

COON RAPIDS CITY COUNCIL MEETING MINUTES OF MAY 4, 2021

CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of May was called to order by Mayor Jerry Koch at 7:00 p.m. on Tuesday, May 4, 2021, 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, Kari Rehrauer, Wade Demmer, Jennifer Geisler, Brad Johnson, and Pat Carlson

Members Absent: None

ADOPT AGENDA

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

PROCLAMATIONS/PRESENTATIONS

1. NATIONAL PUBLIC WORKS WEEK PROCLAMATION

Mayor Koch, on behalf of the City Council, read the proclamation and declared the third full week of May as “NATIONAL PUBLIC WORKS WEEK” in the City of Coon Rapids.

2. SWEARING IN OF NEW POLICE OFFICERS

Police Chief Wise introduced Police Officers Gregg Nordby, Tyler Sinclair, John Roth, and Ciara Pedersen to the City Council on the occasion of their graduation from the Police Department’s field training program and beginning service to the citizens of Coon Rapids.

Mayor Koch administered the Oath of Office to Officers Nordby, Sinclair, Roth, and Pedersen. A round of applause was offered by all in attendance.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

3. APRIL 20, 2021, COUNCIL MEETING

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER JOHNSON, FOR APPROVAL OF THE MINUTES OF THE APRIL 20, 2021, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

4. APRIL 27, 2021, LOCAL BOARD OF APPEAL AND EQUALIZATION MEETING

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER DEMMER, FOR APPROVAL OF THE MINUTES OF THE APRIL 27, 2021, LOCAL BOARD OF APPEAL AND EQUALIZATION MEETING. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

None.

PUBLIC HEARING

None.

BID OPENINGS AND CONTRACT AWARDS

None.

OLD BUSINESS

None.

NEW BUSINESS

5. CONSIDER SOLICITOR LICENSE DENIAL APPEAL – COMCAST-XFINITY

The Staff report was shared with Council.

Mayor Koch asked if Mr. Zeon had disclosed the misdemeanors in his application would staff have granted the license. City Clerk Lenzmeier said she would have granted the license because Mr. Zeon had a driver's license and had not received any infractions in the last two years. Mayor Koch asked if the Council should consider an extension since Mr. Zeon was not present. City Attorney

Brodie said the Council could consider his non-appearance as a factor; however, the Council could make a decision based on his letter of appeal.

Councilmember Carlson said it was glaring to not disclose the violations. He was also concerned that Mr. Zeon was not present.

Councilmember Geisler asked if there could have been any confusion as to the question on the application. Ms. Lenzmeier said there could always be confusion. Mr. Brodie said it was impossible to say one way or the other whether Mr. Zeon misunderstood the question. City Code stated that the City may deny a license based on providing false information. Therefore, the decision rested with the Council.

Mayor Koch asked if Mr. Zeon could reapply if the Council upheld the denial. Ms. Lenzmeier said he could.

Councilmember Johnson said he would prefer Mr. Zeon to reapply. He thought the letter of appeal proved a knowing omission, but a misunderstanding of fact.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER DEMMER, TO UPHOLD THE DENIAL OF A SOLICITOR LICENSE TO GLAIGBORGAR ZEON, JR.

Councilmember Demmer talked about the application and encouraged residents to err on the side of providing too much information. He was in favor of upholding the denial because of the ability to reapply.

Councilmember Johnson said candor was very important. He also suggested changing the requirement to disclose past infractions to ten years, but deferred to staff.

Councilmember Carlson said including more information than was necessary would bolster a person's credibility.

THE MOTION PASSED UNANIMOUSLY.

6. CONSIDER RESOLUTION 21-1(12) ADOPTING ASSESSMENTS FOR STREET RECONSTRUCTION PROJECT 21-1

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER GRESKOWIAK, SECONDED BY COUNCILMEMBER DEMMER, TO ADOPT RESOLUTION NO. 21-1(12) ADOPTING THE ASSESSMENTS FOR PROJECT 21-1. THE MOTION PASSED UNANIMOUSLY.

7. CONSIDER RESOLUTION 21-2(12) ADOPTING ASSESSMENTS FOR STREET

RECONSTRUCTION PROJECT 21-2

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER DEMMER, TO ADOPT RESOLUTION NO. 21-2(12) ADOPTING THE ASSESSMENTS FOR PROJECT 21-2. THE MOTION PASSED UNANIMOUSLY.

