

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

CITY COUNCIL MINUTES

July 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 Amy Lazere and Chris McClish. Excused was Tim Brown. Mike Haggard arrived at 6:14 pm. Also present were City Attorney Scott Lepak (Barna, Guzy & Steffen), City Engineer Jared Voge (Bolton & Menk) 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 McCLISH TO ADOPT THE JULY 1, 2013 CITY COUNCIL AGENDA. Motion carried 3-0.
4. **Consent Agenda:** MOTION BY LAZERE SECOND McCLISH TO APPROVE THE JULY 1, 2013, CITY COUNCIL CONSENT AGENDA AS A-C AS FOLLOWS:
 - a. Approve the City Council Minutes of June 17, 2013.
 - b. Acknowledgement of the MN Waterfowl Assn. - Cedar Creek Chapter: Gambling Application for Exempt Permit for September 12, 2013 at St. Francis American Legion
 - c. Approve the Payment of Claims for \$111,787.60 (Check #'s 65796-54744)Motion carried 3-0.
5. **Meeting Open to the Public:** None.
6. **Petitions, Requests, Applications:**
 - a. **LePage & Sons: Refuse License Application:** Lepak provided a memorandum regarding the waste hauler application from LePage & Sons. At the last council meeting, this was an agenda item. The matter ultimately was the subject of a motion that failed for a lack of a second. In the event the council does not approve the license application, it will need to establish findings of fact explaining the decision. MOTION BY McCLISH SECOND LAZERE TO APPROVE THE REFUSE LICENSE APPLICATION FROM LEPAGE & SONS. McClish said I will support this at this time but I would like to research it further on limiting the number of haulers. McClish said he is worried about the city streets. Tveit asked staff to bring back more information regarding what the procedure would be to limit the number of haulers. Hysten said Metro Cities along with the League of MN Cities is hosting a forum on Thursday, July 25 to help cities understand the new law and to hear what cities with organized collection have to say about its benefits and any need for on-going city administration. Again, this is a new law and we would need to change our policies and city code before we would or could do anything. We will gather all the information and bring it forward. Lazere said I would like to get educated on the topic the rest of the council agreed. Motion carried 3-0.

b. **23671 St. Francis Blvd: Sign Variance – Resolution 2013-22:** The property owners of the building at 23671 St. Francis Blvd have made an application for a variance to the setback for a sign from Highway 47. The current sign is set 1 foot back from the right-of-way and the applicant would like to enlarge its size. Any expansion within the setback requires a variance. The property currently has a 40 square foot sign set back 1 foot from the property line. This sign was originally built in a conforming location. The Highway 47 project resulted in additional right-of-way being acquired thus moving the property line and making the sign a grandfathered nonconformity. The applicant is seeking to expand the size of the sign to 80 square feet, which is permitted via the City's sign ordinance. To move the sign 9 feet back would place the sign behind the required landscaping screening provided for the auto body shop next door, which could potentially obscure the view of the proposed lower panel of the sign. MOTION BY McCLISH SECOND LAZERE TO ADOPT RESOLUTION 2013-22 A RESOLUTION APPROVING A VARIANCE TO ALLOW FOR EXPANSION OF A NON-CONFORMING SIGN AT 23671 ST. FRANCIS BLVD. Motion carried 3-0.

c. **Meadows of St Francis 3rd Addition Final Plat-Resolution 2013-23 & Development Contract:** Meridian Behavioral Health is seeking to establish a 48-bed substance abuse treatment center on an 8-acre site located west of 229th Avenue and Cree Street. In order to do this project, the applicant received Conditional Use Permit and Preliminary Plat approvals on May 6, 2013. Previously, Outlot A had received preliminary plat approval for 64 townhome units. The current preliminary plat approval is now for one parcel. The applicant has provided a new final plat and final development plans that Staff has reviewed that generally meet the standards of the preliminary plat approval. Meridian Behavioral Health is seeking to establish a 48-bed substance abuse treatment center on an 8-acre site located west of 229th Avenue and Cree Street. In order to do this project, the applicant received Conditional Use Permit and Preliminary Plat approvals on May 6, 2013. Previously, Outlot A had received preliminary plat approval for 64 townhome units. The current preliminary plat approval is now for one parcel. The applicant has provided a new final plat and final development plans that Staff has reviewed that generally meet the standards of the preliminary plat approval. MOTION BY McCLISH SECOND LAZERE TO ADOPT RESOLUTION 2013-23 A RESOLUTION APPROVE THE FINAL PLAT FOR MEADOWS OF ST. FRANCIS 3rd ADDITION. Motion carried 3-0.

