

CITY OF ST. FRANCIS  
CITY COUNCIL AGENDA  
**TUESDAY JULY 5, 2011**  
ISD #15 CENTRAL SERVICES CENTER (DISTRICT OFFICES)  
4115 Ambassador Blvd. NW

6:00 pm

1. Call to Order/Pledge of Allegiance
2. Roll Call
3. Adopt Agenda
4. Consent Agenda
  - a. City Council Minutes- June 20, 2011
  - b. Authorization for Out of State Travel – Sgt. Rehling
  - c. Payment of Claims
5. Meeting Open to the Public
6. Petitions, Requests, Applications
  - a. Turtle Ridge Townhomes Snow Removal Appeal
7. Ordinances & Resolutions:
  - a. Ordinance 155, Second Series: Amending Section 2-5-2 City Clerk/Treasurer, Various Sections of the City Code and Adding Section 2-5-9 Finance (Second Reading)
  - b. Ordinance 156, Second Series: Amending Section 10-23 of the Zoning Ordinance Regarding signs (Second reading)
  - c. Resolution 2011-17 Censure of Council Member LeRoy T. Schaffer
8. Reports of Consultants & Staff Members
  - a. Engineer:
  - b. Attorney:
  - c. Staff:  
Fire Dept.:  
Public Works:  
Liquor Store:  
Police:  
City Administrator Report
9. Reports from Council Members
10. Report from Mayor
11. Old Business
12. New Business
  - a. Efficiency Report Card: City Hall
13. Adjournment

Calendar of Events

July 15<sup>th</sup>: Movies in the Park: "Despicable Me"  
July 18<sup>th</sup>: City Council Meeting @ ISD# 15 Central Services Center (District Offices) 6:00 pm  
July 20<sup>th</sup>: Planning Commission Meeting @ ISD #15 Central Services Center 6:00 pm

TO: Mayor & City Council

FROM: Matthew L. Hylan,  
City Administrator



RE: Agenda Memorandum – July 5, 2011 Meeting

**Agenda Items:**

**4. Consent Agenda:**

**6. Petitions, Requests, Applications:**

- b. Turtle Ridge Townhome Snow Removal Appeal: Attached is a memorandum from City Planner Nate Sparks outlining the facts relating to this appeal. The Council will need to make a determination on the appeal after the hearing.

**7. Ordinances & Resolutions:**

- a. Ordinance 155, Second Series: Attached is Ordinance 155, Second Series (second reading) relating the Charter Commission recommendations to amend the City Code to reflect the changes to the old position of City Clerk/Treasurer which is now City Clerk and Finance Director. The last page of City Attorney Lepak's letter to the Charter Commission outlines the reasoning. (This document was provided at the June 18, 2011 City Council packet) A motion would be in order to approve the second reading of this Ordinance with a roll call vote to follow.
- b. Ordinance 156, Second Series: Amending Section 10-23 of the Zoning Ordinance Regarding Signs (Second Reading). This is the sign ordinance amendment that staff has previously met with the SF Chamber of Commerce in order to have a business supported policy which still meets the direction of the planning commission and City Council. A motion would be in order to approve the second reading of this Ordinance with a roll call vote to follow.
- e. Resolution 2011-17:

**8. Reports:**

- a. **Engineer:**
- b. **City Attorney:**
- c. **Staff:**

**Fire Dept:**

**Public Works:**

**Liquor Store:**

**Police:**

**City Administrator:** The contract with Amcon Construction Company as Construction Manager for the proposed Public Works & Public Safety Facility is still in the works. Please anticipate this for the next meeting.

**11. Old Business**

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

CITY COUNCIL MINUTES

JUNE 20, 2011

1. **Call to Order/Pledge of Allegiance:** 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, Jeff Sandoval, LeRoy Schaffer, Steve Kane and Chris McClish. Also present were City Attorney Scott Lepak (Barna, Guzy & Steffen), City Engineer Jared Voge (Bolton & Menk, Inc.) Police Chief Jeff Harapat, Public Works Director Paul Teicher, Interim Fire Chief Dean Kapler, Finance Director Darcy Mulvihill, City Administrator Matt Hysten, and City Clerk Barb Held.

3. **Adopt Agenda:** Add 6 c. St. Francis Jaycees Temporary Liquor License August 13 and 14, 2011 in Community Park for Cornfest. MOTION BY SANDOVAL SECOND KANE TO ADOPT THE JUNE 20, 2011 CITY COUNCIL AGENDA AS AMENDED. Motion carried 5-0.

4. **Consent Agenda:** MOTION BY SANDOVAL SECOND KANE TO APPROVE THE JUNE 20, 2011 CITY COUNCIL CONSENT AGENDA A and C-E AS FOLLOWS: McClish asked to have 4b moved to 6d.

a. Approve the City Council Minutes of June 6, 2011.

b. Approve Authorization for Sgt. Jake Rehling to attend the FBI Training.

c. Approve the Twin Cities Multisports Club-Minneman Triathlon for July 2, 2011.

d. Approve the Payment of Claims for \$282,274.92.

e. Acknowledgment of MN Lawful Gambling Exemption Permit for MN Waterfowl Association Cedar Creek Chapter for September 15, 2011 at the St. Francis American Legion with no waiting period.

Motion carried 5-0.

5. **Meeting Open to the Public:** Tveit stated we will allow each person to speak for four minutes:

William Gardner, 5304-235<sup>th</sup> Avenue: Mr. Gardner said no one ever responded to me regarding my question regarding why the Charter Amendments never went out for a vote. I did not find anywhere that the City Council has the authority to change the charter. I believe you need to allow the public to vote. Gardner also addressed the per diems for council members. Tveit asked that staff, legal and the Charter Commission Chair research this.

Kristin Cole, 4546-235<sup>th</sup>: Kristin Cole, 4546 235<sup>th</sup> Lane NW, St. Francis MN 55070. I was here a couple of weeks ago in reference to some mailings that I am receiving from Councilman Schaffer. Approximately, the beginning of April Councilman Schaffer, well it was probably more earlier than that, more like March. I had contacted him to try and

get some business resolved that I couldn't get what I needed through the city, I thought he could help me so I contacted him. He wasn't able to help me; I was able to resolve it on my own. He had my phone number and called me at my home and asked me out to dinner. Now this was not the first time Mr. Schaffer has behaved had acted in an inappropriate manner towards me. I didn't want to be mean because he seemed to be a nice old guy but that was too much. When you call someone at their house, not invited to call as a member of the community. I have made that clear to him in prior communications that dating or going anywhere with you was not something I was interested in. I tried to explain, I tried to be nice. I have sons that are getting pretty upset about this whole entire ordeal. So, fast forward maybe 4-6 weeks he came past my home and put a flyer in my door, which he does but I don't want him near my home me, after the tattoo thing. I don't want Mr. Schaffer near me. I don't want to take vacation with him. I opened my door and I told him you are not to come near my home anymore, don't contact me in anyway, shape or form. Two days later I received a letter from Mr. Schaffer addressed to "First Class Citizen 4546 235<sup>th</sup> Lane NW" and the return address was "Update" Ignorance costs everyone". I don't find you (Schaffer) amusing. I don't want to have to get a "no contact order", well first of all you didn't spell it right. I have asked you very specifically to have no contact with me in any way, shape or form. I'm not sure what's wrong, not sure if you are hard of hearing, I'm not sure if you're just stubborn but I am here to tell you I'm not kidding around. You harass people and I'm not going to get into that subject because I can only speak for myself. I received two of these letters, the first one I threw out because I thought, you know but then I'm getting another one. Mr. Schaffer I'm telling you straight out here. Do not send me anything in the mail, do not contact me, don't speak to me. I don't want to have to get a no contact order, that costs the city a lot of money for this ridiculousness. So, I'm here in front of the council because you as a council member you are sending me letters as a council person. You need to stop. Thank-you. Tveit asked that see contact the Police Chief with her concerns.

Roland Willis, 23073 Eidelweiss Street, I would like to finish what I what I started at the last council meeting. Willis also addressed the City Council on the public works facility. Why is the City reactive instead of proactive in regards to the cleaning service? Anoka County has set a zero percent levy increase and according to our Commissioner Look, they did not receive a call. I ask that you make your choses wisely.

Tveit called for a quick recess at 6:16 pm.  
Back in Session at 6:18 pm.

**6. Petitions, Requests, Applications:**

a. **Metropolitan Council Member-** Edward Reynoso: Mr. Reynoso introduced himself to the City Council. He stated he lives in Ham Lake and was appointed by the Governor to the Metropolitan Council in March of 2011. Mr. Reynoso gave a brief background of his work experience and said he is looking forward to working with the community. My goal is to work

with your City and residents to create a positive image of the Metropolitan Council and be able to work together. My first goal is to put a face to the name. I am always available for calls. Mr. Reynoso asked if there were any questions for him. I look forward to working with you. Schaffer asked can you give me a little bit about your background. I think you are Latino. I got the feeling you are low-income or have experienced low income or whatever. You would be a good addition because of your point of view. Do you come from that kind of background? Is my suspicion right or just shooting in the wind here? Well Reynoso said, I need to figure out how to answer that one. First of all, I am Latino and proud to be Latino, born and raised in southern California. My background is in transportation. I am a political director for the Teamsters Union that is my day job. I am fully aware of political issues and how it works. As far as poverty, I can tell you I come from a family of seven kids we struggled but never experience poverty as maybe you were thinking. My parents were hard workers and gave all seven of us a great foundation. Proud to be the person I have become. With that being said I have experienced helping the needy and the impoverished and it is a great experience for anybody to have; to help people in need. Schaffer said I think you will be a real asset. Mr. Reynoso said Mayor, Council I look forward in working with you.

**b. Economic Development Authority (EDA)-Public Hearing:** City Attorney Scott Lepak provided a memorandum on the general outline of what an EDA is and how it operates. Lepak said tonight we will hold a public hearing to hear input from the residents. Then the council will decide later on whether or not the City would be interested in creating an EDA. There is a resolution that would need to be passed in order to enable an EDA. Mayor Tveit opened the Public Hearing at 6:25 pm.

William Gardner, 5304-235<sup>th</sup> Avenue, stated he would be short. Gardner handed the Mayor the full State Statute 469.101 and not just a portion of it, like what was provided to the City Council.

Ray Jones, 23725 Nacre Street, asked who is going to set up the EDA. How many are going to be on the commission? I have been out here 57 years and I grew up if you wanted it you worked at it. If it is run right fine, but you can also get businesses in here that fail. It is tax dollars. If you create an EDA be careful who you have on it. Schaffer asked Jones do you trust the bureaucracy. Jones said you are not going to be thriving up here. Highway 47 is a trail and Metropolitan Council is not going to put money in it up here.

Jeff Titus, 4324-230<sup>th</sup> Avenue: Thank you Mayor and Council for having this public hearing. I have no problem with the City setting up an EDA. I do not believe checks and balances are in this resolution. I would challenge this resolution and how many cities have used this resolution. I was really surprised to hear tonight that maybe it is not legal to even have the City Council sit on the EDA. I am not against businesses coming into the City but we have no roads and our water/sewer rates and taxes are high. I really challenge the resolution not necessary creating one. I ask you do not pass the resolution. Why do we have to have the resolution so complicated? Words really mean something.

Roland Willis, 23073 Eidelweiss Street: I am going to piggy back on what Mr. Jones and Mrs. Titus said. I think I am the one who brought this up and challenged the resolution some time

ago. Willis referenced different sections of the Statute on creating EDA's. I am not against an EDA. Our roads are a problem, large trucks can travel them. Retail always happens but for the industrial businesses they won't come. I contacted other cities...

William Gardner, I would just like to clarify something for Mr. Titus. What I read earlier tonight was regarding pay of the commission members. There needs to be two council members on the EDA. Lepak stated the Enabling Resolution Paragraph 9 states the limitation of power.

Ray Jones, look out for new businesses that start up and want to get breaks. You don't have to fund it all. You can form it but be careful.

Mayor Tveit closed the public hearing at 6:46 pm.

6c. MOTION BY SANDOVAL SECOND SCHAFFER TO APPROVE THE ST FRANCIS JAYCEES TEMPORARY ON-SALE LIQUOR LICENSE FOR CORNFEST, AUGUST 13 & 14, 2011 IN COMMUNITY PARK. Motion carried 5-0.

6d. **Out of State Travel for Sgt. Rehling to attend FBI Training:** Hysten stated this is an FBI Training that Sgt. Rehling was accepted into, the only cost to the City of St. Francis is his pay and his absence on the street. McClish asked how long is the training and travel cost. The training is 10 weeks long. McClish stated it is excellent training and it is for future chiefs and sheriffs. Chief Harapat reported that he is provided \$600.00 for travel through this training and he is well aware that anything over the \$600.00 he would be responsible for that. The training goes from October to December of 2011 for 10 weeks. We were looking actually for 2012 but the FBI contacted us and indicated that they had openings in 2011. McClish asked for this to be tabled. Kane said being McClish has some reservations on this I agree to wait too. MOTION BY McCLISH SECOND KANE TO TABLE THE AUTHORIZATION FOR OUT OF STATE TRAVEL FOR SGT. REHLING UNTIL THE JULY 5, 2011 MEETING. Motion 5-0.

