

CITY OF ST. FRANCIS CITY  
COUNCIL AGENDA  
November 2, 2015

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 – October 19, 2015
  - b. Enter into a Management Agreement with the St. Francis Homerun Club for the staffing and maintenance of the Warming House/Rinks this season
  - c. Embedded Systems, Inc.(Tornado Sirens) Maintenance Contract Renewal for 2016
  - d. Payment of Claims
5. Meeting Open to the Public - *Open Forum is an opportunity for citizens to sign up before the Council meeting and present an issue or concern to City Council. Each presentation should be limited to no more than three minutes unless City Council grants more time.*
6. Petitions, Requests, Applications
  - a. Public Hearing: Certifying Assessments for Delinquent Utilities, Miscellaneous Invoices and Administrative Fines: Resolution 2015-60
  - b. PUD Amendment & Site Plan Review – St. Francis Transitional Care Facility – Resolution 2015-61
7. Ordinances & Resolution
  - a. Ordinance 209, Second Series: Flood Plain – Second Reading
  - b. Resolution 2015-62: Summary Publication of Ordinance 209, Second Series
  - c. Ordinance 210, Second Series: Declaring City Owned Real Estate as Surplus Property – Second Reading
  - d. Resolution 2015-63: Summary Publication of Ordinance 210, Second Series
  - e. Ordinance 211, Second Series: Amending Fee Schedule for Building Permits (1997 Uniform Building Code) within the City of St. Francis – First Reading
  - f. Ordinance 212, Second Series: Amending Section 2-9-1 of the City Code Regarding the Fee Schedule-First Rdg
8. Reports of Consultants & Staff Members
  - a. Engineer:
  - b. Attorney:
  - c. Staff:
    - Fire Dept.:
    - Public Works:
    - Liquor Store:
    - Police: Electronic Speed Sign
    - City Administrator: Community/Economic Development Director Update
9. Reports from Council Members
10. Report from Mayor
11. Old Business
12. New Business
13. Adjournment

Calendar of Events

Nov 11: Veteran's Day – City Offices Closed  
Nov 14: Turkey Bowling 3 pm, Turkey Dinner 5 pm & Turkey Bingo 6:30 SF Lions @ American Legion  
Nov 16: City Council Meeting @ ISD #15 Central Services Center (District Offices) 6:00 pm  
Nov 18: Planning Comm. Meeting @ ISD #15 Central Services Center (District Offices) 7:00 pm  
Dec 7: City Council Meeting @ ISD #15 Central Services Center (District Offices) 6:00 pm

# MEMO

TO: Mayor & City Council

FROM: Joe Kohlmann, City Administrator

RE: Agenda Memorandum – November 2<sup>nd</sup>, 2015 Meeting

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## Agenda Items:

### 4. Consent Agenda:

- a. City Council Minutes – October 19<sup>th</sup>, 2015
- b. Enter into Management Agreement with the St. Francis Homerun Club - Staff is proposing to enter into the agreement for management and staffing of the City's warming house, provide rink attendants, care for facility, snow removal for the facility and providing snacks/vending. The proposal is for a 53 day season at a total cost of \$7,662.74.
- c. Embedded Systems, Inc. – Tornado siren maintenance contract. \$43.93 per month.
- d. Payment of Claims –

### 6. Petitions, Requests, Applications:

- a. Public Hearing – Certifying Assessments for Delinquent Utilities, miscellaneous invoices and Administrative Fines. **Resolution 2015-60**. *A list is attached.*
- b. PUD Amendment & Site Plan Review – St. Francis Transitional Care Facility. **Resolution 2015-61**. Attached is a Staff Report from Nate Sparks. This report contains an issues analysis and the Planning Commission recommended approval with conditions. **Resolution 2015-61**. Also, plans and a site improvement performance agreement are attached.

### 7. Ordinances & Resolutions:

- a. Ordinance 209, Second Series- Floodplain – Second Reading. The DNR has created a new model floodplain ordinance that corresponds to the new flood maps that are effective in December.
- b. **Resolution 2015-62** – Resolution authorizing summary publication of the floodplain ordinance above.
- c. Ordinance 210, Second Series- Declaring City Owned Property as Surplus Property – Second Reading. This Ordinance declares the “east shop site” as surplus property.
- d. **Resolution 2015-63** – Resolution authorizing summary publication of the surplus property ordinance above.

- e. Ordinance 211, Second Series – Amending Fee Schedule for Building Permits (1997 Uniform Building Code) within the City of St. Francis – First Reading. *Attached* are changes to the 1997 UBC that the City adopted. The changes mainly intend to change a per thousand calculation to a per million calculation.
- f. Ordinance 212, Second Series- Amending Section 2-9-1 of the City Code Regarding the Fee Schedule – First Reading. *Attached* is a list of recommendations from the Building Official.

8. **Reports:**

a. **Engineer:**

b. **Attorney:**

c. **Staff:**

**Building Official:**

**Fire:**

**Public Works:**

**Liquor Store:**

**Police:** Speed Sign update – verbal

**City Administrator:** Kate Thunstrom has accepted a condition employment Offer for the Community/Economic Development Director position, contingent upon Council approval. Annual salary is proposed at \$83,096

Which is pay Grade 16, step 6 of 8 of the City's 2015 salary schedule. She Accrue 120 of vacation annually and will be started with 40 hours of vacation And sick time. Her anticipated first day is November 30<sup>th</sup>, 2015.

**Motion to approve the offer to Kate Thunstrom for the Community/Economic Development Director position.**

11. **Old Business:**

12. **New Business:**

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

CITY COUNCIL MINUTES

OCTOBER 19, 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, Chris McClish and Tim Brown. Also present were City Engineer Jared Voge (Bolton & Menk, Inc.), City Attorney Scott Lepak (Barna, Guzy & Steffen), City Finance Director Darcy Mulvihill, City Administrator Joe Kohlmann, and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY BROWN SECOND McCLISH TO ADOPT THE OCTOBER 19, 2015 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** MOTION BY McCLISH SECOND SKORDAHL TO APPROVE THE OCTOBER 19, 2015, CITY COUNCIL CONSENT AGENDA A-D AS FOLLOWS:
  - a. City Council Minutes – October 5, 2015
  - b. Pay Request No. 2 to Gridor Construction, Inc. for the Wastewater Treatment Facility Improvements
  - c. St. Francis Lions – Acknowledgment of Gambling Permit (Bingo) @ St. Francis American Legion 11-14-15
  - d. Payment of Claims

MOTION

5. **Meeting Open to the Public:** Steve Feldman, 22766 Poppy Street, with the wastewater treatment facility (WWTF) upgrade and the increase of the water and sewer rates, my bill it goes mid-month to mid-month. When will you start with the increase, will it be pro-rated? Council stated he should talk to the finance director after the meeting to get his questions answered. In regards to the new speed detector, I can't emphasize enough to have police presence makes a big difference. Feldman stated I know Round Lake Blvd is a county road, is Poppy Street was a city street. Staff stated yes. Is it possible to have another stop sign half way from 225<sup>th</sup> to Bridge Street? That would help the police as well to slow the traffic down. Is that possible? The amount of traffic is ridiculous, times are steady from 7-7:30 am, 2:30-3:30 pm and then again at 4:00 pm -7:00 pm every weekday night. Kane stated in regards to a stop sign we would contact staff. Feldman stated you will see the amount of traffic when you get the sign. It marked as residential but not being used as a residential street. Random police stops and the sign will help. I keep coming for one reason it is not a matter of if an accident happens but when an accident happens. Thank you.

Joseph Muehlbauer, 3459 – 228<sup>th</sup> Avenue NW, as if the City ran the Facebook page of St. Francis Community page. Staff stated no we do not. Muehlbauer thought some of the comments should not have be made on there if it was run by the City.

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

a. **Hearing on Proposed Assessments for the Kerry Street, 232nd Lane and Ivywood Street NW Improvement – Resolution 2015-54:** City Engineer Jared Voge reported the City Council at the August 3, 2015 meeting awarded the Kerry Street NW, 232<sup>nd</sup> Lane NW and Ivywood Street NW Street Improvements project to North Valley, Inc. Construction has been completed. Since a portion of the project costs will be assessed to the adjacent property owners, an assessment hearing is required to be held prior to certifying the assessments to the County. Voge then gave a brief power point presentation on the project. Orpen asked if the assessment policy was changed from 10 years to 15 years. Kohlmann stated it was not changed. Voge explained briefly why the assessment was determined at 10 years instead of 15. Mayor Kane then opened the hearing at 6:11 pm for public comment.

Robert Bauer, 23246 Kerry Street, oppose the assessments. Special Assessment Statutes states that the improvement must significantly increase your property. The project was late, what was the savings to the city. This street repair needs to be paid by the city in full.

Richard Zabaske, 23264 Kerry Street, asked why did they even tear up Kerry Street. He used the diagram from the engineer. Why wasn't Jonquil Street improved, they use Ivywood Street every day. Why was the Kerry Street cul-de-sac improved it didn't need it. You should get more than 14 years in a road. Why didn't you go back after the initial contractor that put the road in? Do you know? I have to pay for the road that wasn't needed. It is not fair.

Sarah Hunt, 23246 Kerry Street, why didn't the rest of Kerry Street get done? Our cul-de-sac get rarely gets used. It is asinine why I have to pay on this. I didn't get anything sent to me.

With no more public comment, Mayor Kane closed the public hearing at 6:18 pm.

Voge stated originally, when we discuss this project at the first public hearing, it was addressed that the southern portion of the street will be torn up during the county project in 2016. The cul-de-sac was done at the same vintage as the rest of this project. Jonquil Street will be done at another time.

The amounts identified were sent out to every property owner. Voge stated I can help her get her amount. Every tax payer was sent a letter with the assessment amount. Hunt asked what kind of savings did the city receive being it was not done on time? Voge stated there are substantial and completion dates.

MOTION BY SKORDAHL SECOND McCLISH TO ADOPT RESOLUTION 2015-54 A RESOLUTION ADOPTING ASSESSMENT FOR THE IMPROVEMENT OF KERRY STREET NW BETWEEN THE SOUTH LINE OF 231<sup>st</sup> STREET NW AND THE NORTH LINE OF KERRY STREET NW, AND ON 232<sup>nd</sup> LANE NW BETWEEN THE EAST LINE OF KERRY STREET NW AND THE WEST LINE OF IVYWOOD STREET NW, AND ON IVYWOOD STREET NW BETWEEN THE EAST LINE OF 232<sup>nd</sup> LANE NW AND THE SOUTH LINE OF 235<sup>th</sup> AVENUE NW. Motion carried 5-0.

7. **Ordinances & Resolution:**

**a. Resolution 2015-55: Summary Publication of the Midcontinent Ordinance 204, Second Series:** MOTION BY BROWN SECOND ORPEN TO ADOPT RESOLUTION 2015-54 A RESOLUTION AUTHORIZING THE SUMMARY PUBLICATION OF ORDINANCE 204, SECOND SERIES. Motion carried 5-0.

**b. Ordinance 206, Second Series: Amending the I-1, I-2, B-2 & B-3 Zoning Districts Pertaining to the Expansion of permitted Uses within the B-3, Business Park District & Clarifying Purpose Statements – Second Reading:** The City Council recommended revisions to the ordinance reviewed at the September 8, 2015 meeting regarding changes to the City Code related to the B-3 District and liquor licensing. New categories of use for brewpubs and small breweries have been created and allowances for off-sale of growlers are permitted. Sunday sales for growlers are also included as an option. The use of brewpub was then placed within the B-1, Central Business and B-2, General Business Districts. MOTION BY ORPEN SECOND BROWN APPROVING THE SECOND READING OF ORDINANCE 206, SECOND SERIES AMENDING THE I-1, I-2, B-2 & B-3 ZONING DISTRICTS PERTAINING TO THE EXPANSION OF PERMITTED USES WITHIN THE B-3, BUSINESS PARK DISTRICT & CLARIFYING PURPOSE STATEMENTS. Roll Call: Ayes: Skordahl, Orpen, McClish, Brown, and Kane. Nays: None. Motion carried 5 -0.

**c. Resolution 2015-56: Summary Publication of Ordinance 206 Second Series:** MOTION BY SKORDAHL SECOND BROWN TO ADOPT RESOLUTION 2015-56 A RESOLUTION AUTHORIZING THE SUMMARY PUBLICATION OF ORDINANCE 206, SECOND SERIES. Motion carried 5-0.

**d. Ordinance 207, Second Series: Amending Chapter 5 of the City Code Regarding the Licensing for Alcohol Sales at Production Facilities:** MOTION BY ORPEN SECOND McCLISH APPROVING THE SECOND READING OF ORDINANCE 207, SECOND SERIES AMENDING CHAPTER 5 OF THE CITY CODE REGARDING THE LICENSING FOR ALCOHOL SALES AT PRODUCTION FACILITIES. Roll Call: Ayes: Brown, McClish, Orpen, Skordahl, and Kane. Nays: None. Motion carried 5-0.

**e. Resolution 2015-57: Summary Publication of Ordinance 207, Second Series:** MOTION BY BROWN SECOND McCLISH TO ADOPT RESOLUTION 2015-57 A RESOLUTION AUTHORIZING THE SUMMARY PUBLICATION OF ORDINANCE 207, SECOND SERIES. Motion carried 5-0.

**f. Ordinance 208, Second Series: Annexing land Located in Athens Township, Isanti County MN Pursuant to MN Statues 414.033 subdivision 2(3), Permitting Annexation by Ordinance:** MOTION BY McCLISH SECOND ORPEN APPROVING THE SECOND READING OF ORDINANCE 208, SECOND SERIES ANNEXING LAND LOCATED IN ATHENS TOWNSHIP, ISANTI COUNTY MINNESOTA PURSUANT TO MINNESOTA STATUTES 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE. Roll Call: McClish, Brown, Orpen, Skordahl, and Kane. Nays: None. Motion carried 5-0.

**g. Resolution 2015-58: Summary Publication of Ordinance 208, Second Series:** MOTION BY McCLISH SECOND BROWN TO ADOPT RESOLUTION 2015-58 A RESOLUTION AUTHORIZING THE SUMMARY PUBLICATION OF ORDINANCE 208, SECOND SERIES. Motion carried 5-0.

**h. Resolution 2015-59: Approving an Extension to the Filing Deadline for a Final Plat for Green Valley Preserve:** MOTION BY BROWN SECOND SKORDAHL ADOPTING RESOLUTION 2015-59 A RESOLUTION APPROVING AN EXTENSION TO THE FILING DEADLINE FOR A FINAL PLAT FOR GREEN VALLEY PRESERVE. Motion carried 5-0.

**i. Ordinance 209, Second Series: Amending Section 10-81 Adopting Revised Flood Plain Ordinance – First Reading:** MOTION BY SKORDAHL SECOND McCLISH APPROVING THE FIRST READING OF ORDINANCE 209, SECOND SERIES AMENDING SECTION 10-81 ADOPTING THE REVISED FLOOD PLAIN ORDINANCE. Motion carried Ayes: Orpen, Skordahl, McClish, Brown, and Kane. Nays: None. Motion carried 5-0.

**j. Ordinance 210, Second Series: Declaring City Owned Property as Surplus Property – First Reading:** This ordinance declares the “east shop site” as surplus property. Includes the properties of 32-34-24-43-0003, 32-34-24-43-0004, 32-34-24-43-0005, 32-34-24-43-0006, 32-34-24-43-0008, and 32-34-24-43-0009. MOTION BY ORPEN SECOND McCLISH APPROVING THE FIRST READING OF ORDINANCE 210, SECOND SERIES DECLARING CITY OWNED PROPERTY AS SURPLUS PROPERTY. Ayes: Brown, McClish, Skordahl, Orpen, and Kane. Nays: None. Motion carried 5-0.

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

**a. Engineer:**

**b. Attorney:**

**c. Staff:**

**Bldg. Official:**

**Fire Dept.:**

**Public Works:**

**Liquor Store:**

**Police Dept:**

**City Administrator:** City Hall Security: Kohlmann reported that several options were reviewed for the reconfigurations to improve the front desk security. The improvement includes a door to the hallway of city hall and adds a “fogged” window by the Administrative Assistant area. The quote received was \$2,955. 32. Other options were cost prohibitive and felt this would be a good alternative. MOTION BY McCLISH SECOND BROWN AUTHORIZING THE CITY HALL IMPROVEMENTS TO THE FRONT DESK AREA. Motion carried 5-0.

**9. Reports from Council Members:** McClish attended the fire department Open House/French Toast breakfast, huge success . Recently met with Kurt Daudt and Tom

Hackbarth. EDA meeting tonight we approve the sale of the townhome lots, south on Hwy 47. McClish asked if we could go back to department updates.

Skordahl would like to hear from departments too. Read some things in the off week memo but hear more about the city on social media.

Orpen stated he went to the fire department open house also and saw the new fire truck.

10. **Report from Mayor:** Attended the open house with Senator Michelle Benson.

On October 30, 2015, we interviewed applicants for a Community/Economic Development Director.

The City will start implementing our new website soon. Administrative Assistant Anna Anderson did it in house. Next time you see her, say thank you.

11. **Old Business:** Orpen stated we previously talked about October as Domestic Violence Month. The St. Francis Ambassadors would like to help next year.

12. **New Business:** None.

13. **Adjournment:** Mayor Kane adjourned the regular City Council meeting at 6:41 pm.

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Barbara I. Held, City Clerk

## AGENDA REPORT

**TO:** City Administrator, Joe Kohlmann

**FROM:** Public Works Director; Paul Teicher

**SUBJECT:** Rink Management

**DATE:** 11-02-2015

**INTRODUCTION:** Based on last year's successful ice skating season, we would like to again partner with the St Francis Home Run Club manage our ice skating facilities. Our goals continue to be: 1. Follow Council direction to stay within our operation and maintenance budget for our parks. 2. Continue to manage overtime while maintaining the highest quality standard for snow and ice removal on our City streets.

**BACKGROUND:** Last year, we had a successful 51 day season. This season we again have The St Francis Home Run Club, a Insured Local Non Profit Charitable Organization that would like to manage the warming house, provide rink attendants, care for the rinks/facility, provide snow removal for the facility for a fee and provide snack vending with a small portion of the proceeds coming back to the City to cover any additional cost we may incur. Our Public Works Team will work with the organization to flood and maintain the ice. We are proposing a 53 day season (closed Christmas Day). This will run from 12-24-2015 thru 2-15-2016, weather permitting. The time selected for this season will allow ice making to happen during what should be the "optimum weather period", thus further reducing the amount of man hours it will take to make and maintain the ice. Of course, only if the weather permits.

**RECOMMENDATION:** A motion to authorize the Mayor to sign Management Agreement entering the City into a contract with The St Francis Home Run Club to manage the outdoor Ice Skating Facility.

**BUDGET IMPACT:** The payment the Home Run Club would receive is approximately \$7,662.74 weather permitting. This is based on a 53 day season (12-24-2015 thru 2-15-2016). This is a budgeted item and would be paid out of our Parks operation and maintenance budget.

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Attachments:

1. Management Agreement

## **Ice Rink Procedures and Preparations**

The city of St. Francis has 2 ice rinks. The pleasure rink and the hockey rink.

### *Pleasure Rink*

The pleasure rink is on a paved surface which makes it easier to prepare because of the flat impermeable surface. The city first creates the snow berms to stop the water from flowing out of the parking lot. The city then prepares the base by packing 6" of snow then watering the packed snow. This creates a base layer of ice to hold the water when water is put down. A good base is essential to creating an ice rink so the water doesn't flow off the rink or melt from the sun heating the asphalt. Once enough ice is created, the city will then scrape bumps off the surface and sweep off the debris.

### *Hockey Rink*

The hockey rink is harder to prepare because the bare ground. If there is no snow base, the ground will absorb the water even if it seems to be frozen. The city will pack down 6 inches of snow then water it to create a good base. The city then keeps watering the base to create more ice. After a sufficient amount of ice is created, the city then scrapes the ice and sweeps off the debris.

### **Frequently asked questions:**

#### **Q: What time of day does the city put more water on the rinks?**

A: The city starts putting water down early in the morning so the water has enough time to freeze and be hard enough for people to skate on. Usually no later than 10am. If the temperature is going to be near melting for the high, the city will not put any water down that day due to not enough time for freezing.

#### **Q: It's been a few days, why hasn't the city put more water on the rinks?**

A: The city doesn't put water down during weekends or holidays. Also, if the temperature is going to be a high near 32 degrees, the city won't put water down because it won't freeze in time for skaters. The water on the ice at those temps softens the existing ice and could cause significant damage to the ice.

#### **Q: Why is there snow left on the edges of the hockey rink?**

A: If the city leaves snow near or on the edges of the rinks, the temperature for that day will be getting too warm for water to freeze solid on the edges. The edges of the rink are the hardest to maintain because the wood attracts some heat. The North end of the hockey rink melts fastest because it faces the south. The city leaves snow on the edges to prevent melting of the ice.

#### **Q: It just snowed 2" or more, why hasn't the city put more water on the rinks?**

A: The city will clear roads and sidewalks of snow *before* maintaining rinks or parks. It may be a few days before the city can get back to the rinks for maintenance. The contracted group is responsible for clearing all the snow in the area (rinks/sidewalks) other than the parking lot.

#### **Q: With permission from the city, can I clear snow off the rinks with a truck and plow?**

A: Yes, with permission a pickup with plow can clear snow off rinks. The hockey rink has wood sides and can easily be damaged from plows. If damage starts appearing to the edges, the city can revoke any plowing privileges. It is recommended that a shovel is used for getting snow off the edges. It is imperative that the ice is completely frozen before plows or shovels are put on the ice.

**Q: Is there supposed to be an ice path between the ice rinks?**

A: The city provides rubber mats for the skaters to walk on when entering and exiting the warming house. The city will try to put water down for ice paths between ice rinks but the rinks is top priority.

**Q: In the past there has been a flooded area between the 2 normal rinks, why not this year?**

A: This is a difficult spot to make ice. The ground is somewhat higher than the rest of the area. It is also south facing making it hard to protect from the sun. Unless, we have extremely cold temperatures we will not flood this area. Also, we have noticed that when this area is flooded, damage occurs to the outside of the hockey rink from hockey play. Hockey should *only occur within* the hockey rink to protect all those using the other areas.

**Q: Why isn't there thicker ice on the rinks?**

A: The city will put down more water in the mornings when the temperature allows time for freezing before skaters arrive. If skaters choose to skate on the ice before the ice is fully hardened, this can slow down the process due to chipped ice and divots. The sun can also slow down the process if the temps warm up above 32 degrees because it weakens the existing ice and doesn't allow the water to freeze in time.

**Q: Why does the city stop maintaining the ice in February when winter isn't over yet?**

A: The city stops maintaining the ice rinks this time of year due to warming temps and longer days. The sun is more powerful this time of year and the days are getting longer and there is more time for the ice to melt. Typically, this is also the snowiest time of the year so efforts are focused on keeping the streets clear of snow and ice.

## MANAGEMENT AGREEMENT

THIS MANAGEMENT AGREEMENT is made and entered into this 2nd day of November, 2015, by and between the City of St. Francis, a Minnesota municipal corporation (the "City"), and St Francis Homerun Club, a Minnesota Nonprofit 501 C3 Charitable Organization (the "Contractor").

WHEREAS, Contractor is in the business of providing management services at recreational facilities including ice arenas and outdoor skating rinks; and

WHEREAS, the City desires to retain the services of Contractor to manage its outdoor skating rinks.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants and conditions set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. MANAGEMENT SERVICES. The City hereby retains Contractor to provide management services at the City's outdoor skating rinks. In connection with the foregoing, Contractor shall be responsible for the following:
  - (A) Contractor shall provide all operational staff and shall be exclusively responsible for the management of such personnel and the payment of all wages and withholdings in connection therewith. Contractor shall provide site-specific training to all staff members with a focus on providing excellent customer service.
  - (B) Contractor shall maintain all ice surfaces and keep the same free from snow and debris.
  - (C) Contractor shall keep all walkways free from ice and snow.
  - (D) Contractor shall clean and maintain the interior of the warming house and provide all supplies in connection therewith. Contractor's duties shall include, without limitation, vacuuming, cleaning bathrooms, cleaning windows, restocking toilet paper, hand soap, and hand towels, and providing basic first aid supplies.
  - (E) Contractor shall keep all outdoor areas free from trash and debris.
  - (F) Contractor shall ensure that all City ordinances, rules, and regulations are followed and enforced.
  - (G) Contractor shall ensure that the ice rinks are used only by members of the public and for no private purpose or event without the City's prior written consent.
  - (H) Contractor shall immediately notify the City in the event repairs are required to any building, equipment, or area.

- (I) Contractor shall secure all buildings and equipment when not in use and will be liable for any damages, thefts or other costs resulting from the failure to properly secure any building or equipment.
- (J) Contractor shall manage and take full responsibility for all concession activities, including obtaining all necessary licenses and permits and providing all concession merchandise and supplies. On a monthly basis, Contractor shall provide the City with a written report showing concession revenues, product costs, and the gross margin for each month. Along with such report, Contractor shall pay the City an amount equal to ten percent (10%) of the gross margin shown on such report. Contractor shall be entitled to retain the balance of concession proceeds, which amounts shall be in addition to the Management Fee paid hereunder.
- (K) Contractor shall ensure that any costs incurred in connection with the maintenance or operation of the ice rinks, above and beyond the Management Fee, are within budgeted amounts or otherwise approved in advance by the City.

2. CITY RESPONSIBILITIES. Notwithstanding any language in this Agreement to the Contrary, the City shall be responsible for the following:

- (A) The City shall perform all building and grounds repairs.
- (B) The City shall plow all parking areas.
- (C) The City shall provide basic utilities, including water, sewer, garbage, and local phone service (no long distance).
- (D) The City shall provide one (1) handicapped-accessible toilet (mini-biff) and shall be responsible for cleaning and maintaining the same.
- (E) The City shall provide blue hand towel service.
- (F) The City's Public Works Department shall work with the Contractor to make ice for the purpose of skating as weather and time permits. The Contractor must have all snow and debris removed from the ice surface before City Staff will attempt to make ice.

3. MANAGEMENT FEE.

- (A) For all services provided pursuant to this Agreement, the City shall pay Contractor the sum of One Hundred forty four and 58/100 Dollars (\$144.58) per day (the "Management Fee").
- (B) Contractor acknowledges and agrees that the Management Fee shall constitute Contractor's entire compensation hereunder. All expenses of every kind incurred by Contractor in its performance under this Agreement shall be the sole responsibility of and be promptly paid by Contractor.

- (C) All keys, property, and equipment must be returned by Contractor and a final inspection/inventory of the property must be performed by the City prior to the payment of the final installment of the Management Fee.

4. TERM. The term of this Agreement will be for the duration of the 2015-2016 ice skating season, which is anticipated to run approximately 53 days from December 24, 2015, through February 15, 2016, weather permitting (closed Christmas Day). Notwithstanding the foregoing, this Agreement may be terminated at any time:

- (A) Upon the mutual written agreement of the parties;
- (B) By the City in the event the Contractor fails to fully and satisfactorily perform in accordance with the terms and conditions of this Agreement; provided, the City must provide Contractor with written notice and ten (10) days to correct the failure prior to termination.
- (C) By the City, immediately and without prior notice, in the event Contractor (i) files bankruptcy or becomes insolvent, (ii) sells all or substantially all of its assets, or (iii) dissolves or files a notice of intent to dissolve.

5. CONTRACTOR'S REPRESENTATIONS. In order to induce the City to enter into this Agreement, Contractor makes the following representations to the City:

- (A) The Contractor has visited the City's outdoor ice skating rinks and has had the opportunity to become familiar with and is satisfied as to the conditions that may affect its ability to perform under this Agreement.
- (B) The Contractor is familiar with and is satisfied as to all federal, state, and local laws and regulations that may affect its ability to perform under this Agreement.

