

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
TUESDAY, JANUARY 2, 2018
ISD #15 CENTRAL SERVICE CENTER
4115 Ambassador Blvd NW
6:00 pm

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF AGENDA
4. CONSENT AGENDA - *All matters listed within the Consent Agenda are considered to be routine items to be enacted upon by one motion by the City Council. Items on the Consent Agenda are reviewed in total by the City Council and may be approved through one motion with no further discussion by the Council. Any item may be removed by any Council Member, staff member or person from the public for separate consideration.*
 - A. City Council Minutes – December 4, 2017
 - B. Hire Michael Creelman as an Assistant Comm. Development Director
 - C. MnDOT Agency Delegated Contracting Process Agreement #1030094 - Resolution 2018-07
 - D. Payment of Claims
5. MEETING OPEN TO THE PUBLIC **Maximum time of five minutes per person ***
6. SPECIAL BUSINESS
7. PUBLIC HEARINGS
8. OLD BUSINESS
9. NEW BUSINESS
 - A. Appointments for 2018 – Resolution 2018-01
 - B. St. Francis Transitional Care Facility – Planned Unit Development /Resolution 2018-02
 - C. Meridian Behavior Health –
 1. Conditional Use Permit/ Resolution 2018-03
 2. Setting a Public Hearing on an Easement Vacation/Res 2018-04
 - D. River's Edge Development – Planned Unit Development/Concept Plan Review
 - E. Ordinance 236, Second Series – Amending Regulation of Peddlers, Solicitors and Transient merchants (2nd Reading)
 - F. Summary Publication for Ordinance 236, Second Series – Resolution 2018-05
 - G. Fire Department – Joint Duty Crew Study
 - H. Declaring Surplus Property(Drager SCBA's) – Resolution 2018-06
10. MEETING OPEN TO THE PUBLIC **Maximum time of five minutes per person ***
11. REPORTS
 - A. Councilmember Reports -
 - B. Upcoming Events – Jan 16 (Tues) City Council Meeting @ ISD #15 Central Services Center 6:00 pm
Jan 17 Planning Comm. Meeting @ ISD #15 Central Services Center 6:00 pm
Jan 26 St. Francis Area Chamber of Commerce Annual Dinner
12. ADJOURNMENT

MEMO

TO: Mayor & City Council

FROM: Joe Kohlmann, City Administrator

RE: Agenda Memorandum – January 2nd, 2018 Council Meeting

Agenda Items:

4. **CONSENT AGENDA:**

- a. City Council Minutes – December 4th, 2018
- b. Hire Michael Creelman as Assistant Community Development Director -
- c. MNDOT Agency Delegated Contracting Process Agreement – **Resolution 2018-07** allowing MNDOT to act as the City's agent for Federally Funded projects.
- d. Payment of Claims –

6. **Special Business:**

- A. None –

7. **PUBLIC HEARINGS**

- A. None –

8. **OLD BUSINESS**

- A. None –

9. **NEW BUSINESS**

- A. 2018 Appointments – **Resolution 2018-01** approving 2018 Appointments. These were developed in consultation with the Mayor and are always subject to change by the Mayor and City Council.
- B. St. Francis Transitional Care Facility – **Resolution 2018-02**. 89 unit senior housing facility with assisted and transitional care residential units. This revised application from 2015 addresses changes to stormwater management, and includes changes to the building layout including underground parking.

Template approval Motion: *"I move that we approve the requested planned unit development amendment based on the findings of fact in the staff report, and subject to the conditions listed on pages 10 and 11 as may have been amended here tonight."*

Template Denial Motion: *"I move that we deny the requested planned unit development based on the following findings of fact: (**provide findings**)"*

- C. Meridian Behavioral Health-

1) Conditional Use Permit – Resolution 2018-03 In May of 2013 the City approved both a rezoning of the subject property and a CUP to allow construction of a new Meridian Behavioral Health Facility. They are seeking to authorize updates to the site plan, address stormwater and building operation requirements.

Template approval Motion: *“I move to approve the requested conditional use permit based on the findings of fact listed on pages 14 & 15 of the report subject to the conditions listed on pages 15 & 16.”*

2) Setting a Public Hearing on an Easement Vacation – Resolution 2018-04
An old drainage and utility easement from the old plan that is no longer needed.

D. River's Edge Development – Review and provide feedback. Consider the feedback on the from the Planning Commission located on Page 13 of the Staff Report.

E. Ordinance 236, Second Series - Amending regulation of Peddlers, Solicitors and Transient Merchants (2ndReading). Using best practices to regulate the noted businesses to protect residents and clarifying City Code.

1) Roll Call Vote for Ordinance Approval.

F. Ordinance 236, Second Series – **Approve Resolution 2018-05 Authorizing Summary Publication.**

G. Fire Department Joint Duty Crew Study- Consider authorization for the Fire Chief to work with surrounding cities to study whether a joint duty crew could be established. **Motion to authorize the Fire Chief to participate in the grant writing process.**

H. Declaration of Surplus Property- Declare the old SCBAs as surplus property. **Resolution 2018-07 declaring surplus property and authorizing disposal of said property.**

11. Reports:

12. Adjournment

CITY OF ST. FRANCIS
ST. FRANCIS MN
ANOKA COUNTY

CITY COUNCIL MINUTES
DECEMBER 4, 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 David 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 SKORDAHL APPROVING THE AGENDA AS FOLLOWS. Motion carried 5-0.