## 7. **Ordinances & Resolution:**

**a. Resolution 2011-15: Establishing an Economic Development Authority for the City of St. Francis:** MOTION BY TVEIT SECOND KANE TO ADOPT RESOLUTION 2011-15 AN ENABLING RESOLUTION ESTABLISHING AN ECONOMIC DEVELOPMENT AUTHORITY FOR THE CITY OF ST. FRANCIS MINNESOTA. McClish asked what if we are unable to fill the positions. We currently we have openings on the planning and park commissions. Hysten said it is the ultimate responsibility of the City Council to get people to apply. Tveit said I believe this gives us another tool in our toolbox. I believe it is a good idea and have talked about this for a number of years. Sandoval said it is great to hear from our residents. I too think the resolution is somewhat confusing. I am not opposed to EDA's. I just want to make sure we can control the reins and the city council has the opportunity to approve. Hysten said the one thing that works well with other communities, they appoint the mayor and one other councilmember on the EDA board and they too should be bringing back information. Sandoval said nothing against you Mayor but I don't always think it is a good idea that the mayor is on the board. Schaffer said I think and EDA confuses people and I don't think they will have a good welfare for the rest of the people. Not time to increase taxes and and

another layer of bureaucracy. I can not agree with this. Tveit said I am kind of confused and how this is going to raise taxes by establishing an EDA. Most cities that have any size and want growth have an EDA and try to develop our City for the long term. Motion carried 3-2. Sandoval and Schaffer voting nay.

**b. Ordinance 154, Second Series: Amending the City Charter (First Reading): Meeting Open to the Public:** These amendments were recommended unanimously by the Charter Commission. MOTION BY SANDOVAL SECOND McCLISH APPROVING THE FIRST READING OF ORDINANCE 154, SECOND SERIES AMENDING AND RESTATING THE CITY OF ST. FRANCIS HOME RULE CHARGER. Roll Call: Sandoval, McClish, Kane, Tveit. Nay Schaffer. Motion 4-1.

**c. Ordinance 155, Second Series: Amending Section 2-5-2 City Clerk/Treasurer, Various Sections of the City Code and Adding Section 2-5-9 Finance (First Reading):** MOTION BY KANE SECOND McCLISH APPROVING THE FIRST READING OF ORDINANCE 155, SECOND SERIES AMENDING SECTION 2-5-2 CITY CLERK/TREASURER VARIOUS SECTIONS OF THE CITY CODE AND ADDING SECTION 2-5-9 FINANCE. Roll Call: Kane, Schaffer, McClish, Sandoval and Tveit. Motion carried 5-0

**d. Ordinance 156, Second Series: Amending Section 10-23 of the Zoning Ordinance Regarding Signs (First Reading):** MOTION BY KANE SECOND SANDOVAL APPROVING THE FIRST READING OF ORDINANCE 156, SECOND SERIES AMENDING SECTION 10-23 OF THE ZONING ORDINANCE REGARDING SIGNS. Sandoval asked how difficult will this be to enforce. I know I have received a number of calls on our signs now and time consuming for staff. We have taken a reactive approach on ordinance violations. I believe with this ordinance it will be easier to enforce. Roll Call: Schaffer, McClish, Sandoval, Kane and Tveit. Motion carried 5-0.

**e. Resolution 2011-16: Resolution declaring Part-time Interim Fire Chief as eligible for coverage in Public Employee Police and Fire Retirement Plan:** MOTION BY SANDOVAL SECOND KANE TO ADOPT RESOLUTION 2011-16 A RESOLUTION DECLARING PART-TIME INTERIM FIRE CHIEF POSITION ELIGIBLE FOR COVERAGE IN PUBLIC EMPLOYEE RETIREMENT POLICE AND FIRE PLAN. Motion carried 5-0.

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

**a. Engineer:**

**b. Attorney:**

**c. Staff: Fire Department:** No report.

**Public Works:**

**Liquor Store:** No report.

**Police Dept:** No report.

**City Administrator Report: Professional Design Group requested qualifications for Agency Construction Manager of Proposed Public Works and Public Safety Facility:** Based on four submitted proposals, along with reference checks and interviews with two firms, PDG and staff are recommending the City of St. Francis retain the services of Amcon Construction Company, LLC, as Construction Management Approach for your review. MOTION BY KANE SECOND McCLISH TO DIRECT STAFF TO ASSEMBLE A CONTRACT WITH AMCON CONSTRUCTION COMPANY AS CONSTRUCTION

MANAGER FOR THE PROPOSED PUBLIC WORKS AND PUBLIC SAFETY FACILITY.  
Motion carried 4-1. Schaffer voted nay.

**US Cable:** We received notification that US Cable is being bought out by Midcontinent. More information will follow.

**4058 St. Francis Blvd. Property Update:** We did receive a notification today that there are some contaminates so we will figure out how much we need to hold back from the payment to the previous owners.

**Capital Improvement Plan:** Hysten reported this document was provided to you at the end of May. Per our City Charter, we will need to hold a public hearing at the first meeting in August. Do you want to have a meeting before to discuss the CIP? Kane said just a reminder that the CIP is just that a plan. Hysten said yes, purchases still come back to the council for approval.

**League of MN Cities Update:** Hysten reported he was appointed to the League of MN Cities Board of Directors for a one-year term.

9. **Reports from Council Members:** Kane said I did have a resident make a comment that we do have a great car show in town on Fridays during the summer but they have not seen any councilmembers there. Kane said so if you can, please go and look at the great cars.

Schaffer reported on the URRWMO and literature he received. Schaffer said I have shown up at the car show and did a style show and showed off my wardrobe. Schaffer said I commend you Kane for working on the judging stand during Pioneer Days.

Sandoval said I have a couple things; I have a few citizens that work in Minneapolis and come from different communities that are interested to see what our responses would be regarding a community garden. We have some parcels of parkland we can't do anything with. Potentially giving them a plot, 4x4 or 4x6 plot, a \$10 fee to have that plot that they can grow corn, flowers or whatever they want to grow there. It gives people opportunity to meet at the park to grow things they can't grow on their parcel. I think it's a good idea and something we can look into and see a potential for.

The other issue I have, I really don't care to say it but, I am appalled that we would ask an individual that comes before us his ethnic background is and that we inferred he knows what hard times are because of his ethnic background. That's not our responsibility, that's not our judgment. That to me makes us look narrow minded, close minded and I don't like it. I'm tired of this. I'm tired of the attacks. I am Latino in retrospect, I take it very personally. Mr. Gardner took it personally that day you made off hand comments that was not intended as one but I'm tired of this. I'm tired of the approaches that are being made by a specific council member. I'm tired of having to listen to citizens come up here and complain because of actions. What a reflection on all of us that this is. It's horrible, we have to hold our heads up high and come above this but how can we keep doing this day after day, the same thing is done over and over again.

You think it's a big joke, it's supposed to roll off his shoulders, because maybe people not a care. It's maybe not a care to you but it is a care to me. I think it's very disrespectful, and I personally will send a letter to this gentleman apologizing for the behavior he received here. That's it.

McClish said he would like to thank all City Staff including Barb Held for all their work for Pioneer Days and making it very successful.

10. **Report from Mayor:** Tveit presented City Clerk Barb Held the certificate she received at the Minnesota Women in City Government Leadership Award Annual Meeting. Ms. Held was one of the two finalists in the State in the appointed city official category however; she did come in second. Good job Barb. Just to have one of our employees nominated it was an honor.

I would also like to congratulate Mr. Hylen on his recent appointment to the League of MN Board of Directors.

Thanked Kane for attending the St. Francis Ambassador Pageant for me. I attend the Mayor's motorcycle ride Saturday, June 11, 2011 and as of today, \$1,086.00 was raised for the Pederson Path. I also got a call that we will be receiving another \$210 from Zylstra's of Elk River. Like to thank all the outgoing St. Francis Ambassadors for all their civic service they do for our community. I would like to congratulate the four new Ambassadors Little Misses Chloe Schaub, Miranda Johnson and Ambassadors Kala Schleif & Marissa Johnson. Also would like to thank the director Amber Eisenchenk for all her work.

Last week I attended the Annual League of MN Cities, it was a very good conference. The theme this year was "I love my City".

11. **Old Business:** Schaffer said we can say things and be misread. I don't think this guy was offended. Tveit said we have to be very cautious on the words we choose. This is the first time we have had a representative from our District come here from the Metropolitan Council and I appreciate for him taking time out of his schedule to meet us.

12. **New Business:**

a. **Efficiency Report Card-Fire Department:** Dean Kapler said it was a pleasure meeting all of you tonight. I have meet with each fire department member one on one. The stabilization has begun. I will be finalizing the officers for the transformation team. In regards to our ISO rating changing, it is a positive change. I would also like to credit the public works department for their high marks and cooperation in the ISO survey. The fire department should also be credited for this positive change.

Tveit said I have one comment to make about a property that is currently for sale on the corner of County Road 24 and Rum River Blvd. After going to the League conference and they talked about looking to the future. Maybe that would be a good idea to check into being it is adjacent to Community Park. Sandoval said it is nice being it is close to the park but we will get the comments that we are land barons. What about the 40 acres? If we build a park, it should be bigger. I think we are at a time for a Park and Recreation department. Tveit said I was just

thinking what if. Schaffer said we should be putting money away for parks but we have to remember the budget. Tveit asked what do we have in our park dedication fund. Hysten stated we would put the amount in the off-week memo. McClish said I would like to have staff look into more. Kane said from a business standpoint the best way to go is like what Sandoval mentioned with bigger facility.

Schaffer asked aren't we going to have a public hearing on the bond issue. Motion by Schaffer to hold a town meeting on the bond issue at the July 4<sup>th</sup> (should be July 5<sup>th</sup>) meeting. Motion failed for the lack of a second. Tveit said what answers are we going to have. Schaffer said we have some numbers. Tveit said I am in favor of a public hearing or an informational meeting but we need to have some numbers to talk about. Until we have some hard facts and figures I think we would be confusing them.

Schaffer said we need to get the facts together. Hysten said we are at the beginning and the earliest I believe we would get the plans together is September. I don't think this should be a surprise to our public, it has been discussed for about three years now. Schaffer said I want options.

13. **Adjournment:** The City Council meeting adjourned at 8:10 pm.

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Barbara I. Held, City Clerk



PAYMENT BATCH AP 07-05-11

**ADVANCED AUTOMOTIVE CARE, INC.**

05/05/2011	31691	E 101-41400-221	Vehicle Repair & Maintenance	07 CROWN V	317.33
					\$317.33

**AMERIPRIDE LINEN & APPAREL SER**

06/23/2011	1000873843	E 609-49750-219	Rug Maintenance	RUGS	46.23
					\$46.23

**ASPEN MILLS**

05/25/2011	108839	E 101-42210-437	Uniform Allowance	PANTS-GRIEGO	39.50
05/31/2011	108949	E 101-42210-437	Uniform Allowance	NAME TAG BERGLUND	20.23
06/01/2011	109018	E 101-42210-437	Uniform Allowance	NAME TAGS	340.45
06/07/2011	109265	E 101-42210-437	Uniform Allowance	PANTS-MCONOUGH	39.50
06/15/2011	109482	E 101-42210-437	Uniform Allowance	NAME TAG THOMPSON	20.23
					\$459.91

**ASSURANT EMPLOYEE BENEFITS**

06/28/2011	5447229.0711	E 101-41400-130	Employer Paid Insurance	JULY 1 TO JULY 31	101.84
06/28/2011	5447229.0711	E 101-41500-130	Employer Paid Insurance	JULY 1 TO JULY 31	36.71
06/28/2011	5447229.0711	E 101-42110-130	Employer Paid Insurance	JULY 1 TO JULY 31	409.70
06/28/2011	5447229.0711	E 101-43100-130	Employer Paid Insurance	JULY 1 TO JULY 31	58.84
06/28/2011	5447229.0711	E 101-43210-130	Employer Paid Insurance	JULY 1 TO JULY 31	13.08
06/28/2011	5447229.0711	E 101-45200-130	Employer Paid Insurance	JULY 1 TO JULY 31	58.84
06/28/2011	5447229.0711	E 601-49440-130	Employer Paid Insurance	JULY 1 TO JULY 31	65.82
06/28/2011	5447229.0711	E 602-49490-130	Employer Paid Insurance	JULY 1 TO JULY 31	65.81
06/28/2011	5447229.0711	E 609-49750-130	Employer Paid Insurance	JULY 1 TO JULY 31	66.04
					\$876.68

