

CITY OF ST. FRANCIS CITY
COUNCIL AGENDA

January 4, 2016

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 – December 21, 2015
 - b. 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.
7. Ordinances & Resolution
 - a. Resolution 2016-01: Appointments for 2016
 - b. Ordinance 213, Second Series: Amending Ordinance 208, Second Series Annexing Land Located in Athens Township, Isanti County, Minnesota (Second Reading)
 - c. Resolution 2016-02: Resolution Authorizing the Summary Publication of Ordinance 213, Second Series
8. Reports of Consultants & Staff Members
 - a. Engineer:
 - b. Attorney:
 - c. Staff:
 - Finance: Special Assessment Policy
 - Fire Dept.: Fire Chief Succession Plan
 - Public Works:
 - Liquor Store:
 - Police:
 - City Administrator:
9. Reports from Council Members
10. Report from Mayor
11. Old Business
 - a. Animals and Fowl Ordinance Revisited
12. New Business
13. Adjournment

Calendar of Events

- Jan 1: New Year's Day Holiday
Jan 18: City Offices Closed for the Martin Luther King Holiday
Jan 19: (Tues) City Council Meeting @ ISD #15 Central Services Center (District Offices) 6:00 pm
Jan 29: St. Francis Area Chamber Annual Dinner @the Refuge Golf Club
Feb 1: City Council Meeting @ ISD #15 Central Services Center (District Offices) 6:00 pm
Feb 15: City Offices Closed for the Presidents Day Holiday
Feb 16: (Tues) 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 – January 4th, Council Meeting

Agenda Items:

4. Consent Agenda:

a. City Council Minutes – December 21st, 2015

b. Payment of Claims-

6. Petitions, Requests, Applications:

a. None

7. Ordinances & Resolutions:

a. Resolution 2016-01: Appointments for 2016. The most notable change is Matt Kohout named as the Anoka Joint Fire representative.

b. Ordinance 213, Second Series: Amending Ordinance 208, Second Series Annexing Land Located in Athens Township, Isanti County, Minnesota (**Second Reading**). Ordinance annexing land in Athens Township - from Public Hearing on September 21st, 2015.

c. Resolution 2016-02: Authorizing summary publication of Ordinance 213, Second Series.

8. Reports:

a. **Engineer:**

b. **Attorney:**

c. **Staff:**

Finance: Assessment Policy. The term of the assessments is a Council decision. Currently, the assessment terms are consistent with bond issuance terms. The City can only assess to a maximum 30 year term. However, life of the improvement should be taken into consideration. For example, if a road is anticipated to last for 30 years and the term of the assessment was 30 years, the property would always have a special assessment.

In addition, Staff is looking to put together a comprehensive road improvement package that considers a variety of financing techniques. One example is the City of Elk River's use of franchise fees. This approach has been successful in reducing or eliminating special assessments. Staff is hoping to put together a proposal in 2016.

Fire: Chief Succession Plan – Chief Kohout has *attached* the detailed plan.

Public Works:

Liquor Store:

Police:

City Administrator:

11. Old Business:

a. Animals and Fowl – Staff has provided the excerpt of the City Code regulating animals and Fowl. Currently, most animals are prohibited on lots containing less than five (5) acres. Staff is looking to facilitate discussion of this topic and direction on any further action regarding this matter.

12. New Business:

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

CITY COUNCIL MINUTES

DECEMBER 21, 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), Public Works Director Paul Teicher, Police Chief Jeff Harapat, Fire Chief Matt Kohout, Building Official Andy Schreder, City Finance Director Darcy Mulvihill, Community Development Director Kate Thunstrom, City Administrator Joe Kohlmann, and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY McCLISH SECOND BROWN TO ADOPT THE DECEMBER 21, 2015 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** MOTION BY ORPEN SECOND McCLISH TO APPROVE THE DECEMBER 21, 2015, CITY COUNCIL CONSENT AGENDA A-E AS FOLLOWS:
 - a. City Council Minutes – December 7, 2015
 - b. Acknowledge the URRWMO Unapproved Minutes – December 8, 2015
 - c. Pay Request No. 2 for \$232,330.62 to LaTour Construction, Inc. 2015 Bridge Street Sewer Improvement
 - d. Pay Request No. 5 for \$1,575,625 to Gridor Construction, Inc. for the Wastewater Treatment Facility Improvements
 - e. Payment of Claims \$2,254,150.53 (ACH 132E-133E \$119,513.37 and Checks 70031-70101 \$2,134,637.16) Motion carried 5-0.
5. **Meeting Open to the Public:** Steve Feldman, 22766 Poppy Street, I just want to take some time to tell you that without random police enforcement it doesn't do any good to have the speed sign out there for four weeks. The longer the sign stays out without enforcement the less effective it is. I did contact neighbors about the traffic in the area. I still think a stop sign on Silverod will help along with police enforcement.
6. **Petitions, Requests, Applications:**
 - a.
7. **Ordinances & Resolution:**
 - a. **Ordinance 213, Second Series: Amending Ordinance 208, Second Series Annexing Land Located in Athens Township, Isanti County, Minnesota (First Reading):** A correction needed to be made to Ordinance 208, Second Series. The portion missing was the amount of taxes St. Francis would need to reimburse Athens Township.

MOTION BY BROWN SECOND SKORDAHL TO APPROVE THE FIRST READING OF ORDINANCE 213, 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: Ayes: Brown, Skordahl, Orpen, McClish and Kane. Nays: None
Motion carried 5-0.

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

a. **Engineer:**

b. **Attorney:**

c. **Staff:**

Finance: GFOA Budget Award: Mayor Kane presented Finance Director Darcy Mulvihill the GFOA Certificate of Achievement for Excellence in Financial Reporting for the 2014. Mulvihill stated she would like to recognize our auditors, Abdo, Eick & Meyers for all their help.

Fire:

Public Works:

Liquor Store:

Police Dept: Authorization to order a 2016 Squad Car: Police Chief Jeff Harapat briefly explained his agenda report that was in the council packet. Chief Harapat is asking for authorization to purchase a 2016 Dodge Charger squad car. By ordering it now you can be put on the top of the list when they come in. We do not pay for the squad until we get it probably sometime next spring. MOTION BY BROWN SECOND McCLISH AUTHORIZING THE POLICE DEPARTMENT TO PURCHASE OF A 2016 DODGE CHARGER FROM BURNSVILLE DODGE. Motion carried 5-0.

City Administrator: Kohlmann as you may know our current Police Chief will be retiring the end of April, 2016. We should schedule a work session to discuss the process. The council indicated they would contact Kohlmann with dates that would work for them.

9. **Reports from Council Members:** McClish thank the fire fighters and volunteers with collecting the food for the food shelf during the Santa on the Fire Truck event.

Brown said have a safe and happy holidays.

10. **Report from Mayor:** Kane said I had the opportunity to ride in the fire truck as they collected the food for the food shelves. I want to thank all the volunteers that made it a successful evening. Around 1400 pounds of food was collected that night alone.

Received an email from a person who would like a contact name or number to the new transitional facility that will be built in the spring. The person is looking for a place for his parents.

Wish all city staff, residents and council a very Merry Christmas.

11. **Old Business:** None.

12. **New Business:** Skordahl I would like to have a report, not urgent to know that we have a plan if a disaster of some type happens. Who should people call if a tornado, fire or any other type of disaster happen. I would like to see some type of plan in place. I want to make sure we have our act together if something ever happens. Hopefully nothing happens. Brown said I believe we have a disaster plan in place. Kohlmann stated staff will come back with a report.

13. **Adjournment:** Mayor Kane adjourned the City Council meeting at 6:17 pm

Barbara I. Held, City Clerk



PAYMENT BATCH AP YE 01-16

ANOKA COUNTY CENTRAL COMM.

12/16/2015	2015-371	E 101-42110-321	Telephone	NOVEMBER VERIZON	245.07
					<u>\$245.07</u>

ANOKA COUNTY TREASURY DEPT.

12/02/2015	B151202M	E 101-42110-321	Telephone	BROADBAND	37.50
12/02/2015	B151202M	E 101-42210-321	Telephone	BROADBAND	37.50
12/02/2015	B151202M	E 101-43100-321	Telephone	BROADBAND	37.50
12/02/2015	B151202M	E 101-45200-321	Telephone	BROADBAND	37.50
12/02/2015	B151202M	E 601-49440-321	Telephone	BROADBAND	37.50
12/02/2015	B151202M	E 602-49490-321	Telephone	BROADBAND	37.50
					<u>\$225.00</u>

ASSURANT EMPLOYEE BENEFITS

01/01/2016	.0116	E 101-41400-130	Employer Paid Insurance	JANUARY PREMIUM	190.75
01/01/2016	.0116	E 101-41500-130	Employer Paid Insurance	JANUARY PREMIUM	71.32
01/01/2016	.0116	E 101-41910-130	Employer Paid Insurance	JANUARY PREMIUM	132.26
01/01/2016	.0116	E 101-42110-130	Employer Paid Insurance	JANUARY PREMIUM	742.83
01/01/2016	.0116	E 101-42400-130	Employer Paid Insurance	JANUARY PREMIUM	106.88
01/01/2016	.0116	E 101-43100-130	Employer Paid Insurance	JANUARY PREMIUM	146.86
01/01/2016	.0116	E 101-43210-130	Employer Paid Insurance	JANUARY PREMIUM	32.64
01/01/2016	.0116	E 101-45200-130	Employer Paid Insurance	JANUARY PREMIUM	146.86
01/01/2016	.0116	E 601-49440-130	Employer Paid Insurance	JANUARY PREMIUM	54.49
01/01/2016	.0116	E 602-49490-130	Employer Paid Insurance	JANUARY PREMIUM	54.49
01/01/2016	.0116	E 609-49750-130	Employer Paid Insurance	JANUARY PREMIUM	118.27
					<u>\$1,797.65</u>

CENTERPOINT ENERGY

12/16/2015	.1215	E 101-41940-383	Gas Utilities	CITY HALL #4	36.80
12/16/2015	.1215	E 101-41940-383	Gas Utilities	CITY HALL #1	32.71
12/16/2015	.1215	E 101-41940-383	Gas Utilities	CITY HALL #3	40.33
12/16/2015	.1215	E 101-41940-383	Gas Utilities	CITY HALL #2	22.37
12/16/2015	.1215	E 101-42110-383	Gas Utilities	POLICE/PW	637.64
12/16/2015	.1215	E 101-42210-383	Gas Utilities	FIRE GENERATOR	21.06
12/16/2015	.1215	E 101-42210-383	Gas Utilities	FIRE	830.27
12/16/2015	.1215	E 101-43100-383	Gas Utilities	POLICE/PW	159.41
12/16/2015	.1215	E 101-45200-383	Gas Utilities	POLICE/PW	159.41
12/16/2015	.1215	E 101-45200-383	Gas Utilities	WARMING HOUSE	150.21
12/16/2015	.1215	E 601-49440-383	Gas Utilities	PUBLIC WORKS (4020 ST FRAN	61.98
12/16/2015	.1215	E 601-49440-383	Gas Utilities	POLICE/PW	159.41
12/16/2015	.1215	E 601-49440-383	Gas Utilities	WATER PLANT	758.18
12/16/2015	.1215	E 602-49490-383	Gas Utilities	WWTP	117.53
12/16/2015	.1215	E 602-49490-383	Gas Utilities	PUBLIC WORKS (4020 ST FRAN	61.99
12/16/2015	.1215	E 602-49490-383	Gas Utilities	POLICE/PW	159.41
12/16/2015	.1215	E 602-49490-383	Gas Utilities	LIFT (23699 AMBASSADOR)	19.12
12/16/2015	.1215	E 609-49750-383	Gas Utilities	LIQUOR	135.67
					<u>\$3,563.50</u>

CITY EMPLOYEES UNION, LOCAL #3

G 101-21707	Union Dues	JANUARY DUES	197.40
			<u>\$197.40</u>

CONNEXUS ENERGY

12/21/2015	.1215	E 101-41940-381	Electric Utilities	CITY HALL	268.66
12/21/2015	.1215	E 101-41940-381	Electric Utilities	SIGN	68.15
12/21/2015	.1215	E 101-42110-381	Electric Utilities	ELECTRIC	822.46
12/21/2015	.1215	E 101-42110-381	Electric Utilities	SIRENS	10.00

12/21/2015	.1215	E 101-42210-381	Electric Utilities	FIRE	409.77
12/21/2015	.1215	E 101-43100-381	Electric Utilities	POLICE/PW	205.61
12/21/2015	.1215	E 101-43100-386	Street Lighting	STREET LIGHTS	3,409.01
12/21/2015	.1215	E 101-45200-381	Electric Utilities	POLICE/PW	205.61
12/21/2015	.1215	E 101-45200-381	Electric Utilities	PARKS	248.72
12/21/2015	.1215	E 601-49440-380	Electric-System	WATER	3,949.89
12/21/2015	.1215	E 601-49440-381	Electric Utilities	POLICE/PW	205.61
12/21/2015	.1215	E 602-49490-381	Electric Utilities	POLICE/PW	205.61
12/21/2015	.1215	E 602-49490-383	Gas Utilities	LIFT STATIONS	7,400.49
12/21/2015	.1215	E 609-49750-381	Electric Utilities	LIQUOR	892.37
					\$18,301.96

CRYSTAL SPRINGS ICE

12/22/2015	.001.BOO1239	E 609-49751-254	Miscellaneous Merchandise	MISC	45.60
					\$45.60

DAHLHEIMER DIST. CO. INC.

