

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
MARCH 18, 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 – March 4, 2013
 - b. St. Francis Lions One Day Gambling Permit (Bingo) for March 22, 2013 at St. Francis Am. Legion
 - c. Public Dance License for Patriot Lanes Bar & Grill for April 6, 2013 Benefit for Art Sakaye
 - d. 5k Walkathon Application for Trinity Lutheran Church and School Fundraiser on May 4, 2013
 - e. Hire Sandra Anderson as the Police Records Clerk starting at Grade 5 Step 2
 - f. Payment of Claims
5. Meeting Open to the Public
6. Petitions, Requests, Applications
 - a. Mayor's Presentation to the St. Francis Ambassador Program
 - b. Tobacco License Application: Restyle Consignments 23168 St. Francis Blvd.
7. Ordinances & Resolution
 - a. Ordinance 181, Second Series: Amending the Zoning Ordinance Regarding Residential Accessory Buildings and Building Height (Second Reading)
 - b. Ordinance 182, Second Series: Amending Section 8-2-2 and adding Section 8-2-6 of the St. Francis City Code Regarding Nuisance & Abatement (First Reading)
 - c. Ordinance 183, Second Series: Adding Sections 8-2-7 and 7-2-9 of the St. Francis City Code Regarding Noise Violations (First Reading)
 - d. Resolution 2013-05: Approving Park and Trail Plan Amendments
 - e. Resolution 2013-06: End of Year 2012 Transfers
8. Reports of Consultants & Staff Members
 - a. Engineer: Woodhaven Metering Manhole Replacement
 - b. Attorney: Sonsteby Condemnation
 - c. Staff:
 - Building Official: Private Septic Systems-Assessment Fees
 - Fire Dept.:
 - Public Works:
 - Liquor Store:
 - Police: Department Report
 - City Administrator Report: Rental/Vacant Housing Ordinance Discussion
9. Reports from Council Members
10. Report from Mayor:
11. Old Business
12. New Business
13. Adjournment

Calendar of Events

- Mar 22: Bingo at the American Legion hosted by the St. Francis Lions Club
Mar 23: St. Francis 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 18, 2013 Meeting

Agenda Items:

4. Consent Agenda:

6. Petitions, Requests, Applications:

- a. Mayor Tveit will be presenting the proceeds of the Mayor's Snowmobile Ride to the St. Francis Ambassador Program.
- b. Tobacco License-Restyle Consignments: Attached is the Tobacco License application for Restyle Consignments.

7. Ordinances & Resolutions:

- a. Ordinance 181, Second Series (Second 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. Please note: the Mayor's request on amending the setback from another structure is NOT included in this second reading. Consideration and a decision should be given prior to the vote. A motion would be in order to approve the second reading of this Ordinance. A roll call vote is required.
- b. Ordinance 182, Second Series (First Reading): Attached is Ordinance 182, Second Series amending the Nuisance and Abatement Ordinance. 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.
- c. Ordinance 183, Second Series (First Reading): Attached is Ordinance 183, Second Series amending the Noise Ordinance. 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 second reading of this Ordinance. A roll call vote is required.
- d. Resolution 2013-05: Attached is Resolution 2013-05 which approves the park and trail plan amendments. A memorandum by Nate Sparks is included to give an overview of the changes. Mr. Sparks will be in attendance for any questions. A motion would be in order to approve Resolution 2013-05.
- e. Resolution 2013-06: Attached is Resolution 2013-06 which makes end of year transfers for the year 2012. A motion would be in order to approve Resolution 2013-06.

8. Reports:

- a. **Engineer:** *Woodhaven Metering Manhole Replacement:* Attached are Pay Estimate #1 and Change Order #1 for the Woodhaven Metering Manhole Replacement. A motion would be in order to approve the change order and pay estimate.
- b. **Attorney:** *Sonstebly Condemnation:* Attached is the Stipulation of Settlement as prepared by our City Attorney Office. This was necessary to complete the turn lane into our new Police/Public Works facility.
- c. **Staff:**
Building Official:
Fire:
Public Works:

Liquor Store:

Police:

City Administrator: *Rental/Vacant Housing Ordinance Discussion:* Unless the Council directs staff another direction, we will guide this discussion back through the Planning Commission for their April meeting. The City Council should see their recommendation early this summer.

11. Old Business:

12. New Business:

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

CITY COUNCIL MINUTES

March 4, 2013

1. **Call to Order:** The regular City Council Meeting was called to order by Mayor Jerry Tveit at 6:00 pm.
2. **Roll Call:** Present were Mayor Jerry Tveit, Council members Mike Haggard, 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, and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY LAZERE SECOND BROWN TO ADOPT THE MARCH 4, 2013 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** MOTION BY LAZERE SECOND McCLISH TO APPROVE THE MARCH 4, 2013, CITY COUNCIL CONSENT AGENDA AS A-D AS FOLLOWS:
 - a. Approve the City Council Minutes of February 19, 2013.
 - b. Approve Pay Estimate No. 2 for \$59,569.75 to Concrete Idea, Inc. of St. Michael, MN for the TH 47 Pedestrian Improvements.
 - c. Approve the Appointment of Joleen Wiemann as a Temporary Police Records Clerk for \$20.00 per hour.
 - d. Approve the Payment of Claims for \$184,992.07 (Check #'s 65235-65302)

Lazere asked is this the same temporary person appointed a number of months ago. Police Chief said no this is actually a former employee who now is the lead police administrative assistant for the city of Ramsey. Ms. Wiemann stated she would help us out until a police records clerk is hired. Harapat stated we are very fortunate to have her help us throughout this time. Motion carried 5-0.
5. **Meeting Open to the Public:** None.
6. **Petitions, Requests, Applications:** None.
7. **Ordinances & Resolution:** None.
 - a. **Ordinance 181, Second Series: Amending the Zoning Ordinance Regarding Residential Accessory Buildings and Building Height (First Reading):** MOTION BY BROWN SECOND HAGGARD TO APPROVE THE FIRST READING OF ORDINANCE 181, SECOND SERIES AMENDING THE ZONING ORDINANCE REGARDING RESIDENTIAL ACCESSORY BUILDINGS AND BUILDING HEIGHT. Tveit questioned the addition of 10-18-7-B-3. This new section except in commercial and industrial districts require all detached accessory buildings to maintain a ten foot setback to the principal structure and

other detached accessory buildings on the parcel. Tveit along with Haggard would like to have staff before the second reading give the reasoning for the ten-foot setback. Roll Call: Ayes: Haggard, Lazere, Brown, McClish, and Tveit. Nays: None.

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

a. **Engineer:**

b. **Attorney:**

c. **Staff:**

Fire Dept.:

Public Works:

Liquor Store:

Police Dept.:

City Administrator: Held reported staff is reviewing and updating the personnel policy along with some ordinances for clarification. Draft copies will be presented at a future meeting for council action.

9. **Reports from Council Members:** Lazere reported she attended the Artic Polar Plunge this past weekend on Long Lake. She was a little disappointed that the St. Francis Fire Department did not participate again this year. This is a great community event.

10. **Report from Mayor:** On February 23, the Mayor's Snowmobile Trail Ride took place. We had a good turnout despite it be re-scheduled. Mayors from six different communities participated in this fundraiser. We just received a check today from the event for \$416. This money will be presented to the St. Francis Ambassador program at our next city council meeting.

11. **Old Business:** Brown asked about the vacant lot behind the post office. It seems the post office is using as a parking lot. I hope we are not maintaining the lot. I think we need to do something with the lot either sell or lease it to the post office. Tveit asked staff to look into what can be done with the lot.

Rental/Vacant Housing Ordinance Discussion: Tveit stated there were copies of the unapproved rental ordinance and Champlin's vacant property ordinance. Please read these for future discussion.

12. **New Business:** None.

13. **Adjournment:** The Regular City Council meeting adjourned at 6:17 pm.

LG240B Application to Conduct Excluded Bingo

No Fee

ORGANIZATION INFORMATION

Organization name: St. Francis Lions Club Previous gambling permit number: 02688

Minnesota tax ID number, if any: 2738531 Federal employer ID number (FEIN), if any: 417622197

Type of nonprofit organization. Check one. [X] Fraternal [] Religious [] Veterans [] Other nonprofit organization

Mailing address: P.O. Box 173 City: St. Francis State: MN Zip code: 55070 County: Anoka

Name of chief executive officer [CEO]: Rex Hansen Daytime phone number: 763 753 3628 E-mail address:

NONPROFIT STATUS

Attach a copy of ONE of the following for proof of nonprofit status.

[X] Nonprofit Articles of Incorporation OR a current Certificate of Good Standing. Don't have a copy? This certificate must be obtained each year from: Secretary of State, Business Services Div., 60 Empire Drive, Suite 100, St. Paul, MN 55103 Phone: 651-296-2803

[] IRS income tax exemption [501(c)] letter in your organization's name. Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500.

[] IRS - Affiliate of national, statewide, or international parent nonprofit organization [charter] If your organization falls under a parent organization, attach copies of both of the following: a. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and b. the charter or letter from your parent organization recognizing your organization as a subordinate.

EXCLUDED BINGO ACTIVITY

1. [X] No [] Yes Has your organization held a bingo event in the current calendar year? If yes, list the dates when bingo was conducted.

2. The proposed bingo event will be: [X] one of four or fewer bingo events held this year. Dates: March 22nd 2013

OR

[] conducted on up to 12 consecutive days in connection with a: [] county fair. Dates [] civic celebration. Dates [] Minnesota state fair. Dates

3. Person in charge of bingo event: Lion Tim Holten Daytime phone: 763-753-1265

4. Name of premises where bingo will be conducted: St. Francis American Legion

5. Premises street address: 6. City: St. Francis MN If township, township name: County: Anoka

Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. Otherwise, bingo hard cards, bingo paper, and bingo number selection devices must be obtained from a distributor licensed by the Minnesota Gambling Control Board. To find a licensed distributor, go to www.gcb.state.mn.us and click on Distributors under the WHO'S WHO? LIST OF LICENSEES, or call 651-639-4000. Be sure to complete page 2

CHIEF EXECUTIVE OFFICER'S SIGNATURE

The information provided in this application is complete and accurate to the best of my knowledge.

Chief executive officer's signature Rex A. Larson Date 3-12-13
 Print name REX A. LARSON

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

**CITY APPROVAL
for a gambling premises
located within city limits**

On behalf of the city, I approve this application for excluded bingo activity at the premises located within the city's jurisdiction.

Print city name _____

Signature of city personnel _____

Title _____ Date _____

Local unit of government must sign

**COUNTY APPROVAL
for a gambling premises
located in a township**

On behalf of the county, I approve this application for excluded bingo activity at the premises located within the county's jurisdiction.

Print county name _____

Signature of county personnel _____

Title _____ Date _____

TOWNSHIP - If required by the approving county.

On behalf of the township, I acknowledge that the organization is applying for excluded bingo activity within the township limits. [A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.166, Subd 2.]

Print township name _____

Signature of township officer _____

Title _____ Date _____

MAIL APPLICATION AND ATTACHMENT

Send the application and a copy of your proof of nonprofit status to:

Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

You will receive a document from the Gambling Control Board with your excluded permit number for the bingo activity. Your organization must keep its bingo records for 3-1/2 years.

Questions?

Call the Licensing Section of the Gambling Control Board at 651-639-4000.

This form will be made available in alternative format (i.e. large print, Braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board.

All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney

General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.



License # _____
Receipt _____
Date: _____
Fee Paid: _____

**PUBLIC DANCE LICENSE
INCLUDES OUTDOOR MUSIC**

Applicant Name: Leo D Zacher
(First) (Middle) (Last)

Home address: 28115 Lily St. Isanti, MN 55240 Date of Birth: 1/28/1944
(Street, City, State, Zip Code)

Driver's License # _____ Contact Telephone # _____

I hereby make application for a Public Dance License including outdoor music for the following establishment:

Patriot Lanes Bar & Grill 3085 Bridge St NW St Francis
(Name of Establishment) (Address)
Cancer Benefit Art Sakaye
Located in the City of St. Francis, Anoka County, Minnesota.

On-site Manager Leo Zacher Location Telephone: 763-753-4011

Dance Schedule (days and hours of event): Evening April 6th 2013

Size of dance floor area: 20x40 Approx (in fence in area - east side of bldg)

I agree the dance/out door music shall be conducted in accordance with the provisions and regulations of the City of St. Francis pertaining thereto.

I (have) (have not) been convicted of a felony, gross misdemeanor or of violating any of the provisions of the Laws of Minnesota or of any ordinance regulating dances any place in the United States during the past five years. If so, please list the date, location and offense:

I have read the applicable ordinances and am familiar with the content. I will strictly comply with all of the provisions. I agree to waive my constitutional rights against search and seizure and will freely permit peace officers to inspect my premises and agree to the forfeiture of this license if found to have violated the provisions of the Ordinance for the granting of this license. I hereby solemnly swear that the foregoing statements are true and correct to the best of my knowledge.

I have contacted the St. Francis Police Department at 763-753-1264 and arranged to have the required number of officers at the dance. (Officers Expense not included in Permit Fee)

March 10-2013
(Date)

[Signature]
(Signature)

- * Certificate of Insurance attached
- * Driver's License or State Issued ID attached

License Fee: \$100.00 per year (or \$10.00 per dance)
License Period: January 1 - December 31

LICENSE APPLICANT INFORMATION

Under Minnesota Law (M.S. 270.72) the agency issuing you this license is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the Social Security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act, we must advise you:

- § This information may be used to deny the issuance, renewal or transfer of your license if you owe the Minnesota Department of Revenue delinquent taxes, penalties or interest.
- § The licensing agency will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Act, the Department of Revenue is allowed to supply this information to the Internal Revenue Service.
- § Failing to supply this information may jeopardize or delay the issuance of your license or processing your renewal application.

Please print or type in the following information and return along with your application.

<u>Zacher</u>	<u>Leo</u>	<u>D</u>		
Applicant's Last	First	Middle Name	Social Security Number	
<u>ISANTI</u>		<u>MN</u>	<u>55070</u>	
Street Address	City	State	Zip	
<u>MN</u>		State of Issue		
Driver's License Number				
<u>Patriot lanes Bar and Grill</u>	<u>763-753-4011</u>			
Store Name	Store Phone Number			
<u>Leo Zacher</u>	<u>OWNER</u>			
Store Contact	Title			
<u>3085 Bridge St. NW</u>	<u>St. Francis</u>	<u>MN</u>	<u>55070</u>	
Street Address	City	State	Zip	
<u>8830439</u>	<u>20-8836122</u>			
Minnesota Tax ID Number	Federal Tax ID Number			

If a Minnesota tax identification number is not required, please explain: _____

<u>Mar 10 - 2013</u>	<u>[Signature]</u>
Date	Signature
	<u>OWNER</u>
	Title



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/15/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Brokers of MN, Inc. Mark McCartney Agency Inc. 646 E River Rd, Ste 3 Anoka MN 55303	CONTACT NAME: Mark McCartney PHONE (A/C No, Ext): (763) 323-8220 FAX (A/C No): (763) 323-8219 E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
INSURED Patriot Lanes and Lounge, Inc. PO BOX 702 3085 Bridge St St. Francis MN 55070	INSURER A: Wilson Mutual NAIC # 19950	
	INSURER B: SEM	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: CL1112152446 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			BR234195	1/1/2013	12/31/2013	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 1,000,000
							PRODUCTS - COMP/OP AGG \$ 1,000,000
							\$
	GENL AGGREGATE LIMIT APPLIES PER:						
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	<input type="checkbox"/> OCCUR						AGGREGATE \$
	EXCESS LIAB						\$
	<input type="checkbox"/> CLAIMS-MADE						\$
	DED						RETENTION \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			41126.201	9/7/2012	9/7/2013	WC STATU-TORY LIMITS
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 500,000
A	Building			BR234195	1/1/2013	12/31/2013	E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Liquor Liability			BR234195	1/1/2013	12/31/2013	1,000,000
							300,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER (763) 753-9881 City of St Francis 23340 Pree St NW St Francis, MN 55070	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

**CERTIFICATION OF COMPLIANCE
MINNESOTA WORKERS= COMPENSATION LAW**

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers= compensation insurance coverage requirement of Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit to self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$2,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name: Wilson Mutual
(NOT the insurance agent)

Policy Number: BR 242992 Dates of Coverage: 01/01/13 to 01/01/14

(OR)

I am not required to have workers= compensation liability coverage because:

- * I have no employees.
- * I am self-insured (include permit to self insure).
- * I have no employees who are covered by the worker=s compensation law (these include: Spouse, Parents, Children and certain farm employees).

I certify that the information provided above is accurate and complete and that a valid workers= compensation policy will be kept in effect at all times as required by law.

Name: Leo D Zacher
(last, first, middle)

Doing Business As: Patriot lanes Bar & Grill
(business name if different than your name)

Business Address: 3085 Bridge St.

City, State, Zip: St. Francis, MN 55070 Phone: (163) 784-4011

Signature:  Date: 3/10/2013



Address 3812 229th Ave NW
St Francis, MN 55070

Get Google Maps on your phone
Text the word "GMAPS" to 466453




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Map data ©2013 Google

**COMMERCIAL LIABILITY
CERTIFICATE OF INSURANCE**

THIS CERTIFICATE IS USED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER.
THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.



NAME AND ADDRESS OF AGENCY
Helland Agency, Inc.
17113 Minnetonka Blvd.
Minnetonka, MN. 55345

NAME AND ADDRESS OF FIRST NAMED INSURED
Trinity Lutheran Church
3812 229th Avenue NorthWest
St. Francis, MN. 55070

This Certificate of Insurance neither affirmatively nor negatively amends, extends or alters the coverage or any provision of Policy No. 1208596 issued by GuideOne Elite Ins. Co.

This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time.

TYPE OF INSURANCE	COMPANY AFFORDING COVERAGE AND POLICY NUMBER	POLICY EXPIRATION DATE	Limits of Liability	
			OCCURRENCE/AGGREGATE	OCCURRENCE/AGGREGATE
<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY (OCCURRENCE FORM) <input type="checkbox"/> _____ <input type="checkbox"/> _____	<input type="checkbox"/> GuideOne Mutual <input checked="" type="checkbox"/> GuideOne Elite <input type="checkbox"/> GuideOne Specialty Mutual <input type="checkbox"/> GuideOne America <input type="checkbox"/> GuideOne Lloyds Policy # _____	2/12/14	<input type="checkbox"/> \$ 300,000/\$ 600,000 <input type="checkbox"/> 500,000/ 1,000,000 <input type="checkbox"/> 1,000,000/ 2,000,000 <input type="checkbox"/> _____/_____	<input type="checkbox"/> \$ 300,000/\$1,000,000 <input type="checkbox"/> 500,000/ 1,500,000 <input checked="" type="checkbox"/> 1,000,000/ 3,000,000
AUTOMOBILE LIABILITY SYMBOL <input type="checkbox"/> ANY AUTO 1 <input type="checkbox"/> ALL OWNED AUTOS 2 <input checked="" type="checkbox"/> SCHEDULED AUTOS 7 <input checked="" type="checkbox"/> HIRED AUTOS 8 <input checked="" type="checkbox"/> NON-OWNED AUTOS 9	<input checked="" type="checkbox"/> GuideOne Mutual <input type="checkbox"/> GuideOne Specialty Mutual Policy # <u>1709196</u>	8/04/13	BODILY INJURY AND PROPERTY DAMAGE COMBINED	\$1,000,000
EXCESS LIABILITY <input checked="" type="checkbox"/> UMBRELLA FORM	<input checked="" type="checkbox"/> GuideOne Mutual <input type="checkbox"/> GuideOne Elite <input type="checkbox"/> GuideOne Specialty Mutual <input type="checkbox"/> GuideOne America <input type="checkbox"/> GuideOne Lloyds Policy # _____	2/12/14	OCCURRENCE/AGGREGATE	\$1,000,000 \$1,000,000
WORKERS' COMPENSATION and EMPLOYERS' LIABILITY	<input checked="" type="checkbox"/> GuideOne Mutual <input type="checkbox"/> GuideOne Elite <input type="checkbox"/> GuideOne Specialty Mutual <input type="checkbox"/> GuideOne America <input type="checkbox"/> GuideOne Lloyds Policy # _____	6/01/14	STATUTORY EACH ACCIDENT DISEASE — POLICY LIMITS DISEASE — EACH EMPLOYEE	Included \$100,000 \$ 500,000 \$100,000
Property Ins. OTHER	GuideOne Elite	2/12/14	Per Schedule	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES
Church/School and Related Activities, Including Activities On City Property.

CANCELLATION: Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days* (unless otherwise indicated below) written notice to the below-named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company.
*Optional number of days written notice applicable in lieu of above only if indicated: N/A

NAME AND ADDRESS OF CERTIFICATE HOLDER:
City Of Saint Francis
St. Francis, MN. 55070

DATE ISSUED: 3/6/2013

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance containing any materially false information, or conceals for the purpose of misleading, information concerning any material fact thereto, commits a fraudulent insurance act which is a crime. (This statement is required by the laws of New York and Ohio when this application is used in those states. The laws of other states may be different.)

Greg Helland
Greg Helland
AUTHORIZED REPRESENTATIVE

(FIRM AND ADDRESS)
THIS CERTIFICATE IS FOR INFORMATION ONLY; IT IS NOT A CONTRACT OF INSURANCE BUT ATTESTS THAT A POLICY AS NUMBERED HEREIN, AND AS IT STANDS AT THE DATE OF THIS CERTIFICATE, HAS BEEN ISSUED BY THE INSURER.

CITY OF ST. FRANCIS
3/18/2013

Checks cut since last Council Meeting

<u>Check Date</u>	<u>Check Number</u>	<u>Payee</u>	<u>Description</u>	<u>Amount</u>
		TOTAL		<u><u>0.00</u></u>

Disbursements via Debits to Checking & 4M Account

<u>Payee</u>	<u>Description</u>	<u>Amount</u>
Visa	January Credit Card Bill	10,000.33
Visa	February Credit Card Bill	9,178.24
Federal Tax	Payroll 02-14-13	15,794.57
PERA	Payroll 02-14-13	11,985.27
ING	Payroll 02-14-13	690.00
ICMA	Payroll 02-14-13	935.00
State Tax	Payroll 02-14-13	3,376.31
MSRS	Payroll 02-14-13	628.78
Federal Tax	Payroll 02-20-13	1,137.70
PERA	Payroll 02-20-13	320.16
State Tax	Payroll 02-20-13	119.49
Sales Tax	January Sales Tax	13,186.00
Federal Tax	Payroll 02-28-13	16,451.26
PERA	Payroll 02-28-13	12,675.45
ING	Payroll 02-28-13	1,055.00
ICMA	Payroll 02-28-13	690.00
State Tax	Payroll 02-28-13	3,553.88
MSRS	Payroll 02-28-13	660.30
Village Bank Fees	February Fees	157.70
MN PFA	Bond Payment	100,777.16
	TOTAL	<u><u>203,372.60</u></u>



PAYMENT BATCH AP 03-18-13

AIRGAS NORTH CENTRAL

02/28/2013	9908048077	E 101-43100-217	Other Operating Supplies	SUPPLIES	4.20
02/28/2013	9908048077	E 101-43210-217	Other Operating Supplies	SUPPLIES	4.20
02/28/2013	9908048077	E 101-45200-217	Other Operating Supplies	SUPPLIES	4.20
02/28/2013	9908048077	E 601-49440-217	Other Operating Supplies	SUPPLIES	4.20
02/28/2013	9908048077	E 602-49490-217	Other Operating Supplies	SUPPLIES	4.24
					\$21.04

ALEX AIR APPARATUS INC.

02/27/2013	23363	E 101-42210-218	Equipment Repair & Maintenance	COMPRESSOR SERVICE	656.31
					\$656.31

AMERIPRIDE LINEN & APPAREL SER

02/27/2013	1002394080	E 609-49750-219	Rug Maintenance	RUGS-LIQUOR STORE	49.07
03/06/2013	1002400392	E 101-41940-219	Rug Maintenance	Rugs-City Hall	52.09
					\$101.16

ANOKA AREA CHAMBER OF COMMERC

03/01/2013	18654	E 101-41110-331	Travel Expenses	MONTHLY CHAMBER LUNCHEON	15.00
					\$15.00

ANOKA COUNTY CENTRAL COMM.

03/07/2013	2013-218	E 101-42110-321	Telephone	FEBRUARY ACCESS	156.12
					\$156.12

ASPEN MILLS

02/27/2013	132308	E 101-42110-437	Uniform Allowance	UNIFORMS-STEIGER	53.65
					\$53.65

BELLBOY CORPORATION

02/27/2013	88066400	E 609-49751-254	Miscellaneous Merchandise	MISC	61.00
02/28/2013	77167900	E 609-49751-251	Liquor For Resale	LIQUOR	840.20
					\$901.20

BERNICK COMPANIES, THE

02/26/2013	271184	E 609-49751-254	Miscellaneous Merchandise	MISC	40.00
02/26/2013	271185	E 609-49751-252	Beer For Resale	BEER	111.60
					\$151.60

BGS (BARNA GUZY)

02/28/2013	113100	E 101-41600-312	Criminal Legal Fees	PROSECUTION/MISC	4,864.00
02/28/2013	113237	E 402-43000-300	Professional Services	HWY 47 AUTO PARTS	530.00
02/28/2013	113433	E 101-41600-304	Civil Legal Fees	GENERAL LABOR	481.00
02/28/2013	113439	E 101-41600-304	Civil Legal Fees	MUNICIPAL	1,800.00
02/28/2013	113441	E 101-41600-304	Civil Legal Fees	ER FIRE RESTORATION	3,405.05
02/28/2013	113524	E 101-41600-312	Criminal Legal Fees	MISC FORFEITURES	52.00

02/28/2013	113525	E 101-41600-312	Criminal Legal Fees	FORFEITURE-HANSON	1,609.82
02/28/2013	113526	E 101-41600-312	Criminal Legal Fees	FROFEITURE-KNOLLENBERG	91.00
					\$12,832.87

CENTERPOINT ENERGY

02/27/2013	59399160-7.0313	E 101-43100-383	Gas Utilities	FINAL BILL	14.58
					\$14.58

CENTURY LINK

03/07/2013	.0313	E 601-49440-321	Telephone	PHONE	83.20
03/07/2013	.0313	E 602-49490-321	Telephone	PHONE	83.19
					\$166.39

COCA COLA REFRESHMENTS

02/16/2013	118094426	E 609-49751-254	Miscellaneous Merchandise	MISC	364.98
					\$364.98

COUNTY MARKET - CITY ACCOUNT

224.0313		E 101-42210-212	Motor Fuels		44.61
224.0313		E 101-42210-212	Motor Fuels		53.00
224.0313		E 101-42210-212	Motor Fuels		53.02
224.0313		E 101-42210-221	Vehicle Repair & Maintenance		10.80
224.0313		E 101-42210-441	Miscellaneous		48.26
					\$209.69

COURIER, THE

03/07/2013	47904	E 101-43210-439	Recycling Days	MARCH ADS	89.00
					\$89.00

CRAWFORD EQUIPMENT

02/20/2013	30946	E 101-43100-218	Equipment Repair & Maintenance	FILTER	62.26
02/20/2013	30946	E 101-45200-218	Equipment Repair & Maintenance	FILTER	62.27
03/07/2013	31109	E 101-43100-218	Equipment Repair & Maintenance	EDGE	46.76
03/07/2013	31109	E 101-45200-218	Equipment Repair & Maintenance	EDGE	46.76
03/07/2013	31109	E 601-49440-228	Equipment Maintenance	EDGE	46.76
03/07/2013	31109	E 602-49490-228	Equipment Maintenance	EDGE	46.75
					\$311.56

CRYSTAL SPRINGS ICE

02/26/2013	26838	E 609-49751-254	Miscellaneous Merchandise	MISC	49.70
					\$49.70

DAHLHEIMER DIST. CO. INC.

02/27/2013	1058002	E 609-49751-252	Beer For Resale	BEER	8,116.92
02/27/2013	1058002	E 609-49751-255	N/A Products	N/A	15.50
03/06/2013	1058041	E 609-49751-252	Beer For Resale	BEER	6,335.65
03/06/2013	1058041	E 609-49751-255	N/A Products	N/A	31.00
					\$14,499.07

DAY DISTRIBUTING CO.

03/01/2013	690816	E 609-49751-252	Beer For Resale	BEER	1,895.50
03/07/2013	691191	E 609-49751-252	Beer For Resale	BEER	795.20
					\$2,690.70

DE LAGE LANDEN

03/09/2013	17252632	E 101-41400-240	Office Equip	CITY HALL COPIER MARCH	261.92
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03/09/2013	17327175	E 101-42110-200	Office Supplies	POLICE COPIER MARCH	253.89
					<u>253.89</u>
DEX MEDIA EAST LLC					
03/05/2013	110097517.0313	E 609-49750-340	Advertising	ADVERTISING	66.30
					<u>66.30</u>
DUSTY S DRAIN CLEANING					
02/27/2013	20696	E 101-42210-401	Repairs/Maint Buildings	SERVICE FLOOR DRAIN	150.00
					<u>150.00</u>
ECM PUBLISHERS, INC.					
02/27/2013	IP00835162	E 101-42110-441	Miscellaneous	RECORDS CLERK	90.00
03/01/2013	IQ01811230	E 101-42110-441	Miscellaneous	RECORDS CLERK	72.00
					<u>162.00</u>
F.I.R.E.					
03/06/2013	117	E 101-42210-208	Training and Instruction	DEF DRIVING CLASS	700.00
					<u>700.00</u>
FREEDOM SERVICES, INC.-FD					
03/05/2013	00652	G 101-21706	Flex Account	MARCH	266.00
03/05/2013	00652	G 101-21708	Health Premium	MARCH	1,317.00
					<u>1,583.00</u>
FREEDOM SERVICES, INC-MA					
03/05/2013	11771	E 101-41540-301	Auditing and Acct g Services	Admin Fee	75.20
					<u>75.20</u>
G&K SERVICES, INC					
03/01/2013	1043383143	E 101-42110-402	Janitorial Service	MATS	20.89
03/01/2013	1043383143	E 101-43100-402	Janitorial Service	MATS	5.21
03/01/2013	1043383143	E 101-45200-402	Janitorial Service	MATS	5.21
03/01/2013	1043383143	E 601-49440-402	Janitorial Service	MATS	5.21
03/01/2013	1043383143	E 602-49490-402	Janitorial Service	MATS	5.21
					<u>41.73</u>
GAMIN, DARWIN					
		G 803-22101	Esc-Gamin Subdivision	RELEASE REMAINING ESCROW	88.50
					<u>88.50</u>
GOPHER STATE ONE-CALL					
02/28/2013	64498	E 601-49440-442	Gopher State	EMAIL	5.80
02/28/2013	64498	E 602-49490-442	Gopher State	EMAIL	5.80
					<u>11.60</u>
GRANITE CITY JOBBING CO.					
02/26/2013	753389	E 609-49750-210	Operating Supplies	OPERATING	51.21
02/26/2013	753389	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.25
02/26/2013	753389	E 609-49751-256	Tobacco Products For Resale	TOBACCO	328.81
02/26/2013	753389	G 101-20810	Sales Tax Payable	TAX	(0.44)
03/05/2013	754303	E 609-49750-210	Operating Supplies	OPERATING	18.50
03/05/2013	754303	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.25
03/05/2013	754303	E 609-49751-256	Tobacco Products For Resale	TOBACCO	369.60
03/05/2013	754303	G 101-20810	Sales Tax Payable	TAX	(0.44)

\$775.74

INNOVATIVE OFFICE SOLUTIONS, L

03/05/2013	237957	E 101-42110-200	Office Supplies	SUPPLIES	155.09
05/25/2013	237957	E 101-42110-200	Office Supplies	PERSONAL CASE	(73.48)
					<hr/>
					\$81.61

IRON MOUNTAIN INFO. MGMT.

