

CITY OF ST. FRANCIS  
ST. FRANCIS MN  
ANOKA COUNTY

CITY COUNCIL MINUTES  
FEBRUARY 5, 2018

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 Joe Muehlbauer, Robert Bauer and Rich Skordahl. Councilmember Jerry Tveit excused.

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 BAUER SECOND MUEHLBAUER APPROVING THE REGULAR CITY COUNCIL AGENDA. Motion carried 4-0.

4. **CONSENT AGENDA**

MOTION BY BAUER SECOND MUEHLBAUER TO APPROVE THE CONSENT AGENDA ITEMS A-D AS FOLLOWS:

- A. City Council Minutes – January 16, 2018
- B. St. Francis Lions – Application for MN Lawful Gambling Permit/Bingo April 28 @ Am. Legion
- C. Appoint Greg Zutz, William Murray and Liz Fairbanks to the Planning Commission with terms ending December 31, 2020.
- D. Payment of Claims \$452,962.50 (ACH #222 \$156,862.39 and Check #'s 73703-73781 \$296,100.11)

Motion carried 4-0.

5. **MEETING OPEN TO THE PUBLIC**

- A. Sarah Udvig 3709 229<sup>th</sup> Lane NW, asked the city council to consider changing the current animal control agreement from, Tammy Gimpl-Gratitude Farms to Dover Kennels.

6. **SPECIAL BUSINESS**

None

7. **PUBLIC HEARING**

- A. Meridian – Easement Vacation  
City Planner Ben Gozola reported the City prepared notices for a public hearing for an easement vacation in order to formally consider a conditional use permit for a Meridian Behavioral Health Center. After notices were sent

Meridian decided to update their building plans and start a new application for the project in order to accommodate an expanded footprint for their proposed building. Staff is recommending going head and hold the public hearing on the easement vacation.

Mayor Feldman opened the public hearing at 6:02 pm with no public comment the public hearing closed at 6:02 pm.

Gozola stated there is no risk in approving the easement vacation being if the conditional use permit is not approved this will be null and void.

1) Vacating a Drainage and Utility Easement and Access Easement – Resolution 2018-08

MOTION BY MUEHLBAUER SECOND BAUER TO ADOPT RESOLUTION 2018-08 A RESOLUTION VACTING A DRAINAGE AND UTILITY EASEMENT AND AN ACCESS EASEMENT. Motion carried 4-0.

8. **OLD BUSINESS**

A. St. Francis Transitional Care Facility-Assisted Living/Planned Unit Development-Resolution 2018-02

Gozola reported the Planned Unit Development amendment was reviewed and tabled at the January 2, 2018 City Council meeting. This request is similar to the facility that was previously approved in October 2015 but was never constructed. The changes to the PUD since the one that was approved in 2015 include underground parking and addressing the current storm water standards. If the council chooses to deny the project, you would need to produce findings of facts.

Feldman questioned the height of the building. Gozola stated the mid-point to the highest gable is how we measure the height. Feldman also questioned the financial security. City Attorney Dave Schaps explained the different types of financial securities. Schaps also stated a Letter of Credit is easiest way to receive the money back in case of default.

Feldman asked Chau Le of GDI, LLC if Ebenezer, the potential operator been pinned down? Chau Le replied we are waiting for the CUP to be approved before the operator will commit.

Feldman questioned Le, if the St. Francis residents will have priority to the facility. Le stated the market area focused will be around St. Francis. Le said it is up to the residents where they want to live. Feldman said I would like to have our residents to be able to have a chance to live there. Le stated marketing would start here in St. Francis and then move on to surrounding communities. Another question was will they will be looking for St. Francis residents to staff the facility? Le stated they will try to employ local residents as much as possible that are qualified for the position(s).

Skordahl stated it's time to move forward with the project.

It's 2018, Bauer stated this project started years ago, ready to get the shovel in the ground.

Feldman said I will support being it is so far in to the project. If I was here at the start, I may have had more comments and suggestions.

MOTION BY BAUER SECOND SKORDAHL TO ADOPT RESOLUTION 2018-02 A RESOLUTION APPROVING A PLANNED UNIT DEVELOPMENT AMENDMENT AND SITE & BUILDING PLAN REVIEW FOR THE ST. FRANCIS TRANSITIONAL CARE FACILITY.

Motion carried 4-0.