12/23/2015	120092	E 609-49751-252	Beer For Resale	BEER	7,739.25
12/23/2015	120092	E 609-49751-254	Miscellaneous Merchandise	MISC	126.00
12/23/2015	120092	E 609-49751-255	N/A Products	N/A	51.25
					\$7,916.50

DELTA DENTAL

12/15/2015	6300900	G 101-21711	Dental Insurance	JANUARY PREMIUM	504.10
					\$504.10

EMBEDDED SYSTEMS

12/03/2015	33832	E 101-42110-221	Vehicle Repair & Maintenance	SIREN MAINT 1/1/16 TO 6/30/16	527.16
					\$527.16

G&K SERVICES, INC

12/29/2015	1043368617	E 101-41940-219	Rug Maintenance	RUGS	16.96
					\$16.96

GRANITE CITY JOBBING CO.

12/22/2015	882009	E 609-49750-210	Operating Supplies	OPERATING	89.20
12/22/2015	882009	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.25
					\$93.45

HEWLETT-PACKARD COMPANY

12/18/2015	56715937	E 101-41400-570	C-O-L Office Equip & Misc.	PRINTER	228.60
12/18/2015	56715971	E 101-41400-570	C-O-L Office Equip & Misc.	MONITORS	394.02
					\$622.62

HILDI, INC

12/22/2015	7085	E 101-41540-301	Auditing and Acct g Services	ACTUARIAL-FIRE	2,200.00
					\$2,200.00

INNOVATIVE OFFICE SOLUTIONS, L

12/18/2015	IN1019461	E 101-42110-200	Office Supplies	OFFICE SUPPLIES	157.06
					\$157.06

ISD #15

12/14/2015	2295	E 101-42110-221	Vehicle Repair & Maintenance	2015 CHARGER	58.22
					\$58.22

JOHNSON BROS WHLSE LIQUOR

		E 609-49751-206	Freight and Fuel Charges	FREIGHT	(0.19)
		E 609-49751-251	Liquor For Resale	LIQUOR	(21.84)
12/18/2015	557012	E 609-49751-253	Wine For Resale	WINE	(38.85)
12/22/2015	5333945	E 609-49751-206	Freight and Fuel Charges	FREIGHT	23.30
12/22/2015	5333945	E 609-49751-251	Liquor For Resale	LIQUOR	1,395.88
12/22/2015	5333946	E 609-49751-206	Freight and Fuel Charges	FREIGHT	9.12
12/22/2015	5333946	E 609-49751-253	Wine For Resale	WINE	132.00
					\$1,499.42

LAW ENFORCEMENT LABOR SVCS.

		G 101-21707	Union Dues	JANUARY	343.00
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					\$343.00
MCDONALD DIST CO.					
12/23/2015	234034	E 609-49751-252	Beer For Resale	BEER	2,497.95
					<u>\$2,497.95</u>
MEDIATION SERVICES					
12/15/2015	.1215	E 101-41400-433	Dues and Subscriptions	2016 DISPUTE RESOLUTION	794.00
					<u>\$794.00</u>
MN NCPERS LIFE INSURANCE					
12/23/2015	7334116	G 101-21713	MN Life	JANUARY PREMIUM	16.00
					<u>\$16.00</u>
MY ALARM CENTER					
		E 609-49750-445	Security	JANUARY MONITORING	32.73
					<u>\$32.73</u>
PHILLIPS WINE & SPIRITS CO.					
12/22/2015	2903399	E 609-49751-206	Freight and Fuel Charges	FREIGHT	15.20
12/22/2015	2903399	E 609-49751-251	Liquor For Resale	LIQUOR	1,511.05
12/22/2015	2903400	E 609-49751-206	Freight and Fuel Charges	FREIGHT	7.60
12/22/2015	2903400	E 609-49751-253	Wine For Resale	WINE	272.00
					<u>\$1,805.85</u>
SOUTHERN WINE & SPIRITS OF MN					
12/23/2015	1361419	E 609-49751-206	Freight and Fuel Charges	FREIGHT	8.00
12/23/2015	1361419	E 609-49751-251	Liquor For Resale	LIQUOR	626.07
12/23/2015	1361420	E 609-49751-206	Freight and Fuel Charges	FREIGHT	2.56
12/23/2015	1361420	E 609-49751-253	Wine For Resale	WINE	120.00
					<u>\$756.63</u>
UPPER RUM RIVER WATERSHED MGT					
11/15/2015	.0116	E 101-49200-471	Watershed	1ST HALF 2016	3,051.46
					<u>\$3,051.46</u>
WINE MERCHANTS					
12/22/2015	7061861	E 609-49751-206	Freight and Fuel Charges	FREIGHT	16.72
12/22/2015	7061861	E 609-49751-253	Wine For Resale	WINE	1,200.00
					<u>\$1,216.72</u>
WIRTZ BEVERAGE MN					
12/23/2015	1080414782	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.35
12/23/2015	1080414782	E 609-49751-251	Liquor For Resale	LIQUOR	449.18
12/23/2015	1080414782	E 609-49751-255	N/A Products	N/A	36.00
					<u>\$489.53</u>
					<u><u>\$48,975.54</u></u>

FUND SUMMARY

101 GENERAL FUND	\$18,191.65
601 WATER FUND	\$5,227.06
602 SEWER FUND	\$8,056.14
609 MUNICIPAL LIQUOR FUND	\$17,500.69
Total	<u><u>48,975.54</u></u>

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

RESOLUTION 2016-01

A RESOLUTION APPROVING THE APPOINTMENTS FOR 2016

Mayor Pro Tem	Tim Brown, Council member
City Assessor	Anoka County Assessor's Office
City Attorney	Barna, Guzy & Steffen, Ltd.
City Engineer	Bolton & Menk, Inc.
Planning Consultants	NAC – Northwest Associated Consultants
Health Officer	Allina Medical Clinic – Coon Rapids
Weed Inspector	Steve Kane, Mayor
Assistant Weed Inspector	Paul Teicher, Public Works Director
Emergency Management Director	Jeff Harapat, Police Chief
Joint Law Enforcement Council: Police Chief	Jeff Harapat, Police Chief
Council Representative	Steve Kane, Mayor
Official Newspaper	Anoka County Union
Official Public Depository	Village Bank of St. Francis Anoka County Federal Credit Union Morgan Stanley Northland Securities RBC Dain Rauscher US Bank 4 M Fund
Financial Consultant/Bond Underwriter	Northland Securities
Official Signatures	Steve Kane, Mayor Tim Brown, Mayor Pro Tem Joe Kohlmann, City Administrator Barbara I. Held, City Clerk Darcy Mulvihill, Finance Director (2 signatures required)

Council Representative to Boards/Commissions/Committees:

Planning Commission	Richard Skordahl, Council member
Charter Commission	Steve Kane, Mayor
School District #15	Chris McClish, Council member
Park Commission	Tim Brown, Council member
Economic Development Authority: Council Representative Council Representative	Chris McClish, Council member Richard Orpen, Council Member
Upper Rum River Watershed: Council Representative/Consultant Rep. Resident Member	Richard Orpen/Jared Voge, City Engineer Lan Tornes
Metropolitan Council	Steve Kane, Mayor
Heritage Preservation Commission	Ray Steinke, Resident
Pioneer Days: Council Representative Staff Representative	Chris McClish, Council Member Barb Held, City Clerk
Anoka County Joint Fire Powers Agreement Fire Chief Council Representative	Matt Kohout, Fire Chief Tim Brown, Council Member

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 ST. FRANCIS THIS 4th DAY OF JANUARY, 2016.

APPROVED:

Steve Kane, Mayor of St. Francis

ATTEST:

Barbara I. Held, City Clerk

December 1, 2015

Barb Held
City Clerk
City of St. Francis
23340 Cree Street NW
St. Francis, MN 55070

Dear Barb:

It is with great pleasure that we ask to serve as the official newspaper for the City of St. Francis in 2016. As we continue to implement new changes in the newspaper to improve readership, we feel it's important to provide readers with the city's public notices in addition to news stories, features and photographs of local events we cover each week.

We would like to publish your public notices in the Anoka County UnionHerald. The legal publication rate for the Anoka County UnionHerald as of January 1, 2016, will remain unchanged from the 2015 rate of \$10.75 per column inch. If any documents need to be manually typeset, a \$20 flat fee will be charged per public notice. As a newspaper published in the County of Anoka, we meet the requirements to qualify as your official legal newspaper.

All public notices published in the Anoka County UnionHerald will be posted to abcnewspapers.com – which averages over 54,000 unique visitors per month in search of local news and information.

We have appreciated your business over the past years and hope that we can be of service to you in 2016 as a credible, locally-owned, weekly community news source. If you have any questions, please feel free to call me at (763) 712-3532 or email me at jill.donahue@ecm-inc.com. Thank you for your consideration.

Sincerely,



Jill Donahue
Business Manager

PLEASE PLACE IN JANUARY CITY COUNCIL PACKET

Anoka County RECORD

PO Box 21014 • Columbia Heights MN 55421-0014 • (763) 220-0411
E-Mail: editor@anokacountyrecord.com Website: www.anokacountyrecord.com

December 23, 2015

City of Saint Francis: Mayor and Councilmembers,

In 2016, the *Record* will be publishing **City of Saint Francis** public notices at no cost to the city, taxpayers, planning commission applicants, etc.

The *Record* asks to be named the official public notice publisher for the **City of Saint Francis**. If designated as such, the *Record* would be available at no charge to **City of Saint Francis** residents online or at city hall. The *Record* would also reference your notices in our weekly email subscription update. The *Record* would also post all **City of Saint Francis** affidavits of publication on our website, as we are the only newspaper in the county to provide this service.

The *Record* is currently the official public notice publisher for Anoka County, City of Ham Lake, and City of Oak Grove. The *Record* is the low bidder to publish all Anoka County notices in 2016. We expect to continue publishing all Anoka County, City of Ham Lake, and City of Oak Grove public notices in 2016.

No contract is required for this no cost proposal.

Some competitors are charging over \$10 per column inch to publish public notices in a paid subscription newspaper. The *Record* finds this to be a ridiculous sum of money, and we will be sharing this information and our no cost offer to your city with legislators during the 2016 Legislative Session.

Please feel free to contact me with any questions.

Sincerely,



John M. Ksylyczyn
Owner & Publisher

Anoka County RECORD

PO Box 21014 • Columbia Heights MN 55421-0014 • (763) 220-0411
E-Mail: editor@anokacountyrecord.com Website: www.anokacountyrecord.com

December 23, 2015

City of Andover
1685 Crosstown Blvd NW
Andover, MN 55304

City of Columbus
16319 Kettle River Blvd
Columbus, MN 55025

Linwood Township
22817 Typo Creek Dr NE
Linwood, MN 55079

Columbia Heights ISD#13
1440 – 49th Avenue NE
Columbia Heights, MN 55421

City of Anoka
2015 - 1st Avenue North
Anoka, MN 55303-2270

City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN 55433

City of Nowthen
8188 199th Avenue NW
Nowthen, MN 55330

Elk River ISD#728
815 Highway 10
Elk River, MN 55330

City of Bethel
23820 Dewey Street
Bethel, MN 55005

City of East Bethel
2241 – 221st Avenue NE
East Bethel, MN 55011

City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303

Fridley ISD#14
6000 W Moore Lake Dr NE
Fridley, MN 55432

City of Blaine
10801 Town Square Dr NE
Blaine, MN 55449

City of Fridley
6431 University Ave NE
Fridley, MN 55432

City of St. Francis
23340 Cree Street NW
Saint Francis, MN 55070

Forest Lake ISD#831
6100 North 210th Street
Forest Lake, MN 55025

City of Centerville
1880 Main Street
Centerville, MN 55038

City of Hilltop
4555 Jackson Street NE
Hilltop, MN 55421

City of Spring Lake Park
1301 - 81st Avenue NE
Spring Lake Park, MN 55432

St. Francis ISD#15
4115 Ambassador Boulevard
Saint Francis, MN 55070

City of Circle Pines
200 Civic Heights Circle
Circle Pines, MN 55014

City of Lexington
9180 Lexington Avenue
Lexington, MN 55014

Anoka-Hennepin ISD#11
2727 Ferry Street North
Anoka, MN 55303

Spring Lake Park ISD#16
1415 – 81st Avenue NE
Spring Lake Park, MN 55432

City of Columbia Heights
590 40th Ave. NE
Columbia Heights, MN 55421

City of Lino Lakes
600 Town Center Parkway
Lino Lakes, MN 55014

Centennial ISD#12
4707 North Road
Circle Pines, MN 55014

White Bear Lake ISD#624
4855 Bloom Avenue
White Bear Lake, MN 55110

Public Information Request:

I am submitting a public information request in accordance with the Minnesota Department of Administration, Information Policy Analysis Division, Opinions 04-007 and 96-047. These opinions require a local government subject to the Data Practices Act to respond to standing information requests made through a specified date.

I am requesting that I be concurrently emailed all public notices sent to any newspaper for publication. This standing request will expire at the close of the day on December 31, 2016. Please send all notices to editor@anokacountyrecord.com.