02/28/2013	5148	E 101-42110-311	Contract	SHREDDING	68.13
					<hr/>
					\$68.13

ISD #15

02/27/2013	965	E 101-42110-221	Vehicle Repair & Maintenance	2010 DODGE CHARGER	52.46
					<hr/>
					\$52.46

JEFFERSON FIRE & SAFETY INC.

03/08/2013	194874	E 101-42210-437	Uniform Allowance	PATCHES	108.96
					<hr/>
					\$108.96

JJ TAYLOR DISTRIBUTING

02/27/2013	2014558	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.00
02/27/2013	2014558	E 609-49751-252	Beer For Resale	BEER	135.95
					<hr/>
					\$138.95

JOHNSON BROS WHLSE LIQUOR

02/27/2013	1512300	E 609-49751-206	Freight and Fuel Charges	FREIGHT	182.27
02/27/2013	1512300	E 609-49751-253	Wine For Resale	WINE	7,213.45
02/28/2013	1512299	E 609-49751-206	Freight and Fuel Charges	FREIGHT	89.66
02/28/2013	1512299	E 609-49751-251	Liquor For Resale	LIQUOR	5,491.56
03/06/2013	1517555	E 609-49751-206	Freight and Fuel Charges	FREIGHT	74.97
03/06/2013	1517555	E 609-49751-251	Liquor For Resale	LIQUOR	6,133.40
03/06/2013	1517556	E 609-49751-206	Freight and Fuel Charges	FREIGHT	38.22
03/06/2013	1517556	E 609-49751-253	Wine For Resale	WINE	1,816.23
03/08/2013	569415	E 609-49751-206	Freight and Fuel Charges	WINE CREDIT	(2.94)
03/08/2013	569415	E 609-49751-253	Wine For Resale	WINE CREDIT	(140.68)
					<hr/>
					\$20,896.14

LEAGUE OF MN CITIES

03/11/2013	180989	E 101-41400-208	Training and Instruction	HYLEN CONFERENCE	95.00
03/14/2013	181163	E 101-42110-208	Training and Instruction	HARAPAT WORKSHOP	20.00
03/14/2013	181163	E 101-43100-208	Training and Instruction	TEICHER WORKSHOP	20.00
					<hr/>
					\$135.00

LMC INSURANCE TRUST

03/05/2013	24691	E 101-41400-160	Work Comp Insurance	WORK COMP 3RD INSTALLMEN'	400.00
03/05/2013	24691	E 101-41500-160	Work Comp Insurance	WORK COMP 3RD INSTALLMEN'	181.00
03/05/2013	24691	E 101-42110-160	Work Comp Insurance	WORK COMP 3RD INSTALLMEN'	6,339.25
03/05/2013	24691	E 101-42210-160	Work Comp Insurance	WORK COMP 3RD INSTALLMEN'	2,104.50
03/05/2013	24691	E 101-43100-160	Work Comp Insurance	WORK COMP 3RD INSTALLMEN'	2,531.50
03/05/2013	24691	E 101-43210-160	Work Comp Insurance	WORK COMP 3RD INSTALLMEN'	78.75
03/05/2013	24691	E 101-45200-160	Work Comp Insurance	WORK COMP 3RD INSTALLMEN'	850.25
03/05/2013	24691	E 601-49440-160	Work Comp Insurance	WORK COMP 3RD INSTALLMEN'	1,021.00
03/05/2013	24691	E 602-49490-160	Work Comp Insurance	WORK COMP 3RD INSTALLMEN'	874.00
03/05/2013	24691	E 609-49750-160	Work Comp Insurance	WORK COMP 3RD INSTALLMEN'	884.00
03/05/2013	42806	E 101-41110-360	Insurance	PROPERTY INS 3RD INSTALLME	51.56

03/05/2013	42806	E 101-41120-360	Insurance	PROPERTY INS 3RD INSTALLME	1.66
03/05/2013	42806	E 101-41400-360	Insurance	PROPERTY INS 3RD INSTALLME	486.48
03/05/2013	42806	E 101-41410-360	Insurance	PROPERTY INS 3RD INSTALLME	24.71
03/05/2013	42806	E 101-41500-360	Insurance	PROPERTY INS 3RD INSTALLME	185.88
03/05/2013	42806	E 101-41540-360	Insurance	PROPERTY INS 3RD INSTALLME	4.00
03/05/2013	42806	E 101-41550-360	Insurance	PROPERTY INS 3RD INSTALLME	8.84
03/05/2013	42806	E 101-41600-360	Insurance	PROPERTY INS 3RD INSTALLME	26.72
03/05/2013	42806	E 101-41910-360	Insurance	PROPERTY INS 3RD INSTALLME	27.30
03/05/2013	42806	E 101-41940-360	Insurance	PROPERTY INS 3RD INSTALLME	570.42
03/05/2013	42806	E 101-42110-360	Insurance	PROPERTY INS 3RD INSTALLME	3,439.78
03/05/2013	42806	E 101-42210-360	Insurance	PROPERTY INS 3RD INSTALLME	2,075.94
03/05/2013	42806	E 101-42400-360	Insurance	PROPERTY INS 3RD INSTALLME	11.94
03/05/2013	42806	E 101-42700-360	Insurance	PROPERTY INS 3RD INSTALLME	11.12
03/05/2013	42806	E 101-43100-360	Insurance	PROPERTY INS 3RD INSTALLME	2,427.81
03/05/2013	42806	E 101-43210-360	Insurance	PROPERTY INS 3RD INSTALLME	58.61
03/05/2013	42806	E 101-45000-360	Insurance	PROPERTY INS 3RD INSTALLME	17.43
03/05/2013	42806	E 101-45200-360	Insurance	PROPERTY INS 3RD INSTALLME	3,532.78
03/05/2013	42806	E 101-45230-360	Insurance	PROPERTY INS 3RD INSTALLME	6.82
03/05/2013	42806	E 101-49200-360	Insurance	PROPERTY INS 3RD INSTALLME	9.37
03/05/2013	42806	E 601-49440-360	Insurance	PROPERTY INS 3RD INSTALLME	3,202.87
03/05/2013	42806	E 602-49490-360	Insurance	PROPERTY INS 3RD INSTALLME	1,513.78
03/05/2013	42806	E 609-49750-360	Insurance	PROPERTY INS 3RD INSTALLME	479.64
					\$33,439.71

MAGNEY CONSTRUCTION, INC.

03/06/2013	KTM-2050	E 602-49490-229	Project Repair & Maintenance	AERATION REPAIRS	2,393.61
					\$2,393.61

MCDONALD DIST CO.

02/28/2013	323804	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.00
02/28/2013	323804	E 609-49751-252	Beer For Resale	BEER	5,067.30
02/28/2013	323804	E 609-49751-255	N/A Products	N/A	65.75
03/07/2013	324336	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.00
03/07/2013	324336	E 609-49751-252	Beer For Resale	BEER	2,077.20
03/07/2013	324336	E 609-49751-255	N/A Products	N/A	16.35
03/07/2013	324337	E 609-49751-254	Miscellaneous Merchandise	MISC	34.00
03/08/2013	324488	E 609-49751-252	Beer For Resale	BEER	109.75
					\$7,376.35

MED-COMPASS, INC.

02/27/2013	21095	E 101-42210-305	Medical & Testing Fees	FIT TESTING	108.00
					\$108.00

MEDTOX LABORATORIES, INC.

02/28/2013	2201395907	E 101-43100-441	Miscellaneous	MED TESTING	6.25
02/28/2013	2201395907	E 101-45200-441	Miscellaneous	MED TESTING	6.25
02/28/2013	2201395907	E 601-49440-441	Miscellaneous	MED TESTING	6.25
02/28/2013	2201395907	E 602-49490-441	Miscellaneous	MED TESTING	6.25
					\$25.00

METRO SALES, INC.

02/22/2013	503737	E 101-42110-311	Contract	COPIER	201.09
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					\$201.09
METROPOLITAN AREA MANAGERS					
03/11/2013	1145	E 101-41400-208	Training and Instruction	HYLEN MEETING 2/14/13	20.00
					\$20.00
MN BUREAU OF CRIMINAL APPREHEN					
03/08/2013	754	E 101-42110-208	Training and Instruction	LARSON INTOX CLASSES	250.00
03/08/2013	755	E 101-42110-208	Training and Instruction	ALLEN INTOX CLASS	250.00
					\$500.00
NEWLINE					
		E 402-43000-314	Construction	REPLACE CHECK	1,048.00
					\$1,048.00
NORTHERN AIR CORPORATION					
02/27/2013	89634	E 601-49440-233	Water Treatment Plant Maint	NEW THERMOSTAT	2,012.38
02/28/2013	89806	E 101-42210-401	Repairs/Maint Buildings	GAS LINE AT FIRE HALL	528.25
					\$2,540.63
NORTHWEST ASSOC. CONSULTANTS					
03/05/2013	20701	E 101-41910-311	Contract	CITY PROJECTS	5,106.95
03/05/2013	20702	E 101-41910-311	Contract	MEETINGS	200.00
					\$5,306.95
OPUS 21					
03/03/2013	130267	E 601-49440-382	Utility Billing	FEB 2013	1,442.75
03/03/2013	130267	E 602-49490-382	Utility Billing	FEB 2013	1,442.75
					\$2,885.50
PACE ANALYTICAL SERVICES					
02/27/2013	131227528	E 602-49490-313	Sample Testing	CHEMICALS	103.00
03/05/2013	131227623	E 602-49490-313	Sample Testing	TESTING	103.00
					\$206.00
PAUSTIS & SONS					
02/25/2013	8389271	E 609-49751-206	Freight and Fuel Charges	FREIGHT	10.00
02/25/2013	8389271	E 609-49751-253	Wine For Resale	WINE	809.97
					\$819.97
PHILLIPS WINE & SPIRITS CO.					
02/27/2013	2384868	E 609-49751-206	Freight and Fuel Charges	FREIGHT	68.35
02/27/2013	2384868	E 609-49751-251	Liquor For Resale	LIQUOR	6,702.80
02/27/2013	2384869	E 609-49751-206	Freight and Fuel Charges	FREIGHT	49.98
02/27/2013	2384869	E 609-49751-253	Wine For Resale	WINE	2,279.00
03/06/2013	2388139	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.41
03/06/2013	2388139	E 609-49751-251	Liquor For Resale	LIQUOR	165.00
03/06/2013	2388140	E 609-49751-206	Freight and Fuel Charges	FREIGHT	17.64
03/06/2013	2388140	E 609-49751-253	Wine For Resale	WINE	800.00
					\$10,087.18
POSTMASTER - ST. FRANCIS					
02/26/2013	.3013	E 101-45230-217	Other Operating Supplies	P O BOX	44.00
					\$44.00
PRINTING UNLIMITED					

03/11/2013	00006621	E 101-41110-344	Newsletter	NEWSLETTER	96.61
03/11/2013	00006621	E 101-41400-441	Miscellaneous	NEWSLETTER	120.77
03/11/2013	00006621	E 101-41500-441	Miscellaneous	NEWSLETTER	24.15
03/11/2013	00006621	E 101-42110-441	Miscellaneous	NEWSLETTER	48.31
03/11/2013	00006621	E 101-42210-441	Miscellaneous	NEWSLETTER	24.16
03/11/2013	00006621	E 101-42400-200	Office Supplies	BUILDING FORMS	26.29
03/11/2013	00006621	E 101-43100-441	Miscellaneous	NEWSLETTER	96.61
03/11/2013	00006621	E 101-43210-439	Recycling Days	NEWSLETTER	229.57
03/11/2013	00006621	E 601-49440-441	Miscellaneous	NEWSLETTER	48.31
03/11/2013	00006621	E 609-49750-441	Miscellaneous	NEWSLETTER	24.15
					\$738.93

QUILL CORPORATION

02/13/2013	9806264	E 101-42400-200	Office Supplies	STAMP	23.50
					\$23.50

ROSEVILLE, CITY OF

03/01/2013	217254	E 101-41110-310	Computer Consulting Fees	IT SERVICES	238.79
03/01/2013	217254	E 101-41400-310	Computer Consulting Fees	IT SERVICES	795.97
03/01/2013	217254	E 101-42110-310	Computer Consulting Fees	IT SERVICES	1,074.56
03/01/2013	217254	E 101-42210-310	Computer Consulting Fees	IT SERVICES	198.99
03/01/2013	217254	E 101-43100-310	Computer Consulting Fees	IT SERVICES	198.99
03/01/2013	217254	E 101-45200-310	Computer Consulting Fees	IT SERVICES	198.99
03/01/2013	217254	E 601-49440-310	Computer Consulting Fees	IT SERVICES	198.99
03/01/2013	217254	E 602-49490-310	Computer Consulting Fees	IT SERVICES	198.99
03/01/2013	217254	E 609-49750-310	Computer Consulting Fees	IT SERVICES	238.81
03/07/2013	0217272	E 402-43000-441	Miscellaneous	INTERNET	267.18
					\$3,610.26

RUSSELL SECURITY RESOURCE INC.

02/27/2013	21208	E 101-42110-218	Equipment Repair & Maintenance	SERVICE & LABOR	98.75
					\$98.75

SCHARBER & SONS

03/07/2013	09247	E 101-43100-218	Equipment Repair & Maintenance	MIRROR	56.42
03/07/2013	09247	E 101-45200-218	Equipment Repair & Maintenance	MIRROR	56.42
					\$112.84

SCHREDER, ANDY

03/08/2013	030813	E 101-42400-331	Travel Expenses	MILEAGE	54.24
					\$54.24

SIGN STATION

02/27/2013	10075	E 101-42110-550	C-O-L Motor Vehicles	LETTER SQUAD CAR	453.83
03/08/2013	10082	E 101-42110-550	C-O-L Motor Vehicles	LETTER SQUAD CAR	317.74
					\$771.57

SOUTHERN WINE & SPIRITS OF MN

02/28/2013	1007749	E 609-49751-206	Freight and Fuel Charges	FREIGHT	31.25
02/28/2013	1007749	E 609-49751-251	Liquor For Resale	LIQUOR	3,926.20
03/07/2013	1009903	E 609-49751-206	Freight and Fuel Charges	FREIGHT	6.25
03/07/2013	1009903	E 609-49751-251	Liquor For Resale	LIQUOR	428.02
03/07/2013	1009904	E 609-49751-206	Freight and Fuel Charges	FREIGHT	5.00
03/07/2013	1009904	E 609-49751-253	Wine For Resale	WINE	240.00

					\$4,636.72
ST. FRANCIS AREA CHAMBER OF					
03/07/2013	456	E 609-49750-340	Advertising	PIONEER DAYS AD	20.00
					\$20.00
ST. FRANCIS TRUE VALUE HARDWAR					
02/28/2013	.0213	E 101-42210-217	Other Operating Supplies	SUPPLIES	70.02
					\$70.02
STREICHER S					
03/01/2013	1002875	E 101-42110-217	Other Operating Supplies	FINGERPRINT KIT	106.86
03/07/2013	1004436	E 101-42110-217	Other Operating Supplies	TOOL	64.10
					\$170.96
THE AMERICAN BOTTLING COMPANY					
03/11/2013	2449718153	E 609-49751-254	Miscellaneous Merchandise	MISC	141.56
					\$141.56
THORPE DISTRIBUTING COMPANY					
03/08/2013	740886	E 609-49751-253	Wine For Resale	WINE	125.50
03/08/2013	740887	E 609-49751-252	Beer For Resale	BEER	196.00
					\$321.50
UHL					
02/27/2013	18422	E 402-43000-441	Miscellaneous	COMPLETE QUOTE WORK	2,074.00
					\$2,074.00
VESSCO, INC.					
02/21/2013	56508	E 602-49490-229	Project Repair & Maintenance	FLOAT SWITCH	150.57
					\$150.57
VICTORY CORPS					
03/04/2013	443892	E 101-45230-217	Other Operating Supplies	SUPPLIES FOR FLOAT	338.94
					\$338.94
WIRTZ BEVERAGE MN					
02/28/2013	1080009336	E 609-49751-206	Freight and Fuel Charges	FREIGHT	35.28
02/28/2013	1080009336	E 609-49751-251	Liquor For Resale	LIQUOR	1,360.89
02/28/2013	1080009336	E 609-49751-253	Wine For Resale	WINE	680.00
02/28/2013	1080009336	E 609-49751-254	Miscellaneous Merchandise	MISC	115.92
03/07/2013	1080011935	E 609-49751-206	Freight and Fuel Charges	FREIGHT	22.23
03/07/2013	1080011935	E 609-49751-251	Liquor For Resale	LIQUOR	1,760.06
					\$3,974.38
ZEP SALES & SERVICE					
02/25/2013	9000141656	E 101-43100-217	Other Operating Supplies	WATER WAND	62.20
02/25/2013	9000141656	E 101-45200-217	Other Operating Supplies	WATER WAND	62.20
02/25/2013	9000141656	E 601-49440-217	Other Operating Supplies	WATER WAND	62.20
02/25/2013	9000141656	E 602-49490-217	Other Operating Supplies	WATER WAND	62.21
					\$248.81

\$143,495.29

FUND SUMMARY

101 GENERAL FUND	\$54,765.75
402 CAPITAL EQUIPMENT	\$3,919.18
601 WATER FUND	\$8,139.92
602 SEWER FUND	\$6,993.35
609 MUNICIPAL LIQUOR FUND	\$69,588.59
803 ESCROW	\$88.50
Total	<u>143,495.29</u>

ANOKA AREA CHAMBER OF COMMERCE
12 BRIDGE SQUARE PH. (763) 421-7130
ANOKA, MN 55303

WELLS FARGO BANK, N.A.
www.wellsfargo.com
17-1/910

5522

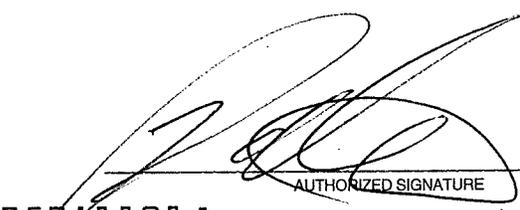
2/27/2013

PAY TO THE ORDER OF St. Francis Ambassadors

\$ **416.00

Four Hundred Sixteen and 00/100***** DOLLARS

MEMO



MP

AUTHORIZED SIGNATURE

⑈0000005522⑈ ⑆091000019⑆ 8495916606⑈

~~THIS DOCUMENT MUST HAVE A COLORED BACKGROUND, ULTRAVIOLET FIBERS AND AN ARTIFICIAL WATERMARK ON THE BACK - VERIFY FOR AUTHENTICITY.~~

ANOKA AREA CHAMBER OF COMMERCE

5522

St. Francis Ambassadors

2/27/2013

Mayors Trail Ride-donation

416.00

Mayor's Trail Ride

416.00



23340 Cree Street NW
St. Francis, Minnesota 55070
763-753-2630
FAX 763-753-9881

FEE \$150.00

TOBACCO PRODUCTS LICENSE

BUSINESS NAME Restyle + Consignments LP
STREET ADDRESS 23168 ST. Francis blvd #100
MAILING ADDRESS ST. Francis MN 55070
OWNERS NAME Heather Ingman
BUSINESS PHONE 763-753-9700 HOME PHONE _____
VENDORS NAME Simply Vapor PHONE 651-395-0524
MAILING ADDRESS 1445 Skillman Ave E Maplewood MN 55109

TOBACCO PRODUCTS MUST BE SOLD BEHIND THE COUNTER.

Have you been convicted of a crime relating to the sale of tobacco products or had a license for the sale of tobacco products revoked by any municipality within the past five years? NO

Have you read the attached ordinance which regulates the sale of tobacco products within the City of St. Francis? yes

I hereby certify that all the information contained in this application is true and correct. I understand that false information is cause for denial or revocation of license.

2-21-13 Heather Ingman owner
Date Signature Title

Receipt # _____ Date _____ Amount \$ _____
State Tax Form _____ Worker's Comp Form _____
Fire Dept. Inspection _____
Police Dept. _____
License # _____ Council Approved _____



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4800 Olson Memorial Highway, Suite 202, Golden Valley, MN 55422
Telephone: 763.231.2555 Facsimile: 763.231.2561 planners@nacplanning.com

MEMORANDUM

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

FROM: Nate Sparks, Consulting Planner

DATE: March 13, 2013

MEETING DATE: March 18, 2013

RE: Accessory Building Ordinance – Detached Building Setbacks

BACKGROUND

The Council asked for more information on the detached building setbacks included in Section 10-18-7-B-3. This is the section that requires a 10 foot setback from detached accessory buildings to other buildings on the same lot.

DETACHED BUILDING SETBACKS

Section 10-18-7-B-3 first 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 this Section of the Ordinance. The second part of this section 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 grounds maintenance in between the buildings.

The City's Building Official recommended the 10 foot standard for inclusion in this ordinance. The State Building Code is now including language governing accessory building placement on the same lot. Recognizing the potential hazard with storage in detached garages, the 2012 Residential Code proposes a minimal setback to the primary structure or dwelling. Furthermore, there is a requirement to maintain slop around buildings to ensure positive drainage which is 10 feet. Aesthetics also come into consideration but not as much as a function of the drainage and safety from potential fire and/or collapse. Therefore, in many cases, due to drainage, building codes, or fire codes there may need be a ten foot setback enforced. However, this may not be in all cases.

In cities that use this 10 foot standard, there are cases in which people will need to get variances to put up sheds when the rear of their property is unsuitable. For most contemporary urban parcels with attached garages, the end result is that the shed will need to be placed more in the rear of the lot. If the 10 foot standard is found by Council members to be too great to require in all cases, it may be lessened, provided that it is not lessened to be too narrow to allow reasonable maintenance.

RECOMMENDATION

If the Council wishes to proceed with the Ordinance as written it would be appropriate to conduct the second reading. Otherwise, the Council may revise the Ordinance as desired.

PLANNING MEMO

TO: St. Francis City Council
Matt Hylan, 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)



MEMORANDUM

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

FROM: Nate Sparks, Consulting Planner

DATE: March 13, 2013

MEETING DATE: March 18, 2013

RE: Nuisance & Abatement Ordinance

BACKGROUND

As defined by State Statute, nuisances are general activities or conditions that potentially annoy, endanger, or harm the general public. The City needs a prohibition of nuisances to do code enforcement. For this purpose, it is common for Cities to have a list of specific nuisances in their code, as well as a general definition of a nuisance. The St. Francis City Code currently just has the general definition. This ordinance amendment is intended to add the specific nuisances into the code. For this purpose, City Staff acquired a model nuisance code recommended by the League of Minnesota Cities and modified it for the City of St. Francis.

CURRENT NUISANCE ORDINANCE

Currently, Section 8-2-1-B-3 of the City Code defines a nuisance as:

“Nuisance means and includes (1) maintaining or permitting a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public; (2) interfering with obstructing or rendering dangerous for passage, any street, public right-of-way or waters used by the public; or (3) any other act or omission declared by law to be a public nuisance.”

Then in Section 8-2-1-F the code states:

“Nuisance. It is unlawful for any person to permit or maintain a nuisance upon any premises.”

PROPOSED AMENDMENT - NUISANCES

As stated above, the current City Code defines nuisance in general terms and then declares nuisances unlawful. In doing code enforcement, it is generally helpful to have specific statements of violation that are clear and concise for both the City in conducting enforcement and directing the violator on steps to take to alleviate the situation.

Attached for your review is a general nuisance ordinance that is recommended by the League of Minnesota Cities. Nuisance ordinances generally have three sections:

- Nuisances affecting public health
- Nuisances affecting morals and decency
- Nuisances affecting peace and safety

Many of the specific nuisances listed are listed to assist in code enforcement citation purposes. Others are listed to allow the City to pursue civil action in situations where criminal proceedings may be difficult. All specific nuisances in the list were either recommended by the League of Minnesota or used by neighboring cities (Oak Grove and Ramsey) to expand on the list.

PROPOSED AMENDMENT – ABATEMENT

Also included in the ordinance are some minor adjustments to the City’s existing abatement ordinance. Previously, the abatement ordinance only referenced situations where the City could abate exterior nuisance violations. However, there are other areas of code that are established requiring the abatement procedure. By expanding the list in Section 8-2-2-B these other situations have a more defined process which will give a clear avenue for violators to pursue appeals. The amendments in this Section also combine the office of Hearing Officer and Hearing Examiner to be the same, so the City may use the Official from the Administrative Penalty hearings. The amendments to Section 8-2-2 are minor in nature.

RECOMMENDED ACTION

The Planning Commission reviewed the Nuisance Code at their February meeting and provided comments that were incorporated into the draft ordinance. Staff recommends approval of the Ordinance.



RISK MANAGEMENT INFORMATION
**COMBATING PUBLIC NUISANCES IN THE COMMUNITY
HEY – PICK THAT UP!**

Dilapidated buildings, inoperable vehicles, trash-infested yards, barking dogs, “problem” properties and other similar conditions are not only health and safety hazards, but can have a detrimental impact on community growth and overall stability. An unfortunate consequence when individuals live or work in close proximity is that the use, misuse, or neglect of property by one person can significantly harm neighboring properties, even the community at-large. This memo is intended to provide a broad overview of some of the more common nuisance conditions, the available remedies (as well as limits on city authority), possible alternative methods of enforcement, nuisance-related expenses, and available means to recover city costs.

Nuisances have always been a concern for local officials, but current conditions clearly have sharpened their impact. The continued migration away from rural Minnesota is a challenge for our cities. Some – particularly metro-area suburbs and regional hubs – have been pressed to meet the demands brought by rapid population growth and development. For others, it’s the struggle to cope with an aging population and a shrinking industrial and commercial base. In addition, the current housing and financial crisis has resulted in record home foreclosures and a glut of vacant buildings that have impacted rental properties and contributed to the breadth and depth of public nuisances. Cities do have a number of options to address these concerns.

WHAT IS A NUISANCE?

As defined by statute, a nuisance is anything harmful to health, indecent or offensive to the senses, or obstructs the free and comfortable use of life or property. Our nuisance laws attempt to balance competing interests and uses of property. Simply put, a person does not have the right to create or maintain conditions that end up harming others.

In attempting to mitigate these types of injuries, nuisance regulations commonly address neighborhood and land-use issues, such as zoning, building or fire codes, as well as more general, quality of life concerns.

With nuisances, whether or not a person intended to cause harm is often immaterial. Consequence, rather than intent or care, is the primary concern. A nuisance can occur when someone fails to do something that is required, such as a cut one’s long grass or weeds. But they also occur when someone does something they shouldn’t, such as

Definition

A **nuisance** is defined in statute as anything harmful to health, indecent or offensive to the senses or obstructs the free and comfortable use of life or property.

This material is provided as general information and is not a substitute for legal advice.
Consult your attorney for advice concerning specific situations.

allowing garbage or other junk to accumulate on the property.

Most nuisances can be classified into two general classes:

- **Nuisance per se:** A “nuisance per se” is an act, occupation, or structure that is considered a nuisance at all times and in all circumstances, regardless of the actual location or surrounding properties. Conduct specifically prohibited by state statute or local ordinances are generally considered nuisances per se. Sometimes these are described as a “nuisance at-law.”
- **Nuisance in fact:** A “nuisance in fact” is an act, occupation or structure considered a nuisance based upon its relationship to its surroundings, its location, or the manner in which it is performed or operated. An activity considered a nuisance in a higher density, residential area may be totally appropriate in the city’s industrial zone – or perhaps in another city altogether.

Public vs. private nuisances

The law distinguishes between public and private nuisances. Public nuisances affect a considerable number of people and produce common or general injuries. Because these conditions harm the general public, they can be properly addressed through city action.

A private nuisance, on the other hand, harms only one person or a few persons. As such, the prevention or abatement of a private nuisance is generally the responsibility of the individual injured, not the city. In contrast to public nuisances, which are remedied through state prosecutions or abatement actions, private nuisances are typically remedied by private civil actions.

Definition

A **public nuisance** affects the general public and can be addressed through city action. A **private nuisance** harms only one person, or a few, and abatement usually dealt with through civil actions.

When determining how to respond to nuisances, city officials must first decide whether something is a public or a private nuisance.

Common nuisances

As nuisances are generally location-specific, it is often inappropriate to simply label a condition a nuisance without investigating the actual impact upon the community. However, there are broad categories of conduct that often constitute nuisances, including:

- Noise violations (barking dogs, lawn equipment, construction, parties, and social events).
- Vegetation (weeds, long grass, or overhanging trees).
- Motor vehicles (abandoned, junked or unauthorized vehicles).
- Street and sidewalk conditions.
- Fires (smoke, cinders from chimneys, smokestacks, or campfires).
- Animals (running at-large, farm animals, odors, waste).
- Water.
- Offensive odors.
- Property maintenance.
- Hazardous Buildings.
- Graffiti.

NUISANCE CONDITIONS – STATUTORY AUTHORITIES

Cities have the opportunity to utilize a combination of methods and authorities to address public nuisance conditions. State law provides criminal consequences for public nuisances as well as a means to cleanup those conditions when necessary. While certain laws apply to public nuisance conditions generally, others are more subject-specific.

Criminal prosecutions

Anyone who does any of the following may be found guilty of maintaining a public nuisance, a misdemeanor offense:

- Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort, or repose (rest or relaxation) of any considerable number of members of the public;
- Interferes with, obstructs, or renders dangerous for passage, any public highway or right-of-way, or waters used by the public; or
- Is guilty of any other act or omission declared by law to be a public nuisance and for which no sentence is specifically provided.

Both the individual in control of the public nuisance condition, as well as a property owner who rents property with knowledge of nuisance conditions may be guilty of a misdemeanor.

Abatements and injunctions

In addition to possible criminal prosecutions, state law also provides a mechanism for obtaining injunctions and orders of abatement. An injunction is an order that requires a person to stop doing something harmful (i.e. refraining from producing loud noises, odors, etc.). An abatement order requires the harmful condition be removed from the property (i.e. cutting weeds or long grass, draining stagnant water, etc.).

For purposes of statutory injunction or abatement proceedings, a public nuisance exists upon proof of one or more separate incidents committed within the previous 12 months either within a building or upon the land surrounding the structure of:

- Prostitution or prostitution-related activity;
- The unlawful sale, possession, storage, delivery, giving, manufacture, cultivation, or use of controlled substances; or
- The unlawful use or possession of a dangerous weapon.