4. **CONSENT AGENDA**

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

- A. City Council Minutes – November 20, 2017
- B. MDH SHIP Program - Subcontract Agreement between Anoka County and City of St. Francis
- C. 2018 Annual License Renewals – Resolution 2017-42
- D. Payment of Claims \$195,755.60 (Check #'s 73432-73507)

Motion carried 5-0.

Feldman wants to adjust the agenda. I would like to move Attorney after Report of Council members due to a closed meeting.

5. **MEETING OPEN TO THE PUBLIC**

- A. Sarah Udvig, 3709-229th Lane NW suggests that the council put their pictures on the website. Feldman asked if she has heard any feedback on the new website. Some people are having trouble on the mobile devices but otherwise she has not heard any other problems. Udvig stated that way with the pictures on the website people would know who our council and department heads are. Feldman said the website is a work in progress.

6. **SPECIAL BUSINESS**

None

7. **PUBLIC HEARING**

- A. Presentation on 2018 Proposed Budget - Public Input
Finance Director Darcy Mulvihill gave a presentation on the 2018 Proposed Budget.

Feldman opened it up for public input at 6:16 pm.

Rates are the same capturing the extra funds with the new home construction and using it wisely. We are frugal but want to take advantage of the additional taxes. Feldman thanked council, Darcy and staff for their work on the budget.

Feldman closed the public input hearing with no public commenting at 6:18 pm.

1. Certifying Taxes Payable in 2018 – Resolution 2017-43

MOTION BY BAUER SECOND MUEHLBAUER TO ADOPT RESOLUTION 2017-43 A RESOLUTION CERTIFYING TAXES PAYABLE IN 2018. Tveit said I know how the council wanted to keep the tax rate flat. I believe we should have been a little more tax frugal. By saying, we are keeping the tax rate flat the taxes still are going up over 7 %. I am a little more conservative.

Feldman said if you want growth, you have to pay for it. We are taking advantage of the new construction growth. The saying progress, pride and possibilities; this is the first time we are putting teeth behind this. How we spend, the money is the key. Many other cities are doing it this way too.

Muehlbauer said we need to take care of our roads.

Feldman said I am not out to spend money. We are here to serve the public.

Motion carried 4-1. Tveit voting nay.

2. Adopting a Budget for 2018 – Resolution 2017-44

MOTION BY SKORDAHL SECOND MUEHLBAUER TO ADOPT RESOLUTION 2017-44 A RESOLUTION ADOPTING A BUDGET FOR 2018.

Motion carried 5-0.

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

- A. Ordinance 235, Second Series – Amending Section 2-9-1 “Fee Schedule” (2nd Reading)

MOTION BY TVEIT SECOND BAUER TO APPROVE THE SECOND READING OF ORDINANCE 235, SECOND SERIES AMENDING SECTION 2-9-1 “FEE SCHEDULE”.

Roll Call: Yay: Muehlbauer, Feldman, Bauer Skordahl, and Tveit,
Nays: None
Motion carried 5-0.

- B. Summary Publication of Ordinance 235, Second Series Resolution 2017-45
MOTION BY TVEIT SECOND MUEHLBAUER ADOPTING RESOLUTION
2017-45 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 235,
SECOND SERIES AMENDING SECTION 2-9-1 OF THE CITY CODE
REGARDING THE FEE SCHEDULE FOR THE CITY OF ST. FRANCIS.
Motion carried 5-0.

- C. Authorization to Purchase 2018 Squad Car
Burnsville Doge again has the state contract for Dodge Chargers. Police Chief Schwieger stated the department would like to place the order for two (2) Dodge Chargers to be used as marked squad cars. This purchase is a routine and budgeted item. The vehicles are described in the Capital Improvement Plan (PlanIt 2000) and were budgeted for in 2018. The contract price is \$23,520 for each vehicle. After added options, the total amount for each vehicle is \$24,086. The 2014 Dodge Charger will be traded in and its value will be deducted from the price of one of the new vehicles. MOTION BY FELDMAN SECOND TVEIT AUTHORIZING THE POLICE DEPARTMENT TO PLACE THE ORDER FOR A 2018 DODGE CHARGER. Tveit said important to explain this purchase is off State bid. Feldman said State bid is a good deal and we check for State bids with all purchases.

Tveit stated I think the police department are requesting two vehicles, motion only was for one. After some discussion, the motion was withdrawn and a new motion was read.

MOTION BY FELDMAN SECOND TVEIT AUTHORIZING THE POLICE DEPARTMENT TO PLACE THE ORDER FOR TWO (2) 2018 DODGE CHARGERS OFF STATE BID FROM BURNSVILLE DODGE. Motion carried 5-0.

- D. Cost of Living Adjustment (COLA) for Non-Union City Employees for 2018
Bauer opposes the 3% across the board for all employee raises.

Muehlbauer and Tveit did not have a problem with the 3%.

Feldman said we are working really well with the staff. Don't think they were being heard before. I like what I am seeing from the employees going in the right direction and do not feel this is out of line.

Bauer asked would this be a three-year agreement.

It was noted, this group is not a collecting bargaining unit.

MOTION BY MUEHLBAUER SECOND SKORDAHL APPROVING A COST OF LIVING ADJUSTMENT OF 3% TO ALL NON-UNION EMPLOYEES. Motion carried 5-0.