**BANYON DATA SYSTEMS, INC**

06/27/2011	146727	E 101-41540-301	Auditing and Acct'g Services	ANNUAL SUPPORT FUND	1,055.33
06/27/2011	146727	E 601-49440-301	Auditing and Acct'g Services	ANNUAL SUPPORT FUND	175.89
06/27/2011	146727	E 602-49490-301	Auditing and Acct'g Services	ANNUAL SUPPORT FUND	175.89
06/27/2011	146727	E 609-49750-301	Auditing and Acct'g Services	ANNUAL SUPPORT FUND	351.77
					\$1,758.88

**BERNICK COMPANIES, THE**

06/17/2011	45060	E 609-49751-252	Beer For Resale		314.00
					\$314.00

**BIRCHWOOD CONSTRUCTION**

06/28/2011	227	E 101-45200-229	Project Repair & Maintenance	INSTALL 4 VENTS CONSESSION	800.00
					\$800.00

**BULERA, CHRISTOPHER**

06/28/2011	062811	E 101-42110-104	Reserves	COMMUNITY PARK	81.00
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\$81.00

**CENTERPOINT ENERGY**

06/16/2011	0.0611	E 101-41940-383	Gas Utilities	05/11/11 - 06/13/11	12.86
06/16/2011	0.0611	E 101-41940-383	Gas Utilities	05/11/11 - 06/13/11	12.86
06/16/2011	0.0611	E 101-41940-383	Gas Utilities	05/11/11 - 06/13/11	12.86
06/16/2011	0.0611	E 101-41940-383	Gas Utilities	05/11/11 - 06/13/11	12.86
06/16/2011	0.0611	E 101-42110-383	Gas Utilities	05/11/11 - 06/13/11	32.56
06/16/2011	0.0611	E 101-42210-383	Gas Utilities	05/11/11 - 06/13/11	75.96
06/16/2011	0.0611	E 101-43100-383	Gas Utilities	05/11/11 - 06/13/11	34.69
06/16/2011	0.0611	E 101-43100-383	Gas Utilities	05/11/11 - 06/13/11	10.24
06/16/2011	0.0611	E 101-45200-383	Gas Utilities	05/11/11 - 06/13/11	34.69
06/16/2011	0.0611	E 101-45200-383	Gas Utilities	05/11/11 - 06/13/11	10.25
06/16/2011	0.0611	E 101-45200-383	Gas Utilities	05/11/11 - 06/13/11	19.28
06/16/2011	0.0611	E 601-49440-383	Gas Utilities	05/11/11 - 06/13/11	6.43
06/16/2011	0.0611	E 601-49440-383	Gas Utilities	05/11/11 - 06/13/11	46.06
06/16/2011	0.0611	E 602-49490-383	Gas Utilities	05/11/11 - 06/13/11	25.96
06/16/2011	0.0611	E 602-49490-383	Gas Utilities	05/11/11 - 06/13/11	6.43
06/16/2011	0.0611	E 609-49750-383	Gas Utilities	05/11/11 - 06/13/11	19.28
06/22/2011	3000462303	G 602-16500	Construction in Progress	AMBASSADOR TRUNK UTILITIES	885.00
					<hr/>
					\$1,258.27

**CHISAGO LAKES DISTRIBUTING CO.**

06/20/2011	448320	E 609-49751-252	Beer For Resale		536.60
06/20/2011	488321	E 609-49751-254	Miscellaneous Merchandise		41.00
					<hr/>
					\$577.60

**CONNEXUS ENERGY**

06/21/2011	0.0611	E 101-41940-381	Electric Utilities	5/09 - 6/09 2011	316.26
06/21/2011	0.0611	E 101-41940-381	Electric Utilities	5/09 - 6/09 2011	82.02
06/21/2011	0.0611	E 101-42110-381	Electric Utilities	5/09 - 6/09 2011	207.79
06/21/2011	0.0611	E 101-42110-381	Electric Utilities	5/09 - 6/09 2011	5.34
06/21/2011	0.0611	E 101-42110-381	Electric Utilities	5/09 - 6/09 2011	5.34
06/21/2011	0.0611	E 101-42210-381	Electric Utilities	5/09 - 6/09 2011	484.85
06/21/2011	0.0611	E 101-43100-381	Electric Utilities	5/09 - 6/09 2011	16.08
06/21/2011	0.0611	E 101-43100-381	Electric Utilities	5/09 - 6/09 2011	34.38
06/21/2011	0.0611	E 101-43100-386	Street Lighting	5/09 - 6/09 2011	3,404.97
06/21/2011	0.0611	E 101-45200-381	Electric Utilities	5/09 - 6/09 2011	34.39
06/21/2011	0.0611	E 101-45200-381	Electric Utilities	5/09 - 6/09 2011	258.33
06/21/2011	0.0611	E 230-49990-441	Miscellaneous	5/09 - 6/09 2011	95.90
06/21/2011	0.0611	E 601-49440-380	Electric-System	5/09 - 6/09 2011	4,395.31
06/21/2011	0.0611	E 601-49440-381	Electric Utilities	5/09 - 6/09 2011	78.58
06/21/2011	0.0611	E 602-49451-381	Electric Utilities	5/09 - 6/09 2011	6,675.72
06/21/2011	0.0611	E 602-49451-381	Electric Utilities	5/09 - 6/09 2011	596.36
06/21/2011	0.0611	E 602-49490-381	Electric Utilities	5/09 - 6/09 2011	78.58
06/21/2011	0.0611	E 609-49750-381	Electric Utilities	5/09 - 6/09 2011	1,235.45
					<hr/>
					\$18,005.65

**CONSTRUCTION & GENERAL**

06/21/2011	062111	G 101-21707	Union Dues	MAINT UNION DUES JULY 2011	216.00
					<hr/>
					\$216.00

**CRYSTAL SPRINGS ICE**

06/14/2011	23641	E 609-49751-254	Miscellaneous Merchandise	ICE	110.40
06/18/2011	23719	E 609-49751-254	Miscellaneous Merchandise		112.80
06/21/2011	23752	E 609-49751-254	Miscellaneous Merchandise	ICE	83.70
					\$306.90

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**DAHLHEIMER DIST. CO. INC.**

06/15/2011	52226	E 609-49751-252	Beer For Resale	BEER	5,639.15
06/15/2011	52226	E 609-49751-254	Miscellaneous Merchandise	MISC	42.00
06/17/2011	52416	E 609-49751-254	Miscellaneous Merchandise		360.00
06/22/2011	53169	E 609-49751-252	Beer For Resale	BEER	4,566.50
06/22/2011	53169	E 609-49751-254	Miscellaneous Merchandise	MISC	178.00
					\$10,785.65

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**DELTA DENTAL**

06/15/2011	4640517	G 101-21710	Other Deductions	07/01/11 - 07/31/11	215.73
					\$215.73

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**ECM PUBLISHERS, INC.**

06/17/2011	IQ001786244	E 101-43100-352	General Notices and Pub Info	PUBLIC WORKS PART TIME AD	100.00
06/17/2011	IQ001786285	E 101-41400-351	Legal Notices Publishing	LEGAL SUMMARY FINANCIAL	768.75
					\$868.75

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**ELITE SANITATION**

06/26/2011	19954	E 101-45200-402	Janitorial Service	TOILET RENTAL	550.61
					\$550.61

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**F.I.R.E.**

05/27/2011	8675	E 101-42210-208	Training and Instruction	DEFENSIVE DRIVING	300.00
					\$300.00

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**FERGUSON WATERWORKS**

06/14/2011	SO1310031.001	E 601-49440-229	Project Repair & Maintenance	REPAIR	261.84
06/21/2011	S01311321.001	E 601-49440-259	Water Meters	METER/PARTS	1,226.20
					\$1,488.04

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**FINANCE AND COMMERCE**

06/21/2011	22280481	E 226-45100-441	Miscellaneous	BIDS-PEDERSON PATH	653.68
					\$653.68

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**G&K SERVICES, INC**

06/24/2011	1043749290	E 101-43100-402	Janitorial Service	SHOP TOWELS	11.32
06/24/2011	1043749290	E 101-45200-402	Janitorial Service	SHOP TOWELS	11.32
06/24/2011	1043749290	E 601-49440-402	Janitorial Service	SHOP TOWELS	11.32
06/24/2011	1043749290	E 602-49490-402	Janitorial Service	SHOP TOWELS	11.33
					\$45.29

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**GRANITE CITY JOBBING CO.**

06/14/2011	685068	E 609-49750-210	Operating Supplies	OPERATING	34.79
06/14/2011	685068	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.25
06/14/2011	685068	E 609-49751-256	Tobacco Products For Resale	TOBACCO	397.38
06/21/2011	685849	E 609-49750-210	Operating Supplies	OPERATING	27.52
06/21/2011	685849	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.25
06/21/2011	685849	E 609-49751-254	Miscellaneous Merchandise	MISC	71.73
06/21/2011	685849	E 609-49751-256	Tobacco Products For Resale	TOBACCO	578.32
06/21/2011	685849	G 101-20810	Sales Tax Payable	USE TAX	(0.78)

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\$1,117.46

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**HACH COMPANY**

06/22/2011	7301078	E 601-49440-235	Lab Supplies	ACCUVACS	134.15
					<hr/>
					\$134.15

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**HAWKINS, INC.**

06/20/2011	3234371	E 601-49440-216	Chemicals and Chem Products	CHLORINE	500.70
					<hr/>
					\$500.70

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**HIGHWAY 47 AUTO PARTS, INC.**

		E 402-41940-520	C-O-L Building & Structures	WITHHOLDING AMT	(43,800.00)
		E 402-41940-520	C-O-L Building & Structures	CONTRACT FOR DEED PAYMEN	75,000.00
					<hr/>
					\$31,200.00

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**INNOVATIVE OFFICE SOLUTIONS, L**

06/21/2011	WO-10641474-1	E 101-43100-200	Office Supplies	SUPPLIES	35.85
06/21/2011	WO-10641474-1	E 101-45200-200	Office Supplies	SUPPLIES	35.85
06/21/2011	WO-10641474-1	E 601-49440-200	Office Supplies	SUPPLIES	35.85
06/21/2011	WO-10641474-1	E 602-49490-200	Office Supplies	SUPPLIES	35.84
					<hr/>
					\$143.39

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**ISD #15**

06/21/2011	2010-172	E 101-41940-412	Building Rentals	BUILDING MONITOR	1,178.75
					<hr/>
					\$1,178.75

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**JADIN PAINTING INC.**

06/20/2011	08	E 601-49440-229	Project Repair & Maintenance	FIRE HYDRANTS	4,754.81
					<hr/>
					\$4,754.81

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**JEFFERSON FIRE & SAFETY INC.**

05/18/2011	177810	E 101-42210-437	Uniform Allowance	BERGLUND PATCHES	49.99
					<hr/>
					\$49.99

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**JJ TAYLOR DISTRIBUTING**

06/15/2011	1550281	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.00
06/15/2011	1550281	E 609-49751-252	Beer For Resale	BEER	83.10
					<hr/>
					\$86.10

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**JOHNSON BROS WHLSE LIQUOR**

06/09/2011	499527	E 609-49751-206	Freight and Fuel Charges	CREDIT	(1.47)
06/09/2011	499527	E 609-49751-253	Wine For Resale	CREDIT	(40.00)
06/15/2011	1076550	E 609-49751-206	Freight and Fuel Charges	FREIGHT	20.58
06/15/2011	1076550	E 609-49751-251	Liquor For Resale	LIQUOR	1,090.30
06/15/2011	1076551	E 609-49751-206	Freight and Fuel Charges	FREIGHT	22.05
06/15/2011	1076551	E 609-49751-253	Wine For Resale	WINE	648.40
06/22/2011	1081134	E 609-49751-206	Freight and Fuel Charges	LIQUOR	57.45
06/22/2011	1081134	E 609-49751-251	Liquor For Resale	LIQUOR	3,297.84
06/22/2011	1081135	E 609-49751-206	Freight and Fuel Charges	WINE	17.64
06/22/2011	1081135	E 609-49751-253	Wine For Resale	WINE	420.63
					<hr/>
					\$5,533.42

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**JOHNSON, ERIC**

06/28/2011	062811	E 101-42110-104	Reserves	GRAD-COMMUNITY PARK	99.00
					<hr/>
					\$99.00

**JOHNSON, RICHARD**

06/28/2011	062811	E 101-42110-104	Reserves	COMMUNITY PARK	63.00
					<u>63.00</u>

**LAW ENFORCEMENT LABOR SVCS.**

06/21/2011	062111	G 101-21707	Union Dues	POLICE UNION DUES JULY 2011	323.82
					<u>\$323.82</u>