6. INDEPENDENT CONTRACTOR STATUS. Contractor shall perform under this Agreement as an independent contractor and nothing contained herein is intended or shall be construed to make or constitute Contractor as the agent, employee, partner, joint venturer, or representative of the City, but rather Contractor shall act and perform hereunder according to its own means and methods, which means and methods shall at all times be under its exclusive charge and control.

7. INSURANCE. During the term of this Agreement, Contractor will maintain the following insurance: (1) commercial general liability insurance with coverage in the minimum coverage amount of \$1,500,000 per occurrence; and (2) workers compensation insurance. All policies of insurance shall name the City as an additional insured and shall require the insurance provider to provide the City with written notice at least thirty (30) days prior to any reduction or termination of such insurance coverage. Upon the execution of this Agreement, and any time thereafter upon demand of the City, Contractor shall provide a certificate of insurance showing the required coverage.

8. INDEMNIFICATION. Contractor shall defend, hold harmless and indemnify the City from and against any claims, damages, losses, and expenses (including reasonable attorneys' fees) arising out of the activities of Contractor (and its employees, officers, agents, and representatives) during the term of this Agreement, whether such activities were rendered pursuant to this Agreement or otherwise.

9. REMEDIES. In the event of the breach of this Agreement by Contractor, the City shall be entitled to seek all remedies available at law, in equity, or otherwise. Contractor shall pay the City's costs and expenses, including reasonable attorneys' fees, incurred by the City in order to enforce this Agreement. Contractor expressly agrees that any remedies available to the City are cumulative and in no way exclusive. The seeking or exercising by the City of a particular remedy does not constitute a waiver or relinquishment by the City of its right to seek or exercise any other remedy available to it at law, in equity, or otherwise.

10. MISCELLANEOUS.

- (A) Governing Law. This Agreement has been executed in the State of Minnesota and shall be governed by the laws of said state, without regard to the conflict of laws rules thereof.
- (B) Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto pertaining to the subject matter hereof and supersedes all prior agreements, understandings, negotiations and discussions, whether oral or written, of the parties. There are no warranties, representations or agreements among the parties in connection with the subject matter hereof, except as set forth or referred to herein.
- (C) Amendment. No amendment or modification of this Agreement shall be deemed effective unless made in writing and signed by both parties.
- (D) Waiver. No waiver of any of the provisions of this Agreement shall constitute a waiver of any other provision, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided in writing.
- (E) Assignment. Except as otherwise provided for herein, no party may assign this Agreement without the consent of the other party. All of the terms and provisions of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective transferees, successors and permitted assigns.
- (F) Severability. In the event any provision of this Agreement is found invalid or unenforceable by a court of competent jurisdiction, such provision will be deemed stricken. The remaining provisions of this Agreement will continue to be valid and binding and the Agreement will be reformed to replace the stricken provision with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

- (G) Captions and Headings. The captions and paragraph headings used in this Agreement are for convenience of reference only, and shall not affect the construction or interpretation of this Agreement or any of the provisions thereof.
- (H) Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned, intending to be legally bound, have executed this Agreement as of the date first above written.

**CITY:**

CITY OF ST. FRANCIS

By: \_\_\_\_\_  
Its: \_\_\_\_\_

**CONTRACTOR:**

ST FRANCIS HOMERUN CLUB

By: \_\_\_\_\_  
Its: \_\_\_\_\_

514843\_1

# Embedded Systems, Inc.

Tel. (763) 757-3696  
www.embedsys.com

11931 Hwy 65 NE, Minneapolis, MN 55434

Fax: (763) 767-2817  
jburgett@embedsys.com

## Contract Renewal

October 15, 2015

City of St. Francis  
Accounts Payable  
23671 St. Francis  
St. Francis, MN 55070

We are at the end of another tornado season. Embedded Systems, Inc. has provided our best service toward maintaining the tornado sirens for your city for the past several years. We would be very pleased to continue to provide Tornado Siren Maintenance for your city.

The Monthly Siren Maintenance Fee for 2016 will be **\$43.93** per siren, per month.

The decoder batteries for your city are scheduled to be replaced in 2018 for preventive maintenance. Battery replacement will occur once every 2 years for Hennepin and Ramsey County and once every three years for Anoka County for all units maintained by Embedded Systems under the original maintenance agreement, including those batteries which may have been replaced since the last scheduled replacement because of failure.

We are asking that you please sign and return this contract renewal to us before **November 16<sup>th</sup>, 2015** to enable us to continue to provide our best service through the end of 2016. Feel free to fax the signed contract renewal to (763) 767-2817 or email it to [jburgett@embedsys.com](mailto:jburgett@embedsys.com).

Thank you for your business and we look forward to servicing your needs through the next year. If you have any questions feel free to contact me directly.

Thank you,

Julie Burgett  
Embedded Systems, Inc.

Contract terms accepted:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

For continuation of services through the end of the year 2016

**Tornado Sirens**  
Master List

Siren #	Location
21	St. Francis
1	Ambassador & Roanoke
2	23248 Woodbine Street



PAYMENT BATCH AP 11-02-15

**3D SPECIALTIES INC.**

10/15/2015	450400	E 101-43100-226	Sign Repair Materials	REPAIRS	3,871.78
					<u>\$3,871.78</u>

**ALERT-ALL**

10/07/2015	215091869	E 101-42210-209	Fire Prevention Supplies	FIRE SAFETY	2,332.00
					<u>\$2,332.00</u>

**BELLBOY CORPORATION**

10/13/2015	50435900	E 609-49751-206	Freight and Fuel Charges	FREIGHT	26.35
10/13/2015	50435900	E 609-49751-251	Liquor For Resale	LIQUOR	2,249.45
10/13/2015	92823900	E 609-49751-206	Freight and Fuel Charges	FREIGHT	0.14
10/13/2015	92823900	E 609-49751-254	Miscellaneous Merchandise	MISC	31.00
					<u>\$2,306.94</u>

**BERNICK COMPANIES, THE**

10/19/2015	253951	E 609-49751-254	Miscellaneous Merchandise	MISC	34.00
					<u>\$34.00</u>

**BOLTON & MENK, INC.**

09/30/2015	182871	G 602-16500	Construction in Progress	WASTE WATER FACILITY IMP	46,974.88
					<u>\$46,974.88</u>

**CENTERPOINT ENERGY**

10/16/2015	5944643-5.1015	E 609-49750-383	Gas Utilities	LIQUOR	23.78
10/16/2015	5945449-6.1015	E 101-42210-383	Gas Utilities	FIRE	141.18
10/16/2015	5963820-5.1015	E 101-45200-383	Gas Utilities	WARMING HOUSE	29.79
10/16/2015	6002544-2.1015	E 601-49440-383	Gas Utilities	PUBLIC WORKS	11.09
10/16/2015	6002544-2.1015	E 602-49490-383	Gas Utilities	PUBLIC WORKS	11.10
10/16/2015	6002548-3.1015	E 602-49490-383	Gas Utilities	WWTP	24.20
10/16/2015	6886465-1.1015	E 101-41940-383	Gas Utilities	CITY HALL	15.85
10/16/2015	6886468-1.1015	E 101-41940-383	Gas Utilities	CITY HALL	15.85
10/16/2015	6886472-7.1015	E 101-41940-383	Gas Utilities	CITY HALL	15.85
10/16/2015	6886475-0.1015	E 101-41940-383	Gas Utilities	CITY HALL	16.98
10/16/2015	7900331-5.1015	E 601-49440-383	Gas Utilities	WATER	390.73
10/16/2015	8964221-9.1015	E 602-49490-383	Gas Utilities	LIFT STATION	18.94
10/16/2015	9680285-5.1015	E 101-42110-383	Gas Utilities	POLICE/PW	170.92
10/16/2015	9680285-5.1015	E 101-43100-383	Gas Utilities	POLICE/PW	42.73
10/16/2015	9680285-5.1015	E 101-45200-383	Gas Utilities	POLICE/PW	42.73
10/16/2015	9680285-5.1015	E 601-49440-383	Gas Utilities	POLICE/PW	42.73
10/16/2015	9680285-5.1015	E 602-49490-383	Gas Utilities	POLICE/PW	42.73
10/16/2015	9878416-8.1015	E 101-42210-383	Gas Utilities	FIRE-GENERATOR	20.29
					<u>\$1,077.47</u>

**CITY EMPLOYEES UNION, LOCAL #3**

10/22/2015	102215	G 101-21707	Union Dues	NOVEMBER DUES	120.00
					<u>\$120.00</u>

**COCA COLA REFRESHMENTS**

10/13/2015	118337812	E 609-49751-254	Miscellaneous Merchandise	MISC	388.32
					<u>\$388.32</u>

**CONNEXUS ENERGY**

10/20/2015	298392.1015	E 101-43100-381	Electric Utilities	POLICE/PW	218.07
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10/20/2015	298392.1025	E 101-41940-381	Electric Utilities	SIGN	80.19
10/20/2015	298392.1025	E 101-41940-381	Electric Utilities	CITY HALL	303.05
10/20/2015	298392.1025	E 101-42110-381	Electric Utilities	POLICE/PW	872.30
10/20/2015	298392.1025	E 101-45200-381	Electric Utilities	POLICE/PW	218.07
10/20/2015	298392.1025	E 601-49440-381	Electric Utilities	POLICE/PW	218.07
10/20/2015	298392.1025	E 602-49490-381	Electric Utilities	POLICE/PW	218.07
10/20/2015	298393.1025	E 601-49440-381	Electric Utilities	LIFT STATIONS	6,893.23
10/20/2015	298394.1025	E 101-45200-381	Electric Utilities	PARKS	276.87
10/20/2015	298395.1025	E 601-49440-380	Electric-System	WATER	3,755.60
10/20/2015	298396.1025	E 101-43100-386	Street Lighting	STREET LIGHTS	3,420.94
10/20/2015	302965.1015	E 101-42110-381	Electric Utilities	SIREN	5.00
10/20/2015	302965.1015	E 101-42110-381	Electric Utilities	SIREN	5.00
10/20/2015	302965.1015	E 101-42210-381	Electric Utilities	FIRE STATION	422.18
10/20/2015	302965.1015	E 609-49750-381	Electric Utilities	LIQUOR	1,085.47
					<hr/>
					\$17,992.11

**CRYSTAL SPRINGS ICE**

10/13/2015	118382	E 609-49751-254	Miscellaneous Merchandise	MISC	110.38
10/20/2015	.001.B000636	E 609-49751-254	Miscellaneous Merchandise	MISC	96.14
					<hr/>
					\$206.52

**DAHLHEIMER DIST. CO. INC.**

10/21/2005	116622	E 609-49751-252	Beer For Resale	BEER	5,507.15
10/21/2005	116622	E 609-49751-254	Miscellaneous Merchandise	MISC	264.00
10/21/2005	116622	E 609-49751-256	Tobacco Products For Resale	TOBACCO	33.60
10/15/2014	116364	E 609-49751-252	Beer For Resale	BEER	5,882.05
10/15/2014	116364	E 609-49751-255	N/A Products	N/A	33.60
					<hr/>
					\$11,720.40

**DAY DISTRIBUTING CO.**

10/12/2015	824209	E 609-49751-252	Beer For Resale	BEER	2,308.40
10/12/2015	824209	E 609-49751-255	N/A Products	N/A	19.20
					<hr/>
					\$2,327.60

**DEHN OIL**

10/26/2015	38669	E 101-42110-212	Motor Fuels	DIESEL	352.80
10/26/2015	38669	E 101-43100-212	Motor Fuels	DIESEL	352.80
10/26/2015	38669	E 101-45200-212	Motor Fuels	DIESEL	352.80
10/26/2015	38669	E 601-49440-212	Motor Fuels	DIESEL	352.80
10/26/2015	38669	E 602-49490-212	Motor Fuels	DIESEL	352.80
					<hr/>
					\$1,764.00

**ECM PUBLISHERS, INC.**

10/09/2015	264862	E 416-43100-351	Legal Notices Publishing	KERRY ST HEARING	241.50
10/09/2015	264863	G 803-22137	Esc-TCO-Assited Living Facility	ASSISTED LIVING HEARING	43.00
					<hr/>
					\$284.50

**ELITE SANITATION**

10/15/2015	22836	E 101-45200-402	Janitorial Service	TOILET RENTAL	678.00
					<hr/>
					\$678.00

**G&K SERVICES, INC**

10/20/2005	1043313169	E 601-49440-402	Janitorial Service	RUGS	23.04
10/20/2015	1043313168	E 609-49750-219	Rug Maintenance	RUGS	11.23
10/20/2015	1043313170	E 101-41940-219	Rug Maintenance	RUGS	16.96
10/20/2015	1043313171	E 101-42110-402	Janitorial Service	RUGS	8.52
10/20/2015	1043313171	E 101-43100-402	Janitorial Service	RUGS	8.52
10/20/2015	1043313171	E 101-45200-402	Janitorial Service	RUGS	8.52
10/20/2015	1043313171	E 601-49440-402	Janitorial Service	RUGS	8.52
10/20/2015	1043313171	E 602-49490-402	Janitorial Service	RUGS	8.52
10/20/2015	1043313172	E 601-49440-417	Uniform Clothing & PPE	UNIFORMS	4.90
10/20/2015	1043313172	E 602-49490-417	Uniform Clothing & PPE	UNIFORMS	4.90
					<hr/>
					\$103.63

**GRANITE CITY JOBBING CO.**

10/20/2015	875262	E 609-49750-210	Operating Supplies	OPERATING	161.08
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10/20/2015	875262	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.25
10/20/2015	875262	E 609-49751-256	Tobacco Products For Resale	TOBACCO	977.27
10/20/2015	875262	G 101-20810	Sales Tax Payable	TAX	(0.88)
					\$1,141.72

**HENRY'S WATERWORKS, INC.**

10/15/2015	18109	E 601-49440-217	Other Operating Supplies	MARKING PAINT	74.39
					\$74.39

**ISD #15**

10/21/2015	2238	E 101-43100-221	Vehicle Repair & Maintenance	2010 FORD ESCAPE	57.04
10/21/2015	2238	E 101-43210-221	Vehicle Repair & Maintenance	2010 FORD ESCAPE	57.03
10/21/2015	2238	E 101-45200-221	Vehicle Repair & Maintenance	2010 FORD ESCAPE	57.04
10/21/2015	2238	E 601-49440-221	Vehicle Repair & Maintenance	2010 FORD ESCAPE	57.04
10/21/2015	2238	E 602-49490-221	Vehicle Repair & Maintenance	2010 FORD ESCAPE	57.04
10/22/2015	2239	E 101-42400-221	Vehicle Repair & Maintenance	2013 FORD ESCAPE	44.36
					\$329.55

**JJ TAYLOR DISTRIBUTING**

10/21/2015	2412213	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.00
10/21/2015	2412213	E 609-49751-252	Beer For Resale	BEER	444.25
					\$447.25

**JOHNSON BROS WHLSE LIQUOR**

10/09/2015	546464	E 609-49751-206	Freight and Fuel Charges	WINE	(12.16)
10/09/2015	546464	E 609-49751-253	Wine For Resale	WINE	(432.00)
10/14/2015	5280949	E 609-49751-206	Freight and Fuel Charges	FREIGHT	10.64
10/14/2015	5280949	E 609-49751-251	Liquor For Resale	LIQUOR	770.44
10/14/2015	5280950	E 609-49751-206	Freight and Fuel Charges	FREIGHT	21.28
10/14/2015	5280950	E 609-49751-253	Wine For Resale	WINE	692.05
10/15/2015	547358	E 609-49751-251	Liquor For Resale	LIQUOR	(5.38)
10/15/2015	547359	E 609-49751-253	Wine For Resale	WINE	(9.00)
10/15/2015	547360	E 609-49751-251	Liquor For Resale	LIQUOR	(125.36)
10/16/2015	547680	E 609-49751-206	Freight and Fuel Charges	FREIGHT	(1.52)
10/16/2015	547680	E 609-49751-251	Liquor For Resale	LIQUOR	(98.82)
10/16/2015	547681	E 609-49751-251	Liquor For Resale	LIQUOR	(4.17)
10/21/2015	5286227	E 609-49751-206	Freight and Fuel Charges	FREIGHT	58.02
10/21/2015	5286227	E 609-49751-251	Liquor For Resale	LIQUOR	3,831.07
10/21/2015	5286228	E 609-49751-206	Freight and Fuel Charges	FREIGHT	13.18
10/21/2015	5286228	E 609-49751-253	Wine For Resale	WINE	432.40
					\$5,140.67

**KIMS KLEANING**

09/21/2015	3508	E 101-42110-401	Repairs/Maint Buildings	PUBLIC WORKS	150.00
09/21/2015	3508	E 101-43100-401	Repairs/Maint Buildings	PUBLIC WORKS	150.00
09/21/2015	3508	E 101-45200-401	Repairs/Maint Buildings	PUBLIC WORKS	150.00
09/21/2015	3508	E 601-49440-401	Repairs/Maint Buildings	PUBLIC WORKS	150.00
09/21/2015	3508	E 602-49490-401	Repairs/Maint Buildings	PUBLIC WORKS	150.00
					\$750.00

**LAW ENFORCEMENT LABOR SVCS.**

10/22/2015	102215	G 101-21707	Union Dues	NOVEMBER DUES	329.00
					\$329.00

**LMC INSURANCE TRUST**

10/20/2015	304942	E 101-45200-360	Insurance	VOLUNTEER INSURANCE	361.00
					\$361.00

**MCDONALD DIST CO.**

10/19/2015	216705	E 609-49751-252	Beer For Resale	BEER	2,720.00
10/22/2015	218189	E 609-49751-252	Beer For Resale	BEER	9,746.30
10/22/2015	218189	E 609-49751-255	N/A Products	N/A	19.50
10/22/2015	219741	E 609-49751-252	Beer For Resale	BEER	33.40
					\$12,519.20

**MES-MIDAM**

10/06/2015	00675839	E 402-42210-550	C-O-L Motor Vehicles	NEW TRUCK	4,361.13
10/19/2015	00679272	E 101-42210-437	Uniform Allowance	PANTS	814.59
					\$5,175.72

**MY ALARM CENTER**

11/01/2015	6283803	E 609-49750-445	Security	LIQUOR STORE ALARM	1.45
					\$1.45

**NORTHERN SAFETY CO., INC.**

10/22/2015	901664972	E 101-43100-237	Small Equipment	SAFETY KIT	107.29
10/22/2015	901664972	E 101-43210-237	Small Equipment	SAFETY KIT	107.31
10/22/2015	901664972	E 101-45200-237	Small Equipment	SAFETY KIT	107.29
10/22/2015	901664972	E 601-49440-237	Small Equipment	SAFETY KIT	107.29
10/22/2015	901664972	E 602-49490-237	Small Equipment	SAFETY KIT	107.29
					\$536.47

**NORTHERN SAFETY TECHNOLOGY, IN**

08/28/2015	39540	E 101-42210-218	Equipment Repair & Maintenance	REPAIRS	110.29
					\$110.29

**PACE ANALYTICAL SERVICES**

10/15/2015	151256037	E 601-49440-313	Sample Testing	TESTING	270.00
					\$270.00

**PAUSTIS & SONS**

10/12/2015	8518953-IN	E 609-49751-206	Freight and Fuel Charges	FREIGHT	7.00
10/12/2015	8518953-IN	E 609-49751-253	Wine For Resale	WINE	502.00
					\$509.00

**PHILLIPS WINE & SPIRITS CO.**

10/09/2015	222993	E 609-49751-206	Freight and Fuel Charges	LIQUOR	(4.56)
10/09/2015	222993	E 609-49751-251	Liquor For Resale	LIQUOR	(230.25)
10/14/2015	2867132	E 609-49751-206	Freight and Fuel Charges	FREIGHT	13.68
10/14/2015	2867132	E 609-49751-251	Liquor For Resale	LIQUOR	851.04
10/14/2015	2867133	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.04
10/14/2015	2867133	E 609-49751-253	Wine For Resale	WINE	148.80
10/21/2015	2870658	E 609-49751-206	Freight and Fuel Charges	FREIGHT	31.92
10/21/2015	2870658	E 609-49751-251	Liquor For Resale	LIQUOR	2,308.64
10/21/2015	2870659	E 609-49751-206	Freight and Fuel Charges	FREIGHT	1.52
10/21/2015	2870659	E 609-49751-253	Wine For Resale	WINE	88.80
					\$3,212.63

**PLAYPOWER LT FARMINGTON, INC.**

10/09/2015	1400194938	E 101-45200-217	Other Operating Supplies	TOUCH UP PAINT	13.00
					\$13.00

**PRINTING UNLIMITED**

10/20/2015	7604	E 101-41400-200	Office Supplies	ENVELOPES, LETTERHEAD	192.60
					\$192.60

**ROSENBAUER MN LLC**

10/12/2015	66222-1	E 402-42210-550	C-O-L Motor Vehicles	NEW TRUCK	466.00
					\$466.00

**ROSEVILLE, CITY OF**

10/22/2015	0220782	E 101-41110-310	Computer Consulting Fees	IT SERVICES	244.78
10/22/2015	0220782	E 101-41400-310	Computer Consulting Fees	IT SERVICES	897.56
10/22/2015	0220782	E 101-42110-310	Computer Consulting Fees	IT SERVICES	1,101.55
10/22/2015	0220782	E 101-42210-310	Computer Consulting Fees	IT SERVICES	195.83
10/22/2015	0220782	E 101-42400-310	Computer Consulting Fees	IT SERVICES	40.84
10/22/2015	0220782	E 101-43100-310	Computer Consulting Fees	IT SERVICES	261.10
10/22/2015	0220782	E 101-45200-310	Computer Consulting Fees	IT SERVICES	342.70
10/22/2015	0220782	E 601-49440-310	Computer Consulting Fees	IT SERVICES	326.38
10/22/2015	0220782	E 602-49490-310	Computer Consulting Fees	IT SERVICES	326.38

10/22/2015	0220782	E 609-49750-310	Computer Consulting Fees	IT SERVICES	326.38
10/22/2015	0220821	E 101-41940-321	Telephone	PHONE	118.66
10/22/2015	0220821	E 101-42110-321	Telephone	PHONE	118.66
10/22/2015	0220821	E 101-42210-321	Telephone	PHONE	118.66
10/22/2015	0220821	E 101-43100-321	Telephone	PHONE	118.66
10/22/2015	0220821	E 101-45200-321	Telephone	PHONE	118.66
10/22/2015	0220821	E 601-49440-321	Telephone	PHONE	118.66
10/22/2015	0220821	E 602-49490-321	Telephone	PHONE	118.66
10/22/2015	0220821	E 609-49750-321	Telephone	PHONE	118.73
					\$5,012.85

**SOUTHERN WINE & SPIRITS OF MN**

10/15/2015	1337216	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.84
10/15/2015	1337216	E 609-49751-251	Liquor For Resale	LIQUOR	333.15
10/22/2015	1339636	E 609-49751-206	Freight and Fuel Charges	FREIGHT	7.68
10/22/2015	1339636	E 609-49751-251	Liquor For Resale	LIQUOR	652.60
10/22/2015	1339637	E 609-49751-206	Freight and Fuel Charges	FREIGHT	6.40
10/22/2015	1339637	E 609-49751-253	Wine For Resale	WINE	210.00
					\$1,213.67

**THE AMERICAN BOTTLING COMPANY**

10/15/2015	5449857406	E 609-49751-254	Miscellaneous Merchandise	MISC	76.40
					\$76.40

**VIKING CHILDRENS FUND**

E 609-49750-441	Miscellaneous	MONEY DONATED	108.00
			\$108.00

**VINOCOPIA, INC.**

10/16/2015	135438-IN	E 609-49751-206	Freight and Fuel Charges	FREIGHT	30.00
10/16/2015	135438-IN	E 609-49751-251	Liquor For Resale	LIQUOR	945.00
					\$975.00

**WIRTZ BEVERAGE MN**

10/15/2015	1080385827	E 609-49751-206	Freight and Fuel Charges	FREIGHT	10.87
10/15/2015	1080385827	E 609-49751-251	Liquor For Resale	LIQUOR	922.22
10/15/2015	1080385827	E 609-49751-253	Wine For Resale	WINE	344.00
10/22/2015	1080388531	E 609-49751-206	Freight and Fuel Charges	FREIGHT	14.98
10/22/2015	1080388531	E 609-49751-251	Liquor For Resale	LIQUOR	1,418.79
10/22/2015	1080388531	E 609-49751-253	Wine For Resale	WINE	168.00
					\$2,878.86

\$134,026.87

FUND SUMMARY

101 GENERAL FUND	\$20,921.16
402 CAPITAL EQUIPMENT	\$4,827.13
416 2015-KERRY & 232ND	\$241.50
601 WATER FUND	\$12,804.47
602 SEWER FUND	\$48,415.51
609 MUNICIPAL LIQUOR FUND	\$46,774.10
803 ESCROW	\$43.00
Total	134,026.87

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

**RESOLUTION 2015-60**

**A RESOLUTION AUTHORIZING AND DIRECTING  
CERTIFICATION OF MUNICIPAL UTILITY SERVICES, MAINTENANCE OF  
PRIVATE PROPERTY, ADMINISTRATIVE CIVIL NOTICE FEES, AND REPAIR OF  
LEAKS AS A LIEN UPON PREMISES**

WHEREAS, the City of St. Francis Code Section 3-1-4: H provides as follows:

3-1-4: RULES AND REGULATIONS RELATING TO MUNICIPAL UTILITIES:

H. Municipal Utility Services and Charges a Lien:

1. Payment for all municipal utility (as that term is defined in City Code, Section 3.01) service and charges shall be the primary responsibility of the owner of the premises served and shall be billed to him unless otherwise contracted for and authorized in writing by the owner and the tenant, as agent for the owner, and consented to by the City of St. Francis, Minnesota. The City may collect the same in a civil action or, in the alternative and at the option of the City, as otherwise provided in this Subdivision.

2. Each such account is hereby made a lien upon the premises served. All such accounts which are more than thirty (30) days past due may, when authorized by resolution of the Council, be certified by the City Clerk of the City of St. Francis, Minnesota, to the County Auditor, and the City Clerk\ in so certifying shall specify the amount thereof, the description of the premises served, and the name of the owner thereof. The amount so certified shall be extended by the Auditor on the tax rolls against such premises in the same manner as other taxes, and collected by the County Treasurer, and paid to the City along with other taxes.

and

WHEREAS, the City of St. Francis Code Section 8-2-3: A and B provides as follows:

8-2-3: MAINTENANCE OF PRIVATE PROPERTY:

A. It is the primary responsibility of any owner or occupant of any lot or parcel of land to maintain any weeds or grass growing thereon at a height of not more than six inches; to remove all public health or safety hazards there from; to install or repair water service lines thereon; and to treat or remove insect-infested or diseased trees thereon.

B. If any such owner or occupant fails to assume the primary responsibility described in Subdivision of this Section, and after notice given by the City Clerk has not within seven days of such notice complied, the City may cause such work to be done and the expense thus incurred shall be a lien upon such real estate. The City Clerk shall certify to the County Auditor of Anoka County a Statement of the Amount of the cost incurred by the City. Such amount together with the interest shall be entered as a special assessment against such lot or parcel of land and be collected in the same manner as real estate taxes.

and

WHEREAS, THE City of St. Francis Code Section 2-11-3: E. 3(a)

2-11-3: ADMINISTRATIVE ENFORCEMENT OF CODE REGULATIONS-  
PROCEDURE

E. PAYMENT AND PENALTY:

3. No Payment of Penalty and No Correction of Violation. If the owner fails to pay the administrative civil penalty but fails to correct the City Code violation, the City may do any of the following, or any combination thereof:

a. Assess the administrative civil penalty against the property pursuant to Minnesota Statutes Chapter 429.

and

WHEREAS, the following accounts are more than thirty (30) days past due:

<u>Parcel Number</u>	<u>Property Address</u>	<u>Amount Owed</u>
See Exhibit A - Section 3-1-4	Delinquent Utility Bills	One Year Assessment
See Exhibit B - Section 8-2-3	Delinquent Misc. Invoices	One Year Assessment
See Exhibit C - Section 2-11-3	Delinquent Administrative Civil Penalty	One Year Assessment

NOW, THEREFORE, BE IT RESOLVED by the City of St. Francis that the City Clerk of the City of St. Francis certify to the County Auditor of the County of Anoka, State of Minnesota, the amounts thereof, the description of the premises served and the name of the owner thereof.

