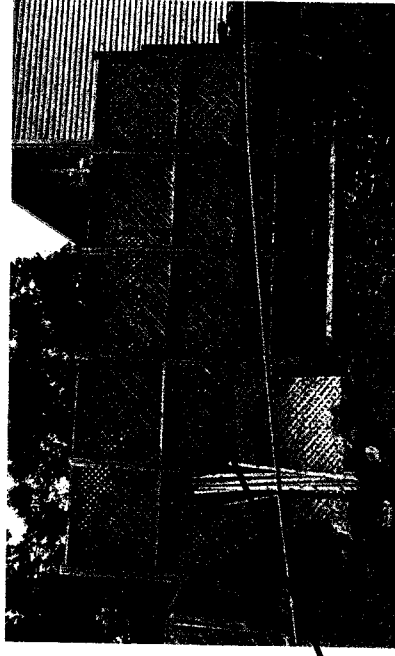
Visible decay and

splitting of material

Fence not installed to align with ground grade

Privacy screen on deck:

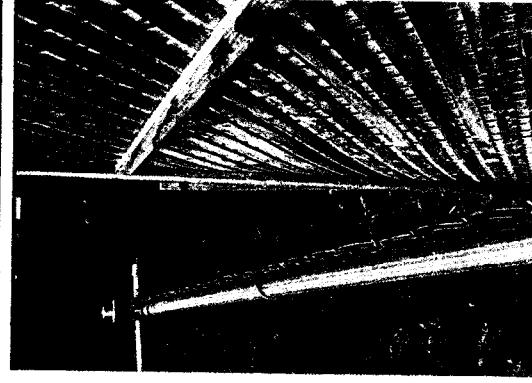
8' height – Unfinished side facing neighbor



ISSUE

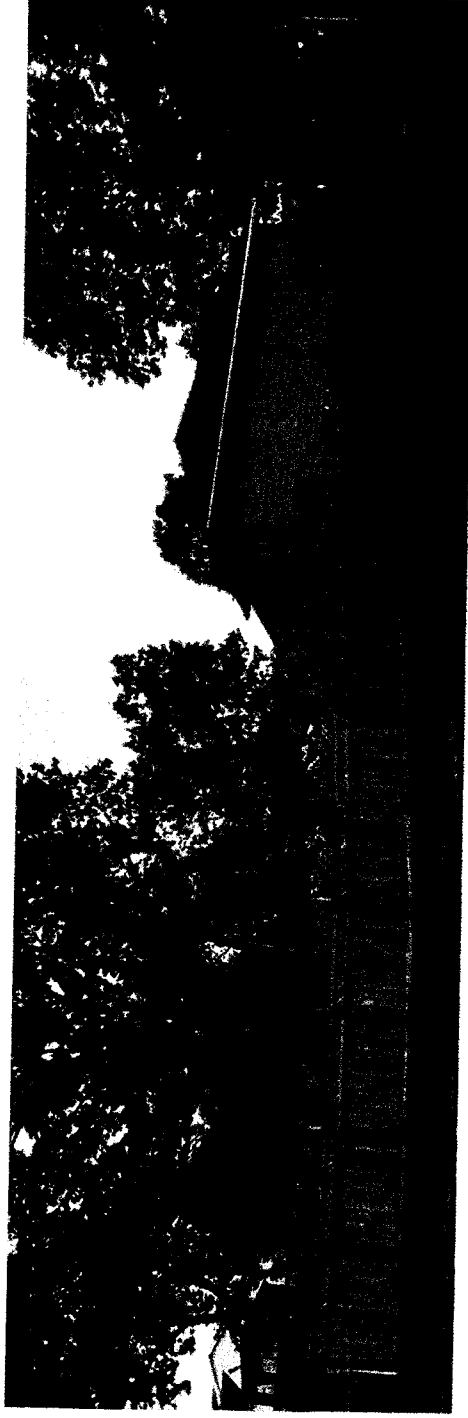


Problem Statement	▪ Neighbor fence 8' height and over property line / privacy screen 8' height / Shed proximity within 5' set backs of property line ▪ Verify existing property line boundaries ▪ Confirm city codes / ordinances
Objective	▪ Communicate issues with neighbor ▪ Agree to plan for actions needed ▪ Resolve issues
Actions	▪ April schedule and complete property survey with markers ▪ May ➢ Meeting with fence company ➢ Schedule arbitration & mediation meeting ▪ June ➢ Mediation agreement ➢ Neighbor approve new fence ➢ Order fence
Results	▪ July ➢ 7/9 Neighbor started to move existing fence per approval by city official if reduced to 7' height ➢ No notification of change to plans ▪ August new fence installed 8/10/24