**MAROS, JAKE**

06/28/2011	062811	E 101-42110-104	Reserves	GRAD-PARK	159.75
					<u>\$159.75</u>

**MCDONALD DIST CO.**

06/16/2011	275013	E 609-49751-255	N/A Products	N/A	16.25
06/16/2011	275014	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.00
06/16/2011	275014	E 609-49751-252	Beer For Resale	BEER	11,481.70
					<u>\$11,500.95</u>

**MN FIRE CERTIFICATION BOARD**

05/19/2011	903	E 101-42210-208	Training and Instruction	BERGLUND TRAINING	150.00
					<u>\$150.00</u>

**MN NCPERS LIFE INSURANCE**

06/23/2011	7334711	G 101-21710	Other Deductions	JULY PREMIUM	48.00
					<u>\$48.00</u>

**MY ALARM CENTER**

06/13/2011	214372	E 609-49750-445	Security	MONITORING	54.52
					<u>\$54.52</u>

**NETWORK BUSINESS SUPPLIES, INC**

06/23/2011	82733	E 609-49750-210	Operating Supplies	THERMAL ROLLS	123.50
06/23/2011	82733	E 609-49751-206	Freight and Fuel Charges	THERMAL ROLLS	15.43
					<u>\$138.93</u>

**NEWSTROM, WILLIAM**

06/28/2011	062811	E 101-42110-104	Reserves	GRAD-SF LANES	159.75
					<u>\$159.75</u>

**PHILLIPS WINE & SPIRITS CO.**

06/15/2011	2083341	E 609-49751-206	Freight and Fuel Charges	FREIGHT	26.46
06/15/2011	2083341	E 609-49751-251	Liquor For Resale	LIQUOR	1,334.56
06/15/2011	2083342	E 609-49751-206	Freight and Fuel Charges	FREIGHT	10.29
06/15/2011	2083342	E 609-49751-251	Liquor For Resale	LIQUOR	273.00
06/15/2011	2083343	E 609-49751-206	Freight and Fuel Charges	FREIGHT	2.94
06/15/2011	2083343	E 609-49751-254	Miscellaneous Merchandise	MISC	83.90
06/22/2011	2086562	E 609-49751-206	Freight and Fuel Charges	LIQUOR	5.88
06/22/2011	2086562	E 609-49751-251	Liquor For Resale	LIQUOR	484.22
06/22/2011	2086563	E 609-49751-206	Freight and Fuel Charges	WINE	42.63
06/22/2011	2086563	E 609-49751-253	Wine For Resale	WINE	991.15
06/22/2011	2086564	E 609-49751-206	Freight and Fuel Charges	MISC	16.17
06/22/2011	2086564	E 609-49751-254	Miscellaneous Merchandise	MISC	312.50
					<u>\$3,583.70</u>

**PRINTING UNLIMITED**

06/17/2011	5892	E 230-49990-441	Miscellaneous	PIONEER DAYS	1,470.60
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06/22/2011	5898	E 101-41400-200	Office Supplies	ENVELOPES	20.28
06/22/2011	5898	E 101-42110-200	Office Supplies	ENVELOPES	6.76
06/22/2011	5898	E 101-42210-200	Office Supplies	ENVELOPES	6.76
06/22/2011	5898	E 101-43100-200	Office Supplies	ENVELOPES	6.76
06/22/2011	5898	E 101-45200-200	Office Supplies	ENVELOPES	6.76
06/22/2011	5898	E 601-49440-200	Office Supplies	ENVELOPES	6.76
06/22/2011	5898	E 602-49490-200	Office Supplies	ENVELOPES	6.76
06/22/2011	5898	E 609-49750-200	Office Supplies	ENVELOPES	6.76
					\$1,538.20

**Q3 CONTRACTING**

06/18/2011	TMN0051544	E 230-49990-441	Miscellaneous	SIGNS	1,089.53
					\$1,089.53

**QUALITY WINE & SPIRITS**

06/22/2011	473352-00	E 609-49751-206	Freight and Fuel Charges	LIQUOR	18.40
06/22/2011	473352-00	E 609-49751-251	Liquor For Resale	LIQUOR	1,109.95
					\$1,128.35

**RAMSEY, CITY OF**

06/06/2011	060611	E 101-42210-311	Contract	JUNE FOR CHIEF KAPLER'S SEF	666.00
					\$666.00

**RESCUEPAX LLC**

06/06/2011	83	E 101-42210-208	Training and Instruction	ROPE TRAINING	1,500.00
					\$1,500.00

**ROBERTS, LORI**

06/09/2011	060911	E 101-42110-331	Travel Expenses	RECORDS MEEETING	14.56
					\$14.56

**SFCOPS**

		E 101-42110-104	Reserves	RES OFFICERS 6/11	797.50
					\$797.50

**SKINNER, MARLINE**

	062811	E 101-42700-311	Contract	CONTRACT	500.00
					\$500.00

**SOUTHERN WINE & SPIRITS OF MN**

06/15/2011	1494823	E 609-49751-206	Freight and Fuel Charges	FREIGHT	7.50
06/15/2011	1494823	E 609-49751-253	Wine For Resale	WINE	432.00
					\$439.50

**ST. FRANCIS TRUE VALUE HARDWAR**

04/04/2011	16601	E 101-42210-218	Equipment Repair & Maintenance	REPAIRS AT STATION	5.07
04/06/2011	16622	E 101-42210-218	Equipment Repair & Maintenance	REPAIRS AT STATION	2.01
04/20/2011	16710	E 101-42210-218	Equipment Repair & Maintenance	REPAIRS AT STATION	2.93
					\$10.01

**STERLING TROPHY**

06/06/2011	5982	E 101-42210-437	Uniform Allowance	NAME TAGS	49.81
					\$49.81

**STUDNICKA, JAMIE**

06/28/2011	062811	E 101-42110-104	Reserves	PARADE/COMMUNITY PARK	90.00
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\$90.00

**TELECIDE (TWIN CITIES EMEDIA)**

06/14/2011	20040966	E 101-43100-101	Full-Time Employees Regular	WINDOWS Pro 7 UPGRADE	34.48
06/14/2011	20040966	E 101-45200-310	Computer Consulting Fees	WINDOWS Pro 7 UPGRADE	34.48
06/14/2011	20040966	E 601-49440-310	Computer Consulting Fees	WINDOWS Pro 7 UPGRADE	34.48
06/14/2011	20040966	E 602-49490-310	Computer Consulting Fees	WINDOWS Pro 7 UPGRADE	34.48
					<hr/>
					\$137.92

**U S CABLE**

06/28/2011	062811	E 101-41940-321	Telephone	JULY 2011 BILLS	69.95
06/28/2011	062811	E 601-49440-321	Telephone	JULY 2011 BILLS	34.97
06/28/2011	062811	E 601-49440-321	Telephone	JULY 2011 BILLS	69.95
06/28/2011	062811	E 601-49440-321	Telephone	JULY 2011 BILLS	69.95
06/28/2011	062811	E 602-49490-321	Telephone	JULY 2011 BILLS	34.98
06/28/2011	062811	E 609-49750-321	Telephone	JULY 2011 BILLS	69.95
					<hr/>
					\$349.75

**VINOCOPIA, INC.**

06/17/2011	0040752-IN	E 609-49751-206	Freight and Fuel Charges	FREIGHT	14.00
06/17/2011	0040752-IN	E 609-49751-253	Wine For Resale	WINE	500.00
					<hr/>
					\$514.00

**VISI**

05/07/2011	1888370	E 101-42110-321	Telephone	EMAIL MAY	40.00
06/07/2011	1894504	E 101-42110-321	Telephone	EMAIL JUNE	40.00
					<hr/>
					\$80.00

**WATER LABORATORIES INC.**

06/15/2011	11F-275	E 601-49440-313	Sample Testing	TEST	85.00
					<hr/>
					\$85.00

**WINE MERCHANTS**

06/15/2011	366030	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.19
06/15/2011	366030	E 609-49751-253	Wine For Resale	WINE	233.82
06/22/2011	366918	E 609-49751-206	Freight and Fuel Charges	WINE	1.47
06/22/2011	366918	E 609-49751-253	Wine For Resale	WINE	95.25
					<hr/>
					\$333.73

**WIRTZ BEVERAGE MN**

06/16/2011	587838	E 609-49751-206	Freight and Fuel Charges	FREIGHT	107.30
06/16/2011	587838	E 609-49751-251	Liquor For Resale	LIQUOR	6,595.43
06/16/2011	587838	E 609-49751-253	Wine For Resale	WINE	107.95
06/16/2011	587838	E 609-49751-254	Miscellaneous Merchandise	MISC	25.73
06/21/2011	834219	E 609-49751-206	Freight and Fuel Charges	CREDIT	(1.45)
06/21/2011	834219	E 609-49751-253	Wine For Resale	CREDIT	(60.00)
06/23/2011	591129	E 609-49751-206	Freight and Fuel Charges	FREIGHT	100.05
06/23/2011	591129	E 609-49751-251	Liquor For Resale	LIQUOR	7,721.51
06/23/2011	591129	E 609-49751-253	Wine For Resale	WINE	72.00
					<hr/>
					\$14,668.52

FUND SUMMARY

101 GENERAL FUND	\$16,882.26
226 PEDERSON PATH FUND	\$653.68
230 PIONEER DAYS	\$2,656.03
402 CAPITAL EQUIPMENT	\$31,200.00
601 WATER FUND	\$11,994.07
602 SEWER FUND	\$8,633.14
609 MUNICIPAL LIQUOR FUND	\$52,879.59
Total	<u>124,898.77</u>

CITY OF ST. FRANCIS  
7/5/2011

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>0.00</u>

Disbursements via Debits to Checking account

<u>Date</u>	<u>Payee</u>	<u>Description</u>	<u>Amount</u>
06/21/11	U.S. Treasurer	Federal Payroll Tax	1,338.31
06/21/11	P.E.R.A.	P.E.R.A	480.24
06/21/11	MN State Treasurer	State Payroll Tax	190.33
06/23/11	U.S. Treasurer	Federal Payroll Tax	16,032.48
06/23/11	P.E.R.A.	P.E.R.A	12,281.26
06/23/11	ING	Deferred Comp	770.00
06/23/11	ICMA	Deferred Comp	790.00
06/23/11	MN State Treasurer	State Payroll Tax	3,553.56
06/27/11	MN Dept of Revenue	Sales Tax-Accelerated	14,700.00
	TOTAL		<u>50,136.18</u>



**MEMORANDUM**

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

FROM: Nate Sparks, Consulting Planner

DATE: June 27, 2011

MEETING DATE: July 5, 2011

RE: Emergency Snow Removal Appeal

**BACKGROUND**

The Turtle Ridge Townhomes has sent in a letter appealing the emergency snow removal bill. The bill was for snow removal after the snow event on December 11<sup>th</sup> and 12<sup>th</sup> of 2010.

**GENERAL SNOW REMOVAL POLICY**

Pursuant to Chapter 7, Section 2, Subdivision 1 of the St. Francis City Code, after a significant snowfall residents are required to clear the adjacent sidewalk within 24 hours. If snow is not cleared and the City receives a complaint from a resident, the City has the snow removed by a contractor. The cost for the removal is then billed to the property owner. Failure to pay the bill results in an assessment. The ordinance requires that City Staff report such activity to the Council prior to collecting for this service.

**ACTIVITY REPORT**

The City has received multiple complaints regarding the sidewalks on Arrowhead Drive after the snow storm on December 11<sup>th</sup> and 12<sup>th</sup>. This resulted in emergency snow removal on December 21, 2010. The City's contractor has documented the snow on the walk and the removal of the snow in each instance. There were 9 properties cleared on December 21<sup>st</sup> including the property adjacent to the Turtle Ridge Townhomes.

It should be noted that when sidewalks are not cleared, many people are forced to walk in the street. This is what generates the most complaints, as residents feel that it is unsafe to be walking in the street in wintry conditions and limited lighting. The City responds to these complaints as quickly as possible.

## **RECOMMENDED ACTION**

The Council should make a motion to accept or reject the appeal request from the Turtle Ridge Townhomes. This is currently the only appeal. If bills go unpaid, they will be assessed and assessments may also be appealed.

<b>Emergency Snow Removal Activity Report</b>	
<b>December 21, 2010</b>	<b>February 24, 2011</b>
23117 Arrowhead Dr	2615 234 <sup>th</sup> Ct
23453 Arrowhead Dr	26XX 230 <sup>th</sup> Ct (HOA)
23443 Arrowhead Dr	23153 Arrowhead Dr
26XX 230 <sup>th</sup> Ct (HOA)	23141 Arrowhead Dr
231XX Arrowhead Dr (Golf Course)	23179 Arrowhead Dr
2570 230 <sup>th</sup> Ct (HOA)	23487 Arrowhead Dr
23343 Arrowhead Dr	23017 Arrowhead Dr
23165 Arrowhead Dr	231XX Arrowhead Dr (Golf Course)
23487 Arrowhead Dr	



PROPERTY MANAGEMENT & DEVELOPMENT

Turtle Ridge Town Homes  
2648 230<sup>th</sup> Ct. NW  
St. Francis, MN 55070

Attn: Nate Sparks  
City of St. Francis  
23340 Cree Street NW  
St. Francis, MN 55070

RE: Appeal for Emergency Snow Removal

Date: June 6<sup>th</sup>, 2011

Dear City of St. Francis,

I am submitting an Administrative Appeal to the recent letter and invoice we received dated May 3<sup>rd</sup>, 2011, invoice number 2011-AR-21.

