

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
MARCH 4, 2013
ISD #15 CENTRAL SERVICES CENTER (DISTRICT OFFICES)
4115 Ambassador Blvd. NW
6:00 PM

1. Call to Order
2. Roll Call
3. Adopt Agenda
4. Consent Agenda
 - a. City Council Minutes – February 19, 2013
 - b. Pay Estimate No. 2 to Concrete Idea, Inc. for the TH 47 Pedestrian Improvement
 - c. Appoint Joleen Wiemann as a Temporary Police Records Clerk
 - d. Payment of Claims
5. Meeting Open to the Public
6. Petitions, Requests, Applications
7. Ordinances & Resolution
 - a. Ordinance 181, Second Series: Amending the Zoning Ordinance Regarding Residential Accessory Buildings and Building Height (First Reading)
8. Reports of Consultants & Staff Members
 - a. Engineer:
 - b. Attorney:
 - c. Staff:
 - Fire Dept.:
 - Public Works:
 - Liquor Store:
 - Police:
 - City Administrator Report:
9. Reports from Council Members
10. Report from Mayor:
11. Old Business
 - a. Rental/Vacant Housing Ordinance Discussion
12. New Business
13. Adjournment

Calendar of Events

- Mar 18: City Council Meeting @ ISD #15 Central Services Center (District Offices) 6:00 pm
Mar 23: Lioness hosting an Easter Egg Hunt @ Community Park 10 am Start
Mar 30: The Bridge Church hosting an Easter Egg Hunt @ St. Francis Elementary 9 am to 10:30 am
Apr 1: City Council Meeting @ ISD #15 Central Services Center (District Offices) 6:00 pm
Apr 6: SF Area Chamber of Commerce Business & Community Expo @ SFHS 9-2 pm
Apr 15: City Council Meeting @ ISD #15 Central Services Center (District Offices) 6:00 pm

TO: Mayor & City Council
FROM: Matthew L. Hylan, 
City Administrator
RE: Agenda Memorandum – March 4, 2013 Meeting

Agenda Items:

4. Consent Agenda:

- b. Pay Estimate #2: Attached is Pay Estimate #2 to Concrete Idea, Inc. for the Trunk Highway 47 Pedestrian Improvement in the amount of \$59,569.75.
- c. Temporary Police Records Clerk: Joleen Wiemann is recommended to be hired as a Temporary Police Records Clerk at \$20.00 per hour.

6. Petitions, Requests, Applications:

7. Ordinances & Resolutions:

- a. Ordinance 181, Second Series (First Reading): Attached is Ordinance 181, Second Series amending the Zoning Ordinance regarding residential accessory and building height. The Planning Commission has recommended this from their February meeting. A memorandum from City Planner Nate Sparks is also attached for review. A motion would be in order to approve the first reading of this Ordinance. A roll call vote is required.

8. Reports:

a. **Engineer:**

c. **Staff:**

Building Official:

Fire:

Public Works:

Liquor Store:

Police:

City Administrator: Staff is currently working on updating our personnel policy along with updating various ordinances. Draft copies will be on future agendas.

11. Old Business:

- a. Rental/Vacant Housing Ordinance Discussion: As a follow-up to our last meeting, the Council received our previously defeated rental housing ordinance, a copy of Champlin's vacant housing ordinance and attached is a recent article from the Star Tribune relating to Columbia Heights and rental property. Council direction is requested if the desire is to send this topic to the Planning Commission for further review and/or if any specific direction on the sample ordinances.

12. New Business:

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

CITY COUNCIL MINUTES

February 19, 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 Attorney Scott Lepak (Barna, Guzy & Steffen), Police Chief Jeff Harapat, Public Works Director Paul Teicher, Finance Director Darcy Mulvihill, City Administrator Matt Hylan and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY LAZERE SECOND McCLISH TO ADOPT THE FEBRUARY 19, 2013 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** Move Item 8c. City Administrator's Report. MOTION BY BROWN SECOND McCLISH TO APPROVE THE FEBRUARY 19, 2013, CITY COUNCIL CONSENT AGENDA AS A-D and F AS FOLLOWS:
 - a. Approve the City Council Minutes of February 4, 2013.
 - b. Adopt the Debt Management Policy.
 - c. Approve Pay Request # 15 from Amcon Construction Management for \$114,113 to Straughan Hardware Inc. \$6,697, Overhead Door of the Northland \$2,671, Stronghold Industries \$1,220, Multiple Concept Interior \$1,267, Grazzini Brothers and Company \$1631, Acoustics Associates \$1,407, Mid America Business Systems \$2,155, New Line Products Inc. \$55, St. Cloud Refrigeration \$48,821, Electrical Solutions Inc. \$34,363, Midwest Fence \$6,187, and Brothers Fire Protection \$7,639.
 - d. Accept the Resignation of Administrative Assistant Karla Keys.
 - e. Authorization to fill the position of Administrative Assistant.
 - f. Approve the Payment of Claims for \$266,215.68 (Check #'s 65081-65166)Motion carried 5-0.
5. **Meeting Open to the Public:** None.
6. **Petitions, Requests, Applications:** None.
 - a. **Northland Securities – Resolution 2013-03 A Resolution Awarding the Sale of General Obligation Crossover Refunding Bonds, Series 2013A, in the Original Aggregate Principal Amount of \$2,730,000; fixing their Form and Specifications; Directing their Execution and Deliver; Providing for their payment; Providing for the Escrowing and Investment of the Proceeds thereof; and providing for the Redemption of Bonds Refunded Thereby:** George Eilertson of Northland Securities was present to report on the Bond Sale that occurred this morning and gave a brief overview. St. Francis has an AA- Bond Rating; Eilertson stated you have done a great job, which is a good rating. The City received five bids for the

bonds this morning with Robert W. Baird & Co. Inc. of Milwaukee, WI coming in with the lowest average interest of 1.93%. Total net savings is approximately \$173,000. Ellertson explained why the bond amount came in \$20,000 less than what was initially presented. MOTION BY LAZERE SECOND BROWN TO ADOPT RESOLUTION 2013-03-A RESOLUTION AWARDED THE SALE OF GENERAL OBLIGATION CROSSOVER REFUNDING BONDS, SERIES 2013A IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$2,730,000; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVER; PROVIDING FOR THEIR PAYMENT; PROVIDING FOR THE ESCROWING AND INVESTMENT OF THE PROCEEDS THEREOF; AND PROVIDING FOR THE REDEMPTION OF BONDS REFUNDED THEREBY. Motion carried 5-0.

7. **Ordinances & Resolution:** None.

a. **Resolution 2013-04: Supporting the Anoka County Rum River Regional Trail:** MOTION BY BROWN SECOND McCLISH ADOPTING RESOLUTION 2013-04 SUPPORTING THE ANOKA COUNTY RUM RIVER REGIONAL TRAIL. Motion carried 5-0.

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

a. **Engineer:**

b. **Attorney: Closed meeting permitted by attorney-client privilege pursuant to Minn. Stat. Sec. 13D.05 Subd. 3(b):** Lepak asked the City Council to go into a closed meeting permitted by attorney-client privilege pursuant to Minn. Stat. Sec. 13D.05 Subd. 3(b) in regards to pending litigation. Mayor closed the meeting to go into a closed session at 6:16 pm. The City Council was back in session at 6:36 pm. Lepak reported he updated the council of the pending litigation and has no further action on that item.

c. **Staff:**

Finance Director:

Fire Dept.:

Public Works: Department Report: First, I want to say thank you, because with the right equipment you have allowed us to purchase, equates to efficiency. We have a 2" or greater snow plowing policy before we plow. We do not have a bare street policy like the State or Anoka County. We are not staffed 24/7 so we do our best to get out once the event tapers off. Things that slow us down are contractors and homeowners that plow their snow across the road, trashcans, and cars parked on streets but we do have a great working relationship with the police department and they do help us out. We try to educate and get the word out about snow removable and safety tips.

Liquor Store:

Police Dept.:

City Administrator: Budget Discussion: Hysten reported as a follow-up to Council and staff discussions on cuts to the 2013 Budget. In order to reduce expenses to not deficit spending the 2013 Budget as currently budgeted (\$116,748), the following reduction ideas are proposed:

1. \$20,000 – Street Maintenance and Repair – Graveling Streets
2. \$25,373 – Elimination of Receptionist/Office Support position at City Hall (low estimate due to anticipated unemployment and accrual payouts; additional savings for 2014)
3. \$13,800 – Eliminate two seasonal workers (summer help).

This will change in how we do service delivery. We are looking at utilizing the full potential of our automated phone service. Staff will be working on a phone tree to direct customers to the appropriate personnel. We will also work aggressively to try and change how our customers pay their water/sewer bills. In addition to those three recommendations and why I removed 4e. from the consent agenda, we had a long term employee resign in the police department as of last Thursday. If the council appoints the current police records clerk to our administrative assistant position, that would create a vacancy for the records clerk position and not the administrative assistant.

Mayor Tveit asked who would help the walk in traffic at city hall. Hylen stated it would be the city clerk, the finance director and I helping the walk in traffic. Haggard asked why do they have an administrative assistant title and couldn't we just have a couple part timers to save money. Hylen said the administrative assistant is just a title and is the title that goes with the job. Not sure why but it is just a title. Why not just two part timers, is to create stability. Police Chief Harapat said the amount of training that is required and by training two you will use up all the money you may have thought would be saved with two part timers. Approximately 6,000 contacts are handled in a year by these two positions. They all have to be typed, entered and transmitted to the different agencies. Tveit stated at the last meeting McClish asked about the budget cuts and last year during budget time, we did talk about discussing budget cuts at the beginning of the year instead of waiting until the end of the year.

Tveit said I would support all four recommendations.

1. Cut \$20,000 Streets Maintenance and Repair-Graveling Streets
2. Eliminate Receptionist/Office Support position
3. Eliminate two seasonal workers (summer help)
4. Appoint Lori Roberts as the Administrative Assistant at Step 2 and open up the position of police records clerk.

Brown stated I agree with the recommendations but we need to look at the real numbers when it comes to budget time so we don't have to keep doing this. MOTION BY McCLISH SECOND LAZERE TO APPROVE THE FOUR RECOMMENDATIONS AS NOTED. Lazere asked about the timeline for all four of these recommendations. Hylen said in regards to the automated phone system, possibly as early as the end of the week. In regards to Kathy Lind's position, as Receptionist/Office Support by the end of month. The promotion of Lori Roberts to Administrative Assistant and starting at Step 2 would take effect tomorrow. With that, we will be able to advertise already tomorrow and are hoping to fill that position within six weeks to two months. Tveit said so for a short time we are going from 80 hours to 40 hours of clerical work in the police department. Hylen said we did have a temporary person help at the end of 2012. We will contact her to see if she would be interested in helping out during this time. Motion carried 5-0.

MOTION BY McCLISH SECOND BROWN TO DECLARE A VACANCY FOR THE POLICE RECORDS CLERK POSITION. Motion carried 5-0.

Aztec Street Extension Discussion: Hylen reported staff has been working with a developer on the privately held property on the south side of 233rd avenue and T.H. 47. Due to the Trunk Highway 47 improvements in the early 2000's and the upgrade to 233rd Avenue NW at the same time, this lot did not have an ingress/egress. We are working with the developer as well as the

owner of Abbey Fields to obtain a roadway easement to align Aztec behind the Bottle Shop with this new extension. Lazere asked about the development, is it commercial. Hylen stated it is zoned commercial. Tveit said this is something I am in favor of and would make this parcel more marketable. Brown said this would also help for emergency response to Abby Fields with two entrances. Haggard asked why the developer wouldn't pay for the cost of the road extension. Hylen said we are working on getting the road easement. Most of the cost of the actual road would be sent back to the developer and/or abutting property owners. The acquisition of road right away is what the City would have to help with. Tveit said what I am hearing is staff should work on getting acquisition of an easement to allow for the road right of way based on Council input.

9. **Reports from Council Members:**

a. **Lazere: Municipal Liquor Store-Gambling:** Lazere was just wondering if municipal liquor stores could sell Minnesota lottery for additional revenue. Hylen stated our finance director worked at a previous city where the liquor store sold lottery. They ended up not taking in enough money and was taken out. Lazere asked the rest of the council on what they thought. Tveit said I do not know if it would pay off. Tveit asked staff to look into the cost benefit.

Vacant and Rental Property Fees: Lazere asked the council what they thought about looking at charging fees to property owners of empty parcels and rental property. If these properties are consuming a lot of time from staff maybe we look into this. Tveit said I think our new Administrative Fees and Fine ordinance may cover the blighted problems. Hylen said thank you for bringing this up. Several years ago, we did bring a rental housing ordinance before the council and it was defeated. We can send the proposed defeated ordinance out to you for you to look at. We can also look at vacant parcel fees.

Brown reported he would not be at the June 17 and July 1, 2013 City Council meetings.

Haggard said I think it boils down to micro managing by charging rental fees. If they don't meet standards is one thing, but if they meet standards I don't think we should charge. I would be very much against it. I know a few people that own 5 to 7 rental properties that would get rid of them. I think it would be upsetting many people that live in St. Francis.