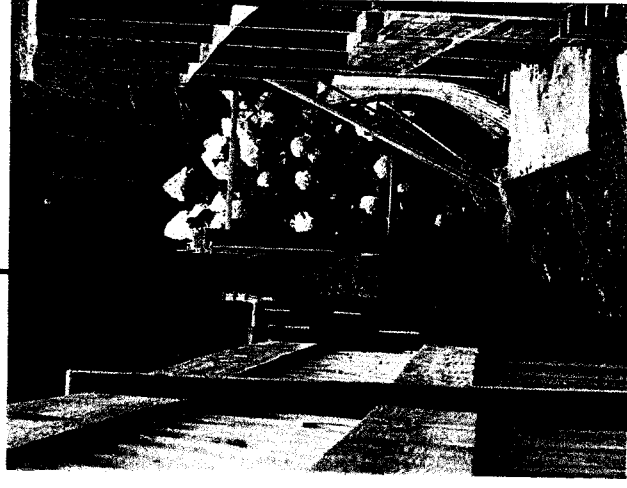


Current

- View of backyard to neighboring property with new fence



Property line marker



- Neighbor fence updates not completed prior to new fence install
 - Concerns about potential damage to new fence for additional work / modifications needed
- Distance between fences does not allow enough room to:
 - Stain neighbor facing side along entire fence line (to comply with code)
 - Properly weed and remove any garbage that may collect between fences

Accountability

- 6/3/24 email to Trevor White with fence and deck code questions (no response)
- 6/5/24 email to Dee Zimmerman at Anoka County for help, referred back to city
- 6/7/24 Scott (husband) emailed Heather Rodgers for help with fence and deck code questions
 - Heather responded on 6/12 she would drive by and view in person, no further communication
- 6/25/24 Scott emailed Heather for follow up
 - Heather responded she had forwarded to Kurt Bearinger who has been in contact with neighbor
 - 6/26/24 Scott also received an email from Trevor White that Kurt Bearinger is working with property owner for compliance
 - 6/26/24 Neighbor forwarded email from Kurt Bearinger noted below
- Rod Spiering / Chief Building Official visited neighbor property in June
 - 6/26 Kurt Bearinger emailed neighbor with the following list of actions needed to be compliant
 - Remove shed and any other landings / platforms within the 5' setback of property line (this has been done)
 - Fence crosses into neighbor property 6" needs to be moved back to within property lines
 - Fence height needs to be shortened by 1' to meet 7' height requirement
 - The screening wall attached to deck is in compliance with zoning and building codes
- 8/7/24 email to Heather Rodgers, Kurt Bearinger, Trevor White requested additional information (no response)
 - Copy of the code applied to privacy screen requirements
 - Verification that fencing moved is compliant as compared to city code requirements (provided pics showing over 7' max height)
 - Requested help with recurring debris build up on property in direct sight and proximity to our property
- 8/12/24 Left voicemail for Trevor White requested response (no response)
- 8/14/24 email to Rod Spiering requested clarification of city code requirements
- 8/15/24 email response from Trevor White
 - Stated fence height is measured from property fence is located on not neighboring property
 - Screening on deck inspected by Building Official and is compliant with building code
- 8/15/24 return email response to Trevor White (no response)
 - Are city codes written to protect the owner of property being fenced or owners of surrounding properties?
 - Requested a link to or copy of documentation which defines privacy screen requirements

BEFORE PIC: to help others understand the concern regarding our investment

Lattice zip tied to our chain link (without permission) to hide all the stuff being stored against our fence



Property marker

CURRENT PICS:

Misc building materials left since mid-June





City Council Regular

8.

Meeting Date: 08/20/2024

Subject: Open Mic Response: Mr. Allan Butler

From: Matt Brown, Community Development Director

INTRODUCTION

Mr. Allan Butler appeared at Open Mic on August 5 and also shared a letter with the Council regarding rental properties that he owns at 1020, 1036, and 1052 95th Lane.

DISCUSSION

The properties at 1020, 1036, and 1052 95th Lane are relatively large single-family houses that contain as many as eight bedrooms each. All three currently have valid City rental licenses. Mr. Butler has partnered with Stepping Stone Emergency Housing to lease one of the properties to tenants who previously experienced homelessness. City Staff has reviewed his leases with these tenants as part of the rental licensing process. Mr. Butler indicated that he wishes to lease each of these properties to as many as nine unrelated individuals. However, because the City's zoning code defines a "family" as "a group of not more than six persons who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit," he is unable to house more than six unrelated individuals in a single-family house. Staff has communicated this to Mr. Butler since he appeared at Open Mic.

RECOMMENDATION

This item is for information purposes and staff recommends no further action at this time.