Sincerely,



John M. Kysylyczyn
Owner & Publisher

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

ORDINANCE 213, SECOND SERIES

**AMENDING ORDINANCE 208 OF THE CITY OF ST. FRANCIS, MINNESOTA
ANNEXING LAND LOCATED IN ATHENS TOWNSHIP, ISANTI COUNTY,
MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described on the attached exhibit be annexed to the City of St. Francis Minnesota, was duly presented to the Council of the City of St. Francis on the 18th day of August, 2015; and

WHEREAS, the City of St. Francis held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on September 21, 2015, following thirty (30) days written notice by certified mail to the Town of Athens and to all landowners within and contiguous to the area legally described on the attached exhibit to be annexed; and

WHEREAS, the City Council adopted Ordinance No. 208, Second Series, on October 19, 2015, Annexing Land Located in Athens Township, Isanti County, Minnesota Pursuant to Minnesota Statutes § 414.033 Subdivision 2(3) Permitting Annexation By Ordinance; and

WHEREAS, the Minnesota Office of Administrative Hearings Municipal Boundary Adjustment Division has requested the City of St. Francis amend Ordinance No. 208, Second Series, to specifically address the division of property taxes with Athens Township in accordance with Minnesota Statutes § 414.036,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ST. FRANCIS HEREBY AMENDS ORDINANCE NO. 208, SECOND SERIES, SECTION 5 AS FOLLOWS:

5. The City of St. Francis, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described on the attached exhibit, hereby annexed, shall make a cash payment to the Town of Athens in accordance with the following schedule:

OPTION A:

_____ a. _____ In the first year following the year in which the City of
_____ could first levy on the annexed area, an amount equal
_____ to \$ _____; and

-2-

_____ b. _____ In the second and final year, an amount equal to \$ _____.
_____ (Or payments can extend up to 8 years.)

~~OPTION B:~~

Reimbursement of the property taxes to the Town shall be based on the property taxes collected by the Town in the last year it collected taxes on the annexed area, in a total amount equivalent to that payable under the former law, but adjusted to be paid in substantially equal payments over two to eight years in accordance with the 2006 amendments to Minn. Stat. §414.036.

The City of St. Francis elects to reimburse Athens Township for all of the property's 2015 property taxes due to the Township, or \$61.70, to be paid in two equal installments over the next two years."

~~OPTION C:~~

~~Parties agree to other payment terms. Include written documentation of such an agreement.~~

PASSED AND ADOPTED by the City Council of the City of St. Francis, Minnesota, this ____th day of January, 2016.

Steve Kane
Mayor

ATTEST:

Barbara I. Held
City Clerk

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

RESOLUTION 2016-02

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF
ORDINANCE 213, SECOND SERIES
AMENDING 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**

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 213, 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 213, Second Series is approved for publication:

CITY OF ST. FRANCIS, MINNESOTA
ORDINANCE 213, SECOND SERIES
AMENDING 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

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

An ordinance annexing land located in Athens Township, Isanti County, Minnesota pursuant to Minnesota Statutes 414.033 subdivision 2(3), permitting annexation by ordinance.

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 4th DAY OF January, 2016

APPROVED

Attest:

Steve Kane, Mayor of St. Francis

Barbara I. Held, City Clerk

AGENDA REPORT

TO: Joe Kohlmann, City Administrator
FROM: Darcy Mulvihill, Finance Director
SUBJECT: **Special Assessment Policy**
DATE: December 29, 2015

INTRODUCTION

During the special assessment hearing in 2015, there was a discussion about amending the special assessment policy. Please see attached for the current policy.

BACKGROUND

This current policy was adopted in March of 2007. It sets the stage for how street and utility projects may be special assessed to properties. The main point that was brought up was the years the special assessment was levied over. On page 16, the policy calls for Street, Curb and Gutter at 15 years, Street Resurfacing at 10 years, Sanitary Sewer and Water Laterals at 15 years and Storm Sewer Improvements at 15. The resurfacing was probably set at 10 years as those projects usually costs less therefore the yearly payment amount is lowered for the property owner already.

RECOMMENDATION

I would recommend leaving the policy as is right now. This recommendation is partially due to the consistency between the repayment and bond issuance terms. Staff is looking into different ways to move forward on street and utility projects and the funding of those projects. Discussions with council will be coming during 2016. If council wants to address the special assessments on any project that comes up, they could do it on an individual basis each year.

BUDGET IMPACT

None.

CITY OF ST. FRANCIS

**ASSESSMENT POLICY
FOR PUBLIC INITIATED IMPROVEMENTS**



Adopted: March 5, 2007

ASSESSMENT POLICY

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City of St. Francis

ASSESSMENT POLICY STATEMENT
FOR PUBLIC INITIATED IMPROVEMENTS

SECTION I - General Policy Statement

The purpose of this assessment policy is to establish guidelines to assist the City in determining a fair and equitable manner of recovering and distributing the cost of public improvements. The procedures used by the City of St. Francis for levying special assessments are those specified by Minnesota Statutes, Chapter 429, which provide that all or a part of the cost of improvements may be assessed against benefiting properties.

While establishing the authority by which communities may proceed to construct public facility projects, the statutes provide no guide as to how costs are to be apportioned. Therefore, it is the responsibility of the local legislative body to establish a reasonable method by which properties will be assessed.

Three (3) basic criteria must be satisfied before a particular parcel can be validly assessed. They are:

- A. The land must have received special benefit from the improvement.
- B. The amount of the assessment must not exceed the special benefit.
- C. The assessment must be uniform in relation to the same class of property within the assessment area.

The test for determining the validity of a special assessment is whether the improvement for which the assessment was levied has increased the market value of the property against which the assessment operates in at least the amount of the assessment. It is important to recognize that the actual cost of extending an improvement past a particular parcel is not the determining factor in determining the amount to be assessed. However, in most cases the method for determining the value of the benefit received by the improvement, and therefore the amount to be assessed, shall be the cost of providing the improvement, as long as the cost does not exceed the increase in market value of the property being assessed. The entire project shall be considered as a whole for the purpose of calculating and computing an assessment rate.

Special assessments are billed to the property owner along with real estate taxes. There is, however, a distinct difference between taxes and special assessments. Real estate taxes are a function of the real estate as determined by the municipal assessor, while special assessments are a direct function of the enhancement of value or the benefits, which a specific improvement gives to the property.

The purpose of this assessment manual is to set forth the general assessment methods and policies to be utilized by the City Staff when preparing assessment rolls for approval by the St. Francis City Council so as to assure uniform and consistent treatment to the various properties from year to year. It is emphasized that the following summarization is general in nature, and that certain circumstances may justify deviations from stated policy as determined by the City Council.

In addition, to the extent that this policy conflicts with applicable law, the applicable law will control. Nothing in this policy should be interpreted to limit the City of St. Francis from assessing to the full extent of its authority or to utilize other procedures permitted by law for assessing.

The project cost shall include, but not be limited to the following:

- A. Construction cost
- B. Engineering Fees
- C. Administrative Fees
- D. Right-of-Way Acquisition/Eminent Domain
- E. Legal Fees
- F. Capitalized Interest
- G. Signage
- H. Lighting

Initiation of public improvement projects can be undertaken by any of the three (3) following ways:

- A. ***Direct Action of the City Council*** - The City Council may decide an improvement is necessary or desirable for the community.
- B. ***Property Owner Petition*** - The City Council may decide on an improvement after receiving a petition for said improvement by the owners of not less than thirty-five percent (35%) in frontage of the real property abutting on the streets named in the petition as the location of the improvement. In addition, all owners of real property abutting upon any street named as the location of any improvement may petition the City Council to construct the improvement and to assess the entire cost against their property. In the latter case, the City Council may, without a public hearing, adopt a resolution determining such fact and ordering the improvement.
- C. ***Developer Request*** - A developer who is the owner of all the property within the proposed subdivision may petition the City Council to construct the improvement and to assess the entire cost against the developer's property pursuant to Minnesota Statutes Chapter 429. In such event, the City may, without a public hearing, adopt a resolution determining such fact and ordering the improvement. However, a developer's agreement shall be negotiated and executed prior to said authorization.

The City must recover the expense of installing public improvements, if undertaken, while ensuring that each parcel pays its fair share of a project cost in accordance with these assessment guidelines. While there is no perfect assessment policy, it is important that assessments be implemented in a reasonable, consistent and fair manner. There may be exceptions to the Assessment Policy or unique situations or circumstances which may require special consideration and discretion by City staff and the City Council.

The Assessment Policy statement, in brief summary, consists of four (4) main sections addressing purpose, method of assessment, improvement type and correlating application, and assessment conditions. A glossary section, devoted to specialized terms and definitions, is included as an index. The Assessment Policy is intended to serve as a guide to a systematic assessment process for the City of St. Francis.

SECTION II - Methods of Assessment

The nature of an improvement determines the method of assessment. The objective is to choose the assessment method which will arrive at a reasonable, fair and equitable assessment which will be uniform upon the same class of property within the assessed area. The most frequently recognized assessment methods are: the unit assessment, the front footage assessment and the area assessment. Depending upon the individual project, any one or a combination of these methods may be utilized to arrive at an appropriate cost distribution. City staff will consider all methods and weigh their applicability to the project. A description of each assessment and its corresponding policy application is presented. Separate sections will identify the appropriate matchup of method with a specific type of project and analyze why each is generally used.

- A. Unit Assessment. A unit assessment shall be derived by dividing the total project cost by the number of Residential Equivalent Density (RED) units in the project area. A RED unit is defined as a single-family residential unit. All platted and unplatted property will be assigned RED unit values equivalent to the underlying zoning. When the existing land use is less than the highest and best permitted use, the Council may consider the current use as well as the full potential of land use in determining the appropriate number of RED units. Otherwise, the following RED chart will apply on a per unit basis, subject to adjustment by the Council for any inequities:

Single Family 1.00 RED
Duplex 1.00 RED per unit
Condominium 0.80 RED
Multifamily 0.80 RED per unit
Townhouse 1.00 RED per unit
Commercial RED units= SAC units as defined by the City of St. Francis Policy
Industrial RED units= SAC units as defined by the City of St. Francis Policy

The unit approach has proven to be the best method in those instances whereby the improvement largely benefits everybody to the same degree and the cost of the improvement is not generally affected by parcel size.

- B. Area Assessment. The assessable area shall be expressed in terms of the number of acres or the number of square feet subject to assessment. When determining the assessable area, the following considerations will be given:

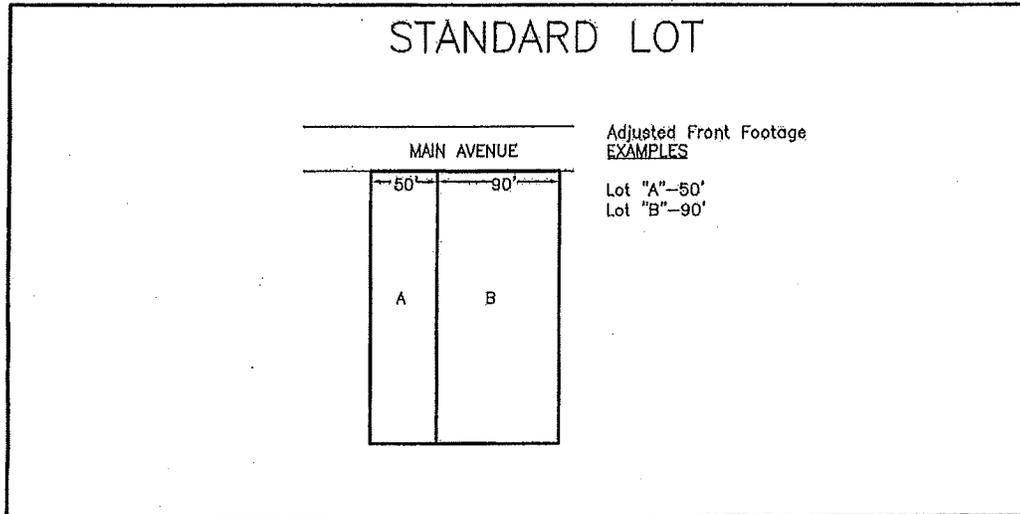
1. **Ponding Assessment Consideration** - Lakes, ponds and wetlands may be considered part of the assessable area of a parcel. However, the property owner has the option of providing a storm water ponding easement to the City for the land under the lake, pond, or wetland if integrated into the storm water management system. If such ponding easement is accepted based upon its functional integration into the storm water management system, a reduction in area equal to the area of the easement for the lake, pond or wetland will be subtracted from the gross acreage assessment of the parcel. Lots utilizing a

ponding area for the purpose of density credit shall be charged for that area within the portion of the easement necessary to meet minimum lot standards.

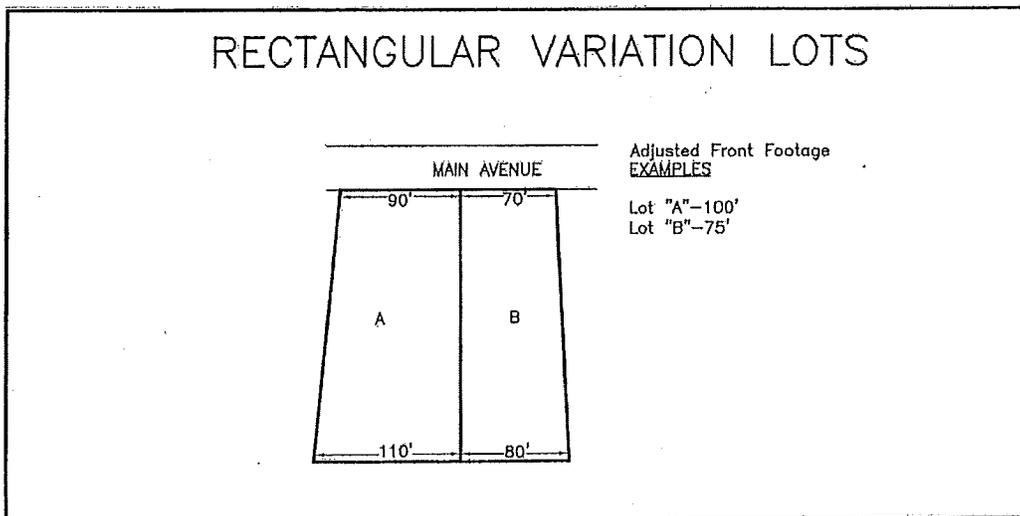
2. **Road Right-of-Way Assessment Consideration** - Up to twenty percent (20%) of the gross acreage may be deducted for street right-of-way purpose within unplatted parcels of five (5) acres or more depending upon the parcel configuration. Parcels less than five (5) acres may not qualify and may be assessed full acreage. The reason for this size restriction is that, in most instances, parcels of less than five (5) acres cannot support an internal road system.
 3. **Park Dedication Assessment Consideration** - When park land is dedicated as part of a residential development, as required by the Park Comprehensive Plan, the developer shall not be assessed an acreage charge on the portion of land dedicated.
- C. Front Footage Assessment - Residential. The actual physical dimension of a residential parcel abutting an improvement (i.e., street, sewer, water, etc.) shall NOT be construed as the frontage utilized to calculate the assessment. An adjusted front footage will be determined. The purpose of this method is to equalize assessment calculations for lots of similar size. Individual parcels by their very nature, differ considerably in shape and area. The following procedures will apply when calculating adjusted front footages. The selection of the appropriate procedure will be determined by the specific configuration of the parcel. All measurements will be scaled from available plat and section maps and will be rounded down to the nearest foot dimension with any excess fraction deleted. Categorical type descriptions are as follows:
1. Standard Lots
 2. Rectangular Variation Lots
 3. Triangular Lots
 4. Cul-de-sac Lots
 5. Curved Lots
 6. Irregularly Shaped Lots
 7. Corner Lots
 8. Flag Lots
 9. Double Frontage Lots
 10. Large Tracts

The ultimate objective of these procedures is to arrive at a fair and equitable distribution of cost whereby consideration is given to lot size and all parcels are comparably assessed.