E. Verizon Wireless – Conditional Use Permit/Interim Use Permit – Resolution 2017-47

City Planner Gozola reported Verizon is proposing to construct a 100 feet tall telecommunications (cell) tower with antennas and related equipment on a vacant 26.71-acre parcel. The proposal requires both a Conditional Use Permit (CUP) for this type of use in the A-2 District and an Interim Use Permit (IUP) for the tower height above 75 feet. The comprehensive plan and zoning code support this use at the proposed location, and the plans have been shown to meet City standards provided a number of conditions of approval be followed. Held two public hearings on this project, one was for the CUP and the second for the IUP. There was public comment during the public hearing. One resident was concerned with the location and the other about the aesthetics of looking out their front window and seeing this tower. The Planning Commission unanimously (6-0) recommended approval of the request with conditions. The council agreed to approve the requested conditional and interim use permits based on the findings of fact in the staff report, the Planning Commission's input and recommendation, and subject to the conditions listed on pages 14 through 16 of the staff report.

Feldman asked about the one concern from a resident about aesthetics. Gozola stated they would be required to construct an architecturally appropriate building to house the equipment, and an eight-foot high security fence with screening slats and landscaping to buffer the installation. They choose this site for the best location for service.

Also part of the agreement is if the Verizon Wireless tower increase the taxes for this parcel for any reason they will reimburse him, part of the lease.

Skordahl stated yes, it does ends up being close to the neighbor's accessory structure. Wished they had been able to go farther west but Verizon did their research and this tower will provide a value service to residents on the west end of the city. This tower will also take some pressure off other towers. Good use for the property and service for the community. Commend the Planning Commission on their thorough discussion.

Bauer asked about the other two spots available. Verizon stated they would allow anyone interested on wanting to come on the tower.

Muehlbauer good thing if it is going to benefit the residents. Feel for the residents, I would not want to look at it either.

Tveit said if it falls within our code, hard-pressed not to approve it. Private property rights and falls within our guidelines.

Feldman thanked everyone for his or her input and the staff reports.

MOTION BY BAUER SECOND MUEHLBAUER ADOPTING RESOLUTION 2017-47 A RESOLUTION APPROVING CONDITIONAL AND INTERIM USE PERMITS TO ALLOW A TELECOMMUNICATIONS FACILITY AND TOWER EXCEEDING SEVENTY-FIVE FEET IN HEIGHT ON THE UNADDRESSED PROPERTY (33-34-25-21-0001) Motion carried 5-0

F. Ordinance 236, Second Series – Amending Regulation of Peddlers, Solicitors and Transient merchants (1st Reading)

City Planner Ben Gozola reported Sambatek helped address a gap in the City's process as it relates to the City Code and the internal process for Peddlers, Solicitors, Canvassers and Transient Merchants licenses. It is common to have a process in place to address solicitation to protect residents against unethical sales practices. A license of this type is used for those who sell goods while traveling from place to place by foot or vehicle. Typically, for door-to-door sales. The individuals are offering goods and services not affiliated with our local organizations, schools or non-profits. Action required concurrently with the adoption of the new Solicitors' Ordinance is the repeal of current code language at Chapter 8-4-7 "Solicitors". Included in the packet was a draft ordinance adding a new Section 14: Peddlers, Solicitors, and Transient Merchants to Chapter 6: Business Regulation and Licensing and repeals the existing language in Chapter 8, at Section 8-4-7 Solicitors.

Council agreed this is a good change to spell out the regulations more clearly. The question was asked, how are people supposed to know if they need a permit. Feldman thanked Kate and Ben on their work on this change.

Skordahl said I still would like a "Did You Know Section" in our newsletter. I didn't know they needed a permit. Council agreed to have staff get the word out.

MOTION BY TVEIT SECOND BAUER. TO APPROVE THE FIRST READING OF ORDINANCE 236, SECOND SERIES WITH AMENDMENTS TO CHAPTER 8 AND CHAPTER 6 RELATING TO THE REGULATION OF PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS.

Roll Call: Ayes: Feldman, Bauer, Skordahl, Tveit and Muehlbauer.
Nays: None

Motion carried 5-0.

G. Rum River Bluffs 2nd Addition – Acceptance of City Infrastructure

City Engineer Jochum reported the developer for the Rum River Bluffs 2nd Addition requested City acceptance of the city infrastructure. The wear course of bituminous on the streets and all remaining punchlist items pertaining to the City infrastructure recently were completed. The Development Agreement also required certain improvements to County Road 72 (Rum River Blvd) as necessary for access into the development. Specifically, the Development Agreement discussed right turn lanes and left in access lanes (passing lanes) on County Road 72, at the 235th Avenue NW intersection. Plans were in the packet. City Staff has been in contact with Anoka County and expects there will be additional discussion regarding this topic in the coming months. Hakanson Anderson recommends the City accept the City infrastructure at this time, which will begin the one-year warranty period. The City already has a warranty bond for the City owned utilities. A second maintenance bond shall be posted as security to remain in place during the warranty period(s). Also a financial security Letter of Credit \$232,500 must remain in place until the developer's obligation for construction of the turn lane and passing lane on County Road 72 have been met.

Discussion from council was their concerns on the timing of this turn lane and would like the county and school district work better together on know when and what projects are being done within the city.

MOTION BY MUEHLBAUER SECOND FELDMAN ACCEPTING THE CITY INFRASTRUCTURE FOR THE RUM RIVER BLUFFS 2ND ADDITION.

Motion 4-1. Bauer voting nay.

H. Smith Lake Wildlife Estates 1st & 2nd Addn. – Acceptance of Improvements

Jochum reported the developer for the Smith Lake Wildlife Estates 1st and 2nd Additions recently requested City acceptance of the City infrastructure. The wear course of bituminous on the streets and all remaining punchlist items pertaining to the City infrastructure recently were completed. The only remaining item is the establishment of the turf along the road shoulder in areas where topsoil was placed along finished yards. Will wait to see if the seed germinates and establishes into turf during the 2018 growing season.