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

and the following voted against the same:

and the following abstained:

and the following were absent:

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 2<sup>nd</sup> DAY OF NOVEMBER, 2015.

APPROVED:

ATTEST:

\_\_\_\_\_  
Steve Kane, Mayor

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

Attachments:  
Exhibits A, B & C

## 2015 Utility Bills (Fund #84896)

## Exhibit A

PID	Property Address 1	Amount	10%	Total
05-33-24-24-0009	3704 225TH LN NW	57.01	5.70	62.71
05-33-24-23-0006	3840 225TH LN NW	267.21	26.72	293.93
05-33-24-23-0002	3908 225TH LN NW	328.48	32.85	361.33
05-33-24-24-0047	3748 226TH AVE NW	62.63	6.26	68.89
05-33-24-24-0052	3749 226TH AVE NW	626.90	62.69	689.59
32-34-24-31-0013	23223 AMBASSADOR BLVD NW	644.39	64.44	708.83
32-34-24-31-0009	23255 AMBASSADOR BLVD NW	361.03	36.10	397.13
05-33-24-23-0043	3782 227TH CT NW	25.59	2.56	28.15
33-34-24-31-0083	2808 231ST LN NW	60.91	6.09	67.00
32-34-24-23-0008	23390 AMBASSADOR BLVD NW	366.20	36.62	402.82
31-34-24-41-0099	4102 231ST LN NW	661.69	66.17	727.86
33-34-24-42-0072	23129 ARROWHEAD ST NW	36.74	3.67	40.41
31-34-24-34-0021	4508 229TH LN NW	34.17	3.42	37.59
33-34-24-43-0169	23030 BITTERSWEET ST NW	262.20	26.22	288.42
33-34-24-42-0032	2759 232ND LN NW	386.88	38.69	425.57
31-34-24-31-0014	4524 231ST AVE NW	255.08	25.51	280.59
33-34-24-42-0031	2743 232ND LN	484.38	48.44	532.82
31-34-24-11-0039	23633 DAKOTAH ST NW	388.68	38.87	427.55
31-34-24-11-0040	23643 DAKOTAH ST NW	286.04	28.60	314.64
31-34-24-11-0047	23645 ELDORADO ST NW	369.42	36.94	406.36
31-34-24-11-0018	4103 DEGARDNER CIR NW	10.88	1.09	11.97
31-34-24-11-0009	4128 DEGARDNER CIR NW	115.72	11.57	127.29
33-34-24-23-0047	23297 IVYWOOD ST NW	165.99	16.60	182.59
31-34-24-42-0012	23144 GUARANI ST NW	426.88	42.69	469.57
31-34-24-43-0026	23035 JIVARO ST NW	346.16	34.62	380.78
31-34-24-43-0044	23066 JIVARO ST NW	69.88	6.99	76.87
33-34-24-33-0014	23085 IVYWOOD ST NW	548.16	54.82	602.98
31-34-24-42-0032	23142 JIVARO ST NW	89.36	8.94	98.30
31-34-24-42-0020	23153 JIVARO ST NW	403.95	40.40	444.35
33-34-24-23-0043	23322 JONQUIL ST	436.08	43.61	479.69
33-34-24-23-0048	23295 IVYWOOD ST	137.51	13.75	151.26
33-34-24-33-0053	23090 KERRY ST NW	549.36	54.94	604.30
31-34-24-34-0088	22953 MAKAH ST NW	254.66	25.47	280.13
33-34-24-32-0039	23270 KERRY ST NW	475.54	47.55	523.09
31-34-24-34-0046	23036 MAKAH ST NW	299.14	29.91	329.05
31-34-24-34-0051	23069 NAVAJO ST NW	325.41	32.54	357.95
31-34-24-34-0050	23081 NAVAJO ST NW	133.98	13.40	147.38
31-34-24-31-0017	23135 NAVAJO ST NW	35.32	3.53	38.85
31-34-24-31-0004	23142 NAVAJO ST	825.09	82.51	907.60
32-34-24-31-0028	23284 WOODBINE ST NW	248.44	24.84	273.28
32-34-24-24-0016	23323 WOODBINE ST NW	122.49	12.25	134.74
05-33-24-24-0106	22645 VINTAGE ST NW	1,043.44	104.34	1,147.78
32-34-24-32-0036	23242 YUCCA ST NW	426.72	42.67	469.39
05-33-24-23-0027	22552 ZEA ST NW	467.46	46.75	514.21
32-34-24-23-0015	23391 YUCCA ST NW	284.05	28.41	312.46
33-34-24-21-0114	2840 235TH AVE NW	34.09	3.41	37.50
33-34-24-21-0096	2834 236TH CT	574.79	57.48	632.27
33-34-24-24-0033	23453 EIDELWEISS ST NW	736.69	73.67	810.36
33-34-24-12-0036	23581 BITTERSWEET ST NW	449.18	44.92	494.10
33-34-24-13-0044	23423 CROCUS ST NW	609.19	60.92	670.11
33-34-24-21-0103	23617 EIDELWEISS ST	510.24	51.02	561.26

33-34-24-21-0106	23649 EIDELWEISS ST NW	267.17	26.72	293.89
05-33-24-23-0047	3838 227TH AVE NW	222.41	22.24	244.65
33-34-24-24-0024	2819 234TH LN NW	666.05	66.61	732.66
33-34-24-24-0034	2834 234TH LN	705.14	70.51	775.65
33-34-24-24-0018	2880 234TH LN	104.39	10.44	114.83
32-34-24-24-0025	3717 234TH AVE NW	100.41	10.04	110.45
31-34-24-34-0035	23058 NAVAJO ST	345.76	34.58	380.34
32-34-24-43-0024	22926 POPPY ST NW	771.28	77.13	848.41
31-34-24-34-0091	22991 MAKAH ST NW	839.31	83.93	923.24
33-34-24-43-0192	2753 230TH LN NW	320.01	32.00	352.01
32-34-24-24-0006	23267 AMBASSADOR BLVD NW	225.43	22.54	247.97
31-34-24-41-0008	4185 232ND AVE NW	219.88	21.99	241.87
33-34-24-32-0048	23186 KERRY ST NW	57.77	5.78	63.55
31-34-24-41-0095	23131 DAKOTAH ST NW	129.86	12.99	142.85
33-34-24-31-0036	2868 233RD LN	189.41	18.94	208.35
33-34-24-43-0221	2653 230TH CT NW	191.36	19.14	210.50
31-34-24-42-0013	23130 GAURANI ST	253.95	25.40	279.35
31-34-24-42-0021	23165 JIVARO ST NW	628.32	62.83	691.15
31-34-24-31-0043	23241 LIPAN ST NW	86.60	8.66	95.26
33-34-24-23-0030	3050 234TH LN NW	352.13	35.21	387.34
33-34-24-13-0011	23381 ARROWHEAD ST NW	266.72	26.67	293.39
06-33-24-11-0029	4170 228TH AVE NW	3,545.46	354.55	3,900.01
33-34-24-21-0065	23628 EIDELWEISS ST NW	685.33	68.53	753.86
33-34-24-42-0073	23117 ARROWHEAD ST NW	626.70	62.67	689.37
06-33-24-11-0043	22804 ELDORADO ST NW	21.59	2.16	23.75
05-33-24-23-0050	3812 227TH AVE NW	290.26	29.03	319.29
33-34-24-23-0010	23345 IVYWOOD ST NW	117.85	11.79	129.64
	3410 BRIDGE ST NW	32.75	3.28	36.03
33-34-24-32-0050	23291 IVYWOOD ST NW	314.42	31.44	345.86
05-33-24-12-0046	22792 POPPY ST	312.49	31.25	343.74
05-33-24-24-0087	3763 227TH CT NW	25.49	2.55	28.04
33-34-24-31-0095	2851 233RD LN NW	392.28	39.23	431.51
31-34-24-34-0034	23068 NAVAJO ST NW	228.84	22.88	251.72
32-34-24-23-0020	23311 YUCCA ST NW	671.28	67.13	738.41
32-34-24-23-0013	3815 233RD AVE NW	146.63	14.66	161.29
32-34-24-34-0033	3765 BRIDGE ST NW	54.44	5.44	59.88
31-34-24-34-0007	23021 KIOWA ST NW	284.02	28.40	312.42
31-34-24-34-0096	4447 231ST AVE NW	268.03	26.80	294.83
32-34-24-11-0038	3276 235TH LN NW	94.64	9.46	104.10
33-34-24-42-0042	23179 ARROWHEAD ST NW	34.50	3.45	37.95
05-33-24-13-0014	22543 TULIP ST NW	226.96	22.70	249.66
33-34-24-31-0010	23200 GLADIOLA ST NW	289.36	28.94	318.30
33-34-24-24-0019	2875 234TH LN NW	341.94	34.19	376.13
32-34-24-22-0013	23601 AMBASSADOR BLVD NW	77.58	7.76	85.34
31-34-24-31-0045	23150 LIPAN ST NW	360.10	36.01	396.11
05-33-24-23-0042	3780 227TH CT NW	1,042.21	104.22	1,146.43
32-34-24-43-0023	22920 POPPY ST NW	65.48	6.55	72.03
31-34-24-11-0053	23606 ST FRANCIS BLVD NW	482.06	48.21	530.27
33-34-24-44-0008	2587 230TH CT NW	50.09	5.01	55.10
05-33-24-24-0041	3700 226TH AVE NW	33.99	3.40	37.39
05-33-24-12-0039	3448 228TH AVE NW	187.00	18.70	205.70
33-34-24-24-0017	2892 234TH LN NW	496.62	49.66	546.28
05-33-24-24-0010	3662 225TH LN NW	176.40	17.64	194.04
32-34-24-31-0017	23105 AMBASSADOR BLVD NW	30.82	3.08	33.90
31-34-24-34-0047	4502 230TH LN	285.18	28.52	313.70

32-34-24-24-0027	3703 234TH AVE NW	327.90	32.79	360.69
33-34-24-32-0056	3060 232ND AVE	80.93	8.09	89.02
33-34-24-31-0082	2963 233RD LN NW	424.40	42.44	466.84
33-34-24-21-0075	2845 237TH AVE NW	79.78	7.98	87.76
33-34-24-43-0065	2737 230TH CT NW	384.44	38.44	422.88
33-34-24-42-0061	23332 ARROWHEAD ST NW	62.49	6.25	68.74
31-34-24-31-0044	23257 LIPAN ST NW	143.98	14.40	158.38
32-34-24-34-0018	22950 WOODBINE ST NW	680.54	68.05	748.59
31-34-24-41-0091	23157 DAKOTAH ST NW	502.67	50.27	552.94
31-34-24-41-0073	23176 DAKOTAH ST NW	10.56	1.06	11.62
33-34-24-23-0024	23335 JONQUIL ST NW	165.04	16.50	181.54
33-34-24-13-0031	23414 ARROWHEAD ST NW	128.90	12.89	141.79
32-34-24-11-0011	3358 235TH AVE NW	229.84	22.98	252.82
33-34-24-43-0060	2727 230TH CT NW	952.09	95.21	1,047.30
33-34-24-21-0052	2882 235TH AVE	413.70	41.37	455.07
32-34-24-23-0022	23308 YUCCA ST NW	23.24	2.32	25.56
31-34-24-41-0083	23145 ELDORADO ST NW	338.31	33.83	372.14
05-33-24-24-0087	3763 227TH CT NW	399.00	39.90	438.90
32-34-24-43-0013	3414 BRIDGE ST NW	32.74	3.27	36.01
31-34-24-11-0018	4103 DEGARDNER CIR NW	595.05	59.51	654.56
32-34-24-23-0022	23308 YUCCA ST NW	256.83	25.68	282.51
05-33-24-23-0012	3835 225TH LN NW	49.00	4.90	53.90
05-33-24-24-0009	3704 225TH LN NW	363.70	36.37	400.07
33-34-24-31-0030	2813 232ND LN NW	56.23	5.62	61.85
05-33-24-23-0004	3856 225TH LN NW	327.89	32.79	360.68
33-34-24-32-0017	23129 KERRY ST NW	274.64	27.46	302.10
31-34-24-41-0077	23148 DAKOTAH ST NW	22.52	2.25	24.77
31-34-24-31-0062	4560 232ND LN NW	921.90	92.19	1,014.09
31-34-24-43-0027	23047 JIVARO ST NW	420.68	42.07	462.75
31-34-24-41-0077	23148 DAKOTAH ST NW	477.08	47.71	524.79
32-34-24-34-0020	3709 229TH LN NW	29.46	2.95	32.41
33-34-24-43-0225	2637 230TH CT NW	240.31	24.03	264.34
33-34-24-21-0122	2811 235TH AVE NW	32.57	3.26	35.83
33-34-24-31-0028	2873 233RD LN NW	409.10	40.91	450.01
05-33-24-21-0008	22901 RUM RIVER BLVD NW	368.25	36.83	405.08
31-34-24-11-0030	23696 ELDORADO ST NW	172.84	17.28	190.12
33-34-24-42-0042	23179 ARROWHEAD ST NW	268.13	26.81	294.94
05-33-24-24-0009	3704 225TH LN NW	245.31	24.53	269.84
33-34-24-31-0085	2832 231ST LN NW	144.53	14.45	158.98
32-34-24-22-0009	23647 AMBASSADOR BLVD NW	105.11	10.51	115.62

2015 Curb Stop Repair ( Fund #84898)

Exhibit B

Parcel ID	Address	Amount	10% or \$75 Max	Total
31-34-24-31-0044	23257 Lipan Street NW	\$ 1,575.00	\$ 75.00	\$ 1,650.00
<b>Total</b>		<b>\$ 1,575.00</b>	<b>\$ 75.00</b>	<b>\$ 1,650.00</b>

2015 Administrative Notice Fees (Fund #84897)

Exhibit C

Tax ID	Address	Amount	10% or \$75	Total
32-34-24-22-0012	23611 Ambassador Blvd	\$ 7,850.00	\$ 75.00	\$ 7,925.00
32-34-24-23-0013	3815 233rd Avenue	\$ 1,875.00	\$ 75.00	\$ 1,950.00
32-34-24-31-0010	23247 Ambassador Blvd	\$ 875.00	\$ 75.00	\$ 950.00
33-34-24-42-0047	Lot 6 Block 4 Turtle Run 5	\$ 175.00	\$ 17.50	\$ 192.50
05-33-24-21-0016	22835 Rum River Blvd	\$ 675.00	\$ 75.00	\$ 750.00
28-34-24-42-0002	24069 Rum River Blvd	\$ 2,075.00	\$ 75.00	\$ 2,150.00
32-34-24-31-0034	3690 232nd Avenue	\$ 175.00	\$ 17.50	\$ 192.50
31-34-24-11-0035	4140 236th Lane NW	\$ 175.00	\$ 17.50	\$ 192.50
33-34-24-33-0033	3061 230th Lane NW	\$ 275.00	\$ 27.50	\$ 302.50
				\$ -
<b>Total</b>		<b>\$ 14,150.00</b>	<b>\$ 455.00</b>	<b>\$ 14,605.00</b>



## PLANNING REPORT

TO: St. Francis City Council

FROM: Nate Sparks

DATE: October 29, 2015

RE: PUD Amendment & Site Plan Review – St. Francis Transitional Care Facility

### BACKGROUND

Able Companies, Inc. has submitted an application for a planned unit development amendment and building and site plan review for a transitional care and assisted living facility. The property is located at an unaddressed parcel on the north side of 229<sup>th</sup> Avenue NW in the 2900 block. The site is between the golf course clubhouse and the American Legion.

The applicant seeks to build a three story facility with up to 40 assisted living, 34 memory care, and 15 transitional care units. Transitional care units are typically temporary lodging for patients before and after hospital stays. The facility will employ about 50-75 people.

### ISSUES ANALYSIS

**Comprehensive Plan / Zoning.** In the Comprehensive Plan, the site is guided for a commercial land use.

The subject site is zoned PUD, Planned Unit Development. In 2002, the City approved a plat for this property that was part of a planned unit development for a mixed use development surrounding the golf course. The plan identified this parcel as being for a commercial use that would defer to the B-2, General Business District standards. Within the B-2 District hospitals and nursing homes are an allowed use. Therefore, the proposed facility fits within the required parameters of the approved PUD and is consistent with the zoning requirements.

**Lot Area and Setbacks.** The subject site is approximately 4.38 acres in area and has a lot width of nearly 500 feet. The following table illustrates that the proposed building will meet the required setbacks:

	Required	Proposed	Compliant
Front Yard (south)	50 feet	55 feet	Yes
Side Yard (west)	10 feet	60 feet	Yes
Side Yard (east)	10 feet	57 feet	Yes
Rear Yard	50 feet	105 feet	Yes

**Maximum Site Coverage.** Within the B-2 district, the total impervious surface is limited to 80%. The total lot area is 4.38 acres. The proposed building footprint is 23,000 square feet with a parking lot surface area surrounding 3 sides of the building. From initial calculations, the site appears to be approximately 40% impervious surfaces.

**Maximum Building Height.** The maximum building height in the B-2 district is 40 feet. The proposed building has a height slightly over 41 feet. The Planning Commission found the building height to be acceptable.

**Building Type and Design.** The site plan shows the exterior of the building to be finished with manufactured cultured stone and horizontal wood lap siding. In the B-2 district, the requirement is for 100% of the front of the building to be brick, stone, glass, stucco, or similar materials. The applicant is proposing a building that has a semi-residential feel. The stone comprises about 17% of the front façade. The plan also shows the roof to be finished with asphalt shingles. The Planning Commission found the building elevations to be acceptable.

**Individual Units.** Within the building, the individual units are about 300-400 square feet in area, depending upon type. The applicant is seeking approval for up to 89 units but is proposing a range of 79-89.

**Lighting.** A lighting plan has been submitted per Section 10-16-8 of the St. Francis Zoning Ordinance. The light plan includes pole mounted fixtures around the perimeter of the parking lot and parking lot entrance; decorative pole mounted fixtures at the front entrance of the building; and wall mounted fixtures around the entire building. The rear of the property will contain no lighting. The measurement around the property lines vary from 0.0 to 0.1 foot candles.

The lighting fixtures around the parking lot are full cutoff pole mounted fixtures, this meets code for this type of lighting. The fixtures also appear to meet the required setbacks of ten feet from a right-of-way and five feet from an interior property line.

The lighting plan does not indicate the height of the light poles around the parking lot. City Ordinances limit the height of the poles at 25 feet.

**Trash Enclosure.** The site plan does not show an outdoor trash enclosure. If trash is intended to be stored outside, a properly screened trash enclosure will be required per Section 10-16-14 of the Zoning Ordinance.

**Parking.** By code, an assisted living facility is required to have ½ parking stalls per unit. The site plan shows 89 units between memory care, transitional care, and assisted living. Therefore, 45 parking spaces are required for this project. The site plan shows 51 parking stalls which meets code. The plan also shows 8 disability parking stalls which meets relevant requirements.

The parking lot design is properly dimensioned with 9 foot by 19 foot parking stalls. The parking lot will be paved and have concrete perimeter curbing. Setbacks for the parking areas are being met. The drive aisles vary in width. All two-way traffic aisles shall be adjusted to be a minimum of 24 feet.

**Site Access.** As part of the original PUD, this property and the golf course clubhouse share an access point to 229<sup>th</sup> Ave. The applicant has provided evidence of an easement that allows for access through the clubhouse parking lot. The PUD also permitted shared parking, which the applicant is not proposing to use, at this time.

The County has stated that turn lanes will be needed in this location. However, this project is not currently designed, scheduled, or funded. The City may wish to engage the County in discussions on future improvements in this location in order to ensure there is safe access to the site.

**Landscaping and Tree Preservation.** In Section 10-20-4 of the St. Francis Zoning Ordinance, it is required that a site provide 1 caliper inch of tree for every 320 gross square feet of building. The applicant is preserving 66 inches of trees on site, which may count towards this requirement. The gross square footage of the building is 64,000, which would require 200 caliper inches of trees. Therefore, 134 additional inches of trees are required to be provided. 53 trees are being proposed which would account for 106 of the required inches. The applicant is also proposing a few tall shrubs. If the specification of these were to be changed slightly, this may satisfy the requirement. Otherwise additional trees will need to be supplied.

**Grading Plan.** The applicant has submitted a grading and drainage plan that directs hard surface stormwater to a holding pond on the rear of the property. The City Engineer has provided comments on the grading plan.

**Fire Safety.** The Fire Chief has provided comments to the applicant regarding fire access and safety. The applicant has provided an additional hydrant and access to the rear of the building for this purpose.

#### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission recommended considered the request at their October meeting. They found that the flexibilities being requested to allow for a more residential/institutional style of architecture than that of a typical commercial building with a flat roof and block style construction were acceptable and met the City's PUD requirements. The Planning Commission recommended approval of the request with the following conditions:

1. All comments from the City Engineer, Fire Chief, City Attorney, Anoka County, and other relevant departments or agencies shall be addressed.
2. The landscaping plan shall be revised for review and approval of the City Staff.
3. All drive aisles shall be 24 feet in width.
4. A final plan set depicting all conditions of approval shall be submitted.
5. The applicant shall enter into a development agreement and post required securities prior to issuance of any building permits.

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

**RESOLUTION 2015-61**

**A RESOLUTION APPROVING A PLANNED UNIT DEVELOPMENT AMENDMENT &  
SITE & BUILDING PLAN REVIEW FOR THE ST. FRANCIS TRANSITIONAL CARE  
FACILITY**

WHEREAS, Able Companies, Inc. (“the Applicant”) has made an application for a planned unit development amendment and site plan review for a property in the City of St. Francis (“the City”) legally described as:

All that part of Lot 1, Block 1, Clubhouse at Ponds Golf Course, Anoka County, Minnesota, lying Westerly, Northwesterly and Southwesterly of the following described line:

Commencing at the Southeast corner of said Lot 1; thence South 89 degrees 36 minutes 47 second West, assumed bearing, along the South line of said Lot 1, a distance of 63.38 feet to the point of beginning of the line to be described; thence North 03 degrees 58 minutes 30 seconds West, 67.57 feet; thence North 57 degrees 51 minutes 11 seconds West, 131.18 feet; thence North 25 degrees 59 minutes 38 seconds West, 167.67 feet to the Northwesterly line of said Lot 1 and said line there terminating.

WHEREAS, the Applicant is seeking to place a transitional care, memory care, and assisted living facility on the Property with up to 89 units; and

WHEREAS, the property is zoned PUD, Planned Unit Development with an underlying zoning of B2, General Commercial; and

WHEREAS, the proposed use is a permitted within the B-2 District; and

WHEREAS, the applicant is seeking to build a facility that is approximately 41 feet tall and meeting the City’s multi-family residential buildings standards; and

WHEREAS, the St. Francis Planning Commission held a public hearing during on October 21, 2015 and recommended approval of the request; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of St. Francis hereby finds that the PUD amendment and site & building plan are generally consistent with the standards found within the City’s Zoning Ordinance; and

BE IT FURTHER RESOLVED that the City of St. Francis hereby approves the planned unit development amendment and site plan with the following conditions:

1. All comments from the City Engineer, Fire Chief, City Attorney, Anoka County, and other relevant departments or agencies shall be addressed.
2. The landscaping plan shall be revised for review and approval of City Staff.
3. All drive aisles shall be a minimum 24 feet in width.
4. A final plan set depicting all conditions of approval shall be submitted.
5. All construction shall adhere to the standards of the City's Zoning Ordinance unless otherwise specified within this approval and shall be consistent with the final set of approved plans.
6. The applicant shall enter into a development agreement that may be modified by the City Attorney and post required securities prior to issuance of any building permits.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 2<sup>ND</sup> DAY OF NOVEMBER, 2015.

