

CITY OF ST. FRANCIS
ST. FRANCIS, MN

CITY COUNCIL MINUTES

November 17, 2008

6:00 PM

1. **Call to Order:** The regular City Council Meeting was called to order by Council member Randy Dressen at 6:00 pm at the ISD #15 District Offices.
2. **Roll Call:** Present were Mayor Randy Dressen, Council members LeRoy Schaffer, Steve Kane, Ray Jones, and Tim Brown. Also present was City Attorney Scott Lepak (Barna, Guzy & Steffen), Nate Sparks (Northwest Associated Consultants), Public Works Director Paul Teicher, City Administrator Matt Hysten, and City Clerk Barb Held
3. **Adopt Agenda:** MOTION BY SCHAFFER SECOND KANE TO ADOPT THE NOVEMBER 17, 2008 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** MOTION BY BROWN SECOND JONES TO APPROVE THE NOVEMBER 17, 2008, CITY COUNCIL CONSENT AGENDA A-K:
 - a. Approve the City Council Minutes – November 3, 2008.
 - b. Receive and File the Park Commission Minutes – October 14, 2008
 - c. Receive and File the Fire Department Minutes – November 2, 2008.
 - d. Approve Payment of \$446,955.61 to the City of Oak Grove for Joint Poppy Street Improvement Project.
 - e. Approve a pole-building permit currently in the moratorium area for 5116 Ambassador Blvd.
 - f. Accept the Resignation of Part time Liquor Store Clerk Carol Binger.
 - g. Accept the First Annual Performance Review of Liquor Store Manager John Schmidt and place him on Grade 12, Step 2.
 - h. Accept the Annual Performance Review of Public Works Worker Terry Lemke and place him on at Grade 7, Step 8.
 - i. Approve the payment of \$12,965.00 to Staab Construction at the Council's direction for the removal of the water tower base near Well #1.
 - j. Appoint Bill Karas to the Park Commission.
 - k. Approve the Payment of Claims for \$183,214.27Motion carried 5-0.
5. **Petitions, Requests, Applications:**

a. **St. Francis Fire Dept/St. Francis Jaycees: Santa and the Fire Truck Route:** Brigit Kelley of the fire department and Angela Westbrook from the Jaycees stated the St. Francis Fire Department and the Jaycees will be covering two different routes this year to collect food donations for the ABC food shelf. Thursday, December 11th they will be walking in the Kerry Street, Ivywood Street, 235th and the Stonehouse Ridge neighborhood from 6:00 pm to 8:00 pm. Friday, December 12th they will be walking the Rivershores neighborhood, Woodhaven I and II neighborhoods from 6:00 pm to 8:00 pm. If you are not on one of the routes, you are welcome to visit the fire station, between the hours of 6:00 pm and 8:00 pm each of these nights to drop off any food donations and enjoy some cider and cookies. Santa will be returning to the Fire Station at 8:00 pm each of these nights for pictures. Just wanted to make sure you are aware of it. Schaffer said thank you for getting in the trailer park. Kelley stated the routes will probably change each year. Kane said the City is very lucky to have both the St. Francis Fire Department and St. Francis Jaycees for all you do in the community. Dressen agreed

b. **Conditional Use Permit Review: Roselawn Stables Update:** Roselawn Stables asked for an extension until November 14, 2008 to come into compliance with their Conditional Use Permit. Nate Sparks of Northwest Associated Consultants (NAC) reported that a visual inspection from the road right-of-way was conducted today and found that the site appears to be fully compliant, at this time. Direction from the council is to have NAC conduct an on site inspection too and come back with a report.