It is recommended the City accept the improvement, reduce the trust account to \$10,000 and release the irrevocable letter of credit.

MOTION BY SKORDAHL SECOND BAUER ACCEPTING THE IMPROVEMENTS FOR SMITH LAKE WILDLIFE ESTATES 1ST AND 2ND, REDUCE THE TRUST ACCOUNT TO \$10,000 AND RELEASE THE IRREVOCABLE LETTER OF CREDIT. Motion carried 5-0.

- I. North Metro Regional Street Maintenance Consortium – Resolution 2017-48
Public Works Director Paul Teicher asking for consideration authorizing the mayor and city administrator to sign the Joint Powers Agreement, along with Resolution 2017-48 to join the consortium. In 2004, a group of cities joined to form the North Metro Regional Street Maintenance Consortium. The purpose was to combine maintenance service contracts in an effort to obtain a financial benefit for maintaining city streets. The City of Coon Rapids is the lead agency for this group. The group of cities has a joint powers agreement to combine certain bid items to reduce the number of contracts needed in an effort to achieve lower bids from contractors. The agreement also allows each city to accept or reject the bids for their portion of the proposed contract. Each city will pay the contractor directly for its portion of the work. Coon Rapids will receive the bids on the various street improvement/maintenance items and will bill each city an administrative cost depending on project cost.

Feldman said when he and Muehlbauer were at the League of MN Cities Newly Elected Officials conference we met representatives from Coon Rapids and we discussed this agreement with them.

Council discussed on how this would benefit the City. Teicher said we are not obligated to pay anything until the bids are received. We would submit our quantities and try to get the best prices. Jochum said he has worked with this group and they bid publicly every year for a contractor with the best price who would get quantities from all thirteen cities. Concerns were if our projects would be handled in a timely matter, would we be saving money, and do we have to take their bids. Teicher again stated we are not obligated to go with their bid prices. Jochum stated there are time frames they would have to follow.

MOTION BY MUEHLBAUER SECOND BAUER ADOPT RESOLUTION 2017-48 A RESOLUTION AUTHORIZING ENTRY INTO A JOINT POWERS AGREEMENT WITH ST. FRANCIS AND TO ENTER INTO THE NINTH AMENDMENT TO JOINT POWERS AGREEMENT; TRAFFIC MARKINGS, STREET SWEEPING, CRACK SEALING, SCREENING AND SEAL COATING
Motion carried 5-0

- J. Cancelling Second Meeting in December – Resolution 2017-49
City Administrator Joe Kohlmann stated with no city business identified for the December 18 City Council meeting, a resolution is before you for consideration if council chooses to cancel the meeting.

MOTION BY FELDMAN SECOND SKORDAHL TO ADOPT RESOLUTION 2017-49 CANCELLING THE DECEMBER 18, 2017 REGULAR CITY COUNCIL MEETING.
Motion carried 5-0.

10. MEETING OPEN TO THE PUBLIC
None.

11. REPORTS

B. Councilmember Reports-

Muehlbauer reported he made it to the tree lighting late in Woodbury Park.

Tveit asked how we could go about trying to get our jurisdiction to know what all the other projects are going on in town. Maybe get our mayor, school superintendent and developers together so we know what kind of projects are going on. Feldman said it is a lack of communication.

Tveit said I am not sure how we do it. Feldman said maybe at the first of the year to put a project team together. Agree there is a problem. Skordahl said how do you get all the stakeholders in a room together.

Bauer would like to say "Santa on the Fire Truck" is on the website and Facebook that show the routes. Collecting food along the routes, meet the fire fighters this Thursday in various neighborhoods. Food goes to the local food shelf. Santa will be at the Police Department December 14. Safe Holiday season.

Skordahl, take some time off spend it with family.

Feldman likes the new website, still a work in progressive. Thanked Jen, Sandy, Lori, Kate and Anna was here for all their work on it. Thanked the public for their support. With the holidays coming, be safe and enjoy the holiday season. The Vikings are doing well. Kwik tip purchased the old gas station building and will have the building down soon.

A. Attorney's Report-

1. Closed meeting to Discuss Union Negotiation Strategy Pursuant to Minn. State Statute 13D.03
2. Consideration of 2018-2019 Tentative Agreement between the City and Police Officer Bargaining Unit. Resolution 2017-50

Mayor stated under Minnesota Statutes Section 13D.03, Subd. 1 et seq. the City Council has the ability to move into a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals. The labor negotiations are a proposal between the City of St. Francis and Law Enforcement Labor Services (Police Officers).

MOTION BY MUEHLBAUER SECOND BAUER TO GO INTO A CLOSED MEETING FOR DISCUSSION OF LABOR NEGOTIATIONS. Motion carried 5-0.

Feldman stated we are now going into a closed session at 7:38 pm.

MOTION BY FELDMAN SECOND MUEHLBAUER TO REOPEN THE CLOSED SESSION AND MOVE BACK INTO OPEN SESSION AT 8:21 pm.

MOTION BY TVEIT SECOND SKORDAHL TO ADOPT RESOLUTION 2017-50 A RESOLUTION APPROVE THE TENTATIVE AGREEMENT BETWEEN THE CITY OF ST. FRANCIS AND THE LAW ENFORCEMENT LABOR SERVICES, INC REPRESENTING THE POLICE OFFICER BARGAINING UNIT FOR THE CALENDAR YEARS 2018 THROUGH 2019

Muehlbauer stated this agreement maintains the standard set across the City. Bauer reiterated it follows the standards set.