APPROVED

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Steve Kane  
Mayor of St. Francis

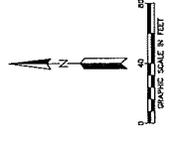
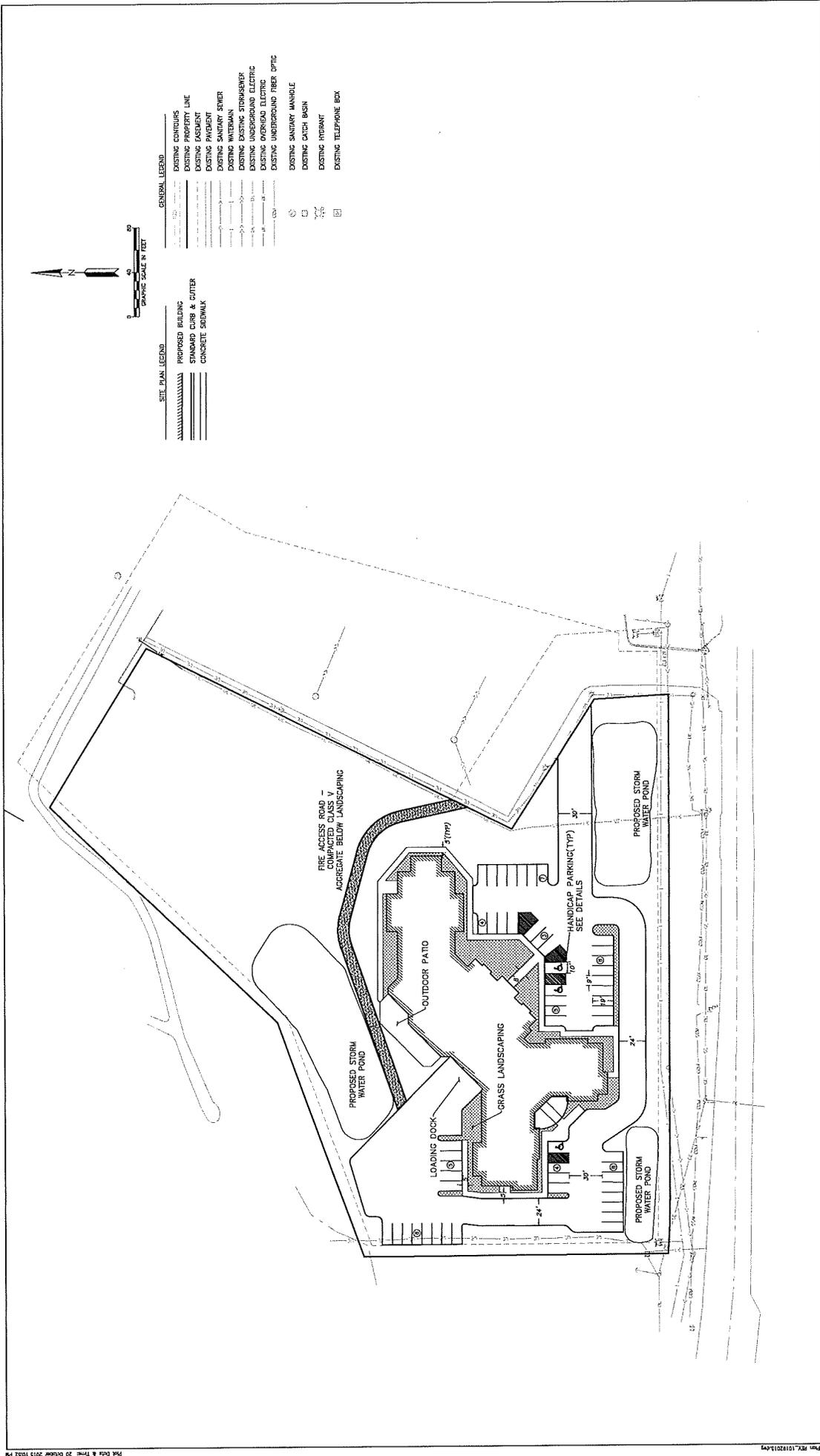
Attest:

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Barbara I. Held  
City Clerk

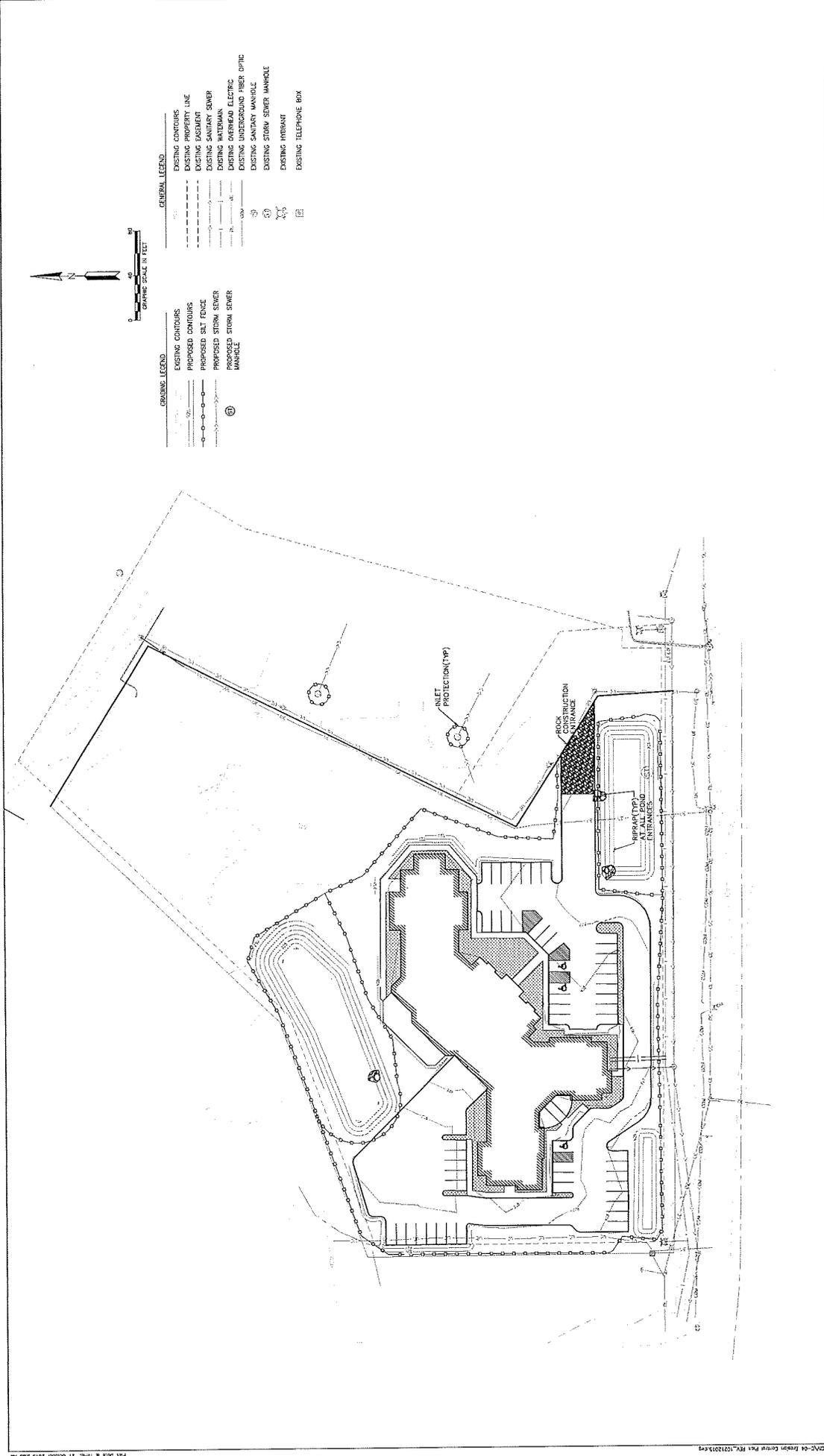
Attached:  
Applicant's Plan Set  
City Engineer's Letter



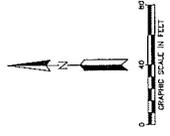


- SITE PLAN LEGEND**
- PROPOSED BUILDING
  - STANDARD CURB & GUTTER
  - CONCRETE SIDEWALK
- GENERAL LEGEND**
- EXISTING CONTOURS
  - EXISTING PROPERTY LINE
  - EXISTING EASEMENT
  - EXISTING PAVEMENT
  - EXISTING SANITARY SEWER
  - EXISTING WATERMAIN
  - EXISTING EXISTING STORMSEWER
  - EXISTING UNDERGROUND ELECTRIC
  - EXISTING UNDERGROUND ELECTRIC
  - EXISTING UNDERGROUND FIBER OPTIC
  - EXISTING SANITARY MANHOLE
  - EXISTING CATCH BASIN
  - EXISTING INVERT
  - EXISTING TELEPHONE BOX

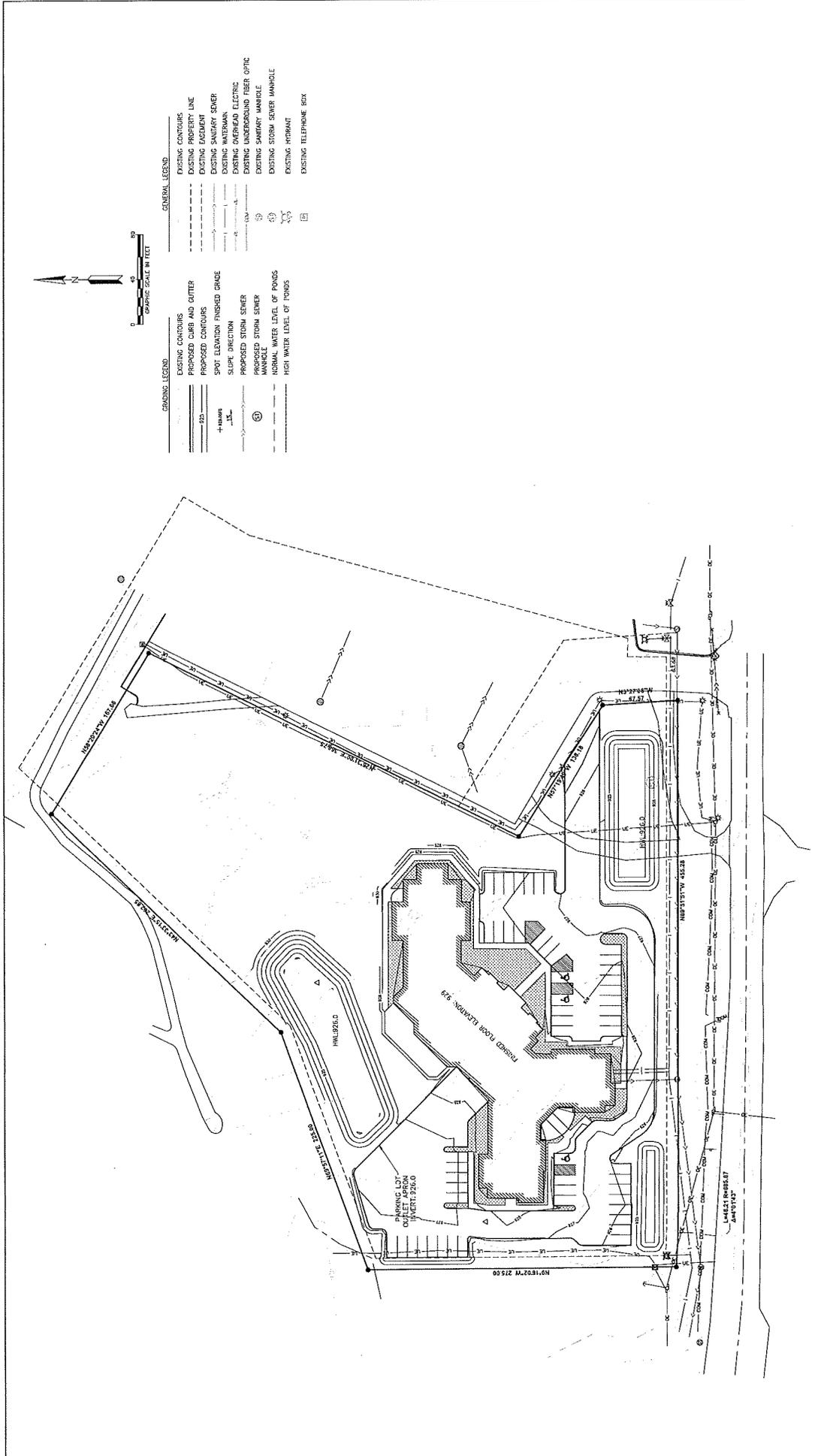
<p>PRIME CONSULTANT</p> <p><b>WENCK ASSOCIATES</b></p> <p>Responsive partner. Exceptional outcomes.</p> <p>1802 WOODDALE DRIVE ROCKFORD, IL 61103</p> <p>(815) 391-4389 (815) 333-1259</p>		<p>SUB CONSULTANT</p> <p>NOT FOR CONSTRUCTION</p>		<p>PROJECT TITLE</p> <p>ST. FRANCIS TRANSITIONAL CARE CIVIL SITE DESIGN</p>		<p>SHEET TITLE</p> <p>SITE PLAN</p>	
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<p>PERSON DESCRIPTION</p> <p>REV</p>		<p>PERSON DESCRIPTION</p> <p>REV</p>		<p>DATE</p> <p>REV</p>		<p>DATE</p> <p>REV</p>	
<p>B. CUP SUBMITTAL REVISION</p> <p>DATE: 10/21/15</p>		<p>DATE: 10/21/15</p>		<p>DATE: 10/21/15</p>		<p>DATE: 10/21/15</p>	
<p>A. CUP SUBMITTAL</p> <p>DATE: 9/29/15</p>		<p>DATE: 9/29/15</p>		<p>DATE: 9/29/15</p>		<p>DATE: 9/29/15</p>	
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<p>PROJECT NO.</p> <p>5802-0001</p>		<p>PROJECT NO.</p> <p>5802-0001</p>		<p>PROJECT NO.</p> <p>5802-0001</p>		<p>PROJECT NO.</p> <p>5802-0001</p>	
<p>SCALE</p> <p>C-03</p>		<p>SCALE</p> <p>C-03</p>		<p>SCALE</p> <p>C-03</p>		<p>SCALE</p> <p>C-03</p>	
<p>DATE</p> <p>SEP 28, 2015</p>		<p>DATE</p> <p>SEP 28, 2015</p>		<p>DATE</p> <p>SEP 28, 2015</p>		<p>DATE</p> <p>SEP 28, 2015</p>	
<p>PROJECT NO.</p> <p>5802-0001</p>		<p>PROJECT NO.</p> <p>5802-0001</p>		<p>PROJECT NO.</p> <p>5802-0001</p>		<p>PROJECT NO.</p> <p>5802-0001</p>	
<p>SCALE</p> <p>C-03</p>		<p>SCALE</p> <p>C-03</p>		<p>SCALE</p> <p>C-03</p>		<p>SCALE</p> <p>C-03</p>	
<p>DATE</p> <p>SEP 28, 2015</p>		<p>DATE</p> <p>SEP 28, 2015</p>		<p>DATE</p> <p>SEP 28, 2015</p>		<p>DATE</p> <p>SEP 28, 2015</p>	
<p>PROJECT NO.</p> <p>5802-0001</p>		<p>PROJECT NO.</p> <p>5802-0001</p>		<p>PROJECT NO.</p> <p>5802-0001</p>		<p>PROJECT NO.</p> <p>5802-0001</p>	
<p>SCALE</p> <p>C-03</p>		<p>SCALE</p> <p>C-03</p>		<p>SCALE</p> <p>C-03</p>		<p>SCALE</p> <p>C-03</p>	
<p>DATE</p> <p>SEP 28, 2015</p>		<p>DATE</p> <p>SEP 28, 2015</p>		<p>DATE</p> <p>SEP 28, 2015</p>		<p>DATE</p> <p>SEP 28, 2015</p>	
<p>PROJECT NO.</p> <p>5802-0001</p>		<p>PROJECT NO</p>					



- GENERAL LEGEND**
- EXISTING CONTOURS
  - EXISTING PROPERTY LINE
  - EXISTING EASEMENT
  - EXISTING SANITARY SEWER
  - EXISTING WATERMAN
  - EXISTING OVERHEAD ELECTRIC
  - EXISTING UNDERGROUND FIBER OPTIC
  - EXISTING SANITARY MANHOLE
  - EXISTING STORM SEWER MANHOLE
  - EXISTING INFRANT
  - EXISTING TELEPHONE BOX
- GROUNDING LEGEND**
- EXISTING CONTOURS
  - PROPOSED CONTOURS
  - PROPOSED SILT FENCE
  - PROPOSED STORM SEWER
  - PROPOSED STORM SEWER MANHOLE



<p>FOR EVERY COPY THAT THIS PLAN, SPECIFICATION, CONTRACT AND ALL OTHER DOCUMENTS ARE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF WENCK ASSOCIATES, INC., A FIRM REGISTERED UNDER THE LAWS OF THE STATE OF MINNESOTA.</p> <p>PRINT NAME: <u>SEE A LATER</u> SIGNATURE: <u>[Signature]</u> DATE: <u>09-20-2015</u> LICENSE # <u>41648</u></p>		<p>PRIME CONSULTANT <b>WENCK ASSOCIATES</b> Responsive partner. Exceptional outcomes. 1802 WOODLIFE DRIVE ROSCHESTER, MN 55123 (612) 294-4889 (612) 255-1289</p>	<p>PROJECT TITLE ST. FRANCIS TRANSITIONAL CARE CIVIL SITE DESIGN</p>	<p>SHEET TITLE EROSION CONTROL PLAN</p>
<p>REV</p>	<p>REVISION DESCRIPTION</p>	<p>DATE</p>	<p>APP'D</p>	<p>DATE</p>
<p>B</p>	<p>CUP SUBMITTAL REVISIONS</p>	<p>DATE: 10/01/15</p>	<p>APP'D</p>	<p>DATE: SEP 2015</p>
<p>A</p>	<p>CUP SUBMITTAL</p>	<p>DATE: 9/29/15</p>	<p>APP'D</p>	<p>DATE: AS NOTED</p>
<p>PROJECT NO.</p>	<p>5602-0001</p>	<p>SHEET NO.</p>	<p>C-04</p>	<p>REV NO.</p>
<p>PROJECT NO.</p>	<p>9705 45TH AVE N #20176</p>	<p>PROJECT NO.</p>	<p>5602-0001</p>	<p>REV NO.</p>
<p>PROJECT NO.</p>	<p>9705 45TH AVE N #20176</p>	<p>PROJECT NO.</p>	<p>5602-0001</p>	<p>REV NO.</p>



GENERAL LEGEND	
---	EXISTING CONTOURS
---	EXISTING PROPERTY LINE
---	EXISTING EIGHTH
---	EXISTING SANITARY SEWER
---	EXISTING WATERMAIN
---	EXISTING OVERHEAD ELECTRIC
---	EXISTING SANITARY MANHOLE
---	EXISTING STORM SEWER MANHOLE
---	EXISTING HYDRANT
---	EXISTING TELEPHONE BOX
---	PROPOSED CURB AND GUTTER
---	PROPOSED CONTOURS
---	SPOT ELEVATION FINISHED GRADE
---	SLOPE DIRECTION
---	PROPOSED STORM SEWER
---	PROPOSED STORM SEWER MANHOLE
---	NORMAL WATER LEVEL OF PONDS
---	HIGH WATER LEVEL OF PONDS

REVISION DESCRIPTION		DATE		BY	
REV					
B	CUP SUBMITTAL	10/21/15			
A	CUP SUBMITTAL	9/29/15			

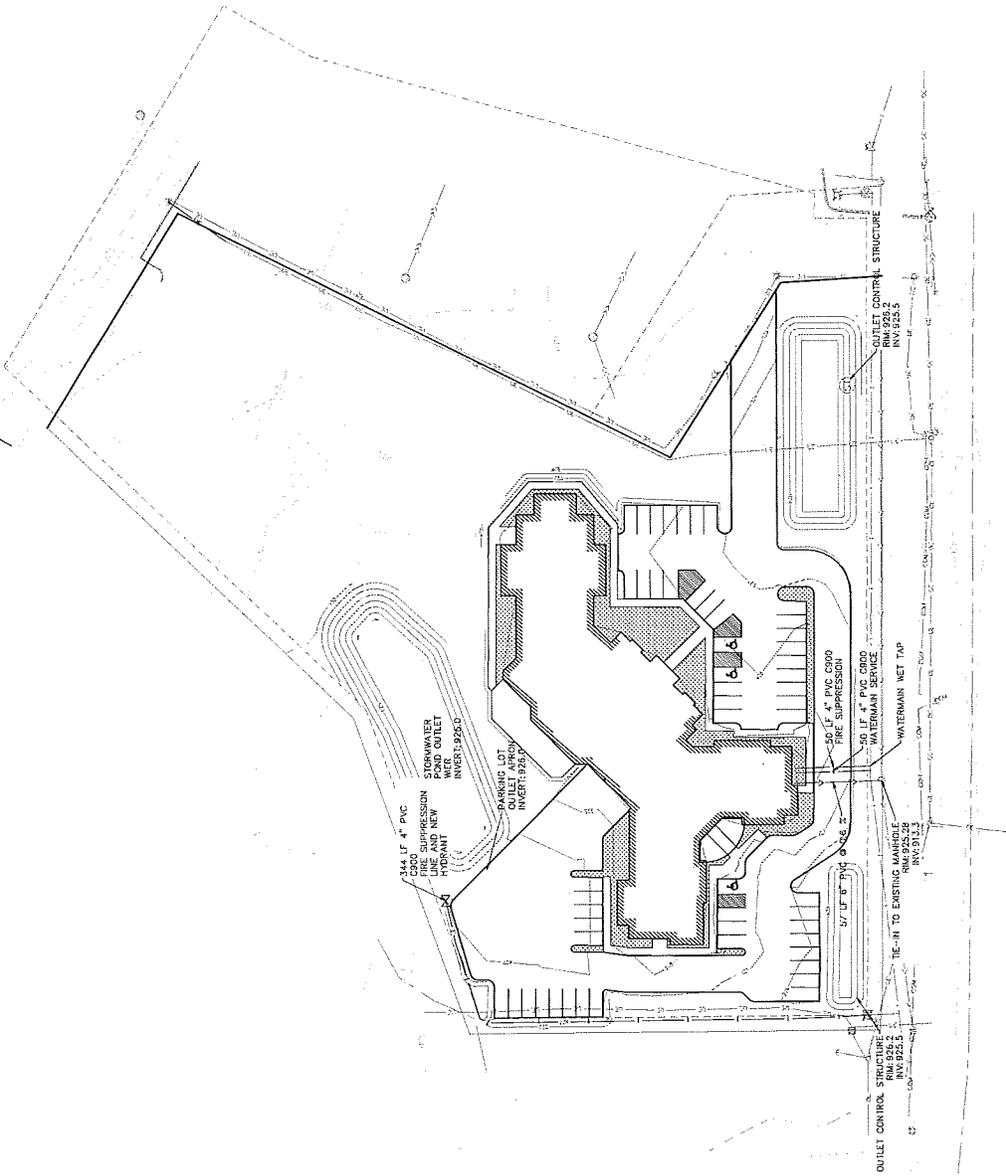
USA I, JERRY, CERTIFY THAT THIS PLAN, SPECIFICATION, SCHEDULE AND CONTRACT DOCUMENTS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A duly Licensed Professional Engineer in the State of Minnesota. PRINT NAME: JERRY A. ILLIUSO SIGNATURE: <i>[Signature]</i> DATE: SEP. 29, 2015 LICENSE # 11584	SUB CONSULTANT NOT FOR CONSTRUCTION	PRIME CONSULTANT <b>WENCK ASSOCIATES</b> Responsive partner. Exceptional outcomes. 1835 BASKIN BLVD WISCONSIN, WI 53718 (608) 224-1488 (608) 228-1899	PROJECT TITLE ST. FRANCIS TRANSITIONAL CARE UNIT SITE DESIGN	SHEET TITLE SITE GRADING
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PROJECT NO. 5602-0001	SHEET NO. C-05	DWG DATE SEP. 2015	JAE ECKLE AS NOTED
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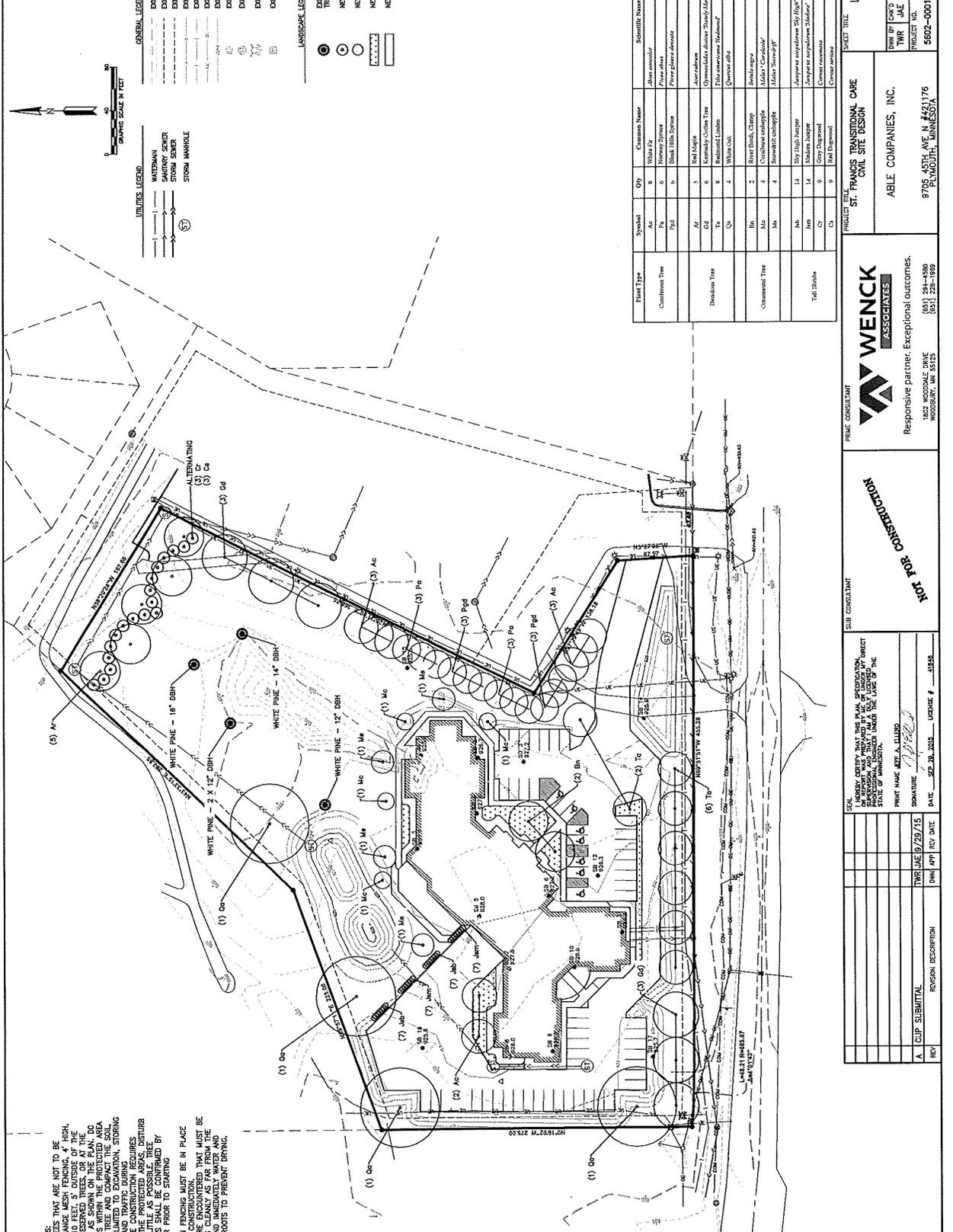
- UTILITIES LEGEND**
- WATERMAIN
  - SANITARY SEWER
  - STORM SEWER
  - STORM MANHOLE
- GENERAL LEGEND**
- - - - - EXISTING CONTOURS
  - - - - - EXISTING PROPERTY LINE
  - - - - - EXISTING EASEMENT
  - - - - - EXISTING WATERMAIN
  - - - - - EXISTING SANITARY SEWER
  - - - - - EXISTING WATERMAIN
  - - - - - EXISTING OVERHEAD ELECTRIC
  - - - - - EXISTING UNDERGROUND FIBER OPTIC
  - - - - - EXISTING SANITARY MANHOLE
  - - - - - EXISTING STORM SEWER MANHOLE
  - - - - - EXISTING HYDRANT
  - - - - - EXISTING TELEPHONE BOX



<b>PROJECT TITLE</b> ST. FRANCIS TRANSITIONAL CARE CHIL. SITE DESIGN		<b>SHEET TITLE</b> UTILITY PLAN	
<b>DATE</b> I. PROJECT, DESIGN, PLAN, SPECIFICATION, PERMIT, CONTRACT, SUBMITTAL AND REVISIONS ARE ALL DATED UNDER THE JURISDICTION OF THE STATE OF MINNESOTA. PRINT NAME: SEE A. LILLER SIGNATURE: <i>[Signature]</i> DATE: SEP. 29, 2015 LICENSE # _____		<b>DATE</b> APP'D DATE: SEP. 2015 JUNE SCALE: AS NOTED SHEET NO.: 5602-0001 REV. NO.: A	
<b>PRIME CONSULTANT</b> WENCK ASSOCIATES Responsive partner. Exceptional outcomes. 1835 BASSWOOD DRIVE WOODBURY, MN 55125 (952) 224-1889 (952) 228-1889		<b>OWNER</b> ABLE COMPANIES, INC. 9705 46TH AVE. N. #20176 FLYCOTT, MINNESOTA	
<b>SCALE</b> 1" = 10'		<b>REVISION DESCRIPTION</b>	
<b>REVISION</b>		<b>DATE</b>	
<b>BY</b>		<b>DATE</b>	
<b>APP'D</b>		<b>DATE</b>	
<b>CHK'D</b>		<b>DATE</b>	
<b>REV'D</b>		<b>DATE</b>	
<b>REV</b>		<b>DATE</b>	

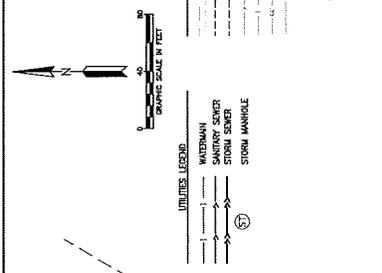
NOT FOR CONSTRUCTION





**TREE PRESERVATION NOTES:**

- PROTECT EXISTING TREES THAT ARE NOT TO BE REMOVED. SET PROTECTION FENCING WITH STAKES EVERY 10 FEET, 2' OUTSIDE OF THE DRIP LINE OF ALL PRESERVED TREES. OR AT THE CONSTRUCTION LIMITS & SHOW AN UNDISTURBED AREA THAT MAY HARM THE TREE AND COMPACT THE SOIL, INCLUDING, BUT NOT LIMITED TO, EXCAVATION, STORING CONSTRUCTION WASTE, WHERE CONSTRUCTION REQUIRES DISTURBANCE WITHIN THE PROTECTED AREAS. DISTURBANCE SHALL BE LIMITED TO THE PROTECTED AREAS. PROTECTION MEASURES SHALL BE CONFIRMED BY OWNER AND ENGINEER PRIOR TO STARTING.
- ALL TREE PROTECTION FENCING MUST BE IN PLACE PRIOR TO BEGINNING CONSTRUCTION.
- REMOVE ALL EXISTING AND NEW CONSTRUCTION WASTE REBAR, CUT NOTES CLEANLY AS FAR FROM THE TREE AS POSSIBLE AND IMMEDIATELY WATER AND BACKFILL OVER THE ROOTS TO PREVENT DRYING.



