

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

CITY COUNCIL MINUTES

November 4, 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, Tim Brown and Chris McClish. Council member Amy Lazere excused. Also present were Police Chief Jeff Harapat, Public Works Director Paul Teicher, Building Official Andy Schreder, Finance Director Darcy Mulvihill, City Administrator Matt Hysten and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY HAGGARD SECOND McCLISH TO ADOPT THE NOVEMBER 4, 2013 CITY COUNCIL AGENDA. Tveit reported Council Member Lazere was not able to attend tonight's meeting. I know Councilmember Lazere was the one that inquired about a rental-housing ordinance and with not having a full council; I would like to pull all the first readings of the three ordinances from the agenda. Motion carried 4-0.
4. **Consent Agenda:** MOTION BY McCLISH SECOND BROWN TO APPROVE THE NOVEMBER 4, 2013, CITY COUNCIL CONSENT AGENDA AS A –G AS FOLLOWS:
 - a. Approve the City Council Minutes of October 21, 2013.
 - b. Accept the Resignation of Fire Fighter Kim Swenson.
 - c. Accept the Resignation of Fire Fighter Chris Vnuk.
 - d. Pay Estimate No. 2 to LaTour Construction, Inc. of Maple Lake for \$110,765.11 for the Rum River Bluffs Development Completion
 - e. Approve the Smith Lake Wildlife Estates and Smith Lake Wildlife Estates 2nd Addition-Addendum to Development Agreement
 - f. Approve the Gambling Premises application for Excluded Bingo Activity for the St. Francis Lions Club @ St. Francis Am Legion on November 23, 2013.
 - g. Payment of Claims \$243,107.05 (Check #66390 – 66452)Motion carried 4-0.
5. **Meeting Open to the Public:** None.
6. **Petitions, Requests, Applications:**
 - a. **24407 Iodine Street NW – Home Extended Business IUP: Jesse Plocher (Resolution 2013-35):** This item was tabled at the last city council meeting for more review. The modifications added to the original list of conditions since the last meeting was:
 1. Increase total securities to \$6200 to ensure the construction of the fence, planting of four trees, and removal of two illegal driveways.
 2. Require the building construction, fence construction, tree plantings, and driveway removals to be completed by May 1, 2014.
 3. Clarify that no on-street parking is permitted for this business.

Jesse Plocher has made an application for a Home Extended Business Interim Use Permit to operate a concrete business at his residential property located at 24407 Iodine Street NW. This application was made in response to a code enforcement complaint against the property. The site is zoned Marginal Land-Planned Unit Development (ML-PUD) and is located in the Seelye Brook Acres Addition west of Seelye Brook Drive. The Planning Commission recommended approval of this request with ten conditions. Resolution 2013-35 is attached for council consideration approving an interim use permit for the home-extended business. MOTION BY HAGGARD SECOND McCLISH TO ADOPT RESOLUTION 2013-35 A RESOLUTION APPROVING AN INTERIM USE PERMIT FOR A HOME EXTENDED BUSINESS FOR JESSE PLOCHER AT 24407 IODINE STREET NW. Motion carried 4-0.

b. Delinquent Utilities, Miscellaneous Invoices, and Administrative Fines: Public Hearing (Res. 2013-36): Mayor Tveit opened the Public Hearing at 6:06 pm for anyone wishing to be heard on the proposed special assessment/lien on properties regarding unpaid utility, unpaid bills on maintenance of private property, and our new civil notice fees. Mayor Tveit asked three times if there was anyone at the meeting that wanted to address the City Council on the proposed assessments. With no one being heard, Mayor Tveit closed the Public Hearing at 6:07 pm. MOTION BY BROWN SECOND McCLISH TO ADOPT RESOLUTION 2013-36 A RESOLUTION AUTHORIZING AND DIRECTING CERTIFICATION OF MUNICIPAL UTILITY SERVICES, MAINTENANCE OF PRIVATE PROPERTY, ADMINISTRATIVE CIVIL NOTICES FEES AND REPAIR OF LIENS AS LIEN UPON PREMISES. Haggard asked what the difference of the miscellaneous invoices and fines were. Tveit explained all the different types of fines and fees. Motion carried 3-1. Haggard voting nay.

c. Charter Commission Amendments: The Charter Commission met and approved the following items:

1. To amend the charter to adopt the write-in language as proposed and to present the proposed changes to the City Council for approval.
2. To amend the charter to increase the term of the Mayor to four (4) years as proposed, to present the proposed changes to the City Council for approval and, if council does not approve, to submit as a question at the next general election.
3. To amend the charter to adopt the primary language as proposed, to present the proposed changes to the City Council for approval and, if council does not approve, to submit as a question at the next general election.