MOTION BY TVEIT SECOND LAZERE TO APPROVE THE DEVELOPMENT CONTRACT FOR THE MEADOWS OF ST. FRANCIS 3rd ADDITION. Motion carried 3-0.

7. **Ordinances & Resolution:**

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

a. **Engineer: 239th and Kerry St/232nd Feasibility Reports:**

Council member Mike Haggard arrived at 6:14 pm.

City Engineer Jared Voge gave a brief power point presentation on the two feasibility reports. Voge reviewed the project status and schedule on how they would proceed with the 429 assessment projects. Neither of these projects are in the 2013 budget. Haggard asked if it could wait until next year. Tveit said we still need to identify the street condition. Hylen said typically, we would bond for these types of improvements. We will be addressing these again at budget time. McClish asked if these streets were properly maintained in the past would they have lasted longer. Voge said it more than likely would have lasted longer. McClish stated that is why I really stress that we keep up on our road maintenance program.

b. **Attorney:**

c. **Staff:**

Fire Dept.:

Public Works: Aging Playground Equipment Borders: Public Works Director Paul Teicher reported there are several parks that are becoming dangerous because of deteriorating timbers. These deteriorating timbers are the transitional borders between the grass areas and the woodchip areas under the playground equipment. Staff is recommending the replacement of the deteriorating timbers with a more permanent concrete border. The two parks in the most need now are Highland Woods and Deer Creek 2nd parks. Two bids were received for the border replacement. They were Hidden Falls Inc. of Blaine \$\$18,735.55 and TRU Renovations of Blaine \$19,650.16. MOTION BY LAZERE SECOND McCLISH AUTHORIZE THE PUBLIC WORKS DIRECTOR TO UTILIZE \$18,735.55, FROM THE PARK DEDICATION FUND FOR THE INSTALLATION OF THE CONCRETE CURBING IN THE PARKS. Haggard liked the idea of concrete but would it be less expensive to use railroad ties? Teicher said he would not recommend rail road ties because of the chemicals in the ties. Motion carried 4-0.

Liquor Store:

Police Dept.:

City Administrator: In regards to the Five-City Fire Service Feasibility Report, Hylen stated I can report on it or if you would like to Mayor please do so. Tveit said yes he would give a review of the meeting that was held on June 26, 2013. Tveit stated he was the only council member from St. Francis there. Tveit gave a brief overview of the meeting. Hylen reported the consultants also gave an opinion of St. Francis, Ramsey and Nowthen to join first and then Bethel and or Oak Grove in no particular order of the two cities. July 18, 2013 the fire group committee will be meeting again to go over any questions council members or staff may have. They did tape the meeting and as soon as it is available, we will put it on our website. The consultants did say this could take years to finalize.

9. **Reports from Council Members:** McClish stated he received an email from Harry Grams of Anoka County Highway Department in regards to the intersection of County Road 9 and County Road 22. Even though this is located in Oak Grove, it does affect the traffic from St. Francis.

Lazere asked how do we go about discussing and proceeding with the feasibility reports. Hylen stated after the July 15, 2013 City Council meeting we will adjourn and go into a budget work session. We can discuss how to proceed at this work session.

10. **Report from Mayor:** The five-city joint fire meeting was already discussed.
11. **Old Business:** McClish asked about the “old Food-N-Fuel” at 4020-233rd Avenue he received a number of complaints on the condition. Are there any grants out there, are we going to wait another ten years before we do anything. Tveit ask staff to see what the next steps are to address this blight.
12. **New Business:** Tveit stated at the last council meeting we did not have a second on the refuse license motion. We then had to have the city attorney write a memorandum on the legalities of the non-action. That research and memorandum cost the city money. Let’s be smart up here and not waste money. We need a second to a motion to even discuss it further.
13. **Adjournment:** The Regular City Council meeting adjourned at 7:01: pm.

Barbara I. Held, City Clerk