10. **Report from Mayor:** Michele Bachmann invited the Anoka County mayors for a round table discussion this past week. I did talk about our transportation issue. The other issue that I addressed was that we get a little frustrated on how grants work. We are often times overlooked for grants because we plan properly and grants sometime reward communities that do not plan.

Also met with our building inspector and a local resident today in regards to a building issue and the building inspector was very professional on how he handled the situation.

11. **Old Business:** None.

12. **New Business:** McClish would like to see the mayor's term goes from a two-year term to a four-year term. I would like to see this go back to the Charter Commission for discussion. I would also like to hear what the current council's input on this topic. Tveit said it does take at

least 1 ½ years to get to know what is going on. You have to be committed and would be in favor of the four-year term. Brown agrees with a four-year term. MOTION BY McCLISH SECOND LAZERE FOR THE CITY CHARTER TO REVISIT THE LENGTH OF TERM FOR THE MAYOR FROM TWO TO A FOUR-YEAR TERM. Motion carried 5-0.

Brown asked if there was any interest in the primary elections to be brought back to the city council for a vote. The charter did bring it forward but was defeated. Tveit said I was interested in it the last time. Everyone is still eligible to run it would just narrow the field after the primary. McClish said he would support it again but again it takes a full council support. MOTION BY BROWN SECOND McCLISH TO HAVE THE CHARTER COMMISSION REVISIT THE PRIMARY ELECTION ISSUE. Motion carried 5-0.

Haggard asked if we could add term limits for the Charter Commission to discuss. Lazere is opposed to term limits. If someone wants to serve the community for twenty years and the voters vote them in, let it be. Tveit said I agree with Lazere. McClish said I could go either way. Brown said you do see the lame duck situation happening with term limits. I can see both ways too. Tveit said if we know it is not going to be a 5-0 vote, I believe it would be a waste of time for the Charter Commission. Let the voters decide. Haggard said he would withdraw the idea for now.

13. **Adjournment:** The Regular City Council meeting adjourned at 7:43 pm.

Barbara J. Held, City Clerk



BOLTON & MENK, INC.[®]

Consulting Engineers & Surveyors

7533 Sunwood Drive NW, Suite 206 • Ramsey, MN 55303
Phone (763) 433-2851 • Fax (763) 427-0833
www.bolton-menk.com

February 18, 2013

Mr. Matt Hylan, Administrator
City of St. Francis
23340 Cree Street
St. Francis, MN 55070-9390

Re: T.H. 47 Pedestrian Improvements
St. Francis, Minnesota
BMI Project No: R18.105125

Dear Matt:

Enclosed please find three copies of Pay Estimate No. 2 for the above referenced project. The estimate includes all work completed to date. I recommend that the Pay Estimate be approved as shown. If you agree, please sign all copies and return one each with payment to the contractor and one each to me for our files.

If you have any questions on the above, please call.

Sincerely,

BOLTON & MENK, INC.

Jared Voge, P.E.
City Engineer

JAV/kg
Enclosure

CONTRACTOR'S PAY REQUEST
TH 47 PEDESTRIAN IMPROVEMENTS- S.A.P. 235-010-002
ST. FRANCIS, MINNESOTA
BMI PROJECT NO. R18.105125

CONTRACTOR
OWNER
ENGINEER

TOTAL AMOUNT BID PLUS APPROVED CHANGE ORDERS.....	\$	140,096.00
TOTAL, COMPLETED WORK TO DATE.....	\$	140,253.50
TOTAL, STORED MATERIALS TO DATE.....		\$0.00
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED.....		\$0.00
TOTAL, COMPLETED WORK & STORED MATERIALS.....	\$	140,253.50
RETAINED PERCENTAGE (5%).....	\$	7,012.68
TOTAL AMOUNT OF OTHER PAYMENTS OR (DEDUCTIONS).....	\$	-
NET AMOUNT DUE TO CONTRACTOR TO DATE.....	\$	133,240.82
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES.....	\$	73,671.07
PAY CONTRACTOR AS ESTIMATE NO. 2	\$	59,569.75

Certificate for Partial Payment

I hereby certify that, to the best of my knowledge and belief, all items, quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any authorized changes, and that the foregoing is a true and correct statement of the contract amount for the period covered by this Estimate.

Contractor: Concrete Idea, Inc.
13961 44th Lane NE
St. Michael, MN 55376

By Jared Voge President 2/9/13
Name Title Date

CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:
BOLTON & MENK, INC., ENGINEERS, 7533 SUNWOOD DRIVE NW, SUITE 206, RAMSEY, MN 55303

By Jared Voge, P.E. City Engineer
Name Title Date

APPROVED FOR PAYMENT:
Owner: ST. FRANCIS, MINNESOTA

By Matt Hylan City Administrator
Name Title Date

PARTIAL PAY ESTIMATE NO.
 TH 47 PEDESTRIAN IMPROVEMENTS- S.A.P. 235-010-002
 ST. FRANCIS, MINNESOTA
 BMI PROJECT NO. R18-105125

WORK COMPLETED THROUGH JANUARY 31, 2013

ITEM NO.	MN/DOT SPEC	DESCRIPTION	UNIT PRICE	ESTIMATED		QUANTITY PREVIOUS ESTIMATE		QUANTITY COMPLETED TO DATE	
				BID QUANTITY	BID AMOUNT	QUANTITY	ESTIMATE	QUANTITY	COMPLETED TO DATE
SECTION A: FINAL COMPLETION DATE- JANUARY 25, 2013									
1	2021.501	MOBILIZATION	\$ 13,000.00	1.00	LUMP SUM \$ 13,000.00	0.75	LUMP SUM \$ 9,750.00	1.00	LUMP SUM \$ 13,000.00
2	2102.501	PAVEMENT MARKING REMOVAL	\$ 2.00	480.00	SQ FT \$ 960.00	405	SQ FT \$ 810.00	405	SQ FT \$ 810.00
3	2102.502	PAVEMENT MARKING REMOVAL	\$ 2.50	100.00	LIN FT \$ 250.00	56	LIN FT \$ 140.00	56	LIN FT \$ 140.00
4	2104.501	REMOVE SEWER PIPE (STORM)	\$ 22.50	40.00	LIN FT \$ 900.00	40	LIN FT \$ 900.00	40	LIN FT \$ 900.00
5	2104.505	REMOVE CONCRETE PAVEMENT	\$ 18.00	106.00	SQ YD \$ 1,908.00	106	SQ YD \$ 1,908.00	106	SQ YD \$ 1,908.00
6	2104.505	REMOVE BITUMINOUS PAVEMENT	\$ 13.50	143.00	SQ YD \$ 1,930.50	143	SQ YD \$ 1,930.50	143	SQ YD \$ 1,930.50
7	2104.513	SAVING BIT PAVEMENT (FULL DEPTH)	\$ 4.00	283.00	LIN FT \$ 1,132.00	280	LIN FT \$ 1,120.00	280	LIN FT \$ 1,120.00
8	2104.523	SALVAGE SIGN	\$ 30.00	3.00	EACH \$ 90.00	3	EACH \$ 90.00	3	EACH \$ 90.00
9	2104.601	REMOVE FLASHER SYSTEM	\$ 2,700.00	1.00	LUMP SUM \$ 2,700.00	1.00	LUMP SUM \$ 2,700.00	1.00	LUMP SUM \$ 2,700.00
10	2104.601	HAUL SALVAGED MATERIAL	\$ 250.00	1.00	LUMP SUM \$ 250.00	1.00	LUMP SUM \$ 250.00	1.00	LUMP SUM \$ 250.00
11	2105.523	COMMON BORROW (LV)	\$ 14.00	8.00	CU YD \$ 112.00	3	CU YD \$ 42.00	3	CU YD \$ 42.00
12	2105.525	TOPSOIL BORROW (LV)	\$ 20.00	8.00	CU YD \$ 160.00	14	CU YD \$ 280.00	14	CU YD \$ 280.00
13	2231.604	BITUMINOUS PATCH (TH 47 RESTORATION)	\$ 45.00	75.00	SQ YD \$ 3,375.00	72	SQ YD \$ 3,240.00	72	SQ YD \$ 3,240.00
14	2231.604	BITUMINOUS PATCH (TRAIL RESTORATION)	\$ 45.00	5.00	SQ YD \$ 225.00	51	SQ YD \$ 2,295.00	51	SQ YD \$ 2,295.00
15	2501.511	15" CS PIPE CULVERT	\$ 33.00	51.00	LIN FT \$ 1,683.00	51	LIN FT \$ 1,683.00	51	LIN FT \$ 1,683.00
16	2501.511	18" CS PIPE CULVERT	\$ 36.00	35.00	LIN FT \$ 1,260.00	35	LIN FT \$ 1,260.00	35	LIN FT \$ 1,260.00
17	2501.515	15" CS PIPE APRON	\$ 150.00	3.00	EACH \$ 450.00	3	EACH \$ 450.00	3	EACH \$ 450.00
18	2501.515	18" CS PIPE APRON	\$ 200.00	1.00	EACH \$ 200.00	1.00	EACH \$ 200.00	1.00	EACH \$ 200.00
19	2503.602	CONNECT TO EXISTING STORM SEWER	\$ 400.00	2.00	EACH \$ 800.00	2	EACH \$ 800.00	2	EACH \$ 800.00
20	2506.501	CONSTRUCT DRAINAGE STRUCTURE, DES G	\$ 500.00	3.30	LIN FT \$ 1,650.00	3.3	LIN FT \$ 1,650.00	3.3	LIN FT \$ 1,650.00
21	2506.516	CASTING ASSEMBLY	\$ 700.00	1.00	EACH \$ 700.00	1	EACH \$ 700.00	1	EACH \$ 700.00
22	2521.501	6" CONCRETE WALK	\$ 9.50	2070.00	SQ FT \$ 19,665.00	2070	SQ FT \$ 19,665.00	2070	SQ FT \$ 19,665.00
23	2531.501	CONCRETE CURB & GUTTER DESIGN B418	\$ 35.50	109.00	LIN FT \$ 3,869.50	142	LIN FT \$ 5,041.00	142	LIN FT \$ 5,041.00
24	2531.618	TRUNCATED DOMES	\$ 32.00	32.00	SQ FT \$ 1,024.00	32	SQ FT \$ 1,024.00	32	SQ FT \$ 1,024.00
25	2531.618	TRUNCATED DOMES (35' RADIUS)	\$ 33.00	54.00	SQ FT \$ 1,782.00	54	SQ FT \$ 1,782.00	54	SQ FT \$ 1,782.00
26	2563.601	TRAFFIC CONTROL	\$ 6,000.00	1.00	LUMP SUM \$ 6,000.00	0.5	LUMP SUM \$ 3,000.00	1.0	LUMP SUM \$ 6,000.00
27	2564.602	FURNISH SIGN POSTS	\$ 110.00	5.00	EACH \$ 550.00	3	EACH \$ 330.00	3	EACH \$ 330.00
28	2564.602	INSTALL SIGN (SALVAGED)	\$ 39.00	5.00	EACH \$ 195.00	3	EACH \$ 117.00	3	EACH \$ 117.00
29	2565.616	PEDESTRIAN CROSSWALK FLASHER SYSTEM	\$ 59,450.00	1.00	SYSTEM \$ 59,450.00	0.1	SYSTEM \$ 5,945.00	1.0	SYSTEM \$ 59,450.00
30	2573.53	STORM DRAIN INLET PROTECTION	\$ 45.00	1.00	EACH \$ 45.00	1	EACH \$ 45.00	1	EACH \$ 45.00
31	2573.54	FILTER LOG TYPE STRAW BIOROLL (6"-7")	\$ 7.50	25.00	LIN FT \$ 187.50	25	LIN FT \$ 187.50	25	LIN FT \$ 187.50
32	2573.55	EROSION CONTROL SUPERVISOR	\$ 50.00	1.00	LUMP SUM \$ 50.00	1	LUMP SUM \$ 50.00	1	LUMP SUM \$ 50.00
33	2575.501	SEEDING	\$ 5,000.00	0.10	ACRE \$ 500.00	0.1	ACRE \$ 500.00	0.1	ACRE \$ 500.00
34	2575.502	SEED MIXTURE 250	\$ 8.50	11.00	POUND \$ 93.50	11	POUND \$ 93.50	11	POUND \$ 93.50
35	2575.523	EROSION CONTROL BLANKETS CATEGORY 3 (WOOD FIBER)	\$ 2.25	484.00	SQ YD \$ 1,089.00	220	SQ YD \$ 495.00	220	SQ YD \$ 495.00
36	2575.523	FERTILIZER TYPE 1	\$ 8.00	20.00	POUND \$ 160.00	20	POUND \$ 160.00	20	POUND \$ 160.00
37	2582.502	4" SOLID LINE WHITE- EPOXY	\$ 10.00	126.00	LIN FT \$ 1,260.00	136	LIN FT \$ 1,360.00	136	LIN FT \$ 1,360.00
38	2582.502	4" SOLID LINE YELLOW- EPOXY	\$ 10.00	18.00	LIN FT \$ 180.00	136	LIN FT \$ 1,360.00	136	LIN FT \$ 1,360.00
39	2582.503	CROSSWALK MARKING-POLY PREFORM (TAPE)	\$ 30.00	342.00	SQ FT \$ 10,260.00	360	SQ FT \$ 10,800.00	360	SQ FT \$ 10,800.00
SUBTOTAL (SECTION A) =				\$ 140,096.00	\$ 77,546.50	\$ 140,096.00	\$ 77,546.50	\$ 140,096.00	\$ 77,546.50



PAYMENT BATCH AP 03-04-13

AMERIPRIDE LINEN & APPAREL SER

02/13/2013	1002381538	E 609-49750-219	Rug Maintenance	Rugs-Liquor Store	49.07
02/20/2013	1002387910	E 101-41940-219	Rug Maintenance	Rugs-City Hall	52.09
					\$101.16

ANOKA COUNTY CENTRAL COMM.