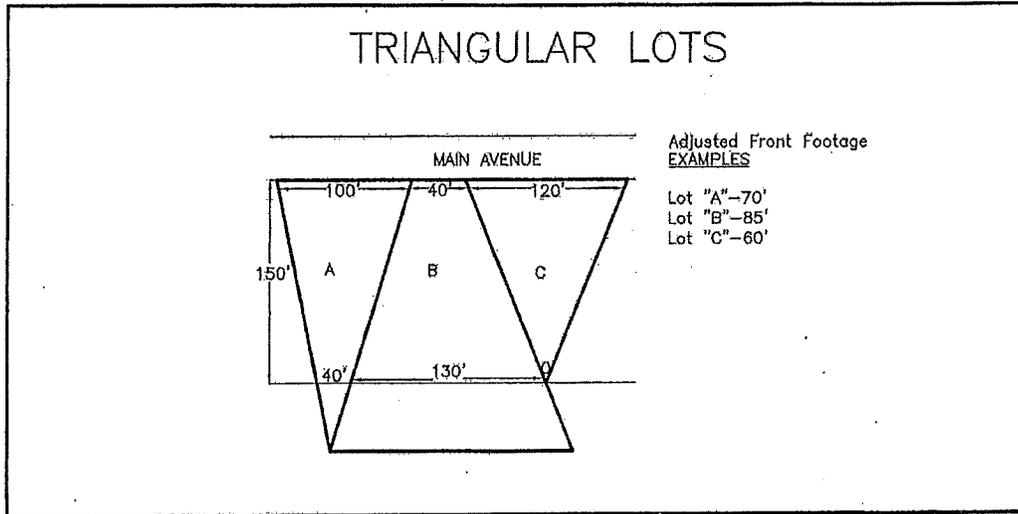
1. Standard Lots. In this instance, the adjusted front footage for rectangular lots will be the actual frontage of the lot. The frontage measured shall be the lot width at the front lot line.



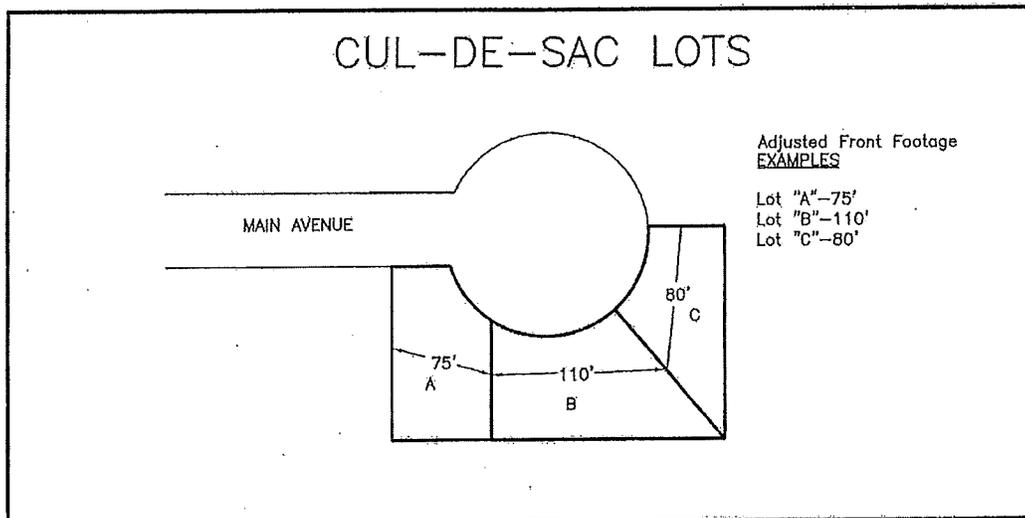
2. Rectangular Variation Lots. For a lot which is approximately rectangular and uniform in shape, the adjusted front footage is computed by averaging the front and back sides of the lot. This method is used only where the divergence between front and rear lot lines is twenty feet (20') or less.



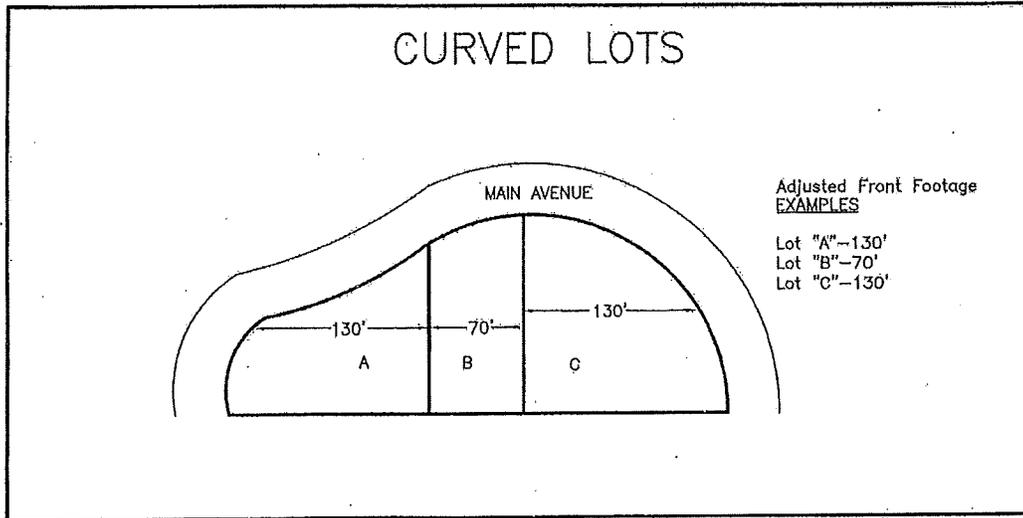
3. Triangular Lots. For a triangular shaped lot, the adjusted front footage is computed by averaging the front and back lot lines. The measurement at the back lot width shall not exceed a maximum distance in depth of one hundred fifty feet (150'). Another method may be deemed appropriate based upon the individual parcel or general project area.



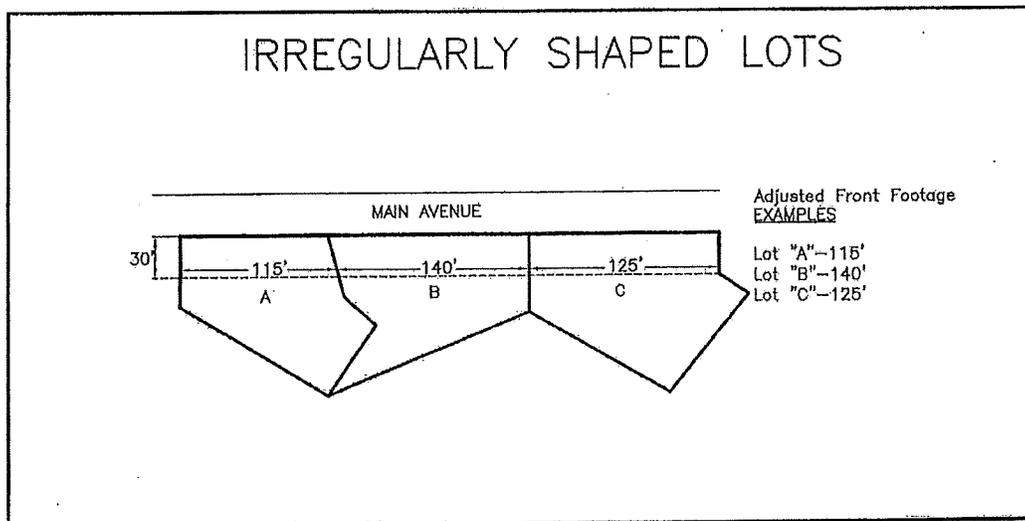
4. Cul-de-sac Lots. The adjusted front footage for those lots that exist on cul-de-sacs will be calculated at the midsection of the lot at the most reasonably defined and determinable position. This line will be computed by connecting the midpoints of the two side lot lines. Or, if the lots are similar in nature and configuration, a common lot width may be assigned based upon an evaluation of typical lots within the subdivision.



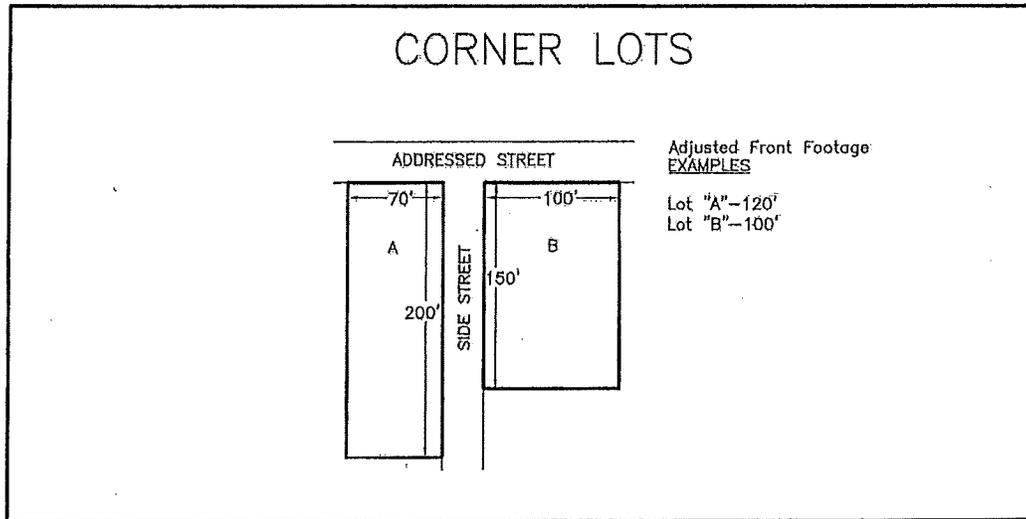
5. Curved Lots. In certain situations such as those where lots are located along meandering trail system streets, road patterns create curvilinear frontages. In such instances, the adjusted front footage will be the width of the lot measured at the midpoint of the shortest side lot line or such other method deemed appropriate based upon the individual parcel or general project area.



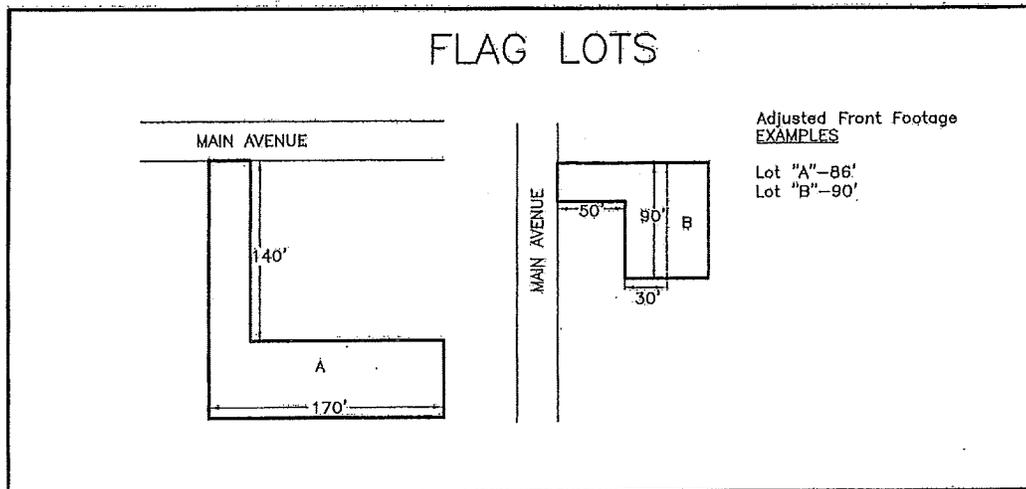
6. Irregularly Shaped Lots. In many cases, unplatted parcels that are legally described by a metes and bounds description, are irregular and odd shaped. The adjusted front footage will be calculated by measuring the lot width at the thirty (30) foot building setback line or such other method deemed appropriate based upon the individual parcel or general project area.