The property in question, Turtle Ridge Town Homes, the property lies on the corner of Arrowhead Street and 230<sup>th</sup> Court NW.

I, Carrie Hebert, Resident Manager at the time of incident, had been Resident Manager at Turtle Ridge for four years.

I am asking for leniency in these charges since this was the first complaint in my four year history with Turtle Ridge.

Please understand that Turtle Ridge has one maintenance man. His equipment consists of a shovel and a 26" snow thrower. He is responsible for maintaining over 7,000 sq liner feet of concrete that surround the property including the city sidewalks of 230<sup>th</sup> Ct. and Arrowhead. That 7,000 sq liner ft consists of 40 private sidewalks, city, common sidewalks, postal boxes areas, all which require maintaining.

On December 12<sup>th</sup>, 2010, we received 16 inches of snow. According to Kare 11 News station "December 2010 was the snowiest month Minnesota has seen in 41 years with a total of 33.4 inches."

Due to the amount of this snowfall we received that day and extra snow that had been blown onto the Arrowhead city sidewalk also that day by the city plow trucks, it was inconceivable for one man with a plow and shovel to clear all those sidewalks within a 24hr period. So it was our first priority to take care of the private walks that led into each town home for the safety of the residents at Turtle Ridge Town Homes

Mailing Address: PO Box 399 • St. Cloud, MN 56302  
Office Address: 100 4th Avenue South • St. Cloud, MN 56301  
320.252.6262 Fax: 320.529.2801  
[www.brutgerequities.com](http://www.brutgerequities.com)

EQUAL OPPORTUNITY EMPLOYER



PROPERTY MANAGEMENT & DEVELOPMENT

We apologize for any inconvenience this caused the individual with the complaint and others that may not have complained but we ask for the City of St. Francis to reconsider these charges due to the excruciating circumstances of the unusual season we had. As a community we strive to help each along not hold them back.

Please also take into account that we have never had an issue with not clearing said sidewalks in the past and will not with the future snow falls.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Carrie Hebert".

**Carrie Hebert**

Housing Administrator

Brutger Equities, Inc.  
100 4th Ave South  
Po Box 399  
St. Cloud, MN 56302

Telephone: 320-529-2816  
Fax: 320-529-2801  
Email: [chebert@brutgerequities.com](mailto:chebert@brutgerequities.com)  
Website: [www.brutgerequities.com](http://www.brutgerequities.com)

cc: Matt Hylen, St. Francis City Administrator  
Darcy Mulvihill, St. Francis Finance Director



**CITY OF ST. FRANCIS**

Finance Department  
23340 Cree Street NW  
St. Francis, MN 55070  
phone: (763) 753-2630  
fax: (763) 753-9881

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**INVOICE**

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Name Turtle Moon  
37 28th Avenue N #102  
Address St. Cloud, MN 56303

Invoice No. 2011-AR-21  
Date 5/3/2011

Description	Amount
Snow Removal done on 12-21-10	\$ 200.00
<b>TOTAL</b>	<b>\$ 200.00</b>

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Please make checks payable to : CITY OF ST. FRANCIS

CITY OF ST. FRANCIS  
ST. FRANCIS MN  
ANOKA COUNTY

ORDINANCE 155, SECOND SERIES

AN ORDINANCE AMENDING SECTION 2-5-2 - CITY CLERK/TREASURER,  
VARIOUS SECTIONS OF THE CITY CODE AND ADDING SECTION 2-5-9 -  
FINANCE

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Amended. That Section 2-5-2 entitled "CITY CLERK/TREASURER" shall hereby be amended to read as follows:

**2-5-2: CITY CLERK/TREASURER.**

- A. Pursuant to the authority granted by Laws of the State of Minnesota, the Department of City Clerk is hereby recognized as currently in existence and continued. 1961, Chapter 230, the offices of Clerk and Treasurer in the City of St. Francis, Anoka County, Minnesota, and hereby combined in the office of the Clerk/Treasurer.
- B. Beginning with the year in which this ordinance becomes effective and each year thereafter, there shall be an audit of the City's financial affairs by the Public Examiner or a Public Accountant in accordance with minimum auditing procedures prescribed by the Public Examiner.
- C. ~~This ordinance is effective at the expiration of the term of the incumbent treasurer or when an earlier vacancy occurs.~~

Section 2. Code Amended. That all existing references to "City Clerk/Treasurer" in the St. Francis City Code remove the reference to "/Treasurer" and that the title be amended to "City Clerk".

Section 3. Code Adopted. That Section 2-5-9 entitled "FINANCE" shall hereby be enacted to read as follows:

**2-5-9: FINANCE.** A Finance Department is hereby recognized as currently in existence and continued. This Department shall perform the duties of City Treasurer as established in Statute. The Head of the Finance Department shall be the Finance Director.

Section 4. 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 \_\_\_\_\_, 2011.

APPROVED:

\_\_\_\_\_  
Jerry Tveit  
Mayor of St. Francis

ATTEST:

\_\_\_\_\_  
Barbara I. Held  
City Clerk



## **PLANNING REPORT**

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

**FROM:** Nate Sparks, Consulting Planner

**DATE:** June 14, 2011

**MEETING DATE:** June 20, 2011

**RE:** Sign Ordinance Amendments

### **BACKGROUND**

The Planning Commission has been researching and reviewing potential changes to the sign ordinance. Some of the proposed revisions were required due to the existing ordinance being out of date in terms of content neutrality and with non-conformities. Other revisions were required due to changes in the zoning districts upon completion of the comprehensive plan. There are also issues with the current ordinance in regards to enforceability especially in regards to temporary signage. Included is a ordinance review document that tracks changes with strikethroughs and italicized text.

### **CONTENT NEUTRALITY / NON-CONFORMITIES / ENFORCEABILITY**

The draft sign ordinance includes content neutral language. The types of signs were rewritten to avoid regulation unrelated to the time, place, and manner of signs. Content neutrality is important as some cities have had the legality of their sign ordinance challenged that it was restricting freedom of speech. By changing titles of sign types and how such signs are regulated, the City can largely avoid a potential issue such as this.

Also included was a correction to the non-conformities section to make the ordinance consistent with Minnesota State Statutes. The previous language was from before the latest update of this statute.

Another topic of review was overall enforceability. The draft ordinance attempts to tackle several loopholes that were present in the ordinance. Temporary signs are required to receive permits with regulations more compatible with how such signs are rented (more detail below) and all governmental units are no longer exempted from the ordinance.

## **TEMPORARY & BANNER SIGNS**

Temporary and banner sign enforcement is an issue in many cities. Attempting to strike a balance between the practical purposes of such signage and the appearance of the City is important. Currently, in St. Francis, temporary signs are defined as: "Signs which are erected or displayed for a limited period of time. Unless otherwise stipulated by the Council, temporary signs are limited to not longer than ten (10) calendar days." This language is very difficult to enforce because there is no process to establish when the ten days has started or when it is completed. The City would need to document 11 consecutive days of the sign being up prior to being able to successfully seek enforcement. At which point the property owner could possibly take the sign down and put it back up and get a new ten days. Banners are regulated in the ordinance as temporary signs.

### *BANNER SIGN REGULATIONS*

The Planning Commission reviewed ordinances in several area cities to compare methods for regulating banner signs. Princeton uses the same language St. Francis currently has with the 10 day allowance and no permit required. Lindstrom allows banners for 14 days at a time and requires a permit. East Bethel allows one at a time up to three per year for 10 days each with a permit. Cambridge allows 2 banners up to 100 square feet each on a building at a time without a permit and one 48 square foot ground banner may replace one of the two on the building in certain circumstances. Ramsey allows banners up to 50% of the allowed wall signage to be attached to a building with a permit. Big Lake has a more complex formula where 3 per lot up to 32 square feet in area each are allowed without a permit 21 days per month but with a permit they are allowed year round. The Planning Commission discussed creating a limit on the number of banners allowed per building and using the similar limits as identified in the Cambridge ordinance.

### *PORTABLE TEMPORARY SIGN REGULATIONS*

The Planning Commission also reviewed several different methods for regulating temporary signs. Some cities like East Bethel, North Branch, and Otsego prohibit such signs in most all cases. As with banner signs, many cities seek to limit the duration of display via a permitting process. Big Lake requires a permit to display one per parcel up to 60 days a year. Cambridge is similar but up to 120 days a year. Elk River allows one per parcel at a time up to 90 days a year in 30 day intervals with a permit required for each interval. Wyoming is similar with an allowance of 3 15 day permits a year. The size allowed is typically 32 square feet (Big Lake, Cambridge, Wyoming) with some exceptions. Ramsey allows up to 50 square feet and Elk River allows 48.

The Planning Commission noted that the 10 day period seems archaic, as most signs are rented by longer periods of time. The recommended ordinance change was to require a permit for temporary signage (for tracking purposes) and setting the duration for 120 days per parcel per year. An applicant could seek a permit

for all 120 days or for smaller amounts of time. The permit would allow for City Staff to track the time of display.

Multi-tenant buildings often create issues for cities with such regulations. Many simply allow one per building or parcel. Others allow extra for such situations. Ramsey allows three per multi-tenant building versus two per single tenant. Currently, St. Francis does not differentiate. The Planning Commission came up with a possible method to allow more for multi-tenant structures that would be to take a nominal distance and allow one per every 150 feet for multi-tenant structures.

#### *WINDOW SIGNS*

The Planning Commission also discussed window signage. A consensus was reached that signage should be limited to 75% coverage of the window and that no permit was required. Draft language to that effect was included in the ordinance.

#### **PERMITTING**

Currently, the City does not require permits for temporary signage. This will result in a potential new fee. The fee would, ostensibly, cover the costs of enforcing and administering the program. The current sign permit fee is \$75. Therefore, a new temporary sign permit fee is proposed for \$25.

#### **PUBLIC REVIEW**

City Staff presented the draft ordinance to the Chamber of Commerce prior to the public hearing. Feedback was given regarding reducing the fee for temporary signs, which is included in the ordinance.

#### **PLACING THE ORDINANCE IN EFFECT**

The ordinance in front of the Council states it will be effective as of January 1<sup>st</sup> of next year. If the Council wishes to place this ordinance in effect prior to that, the date may simply be changed to the standard 30 days from publication. It is proposed to be started on January 1<sup>st</sup> due to the duration of allowed temporary signage being based on a full calendar year (120 days) and with the ordinance going into effect in August would allow for such signage to be out for the rest of the year. If this is not seen as an issue or if the Council feels that this time period may be utilized to get businesses acquainted with the change, the effective date may be changed.

#### **RECOMMENDED ACTION**

The Planning Commission recommends approval of the following ordinance.

## CHAPTER 23

### SIGNS

#### SECTION:

- 10-23-1: Purpose and Intent
- 10-23-2: Exempt Signs
- 10-23-3: Prohibited Signs
- 10-23-4: Signs Not Requiring Permits
- 10-23-5: ~~Construction Sign Specifications~~ *General Sign Requirements*
- 10-23-6: Maintenance of Signs
- 10-23-7: Non-Conforming Signs
- 10-23-8: District Regulations
- 10-23-9: Administration
- 10-23-10: *Severability*

**10-23-1: PURPOSE AND INTENT:** The purpose of this chapter is to protect and promote the general welfare, health, safety and order within the City through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the erection, use and/or display of devices, signs or symbols serving as visual communicative media to persons situated within or upon public right-of-way or private properties. The provisions of this Section are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication, and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this Section; while at the same time assuring that the public is not endangered, annoyed or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

**10-23-2: EXEMPT SIGNS:** The following signs are exempt from the requirements of this Section:

- A. ~~Informational signs not exceeding two square feet in area, displayed strictly for the convenience of the public, including signs which identify rest rooms, waste receptacles, addresses, door bells, mailboxes or building entrances.~~
- B. ~~Memorial plaques, cornerstones, and historical tablets.~~ *Memorial plaques, building identification signs, and building cornerstones when cut or carved into a masonry surface or made an integral part of the building or structure.*
- C. ~~Wall or window occupational signs giving the name or profession of a business, providing the sign does not exceed four (4) square feet in area.~~

- D. ~~Public signs, street signs, warning signs, railroad crossing signs, signs of public service companies for the purpose of safety or private directional signs of not over four (4) square feet. *Directional, warning, or informational signs authorized by federal, state, or municipal governments with proper jurisdiction.*~~
- E. ~~Other signs of a temporary nature, not specifically covered by this Section for a period of time not to exceed ten (10) calendar days.~~
- F. ~~Signs erected by a governmental unit or a public school district. *Official notices authorized by a court, public body, or public safety official.*~~

**10-23-3: PROHIBITED SIGNS:** The following signs are prohibited within the City:

- A. Sign attached to any tree, public sign or utility poles.
- B. Sign constructed of a material not of a permanent nature.
- C. Above roof signs. Projecting signs shall project no further than two (2) feet from the wall to which they are anchored. No sign, or portion thereof, shall project over public property.
- D. Sign which by reason of position, movement, shape, illumination or color would constitute a traffic hazard to oncoming traffic.
- E. Sign noticeably moving as a result of normal wind pressure.
- F. Sign containing obscene language or graphics.
- G. Abandoned signs which no longer identify or advertise a bona fide business, service, product, or activity or for which a legal owner can be found.
- H. Banners, pennants, festoons, and search-lights except as a permitted temporary special event sign *and as identified in 10-23-5-H.*
- I. Signs imitating or resembling official traffic or governmental signs or signage.
- J. Signs placed on vehicles or trailers which are parked or placed for the primary purpose of displaying said sign except for portable signs or lettering on buses, taxis, or vehicles operating during the normal course of business.
- K. Any sign placed within thirty (30) feet of any intersection that may obstruct motorist or pedestrian visibility.