The Charter Commission requests that each item be considered separately by the Council. The next steps in considering the Charter Commission's proposed changes are as follows:
Step 1. Within one month of receiving the recommendations from the Charter Commission, the City must publish notice of public hearing of the proposal (which must contain the text of the proposed amendment). Minn. Stat. Sec. 410.12, subd. 7.
Step 2. The City must hold a public hearing on the proposed charter amendment at least two (2) weeks but not more than one (1) month after the notice is published.

Step 3. The City Council must vote on it within one (1) month of the public hearing. The vote must be unanimous.

Step 4. The changes are published like all other ordinances.

Step 5. Within 60 days after passage and publication, citizens may petition to submit the matter to referendum.

Step 6. The Charter Commission may submit any of these issues to the voters if they are not unanimously adopted by the City Council. This must be submitted at least 17 weeks before the general election. Minn. Stat. Sec. 410.12.

MOTION BY TVEIT SECOND McCLISH TO SET A PUBLIC HEARING ON DECEMBER 2, 2013 FOR THE PROPOSED CHARTER AMENDMENTS. Motion carried 4-0.

7. **Ordinances & Resolution:**

a. Ordinance 186, Second Series –Amending Section 8-7-3 Entitled: Disposal of Excess Property (1st Reading) TABLED.

b. Ordinance 187, Second Series - Amending Section 2-9-1 Regarding the Fee Schedule 2014(1st Reading) TABLED

c. Ordinance 188, Second Series – Rental Housing (1st Reading) TABLED

d. Resolution 2013-37: **Certifying Assessment for Rum River Bluffs – Phase**

Two: MOTION BY McCLISH SECOND HAGGARD TO ADOPT RESOLUTION 2013-37 A RESOLUTION AUTHORIZING AND DIRECTING CERTIFICATION OF PUBLIC IMPROVEMENTS FOR RUM RIVER BLUFFS II. Motion carried 4-0.

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

a. **Engineer:** Voge reported on a Star Tribune Article on Asphalt Roads that was in Sunday's paper. There is a study on why cities are having problems with crumbling street pavement that relied on the state formula for mixing blacktop. Voge stated we would continue to monitor this problem. Tveit asked this article be sent out to the council members.

b. **Attorney:**

c. **Staff:**

Building Official:

Fire Dept.:

Public Works:

Liquor Store:

Police Dept.:

City Administrator: Planning Commission Appointments: We currently have excellent planning commission members but some are on extended terms because we have had no applicants. At this time, we have three members that are serving past their term and one member that just submitted her resignation to be effective December 31, 2013. We currently have two applications. Hylen asked the council members to help recruit more applicants. We have placed an ad in the paper and website. If we receive, more applicants how would you like to handle planning commission appointments. Tveit asked the council. Haggard said I think staff could handle it. Brown suggested to at least have the mayor meet with them. McClish stated maybe we could have an interview board comprised of a couple council members along with the city administrator. Tveit

agreed with someone from the city council should be on the interview board. McClish stated if only two applicants have them come to the council meeting. If more applications are received then go with the interview board. Tveit said if there are three applicants or less, let's start the meeting a little earlier and interview them at that time. If more than, three applicants let us go with two council members and a staff member as the interview board. All council members agreed.

Community Park Signage Update: City Attorney drafted a memorandum with language for a policy regarding signage in Community Park. The policy read as; *A nonprofit community service organization with its principal offices physically located within the City of St. Francis may utilize available space on existing signs owned by the City welcoming individuals to St. Francis placed at the City limits. Such available space may be used only to note the organization's existence within the City by means of the organization's logo. Such signs are subject to size restrictions as may be determined by the City from time to time. This policy may be withdrawn at any time, including but not limited to a City determination that such signage becomes distracting to motorists or diminishes the primary focus on identifying that individuals are entering the City.*

MOTION BY HAGGARD SECOND McCLISH TO ADOPT THE COMMUNITY PARK SIGN POLICY. Motion carried 4-0.

9. **Reports from Council Members:** McClish reminded everyone of the Public Open House on the Roundabouts at the St. Francis High School this Wednesday, November 6. The open house is from 6 pm to 8 pm with a short presentation at 6:30 pm. Also, remember to get out and vote tomorrow on the school elections.

10. **Report from Mayor:** In regards to the roundabout open house, this is the public's chance to make comments on the design.

Hylen and myself attended the St. Francis Relief Association meeting last night.

Just a reminder the council retreat dates are November 17, 2013 and December 15, 2013.

11. **Old Business:** None.

12. **New Business:** None.

13. **Adjournment:** The Regular City Council meeting adjourned at 6:25 pm.