02/20/2013	2013-208	E 101-42110-321	Telephone	JAN 2013 - WIRELESS	156.12
					\$156.12

ASPEN MILLS

02/14/2013	131812	E 101-42110-437	Uniform Allowance	STEMME UNIFORMS	192.82
					\$192.82

ASSURANT EMPLOYEE BENEFITS

02/20/2013	5447229.0213	E 101-41400-130	Employer Paid Insurance	MARCH INSURANCE	145.64
02/20/2013	5447229.0213	E 101-41500-130	Employer Paid Insurance	MARCH INSURANCE	52.88
02/20/2013	5447229.0213	E 101-42110-130	Employer Paid Insurance	MARCH INSURANCE	570.61
02/20/2013	5447229.0213	E 101-42400-130	Employer Paid Insurance	MARCH INSURANCE	47.50
02/20/2013	5447229.0213	E 101-43100-130	Employer Paid Insurance	MARCH INSURANCE	60.57
02/20/2013	5447229.0213	E 101-43210-130	Employer Paid Insurance	MARCH INSURANCE	13.45
02/20/2013	5447229.0213	E 101-45200-130	Employer Paid Insurance	MARCH INSURANCE	60.57
02/20/2013	5447229.0213	E 601-49440-130	Employer Paid Insurance	MARCH INSURANCE	64.92
02/20/2013	5447229.0213	E 602-49490-130	Employer Paid Insurance	MARCH INSURANCE	64.91
02/20/2013	5447229.0213	E 609-49750-130	Employer Paid Insurance	MARCH INSURANCE	92.75
					\$1,173.80

BELLBOY CORPORATION

02/12/2013	76957200	E 609-49751-206	Freight and Fuel Charges	FREIGHT	14.35
02/12/2013	76957200	E 609-49751-251	Liquor For Resale	LIQUOR	540.00
					\$554.35

BIRCHWOOD CONSTRUCTION

02/15/2013	23313	E 101-45200-401	Repairs/Maint Buildings	WARMING HOUSE	180.00
02/15/2013	23314	E 101-43100-218	Equipment Repair & Maintenance	SCRAPER WHEEL WELLS REPA	850.00
					\$1,030.00

BOLTON & MENK, INC.

07/20/2012	0149307	E 402-43000-303	Engineering Fees	BUILDING	2,290.00
08/21/2012	0149891	E 402-43000-303	Engineering Fees	BUILDING	3,403.00
09/26/2012	0150910	E 402-43000-303	Engineering Fees	BUILDING	1,034.00
10/26/2012	0151650	E 402-43000-303	Engineering Fees	BUILDING	3,187.50
12/19/2012	0152976	E 402-43000-303	Engineering Fees	BUILDING	1,180.00
11/16/2013	0152155	E 402-43000-303	Engineering Fees	BUILDING	2,795.00
					\$13,889.50

CENTERPOINT ENERGY

02/15/2013	5944643-5.0213	E 609-49750-383	Gas Utilities	LIQUOR	286.43
02/15/2013	5945449-6.0213	E 101-42210-383	Gas Utilities	POLICE/FIRE	1,419.10
02/15/2013	5963820-5.0213	E 101-45200-383	Gas Utilities	WARMING HOUSE	264.87
02/15/2013	6002544-2.0213	E 601-49440-383	Gas Utilities	PUBLIC WORKS	90.53
02/15/2013	6002544-2.0213	E 602-49490-383	Gas Utilities	PUBLIC WORKS	90.53
02/15/2013	6002548-3.0213	E 602-49490-383	Gas Utilities	WWTP	434.77
02/15/2013	6886465-1.0213	E 101-41940-383	Gas Utilities	CITY HALL	58.03
02/15/2013	6886468-5.0213	E 101-41940-383	Gas Utilities	CITY HALL	27.91
02/15/2013	6886472-7.0213	E 101-41940-383	Gas Utilities	CITY HALL	45.61
02/15/2013	6886475-0.0213	E 101-41940-383	Gas Utilities	CITY HALL	46.88
02/15/2013	7900331-5.0213	E 601-49440-383	Gas Utilities	WATER	930.95
02/15/2013	8964221-9.0213	E 602-49490-383	Gas Utilities	LIFT STATION	12.85
02/15/2013	9680285-5.0213	E 101-42110-383	Gas Utilities	POLICE/PW	1,959.78
02/15/2013	9680285-5.0213	E 101-43100-383	Gas Utilities	POLICE/PW	489.95
02/15/2013	9680285-5.0213	E 101-45200-383	Gas Utilities	POLICE/PW	489.95
02/15/2013	9680285-5.0213	E 601-49440-383	Gas Utilities	POLICE/PW	489.95
02/15/2013	9680285-5.0213	E 602-49490-383	Gas Utilities	POLICE/PW	489.93
					\$7,628.02

CITY OF MINNEAPOLIS

02/13/2013	400413003736	E 101-42110-311	Contract	ANNUAL USER ACCESS FEE	204.00
					\$204.00

COCA COLA REFRESHMENTS

02/12/2013	0118093523	E 609-49751-254	Miscellaneous Merchandise	MISC	438.48
					\$438.48

CRYSTAL SPRINGS ICE

02/13/2013	28582	E 609-49751-254	Miscellaneous Merchandise	MISC	44.10
					\$44.10

DAHLHEIMER DIST. CO. INC.

02/20/132	1053760	E 609-49751-252	Beer For Resale	BEER	3,303.05
02/20/132	1053760	E 609-49751-254	Miscellaneous Merchandise	MISC	178.00
02/20/132	1053760	E 609-49751-255	N/A Products	N/A	15.50
02/13/2013	2053719	E 609-49751-252	Beer For Resale	BEER	3,838.77
02/13/2013	2053719	E 609-49751-254	Miscellaneous Merchandise	MISC	(11.00)
					\$7,324.32

DAY DISTRIBUTING CO.

02/15/2013	688979	E 609-49751-252	Beer For Resale	BEER	722.05
					\$722.05

DELTA DENTAL

02/15/2013	5064684	G 101-21711	Dental Insurance	MARCH INSURANCE	324.45
					\$324.45

ECM PUBLISHERS, INC.

02/22/2013	IQ0181115	E 101-41910-352	General Notices and Pub Info	SUMMARY BUDGET	169.13
					\$169.13

ELECTRIC PUMP

02/18/2013	49282	E 602-49490-229	Project Repair & Maintenance	SERVICE CALL@BRIDGE ST LIF	857.22
					\$857.22

FERGUSON WATERWORKS

02/18/2013	0011653	E 601-49440-259	Water Meters	SWIVELS	220.36
					<u>220.36</u>

FIRE SAFETY USA, INC.

02/14/2013	58455	E 101-42210-437	Uniform Allowance	FIRE HELMET	259.00
					<u>259.00</u>

G&K SERVICES, INC

02/08/2013	1043368031	E 601-49440-402	Janitorial Service	MATS	20.52
02/15/2013	1043373409	E 101-42110-402	Janitorial Service	TOWELS	20.89
02/15/2013	1043373409	E 101-43100-402	Janitorial Service	TOWELS	5.21
02/15/2013	1043373409	E 101-45200-402	Janitorial Service	TOWELS	5.21
02/15/2013	1043373409	E 601-49440-402	Janitorial Service	TOWELS	5.21
02/15/2013	1043373409	E 602-49490-402	Janitorial Service	TOWELS	5.21
					<u>62.25</u>

GERDIN AUTO SERVICE, INC.

12/27/2012	60480	E 101-42110-311	Contract	2012 RENTAL	2,760.00
02/05/2013	65624	E 208-42110-436	Towing Charges	1995 CADILLAC	268.98
02/18/2013	65806	E 208-42110-436	Towing Charges	2004 FORD TRUCK	159.24
					<u>\$3,188.22</u>

GRAINGER, INC.

02/08/2013	9062496568	E 101-41940-401	Repairs/Maint Buildings	TOILET SEAT	269.80
					<u>269.80</u>

GRANITE CITY JOBBING CO.

02/12/2013	751675	E 609-49750-210	Operating Supplies	OPERATING	104.03
02/12/2013	751675	E 609-49751-206	Freight and Fuel Charges	FREIGHT	7.41
02/12/2013	751675	E 609-49751-254	Miscellaneous Merchandise	MISC	8.58
02/12/2013	751675	E 609-49751-256	Tobacco Products For Resale	TOBACCO	577.12
02/12/2013	751675	G 101-20810	Sales Tax Payable	SALES TAX	(0.88)
02/19/2013	752525	E 609-49750-210	Operating Supplies	OPERATING	48.23
02/19/2013	752525	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.25
02/19/2013	752525	E 609-49751-254	Miscellaneous Merchandise	MISC	20.78
02/19/2013	752525	E 609-49751-256	Tobacco Products For Resale	TOBACCO	517.83
					<u>\$1,287.35</u>

HACH COMPANY

02/08/2013	8144490	E 601-49440-235	Lab Supplies	WATER PLANT	177.62
02/08/2013	8144490	E 602-49490-235	Lab Supplies	WATER PLANT	177.62
02/18/2013	8159870	E 601-49440-235	Lab Supplies	WATER PLANT	210.41
02/18/2013	8159870	E 602-49490-235	Lab Supplies	WATER PLANT	210.41
					<u>\$776.06</u>

HAWKINS, INC.

02/19/2013	3437313	E 601-49440-216	Chemicals and Chem Products	CHLORINE	373.15
02/19/2013	3437314	E 602-49490-216	Chemicals and Chem Products	FERRIC CHLORIDE	3,095.53
					<u>\$3,468.68</u>

HEWLETT-PACKARD COMPANY

02/16/2013	52430487	E 402-43000-441	Miscellaneous	SWITCH FOR BUILDING	1,978.96
					<u>\$1,978.96</u>

INNOVATIVE OFFICE SOLUTIONS, L

02/12/2013	223336	E 101-42110-200	Office Supplies	SUPPLIES	233.62
02/15/2013	226263	E 101-42110-200	Office Supplies	SUPPLIES	72.55
					<u>\$306.17</u>

ISD #15

02/12/2013	914	E 101-42110-221	Vehicle Repair & Maintenance	2010 DODGE CHARGER	269.26
02/13/2013	936	E 101-42110-221	Vehicle Repair & Maintenance	2010 DODGE CHARGER	17.28
02/21/2013	913	E 101-42110-221	Vehicle Repair & Maintenance	2010 DODGE CHARGE	764.48
02/21/2013	957	E 601-49440-221	Vehicle Repair & Maintenance	2010 FORD ESCAPE	15.45
					<u>\$1,066.47</u>

JJ TAYLOR DISTRIBUTING

02/13/2013	2010316	E 609-49751-252	Beer For Resale	BEER	627.85
					<u>\$627.85</u>

JOHNSON BROS WHLSE LIQUOR

02/13/2013	1501913	E 609-49751-206	Freight and Fuel Charges	FREIGHT	1.47
02/13/2013	1501913	E 609-49751-251	Liquor For Resale	LIQUOR	109.00
02/13/2013	1501914	E 609-49751-206	Freight and Fuel Charges	FREIGHT	62.48
02/13/2013	1501914	E 609-49751-253	Wine For Resale	WINE	1,998.10
02/20/2013	1507097	E 609-49751-206	Freight and Fuel Charges	FREIGHT	42.87
02/20/2013	1507097	E 609-49751-251	Liquor For Resale	LIQUOR	2,060.00
02/20/2013	1507098	E 609-49751-206	Freight and Fuel Charges	FREIGHT	13.23
02/20/2013	1507098	E 609-49751-253	Wine For Resale	WINE	369.90
02/20/2013	1507099	E 609-49751-252	Beer For Resale	BEER	60.24
					<u>\$4,717.29</u>

LOFFLER

02/18/2013	1528859	E 101-42110-311	Contract	YEARLY CONTRACT	793.00
					<u>\$793.00</u>

MCDONALD DIST CO.