**LANDSCAPE LEGEND**

(●) EXISTING CONSPICUOUS TREE TO BE PRESERVED  
 (○) NEW CONSPICUOUS TREE OR SHRUB  
 (○) NEW CONSPICUOUS TREE OR SHRUB NEW TURF  
 (□) NEW FOUNDATION PLANTING

Plant Type	Symbol	Qty	Common Name	Scientific Name	Min. Container Size
Coniferous Tree	As	8	White Fir	<i>Abies concolor</i>	2" B&B
	Pa	6	Stemmy Spruce	<i>Picea canadensis</i>	2" B&B
	Pb	6	Black Hills Spruce	<i>Picea glauca</i>	2" B&B
Deciduous Tree	Ac	1	Red Maple	<i>Acer rubrum</i>	2" B&B
	Al	6	Lance-Olive Tree	<i>Quercus laevis</i>	2" B&B
	Ta	8	Red-tailed Larch	<i>Larix laricina</i>	2" B&B
	Ca	4	White Oak	<i>Quercus alba</i>	2" B&B
Ornamental Tree	Bn	2	River Birch, Clump	<i>Betula nana</i>	2" B&B
	Ms	4	Crabapple	<i>Malus coronaria</i>	2" B&B
	Ma	4	Stewart's caryopteris	<i>Malus 'Stewartii'</i>	2" B&B
Tall Shrub	Ja	14	East High Juniper	<i>Juniperus horizontalis 'Sky Ridge'</i>	2" to 4" tall
	Jm	14	Mohegan Juniper	<i>Juniperus horizontalis 'Mohegan'</i>	2" to 4" tall
	Cs	9	Corner caryopteris	<i>Cornus alternifolia</i>	2" to 4" tall
	Ca	9	Red Dogwood	<i>Cornus americana</i>	2" to 4" tall

**WENCK ASSOCIATES**  
 Responsive partner. Exceptional outcomes.  
 1820 WOODLAKE DRIVE  
 WOODBURY, MN 55125  
 (651) 291-1999  
 (651) 228-1999

**PRIME CONSULTANT**  
 HOLDREDSING 304 & JDX

**SUB CONSULTANT**

**SOIL**  
 I. WOODS, PARTNER, 1000 W. WISCONSIN ST., SUITE 200, MINNEAPOLIS, MN 55404  
 PRINT NAME: JOE A. DILLON  
 SIGNATURE: [Signature]  
 DATE: SEP 29, 2015

**DATE:** SEP 29, 2015  
**SCALE:** AS NOTED  
**SHEET NO.:** 902-001  
**PROJECT NO.:** 862-001  
**DATE:** SEP 2015  
**SCALE:** AS NOTED  
**SHEET NO.:** L-01  
**REV. NO.:** A

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A duly LICENSED ARCHITECT OF THE STATE OF MISSISSIPPI.

JIM A. MACKAY LICENSE NO. 2009  
DATE

**JIM MACKAY ARCHITECT**  
1011 Laurel Avenue  
St. Paul, TN 38474  
PH: 615.582.0000  
FAX: 615.582.0001  
www.jim-mackay.com

**TCD DESIGN**  
ARCHITECTURE

**TCD DESIGN**  
ARCHITECTURE

**TCD DESIGN**  
ARCHITECTURE

Plan Date:  
SCHOOL

ST. FRANCIS PONDS  
HEALTH CARE FACILITY

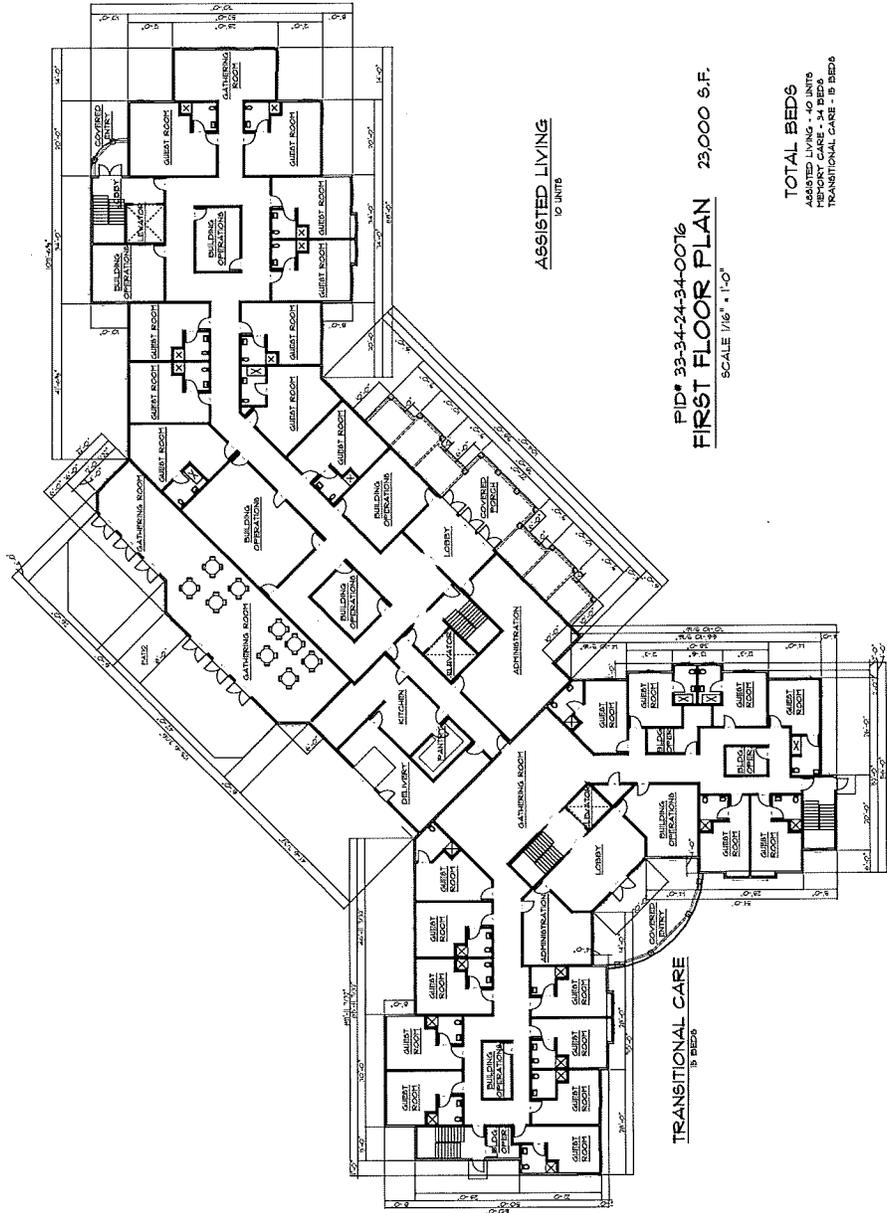
**TCD DESIGN**  
ARCHITECTURE

100201982

**AI**  
AI OF A5

**SHEET INDEX:**

- A1 FIRST FLOOR PLAN
- A2 SECOND FLOOR PLAN
- A3 THIRD FLOOR PLAN
- A4 EAST and SOUTHEAST EXTERIOR ELEVATIONS
- A5 SOUTH, WEST, and NORTH EXTERIOR ELEVATIONS



FID# 33-34-24-34-0076  
**FIRST FLOOR PLAN** 23,000 S.F.  
SCALE 1/16" = 1'-0"

TOTAL BEDS  
ASSISTED LIVING - 10 UNITS  
TRANSITIONAL CARE - 10 BEDS  
TRANSITIONAL CARE - 5 BEDS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS AND CONTRACT DOCUMENTS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND A SEAL, LICENSED ARCHITECT OF THE STATE OF MISSISSIPPI.

JIM MACKEY  
 LICENSE NO. 3009  
 DATE

**JIM MACKEY ARCHITECT**  
 102 LAURELWOOD  
 SUITE 100  
 MEMPHIS, TN 38117  
 (901) 521-1000  
 www.jim-mackey.com

**TGO DESIGN**  
 ARCHITECTURE & INTERIOR DESIGN

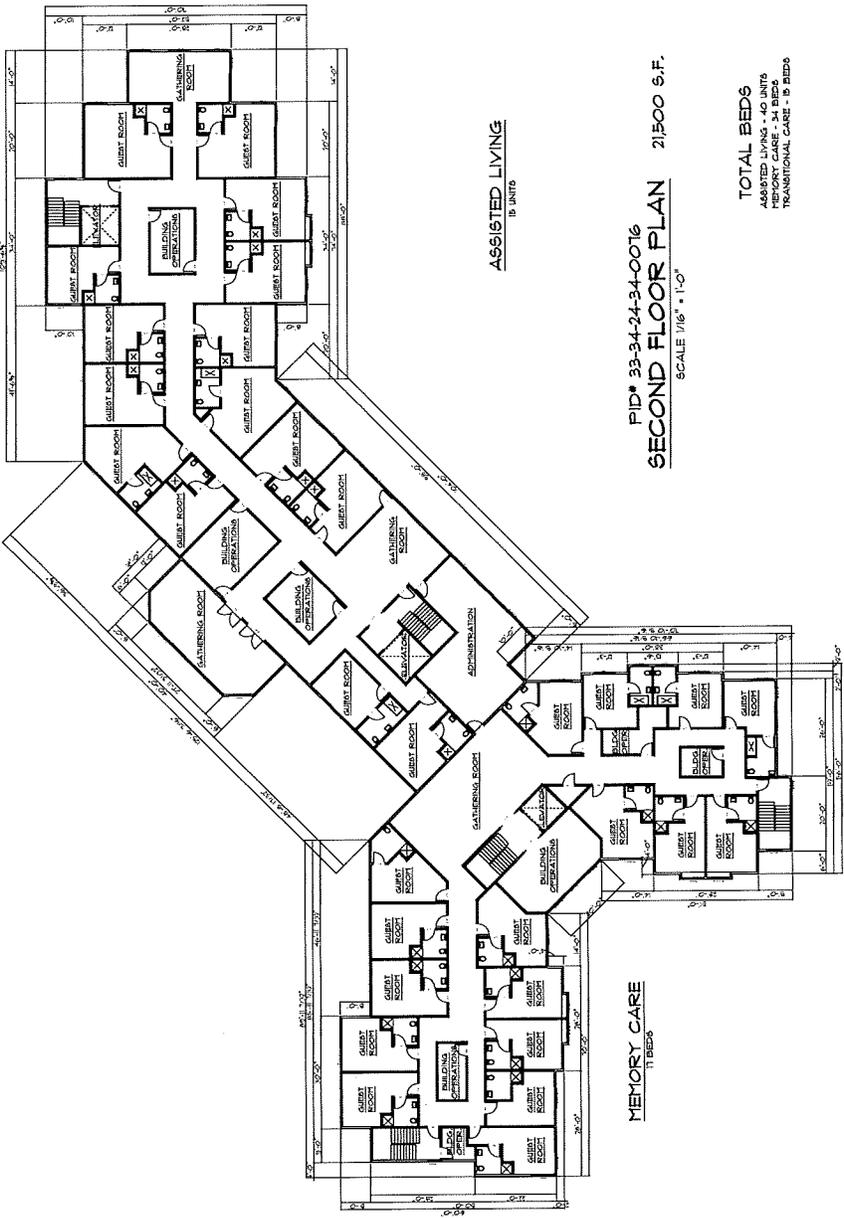
**ST. FRANCIS PONDS HEALTH CARE FACILITY**  
 PID 33-34-24-0076 ST. FRANCIS

**TGO DESIGN**  
 ARCHITECTURE & INTERIOR DESIGN

**TGO DESIGN**  
 ARCHITECTURE & INTERIOR DESIGN

**TGO DESIGN**  
 ARCHITECTURE & INTERIOR DESIGN

**A2**  
 A2 OF A5



PID# 33-34-24-34-0076  
**SECOND FLOOR PLAN** 21500 S.F.  
 SCALE 1/16" = 1'-0"

**TOTAL BEDS**  
 ASSISTED LIVING - 40 UNITS  
 TRANSITIONAL CARE - 15 BEDS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS AND CONTRACT DOCUMENTS ARE MY OWN WORK AND THAT I AM A LICENSED ARCHITECT IN THE STATE OF MISSISSIPPI.

JAMES A. MACKAY LICENSE NO. 3008  
DATE

**JIM MACKAY ARCHITECT**  
 700 Laurel Avenue  
 S. N. W. 15504  
 JACKSON, MISSISSIPPI 39204  
 PHONE: 601-977-1200  
 FAX: 601-977-1201  
 WWW: JIMMACKAYARCHITECT.COM

**TGO DESIGN**  
 ARCHITECTS  
 1015 N. W. 10th Street  
 Ft. Lauderdale, FL 33304  
 PHONE: 561-533-1111  
 WWW: TGOARCHITECTS.COM

**TGO DESIGN**  
 ARCHITECTS  
 1015 N. W. 10th Street  
 Ft. Lauderdale, FL 33304  
 PHONE: 561-533-1111  
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 PHONE: 561-533-1111  
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 ARCHITECTS  
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 PHONE: 561-533-1111  
 WWW: TGOARCHITECTS.COM

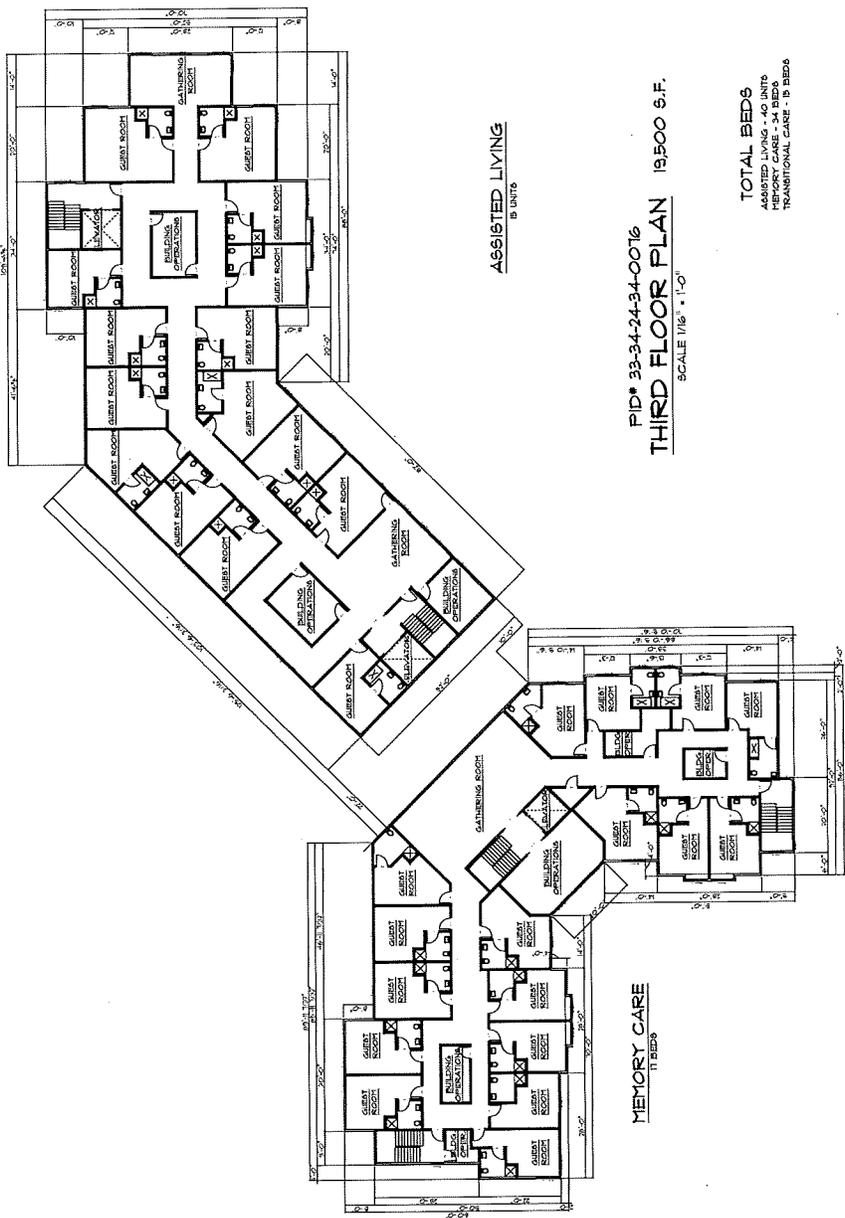
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 ARCHITECTS  
 1015 N. W. 10th Street  
 Ft. Lauderdale, FL 33304  
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 ARCHITECTS  
 1015 N. W. 10th Street  
 Ft. Lauderdale, FL 33304  
 PHONE: 561-533-1111  
 WWW: TGOARCHITECTS.COM

**A3**  
 OF A5

ST. FRANCIS HEALTH CARE FACILITY  
 PD 33-34-24-0076, 0L FLOOR



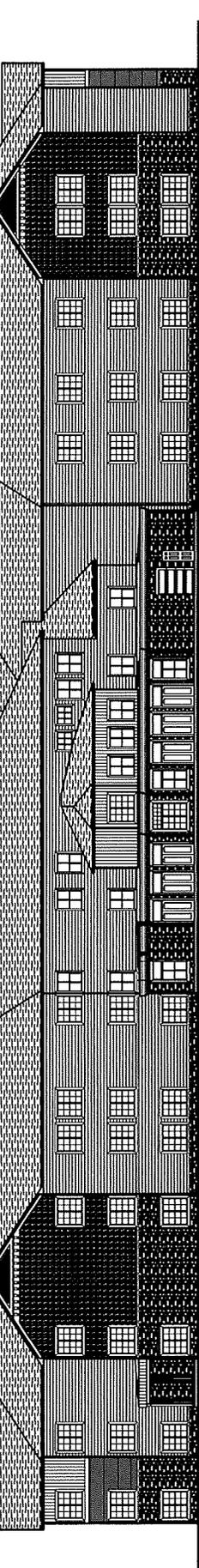
THIRD FLOOR PLAN 19,500 S.F.  
 SCALE 1/16" = 1'-0"

TOTAL BEDS  
 ASSISTED LIVING - 40 UNITS  
 TRANSITIONAL CARE - 15 BEDS  
 MEMORY CARE - 11 BEDS



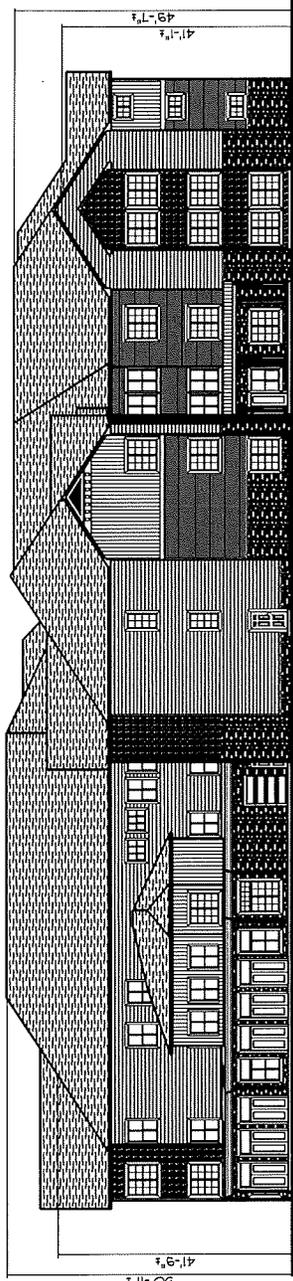
HERBERT COUNTY, EAST CAROLINA  
 ARCHITECTURAL RECORDS  
 PREPARED BY THE COUNTY  
 ARCHITECTS AND ENGINEERS  
 AND A FULLY LICENSED ARCHITECT  
 UNDER THE LAWS OF THE STATE  
 OF NORTH CAROLINA

**JIM  
 MACKAY  
 ARCHITECT**



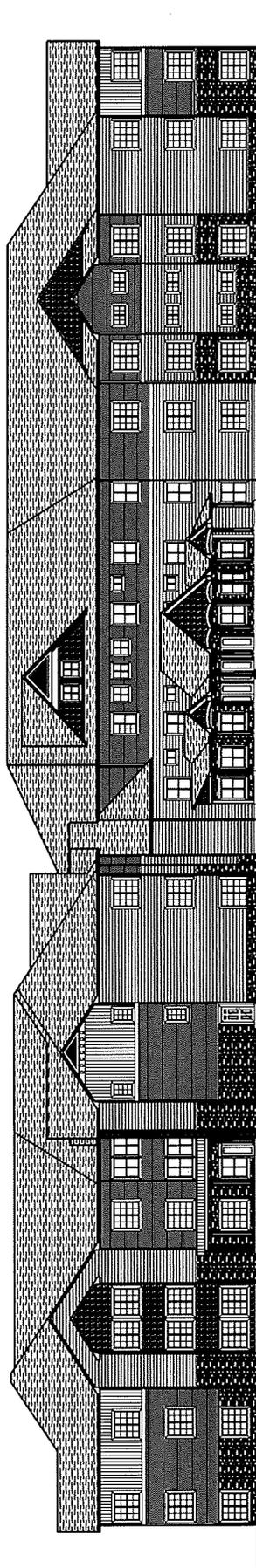
**NORTH ELEVATION**

SCALE 3/32" = 1'-0"



**WEST ELEVATION**

SCALE 3/32" = 1'-0"



**SOUTH ELEVATION**

SCALE 3/32" = 1'-0"

**TCO DESIGN**  
 ARCHITECTS

**TCO DESIGN**  
 ARCHITECTS  
 1000 Peachtree Street, N.E.  
 Atlanta, Georgia 30309  
 Phone: 404.525.1100  
 Fax: 404.525.1101  
 Website: www.tco.com

**TCO DESIGN**  
 ARCHITECTS  
 1000 Peachtree Street, N.E.  
 Atlanta, Georgia 30309  
 Phone: 404.525.1100  
 Fax: 404.525.1101  
 Website: www.tco.com

**ST. FRANCIS PONDS  
 HEALTH CARE FACILITY**  
 ST. FRANCIS

**TCO DESIGN**  
 ARCHITECTS

Design  
 100201502

**A5**  
 A5 OF A5



# BOLTON & MENK, INC.

Consulting Engineers & Surveyors

7533 Sunwood Drive NW • Ramsey, MN 55303

Phone (763) 433-2851 • Fax (763) 427-0833

[www.bolton-menk.com](http://www.bolton-menk.com)

October 28, 2015

Mr. Nate Sparks, City Planner  
Northwest Associate Consultants Inc.  
4800 Olson Memorial Hwy, Ste 202  
Golden Valley, MN 55422-5169

RE: St. Francis Transitional Care  
City of St. Francis, Minnesota  
BMI Project No. R18.110795

Dear Nate:

We have reviewed the preliminary construction plans dated 9/29/2015 with revision no. 2 dated 10/21/2015 submitted for the above referenced project and have the following comments:

1. The applicant shall provide an easement a minimum of 15 feet in width along the south side of the parcel.
2. The applicant shall provide an escrow for the future construction of a bituminous trail along the southern property boundary.
3. The applicant shall provide documentation illustrating access entitlements to the adjacent property east of the proposed site.
4. The applicant and their contractor shall coordinate the proposed sanitary sewer construction with the City of St. Francis and their contractor who will be constructing sanitary sewer along 229<sup>th</sup> Avenue NW in the spring of 2016.
5. The applicant shall provide escrow monies for the purpose of construction inspection.
6. The applicant shall submit as-built drawings in both paper and electronic format to the City of St. Francis for our files following completion of construction.
7. Concrete curb and gutter shall be installed around the perimeter of the proposed parking lot and access.
8. The submitted drainage calculations shall be revised and the construction plans modified as necessary such that the first 0.5 inches of rainfall over new impervious surfaces is infiltrated. See Section 10, Chapter 93, page 93-6. A soil boring illustrating groundwater depth shall be submitted to confirm that groundwater does not exist within 3-feet of the proposed infiltration practice.
9. The applicant shall prepare a SWPPP and submit it for the review of the City Engineer. The SWPPP must follow the Stormwater Pollution Prevention Plan Content requirements (Part III.A in the Construction Stormwater Permit <http://www.pca.state.mn.us/index.php/view-document.html?gid=18984> ) including, but not limited to, maps of the surrounding water bodies within 1 mile that receive runoff, quantities of BMPs, and training documentation.

10. The applicant shall be responsible for obtaining an NPDES Phase 2 Construction Permit. A copy of the permit shall be submitted to the City of St. Francis for our files.
11. The applicant shall submit a Wetland Management Plan for the review and approval of the City Engineer and post securities required by Chapter 91 Section 10-91-7 of the ordinance.
12. The applicant shall reconcile the proposed Finished Floor Elevation between the drainage calculations and plans.
13. The High Water Level (HWL) of the pond proposed in the southwest corner of the site shall be identified on the construction plans.
14. Green 12 AWG tracer wire shall be installed on all proposed sanitary sewer and sanitary sewer services and shall be brought to the surface at all manhole and cleanout locations.
15. All sanitary sewer shall be tested in accordance with the City Engineers Association of Minnesota standard specifications.
16. Cleanouts shall be installed within 2' of the building exteriors on all sanitary sewer services.
17. Blue 12 AWG tracer wire shall be installed on all proposed non-conductive watermain materials and shall be brought to the surface at all gate valve and hydrant locations.
18. The plans shall note the proposed valve sizes associated with the proposed wet tap watermain connections.
19. Gate valves shall be installed with umbrella anchorage assemblies.
20. Gate valves shall include an operating rod which extends to within one foot of the finished surface.
21. The applicant shall be responsible for conducting a continuity test of the water system following its installation.
22. The watermain associated with the hydrant proposed on the north side of the northern stormwater pond shall be a minimum of 6-inches in diameter.
23. The proposed hydrant shall include an isolation gate valve.
24. The applicant shall be responsible for obtaining two consecutive passing bacteriological tests taken 24 hours apart.
25. HPDE adjusting rings as manufactured by Ladtech shall be installed on all sanitary sewer and storm sewer manholes. Concrete adjusting rings will not be permitted on structures other than catch basins.
26. The applicant shall include a typical section illustrating the proposed fire access road class 5 thickness and width in the construction documents.
27. The applicant shall identify proposed snow storage locations on the construction documents.
28. The applicant shall submit an irrigation and landscaping plan for review.
29. All rip-rap shall be granite.

30. 45-mil rubber membrane shall be installed beneath all proposed rip rap in lieu of geotextile fabric and shall extend beneath concrete flared end sections a minimum of 3 feet.
31. All stormwater ponds shall be privately maintained. The applicant shall submit a pond maintenance plan for the City's files.
32. The following St. Francis standard details shall be included in the construction documents: 3-600, 5-110, and 6-400.
33. Following approval of the construction plans by the City Engineer and a minimum of 1-week prior to construction, a pre-construction meeting shall be held for the project.

I recommend that the construction documents be revised to incorporate the above referenced comments and those comments as submitted by other city staff. Revised construction documents shall be submitted to the City Engineer and Public Works Director for review and approval prior to a building permit being issued for the site.

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

Sincerely,

BOLTON & MENK, INC.



Jared Voge, P.E.  
City Engineer  
JAV/kg

enc.

Cc: Paul Teicher, Public Works Director

## SITE IMPROVEMENT PERFORMANCE AGREEMENT

This Site Improvement Performance Agreement ("Contract") is made this \_\_\_\_ day of \_\_\_\_\_, 2015, between the City of St. Francis, a Minnesota municipal corporation ("the City") and the Able Companies, Inc., a Minnesota corporation ("the Developer").

WHEREAS, the Developer made an application for a planned unit development amendment and a site and building plan review to construct an assisted living facility at property legally described as follows:

"All that part of Lot 1, Block 1, Clubhouse at Ponds Golf Course, Anoka County, Minnesota, lying Westerly, Northwesterly and Southwesterly of the following described line:

Commencing at the Southeast corner of said Lot 1; thence South 89 degrees 36 minutes 47 second West, assumed bearing, along the South line of said Lot 1, a distance of 63.38 feet to the point of beginning of the line to be described; thence North 03 degrees 58 minutes 30 seconds West, 67.57 feet; thence North 57 degrees 51 minutes 11 seconds West, 131.18 feet; thence North 25 degrees 59 minutes 38 seconds West, 167.67 feet to the Northwesterly line of said Lot 1 and said line there terminating."

hereinafter referred to as the "Property".

WHEREAS, the City hereby grants approval to the Site & Building Plan identified in the Plans listed in paragraph 2 below of this Contract (hereinafter the "Plans") conditioned upon the covenant of Developer to perform the improvements as set forth in the Plans upon the Property and upon compliance with the terms and conditions of this Contract and Res. No. 2015-61; and

NOW, THEREFORE, be it resolved that the approval is conditioned on the following terms:

1. **RIGHT TO PROCEED.** The Developer shall not grade, construct public or private improvements/utilities, or any buildings until all the following conditions have been satisfied: 1) this Contract has been fully executed by both parties and filed with the City Clerk; 2) the necessary security has been received by the City; 3) the City's administrator has issued a letter that all conditions herein have been satisfied and that the Developer shall proceed; 4) the Developer has provided adequate evidence that it has legal insurable access to a public street; 5) the Developer has provided satisfactory title evidence that it is the owner of the Property as determined by the City at

its discretion. A grading permit may be issued by the City Engineer upon submission of the required securities but prior to the execution of this agreement.

2. **PROPOSED DEVELOPMENT & DEVELOPMENT PLANS.** The Developer intends to construct an assisted living facility on the Property. The Property shall be developed in accordance with the plans by Wenk Associates (except as may be modified by Res. No. \_\_) recited as follows:

- C-03- Site Plan (10/21/15)
- C-04- Erosion Control Plan (10/21/15)
- C-05- Grading Plan (10/21/15)
- C-06- Utility Plan (10/21/15)
- C-07- Details (9/29/15)
- C-08- Details (9/29/15)
- C-09- Details (9/29/15)
- C-10- Details (9/29/15)
- C-11- Details (9/29/15)
- E-01- Lighting Plan (10/5/15)
- L-01- Landscaping Plan (9/29/15)

3. **COMPLIANCE AND PERMITS.** The Developer shall be responsible for the installation of all improvements in compliance with the conditions of approval and in a manner consistent with all City Codes. Prior to the installation of the site utilities, the Developer shall provide the City Engineer with 48 hours notice. The Developer shall obtain or require its contractors and subcontractors to obtain all necessary permits, including but not limited to the City of St. Francis Building Permit and any right-of-way use permits from Anoka County.
4. **TIME OF PERFORMANCE.** The Developer shall install all required improvements for the development as contemplated by paragraph 3 and the approved Plans by December 31, 2016.
5. **FINANCIAL GUARANTEE.** The Developer agrees to furnish the City with an acceptable financial guarantee (Guarantee) that the Work will be performed. The Guarantee may be in the form of i) a cash escrow, ii) a performance bond issued by an approved corporate surety licensed to do business in the State of Minnesota, and executed by the Developer as principal, or iii) an irrevocable letter of credit provided by a Minnesota financial institution. A cash deposit or a 10%

cash escrow, with the balance in the form of an irrevocable letter of credit or surety bond shall be in the amount of one hundred percent (100%) of the estimated cost of the work. The cash escrow portion will be the last portion of the financial guarantee released by the City.

The Developer shall furnish the City with a Guarantee in the amount of:

\$36,000  
(Cash Deposit)

**OR**

\$ \_\_\_\_\_ **AND** \$ \_\_\_\_\_  
(10% Cash Escrow) (Surety Bond or Irrevocable Letter of Credit)

Such Guarantee shall continue in full force and effect for one (1) complete year or until the City approves and accepts all of the completed work, whichever is later. The Guarantee shall be conditioned upon the full and faithful performance of all elements of this Agreement, according to the approved Plans, and upon compliance with applicable statutes, codes, and ordinances of the City, and shall further be subject to the following provisions which shall be deemed to be incorporated in such Guarantee and made a part thereof. When a Guarantee instrument such as an irrevocable letter of credit, provides for an expiration date, after which the instrument may not be drawn upon, notwithstanding the status of the work, the following requirements shall apply: In the case of a need to extend the Guarantee, an acceptable new Guarantee shall be submitted to the City at least thirty (30) days prior to expiration of the initial instrument, to guarantee the completion of remaining work. Failure to submit such new Guarantee shall automatically extend the expiration of the initial instrument until a new Guarantee is submitted.

6. **EROSION CONTROL.** Prior to initiating site grading, the erosion control plan, Plan C-04, shall be implemented by the Developer and inspected and approved by the City. The City may impose additional erosion control requirements if reasonably required. All areas disturbed by the excavation and backfilling operations shall be reseeded within five (5) days after the completion of the work, weather permitting, or in an area that is inactive for more than seven (7) days, unless otherwise authorized and approved by the City Engineer. Except as otherwise provided in the erosion control plan, seed shall be in accordance with the City's current seeding specification which may include certified oat seed to provide a temporary ground cover as rapidly as possible. All seeded areas shall

be maintained as necessary for seed retention. The parties recognize that time is of the essence in controlling erosion. If the Developer does not comply with the erosion control plan and schedule or supplementary instructions received from the City, the City may take such action as it deems appropriate to control erosion. The City will endeavor to notify the Developer in advance of any proposed action, but failure of the City to do so will not affect the Developer's and City's rights or obligations hereunder. The Developer shall reimburse the City for all costs incurred in connection with such actions. No construction will be allowed and no building permits will be issued unless the Property is in full compliance with the approved erosion control plan.

7. **GRADING PLAN.** The Property shall be graded in accordance with the approved Grading Plan C-05. The plan shall conform to City of St. Francis specifications. Within thirty (30) days after completion of the grading and before the City approves the building permit, the Developer shall provide the City with an "as constructed" grading plan certified by a registered land surveyor or engineer that the pond, swales, and ditches for drainage have been constructed on public easements or land owned by the City. The "as constructed" plan shall include field verified elevations of the following: a) details of water detention systems; b) location and elevations along swales, wetlands, wetland mitigation areas, ditches, locations and dimensions of borrow areas/stockpiles.
  
8. **LANDSCAPING.** Landscaping and irrigation shall be installed on the site in accordance with the Landscaping Plan (Plan C5). The Developer shall post a \$5,000 security to guarantee installation of the approved landscaping, irrigation and warranty thereon. The security shall be retained by the City for one year from the date of confirmation that the landscaping plan has been fully implemented. All landscaping shall include hardy, non-invasive native species appropriate for Minnesota. All landscaping plants and materials shall be maintained and replaced if they die or erode within the standard warranty period, which is one year from planting. All required landscaping may be required to be replaced after the one year warranty period to maintain conformance with the approved Site Plan. Landscaping shall be planted so as not to interfere with site drainage. The Developer shall submit a final planting schedule that may be modified by the City prior to the installation of the plant material. All fencing shall be consistent with fencing noted on the plans.
  
9. **EASEMENTS.** The Developer shall provide a 15 foot wide trail easement along 229<sup>th</sup> Ave NW

for a future pedestrian way.

10. **SITE PEDESTRIAN WAY.** The Developer shall post a security of \$15,000 for the construction of a pedestrian way within the trail easement. This pedestrian way shall be constructed by the City in conjunction with future improvements on neighboring properties. Any unused portion of this money will be returned upon completion of the construction of the pedestrian way.
11. **CLEAN UP.** The Developer shall clean dirt and debris from streets that results from construction work by the Developer, subcontractors, their agents or assigns. Prior to any construction, the Developer shall identify in writing a responsible party for the city to contract regarding cleaning debris in the street and schedule for erosion control, street cleaning, and street sweeping.
12. **LICENSE.** The Developer hereby grants the City, its agents, employees, officers and contractors a license to enter the Subdivided Property to perform all work and inspections deemed appropriate by the City in conjunction with Development Plans and Public Improvements.
13. **ENGINEERING, INSPECTION AND LEGAL ESCROW.** The Developer agrees to furnish the City with a cash escrow to cover the City's expenses for inspecting the Work to insure that it is performed correctly including, but not limited to, engineering, City administration, construction observation and legal fees related to this Contract. City engineering and administration will include, but not be limited to, construction observation, consultation with Developer and his engineer on status or problems regarding the project, coordination for final inspection and acceptance, project monitoring during the warranty period, and processing of requests for reduction in security. Fees for this service shall be at standard hourly rates. To secure these fees for engineering, administration, construction observation and legal fees, Developer will provide a \$6,000 escrow, which is separate and in addition to any other escrow funds for this developer/development. The Developer shall pay for construction observation performed by the City's consulting engineer. Construction observation shall include part or full time inspection of proposed utilities and grading and will be billed at standard hourly rates.
14. **HOLD HARMLESS AND INDEMNIFICATION OF CITY.** The applicant shall agree to indemnify and hold harmless the City and its agents and employees against any and all claims, demands, losses, damages and expenses (including attorney fees) arising out of or resulting from the

applicant's negligent or intentional acts, violation of any safety law, and regulation or any code in the performance of this agreement, without regard to any inspection or review made or not made by the City, its agents or employees or failure to take any other prudent precaution. In the event any City employee, agent or representative shall come under the direct or indirect control of the applicant, or the City, upon failure of the applicant to comply with any conditions of the approval, performs said conditions pursuant to the bond, the applicant shall indemnify and hold harmless the City, its employees, agents and representatives for its own negligent or intentional acts in the performance of the applicant's required work under the permit.

15. **SUMMARY OF SECURITIES.** To guarantee compliance with the terms of this Contract, payment of the costs of some public and all private improvements, the Developer shall furnish and deliver to the City an escrow payment of \$36,000 prior to beginning any construction. The amount of the security includes all of the security requirements set forth in the preceding sections of this Agreement, and was calculated as follows:

Administration / Grading Inspections	\$	6,000
Erosion Control / Wetland Management Plan (4 acres x \$2,000)	\$	8,000
Landscaping Guarantee	\$	5,000
Utility Installation Supervision	\$	2,000
Future Pedestrian Way Installation	\$	<u>15,000</u>
<b>TOTAL SECURITIES:</b>	<b>\$</b>	<b><u>36,000</u></b>

The City will deduct billings from the associated securities and pass through billings that exceed the amounts. If required payments are not made in a timely fashion, the project will stop until payments are made. If said fees are less than estimated, the City shall reimburse the Developer within thirty (30) days of receipt of final invoices. If it appears that the actual costs incurred will exceed the estimate, Developer and City shall review the costs required to complete the project and Developer shall deposit additional sums with the City.

16. **DEVELOPER'S DEFAULT.** In the event of default by the Developer as to any of the work to be performed by it hereunder, the City shall give ten (10) days written notice to the Developer before proceeding to enforce this Contract or before the City undertakes any work for which the City will be reimbursed through the Guarantee. If within ten (10) days after such notice, the Developer has not notified the City in writing of the time and manner in which the default will be cured, the City

will proceed with the remedy it deems appropriate, including reasonable attorney's fees and costs. At any time after the completion date and any extensions thereof, if any of the Work is deemed incomplete, the City may proceed in any one or more of the following ways to enforce the undertakings herein set forth, and to collect any and all expenses incurred by the City in connection therewith, including, but not limited to, engineering, legal, planning and litigation cost and expense. The enumeration of the remedies hereunder shall be in addition to any other remedies available to the City.

- A. Specific Performance. The City may proceed to bring an action for specific performance to require the Work to be completed.
- B. Completion by the City. The City, after notice, may enter the premises and proceed to have the Work done either by contract, by day labor or by regular City forces. Neither the Developer nor the corporate surety may question the manner of doing such Work or the letting and doing of any such contracts for the doing of the Work. Upon completion of the Work, the surety and/or the Developer shall promptly pay the City the full cost thereof. In the event that the Guarantee is in the form of a performance bond, it shall be no defense by the surety that the City has not first made demand upon the Developer, nor pursued its rights against the Developer.
- C. Deposit of Financial Guarantee. In the event that the Guarantee has been submitted in the form of a performance bond, the City may demand that the surety deposit with the City a sum equal to the estimated cost of completing the Work, plus the City's estimated expenses as defined herein, including any other costs, expenses, and damages for which the surety may be liable, but not exceeding the amount set forth on the face of the performance bond. This money shall be deemed to be held by the City for the purpose of reimbursing the City for any costs incurred in completing the Work and the balance shall be returned to the surety. This money shall be deposited with the City within ten (10) days after written demand therefore, and if the surety fails to make the required deposit within ten (10) days, the City shall have the right to proceed against the surety with whatever legal action is required to obtain the deposit of such sum.
- D. Funds on Deposit. In the event that the Guarantee is in the form of cash, certified check, irrevocable letter of credit, or other liquid instrument, the City may, after notice to the Developer, liquidate and deposit the Guarantee in its general account. The City may proceed to complete the Work, reimburse itself for the cost of completion, and return the balance to the Developer.







**NORTHWEST ASSOCIATED CONSULTANTS, INC.**

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Telephone: 763.231.2555 Facsimile: 763.231.2561 planners@nacplanning.com

**MEMORANDUM**

TO: St. Francis City Council  
FROM: Nate Sparks  
DATE: October 19, 2015 & November 2, 2015  
RE: Floodplain Ordinance

**BACKGROUND**

The DNR has created a new model floodplain ordinance that is intended to correspond with the new flood maps that go into effect this December for the City. The ordinance is intended to replace the City's existing floodplain ordinance. The City is required to adopt this ordinance to continue participating in the flood insurance program.

**RECOMMENDED ACTION**

The Planning Commission reviewed the draft floodplain ordinance and recommended approval.

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

**ORDINANCE 209, SECOND SERIES**

**AN ORDINANCE AMENDING SECTION 10-81 ADOPTING  
REVISED FLOODPLAIN ORDINANCE**

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Deleted. That all definitions listed under “Flood Related” in Section 10-2-2 shall hereby be deleted.

Section 2. Code Amended. That Section 10-81 shall hereby be amended to read as follows:

10-81-1: STATUTORY AUTHORIZATION, FINDINGS OF FACT AND PURPOSE

A. Statutory Authorization: The legislature of the State of Minnesota has, in Minnesota Statutes Chapter 103F and Chapter 462 delegated the responsibility to local government units to adopt regulations designed to minimize flood losses. Therefore, the City Council of St. Francis, Minnesota, does ordain as follows.

B. Purpose:

1. This ordinance regulates development in the flood hazard areas of St. Francis, Minnesota. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.
2. National Flood Insurance Program Compliance. This ordinance is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 Code of Federal Regulations Parts 59 -78, as amended, so as to maintain the community’s eligibility in the National Flood Insurance Program.
3. This ordinance is also intended to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and Stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

10-81-2: GENERAL PROVISIONS

A. How to Use This Ordinance: This ordinance adopts the floodplain maps applicable to St. Francis and includes three floodplain districts: Floodway, Flood Fringe, and General Floodplain.

1. Where Floodway and Flood Fringe districts are delineated on the floodplain maps, the standards in Sections 10-81-4 or 10-81-5 will apply, depending on the location of a property.
2. Locations where Floodway and Flood Fringe districts are not delineated on the floodplain maps are considered to fall within the General Floodplain district. Within the General Floodplain district, the Floodway District standards in Section 10-81-4 apply unless the

floodway boundary is determined, according to the process outlined in Section 10-81-6. Once the floodway boundary is determined, the Flood Fringe District standards in Section 10-81-5 may apply outside the floodway.

- B. Lands to Which Ordinance Applies: This ordinance applies to all lands within the jurisdiction of the City of St. Francis shown on the Official Zoning Map and/or the attachments to the map as being located within the boundaries of the Floodway, Flood Fringe, or General Floodplain Districts.
1. The Floodway, Flood Fringe and General Floodplain Districts are overlay districts that are superimposed on all existing zoning districts. The standards imposed in the overlay districts are in addition to any other requirements in this ordinance. In case of a conflict, the more restrictive standards will apply.
- C. Incorporation of Maps by Reference: The following maps together with all attached material are hereby adopted by reference and declared to be a part of the Official Zoning Map and this ordinance. The attached material includes the Flood Insurance Study for Anoka County, Minnesota, and Incorporated Areas and the Flood Insurance Rate Map panels enumerated below, all dated December 16, 2015 and all prepared by the Federal Emergency Management Agency. These materials are on file in the Office of the City Clerk.
1. 27003C0020E
  2. 27003C0040E
  3. 27003C0045E
  4. 27003C0065E
  5. 27003C0070E
- D. Regulatory Flood Protection Elevation: The regulatory flood protection elevation (RFPE) is an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.
- E. Interpretation: The boundaries of the zoning districts are determined by scaling distances on the Flood Insurance Rate Map.
1. Where a conflict exists between the floodplain limits illustrated on the official zoning map and actual field conditions, the flood elevations shall be the governing factor. The Zoning Administrator must interpret the boundary location based on the ground elevations that existed on the site on the date of the first National Flood Insurance Program map showing the area within the regulatory floodplain, and other available technical data.
  2. Persons contesting the location of the district boundaries will be given a reasonable opportunity to present their case to the Board of Adjustment and to submit technical evidence.
- F. Abrogation and Greater Restrictions: It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or other private agreements. However, where this ordinance imposes greater restrictions, the provisions of this ordinance prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.
- G. Warning and Disclaimer of Liability: This ordinance does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. This ordinance does not create liability on the part of the City of St. Francis or its officers or employees for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

- H. Severability: If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this ordinance shall not be affected and shall remain in full force.
- I. Definitions: Unless specifically defined below, words or phrases used in this ordinance must be interpreted according to common usage and so as to give this ordinance its most reasonable application.
1. Accessory Use or Structure – a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
  2. Base Flood Elevation – The elevation of the “regional flood.” The term “base flood elevation” is used in the flood insurance survey.
  3. Basement – any area of a structure, including crawl spaces, having its floor or base subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level.
  4. Conditional Use – a specific type of structure or land use listed in the official control that may be allowed but only after an in-depth review procedure and with appropriate conditions or restrictions as provided in the official zoning controls or building codes and upon a finding that:
    - a. Certain conditions as detailed in the zoning ordinance exist.
    - b. The structure and/or land use conform to the comprehensive land use plan if one exists and are compatible with the existing neighborhood.
  5. Critical Facilities – facilities necessary to a community’s public health and safety, those that store or produce highly volatile, toxic or water-reactive materials, and those that house occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical facilities include hospitals, correctional facilities, schools, daycare facilities, nursing homes, fire and police stations, wastewater treatment facilities, public electric utilities, water plants, fuel storage facilities, and waste handling and storage facilities.
  6. Development – any manmade change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.
  7. Equal Degree of Encroachment – a method of determining the location of floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.
  8. Farm Fence – A fence as defined by Minn. Statutes Section 344.02, Subd. 1(a)-(d). An open type fence of posts and wire is not considered to be a structure under this ordinance. Fences that have the potential to obstruct flood flows, such as chain link fences and rigid walls, are regulated as structures under this ordinance.
  9. Flood – a temporary increase in the flow or stage of a stream or in the stage of a wetland or lake that results in the inundation of normally dry areas.
  10. Flood Frequency – the frequency for which it is expected that a specific flood stage or discharge may be equaled or exceeded.
  11. Flood Fringe – that portion of the floodplain outside of the floodway. Flood fringe is synonymous with the term “floodway fringe” used in the Flood Insurance Study for Anoka County, Minnesota.

12. Flood Prone Area – any land susceptible to being inundated by water from any source (see “Flood”).
13. Floodplain – the beds proper and the areas adjoining a wetland, lake or watercourse which have been or hereafter may be covered by the regional flood.
14. Flood proofing – a combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.
15. Floodway – the bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining floodplain which are reasonably required to carry or store the regional flood discharge.
16. Lowest Floor – the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building’s lowest floor.
17. Manufactured Home – a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include the term “recreational vehicle.”
18. Obstruction – any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory floodplain which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.
19. One Hundred Year Floodplain – lands inundated by the “Regional Flood” (see definition).
20. Principal Use or Structure – all uses or structures that are not accessory uses or structures.
21. Reach – a hydraulic engineering term to describe a longitudinal segment of a stream or river influenced by a natural or man-made obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would most typically constitute a reach.
22. Recreational Vehicle – a vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this ordinance, the term recreational vehicle is synonymous with the term “travel trailer/travel vehicle.”
23. Regional Flood – a flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 1% chance or 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in a flood insurance study.
24. Regulatory Flood Protection Elevation (RFPE) - an elevation not less than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.
25. Repetitive Loss: Flood related damages sustained by a structure on two separate occasions during a ten year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds 25% of the market value of the structure before the damage occurred.

26. Special Flood Hazard Area – a term used for flood insurance purposes synonymous with “One Hundred Year Floodplain.”
27. Structure - anything constructed or erected on the ground or attached to the ground or on-site utilities, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, recreational vehicles not meeting the exemption criteria specified in Section 9.22 of this ordinance and other similar items.
28. Substantial Damage - means damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
29. Substantial Improvement - within any consecutive 365-day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:
  - a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.
  - b. Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.” For the purpose of this ordinance, “historic structure” is as defined in 44 Code of Federal Regulations, Part 59.1.

J. Annexations: The Flood Insurance Rate Map panels adopted by reference into Section 10-81-2C above may include floodplain areas that lie outside of the corporate boundaries of the City of St. Francis at the time of adoption of this ordinance. If any of these floodplain land areas are annexed into the City after the date of adoption of this ordinance, the newly annexed floodplain lands will be subject to the provisions of this ordinance immediately upon the date of annexation.

### 10-81-3: ESTABLISHMENT OF ZONING DISTRICTS

#### A. Districts:

1. Floodway District. The Floodway District includes those areas designated as floodway on the Flood Insurance Rate Map adopted in Section 10-81-2C. For lakes, wetlands and other basins (that do not have a floodway designated), the Floodway District includes those areas designated as Zone A on the Flood Insurance Rate Map that are at or below the ordinary high water level as defined in Minnesota Statutes, Section 103G.005, subdivision 14.
2. Flood Fringe District. The Flood Fringe District includes those areas designated as floodway fringe on the Flood Insurance Rate Map adopted in Section 10-81-2C, as being within Zone AE but being located outside of the floodway. For lakes, wetlands and other basins (that do not have a floodway designated), the Flood Fringe District includes those areas designated as Zone A on the Flood Insurance Rate Map panels adopted in Section 10-81-2C that are below the 1% annual chance (100-year) flood elevation but above the ordinary high water level as defined in Minnesota Statutes, Section 103G.005, subdivision 14.
3. General Floodplain District. The General Floodplain District includes those areas designated as Zone A on the Flood Insurance Rate Map adopted in Section 10-81-2C, but not subject to the criteria in sections 1 and 2 above.

B. Compliance: Within the floodplain districts established in this ordinance, the use of any land, the use, size, type and location of structures on lots, the installation and maintenance of transportation, utility,

water supply and waste treatment facilities, and the subdivision of land must comply with the terms of this ordinance and other applicable regulations. All uses not listed as permitted uses or conditional uses in Sections 10-81-4, 10-81-5 and 10-81-6, respectively, are prohibited.

In addition, a caution is provided here that:

1. New and replacement manufactured homes and certain recreational vehicles are subject to the general provisions of this ordinance and specifically Section 10-81-9.
2. Modifications, additions, structural alterations, normal maintenance and repair, or repair after damage to existing nonconforming structures and nonconforming uses of structures or land are regulated by the general provisions of this ordinance and specifically Section 10-81-11.
3. All structures must be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
4. As-built elevations for elevated or flood proofed structures must be certified by ground surveys and flood-proofing techniques must be designed and certified by a registered professional engineer or architect as specified in the general provisions of this ordinance and specifically as stated in Section 10-81-10 of this ordinance.
5. Critical facilities, as defined in Section 10-81-2-I-5, are prohibited in all floodplain districts.

#### 10-81-4: FLOODWAY DISTRICT (FW)

A. Permitted Uses: The following uses, subject to the standards set forth in Section 10-81-4-B, are permitted uses if otherwise allowed in the underlying zoning district or any applicable overlay district:

1. General farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting.
2. Industrial-commercial loading areas, parking areas, and airport landing strips.
3. Open space uses, including but not limited to private and public golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting preserves, hunting and fishing areas, and single or multiple purpose recreational trails.
4. Residential lawns, gardens, parking areas, and play areas.
5. Railroads, streets, bridges, utility transmission lines and pipelines, provided that the Department of Natural Resources' Area Hydrologist is notified at least ten days prior to issuance of any permit, and that the standards in Sections 10-81-4-D-1, 10-81-4-D-3-a, and 10-81-4-D-6 of this ordinance are met.

B. Standards for Floodway Permitted Uses:

1. The use must have a low flood damage potential.
2. With the exception of the uses listed in Section 10-81-4-A-5, the use must not obstruct flood flows or increase flood elevations and must not involve structures, fill, obstructions, excavations or storage of materials or equipment.
3. Any facility that will be used by employees or the general public must be designed with a flood warning system that provides adequate time for evacuation if the area is inundated to a depth and velocity such that the depth (in feet) multiplied by the velocity (in feet per second) would exceed a product of four upon occurrence of the regional (1% chance) flood.

- C. Conditional Uses: The following uses may be allowed as conditional uses following the standards and procedures set forth in Section 10-81-4-D of this ordinance and further subject to the standards set forth in Section 10-81-4-D, if otherwise allowed in the underlying zoning district or any applicable overlay district.
1. Structures accessory to the uses listed in 10-81-4-A above and the uses listed in 10-81-4-C-2 through 10-81-4-C-7 below.
  2. Extraction and storage of sand, gravel, and other materials.
  3. Marinas, boat rentals, docks, piers, wharves, and water control structures.
  4. Storage yards for equipment, machinery, or materials.
  5. Placement of fill or construction of fences that obstruct flood flows. Farm fences, as defined in section 10-81-2-I-8, are permitted uses.
  6. Travel-ready recreational vehicles meeting the exception standards in Section 10-81-9-C.
  7. Levees or dikes intended to protect agricultural crops for a frequency flood event equal to or less than the 10-year frequency flood event.
- D. Standards for Floodway Conditional Uses:
1. All Uses. A conditional use must not cause any increase in the stage of the 1% chance or regional flood or cause an increase in flood damages in the reach or reaches affected.
  2. Fill; Storage of Materials and Equipment:
    - a. The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal, or plant life is prohibited.
    - b. Fill, dredge spoil, and other similar materials deposited or stored in the floodplain must be protected from erosion by vegetative cover, mulching, riprap or other acceptable method. Permanent sand and gravel operations and similar uses must be covered by a long-term site development plan.
    - c. Temporary placement of fill, other materials, or equipment which would cause an increase to the stage of the 1% percent chance or regional flood may only be allowed if the City Council has approved a plan that assures removal of the materials from the floodway based upon the flood warning time available.
  3. Accessory Structures:
    - a. Accessory structures must not be designed for human habitation.
    - b. Accessory structures, if permitted, must be constructed and placed on the building site so as to offer the minimum obstruction to the flow of flood waters:
      - (1) Whenever possible, structures must be constructed with the longitudinal axis parallel to the direction of flood flow; and
      - (2) So far as practicable, structures must be placed approximately on the same flood flow lines as those of adjoining structures.
    - c. Accessory structures must be elevated on fill or structurally dry flood proofed in accordance with the FP-1 or FP-2 flood proofing classifications in the State Building Code. All flood proofed accessory structures must meet the following additional standards:

- (1) The structure must be adequately anchored to prevent flotation, collapse or lateral movement and designed to equalize hydrostatic flood forces on exterior walls; and
  - (2) Any mechanical and utility equipment in the structure must be elevated to or above the regulatory flood protection elevation or properly flood proofed.
- d. As an alternative, an accessory structure may be internally/wet flood proofed to the FP-3 or FP-4 flood proofing classifications in the State Building Code, provided the accessory structure constitutes a minimal investment and does not exceed 576 square feet in size. A detached garage may only be used for parking of vehicles and limited storage. All structures must meet the following standards:
- (1) To allow for the equalization of hydrostatic pressure, there must be a minimum of two “automatic” openings in the outside walls of the structure, with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding; and
  - (2) There must be openings on at least two sides of the structure and the bottom of all openings must be no higher than one foot above the lowest adjacent grade to the structure. Using human intervention to open a garage door prior to flooding will not satisfy this requirement for automatic openings.
4. Structural works for flood control that will change the course, current or cross section of protected wetlands or public waters are subject to the provisions of Minnesota Statutes, Section 103G.245.
  5. A levee, dike or floodwall constructed in the floodway must not cause an increase to the 1% chance or regional flood. The technical analysis must assume equal conveyance or storage loss on both sides of a stream.
  6. Floodway developments must not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.