L. ~~Flashing Signs. Signs which blink, flash, or are animated.~~

**10-23-4: SIGNS NOT REQUIRING PERMITS:** The following signs are exempt from permit requirements but must otherwise be in conformance with all requirements of this Section.

A. ~~Construction signs. having a sign area of sixty four (64) square feet or less. A non-illuminated sign not exceeding thirty-two (32) square feet in the R-1 and R-2 District and sixty-four (64) square feet in area in all other districts may be placed on the site where an open building permit has been issued. The sign shall be removed within two (2) years of the date of issuance of the building permit or when the building permit has been finalled or expired, whichever is sooner.~~

B. ~~Directional/Informational signs having a sign area of four (4) square feet or less. Directional signs, on-site. On site-directional signs, not exceeding two (2) square feet in area, intended to facilitate the movement of pedestrians and vehicles within the site, identify restrooms, waste receptacles, addresses, door bells, mailboxes, or building entrances upon which signs are located. Such signs shall be limited to two (2) per site in R-1 and R-2 Districts and four (4) per site for all other districts.~~

C. ~~Holiday decorations.~~

D. ~~Nameplates having a sign area of four (4) square feet or less. Identification Signs. Signs in all non-residential districts which identify the business, owner, manager, or resident providing the sign does not exceed four (4) square feet in area and is attached to a wall or placed in a window. Such a sign may be placed on a residential property with a permitted home occupation.~~

E. ~~Political signs in compliance with State Statutes governing campaign signage. Non-commercial speech. Notwithstanding any other provisions of this sign ordinance, all signs of any size containing non-commercial speech may be posted from June 25 in any general election year until ten (10) days following the general election and thirteen (13) weeks prior to any special election until ten (10) days following the special election.~~

F. ~~Private sale or event signs. One sign not to exceed four (4) square feet in area may be placed on the site of a rummage sale or similar event. Any sign shall be removed at the termination of the sale or similar event.~~

G. ~~Real Estate signs having a sign area of six (6) square feet or less. Individual property sale, lease, or rental signs. Any property that is currently for sale or rent may place one sign per street frontage. Such signs must be removed within ten (10) days after the sale or rental of the property. Such signs shall not exceed six (6) square feet in area in all residential districts and thirty-two (32) square feet in area in all other districts.~~

H. "No Trespassing" and "No Hunting" signs and similar warning or restrictive signs, not to exceed two square feet in area, may be placed upon private property by the owner.

**10-23-5: CONSTRUCTION SIGN SPECIFICATIONS GENERAL REQUIREMENTS:** All signs within the City shall be subject to the following standards:

- A. **Compliance with Building and Electrical Codes:** All signs shall be constructed in accordance ~~erected pursuant to~~ with the requirements of the State Building Code.
- B. **Anchorage Requirements:**
1. No sign shall be suspended by non-rigid attachments that will allow the sign to swing in a wind.
  2. All freestanding signs shall have self-supporting structures permanently attached to concrete foundations.
  3. All portable signs on display shall be braced or secured to prevent motion.
  4. *No sign shall be attached to hang from any building until all necessary wall attachments have been approved by the Building Official.*
- C. **Sign Wind Resistance Requirements:**
1. Solid signs, other than wall signs, shall be designed to withstand a wind load of seventeen (17) pounds per square foot on any face, having a height less than thirty (30) feet and to withstand a wind load of twenty-two (22) pounds per square foot on any surface having a height in excess of thirty (30) feet in height.
  2. Skeleton signs, other than wall signs, shall be designed to withstand a wind load of seventeen (17) pounds per square foot on the total face area of the letters and all other sign surfaces less than thirty (30) feet in height and to withstand a wind load of twenty-two (22) pounds per square foot on all portions in excess of thirty (30) feet in height.
- D. **Additional Sign Construction and Placement Requirements:**
1. No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

2. No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of the current Building or Fire Codes.
3. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with present Electrical Code specifications.
4. Lighting shall be directed away from road rights-of-way and adjacent dwellings.
5. Freestanding signs in all districts shall have a minimum setback of ten (10) feet from any public right-of-way measured to any portion of the sign, and a minimum clearance of ten (10) feet over any vehicular or pedestrian use area. No freestanding sign shall be located within twenty-five (25) feet of any intersection of street right-of-way lines and/or driveway entrances.
6. *Except as otherwise permitted by this ordinance, no signs other than governmental signs shall be erected or temporarily placed within any right-of-way or upon any public lands or easements.*
7. *When a free standing sign or sign structure is constructed so that the sign faces are not back to back, the angle shall not exceed ten degrees. If the angle is greater than ten degrees, the total area of both sides added together shall not exceed the maximum allowable sign area for that district.*

**E. Temporary Signs:**

1. *An on-site temporary, portable sign may be used for a period of time not to exceed 120 days per calendar year per parcel of record in the commercial and industrial zoning districts provided:*
  - a. *Such temporary, portable signs shall not exceed thirty-two (32) square feet in area and six (6) feet in height and shall not be placed closer than ten (10) feet from any street right-of-way or property line.*
  - b. *Any temporary, portable sign shall require a permit issued by the City to the property owner specifying the duration of time to be displayed.*
  - c. *No temporary, portable sign shall occupy required parking spaces.*



*allowed building banner signs and shall conform to all standards set forth for portable temporary signs in 10-23-5:E-1 and shall require a permit.*

**10-23-6: MAINTENANCE OF SIGNS:** All signs shall be maintained by the owner in a safe condition. A sign shall be repainted whenever its paint begins to fade, chip, or discolor.

**10-23-7: NON-CONFORMING SIGNS:** Any sign legally existing on the effective date of this Section which does not conform to the requirements set forth in this Section shall become a non-conforming sign. *No non-conforming sign shall be enlarged or altered in such a fashion that increases its non-conformity.* Non-conforming signs shall be subject to the following requirements of Chapter 15 of the Zoning Ordinance.

- A. ~~Any non-conforming temporary or portable sign existing on the effective date of this Section shall be made to comply with the requirements set forth herein and shall be removed within sixty (60) days after the effective date of this Section.~~
- B. ~~A lawful sign on the effective date of this Section or of amendments thereto that does not conform to these provisions shall be regarded as a non-conforming sign.~~

**10-23-8: DISTRICT REGULATIONS:** The following signs are permitted in their respective Zoning District:

A. **A-1, A-2, and A-3:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For permitted *legally established* non-residential uses, one (1) freestanding sign not to exceed thirty-two (32) square feet and six (6) feet in height, shall be permitted. One (1) wall business sign, not to exceed twenty (20) square feet, shall also be permitted. The freestanding sign and wall business signage shall be placed on the same premises as the business in which it identifies.
4. Signage requirements for Home Occupations shall be as follows: one (1) freestanding sign not to exceed twenty (20) square feet in sign area and six feet in height, and one (1) business wall sign not to exceed twenty (20) square feet in sign area.

**B. RR and ML-PUD:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For ~~permitted~~ *legally established* non-residential uses, one (1) freestanding sign not to exceed thirty-two (32) square feet and six (6) feet in height, shall be permitted. One (1) wall business sign, not to exceed twenty (20) square feet, shall also be permitted. The freestanding sign and wall business signage shall be placed on the same premises as the business in which it identifies.
4. Signage requirements for Home Occupations shall be as follows: one (1) freestanding sign not to exceed twenty (20) square feet in sign area and six (6) feet height, and one (1) business wall sign not to exceed twenty (2) square feet in sign area.

**C. R-1 and R-2:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For ~~permitted~~ *legally established* non-residential uses, one business wall sign, not to exceed four (4) square feet, shall be permitted.
4. For ~~permitted~~ *legally established* institutional uses, such as religious institutions, nursing homes, medical establishments and schools, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height. One business wall sign, not to exceed twenty (20) square feet in sign area, shall be permitted for each structure.
5. Signage requirements for home occupations shall be as follows: one (1) freestanding sign not to exceed four (4) square feet in sign area and six

(6) feet in height, and one (1) business wall sign not to exceed four (4) square feet in sign area.

**D. R-3 and R-4:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per *frontage with access to a neighborhood, subdivision, development or multi-family complex*, not to exceed thirty-two (32) square feet in the sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For ~~permitted~~ *legally established* non-residential uses, one business wall sign, not to exceed four (4) square feet in sign area, shall be permitted.
4. For ~~permitted~~ *legally established* institutional uses, such as religious institutions, nursing homes, medical establishments, and schools, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height. One business wall sign, not to exceed twenty (2) square feet in sign area, shall be permitted for each structure.
5. Signage requirements for home occupations shall be as follows: one (1) freestanding sign not to exceed four (4) square feet in sign area and one (1) business wall sign not to exceed four (4) square feet in sign area.

**E. PUD:**

1. All signs not requiring permits as set forth in this Section.
2. Signage requirements shall be established at the time the PUD is approved by the City. All applicants shall submit a signage plan for the proposed development.

**F. B-2 and B-3:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.

3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building site has two (2) or more street frontages, only one (1) freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one (1), shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty-five (25) feet.
4. For permitted *legally established* institutional uses, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height.
5. One business wall sign shall be permitted according to the following: The total area of all wall signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**G. I-1 and I-2:**

1. All signs not requiring permits as set forth in this Section.
2. One permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one (1) street frontage shall not exceed eighty (80) square feet. Where a building site has two (2) or more street frontages, only one (1) freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one, shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty-five (25) feet.
4. One business wall sign shall be permitted according to the following: The total area of all signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed

five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**H. I-3:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building site has two or more street frontages, only one freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty five (25) feet.
4. One business wall sign shall be permitted according to the following: The total area of all signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**I. Conservancy:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent identification sign, not to exceed fifty (50) square feet in sign area and six (6) feet in height shall be permitted *per frontage with access to the site*. The identification sign shall be placed on the same premises as the use in which it identifies.

J. **B-1:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height shall be permitted. *The area identification sign shall be placed on the same premises as the development which it identifies.*
3. One (1) freestanding sign per lot is permitted. The total area of the freestanding sign shall not exceed sixty-four (64) square feet for lots with a lot width of one hundred (100) feet or more than thirty-six (36) square feet for lots with a lot width of less than one hundred (100) feet. The maximum height of a freestanding sign shall be twenty (20) feet.
4. For permitted *legally established* institutional uses, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height.
5. One business wall sign shall be permitted according to the following: The total area of all wall signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall areas does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**10-23-9: ADMINISTRATION:**

- A. **Application Process:** An application for a sign permit shall be made upon forms to be provided by the City. Said form is to be completed and returned to the City and shall include the following information:
1. The name and address of the applicant: location of the building, structure or lot on which the sign is to be erected, the position of the sign in relation to nearby buildings or structures, the name of the person that will be erecting the sign, and the written consent of the owner of the land if different from the applicant.
  2. A site plan including a drawing of the plans, specifications, and method of construction or attachment to a structure or the ground.

