

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

CITY COUNCIL MINUTES

August 1, 2016

1. **Call to Order:** The regular City Council meeting was called to order by Mayor Steve Kane at 6:00 pm.
2. **Roll Call:** Present were Mayor Steve Kane, Council members Richard Orpen, Rich Skordahl, and Tim Brown. Council member Chris McClish excused. Also present were City Engineer Cody Holmes (Bolton & Menk, Inc.), Consulting City Planner Nate Sparks (Northwest Associated Consultants), Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), Fire Chief Matt Kohout, Public Works Director Paul Teicher, Liquor Store Manager John Schmidt, Police Sgt. Todd Schwieger, City Finance Director Darcy Mulvihill, Community Development Director Kate Thunstrom, City Administrator Joe Kohlmann, and Administrative Assistant Anna Anderson.
3. **Adopt Agenda:** MOTION BY BROWN SECOND SKORDAHL TO ADOPT THE AUGUST 1, 2016 CITY COUNCIL AGENDA. Motion carried 4-0.
4. **Consent Agenda:** MOTION BY ORPEN SECOND BROWN TO APPROVE THE AUGUST 1, 2016, CITY COUNCIL CONSENT AGENDA A-D AS FOLLOWS:
  - a. City Council Minutes – July 18, 2016
  - b. Pay Request No. 2 to Park Construction Co. of Minneapolis for the Pederson Drive Improvement
  - c. Cable TV Extension Request for 739-229<sup>th</sup> Avenue NW
  - d. Payment of Claims \$459,766.23 (Check #071093-071167) Motion carried 4-0.
5. **Meeting Open to the Public:** Sarah Hunt, 23246 Kerry Street NW, thanks Council for the temporary no outlet sign at Kerry Street. She asks that something permanent be put in that location.
6. **Petitions, Requests, Applications:**
  - a. **2017-2021 Capital Improvement Plan: Public Hearing:** Finance Director, Darcy Mulvihill, says this plan was distributed to Council back in June and is also available on the website. City Charter requires that this plan be approved by August 15. Since the plan was first proposed, a couple changes were requested. Changes include the rotation of the police chief's vehicle and the Tahoe from a ten year rotation to an eight year rotation. The fire department is looking at replacing their SCBAs due to issues with them. Chief Kohout will be looking at that and bringing it back so we can figure out how to pay for that. She noted that back in 2015, we did change how we account for capital equipment. The money is now put into the capital equipment fund and reserved for those purchases. Public Works Director, Paul Teicher, is working on a street plan right now and that will hopefully be done for next years' CIP. With that said, funding the capital equipment part of this, the tax levy is going to be \$223,150, which is the same amount that's in the 2016 levy so there is going to be a 0% increase to the tax levy because of this plan. As of June 21, there is \$761,465 in that fund for purchases coming up. Mayor Kane opened the Public Hearing at 6:06 pm. No one was in the audience to address the 2017-2021 Capital Improvement Plan.  
Mayor Kane closed the Public Hearing at 6:07 pm.

MOTION BY ORPEN SECOND BROWN TO ADOPT THE 2017-2021 CAPITAL IMPROVEMENT PLAN. Brown wants to make the public aware that this is a plan. All purchases need to come before Council before it is actually purchased. This is just a road map into the future. Kane states that this does not automatically get purchased at this point. This is just the plan. Each purchase needs to be Okayed on its own. Motion carried 4-0.

**b. Johnson/Lee: Minor Subdivision along Tamarack Street – Resolution 2016-36:**

The Planning Commission recommended approval with the following conditions:

1. The subdivision shall be recorded with Anoka County within 90 days of approval in a manner acceptable to the City Attorney.
2. All recommendations by the City Engineer shall be addressed.
3. The wetland delineation and related easement is subject to review and approval of the City Engineer.
4. Park dedication shall be paid in the amount of \$2500.
5. Drainage and utility and right-of-way easements shall be recorded in a manner acceptable to the City Attorney.

City Engineer Voge has reviewed the Minor Subdivision with the following comments:

1. Approval shall be subject to the review and approval of the submitted wetland delineation report by the Technical Evaluation Panel (TEP).
2. Wetlands and the required wetland buffers shall be contained within easements.
3. The applicant shall identify secondary septic sites for each of the parcels complete with soil boring information. Additional borings will be required at the time of building permit for the parcels.
4. Culverts will be required beneath the proposed driveway entrances. Additional topography based on elevations obtained on-site shall be provided with the building permit applications. MN DNR LIDAR will not be accepted. The Planning Commission recommended approval contingent on the above-referenced comments.

MOTION BY BROWN SECOND SKORDAHL TO ADOPT RESOLUTION 2016-36 A RESOLUTION APPROVING A MINOR SUBDIVISION FOR STACY LEE TO SUBDIVIDE A 39 ACRE PARCEL ON TAMARACK STREET. Motion carried 4-0.

**c. Cathy Lauseng: Private Solar Energy System at 2660-239<sup>th</sup>**

**1) Ordinance 223, Second Series: Amending the Zoning Ordinance Regarding Accessory Solar Energy Systems (First Reading):** Daniel & Catherine Lauseng have made an application for a conditional use permit to place a private ground-mounted solar energy system on rural residential property located at 2660 239<sup>th</sup> Avenue NW. The requested conditional use requires an ordinance amendment to be permitted. The applicant is seeking to install approximately 888 square feet of ground mounted solar panels on their property. This is intended as a 15.8 kilowatt solar array. The panels are proposed to be nine feet in height. The property in question is zoned RR, Rural Residential. Current zoning ordinance does not make mention of solar energy systems. Uses not expressly permitted by the ordinance are not permitted. Building mounted or building integrated solar panels could be considered to be mechanical equipment and permitted in that fashion. However, there is no allowance in the ordinance for ground mounted solar panels. The applicant's contractor has stated that building mounted solar panels will not work for this property. The only manner in which this proposal could be accommodated is with

an ordinance amendment that permits ground mounted solar panels in excess of the structural size limitations. The Planning Commission recommended the Council adopt the attached ordinance and approve the requested conditional use permit. Skordahl says this is probably not the perfect ordinance to catch everything that may come up when it comes to solar power, but I think the Planning and Zoning Commission agreed that this is a good place to start. Staff should come back to the Planning & Zoning Commission with something more comprehensive. MOTION BY SKORDAHL SECOND BROWN APPROVING THE FIRST READING OF ORDINANCE 223, SECOND SERIES AMENDING THE ZONING ORDINANCE REGARDING ACCESSORY SOLAR ENERGY SYSTEMS. Roll Call: Ayes: Orpen, Skordahl, Brown, Kane Nays: None. Motion carried 4-0.

**2) Conditional Use Permit (CUP) or an Accessory Solar Energy System- Resolution 2016-37:** MOTION BY SKORDAHL SECOND ORPEN TO ADOPT RESOLUTION 2016-37 A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AN ACCESSORY SOLAR ENERGY SYSTEM AT 2660 239<sup>TH</sup> AVENUE. Motion carried 4-0.

**d. Rum River Bluffs 2<sup>nd</sup> Addition:**

**1) Assignment of Development Contract:** Semler Development LLC is seeking to transfer all remaining obligations to BL Holdings. MOTION BY BROWN SECOND ORPEN TO THE ASSIGNMENT OF DEVELOPMENT CONTRACT TO BL HOLDINGS LLC. Motion carried 4-0.

**2) Approving the Assignment of the Rum River Bluffs Development Agreement & All Related Responsibilities to BL Holdings LLC – Resolution 2016-38:** MOTION BY SKORDAHL SECOND BROWN TO ADOPT RESOLUTION 2016-38 A RESOLUTION APPROVING THE ASSIGNMENT OF THE RUM RIVER BLUFFS DEVELOPMENT AGREEMENT & ALL RELATED RESPONSIBILITIES TO BL HOLDINGS LLC. Motion carried 4-0.

**7. Ordinances & Resolution:**

**a. Ordinance 221, Second Series: Establishing a Moratorium Regulating the Residency location of Predatory Offenders within the City (First Reading):** MOTION BY ORPEN SECOND BROWN APPROVING THE FIRST READING OF ORDINANCE 221, SECOND SERIES: ESTABLISHING A MORATORIUM REGULATING THE RESIDENCY LOCATION OF PREDATORY OFFENDERS WITHIN THE CITY. Roll Call: Ayes: Brown, Orpen, Skordahl, Kane. Nays: None. Motion carried 4-0.

**b. Ordinance 222, Second Series: Temporary Family Health Care Dwellings Amendment (First Reading):** MOTION BY KANE SECOND SKORDAHL APPROVING THE FIRST READING OF ORDINANCE 222, SECOND SERIES: TEMPORARY FAMILY HEALTH CARE DWELLINGS AMENDMENT. Roll Call: Ayes: Brown, Skordahl, Orpen, Kane. Nays: None. Motion carried 4-0.

**c. Resolution 2016-39: Declaring Surplus Property & Authorizing the Disposal of Said Property (32-34-24-22-0002):** MOTION BY BROWN SECOND ORPEN TO ADOPT RESOLUTION 2016-39 A RESOLUTION DECLARING SURPLUS PROPERTY & AUTHORIZING THE DISPOSAL OF SAID PROPERTY 32-34-24-22-0002. Motion carried 4-0.

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

a. **Engineer:**

b. **Attorney:**

c. **Staff:**

**Community Economic Development:**

**Public Works: Department Update:** Teicher states that the City Administrator, myself and Public Works staff are excited to give you stats to explain exactly what we do and where we're spending our time. There is a list that will be changing over time here as we develop it and learn what's important and as we have different activities throughout the year. We will be giving this report monthly. In our parks for the month of June, we had 42 events that we prepped for and follow-up afterwards to clean up. It's nice to see that our parks are being used by the public. In our water and sewer, you can see that we are inspecting our facilities often. Visiting our lift stations, water treatment plant and wastewater treatment plant daily is very important. Skordahl says good job, this is the kind of stuff I like to see. We've got to take credit for the stuff that we do. I think your department and other departments would probably benefit from taking credit for the good things we do. Teicher thanks Council and gives an update on Pederson Drive. Next week there will be another closure that will affect County Road 9 and Bridge Street for water main and sewer main installation and the construction of the actual roundabout. Having this closed will save a substantial amount of time. Kane added that him and his crew are doing an absolutely fantastic job at keeping the city updated. Teicher thanks Council.

**Police:**

**City Administrator: Setting Special Meeting for August 12<sup>th</sup> to Canvass Election**

**Results:** McClish will not be able to attend. We need at least three council members present to canvass the election results. Brown, Skordahl and Orpen should be able to attend. Kane proposes 4:00 pm as a meeting time. MOTION BY BROWN SECOND SKORDAHL TO SET SPECIAL MEETING FOR 4:00 PM ON AUGUST 12TH TO CANVASS ELECTION RESULTS. Motion carried 4-0.

9. **Report from Councilmembers:** Skordahl says don't forget it's Night to Unite in the park tomorrow. The Star Tribune says our Olympian will be performing the 20<sup>th</sup> or 21<sup>st</sup>, so pay attention to that. Orpen says he attended the St. Francis Community Drug Awareness (SFCDA) Lions Club meeting and presented the mock crash to the public. They will do this every two years. They also have their prime fundraiser, which is a 5k, this fall in September.

10. **Report from Mayor:** I spoke with Commission Look over the weekend. A month or two ago Community Development Director Kate Thunstrom brought forth a development plan to take the plan we have to the next level; it was going to be about \$90,000 as I believe. Anoka County, last Tuesday I believe it was, passed our request in HRA Funds to pay for that study and program. That study will be ready to give to businesses; that's what we can use to put out there to businesses to try to get them to come to our city. It's going to have everything laid out for them and we have County HRA funds to pay for that. Nice job.

Regarding our Olympian, first round of competition is slated to stream live on NBCOlympics.com at 9 AM Eastern, August 20. This is really an exciting time for us. Tomorrow night, the St. Francis Ambassadors will be at Night to Unite with a bake sale and they're selling Heggie's pizza as a fundraiser as they need to do some work on their float. They

need to raise \$5,000. They are now a 501(c)(3), which means any donation is tax deductible. I want to remind everyone that the state primary is next week. This is very important. It's the future of your government. If you don't go out and vote, you don't have a right to complain. Get out there and vote.

11. **Old Business**: Orpen asks if we have any updates on the speed limit sign on 235<sup>th</sup>. Teicher says we are planning on calling in the locates at the end of this week so that we are able to post the signs on the 8<sup>th</sup>, which is next Monday. From that time, we should be cleared from the time the engineer sent that to the state.

12. **New Business**: None.

13. **Adjournment**: Mayor Kane adjourned the regular city council meeting at 6:30 pm.

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Anna Anderson, Administrative Assistant