In addition, for purposes of injunction or abatement, a public nuisance also exists upon proof of two or more separate behavioral incidents committed within the previous 12 months within a building (or the land surrounding the structure) of:

- Gambling or gambling-related activities;
- Maintaining a public nuisance as defined by Minn. Stat. § 609.74, clause (1) or (3);
- Permitting a nuisance to occur in violation of Minn. Stat. § 609.745;
- The unlicensed sales of alcoholic beverages without commercial license;
- The unlawful sale or gifts of alcoholic beverages to someone under 21 years of age; or
- The violation by a commercial enterprise of state or local licensing regulations, state statute or local ordinance prohibiting the maintenance of a public nuisance.

Each element must be established by clear and convincing evidence.

Hazardous buildings, excavations, and vacant buildings

The Hazardous and Substandard Buildings Act provides a process to remedy hazardous buildings or excavations and secure vacant buildings.

Hazardous buildings

A hazardous building or hazardous property is defined as any building or property, which because of inadequate maintenance, dilapidation, physical damage, unsanitary condition, or abandonment constitutes a fire hazard or a hazard to public safety and health.

Cities typically first notify the owner of record to request the voluntarily repair or removal of the hazardous condition or structure. If the owner is unwilling to repair, or if repair or removal is impractical, a city may, using the statutory procedures:

- Upon the consent in writing of all owners of record, tenants and all lien holders of record, the city itself may remove or raze any hazardous building or remove or correct any hazardous condition, assessing the costs incurred against the property.
- Acquire the hazardous building(s) or property through the exercise of the city's eminent domain authority.
- Order the owner to correct or remove the condition or raze the building and charge the costs against the real property.

Hazardous excavations

Cities may order an individual to remedy any hazardous excavations on their property. A hazardous excavation is either:

- An excavation dug for building purposes that has been left open for more than six months; or
- Any excavation or building not filled to grade or otherwise protected after a building is destroyed, demolished, or removed.

If the owner does not comply with the order to remedy within 15 days of service, the city may have the excavation filled to grade or otherwise protected and may recover costs through a special assessment.

Vacant buildings

Vacant properties can also be a detriment to a community's health, safety and general welfare. Unoccupied, unsecured properties can quickly become the breeding ground for rodents, the accumulation of trash, and the target of criminal activities. Cities can order vacant or unoccupied structures to be secured against trespass and provide for the emergency securing of buildings when health and safety concerns require. City costs may also be assessed against the real estate.

Noxious weeds

The Minnesota Noxious Weed Law requires a person owning land, occupying land, or responsible for the maintenance of public land to control or eradicate all noxious weeds on the land at a time and in a manner ordered by the county agricultural inspector or city weed inspector (who happens to be the city mayor). A “noxious weed” is defined as an annual, biennial, or perennial plant that the commissioner of agriculture designates to be injurious to public health, the environment, public roads, crops, livestock, or other property. Local weed inspectors may, after providing individual notice and the opportunity to self-remedy, remove noxious weeds themselves and with the costs collected with property taxes. A violation of the Noxious Weed Law is a misdemeanor offense.

Motor vehicles

Certain motor vehicles are considered health and safety hazards. Since they can be attractive to children and harbor rodents or other pests, cities may take into their custody any abandoned, junk, or unauthorized motor vehicles, including:

- **Abandoned Vehicle:** A motor vehicle that has been left illegally on public or private property and lacks vital components or is in an inoperable condition with no real potential for further use, unless it is being kept in an enclosed garage or storage building.
- **Junk Vehicle:** A motor vehicle that is three years or older, extensively damaged (i.e., broken or missing wheels, motor, drive train, or transmission), apparently inoperable, lacks a valid, current registration plate, and it’s fair market value approximately equal only to the vehicle’s scrap metal worth.
- **Unauthorized Vehicle:** A motor vehicle that does not fall within the definitions of abandoned or junk vehicles, but may be impounded when left unattended on public or private property for a specific period of time.

A city must provide notice to the registered vehicle owner and any lien holders within five days of impounding a vehicle. The notice must provide the:

- Date and place of the taking,
- Vehicle’s year, make, model, and serial number,
- Location the vehicle is being held,
- Right to reclaim the vehicle, and
- Consequences for failing to reclaim the vehicle or its contents.

The owner (or lien holder) may reclaim the vehicle upon payment of all towing and storage charges.

An abandoned or junk vehicle may be sold 15 days after notice is provided to the owner. Unauthorized vehicles are eligible for sale 45 days after notice is provided to the owner. The city may reimburse itself for towing, storage, and administrative costs from the proceeds of the sale. Any remaining proceeds are held for the owner for 90 days, and then deposited into the city’s treasury if unclaimed.

Anyone who abandons a motor vehicle on public or private property without consent of the property owner is guilty of a misdemeanor.

Garbage houses

Under the Local Public Health Act, a city or county board of health may take actions to remove and abate public health nuisances. To enforce public health laws, ordinances or rules, a member or agent of a board of health may enter a building, conveyance, or place where contagion, infection, filth, or other source or cause of preventable disease exists or is reasonably suspected. If a threat to public health is found on any property, the board of health must order the property owner to remove or abate that threat. Cleanup costs may be assessed against the property.

As few cities operate their own boards of health, cooperation with county officials is typically required.

State building code

The Minnesota State Building Code was established to provide minimum standards for building construction and remodeling to protect health and safety while containing construction costs. Proponents of the building code contend it helps a community reduce or eliminate blight and substandard structures. The state building code is standard for all construction within the state, it may not be enforceable outside the 7-county metropolitan area unless adopted by city ordinance.

MUNICIPAL REGULATIONS

In addition to the criminal penalties and abatement measures provided in state statutes, cities can adopt local measures to exercise authority related to general nuisance issues. In statutory cities, the city council has specific authority to define nuisances and provide for prevention or abatement. Most home rule charter cities have similar authority through a specific charter provision or general grant of authority to provide for the community's health safety and welfare (and absent any specific charter provision, charter cities may exercise the powers of a statutory city). There is often significant overlap between statutory authorities and those created by city ordinance.

Nuisance ordinances

Though not required, a city may best be able to control public nuisances through the adoption of a nuisance ordinance (or collection of city ordinances) that defines and classifies nuisances, provides for their abatement, and establishes penalties for noncompliance. Because city ordinances have the force and effect of law, their form, content and the procedure used for adoption are all important.

Ordinance language is critical to effective city efforts. Not properly defining terms, or using terms too vague or broad to be enforceable, is a common problem. Conversely, an ordinance may be drafted so specifically that it does not cover all intended violations. City ordinances often mirror the provisions provided in state law, but also include specific acts or omissions to provide local officials direction in enforcing nuisance violations and compliance methods. Ordinances may only regulate public nuisances, however, and may not declare something a public nuisance that would otherwise be considered a private nuisance, relatively harmless, or simply not a nuisance at all.

Criminal penalties

Most nuisance ordinances include language providing that prohibited conditions will constitute a misdemeanor offense. A misdemeanor is a crime for which a sentence of not more than 90 days or a fine of not more than \$1,000 (or both) may be imposed. While criminal prosecutions require a higher burden of proof (beyond a reasonable doubt), a possible criminal conviction can provide incentive for the individual to bring their property into compliance.

Orders of abatement

Many cities attempt to avoid the judicial process by including within their local ordinances the authority to abate nuisance conditions themselves. Mindful of property rights and the need to provide adequate due process, a city ordinance may provide for:

- Property inspections (which may require obtaining the necessary warrants) and documentation of any nuisance condition or activity.
- Written notice of the finding of a violation of city ordinance provided to owners or operators.
- An opportunity to contest the nuisance finding with the city council or selected neutral.
- Written notice of the date when the violation of city ordinance must be remedied. A possible second written notice when the condition has not been corrected. Notice of the court date if the city seeks a court order declaring the nuisance condition.
- City clean-up of the nuisance condition.
- When personal property is removed in the clean-up process, an inventory of all property collected, notice of where the property can be reclaimed, as well as the date upon which it must be reclaimed, or will be disposed of (sold or destroyed) by the city. Depending upon the property involved, there may be specific statutory procedures to follow.
- An inventory of all costs involved (i.e., clean-up and storage).
- A claim sent to the property owner for the total costs of abatement, as well as how costs will be collected, including possible certification and collection with property taxes.

Administrative enforcement

As an alternative to seeking remedy with our state courts, many cities have adopted an administrative enforcement process for dealing with nuisance conditions. An administrative process is a quasi, non-judicial alternative remedy where individuals are afforded the opportunity to present their side before an administrative hearing officer, the city council, or other appointed panel. When violations are found, penalties are imposed without filing an action in district court.

Advantages to establishing an administrative process is that it is:

- Less formal,
- Less costly, and
- Potentially less intimidating than the court system.

The accused is given the opportunity to come into compliance, with collected monies retained by the city. Because both the state auditor and attorney general have questioned city authority to establish local processes, cities contemplating such an ordinance must work closely with their city attorney.

Licenses and permits

Cities also address nuisance conditions through common regulatory means, such as city licenses, permits and other forms of required registration. The use of licenses or permits offer cities an effective means to monitor compliance. The conditions included within the application process help ensure an applicant can comply with ordinance requirements before the license or permit is issued. If it is found at a later time that the license or permit holder is not acting in compliance, the

city can suspend, revoke or deny renewal – even close a business unless or until it is brought back into compliance.

Licensing practices can provide broad benefits to local communities by addressing direct and secondary impacts of particular activities. With licenses and similar means, cities often regulate:

- The consumption or sale of alcohol.
- The conduct of adult businesses.
- Lawful gambling.
- Open burning or outdoor stoves.
- The operations of peddlers, solicitors and transient merchants.
- The use of city streets and sidewalks.
- Animals.
- Vacant and rental properties.

An additional benefit with licensing or permitting systems is the collection of a fee. A proper license fee can include the law enforcement or city staff costs required to properly enforce the license conditions and prevent the negative consequences that may occur.

Land use regulations

Zoning ordinances and other land use regulations can significantly mitigate those detrimental consequences when people live and work in close proximity to one another. These regulations determine what may be permitted, conditionally permitted, or prohibited within any district or zone within your city. Setbacks, height restrictions, and density requirements mandate reasonable distances between homes or other buildings or the number of structures allowed per lot or area. A truth in housing (or point of sale) inspection requires that harmful situations are to be remedied prior to the sale of property and specifically informing buyer and seller of any such conditions. Development agreements and bonds even provide a means for cities to finance the completion of roads or other improvements when a developer fails to deliver.

A land use tool known as a conditional use permit (CUP) is a good illustration of how these types of regulations should also be considered public nuisance regulations. Conditional uses seek to strike a middle ground between the unchecked approval of a particular use and complete prohibition. If certain conditions are followed to minimize problematic or nuisance features, the use will be allowed. If the conditions are not followed, the permit may be revoked.

Consumption of police services

Some cities have adopted ordinances declaring the excessive use of police services to be a public nuisance. Under these regulations, the costs of those excessive, unnecessary police services are pushed back onto those individuals whose nuisance activities resulted in repeat police responses (and costs) to one location. Cities adopting such measures must be careful not to impede an individual's right to seek police or other emergency assistance when needed.

MEANS OF ENFORCEMENT

There is no one blueprint for effective nuisance enforcement. Each city responds to nuisance activities in their own manner, based upon their city finances and staffing needs, as well as the community's interests or concerns. Whatever approach is ultimately used should be formally adopted as a city policy. It should be specific enough to defend against claims of unequal treatment, yet provide enough flexibility to address the various circumstances that may arise.

Enforcement officers

A city will need to decide who is responsible for enforcing its nuisance regulations. As ordinance violations are misdemeanor offenses, city law enforcement will certainly play a large role.

However, when regulating nuisances, cities also rely on:

- City administration
- Civilian code enforcement officers
- Hearing officers
- Building inspectors
- Animal control officials
- Street and sanitation departments
- State officials (MPCA, Building Codes & Standards, DNR)
- Private contractors

It is important to consider these human resources when drafting your ordinances or policies. A city should not adopt ordinances or policies it will not have the ability to enforce.

Complaint-based enforcement

Many cities enforce their ordinances only when they receive complaints from residents. A complaint-driven city policy may provide:

- Logging all complaints* received, with date received and location.
- Processing complaints to the appropriate city official or department.
- Inspecting alleged violations.
- When nuisance conditions are located, providing notice to the property owner or offender.
- Administrative, civil, or criminal actions to obtain compliance.
- Follow-up letters to complainants, indicating abatement efforts, impending prosecution or confirmation that no violation was found.

A complaint-driven approach to public nuisances can be less taxing on city resources, but can allow nuisances to exist for longer periods of time, creating more complex situations and costly remedies. Delayed enforcement can also cause a negative impact in the community, lowering property taxes, and impacting community vitality.

*It is important to remember that the identity of individuals who register complaints with the city concerning violations of state law or local ordinances concerning the use of real property are classified as confidential under the Minnesota Government Data Practices Act.

Inspection-based enforcement

If a city wants to take a more proactive approach and minimize the impact of nuisances, it can establish an active investigation program to seek out potential violations and require compliance with city regulations. Inspection programs are common practices and most likely are currently being used in the city for: city street and sidewalk conditions; water and sewer systems; liquor and other licensed commercial establishments; and rental housing. When conducting nuisance-related inspections, city staff:

- Collect and record all relevant facts and data, including the name of the alleged violator, location and nature of the violation, photographing conditions and recording observations on those conditions;
- Analyze all the information to determine if a nuisance condition exists;
- Document conclusions and recommend a course of action; and
- Provide owner or offender notice of condition and expected course of correction and/or consequences for noncompliance.

City budgets and resources often determine how proactive a city may be in investigating nuisance conditions in addition to responding to complaints as they may arise. Active inspection programs should also operate in accordance with adopted policies that prioritize inspections based on those community needs and city resources.

Training

Cities should consider training its employees involved in nuisance enforcement. This type of training may include:

- Assistance in how ordinances are interpreted;
- Proper inspection methods and private property rights;
- Administrative search warrants;
- Appropriate citizen interactions; and
- Any other relevant information.

When changes are made to city ordinances or enforcement policies, city officials should always be advised and instructed on how those changes impact present practices.

Documentation

City officials will need to document and maintain records of their nuisance abatement activities. Staff notes, photographs, video recordings and copies of notices will all help the city prove that a nuisance condition existed. Adequate records will assist city staff in refreshing their recollections when testifying – perhaps more important in larger cities with many nuisance conditions occurring at any one time. It is also important to consider what equipment would be helpful (such as a digital camera) for documenting your enforcement activities.

PRIVATE PROPERTY RIGHTS

Nuisance enforcement measures often lead city inspectors to nuisance conditions on private property, whether it is residential, industrial, commercial, or otherwise. Entry onto private property for licensing, nuisance, or hazardous building purposes is subject to the same requirements as any other government intrusion onto private property. The Fourth and Fourteenth Amendments to the U.S. Constitution prohibit unreasonable searches and seizures. Individuals have a reasonable

expectation of privacy on their property. Care must be taken to ensure the city does not violate the property owner's right to be free from unreasonable searches. To enter private property, government officials normally must either have the owner's permission or have first obtained a search warrant.

Plain view

When a city official is able to observe a violation from a public street, sidewalk, or neighboring property (provided that neighboring property owner granted permission to be there), a person can be charged with an ordinance violation. The observation must provide the official all the information necessary to determine the nuisance condition exists. Common examples of nuisances that can exist and be classified as such from a plain view can include diseased trees, noxious weeds, long grass, the accumulation of junk, and noise.

The U.S. Supreme Court has held that when a criminal act or violation is within plain view, there is no violation of the Fourth Amendment and seizure may be permissible without first obtaining a warrant. However, if the nuisance condition is not serious enough to warrant immediate abatement, officials should provide notice to the offender of the condition and an opportunity for self-remedy.

Consent

Consent searches are important tools for local officials as an individual's consent will legitimize investigations that would otherwise be invalid under Fourth Amendment provisions. Consent may be given by the owner or tenant of the property, or by an individual in control of the premises. Consent must be given voluntarily. Courts have upheld consent searches when individuals provide a "welcoming action" such as waving instead of providing a verbal response. An individual does not have to be told they have a right to refuse entry, but an inspector cannot insist entering or other acts of coercion if entry is denied. When possible, obtain a written consent prior to entering private property.

Administrative search warrants

If the city does not have consent from the property owner, it must obtain an administrative search warrant before entering private property. The warrant process protects an individual's privacy against arbitrary invasions by the government. Steps taken to preserve privacy are relevant when considering entry issues. Evidence collected in violation of the Fourth Amendment may be excluded, making it difficult to obtain a conviction or other desired result. Violations of constitutional rights could subject the city to penalties as well.

To obtain an administrative search warrant, the city must show probable cause why its request to enter private property is justified. The application for a warrant must describe the city's inspection program and establish how the particular inspection requested falls within the scope of the ordinance.

City officials should assume an administrative warrant will be required to enter the premises for purposes of inspection or investigation unless:

- An emergency exists – as an imminent threat to the public's safety, health or general welfare;
- An appropriate person has granted consent to enter;

- The place to be inspected is heavily regulated, such a liquor stores, firearms dealers, junkyards, etc.; or
- Inspection is required as part of city licensing.

DUE PROCESS

Non-emergencies

In non-emergency situations, a property owner must be provided notice of alleged ordinance violations and the opportunity to remedy the condition before the city can exercise police powers and abate the nuisance condition itself. This notice should provide:

- The nature of the violation and the city ordinance in violation.
- The necessary remedy for the condition.
- The date by which the correction must made or the city will abate the condition itself.
- The right to request a hearing and the date by which the request must be made.
- A description of the penalties if the condition is not corrected.
- Notice that costs incurred may be assessed against the property.

This reflects the procedural requirements for abatements as provided in state statutes.

The city should provide a reasonable period of time for the individual to correct the nuisance condition. For example, the state statutory option provides 30 days before an abatement action is filed. Reasonable time is subjective, depending upon the type and severity of the violation. Too much time may frustrate efforts to prosecute conditions of noncompliance. For example, if the condition really was a detriment to the general public's health, safety and welfare why was it allowed to remain for such a long time?

When the identity of the person maintaining a nuisance condition is known, notice should be provided by personal service or service by mail (posting notice on the property may also be sufficient). If the person is unknown, publication can be sufficient, but the city's diligence in determining identity or residency may come into question.

Emergencies - summary abatement

While cities typically must provide notice and a chance to respond to nuisance conditions, there are limited circumstances that may justify dispensing with standard procedures. There are situations so dangerous that require immediate repair or elimination, such as:

- Open wells.
- Abandoned machinery and appliances (i.e. "locking" refrigerators).
- Downed power lines.
- Fallen trees.
- Obstructed streets and sidewalks.
- Raw sewage.

The power to summarily abate nuisances is limited, based upon actual necessity as defined and provided by ordinance. When summary action is necessary, city officials need to document the circumstances, prepare reports, and take photographs to support and defend its actions if necessary.

SPECIAL ASSESSMENTS

Special assessments are a charge imposed on properties for a particular improvement that benefits the owners of those selected properties. The authority to use special assessments originates in the Minnesota Constitution. Cities and other governmental entities have the authority to levy and collect assessments for local improvements that benefit properties. Generally, cities use assessments to finance a variety of public improvements, but may also use them to collect unpaid service charges. Statutory or charter procedures and notice requirements must be followed.

Cities may, through city ordinance, require that property owners perform certain property-related services. If the city performs the services, it may assess the property benefited or all or any part of the cost of:

- Snow, ice, or rubbish removal from sidewalks;
- Weed elimination from streets or private property;
- Removal or elimination of public health or safety hazards from private property;
- Installation or repair of water service lines, street sprinkling or other dust treatment of streets;
- Trimming and care of trees and removal of unsound trees from any street;
- Treatment and removal of insect infested or diseased trees on private property
- Repair of sidewalks and alleys;
- Inspections relating to municipal housing maintenance code violations; or
- Delinquent vacant building registration fees under a municipal program designed to identify and register vacant buildings.

Special assessments levied to recover these costs may be payable in a single installment or by up to ten equal annual payments. The city must pass an ordinance to make this authority effective. The special assessment statute can also apply to home rule charter cities in absence of a specific charter or ordinance provision governing assessment procedures within that jurisdiction.

A city may also recover costs incurred remedying hazardous buildings, excavations or securing vacant buildings through separate assessment processes.

CONCLUSION

Cities have broad authority to define, penalize and abate public nuisance activities and conditions, but this authority is not limitless. Cities do not have the power to intervene over private nuisances, nor should they declare conditions to be nuisances that in fact are not. Be proactive in your approach to nuisance conditions in your community. Review your city ordinances and procedures to continue to meet your community's needs and concerns. Local authority must not be used arbitrarily, but city officials must be prepared to enforce whatever provisions are adopted. Be prepared to support your regulations with adequate staffing and financial resources. Work with all relevant individuals for whatever support they may be able to provide.

More Information

For more information, please visit the Resource Library of the LMC web site at www.lmc.org to download:

Public Nuisances

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

ORDINANCE 182, SECOND SERIES

**AN ORDINANCE AMENDING SECTION 8-2-2 AND ADDING SECTION 8-2-6 OF THE ST.
FRANCIS CITY CODE REGARDING NUISANCES & ABATEMENT**

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Amended. That Section 8-2-2 of the City Code shall hereby amended to read as follows:

8-2-2: ABATEMENT OF EXTERIOR PUBLIC NUISANCES & OTHER VIOLATIONS.

- A. Purpose. The Council of the City of St. Francis has determined that the health, safety, general welfare, good order and convenience of the public are threatened by certain exterior public nuisances and other such violations on property within the City limits. It is declared to be the intention of the Council to abate such nuisance, and this Section is enacted for that purpose.
- B. Application. This Section shall apply to the abatement of the refuse, junk, nuisances, and other violations maintained exterior to the principal structure as identified in:
1. Refuse as identified in Section 8-2-1-B-1.
 2. Junk as defined in Section 8-2-1-B-2.
 3. Outside storage of materials and all other materials deemed to create a general public nuisance as described in Section 8-2-1-B-3.
 4. Public nuisances enumerated in Section 8-2-6.
 5. Zoning issues to be remedied by Section 10-3-9-C-3.
- C. Hearing Officer. The position of Hearing Officer is hereby created. The City may contract with third parties for the furnishing of all services and set the rate of compensation therefore. The Hearing Officer shall be an individual trained in law; however, it shall not be required that the Hearing Officer be currently licensed to practice law in the State of Minnesota. The Hearing Officer shall have the following duties:
1. Set dates and hear all contested cases following appeals of order of the City or other duly authorized agents.
 2. Take testimony from all interested parties.
 3. Make complete record of all proceedings including findings of fact and conclusions of law.
 4. Affirm, repeal or modify the order of the City or other duly authorized agents.
- D. Inspection, Investigation and Right of Entry. The City or duly authorized agents shall cause to be inspected all public and private properties within the City which might contain an exterior public nuisance as defined in City Code as often as practicable to determine whether any such conditions

exist. The City or duly authorized agents shall also investigate all reports of exterior public nuisances located within the City. The City or other duly authorized agents may enter upon all public and private properties for the purposes of conducting inspections for exterior public nuisances. If the property owner and/or occupants of any property refuses said inspector(s) right of entry for inspection, the City may seek an administrative search warrant or other order of the District Court for said purpose of entry and inspection.

- E. Abatement of Violation. Upon a determination by the City or other duly authorized agent that a violation as identified in Section 8-2-2-B exists on any public or private property within the City, said official shall order the exterior public nuisance to be abated in accordance with this Section.
- F. Procedure for Removal of Violation. Whenever the City or other duly authorized agent finds with reasonable certainty that a violation as identified in Section 8-2-2-B exists on any public or private property in the City, said official shall use the following procedure:
 - 1. Notice. The City or other duly authorized agents shall notify the affected property owner by first class mail that the violation must be abated within a reasonable period of time, not less than twenty (20) days from the date of service of the notice. (Service by mail shall be deemed complete upon mailing.) The order shall set forth the following:
 - a. The specific nature of the violations and requirements for compliance.
 - b. That the property owner may, within twenty (20) days of the date of order, request a hearing before the Hearing Officer and by what procedure such hearing may be requested.
 - c. That failure to abate the violation or request a hearing within the applicable time period will result in summary abatement procedures, and that the cost of abatement will be assessed against the subject property.
 - 2. Hearing. Any property owner who feels aggrieved by an order of the City or other duly authorized agent issued pursuant to this Section may request a hearing before the Hearing Officer. Such request shall be filed in writing with the City within twenty (20) days after the date of service of the notice by the City or other duly authorized agent. The City shall notify the property owner of the date, time, and place of the hearing. The hearing shall be conducted no more than twenty (20) days after the Hearing Officer receives notice of the request, unless a later date is mutually agreed to by the Hearing Officer, the property owner and the City. Both the property owner and the City may appear at the hearing with counsel and may call such witnesses and present such evidence as is determined by the Hearing Officer to be relevant. Within ten (10) days after such hearing, the Hearing Officer shall affirm, repeal, or modify the order of the City or other duly authorized agent. The Hearing Officer's order shall be accompanied by written findings of fact, and may include a finding of fact as to the absence of value of the refuse, junk, or other material to constitute a violation. Any person aggrieved by the decision of the Hearing Officer may appeal that decision to the City Council by filing a notice of such appeal with the City within twenty (20) days of receiving notice of the Hearing Officer's decision. At its next available regular meeting following the filing of a notice of appeal, the Council shall review the decision and findings of fact of the Hearing Officer and shall affirm, repeal or modify that decision. If the Council affirms the Hearing Officer's decision declaring that an exterior public nuisance exists, the City shall abate the exterior

public nuisance after twenty (20) days following the Council's final determination, unless the property owner obtains a court order to the contrary within said twenty (20) days.

3. Disposition of Property. The City maintains the right to dispose of all property that it removes from public and private properties through abatement procedures as outlines in this Section. Disposal of property deemed to have value shall occur thirty (30) days after the property is secured, unless the property owner obtains a court order to the contrary and/or pays all costs associated with the removal and storage of said property within said thirty (30) day time period. The City maintains the right to immediately dispose of refuse, junk, or other materials deemed to be without value.
 4. Assessment. The City or other duly authorized agent shall keep a record of the costs of abatements done under this Section and shall provide regular reports to the City Clerk or other appropriate officer regarding all work performed for which assessments are to be made, stating and certifying the description of the land, lots or parcels involved and the amount assessable to each. The amounts to be assessed shall include up to an additional twenty-five (25) percent to cover any administrative costs associated with the abatements. On or before September 1 of each year, the City Clerk shall list the total unpaid charges for each abatement against each separate lot or parcel to which they are attributable under this Section. The Council may then spread the charges or any portion thereof against the property involved as a special assessment under the other pertinent statutes, for certification to the County and collection the following year along with current taxes. Such assessment shall be payable in no more than ten (10) equal annual installments, pursuant to Minnesota Statutes, Section 429.01, Subd. 2.
- G. Severability. Every sub-section, provision or part of this Section is declared separable from every other sub-section, provision or part to the extent that if any sub-section, provision or part of this Section shall be held to be invalid, such holding shall not invalidate any other sub-section, provision or part thereof.
- H. Non-exclusiveness. Nothing in this Section shall be deemed a waiver or limitation of any statutory right and/or power of the City as to hazardous buildings, properties or materials, nor shall this Code Section be deemed to otherwise limit the right and/or power of the City to conduct other administrative and/or regulatory searches and inspections including, but not limited to, health inspections, fire scene and arson inspections and regulated business and industries inspections, nor shall this Section be deemed to be an exclusive remedy of the City regarding the abatement of exterior public nuisance.

Section 2. Code Added. That Section 8-2-6 of the City Code shall be added to read as follows:

8-2-6: PUBLIC NUISANCES. No person shall create, commit, or maintain a public nuisance. No person shall willfully omit or refuse to perform any legal duty in relation to the removal of a public nuisance. No person shall rent or permit to be used any premises, building, or portion thereof, knowing that it is intended to be used for committing or maintaining a public nuisance. No person shall willfully prevent, hinder, oppose, or obstruct a public official in the performance of his duties in carrying out the provisions of this Section or in removing or abating a public nuisance. Unless otherwise permitted by Code, the following are hereby declared to be public nuisances:

- A. The following are hereby declared to be nuisances affecting health:
 1. The exposed accumulation of decayed or unwholesome food or vegetable matter.

2. Decayed or unwholesome food offered for sale to the general public.
 3. All diseased animals running at large.
 4. All ponds or pools of stagnant water not serving a legitimate storm water management function.
 5. All ponds or pools of polluted or poisonous water or
 6. Carcasses of animals not buried or destroyed within twenty-four (24) hours after death in a manner consistent with Section 8-2-1-G-1 of the City Code.
 7. Accumulations of waste, refuse, or other debris.
 8. Accumulations of manure outside of a legitimate agricultural function.
 9. Privy vaults, garbage cans, and other such waste receptacles which are not rodent-free or fly-tight, or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors.
 10. All noxious weeds, poisonous vegetation such as poison ivy, and other rank growths of vegetation upon public or private property.
 11. Weeds, grass, brush, or plants constituting a fire hazard.
 12. Dense smoke, noxious fumes, gas, soot, or cinders in unreasonable quantities.
 13. The depositing or accumulation of refuse, sewage, waste, garbage, rubbish, poisonous, or injurious substances at unlicensed or unauthorized properties.
 14. The habitation of temporary structures, accessory buildings, vehicles, dwellings with inadequate sanitary facilities, and other such structures unauthorized or inadequate for a residential use.
 15. The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste, animal waste, toxic material, or other such potentially harmful substances.
 16. The placement, depositing, or permitting to be deposited in any unsanitary manner on public or private property, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable waste.
 17. It is unlawful for any person to discharge to any natural outlet or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of Chapter 3 of the City Code.
 18. Any offensive trade or business as defined by statute not operating under local license.
- B. The following are hereby declared to be nuisances affecting morals and decency:
1. All gambling devices, slot machines, and punch boards, except otherwise authorized and permitted by federal, state, or local law.

2. Betting, bookmaking, and all apparatus used in those occupations.
3. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame, and bawdy houses.
4. All places where intoxicating or 3.2 malt liquor is manufactured or disposed of in violation of law or where, in violation of law, people are permitted to resort, for the purpose of drinking intoxicating or 3.2 malt liquor, or where intoxicating or 3.2 malt liquor is kept for sale or other disposition in violation of law, and all liquor and other property used for maintaining that place.
5. Any vehicle used for the unlawful transportation of intoxicating or 3.2 malt liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.