#### 10-81-5: FLOOD FRINGE DISTRICT (FF)

- A. Permitted Uses: Permitted uses are those uses of land or structures allowed in the underlying zoning district(s) that comply with the standards in Sections 10-81-5-B. If no pre-existing, underlying zoning districts exist, then any residential or nonresidential structure or use of a structure or land is a permitted use provided it does not constitute a public nuisance.
- B. Standards for Flood Fringe Permitted Uses:
  1. All structures, including accessory structures, must be elevated on fill so that the lowest floor, as defined, is at or above the regulatory flood protection elevation. The finished fill elevation for structures must be no lower than one foot below the regulatory flood protection elevation and the fill must extend at the same elevation at least 15 feet beyond the outside limits of the structure.
    - a. All service utilities, including ductwork, must be elevated or water-tight to prevent infiltration of floodwaters.
    - b. As an alternative to elevation on fill, an accessory structure that constitutes a minimal investment and that does not exceed 576 square feet in size may be internally floodproofed in accordance with Section 10-81-4-D-3-a.
  2. The cumulative placement of fill or similar material on a parcel must not exceed 1,000 cubic yards, unless the fill is specifically intended to elevate a structure in accordance with Section

10-81-5-B-1 of this ordinance, or if allowed as a conditional use under Section 10-81-5-C-3 below.

3. The storage of any materials or equipment must be elevated on fill to the regulatory flood protection elevation.
4. The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal, or plant life is prohibited.
5. Fill must be properly compacted and the slopes must be properly protected by the use of riprap, vegetative cover or other acceptable method.
6. All new principal structures must have vehicular access at or above an elevation not more than two feet below the regulatory flood protection elevation, or must have a flood warning /emergency evacuation plan acceptable to the City Council.
7. Accessory uses such as yards, railroad tracks, and parking lots may be at an elevation lower than the regulatory flood protection elevation. However, any facilities used by employees or the general public must be designed with a flood warning system that provides adequate time for evacuation if the area is inundated to a depth and velocity such that the depth (in feet) multiplied by the velocity (in feet per second) would exceed a product of four upon occurrence of the regional (1% chance) flood.
8. Interference with normal manufacturing/industrial plant operations must be minimized, especially along streams having protracted flood durations. In considering permit applications, due consideration must be given to the needs of industries with operations that require a floodplain location.
9. Flood fringe developments must not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.
10. Manufactured homes and recreational vehicles must meet the standards of Section 10-81-9 of this ordinance.

C. Conditional Uses: The following uses and activities may be allowed as conditional uses, if allowed in the underlying zoning district(s) or any applicable overlay district, following the procedures in Section 10-81-4-D of this ordinance. Conditional uses must meet the standards in Sections 10-81-5-B-4 through 10-81-5-B-10 and Section 10-81-5-D.

1. Any structure that is not elevated on fill or flood proofed in accordance with Section 10-81-5-B-1 of this ordinance.
2. Storage of any material or equipment below the regulatory flood protection elevation.
3. The cumulative placement of more than 1,000 cubic yards of fill when the fill is not being used to elevate a structure in accordance with Section 10-81-5-B-1 of this ordinance.

D. Standards for Flood Fringe Conditional Uses:

1. The standards listed in Sections 10-81-5-B-4 through 10-81-5-B-10 apply to all conditional uses.
2. Basements, as defined by Section 10-81-2-I-3 of this ordinance, are subject to the following:
  - a. Residential basement construction is not allowed below the regulatory flood protection elevation.
  - b. Non-residential basements may be allowed below the regulatory flood protection elevation provided the basement is structurally dry flood proofed in accordance with Section 10-81-5-D-4 of this ordinance.

3. All areas of nonresidential structures, including basements, to be placed below the regulatory flood protection elevation must be flood proofed in accordance with the structurally dry flood proofing classifications in the State Building Code. Structurally dry flood proofing must meet the FP-1 or FP-2 flood proofing classification in the State Building Code, which requires making the structure watertight with the walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. Structures wet flood proofed to the FP-3 or FP-4 classification are not permitted.
4. The placement of more than 1,000 cubic yards of fill or other similar material on a parcel (other than for the purpose of elevating a structure to the regulatory flood protection elevation) must comply with an approved erosion/sedimentation control plan.
  - a. The plan must clearly specify methods to be used to stabilize the fill on site for a flood event at a minimum of the regional (1% chance) flood event.
  - b. The plan must be prepared and certified by a registered professional engineer or other qualified individual acceptable to the City Council.
  - c. The plan may incorporate alternative procedures for removal of the material from the floodplain if adequate flood warning time exists.
5. Storage of materials and equipment below the regulatory flood protection elevation must comply with an approved emergency plan providing for removal of such materials within the time available after a flood warning.
6. Alternative elevation methods other than the use of fill may be utilized to elevate a structure's lowest floor above the regulatory flood protection elevation. These alternative methods may include the use of stilts, pilings, parallel walls, etc., or above-grade, enclosed areas such as crawl spaces or tuck under garages. The base or floor of an enclosed area shall be considered above-grade and not a structure's basement or lowest floor if: 1) the enclosed area is above-grade on at least one side of the structure; 2) it is designed to internally flood and is constructed with flood resistant materials; and 3) it is used solely for parking of vehicles, building access or storage. The above-noted alternative elevation methods are subject to the following additional standards:
  - a. Design and Certification - The structure's design and as-built condition must be certified by a registered professional engineer or architect as being in compliance with the general design standards of the State Building Code and, specifically, that all electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities must be at or above the regulatory flood protection elevation or be designed to prevent flood water from entering or accumulating within these components during times of flooding.
  - b. Specific Standards for Above-grade, Enclosed Areas - Above-grade, fully enclosed areas such as crawl spaces or tuck under garages must be designed to internally flood and the design plans must stipulate:
    - (1) The minimum area of openings in the walls where internal flooding is to be used as a flood proofing technique. There shall be a minimum of two openings on at least two sides of the structure and the bottom of all openings shall be no higher than one foot above grade. The automatic openings shall have a minimum net area of not less than one square inch for every square foot of enclosed area subject to flooding unless a registered professional engineer or architect certifies that a smaller net area would suffice. The automatic openings may be equipped with screens, louvers, valves, or

other coverings or devices provided that they permit the automatic entry and exit of flood waters without any form of human intervention; and

- (2) That the enclosed area will be designed of flood resistant materials in accordance with the FP-3 or FP-4 classifications in the State Building Code and shall be used solely for building access, parking of vehicles or storage.

#### 10-81-6: GENERAL FLOODPLAIN DISTRICT (GF)

##### A. Permitted Uses:

1. The uses listed in Section 10-81-4-A of this ordinance, Floodway District Permitted Uses, are permitted uses.
2. All other uses are subject to the floodway/flood fringe evaluation criteria specified in Section 10-81-4-A. Section 10-81-4 applies if the proposed use is determined to be in the Floodway District. Section 10-81-5 applies if the proposed use is determined to be in the Flood Fringe District.

##### B. Procedures for Floodway and Flood Fringe Determinations:

1. Upon receipt of an application for a permit or other approval within the General Floodplain District, the Zoning Administrator must obtain, review and reasonably utilize any regional flood elevation and floodway data available from a federal, state, or other source.
2. If regional flood elevation and floodway data are not readily available, the applicant must furnish additional information, as needed, to determine the regulatory flood protection elevation and whether the proposed use would fall within the Floodway or Flood Fringe District. Information must be consistent with accepted hydrological and hydraulic engineering standards and the standards in 10-81-6-B-3 below.
3. The determination of floodway and flood fringe must include the following components, as applicable:
  - a. Estimate the peak discharge of the regional (1% chance) flood.
  - b. Calculate the water surface profile of the regional flood based upon a hydraulic analysis of the stream channel and overbank areas.
  - c. Compute the floodway necessary to convey or store the regional flood without increasing flood stages more than one-half (0.5) foot. A lesser stage increase than 0.5 foot is required if, as a result of the stage increase, increased flood damages would result. An equal degree of encroachment on both sides of the stream within the reach must be assumed in computing floodway boundaries.
4. The Zoning Administrator will review the submitted information and assess the technical evaluation and the recommended Floodway and/or Flood Fringe District boundary. The assessment must include the cumulative effects of previous floodway encroachments. The Zoning Administrator may seek technical assistance from a designated engineer or other expert person or agency, including the Department of Natural Resources. Based on this assessment, the Zoning Administrator may approve or deny the application.
5. Once the Floodway and Flood Fringe District boundaries have been determined, the Zoning Administrator must process the permit application consistent with the applicable provisions of Section 10-81-4 and 10-81-5 of this ordinance.

#### 10-81-7: LAND DEVELOPMENT STANDARDS

- A. In General: Recognizing that flood prone areas may exist outside of the designated floodplain districts, the requirements of this section apply to all land within the City of St. Francis.
- B. Subdivisions: No land may be subdivided which is unsuitable for reasons of flooding or inadequate drainage, water supply or sewage treatment facilities. Manufactured home parks and recreational vehicle parks or campgrounds are considered subdivisions under this ordinance.
  - 1. All lots within the floodplain districts must be able to contain a building site outside of the Floodway District at or above the regulatory flood protection elevation.
  - 2. All subdivisions must have road access both to the subdivision and to the individual building sites no lower than two feet below the regulatory flood protection elevation, unless a flood warning emergency plan for the safe evacuation of all vehicles and people during the regional (1% chance) flood has been approved by the City Council. The plan must be prepared by a registered engineer or other qualified individual, and must demonstrate that adequate time and personnel exist to carry out the evacuation.
  - 3. For all subdivisions in the floodplain, the Floodway and Flood Fringe District boundaries, the regulatory flood protection elevation and the required elevation of all access roads must be clearly labeled on all required subdivision drawings and platting documents.
  - 4. In the General Floodplain District, applicants must provide the information required in Section 10-81-6-B of this ordinance to determine the regional flood elevation, the Floodway and Flood Fringe District boundaries and the regulatory flood protection elevation for the subdivision site.
  - 5. If a subdivision proposal or other proposed new development is in a flood prone area, any such proposal must be reviewed to assure that:
    - a. All such proposals are consistent with the need to minimize flood damage within the flood prone area,
    - b. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and
    - c. Adequate drainage is provided to reduce exposure of flood hazard.
- C. Building Sites: If a proposed building site is in a flood prone area, all new construction and substantial improvements (including the placement of manufactured homes) must be:
  - 1. Designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  - 2. Constructed with materials and utility equipment resistant to flood damage;
  - 3. Constructed by methods and practices that minimize flood damage; and
  - 4. Constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

#### 10-81-8: PUBLIC UTILITIES, RAILROADS, ROADS, AND BRIDGES

- A. Public Utilities: All public utilities and facilities such as gas, electrical, sewer, and water supply systems to be located in the floodplain must be flood proofed in accordance with the State Building Code or elevated to the regulatory flood protection elevation.
- B. Public Transportation Facilities: Railroad tracks, roads, and bridges to be located within the floodplain must comply with Sections 10-81-4 and 10-81-5 of this ordinance. These transportation

facilities must be elevated to the regulatory flood protection elevation where failure or interruption of these facilities would result in danger to the public health or safety or where such facilities are essential to the orderly functioning of the area. Minor or auxiliary roads or railroads may be constructed at a lower elevation where failure or interruption of transportation services would not endanger the public health or safety.

- C. On-site Water Supply and Sewage Treatment Systems: Where public utilities are not provided: 1) On-site water supply systems must be designed to minimize or eliminate infiltration of flood waters into the systems; and 2) New or replacement on-site sewage treatment systems must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and they must not be subject to impairment or contamination during times of flooding. Any sewage treatment system designed in accordance with the state's current statewide standards for on-site sewage treatment systems is considered to be in compliance with this Section.

#### 10-81-9: MANUFACTURED HOMES, MANUFACTURED HOME PARKS, AND RECREATIONAL VEHICLES.

- A. Manufactured Homes: New manufactured home parks and expansions to existing manufactured home parks are prohibited in any floodplain district. For existing manufactured home parks or lots of record, the following requirements apply:
1. Placement or replacement of manufactured home units is prohibited in the Floodway District.
  2. If allowed in the Flood Fringe District, placement or replacement of manufactured home units is subject to the requirements of Section 10-81-5 of this ordinance and the following standards.
    - a. New and replacement manufactured homes must be elevated in compliance with Section 10-81-5 of this ordinance and must be securely anchored to an adequately anchored foundation system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state or local anchoring requirements for resisting wind forces.
    - b. New or replacement manufactured homes in existing manufactured home parks must meet the vehicular access requirements for subdivisions in Section 10-81-7-B-2.
- B. Recreational Vehicles: New recreational vehicle parks or campgrounds and expansions to existing recreational vehicle parks or campgrounds are prohibited in any floodplain district. Placement of recreational vehicles in existing recreational vehicle parks or campgrounds in the floodplain must meet the exemption criteria below or be treated as new structures meeting the requirements of this ordinance.
1. Recreational vehicles are exempt from the provisions of this ordinance if they are placed in any of the following areas and meet the criteria listed in Section 10-81-9-B-2:
    - a. Individual lots or parcels of record.
    - b. Existing commercial recreational vehicle parks or campgrounds.
    - c. Existing condominium-type associations.
  2. Criteria for Exempt Recreational Vehicles:
    - a. The vehicle must have a current license required for highway use.
    - b. The vehicle must be highway ready, meaning on wheels or the internal jacking system, attached to the site only by quick disconnect type utilities commonly used in campgrounds and recreational vehicle parks.
    - c. No permanent structural type additions may be attached to the vehicle.
    - d. The vehicle and associated use must be permissible in any pre-existing, underlying zoning district.

- e. Accessory structures are not permitted within the Floodway District. Any accessory structure in the Flood Fringe District must be constructed of flood-resistant materials and be securely anchored, meeting the requirements applicable to manufactured homes in Section 10-81-9-B-2.
  - f. An accessory structure must constitute a minimal investment
3. Recreational vehicles that are exempt in Section 10-81-9-B-2 lose this exemption when development occurs on the site that exceeds a minimal investment for an accessory structure such as a garage or storage building. The recreational vehicle and all accessory structures will then be treated as new structures subject to the elevation and flood proofing requirements of Section 10-81-5 of this ordinance. No development or improvement on the parcel or attachment to the recreational vehicle is allowed that would hinder the removal of the vehicle should flooding occur.

#### 10-81-10: ADMINISTRATION

A. Zoning Administrator: A Zoning Administrator or other official designated by the City Council must administer and enforce this ordinance.

#### B. Permit Requirements:

1. Permit Required. A permit must be obtained from the Zoning Administrator prior to conducting the following activities:
  - a. The erection, addition, modification, rehabilitation, or alteration of any building, structure, or portion thereof. Normal maintenance and repair also requires a permit if such work, separately or in conjunction with other planned work, constitutes a substantial improvement as defined in this ordinance.
  - b. The use or change of use of a building, structure, or land.
  - c. The construction of a dam, fence, or on-site septic system, although a permit is not required for a farm fence as defined in this ordinance.
  - d. The change or extension of a nonconforming use.
  - e. The repair of a structure that has been damaged by flood, fire, tornado, or any other source.
  - f. The placement of fill, excavation of materials, or the storage of materials or equipment within the floodplain.
  - g. Relocation or alteration of a watercourse - including new or replacement culverts and bridges), unless a public waters work permit has been applied for.
  - h. Any other type of "development" as defined in this ordinance.
2. Application for Permit. Permit applications must be submitted to the Zoning Administrator on forms provided by the Zoning Administrator. The permit application must include the following as applicable:
  - a. A site plan showing all pertinent dimensions, existing or proposed buildings, structures, and significant natural features having an influence on the permit.
  - b. Location of fill or storage of materials in relation to the stream channel.
  - c. Copies of any required municipal, county, state or federal permits or approvals.
  - d. Other relevant information requested by the Zoning Administrator as necessary to properly evaluate the permit application.
3. Certificate of Zoning Compliance for a New, Altered, or Nonconforming Use. No building, land or structure may be occupied or used in any manner until a certificate of zoning compliance has been issued by the Zoning Administrator stating that the use of the building or land conforms to the requirements of this ordinance.
4. Certification. The applicant is required to submit certification by a registered professional engineer, registered architect, or registered land surveyor that the finished fill and building

elevations were accomplished in compliance with the provisions of this ordinance. Flood proofing measures must be certified by a registered professional engineer or registered architect.

5. Record of First Floor Elevation. The Zoning Administrator must maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations or additions to existing structures in the floodplain. The Zoning Administrator must also maintain a record of the elevation to which structures and alterations or additions to structures are flood proofed.
6. Notifications for Watercourse Alterations. Before authorizing any alteration or relocation of a river or stream, the Zoning Administrator must notify adjacent communities. If the applicant has applied for a permit to work in public waters pursuant to Minnesota Statutes, Section 103G.245, this will suffice as adequate notice. A copy of the notification must also be submitted to the Chicago Regional Office of the Federal Emergency Management Agency (FEMA).
7. Notification to FEMA When Physical Changes Increase or Decrease Base Flood Elevations. As soon as is practicable, but not later than six months after the date such supporting information becomes available, the Zoning Administrator must notify the Chicago Regional Office of FEMA of the changes by submitting a copy of the relevant technical or scientific data.

#### C. Variances:

1. Variance Applications. An application for a variance to the provisions of this ordinance will be processed and reviewed in accordance with applicable state statutes and Chapter 8 of the City Zoning Ordinance.
2. Adherence to State Floodplain Management Standards. A variance must not allow a use that is not allowed in that district, permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area, or permit standards lower than those required by state law.
3. Additional Variance Criteria. The following additional variance criteria of the Federal Emergency Management Agency must be satisfied:
  - a. Variances must not be issued by a community within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
  - b. Variances may only be issued by a community upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - c. Variances may only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
4. Flood Insurance Notice. The Zoning Administrator must notify the applicant for a variance that: 1) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and 2) Such construction below the base or regional flood level increases risks to life and property. Such notification must be maintained with a record of all variance actions.

5. General Considerations. The community may consider the following factors in granting variances and imposing conditions on variances and conditional uses in floodplains:
  - a. The potential danger to life and property due to increased flood heights or velocities caused by encroachments;
  - b. The danger that materials may be swept onto other lands or downstream to the injury of others;
  - c. The proposed water supply and sanitation systems, if any, and the ability of these systems to minimize the potential for disease, contamination and unsanitary conditions;
  - d. The susceptibility of any proposed use and its contents to flood damage and the effect of such damage on the individual owner;
  - e. The importance of the services to be provided by the proposed use to the community;
  - f. The requirements of the facility for a waterfront location;
  - g. The availability of viable alternative locations for the proposed use that are not subject to flooding;
  - h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future;
  - i. The relationship of the proposed use to the Comprehensive Land Use Plan and flood plain management program for the area;
  - j. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - k. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site.
6. Submittal of Hearing Notices to the Department of Natural Resources (DNR). The Zoning Administrator must submit hearing notices for proposed variances to the DNR sufficiently in advance to provide at least ten days' notice of the hearing. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.
7. Submittal of Final Decisions to the DNR. A copy of all decisions granting variances must be forwarded to the DNR within ten days of such action. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.
8. Record-Keeping. The Zoning Administrator must maintain a record of all variance actions, including justification for their issuance, and must report such variances in an annual or biennial report to the Administrator of the National Flood Insurance Program, when requested by the Federal Emergency Management Agency.

D. Conditional Uses:

1. Administrative Review. An application for a conditional use permit under the provisions of this ordinance will be processed and reviewed in accordance with Chapter 6 of the City Zoning Ordinance.
2. Factors Used in Decision-Making. In passing upon conditional use applications, the City Council must consider all relevant factors specified in other sections of this ordinance, and those factors identified in Section 10-81-10-C-5 of this ordinance.
3. Conditions Attached to Conditional Use Permits. The City Council may attach such conditions to the granting of conditional use permits as it deems necessary to fulfill the purposes of this ordinance. Such conditions may include, but are not limited to, the following:
  - a. Modification of waste treatment and water supply facilities.
  - b. Limitations on period of use, occupancy, and operation.
  - c. Imposition of operational controls, sureties, and deed restrictions.

- d. Requirements for construction of channel modifications, compensatory storage, dikes, levees, and other protective measures.
  - e. Flood proofing measures, in accordance with the State Building Code and this ordinance. The applicant must submit a plan or document certified by a registered professional engineer or architect that the flood proofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.
4. Submittal of Hearing Notices to the Department of Natural Resources (DNR). The Zoning Administrator must submit hearing notices for proposed conditional uses to the DNR sufficiently in advance to provide at least ten days' notice of the hearing. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.
  5. Submittal of Final Decisions to the DNR. A copy of all decisions granting conditional uses must be forwarded to the DNR within ten days of such action. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.

#### 10-81-11: NONCONFORMITIES

- A. Continuance of Nonconformities: A use, structure, or occupancy of land which was lawful before the passage or amendment of this ordinance but which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions. Historic structures, as defined in Section 10-81-2-I-29-b of this ordinance, are subject to the provisions of Sections 10-81-11-A-1 to 10-81-11-A-7 of this ordinance.
1. A nonconforming use, structure, or occupancy must not be expanded, changed, enlarged, or altered in a way that increases its flood damage potential or degree of obstruction to flood flows except as provided in 10-81-11-A-2 below. Expansion or enlargement of uses, structures or occupancies within the Floodway District is prohibited.
  2. Any addition or structural alteration to a nonconforming structure or nonconforming use that would result in increasing its flood damage potential must be protected to the regulatory flood protection elevation in accordance with any of the elevation on fill or flood proofing techniques (i.e., FP-1 thru FP-4 flood proofing classifications) allowable in the State Building Code, except as further restricted in 10-81-11-A-3 and 10-81-11-A-7 below.
  3. If the cost of all previous and proposed alterations and additions exceeds 50 percent of the market value of any nonconforming structure, then the entire structure must meet the standards of Section 10-81-4 or 10-81-5 of this ordinance for new structures depending upon whether the structure is in the Floodway or Flood Fringe District, respectively. The cost of all structural alterations and additions must include all costs such as construction materials and a reasonable cost placed on all manpower or labor.
  4. If any nonconforming use, or any use of a nonconforming structure, is discontinued for more than one year, any future use of the premises must conform to this ordinance. The Assessor must notify the Zoning Administrator in writing of instances of nonconformities that have been discontinued for a period of more than one year.
  5. If any nonconformity is substantially damaged, as defined in Section 10-81-2I28 of this ordinance, it may not be reconstructed except in conformity with the provisions of this ordinance. The applicable provisions for establishing new uses or new structures in Sections 10-81-4 or 10-81-5 will apply depending upon whether the use or structure is in the Floodway or Flood Fringe, respectively.
  6. If any nonconforming use or structure experiences a repetitive loss, as defined in Section 10-81-2-I-25 of this ordinance, it must not be reconstructed except in conformity with the provisions of this ordinance.

7. Any substantial improvement, as defined in Section 10-81-2-I-26 of this ordinance, to a nonconforming structure requires that the existing structure and any additions must meet the requirements of Section 10-81-4 or 10-81-5 of this ordinance for new structures, depending upon whether the structure is in the Floodway or Flood Fringe District.

#### 10-81-12: PENALTIES AND ENFORCEMENT

- A. Violation Constitutes a Misdemeanor: Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or conditional uses) constitute a misdemeanor and will be punishable as defined by law.
- B. Other Lawful Action: Nothing in this ordinance restricts the City from taking such other lawful action as is necessary to prevent or remedy any violation. If the responsible party does not appropriately respond to the Zoning Administrator within the specified period of time, each additional day that lapses will constitute an additional violation of this ordinance and will be prosecuted accordingly.
- C. Enforcement: In responding to a suspected ordinance violation, the Zoning Administrator and City Council may utilize the full array of enforcement actions available to it including but not limited to prosecution and fines, injunctions, after-the-fact permits, orders for corrective measures or a request to the National Flood Insurance Program for denial of flood insurance availability to the guilty party. The City must act in good faith to enforce these official controls and to correct ordinance violations to the extent possible so as not to jeopardize its eligibility in the National Flood Insurance Program.
  1. When a violation is either discovered by or brought to the attention of the Zoning Administrator, the Zoning Administrator shall immediately investigate the situation and document the nature and extent of the violation of the official control. As soon as it is reasonably possible, this information will be submitted to the appropriate State Department of Natural Resources and Federal Emergency Management Agency regional office along with the city's plan of action to correct the violation to the degree possible.
  2. The Zoning Administrator shall notify the suspected party of the requirements of this chapter and all other official controls and the nature and extent of the suspected violation of these controls. If the structure and/or use is under construction or development, the Zoning Administrator may order the construction or development immediately halted until a proper permit or approval is granted by the city. If the construction or development is already completed, the Zoning Administrator may either: 1) issue an order identifying the corrective actions that must be made within a specified time period to bring the use or structure into compliance with the official controls; or 2) notify the responsible party to apply for an after the fact permit/development approval within a specified period of time not to exceed 30 days.

#### 10-81-13: AMENDMENTS

- A. Floodplain Designation – Restrictions on Removal: The floodplain designation on the Official Zoning Map must not be removed from floodplain areas unless it can be shown that the designation is in error or that the area has been filled to or above the elevation of the regulatory flood protection elevation and is contiguous to lands outside the floodplain. Special exceptions to this rule may be permitted by the Commissioner of the Department of Natural Resources (DNR) if the Commissioner determines that, through other measures, lands are adequately protected for the intended use.
- B. Amendments Require DNR Approval: All amendments to this ordinance must be submitted to and approved by the Commissioner of the Department of Natural Resources (DNR) prior to adoption. The Commissioner must approve the amendment prior to community approval.

- C. Map Revisions Require Ordinance Amendments. The floodplain district regulations must be amended to incorporate any revisions by the Federal Emergency Management Agency to the floodplain maps adopted in Section 10-81-2-C of this ordinance.

Section 3. Effective Date. This Ordinance shall take effect 30 days after its publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 19<sup>TH</sup> DAY OF OCTOBER, 2015.