02/14/2013	322715	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.00
02/14/2013	322715	E 609-49751-252	Beer For Resale	BEER	2,697.85
02/14/2013	322716	E 609-49751-254	Miscellaneous Merchandise	MISC	170.00
02/21/2013	323250	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.00
02/21/2013	323250	E 609-49751-252	Beer For Resale	BEER	4,156.00
					<u>\$7,029.85</u>

MESSERLI & KRAMER

		G 101-21716	Other Deductions	LEVY WITHHOLDING	3,698.03
					<u>\$3,698.03</u>

METRO FIRE

02/21/2013	46498	E 601-49440-417	Uniform Clothing & PPE	FIT TEST	25.00
					<u>\$25.00</u>

METRO SALES, INC.

02/13/2013	502102	E 101-41400-240	Office Equip	2/16/13 - 5/16/13	368.08
02/13/2013	502102	E 101-42110-200	Office Supplies	2/16/13 - 5/16/13	0.04
02/13/2013	502102	E 101-43100-200	Office Supplies	2/16/13 - 5/16/13	5.21
02/13/2013	502102	E 101-45200-200	Office Supplies	2/16/13 - 5/16/13	5.20
02/13/2013	502102	E 230-49990-441	Miscellaneous	2/16/13 - 5/16/13	3.48
02/13/2013	502102	E 601-49440-200	Office Supplies	2/16/13 - 5/16/13	0.37

02/13/2013	502102	E 602-49490-200	Office Supplies	2/16/13 - 5/16/13	0.38
02/13/2013	502102	E 609-49750-200	Office Supplies	2/16/13 - 5/16/13	0.13
					\$382.89

MN COUNTY ATTORNEYS ASSN.

02/20/2013	18142620	E 101-42110-200	Office Supplies	FORFEITURE FORMS & PROPEF	119.70
					\$119.70

MN DEPT OF HEALTH

02/21/2013	022613	E 601-49440-313	Sample Testing	WATER CONNECTION FEE	2,408.00
					\$2,408.00

MY ALARM CENTER

02/26/2013	1876853	E 609-49750-445	Security	LIQUOR STORE ALARM	28.87
					\$28.87

NORTH AMERICAN SALT COMPANY

02/15/2013	70943403	G 101-14100	Inventory of Material/Supply	SALT	6,083.98
02/15/2013	70943403	G 101-20810	Sales Tax Payable	SALT	(391.37)
					\$5,692.61

NORTHERN AIR CORPORATION

02/13/2013	88986	E 609-49750-401	Repairs/Maint Buildings	FURNACE REPAIR	364.75
					\$364.75

OPUS 21

02/11/2013	130139	E 601-49440-383	Gas Utilities	JAN 2013 UTILITY BILLING	1,292.89
02/11/2013	130139	E 602-49490-383	Gas Utilities	JAN 2013 UTILITY BILLING	1,292.89
					\$2,585.78

PACE ANALYTICAL SERVICES

02/08/2013	131227278	E 601-49440-313	Sample Testing	TESTS	120.00
					\$120.00

PHILLIPS WINE & SPIRITS CO.

02/13/2013	2378261	E 609-49751-206	Freight and Fuel Charges	FREIGHT	36.75
02/13/2013	2378261	E 609-49751-251	Liquor For Resale	LIQUOR	1,962.48
02/13/2013	2378262	E 609-49751-206	Freight and Fuel Charges	FREIGHT	107.31
02/13/2013	2378262	E 609-49751-253	Wine For Resale	WINE	2,209.95
02/15/2013	3499596	E 609-49751-206	Freight and Fuel Charges	FREIGHT	(1.47)
02/15/2013	3499596	E 609-49751-251	Liquor For Resale	LIQUOR	(34.15)
02/20/2013	2381531	E 609-49751-206	Freight and Fuel Charges	FREIGHT	10.29
02/20/2013	2381531	E 609-49751-251	Liquor For Resale	LIQUOR	654.29
02/20/2013	2381532	E 609-49751-206	Freight and Fuel Charges	FREIGHT	11.02
02/20/2013	2381532	E 609-49751-253	Wine For Resale	WINE	616.00
					\$5,572.47

PRINTING UNLIMITED

02/20/2013	6590	E 101-41400-200	Office Supplies	ENVELOPES	12.83
					\$12.83

RAMSEY, CITY OF

02/25/2013		E 101-42210-311	Contract	CHIEF KAPLER'S SERVICES - FE	666.00
					\$666.00

RJM DISTRIBUTING INC.

02/21/2013	22670	E 609-49751-252	Beer For Resale	BEER	46.00
					<u>\$46.00</u>
SCHREDER, ANDY					
02/25/2013	022513	E 101-42400-331	Travel Expenses	MILEAGE	62.15
					<u>\$62.15</u>
SKINNER, MARLINE					
02/16/2013	022313	E 101-42700-311	Contract	CONTRACT	500.00
					<u>\$500.00</u>
SOUTHERN WINE & SPIRITS OF MN					
02/07/2013	1001216	E 609-49751-206	Freight and Fuel Charges	FREIGHT	27.50
02/07/2013	1001216	E 609-49751-251	Liquor For Resale	LIQUOR	366.89
02/07/2013	1001216	E 609-49751-253	Wine For Resale	WINE	896.00
02/21/2013	1005565	E 609-49751-206	Freight and Fuel Charges	FREIGHT	7.50
02/21/2013	1005565	E 609-49751-251	Liquor For Resale	LIQUOR	750.57
02/21/2013	1005566	E 609-49751-206	Freight and Fuel Charges	FREIGHT	16.25
02/21/2013	1005566	E 609-49751-253	Wine For Resale	WINE	782.00
					<u>\$2,846.71</u>
STRAUGHAN HARDWARE, INC					
02/18/2013	225452	E 402-43000-441	Miscellaneous	CHANGE LOCKS	1,147.69
					<u>\$1,147.69</u>
THE AMERICAN BOTTLING COMPANY					
02/25/2013	2449717964	E 609-49751-254	Miscellaneous Merchandise	MISC	179.32
					<u>\$179.32</u>
VINOCOPIA, INC.					
02/22/2013	72745	E 609-49751-206	Freight and Fuel Charges	FREIGHT	12.00
02/22/2013	72745	E 609-49751-251	Liquor For Resale	LIQUOR	424.00
02/22/2013	72745	E 609-49751-253	Wine For Resale	WINE	80.00
					<u>\$516.00</u>
WEST PAYMENT CENTER					
02/04/2013	826669250	E 101-42110-217	Other Operating Supplies	SUBSCRIPTION	175.15
					<u>\$175.15</u>
WINE MERCHANTS					
02/13/2013	443773	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.41
02/13/2013	443773	E 609-49751-253	Wine For Resale	WINE	360.00
					<u>\$364.41</u>
WIRTZ BEVERAGE MN					
02/14/2013	1080003310	E 609-49751-206	Freight and Fuel Charges	FREIGHT	30.32
02/14/2013	1080003310	E 609-49751-251	Liquor For Resale	LIQUOR	2,402.24
02/14/2013	1080003310	E 609-49751-253	Wine For Resale	WINE	64.00
02/14/2013	1080003310	E 609-49751-254	Miscellaneous Merchandise	MISC	25.73
02/21/2013	1080005696	E 609-49751-206	Freight and Fuel Charges	FREIGHT	26.58
02/21/2013	1080005696	E 609-49751-251	Liquor For Resale	LIQUOR	1,148.04
02/21/2013	1080005696	E 609-49751-253	Wine For Resale	WINE	116.00
02/21/2013	1080005696	E 609-49751-254	Miscellaneous Merchandise	MISC	31.92
					<u>\$3,844.83</u>

\$92,220.02

FUND SUMMARY

101 GENERAL FUND	\$24,656.33
208 POLICE FORFEITURE	\$428.22
230 PIONEER DAYS	\$3.48
402 CAPITAL EQUIPMENT	\$17,016.15
601 WATER FUND	\$6,445.33
602 SEWER FUND	\$6,732.25
609 MUNICIPAL LIQUOR FUND	\$36,938.26
Total	<u>92,220.02</u>

PLANNING MEMO

TO: St. Francis City Council
Matt Hulen, City Administrator

FROM: Nate Sparks, City Planner

DATE: February 27, 2013

RE: Residential Accessory Buildings Ordinance

BACKGROUND

Through the building permit process, potential issues with the zoning ordinance were noticed by City Staff. To correct these issues, the proposed ordinance amendment was drafted.

ORDINANCE SUMMARY

The proposed amendment makes changes to the Zoning Definitions, Accessory Building Ordinance, and Parking Ordinance in order to create a separate height standard (16 feet) for secondary garden sheds on Urban Residential District and to create a building separation standard for detached accessory buildings.

PROPOSED AMENDMENT

For each urban residential parcel, the ordinance allows for once accessory building (attached or detached) plus an additional 200 square foot shed. The ordinance also states that detached accessory buildings are allowed up to 20 feet in height. This has created issues whereby very tall and skinny “watchtower” type buildings could be inadvertently allowed. The second shed was intended to be a single car garage or garden shed type building and thus a reduced height limitation is proposed at 16 feet. In order to accomplish this, the building height definition needs modification. Also, a standard requiring a building separation standard (10 feet) for detached accessory buildings is included to ensure buildings are separated enough for maintenance purposes. The proposed changes are attached in the review draft.

10-2-2: Building Height Definition

This is proposed to be changed to a more standard definition that measures from the grade at the time of construction.

10-18-6-B: Urban Service Area – Area, Number, and Height Limitations

The changes to this section clarify that the primary accessory building shall be the garage as required by Section 10-19-9, which is the City’s parking ordinance. It then intends to clarify that in addition to an attached or detached garage, which has the same size limitations, one can also have a secondary shed up to 200 square feet in size. The detached garages may be 20 feet tall but detached sheds are limited to 16 feet in height in this amendment. It also clarifies that certain standards are a

reference to only residential buildings and not commercial, industrial, or institutional. The Planning Commission intends to further discuss non-residential accessory buildings at a later date.

10-18-7-B-2 & 3: Detached Building Setbacks

This clarified that detached accessory buildings in urban areas cannot be in front of the principal structure, which was City policy but not expressly stated in the ordinance. It also adds a building to building setback in all residential districts of 10 feet. This prevents buildings from being placed back to back or too together close for maintenance in between.

10-8-9: Compost Structures & Firewood

The change in this section is to simply delete the reference to “square footage”. The ordinance does not intend to incorporate firewood piles into the square footage calculations for the buildings. A reference limiting these accessory uses to six feet in height was added to correspond with the height limit for walls and fences. There are currently no other standards relating to firewood and compost pile sizes, at this time.

10-19-9: Required Parking

The proposed revisions to the parking ordinance delete references to requiring attached garages due to the changes in the above sections. The ordinance from this point forward will allow a garage (detached or attached) and one shed per Urban Residential property. Some Planning Commissioners felt the ordinance should require attached garages in all cases.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended approval of the ordinance at their February 20, 2013 meeting.

**ST. FRANCIS CITY COUNCIL
RESIDENTIAL ACCESSORY BUILDING ORDINANCE
February 27, 2013 Planning Commission Recommendation – Review Draft**

~~Deleted Language~~

Added Language

Chapter 2 – Definitions

BUILDING HEIGHT: ~~The vertical distance to be measured from the average ground level prior to construction at the building line corners to the cornice of a flat roof, to the deck line of a mansard roof, to a point on the roof directly above the highest wall of a shed roof, to the uppermost point on a round or other arch type roof or to the mean distance of the highest point on a pitched or hip roof.~~ The vertical distance from the average elevation of the finished grade at the front of the building to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

Chapter 18 – Accessory Buildings

10-18-6-B:

B. Urban Service Area:

1. Attached and ~~detached~~ accessory structures ~~private residential garages~~ shall not exceed eight hundred forty (840) square feet in size, except that the minimum square footage can be increased to one thousand (1,000) square feet, provided that the accessory structure does not exceed eighty (80) percent of the foundation foot print of the principal structure.
2. All new and relocated ~~single-family residential~~ homes shall be constructed with an accessory structure meeting the minimum standards required in Section 10-19-9. ~~For one and two family dwelling units, said accessory structure shall have a minimum floor area of at least four hundred forty (440) square feet.~~
3. Residential properties within the Urban Service Area may have one detached accessory structure, not to exceed two hundred (200) square feet in size, in addition to an ~~attached accessory structure~~ private residential garage. This second detached accessory building shall not exceed 16 feet in height.
4. ~~Properties with an existing detached accessory structure that serves as the primary accessory structure for the property are subject to the same size limitations as that of a structure with an attached accessory structure, including the provision of one additional detached accessory structure, not to exceed two hundred (200) square feet in size.~~

5. Residential properties with detached accessory structures that subsequently construct an attached accessory structure, shall deduct the square footage of the detached structure from the allowable square footage, less two hundred (200) square feet.
6. Unless otherwise permitted, all detached accessory buildings shall not exceed twenty (20) feet in height or the height of the principal structure, whichever is less.

10-18-7-B-2: Detached Building Setbacks:

2. Urban Service Area:
 - a. All Lots. No accessory building shall be located in front of the principal structure or within a drainage or utility easement. Accessory buildings must maintain setbacks of five (5) feet from the side property line and ten (10) feet from the rear property line.
 - b. Street Side Yard. Detached accessory structures may be located twenty (20) feet from a street side yard on corner lots, provided the structure does not have access to the public right-of-way on the side yard.
3. Except in Commercial and Industrial Districts, all detached accessory buildings shall maintain a ten (10) foot setback to the principal structure and other detached accessory buildings on the parcel.

10-18-9: COMPOST STRUCTURES AND FIREWOOD PILES: Compost structures and firewood piles shall be considered accessory uses but not buildings, shall be limited to rear yards, and shall be subject to setback, ~~square footage~~ and other requirements of this Ordinance and shall not exceed six feet in height.

Chapter 19 – Parking

Section 10-19-9: Parking Supply Requirements

One and Two Family Residence	A four hundred forty (440) square foot attached garage shall be constructed at the same time as the principal structure. For lots of record established after the effective date of this Ordinance, all site plans for single family homes shall provide for the location of a three (3) stall attached garage, whether or not construction is intended.
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**CITY OF ST FRANCIS
ST FRANCIS, MN
ANOKA COUNTY**

ORDINANCE 181, SECOND SERIES

**AN ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING RESIDENTIAL
ACCESSORY BUILDINGS & BUILDING HEIGHT**

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Amended. That the definition of Building Height in Section 10-2, Second Series shall hereby be amended to read as follows:

BUILDING HEIGHT: The vertical distance from the average elevation of the finished grade at the front of the building to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

Section 2. Code Amended. That Section 10-18-6-B, Second Series shall hereby be amended to read as follows:

B. Urban Service Area:

1. Attached and detached private residential garages shall not exceed eight hundred forty (840) square feet in size, except that the minimum square footage can be increased to one thousand (1,000) square feet, provided that the accessory structure does not exceed eighty (80) percent of the foundation foot print of the principal structure.
2. All new and relocated residential homes shall be constructed with an accessory structure meeting the minimum standards required in Section 10-19-9. For one and two family dwelling units, said accessory structure shall have a minimum floor area of at least four hundred forty (440) square feet.
3. Residential properties within the Urban Service Area may have one detached accessory structure, not to exceed two hundred (200) square feet in size, in addition to private residential garage. This second detached accessory building shall not exceed 16 feet in height.
4. Residential properties with detached accessory structures that subsequently construct an attached accessory structure, shall deduct the square footage of the detached structure from the allowable square footage, less two hundred (200) square feet.
5. Unless otherwise permitted, all detached accessory buildings shall not exceed twenty (20) feet in height or the height of the principal structure, whichever is less.

Section 3. Code Amended. That Section 10-18-7-B-2, Second Series shall be amended to read as follows:

2. Urban Service Area:

- a. All Lots. No accessory building shall be located in front of the principal structure or within a drainage or utility easement. Accessory buildings must maintain setbacks of five (5) feet from the side property line and ten (10) feet from the rear property line.
- b. Street Side Yard. Detached accessory structures may be located twenty (20) feet from a street side yard on corner lots, provided the structure does not have access to the public right-of-way on the side yard.

Section 4. Code Added. That Section 10-18-7-B-3, Second Series shall hereby be added to read as follows:

- 3. Except in Commercial and Industrial Districts, all detached accessory buildings shall maintain a ten (10) foot setback to the principal structure and other detached accessory buildings on the parcel.

Section 5. Code Amended. That Section 10-18-9, Second Series shall hereby be amended to read as follows:

10-18-9: COMPOST STRUCTURES AND FIREWOOD PILES: Compost structures and firewood piles shall be considered accessory uses but not buildings, shall be limited to rear yards, and shall be subject to setback and other requirements of this Ordinance and shall not exceed six feet in height.

Section 6. Code Amended. That the Parking Supply Requirements for One and Two Family Residences in Section 10-19-9, Second Series shall hereby be amended to read as follows:

A four hundred forty (440) square foot garage shall be constructed at the same time as the principal structure.

Section 7. Effective Date. This Ordinance shall take effect 30 days after its publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS ___ DAY OF MARCH, 2013.

APPROVED:

Jerry Tveit
Mayor of St. Francis

ATTEST:

Barbara I. Held
City Clerk

(seal)

**ORDINANCE 122, SECOND SERIES
AN ORDINANCE CREATING CHAPTER 10, SECTION 4.25
ENTITLED “RENTAL HOUSING LICENSING”**

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Adopted. That Section 4.25, Second Series, entitled “Rental Housing Licensing” shall hereby be adopted to read as follows:

SECTION 10.37. RENTAL HOUSING LICENSING

Subd. 1. Purpose. It is the purpose of this Ordinance to assure that rental housing in the City of St. Francis is decent, safe and sanitary and is so operated and maintained as not to become a nuisance to the neighborhood or to become an influence that fosters blight and deterioration or creates a disincentive to reinvestment in the community. The operation of rental residential properties is a business enterprise that entails certain responsibilities. Operators are responsible to take such reasonable steps as are necessary to assure that the citizens of the City who occupy such units may pursue the quiet enjoyment of the normal activities of life in surroundings that are: safe, secure and sanitary; free from crimes and criminal activity, noise, nuisances or annoyances; free from reasonable fears about safety of persons and security of property; and suitable for raising children.

With respect to rental disputes and except as otherwise specifically provided by the terms of this Ordinance, it is not the intention of the City to intrude upon the fair and acceptable relationship between tenant and landlord. The City does not intend to intervene as an advocate of either party, or to act as an arbiter, or to be receptive of complaints from a tenant or landlord which are not specifically and clearly relevant to the provisions of this Ordinance. In the absence of such relevancy, with regard to rental disputes, it is intended that the contracting parties exercise such legal rights as are available to them without the intervention of the City.

Subd. 2. Application. Every rental dwelling unit and its premises used whole or in part as a home or residence, for a family or person, shall conform to the requirements of this Ordinance irrespective of when such building was constructed, altered or repaired. This Ordinance establishes minimum standards for erected rental dwelling units, accessory structures and related premises. All dwelling units must also comply will all other applicable standards found in the City Code.

Subd. 3. Definitions.

1. Accessory Structure: A subordinate detached building or use which is located on the same lot on which the main building or use is situated and which is reasonably necessary and incidental to the conduct of the primary use of such main building or use.
2. Approved: When used in reference to the design and capabilities of physical systems of a dwelling, shall mean having passed the inspection of the Compliance official. The basis for passage of such inspection shall be an analysis of the effective state codes and an analysis of the

degree to which the systems meet the standards established by such codes. It shall be the objective of the Compliance official, unless otherwise specified, to establish minimum qualifications for approval of such system, which qualifications can maintain substantial compliance with the effective state codes and can be achieved in a reasonably economical and practical manner.

3. Building: Any structure built for support, shelter or enclosure of persons, animals, chattel or movable property of any kind, and includes any structure.

4. Compliance Official: The City Building Official and his designated agents authorized to administer and enforce this article.

5. Dwelling: A building or portion thereof, designated exclusively for the residential occupancy, including one-family, two-family, multiple family dwellings and manufactured houses, but not including hotels, motels, or boarding houses.

6. Dwelling, Multiple (Apartment): A building designed with three (3) or more dwelling units exclusively for the occupancy of three (3) or more families living independently of each other, but sharing hallways, main entrances and exits. A two-family dwelling (duplex) shall be considered and classified as a multiple family dwelling.

7. Dwelling, Single-Family: A dwelling unit designed exclusively for occupancy by one (1) family.

a. Attached: A dwelling which is joined to another at one or more sides by a party wall.

b. Detached: A dwelling unit not attached to another dwelling or structure or is entirely surrounded by open space.

8. Dwelling, Two-Family: A residence designed for or occupied by two (2) families only, with separate housekeeping and cooking facilities for each. A two-family dwelling (duplex) with a separate rooming unit(s) shall be considered and classified as a multiple family dwelling.

a. Double Bungalow: A two-family dwelling with two (2) units side-by-side.

b. Duplex: A two-family dwelling unit with one (1) unit above the other.

9. Dwelling Unit: A residential building or portion thereof intended for occupancy by one (1) or more persons with facilities for living, sleeping, cooking and eating but not including hotels, motels, nursing homes, seasonal cabins, boarding or rooming houses, resorts, tourist homes or trailers.

10. Family: An individual or two (2) or more persons related by blood, marriage, adoption or a group of not more than three (3) persons who need not be related by blood or marriage living together in a dwelling unit.

11. Garbage: Animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.
12. Habitable Building: Any building or part thereof that meets minimum standards for use as a home or place of abode by one or more persons.
13. Habitable Room: A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, furnace rooms, unfinished basements (those without required ventilation, required electric outlets and required exit facilities), pantries, utility rooms of less than 50 square feet of floor space, foyers, communicating corridors, stairways, closets, storage spaces and workshops, hobby and recreation areas in parts of the structure belowground level or in attics.
14. Heated Water: Water heated to a temperature of not less than 120 degrees Fahrenheit, or such lesser temperature required by government authority, measured at the faucet outlet.
15. Kitchen: A space which contains a sink with counter working space, adequate space for installing cooking and refrigeration equipment and adequate space for the storage of cooking utensils.
16. Lease: An agreement to rent. For use as a verb, see Rent.
17. Occupant: Any person (including the owner or operator) sleeping, cooking and eating in a dwelling unit or living and sleeping in a rooming unit.
18. Operator: The owner or his agent who has charge, care, control, or management of a building, or part thereof, in which dwelling units or rooming units are let.
19. Owner: Any person who, alone, jointly, or severally with others, shall be in actual possession of, or have charge, care or control of, any dwelling, dwelling unit, or rooming unit within the city as title holder, as employee or agent of the title holder, or as trustee or guardian of the estate or person of the title holder. Any such person representing the actual title holder shall be bound to comply with the provisions of this article to the same extent as the title holder.
20. Party Wall: A common wall which divides two (2) independent structures by a fire wall.
21. Permissible Occupancy: The maximum number of persons permitted to reside in a dwelling unit or rooming unit.
22. Plumbing: All of the following supplied facilities and equipment in a dwelling: gas pipes, gas burning equipment, water pipes, steam pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar fixtures and the installation thereof, together with all connections to water, sewer and gas lines.

23. Premises: A platted lot or part thereof or unplatted parcel of land occupied by any dwelling or non-dwelling structure, including any such building, accessory structure or other structure thereon.
24. Public Hall: A hall, corridor or passageway for providing egress from a dwelling unit to a public way and not within the exclusive control of one family.
25. Refuse: All organic and non-organic waste, including garbage and rubbish.
26. Rent: Consideration paid for the use of premises, including, but not necessarily limited to, money, services and property. As a verb, the term "rent" means to get or give the use of premises in return for such consideration or any combination thereof. The term "rent" does not include arrangements whereby a relative, as defined in Minn. Stats. § 273.124, subd. 1(c), occupies a dwelling for no consideration or for consideration that includes no more than maintenance of the dwelling or premises, and which arrangement is detailed and sworn to in affidavits filed by each adult occupant of the dwelling and each person who is an owner of the dwelling.
27. Rental Dwelling: A building or portion thereof let for rent or lease, designed or used predominantly for residential occupancy of a continued nature, including single-family dwellings, attached or detached, and multiple-family dwellings, but not including hotels and motels.
28. Rental Dwelling Unit: A single residential accommodation let for rent or lease which is arranged, designed, used or, if vacant, intended for use exclusively as a domicile for one family. Where a private garage is structurally attached, it shall be considered as a part of the building in which the dwelling is located.
29. Repair: To restore to a sound and acceptable state of operation, serviceability or appearance.
30. Rodent Harborage: Any place where rodents can live, nest or seek shelter.
31. Rubbish: Solid wastes consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, grass and shrubbery clippings, wood, glass, brick, plaster, bedding, crockery and similar materials.
32. Substandard Dwelling: Any dwelling which does not conform to the minimum standards established by city ordinances.
33. Supplied: Paid for, furnished by, provided by or under the control of the owner, operator or agent of a dwelling. Whenever the terms "dwelling," "dwelling unit," "premises," and "structure" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."
34. Toilet: A toilet, with a bowl and trap made in one piece, which is connected to the city water and sewer system or other approved water supply and sewer supply.

Subd. 4. License.

A. License Required. No person, firm or corporation shall operate a rental dwelling unit without first having obtained a license to do so from the City as provided for in this Ordinance. Each license shall be good for two years and expire on December 31st on the second year after issuance, except as otherwise described in Subd. 12 regarding the process for the first renewal. License renewals for the following years shall be filed on or before December 15 prior to the license expiration date.

B. Application. Applications for rental licenses shall be made in writing to the City by the owner of the rental dwelling unit(s) or his/her designated agent. The applicant shall supply:

1. The name, address and telephone number of the dwelling owner, the owning partners if a partnership and/or that of the corporate officers if a corporation.
2. The name, address and telephone number of the designated resident agent, if any.
3. The name, address and telephone number of the management representative.
4. The name, address and telephone number of the vendee, if the dwelling is being sold through a contract for deed.
5. The legal address of the dwelling.
6. The type of dwelling.
7. The type and number of dwelling units within the dwelling.
8. Number of occupants.
9. A description of the procedure through which tenant inquiries and complaints are to be processed.
10. An acknowledgement that the owner or designated agent has received a copy of this Ordinance.
11. Certification of Taxes and Utilities Paid: Prior to approving an application for a rental housing license, the property owner shall provide certification to the City that there are no delinquent property taxes, special assessments, interest, or City utility fees due upon the parcel of land to which the rental housing license application relates.

C. Fees.

1. License fees for renewal of licenses under this Ordinance shall be due on December 15 immediately prior to the license expiration date. In cases of new unlicensed dwellings, license fees shall be due upon issuance of the certificate of occupancy. In cases of licensing for periods of less than one (1) year, license fees shall be prorated monthly.
2. The amount of license fees shall be as set forth in the City's official fee schedule. The licensee shall not be entitled to a refund of any license fee upon revocation or suspension of the license. However, the licensee shall be entitled to a refund of any license fee, prorated monthly, upon proof of transfer of legal control or ownership.

D. **Inspection Required.** No license shall be issued or renewed under this Ordinance unless the rental dwelling and its premises conform to the ordinances of the City and the laws of the State. The City may require an inspection of such dwelling and premises to make that determination. Failure to schedule or allow such inspection is a violation as described in Section 4.99 of the City Code.

E. **Posting of License.** Every licensee of a rental dwelling shall cause to be conspicuously posted in the main entryway of other conspicuous location therein the current license of the respective rental dwelling.

Subd. 5. **Inspection Criteria.** The City may inspect any rental unit if it falls within one or more of the following criteria:

- A. Such a unit has been abandoned by the owner or the owner of such unit cannot be found.
- B. The rental dwelling unit license has been suspended, revoked or denied.
- C. Water, gas, or electric service to such unit has been discontinued as a result of nonpayment for more than thirty (30) continuous days.
- D. The unit is on a parcel of land which is on the list of delinquent taxes filed by the County Auditor with the court administrator of the district court pursuant to Minn. Stat. Section 279.05.
- E. The City has probable cause to believe that there exist within such unit one ore more violations of the requirements of this ordinance.
- F. The unit of property within which the unit is located has, within the preceding six (6) months, renewed a license after suspension or revocation.
- G. The unit is the subject of a pending notice of the City's intent to suspend or revoke the rental license.

1. The City Building Inspector is hereby authorized, in conformity with this Chapter, to inspect all rental dwelling units to enforce this section and all applicable safety codes.
2. The City Building Inspector is authorized to inspect all rental dwelling units in dwellings, whether having a rental license hereunder or not. The inspection may include the building or structure containing the rental dwelling unit, the land upon which it is located and accessory uses or structures related to the rental dwelling unit. All inspections authorized by this section shall be limited to those which are done for the purpose of seeking compliance with the applicable safety codes, and shall take place only at reasonable hours or as may otherwise be agreed upon by the owner and the City Building Inspector.
3. The City shall give notice to the owner of any violations of the applicable safety codes which are discovered during any inspection.

Subd. 6. Responsibilities of Owners and Occupants. No owner or other person shall occupy or let another person occupy any rental dwelling unit, unless the premises are clean, sanitary, fit for human occupancy and complies with all applicable legal requirements of the State and the City, including the following requirements:

- A. License: The owner of a rental dwelling unit shall obtain and license and shall pass the required inspection prior to any occupancy of the rental dwelling unit.
- B. Maintenance:
 1. Shared or Public Areas: Every owner of a rental dwelling unit shall maintain in a clean, sanitary and safe condition; the shared or public areas of the building and premises thereof.
 2. Occupied Areas: All occupants of a rental dwelling unit shall maintain in a clean, sanitary and safe condition that part or those parts of the building and premises thereof that she/he occupies and controls.
- C. Storage and Disposal of Garbage and Rubbish:
 1. All occupants of a rental dwelling unit shall store and dispose of all their rubbish in a clean, sanitary and safe manner.
 2. All occupants of a rental dwelling unit shall store and dispose of all their garbage and any other organic waste which might provide food for insects and/or rodents in a clean, sanitary and safe manner.
 3. Every owner of a rental dwelling unit shall supply facilities of adequate size for the sanitary and safe storage and disposal of rubbish and garbage.
- D. Pest Control:

1. **Pest Extermination:** Every owner of a rental dwelling unit shall be responsible for the extermination of vermin infestations and/or rodents on the premises. Every occupant of a dwelling unit containing more than one dwelling unit or an occupant of a nonresidential building containing more than one unit shall be responsible for the extermination whenever his unit is the only one infested. Notwithstanding, however, whenever infestations caused by the failure of the owner to maintain a building in a reasonable rodent-proof or reasonable vermin-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two (2) or more of the units in any building, extermination thereof shall be the responsibility of the owner. Whenever extermination is the responsibility of the owner, the extermination must be performed by a licensed pest control contractor.
2. **Rodents:**
 - a. No occupant of a rental dwelling unit shall accumulate boxes, lumber, scrap metal, or any similar materials in such a manner that may provide a rodent harborage in or about any dwelling unit or building. Stored materials shall be stacked neatly.
 - b. No owner of a rental dwelling unit shall accumulate or permit the accumulation of boxes, lumber, scrap metal, or any other similar materials in such a manner that may provide a rodent harborage in or about shared or public areas of a building or its premises. Materials stored by the owner or permitted to be stored by the owner shall be stacked neatly.
 - c. No owner or occupant of a rental dwelling unit shall store, place or allow to accumulate, any materials that may serve as food for rodents in a site accessible to rodents.
- E. **Sanitary Maintenance of Fixtures and Facilities:** Every occupant of a rental dwelling unit shall keep all supplied fixtures and facilities therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.
- F. **Minimum Heating Capability and Maintenance:** In every rental dwelling unit, when the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least sixty eight degrees Fahrenheit (68°F), or such lesser temperature required by government authority, shall be maintained at a distance of three feet (3') above the floor and three feet (3') from exterior walls in all habitable rooms, bathrooms and water closet compartments from September through May.
- G. **Minimum Exterior Lighting:** The owner of a rental building shall be responsible for providing and maintaining effective illumination in all exterior parking lots and walkways.
- H. **Driveways and Parking Areas:** The owner of a rental building shall be responsible for providing and maintaining in good condition paved and delineated parking areas and driveways for tenants consistent with Section 10.36 of the Zoning Ordinance.

- I. Yards: The owner of the building shall be responsible for providing and maintaining the yards of premises consistent with all applicable provisions in the City Code.
- J. Exterior Storage: Owners and occupants of rental dwelling units shall comply with the City's exterior storage requirements as regulated by Section 10.36 of the Zoning Ordinance.
- K. Public Nuisances: Owners and occupants of rental dwelling units shall comply with the City's public nuisance ordinance as provided for in Chapter 8 of the City Code.
- L. The property owner shall be responsible for payment of all property taxes, City utility fees, special assessments, and interest. Delinquent utility accounts shall be subject to Chapter 3 of the City Code.

Subd. 7. Maximum Density: No person shall occupy nor permit or let to be occupied any rental dwelling unit for the purpose of living therein, which does not comply with the following requirements. With the exception of owners occupying a respective dwelling unit prior to [effective date of ordinance], the maximum permissible occupancy of any dwelling unit shall be determined as follows:

- A. For the first occupant, one hundred fifty (150) square feet of habitable room floor space and for every additional occupant thereof, at least one hundred (100) square feet of habitable room floor space.
- B. In no event shall the total number of occupants exceed two (2) times the number of habitable bedrooms, less kitchen, in the dwelling unit.

Subd. 8. General Requirements. No person shall occupy, as owner/occupant, or let to another occupy, any rental building or rental dwelling unit which does not comply with the following requirements, unless specifically exempt:

A. Minimum Ceiling Height: In order to qualify as habitable, rooms shall have a clear ceiling height of not less than seven feet six inches (7'6"); except, that in attics or top half stories used for sleeping, study, or similar activities, the ceiling height shall be not less than seven feet six inches (7'6") over at least one-half (1/2) of the floor area. In calculating the floor area of such rooms in attics or top half stories, only those portions of the floor area of the room having a clear ceiling height of five feet (5') or more may be included.

B. Access through Sleeping Rooms and Bathrooms: No dwelling unit containing two (2) or more sleeping rooms shall have a room arrangement such that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room can be gained only by going through another sleeping room. A bathroom or water closet compartment shall not be used as the only passageway to any habitable room, hall, basement or cellar of any dwelling unit.

C. Foundations, Exterior Walls and Roofs: The foundation, exterior walls, and exterior roof shall be substantially watertight and protected against vermin and rodents and shall be kept in sound condition and repair. The foundation element shall adequately support the building at all points. Every exterior wall shall be free of deterioration, holes, breaks, loose or rotting boards or timbers, and any other condition which might admit rain or dampness to the interior portion of the walls or to the interior spaces of the building. The roof shall be tight and have no defects which admit rain, and roof drainage shall be adequate to prevent rainwater from causing dampness in the walls. All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by paint or other protective covering or treatment. If the exterior surface is unpainted or determined by the compliance official to be paint blistered, the surface shall be painted. If the exterior surface of the pointing of any brick, block or stone wall is loose or has fallen out, the surface shall be repaired.

D. Windows, Doors And Screens: Every window, exterior door, and other exterior openings shall be substantially tight and shall be kept in sound condition and repair. Every window, door and frame shall be constructed and maintained in such relation to the adjacent wall construction as to completely exclude rain, wind, vermin and rodents from entering the building. Every openable window shall be supplied with 16 mesh screens during the insect season, and shall be equipped with an approved lock if located less than six feet (6') above adjacent grade.

E. Floors, Interior Walls and Ceilings: Every floor, interior wall and ceiling shall be adequately protected against the passage and harborage of vermin and rodents, and shall be kept in sound condition and good repair. Every floor shall be free of loose, warped, protruding or rotted flooring materials. Every interior wall and ceiling shall be free of holes and large cracks and loose plaster and shall be maintained in a tight, weatherproof condition. Toxic paint and materials with a lasting toxic effect shall not be used. The floor of every toilet room, bathroom, and kitchen shall have a smooth, hard, nonabsorbent surface and shall be capable of being easily maintained in a clean and sanitary condition.

F. Rodent proof: Every structure and the premises upon which it is located shall be maintained in a rodent free and rodent proof condition. All openings in the exterior walls, foundations, basements, ground or first floors, and roofs, which have a one-half inch (1/2") diameter or larger opening, shall be rodent proofed in an approved manner. Interior floors or basements, cellars, and other areas in contact with the soil shall be paved with concrete or other rodent impervious material.

G. Fences: All fences shall consist of metal, wood, masonry, or other decay resistant material. Fences shall be maintained in good condition both in appearance and in structure. Wood material, other than decay resistant varieties, shall be protected against decay by use of paint or other preservatives. All fences shall be subject to the provision of Section 10.36 Subd. 6 E of the St. Francis Zoning Ordinance.

H. Grading And Drainage: During the period of May through October, every yard, court, passageway, and other portions of the premises on which a building stands shall be graded and drained so as to be free of standing water that constitutes a detriment to health and safety.

I. Landscaping: Every yard of a premises on which a building stands shall be provided with lawn or combined ground cover of vegetation, garden, hedges, shrubbery, and related decorative materials, and such yard shall be maintained consistent with prevailing community standards. Nonresidential sites shall be maintained in accordance with an approved city landscape plan and shall be supplied with an irrigation system.

J. Screening: All outside trash disposal facilities, recycling containers, and outside or rooftop mechanical equipment shall be screened from view by an opaque fence or wall high enough to completely screen the equipment.

K. Safe Building Elements: Every foundation, roof, floor, exterior and interior wall, ceilings, inside and outside stair, every porch and balcony, and every appurtenance thereto, shall be safe to use and capable of supporting loads required by the occupancy.

L. Facilities to Function: Every supplied facility, piece of equipment or utility required under city ordinances and every chimney and flue shall be installed and maintained and shall function effectively in a safe, sound, and working condition.

M. Discontinuance of Service or Facilities: No owner, operator, or occupant shall cause any service, facility, equipment, or utility, which is required under this chapter, to be removed, shut off or discontinued from any occupied building or portion thereof, except for such temporary interruptions as may be necessary while actual repairs or alterations are in process, or during temporary emergencies.

Subd. 9. Minimum Standards for Basic Equipment and Facilities. No person shall occupy, as owner/occupant, or let to another occupy, any rental building or rental dwelling unit for the purposes of living, sleeping, cooking and eating therein which do not comply with the following requirements:

A. Kitchen Facilities:

1. Every dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked and which is connected to an approved sewer system.
2. Every dwelling unit shall have an approved kitchen sink in good working condition and properly connected to an approved water supply system, and which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to an approved sewer system.
3. Every dwelling unit shall have cabinets and/or shelves for the storage of eating, drinking, and cooking equipment and utensils and of food that does not require refrigeration for safekeeping, and a counter or table for food preparation. Said cabinets and/or shelves and counter or table shall be adequate for the permissible occupancy of the dwelling unit and shall be of sound construction and furnished with surfaces that are easily cleaned and that will not impart any toxic or deleterious effect to food.

4. Every dwelling unit shall have a stove or similar device for cooking food, and a refrigerator or similar device for the safe storage of food at or below forty degrees Fahrenheit (40°F), which are properly installed with all necessary connections for safe, sanitary and efficient operation. Provided, that such stove, refrigerator or similar device need not be installed when a dwelling unit is not occupied or when the occupant is expected to provide same upon occupancy, in which case, sufficient space and adequate connections for the installation and operation of said stove, refrigerator or similar device must be provided.
- B. Toilet Facilities: Within every rental dwelling unit there shall be an uninhabitable room which is equipped with an approved toilet in good working condition. Such room shall have an entrance door which affords privacy. Said toilet shall be equipped with easily cleaned surfaces, shall be connected to an approved water system that at all times provides an adequate amount of running water under pressure to cause the toilet to be operated properly, and shall be connected to an approved sewer system.
 - C. Lavatory Sink: Within every rental dwelling unit there shall be an approved lavatory sink. Said lavatory sink may be in the same room as the flush water closet, or if located in another room, the lavatory sink shall be located in close proximity to the door leading directly into the room in which the said water closet is located. The lavatory sink shall be in good working condition and shall be properly connected to an approved water supply system and shall provide at all times an adequate amount of heated and unheated running water under pressure, and shall be connected to an approved sewer system.
 - D. Bathtub or Shower: Within every rental dwelling unit there shall be an uninhabitable room which is equipped with an approved bathtub or shower in good working condition. Such room shall have an entrance which affords privacy. Said bathtub or shower may be in the same room as the flush water closet, or in another room, and shall be properly connected to an approved water supply system and shall provide at all times an adequate amount of heated and unheated water under pressure, and shall be connected to an approved sewer system.
 - E. Stairways, Porches and Balconies: Every stairway inside or outside of a rental dwelling and every porch or balcony shall be kept in safe condition and sound repair. Stairs, handrails and guards shall conform to the IRC/IBC.
 - F. Access to Rental Dwelling Unit: Access to or egress from each rental dwelling unit shall be provided without passing through any other rental dwelling unit.
 - G. Door Locks: No owner shall occupy nor let to another for occupancy any rental dwelling or rental dwelling unit unless all exterior doors of the dwelling or dwelling unit are equipped with safe, functioning locking devices as follows:
 1. Building Entrances: For the purpose of providing a reasonable amount of safety and general welfare for persons occupying multiple-family dwellings, an approved security system shall be maintained for each multiple-family building to control access. The security system shall consist of locked building entrance or foyer doors, and locked doors leading from hallways into individual dwelling

units. Dead-latch type doors shall be provided with lever knobs (or doorknobs) on the inside of building entrance doors and with key cylinders on the outside of building entrance doors. Building entrance door latches shall be of a type that are permanently locked from the outside and permanently locked from the inside.

2. Interior Dwelling Unit Entrances: Every door that is designed to provide ingress or egress for a dwelling unit within a multiple-family building shall be equipped with an approved lock that has a deadlocking bolt that cannot be retracted by end pressure; provided, however, that such door shall be openable from the inside without the use of a key or any special knowledge or effort.

Subd. 10. Minimum Standards for Light and Ventilation. No person shall occupy, as owner/occupant, or let to another occupy, any rental building or rental dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- A. Habitable Room Light and Ventilation: Except where there is supplied some other device affording adequate ventilation and approved by the compliance official, every habitable room shall have at least one window facing directly outdoors which can be opened easily. The minimum total of openable window area in every habitable room shall be the greater of ten percent (10%) of the floor area of the room or ten (10) square feet. One-half (1/2) of the required window area shall be openable.
- B. Uninhabitable Room Ventilation: Every bathroom and water closet compartment, and every laundry and utility room shall contain at least fifty percent (50%) of the ventilation requirement for habitable rooms contained in subsection A of this section; except, that no windows shall be required if such rooms are equipped with a ventilation system which is approved by the compliance official.
- C. Electric Service, Outlets and Fixtures: Every rental dwelling unit and all public and common areas shall be supplied with electric service, functioning over current protection devices, electric outlets, and electric fixtures which are properly installed, which shall be maintained in good and safe working condition, and which shall be connected to a source of electric power in a manner prescribed by the ordinances, rules, and regulations of the City and by the laws of the State. The minimum capacity of such electric service and the minimum number of electric outlets and fixtures shall be as follows:
 1. Rental dwellings containing one (1) or two (2) rental dwelling units shall have at least the equivalent of sixty (60) ampere, 3-wire electric service per dwelling unit.
 2. Rental dwelling units shall have at least one branch electric circuit for each six hundred (600) square feet of dwelling unit floor area.
 3. Every habitable room shall have at least one floor or wall type electric convenience outlet for each sixty (60) square feet or fraction thereof of total floor area and, in no case, less than two (2) such electric outlets; provided, however, that one ceiling or wall type fixture may be supplied in lieu of one required electric outlet.

4. Every bathroom, kitchen, laundry room, and furnace room shall contain at least one (1) supplied ceiling or wall type electric light fixture, and every bathroom, kitchen, and laundry room shall contain at least one (1) electric convenience outlet. The electric convenience outlet in the bathroom shall be a GFCI outlet.
 5. Every public corridor and stairway in every rental dwelling shall be adequately lighted by natural or electric light at all times so as to provide effective illumination in all parts thereof. Every public corridor and stairway in structures containing not more than two (2) dwelling units may be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed, instead of full time lighting.
 6. A convenient switch or equivalent device for turning on a light in each rental dwelling unit shall be located near the point of entrance to such unit.
- D. Smoke and Carbon Dioxide Protection: Every level of every rental dwelling unit shall provide a carbon dioxide detection device. Every rental dwelling shall have smoke detector devices as follows:
1. One per level.
 2. One per bedroom.
 3. One per hall leading to any bedroom(s).
 4. One per entrance from an attached garage.
 5. One per kitchen.

Subd. 11. Dwellings Unfit For Human Habitation.

A. Any rental dwelling or rental dwelling unit which is damaged, decayed, dilapidated, unsanitary, unsafe, or vermin or rodent infested, or which lacks provision for basic illumination, ventilation or sanitary facilities to the extent that the defects create a hazard to the health, safety or welfare of the occupants or of the public may be declared unfit for human habitation. Whenever any rental dwelling, rental dwelling unit or rooming unit has been declared unfit for human habitation, the compliance official shall order the dwelling, dwelling unit or rooming unit vacated within a reasonable amount of time and shall post a placard on the dwelling, dwelling unit or rooming unit indicating that it is unfit for human habitation and any operating license previously issued for such dwelling shall be revoked.

B. It shall be unlawful for such rental dwelling or rental dwelling unit to be used for human habitation until the defective conditions have been corrected and written approval has been issued by the compliance official. It shall be unlawful for any person to deface or remove the declaration placard from any such rental dwelling or rental dwelling unit.

C. The owner of any rental dwelling or rental dwelling unit which has been declared unfit for human habitation, or which is otherwise vacant for a period of sixty (60) days or more, shall make the dwelling or dwelling unit safe and secure so that it is not hazardous to the health, safety

and welfare of the public and does not constitute a public nuisance. Any vacant dwelling open at doors or windows, if unguarded, shall be deemed to be a hazard to the health, safety and welfare of the public and a public nuisance within the meaning of this ordinance.

D. If a rental dwelling unit has been declared unfit for human habitation and the owner has not remedied the defects within a prescribed reasonable time, the dwelling may be declared a hazardous building and treated consistent with the provisions of State statutes.

Subd. 12. Ordinance Implementation. All rental housing shall file for the first license by December 15, 2008. All odd numbered addresses shall file for the first renewal by December 15, 2010. All even numbered addresses shall file for the first renewal by December 15, 2011. After first renewals the procedure shall follow as described in Subd. 4.

Subd. 13. Penalties and Violations. Any person who violates any provision of this Section shall be guilty of a misdemeanor as described in Section 4.99. Every license issued under the provisions of this Section is subject to suspension or revocation by the City should the licensed owner or the owner's duly authorized agent fail to operate or maintain a licensed dwelling or unit therein consistent with the provisions of the ordinances of the City and the Laws of the State. The City shall appoint a person responsible for administration of this section who shall have the authority to investigate licensees and to suspend or revoke licenses. Revocations and suspensions may be appealed to the City Council within thirty (30) days of notice.

Section 2. Effective Date. This Ordinance shall take effect 30 days after its publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS
____ DAY OF _____, 2008.

APPROVED:

R.J. Dressen
Mayor of St. Francis

ATTEST:

Barbara I. Held
City Clerk

Champlin, Minnesota, Code of Ordinances >> PART II - LAND DEVELOPMENT REGULATIONS >>
Chapter 106 - BUILDINGS AND BUILDING REGULATIONS >> ARTICLE VI. - VACANT BUILDING
REGISTRATION >>

ARTICLE VI. - VACANT BUILDING REGISTRATION

- Sec. 106-84. - Purpose and findings.
- Sec. 106-85. - Definitions.
- Sec. 106-86. - Vacant building registration.
- Sec. 106-87. - Building inspection.
- Sec. 106-88. - Maintenance of vacant buildings.
- Sec. 106-89. - Emergency securing.
- Sec. 106-90. - No occupancy or trespass.
- Sec. 106-91. - Vandalism or removal of items prohibited.
- Sec. 106-92. - Appeal.
- Sec. 106-93. - Penalties.

Sec. 106-84. - Purpose and findings.

The City of Champlin is enacting this section to help protect the public health, safety and welfare by establishing a program for the identification and regulation of vacant buildings. The city finds that vacant buildings are a major cause and source of blight in residential and nonresidential neighborhoods. Neglect of vacant buildings, as well as use of vacant buildings by transients and criminals, creates a risk of fire, explosion or flooding for the vacant building and adjacent properties. There is a substantial cost to the city for monitoring vacant buildings. This cost should not be borne by the general taxpayers of the community; but, rather, these costs should be borne by owners of those buildings.

(Ord. No. 719, 12-12-2011)

Sec. 106-85. - Definitions.

For the purposes of this article, the terms defined in this section have the meanings given them and shall apply in the interpretation and enforcement of this article.

Abandoned property means property that the owner has surrendered, voluntarily relinquished, disclaimed, or ceded all right, title, claim, and possession, with the intention of not reclaiming it.

Compliance official means the city administrator and the city administrator's designated agents authorized to administer and enforce this section.

Building is any roofed structure used or intended for supporting or sheltering any use or occupancy. Building, for purposes of this Code chapter 106, shall include a portion of a building that is a separately titled, or capable of being separately titled, such as a condominium or townhouse unit, that is part of a larger building structure.

Owner or property owner is the owner of record of a property on which a building is located according to Hennepin County property tax records, those identified as owner or owners on a vacant building registration form, a holder of recorded or an unrecorded contract for deed, a mortgagee or vendee in possession, a mortgagor or vendor in possession, an assignee of rents, a receiver, an executor, a trustee, a lessee, or other person, firm or corporation in control of the freehold of the premises or lesser estate therein. Owner also means any person, partnership, association, corporation or fiduciary having a legal or equitable title or any interest in the property or building. This includes any partner, officer or director of any partnership, corporation, association or other legally constituted business entity. All owners shall have joint and several obligations for compliance with the provisions of this section.

Responsible party is an owner, entity or person acting as an agent for the owner who has direct or indirect control or authority over the building or real property, upon which the building is located, or any other person or entity having a legal or equitable interest in the property. Responsible party may include, but is not limited to, a realtor, service provider, mortgagor, leasing agent, management company or similar person or entity.

Unoccupied building is a building which is not being used for legal occupancy as defined in Champlin City Code.

Vacant building is a building other than a building being constructed pursuant to a valid building permit that is:

- (a) Unoccupied and unsecure for five days or more;
- (b) Unoccupied for 60 days;
- (c) Unoccupied and an unsafe structure;
- (d) Unoccupied and posted for no occupancy or unfit for human habitation;
- (e) Condemned and illegally occupied; or
- (f) Abandoned building.

Vacant building registration form (VBRF) is the form prescribed in section 106-86.

(Ord. No. 719, 12-12-2011)

Sec. 106-86. - Vacant building registration.

- (a) *Application.* The owner or responsible party shall register a vacant building with the city no later than 60 days after the building becomes vacant or as soon thereafter as owner has a reasonable basis to believe that the building has become vacant. The registration shall be submitted on a form provided by the city and shall include the following information supplied by the owner or responsible party.
 - (1) The name, address, telephone number and email address, if applicable, of each owner and each owner's representative;
 - (2) The names, addresses, telephone numbers and email addresses, if applicable, of all known lien holders and all other persons or entities with any legal interest in the building;
 - (3) The name, address, telephone number and email address, if applicable, of a local agent or person responsible for managing or maintaining the property;
 - (4) Property identification number and street address of the premises on which the building is situated;
 - (5)

The date the building became vacant, the period of time the building is expected to remain vacant, and a written property plan and timetable as described in section 106-85(d) for returning the building to lawful occupancy or use or for demolition of the building;

- (6) The status of water, sewer, natural gas and electric utilities.
- (b) *Notification.* The owner shall notify the compliance official within 30 days of changes in any of the information supplied as part of the vacant building registration.
- (c) *Administrative registration.* If the compliance official determines that a building has been vacant for at least 60 days and has not been registered by its owner or responsible parties, the compliance official may administratively register the building and attempt to notify the owner of that registration based on such information as is reasonably available to the compliance official. Properties registered administratively will be charged a fee established by the city council.
- (d) *Property plan.* The property plan identified above in section 106-86(a)(5) shall meet the following requirements:
- (1) *General provisions.* The plan shall comply with all applicable regulations as determined by the building official. It shall contain a timetable regarding use or demolition of the property. The plan shall be completed within 30 days after the building is registered.
 - (2) *Maintenance of building.* The plan shall identify the means and timetable for addressing all maintenance and nuisance-related items identified in the application or arising since application, or as identified by the building official. Any repairs, improvements or alterations to the property shall comply with Minnesota State Building Code provisions and applicable city regulations.
 - (3) *Plan changes.* If the property plan or timetable for the vacant building is revised in any way for any purpose, the revisions shall be submitted to the city in writing and meet the approval of the compliance official.
 - (4) *Demolition required.* If a building has remained vacant for a period of 365 consecutive days, and the compliance official has not approved an alternative schedule in the property plan, the city may declare the building to be a nuisance and direct the owner to demolish the building and restore the grounds. If the owner does not demolish the building and thereby eliminate the nuisance conditions, the city may commence abatement and cost recovery proceedings for the abatement of the nuisance in accordance with chapter 34, article I, section 34-7 of this Code and Minn. Stats. § 429.101.

Program Exemptions. Owners of buildings meeting the following criteria are not required to register their building but may do so voluntarily for no fee.

- (1) *Snowbirds.* Those persons who leave their residential buildings on a temporary basis (up to 180 days) for vacation purposes or to reside elsewhere during the winter season and have the intent to return. Snowbird exemptions will be considered annually with proper verification.

Fee Exemptions. Owners of buildings meeting the following criteria must register their building but are not required to pay the annual fee.

- (1) *Fire or severe weather event damage.* A building that has suffered fire or severe weather event damage is exempt from registration for a period of 90 days after the date of the fire or weather event if the owner submits a written request for exemption in writing to the compliance official. An exemption request shall include the following information supplied by the owner:

- a. The address and description of the premises;
- b. The name and address of owner or owners and responsible parties;
- c. A statement of intent to repair and reoccupy, or reuse the building in an expeditious manner and a statement of the time frame for completion of repairs and reoccupancy or use;
- d. Actions the owner or responsible party will take to ensure that the property will be secure and not a nuisance.

The fee exemption may be extended beyond 90 days by the compliance officer based on the submitted plan.

- (2) *Government owned.* Buildings that are owned by government agencies including the City of Champlin, State of Minnesota or federal government.
- (f) *Fees.* The owner of vacant buildings or responsible parties shall pay a fee at the time of registration or, if registered administratively pursuant to section 106-86(c) at the time of receipt of notice of registration or when owner has a reasonable basis to believe the building is vacant. Subsequent to the original registration, fees shall be due on the anniversary date of the original registration. The fees must be paid in full prior to the issuance of any building permits. The registration fee will be in an amount set forth in chapter 22, fees. The amount of the registration fee shall be reasonably related to the city's costs incurred in the administration and enforcement of the vacant buildings registration and monitoring program described in this article.
- (g) *Assessment.* If the registration fee or any portion is not timely paid, the city council may certify the unpaid fees against the property in accordance with Minn. Stats. § 429.101.
(Ord. No. 719, 12-12-2011)

Sec. 106-87. - Building inspection.

Registration of a vacant building shall constitute consent by the owner or responsible party to the city to go upon the property for inspection purposes. The compliance official may inspect any vacant building in the city for the purpose of enforcing and assuring compliance with this article and other applicable regulations. Upon the request of the compliance official, an owner or responsible party shall provide access to all interior portions of the building and the exterior of the property in order to complete an inspection. If the owner or responsible party is not available, is unresponsive, or refuses to provide access to the interior of the building, the city may use any legal means to gain entrance to the building for inspection purposes. Prior to any reoccupancy or reuse, the owner or responsible party shall request an inspection of the vacant building by the compliance official to determine the building is fit for human occupation consistent with the Minnesota State Building Code. All applicable building permit fees as needed shall be paid prior to building occupancy.

(Ord. No. 719, 12-12-2011)

Sec. 106-88. - Maintenance of vacant buildings.

In addition to the requirements of section 106-85(d) the owner or responsible party shall address and comply with all applicable regulations with respect to the following:

- (a) *Appearance.* All vacant buildings shall be so maintained as required in chapter 106, article IV, of this Code.
- (b) *Security.* All vacant buildings shall be secured from unauthorized entry. Security shall be ensured by normal building amenities such as windows and doors having

adequate strength to resist intrusion. All doors and windows shall remain locked. There shall be at least one operable door into every building and into each room within the building. Exterior walls and roofs shall be without holes.

(Ord. No. 719, 12-12-2011)

Sec. 106-89. - Emergency securing.

The compliance official may take immediate steps to secure a vacant building at his or her discretion in emergency circumstances.

(Ord. No. 719, 12-12-2011)

Sec. 106-90. - No occupancy or trespass.

No person may trespass, use, occupy or reside in, on a temporary or permanent basis, any vacant building, registered or not, without the owner's or responsible party's consent.

(Ord. No. 719, 12-12-2011)

Sec. 106-91. - Vandalism or removal of items prohibited.

No person may vandalize or without owner's or responsible party's consent remove any items from a vacant building or the property upon which it is located.

(Ord. No. 719, 12-12-2011)

Sec. 106-92. - Appeal.

Any person or responsible party aggrieved by a decision of the compliance official under chapter 106, article VI, may appeal to the city council by serving on the compliance official a written notice of intent to appeal within ten business days of receipt of notice of the decision. Upon receipt of the written notice of intent to appeal, the council shall, within a reasonable time, hear the appeal, and shall promptly thereafter render its decision, which decision shall be final.

(Ord. No. 719, 12-12-2011)

Sec. 106-93. - Penalties.

Any person or responsible party who violates the provisions of chapter 106, article VI, is subject to penalty as provided under chapter 1, section 1-7 of this Code. Nothing in this section, however, is deemed to impair other remedies available to the city under this Code or state law, including, but not limited to, Minn. Stats. §§ 463.15 through 463.261.

(Ord. No. 719, 12-12-2011)

StarTribune

Columbia Heights cleans up problem rentals with landlord fines

Article by: Shannon Prather
Star Tribune
February 26, 2013 - 4:41 PM

They owned rental property in Columbia Heights for decades, and these longtime landlords still sized up prospective tenants on instinct and sealed the deal with a handshake.

Figure in the rise of the accidental landlord — homeowners moving on to greener pastures but forced to rent out their old places — and a new generation of landlords who invested in rentals during the downturn.

That confluence of factors was creating rental woes for the city of Columbia Heights. Pockets of aging, loosely managed rental property were generating more than their fair share of police calls for drugs, disorderly conduct and other crimes, said the police chief.

Starting in 2008, the police aimed to clean up problem rentals by holding landlords accountable. Authorities began hosting quarterly landlords forums. In 2010, the city hit problem landlords where it hurt the most — in the wallet, with \$250 fines for excessive 911 calls caused by their tenants. Landlords with chronic problems were forced to partner with police and complete crime mitigation plans or risk losing their rental licenses.

Today, police say that offering education and assistance to all of the city's landlords and taking a tougher stance with problem ones have helped cut crime and clean up neighborhoods. Overall, the city's crime rate is at a 25-year low. Two neighborhoods with a large number of rentals have seen theft and burglary rates drop by almost half in the past six years.

"These neighborhoods are better for it," said Mayor Gary Peterson of the city's efforts. "It isn't perfect. It's a work in progress. At least we have some strength to do some things and nudge the landlords in the right direction."

One of the oldest cities in Anoka County, the inner-ring suburb borders Minneapolis. The city's 2,600 rental units make up about one-third of its housing. The rentals are predominantly single-family homes, duplexes and small apartment buildings. About 90 percent of the city's rental properties are four units or less.

"In my 40 years in the business, I don't know of another one [program] that has been as successful in rooting out problem tenants," said City Manager Walter Fehst.

Hot spots

When Scott Nadeau took over as police chief in 2008, he started to use computerized crime mapping to identify hot spots. Two neighborhood areas with a high percentage of rentals consistently stood out: the Circle Terrace neighborhood, named after the street, and Heritage Heights, located around 40th Avenue and Tyler Street, logged a high number of police calls, the chief said.

"A poorly run rental property can really consume a lot of resources," Nadeau said. "I saw the impact poor rental properties can have on a community. It's something cities and police agencies across the county have had to come to terms with. How can they work more proactively?"

Nadeau sent his officers into the neighborhoods, knocking on doors and talking to residents. It became clear that some landlords' loose management style was dragging down the whole area.

"They were having the city and police department essentially managing their property," Nadeau said.

The Fire Department inspects and licenses rentals, but before the tougher landlord ordinances, it didn't have as many tools to get landlords to comply.

The city has a lot of landlords — about 850. Nadeau lobbied the City Council, which passed a series of ordinances that held landlords more responsible for problem tenants and made bad landlords pay. Nadeau describes it as a two-prong approach, part carrot, part stick:

"One provides education and partnerships; there is training and help. The second prong is accountability."

Landlords are required to provide proof of a criminal-background check on all tenants.

"We are not allowed, by law, to tell them who to rent to. If they choose to rent to someone with drug convictions or who is a level-three sex offender, we want them to do that with the full knowledge of who they are renting to," Nadeau said.

Assistant Fire Chief John Larkin, who oversees rental inspections and licensing, said the threat of fines and mitigation has gotten landlords' attention.

"I welcome the police involvement in working with the rental properties and getting people to play by the rules," Larkin said. "Now you are affecting the pocketbooks of the owners, we've found it to be fairly motivating for people to comply."

In the Circle Terrace neighborhood, property crimes including burglary, theft and arson were cut in half, from 90 in 2007 to 44 in 2012. In Heritage Heights, those numbers dropped from 146 to 81 in the same time period, according to statistics provided by police.

Nadeau said the goal isn't to drive rentals from the city. He empathizes with landlords — he's one himself.

"I am an accidental landlord in another community," said Nadeau, who is renting out his old home. "It's a challenge to find great renters and make sure the renters are doing what they are supposed to be doing."

When problems arise at a rental property, police reach out to landlord. They notify the landlord of the recent police calls, offer assistance and, in cases of repeat problems, will issue that \$250 fine for 911 calls. Medical calls and calls for domestic violence are never considered nuisance calls, Nadeau said. Police issued 19 citations to landlords in 2012. In most cases, that leads to resolution. For more persistent problems, there's mandatory crime mitigation plans.

The stick

Police have started eight mitigation plans with landlords since 2010. Landlords must meet with police at least once a month and make improvements.

"Initially they are not real happy about it. They seem to feel as though the city is singling them out," Nadeau said. "By the end of the mitigation, the landlords have seen really what the city is going for is partnership."

So far, no landlords have lost their license after starting mitigation.

"We bend over backward to work with the landlords," a.

But there is some blunt talk, too. Some resistant landlords will argue they have older buildings and bothersome tenants.

"They are older buildings. We get that," Austin said. But "you can keep the grass cut, the locks working, the smoke detectors working and the garbage picked up."

Most landlords quickly recognize they need the help, police say.

Landlord Bob Mikulak completed a mitigation plan with police. Mikulak, who lives in Fridley, has owned an eight-unit apartment building in Columbia Heights for 15 years. Police were called there over complaints about drugs, property damage, assault and noise in 2011 and 2012.

He evicted some tenants and completed mitigation in July 2012. Police helped with tenant screening and drove by his property and made sure the parking lot was clear.

"They are really dedicated to helping us landlords. They are not here to lecture us," Mikulak said.

He said he has learned the hard way that looks can be deceiving and that background checks really do help ferret out future problem tenants.

Howard Bentley lives in a house across the street from Mikulak's building. He called police when he heard what sounded like gunshots at the apartment about a year and a half ago.

He said he supports police efforts to better manage the city's rental property.

"I am glad someone is doing something," Bentley said.

The carrot

Mikulak was one of more than 50 landlords packed into the basement of the police station for the quarterly landlord meeting Feb. 13. All landlords in the city are invited to attend.

Features and topics at the forums range from ask-an-attorney to how to conduct background checks. After the meeting, at least a dozen landlords lingered to chat with Austin and Officer Terry Nighthingale, the department's community policing coordinator.

Landlord Bill Modell was also at the forum. He owns 20 rental units in Columbia Heights, as well as rentals in Minneapolis and Anoka. Property management is his full-time job, and he's never had any run-ins with Columbia Heights police. Still, he attends the educational forums, calling them some of the best in the Twin Cities.

"This one is really on the leading edge. They do a good job, have good speakers and good topics," Modell said. "I try to make every meeting I can."

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