8. PC 21-9: CONSIDER INTRODUCTION OF ORDINANCE TO CHANGE ZONING FROM GENERAL COMMERCIAL TO MODERATE DENSITY RESIDENTIAL – 114XX ROBINSON DRIVE
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The Staff report was shared with Council.

Councilmember Demmer asked if General Commercial was not longer viable. Planner Harlicker said this lot had always been vacant and the biggest issue was visibility.

Mayor Koch introduced the Ordinance approving the proposed zone change to Moderate Density Residential in Planning Case 21-9 based on the following:

1. The proposed rezoning to Moderate Density Residential is consistent with the proposed land use designation of Moderate Density Residential.
 2. The proposed rezoning is compatible with the adjacent land uses and zoning.
 3. The times and conditions have changed so that a reasonable use of the property can not be made under the current zoning.
 4. The proposed zone change would not have an adverse impact on the area.
9. PC 21-10: CONSIDER PRELIMINARY AND FINAL PLAT FOR THREE RESIDENTIAL LOTS – EAGLE CIRCLE – LANDFORM PROFESSIONAL SERVICES
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The Staff report was shared with Council.

Councilmember Johnson asked if the developer requested to extend the lot lines all the way back to Outlot A. Planner Harlicker said staff recommended it and the applicant agreed. Councilmember Johnson wondered if it would affect assessed values for the properties. Mr. Harlicker said it depended on the value placed on the wetlands. Councilmember Johnson stated his concern was that the properties would have basically a City lot, but would be assessed higher because of the wetlands.

Mayor Koch said it did not seem like orderly development. He was concerned that a property owner could have a trailer or shed near the property line. He suggested the City own the wetland.

Councilmember Demmer asked why staff recommended extending the lot lines and if the City-owned land to the south could be a lot. Mr. Harlicker said there might be room for one or two lots. Councilmember Demmer shared a concern about a driveway if the City ever sold that lot. Mr.

Harlicker talked about extending the lot lines. He said the outlots tend to go to tax forfeit because it is not usable land so by extending the property lines it became the responsibility of the property owner. He said another option was for the developer to offer it to the City. Councilmember Demmer said he did not see any harm in letting it go to tax forfeit.

Councilmember Greskowiak agreed that it did not seem like orderly development. Public Works Director Himmer said staff had seen these go to tax forfeit quite a bit. He said because it was a restricted area encumbered by drainage and utility easements, property owners could not store trailers or sheds on it. He said the City avoided dedicating outlots because they sometimes turn into dumping grounds.

Councilmember Geisler said she heard the recommendation from staff to extend the property lines. It did not come from the developer. She agreed that leaving it as an outlot made sense. She recommended striking Condition 2.

Mayor Koch invited the applicant to speak. Todd from Landform Professional Services, said there was not a value to the lot one way or the other. They would rather see it stay the way it is. He said the applicant was open to working with the City to have it dedicated. He thought it would be contiguous to the adjacent wetlands.

Councilmember Greskowiak asked if the cul-de-sac was lined differently if it would create a City-owned buildable lot. Mayor Koch thought it was not fair to the developer to have to start over. City Manager Stemwedel said if it was pushed west, it would impact the proposed lot sizes.

Councilmember Johnson like the project as is without the lot line extensions.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER DEMMER, TO APPROVE THE PRELIMINARY PLAT AND ADOPT RESOLUTION NO. 21-54 GRANTING FINAL PLAT APPROVAL FOR SUMMER CHASE 5TH ADDITION WITH THE FOLLOWING CONDITIONS:

1. ALL COMMENTS OF THE CITY ENGINEER BE ADDRESSED
2. PARK DEDICATION IN THE AMOUNT OF \$6,000 (\$2,000 PER LOT FOR 3 LOTS) BE PAID PRIOR TO RELEASING THE PLAT FOR RECORDING.
3. ONE STREET TREE IS REQUIRED FOR EACH LOT TO BE PLANTED AT THE TIME OF BUILDING PERMIT.
4. A DEVELOPER'S AGREEMENT BE EXECUTED BETWEEN THE APPLICANT AND THE CITY.
5. THE WETLAND DELINEATION REPORT BE APPROVED PRIOR TO RELEASING THE FINAL PLAT.
6. THE COON CREEK WATERSHED DISTRICT PERMIT BE APPROVED PRIOR TO RELEASING THE FINAL PLAT.

THE MOTION PASSED UNANIMOUSLY.

Councilmember Demmer added that the applicant was not developing the entire lot. The wetlands would stay wetlands.