Motion carried 5-0

C. Upcoming Events -

- Dec 6: Santa on the Fire Truck at County Market 5:30 pm
- Dec 7: Santa on the Fire Truck-Variou Neighborhoods 5:30 pm
- Dec 14: Take your picture with Santa @ Police Dept. 5:30-7:30 pm
- Dec 20: Planning Comm. Meeting @ ISD #15 Central Services Center 7:00 pm
- Dec 25: City Offices Closed for Christmas Holiday
- Jan 1: City Offices Closed for New Year's Day Holiday
- Jan 2(Tues) City Council Meeting @ ISD #15 Central Services Center 6:00 pm

12. **ADJOURNMENT**

MOTION BY BAUER SECOND MUEHLBAUER TO ADJOURN THE REGULAR CITY COUNCIL MEETING AT 8:23 pm.

Motion carried 5-0.

Barbara I. Held, City Clerk



Minnesota Department of Transportation

State Aid for Local Transportation

395 John Ireland Boulevard, MS 500

Saint Paul, MN 55155

December 1, 2017

Joe Kohlmann

23340 Cree Street NW

St. Francis, MN, 55070

**SUBJECT: Agency Delegated Contracting Process Agreement
Agency Agreement No. 1030094**

Dear Mr. Kohlmann:

Attached are two copies of the agency agreement between the City of St. Francis and MnDOT, which allows for MnDOT to act as the City's agent in accepting federal aid. This agreement is intended to cover all federally funded projects that the City is awarded funds for until revisions are needed to the agreement. It supersedes the agreement executed in or about 2003, which is referenced in this agreement.

While I do not anticipate that the requirements in Section 18.4 will apply to you, the language required by federal law and must be included in all federally funded project agreements as of October 1, 2010. Please review the agreement and if approved, have all two copies signed. A resolution similar to the attached example, must be passed. The certified resolution should then be placed as the last page in each of the two copies of the agreement. Please verify that the person/title authorized to sign as stated in the resolution, corresponds to the signature (person/title) on the signature page. Please return all two copies of the agreement to me for MnDOT signatures. A fully executed copy will be returned to you.

If you have any questions or need any revisions, please feel free to contact me at 651.366.3822.

Sincerely,

A handwritten signature in black ink that reads 'Lynnette Roshell'.

Lynnette Roshell, PE

Project Development Engineer

Enclosures

Cc: Dan Erickson – DSAE File



STATE OF MINNESOTA

AGENCY AGREEMENT

for

FEDERAL PARTICIPATION IN CONSTRUCTION

This agreement is entered into by and between the City of St. Francis ("Local Government") and the State of Minnesota acting through its Commissioner of Transportation ("MnDOT").

RECITALS

1. Pursuant to Minnesota Statutes Section 161.36, the Local Government desires MnDOT to act as the Local Government's agent in accepting federal funds on the Local Government's behalf for the construction, improvement, or enhancement of transportation financed either in whole or in part by Federal Highway Administration ("FHWA") federal funds, hereinafter referred to as the "Project(s)"; and
2. This agreement is intended to cover all federal aid projects initiated by the Local Government and therefore has no specific State Project number associated with it, and
 - 2.1. The Catalog of Federal Domestic Assistance number or CFDA number is 20.205, and
 - 2.2. This agreement supersedes agreement number old (99993)
 - 2.3. This project is for construction not research and development.
 - 2.4. MnDOT requires that the terms and conditions of this agency be set forth in an agreement.

AGREEMENT TERMS

1. Term of Agreement

- 1.1. **Effective Date.** This agreement will be effective on the date the MnDOT obtains all required signatures under Minn. Stat. §16C.05, Subd. 2. Upon the effective date, this agreement will supersede agreement 99993.

2. Local Government's Duties

- 2.1. **Designation.** The Local Government designates MnDOT to act as its agent in accepting federal funds in its behalf made available for the Project(s). Details on the required processes and procedures are available on the State Aid Website
- 2.2. **Staffing.**
 - 2.2.1. The Local Government will furnish and assign a publicly employed licensed engineer, ("Project Engineer"), to be in responsible charge of the Project(s) and to supervise and direct the work to be performed under any construction contract let for the Project(s). In the alternative where the Local Government elects to use a private consultant for construction engineering services, the Local Government will provide a qualified, full-time public employee of the Local Government, to be in responsible charge of the Project(s). The services of the Local Government to be performed hereunder may not be assigned, sublet, or transferred unless the Local Government is notified in writing by MnDOT that such action is permitted under 23 CFR 1.33 and 23 CFR 635.105 and state law. This written consent will in no way relieve the Local Government from its primary responsibility for performance of the work.