C. The following are hereby declared to be nuisances affecting peace and safety:

1. All trees, hedges, fences, signs, or other obstructions which prevent people from having a clear view of all traffic approaching an intersection.
2. All wires and limbs of trees that are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles.
3. Any person participating in any party or other gathering that causes the unreasonable disturbing of the peace, quiet, or repose of another person.
4. All unnecessary and annoying vibrations.
5. Obstructions and excavations affecting the ordinary public use of streets, alleys, sidewalks, or public grounds, except under conditions as are permitted by this ordinance or other applicable law.
6. Radio aerials or television antennae erected or maintained in a dangerous manner.
7. Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk that causes large crowds or people to gather, obstructing traffic and the free use of the street or sidewalk.
8. All hanging signs, awnings, and other similar structures over streets and sidewalks, so situated as to endanger public safety, or not constructed and maintained as provided by ordinance.
9. The allowing of rainwater, ice or snow to fall from any building or structure upon any street or sidewalk or to follow across any sidewalk.
10. Any barbed wire fence located less than six (6) feet above the ground and within three (3) feet of a public sidewalk or way.
11. All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public.
12. Wastewater cast upon or permitted to flow upon streets or other public properties.

13. Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies, or other materials in a manner conducive to the harboring of rats, mice, snakes, or vermin, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health or safety hazards from such accumulation.
14. Any well, hole, or similar excavation that is left uncovered or in such other condition as to constitute a hazard to any child or other person coming on the premises where it is located.
15. Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials.
16. The placing or throwing on any street, sidewalk, or other public property of any glass, tacks, nails, bottles, or other substances that may injure any person or animal or damage any pneumatic tire when passing over such substance.
17. The depositing of garbage or refuse on a public right-of-way or on adjacent private property.
18. Reflected glare or light from private exterior lighting exceeding the requirements of Section 10-16-8.
19. Maintaining or permitting the existence of any structure or part of any structure which due to fire, wind, or other natural disaster, physical deterioration, or any other cause, is no longer habitable as a dwelling or is no longer useful for any other purpose for which it may have been intended.
20. The existence of any vacant dwelling, garage, or other building, unless such buildings are kept secured and otherwise protected from unauthorized entry.
21. The accumulation of any piles of wood not neatly stacked or secured in a stable manner.
22. A truck or other vehicle that deposits mud, dirt, sticky substances, litter, or other such material on any street or highway.
23. All other conditions or things that are likely to cause injury to the person or property of another.

Section 3. 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 _____, 2013.

APPROVED:

Jerry Tveit
Mayor of St. Francis

ATTEST:

Barbara I. Held



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4800 Olson Memorial Highway, Suite 202, Golden Valley, MN 55422
Telephone: 763.231.2555 Facsimile: 763.231.2561 planners@nacplanning.com

MEMORANDUM

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

FROM: Nate Sparks, Consulting Planner

DATE: March 13, 2013

MEETING DATE: March 18, 2013

RE: Noise Ordinance

BACKGROUND

During the construction season in 2012, there were several incidents where construction activity had been occurring during the overnight hours. The City had few ordinances to address this situation. A general noise ordinance has been prepared in order to hopefully avoid this situation in the future.

GENERAL NOISE ORDINANCE

The general noise ordinance is based on a League of Minnesota Cities sample ordinance and was modified for the City of St. Francis. Section A discusses certain general noise offenses that are prohibited. Section B establishes times for certain noises to be allowable such as noise related to construction activities. Section C allows the City to require "noise impact statements" for certain proposed uses that may have an impact on neighboring properties for consideration by the Council.

EXCESSIVE VEHICLE NOISE

The second section of the draft Noise Ordinance comes from the Minnesota Department of Transportation. The DOT created a template ordinance to allow for Cities to place signs warning of restrictions on noise from semi-trucks using engine brakes in certain instances. These brakes can create a loud staccato noise but are considered by the DOT to be an important safety feature. If the City were to ever consider placing signs prohibiting this type of noise on Highway 47, this ordinance is required to be passed first.

RECOMMENDED ACTION

The Planning Commission reviewed the Noise Ordinance at their February meeting and forwarded it to the Council. Staff recommends approval of the Ordinance.

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

ORDINANCE 183, SECOND SERIES

**AN ORDINANCE ADDING SECTIONS 8-2-7 AND 7-2-9 OF THE ST. FRANCIS CITY CODE
REGARDING NOISE VIOLATIONS**

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Amended. That Section 8-2-7 of the City Code shall hereby added to read as follows:

8-2-7: NOISE VIOLATIONS.

A. Prohibited Noises. The following are declared to be nuisances affecting public health, safety, peace or welfare:

1. Any distinctly and loudly audible noises that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person, or precludes their enjoyment of property, or affects their property's value (this general prohibition is not limited by any specific restrictions provided in this ordinance).
2. All obnoxious noises, motor vehicle or otherwise, in violation of Minnesota Rules, Chapter 7030, as may be amended from time to time, are hereby incorporated into this ordinance by reference.
3. The use of any vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling, or other noise.
4. The discharging of the exhaust or permitting the discharge of the exhaust of any statutory internal combustion engine, motor boat, motor vehicle, motorcycle, all terrain vehicle (ATV), snowmobile, or any recreational device, except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable state laws and regulations.
5. Any loud or excessive noise in the loading, unloading, or unpacking of any vehicle.
6. The use or operation, or permitting the use or operation, of any radio receiving set, television set, musical instrument, music device, paging system, machine, or other device for producing or reproduction of sound in a distinctly and loudly audible manner so as to disturb the peace, quiet, and comfort of any person nearby.

B. Hourly Restriction of Certain Operations.

1. Domestic Power Equipment. No person shall operate a power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, drill, or other similar domestic power equipment, except between the hours of 7:00 AM and 10:00 PM on any weekday or between the hours of 9:00 AM and 9:00 PM on any weekend or holiday. Snow removal equipment is exempt from this provision.

2. Refuse Hauling. No person shall collect or remove garbage or refuse in any residential district, except between the hours of 6:00 AM and 10:00 PM on any weekday or between the hours of 9:00 AM and 9:00 PM on any weekend or holiday.
 3. Construction Activities. It is unlawful for any person to engage in or permit construction activities creating audible noise off-site involving the use of hand held tools including but not limited to tools such as hammers, saws, wrecking bars; or electrical, diesel, or gas-powered tools including but not limited to saws, drills, or sanders except between the hours of 7:00 a.m. and 9:00 p.m. on any weekday and Saturday or between the hours of 9:00 a.m. and 8:00 p.m. on any Sunday or holiday. Operations and acts performed exclusively for emergency work to preserve the safety, welfare or public health of the citizens of the city or for emergency work necessary to restore public service or to eliminate a public hazard shall be exempt.
 4. Radios, Music Devices, Paging Systems, and the Like. The operation of any device referred to in Section 8-2-5-A-6 of this Ordinance between the hours of 10:00 PM and 7:00 AM in a manner so as to be plainly audible at the property line of the structure or building in which it is located, or at a distance of 50 feet if the source is located outside a structure or building shall be prima facie evidence of a violation of this section.
- C. Noise Impact Statements. The Council may require any person applying for a change in zoning classification or a permit or license for any structure, operation, process, installation, alteration, or project that may be considered a potential noise source to submit a noise impact statement on a form prescribed by the Council. The Council shall evaluate each such statement and take its evaluation into account in approving or disapproving the license or permit applied for or the zoning changes requested.

Section 2. Code Added. That Section 7-2-9 of the City Code shall be added to read as follows:

7-2-9. EXCESSIVE VEHICLE NOISE

- A. Definitions. For the purpose of this ordinance, the following phrases are defined as follows:
1. Engine retarding brake. A Dynamic Brake, Jake Brake, Jacobs Brake, C Brake, Paccar Brake, transmission brake or other similar engine retarding brake system which alters the normal compression of the engine and subsequently releases that compression.
 2. Abnormal or excessive noise. A distinct and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort and repose of any person or precludes their enjoyment of property or affects their property's value, (b) noise in excess of that permitted by Minnesota Statutes Section 169.69, as it may be amended from time to time, which requires every motor vehicle to be equipped with a muffler in good working order, or (c) noise in excess of that permitted by Minnesota Statutes Section 169.693 and Minnesota Rules parts 7030.1000 through 7030.1050, as this statute and these rules may be amended from time to time, which establish motor vehicle noise standards.
- B. Adoption by Reference. Minnesota Statutes Sections 169.69 and 169.693 (motor vehicle noise limits) and Minnesota Rules parts 7030.1000 through 7030.1050, as these statutes and rules may be amended from time to time, are hereby adopted by reference.
- C. Excessive Vehicle Noise.

1. It shall be unlawful for any person to discharge the exhaust or permit the discharge of the exhaust from any motor vehicle except through a muffler that effectively prevents abnormal or excessive noise and complies with all applicable state laws and regulations.
 2. It shall be unlawful for the operator of any truck to intentionally use an engine retarding brake on any public highway, street, parking lot or alley within the city which causes abnormal or excessive noise from the engine because of an illegally modified or defective exhaust system, except in an emergency.
- D. Signing. Signs stating "VEHICLE NOISE LAWS ENFORCED" may be installed at locations deemed appropriate by the City Council to advise motorists of the prohibitions contained in this ordinance, except that no sign stating "VEHICLE NOISE LAWS ENFORCED" shall be installed on a state highway without a permit from the Minnesota Department of Transportation. The provisions of this ordinance are in full force and effect even if no signs are installed.
- E. Amendments. It is the intention of the City Council that all future amendments to any statutes and rules referenced or adopted by reference in this ordinance are also referenced or adopted by reference as if they had been in existence at the time this ordinance was adopted.
- F. Penalty. Anyone found in violation of this section shall be guilty of a petty misdemeanor.

Section 3. 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 _____, 2013.

APPROVED:

Jerry Tveit
Mayor of St. Francis

ATTEST:

Barbara I. Held
City Clerk

(seal)



MEMORANDUM

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

FROM: Nate Sparks, Consulting Planner

DATE: March 13, 2013

MEETING DATE: March 18, 2013

RE: Park Plan Updates

BACKGROUND

In July and August of 2012, the Planning Commission discussed making some minor amendments to the City's Park Plan. The Park Plan had been adopted prior to the revised Comprehensive Plan and there were some inconsistencies with future park search areas. Furthermore, the Public Works Department has noted that several City parks have had issues related to improper use and sought to revise some of the goals and standards for parks to avoid such issues in the future. The Planning Commission held a public hearing and has forwarded the following revisions to the City Council.

SUMMARY OF REVISIONS

The revisions to the plan include the following:

Development Capacity Study to Determine Park Needs

A development capacity study was done as part of the analysis. Based on Comprehensive Land Use Plan designations a baseline number of residents per acre was projected for future growth areas identified. This calculation identifies the amount of land necessary to be reserved for active park land within the growth areas. The Park Search Areas in the current plan were based on the growth models from the previous Comprehensive Plan. The revised search areas are focused on the above assumptions and the current land use plan.

Revise Categories of Parks

On pages 32 through 36 of the Park Plan there are several types of parks mentioned. These categories are proposed to be reduced to: Community Parks, Neighborhood Parks, and Open Space.

- Neighborhood parks are to be identified as within the urban service area only and from 3-10 acres in size of usable space. These parks are required to have adequate frontage, accessibility, connectivity, usability, and an independent service area ranging from ¼ to ½ mile in size.

- Community Parks are identified as being 20-60 acres in size and are to combine the current plan concepts of “Sports Complex” and “Community Park”. The search areas for these parks will be in the Rural Service Area, on major roads, and near the edge of the City’s urban growth areas.
- Open Space is identified as a holding zone for future parks or key natural resource areas.

Park Facility Goals

The City had made a practice of acquiring land for parks and natural areas within most new developments. The Public Works Department has expressed interest in exploring a new direction that maximizes efficiency within the park system in order to limit future budget increases due to maintenance of parkland. Thus, the goals of the Park Plan were revised to ensure land acquisition is limited to what is needed and what can be maintained within current budget constraints. The following criteria for acceptable parkland was incorporated into the draft plan revisions:

- *Consider maintenance responsibilities for park plan components*
For every component in the park plan and prior to acquisition, the maintenance responsibility should be considered. Additional parks mean additional maintenance costs and routine scheduled replacement. Future park areas should be limited to what is necessary and what can serve the public in an efficient and organized manner. Trails should only be used when a trail is necessary to separate bicycle and pedestrian traffic from higher classification roadways. Bicycle lanes and sidewalks could replace trails on the trail plan when feasible.
- *Set minimum standards for acceptability in new park acquisition*
Minimum park standards should be established in order to ensure new parks are a fit within their intended category, accessible, usable for their intended purpose, visible and safe, easy to maintain, and have a specific service area. Such standards should be incorporated into the park plan to ensure the City is communicating its intent to the public and potential dividers of land. Parks that don’t meet these standards are likely to be underused, vandalized, and a drag on the City’s budget.
- *Revise park search areas*
If the steps above are taken, the City should also review the current park search areas. The current methodology was to tie search areas to places where the City wanted parks in the future. A more efficient method would be to tie parkland to the areas with a higher number of future housing units. In the rural area, the updated 2030 Land Use Plan set a new minimum development density of one unit per 10 acres in the rural portions of the City. A large number of parks were contemplated in the plan for the rural residential areas that are no longer possible.
- *Divest or reclassify parks with inadequate or overlapping service areas*

Parks that no longer have an adequate service area or will not meet the service area standards that is was acquired for should be re-evaluated and reclassified or divested. This would allow the City to focus resources on higher use parks.

- *Incorporate maintenance schedules into park budgeting*
In order to provide the safest parks possible, the City will need to set routine maintenance and replacement schedules. The cost for replacing and maintaining equipment should be put in line ahead of new acquisition to ensure there are enough resources to do so.

RECOMMENDED ACTION

The Planning Commission held a public hearing and recommended approval of the Park Plan revisions summarized above. Upon approval, Staff will develop a revised CIP for future discussion.

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

RESOLUTION 2013-05

RESOLUTION APPROVING PARK AND TRAIL PLAN AMDENDMENTS

WHEREAS, the City of St. Francis (“the City”) has adopted a Park and Trail Plan in 2005;
and

WHEREAS, subsequently the City adopted a revised Comprehensive Plan that changed land use assumptions throughout the City in 2008; and

WHEREAS, the Planning Commission reviewed the Park and Trail Plan for consistency with the Comprehensive Plan and; and

WHEREAS, the Planning Commission held a public hearing on August 15, 2012; and

WHEREAS, the Planning Commission directed City Staff to revise maps and the Park and Trail Plan document and maps for Council review; and

WHEREAS, the Planning Commission recommended revisions to the Park and Trail Plan to make it consistent with the Comprehensive Plan; and

WHEREAS, the Planning Commission also recommended certain amendments to the Park and Trail Plan intended to make the park system more efficient and usable for the City’s residents;
and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of St. Francis hereby approves the amendments to the City of St. Francis Park Plan as presented on March 18, 2013 and directs Staff to fully revise the document and distribute accordingly.

The motion for the adoption of the foregoing resolution was made by Councilmember - and was duly seconded by Councilmember - and upon vote being taken thereon, the following voted in favor:

Councilmember
Councilmember
Councilmember
Councilmember
Mayor

and the following voted against the same:
and the following abstained:
and the following were absent:

ADOPTED BY THE CITY COUNCIL OF ST. FRANCIS THIS 18th DAY OF MARCH, 2013.

Jerry Tveit, Mayor

ATTEST:

Barb Held, City Clerk

(seal)

Park Service Areas

Trails

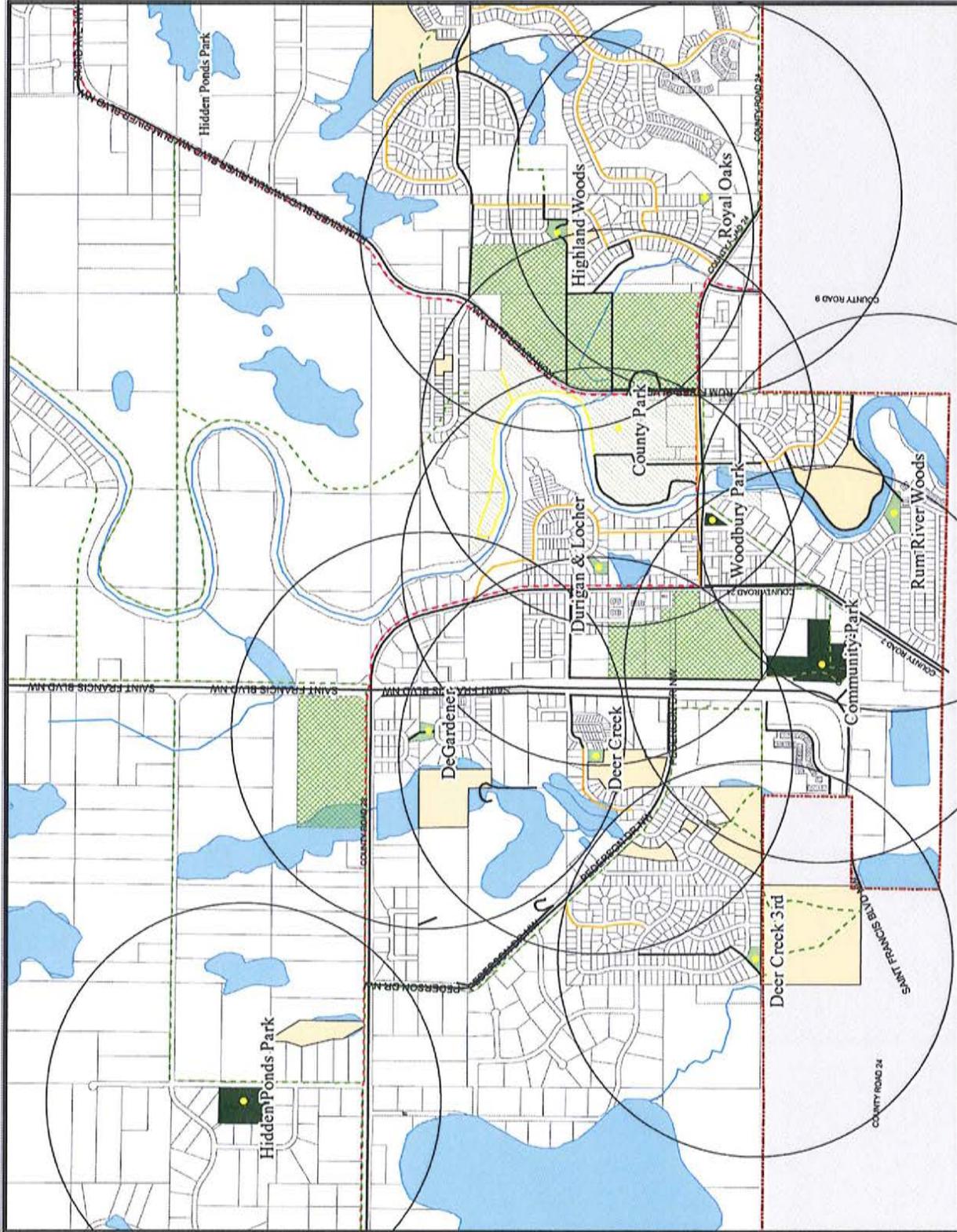
- Existing Bituminous Trail
- Existing Concrete Sidewalk
- Existing Limestone Trail
- Existing Regional Trail
- - - Future Proposed Trail Seg.
- . - . Proposed Regional Trail

Parks

- Community Park
- County Park
- Neighborhood Park
- School Land
- State Land
- Open Space

● Existing Parks

○ 1/2 Mile Service Area



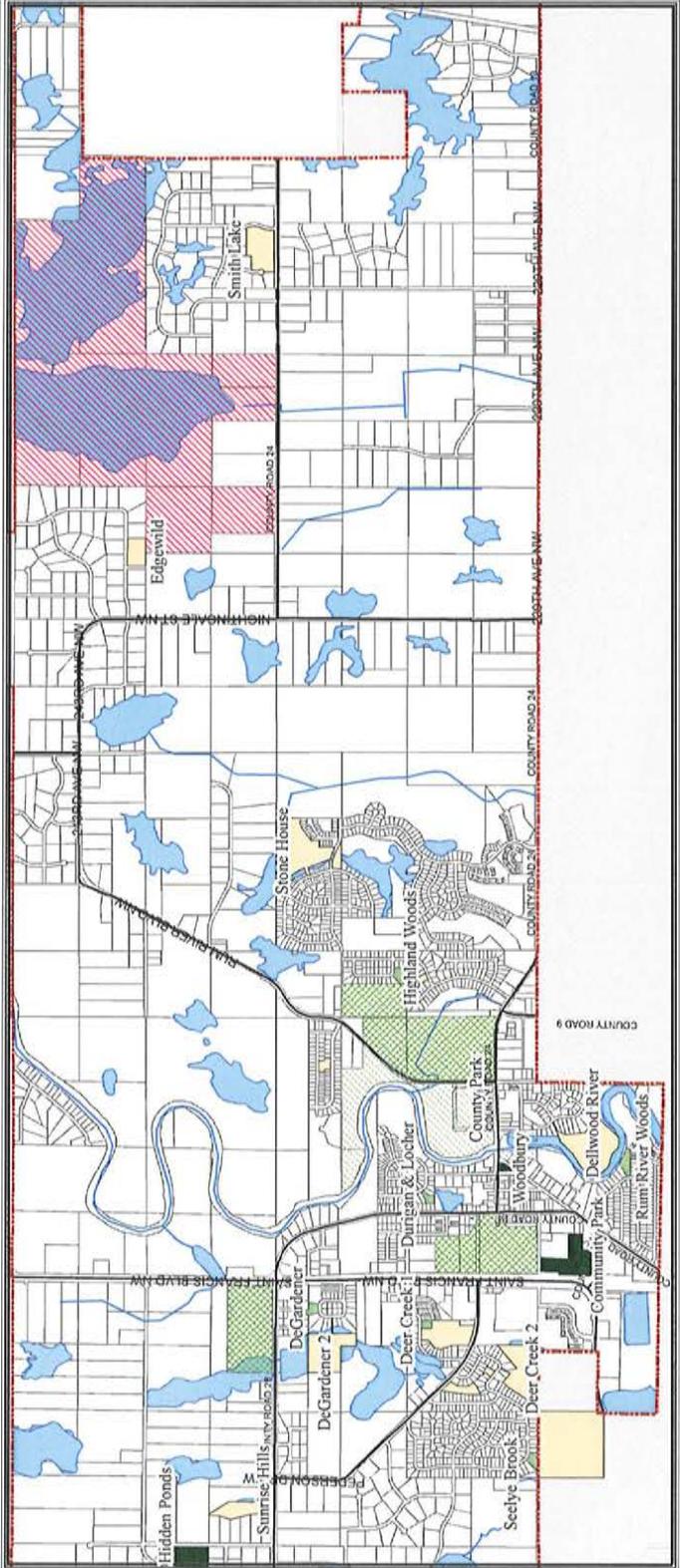
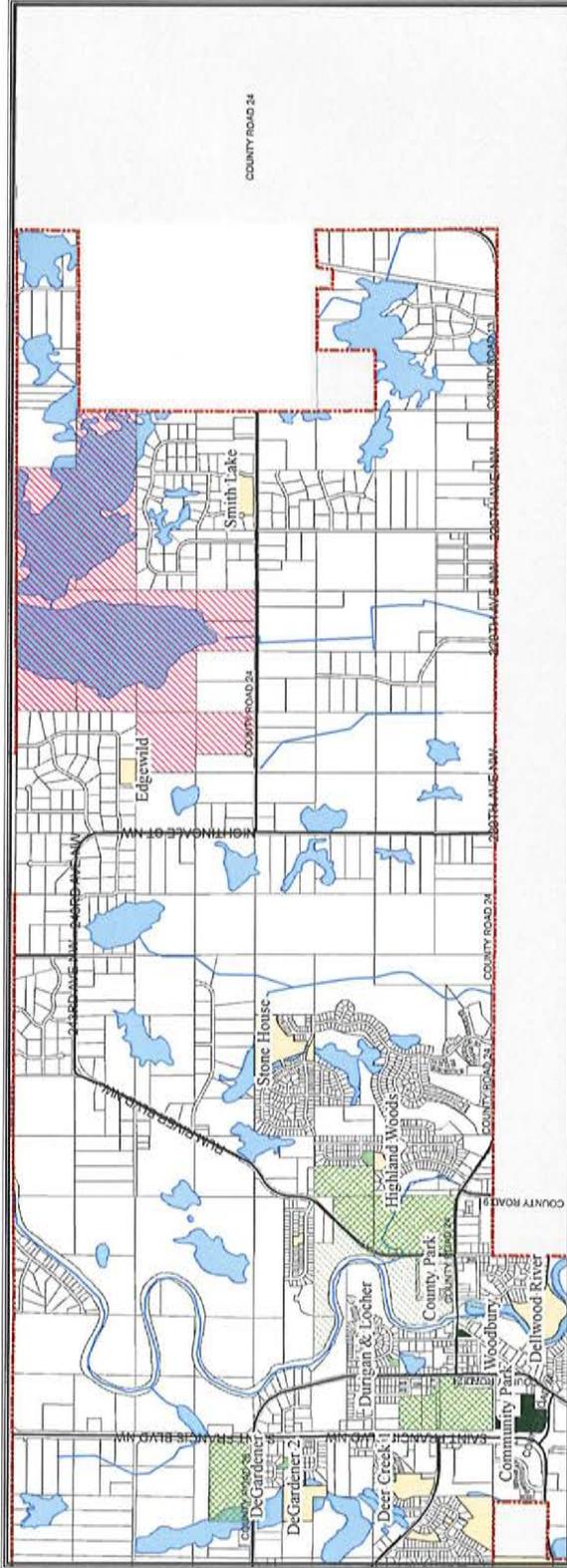
City of St. Francis
Park System
Figure P-1

- Parks**
- Community Park
 - County Park
 - Neighborhood Park
 - School Land
 - State Land
 - Open Space



Source: Anoka County GIS; MN DNR;
 Bolton and Menk, Inc. Northwest Associated Consultants
 October 31, 2012

MEMORANDUM ATTACHMENT PARKS/RECREATION PLAN



Park Search Areas
Figure P-2

Parks

-  Community Park
-  County Park
-  Neighborhood Park
-  School Land
-  State Land
-  Open Space

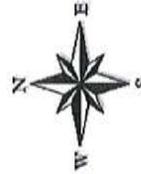
Future Neighborhood
Park Search Areas



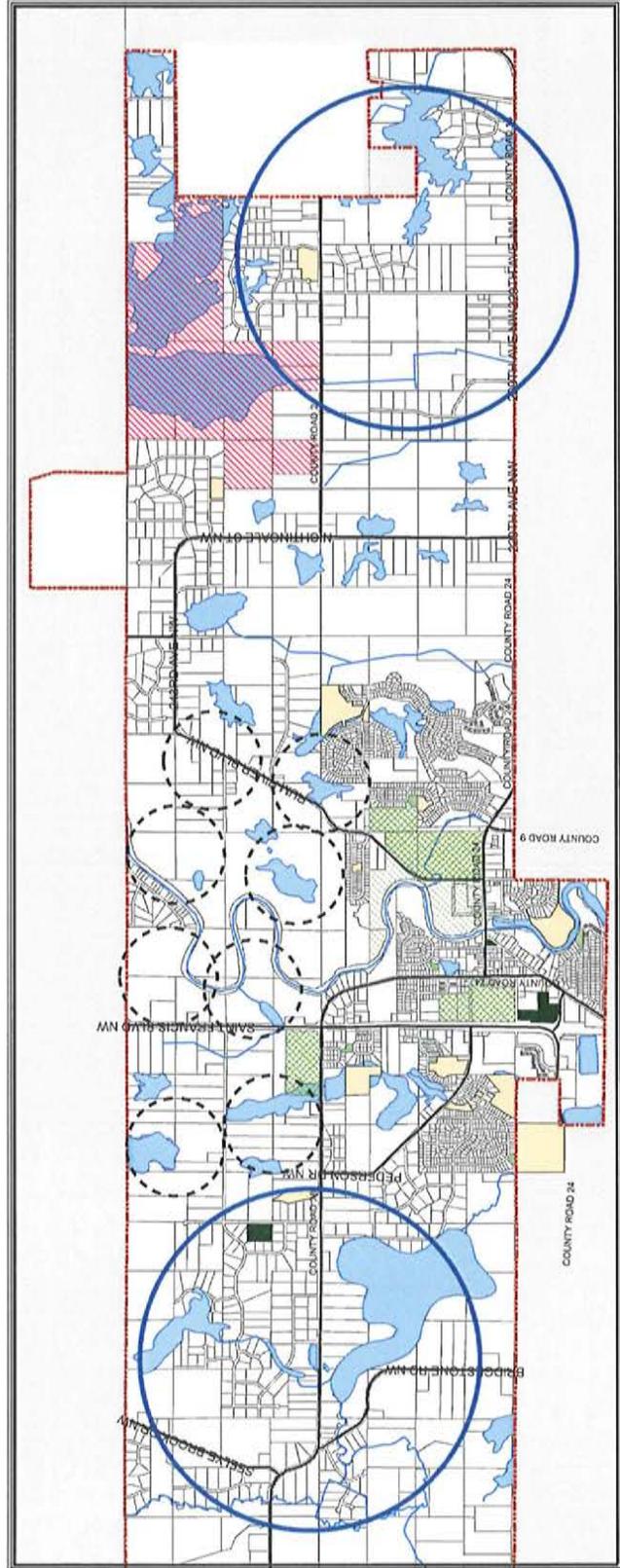
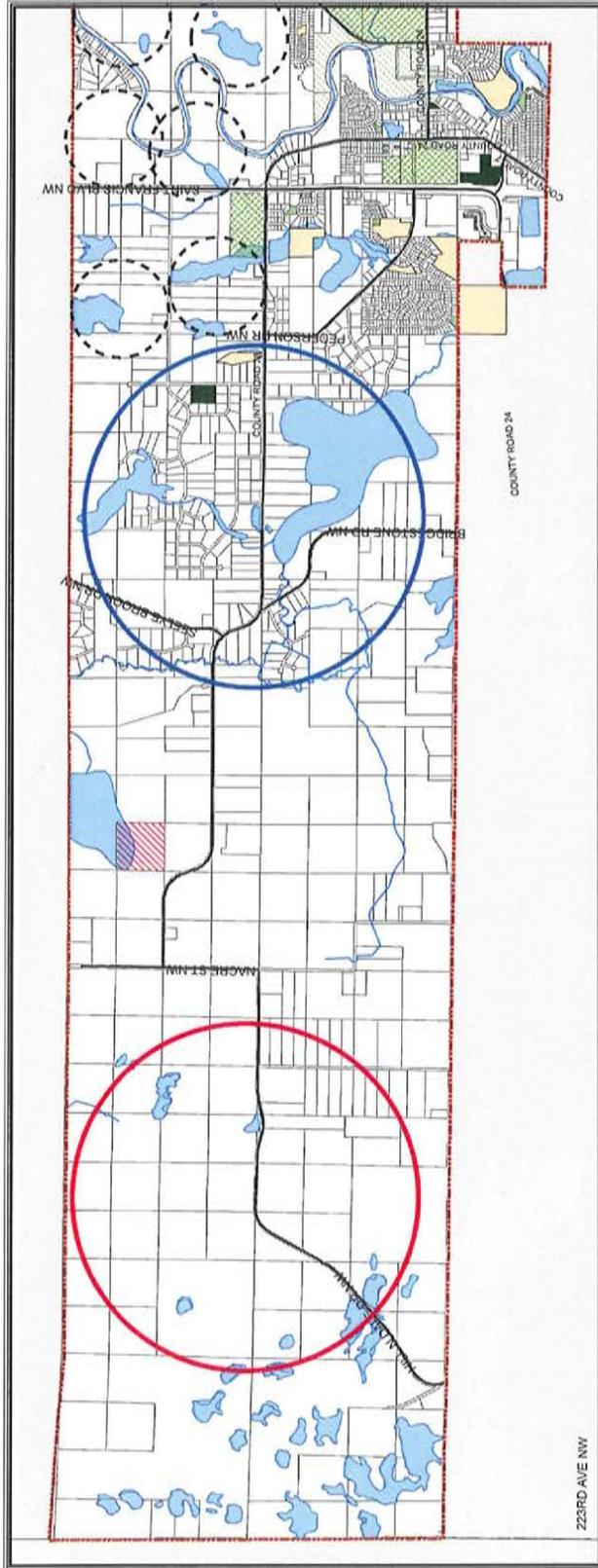
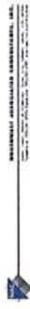
Future Community
Park Search Areas