6. **Ordinances & Resolution:**

a. **Ordinance 127, Second Series: An Ordinance Amending Chapter 3, Sec. 3.30 MUSA New Septic Regulations (2nd Reading)** Dressen asked Sparks the reasoning for this ordinance being brought forward. Sparks reported that Jeannie Michels made an application for a text amendment to the St. Francis City Code to allow for septic and wells to be placed on parcels located in the MUSA. Planning Commission approved this Ordinance but with a minimum lot size of 20 acres for allowing a septic system within the MUSA. Schaffer asked is this a hardship that he cannot hook up to city water and sewer. Sparks said no it is not be a hardship. Dressen asked if the neighbors were notified of this change. Jones asked could we have the same problem potentially with 241st. Sparks said we tried to avoid the conflict that is why the Planning Commission went with 20 acres minimum lot size. Michels owns a 35-acre parcel just west of the Deer Creek 3rd Addition. Jones asked could we put a limit for how all long this would be allowed to stay there. Sparks said yes you could put a sunset clause to this. Lepak said the ordinance as it is drafted allows this use until it is developed. You could put a limitation but you would have to put a modification to this ordinance. Kane said I am not in favor of sunsets, because they can be hard to track. Dressen said my concern still goes back to whether or not the neighbors are aware of this. This policy is just changing the ordinance, a public hearing was required, but it did not have to be sent to the neighborhood. Schaffer said could we get a neighborhood together to notify them. In this case, public input was taken. It would be more for conditional use permits, variances; on an ordinance change it would be just for input and not a decision making factor. Jeannie Michels, 23008 Navajo Street this is for my sister in law she is currently living in Anoka. She is unable to drive and has health issues we want to help her but she still wants her independence. Ms. Michels said the reason not to put in city water and sewer is because of the expense. MOTION BY SCHAFFER SECOND

JONES APPROVING THE SECOND READING OF ORDINANCE 127, SECOND SERIES; AN ORDINANCE AMENDING CHAPTER 3, SECTION 3.30 MUSA NEW SEPTIC REGULATIONS. Roll Call: Ayes: Schaffer, Brown, Jones and Dressen. Nays: Kane. Motion carried 4-1. Hysten stated staff did receive a letter from Jeanne Michels asking the 30 day waiting period be waived due to the circumstances of their hardship and the weather approaching. MOTION BY JONES SECOND SCHAFFER ALLOWING THIS TO MOVE AHEAD IMMEDIATELY PENDING ALL REGULATIONS ARE MET WITH CITY CODE AND THE BUILDING INSPECTOR. Motion carried 5-0.

b. Ordinance 128, Second Series: An Ordinance Creating Chapter 4, Sec. 4.90 Entitled “Right of Way Management” (2nd Reading): MOTION BY KANE SECOND BROWN APPROVING THE SECOND READING OF ORDINANCE 128, SECOND SERIES; AN ORDINANCE CREATING CHAPTER 4, SECTION 4.90 ENTITLED “RIGHT OF WAY MANAGEMENT”. Roll Call: Ayes: Schaffer, Kane, Brown, Jones, and Dressen. Nays: None. Motion carried 5-0.

c. Ordinance 129, Second Series: Amending Chapter 3, Sec. 3.04, Subd. 1 and Sec. 3.30 Subd. 9 (e) (1st Reading): MOTION BY BROWN SECOND JONES APPROVING THE FIRST READING OF ORDINANCE 129, SECOND SERIES; AN ORDINANCE AMENDING CHAPTER 3, SECTION 3.04, SUBD. 1 AND SECTION 3.30 SUBD. 9(e). Schaffer asked about to the 10% penalty. Hysten said the only change is the verbiage from quarterly to monthly. Roll Call: Ayes: Schaffer, Brown, Jones, Kane and Dressen. Nays: None.

7. **Meeting Open to the Public:** None

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

a. Engineer: Water Treatment Facility Fence Quotes: As requested, quotes were obtained from contractors for the installation of fence on the top slab at the Water Treatment Plant. The need for a fence on the top of the top slab was discussed at the last Water Treatment Plant tour where staff members and Council member Brown was present. The need for a fence was discussed because of concerns related to the possibility of individuals using the large expansive top slab for skateboarding and other activities, which are prohibited, on the site. Three of the four quotes consist of steel fencing with two horizontal bars and 2 ½ -inch posts placed at 5 feet on center. The post and railing would be anchored to the concrete top slab. The proposed fence is 42-inches in height. The final quote obtained is for steel fence 48-inches in height with three horizontal bars, 2-inch diameter posts, and ¾-inch pickets with pointed tops. The quotes obtained and the corresponding values are as follows:

- Breuer Metal Craftsman, Inc., Beaver Dam, WI – 2 rail steel fence \$24,179.00
- Town and Country Fence, Brooklyn Park, MN – 2 rail steel fence \$30,573.00
- Century Fence, Forest Lake, MN - 2 rail steel fence \$29,829.00
- Smith Iron Works, St. Francis, MN – 3 rail picket steel fence \$30,438.00

Should a quote be approved to install fencing on the reservoir/clear well top slab, the costs would be included as a Change Order to the Water Treatment Plant Contract. MOTION BY BROWN SECOND KANE TO ACCEPT THE FOUR QUOTES AS PREVIOUSLY NOTED. Motion carried 5-0. MOTION BY BROWN SECOND KANE TO AWARD THE FENCE QUOTE TO SMITH

IRON WORKS, ST. FRANCIS, MN FOR \$30,438. Jones asked if we are required to fence the whole site. Hysten said we are putting a security system, regarding fencing the whole perimeter, no we are not required. Council asked Hysten to check to see if this included a powder coating. Motion carried 5-0.

Upper Rum River Watershed Management Organization Update: Jones gave an update on the URRWMO. There is an additional project that Anoka County Watersheds should conduct such as locating all wells within the district. They are applying for a grant but there could be an additional cost to each city. Dressen would like staff to find out where a funding source would be for the project.

b. Attorney: No report.

c. Staff: Fire Dept:

Public Works Dept:

Liquor Store: No report.

Police Dept:

City Administrator Report: Hysten reported there are two Diversity Dialogue Sessions addressing diversity issues coming up. More on this issue will be in you off week memo.

City Hall Hours: City Hall hours was a pilot project starting in September. Hysten gave out a report on the number of people either calling or stopping in from 7-8 am and 4:30-5:30 pm. The City is starting to receive forms on updating the council, consultants, department heads, hours of business, nights of council meeting, etc... Therefore, the question is, how does the City Council want to continue. The technical numbers have not been put together for this. Dressen asked if there have been any negative comments the council has heard. Schaffer said no he has not heard anything negative. Brown said as far as I am concerned put this schedule on for next year. Dressen said he has asked people and have not heard nothing negative. **MOTION BY BROWN SECOND TO SET THE HOURS OF CITY HALL, MONDAY THROUGH THURSDAY 7:00 AM TO 5:30 PM FOR 2009** Jones questioned the numbers in the morning do not seem high what about 8:00 am to 6:30 pm. Schaffer agreed. Hysten said the summer is when there would be a higher count in the morning with the building contractors coming in. Motion carried 4-1. Jones voting nay.

9. **Reports from Council Members:** Schaffer contacted a couple businesses.

10. **Report from Mayor:** We have a closed meeting on the agenda, but before we go into the closed meeting, I have one issue to bring up and that is with the current fire exit issue with County Market. Regarding that issue, the City received guidance from the State of MN on how to proceed with the fire exit door matter. County Market went through the appeal process as suggested by the State with the City. Dressen said he found it disheartening that our building inspection consultant

went behind our backs and sent a letter to the State of MN demanding the State overrules the City's decision. The City did not even get copied (cc) on the letter. Authorize staff to look into the different options and cost of whether we should hire our own building inspector, stay with a consulting firm, contact another city to do a cost share with their existing building inspector, and if we hire our own would this position be doing other job duties.

Closed Meeting Pursuant to Minn. Stat. Sec. 13D.05, Subd. 3 to evaluate the annual performance review of City Administrator Matt Hylan: Lepak stated the City Council will be going into a closed session at 7:17 pm pursuant to Minn. Stat. Sec. 13D.05, Subd. 3 to evaluate the annual performance review of City Administrator Matt Hylan.

At 7:50, the City Council went back in session to summarize the performance. Consensus of the City Council was that the City Administrator, Matt Hylan is between meets and exceeds expectations from the council. There will be a closed meeting again at the next city council meeting to discuss salary.

12. **New Business:** None

13. **Adjournment:** The Regular City Council meeting adjourned at 7:52 pm.

Barbara I. Held, City Clerk