- 2.2.2. During the progress of the work on the Project(s), the Local Government authorizes its Project Engineer to request in writing specific engineering and/or technical services from MnDOT, pursuant to Minnesota Statutes Section 161.39. Such services may be covered by other technical service agreements. If MnDOT furnishes the services requested, and if MnDOT requests reimbursement, then the Local Government will promptly pay MnDOT to reimburse the state trunk highway fund for the full cost and expense of furnishing such services. The costs and expenses will include the current MnDOT labor additives and overhead rates, subject to adjustment based on actual direct costs that have been verified by audit. Provision of such services will not be deemed to make MnDOT a principal or co-principal with respect to the Project(s).
- 2.3. **Pre-letting.** The Local Government will prepare construction contracts in accordance with Minnesota law and applicable Federal laws and regulations.
- 2.3.1. The Local Government will solicit bids after obtaining written notification from MnDOT that the FHWA has authorized the Project(s). Any Project(s) advertised prior to authorization **without permission** will not be eligible for federal reimbursement.
- 2.3.2. The Local Government will prepare the Proposal for Highway Construction for the construction contract, which will include all of the federal-aid provisions supplied by MnDOT.
- 2.3.3. The Local Government will prepare and publish the bid solicitation for the Project(s) as required by state and federal laws. The Local Government will include in the solicitation the required language for federal-aid construction contracts as supplied by MnDOT. The solicitation will state where the proposals, plans, and specifications are available for the inspection of prospective bidders, and where the Local Government will receive the sealed bids.
- 2.3.4. The Local Government may not include other work in the construction contract for the authorized Project(s) without obtaining prior notification from MnDOT that such work is allowed by FHWA. Failure to obtain such notification may result in the loss of some or all of the federal funds for the Project(s). All work included in a federal contract is subject to the same federal requirements as the federal project.
- 2.3.5. The Local Government will prepare and sell the plan and proposal packages and prepare and distribute any addenda, if needed.
- 2.3.6. The Local Government will receive and open bids.
- 2.3.7. After the bids are opened, the Local Government will consider the bids and will award the bid to the lowest responsible bidder, or reject all bids. If the construction contract contains a goal for Disadvantaged Business Enterprises, the Local Government will not award the bid until it has received certification of the Disadvantaged Business Enterprise participation from the MnDOT Office of Civil Rights.
- 2.3.8. The Local Government entity must disclose in writing any potential conflict of interest to the Federal awarding agency or pass through entity in accordance with applicable Federal awarding agency policy.
- 2.4. **Contract Administration.**
- 2.4.1. The Local Government will prepare and execute a construction contract with the lowest responsible bidder, hereinafter referred to as the "Contractor," in accordance with the special provisions and the latest edition of MnDOT's Standard Specifications for Construction and all amendments thereto. All contracts between the Local Government and third parties or subcontractors must contain all applicable provisions of this Agreement, including the applicable federal contract clauses, which are identified in Appendix II of 2 CFR 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, and as provided in Section 18 of this agreement.

- 2.4.2. The Project(s) will be constructed in accordance with plans, special provisions, and standard specifications of each Project. The standard specifications will be the latest edition of MnDOT Standard Specifications for Highway Construction, and all amendments thereto. The plans, special provisions, and standard specifications will be on file at the Local Government Engineer's Office. The plans, special provisions, and specifications are incorporated into this agreement by reference as though fully set forth herein.
- 2.4.3. The Local Government will furnish the personnel, services, supplies, and equipment necessary to properly supervise, inspect, and document the work for the Project(s). The services of the Local Government to be performed hereunder may not be assigned, sublet, or transferred unless the Local Government is notified in writing by MnDOT that such action is permitted under 23 CFR 1.33 and 23 CFR 635.105 and state law. This written consent will in no way relieve the Local Government from its primary responsibility for performance of the work.
- 2.4.4. The Local Government will document quantities in accordance with the guidelines set forth in the Construction Section of the Electronic State Aid Manual that were in effect at the time the work was performed.
- 2.4.5. The Local Government will test materials in accordance with the Schedule of Materials Control in effect at the time each Project was let. The Local Government will notify MnDOT when work is in progress on the Project(s) that requires observation by the Independent Assurance Inspector as required by the Independent Assurance Schedule.
- 2.4.6. The Local Government may make changes in the plans or the character of the work, as may be necessary to complete the Project(s), and may enter into Change Order(s) with the Contractor. The Local Government will not be reimbursed for any costs of any work performed under a change order unless MnDOT has notified the Local Government that the subject work is eligible for federal funds and sufficient federal funds are available.
- 2.4.7. The Local Government will request approval from MnDOT for all costs in excess of the amount of federal funds previously approved for the Project(s) prior to incurring such costs. Failure to obtain such approval may result in such costs being disallowed for reimbursement.
- 2.4.8. The Local Government will prepare reports, keep records, and perform work so as to meet federal requirements and to enable MnDOT to collect the federal aid sought by the Local Government. Required reports are listed in the MnDOT State Aid Manual, Delegated Contract Process Checklist, available from MnDOT's authorized representative. The Local Government will retain all records and reports and allow MnDOT or the FHWA access to such records and reports for six years.
- 2.4.9. Upon completion of the Project(s), the Project Engineer will determine whether the work will be accepted.

2.5. **Limitations.**

- 2.5.1. The Local Government will comply with all applicable Federal, State, and local laws, ordinances, and regulations.
- 2.5.2. Nondiscrimination. It is the policy of the Federal Highway Administration and the State of Minnesota that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. 2000d). Through expansion of the mandate for nondiscrimination in Title VI and through parallel legislation, the proscribed bases of discrimination include race, color, sex, national origin, age, and disability. In addition, the Title VI program has been extended to cover all programs, activities and services of an entity receiving Federal financial

assistance, whether such programs and activities are Federally assisted or not. Even in the absence of prior discriminatory practice or usage, a recipient in administering a program or activity to which this part applies, is expected to take affirmative action to assure that no person is excluded from participation in, or is denied the benefits of, the program or activity on the grounds of race, color, national origin, sex, age, or disability. It is the responsibility of the Local Government to carry out the above requirements.

2.5.3. **Utilities.** The Local Government will treat all public, private or cooperatively owned utility facilities which directly or indirectly serve the public and which occupy highway rights of way in conformance with 23 CFR 645 "Utilities" which is incorporated herein by reference.

2.6. **Maintenance.** The Local Government assumes full responsibility for the operation and maintenance of any facility constructed or improved under this Agreement.