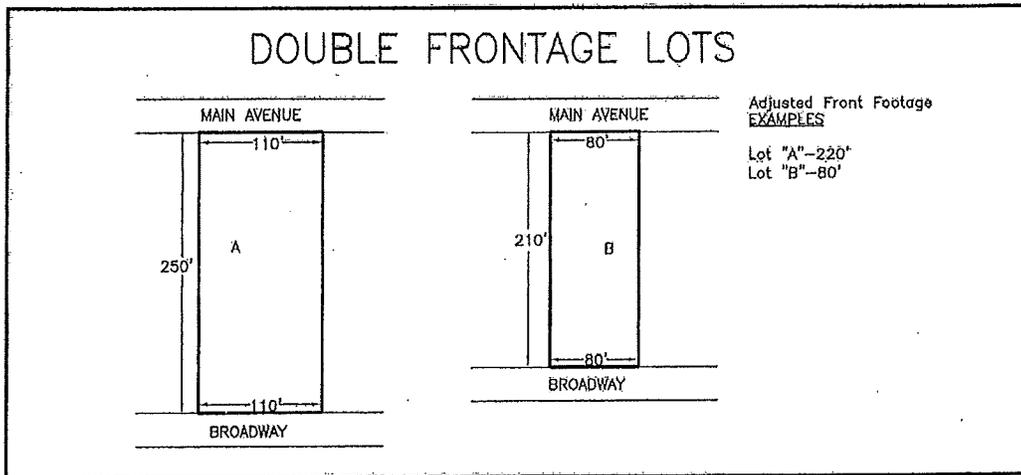
7. Corner Lots. The adjusted front footage will be assessed on the short side. A one hundred fifty (150) foot side lot allowance credit will apply along the adjacent side street. Any remaining frontage will constitute an additional assessment. Corner lots shall only be assessed when improvements are completed on the addressed side of the lot. In no event will a corner lot be assessed less than a total of 80 feet when the improvements are on both sides of the lot.



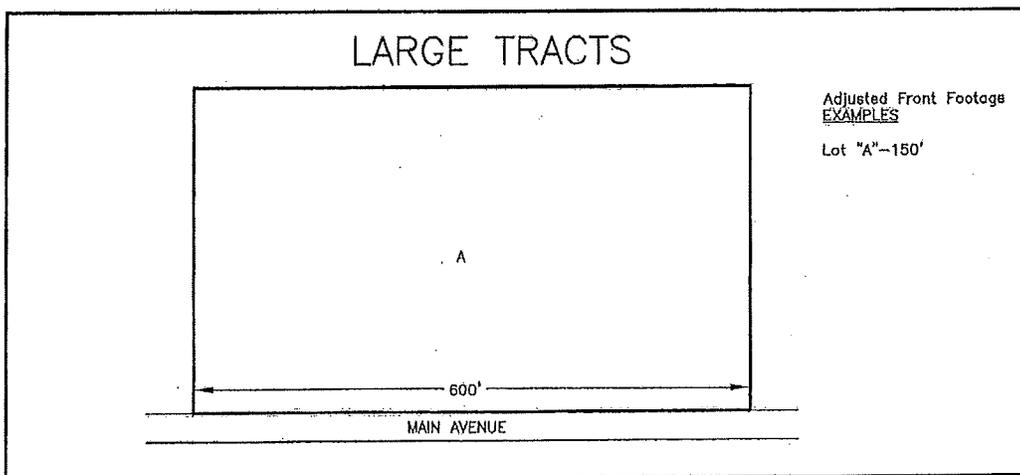
8. Flag Lots. Properties which utilize a narrow private easement or maintain ownership of such access to their property exceeding a minimum length of one hundred twenty-five (125) feet, thereby having a small frontage on a street, will be assigned an adjusted front footage of eighty (80) feet. This dimension is consistent with the subdivision ordinance which prescribes such length as a minimum lot frontage along a public roadway. The adjusted front footage for flag lots whose driveway access is under one hundred twenty-five (125) feet will be measured at the building setback line from the access terminus.



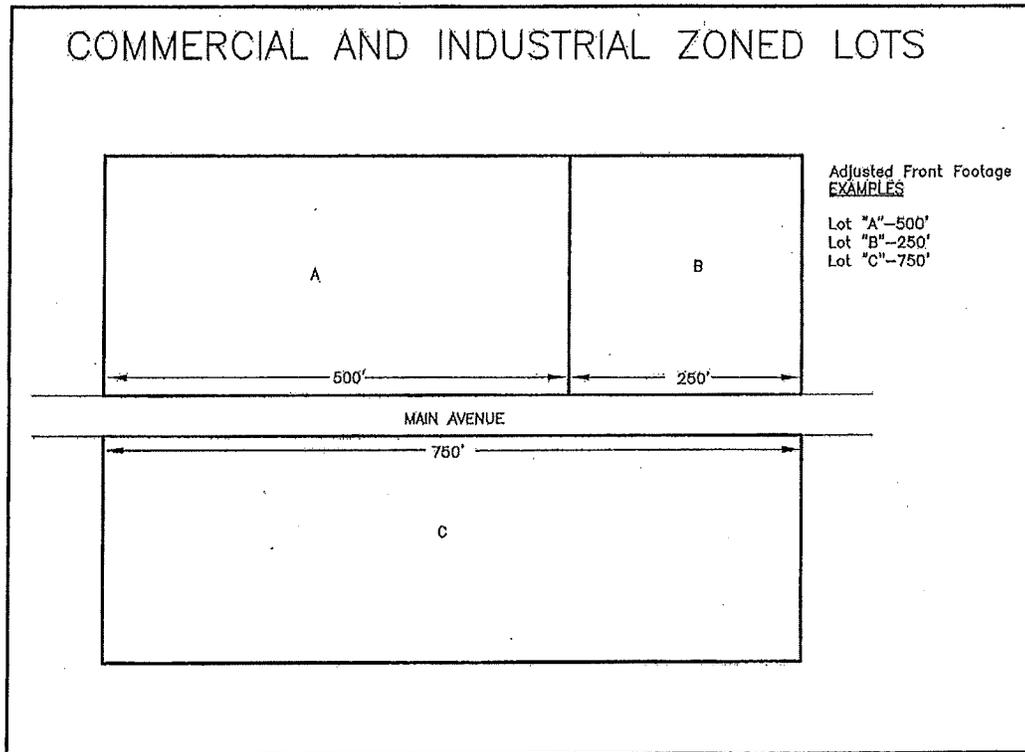
9. Double Frontage Lots. If a parcel, other than a corner lot, comprises frontage on two (2) streets and is eligible for subdivision, then an adjusted front footage assessment will be charged along each street. For double frontage lots lacking the necessary depth for subdivision, a single adjusted front footage only will be computed. For lots in which the adjusted front footage is calculated on only one side it shall be calculated on the addressed side of the lot.



10. Large Tracts. Oversized residential parcels will not be assessed for more than a total frontage of one hundred (150) feet. If the parcel is large enough to be subdivided, the remaining assessment will be deferred until the property develops, at which time the entire deferred assessment and accumulated interest shall be paid in full. Interest will accrue at the rate established at the project assessment hearing.



11. Front Footage Assessment – Commercial and Industrial Zoned Lots. Front footage assessments for lots that are zoned or used for commercial or industrial purposes shall be based upon the actual front footage of the side abutting the improvement.



SECTION III - Improvement Type Application

- A. New Sidewalk Installation. Although construction normally occurs only on one (1) side of the street, channelization and safety of pedestrian traffic is regarded as an overall neighborhood benefit. Therefore it shall be the policy of the City to pay for such improvements from the Street Improvement Fund.
- B. New Bike Path Installation. Although construction normally occurs only on one (1) side of the street, channelization and safety of pedestrian traffic is regarded as an overall neighborhood benefit. Therefore it shall be the policy of the City to pay for such improvements from the Street Improvement Fund or the Park Dedication Fund.
- C. New Street, Curb and Gutter. The entire cost of the original installation of street, curb and gutter shall be recovered by the adjusted front footage method. The front footage rate shall be determined by dividing the total project costs by the total number of adjusted front feet in the project area. Where an urban street section, that is, bituminous pavement and concrete curb and gutter is constructed in place of a street section rural in nature, that is of materials other than those listed for an urban section, the assessment shall be for one hundred percent (100%) of the total project cost or a lesser amount if deemed appropriate by the City Council.
- D. Street Resurfacing. Street resurfacing is commonly known and referred to as street overlaying whereby a new bed of road material such as bituminous is installed over an existing paved road to specific thickness or in the case where the bituminous pavement has deteriorated to such a condition that complete reconstruction is necessary. (If street construction is done over a non-bituminous surface, i.e., gravel, sand, etc., then the assessment shall be for one hundred percent (100%) of the total project cost.)

Regardless of the age of the street, street overlay, reconstruction and curb improvements of presently paved streets in the City of St. Francis shall be assessed at forty percent (40%) resident/sixty percent (60%) City of the total project cost. The City portion shall be covered by means of the general ad valorem property tax paid by the entire community. Assessments shall be determined by the adjusted front footage method. All assessments shall be on a current basis and shall not be subject to a maximum footage or deferred classification.

- E. Sealcoating and Crack Filling Street Improvements. Sealcoating and crack filling shall be treated as a general maintenance expense which shall be one hundred percent (100%) supported by general ad valorem property taxes. No assessments will be associated with sealcoating.

- F. Sanitary Sewer and Water Lateral Improvements. All water and sewer lines, regardless of size or designation, are considered as laterals to adjacent property. Lateral lines are normally not larger than eight (8) inches in diameter in most residential areas. For purpose of special benefit determination, the lateral cost of sewer and water improvements will be assessed on an adjusted front footage basis and shall be assessed at forty percent (40%) resident/sixty percent (60%) City of the total Sanitary Sewer and Water Lateral Improvements costs. All costs associated with watermain and sanitary sewer service installation shall be assessed 100% to the benefiting property.
- G. Sanitary Sewer and Water Trunk Improvements. Trunk sewer and water mains are usually larger than eight (8) inches in diameter and are designed to carry larger volumes of flow than are necessary within an immediate property area in order to serve additional service areas in the City. The difference between a normal sized lateral and the actual sized trunk represents "trunk oversizing". The cost in extra pipe sizing, not depth, shall be paid from the City's Enterprise Funds. Based upon calculations and past experience, a charge shall be set per unit to finance the City's Enterprise Funds. The rate of Trunk System fees shall be adjusted annually by the City Council in connection with the City Fee Schedule.
- H. Storm Sewer Improvements. Storm sewer improvements will continue to be a required portion of all new residential, commercial and industrial developments. Storm water associated with road redevelopment projects shall be on a case-by-case basis, based on the appropriate engineering reports. Storm Sewer Improvements completed by the City shall be assessed at forty percent (40%) resident/sixty (60%) City of the total Storm Sewer Improvement cost.

Ponds are considered an amenity to the development and must conform to the intent of the Storm Water Management Guide Plan. A Storm Water Trunk fee will not be collected for the ponding areas which are dedicated to the City. The City Engineer will determine if the ponding areas meet the intent of the Storm Water Management Plan. The rate for Storm Water Trunk fees shall be adjusted annually by the City Council.

- I. Collector Street Improvements. All collector street projects will be negotiated between the City and the developer. The developer shall dedicate up to a maximum of one hundred (100) feet of right-of-way. The developer shall be responsible for the construction of up to a maximum of a forty-four (44) foot road with a ten (10) ton design.

When eligible for MSA funds, the City shall designate MSA routes and expand this policy as necessary.

SECTION IV - Assessment Conditions

- A. Terms of Assessments. Special assessments shall be collected in equal annual installments of principal for a period of years as indicated for the following types of improvements:
1. Street, Curb and Gutter - 15 years
 2. Street Resurfacing - 10 years
 3. Sanitary Sewer and Water Laterals - 15 years
 4. Storm Sewer Improvements- 15 years
- B. Interest Rate. The interest rate charged on assessments for all projects financed by debt issuance shall be one percent (1.5%) greater than the net interest rate of the bond issue. The interest rate charged on assessments for all projects not financed by debt issuance shall be determined by City Council. This is necessary in order to insure adequate cash flow when the City is unable to reinvest assessment prepayments at an interest rate sufficient to meet the interest cost of debt or when the City experiences problems of payment collection delinquencies. Interest on initial special assessment installments shall begin to accrue from the date of the resolution adopting the assessment. Owners must be notified by mail of any changes adopted by the City Council regarding interest rates or prepayment requirements which differ from those contained in the notice of the proposed assessment.
- C. Payment Procedures. The property owner has five (5) available options when considering payment of assessments:
1. **Tax Payment** - If no action is undertaken by the property owner, then special assessment installments will appear annually on the individuals property tax statement for the duration of the assessment term.
 2. **Full Payment** - No interest will be charged if the entire assessment is paid off within thirty (30) days from the date of adoption of the assessment roll.
 3. **Partial Payment** - The property owner has a one-time opportunity to make a partial payment reduction of any amount against his/her assessment. This option may only be exercised within the thirty (30) day period immediately following adoption of the assessment roll.
 4. **Prepayment** - The property owner may, at any time prior to December 15 of the initial year, prepay the balance of the assessment with interest accrued to December 31 of that year. The property owner may also choose to pay the remaining assessment balance at any time, with the exception of the current years installment of principal and interest.

- D. Deferred Assessments Assessments on benefited property may be deferred by the Owner via the Green Acres Law (MSA 273.111 Sub. 11). The City Council may permit the deferment of assessments on the basis of income, hardship, senior citizenship, etc.

When the deferment expires, becomes invalid or is terminated by the property owner, it shall be the policy of the City of St. Francis to be reimbursed for the deferred assessment, including deferred equivalent residential units, on the following basis:

1. The actual assessment plus accrued interest through the end of the full year of the assessment, per the adopted assessment roll if done in years one to five of the assessment roll adoption.
2. The actual assessment plus accrued interest through the end of the fifth full year of the assessment, per the adopted assessment roll, if done more than five (5) years after the assessment roll adoption date.

The collection of deferred assessments shall be in accordance with the terms of the development agreement for the property.

3. Senior Citizen Deferment - Any individual who is sixty-five (65) years of age or older and can satisfy the property ownership classification as specified in the City of St. Francis Ordinance Section 2.51 may have their assessments deferred.

- E. Appeal Procedures. No appeal may be taken as to the amount of any assessment adopted unless a written objection signed by the affected property owner is filed with the City Administrators office prior to the assessment hearing or presented to the presiding officer at the hearing. The property owner may appeal the assessment to District Court by filing such notice with the District Court within ten (10) days after service of the appeal upon the Mayor or City Administrator.

- F. Reapportionment Upon Land Division. When a tract of land against which a special assessment has been levied is subsequently divided or subdivided by plat or otherwise, the City Council may, on application of the owner of any part of the tract or on its own motion, equitably apportion among the various lots or parcels in the tract all the installments of the assessment against the tract remaining unpaid and not then due if it determines that such apportionment will not materially impair collection of the unpaid balance of the original assessment against the tract. The City Council may require furnishing of a satisfactory surety bond in certain cases as specified in Minnesota Statutes Section 429.071, Subd. 3. Notice of the apportionment and of the right to appeal shall be mailed to or personally served upon all owners of any part of the tract. In most cases, dividing the assessment balance evenly on a unit or lot basis would result in an equitable apportionment. The practice of unit assessment redistribution and recertification to the Anoka County Auditor's Office will be

followed when the amount of the unit assessment exceeds \$1,000.00. In those instances when the property subdivision would result in smaller increments, the entire assessment shall be paid at the time the developer's agreement is approved.

- G. Assessment Cost. All such improvements described under Section IV shall be assessed as described in Section IV. In such instances where the replacement of existing utilities i.e. sanitary sewer and water laterals, and storm sewer, is required, the total costs associated with the Improvements shall be assessed at a rate of forty percent (40%) resident/sixty percent (60%) City.

Where sanitary sewer and watermain laterals and storm sewer improvements are constructed in areas without those utilities, the total cost associated with utility improvement shall be assessed at a rate of one-hundred percent (100%) to the benefiting property based on one of the three Methods of Assessment described in Section II.

SECTION V - Supplemental Assessment Policy Guidelines

- A. Areas Partially Served By Utilities. Any tract of land, lot or parcel whereby a project improvement such as a sewer or water lateral or ending street terminus does not extend fully past or beyond the property shall be considered served, benefited and assessed accordingly. The current special assessment shall be subject to an adjusted front footage not to exceed one hundred fifty feet (150') and a maximum current acreage of two and a half (2.5) acres, provided said assessment does not exceed the special benefit conferred upon the affected property. If an improvement benefits non-abutting properties which may be served by the improvement when later extensions or improvements are made but are not initially assessed, the City may reimburse itself for all or part of the costs incurred by assessing those non-abutting properties at the time of the later extensions or improvements. However, proper notice must be given of the fact at the time of making the extensions or improvements to the previously unassessed non-abutting properties.
- B. Preliminary Plat Consideration. Land could be considered for assessment based on preliminary plat consideration. This consideration will occur only when the following scenarios exist: (1) the City Council has approved a preliminary plat; and (2) a public hearing ordering the improvement project has not yet occurred. In the event this exists, assessment frontages may be calculated based upon the proposed lot configuration within the preliminary plat. Road right-of-way within the proposed street alignments will not be subject to assessments.
- C. Tax Exempt Property. Other than land under City ownership, there are three (3) categories of tax-exempt properties. Said properties shall be assessed as follows:
1. *Church and school property* shall be assessed in the same manner as commercial and industrial zoned property, as long as the assessments do not exceed the special benefits conferred. Acreage assessments shall be based upon the gross acreage of the site.
 2. *State land* is normally exempt from assessment unless otherwise negotiated or agreed upon by the affected State agency.
 3. *County land* is subject to assessment and shall be assessed in the same manner as commercial and industrial zoned property, as long as the assessments do not exceed the special benefits conferred.

D. Municipal Property Assessments. City owned property is divided into three (3) classifications for the purpose of determining assessment participation. They are:

1. Public Facility Land
2. Public Right-of-Way
3. Park Land

Public Facility property is defined as land utilized for public buildings such as city halls, fire halls, libraries, maintenance garages, municipal parking lots, etc. Public facility property within a project area will participate in the total assessable cost of an improvement and will be treated in the same manner as any other benefited parcel.

Public right-of-way property consisting of all City acquired easements, subject to fee title, for the specific purpose of utility placement or street construction will be exempt from assessment.

Park Land assessment eligibility is further categorized according to the following descriptions:

1. "Community Parks" are characterized by a higher degree of intense public use and are relatively large in area size. They are normally associated with athletic events and sporting activities (i.e., softball, football, baseball, hockey, etc.). Park lands of this nature will be subject to assessments. Because community parks provide citywide benefit, the cost of these assessments shall be recovered by a special levy upon the ad valorem taxes.
2. "Neighborhood Parks" accommodate open space objectives within residential development and are passive in use as indicated by such features as playground structures. Because neighborhood parks are commonly used by the immediate residents of the area, such park land will not be assessed if it comprises less than twenty-five percent (25%) of the aggregate project area. Larger parks representing an area greater than twenty-five percent (25%) of the aggregate project area shall participate in the assessment process in the same manner as community parks.
3. "Parkland Dedication" is required either in the form of cash in lieu of land or a land grant. The developer shall be responsible for the payment of all special assessments existing at the time of dedication. Depending upon the amount of land involved, the development shall not be assessed trunk acreage for that portion exceeding the minimum percentage dedication requirement for park purposes.

E. Tax Forfeiture Assessments. When a parcel of tax forfeited land is returned to private ownership and the parcel is benefited by an improvement for which special assessments were canceled because of the forfeiture, the City may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to the parcel in an amount equal to the amount remaining unpaid on the original assessment.

- F. First Serve Situations. If the plans of the City and a developer coincide in regard to utility installations on certain properties, the plans of the City shall receive first consideration. In that event, the City may, upon notice and hearing, assess all unplatted parcels according to this Policy if the improvements are approved prior to hardshell consent of the unplatted properties.
- G. State Aid Participation. Residential lots abutting and having access to collector streets (streets which are designated as part of the City's Municipal State Aid System and qualify for state aid funding) shall be assessed the residential equivalent of a standard City street, normally consisting of a thirty-two foot (32') paved roadway within a sixty-foot (60') right-of-way. This cost shall be determined by the City Engineer during the preparation of the feasibility report. The difference in cost shall be reimbursed by applicable state aid funds or other available city funding sources.
- H. Assessment Review Committee. Before any assessment hearing, a review committee will be established by the City Council to assist staff in its evaluation of all properties in accordance with this Policy and review the staff prepared proposed assessment rolls. This committee shall consist of the City Administrator, City Engineer, Finance Director and two (2) members of the City Council appointed at the Council's annual January meeting.
- I. Residential lots abutting and having access to county roads (that will be assessed by the City based on County's cost participation plan) shall be assessed the residential equivalent of a standard City street, normally consisting of a thirty-two foot (32') paved roadway within a sixty foot (60') right-of-way. The City street equivalent cost is to be determined by the City Engineer during the preparation of a feasibility report. The difference in cost shall be reimbursed by available city funding resources (Street Improvement Fund).
- J. Upon turn-back of state and county roads, an engineer's estimate of remaining useful life will be determined for assessment calculation. All funding provided on a turn-back will be deposited to the Street Improvement Fund for offsetting the city participation for road improvements. If determined by the City Council that it should be used for a particular project, it shall be so.
- K. Cemeteries within a project area will be exempt from assessment.

SECTION VI – Definitions

ADJUSTED FRONT FOOTAGE	The number of feet actually utilized in calculating an assessment for a particular property. This may differ from the actual front footage of the property.
ASSESSMENT	A dollar amount charged against a property receiving an improvement benefit.
CONDOMINIUM	Individual ownership of a unit in a multi-unit structure (similar to an apartment building). A spatial relationship exists whereby the individual owns the actual air space within the physical confines of the unit but not the barrier walls themselves.
DRAINAGE DISTRICT	An area defined by the City Engineer which shall form the physical boundaries where benefit exists within a district shall be all land serving as a collector basin for storing such water. Natural geographical features normally form these boundaries.
LATERAL	A lateral sewer is designed to collect the sewage from a project area for conveyance to a trunk facility. A water lateral is sized to provide water in sufficient volumes and pressure as required to serve a defined project area.
MULTI-FAMILY	A structure of more than two (2) units, the primary purpose of which is to provide rental or leased living space to the general public. Building characteristics include common hallways for access purposes and a common parking lot.
OVERSIZING	A pipe which is designated and constructed larger than necessary to serve a specific project area.

PUBLIC IMPROVEMENT

A project undertaken by the City under the authority granted in M.S.A. 429.021 for the purpose of installation of improvements such as street, curb and gutter, sewer, water, etc. A public hearing shall be conducted to determine the necessity and common good of the project as it affects the community. Upon authorization, the City will proceed with construction and administration of the project.

RESIDENTIAL UNIT

A residential unit is a platted single-family residential lot, which in accordance with the City of St. Francis' zoning and subdivision regulations, cannot be further subdivided and which has only one (1) development right.

TOWNHOUSE

Single family attached units in structures housing three (3) or more contiguous dwelling units, sharing a common wall, individual front and rear entrances; the structure is that of a row-type house as distinguished from multiple-swalling apartment buildings.

TRUNK

Water and sewer lines that are large mains requiring greater size capacity and deeper pipe construction than the immediate surrounding area requires. However, trunk lines may also be used to provide lateral service as well. Trunk sewer and water pipes are determined to be pipes greater than eight inches (8") in diameter.

UTILITY IMPROVEMENT AREA

A defined area within which all area properties are deemed to have been served by an improvement project and are considered to receive benefit.

SECTION VII- Appendix

<u>Signature of Owners*</u>	<u>Address</u>	<u>Date</u>
20. _____	_____	_____
21. _____	_____	_____
22. _____	_____	_____
23. _____	_____	_____
24. _____	_____	_____
25. _____	_____	_____
26. _____	_____	_____
27. _____	_____	_____
28. _____	_____	_____
29. _____	_____	_____
30. _____	_____	_____

*Property owned in joint tenancy should be signed by each owner.

LEGAL DESCRIPTION OF ALL ABUTTING PROPERTY:

I hereby certify that I have examined the above petition and appropriate real estate records and find that said petition is in proper form and is signed by the owners of not less than 35% of the frontage of the property abutting said improvements.

WITNESS my hand as such Clerk and the seal of said City this _____ day of _____, 20__.

 City Clerk
 City of St. Francis

(SEAL)

<u>Signature of Owners*</u>	<u>Address</u>	<u>Date</u>
20. _____	_____	_____
21. _____	_____	_____
22. _____	_____	_____
23. _____	_____	_____
24. _____	_____	_____
25. _____	_____	_____
26. _____	_____	_____
27. _____	_____	_____
28. _____	_____	_____
29. _____	_____	_____
30. _____	_____	_____

*Property owned in joint tenancy should be signed by each owner.

LEGAL DESCRIPTION OF ALL ABUTTING PROPERTY:

I hereby certify that I have examined the above petition and appropriate real estate records and find that said petition is in proper form and is signed by the owners of not less than 35% of the frontage of the property abutting said improvements.

WITNESS my hand as such Clerk and the seal of said City this _____ day of _____, 20__.

 City Clerk
 City of St. Francis
 (SEAL)

Appendix C

EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY
OF ST. FRANCIS, MINNESOTA

HELD: _____, 20____

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of St. Francis, Anoka County, Minnesota, was duly held in the Council Chambers of St. Francis Independent School District No. 15 District Office in said City on the _____ day of _____, 20____, at 6:00 o'clock p.m.

The following members were present:

And the following were absent:

Member _____ introduce the following resolution and moved its adoption.

**RESOLUTION DECLARING ADEQUACY OF PETITION AND
ORDERING PERPARATION OF REPORT
CITY OF ST. FRANCIS, MINNESOTA
RESOLUTION NO. 20__-__**

BE IT RESOLVED BY THE CITY COUNCIL OF ST. FRANCIS, MINNESOTA:

1. A certain petition requesting the improvement of _____ Street between the _____ line of _____ Street and the _____ line of _____ Street by _____, filed with the Council on _____, 20____, is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to Minnesota Statues, Section 429.035.
2. The petition is hereby referred to the City Engineer and he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted by the Council this _____ day of _____, 20____.

Mayor

Clerk

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

And the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

I, the undersigned, being the duly qualified and acting Clerk of the City of St. Francis, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes relate to declaring the adequacy of a petition and ordering the preparation of a report for an improvement.

WITNESS my hand and the seal of said City this _____ day of _____, 20____.

City Clerk

(SEAL)

Appendix D

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY
OF ST. FRANCIS, MINNESOTA**

HELD: _____, 20____

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of St. Francis, Anoka County, Minnesota, was duly held in the Council Chambers of St. Francis Independent School District No. 15 District Office in said City on the ____ day of _____, 20____, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption.

**RESOLUTION ORDERING PREPARATION OF
REPORT ON IMPROVEMENT
CITY OF ST. FRANCIS, MINNESOTA
RESOLUTION NO. 20__ - __**

WHEREAS, it is proposed to improve _____ Street between the _____ line of _____ Street and the _____ line of _____ Street by _____ and to assess the benefited property for all or portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ST. FRANCIS, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study and that he is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted by the council the _____ day of _____, 20____.

Mayor

Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member _____, and upon vote being taken thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA
CITY OF ST. FRANCIS
COUNTY OF ANOKA

I, the undersigned, being the duly qualified and acting Clerk of the City of St. Francis, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes ordering the preparation of a report for an improvement.

WITNESS my hand and the seal of said City this _____ day of _____,
20____.

City Clerk

(SEAL)

Appendix E

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY
OF ST. FRANCIS, MINNESOTA**

HELD: _____, 20____

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of St. Francis, Anoka County, Minnesota, was duly held at the St. Francis Independent School District No. 15 District Office in said City on the ____ day of _____, 20____, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption.

**RESOLUTION RECEIVING REPORT AND
CALLING HEARING ON IMPROVEMENT
CITY OF ST. FRANCIS, MINNESOTA
RESOLUTION NO. 20__ - __**

WHEREAS, pursuant to resolution of the council adopted _____, 20____, a report has been prepared by the City Engineer with reference to the improvement of _____ Street between the _____ line of _____ Street and the _____ line of _____ Street by _____, and this report was received by the council on _____, 20____.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ST. FRANCIS, MINNESOTA:

1. The council will consider the improvement of such street in accordance with the report and the assessment of abutting property for all or a parting of the cost of the improvement pursuant to Minnesota Statutes Chapter 429 at an estimated total cost of the improvement of \$ _____
2. A public hearing shall be held on such proposed improvement on the ____ day of _____, 20____ in the council chambers of the _____ at _____ a.m. (p.m.) and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted by the council the _____ day of _____, 20____.

Mayor

Clerk

STATE OF MINNESOTA
CITY OF ST. FRANCIS
COUNTY OF ANOKA

The motion for the adoption of the foregoing resolution was duly seconded by member _____, and upon vote being taken thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

I, the undersigned, being the duly qualified and acting Clerk of the City of St. Francis, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes related to the receiving of a report and the calling of a public hearing on proposed _____ Improvements of said City.

WITNESS my hand and the seal of said City this _____ day of _____,
20____.

City Clerk

(SEAL)

Appendix F

**NOTICE OF PUBLIC HEARING ON IMPROVEMENT
CITY OF ST. FRANCIS, MINNESOTA**

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of St. Francis will meet in the council chambers of the St. Francis Independent School District No. 15 District Office at ___ a.m. (p.m.) on ___, _____, 20 ___, to consider making improvements on _____ Street between the _____ line of _____ Street and the _____ line of _____ Street by _____, pursuant to Minnesota Statutes, sections 420.011 to 429.111. The area proposed to be assessed for the improvements is the benefiting abutting properties. The estimated cost of the improvements is \$ _____. Such persons as desired to be heard with reference to the proposed improvement will be heard at this meeting.

City Clerk

Published in _____ on _____, and _____, 20 ____.

Appendix G

**CERTIFICATE OF MAILING OF NOTICE
OF PUBLIC HEARING ON IMPROVEMENT
CITY OF ST. FRANCIS, MINNESOTA**

The undersigned, being the duly qualified and acting Clerk of the City of St. Francis, Minnesota, does hereby certify that on the day of _____, 20____, (being ten days or more before the hearing on said improvement), he/she gave mailed Notice of Hearing (a true and correct copy of which is attached hereto as Exhibit A) of the following described improvement, to-wit:

_____ to the owners of each parcel
of land within the area proposed to be assessed.

For the purpose of giving such mailed notice the undersigned secured the names of the property owners within the area proposed to be assessed the records of the County (Treasurer) (Auditor). Mailed notice of the hearing on said improvement was also given on the same date to the following property owners within the area proposed to be assessed whose names are not listed on the records of the County (Treasurer) (Auditor):

(Here list the names of any railroad, county, school district, church or other property owner whose name is not on the tax lists of the county)

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

WITNESS my hand and the seal of said City this _____ day of _____, 20__.

City Clerk

(SEAL)

Appendix H

EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF ST. FRANCIS, MINNESOTA

HELD: _____, 20, ___

Pursuant to due call and notice thereof, a regular meeting of the City Council of City St. Francis, Minnesota, was duly called and held in the St. Francis Independent School District No. 15, District Office in said City on the ___ day of _____, 20 __,

The following members were present:

and the following were absent:

The meeting was held pursuant to resolution adopted calling a public hearing on the proposed improvements in said City, as more particularly described in the Notice of a Public Hearing ordered at said _____ meeting, a copy of which is attached hereto. The Clerk presented affidavits showing the due publication and mailing of the Notices of Hearing and the Mayor announced that the Council would hear all persons who cared to be heard for or against the improvements as outlined in the Notice of Hearing. All persons present were afforded an opportunity to present their views and objections to the making of said improvements, and no objections were presented, except as follows:

Name of Objector	Property	Objection
------------------	----------	-----------

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION ORDERING IMPROVEMENT AND DIRECTING
PREPARATION OF FINAL PLANS AND SPECIFICATIONS CITY OF
ST. FRANCIS, MINNESOTA
RESOLUTION NO. 20 - -**

WHEREAS, a resolution of the city council adopted the _____ day of _____, 20 __, fixed a date for a council hearing on the proposed improvement of _____ Street from the _____ Street to the _____ line of _____ Street by _____.

AND WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the _____ day of _____, 20 __ at which all persons desiring to be heard were given an opportunity to be heard thereon.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. FRANCIS, MINNESOTA:

1. Such improvement is hereby ordered as proposed in the council resolution adopted _____ day of _____, 20__.
2. _____ is hereby designated as the engineer for this improvement. He shall prepare plans and specifications for the making of such improvement.

Adopted by the council this _____ day of _____, 20__.

Mayor

Clerk

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

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA
CITY OF ST. FRANCIS
COUNTY OF ANOKA

I, the undersigned, being the duly qualified and acting Clerk of the City of St. Francis, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes relate to ordering the improvement and directing preparation of the final plans and specifications for _____ Improvements in said City.

WITNESS my hand and the seal of the said City this _____ day of _____, 20__.

City Clerk

(SEAL)

Appendix I

EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF ST. FRANCIS, MINNESOTA

HELD: _____, 20, ___

Pursuant to due call and notice thereof, a regular meeting of the City Council of City St. Francis, Minnesota, was duly called and held in the Council Chambers of the St. Francis Independent School District No. 15 District Office in said City on the ___ day of _____, 20 ___, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS
CITY OF ST. FRANCIS, MINNESOTA
RESOLUTION NO. 20 __ - __**

WHEREAS, pursuant to a resolution passed by the council on _____, 20 ___, the City Engineer (consulting engineer retained for the purpose) has prepared plans and specifications for _____ Street between the _____ line of _____ Street and the _____ line of _____ Street by _____ and has presented such plans and specifications to the councils for approval;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ST. FRANCIS, MINNESOTA:

1. Such plans and specifications, a copy of which is attached hereto and made apart hereof, a hereby approved
2. The city clerk shall prepare the cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for _____ days, shall specify the work to be done, shall state that bids will be received by the clerk until ___ a.m. (p.m.) on _____, 20 ___, which time they will be publicly opened in the council chambers of the city hall by the city clerk and engineer, will then be tabulated, and will be considered by the council at _____ a.m. (p.m.) on _____, 20 ___, in the council chambers. Any bidder whose responsibility is questioned during consideration of the bid will be given the opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit,

cashier's check, bid bond, or certified check payable to the clerk for five (5) percent of the amount of such bid.

Mayor

Clerk

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

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA
CITY OF ST. FRANCIS
COUNTY OF ANOKA

I, the undersigned, being the duly qualified and acting Clerk of the City of St. Francis, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes relates to a resolution approving plans and specifications and ordering advertisement for bids on _____ Improvements for said City.

WITNESS my hand and the seal of the said City this _____ day of _____, 20__.

City Clerk

(SEAL)

Appendix J

EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF
ST. FRANCIS, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of St. Francis, Minnesota, was duly called and held in the Council Chambers of St. Francis Independent School District No. 15 District Office in said city on the ____ day of _____, 20 ____, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

The Council received bids on the construction of _____ Improvement in the City, and after publicly opening, tabulating and analyzing said bids, proceeded to consider said bids. The following bids were received:

	Bidder	Address	Amount of Bid
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____

After discussion, _____ member introduced the following resolution and moved its adoption:

**RESOLUTION ACCEPTING BIDS AND
AWARDING CONTRACT FOR IMPROVEMENT
CITY OF ST. FRANCIS MINNESOTA
RESOLUTION NO. 20 __ - __**

WHEREAS, pursuant to an advertisement for bids for the improvement of _____ Street from the _____ line of _____ Street to the _____ received, opened and tabulated according to law, and following bids were received complying with the advertisement:

AND WHEREAS, it appears that _____ of _____ is the lowest responsible bidder,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ST. FRANCIS MINNESOTA:

1. The mayor and clerk are hereby authorized and directed to enter into the attached contract with _____ of _____ in the name of the City of St. Francis for the improvements of _____ Street from the _____ line of _____ Street to the _____ line of _____ Street by _____ according to the plans and specifications therefore approved by the city council and on file in the office of the city clerk.
2. The city clerk is hereby authorized and directed to return forthwith to all bidders the deposit made with their bids, except that the deposits of the successful bidder and the next two (2) lowest bidders shall be retained until a contract has been signed.

Adopted by the city council this _____ day of _____ 20__.

Mayor

City Clerk

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

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA
CITY OF ST. FRANCIS
COUNTY OF ANOKA

I, the undersigned, being the duly qualified and acting Clerk of the City of St. Francis, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes of a meeting of the City Council of said City held on the date therein indicated with the original thereof on file in my office, and the same is a full, true and complete transcript therefrom, insofar as the same relates to the resolution awarding contract on _____ Improvements.

WITNESS my hand the seal of said City this _____ day of _____, 20__.

City Clerk

(SEAL)

Appendix K

EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF
ST. FRANCIS, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the city of St. Francis, Minnesota, was duly called and held in the Council Chambers of St. Francis Independent School District No. 15 District Office in said City on the _____ day of _____, 20 ____, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION DECLARING COSTS TO BE ASSESSED
AND ORDERING PREPARATION OF PROPOSED ASSESSMENT
FOR IMPROVEMENT
CITY OF ST. FRANCIS, MINNESOTA
RESOLUTION NO 20 __-__**

WHEREAS, a contract has been let (costs have been determined) for the improvement of _____ Street between _____ line of _____ Street and the _____ line of _____ Street by _____ an the contract (bid) price for such improvement is \$ _____, and the expense incurred or to be incurred in the making of such improvement amount at \$ _____ so that the total cost of the improvement will be \$ _____.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ST. FRANCIS, MINNESOTA:

1. The portion of the cost of such improvement to be paid by the city is hereby declared to be \$ _____.
2. The city clerk, with the assistance of the City Engineer (consulting engineer) shall forthwith calculate the proper amount to be specially assessed for such improvement against ever assessable lot piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he/she shall file a copy of such proposed assessment in his/her office for public inspection.
3. The city clerk shall upon the completion of such proposed assessment, notify the council thereof.

Adopted by the council this _____ day of _____, 20__.

Mayor

Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member _____, and upon vote being taken thereon, the following voted in favor thereof: and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA
CITY OF ST. FRANCIS
COUNTY OF ANOKA

I, the undersigned, being the duly qualified and acting Clerk of the City of St. Francis, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes of a meeting of the City Council of said City held on the date therein indicated with the original thereof on file in my office, and the same is a full, true and complete transcript therefrom, insofar as the same related to the resolution declaring cost to be assessed and ordering preparation of proposed assessment in connection with _____ Improvements in the City.

WITNESS my hand the seal of said City this _____ day of _____, 20____.

City Clerk

(SEAL)

Appendix L

EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF
ST. FRANCIS, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of St. Francis, Minnesota, was duly called and held in the Council Chambers of St. Francis Independent School District No. 15 District Office in said City on the _____ day of _____, 20 __, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION CALLING HEARING ON
PROPOSED ASSESSMENT FOR IMPROVEMENT
CITY OF ST. FRANCIS, MINNESOTA
RESOLUTION NO. 20 _ - _**

WHEREAS, by a resolution passed by the council on _____, 20 __, the city clerk was directed to prepare a proposed assessment of the cost of improving _____ Street between _____ line of _____ Street and the _____ line of _____ Street by _____.

AND WHEREAS, the clerk, has notified the council that such proposed assessment has been completed and filed in her office for public inspection,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ST. FRANCIS, MINNESOTA:

1. A hearing shall be held on the _____ day of _____, at _____ located at _____ in the city hall at _____ a.m. (p.m.) to pass upon such proposed assessment and such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The city clerk is hereby directed to cause a notice of hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he/she shall state in the notice the total cost of the improvement. He/she shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the _____, except that no interest shall be charged if the entire assessment is paid within _____ days from the adoption of the assessment. He/she may at any time thereafter, pay to the _____ the entire amount of the assessment remaining unpaid, with interest accrued to December 31, of the year in

which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

Adopted by the council this _____ day of _____, 20__.

Mayor

Clerk

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

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA
CITY OF ST. FRANCIS
COUNTY OF ANOKA

I, the undersigned, being the duly qualified and acting Clerk of the City of St. Francis, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes of a meeting of the City Council of said City held on the date therein indicated with the original thereof on file in my office, and the same is a full, true and complete transcript therefrom, insofar as the same relates to the resolution calling a hearing on assessments for _____ Improvements in the City.

WITNESS my hand the seal of City this _____ day of _____, 20__.

