

CITY OF ST. FRANCIS
ST. FRANCIS, MN
ANOKA COUNTY

CITY COUNCIL MINUTES

March 18, 2013

1. **Call to Order:** The regular City Council Meeting was called to order by Mayor Pro Tem Chris McClish at 6:00 pm.
2. **Roll Call:** Present were Mayor Pro Tem Chris McClish, Council members Mike Haggard, Amy Lazere, Tim Brown. Mayor Jerry Tveit excused. Also present were City Engineer Jared Voge (Bolton & Menk, Inc.), City Attorney Scott Lepak (Barna, Guzy & Steffen), City Planner Nate Sparks (Northwest Associated Consultants), Police Chief Jeff Harapat, Public Works Director Paul Teicher, Finance Director Darcy Mulvihill, City Administrator Matt Hysten and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY LAZERE SECOND BROWN TO ADOPT THE MARCH 18, 2013 CITY COUNCIL AGENDA. Motion carried 4-0.
4. **Consent Agenda:** Hysten asked to have item e. removed from the consent agenda. MOTION BY BROWN SECOND LAZERE TO APPROVE THE MARCH 18, 2013, CITY COUNCIL CONSENT AGENDA AS A-D & F AS FOLLOWS:
 - a. Approve the City Council Minutes of March 4, 2013.
 - b. Approve the St. Francis Lions One Day Gambling Permit (Bingo) for March 22, 2013 at St. Francis Am. Legion.
 - c. Approve the Public Dance License for Patriot Lanes Bar & Grill for April 6, 2013 Benefit for Art Sakaye.
 - d. Approve the 5k Walkathon Application for Trinity Lutheran Church and School Fundraiser on May 4, 2013.
 - e. ~~Hire Sandra Anderson as the Police Records Clerk starting at Grade 5 Step 2~~
 - f. Approve the Payment of Claims for \$507,945.27 (Check #'s 65303- 65377 \$304,572.67 and ACH 50E-55E \$203,372.60)Motion carried 4-0.
 - e. **Hire Sandra Anderson as the Police Records Clerk starting at Grade 5 Step 2:** Hysten reported Ms. Anderson has over eleven years of experience in police records and asked the City Council to start her with a 24 hour bank of vacation time but she will still start at the lower accrual rate. MOTION BROWN SECOND LAZERE TO HIRE SANDRA ANDERSON AS THE POLICE RECORDS CLERK STARTING AT GRADE 5 STEP 2 AND 24 HOURS OF VACATION. Motion carried 4-0.
5. **Meeting Open to the Public:** None.
6. **Petitions, Requests, Applications:**

a. **Mayor's Presentation to the St. Francis Ambassador Program:** Mayor Pro Tem McClish presented to the St. Francis Ambassadors a check in the amount of \$416.00 that was raised during the Mayors Trail Ride put on by the Anoka Area Chamber of Commerce.

b. **Tobacco License Application: Restyle Consignments 23168 St. Francis Blvd:** MOTION BY BROWN SECOND LAZERE TO APPROVE THE TOBACCO LICENSE FOR RESTYLE CONSIGNMENTS AT 23168 ST. FRANCIS BLVD. NW. Lazere asked what type of cigarettes would be sold. Held reported they will be selling E-Cigarettes. The MN Department of Revenue requires they obtain a City tobacco license. The business owner stated she would not be selling regular cigarettes, just e-cigarettes. Motion carried 4-0.

7. **Ordinances & Resolution:**

a. **Ordinance 181, Second Series: Amending the Zoning Ordinance Regarding Residential Accessory Buildings and Building Height (Second Reading):** MOTION BY LAZERE SECOND BROWN TO APPROVE THE SECOND READING OF ORDINANCE 181, SECOND SERIES AMENDING THE ZONING ORDINANCE REGARDING RESIDENTIAL ACCESSORY BUILDINGS AND BUILDING HEIGHT. City Planner Nate Sparks provided a memorandum explaining the reasoning for the ten-foot setback that was concern at the last meeting. He also was present to answer any questions. Roll Call: Ayes: Brown, Lazere, Haggard and McClish, and Tveit. Nays: None. Motion carried 4-0.

b. **Ordinance 182, Second Series: Amending Section 8-2-2 and adding Section 8-2-6 of the St. Francis City Code Regarding Nuisance & Abatement (First Reading):** Sparks gave a general overview why this ordinance was amended listing a more detailed list of nuisances. The League of MN Cities is recommending the detailed list. MOTION BY LAZERE SECOND BROWN TO APPROVE THE FIRST READING OF ORDINANCE 182, SECOND SERIES AMENDING SECTION 8-2-2 AND ADDING SECTION 8-2-6 OF THE ST. FRANCIS CITY CODE REGARDING NUISANCE 7 ABATEMENT. Roll Call: Ayes: Lazere, Brown, McClish. Nays: Haggard. Motion fails for the lack of a 4/5 vote.

c. **Ordinance 183, Second Series: Adding Sections 8-2-7 and 7-2-9 of the St. Francis City Code Regarding Noise Violations (First Reading):** MOTION BY BROWN SECOND LAZERE TO APPROVE THE FIRST READING OF ORDINANCE 183, SECOND SERIES ADDING SECTIONS 8-2-7 AND 7-2-9 OF THE CITYCODE REGARDING NOISE VIOLATIONS. Roll Call; Ayes: Lazere, Brown, Haggard and McClish. Nays: None. Motion carried 4-0.

