

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

CITY COUNCIL MINUTES

SEPTEMBER 17, 2012

1. **Call to Order/Pledge of Allegiance:** The regular City Council Meeting was called to order by Mayor Jerry Tveit at 6:00 p m.
2. **Roll Call:** Present were Mayor Jerry Tveit, Councilmembers Jeff Sandoval, Tim Brown and Chris McClish. Absent was Councilmember Steve Kane. Also present were City Engineer Jared Voge (Bolton & Menk, Inc.), Police Chief Jeff Harapat, Public Works Director Paul Teicher, Finance Director Darcy Mulvihill, and City Administrator Matt Hysten.
3. **Adopt Agenda:** MOTION BY SANDOVAL SECOND MCCLISH TO ADOPT THE SEPTEMBER 17, 2012 CITY COUNCIL AGENDA. Tveit requested if a tour of the new Police/Public Works facility could be added to the agenda. Hysten stated that a recess would be allowed under Robert's Rules of Order if the time and location of the tour were announced. Motion carried 4-0. Sandoval and McClish approved the addition. Motion carried 4-0.
4. **Consent Agenda:** MOTION BY McCLISH SECOND BROWN TO ADOPT THE SEPTEMBER 17, 2012, CITY COUNCIL CONSENT AGENDA A-D AS FOLLOWS:
  - a. Approve the City Council Minutes of September 4, 2012.
  - b. Receive and File the URRWMO Minutes of September 4, 2012
  - c. Adopt the Code Enforcement Policy.
  - d. Approve Payment of Claims in the amount of \$157,167.65 (Check Numbers 64281-64348).Motion carried 4-0.
5. **Meeting Open to the Public:**
6. **Petitions, Requests, Applications:**
  - a. **Allison Lister: Anoka County Commissioner Candidate for District 1:** Allison Lister introduced herself to the City Council
  - b. **Billy's Neighborhood Bar and Grill: Refund Request:** Billy's Neighborhood Bar & Grill closed August 19, 2012. The owners are requesting a prorated refund of their licenses fees for the remainder of the year. Tveit asked if giving prorated refunds to business owners is a common practice. Hysten stated that this has not happened in recent memory. Request failed for lack of motion.
  - c. **St. Francis American Legion: Ordinance 175, Second Series – Gambling Proceeds:** A letter was received from the St. Francis American Legion regarding the new gambling ordinance. Tveit stated he is a member of the Legion and they are under financial hardship. They give back to the community in numerous ways. Tveit stated that he struggles with this issue and will abstain from voting to prevent a conflict of interest issue. Brown stated the

spirit of the ordinance was to prevent money from leaving the community and did not forecast that this issue would come up. Sandoval stated that the ordinance needs to be reformatted. Hylen stated that City Attorney Lepak said that a variance could not be granted, but rather, the ordinance would need to be reformatted. Sandoval stated that Council needs to look at this issue again. Hylen asked if there is council direction in backing away from an amount of 10%. Sandoval stated that he believed that is a fair number and suggested staying with it.

7. **Ordinances & Resolution:**

a. **Ordinance 176, Second Series: Amending Section 10-3-9 Regarding the Enforcement of the Zoning Ordinance (Second Reading):** Planner, Nate Sparks prepared a memorandum regarding this proposed ordinance. The City Council recently adopted a new City Code enforcement measures. The Zoning Ordinance has its own enforcement section that required updating due to the adoption of these new procedures. This ordinance amendment will make the two sections consistent in order to avoid any potential confusion. The Planning Commission held a public hearing in August and recommended approval of this ordinance amendment. MOTION BY BROWN SECOND McCLISH TO APPROVE THE SECOND READING OF ORDINANCE 176, SECOND SERIES AMENDING SECTION 10-3-9 REGARDING THE ENFORCEMENT OF THE ZONING ORDINANCE. Roll Call: Ayes: 4 Nays: 0 Motion carried.

b. **Ordinance 177, Second Series: Amending Section 11-3-4 Regarding Frontage Necessary for a Metes and Bounds Division (Second Reading):** Planner, Nate Sparks prepared a memorandum in regards to the discrepancy in lot width requirements between the Subdivision Ordinance and Zoning Ordinance. MOTION BY MCCLISH SECOND BROWN TO APPROVE THE SECOND READING OF ORDINANCE 177, SECOND SERIES AMENDING SECTION 11-3-4 REGARDING FRONTAGE NECESSARY FOR A METES AND BOUNDS DIVISION Roll Call: Ayes: 4 Nays: 0 Motion carried.

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

a. **Engineer:** City Engineer Voge updated the Council on the progress of the Hwy 47/Pederson Drive intersection project. Voge stated this fall the concrete footings for the rapid flashing beacons will be poured and anticipates the RFB's will be installed around December. Also, Voge stated he met with representatives from MnDOT to discuss creating a reduced speed school zone on Hwy 47 near Pederson Drive.

b. **Attorney:**

c. **Staff:**

**Fire Department:**

**Public Works: Department Update:** Director Teicher updated the Mayor and Council on the Woodhaven Meter Project. Teicher stated that he is looking forward to having this project taken care of by the first week in October. Teicher stated that this is the starting point for meter replacement.

**Liquor Store:**

**Police Dept.:**

**City Administrator Report: Administrative Hearing Officer:** City Administrator Hylen stated that he and City Attorney Lepak would bring a recommendation to the Council at the October 1<sup>st</sup> Council meeting regarding the administrative hearing officer position.

Hylen also discussed the Lawrence accessory structure topic stating that the Lawrence's would not have been able to construct a detached accessory structure to their desired specifications under both past and present ordinances.

Hylen stated that reducing the hours of the ice rink/warming house is being considered for possible cost savings, however, the ice rink/warming house must remain open at least partially this winter due to grant reasons.

Also, more vandalism has taken place in City parks. City staff is frustrated. Quality parks create quality communities; however, the City has had roughly \$4,000 in damage in the last 3 weeks. City staff is looking into the relocation of equipment to other parks, closing parks, and other options. Another option would be to have meetings with neighborhoods of interest. City staff is looking at options and will come back to the Council with a rational recommendation. Brown asked how long the City is bound with the grant. Hylen stated forever. Tveit asked if City staff has been in touch with the Lawrence's'. Hylen stated he believed so. Tveit stated he is in favor of removing equipment out of parks that are being vandalized. Tveit stated he has a hard time justifying throwing good money after bad money. Sandoval stated that he agreed with Tveit, however, neighborhoods should be reached out to regarding park closures. Sandoval stated he does not want to see the ice rink go away. Brown stated that the residents near these vandalized parks need to come forward with the individuals that are vandalizing these parks or be prepared to lose these parks.

9. **Reports from Council Members:** McClish stated that he would not be at the October 1<sup>st</sup> meeting. Sandoval asked if Ordinance 175 has taken effect yet? Hylen stated that the ordinance has been published; however, the ordinance can be discussed by Council with City Attorney Lepak at the October 1<sup>st</sup> meeting.

10. **Report from Mayor:** Mayor Tveit stated that he has received numerous phone calls regarding the potential 7% levy increase.

11. **Old Business:** None.

12. **New Business: Tour of the new Public Works/Police Building recess at 6:40 to continue at new building.**

13. **Adjournment:** Mayor Tveit and Councilmember Brown attended the tour of the new Police/Public Works facility. As no other Councilmember attended the tour, the City Council adjourned the meeting at 6:54 pm due to lack of quorum.

Respectfully submitted,

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Christopher Mickelson, Intern