

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

CITY COUNCIL MINUTES

April 1, 2013

1. **Call to Order:** The regular City Council Meeting was called to order by Mayor Jerry Tveit at 6:00 pm.
2. **Roll Call:** Present were Mayor Jerry Tveit, Council members Mike Haggard, Amy Lazere, Tim Brown and Chris McClish. Also present were City Engineer Jared Voge (Bolton & Menk, Inc.), City Attorney Scott Lepak (Barna, Guzy & Steffen), 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 APRIL 1, 2013 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** MOTION BY LAZERE SECOND McCLISH TO APPROVE THE APRIL 1, 2013, CITY COUNCIL CONSENT AGENDA AS A-D AS FOLLOWS:
  - a. Approve the City Council Minutes of March 18, 2013.
  - b. Receive and File the URRWMO Minutes of March 5, 2013 and Unapproved Minutes of March 19, 2013.
  - c. Accept the Resignation of Part Time Liquor Store Clerk Brian Ruud.
  - d. Approve the Payment of Claims for \$ (Check #'s 65378-65430)Motion carried 5-0.
5. **Meeting Open to the Public:** William Gardner, 5304-238<sup>th</sup> Avenue NW St. Francis, was before the City Council to talk about the new policies (Noise and Nuisance Ordinances) that you are going to discuss tonight. Gardner referenced and read the definition of Criminal Prosecutions from the material that was in the council packet. Gardner pulled an object out of his pocket and held it in his hand directed to staff and the council and said does that mean I can't have this? Does that mean I can't have a gun on my property? We have a carry and conceal law in this state. We also have a second amendment that says that I have the right to own a gun. So would a dangerous weapon be something like what was in my pocket, or a pitchfork that I use in my barn or a baseball bat. In regards to the noise violations and how that effect will Pioneer Days or the car show. I think it needs to be totally re-done. I did send this to my attorney. If you decide to come on my property, you will need to call me first and I can give you the information of my attorney to get a warrant.
6. **Petitions, Requests, Applications:**
7. **Ordinances & Resolution:**
  - a. **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):** I was gone

at the last city council meeting and asked Mr. Hylen put this back on the agenda. I would like to see if we can find a common ground on this ordinance as we have with other ordinances. MOTION BY TVEIT SECOND LAZERE 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. Tveit said we already have a nuisance ordinance on the books. Tveit said I looked at this ordinance as being more specific than the current nuisance ordinance we currently have. It helps both for enforcement and for the abatement of the nuisance from the property owner's standpoint. They know exactly what they need to address. Haggard referenced a number of pages he would like to see changes made to. I have six pages I don't agree with that is why I am still against this. Haggard referenced the area referencing garbage cans, noxious weeds, brush, and habitation of temporary structures. Are we going to give a ticket for all of these things? Tveit said I think the garbage is for a large amount of garbage and not your small container in front of your garage. The city does not go on private property but if it is in a line of site they can site you for noxious weeds on your property. This is for the public good; I don't think there is anything that is out of the ordinary. The League of Minnesota Cities is also recommending this ordinance. Haggard stated people come here because they want to live in a small town; they don't want big city rules and regulations. The people that call me won't call the other council members because they don't trust them. Tveit stated we already have rules on the books for a lot of these. Haggard stated if the rules are already on the book why are we changing it. Tveit said to be make it easier to enforce and easier to remedy. Haggard again referenced a couple of pages. I think we are knit picking and why do we keep adding to our current ordinance. Haggard said I think we can debate this for a long time. Roll Call: Ayes: Lazere, Brown, McClish and Tveit. Nays: Haggard. Motion carried 4-1.

b. **Ordinance 183, Second Series: Adding Sections 8-2-7 and 7-2-9 of the St. Francis City Code Regarding Noise Violations (Second Reading):** Tveit gave a brief review of the Planner Nate Sparks memorandum. MOTION BY LAZERE SECOND McCLISH TO APPROVE THE SECOND READING OF ORDINANCE 183, SECOND SERIES ADDING SECTIONS 8-2-7 AND 7-2-9 OF THE CITYCODE REGARDING NOISE VIOLATIONS. Roll Call; Ayes: Brown, McClish, Lazere and Tveit. Nays: Haggard. Motion carried 4-1.

c. **Resolution 2013-08: Authorizing Summary Publication of Ordinance 183, Second Series:** MOTION BY LAZERE SECOND BROWN APPROVING RESOLUTION 2013-08 A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 183, SECOND SERIES. Motion carried 5-0.

d. **Resolution 2013-09: Supporting Legislation Authorizing the Establishment of Municipal Street Improvement Districts:** MOTION BY LAZERE SECOND McCLISH APPROVING RESOLUTION 2013-09 A RESOLUTION SUPPORTING LEGISLATION AUTHORIZING THE ESTABLISHMENT OF MUNICIPAL STREET IMPROVEMENT DISTRICTS. Motion carried 5-0.

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

a. **Engineer: Ambassador Blvd. Trunk Utility Update:** Voge reported staff noted a deficiency in one of the sewer lines under Hwy 47 when they were televised. We have been working with the contractor to fix the problem.

b. **Attorney:**

c. **Staff:**

**Fire Dept.:**

**Public Works:**

**Liquor Store:**

**Police Dept.:**

**City Administrator: Wastewater Treatment Discussion:** Hysten said his discussion regarding the wastewater treatment would be brief. Right after I started, we knew we were getting close to capacity in our wastewater treatment plant. We did purchase the property in Isanti for an upgrade. The building slowed down significantly. We have been working with the MPCA currently on our permit. Through dialogue with the city council when asked where do we want the City to go and the response was we wanted to grow. Based on what we see happening with building and potential business permits, the rules have changed and we need to aggressively work with the State agencies to move forward. A lot of this started happening even after our workshop early this year. You will be hearing a fair amount of information on this upgrade. Brown asked if there has been any more dialogue with Met Council and bringing pipe to St. Francis. Met Council is at or nearing capacity at the Pigs Eye area plant that is why they are operating East Bethel. Brown said we might want to be cautious of going with the Met Council because previously if they took control of our facility they would be able to dictate how and where the city grew.

9. **Reports from Council Members:** Haggard stated for the people in St. Francis, they need to get off their couches, watch the council meeting or come to them so they know what is going on.

Lazere stated the Community Business EXPO is this Saturday from 9-2 pm at the St. Francis High School. I am hoping everyone can make it.

McClish I have been on the council over two years and the majority of what I hear from residents is positive and they like what is going on in St. Francis. For council members do your homework before the meeting.

10. **Report from Mayor:** Tveit apologized for being absent last meeting due to an illness. Tveit wanted to thank Chris McClish stepping in at the last minute to run the meeting.

11. **Old Business:** None.

12. **New Business:** None.

13. **Adjournment:** The Regular City Council meeting adjourned at 6:36 pm.