3. A copy of the stress sheets and calculations, showing that the sign is designed to withstand the required wind load.
  4. A sketch plan showing the signs size, manner of construction, type of sign, construction materials, *other signs on the site*, and any other information as requested by the City.
  5. Signs that meet the requirements of this Section may be issued by City Staff. Applications for signs that do not meet the requirements of this Section shall be reviewed by the Planning Commission and the City Council According to the procedures set forth in this Section.
- B. **Sign Permit Fees:** Every applicant shall pay a fee for each sign regulated by this Section, before being granted a permit. Permit fees shall be subject to the following requirements:
1. The Council shall establish the permit fees on the City’s fee schedule.
  2. Any substantial alteration or relocation of a sign shall constitute a new sign, requiring an additional permit fee.
  3. A double fee shall be charged if a sign is erected without first obtaining a permit for such sign. The Council may also require a sign to be removed, altered, or relocated, at the owner’s expense, if placed prior to securing the required permit. If the owner fails to remove or alter the sign so as to comply with the provisions set forth in the Section, within ten (10) calendar days following receipt of a letter from the City stating the violations, such signs may be removed by the City, the cost incident thereto being levied as a special assessment against the property upon which the sign is located.
- C. **Inspections:** All sign installations for which a permit is required, shall be subject to inspection and acceptance by the City.
- D. **Revocation of Permit:** The City may revoke a sign permit upon failure of the holder thereof to comply with the provisions of this Section. Any party aggrieved by such revocation may appeal the action to the Council, within ten (10) calendar days after the revocation.
- E. **Expiration of Permit:** The permit shall expire if the sign is not erected within 180 days after issuance of said permit. No permit fees collected for the Sign shall be refunded to the applicant.
- F. **Removal of Signs by the City:** The City may cause the removal of any illegal sign or any sign not properly maintained in cases of emergency, or after failure to

timely comply with written orders for removal or repair. After removal or demolition of a sign, the following conditions shall be in effect:

1. Written notice shall be mailed to the sign owner and owner of the property where the sign was located stating the nature of the work and the date on which it was performed. The City shall require payment of the costs associated with the removal, with an additional fifty (50) percent added for inspection, administrative and incidental costs.
2. If the amount specified in the notice is not paid within thirty (30) days after mailing of the notice, it shall become a lien against the property where the sign was located and shall be certified as an assessment against the property together with ten (10) percent interest for collection in the same manner as the real estate taxes.
3. The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the City, as in the case of a leased sign.
4. For purposes of removal, a sign shall be deemed to include all sign embellishments and structure designed specifically to support the sign.
5. In the case of an emergency, the City may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner shall present a hazard to the Public Safety as defined by the State Building Code.

**SECTION 10-23-10: SEVERABILITY:** *If any section, subsection, clause, or phrase of this sign ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have adopted the sign ordinance in each section, subsection, sentence, or phase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.*

ORDINANCE 156, SECOND SERIES  
AN ORDINANCE AMENDING SECTION 10-23  
OF THE ZONING ORDINANCE REGARDING SIGNS

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. That Section 10-2-2 Sign Related Definitions is amended to read as follows:

JJ. Temporary Sign. Signs which are erected or displayed for a limited period of time.

Section 2. That Section 10-23 of the Zoning Ordinance is amended to read as follows:

**10-23-1: PURPOSE AND INTENT:** The purpose of this chapter is to protect and promote the general welfare, health, safety and order within the City through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the erection, use and/or display of devices, signs or symbols serving as visual communicative media to persons situated within or upon public right-of-way or private properties. The provisions of this Section are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication, and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this Section; while at the same time assuring that the public is not endangered, annoyed or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

**10-23-2: EXEMPT SIGNS:** The following signs are exempt from the requirements of this Section:

- A. Memorial plaques, building identification signs, and building cornerstones when cut or carved into a masonry surface or made an integral part of the building or structure.
- B. Directional, warning, or informational signs authorized by federal, state, or municipal governments with proper jurisdiction.
- C. Official notices authorized by a court, public body, or public safety official.

**10-23-3: PROHIBITED SIGNS:** The following signs are prohibited within the City:

- A. Sign attached to any tree, public sign or utility poles.
- B. Sign constructed of a material not of a permanent nature.
- C. Above roof signs. Projecting signs shall project no further than two (2) feet from the wall to which they are anchored. No sign, or portion thereof, shall project over public property.
- D. Sign which by reason of position, movement, shape, illumination or color would constitute a traffic hazard to oncoming traffic.
- E. Sign noticeably moving as a result of normal wind pressure.
- F. Sign containing obscene language or graphics.

- G. Abandoned signs which no longer identify or adverse a bona fide business, service, product, or activity or for which a legal owner can be found.
- H. Banners, pennants, festoons, and search-lights except as a permitted temporary special event sign and as identified in 10-23-5-H.
- I. Signs imitating or resembling official traffic or governmental signs or signage.
- J. Signs placed on vehicles or trailers which are parked or placed for the primary purpose of displaying said sign except for portable signs or lettering on buses, taxis, or vehicles operating during the normal course of business.
- K. Any sign placed within thirty (30) feet of any intersection that may obstruct motorist or pedestrian visibility.
- L. Signs which blink, flash, or are animated.

**10-23-4: SIGNS NOT REQUIRING PERMITS:** The following signs are exempt from permit requirements but must otherwise be in conformance with all requirements of this Section.

- A. Construction signs. A non-illuminated sign not exceeding thirty-two (32) square feet in the R-1 and R-2 District and sixty-four (64) square feet in area in all other districts may be placed on the site where an open building permit has been issued. The sign shall be removed within two (2) years of the date of issuance of the building permit or when the building permit has been finalled or expired, whichever is sooner.
- B. Directional signs, on-site. On site-directional signs, not exceeding two (2) square feet in area, intended to facilitate the movement of pedestrians and vehicles within the site, identify restrooms, waste receptacles, addresses, door bells, mailboxes, or building entrances upon which signs are located. Such signs shall be limited to two (2) per site in R-1 and R-2 Districts and four (4) per site for all other districts.
- C. Identification Signs. Signs in all non-residential districts which identify the business, owner, manager, or resident providing the sign does not exceed four (4) square feet in area and is attached to a wall or placed in a window. Such a sign may be placed on a residential property with a permitted home occupation.
- D. Non-commercial speech. Notwithstanding any other provisions of this sign ordinance, all signs of any size containing non-commercial speech may be posted from June 25 in any general election year until ten (10) days following the general election and thirteen (13) weeks prior to any special election until ten (10) days following the special election.
- E. Private sale or event signs. One sign not to exceed four (4) square feet in area may be placed on the site of a rummage sale or similar event. Any sign shall be removed at the termination of the sale or similar event.
- F. Individual property sale, lease, or rental signs. Any property that is currently for sale or rent may place one sign per street frontage. Such signs must be removed within ten (10) says after the sale or rental of the property. Such signs shall not exceed six (6) square feet in area in all residential districts and thirty-two (32) square feet in area in all other districts.

G. "No Trespassing" and "No Hunting" signs and similar warning or restrictive signs, not to exceed two square feet in area, may be placed upon private property by the owner.

**10-23-5: GENERAL REQUIREMENTS:** All signs within the City shall be subject to the following standards:

A. **Compliance with Building and Electrical Codes:** All signs shall be pursuant to the requirements of the State Building Code.

B. **Anchorage Requirements:**

1. No sign shall be suspended by non-rigid attachments that will allow the sign to swing in a wind.
2. All freestanding signs shall have self-supporting structures permanently attached to concrete foundations.
3. All portable signs on display shall be braced or secured to prevent motion.
4. No sign shall be attached to hang from any building until all necessary wall attachments have been approved by the Building Official.

C. **Sign Wind Resistance Requirements:**

1. Solid signs, other than wall signs, shall be designed to withstand a wind load of seventeen (17) pounds per square foot on any face, having a height less than thirty (30) feet and to withstand a wind load of twenty-two (22) pounds per square foot on any surface having a height in excess of thirty (30) feet in height.
2. Skeleton signs, other than wall signs, shall be designed to withstand a wind load of seventeen (17) pounds per square foot on the total face area of the letters and all other sign surfaces less than thirty (30) feet in height and to withstand a wind load of twenty-two (22) pounds per square foot on all portions in excess of thirty (30) feet in height.

D. **Additional Sign Construction and Placement Requirements:**

1. No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.
2. No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of the current Building or Fire Codes.
3. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with present Electrical Code specifications.
4. Lighting shall be directed away from road rights-of-way and adjacent dwellings.

5. Freestanding signs in all districts shall have a minimum setback of ten (10) feet from any public right-of-way measured to any portion of the sign, and a minimum clearance of ten (10) feet over any vehicular or pedestrian use area. No freestanding sign shall be located within twenty-five (25) feet of any intersection of street right-of-way lines and/or driveway entrances.
6. Except as otherwise permitted by this ordinance, no signs other than governmental signs shall be erected or temporarily placed within any right-of-way or upon any public lands or easements.
7. When a free standing sign or sign structure is constructed so that the sign faces are not back to back, the angle shall not exceed ten degrees. If the angle is greater than ten degrees, the total area of both sides added together shall not exceed the maximum allowable sign area for that district.

**E. Temporary Signs:**

1. An on-site temporary, portable sign may be used for a period of time not to exceed 120 days per calendar year per parcel of record in the commercial and industrial zoning districts provided:
  - a. Such temporary, portable signs shall not exceed thirty-two (32) square feet in area and six (6) feet in height and shall not be placed closer than ten (10) feet from any street right-of-way or property line.
  - b. Any temporary, portable sign shall require a permit issued by the City to the property owner specifying the duration of time to be displayed.
  - c. No temporary, portable sign shall occupy required parking spaces.
  - d. In the case of multi-tenant structures, one sign may be placed every 150 feet of street frontage rather than one sign per parcel. Each 150 feet is granted 120 days for display.
2. One sandwich board sign per business may be allowed in the business districts without a permit and without using the time period allotted for temporary, portable signs provided:
  - a. The sign is placed within fifteen (15) feet of the entrance of the business.
  - b. The sign shall be placed on private property and may be placed on a private sidewalk provided there is five (5) feet of clearance for pedestrians.
  - c. The sign may not obstruct safety, visibility, or traffic.
  - d. The sign shall be freestanding, not attached to any other structure or device, not be illuminated, greater than 3 ½ feet in height, greater than 2 feet in width, or greater than 2 feet in depth.
  - e. The sign shall be only displayed during business hours.

F. **Electronic Message Board Signs.** Signs displaying electronic, scrolling text-based messages may be permitted in commercial and industrial districts provided that the electronic message board component of any sign is no greater than forty (40) square feet in area.

G. **Business and Industrial Window Signs.** Window signs are permitted in the industrial and business districts provided each sign does not occupy more than 75% of the window area.

H. **Banner signs.** Banner signs and similar products attached to a building shall be allowed without a permit as follows:

1. Signage shall be well secured to prevent it from blowing in the wind.
2. No more than two (2) signs shall be allowed at any one time.
3. Each sign shall be less than 100 square feet in area.
4. Such signage shall be only allowed in the industrial and business districts.

I. **Ground Banner Signs.** Banner signs may be allowed on the ground up to 48 square feet in area but each ground banner sign shall count towards one of the two allowed building banner signs and shall conform to all standards set forth for portable temporary signs in 10-23-5:E-1 and shall require a permit.

**10-23-6: MAINTENANCE OF SIGNS:** All signs shall be maintained by the owner in a safe condition. A sign shall be repainted whenever its paint begins to fade, chip, or discolor.

**10-23-7: NON-CONFORMING SIGNS:** Any sign legally existing on the effective date of this Section which does not conform to the requirements set forth in this Section shall become a non-conforming sign. No non-conforming sign shall be enlarged or altered in such a fashion that increases its non-conformity. Non-conforming signs shall be subject to the requirements of Section 10-15 of the Zoning Ordinance.

**10-23-8: DISTRICT REGULATIONS:** The following signs are permitted in their respective Zoning District:

A. **A-1, A-2, and A-3:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For legally established non-residential uses, one (1) freestanding sign not to exceed thirty-two (32) square feet and six (6) feet in height, shall be permitted. One (1) wall business sign, not to exceed twenty (20) square feet, shall also be permitted. The freestanding sign and wall business signage shall be placed on the same premises as the business in which it identifies.

4. Signage requirements for Home Occupations shall be as follows: one (1) freestanding sign not to exceed twenty (20) square feet in sign area and six feet in height, and one (1) business wall sign not to exceed twenty (20) square feet in sign area.

**B. RR and ML-PUD:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For legally established non-residential uses, one (1) freestanding sign not to exceed thirty-two (32) square feet and six (6) feet in height, shall be permitted. One (1) wall business sign, not to exceed twenty (20) square feet, shall also be permitted. The freestanding sign and wall business signage shall be placed on the same premises as the business in which it identifies.
4. Signage requirements for Home Occupations shall be as follows: one (1) freestanding sign not to exceed twenty (20) square feet in sign area and six (6) feet height, and one (1) business wall sign not to exceed twenty (2) square feet in sign area.

**C. R-1 and R-2:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For legally established non-residential uses, one business wall sign, not to exceed four (4) square feet, shall be permitted.
4. For legally established institutional uses, such as religious institutions, nursing homes, medical establishments and schools, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height. One business wall sign, not to exceed twenty (20) square feet in sign area, shall be permitted for each structure.
5. Signage requirements for home occupations shall be as follows: one (1) freestanding sign not to exceed four (4) square feet in sign area and six (6) feet in height, and one (1) business wall sign not to exceed four (4) square feet in sign area.

**D. R-3 and R-4:**

1. All signs not requiring permits as set forth in this Section.

2. One (1) permanent area identification sign per frontage with access to a neighborhood, subdivision, development or multi-family complex, not to exceed thirty-two (32) square feet in the sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. For legally established non-residential uses, one business wall sign, not to exceed four (4) square feet in sign area, shall be permitted.
4. For legally established institutional uses, such as religious institutions, nursing homes, medical establishments, and schools, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height. One business wall sign, not to exceed twenty (2) square feet in sign area, shall be permitted for each structure.
5. Signage requirements for home occupations shall be as follows: one (1) freestanding sign not to exceed four (4) square feet in sign area and one (1) business wall sign not to exceed four (4) square feet in sign area.

**E. PUD:**

1. All signs not requiring permits as set forth in this Section.
2. Signage requirements shall be established at the time the PUD is approved by the City. All applicants shall submit a signage plan for the proposed development.

**F. B-1:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per lot is permitted. The total area of the freestanding sign shall not exceed sixty-four (64) square feet for lots with a lot width of one hundred (100) feet or more than thirty-six (36) square feet for lots with a lot width of less than one hundred (100) feet. The maximum height of a freestanding sign shall be twenty (20) feet.
4. For legally established institutional uses, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height.
5. One business wall sign shall be permitted according to the following: The total area of all wall signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall areas does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**G. B-2 and B-3:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building site has two (2) or more street frontages, only one (1) freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one (1), shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty-five (25) feet.
4. For legally established institutional uses, one (1) freestanding sign per street frontage identifying said institution or institutional complex shall be permitted. The freestanding sign shall not exceed sixty (60) square feet in sign area and ten (10) feet in height.
5. One business wall sign shall be permitted according to the following: The total area of all wall signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**H. I-1 and I-2:**

1. All signs not requiring permits as set forth in this Section.
2. One permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height. The area identification shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one (1) street frontage shall not exceed eighty (80) square feet. Where a building site has two (2) or more street frontages, only one (1) freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one, shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty-five (25) feet.
4. One business wall sign shall be permitted according to the following: The total area of all signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign

shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**I. I-3:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent area identification sign per neighborhood, subdivision or development, not to exceed thirty-two (32) square feet in sign area and six (6) feet in height, shall be permitted. The area identification sign shall be placed on the same premises as the development which it identifies.
3. One (1) freestanding sign per street frontage is permitted. The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building site has two or more street frontages, only one freestanding sign of the above size shall be permitted. Each permitted freestanding sign in excess of one shall have a sign area not to exceed thirty-six (36) square feet. The maximum height of a freestanding sign shall be twenty five (25) feet.
4. One business wall sign shall be permitted according to the following: The total area of all signs on any wall of a building shall not exceed fifteen (15) percent of the wall area of that wall when said wall area does not exceed five hundred (500) square feet. When said surface area exceeds five hundred (500) square feet, then the total area of such wall sign shall not exceed seventy-five (75) square feet plus five (5) percent of the wall area in excess of five hundred (500) square feet, provided that the maximum sign area for any wall sign shall be three hundred (300) square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.

**J. Conservancy:**

1. All signs not requiring permits as set forth in this Section.
2. One (1) permanent identification sign, not to exceed fifty (50) square feet in sign area and six (6) feet in height shall be permitted per frontage with access to the site. The identification sign shall be placed on the same premises as the use in which it identifies.

**10-23-9: ADMINISTRATION:**

**A. Application Process:** An application for a sign permit shall be made upon forms to be provided by the City. Said form is to be completed and returned to the City and shall include the following information:

1. The name and address of the applicant: location of the building, structure or lot on which the sign is to be erected, the position of the sign in relation to nearby buildings or

structures, the name of the person that will be erecting the sign, and the written consent of the owner of the land if different from the applicant.

2. A site plan including a drawing of the plans, specifications, and method of construction or attachment to a structure or the ground.
  3. A copy of the stress sheets and calculations, showing that the sign is designed to withstand the required wind load.
  4. A sketch plan showing the signs size, manner of construction, type of sign, construction materials, other signs on the site, and any other information as requested by the City.
  5. Signs that meet the requirements of this Section may be issued by City Staff. Applications for signs that do not meet the requirements of this Section shall be reviewed by the Planning Commission and the City Council According to the procedures set forth in this Section.
- B. **Sign Permit Fees:** Every applicant shall pay a fee for each sign regulated by this Section, before being granted a permit. Permit fees shall be subject to the following requirements:
1. The Council shall establish the permit fees on the City's fee schedule.
  2. Any substantial alteration or relocation of a sign shall constitute a new sign, requiring an additional permit fee.
  3. A double fee shall be charged if a sign is erected without first obtaining a permit for such sign. The Council may also require a sign to be removed, altered, or relocated, at the owner's expense, if placed prior to securing the required permit. If the owner fails to remove or alter the sign so as to comply with the provisions set forth in the Section, within ten (10) calendar days following receipt of a letter from the City stating the violations, such signs may be removed by the City, the cost incident thereto being levied as a special assessment against the property upon which the sign is located.
- C. **Inspections:** All sign installations for which a permit is required, shall be subject to inspection and acceptance by the City.
- D. **Revocation of Permit:** The City may revoke a sign permit upon failure of the holder thereof to comply with the provisions of this Section. Any party aggrieved by such revocation may appeal the action to the Council, within ten (10) calendar days after the revocation.
- E. **Expiration of Permit:** The permit shall expire if the sign is not erected within 180 days after issuance of said permit. No permit fees collected for the Sign shall be refunded to the applicant.
- F. **Removal of Signs by the City:** The City may cause the removal of any illegal sign or any sign not properly maintained in cases of emergency, or after failure to timely comply with written orders for removal or repair. After removal or demolition of a sign, the following conditions shall be in effect:
1. Written notice shall be mailed to the sign owner and owner of the property where the sign was located stating the nature of the work and the date on which it was performed. The

City shall require payment of the costs associated with the removal, with an additional fifty (50) percent added for inspection, administrative and incidental costs.

2. If the amount specified in the notice is not paid within thirty (30) days after mailing of the notice, it shall become a lien against the property where the sign was located and shall be certified as an assessment against the property together with ten (10) percent interest for collection in the same manner as the real estate taxes.
3. The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the City, as in the case of a leased sign.
4. For purposes of removal, a sign shall be deemed to include all sign embellishments and structure designed specifically to support the sign.
5. In the case of an emergency, the City may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner shall present a hazard to the Public Safety as defined by the State Building Code.

**10-23-10: SEVERABILITY:** If any section, subsection, clause, or phrase of this sign ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have adopted the sign ordinance in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 3. The City's fee schedule is amended to include the following fee:

Temporary Sign Permit - \$25

Section 4. Effective Date. This Ordinance shall take effect January 1, 2012.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS \_\_\_\_\_ DAY OF JULY, 2011.

APPROVED:

\_\_\_\_\_  
Jerry Tveit  
Mayor of St. Francis

ATTEST:

\_\_\_\_\_  
Barbara I. Held  
City Clerk

(seal)

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

RESOLUTION 2011-17

CENSURE OF COUNCIL MEMBER  
LEROY T. SCHAFFER

WHEREAS, at the June 20, 2011 City Council meeting, Councilmember LeRoy T. Schaffer addressed the City's Metropolitan Council representative by stating that Councilmember Schaffer thought the Metropolitan Council representative was a Latino and stated that Councilmember Schaffer suspected the Metropolitan Council representative was low income at some point in his life because he was Latino and wanted to know if he came from a low income background; and

WHEREAS, this exchange began at minute 20:45 of the City Council meeting tape for the June 20, 2011 meeting; and

WHEREAS, at the June 20, 2011 City Council meeting, a citizen complained in the meeting open to the public portion of the meeting that she sought the assistance of Councilmember LeRoy T. Schaffer on a City related matter and that, as a result of her providing him her phone number on this City related issue, he has been contacting her at her house since March or April 2011 uninvited asking her to go out on a date; and

WHEREAS, the citizen's complaint begins at 7:10 of the City Council meeting tape for the June 20, 2011 meeting; and

WHEREAS, the same allegations occurred with a second citizen on or about March of 2011 in which the citizen indicated that she was new to the community, that Councilmember LeRoy T. Schaffer was frequently visiting her establishment and asking her out on dates. In these exchanges, the citizen indicated that Councilmember Schaffer introduces himself as a St. Francis Councilmember and that she is concerned that her refusal to go out with him and object to this contact may result in attempted retaliation by Councilmember Schaffer and that he may try to have her business shut down; and

WHEREAS, treating each other, the staff, and the public with respect and dignity (Pledge of the City of St. Francis Mayor and Council Members Rule 1), setting an example for others to follow (Pledge Rule 10) and the high standards becoming of a St. Francis elected official contained in the Pledge includes the duty to assure that the City Council members do not harass or verbally abuse representatives, citizens and visitors to the City; and

WHEREAS, all members of the Council were in attendance at the meeting and directly heard the comments noted above; and

WHEREAS, the members of the City Council have determined that the comment noted above by Councilmember Schaffer directed to the Metropolitan Council representative was racially

focused and charged in that the City Council has determined Councilmember Schaffer did not make similar comments to other individuals speaking or presenting to the Council during his tenure as Councilmember; and

WHEREAS, the members of the City Council have determined that the comment noted to the Metropolitan Council representative was not respectful and did not accord the proper dignity to the City's representative on the Metropolitan Council; and

WHEREAS, the City Council finds that Councilmember LeRoy Schaffer's conduct toward the Metropolitan Council member was in the performance of his official duties as a member of the St. Francis City Council rather than of private conduct - as the district court noted in concluding that Councilmember Schaffer's conduct in that instance were legally sufficient to constitute a prima facie showing of malfeasance:

The duties of elected officials extend beyond attending council meetings and voting. Council members are powerful representatives of the city. Misconduct at civic functions and meetings exposes the city to civil liability, brings disrepute and may impair important community goodwill and relationships; and

WHEREAS, the members of the City Council have determined that the comment noted brings disrepute on the City and may impair important community goodwill and relationships; and

WHEREAS, the City Council finds the complaint of the citizen that Councilmember Schaffer, as noted above, utilized his status as a Councilmember to meet and contact the citizen in order to further his private interest of going out on a date and that this conduct continued after she indicated that she did not want to go out with him is credible; and

WHEREAS, the City Council finds that this complaint is similar to that raised by a second citizen as noted above and this further supports a determination that the conduct occurred as alleged by the complaining citizen; and

WHEREAS, the City Council has previously censured Councilmember Schaffer on October 5, 2009, May 18, 2009 and December 18, 2007 for harassing and inappropriate verbal comments; and

WHEREAS, citizens have a right to communicate with Council members without fear or concern of subsequent harassment and continued pursuit of a personal relationship; and

WHEREAS, citizens have a right to communicate with Council members without fear or concern that objecting to or rejecting such advances will have a detrimental effect on their status as a citizen or business owner; and

WHEREAS, the City Council must operate as a body and the conduct of a single City Council member may bring disrepute on the entire body and this is heightened when the conduct occurs in a Council meeting;

NOW THEREFORE BE IT RESOLVED, the City of St. Francis, through its City Council, hereby finds that Councilmember LeRoy Schaffer violated the duties and responsibilities outlined in the Pledge as noted above for:

- 1) making inappropriate race based statements to the City's Metropolitan Council representative; and
- 2) utilizing his status as a St. Francis City Councilmember in order to pursue private social interests after rejection to the point that the individuals are concerned with reprisal based on his status as a St. Francis Councilmember.

BE IT FURTHER RESOLVED that Councilmember LeRoy Schaffer's conduct was of a serious and substantial nature directly affecting the rights and interests of the City's representative on the Metropolitan Council to be free of this type of comment based on his ethnicity; was wrongful conduct that brings disrepute and may impair important community goodwill and relationships for the City.

BE IT FURTHER RESOLVED that Councilmember LeRoy Schaffer's conduct toward the complaining citizen and the second similar instance involving a business owner was of a serious and substantial nature directly affecting the rights and interests of the City's citizens to be free of this type of harassment based on their gender; was wrongful conduct that brings disrepute and may impair important community goodwill and relationships for the City.

BE IT FURTHER RESOLVED, that the City of St. Francis, through its City Council issues a censure to Council Member LeRoy Schaffer for this conduct.

BE IT FURTHER RESOLVED that Councilmember LeRoy Schaffer will be removed as the City's representative on the Upper Rum River Watershed Management Organization effective immediately.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 5th DAY OF JULY, 2011.

APPROVED:

\_\_\_\_\_  
Jerry Tveit, Mayor

ATTEST:

\_\_\_\_\_  
Barbara I. Held, City Clerk