9. **NEW BUSINESS**

A. Ordinance 237, Second Series – Amend Regulations on Solar Energy Systems (1st Reading)

Gozola reported in 2016 the City adopted a solar ordinance to address a request for a ground mounted solar system. It was recognized at the time that further work would be needed to address the solar community as a whole, but that such work could be delayed until needed for future events. In March of 2017 the Council started discussion with Connexus Energy to allow them to lease property by the Wastewater Treatments Facility for a proposed solar project. Before you is an ordinance recommended by the planning commission that would update the City's regulations relating to solar energy systems, and would expand their potential use beyond minor residential installations to larger utility installations. The ordinance also takes into account recent changes in the solar industry.

Feldman questioned why ask for a bond, letter of credit, or establish an escrow account after 5 years. Thunstrom stated the equipment holds the value the first five years. Feldman said, I want to commend you (Thunstrom) on the work you did, I like the ordinance.

Muehlbauer liked how it was written especially how it affects your neighbors.

Bauer said the ordinance is needed in St. Francis.

Skordahl stated too, it is a well-written ordinance.

MOTION BY BAUER SECOND SKORDAHL TO APPROVE THE FIRST READING OF ORDINANCE 237, SECOND SERIES AMENDING REGULATIONS ON SOLAR ENERGY SYSTEMS.

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

Nays: None

Motion carried 4-0.

B. Building Official

City Administrator Joe Kohlmann reported our current building official had a job offer from another city. Prior to accepting a resignation, the City can consider a counteroffer. The potential counteroffer would be to match the offer made by the other city.

Feldman said I think a hands on building inspector is important. I feel good about him in house and is respected in the trade. The other city sought him out. Metro West is our back up but they are also having issues with their job load and meeting the demands.

Discussion went back and forth on clarification on the salary table, comparison pay to other cities, promotion with a current limited license and along with the low number of inspectors in the field.

Feldman said myself and Kohlmann asked him to give us an opportunity to discuss this at the council level. There are funds available to complete this. He responds to people, he cares about the city and the people and gets back to people in a timely fashion.

Bauer said I understand what you are saying but money is money. We have to be careful how we are spending. I struggle with the fact we are promoting without credentials.

Feldman said I feel this is the right thing to do. His salary is being covered with all the new construction. We finally have all our departments running smoothly. We have to spend the money wisely.

MOTION BY MUEHLBAUER SECOND SKORDAHL TO APPROVE THE PROPOSED ADJUSTMENT FOR THE BUILDING OFFICIAL'S SALARY.  
Motion carried 3-1. Bauer voting nay.

10. MEETING OPEN TO THE PUBLIC

None

11. REPORTS

A. Liquor Store (Bottle Shop) Annual Reports

John Schmidt presented the Liquor Store annual report. Sales were up 4%. Wine sales were flat but gross profit was up. We are buying better quantities.

Feldman said he liked the graphs showing the sales, the different product and the Sunday/Saturday sales. Schmidt said he thinks it will take 2-3 years to show how Sunday sales affect total sales.

Council liked the report and stated now you have something to gauge the future year's sales.

B. Councilmember Reports-

Muehlbauer spoke with someone at the school district about the sound system, waiting for a call back.

Bauer reported caucus meetings are tomorrow evening starting at 7 pm.

Skordahl asked about the sound too. There was a feedback sound tonight. Don't forget about the caucuses.

Feldman said he would like to have a work session. We are the guardian of the people's money. I would like to have a discussion on tax increment financing (TIF). After some discussion, a work session was set for this Thursday, Feb 8<sup>th</sup> at city hall, 5:30 pm.

Kwik Trip they are a reputable operation and that is type of business we need here. I have been getting calls about the sign on the property; Kwik Trip does own the property.

It was brought to my attention that CUP's, home occupation inspections were being discussed on Social Media. If you have questions call city hall, come to a meeting and ask us. Should there be reviews on CUP's, yes I agree. We will look at these, there are about 50 of them. We are here to protect the public. Instead of saying it on Facebook, come and speak to us.

I have had some health issues and had no choice but to miss those meeting. Every plan on running for re-election.

Viking had a good season.

No decision yet on the grant for Riverbank Lane street improvement.

Again, we are the guardians of your money, open to hear anything. Hope everyone likes to new website and I think the city is going in the right direction.

C. Upcoming Events -

Feb 6 Caucus Meetings: 7 pm <http://caucusfinder.sos.state.mn.us/>  
Feb 19 City Offices Closed for Presidents Day Holiday  
Feb 20 (Tues) City Council Meeting @ ISD #15 Central Services Center 6:00 pm

12. **ADJOURNMENT**

MOTION BY SKORDAHL SECOND BAUER TO ADJOURN THE REGULAR CITY COUNCIL MEETING AT 6:55 pm.

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Barbara I. Held, City Clerk