Future Regional
Park Search Areas



Source: Anoka County GIS; MN DNR;
Bolton and Menk, Inc., Northwest-Associated Consultants
October 31, 2012





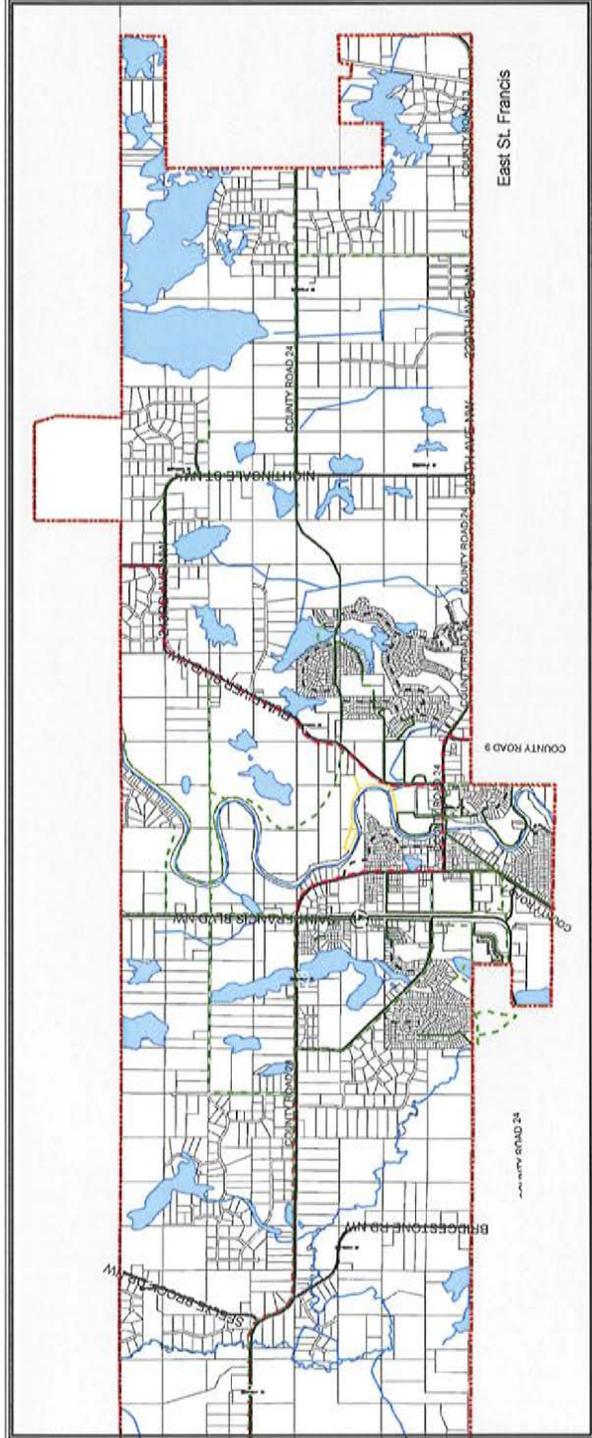
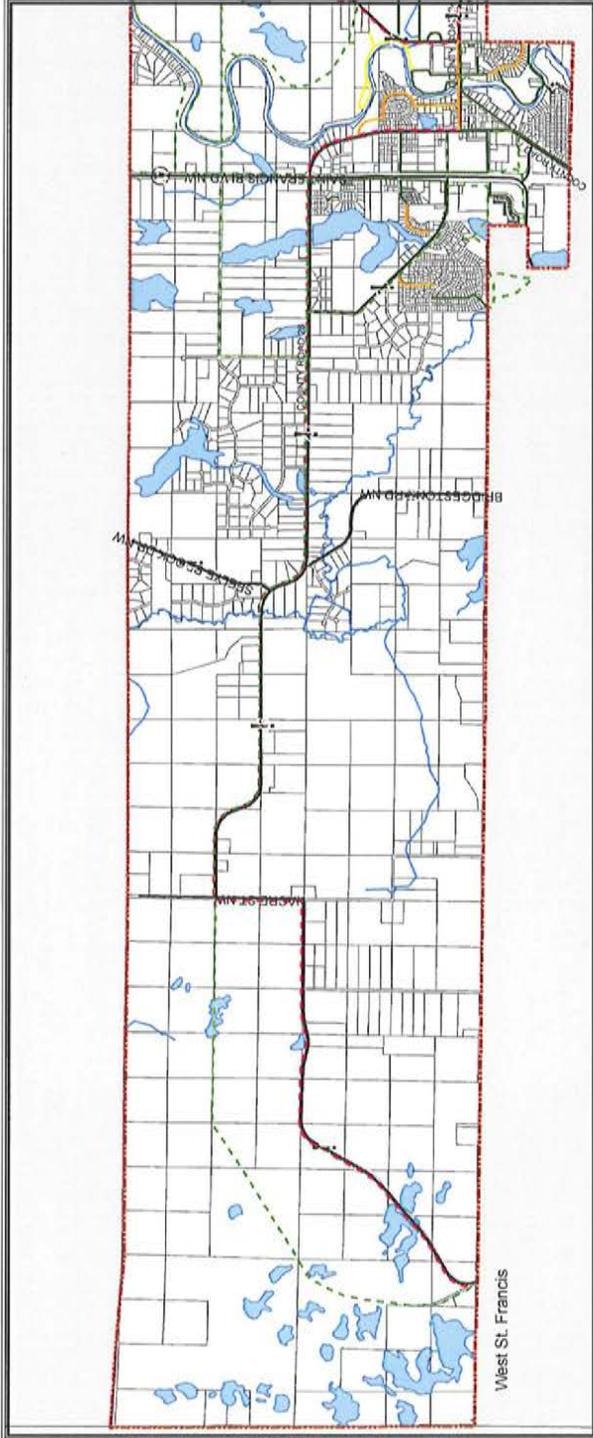
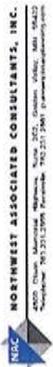
Trail System

Figure P-3

- Trails**
- Existing Bituminous Trail
 - Existing Concrete Sidewalk
 - Existing Limestone Trail
 - Existing Regional Trail
 - - - Future Proposed Trail Segments
 - - - Proposed Regional Trail
 - ~ Rivers & Streams
 - ~ Protected Waters
 - ▭ City Boundary



Source: Anoka County GIS; Minnesota DNR; Bolton and Menk, Inc; Northwest Associated Consultants
Date: October 31, 2012



City of St. Francis
Park and Trail System Plan
Figure P-4

Parks

- Community Park
- County Park
- Neighborhood Park
- School Land
- State Land
- Open Space
- Existing Parks

Trails

- Existing Bituminous Trail
- Existing Concrete Sidewalk
- Existing Limestone Trail
- Existing Regional Trail
- Future Proposed Trail Segments
- Proposed Regional Trail

Future Neighborhood Park Search Areas



Future Community Park Search Areas

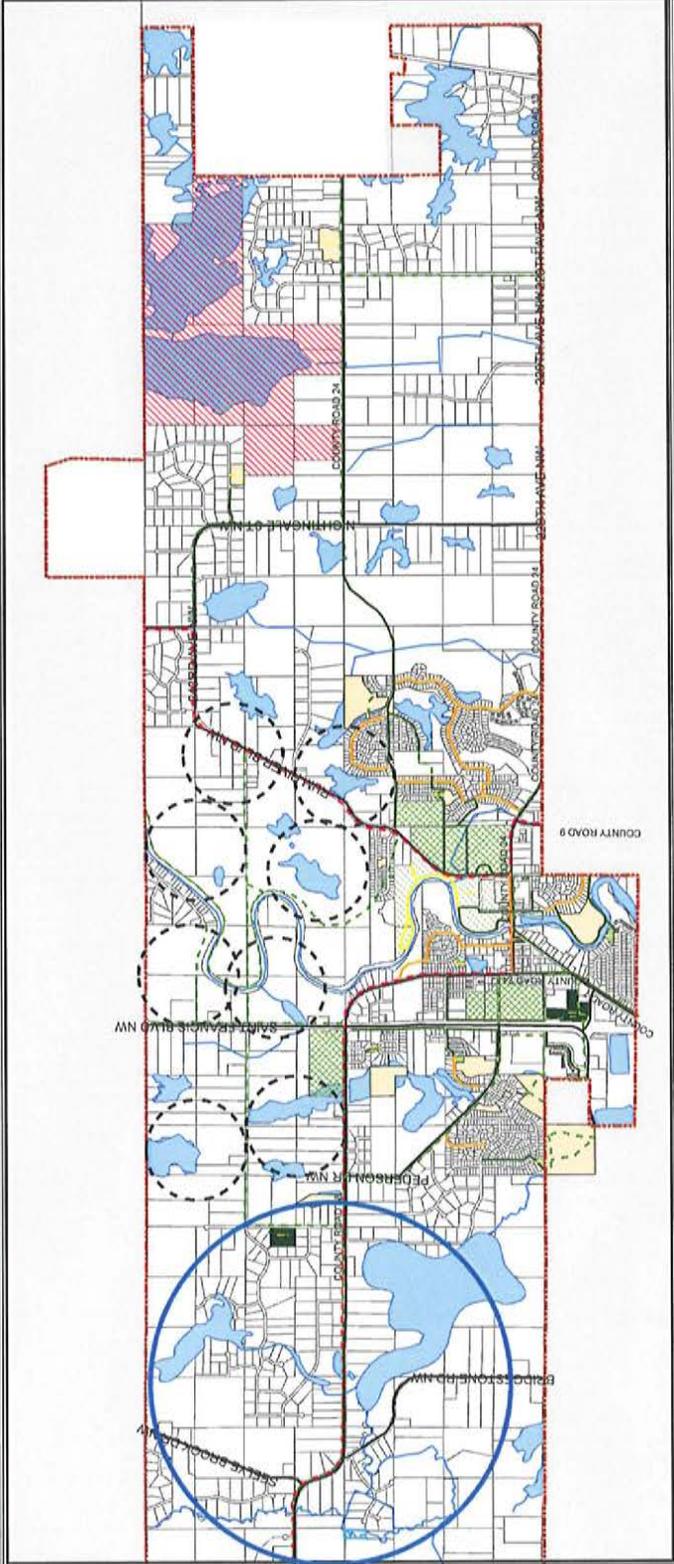
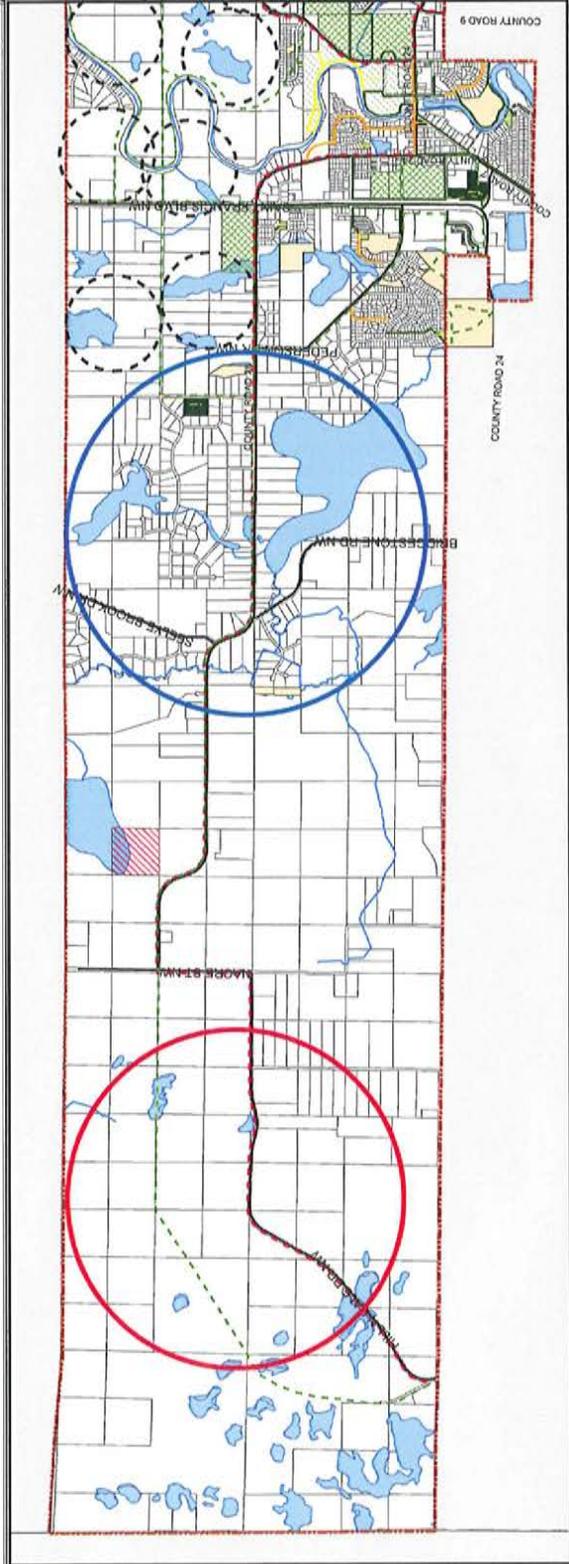


Future Regional Park Search Areas



Source: Anoka County GIS; MN DNR
 Bolton and Menk, Inc; Northwest Associated Consultants
 October 31, 2012

WATERWAY & ENVIRONMENTAL TECHNOLOGISTS, INC.
 10000 15TH AVENUE NW, SUITE 100
 ANDERSON, MN 55002-1000
 TEL: 763.427.1234 FAX: 763.427.1235



Introduction

Continuing development pressures within the City of St. Francis have prompted a need to address the recreational needs of not only its present population, but future population growth as well. The City has adequate parkland and facilities currently, but recognizes that continued growth will increase the demand for park and trail amenities. The residents of the City have placed a high priority for development of existing parks in the community and recognize that demand will only increase as the population increases and residents grow older. St. Francis has the advantage of being in a position to plan and provide for such community facilities in advance of the demand.

~~The City adopted its Comprehensive Plan in 2000, which included policies and discussion of creation of a trail plan. Since the Comprehensive Plan was adopted, the City has coordinated its park and trail planning with Anoka County. In order to fund its park system, the City further recognizes the need to update its parkland dedication requirements for land acquisition and facility investment. In recognition of the continued growth and the investment that has been made, the City is now ready to commence with planning efforts to identify needs, develop goals and policies, and create an overall park and trail plan that will serve St. Francis in the years ahead.~~

The intent of this Park and Trail System Plan is to further the directive of the Comprehensive Plan in regard to planning for and providing active and passive recreational opportunities for community residents. Specifically, this plan is intended to provide analysis and a subsequent decision-making framework to guide City officials in providing community services and facilities, as well as addressing private development proposals. It includes an inventory of current facilities, needs assessment, goals, and policies. This plan will likely need revisions over time as the basic planning assumptions, implementation strategies, and goals are no longer considered valid, or when the City population and recreational demands warrant amendment. Revision should be considered on a regular basis to keep the plan current with community philosophy and user characteristics.

Park and Trail Issues

The initial phase of the Parks and Trails Plan involves identifying issues related to community park and trail development. Such issues may then be used to formulate policies that reflect the park and trail system the City wishes to achieve.

Based upon discussions and information received from the public during various "open house" meeting events, the following were identified as primary issues confronting St. Francis in regard to park and trail development.

- The City should investigate alternative funding sources for facility improvements beyond standard park dedication fees.
- The City needs to establish a set of priorities in regard to park and trail development.
- The City is lacking in active recreational facilities/programs and relies heavily on adjacent communities for such opportunities.
- The recreational needs of all population groups needs to be considered in the City's park and trail planning efforts.
- Community promotion of park and trail facility use is important in establishing a community identity.
- Development of additional picnic and playground facilities, tennis courts, hockey rinks, skate parks, and soccer fields are all seen as important to St. Francis residents.
- Continued physical improvements to existing park sites are of importance in order to serve the recreational demands of community residents.
- Development of a trail system to connect neighborhoods to recreational areas and commercial centers is seen as a priority for the City.
- Trail systems should be developed to serve all modes of potential trail utilization (i.e., pedestrian, bicycle, horses, snowmobiles, all terrain vehicles).
- Cooperation with Anoka County and surrounding jurisdictions in regard to park and trail planning is considered beneficial.
- The Park and Recreation Commission, Planning Commission, and City Council must maintain an active working relationship.

Park and Trail Inventory

Park and recreational facilities may serve as a major tool in promoting community identity for St. Francis. The recreational needs of St. Francis will continue to grow as the population increases.

The first step in determining the needs of the recreational system is the identification of the existing conditions. A park inventory should be developed and periodically updated to provide a base line reference for any park and trail system.

Population and Park Needs

The tables below show population projections for the City of St. Francis as included in the most recent Metropolitan Council 2030 Blueprint. Currently, the City of St. Francis is estimated to have approximately 6,700 residents, nearly reaching the population figure for 2010 of 7,700 people as estimated by the Metropolitan Council. Although it appears as though the City may surpass the estimated population for 2030 prior to that date, it is unknown exactly how fast the City will continue to grow based upon its current and future abilities to adequately serve the population, in terms of providing utilities and services.

For now, the City's park needs will be based on the population estimates as calculated by the Met Council and the adopted Park and Trail System Plan will be revisited annually and updated as necessary to reflect the most current population growth estimates.

CITY OF ST. FRANCIS			
YEAR	POPULATION	HOUSEHOLDS	PEOPLE/HH
1990	2,538	760	3.34
2000	4,910	1,638	2.99
2010	7,700	2,800	2.75
2020	10,400	4,000	2.60
2030	12,800	5,000	2.56

Source: Metropolitan Council 2030 Blueprint adopted January 14, 2004 (Revised August 2005)

Data compiled by the Metropolitan Council indicates that the population of St. Francis is anticipated to grow to 12,800 by the year 2030. For park planning purposes, the National Recreation and Park Association (NRPA) suggests a range of 6.25 to 10.5 acres of land per 1,000 people. For the purposes of this analysis we will use the figure of 10 acres of park land per 1,000 people. This figure encompasses all types of park land, passive and active, ranging from mini parks to large scale community parks. Utilizing

Park and Trail Inventory

the population forecast set forth above, St. Francis can anticipate the need for park acreage as follows:

CITY OF ST. FRANCIS		
YEAR	ESTIMATED POPULATION	REQUIRED PARK ACREAGE (10 acres / 1,000 people)
1990	2,538	25.4 acres
2000	4,910	49.1 acres
2010	7,700	77.0 acres
2020	10,400	104.0 acres
2030	12,800	128.0 acres

Based upon the foregoing, the City of St. Francis park system should currently include approximately 65 acres of parkland to serve the exiting population. Approximately 130 acres of parkland will eventually be required to accommodate the anticipated 2030 population of 12,800 residents. Planning and implementing a park system require consideration of numerous factors including, but not limited to, open space areas, land cover and high quality habitat.

The following tables depict the City's current and proposed park facilities. The tables show the existing and proposed park acreage, park facilities and costs for the acquisition of the park land and park improvements.

Park and Trail Inventory

EXISTING FACILITIES				FUTURE FACILITIES			
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	TOTAL COST
	LAND (15 acres, MUSA) Playground equipment	\$25,000.00	\$ 375,000.00		Playground w/ rock wall slides, tubes, overhead climbers		\$ 83,003.00
3	Horseshoe pits	\$ 250.00	\$ 750.00				
1	Concession building w/ restrooms	\$75,000.00	\$ 75,000.00		concession building bathrooms refitting to create ADA stalls and additional urinals		\$ 3,000.00
					Concession building (internal) Energy efficient lighting, external fans		\$ 2,152.00
1	Softball field	\$5,000.00	\$ 5,000.00		Back stop hood & safety fence upgrade		\$ 8,400.00
1	Hockey rink	\$12,000.00	\$ 12,000.00		Pave hockey rink		\$ 16,145.00
					Basketball hoops installed in hockey rink		\$ 9,000.00
1	Skating Rink	\$ 5,000.00	\$ 5,000.00				
1	Warming house	\$106,800.00	\$ 106,800.00				
1	Volleyball court	\$4,000.00	\$ 4,000.00				
2	Parking lot				Pave back lot (40 cars) & drive		\$ 18,816.00
	Grading	\$3,000.00/acre	\$ 45,000.00		Pave front lot & drive		\$ 42,000.00
					Pave 4,418 feet of assorted trails		\$ 54,184.00
					Internal park lighting		\$ 8,161.00
			\$ 628,550.00				\$ 244,861.00

Park and Trail Inventory

DEER CREEK PARK 1				EXISTING FACILITIES				FUTURE FACILITIES			
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	TOTAL COST				
	LAND (16.52 acres, MUSA)	\$25,000.00	\$ 413,000.00		Grading	\$3,000.00/acre	\$ 49,560.00				
					Trail (3,180' x 8')	\$ 15.00	\$ 47,700.00				
					Boardwalk (400')	\$ 100.00	\$ 4,000.00				
				5	Benches	\$ 800.00	\$ 4,000.00				
			\$ 413,000.00				\$ 105,260.00				

DEER CREEK PARK 2				EXISTING FACILITIES				FUTURE FACILITIES			
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	TOTAL COST				
±	LAND (10.38 acres, MUSA)	\$25,000.00	\$ 259,500.00								
	Play Structure	\$36,373.00	\$ 36,373.00								
±	Picnic Shelter	\$35,183.11	\$ 35,183.11								
	Bituminous Trail (621' x 8')	\$13.00/linear ft.	\$ 8,073.00								
	Landscaping		\$ 1,958.00								
±	Observation Deck (8' x 16')		\$ 1,900.00								
	Timber Border (314')		\$ 1,350.00								
	Park Accessories (3 Picnic tables, firebox w/ grill)		\$ 966.40								
	Digger surface/wood product subsurface: 62 yards of pea rock		\$ 620.00								
	Fabric separating pea rock from wood product	\$0.06 x 4,929 sf	\$ 296.00								
	Grading	\$3,000.00/acre	\$ 31,140.00								
			\$ 377,359.40								

Park and Trail Inventory

EXISTING-FACILITIES				FUTURE-FACILITIES			
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	TOTAL COST
	LAND (1-acre)	\$25,000.00	\$ 25,000.00	1	Grill		
	Play structure-w/ swings		\$ 24,000.00		Bituminous Trail (400' x 15')		
	Grading	\$3,000.00/acre	\$ 3,000.00	2	Benches	\$800.00	\$ 1,600.00
					Additional Land		
			\$ 52,000.00				\$ 38,100.00

EXISTING-FACILITIES (Phase-1)				FUTURE-FACILITIES			
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	TOTAL COST
	LAND (1 acre, MUSA)		\$ 25,000.00		Play Structure (replace)		\$ 32,000.00
	Swings/slide			2	Benches	-\$ 800.00	\$ 1,600.00
	Landscaping		-\$ 2,500.00				
	1/2 Basketball-Court		-\$ 1,500.00				
	Grading	\$3,000.00/acre	\$ 3,000.00				
			\$ 35,000.00				\$ 33,600.00

Park and Trail Inventory

EXISTING FACILITIES				FUTURE FACILITIES			
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	TOTAL COST
	LAND (4.5 acres, rural)	\$15,000.00	\$ 67,500.00		Grading	\$3,000.00/acre	\$ 13,500.00
					Baseball/softball diamond w/ safety fence		\$ 12,500.00
					1/2 court basketball court & hoop		\$ 4,500.00
					Playing field (unimproved)		N/A
					Soccer goals		\$ 2,000.00
					Tot lot		\$ 28,548.00
					Picnic shelter		\$ 31,572.00
				3	Picnic tables	\$400.00	\$ 1,200.00
				3	benches	\$800.00	\$ 2,400.00
				2	Bleachers	\$4,250.00	\$ 8,500.00
				2	Players benches	\$275.00	\$ 550.00
				1	grill	\$200.00	\$ 200.00
					Trail (850' X 8')	\$15.00/ft.	\$ 12,750.00
					Irrigation	\$5,000/acre for 2-6 acres	\$ 22,500.00
					Landscaping		\$ 5,000.00
			\$ 67,500.00				\$ 145,720.00

Park and Trail Inventory

HIDDEN PONDS PARK							
EXISTING FACILITIES			FUTURE FACILITIES				
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	TOTAL COST
	LAND (6.7 acres, rural)	\$15,000.00	\$ 100,500.00				
					Playground w/ border	\$30,673.00	\$ 30,673.00
					Play area prep (grading/staking/surfacing)	\$20,800.00	\$ 20,800.00
					Backstop safety fence	\$8,824.00	\$ 8,824.00
					Soccer goals		\$ 1,950.00
					Skate park		\$ 100,000.00
					Parking lot (30 stalls)		\$ 16,000.00
					Path		\$ 30,250.00
					Landscaping		\$ 5,000.00
					Grading	\$3,000.00/acre	\$ 20,100.00
			\$ 100,500.00				\$ 233,597.00

Park and Trail Inventory

HIGHLAND WOODS PARK				EXISTING FACILITIES				FUTURE FACILITIES			
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	TOTAL COST				
	LAND (1 acre, MUSA)	\$25,000.00	\$ 25,000.00								
	Play structure w/ swings		\$ 32,600.00								
	Picnic Shelter		\$ 31,572.25								
	Bituminous Trail (630' x 8')	\$13.00/ft.	\$ 8,190.00								
	Landscaping		\$ 2,245.50								
	Timber Border (304')		\$ 1,350.00								
	Park Accessories (Grill, Picnic Tables)		\$ 966.40								
	Digger Surface and Wood Product Subsurface: 62 yards of pea rock		\$ 620.00								
	Fabric separating pea rock from wood product	\$0.06 x 4,929 sf	\$ 296.00								
	Kiosk		\$ 5,000.00								
	Retaining Wall		\$ 4,000.00								
	Additional Landscaping		\$ 6,000.00								
	Grading	\$3,000.00/acre	\$ 3,000.00								
			\$ 95,840.00								

Park and Trail Inventory

RUM RIVER WOODS PARK						
EXISTING FACILITIES				FUTURE FACILITIES		
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	TOTAL COST
-1	LAND (1 acre, MUSA)	\$25,000.00	\$ 25,000.00	-1	Tennis court	\$ 55,000.00
	Play structure		\$ 18,000.00	-1	Play structure (replace)	\$ 28,548.00
					Trail (restore)	\$ 6,000.00
						\$ 15.00/ft.
					Irrigation	\$ 8,500.00
					Park benches	\$ 1,600.00
					Benches outside tennis ets	\$ 1,600.00
				-1	Grill	\$ 200.00
				-1	Shelter (small)	\$ 10,000.00
					Bike Rack	\$ 550.00
					Paved Trail (400' x 8')	\$ 3,000.00/acre
					Grading	\$ 3,000.00
			\$ 43,000.00			\$ 114,998.00

SEELYE BROOK PARK						
EXISTING FACILITIES				FUTURE FACILITIES		
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	TOTAL COST
	LAND (1 acre, MUSA)		\$ 50,000.00		Sliding hill	\$ 2,000.00
	Bituminous Trail (175' x 8')				Play structure	\$ 28,548.00
				3	Picnic shelter	\$ 31,572.00
				1	Picnic tables	\$ 1,200.00
				2	Grill	\$ 200.00
					Benches	\$ 1,600.00
					Landscaping seed/sod	\$ 2,500.00
					Irrigation	\$ 8,500.00
					Grading	\$ 3,000.00/acre
			\$ 50,000.00			\$ 79,120.00

Park and Trail Inventory

STONE HOUSE RIDGE PARK							
EXISTING-FACILITIES			FUTURE-FACILITIES				
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	TOTAL COST
	LAND (1/3-acre, MUSA)		\$ 8,300.00		Grading	\$3,000.00/acre	\$ 1,000.00
	Boardwalk				Trail (820' X 8')		\$ 12,300.00
					Boardwalk (820' x 8')		
					Swing set		\$ 2,000.00
				-2	Park benches	\$ 800.00	\$ 1,600.00
			\$ 8,300.00				\$ 16,900.00

WOODBURY PARK							
EXISTING-FACILITIES			FUTURE-FACILITIES				
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	TOTAL COST
	LAND (~ < 1 acre)	\$25,000.00	\$ 25,000.00		Brick paver path		\$ 12,000.00
	Brick Paver Path		\$ 6,000.00	6	Wrought iron fence & entry gates	\$ 200.00	\$ 1,200.00
	Perennial bed planting		\$ 6,000.00	6	Stone columns	\$ 700.00	\$ 4,200.00
	Gazebo		\$ 42,000.00	1	Drinking fountain (ornate)		\$ 1,200.00
	Memorial Garden		\$ 38,000.00	1	Fountain (3 tier/ornate/9')		\$ 4,000.00
	Grading	\$3,000.00/acre	\$ 3,000.00	4	Wrought iron park benches w/ hardwood	\$ 900.00	\$ 3,600.00
					Irrigation		\$ 8,500.00
				12	Cherry trees (3')	\$ 30.00	\$ 360.00
					Shuffleboard court & equipment		\$ 1,500.00
				5	Wrought Iron Benches	\$ 900.00	\$ 4,500.00
			\$ 117,000.00				\$ 41,060.00

Park and Trail Inventory

FUTURE PARK (FULL-SPORTS-COMPLEX)							
EXISTING-FACILITIES			FUTURE-FACILITIES				
QTY	DESCRIPTION	UNIT-COST	TOTAL-COST	QTY	DESCRIPTION	UNIT-COST	TOTAL-COST
					LAND (40-60 acres, rural)	\$ 15,000.00	\$ 600,000.00-
				2	Hockey rink	\$ 27,000.00	\$ 900,000.00
				1	Skating rink	\$ 5,000.00	\$ 54,000.00
					Lighting		\$ 5,000.00
				1	Warming house w/ restrooms & storage	\$106,800.00	\$ 106,800.00
				2	Baseball fields	\$ 43,750.00	\$ 87,500.00
				6	Softball fields (little league)	\$ 5,000.00	\$ 30,000.00
				6	Soccer fields w/ goals	\$ 5,000.00	\$ 30,000.00
				4	Tennis courts	\$ 55,000.00	\$ 220,000.00
				1	Play structure (super)		\$ 80,000.00
				1	Shelter w/ concrete pad (large)	\$ 15,000.00	\$ 15,000.00
					3/4 mile of trail	\$ 15.00	\$ 59,400.00
				1	Concession stand	\$ 75,000.00	\$ 75,000.00
				15	Picnic tables	\$ 400.00	\$ 6,000.00
				14	bleachers	\$ 4,250.00	\$ 59,500.00
				16	Players benches	\$ 275.00	\$ 4,400.00
				12	park benches	\$ 800.00	\$ 9,600.00
					Parking area (paved 200 stalls)	\$ 2,068.00	\$ 413,600.00
					Grading	\$3,000.00/acre	\$ 120,000.00-
							180,000.00
					Irrigation		\$ 50,000.00
				10	Trash receptacles	\$ 450.00	\$ 4,500.00
				4	Bicycle racks	\$ 550.00	\$ 2,200.00
				2	Drinking fountains	\$ 1,800.00	\$ 3,600.00
							\$ 2,106,100.00
							-\$ 2,406,100.00

Park and Trail Inventory

FUTURE PARK (1/2 SPORTS COMPLEX)							
EXISTING FACILITIES				FUTURE FACILITIES			
QTY	DESCRIPTION	UNIT COST	TOTAL COST	QTY	DESCRIPTION	UNIT COST	
					LAND (28 acres, Rural)	\$ 15,000.00	\$ 420,000.00
2	Hockey rink					\$ 27,000.00	\$ 54,000.00
1	Skating rink					\$ 5,000.00	\$ 5,000.00
	Lighting						
1	Warming house w/ restrooms & storage					\$106,800.00	\$ 106,800.00
3	Softball fields (little league)					\$ 5,000.00	\$ 15,000.00
	Lighting						
4	Soccer fields w/ goals					\$ 5,000.00	\$ 20,000.00
2	Tennis courts					\$ 55,000.00	\$ 110,000.00
1	Concession stand					\$ 75,000.00	\$ 75,000.00
10	Picnic tables					\$ 400.00	\$ 4,000.00
10	bleachers					\$ 4,250.00	\$ 42,500.00
10	Players benches					\$ 275.00	\$ 2,750.00
8	park benches					\$ 800.00	\$ 6,400.00
	Parking area (paved - 120 stalls)					\$ 2,068.00	\$ 248,160.00
	Park center building (2 stories, septic system)						
	Irrigation						\$ 50,000.00
6	Trash receptacles					\$ 450.00	\$ 2,700.00
4	Bicycle racks					\$ 550.00	\$ 2,200.00
2	Drinking fountain					\$ 1,800.00	\$ 3,600.00
4	Hoops in hockey rink						
	Grading					\$ 3,000.00/acre	\$ 84,000.00
							\$1,252,110.00

Park and Trail Inventory

TRAILS (8' ARTERIAL-TRAIL-SYSTEM)						
EXISTING FACILITIES			FUTURE FACILITIES			
QTY	DESCRIPTION	UNIT-COST	TOTAL-COST	QTY	DESCRIPTION	TOTAL-COST
	4.57 miles		\$ 161,040.00		22.92 miles	\$ 18.00/ft
					Elevated boardwalk (300')	\$ 150.00/ft
					Bridge (8')	\$ 80,000.00
						\$2,303,316.80

TRAILS (10' ARTERIAL-TRAIL-SYSTEM)						
EXISTING FACILITIES			FUTURE FACILITIES			
QTY	DESCRIPTION	UNIT-COST	TOTAL-COST	QTY	DESCRIPTION	TOTAL-COST
	2 miles		\$ 202,323.00			
			\$ 202,323.00			

Park and Trail Inventory

INSERT EXISTING PARK FACILITIES AND AMENITIES MAP

DRAFT

Park and Trail Inventory

Park Service Area Analysis

In order to establish whether or not the City has acquired adequate or excessive parkland, a service area analysis was conducted. Parks should have independent service areas serving residential neighborhoods. A map is included showing each park with a service area of ½ mile around it. It should be noted that Highway 47, Rum River, and other such barriers lie within several of the service area circles, so care should be taken when analyzing overlap.