10. CONSIDER JOINT POWERS AGREEMENT WITH ANOKA COUNTY FOR TH 610 INTERCHANGE IMPROVEMENTS – PROJECT 18-14

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER CARLSON, TO APPROVE THE EXECUTION OF A JOINT POWERS AGREEMENT WITH ANOKA COUNTY FOR DISBURSEMENT OF COUNTY FUNDS RELATED TO PRELIMINARY ENGINEERING, ENVIRONMENTAL ANALYSIS, AND FINAL DESIGN OF INTERCHANGE CONSTRUCTION AND ASSOCIATED IMPROVEMENTS TO CSAH 1 (EAST RIVER ROAD) AT TH 610. THE MOTION PASSED UNANIMOUSLY.

11. CONSIDER AWARD OF DESIGN SERVICES CONTRACT FOR THE HIGHWAY 610/EAST RIVER ROAD INTERCHANGE, AND MASTER CONSULTING AGREEMENT WITH TKDA

The Staff report was shared with Council.

Councilmember Demmer asked why this was different than the City's normal bidding process. Public Works Director Himmer said it was consulting services and not a construction contract. The other proposal was slightly less, but involved more time and energy in getting them up to speed. City Attorney Brodie said essentially professional service contract were exempt from the competitive bidding laws. Councilmember Demmer said he was surprised to see only two bidders and asked if it was sent out publicly or to a select group. Mr. Himmer said it was sent to a group within the City's pool as well as those that have experience in interchange design.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER JOHNSON, TO ADD TKDA TO THE CITY'S CONSULTANT POOL, APPROVE A DESIGN SERVICES AGREEMENT WITH TKDA FOR THE TRUNK HIGHWAY 610/EAST RIVER ROAD INTERCHANGE, AND AUTHORIZE APPROPRIATE STAFF TO EXECUTE SUCH AGREEMENTS.

Councilmember Greskowiak said the funds were appropriated in the 2020 legislative session with a grant to the City and County. He asked what was the fiscal note for Coon Rapids. City Manager Stemwedel said the arrangement involved the City and County requesting reimbursements. Once the funds were expended, the County would request the funds be reimbursed and then would pass the appropriate funds to the City, except the amount that could not be reimbursed.

THE MOTION PASSED UNANIMOUSLY.

12. CONSIDER ACCEPTANCE OF WATERMAIN EASEMENT FROM MENARD, INC.

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER CARLSON, SECONDED BY COUNCILMEMBER GRESKOWIAK, TO ACCEPT AN EASEMENT FOR WATERMAIN PURPOSES FROM MENARDS, INC. LOCATED AT 3405 MAIN STREET NW. THE MOTION PASSED UNANIMOUSLY.

OPEN MIC/PUBLIC COMMENT

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

REPORTS ON PREVIOUS OPEN MIC

None.

OTHER BUSINESS

Mayor Koch asked Police Chief Wise to talk about the unfortunate incident that happened in town. Chief Wise said KARE 11 covered a story about a search warrant that was executed in Coon Rapids by the Anoka County SWAT team on the wrong home. He said there was an understanding that humans make mistakes; however, this mistake was incomprehensible. The Coon Rapids Police Department does not have a SWAT team. The Minneapolis Police Department was looking for a robbery suspect and identified a Coon Rapid's address. They requested the Anoka County SWAT team from the Anoka County Sheriff's Department to execute a no knock warrant. The Coon Rapids Police Department was not involved. Chief Wise said the detective and Anoka County failed to conduct due diligence. He hoped that all of the agencies involved updated their procedures to ensure this never happened again.

Mayor Koch asked how the City could better protect its residents and why the Coon Rapids Police Department was not notified. Chief Wise said he would have expected at least a courtesy notification that the warrant was being execute.

Councilmember Johnson said he though the home where the warrant was executed was in his Ward. He also had experience as an Assistant County Attorney in a neighboring County where he reviewed and approved warrants. He talked about that process. He asked that the City request to be notified unless there was good cause not to do so and asked Chief Wise to relay those expectations. He said he planned to reach out to his constituent and the Sheriff Department.

Councilmember Geisler agreed. She said the City needed to set the expectation to be notified.

Mayor Koch said he just wanted to hear from the Sheriff Department that this would not happen

again.

City Manager Stemwedel said there would be a vaccination clinic on Thursday, May 6th from 2:00 – 5:00 p.m. at the Civic Center.

ADJOURN

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER CARLSON, TO ADJOURN THE MEETING AT 8:26 P.M. THE MOTION PASSED UNANIMOUSLY.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk