

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

CITY COUNCIL MINUTES

AUGUST 3, 2015

1. **Call to Order:** The regular City Council Meeting was called to order by Mayor Steve Kane at 6:00 pm.
2. **Roll Call:** Present were Mayor Steve Kane, Council members Richard Orpen, Rich Skordahl, and Tim Brown. Chris McClish excused. Also present were City Attorney Scott Lepak (Barna, Guzy & Steffen), Police Chief Jeff Harapat, Public Works Director Paul Teicher, City Administrator Joe Kohlmann, and Recording Secretary Anna Anderson.
3. **Adopt Agenda:** MOTION BY BROWN SECOND SKORDAHL TO ADOPT THE AUGUST 3, 2015 CITY COUNCIL AGENDA. Motion carried 4-0.
4. **Consent Agenda:** MOTION BY SKORDAHL SECOND BROWN TO APPROVE THE AUGUST 3, 2015, CITY COUNCIL CONSENT AGENDA A-C AS FOLLOWS:
 - a. City Council Minutes – July 20, 2015
 - b. St. Francis Physical Therapy: 5k Permit for October 10, 2015
 - c. Approve the Payment of Claims for \$511,050.53 (ACH 124E \$410,921.57 and Checks 69387-69447 \$100,128.96)Motion carried 4-0.
5. **Meeting Open to the Public:**

Leroy Schaffer, 4526 234th Ave NW, I wanted to know what the metropolitan commission INAUDIBLE what is required and all this sort of thing. I was wondering if any of you fellas detected a certain amount of animosity. I almost felt like we were going to be divided from our (INAUDIBLE) because it was pretty threatening and I don't INAUDIBLE not in compliance with stuff like this and I don't know how most people feel and that but I don't like being threatened, the citizens of St. Francis don't like being threatened. Did you detect any emotionalism in that? Maybe I'm INAUDIBLE, I'm sure they did it very polite and whatever, reasonable INAUDIBLE, but there's always an element of doubt INAUDIBLE situation, where you're questioning the defendant. The other defendant. They come into a small town, INAUDIBLE doesn't have a lot of resources. So Matt asked that, is – any comments from you folks, I would appreciate it. I will say that—whatever happened to Matt Hylen? No, nothing? Nothing written, nothing mentioned about why he left St. Francis—City of St. Francis. I'm kind of wondering why because he was a very important and influential person in this city, I am sure people have opinions on that subject matter, I am hoping that you will come forward and mention that to him and clear up any misunderstandings people might have or whatever. I would like to know what happened to Matt Hylen. He's basically a decent person, but we had our differences and I hope you don't—I'm kind of curiosity, could somebody let me know what happened to Matt Hylen? Okay, could you maybe put something out in the paper or

something like that, I'd appreciate it. Kane, INAUDIBLE city staff. Leroy: Okay, city staff. Could you do that for me? And if you don't INAUDIBLE city staff, I will find some legal ways to do it because I'm sure there is INAUDIBLE and it wasn't his fault. Nobody asked him any questions. To keep my job I would lie too. You know what I mean. Or not lie INAUDIBLE so I'd like to know.

Joseph Muehlbauer, 3459 228th Avenue NW. First of all, it's nothing personal on you guys. I know it kind of seems like that sometimes. I have a few things that I took a little personal for-- Mr. Skordahl you never responded to my email whatsoever. Mr. Brown, last meeting that I missed, I read the minutes that you brought up the town hall meeting. It took you two months to get back to me and you didn't respond in a timely manner so that we could address the issues that we were INAUDIBLE. You responded first with it was a great idea, it was a great idea. I should say that. But to bring it up to Council, it took you two months to do so. I read that the YMCA is a grassroots organization, it's not city driven. As far as I'm concerned, the city can go on record as supporting them, or did you mean to giving a grassroots organization \$35,000 to support? As I recall, one of the mayor's goals he reported to the paper when he was elected was to build a rec center. Also, Mr. McClish is on the rec center website with a quote stating, "Our awesome city needs this." And I know Mr. Orpen's wife is in support of the rec center. We have three of five members that are openly supportive of the rec center, which I'm not against it, however, to use public money to fund a private project—that bothers me a little bit regardless of what fund it comes out of. Especially with the fact that we have these rather than luxury items. You know, to address Mr. Brown again on the town hall meetings, you put it on the citizens. We've had town hall meetings, anybody's invited to be a part of the city, you're welcome to come. Saying how it's costly, but I kind of feel like you're talking out both sides of your mouth and I don't really appreciate that. I feel like there's a lot of animosity, especially from you, Mr. Kane, throughout this whole thing. You guys haven't really worked with the public. There's been a few small steps that you finally made just tonight, but why we've had to battle with you, and when you guys are our representatives that were elected to represent the people and when the people spoke, anything that the people have spoken against, I haven't seen you guys vote again. So how to you claim to represent us when you don't represent us? I just don't understand that. And last but not least, I'm really confused as to how the—under what authority the wastewater treatment facility was approved. Because the Charter states that any improvement has to be done by ordinance and everything was done by resolution, other than the rate hike. So I'm confused on that if I could get some sort of clarification from you guys. Appreciate it.

Angie Bray, 22901 Rum River Blvd NW, When I look at--when I come to these meetings for the last eight weeks or so-- last meeting I missed. I was on a business trip and I see that there were two reports from councilmembers. I think that was the first time that I've ever heard you guys, in the amount of time I've been coming, make a report. I know that you, Mayor, have been out in the community visiting different things. I've seen you at one of the events that we had and you're always welcome, this is business outside of here, awesome. I'd love to see you again. But I have to make a report, as I'm sure all of you at work have to make reports of what you're doing. You guys, I would love to see, make a report here saying hey, I was out and I did this, I did that, I researched this or I researched that. We all want to hear what you guys are

doing. We don't want you to just say nope, I have nothing to report. So I'd appreciate it if you guys would maybe say something of what you were doing, so we know what you're doing as councilmembers and as our mayor, just to keep that communication open and that might help to create more trust between you guys and the community as well. So I'd like to urge you guys to do that. Also, I know Joe talked about this, but the rec center—we used community funds to help pay for the study that they're doing, I don't know how we can say that the city isn't behind it when we used community funds. I mean, that's what I understand because we took money from the liquor store to do this initial research. And is it a good thing for the city? It may be, however, I don't want to pay for it. So, and I can tell ya, nobody else does either. So, or should I say a large amount of our population probably doesn't want to pay for it because we can't afford to. There's all kinds of things happening, we're not going to be able to afford to pay for that as well. The YMCA, let them pay for it. They have supporters. Let them pay for it. I can't support us as a city paying for it. As far as the town hall meeting, just reading the minutes, this is the first time that I've heard that you guys have talked about doing it. You know, you might think that the community will come to you guys and just hound you and give you guys a really hard time, people want answers. That's why we have been begging for a town hall meeting, is we want answers. We want to know some things and we haven't been getting answers. So I think it would be a good idea and it would show that you guys want to work with us as well. So thank you.

6. Petitions, Requests, Applications:

a. Commercial Horse Stable CUP – 23525 Variolite – Cheryl Kilpela – Resolution 2015-35: Cheryl Kilpela has made an application for a conditional use permit (CUP) to allow for a commercial horse stable at 23525 Variolite Street. The applicant is setting the maximum number of horses on site at seven: currently two for personal use, up to five for clients. The property is allowed up to seven horses total in the City's animal ordinance. A memorandum was provided to the city council outlining the guidelines and requirements for this type of an operation. They have provided a large amount of information showing their qualifications and ability to operate this facility and provided that they allow for the parking area on site and proper management of the manure and insurance information, it would them meet the requirements. The Planning Commission found that the CUP application meets the criteria in the ordinance, held a public hearing and recommended approval of the request with the conditions noted within the resolution provided. Skordahl asked, where do we stand with the conditions that deal with the building code issue? Nate said this application came to be because there was some work being done on the building without a permit and through the discussion with the applicant about that, they expressed interest in having this horse-based business. They're still working with the building official on that matter. Kane says, all I can say is that I'm extremely impressed. When I was INAUDIBLE I had horses and I understand a lot of the INAUDIBLE that they're talking about and I'm very impressed, very proud to see such a fine facility in our city. MOTION BY SKORDAHL SECOND BROWN TO ADOPT RESOLUTION 2015-35 A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A COMMERCIAL HORSE STABLE FOR CHERYL KILPELA AT 23525 VARIOLITE STREET NW. Brown says he did drive by the site and look it over. Motion carried 4-0.

b. WJM Enterprises-Auto Sales CUP, 23405 St. Francis Blvd– Resolution 2015-36:
Wayne Milinkovich of WJM Enterprises made an application for a conditional use permit (CUP) to allow for auto sales at the site of the former O'Reillys store located at 23405 St. Francis Blvd.. The applicant wishes to use a portion of the former retail store parking lot and one section of the building for auto sales. The applicant operates Frontier Auto Sales in Zimmerman. A memorandum was provided to the city council outlining the guidelines and requirements for this type of an operation. The building on the site would be used partially for storage, partially for an indoor showroom, and then partially for auto sales office space. They would like to use the parking area from the old retail store as the display area for the automobiles. This is possible because the ordinance has different requirements for the amount of parking to be provided for different types of uses and auto sales has a much lower parking rate of supply than what a retail store has, so they can convert several of the parking stalls existing on the site into a display area and still be meeting the requirements of the parking ordinance. They're also asked for permission to do a future expansion, which is identified on the site plan as a future expansion area, and to have that incorporated into their CUP approval. Generally the Planning Commission was okay with that provided that the applicant proceed through with the administrative site plan review procedure which is the city's procedure by which the applicant would pay for the engineer and city staff to review the plans and make sure that it conforms to all required codes, including landscaping, parking, and INAUDIBLE standards. Because it is a CUP, it has a set period of time before they would have to initiate on that, otherwise it would require a CUP amendment in three years. They have also asked for the ability to provide lighting, if they so desire, on the south side of the property, and if they can provide a photo metric plan showing that it meets the minimum standards of the lighting ordinance, the planning commission felt that that would be acceptable as well. The Planning Commission found this proposal is generally consistent with the City's CUP review criteria and recommended approval of the request with the conditions noted in the resolution. MOTION BY BROWN SECOND ORPEN TO ADOPT RESOLUTION 2015-36 A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AN AUTO SALES BUSINESS FOR WJM ENTERPRISES AT 23405 ST. FRANCIS BLVD. NW. Brown took a couple hours off of his day job last weekend and drove up there, took a tour of their facility in Zimmerman, chatted with the owner, and thinks it would be a great fit for St. Francis. Motion carried 4-0.

7. **Ordinances & Resolution:**

a. Resolution 2015-37: Declaring Surplus Property and Authorizing the Disposal of said Property: This resolution includes additional irrigation equipment that is associated with the 183 acres the City owns in Isanti County. MOTION BY SKORDAHL SECOND ORPEN TO ADOPT RESOLUTION 2015-37 A RESOLUTION DECLARING SURPLUS PROPERTY AND AUTHORIZING THE DISPOSAL OF SAID PROPERTY. Motion carried 4-0.

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

a. Engineer: Kerry St, 232nd Lane and Ivywood Street Improvements: Kohlmann reporting on behalf of the city engineer. Mayor, members of the Council, we received bids for the improvements on Kerry, 232nd, and Ivywood. They came in substantially lower than we

had anticipated. In the memorandum from City Engineer Voge, he noted on July 22, 2015 three bids were received for the street improvement. The three bids were North Valley Inc, Nowthen, MN \$209,085.35; Rum River Contracting Company, Princeton, MN \$239,486.75; and Hardrives Inc., Rogers MN \$239,749.53. The improvements are identified in the City's Financial Management Plan, which identifies General Obligation Bonds and assessments as the funding sources for the improvements. Voge stated they are recommending the council accept the bids received by passing motion and a motion adopting the resolution awarding the project to North Valley Inc. of Nowthen MN in the amount of \$209,085.35. Orpen asks, what was our estimate for this project? Kohlmann responded saying, I have the estimate from Northland Securities; they had it at \$340,000. I think it came down since they had originally anticipated; I want to say around \$260,000 or somewhere in that ballpark. MOTION BY BROWN SECOND SKORDAHL TO ACCEPT THE THREE BIDS RECEIVED FOR THE KERRY STREET, 232nd AND IVYWOOD STREET IMPROVEMENT AS PRESENTED. Motion carried 4-0.

MOTION BY ORPEN SECOND BROWN TO ADOPT RESOLUTION 2015-38 A RESOLUTION RECEIVING BIDS AND AWARDING CONTRACT FOR THE KERRY STREET, 232nd, AND IVYWOOD STREET IMPROVEMENT. Motion carried 4-0.

b. Attorney:

c. Staff:

Bldg. Official:

Fire Dept.:

Public Works:

Liquor Store:

Police Dept:

City Administrator:

9. **Reports from Council Members:** Skordahl is going to be on travel August 17 so he will miss the next meeting. Orpen reminds us that tomorrow is National Night Out; it is a chance for people to get with their neighbors. Brown says we were supposed to have a fire department meeting last night but it was cancelled.

10. **Report from Mayor:** Night to Unite tomorrow night in Community Park. The Ambassadors are going to be there, they have a bunch of things going on out there so come on out to Community Park tomorrow night.

11. **Old Business:**

12. **New Business:**

13. **Adjournment:** Mayor Kane adjourned at 6:24 pm.