Community

St. Francis Community Park is about 12 acres in size, which is adequate for a community park. The park has a great location and good visibility. There are several overlapping service areas in this area but this is due to the river and Highway 47. Continued improvements to the City's sidewalk and trail system could bolster this park's use. The parking facilities allow for users from throughout the area to use this park.

Deer Creek

The park in the Deer Creek subdivision is located near higher density housing and is attached to a large wetland. This makes the parcel about 11 acres in size but with only about a 3 acre area of it is upland. With some improvements to the trail or sidewalk system this park could be accessed by a great number of users.

Seelye Brook (Deer Creek 3rd)

This park is a little over an acre in size and located on a local road. It is a gateway to the Wickstrom Forest Park in Oak Grove. There is limited visibility that can cause concerns in portions of this park. However, it appears to generally serve the purpose for which it was acquired and is providing a service in an area that would otherwise be difficult.

Degardner

This park has very poor access, visibility, and has outdated equipment. It consists of about 3 parcels, two of which are a half acre in size while the other is a third of an acre for a total of about 1.3 acres. There are ponds located within the park that limits its usability. Outdated equipment can be a hazard and liability issue for the City. Further study should be conducted on improving access prior to upgrading equipment. If there are no solutions, perhaps a status change would be appropriate into a pedestrian corridor.

Durigan Locher

This park serves the area north of Bridge Street and east of Highway 47. The park is only about 1 acre in size and has limited accessibility, visibility, and connectivity. It could never be much more than a parcel housing playground equipment. There are

Park and Trail Inventory

limited areas available for expansion or replacement of this park. Further review of usability in conjunction with future development and possibility of connectivity improvements would be warranted.

Edgewild

The park in the Edgewild subdivision is slightly less than 5 acres in size and is on a local road adjacent to property owned by the DNR. The park is too small for any sort of development as a community-wide asset. The need for neighborhood parks in rural areas is lesser than the need in urban areas, due to the lower density and fewer available users. It may not be financially feasible to develop and maintain a park with this service capacity potential. The DNR may have interest in taking over this property, due to its proximity to the WMA. There is limited development potential in the area making additional users for this park unlikely.

Hidden Ponds

The park on Roanoke in the Hidden Ponds development is about 8 acres in size, has a parking lot, playground, and a ball field. Ideally, parks for ball field purposes would be larger in size. The property across the street has been discussed as a possible sports complex. If that were to be the case, this park could be incorporated into it, if it could be done in a safe manner. It is located near future development areas and could be used independently as a neighborhood park, as well. The park has excellent visibility, usability, and accessibility.

Royal Oaks

Located on 233rd and Ivywood, this park is undeveloped but would serve only a small handful of parcels independently. Its location is near apartments but the lack of quality frontage and limited usability, visibility, and accessibility would likely result in underutilization. The park's service area has significant overlap with the park in Highland Woods, which has far better connectivity to the area residents.

Rum River Woods

The park in the Rum River Woods development appears to be underdeveloped and also has some overlap with the service area for the Community Park. The park has river frontage and is 2 acres in size, which gives it some degree of potential. It is only approximately 75 feet wide in size which is not ideal for parkland but also limits its other potential uses. This park could use sidewalks or trails to increase its connectivity.

Smith Lake

About 10 acres of land was acquired in the Smith Lake Wildlife Estates Subdivision for a larger park. At the time it was discussed that this park could be a sports field type use. It would need to be a destination park, as the surrounding neighborhood most likely

Park and Trail Inventory

would not have the population to support it. There appears to be some wetland and pond areas within the park. Generally, sports complexes are 20 – 40 acres in size. Thus, if this site were to be developed for this purpose, additional land may be necessary.

Passive Parks

Several natural and open space areas have been acquired by the City, as well. These parks are primarily natural areas with limited active recreation potential. These areas are to be separated from active park land as they serve a different purpose and given lower funding and programming priorities:

Creekview Estates

There are two parcels platted as park in the Creekview Estates Subdivision. These parcel are the location of the channel for Seelye Brook. Since these parcels are platted as park, they cannot be used for any other purpose. There are no known plans for these parcels.

"Deer Creek Park 1"

Located on the southern edge of the City, this land was dedicated to be a future trail area around the wetlands. There is a strip of land between two houses providing access. With very limited access, it is unclear if this property could serve any other purpose.

"Degardener Park 2"

This is a 13 acre site that is mostly wetlands located between the trailer court and the Degardener Addition. It has been discussed as the potential future location of a boardwalk. This was platted as parkland, and could not be used for any other purpose.

Dellwood River

This is a natural area along the river where the City has a trail for public access. Most of the site is wetlands. The two access points where the trail meets a public street in between houses, which is not ideal.

Stone House Ridge

Parkland was dedicated for Stone House Ridge as a small amount of upland adjacent to a large wetland complex. The concept was to have a boardwalk connecting over the wetland.

Park and Trail Inventory

Non-City Facilities

Bethel Wildlife Management Area

Bethel Wildlife Management Area, a State Park managed by the Minnesota Department of Natural Resources, located on the northeastern boundary of the City of St. Francis.

Rum River North County Park

Rum River North County Park, an Anoka County Park, consists of 80 acres located near the south-central boundary of St. Francis. It is the northern access to the Rum River Canoe Corridor. Amenities available at Rum River North County Park include picnic shelters, biking and hiking trails along the Rum River, canoe launch sites, canoe campsites, fishing pier, observation decks, a large playground and a restroom.

Rum River North County Park, located one block north of County Road 24 on Rum River Boulevard, is close to the County's St. Francis branch library, St. Francis High School, city hiking/biking trails, and a state-funded snowmobile trail. The Rum River North County Park includes beautiful natural features such as restored native prairie, great vistas of the Rum River, and thick canopies of mature hardwood trees.

School Facilities

The St. Francis 2000 Comprehensive Plan identifies exploring the possibility of constructing a community pool in partnership with Independent School District #15.

St. Francis Elementary
22919 St. Francis Blvd., St. Francis, MN 55070

St. Francis Intermediate Elementary
23026 Ambassador Blvd., St. Francis, MN 55070

St. Francis Junior High School
23026 Ambassador Blvd., St. Francis, MN 55070

St. Francis Senior High School
3325 Bridge St., St. Francis, MN 55070

Transition 15/Oakwood Learning Center
2935 Coon Rapids Blvd., St. Francis, MN 55433

Park and Trail Inventory

Crossroad school and Vocational Center
4111 Ambassador Blvd., St. Francis, MN 55070

Waterways

The Rum River runs north/south through the central area of St. Francis offering scenic views and canoeing opportunities.

Recreational Programming

Recreational programming is available through various community organizations located within the City of St. Francis.

- District 15 Community Education Programs
- North Metro Soccer Association
- St. Francis Traveling Baseball Team

Community Festivals

- Pioneer Days: Carnival, Craft/Food Booths, Parade, Bands, Fireworks

Trail Destinations

Policies set forth in the City of St. Francis Comprehensive Plan include:

- expanding existing pedestrian/bicycle access throughout the City;
- adopting a trail plan; and
- providing for enhanced bicycle and pedestrian linkage.

Parks Commission

The City of St. Francis has a Park and Recreation Commission that meets monthly. The St. Francis Park and Recreation Commission serves as an advisory commission to the City Council.

Open Houses

The City conducted a series of open house events to receive resident input regarding park development. Information received at the open house events indicates that residents of the City utilize existing park facilities. Residents requested additional ballfields for active play.

Park and Recreation Policies

Park and recreation planning in any community is a staged process. Developing a policy plan is the first and most critical stage of the planning process. The policy plan is a strategic management tool that reflects the community's general treatment of its recreation facilities and services, and provides more detailed guidance on park and trail development and maintenance standards. Community recreation standards are the means by which the City can express its goals and objectives in quantitative terms, which in turn can be translated into spatial requirements for physical resources.

2000 Comprehensive Plan Park and Open Space Policies

- It is the policy of the City to preserve and protect its natural environment in order to enhance the residential quality of life in the community.
- It is the policy of the City to maintain and enhance the City's parks and to work cooperatively with Anoka County Parks Department to provide trail connections to the Rum River and Lake George Regional parks.
- It is the policy of the City to provide for additional neighborhood parks and open spaces in tandem with new residential development.
- It is the policy of the City to manage the City's unique land and water resources, to preserve and enhance those resources, and thus, raise the City's quality of life.
- It is the policy of the City to maintain the Scenic River District and continue to work with the Minnesota Department of Natural Resources to protect both the Rum River's Rural Scenic and Urban Scenic areas.
- It is the policy of the City to protect and preserve the natural environment by avoiding development in protected wetlands, steep slopes, and any other environmentally sensitive areas.
- It is the policy of the City to improve and enhance Woodbury Park as part of the "Village of Otona" Redevelopment district.
- It is the policy of the City to expand its existing trail system by establishing a bituminous trailway system that provides safe and convenient pedestrian/bicycle access throughout the city and with internal and external connections to the Regional Park.

Park and Recreation Policies

- It is the policy of the City to expand its sidewalk system to provide pedestrian accessways throughout the downtown, along Highway 47 and the newer residential developments.
- It is the policy of the City to consider additional recreational transportation improvement projects to the Rum River in order to cater to the growing needs of the community.

System Policies

- Develop an on-going planning process for the establishment of parks and trails that responds to the Comprehensive Land Use Plan Policies as well as those identified herein.
- Develop goals and priorities for park and trail acquisition and development.
- Identify present and future park and trail needs on a regular basis for evaluation by the Park Board and City Council.
- Review the established park and trail plan annually to be used as the basis for development.
- Prepare a master plan for each component of the park and trail system to be used as the basis for development.
- Promote public participation in the planning process via the Park Board hosting a forum for open discussion of issues.
- Promote integration with other City activities, services and facilities.
- Identify the means by which to implement park and trail administration and operations (i.e. by the Park Board, City Council, administrative procedures, City ordinances).

Acquisition Policies

- Acquire park and trail facilities to satisfy the recreational and transportation needs of the residents on both a neighborhood and community-wide basis.
- Identify means for park and trail acquisition (i.e. dedication, purchase, eminent domain, donation).

Park and Recreation Policies

- Identify means for establishment of park and trail facilities within subdivisions (i.e. outlots, easements).
- Ensure the proper right-of-way width and easements are dedicated for sidewalks and trails during the subdivision process.
- Identify sources of funds to be utilized for acquisition (i.e. trail dedication fund, capital improvement program, bond issuance, grant programs, etc.).
- Establish who is responsible for park and trail construction within subdivisions.
- Determine to what extent wetlands, drainage ways, floodplain areas, etc. should be accepted as part of park and trail dedication within subdivisions.
- The inclusion of environmentally sensitive areas (lake frontage, native prairie, bluffs, unique vegetative associations, etc.) into park or trail facilities should be considered to contribute to the overall recreation system.
- Consider acquiring land for parks and trails at an early date to meet long range needs before development pressures render the property too expensive.
- Consider accepting parkland dedications consistent with the adopted park and trail plan and accepting only cash in areas that serve no system purpose.
- Consider crediting for dedication of park and trail land only those parcels that are not within delineated wetlands or that include slopes of no more than twelve percent (12%).
- In addition to the standard programs and facilities typically recognized by the City, consideration should also be given to the following areas:
 - Nature preservation
 - Historic preservation
 - Cultural enrichment
 - Facilities for the handicapped/disabled
 - Public activity areas and facilities in employment centers
 - Organized sports and recreational activities
 - Teen programs and facilities
 - Senior citizen programs and facilities

Park and Recreation Policies

Programming and Development Policies

- Provide, if not parks in every neighborhood, then trail links within every neighborhood that connect residents conveniently to the regional and local park system and to the City Center. This trail system would provide both active and passive recreational opportunities for residents.
- Expand the multi-modal trail system with connections to the town center and neighborhoods.
- Provide for pedestrian and bike connections to and from the town center to encourage multiple activities.
- Provide for an adequate amount of open space throughout new developments, which serve both aesthetic and recreational functions and also serve as buffers and boundaries between incompatible land uses. Require an adequate number of trees in new neighborhoods and the replacement of trees if removed.
- Develop new residential areas as pedestrian-oriented neighborhoods with a mix of housing types, open and recreational spaces, trail linkages, trees, adequate buffering from incompatible land uses, and traffic calming measures.
- Promote working relationships within Independent School District #15, the surrounding communities, the County, School Districts, private and/or non-profit organizations in developing joint ventures for shared use of recreational parks, open spaces, facilities and the citywide trail system.
- Work specifically with other institutional organizations in St. Francis to promote sharing agreements of their facilities with other community groups to have access to other additional recreational and cultural opportunities.
- Create and maintain an attractive, diverse, and interesting system of parks and trails.
- Create a City-wide park and trail system designed to minimize conflicts between pedestrians and motor vehicles.
- Minimize park and trail construction costs by constructing trails in conjunction with state, county, and City street improvements.

Park and Recreation Policies

- Parks and trails constructed on a priority basis, according to capital improvement plan and available funds; trail priorities may be:
 - Trails along major streets which focus on pedestrian and bicycle safety and which provide direct access to City and regional destinations and parks.
 - Trails that will serve the most intensely used areas.
 - Trails construction within existing parks and upon City right-of-way, easements and property.
 - Trail inclusion within new park and subdivision development.
 - Completion of links between existing trails and other communities.
- Park priorities may be:
 - Establishment of parks in association with new subdivisions.
 - Establishment of parks in undeveloped areas.
 - Creation of neighborhood and community-wide parks.
 - Upgrade/improve existing park equipment.
- Identify types of financing to be utilized for park and trail acquisition and development.
- Review park dedication fees in comparison to surrounding areas and in regard to City needs (land vs. cash).
- Encourage the private sector to provide recreational opportunities/facilities.
- Provide support facilities in conjunction with trail development.
- Fully organize and outline new recreation programs prior to initiation and implementation.
- Determine where the establishment of user fees is appropriate to combat recreation costs.
- Determine under what circumstances unsolicited gifts and donations will be accepted if they are free of obligations or potential future impacts.
- Determine under what circumstances volunteer efforts will be utilized to expand the City's recreational elements.
- Active use recreation areas should be designed for year round use with an established system of maintenance.

Park and Recreation Policies

- Park and playground buildings should be compatible with surrounding activities with regard to scale, design, color, setbacks, and materials.
- Park and trail development should minimize impacts on adjacent properties through design provisions including, but not limited to:
 - Adequate off-street parking.
 - Appropriate orientation and location of buildings and activity areas.
 - Screening, buffering and landscaping.
 - Adequate setbacks and physical separation.
- Coordinate facility development with the needs of community residents, Park and Recreation Commission services, athletic associations, civic groups, etc.
- Maximize park accessibility by City residents to best serve the area.
- Coordinate annual park events.
- Consider existing physical site amenities (natural or man-made) and encourage the establishment of new site amenities when planning and developing park areas.
- Ensure that the proper right-of-way widths are dedicated or easements are established for sidewalks and trails during the subdivision process.

Facility Purpose and Design

- Establish park and trail facilities that provide recreational as well as functional uses.
- Provide varying types of trails to be used as the basis of planning and development for the park and trail system.
- Trail grades should ensure handicapped accessibility.
- Design and construct trails according to the standards established by the National Park and Recreation Association, the Minnesota Department of Transportation, and Rails-to-Trails Conservancy.
- Prior to the development of each park area, a design plan will be prepared which shows the types, locations and sizes of proposed facilities and estimated costs.

Park and Recreation Policies

- Maximize park accessibility by City residents to best serve the area in which the facility is located by requiring either vehicular or pedestrian access or both (depending on the size and classification of the park).
- Consider the utilization of trail corridors as ski touring or snowmobile routes during the snow season and consider other possible uses of such corridors when safe and proper.
- Maintain all trails in good repair and ensure that designated trail segments are kept open and clear of snow throughout the year unless designated as winter use trails.
- Consideration shall be given to safety, visibility, and emergency access into parks when acquiring land or planning for development.
- Develop policies for all terrain vehicle, mountain bike, horseback riding and in-line skate usage.
- Define the types of parks that exist and are to be established in the City and develop policies for each.

Maintenance and Operation

- Provide for the efficient maintenance and operation of clean, orderly, controlled, safe, and attractive parks and trails. Park maintenance and operation shall safeguard the physical condition of trails from deterioration or damage due to weather, vandalism, or other natural or human causes.
- Develop a clear and concise system of park and trail graphics and signage that direct people along trails and into parks to specific points of interest.
- Define specific park and trail safety rules.

Public Relations and Community Issues

- Involve park system user groups and other individuals in the ongoing planning and budgeting for the park.
- Sponsor events in the park to further enhance community sense of ownership and to build community.

Park and Recreation Policies

- Develop ways in which to promote citizen interest and involvement in the City's park and trail system.
- Publish a pamphlet that shows the trail routes, parks, service and public facilities.
- Monitor characteristics of use, safety, and other factors periodically throughout the park and trail system.
- Provide facilities and services to all residents of the community.
- Develop ways to organize recreation programs and facilities to maximize participation and overcome physical poor economic limitations that may prevent equal opportunity, regardless of age, race, sex, religion, or place or residence.

Plan Development

The Plan Development chapter of the St. Francis Park and Trail System Plan will provide the guide for continued development of the City's park and trail system. Existing facilities are identified herein in greater detail with recommendations for continued use and vitality. In addition, search areas for future parks have been identified based upon the growth strategies outlined in the City's Comprehensive Plan. Future park areas do not target specific properties. Instead, the search areas identify general target areas toward the goal of providing the City with the ability to reserve land from development as it becomes available.

Trail development is addressed somewhat differently in that future trail corridors have been specifically identified. The basic concept of the trail element of the Park and Trail System Plan is to provide for a multi-purpose trail network that connects to important recreational and social centers of the community. The trail element of the plan also seeks to provide intra-community connections with regional trail corridors provided by other agencies. In addition to the primary trailways that follow street rights-of-way, a number of overland trail segments are proposed which serve two purposes. First, these segments provide more direct access to neighborhoods or destinations. Second, overland trails may serve as linear parks and provide a transportation function through areas of high amenities.

Park and trail system plan preparation requires recognizing a park classification system that will cater to the recreational need of all residents. The City of St. Francis recognizes the importance of establishing and using park and recreation standards as:

1. An expression of minimum acceptable facilities for citizens of the community;
2. A guideline to determine land requirements for various kinds of park and recreation areas and facilities;
3. A basis for relating recreational needs to spatial analysis within a community-wide recreation system;
4. One of the major structuring elements that can be used to assist with development; and
5. A means to justify the need for parks and open space within the overall land use pattern of the City.

The following park classification system is intended to serve as a guide to planning, not a blueprint. The standards are to be coupled with conventional wisdom and judgment relating to the particular situation to which they are applied and specific local needs. Occasionally, more than one component may occur within the same site, particularly with regard to a specialized use within a larger park.

Plan Development

Community Parks	
Use	Designated area of diverse environmental quality which may include areas suited to intense recreational facilities such as athletic complexes as well as passive type areas, depends largely upon the site location, suitability and community need
Service Area	Several neighborhoods, 1 to 4 mile radius Serves the entire community or large segment thereof.
Population Served	All ages, toddler to retiree, entire community for cities up to 25,000
Desirable Size	20 to 35+ acres 20 to 60 acres
Acres/1,000 Population	5.0 – 10.0 acres
Site Characteristics	Provides for a combination of intensive and non-intensive development ranging from play equipment to trails, may include natural features, such as water bodies or forested land, must include support elements such as rest rooms, drinking water, parking and lighting. May also include community wide playfields and sports complex type uses.

Community Playfields	
Use	Designated large recreation area with primarily athletic facilities designed to serve older children and adults
Service Area	1 to 1½ mile radius City wide
Population Served	All ages
Desirable Size	10 to 25 acres
Acres/1,000 Population	2.0 – 5.0 acres
Site Characteristics	Organized sports facility or athletic complex including lighting court and field games, community center or indoor recreation facility, swimming pool, ice rink, capacity for special events, must include support elements such as rest rooms, drinking water, parking and lighting

Linear Park/Trails	
Use	Designated area developed for one or more varying modes of recreational travel, may include other activities such as sitting areas, exercise courses, play areas, landscaping, etc.
Service Area	No applicable standard
Population Served	All ages, entire community
Desirable Size	Sufficient width to provide for specified activities, maximum usage and setbacks from streets and residential areas
Acres/1,000 Population	Variable
Site Characteristics	Built or natural corridors such as utility rights-of-way, bluff lines, vegetation patterns, and roads that link other components of the

Plan Development

	recreation system or community facilities such as parks, schools, and residential areas
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Mini Parks	
Use	Designed to provide passive activities with some active short term activities and may include specialized facilities serving a limited population or specific group such as a playground
Service Area	Neighborhood sizes of 1,000 to 5,000 persons within ¼ to ½ mile radius
Population Served	Toddlers through age 15, with informal recreation for groups of all ages
Desirable Size	1 to 10 acres
Acres/1,000 Population	1.0 – 2.0 acres
Site Characteristics	Open space for spontaneous play, play areas for both pre-school and school-age children, multiple use paved areas, limited field games, small court games, ice rinks, playground equipment, within easy walking/biking distance

Natural / Conservancy Areas Open Space	
Use	Designated area for protection and management of the natural/cultural environment with recreational use as a secondary objective, corridors to support the trail plan, and/or holding zones for future parks acquired before prior to their needed programming. Such parks should only be acquired on an extremely limited basis.
Service Area	No applicable standard, scattered among City parks of all sizes
Population Served	All ages
Desirable Size	Sufficient to protect the resource and accommodate recreational uses
Acres/1,000 Population	Variable
Site Characteristics	Variable, depending upon the resource being protected

Neighborhood Parks	
Use	Designated active and passive recreation areas
Service Area	Large neighborhood sizes of up to 5,000 persons within ¼ or ½ mile radius
Population Served	Focus upon ages 5 through 39 with emphasis upon ages 5 through 18
Desirable Size	5 to 10 acres 3 to 10 acres
Acres/1,000 Population	1.5 – 2.0 acres
Site Characteristics	Suited for multi-use recreation development, easily accessible to neighborhood population, geographically centered with safe

Plan Development

	walking and bike access, may include school facilities
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Private Facilities	
Use	Designated areas for specialized or single purpose recreational activities, such as golf centers, display gardens, arenas, outdoor theaters, gun ranges, historical buildings/areas, and parkways and boulevards within commercial centers.

Special Use Parks	
Use	Designated areas for specialized or single purpose recreational activities, such as golf courses, nature centers, marinas, zoos, conservatories, arboreta, display gardens, arenas, outdoor theaters, gun ranges, or downhill ski areas, or areas that preserve, maintain, and interpret buildings, sites, and objects of archeological significance. Also plazas or squares in or near commercial centers, boulevards, parkways.
Service Area	No applicable standard
Population Served	Variable, depending upon designated use
Desirable Size	Variable, depending upon desired size
Acres/1,000 Population	Variable
Site Characteristics	Within communities.

New Facilities Park Facilities

Parks

Relatively speaking, St. Francis currently has sufficient park acreage for a community of its size. The majority of parkland is, however, located in the "developed" area of the City. While such parks may presently serve or will serve the recreational demands of community residents, the City is lacking park facilities in the eastern and western areas of the community. Park facilities will be of the greatest benefit to residents when they are readily accessible. Therefore, the majority of new park facilities are proposed in the eastern and western portion of the City.

The Park and Recreation Commission has expressed a desire to interconnect a series of small and medium sized parks in these areas which are interconnected via a series of trails to create a "park complex" of sorts. Recognizing this objective, the following park search areas have been identified:

Medium Size Parks (< 25 acres in size)

Plan Development

Area South of 235th Avenue NW and West of County Road 70. A medium-size park search area is identified in the extreme southwest corner of the City. It is envisioned that this park would include a combination sports field, a play structure and trails. It is expected that the park would be linked to area neighborhoods via a trail system.

Area South of County Road 28 and West of County Road 71. A search area is also identified east of County Road 71 and south of Seelye Brook. While active recreational opportunities are envisioned in this park, its adjacency to Seelye Brook offers excellent opportunities for passive recreation.

Area South of Seelye Brook and East of County Road 71. Being adjacent to Seelye Brook, this park search area holds potential for both active and passive recreational opportunities. The area is also afforded excellent access from the west via County Road 71.

Area North of County Road 24 and West of County Road 24. This search area is located directly east of the Turtle Run subdivision and is expected to supplement the recreational needs of its residents.

Area North of Rum River County Park and West of County Road 72. While adjacent to the Rum River County Park, this park would likely provide active recreational opportunities (i.e., ballfields) that are not provided in the County Park.

Small Size Parks (1 to 10 Acres in Size)

Small-size parks are proposed in the following areas. It is expected that these parks will be passive in nature and serve the recreational needs of immediate neighborhoods. Improvements to these parks may include play equipment, benches, and possibly picnic areas.

- Area South of County Road 70 and West of Variolite Street NW
- Area North of 233rd Avenue NW and East of Nacre Street NW
- Area North of County Road 28 and West of the Seelye Brook Woods Subdivision
- Area North of 240th Lane and east of County Road 71
- Area East of Roanoke Street between County Road 28 and 241st Avenue
- Area South of 241st Avenue and between State Highway 47 and the Rum River
- Area North of 241st Avenue and East of the Rum River
- Area South of 243rd Avenue between County Road 72 and County Road 24
- Area South of 237th Avenue between County Road 24 and Drake Street

Plan Development

For new and existing facilities, the goal of the City of St. Francis would be to keep the same level of recreational opportunities available to the public as the City grows while finding ways to more efficiently provide park related services. This will ensure that the City can afford to keep the system maintained at the current high quality level by saving resources for routine maintenance while also taking care of future park needs.

The following are the key components for the park system of the City of St. Francis:

Categorization

Parks should be clearly categorized based on use. This allows the City to focus resources in appropriate manners. The City intends to focus on two key active park categories and categorize the existing parks and future parks as such. The two major categories should be simply neighborhood and community level parks, as defined above. Programming for community level parks would be facilities that draw from the City as a whole such as ball fields and other such facilities that would require parking lots and sanitary facilities. Neighborhood level parks would be for playground equipment and other limited facilities intended to serve residents within the service area.

Accessibility

Parks should be located on higher classification roadways. Parks should not be located on local streets where users will interfere with the residential nature of the area. Parks should have sidewalks or trails leading to the site from the neighborhood residences. Every park should be designed to handle the traffic it generates. Parks should connect to one another and key community facilities via the trail and sidewalk system.