APPROVED:

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Steve Kane  
Mayor of St. Francis

ATTEST:

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Barbara I. Held  
City Clerk

(seal)

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

**RESOLUTION 2015-62**

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 209,  
SECOND SERIES AMENDING SECTION 10-81 ADOPTING REVISED  
FLOOD PLAIN ORDINANCE**

**WHEREAS**, as authorized by Minnesota Statutes, Section 412.191, subd. 4, the City Council has determined that publication of the title and summary of Ordinance No. 209 will clearly inform the public of the intent and effect of the Ordinance; and

**WHEREAS**, a printed copy of the Ordinance is available for inspection during regular office hours in the office of the City Clerk.

**NOW THEREFORE, BE IT RESOLVED** that the following summary of Ordinance 209, Second Series is approved for publication:

**CITY OF ST. FRANCIS, MINNESOTA  
ORDINANCE 209, SECOND SERIES**

Section 1. The St. Francis Zoning Ordinance is hereby amended to include the following ordinance summarized below:

St. Francis Zoning Ordinance Section 10-81 is hereby amended to include reference to the new flood plain maps effective December 16, 2015 and to adopt the new model flood plain ordinance.

Section 2. The full ordinance will be in effect 30 days from this summary publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 2<sup>nd</sup> DAY OF NOVEMBER, 2015.

APPROVED

\_\_\_\_\_  
Steve Kane  
Mayor of St. Francis

Attest:

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

**CITY OF ST. FRANCIS  
ANOKA COUNTY  
STATE OF MINNESOTA**

**ORDINANCE 210, SECOND SERIES**

**AN ORDINANCE APPROVING THE SALE OF CITY OWNED REAL ESTATE**

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. The City is hereby authorized and shall sell the following described real property at such time, under such terms and for amounts that the City Council deems appropriate at the time of sale:

**Vacant Parcels South of Bridge Street (Old East Shop and Water Tower Site)**

**1) 32-34-24-43-0003, 32-34-24-43-0004;**

E66\*935 and N66\*420

**2) 32-34-24-43-0005, 32-34-24-43-0006, 32-34-24-43-0008, and 32-34-24-43-0009;**

That part of the Southwest Quarter of the Southeast Quarter, Section 32, Township 34, Range 24, Anoka County, Minnesota, described as follows:

Commencing at the southeast corner of said Southwest Quarter of the Southeast Quarter; thence on an assumed bearing of North 00 degrees 15 minutes 14 seconds West, along the east line of said Southwest Quarter of the Southeast Quarter, a distance of 360.57 feet; thence South 89 degrees 52 minutes 05 seconds West, a distance of 175.99 feet to a point hereinafter referred to as Point "A"; thence North 00 degrees 22 minutes 12 seconds West, a distance of 289.41 feet; thence South 89 degrees 42 minutes 41 seconds West, a distance of 165.00 feet; thence North 00 degrees 22 minutes 12 seconds West, a distance of 132.00 feet; thence South 89 degrees 42 minutes 41 seconds West, a distance of 85.82 feet; thence South 00 degrees 24 minutes 08 seconds East, a distance of 170.00 feet; thence South 89 degrees 42 minutes 41 seconds West, a distance of 210.00 feet; thence South 00 degrees 24 minutes 08 seconds East, a distance of 94.00 feet to the point of beginning of the land to be described; thence South 89 degrees 42 minutes 41 seconds West, a distance of 165.00 feet; thence South 00 degrees 24 minutes 08 seconds East, a distance of 155.70 feet to the intersection with a line bearing South 89 degrees 52 minutes 05 seconds West from said Point "A"; thence South 89 degrees 52 minutes 05 seconds West, a distance of 100.00 feet; thence North 00 degrees 24 minutes 08 seconds West, a distance of 419.43 feet; thence North 89 degrees 42 minutes 41 seconds East, a distance of 265.00 feet to the intersection with a line drawn on a

bearing of North 00 degrees 24 minutes 08 seconds from the point of beginning; thence South 00 degrees 24 minutes 08 seconds East, a distance of 264.00 feet to the point of beginning.

(Said tract is also known as Lots 2, and 3, and part of Lot 4, Block 8, "Village of St. Francis".)

Subject to an easement for highway, utility, drainage, biking/walking, construction of slope purposes in favor of the County of Anoka over the north 40 feet of the west 165 feet of the above-described land, as set forth in quit claim deed dated January 12, 1999, and filed January 19, 1999, as Anoka County recorder document No. 1401133.

Section 2. The Mayor and the City Administrator are hereby authorized to execute the necessary documents to convey the interest of the City of St. Francis to said property.

Section 3. That pursuant to Section 12.03 of the City Charter, any net cash proceeds of the sale of said property shall be used to retire any outstanding indebtedness incurred by the City in the acquisition or improvement of the property. Any remaining proceeds shall be used to finance other improvements in the capital improvement budget or to retire any other bonded indebtedness.

Section 4. Effective Date. This Ordinance shall take effect thirty (30) days after its publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

APPROVED:

ATTEST:

\_\_\_\_\_  
Steve Kane, Mayor of St. Francis

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



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

**RESOLUTION 2015-63**

**AN ORDINANCE APPROVING THE SALE OF CITY OWNED REAL ESTATE**

**WHEREAS**, as authorized by Minnesota Statutes, Section 412.191, subd. 4, the City Council has determined that publication of the title and summary of Ordinance 210, Second Series will clearly inform the public of the intent and effect of the Ordinance; and

**WHEREAS**, a printed copy of the Ordinance is available for inspection during regular office hours in the office of the City Clerk.

**NOW THEREFORE, BE IT RESOLVED** that the following summary of Ordinance 210, Second Series is approved for publication:

**CITY OF ST. FRANCIS, MINNESOTA  
ORDINANCE 210, SECOND SERIES**

Section 1. The St. Francis City Code is hereby amended to include the following ordinance summarized below:

An Ordinance approving the sale of City owned Real Estate. Vacant Parcels South of Bridge Street (Old East Shop and Water Tower Site) 32-34-24-43-0003, 32-34-24-43-0004, 32-34-24-43-0005, 32-34-24-43-0006, 32-34-24-43-0008, and 32-34-24-43-0009;

Section 2. The full ordinance will be in effect 30 days from this summary publication.

Section 3. The full ordinance is available for review during regular office hours in the office of the City Clerk.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 2<sup>nd</sup> DAY OF NOVEMBER, 2015.

APPROVED

Attest:

\_\_\_\_\_  
Steve Kane, Mayor of St. Francis

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

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

**ORDINANCE 211, SECOND SERIES**

**AN ORDINANCE AMENDING A FEE SCHEDULE FOR BUILDING PERMITS WITHIN THE  
CITY OF ST. FRANCIS**

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Ordinance Adopted. The City of St. Francis hereby adopts the following Fee Schedule for Building Permits within the City of St. Francis:

<b>Total Valuation</b>	<b>Fee</b>
\$1.00 to \$500.00	<del>\$23.50</del> <b>\$23.00</b>
\$501.00 to \$2,000.00	\$23.50 <del>to</del> for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00.
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00.
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00.
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus <del>\$3.65</del> <b>\$3.15</b> for each additional <del>\$1,000,000.00</del> <b>\$1,000.00</b> , or fraction thereof
<b>Other Inspections and Fees:</b> 1. Inspection outside of normal business hours.....\$47.00 per hour* 2. Reinspection fees assessed under provisions of Section <del>108.8</del> <b>305.8</b> .....\$47.00 per hour* 3. Inspections for which no fee is specifically indicated (Minimum charge – <del>one hour</del> <b>one-half hour</b> ) \$47.00 per hour* 4. Additional plan review required by changes, additions or revisions to plans .....\$47.00 per hour* 5. For use of outside consultants for plan checking and inspections, or both .....Actual costs** <b>6. Plan Check Fee is 65% of the Building Permit Fee.</b> * Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved. ** Actual costs include administrative and overhead costs.	

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS ON THE \_\_\_\_ DAY OF NOVEMBER, 2015.

APPROVED:

ATTEST:

\_\_\_\_\_  
Steve Kane, Mayor of St. Francis

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

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

ORDINANCE 212, SECOND SERIES

AN ORDINANCE AMENDING SECTION 2-9-1 OF THE CITY CODE  
REGARDING THE FEE SCHEDULE

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Amended. That all previously adopted versions of the fee schedule are deleted and Section 2-9-1, Second Series shall hereby be added to read as established in Exhibit A.

Section 2. Effective Date. This Ordinance shall take effect January 1, 2016.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS \_\_\_\_  
DAY OF NOVEMBER, 2015.

APPROVED:

\_\_\_\_\_  
Steve Kane  
Mayor of St. Francis

ATTEST:

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

(seal)

**SECTION 9**  
**FEE SCHEDULE**

SECTION:

2-9-1: Fee Schedule

**2-9-1: FEE SCHEDULE.**

A. Administrative Penalties.

1. Administrative Enforcement Penalties:
  - a. 1<sup>st</sup> Offense \$100
  - b. 2<sup>nd</sup> Offense \$200
  - c. 3<sup>rd</sup> Offense \$500
  - d. 4<sup>th</sup> Offense \$1,000
  - e. 5<sup>th</sup> Offense and Beyond \$2,000
2. Administrative Hearing Fee \$100

B. Animal Impound Fees.

1. Administrative Fee \$50/day
2. Pick Up Service Fee:
  - a. 8 AM to 6 PM \$60/hour
  - b. 6 PM to 8 AM \$80/hour
3. Boarding Fee \$25/day

C. Animal License:

1. Dog License \$10/1-2 year vaccinations  
\$15/3 year vaccination
2. Kennel:
  - a. First 10 Dogs \$100/year
  - b. Each Additional Dog \$10/year

D. Amusement and Recreation.

1. Amusement Machine \$15/location + \$15/machine
2. Dance:
  - a. Annual \$100/year
  - b. Per Event \$10/event

E. Business and Service License.

1.	Investigation Fee	\$25
2.	Adult Entertainment Use	\$2,000/year
3.	Sauna/Massage Parlors	\$2,000/year
4.	Fireworks – Retail/Tent	\$50/occurrence
5.	Fireworks – Pyrotechnic Display	\$50/occurrence
6.	Pawnbroker	\$1,000/year
7.	Refuse Hauler	\$200/year + \$50/truck
8.	Massage Therapist	\$200/year
9.	Taxicab Driver License Fee	\$150/year
10.	Taxicab Operator License Fee	\$150/year
11.	Towing/Impound	\$150/year
12.	Finger Printing	\$15 and customer provides fingerprint card
13.	Transient Merchant/Peddler:	
	a. Week	\$50
	b. Month	\$150
	c. Year	\$300
14.	Excavations/Mining:	
	a. Active Area Fee	\$50/acre
	b. Inactive Area Fee	\$25/acre
	c. Restoration Credit	\$25/acre

F. Liquor License.

1.	3.2% Malt – Off Sale	\$50/year
2.	3.2% Malt – Off Sale – Special Event	\$25/event
3.	3.2% Malt – On Sale	\$200/year
4.	Club License	\$200/year
5.	Wine License	\$200/year
6.	Intoxicating Liquor – On Sale	\$4,000/year
7.	Intoxicating Liquor – Sunday Sales	\$200/year
8.	Investigation Fee:	
	a. Single Application	\$200
	b. Partnership	\$300
	c. Corporation	\$400

G. Tobacco License. \$150/year

H. Street Disruption.

1.	Road Right-of-Way – Registration	\$35 + \$2,000 escrow
2.	Road Right-of-Way – Permit Application	\$150 + Consultant Fees
3.	Street Opening	\$50 + Bond or Deposit and Consultant Fees

I. Document Services.

1.	Accident, Police and Fire Reports	\$.25/page; over 100 pages TBD
2.	Copies	\$.25/page copied
a.	CDs	\$15
b.	Colored Copies of Photos	\$3/page
c.	Certificate of Survey (non-homeowner)	\$2
d.	City Council Agenda & Minutes (mailed):	
	1) Resident	\$25/year
	2) Non-Resident	\$25/year + postage
e.	Planning/Park Commission Agenda and Minutes (mailed):	
	1) Resident	\$12/year
	2) Non-Resident	\$12/year + postage

J. General and Miscellaneous.

1.	Lockouts	\$25
2.	Mileage Reimbursement for Personal Vehicle	Current IRS Rate
3.	Notary	\$2/document
4.	Public Nuisance Violation Administration Fee (assessable)	\$75/occurrence
5.	Certify Delinquent Invoices (except utilities)	Lesser of 10% of delinquency or \$75
6.	Certify Delinquent Invoices	10% of delinquency
7.	Fire Department Charges	See Ordinance 138
8.	Returned Checks	\$30/check
9.	Snowmobile Permit	\$15
10.	Special Assessment Administrative Fee	\$100
11.	Special Assessment Search	\$20/each

K. Equipment and Staff Use.

1.	One Ton Truck with Plow	\$55/hour
2.	Belos with Attachment	\$55/hour
3.	Crane Truck	\$45/hour
4.	Electric Generator	\$60/hour
5.	Grader	\$90/hour
6.	Kubota/Attachments Mower	\$50/hour
7.	Pick Up Truck	\$40/hour
8.	Single Axle Truck	\$65/hour

- 9. Single Axle Truck with Plow \$85/hour
- 10. Tool Cat/Skid Steer w/Attachments \$60/hour
- 11. Tractor with Loader or Attachments \$60/hour
- 12. Pay Loader \$90/hour
- \* Hourly equipment rates DO NOT include the cost of the operator or cost of fuel and gas
- 13. Staff Time Two Times Step 8 of Their Pay Grade

L. Council / Commission Pay.

- 1. City Council Per Diems Per Day \$35 for four hours or less; \$70 for more than four hours
  - a. Special Council Meetings
  - b. Council Retreats/Work Sessions
  - c. Economic Development Authority Meeting (EDA)
  - d. League of MN Cities Functions Prior Approval Required
  - e. Labor Negotiations Prior Approval Required
  - f. Employee Interviews Prior Approval Required
  - g. Mayor Only:
    - 1) School/County Liaison Mayor may appoint Council members to fulfill his obligations and approve attendance
    - 2) MN Mayors Association
    - 3) Speaking Engagements at Other Civic Org.
    - 4) Closing of Property Acquisition
    - 5) Fire District Study Group
- 2. Planning Commission:
  - a. Chairman \$25/meeting paid annually
  - b. Member \$20/meeting paid annually
- 3. Park Commission:
  - a. Chairman \$25/meeting paid annually
  - b. Member \$20/meeting paid annually
- 4. Economic Development Authority \$20/meeting paid annually
- 5. Upper Rum River Watershed – \$20/meeting paid annually  
Resident Appointed by Council

M. Parks and Recreation.

	<u>Resident</u>	<u>Non-Resident</u>
1. Concession	\$25	\$50
2. Ball Park Use – Outside Organization	\$100/night for season	\$200/night for Season
3. Clean Up Deposit	\$50 - refundable	\$75 - refundable
4. Key Replacement	\$50	\$50
5. Football Field	\$25/each	\$35/each
6. Football Youth Program	\$43/week per team	

- |     |                                  |                                     |                                     |
|-----|----------------------------------|-------------------------------------|-------------------------------------|
| 7.  | Gazebo Rental                    | \$50                                | \$100                               |
| 8.  | Rink Rental for<br>Reserved Time | \$25/hour for after<br>hours rental | \$50/hour for after<br>hours rental |
| 9.  | Shelter                          | \$25                                | \$50                                |
| 10. | Soccer                           | \$34/week per team                  |                                     |
| 11. | Soccer Field                     | \$25/each                           | \$35/each                           |
| 12. | Warming House                    | \$50                                | \$100                               |
- *St. Francis City Council has the authority to charge an annual fee of \$100 for non-profits.*
  - *St. Francis City Council has the authority to waive any fees for non-profits.*

N. Community Center.

- |    |   |   |
|----|---|---|
| 1. | Resident  | \$30/event  |
| 2. | Non-Resident  | \$55/event  |
| 3. | Damage Deposit  | \$100   |
| 4. | Late Key Return   | \$25 if not returned<br>within 2 business<br>days of event  |
| 5. | City Purposes   | Free  |
| 6. | City Benefit:   |   |
|    | a. St. Francis Lions/Lioness                                    | Fees will be waived<br>for these uses unless<br>the Council<br>specifically<br>determines that the<br>fees should be<br>imposed         |
|    | b. St. Francis Senior Citizens Group                            |   |
|    | c. St. Francis Area Jaycees                                     |   |
|    | d. St. Francis Youth Association<br>(4-H, Scouts, Hockey, etc.) |   |
|    | e. St. Francis Ambassador Program                               |   |
|    | f. St. Francis Area Chamber of Commerce                         |   |
|    | g. Other Governmental Agencies                                  |   |
|    | h. Local Church Organizations                                   |   |
|    | i. Local Business/Non-Profit Organizations                      | Donations will be<br>accepted for use of<br>facility unless Council<br>specifically<br>determines that the<br>fees should be<br>imposed |
| 7. | Priority for Use in Event of Conflict:                          |   |
|    | a. City of St. Francis  | Based on earliest<br>request if more than<br>one applicant of the<br>same class seeks<br>conflicting dates                              |
|    | b. Non-Profit located within City limits                        |   |
|    | c. Residents (individuals or groups)                            |   |
|    | d. Non-Profit located outside City limits                       |   |
|    | e. Non-Residents (individuals or groups)                        |   |

O. Division and Use of Property.

	<u>Fee</u>	<u>Escrow</u>
1. Administrative Subdivision	\$200	\$250
2. Annexation	\$250	\$300
3. Appeal	\$200	\$250
4. Comprehensive Plan Amendment	\$450	\$650
5. Conditional Use Permit	\$350	\$650
6. Dock Permit	\$50	\$100
7. Driveway Permit	\$50	\$200 (may be waived by staff)
8. Environmental Review	\$350	\$650
9. Excavation/Fill Permit (Admin)	\$100	\$250
10. Excavation/Fill Permit (IUP)	\$350	\$650
11. Fence-Under Six Feet in Height	\$50	
12. Home Occupation (IUP)	\$350	\$650
13. Interim Use	\$350	\$650
14. Minor Subdivision	\$350	\$400
15. Ordinance Amendment	\$350	\$650
16. Planned Unit Development	\$350	\$650
17. Rental Housing Licensing:		
a. License	\$150	
b. License Renewal	\$100	
c. License Renewal Multiple Family	\$75	
18. Sign Permit Zoning Review (Admin)	\$75	
19. Sign Permit Zoning Review (Full)	\$250	\$350
20. Sign Permit Zoning Review (Temporary)	\$25	
21. Rezoning	\$350	\$650
22. Site and Building Plan Review (Admin)	\$100	\$250
23. Site and Building Plan Review (Regular)	\$350	\$450
24. Street/Utility Easement Vacation	\$350	\$650
25. Subdivision:		
a. Sketch Plan	\$300	\$500
b. Preliminary Plat (Rural)	\$400	\$400 + \$125/lot
c. Preliminary Plat (Urban)	\$400	\$425 + \$175/lot
d. Final Plat	\$350	\$650
26. Temporary Habitation Permit	\$200	\$5,000
27. Temporary Outdoor Sales Permit/ License	\$50	
28. Wetland Replacement Plan Review With Plat	\$350	\$650
29. Wetland Replacement Plan and Excavation	\$350	\$650
30. Vacant Building Registration Fee;		
a. First Year	\$125	
b. Second Year Renewal	\$175	

- c. Third Year Renewal \$250
  - d. Fourth Year Renewal \$350
  - e. Fifty Year Renewal and Beyond \$500
  - 31. Vacant Building Administration Fee \$100
  - 32. Variance Application \$350 \$650
  - 33. Park Dedication \$2,500/lot
  - 34. TIF Application \$2,500 \$2,500
  - 35. Landscaping Escrow Admin Fee \$100
- Applicants are responsible for all costs incurred by the City for consultant fees.

P. Building Permits.

	<u>Fee</u>	<u>Escrow</u>
1. Basement Finishes Permit	\$140 <del>\$140</del> <b>\$160</b>	**See Below
2. Building Demolition	\$95 <del>\$95</del> <b>\$110</b>	**See Below
3. Building Demolition – Commercial	By Valuation	
4. Contractor Verification Fee	\$10	
5. Fence – Residential	\$40 <del>\$40</del> <b>\$60</b>	
a. Over Six Feet in Height	By Valuation	
b. Commercial	By Valuation	
7. Fuel Tank Removal	\$95 <del>\$95</del> <b>\$110</b>	**See Below
8. Engineer's Grading Review of Building Permit	\$130	
9. <del>Water Heater</del>	<del>\$75</del>	<del>**See Below</del>
10. <del>9</del> HVAC – Heating Installations	<del>\$95/each</del> <del>\$110</del> <b>\$110</b>	<del>**See Below</del>
HVAC – Air Conditioning	\$55/each <del>\$110</del> <b>\$110</b>	**See Below
HVAC - Fireplace	\$95 <del>\$110</del> <b>\$110</b>	
11. <del>10</del> Inspections – After Hours	\$70/hour, minimum 2 hours	
12. <del>11</del> Investigation Fee	Not to exceed permit fee	
13. <del>12</del> Irrigation	\$50 back flow <del>\$75</del> <b>\$75</b>	**See Below
	preventer	
14. <del>13</del> Mobile Home Setup	By Valuation- <del>\$180</del> <b>\$180</b>	
15. <del>14</del> On-Site Septic:		
a. Type I – IV	<del>\$275-</del> <del>\$285</del> <b>\$285</b>	**See Below
b. Type V	By <del>value or</del> cost incurred	
c. Operating Permit	\$125/year	**See Below
16. <del>15</del> Plumbing (includes Water Heater)	\$95 <del>\$110</del> <b>\$110</b>	
17. <del>16</del> Pools	\$75 <del>\$100</del> <b>\$100</b>	**See Below
	• Letter must be submitted annually stating that an above ground pool will be placed in the same location each year as per the initial site plan.	
18. <del>17</del> Pools – In Ground	By Valuation	
19. <del>18</del> Re-inspection Fee	Not to exceed \$75/trip	
20. <del>19</del> Roofing:		
a. Residential	\$95 <del>\$110</del> <b>\$110</b>	**See Below
b. Commercial	By Valuation	
21. <del>20</del> Septic System Pumping Verification	\$20	

22.	<u>21</u> Siding:		
	a. Residential	\$95 <del>\$110</del>	**See Below
	b. Commercial	By Valuation	
23.	<u>22</u> Signs	By Valuation	
23.	<u>Water Conditioning</u>	<u>\$55</u>	
24.	Water Softener Permit:		
	a. Residential	\$15 by State Statute	**See Below
	b. Commercial	By Valuation	
25.	Windows/Exterior Doors	\$95 <del>\$110</del>	**See Below
26.	Commercial Buildings (Plumbing, Mechanical, Fire Alarm, etc.)	By Valuation	

- Anything not listed above will be based on valuation + plan review + State surcharge.
- Permits over 180 days of inactivity are null and void with no refund.
- Permit extension not to exceed ½ permit fee and Building Inspector makes determination.
- No refund on plan review fees; maximum refund is 75% of total fee for permit fees; no refund for State surcharges.

**\*\* STATE SURCHARGE collected in accordance with MN Statutes 326B.148 which is currently \$1 per permit.**

Q. Escrow Deposits.

1.	Urban:	
	a. Curb Box and Meter	\$1,500
	b. Final Grading	\$500 - \$1,000
	c. Litter/Debris Cleanup	\$100 - \$300
	d. 2" Caliper Tree (new)	\$300
	e. Sod	\$2,000
	f. Seeding/Sprinkler	\$2,000
	g. 3" Black Dirt	\$500
	h. Erosion Control in Place	\$300
	i. Street Cleaned	\$200
	j. Driveway Installed	\$1,500
2.	Rural:	
	a. Final Grading	\$500 - \$1,000
	b. Litter/Debris Cleanup	\$100 - \$300
	c. 2" Caliper Tree (new)	\$300
	d. Sod/Seeding	\$300 - \$2,000
	e. Erosion Control in Place	\$300
	f. Culvert	\$1,500
	g. Driveway Installed	\$1,500

R. Utility Fees.

1.	Access Charge:	
	a. Sewer Equivalent Connection	\$4,284
	b. Water Equivalent Connection	\$3,060
2.	Trunk Line Charge:	
	a. Water Trunk Line Availability	\$2,956
	b. Sanitary Sewer Trunk Line Availability	\$4,150
3.	Tapping and Connection Permits:	
	a. Tapping and Water Connection	\$125
	b. Tapping and Sewer Connection	\$125
	c. Water Connection	\$50
	d. Sewer Connection	\$50
4.	Meter Deposit:	
	a. 3/4"	Cost
	b. 1" and larger	Cost + 10%
5.	Water Shutoff (7:00 am - 3:30 pm)	\$35
6.	Water Reconnect (7:00 am - 3:30 pm)	\$35
	• <i>The disconnect and reconnect fee for water shall be waived if a resident leaves for two consecutive months during the time from October to March. This is to promote the idea of shutting off these snowbird residences to reduce the chance for freeze ups and bursting of pipes.</i>	
7.	Meter Repair (not removal or Installation)	Time and materials with \$50 minimum
8.	Curb Stop Locate:	
	a. Summer	\$25 minimum
	b. Winter	\$50 minimum
9.	Curb Stop Driveway Cover	Cost
10.	Curb Stop Repair	Time and materials with \$50 minimum
11.	Curb Stop Box	Cost
12.	Hydrant and Gate Valve Repair	Time and materials with \$50 minimum
13.	Hydrant Meter Deposit	\$800
14.	Non-Response to Tagging Notice	\$250/month until resolved
15.	Unmetered Use of City Water	\$200

S. Water Rates.

**\*11/1/15 / \*12/1/16 Effective Date**

1.	Monthly Base Fee	\$16.50 / \$19.80
	a. MN State Test Fee	\$.53
2.	Charge per 1,000 Gallons Used per Equivalent Connection:	
	a. 0 – 14,999	\$5.10 /\$6.12 equivalent conn
	b. 15,000 – 29,999	\$5.34 /\$6.42 equivalent conn

- c. 30,000 – 44,999 \$6.18 /\$7.42 equivalent conn
- d. 45,000+ \$7.38 /\$8.86 equivalent conn
- 3. Bulk Water:
  - a. System Access Charge \$50
  - b. Charge per 1,000 Gallons Used \$6.16

T. Sewer Rates.

- 1. Monthly Base Fee \$17.50 /\$24.50
  - 2. Charge per 1,000 Gallons Used \$6.86 / \$9.60 equivalent
  - 3. Sewer Users Only Sewer Base Rate + 6,000 Gallons @ Water Rate
- *Winter residential sewer rates (November through April billings) are based on actual water consumption used for the month billed.*
  - *Summer residential sewer rate (May through October billings) are based on the average of water consumption used for the January, February, and March billings. If the winter water usage average is 3,000 gallons or less, the consumption billed will be the actual usage up to a maximum of 3,000 gallons. Any average usage greater than the 3,000 gallons will be billed actual usage up to the minimum average calculated.*
  - *Note: Consumption amounts are not billed greater than actual usage.*

STARTING IN 01/01/2016

Storm Water Rates \$5.00/month/parcel

# MEMO

To: Mayor and Council

From: City Administrator

Date: 11/2/15

RE: Community/Economic Development Director

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Following the interview of two candidates on Monday October 12<sup>th</sup>, 2015- I would like to recommend a candidate for hire. The City completed a background check on Kate Thunstrom. Everything was acceptable and we proposed a conditional employment offer to Kate Thunstrom. She has subsequently accepted the position subject to City Council approval.

The offering is as follows:

Annual Salary \$83,096 this is Grade 16, Step 6 of 8 on the City's 2015 Salary Schedule.

Vacation Accrual-Starting with 40 hours of vacation and setting the accrual rate of a Year 6 employee. (120 hrs annually)

Sick Time- Starting with 40 hours of sick time.

The anticipated first day of employment is November 30<sup>th</sup>, 2015.

**Recommendation:**

Motion to approve the offer to Kate Thunstrom for the Community/Economic Development Director.