d. **Resolution 2013-05: Approving Park and Trail Plan Amendments:** MOTION BY BROWN SECOND HAGGARD TO ADOPT RESOLUTION 2013-05 A RESOLUTION APPROVING PARK AND TRAIL PLAN AMENDMENTS. Motion carried 4-0.

e. **Resolution 2013-06: End of Year 2012 Transfers:** MOTION BY LAZERE SECOND HAGGARD TO ADOPT RESOLUTION 2013-06 A RESOLUTION APPROVING THE END OF YEAR 2013 TRANSFERS. This was a budgeted transfer ear marked for future fire trucks and equipment. Motion carried 4-0.

8. **Reports of Consultants & Staff Members:**

a. **Engineer: Woodhaven Metering Manhole Replacement:** City Engineer Jared Voge presented Pay Estimate No. 1 and Change Order No. 1 for the Woodhaven Metering Man hole Replacement. The Change Order reflects the costs associated with repairing a water main

break in the existing water system adjacent to the project area. The reason for the water main break was due to inefficiency when it was installed. We want to let you also know there are other parts of town that does have this same type installation/material of water mains. The engineer recommends approval of Pay Estimate of \$155,304.43 and Change Order for \$57,218.18 to Magney Construction, Inc. of Chanhassen, MN. MOTION BY BROWN SECOND HAGGARD TO PAY ESTIMATE No. 1 to MAGNEY CONSTRUCTION OF CHANHASSEN, MN for \$155,405.43 AND CHANGE ORDER No. 1 FOR \$57,218.18. Motion carried 4-0.

b. **Attorney: Sonstebly Condemnation-Resolution 2013-07:** The City Attorney's office has been working with Richard Sonstebly and Ronnie Lynn McNeil formally known as Susan Lynn Sonstebly in regards to right-of-way acquisition. The City desires to acquire a perpetual easement and a temporary easement over and across the property at 4140 St. Francis Blvd. NW for \$7774.00. MOTION BY BROWN SECOND McCLISH TO ADOPT RESOLUTION 2013-07 A RESOLUTION APPROVING THE STIPULATION OF SETTLEMENT WITH THE CITY AND RICHARD SONSTEBY, RONNIE LYNN McNEIL, ET.AL. Motion carried 4-0.

c. **Staff:**

Building Official: Private Septic Systems-Assessment Fees: The question was raised recently regarding our private septic systems assessment fees, commonly referred to as a pumping permit. This is also an assessment or evaluation of the private septic system. This does not necessarily mean the tanks need to be pumped. There are a number of items to look for during an inspection. This is a requirement from MPCA that they be tracked and recorded. The \$20.00 fee is a fee for service. The maintainers are the ones that pay the \$20 fee. Haggard said I think we are over stepping our bounds. Schreder said the three-year inspection is still required to be completed whether it is pumped or not. Brown said so if I am hearing you right it is a State mandate and not city that the septic systems be inspected. Yes, Schreder replied, we are trying to educate the homeowners to be aware of this program.

Fire Dept.:

Public Works:

Liquor Store:

Police Dept.: Department Report: Chief Harapat also wants to touch on what Hylen reported; the police department is also working with the school's bus garage for vehicle repair. It is working very well. Mandated training is something that is crippling in our budget. The true dilemma we are facing is ammunition and the lack of the availability of it for training.

City Administrator: Rental/Vacant Housing Ordinance Discussion: Just a follow up from last meeting this item was on the agenda. I was absent but I just wanted direction on how to proceed. Brown, McClish and Lazere would like to see this brought back to the planning commission for review. Haggard said he is still opposed to it.

League of MN Cities have annual awards and we would like to pursue applying into at least one of them. We realized we have a number of joint services with the school district and other surrounding communities.

Vacant Lot behind Post Office: This item was also brought up at the last city council meeting. It is believed we used CDBG monies to purchase that lot and tear down the structure that was there. I am in contact with Anoka County to see if there is an option to get out of the CDBG requirements. There is also a small one-acre lot directly north of current salvage yard and south

of the townhomes along Hwy 47. I will keep in contact with Anoka County to see if we could remove the CDBG status of that property.

9. **Reports from Council Members:** Lazere will be absent April 15 and June 16 from the City Council meeting.

I did receive a call from Joe Haag today about the April 19 Foundation 15 event. Monies raised during this event goes to St. Francis High School scholarships.

10. **Report from Mayor:** Nothing.

11. **Old Business:** In regards to the Pedestrian Crossing on Hwy 47, McClish asked staff have you heard any feedback of how it is working. Staff said it must be working we have not heard any problems. McClish asked about motion sensors and it that a possibility. Voge said there are a variety of options we can investigate being it is wireless. Lazere stated maybe we need to educate at the school level. Chief Harapat said we have had the schools make announcements regarding the crosswalk and having to push the button. Hysten said we have been working with the superintendent on the possibility of making a video for the kids to watch.

12. **New Business:** None.

13. **Adjournment:** The Regular City Council meeting adjourned at 6:54 pm.

Barbara I. Held, City Clerk