Usability

Neighborhood parks should be of a size that reflects the community values but are recommended to be between 3 and 10 acres in size. This allows for more centralized facilities which lowers maintenance costs and increases the usability of the park. Parks that are intended to serve the community as a whole should be 20+ acres in size unless they serve a special purpose for which a smaller site is sufficient. Parks should be given names and signage that are independent of the subdivision that they are found in to avoid deterring residents from other neighborhoods using the park. Existing parks may not meet these standards and can be considered for expansion, replacement, supplementation, or reassignment.

Visibility

Parks should have good visibility into the site from the right-of-way and the neighborhood. Good visibility increases safety and limits opportunities for vandalism and crime. Vandalism results in premature replacement costs.

Plan Development

Maintenance

In order to limit liability, park equipment should be replaced on a regular schedule. The City should plan on replacing equipment and amenities every 20 to 25 years and begin routine safety inspections. A capital improvement budget should be made to track replacement costs. The City should plan on replacing equipment as a priority before new equipment unless new priorities are developed.

Open space should only be acquired in fee title when there is an identifiable public purpose. Ownership of the land comes with responsibilities for maintenance. When the City does come into ownership of property, low maintenance vegetation should be considered. If an open space parcel is remote, contracting of maintenance may also be considered.

Service Areas

The community should establish an appropriate distance for a service area. It is common to utilize a ½ mile radius for neighborhood park service areas, as this is a common standard for walking distance. Parks serving neighborhoods should serve more than one development. Parks should be located in areas that are accessible to as many people as possible to maximize use and limit the total amount of parkland needed to service the community.

The City of St. Francis has some rural residential neighborhoods. It has been the City's practice to provide parks in these areas for the residents. This policy should be re-examined. Rural development densities are lower and the service areas would end up with a very limited amount of residences within ½ mile. Larger scale community parks or other types of special destination parks are appropriate for rural areas provided they are not dependent upon a central location.

Trails

A park plan and ultimate park system is truly not complete without a system by which residents are afforded a convenient and safe means to access such facilities. In this regard, the designation of future trail corridors is considered a worthwhile planning effort.

A primary goal of the St. Francis Park and Trail System Plan is to provide linkages between the City's various park facilities and residential centers. To achieve this, desired trail locations should be earmarked prior to new growth so that when opportunities arise, various trail segments can be established or reserved.

Plan Development

Retrofitting trailways onto an existing development patterns is more difficult than identifying new corridors for new development. Therefore, an effort to identify connection points to existing development should be considered prior to additional new growth. The trails illustrated on the Park and Trail Plan Map will likely consist of three types of trails: on-street trails, grade separated trails, and overland trails.

On-street trails are those that utilize local streets as connecting links between other types of trail segments. They are vital in that they provide ingress and egress through residential areas, which is commonly the place of origin for most trail uses.

Grade separated trails are those that are located parallel to a street, often within the street right-of-way, but do not share the same paved surface. Grade separated trails are typically set apart from the driving surface by a grasses and/or landscaped median area. Grade separated trails provide safer access along high volume transportation corridors and depend on signalized intersection of specific pedestrian crossings to cross streets with high traffic counts.

Overland trails are those that provide pedestrian or bicycle connection in areas where it is not desirable or feasible to utilize on-street or grade separated trails. These are wider corridors of at least 20 feet and up to 100 feet wide which may include elements of a linear park such as open space, vegetative plantings or other complementary features in addition to the paved trail surface.

Trails are usually maintained by the City. Sidewalks are usually maintained by the neighboring property owners. As more trails are installed, the more the City is committing resources to maintaining trails. In some situations, a sidewalk or bike lane could serve the same purpose of a trail. Trails that the City does not wish to maintain and are not used year round by the public could become seasonal and closed during winter. Trails should be put on a regular maintenance schedule which should include seal coating and planning for replacement.

Development of a comprehensive trail system plan as part of a park and trail plan for the City should incorporate the following priorities in no particular order:

1. Obtain no cost trail easements in accordance with an adopted master plan as subdivision opportunities permit.
2. Construct trail systems within new subdivisions concurrent with the development process. Have a goal that within five years of construction of initial trails within subdivisions, added trail system components will be constructed to "loop" new subdivision trails so that extensive short stub trails with no destination or looping

Plan Development

do not exist for any significant length of time. City funds would be used to complete a loop through a development only when a connecting segment must be acquired and constructed.

3. Evaluate existing developed areas for trail looping, either for walking, biking or horse use. A two or three mile long trail loop circling through a development area will likely receive high local usage and can be eventually incorporated into a large City-wide system.
4. Trail routes along major streets and roadways that have the most direct access to primary pedestrian destinations.
5. Where trails will serve commuter destinations.
6. Where trails lead to parks, playfields, and other recreational facilities.
7. Where trails will link together separate portions of the St. Francis trail systems with each other.
8. Where trails provide access to regional trails.

The Park and Trail Plan Map focuses upon the designation of future trails based upon the location of varied trail routes and lengths, connection to existing trails in neighboring communities, connection to various destinations, availability of land and anticipated development areas. These trails should be acquired and developed as the opportunity is presented.

FUTURE PARK & TRAIL FACILITIES

The attached maps depict the location of future park and trail facilities for the City of St. Francis. Neighborhood parks are intended for areas that will have a higher number of residential units and the need for neighborhood facilities. Community parks are proposed to be located between the Rural and Urban Residential neighborhoods and in areas easy for the community-at-large to access. Trails are placed in key locations to provide connectivity from the park system to key community resources.

INSERT FUTURE PARK AND TRAIL MAP

DRAFT

Introduction

The final phase of the Park and Trail System Plan establishes a process of projecting land acquisition and trail improvements, setting priorities, and scheduling for their provision and financing over a period of time. This process produces a long range guide for recreation and requires that the City look toward the future to anticipate capital expenditures. This section does not take the place of a capital improvements plan in that precise costs are beyond the scope of this document, however, the City must consider its five year priority list, analyze the financial situation, and obtain cost estimates for the desired improvements.

Land Acquisition

Park and trail land dedication will play a major role in acquiring and developing park/trail facilities. Acquisition through dedication is a long term process since land can only be obtained as the abutting land is developed. While the outright purchase of land is many times prohibitive due to investment costs and anticipated benefit per capita through the City, it will be necessary where developments are already in place and lack recreational facilities or to acquire special, distinct pieces of land which would otherwise be difficult or impossible to obtain through park dedication. While portions of St. Francis contain developments that are already in place where several of the trail corridors are proposed and will likely require land acquisition through purchase or the establishment of easements, the utilization of road rights-of-way can also provide an easy alternative for establishing public trail routes.

For every component added to the park plan, the maintenance responsibility should be considered. Additional parks mean additional maintenance costs and routine scheduled replacement. Future park areas should be limited to what is necessary and what can serve the public in an efficient and organized manner. Trails should only be used when a trail is necessary to separate bicycle and pedestrian traffic from higher classification roadways. Bicycle lanes and sidewalks could replace trails on the trail plan when feasible.

In order to provide the safest parks possible, the City will need to set routine maintenance and replacement schedules. The cost for replacing and maintaining equipment should be put in line ahead of new acquisition to ensure there are enough resources to do so.

Minimum park standards should be adhered to, as much as feasible, in order to ensure new parks are a fit within their intended category, accessible, usable for their intended purpose, visible and safe, easy to maintain, and have a specific service area. Such

Implementation

standards should be incorporated into the park plan to ensure the City is communicating its intent to the public and potential subdividers of land.

The City should also consider divestment of park land that no longer serves its purpose in order to reallocate resources for acquisitions that are a better fit. Divesting parkland is a serious matter that should only be done in cases where the park was acquired for a purpose that no longer fits within the City's goals and policies. Prior to divestment, the City may need to process a Comprehensive Plan Amendment and in some cases a rezoning. Any money acquired from divestment would need to be placed in the Park Dedication Fund.

Concept Planning

Concept plans are site specific and serve as the basic documents for the layout, facility mix, landscaping, and construction details for a park or recreation facility. For this reason, they are best prepared once the Park and Trail System Plan has been completed and location of individual park sites determined. They are based upon a well-defined program of recreation facilities and services to be provided and the overall physical arrangement of such. Such plans are not provided within this document, but should be pursued in future years. Their preparation will become a necessity in defining project costs as part of the yearly budgeting or capital improvement process.

Capital Improvement Process

Capital improvement programming provides an instrument for carrying out the objectives and recommendations of the St. Francis Park and Trail System Plan. Through prioritization of five year capital needs for the City's park and recreational facilities and identifying the amount of money available to finance the improvements during this period, the City will be able to determine which improvements are necessary in terms of their ability to pay. The capital improvements program (CIP) is a flexible process, in that as the social, physical and financial conditions change within the City, the priority of the scheduled projects may also change. In response to the changes in the City, the CIP must be an ongoing process. Each year, the CIP should be re-evaluated for consistency with the plan, current recreational needs, and fiscal condition of the City.

The following process should be utilized by the Park Board, Planning and Zoning Commission, and City Council when reviewing potential park capital improvement projects:

Implementation

1. Establish a five-year priority list of park/trail capital improvements that reflects current and projected recreation demands. Annually review and revise the five-year priority list to reflect current demand and needs.
2. Analyze the City's current financial situation.
3. Obtain up-to-date cost estimates for high priority items.
4. Develop project descriptions and plans for the desired improvements which include proposed scheduling and phasing.
5. Make copies available of the CIP for public inspection prior to the City Council's presentation of the annual budget at the required public hearing.
6. Begin the process over again following approval of the CIP and the beginning of another calendar year.

It is recommended that a specific annual CIP review schedule be established for the review of potential park/trail projects. This will enable persons who wish to request consideration of new items to present their position in ample time to change the CIP, if necessary, in a manner consistent with community needs and reducing or eliminating financial commitments being made for projects which might not proceed to the final construction stage in the event they are deleted or moved back on the priority list.

Minnesota Department of Transportation Grant Programs

While park land acquisition and development are capital outlays that are typically financed with the revenues from City dedication or general funds, there are other methods available to assist the City in raising necessary money for large projects. The following outdoor recreation and trail grant programs through the Minnesota Department of Natural Resources may be available to the City if the intended project(s) comply with the submission criteria.

Outdoor Recreation Grant Program

Program Purpose: To increase and enhance outdoor recreation facilities. Provides matching grants to local units of government for up to 50 percent of the cost of acquisition, development, and/or redevelopment costs of local parks and recreation areas.

Implementation

Eligible Projects: Park acquisition and/or development/redevelopment including, among others, internal park trails, picnic shelters, playgrounds, athletic facilities, boat accesses, fishing piers, swimming beaches, and campgrounds.

Minimum Requirements: Project proposals must include at least one eligible primary outdoor recreation facility and have a total project cost of at least \$10,000.00. Land proposed for development and/or redevelopment must be owned by the applicant or be part of an acquisition project. Significant progress must be completed on active projects before an additional proposal can be submitted.

Program Funding: A maximum of 50 percent of the total eligible project costs. Applicants must be able to fund at least 50 percent of the total project costs. The local share can consist of cash or the value of materials, labor, and equipment usage by the local sponsor or by donations or any combination thereof. Costs must be incurred and paid for before reimbursement can be made. Applicants are eligible to receive more than one grant.

National and Scenic Area Grant Program

Program Purpose: To increase, protect and enhance natural and scenic areas. Provides matching grants to local units of government for up to 50 percent of the cost of acquisition of natural and scenic areas.

Eligible Projects: Eligible projects include fee title acquisition and permanent easement acquisition. Minimal betterment activities are eligible as part of the proposed acquisition project and include interpretive, educational or boundary signing and protective fencing.

Minimum Requirements: Project proposals must have a total project cost of at least \$10,000.00. Significant progress must be completed on active projects before an additional proposal can be submitted.

Program Funding: A maximum of 50 percent of the total eligible project costs not to exceed a maximum grant of \$500,000.00. Applicants must be able to fund at least 50 percent of the total project costs. Costs must be incurred and paid for before reimbursement can be made. Applicants are eligible to receive more than one grant.

Local Trail Connections Grant Program

Project Purpose: The emphasis of this program is to promote access between people and desirable destinations, not to develop significant new recreation facilities. Its

Implementation

primary purpose is to complete trail connections between where people live (e.g. residential areas within cities and communities) and significant public recreation facilities (e.g. parks and other trails). Priority will be given to residential connections to state and regional facilities and linking existing trail segments.

Eligible Projects: Land acquisition and trail development. However, acquisition of trail right-of-way will only be eligible when it is proposed in conjunction with trail development. Land purchased with this fund will require a “perpetual easement for recreational trail purposes,” and trails developed with these funds will require a 20 year maintenance commitment by the project sponsor. Projects inside state park boundaries, state trail corridors, or elements of the Metropolitan Regional Open Space System are ineligible.

Minimum Requirements: Fifty percent “cash match” for eligible elements of the project proposal is required.

- Neither this funding source nor the cash match can be used for in-house labor services and/or to meet existing payroll (i.e., only contract services, materials and supplies are reimbursable).
- Federal Recreational Trail Grant Program, Regional Trail Grant Program, Metropolitan Council Funds and other state funds are not eligible cash matches for this program.
- Local/area support must be demonstrated by providing resolution, or minutes of council hearing.

Program Funding: Project proposals must result in at least \$5,000.00 and no more than \$100,000.00 of reimbursement.

Federal Recreational Trail Program

Program Purpose: The Minnesota Recreational Trail Users Association has recommended the following priorities:

- Projects that accommodate both motorized and non- motorized uses, including same-season access corridors.
- Projects that involve urban youth corps workers such as the Minnesota Conservation Corps will be given special consideration.
- Any eligible all-terrain vehicle, off-highway motorcycle, off-road four by four vehicle, and snowmobile projects. Priority will be given to trail projects and trail linkages to existing systems over equipment purchases.

Implementation

- For all horse, in-line skate, cross-country ski, hike, and bicycle (including mountain bicycle) projects, priority will be given to trail linkages and restoration to existing trail systems, necessary trail facilities, or trail signage to improve safety.

Eligible Projects: Motorized (snowmobiles, off-highway motorcycles, all-terrain vehicles and four-wheel drive trucks) and non-motorized (hike, bike, ski, horse, in-line skate) trail projects are eligible for funding.

- Maintenance/restoration of existing recreational trails.
- Development/rehabilitation of trail side and trail head facilities and recreational trail linkages.
- Purchase and lease of recreational trail construction and maintenance equipment.
- Construction of new trails on federal, state, county, municipal or private lands.
- Acquisition of easements and fee simple title to property for recreational trails.
- Redesign/relocation of existing trails to benefit/minimize the impact to the natural environment.

Minimum Requirements: Fifty percent “cash match” for eligible elements of the project proposal is required.

- Neither this funding source nor the cash match can be used for in-house labor services and/or to meet existing payroll (i.e. only contract services, materials and supplies are reimbursable).
- Regional Trail Grant Program, Local Trail Connections Grant Program and Outdoor Recreation Grant Program are not eligible cash matches for this program.
- Federal funds can be used as the cash match as long as the share attributable to the federal government is less than 95 percent of the cost of the project.
- This program may be used in tandem with DNR Grant-in-Aid Agreements for capital improvements to pay for activities eligible under both programs (contract services, materials, etc.).

Program Funding: Project proposals must result in at least \$5,000.00 and no more than \$100,000.00 of reimbursement.

Regional Trail Grant Program

Implementation

Program Purpose: The primary purpose of this program is to promote development of regionally significant trails. Primary determinants of significance include length, expected use, and resource quality/attractiveness.

Eligible Projects: Land acquisition and trail development. Priority will be given to projects that provide a useable trail. Land purchased with this fund will require a "perpetual easement for recreational trail purposes," and trails developed with these funds will require a 20 year maintenance commitment by the project sponsor. Projects inside state park boundaries and state trail corridors are ineligible.

Minimum Requirements: Fifty percent "cash match" for eligible elements of the project proposal is required.

- Neither this funding source nor the cash match can be used for in-house labor services and/or to meet existing payroll (i.e., only contract services, materials and supplies are reimbursable).
- Federal Recreational Trail Grant Program, Local Trail Connections Grant Program and Metropolitan Council Funds are not eligible cash matches for this program.

Program Funding: Project proposals must result in at least \$5,000.00 and no more than \$250,000.00 of reimbursement.

Fishing Pier Grant Program

Program Purpose: To improve fishing opportunities, especially to meet the needs of children, the elderly, and people with disabilities.

Eligible Projects: Development and installation of fishing piers. Also, the program provides for the development or improvement of shore fishing sites or shore fishing platforms. Local units of government provide public land, accessible sidewalk/path, accessible parking space and on-going maintenance.

Minimum Requirements: Projects are selected based on ranking the criterion which include but are not limited to the following: public fishing demand, accessibility, location, game fish present, and project sponsor donation.

Program Funding: Up to 100 percent of development and installation of the fishing pier/shoreland site with a maximum grant amount of \$25,000.00 for a traditional DNR floating fishing pier.

Water Recreation Cooperative Acquisition and Development Program

Implementation

Program Purpose: To improve public boat accesses to Minnesota's public lakes and rivers.

Eligible Projects: Acquisition, development and improvement of public boat accesses, parking lots, docks, and boat launching ramps. Engineering and design assistance is available.

Minimum Requirements: Projects are selected based on ranking the criterion which includes but is not limited to the following: public demand, location, game fish present, size of water body, accessibility, and sponsor donation.

Level of Assistance: The level of grant and technical assistance fluctuates considerably depending on the project scope, sponsor's need, and program's level of funding.

Community Education

An important aspect of park and trail development is user knowledge of the recreational facilities. To promote the use of the community recreational system, the City should provide informational material to residents as the facilities are implemented. This information could be conveyed on the City's web site, a newsletter and map mailed to each household, or an article in a local newspaper. At the same time, the City should work to establish a list of rules and encourage community awareness of such.

Public Participation

The development or improvement of parks and trails in the City is an excellent way to energize and direct the resource and talents of community volunteers, who are becoming more important in the delivery of quality leisure services. This approach can result in higher quality recreation opportunities at a more reasonable cost to the taxpayer. Under this scenario, it is essential that the City organize projects and cooperate with the volunteers of non-profit, private, industrial, commercial, or religious groups in the planning, financing, maintenance, and scheduling of projects.

Identification and Signage

A clear, consistent, and concise system of park and trail signage is beneficial in any recreational system to assist users in finding and using the facilities. Many times signage is also beneficial when installed to identify future park or trail improvements as a means of informing prospective owners of adjacent/nearby property and for general public knowledge to let citizens know of work on progress. Most commonly associated with existing facilities, directional graphics may be in the form of painted pavement symbols, lettering or any variety of regulatory, warning, or guidance signage. Signage should include general identification of an area, layout and types of facilities present, directions for specific points of interest such as handicapped areas, restrooms, or connections to destinations, trail distances, and user/safety rules. The best location for much of this information is near the entrances to parks/trail segments or near parking areas. The signage should be consistent throughout the City and should be easily understandable and maintainable. The U.S. Department of Transportation's Federal Highway Administration has outlined size, shape, and color criteria for signs in the Manual of Uniform Traffic Control Devices (MUTCD).

Introduction

Once a community has adopted a trail plan and secured easements for trail corridors, the next step in implementation is construction. The information that follows is intended to serve as a guide to the City of St. Francis in determining the location of trails within easements or along roadways and how the trails will be constructed. Issues such as locations of trails, slopes, intersections, disability accessibility and actual width and surfaces for trails will need to be addressed with any new trail. While the information provided may not address every situation, it will provide the general guidelines to assist the City in developing its trail system.

Trail Guidelines

Location of Trail

The location of the trail will need to be the first consideration in planning a corridor route. Those trails along a County highway will be planned within the existing right-of-way whenever possible. The City will also attempt to accommodate new trails within existing City rights-of-way when there are no easements present for trail purposes. In new developments, the City has the opportunity to take an easement for trail purposes. This would be a 20-foot easement on one side of the 66-foot right-of-way.

Adjacent Land Uses

Land uses (existing and proposed) adjacent to or directly abutting trail corridors should be evaluated to some degree relative to size, facilities, density, character and type of ownership. However, unless safety factors are an issue, the establishment through all land use types should be promoted. Opportunities for or constraints against trail development exist in all areas of the community and generally depend more upon individual situations. In some situations, safety hazards can be avoided through an installation of a fence or berm while still allowing trail access and connections.

The trail should be designed so as not to interfere with access to or maintenance of utilities. Special consideration should be given to vacant properties which adjoin trails as they may potentially provide opportunities for sitting/picnicking areas or landscaping. Vacant areas that remain privately owned provide excellent opportunities for additional trail links, accesses or other trail-related development.

Facility Design Standards

Adjacent Land Owners

Of all the obstacles trail developers face, opposition by adjacent landowners can be the most troublesome. Regardless of community-wide support for trails, opposition from some adjacent landowners who will voice concerns about trails (i.e., trail design, management, quality of life, careless maintenance, land loss, decreased property value, increased crime and liability) will be unavoidable.

This and many other concerns have been documented among trail projects across the Nation. Once the trail is open, however, the benefits usually far outweigh the problems. In surveys conducted nationwide, it has been shown that the vast majority of landowners living next to trail corridors were welcoming of them and used the trails frequently. With regards to crime, studies conducted in Minnesota showed that the incidence of crime is actually lower in homes near trails than those in surrounding neighborhoods. Furthermore, no negative effect upon property values has ever been proven, either nationally or locally, and in some cases neighborhoods adjacent to trail corridors have actually been marketed as an amenity in which case property values have increased.

Trail Width

National standards for multi-use trail widths do not currently exist. The American Association of State Highway and Transportation Officials (AASHTO) recommends a ten foot trail width. Where "significant" trail traffic is anticipated (100 trail users per hour during peak periods), the width of a two-way shared path should be at least ten feet. In rural areas, with lesser trail traffic the minimum trail width is recommended to be eight feet.

Additional facility design standards can be found in the Appendix at the end of this report.

Park Accessibility – Americans With Disabilities Act*

The Americans with Disabilities Act (ADA), which prohibits discrimination on the basis of disability, requires that newly constructed and altered state and local government facilities, places of public accommodation, and commercial facilities be readily accessible to, and usable by, individuals with disabilities. Recreational facilities, including play areas, are among the facilities required to comply with the ADA.

Generally, the ADA applies to newly designed and newly constructed play areas for children ages 2 and over. The ADA play area guidelines also apply to alterations made

Facility Design Standards

to existing play areas that affect, or could affect, the usability of the play area. Examples include removing a climbing play component and replacing it with a spring rocker, or changing the ground surfacing. Each play area within a site must comply with the ADA including. Play areas designed or constructed in phases must be coordinated to ensure that the entire play area complies with all the applicable provisions of the ADA when each successive addition is completed.

Individual play components must also be considered for compliance with the ADA. A play component is an element designed to generate specific opportunities for play, socialization, and learning. Different "types" of play components are based on the general experience provided by the play component and include, but are not limited to, experiences such as rocking, swinging, climbing, spinning, and sliding. The quantity of play components provided in a play area is determined by the type of play experience, not by the number of individuals who can play on a play component at once.

At least one of each type of play component provided at ground level in a play area must be on the accessible route. The number and variety of ground-level play components required to be on an accessible route is also determined by the number of elevated components provided in the play area. An "elevated play component" is a play component reached from above or below grade, and is part of a composite play structure. At least fifty percent (50%) of the elevated play components must be on an accessible route.

Number of Elevated Play Components Provided	Minimum Number of Ground Level Play Components Required to be on Accessible Route	Minimum Number of Different Types of Ground Level Play Components Required to be on Accessible Route
1	Not applicable	Not applicable
2 to 4	1	1
5 to 7	2	2
8 to 10	3	3
11 to 13	4	3
14 to 16	5	3
17 to 19	6	3
20 to 22	7	4
23 to 25	8	4
More than 25	8 plus 1 for each additional 3 over 25, or fraction thereof	5

The number of ground-level components determined by "one of each type" can also fulfill the minimum ground level requirement that is indicated by the elevated play components table.

Facility Design Standards

The ADA guidelines should be consulted prior to (1) altering portions of any existing play areas or (2) implementing any newly designed and/or newly constructed play area for children ages 2 and over.

Information from "Guide to ADA Accessibility Guidelines for Play Areas" prepared by U.S. Architectural Transportation Barriers Compliance Board, March 2001.

DRAFT

Park Dedication Analysis

Background

We have prepared an evaluation of St. Francis's present dedication requirements for park and trails as a part of this Park and Trail Plan. This information is intended to determine if St. Francis's present requirements are fair to developers and adequate for addressing the park needs of the community related to new development. The basis of this analysis is raw land costs and improvement costs related to the anticipated St. Francis Park and Trail System. This information will assist to determine the relationship of the City's existing dedication fees to actual land acquisition costs and illustrate how the fees should be adjusted, if necessary, to meet the City's park and trail needs. It must be emphasized that case law from the Dolan v. Tigard requires the City's dedication requirements be related to the benefit of the affected property. In this respect, the park dedication requirements must be based upon future park needs and their benefit to new subdivisions.

Existing Dedication

Existing requirements for Park Dedication are outlined in Section 11-13-11 of the Subdivision Ordinance. According to the Subdivision Ordinance, in every plat, replat or subdivision, a reasonable portion of such land shall be set aside and dedicated by the owner or owners to the general public as open space for parks, playgrounds, trails, or public open space. The City last updated its park and trail dedication requirements in 2004, knowing that this figure may be altered based upon the forthcoming Park and Trail Plan. That update provided for a residential park dedication requirement of 10 percent of the gross area being subdivided or \$2,000.00 per unit cash fee in lieu of land. Industrial and commercial properties are required to dedicate 5 percent and 3 percent of the gross area being subdivided, respectively. For all residential and commercial/industrial dedications, it is the City Council's decision, with recommendation from the Park Commission and Planning and Zoning Commission, whether land, cash or a combination thereof will be accepted.

Surrounding Jurisdictions

The following table illustrates current park dedication fees for communities located in the northwest of the Twin Cities Metro Area. There is a significant difference between the communities' cash dedication fee in lieu of land, ranging from \$250 per dwelling unit to \$2,932 per dwelling unit for single family subdivisions. All but four of the surveyed communities require commercial and industrial developments to dedicate land for parks also.

Park Dedication Analysis

City	Residential*	Commercial**	Industrial**
Albertville	\$2,500	\$2,500	\$7,500
Big Lake	\$2,500	N/A	N/A
Buffalo	\$1,050 (\$850 + \$250)	N/A	N/A
Elk River	\$2,800	\$6,000	\$2,000
Hanover	\$2,610	\$2,610/lot	\$2,610/lot
Howard Lake	10%	10%	10%
Monticello	\$1,500	N/A	N/A
Montrose	\$1,400	\$3,000	\$2,000
Otsego	\$2,932	\$3,500 gross	\$7,000 gross
Rockford	\$1,200	\$250	\$250
St. Michael	\$2,500	\$3,000 or 10%	\$2,000 or 10%
Watertown	***	10%	10%
Waverly	\$1,200	N/A	N/A
Winsted	\$250 (SF) \$150 (MF)	10%	10%

*per unit unless otherwise indicated

**per acre unless otherwise indicated

***based upon three park classifications:

1. Neighborhood park - by land donation (1 acre/25 units)
2. Community park - cash donations (5% of privately held land)
3. Park improvement fee - \$1,500 - \$6,000 (higher the density the higher the fee)

Land Costs

The following is an analysis of the costs of acquiring a parcel for a City park. The City would incur similar costs if it were to elect to accept fees in lieu of land and acquire park lands on its own. One option the City could use to determine park dedication fees in lieu of land is to pay a fee based upon the raw value of the property equal to the land dedication requirement. The benefit of this method is that the cash fee in lieu of land would be directly tied to the land acquisition costs, which would account for differences in land prices for various areas of the City and changes in land value over time. According to City officials, land costs within the City of St. Francis are currently around \$25,000 per acre for land within the MUSA and approximately \$15,000 per acre for rural land.

In order to determine the value of raw land, the developer would be required to disclose the purchase agreement for the property to define present market value. Other information that could be utilized includes Assessor's information, tax records and

Park Dedication Analysis

appraisals. Once the value of the property is established, the park dedication fee in lieu of land would be calculated based upon the following formula.

Estimated Raw Land Value/Acre		Required 10% Land Dedication		Per Acre Cash Dedication Fee in Lieu of Land
\$25,000	X	10%	=	\$2,500

According to the Comprehensive Plan, it is the City’s policy to extend and upgrade its sanitary sewer collection system in a manner consistent with the staged growth plan of the City. Additionally, the City plans to provide for a sanitary sewer system in any areas under consideration for annexation. As such, the value of raw land is assumed to be \$2,500 per acre for park dedication purposes. This figure represents a base amount and does not take into account the improvement costs for a park including, grading, landscaping and adding facilities and amenities.

The following analysis shows what the park dedication fee (in lieu of land) should be for raw land costs assessed per household. This figure takes into account the small and medium-sized parks as well as the additional community park (the proposed sports complex) that is planned for the City. Each new household is responsible for paying their fare share of these land acquisition costs, just as the existing households have by way of their previously paid park dedication fee in effect at the time they moved into the City.

Park Search Area	Acreage	No. of Proposed Parks	Total Acreage	Est. Land Value (\$25K/acre)	Divided by 2030 Households		Park Dedication Fee
Medium-Size Parks	< 25 acres	5	125 acres	\$3,125,000	5,000	=	\$625
Small-Size Parks	1-10 acres	9	90 acres	\$2,250,000	5,000	=	\$450
Community Parks/Sports Complex	60 acres	1	60 acres	\$1,500,000	5,000	=	\$300
					Total	=	\$1,375

The table outlines each new dwelling unit/households’ share of the land acquisition costs for the proposed medium, small and community parks identified in this Park and Trail System Plan. By taking the total land cost (\$25,000 per acre) and dividing that by the projected total number of households in 2030, when the City and the park system will have likely reached full build-out, we get a total of \$1,375.

Park Dedication Analysis

Neighborhood Park Improvement Costs

Once the land has been purchased and/or dedicated for a park, additional costs are incurred for development and improvement of the park area. To determine an appropriate improvement cost for a typical neighborhood we have taken the average cost of previous and proposed improvements to existing and planned parks in the City. The average cost of improvements to a neighborhood park in the City of St. Francis is \$98,730.

In order to determine the necessary amount of the improvement costs for a neighborhood park that should be added to the park and trail development fee, we must take the total amount of neighborhood park improvements (\$98,730) and divide that by the estimated number of households who would benefit from this park, which would then be added to the park dedication fee assessed per dwelling unit for new developments. To get this estimated number of households, we take the typical required park acreage (10 acres/1,000 people) as discussed in earlier sections of the Park and Trail System Plan, which equates to approximately 100 people per acre of park land. We then take this figure of 100 people and divide that by the estimated number of people per household to get the number of households per park acre. The 2030 forecast for number of people per household is 2.56, equaling 39 households per park acre. Therefore, improvement costs for a neighborhood park would ultimately cost each household approximately \$253.00 ($\$98,730 / [39 \text{ households} \times 10 \text{ acres}]$). This \$253.00 cost per household would then be added to the park dedication fee for raw land determined to be \$1,375, for a subtotal of \$1,628.