City Clerk

(SEAL)

Appendix M

**NOTICE OF HEARING ON PROPOSED
ASSESSMENT FOR IMPROVEMENT
CITY OF ST. FRANCIS, MINNESOTA**

TO WHOM IT MAY CONCERN:

Notice is hereby given that the council will meet at _____ a.m. (p.m.) on _____, 20____, in the Council Chambers of St. Francis Independent School District No. 15, District Office to pass upon the proposed assessment for the improvement of _____ Street between the line of _____ Street and the _____ line of _____ Street by _____. The following is the area proposed to be assessed.

The amount to be specially assessed against your particular lot, piece, or parcel of land is _____. You may at any time prior to certification of the assessment to the county auditor, pay the entire assessment on such property, with interest accrued to the date of payment, to the City of St. Francis, City Clerk. No interest shall be charged if the entire assessment is paid within _____ days from the adoption of this assessment. You may at anytime thereafter, pay to the _____ the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the next succeeding year. If you decide not to prepay the assessment before the date given above, the rate of interest that will apply is _____ percent per year. The right to partially prepay the assessment according to Ordinance No. _____ is/is not available.

The proposed assessment roll is on file for public inspection at the city clerk's office. The total amount of the proposed assessment is _____. Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a signed, written objection is filed with the clerk prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners, as it deems advisable.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The city will present its case first by calling witnesses who may testify by narrative or by examination, and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.
2. After the city has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.

4. Minnesota rules of evidence will not be strictly applied; however, they may be considered and argued to the council as the weight of items of evidence or testimony presented to the council.
5. The entire proceeding will be tape-recorded.
6. At the close of presentation of evidence, the objector may make a final presentation to the council based on the evidence and the law. No new evidence may be presented at this point.

An owner may appeal an assessment to district court pursuant to Minnesota States Section 429.081 by serving notice of the appeal upon the mayor or clerk of the city within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk.

City Clerk

(SEAL)

Appendix N

**CERTIFICATE OF MAILING OF NOTICE
OF HEARING ON PROPOSED ASSESSMENT
CITY OF ST. FRANCIS, MINNESOTA**

The undersigned, being the duly qualified and acting clerk of the City of St. Francis, Minnesota, does hereby certify that on the _____ day of _____, 20____, (being not less than two weeks before the hearing on the proposed assessment), he/she gave mailed notice of hearing on the proposed assessment described in the Notice attached hereto as Exhibit A, to the owners of each parcel of land described in the assessment roll.

For the purpose of giving such mailed notice, the undersigned secured from the County (Treasurer) (Auditor) a list of the names of the owners of the property described in the assessment roll as shown by the records of said (Treasurer) (Auditor) 30 days prior to date of adoption of the resolution providing for the hearing on proposed assessment. Mailed notice of the hearing on said proposed assessment was also given to the same date to the following property owners affect by the proposed assessment who had previously requested such mailed notice by written request to the County (Treasurer) (Auditor):

(Here list the names of property owners whose names are not on the tax lists of the county, but who have requested mailed notice.)

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

WITNESS my hand and the seal of the said City this _____ day of _____, 20____.

City Clerk

(SEAL)

Appendix O

EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF
ST. FRANCIS, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of St. Francis, Minnesota, was duly called and held in the Council Chambers of St. Francis Independent School District No. 15 District Office in said City on the _____ day of _____, 20 ____, at 6:00 o'clock p.m..

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION ADOPTING ASSESSMENT
CITY OF ST. FRANCIS, MINNESOTA
RESOLUTION NO. 20__-__**

WHEREAS, pursuant to proper notice duly given as required by law, the council has met and heard and passes upon all objections to the proposed assessment for the improvement of _____ Street between the _____ line of _____ Street and the _____ line of _____ Street by _____,

NOW THEREFORE, BY IT RESOLVED BY THE CITY COUNCIL OF ST. FRANCIS, MINNESOTA:

1. Such proposed assessment, a copy of which attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvements in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of _____ years, the first of the installments to be payable on or before the first Monday in January, 20 __ and shall bear interest at the rate of _____ percent annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 20 __. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment to such property, with interest accrued to the date of payment, to the city treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter pay the city treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment

must be made before November 15 or interest will be charged through December 31 of the next succeeding year.

4. The clerk shall forthwith transmit a certified duplicate of this assessment to the county auditor to be extended on the proper tax lists of the county, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the city council this _____ day of _____ 20__.

Mayor

City Clerk

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

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA
CITY OF ST. FRANCIS
COUNTY OF ANOKA

I, the undersigned, being the duly qualified and acting Clerk of the City of St. Francis, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes of a meeting of the City Council of said City held on the date therein indicated with the original thereof on file in my office, and the same is a full, true and complete transcript therefrom, insofar as the same related to adopting assessments of _____ Improvements and that notice of said meeting was duly given in accordance with law.

WITNESS my hand the seal of said City this _____ day of _____, 20 ____.

City Clerk

(SEAL)

Appendix P

**CERTIFICATE TO COUNTY AUDITOR
CITY OF ST. FRANCIS, MINNESOTA**

County Auditor
Anoka County
Anoka, Minnesota

THIS IS TO CERTIFY that the attached list embraces all unpaid assessments levied by the City Council of St. Francis, Minnesota, on _____, 20 __, under Minnesota Statutes Chapter 429, for the improvement of the City of St. Francis, by the construction of _____ improvements. The assessment is payable over a period of _____ years and one installment with interest as provided in the attached statement is to be extended on the property tax lists of the County each year as required under M.S.A. 429.

WITNESS my hand as such Clerk and the seal of said City this ___ day of _____,
20 _____.

City Clerk

(SEAL)

Succession Plan

Succession training for those interested to become a Chief Officer for the City of St. Francis Fire Department has been, and is, an ongoing process. Chief Kohout has been helping firefighters work through the change of new leadership, and observing behavior in the last four months. Those interested, have been advised to take it upon themselves to demonstrate interest, training, skill levels, questions, etc., in order to progress within the Department. As the budget allows, those interested are able to attend training classes to meet qualifications for succession. Some things the Department has done so far include:

1. Chief Kohout introduced the officers to the Minnesota Fire Chiefs Association Conference. St. Francis Fire Department has never attended this event in the past. Chief Kohout and Assistant Chief Barry McDonough attended the event this year. The conference is held every October, rotating between Duluth, Rochester, and St. Cloud. Barry attended New Chief Officer classes, met vendors, and networked with state fire professionals. Next year, all Fire Officers will be offered to attend the conference.
2. Chief Kohout and the members of the Department went over the budget, how it works, and the importance of following the budget. Related discussions included what needs to be added or changed in the Department, truck replacement in the CIP, the benefits of adding gear now, and radio replacement.
3. Chief Kohout started to implement in-house training rather than paying an instructor for the same training. Training done in-house includes how to drive, instruct a training drill, take the lead, etc. Training occurs every Wednesday for 2 hours at 0900 or 1800 hours.
4. Chief Kohout took advantage of the new fire truck to teach the officers what it takes to obtain new equipment. Following the process start to finish, officers were involved with the development of specifications, made aware of associated costs, how to process change orders, bringing needed items in front of council, and the final inspection of the fire truck.
5. Chief Kohout encourages all firefighters to attend as many of the free Homeland Security Emergency Management, state, or federal training classes for continued development. Free training is offered to all firefighters and officers. These trainings come up throughout the year.
6. Chief Kohout explained the process for becoming a Certified Emergency Manager for the State of Minnesota.
7. Chief Kohout has been driving to start a fire inspection program for the City. Selected Officers will ride along in a larger city in the next couple of weeks to observe experienced fire inspectors, and learn different techniques related to fire inspection. Fire inspections have not been up to date on most records since 2013. This was handled by personnel that is no longer employed by the city, and others who have stepped down.
8. Officers began attending Anoka County Fire Protection meetings which are held once every 3 months.
9. Chief Kohout finished training on how to use and implement the Mobile 911 Computer Aided Dispatch (CAD) in the fire trucks. Chief Kohout is currently teaching the rest of the Department.

10. With Chief Kohout as the mediator, Officers began to run officer meetings and some business meetings.
11. Tabletop exercises have been implemented to discuss emergency management and command within scenes, ranging in difficulty and complexity.
12. Firefighters started to implement weekly training without the Chief present.
13. Firefighters are encouraged to attend or watch council meetings to observe proceedings.
14. At fire scenes, Chief Kohout shadows Officers in command. Chief Kohout guides Officers through decision making processes, while allowing the officer to have ultimate control of the scene. Chief Kohout critiques the Officers post-incident to improve their skills in future scenes.
15. Chief Kohout urges firefighters to participate in City functions and City meetings when the Chief is absent. For example, Officers attended the initial meeting to start the planning of a mock car crash for the High School in the spring.
16. Firefighters are encouraged to attend public events and be visible in the public to build community relations.
17. The Fire Department and the Police Department have begun to work on various public safety matters to better serve the citizens efficiently and cohesively.

As with any change of leadership, there have been varying opinions on how to structure meetings, run scenes, select gear or equipment, and decide who is best fit to make these decisions. Relations in the Department since Chief Kohout's appointment have dramatically improved. Chief Kohout remains positive and enthusiastic about the future of the Department and the development of his officers.

MEMO

To: Mayor & Council

From: City Administrator

Date: 1/4/15

RE: Animals and Fowl

Attached is the excerpt from the City Code that deals with Animals and Fowl. The City chose to prohibit horses, colts, ponies, mules, goats, sheep, cattle, pigs, and other farm-type animals, mink, chickens, ducks, pigeons, geese, and other fowl on an area of land smaller than five (5) acres.

There have been several City Code violations relating to this provision over the years. Staff has *attached* a photo showing animals roaming along Rum River Blvd.

Staff is looking for the City Council to review and discuss this particular section of the City Code and provide Staff with direction.

on the activities of the Animal Control Officer within the City. (Ord 17, SS, 5-3-1993)

- BB. No Interference with Officer. It shall be unlawful for any person to molest or in any way interfere with any peace officer, animal control officer, or any of their duly authorized assistants, or with any duly authorized agent while engaged in performing work under the provisions of this chapter. (Ord 17, SS, 5-3-1993)

8-3-2: ANIMALS AND FOWL – KEEPING, TRANSPORTING, TREATMENT, HOUSING.

- A. It is unlawful for any person to keep, stable, board, or harbor horses, colts, ponies, mules, goats, sheep, cattle, pigs, and other farm-type animals, mink, chickens, ducks, pigeons, geese, and other fowl, whether owned or not, unless the person has sufficient contiguous real estate to house and enclose said animals or fowl.
- B. All points of housing and fence enclosures in which animals or fowl are kept must be at least one hundred (100) feet from any residential structure used for human habitation or well. (Ord 86, SS, 6-7-2004)
- C. A sturdy wood, metal or electrical fence must keep the animals and/or fowl confined.
- D. No above mentioned animals or fowl may be kept on a parcel of real estate smaller in area than five (5) acres, except for the keeping of pigeons and doves as specified in Section 8-3-1.E of this Code. In determining such real estate parcel size and number of animals or fowl, one (1) acre thereof shall be considered as being used for residence, lawns, etc., and shall be excluded. The area used for the on-site sewage treatment system, including the alternate drainfield location, shall not be used to keep animals. In addition to the above minimum area requirements, at least one (1) acre of pasture must be available for one animal other than fowl and at least one (1) acre for each additional animal other than fowl kept on the premises. (Ord 86, SS, 6-7-2004)
- E. No more than twenty fowl of any type may be kept on such five (5) acre parcels with one (1) acre additional required for each additional ten fowl. The keeping of racing and fancy pigeons/doves shall be permitted on parcels of land as small as two and one-half (2½) acres in size in the rural service area of the City. The keeping of pigeons and doves for competitive racing and sporting purposes shall be limited to a maximum of one hundred fifty (150) birds. (Ord 86, SS, 6-7-2004)
- F. Pasture fences or animal or fowl enclosures must be at least ten (10) feet inside the property lines unless fences on the line are agreed to in writing by adjoining

property owner or owners. Such line fence agreement must be renewed in writing when a new adjoining owner takes over.

- G. Animal and fowl manure and other waste shall not be allowed to accumulate to create offensive odors. Accumulations of manure and other waste shall be removed at such periods as will insure that no objectionable aroma exists and the premises shall not be allowed to become unsightly or harbor rodents, flies, or insects.
- H. Farms as defined in the City Code are exempt from the provisions of this Section.
- I. Properties that do not conform with this Section shall be considered as non-conforming uses. Non-conforming uses shall be brought into compliance with this Section within five (5) years from the effective date of this and the above Subdivisions; however, this provision shall only apply to real estate area, and number of animals, and location of fences and enclosures, and shall in no way allow any change or any increase in such prior use, and upon death or disposition of any animals or fowl so held under prior use, same shall not be replaced; and any discontinuance of such prior use for a period of one month longer shall be deemed a cessation of such use and a use thereafter shall be completely controlled by all of the provisions of this Section. (Ord 86, SS, 6-7-2004)
- J. It is unlawful for any person to violate any provisions of this Section. (Ord 21, 10-1-1967)
- K. It is unlawful for any person to treat any animal as herein defined, or any other animal, in a cruel or inhumane manner.
- L. It is unlawful for any person to keep any animal in any structure infested by rodents, vermin, flies or insects.
- M. It is unlawful for any person to allow any animal, as herein defined, or any other animal under his control, to run at large. (Ord 86, SS, 6-7-2004)

8-3-3: ANIMAL WASTE.

- A. Definitions. For the purpose of this Section:
 - 1. "Owner" means any person who harbors, feeds, boards, possesses, keeps or has custody of an animal.
 - 2. "Animal" means a dog, cat or other animal.
- B. Unlawful Acts. It is unlawful for any owner to:

