

CITY OF ST. FRANCIS
ST. FRANCIS MN
ANOKA COUNTY

CITY COUNCIL MINUTES
SEPTEMBER 5, 2017

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

The regular City Council meeting was called to order at 6:00 pm by Mayor Steve Feldman.

2. **ROLL CALL**

Members present: Mayor Steve Feldman, Councilmembers, Jerry Tveit, Joe Muehlbauer, Robert Bauer and Rich Skordahl.

Also present; Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), City Engineer Craig Jochum (Hakanson Anderson), City Planner Ben Gozola (Sambatek), City Administrator Joe Kohlmann, Community Development Director Kate Thunstrom, Police Chief Todd Schwieger, Fire Chief Dave Schmidt, Public Works Director Paul Teicher, Liquor Store Manager John Schmidt, Finance Director Darcy Mulvihill, and City Clerk Barb Held.

3. **APPROVAL OF AGENDA**

MOTION BY MUEHLBAUER SECOND BAUER TO APPROVE THE AGENDA AS PRESENTED. Motion carried 5-0.

4. **CONSENT AGENDA**

MOTION BY TVEIT SECOND SKORDAHL TO APPROVE THE CONSENT AGENDA ITEMS A-G AS FOLLOWS:

- A. City Council Minutes – August 21, 2017
- B. Resolution 2017-21 to Call Bonds 2016C
- C. Resolution 2017-22 for MN GreenStep Cities
- D. Accept the Resignation from Fire Fighter Ron Dehn
- E. Resolution 2017-23: Proclaiming September 17-23, 2017 as Constitution Week
- F. Resolution 2017-24: Proclaiming October as “Domestic Violence Awareness Month”
- G. Payment of Claims \$124,468.92 (Checks #72994-73054)

Motion carried 5-0.

5. **MEETING OPEN TO THE PUBLIC**

- A. Shelly Kaunzner 24439 Riverbank Lane was just looking for an update on the feasibility study for the Riverbank Lane street project. Kaunzner stated the mayor spoke with me before the meeting and stated the feasibility study will be done soon and a meeting will take place showing the results. Also Kaunzner wanted to say thank you for having the grader coming out before school started.

6. **SPECIAL BUSINESS**

None

7. **PUBLIC HEARINGS**

None

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

A. Tasty Pizza – Application for Wine/Beer License

Motion by Muehlbauer second Skordahl approving the Wine/Beer License for Wishell Inc (DBA Tasty Pizza and pro-rating the fee for the remainder of the year contingent of submittal of liquor liability insurance. Motion carried 5-0.

B. Rau Home Occupation – Interim Use Permit Resolution 2017-25

Brent Rau and Beth Walker-Rau are seeking an interim use permit to allow continuation of a home extended business on the property at 23340 Redwood Court NW. The business (an Orthopedic and Medical product packaging) has been in operation for approximately 5 years, but the landowner has only recently been made aware of the need for a permit. The Planning Commission is recommending approval of the IUP with conditions after hearing public comment. After reviewing all criteria in code, staff agrees with the Commission and believes the requested interim use permit meets all criteria and can be approved with conditions.

Skordahl felt the report from Ben (Gozola), City Planner, was very thorough.

Feldman said so the owner didn't realize he needed a permit, Gozola said correct.

MOTION BY BAUER SECOND TVEIT TO ADOPT RESOLUTION 2017-25 A RESOLUTION APPROVING AN INTERIM USE PERMIT TO ALLOW A HOME EXTENDED BUSINESS ON THE PROPERTY AT 23340 REDWOOD COURT WITH THE NOTED CONDITIONS. Motion carried 5-0.

C. Ordinance 230, Second Series "Amending Chapter 15, Section 9 (Fee Schedule), Part P (Building Permits) – Second Reading

MOTION BY MUEHLBAUER SECOND SKORDAHL APPROVING THE SECOND READING OF ORDINANCE 230, SECOND SERIES "AMENDING CHAPTER 15, SECTION 9 (FEE SCHEDULE), PART P (BUILDING PERMITS).

Roll Call: Yay: Bauer, Feldman, Muehlbauer, Tveit and Skordahl

Nays: none

Motion carried 5-0.

- D. Ordinance 231, Second Series “Animals and Fowl” - First Reading
City Planner Ben Gozola reported the keeping of urban chickens has become a popular hobby for many people throughout the metro, which in turn has required cities to re-examine their zoning regulations to provide allowances for the practice. In the spring of this year, the City of St. Francis took up the matter and directed staff to prepare an ordinance to allow urban chickens provided a number of conditions could be met. This ordinance is our first attempt at a set of regulations to govern urban chickens, and we believe all previously requested restrictions have been included. Memo was included to outline the new rules. New regulations will only affect parcels less than 5 acres in size. Will add a new section in Chapter 8 to address the keeping of urban chickens. Looking for any changes that you might feel would be needed.

Feldman said I agree with Skordahl with your reports, very concise.

Skordahl said we are doing this for the first time so we can always readdress but I am onboard with it.

Bauer liked the detail of the report. Let’s try for a while and see if we get complaints.

Feldman said this ordinance amendment is a work in progress.

Muehlbauer like the way it is worded, only question is the fee; an annual fee or a one-time fee.

Gozola said right now is a one-time permit. One inspection unless we receive a complaint. Fees will be set at the time we set the fee schedule.

Tveit said I am in favor of chickens but the number of permits being issued is a concern of mine. Afraid the only the people in the know will obtain the twenty permits and the other people are out of luck. Not in favor of limiting it to twenty permits.

Feldman said this ordinance is more for city lots. This is a work in progress and let’s get some track record to see if we need to change the number of permits in the future. I am more concerned with the city lots.

Kohlmann said we could have staff come back with an implementation plan showing a time line/outline of how the permits will be issued.

MOTION BY BAUER SECOND MUEHLBAUER TO APPROVE THE FIRST READING OF ORDINANCE 231, SECOND SERIES AMENDING “LOCAL REGULATIONS REGARDING THE KEEPING OF CHICKENS”.

Roll Call: Yay: Feldman, Muehlbauer, Skordahl and Bauer

Nays: Tveit

Motion carried 4-1.

E. Ordinance 232, Second Series “Diseased Trees” – First Reading

Proper maintenance of yards and removal of dead & diseased trees from properties are important components of the health, safety, and welfare of the Community. This ordinance would amend the City’s existing regulations on landscaping maintenance in ways desired by Public Works Director Paul Teicher, and would introduce new regulations deeming dead and diseased trees a public nuisance. Gozola summarized the added changes which include how the City would identify such nuisances and the abatement process to remove dead and diseased trees is fully laid out in this new language. Also includes; mowing grass by staff, loss of trees or planting trees in the road right of way, shade tree pest control, dead tree nuisance and enforcement.

Muehlbauer would like unlawful changed to illegal. Schaps said they are the same. Bauer asked about the abatement cost of \$5,000 seems a little high. Skordahl asked about declaring shade tree pest and who determines that. Teicher said we currently have three certified shade tree inspectors.

MOTION BY FELDMAN SECOND TEIT TO APPROVE THE FIRST READING OF ORDINANCE 232, SECOND SERIES “DISEASED TREES”.

Roll Call: Yay: Muehlbauer, Tveit, Skordahl, Bauer, and Feldman,
Nays: none

Motion carried 5-0.

F. Survey Policy

City code currently requires that applicants for building permits be accompanied by two (2) copies of a certified land survey “unless exempted by the Building Official.” As this language is awfully vague and could lead to inconsistent enforcement, staff is recommending that Council adopt a policy to provide guidance on when surveys should be required. Enacting a policy like this ensures that all citizens are treated equally, and surveys are only required when necessary to ensure compliance with local regulations and to establish consistency. The City recognizes that requiring a survey adds additional cost for its residents and businesses and all city staff should strive to only require information that is necessary to ensure compliance with City Code.

The Planning Commission has reviewed this policy and is recommending its adoption by the City Council.

Feldman stated he likes how this report spells it out.

Skordahl said the more detail we can put in and clarify requirements for new homeowners or contractors, is good.

MOTION BY BAUER SECOND MUEHLBAUER. TO ADOPT THE OFFICIAL SURVEY POLICY GUIDING WHEN SURVEYS WILL BE REQUIRED. Motion carried 5-0.

10. **MEETING OPEN TO THE PUBLIC**

None

11. **REPORTS**

A. City Administrator's Report – Reminder of the budget work session tomorrow evening 5:30 pm at city hall.

B. Councilmember Reports-
Bauer said I really don't have a report, been a quiet month.

Skordahl said while I was in college I did some work in Houston and they need our help. Help if you can. It also looks like Florida is now also inline for the next hurricane. Also, prepare for somethings you can't control. Look at your insurance to see what is covered and take care of things you can.

Muehlbauer said it has been a busy couple weeks for me personally. Commend Police Chief Todd (Schwieger) for addressing some of the matters going on lately.

Tveit stated he is glad to be back in Minnesota was in Florida last meeting. Remember school is back in session, more cars, pedestrians, slow down, watch out for kids, and parents make sure your kids are pushing the buttons on the crosswalks.

Feldman said last week there was a house fire and was notified by the fire chief. Thank the fire department and police for their work. Glad no one was hurt. Commend the fire and police departments for the community outreach they are implementing, doing some new things. Regarding the Riverbank Lane Street Improvement, we will be in contact with the residents once the report is finalized. Remember to slow down and agreed with Skordahl, look at your insurance policies to see what is covered.

C. Upcoming Events - Sept 6: Work Session – Budget @ 5:30 pm
Sept 9: City Wide Garage Sale
Sept 18: Redevelopment Plan Meeting @ 5:00 pm
Oct 2: City Council Meeting @ 6:00 pm
Oct 4: Council/Planning Commission – Comp Plan @ 6:00 pm (Community Center)

12. **ADJOURNMENT**

There being no further business, Mayor Feldman adjourned the regular city council at 7:06 pm.