The City of St. Francis already has approximately 6,700 residents and has 14 fully or partially developed parks. The park dedication fee must also take into account the park improvements that have already occurred within the City. Forthcoming park dedication fees from new developments will go towards development of new parks, however, in the case of a community park (such as a community sports complex) the acquisition and improvement costs of such a facility cannot be entirely paid for by new park dedication funds.

Community Park Improvement Costs

Similar to the analysis for determining the percentage of park improvements to neighborhood parks that can be added to the park dedication fee; we figure that new residents would pay their fair share of proposed improvements to community parks, including the proposed full or half sports complex. It is important to note that existing residents have technically already contributed to the park fund, therefore any additional

Park Dedication Analysis

funding that is necessary aside from park dedication fees must be provided from the City's general fund or from other sources.

Additional improvements to the City's existing Community Park are proposed to total \$244,861. Proposed improvement costs for the future full sports complex are determined to be a maximum of \$1,506,100.00 and estimated costs for a ½ sports complex are determined to be \$832,110.00.

COMMUNITY PARK	
FUTURE FACILITIES	
DESCRIPTION	TOTAL COST
Playground w/ rock wall slides, tubes, overhead climbers	\$ 83,003.00
concession building bathrooms refitting to create ADA stalls and additional urinals	\$ 3,000.00
Concession building (internal) Energy efficient lighting, external fans	\$ 2,152.00
Back stop hood & safety fence upgrade	\$ 8,400.00
Pave hockey rink	\$ 16,145.00
Basketball hoops installed in hockey rink	\$ 9,000.00
Pave back lot (40 cars) & drive	\$ 18,816.00
Pave front lot & drive	\$ 42,000.00
Pave 4,418 feet of assorted trails	\$ 54,184.00
Internal park lighting	\$ 8,161.00
	\$ 244,861.00

FUTURE PARK (FULL SPORTS COMPLEX)			
FUTURE FACILITIES			
QTY	DESCRIPTION	UNIT COST	TOTAL COST
	LAND (40 - 60 acres, rural)	\$ 15,000.00	\$ 600,000.00 - \$ 900,000.00
2	Hockey rink	\$ 27,000.00	\$ 54,000.00
1	Skating rink	\$ 5,000.00	\$ 5,000.00
	Lighting		\$ 10,000.00
1	Warming house w/ restrooms & storage	\$106,800.00	\$ 106,800.00
2	Baseball fields	\$ 43,750.00	\$ 87,500.00
6	Softball fields (little league)	\$ 5,000.00	\$ 30,000.00
6	Soccer fields w/ goals	\$ 5,000.00	\$ 30,000.00
4	Tennis courts	\$ 55,000.00	\$ 220,000.00
1	Play structure (super)		\$ 80,000.00
1	Shelter w/ concrete pad (large)	\$ 15,000.00	\$ 15,000.00
	¾ mile of trail	\$ 15.00	\$ 59,400.00

Park Dedication Analysis

1	Concession stand	\$ 75,000.00	\$ 75,000.00
15	Picnic tables	\$ 400.00	\$ 6,000.00
14	bleachers	\$ 4,250.00	\$ 59,500.00
16	Players benches	\$ 275.00	\$ 4,400.00
12	park benches	\$ 800.00	\$ 9,600.00
	Parking area (paved - 200 stalls)	\$ 2,068.00	\$ 413,600.00
	Grading	\$3,000.00/acre	\$ 120,000.00 - 180,000.00
	Irrigation		\$ 50,000.00
10	Trash receptacles	\$ 450.00	\$ 4,500.00
4	Bicycle racks	\$ 550.00	\$ 2,200.00
2	Drinking fountains	\$ 1,800.00	\$ 3,600.00
			\$ 2,106,100.00
			-\$2,406,100.00

FUTURE PARK (1/2 SPORTS COMPLEX)			
FUTURE FACILITIES			
QTY	DESCRIPTION	UNIT COST	TOTAL COST
	LAND (28 acres, Rural)	\$ 15,000.00	\$ 420,000.00
2	Hockey rink	\$ 27,000.00	\$ 54,000.00
1	Skating rink	\$ 5,000.00	\$ 5,000.00
	Lighting		
1	Warming house w/ restrooms & storage	\$106,800.00	\$ 106,800.00
3	Softball fields (little league)	\$ 5,000.00	\$ 15,000.00
	Lighting		
4	Soccer fields w/ goals	\$ 5,000.00	\$ 20,000.00
2	Tennis courts	\$ 55,000.00	\$ 110,000.00
1	Concession stand	\$ 75,000.00	\$ 75,000.00
10	Picnic tables	\$ 400.00	\$ 4,000.00
10	bleachers	\$ 4,250.00	\$ 42,500.00
10	Players benches	\$ 275.00	\$ 2,750.00
8	park benches	\$ 800.00	\$ 6,400.00
	Parking area (paved – 120 stalls)	\$ 2,068.00	\$ 248,160.00
	Park center building (2 stories, septic system)		
	Irrigation		\$ 50,000.00
6	Trash receptacles	\$ 450.00	\$ 2,700.00
4	Bicycle racks	\$ 550.00	\$ 2,200.00
2	Drinking fountain	\$ 1,800.00	\$ 3,600.00
4	Hoops in hockey rink		
	Grading	\$ 3,000.00/acre	\$ 84,000.00
			\$1,252,110.00

Park Dedication Analysis

Assuming that everyone in the community would utilize the sports complex, we take the total number of households (2030 forecast) and divide that by the total improvement costs to determine the additional amount that could be added to the park dedication fee in order to cover the costs of building a sports complex (in addition to the cost of the land acquisition). For a full sports complex this figure would be \$301, for a ½ sports complex is would be approximately \$166 per household/dwelling unit. Additionally, new residents' share of park improvements to the existing community park is \$49 per dwelling unit.

We then must factor in the improvement costs for trails, since trails are an integral part of the park system and those costs should be included in the park dedication fees. Assuming that the land is included either as right-of-way for streets or as a part of the overall park land dedication percentages and/or fees, then the only additional costs that need to be factored in for trails are the cost of construction, labor and materials. The Parks Commission has estimated that the construction costs for future trail facilities would be \$2,303,316.80 which includes 22.92 miles of bituminous trail, a 300-foot elevated boardwalk and an 8-foot bridge. Thus, an additional \$460 per dwelling unit/lot would be necessary to pay for additional trail construction based on the projected 2030 population of the City.

Recommendation

In summary, the park dedication fee is made up of cost of land acquisition and improvement costs. The chart below summarizes the estimated land acquisition/dedication and improvement costs discussed in the preceding section. Park dedication fees in lieu of land for the City of St. Francis, based on this analysis, should be \$2,285 to \$2,586 depending upon whether or not the City wants to plan for a full, half sports complex, or none at all.

Raw Land Cost*	\$1,375
New Neighborhood Park Improvements	\$253
Existing Park Improvements (New Resident Share)	\$148
Community Park Improvements	\$49/\$166/\$301
Trail Construction	\$460
Total (with full sports complex)	\$2,586
Total (with ½ sports complex)	\$2,451
Total (without sports complex)	\$2,285

Park Dedication Analysis

In comparison to other communities in the greater Twin Cities Metro Area and to the fact that St. Francis is a developing community, those park dedication fees are not unreasonable. The Park Commission should discuss whether or not they wish to include fees for the full sports complex, the half sports complex or neither and should provide direction City Staff regarding any amendment of the existing Subdivision Ordinance provisions. It is important to note that these park and dedication fees must be evaluated on an annual basis and will likely need to be adjusted at an amount correlating to the changes in costs of land, materials and construction costs.

DRAFT

CITY OF ST. FRANCIS
ST. FRANCIS MN
ANOKA COUNTY

RESOLUTION 2013-06

END OF YEAR TRANSFERS
FOR THE YEAR 2012

BE IT RESOLVED that the City Council of the City of St. Francis hereby approves the following transfers of funds:

	<u>FROM</u>	<u>TO</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
1	General Fund	Fire Truck Fund	Fire equipment	40,000.00

1. Ear mark funds for future fire trucks and equipment.

The motion for the adoption of the foregoing resolution was made by Councilmember - and was duly seconded by Councilmember - and upon vote being taken thereon, the following voted in favor:

Councilmember
Councilmember
Councilmember
Councilmember
Mayor

and the following voted against the same:
and the following abstained:
and the following were absent:

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 18th
DAY OF MARCH, 2013.

APPROVED:

Jerry Tveit, Mayor

ATTEST:

Barbara I. 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

March 12, 2013

Mr. Matt Hylan
City Administrator
City of St. Francis
P.O. Box 730
St. Francis, MN 55070

RE: Woodhaven Metering Manhole Replacement
St. Francis, MN, Minnesota
BMI Project No: R18.104233

Dear Matt:

Please find enclosed three (3) copies of Pay Estimate No. 1 and Change Order No. 1 for the above referenced project. The Pay Estimate and Change Order include all work completed to date. The Change Order reflects the costs associated with repairing a watermain break in the existing water system adjacent to the project area. I recommend that the Pay Estimate and Change Order 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 Vogt, P.E.
City Engineer

JAV/kg

Enclosures

CONTRACTOR'S PAY REQUEST
 WOODHAVEN METERING MANHOLE REPLACEMENT
 CITY OF ST. FRANCIS
 BMI PROJECT NO. R13.104233

TOTAL AMOUNT BID PLUS APPROVED CHANGE ORDERS.....	\$	156,143.18
TOTAL, COMPLETED WORK TO DATE.....	\$	156,975.18
TOTAL, STORED MATERIALS TO DATE.....	\$	-
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED.....	\$	-
TOTAL, COMPLETED WORK & STORED MATERIALS.....	\$	156,975.18
RETAINED PERCENTAGE (1% .).....	\$	1,569.75
TOTAL AMOUNT OF OTHER PAYMENTS OR (DEDUCTIONS).....	\$	-
NET AMOUNT DUE TO CONTRACTOR TO DATE.....	\$	155,405.43
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES.....	\$	-
PAY CONTRACTOR AS ESTIMATE NO..... 1	\$	155,405.43

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: Magney Construction, Inc.
 1401 Park Road
 Chanhassen, MN 55317

By Kevin Vranicar Title Project Manager Date 3/12/13

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

By Jared A. Voge Title CITY ENGINEER Date 3/12/13

APPROVED FOR PAYMENT:
 Owner: CITY OF ST. FRANCIS

By Matthew Hylen Title CITY ADMINISTRATOR Date _____

PAY ESTIMATE NO.

WOODHAVEN METERING MANHOLE REPLACEMENT
 CITY OF ST. FRANCIS
 BIM PROJECT NO. R13.104233

WORK COMPLETED THROUGH MARCH 5, 2013

ITEM NO.	DESCRIPTION	UNIT PRICE	ESTIMATED		QUANTITY PREVIOUS		QUANTITY COMPLETED	
			BID QUANTITY	BID AMOUNT	ESTIMATE	TO DATE		
1	MOBILIZATION/ DEMOBILIZATION	\$10,000.00	1	\$10,000.00	LUMP SUM \$	1	LUMP SUM \$	10,000.00
2	CLEAR AND GRUB	\$500.00	1	\$500.00	EACH \$	1	EACH \$	500.00
3	REMOVE BITUMINOUS PAVEMENT	\$10.00	40	\$400.00	SQ YD \$	92	SQ YD \$	920.00
4	REMOVE EXISTING METERING STRUCTURE (INCLUDES EX. WMN PIPING & VALVES)	\$2,500.00	1	\$2,500.00	LUMP SUM \$	1	LUMP SUM \$	2,500.00
5	REMOVE & REPLACE CONCRETE CURB & GUTTER DESIGN SURMOUNTABLE. (INCLUDES AGG BASE, CL 5)	\$37.00	35	\$1,295.00	LIN FT \$	41	LIN FT \$	1,517.00
6	REMOVE & REPLACE 5" CONCRETE WALK. (INCLUDES AGG BASE, CL 5)	\$10.00	130	\$1,300.00	SQ FT \$	137	SQ FT \$	1,370.00
7	SALVAGE AND INSTALL SIGN	\$125.00	2	\$250.00	EACH \$	2	EACH \$	250.00
8	SITUMINOUS PATCH (INCLUDES AGGREGATE BASE & BITUMINOUS BASE COURSE)	\$50.00	40	\$2,000.00	SQ YD \$	92	SQ YD \$	4,600.00
9	8" DIP WATERMAIN CL 52	\$125.00	15	\$1,875.00	LIN FT \$	15	LIN FT \$	1,875.00
10	ADJUST GATE VALVE	\$200.00	2	\$400.00	EACH \$	0	EACH \$	-
11	VALVE STEM EXTENSION	\$200.00	2	\$400.00	EACH \$	0	EACH \$	-
12	MANHOLE STRUCTURE (INCLUDES METER, ACCESS HATCH, VALVE, VENT, PIPING AND FITTINGS)	\$73,800.00	1	\$73,800.00	LUMP SUM \$	1	LUMP SUM \$	73,800.00
13	TRAFFIC CONTROL	\$400.00	1	\$400.00	LUMP SUM \$	1	LUMP SUM \$	400.00
14	SILT FENCE	\$3.00	60	\$180.00	LIN FT \$	60	LIN FT \$	180.00
15	MANDOT 280 SEED WITH CAT 3 BLANKET & FERTILIZER	\$2.50	1,250	\$3,125.00	SQ YD \$	538	SQ YD \$	1,345.00
16	DECEIDUOUS TREE 2" CAL B&B (ALTERN BLAZE MAPLE)	\$500.00	1	\$500.00	EACH \$	1	EACH \$	500.00
SUBTOTAL:				\$98,925.00				\$98,925.00
CHANGE ORDER NO. 1								
1	REPAIR WATERMAIN BREAK - EXISTING SYSTEM	\$ 57,218.18	1	LUMP SUM \$ 57,218.18	0	LUMP SUM \$	1	LUMP SUM \$ 57,218.18
SUBTOTAL:				\$ 57,218.18				\$ 57,218.18
TOTAL:				\$ 156,143.18				\$ 156,975.18

CHANGE ORDER

No. 1 (One)

PROJECT Woodhaven Metering Manhole Replacement (R13.104233)
DATE OF ISSUANCE: March 5, 2013 EFFECTIVE DATE: March 5, 2013

OWNER City of St. Francis

Owner's Contract No. Same as above

CONTRACTOR Magney Construction Inc., ENGINEER Bolton & Menk, Inc.

You are directed to make the following changes in the Contract Documents.

- | | | |
|----|--------------------------|--|
| 1. | Description: | Repair Watermain Break – Existing System |
| | Cost: | \$57,218.18 |
| | Reason for Change Order: | On October 2, 2012 the existing watermain within Cree Street south of the Woodhaven metering manhole broke. The failure of the watermain was not related to the project construction but rather the watermain material and original installation. The contractor supplied labor, materials, and equipment to repair the watermain failure as directed. |

TOTAL - CHANGE ORDER NO. 1: \$57,218.18

Attachments:(List documents supporting change)

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price \$98,925.00	Original Contract Times Substantial Completion: <u>October 19, 2012</u> Ready for final payment: <u>October 19, 2012</u>
Net changes from previous Change Orders No. <u>0</u> to No. <u>0</u> \$0	Net changes from previous Change Orders No. <u>0</u> to No. <u>1</u> 0 (zero) Days
Contract Price Prior to this Change Order \$98,925.00	Contract Times prior to this Change Order Substantial Completion: <u>October 19, 2012</u> Ready for final payment: <u>October 19, 2012</u>
Net Increase of this Change Order \$57,218.18	Net Increase of this Change Order 0 (zero) Days
Contract Price with all approved Change Orders \$156,975.18	Contract Times with all approved Change Orders Substantial Completion: <u>October 19, 2012</u> Ready for final payment: <u>October 19, 2012</u>

RECOMMENDED:
By: [Signature]
Engineer (Authorized Signature)
Date: 3/12/13

APPROVED:
By: _____
Owner (Authorized Signature)
Date: _____

ACCEPTED:
By: [Signature]
Contractor (Authorized Signature)
Date: 3/12/13

EJCDC No. 1910—8-B (1990 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America.
NMSI FORMS CHANGE ETC

JEFFREY S. JOHNSON
RUSSELL H. CROWDER
JON P. ERICKSON
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1926-2005

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FOR SETTLEMENT PURPOSES ONLY. NOT ADMISSIBLE UNDER RULE 408.*

March 14, 2013

Richard Sonstebly
Highway 47 Auto Parts, Inc.
4140 St. Francis Boulevard N.W.
St. Francis, MN 55070

Ronnie Lynn McNeil
c/o Thomas L. Satrom
Parker Satrom Law, P.A.
123 South Ashland
Cambridge, MN 55008

RE: City of St. Francis; Right-of-Way Acquisition
Our File No. 42004-238

Dear Mr. Sonstebly and Ms. McNeil:

I have verified that Mr. Sonstebly has paid the delinquent taxes. That payment was a precondition to placing the Stipulation before the City Council. By letter today, I have sent today's version of the Stipulation to the Council and requested that the Council do the following at its next meeting:

1. Approve the purchase price in paragraph 5;
2. Approve the closing date of April 12*; and,
3. Approve the form of the STIPULATION, i.e., that it reads correctly and will be signed by the city when originals are received from the two of you.

*I added two weeks to the original closing date. It took a while to verify the payment of the delinquent taxes.

I will let you know when the Council has approved the form of the Stipulation. I will then mail three originals to Tom Satrom for Ms. McNeil's signature. Then I am asking Mr. Satrom to mail them to Mr. Sonstebly. Mr. Sonstebly can either bring them to city hall for signing and notarizing or he can inform Matt Hylen at the city that the three originals are ready to be picked up.

After the mayor and clerk have signed the originals, one original will be sent to each of you. At that point, we can make arrangements for the closing. At closing, the deed will be signed and notarized and checks will be delivered.

Please let me know if you have any questions about this.

Thanks.

Sincerely,

BARNA, GUZY & STEFFEN, LTD.



Steven G. Thorson

SGT:mos

Enclosures: Proposed STIPULATION OF SETTLEMENT, draft of March 14, 2013

cc:

Matt Hylan
City of St. Francis

R Sonsteby et al 031413.wpd

FOR SETTLEMENT PURPOSES ONLY. NOT ADMISSIBLE UNDER RULE 408.*

* **Minnesota Rules of Evidence. Rule 408. Compromise and Offers to Compromise.**

Evidence of (1) furnishing or offering or promising to furnish, or (2) accepting or offering or promising to accept, a valuable consideration in compromising or attempting to compromise a claim which was disputed as to either validity or amount, is not admissible to prove liability for or invalidity of the claim or its amount. Evidence of conduct or statements made in compromise negotiations is likewise not admissible. This rule does not require the exclusion of any evidence otherwise discoverable merely because it is presented in the course of compromise negotiations. This rule also does not require exclusion when the evidence is offered for another purpose, such as proving bias or prejudice of a witness, negating a contention of undue delay, or proving an effort to obstruct a criminal investigation or prosecution.

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF ANOKA

TENTH JUDICIAL DISTRICT

Case Type: Condemnation

City of St. Francis, a municipal corporation of
the State of Minnesota,

Court File No. _____

Petitioner,

v.

STIPULATION OF SETTLEMENT

Richard Sonsteby; Ronnie Lynn McNeil
formerly known as Susan Lynn Sonsteby;
County of Anoka; and,
All other parties unknown having any right, title
or interest in the property herein, together with
the unknown heirs or devisees, if any, of the
parties may be deceased, and including
unknown spouses of any party, if any,

**REVISED DRAFT OF
MARCH 14, 2013**

Respondents.

THIS AGREEMENT is entered into this _____ day of _____, 20___, by and
between the City of St. Francis, a municipal corporation of the State of Minnesota, with offices at
23340 Cree Street N.W., St. Francis, Minnesota 55070, Petitioner herein, ("BUYER"), and Richard
Sonsteby ["Sonsteby"] of 4140 St. Francis Boulevard N.W., St. Francis, Minnesota 55070
("SELLER"), and Ronnie Lynn McNeil formerly known as Susan Lynn Sonsteby ["McNeil"] of
283 5th Avenue S.W., Henriette, MN 55035 ("LIEN HOLDER"), two of the Respondents herein.

I. RECITALS

1. SELLER represents that he is the owner in fee simple of the real estate located at
4140 St. Francis Boulevard N.W., St. Francis, Minnesota 55070, which is legally described on
Exhibit A attached hereto and incorporated herein ("Subject Property").

2. LIEN HOLDER represents that she is the holder of a lien on the Subject Property as shown by the dissolution Judgment and Decree recorded as Document Number 493152.001 and memorialized on Certificate of Title No. 96580.

3. BUYER desires to acquire a perpetual easement and a temporary easement [“Easements”] over and across the Subject Property which easements are more fully described on the attached **Exhibit B.**

4. Absent this Stipulation, BUYER will need to commence the above-captioned proceeding to acquire the Subject Property.

5. BUYER represents that its approved appraisal of value for the Subject Property is \$4,774.00. SELLER has requested an additional \$3,000.00 for total consideration of \$7,774.00, which BUYER has approved as the final “Purchase Price.”

6. SELLER and LIEN HOLDER desire to: (a) provide for the earliest possible payment by BUYER of the approved Purchase Price; and, (b) provide for the immediate transfer of title of the Subject Property in accordance with the provisions of this Agreement.

7. SELLER and LIEN HOLDER desire to amicably divide the payment of the approved Purchase Price between them.

II. AGREEMENT

NOW, THEREFORE, in consideration of the premises incorporated herein as material elements of the Agreement, their mutual promises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

- A. Incorporation of Recitals. The foregoing recitals are made a part of this Agreement.
- B. Division of Payment of Approved Purchase Price. SELLER and LIEN HOLDER agree that BUYER’s payment of the approved Purchase Price shall be as follows:

To Richard Sonsteby: \$3,887.00; and

To Ronnie Lynn McNeil: \$3,887.00

C. Transfer of Title. At closing, SELLER and LIEN HOLDER shall deliver to BUYER an Easement Deed in the form shown in the attached **Exhibit C**.

D. Closing. Closing shall be the in-person exchange of the above described payments for the above described Easement Deed. Closing shall be either at BUYER's offices or BUYER's attorney's office at the addresses shown below.

BUYER: City of St. Francis
ATTN: Matthew Hylan
23340 Cree St. N.W.
St. Francis, MN 55070

Buyer's Attorney Steven G. Thorson
Barna, Guzy & Steffen, Ltd.
400 Northtown Financial Plaza
200 Coon Rapids Boulevard N.W.
Minneapolis, MN 55433

E. Closing Date. Closing shall occur on or before April 12, 2013. If closing does not occur by that date, BUYER will proceed with eminent domain.

BUYER:

CITY OF ST. FRANCIS

By: _____
Jerry Tveit, Mayor

ATTEST:

Barbara I. Held
City Clerk

SELLER:

Richard Sonsteby

LIEN HOLDER:

Ronnie Lynn McNeil

STATE OF MINNESOTA

}

COUNTY OF ANOKA

The foregoing instrument was acknowledged before me this _____ day of _____, 201__, by Jerry Tveit and Barbara I. Held, respectively the mayor and city clerk of the City of St. Francis, a Minnesota municipal corporation, on its behalf.

Notary Public

STATE OF MINNESOTA

}

COUNTY OF ANOKA

The foregoing instrument was acknowledged before me this _____ day of _____, 201__, by Richard Sonstebly.

Notary Public

STATE OF MINNESOTA

}

COUNTY OF ANOKA

The foregoing instrument was acknowledged before me this _____ day of _____, 201__, by Ronnie Lynn McNeil.

Notary Public

EXHIBIT A
Description of Underlying Parcel

(From Certificate of Title No. 96580)

The East 620.00 feet of that part of the Southwest Quarter of the Northeast Quarter, Section 6, Township 33, Range 24, Anoka County, Minnesota, lying north of the South 825.00 feet of said Southwest Quarter of the Northeast Quarter and South of the road.

AND

The West 157.00 feet of that part of the Southeast Quarter of the Northeast Quarter, Section 6, Township 33, Range 24, Anoka County, Minnesota, which lies North of the South 825.00 feet of said Southeast Quarter of the Northeast Quarter.

Subject to reservations to the State of Minnesota in trust for taxing districts concerned of all mineral and mineral rights therein as provided by law.

Subject to:

The right of access, being the right of ingress to and egress from Trunk Highway 47, which has been taken by the State of Minnesota, except that the abutting owner shall retain the right of access Westerly of a triangular piece adjoining and Westerly of Line A and Southerly of Strip B, which lies Northeasterly of the following described line:

Beginning at a point on the Westerly boundary of Line A, distant 100 feet Southerly of its intersection with the Southerly boundary of the Strip B; thence run Northwesterly to a point on the Southerly boundary of Strip B distant 100 feet Westerly of said intersection and there terminating.

Line A: Beginning at a point on the North line of said Section 6, distant 45.54 feet West of the Northeast corner thereof; thence run Southerly at an angle of 91 degrees 49 minutes with said North section line (measured from east to south) for 2600 feet and there terminating.

Strip B: From a point on the above-described Line A, distant 383.8 feet Southerly of its point of beginning; run Westerly at right angles to said line for 42 feet; thence deflect to the left at an angle of 90 degrees for 100 feet; thence deflect to the right on a ten chord spiral curve of decreasing radius (spiral angle 24 degrees 00 minutes) for 400 feet; thence deflect to the right on a 12 degrees 00 minutes circular curve (delta angle 42 degrees 50 minutes) for 356.94 feet; thence deflect to the right on a ten chord spiral curve of increasing radius (spiral angle 24 degrees 00 minutes) for 400 feet; thence on tangent to said curve for 100 feet; thence run Easterly on the last described course for 100 feet to the point of beginning of the line to be described; thence continue Easterly on the last described course for 739.39 feet and there terminating.

EXHIBIT B
Description of Easement Parcels

A perpetual easement for roadway, drainage and utility purposes over, under and across those parts of the west 157.00 feet of the Southeast Quarter of the Northeast Quarter and the east 620.00 feet of the Southwest Quarter of the Northeast Quarter, EXCEPT the south 825.00 feet thereof, all in Section 6, Township 33, Range 24, Anoka County, Minnesota, described as follows:

Beginning at the northeast corner of said west 157.00 feet of the Southeast Quarter of the Northeast Quarter; thence on an assumed bearing of South 01 degree 13 minutes 20 seconds West along the east line of said west 157.00 feet of the Southeast Quarter of the Northeast Quarter, a distance of 25.04 feet; thence North 87 degrees 21 minutes 06 seconds West a distance of 476.57 feet; thence North 02 degrees 38 minutes 54 seconds East a distance of 11.73 feet to the north line of the Southwest Quarter of the Northeast Quarter; thence South 88 degrees 57 minutes 08 seconds East along the north lines of said Southwest Quarter of the Northeast Quarter and said Southeast Quarter of the Northeast Quarter, a distance of 476.13 feet to the point of beginning;

EXCEPT those parts lying within the existing right-of-way of State Trunk Highway No. 47;

Together with the ownership of and the right to remove all trees and shrubs and all other natural or man-made impediments lying within the easement area;

Together with a temporary easement for construction purposes, 10.00 feet wide, over, under and across the above-described parcel of land, lying southerly of and adjoining the south line of the above-described perpetual easement. The sidelines of said temporary easement shall be prolonged or shortened to terminate at the east line of the above-described parcel of land.

Said temporary easement shall expire on October 15, 2013.

EXHIBIT C
Form of Deed for Easement Parcels

A copy of the Easement Deed, consisting of three (3) pages, follows this sheet.

(Top 3 inches reserved for recording data)

EASEMENT DEED

Individual(s) to Municipal Corporation

COPY

DEED TAX DUE: Exempt: Easement Only

DATE: _____, 2013

FOR VALUABLE CONSIDERATION, Richard Sonstebly, a single person, and Ronnie Lynn McNeil formerly known as Susan Lynn Sonstebly, a single person, ("Grantors"), hereby convey and quitclaim to the City of St. Francis a municipal corporation under the laws of Minnesota ("Grantee"), real property in Anoka County, Minnesota, legally described as follows:

A perpetual easement and a temporary easement as more fully described on the attached Exhibit A;

This deed conveys after-acquired title;

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto.

This deed is also given to release the easement area shown on the attached Exhibit A from that certain lien held by Ronnie Lynn McNeil formerly known as Susan Lynn Sonstebly as shown by the dissolution Judgment and Decree recorded as Document Number 493152.001 and memorialized on Certificate of Title No. 96580.

Check applicable box:

- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: [...].)
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Richard Sonstebly

Ronnie Lynn McNeil

State of Minnesota, County of Anoka

COPY

This instrument was acknowledged before me on _____, 201__, by Richard Sonstebly, a single person, as Grantor.

(Stamp)

(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____
(month/day/year)

State of Minnesota, County of _____

This instrument was acknowledged before me on _____, 201__, by Ronnie Lynn McNeil formerly known as Susan Lynn Sonstebly, a single person, as Grantor.

(Stamp)

(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
Barna, Guzy & Steffen, Ltd. [SGT]
200 Coon Rapids Boulevard N.W., Suite 400
Minneapolis, MN 55433

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN
THIS INSTRUMENT SHOULD BE SENT TO:

EXEMPT
City of St. Francis
23340 Cree St. N.W.
St. Francis, MN 55070

EXHIBIT A
Description of Easement Parcels

A perpetual easement for roadway, drainage and utility purposes over, under and across those parts of the west 157.00 feet of the Southeast Quarter of the Northeast Quarter and the east 620:00 feet of the Southwest Quarter of the Northeast Quarter, EXCEPT the south 825.00 feet thereof, all in Section 6, Township 33, Range 24, Anoka County, Minnesota, described as follows:

Beginning at the northeast corner of said west 157.00 feet of the Southeast Quarter of the Northeast Quarter; thence on an assumed bearing of South 01 degree 13 minutes 20 seconds West along the east line of said west 157.00 feet of the Southeast Quarter of the Northeast Quarter, a distance of 25.04 feet; thence North 87 degrees 21 minutes 06 seconds West a distance of 476.57 feet; thence North 02 degrees 38 minutes 54 seconds East a distance of 11.73 feet to the north line of the Southwest Quarter of the Northeast Quarter; thence South 88 degrees 57 minutes 08 seconds East along the north lines of said Southwest Quarter of the Northeast Quarter and said Southeast Quarter of the Northeast Quarter, a distance of 476.13 feet to the point of beginning;

EXCEPT those parts lying within the existing right-of-way of State Trunk Highway No. 47;

Together with the ownership of and the right to remove all trees and shrubs and all other natural or man-made impediments lying within the easement area;

Together with a temporary easement for construction purposes, 10.00 feet wide, over, under and across the above-described parcel of land, lying southerly of and adjoining the south line of the above-described perpetual easement. The sidelines of said temporary easement shall be prolonged or shortened to terminate at the east line of the above-described parcel of land.

Said temporary easement shall expire on October 15, 2013.

COPY