3. MnDOT's Duties

3.1. **Acceptance.** MnDOT accepts designation as Agent of the Local Government for the receipt and disbursement of federal funds and will act in accordance herewith.

3.2. Project Activities.

3.2.1. MnDOT will make the necessary requests to the FHWA for authorization to use federal funds for the Project(s), and for reimbursement of eligible costs pursuant to the terms of this agreement.

3.2.2. MnDOT will provide to the Local Government copies of the required Federal-aid clauses to be included in the bid solicitation and will provide the required Federal-aid provisions to be included in the Proposal for Highway Construction.

3.2.3. MnDOT will review and certify the DBE participation and notify the Local Government when certification is complete. If certification of DBE participation (or good faith efforts to achieve such participation) cannot be obtained, then Local Government must decide whether to proceed with awarding the contract. Failure to obtain such certification will result in the project becoming ineligible for federal assistance, and the Local Government must make up any shortfall.

3.2.4. MnDOT will provide the required labor postings.

3.3. **Authority.** MnDOT may withhold federal funds, where MnDOT or the FHWA determines that the Project(s) was not completed in compliance with federal requirements.

3.4. **Inspection.** MnDOT, the FHWA, or duly authorized representatives of the state and federal government will have the right to audit, evaluate and monitor the work performed under this agreement. The Local Government will make available all books, records, and documents pertaining to the work hereunder, for a minimum of six years following the closing of the construction contract.

4. Time

4.1. The Local Government must comply with all the time requirements described in this agreement. In the performance of this agreement, time is of the essence

4.2. The period of performance is defined as beginning on the date of federal authorization and ending on the date defined in the federal financial system or federal agreement ("end date"). **No work completed** after the **end date** will be eligible for federal funding. Local Government must submit all contract close out paperwork to MnDOT, twenty four months prior to the **end date**.

5. Payment

5.1. **Cost.** The entire cost of the Project(s) is to be paid from federal funds made available by the FHWA and by other funds provided by the Local Government. The Local Government will pay any part of the cost or

expense of the Project(s) that is not paid by federal funds. MnDOT will receive the federal funds to be paid by the FHWA for the Project(s), pursuant to Minnesota Statutes § 161.36, Subdivision 2. MnDOT will reimburse the Local Government, from said federal funds made available to each Project, for each partial payment request, subject to the availability and limits of those funds.

- 5.2. **Indirect Cost Rate Proposal/Cost Allocation Plan.** If the Local Government seeks reimbursement for indirect costs and has submitted to MnDOT an indirect cost rate proposal or a cost allocation plan, the rate proposed will be used on a provisional basis. At any time during the period of performance or the final audit of a project, MnDOT may audit and adjust the indirect cost rate according to the cost principles in 2 CFR Part 200. MnDOT may adjust associated reimbursements accordingly.
- 5.3. **Reimbursement.** The Local Government will prepare partial estimates in accordance with the terms of the construction contract for the Project(s). The Project Engineer will certify each partial estimate. Following certification of the partial estimate, the Local Government will make partial payments to the Contractor in accordance with the terms of the construction contract for the Project(s).
 - 5.3.1. Following certification of the partial estimate, the Local Government may request reimbursement for costs eligible for federal funds. The Local Government's request will be made to MnDOT and will include a copy of the certified partial estimate.
 - 5.3.2. Upon completion of the Project(s), the Local Government will prepare a final estimate in accordance with the terms of the construction contract for the Project(s). The Project Engineer will certify the final estimate. Following certification of the final estimate, the Local Government will make the final payment to the Contractor in accordance with the terms of the construction contract for the Project(s).
 - 5.3.3. Following certification of the final estimate, the Local Government may request reimbursement for costs eligible for federal funds. The Local Government's request will be made to MnDOT and will include a copy of the certified final estimate along with the required records.
 - 5.3.4. Upon completion of the Project(s), MnDOT will perform a final inspection and verify the federal and state eligibility of all the payment requests. If the Project is found to have been completed in accordance with the plans and specifications, MnDOT will promptly release any remaining federal funds due the Local Government for the Project(s). If MnDOT finds that the Local Government has been overpaid, the Local Government must promptly return any excess funds
 - 5.3.5. In the event MnDOT does not obtain funding from the Minnesota Legislature or other funding source, or funding cannot be continued at a sufficient level to allow for the processing of the federal aid reimbursement requests, the Local Government may continue the work with local funds only, until such time as MnDOT is able to process the federal aid reimbursement requests.
- 5.4. **Matching Funds.** Any cost sharing or matching funds required of the Local Government in this agreement must comply with 2 CFR 200.306.
- 5.5. **Federal Funds.** Payments under this Agreement will be made from federal funds. The Local Government is responsible for compliance with all federal requirements imposed on these funds and accepts full financial responsibility for any requirements including, but not limited to, 2 CFR Part 200 imposed by the Local Government's failure to comply with federal requirements. If, for any reason, the federal government fails to pay part of the cost or expense incurred by the Local Government, or in the event the total amount of federal funds is not available, the Local Government will be responsible for any and all costs or expenses incurred under this Agreement. The Local Government further agrees to pay any and all lawful claims arising out of or incidental to the performance of the work covered by this Agreement in the event the federal government does not pay the same.

- 5.6. **Closeout.** The Local Government must liquidate all obligations incurred under this Agreement for each project and submit all financial, performance, and other reports as required by the terms of this Agreement and the Federal award, twenty four months prior to the **end date** of the period of performance for each project. MnDOT will determine, at its sole discretion, whether a closeout audit is required prior to final payment approval. If a closeout audit is required, final payment will be held until the audit has been completed. Monitoring of any capital assets acquired with funds will continue following project closeout.
6. **Conditions of Payment.** All services provided by Local Government under this agreement must be performed to MnDOT's satisfaction, as determined at the sole discretion of MnDOT's Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Local Government will not receive payment for work found by MnDOT to be unsatisfactory or performed in violation of federal, state, or local law.
7. **Authorized Representatives**
- 7.1. MnDOT's Authorized Representative is:
- Name: Mitchell Rasmussen, or his successor.
- Title: State Aid Engineer
- Phone: 651-366-4831
- Email: Mitch.rasmussen@state.mn.us
- MnDOT's Authorized Representative has the responsibility to monitor Local Government's performance and the authority to accept the services provided under this agreement. If the services are satisfactory, MnDOT's Authorized Representative will certify acceptance on each invoice submitted for payment.
- 7.2. The Local Government's Authorized Representative is:
- Name: Joe Kohlmann or his/her successor.
- Title: St. Francis City Administrator
- Phone: 763-235-2301
- Email: jkohlmann@stfrancismn.org
- If the Local Government's Authorized Representative changes at any time during this agreement, the Local Government will immediately notify MnDOT.
8. **Assignment Amendments, Waiver, and Agreement Complete**
- 8.1. **Assignment.** The Local Government may neither assign nor transfer any rights or obligations under this agreement without the prior written consent of MnDOT and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this agreement, or their successors in office.
- 8.2. **Amendments.** Any amendments to this agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.
- 8.3. **Waiver.** If MnDOT fails to enforce any provision of this agreement, that failure does not waive the provision or MnDOT's right to subsequently enforce it.
- 8.4. **Agreement Complete.** This agreement contains all negotiations and agreements between MnDOT and the Local Government. No other understanding regarding this agreement, whether written or oral, may be used to bind either party.

8.5. **Severability.** If any provision of this Agreement or the application thereof is found invalid or unenforceable to any extent, the remainder of the Agreement, including all material provisions and the application of such provisions, will not be affected and will be enforceable to the greatest extent permitted by the law.

9. Liability and Claims

9.1. **Tort Liability.** Each party is responsible for its own acts and omissions and the results thereof to the extent authorized by law and will not be responsible for the acts and omissions of any others and the results thereof. The Minnesota Tort Claims Act, Minnesota Statutes Section 3.736, governs MnDOT liability.

9.2. **Claims.** The Local Government acknowledges that MnDOT is acting only as the Local Government's agent for acceptance and disbursement of federal funds, and not as a principal or co-principal with respect to the Project. The Local Government will pay any and all lawful claims arising out of or incidental to the Project including, without limitation, claims related to contractor selection (including the solicitation, evaluation, and acceptance or rejection of bids or proposals), acts or omissions in performing the Project work, and any *ultra vires* acts. The Local Government will indemnify, defend (to the extent permitted by the Minnesota Attorney General), and hold MnDOT harmless from any claims or costs arising out of or incidental to the Project(s), including reasonable attorney fees incurred by MnDOT. The Local Government's indemnification obligation extends to any actions related to the certification of DBE participation, even if such actions are recommended by MnDOT.

10. Audits

10.1. Under Minn. Stat. § 16C.05, Subd.5, the Local Government's books, records, documents, and accounting procedures and practices of the Local Government, or other party relevant to this agreement or transaction, are subject to examination by MnDOT and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this agreement, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later. The Local Government will take timely and appropriate action on all deficiencies identified by an audit.

10.2. All requests for reimbursement are subject to audit, at MnDOT's discretion. The cost principles outlined in 2 CFR 200.400-.475 will be used to determine whether costs are eligible for reimbursement under this agreement.

10.3. If Local Government expends \$750,000 or more in Federal Funds during the Local Government's fiscal year, the Local Government must have a single audit or program specific audit conducted in accordance with 2 CFR Part 200.

11. **Government Data Practices.** The Local Government and MnDOT must comply with the Minnesota Government Data Practices Act, [Minn. Stat. Ch. 13](#), as it applies to all data provided by MnDOT under this agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Local Government under this agreement. The civil remedies of [Minn. Stat. §13.08](#) apply to the release of the data referred to in this clause by either the Local Government or MnDOT.

12. **Workers Compensation.** The Local Government certifies that it is in compliance with [Minn. Stat. §176.181](#), Subd. 2, pertaining to workers' compensation insurance coverage. The Local Government's employees and agents will not be considered MnDOT employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way MnDOT's obligation or responsibility.

13. **Governing Law, Jurisdiction, and Venue.** Minnesota law, without regard to its choice-of-law provisions, governs this agreement. Venue for all legal proceedings out of this agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

14. Termination; Suspension

- 14.1. **Termination by MnDOT.** MnDOT may terminate this agreement with or without cause, upon 30 days written notice to the Local Government. Upon termination, the Local Government will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.
- 14.2. **Termination for Cause.** MnDOT may immediately terminate this agreement if MnDOT finds that there has been a failure to comply with the provisions of this agreement, that reasonable progress has not been made, that fraudulent or wasteful activity has occurred, that the Local Government has been convicted of a criminal offense relating to a state agreement, or that the purposes for which the funds were granted have not been or will not be fulfilled. MnDOT may take action to protect the interests of MnDOT of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.
- 14.3. **Termination for Insufficient Funding.** MnDOT may immediately terminate this agreement if:
- 14.3.1. It does not obtain funding from the Minnesota Legislature; or
- 14.3.2. If funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Local Government. MnDOT is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Local Government will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. MnDOT will not be assessed any penalty if the agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. MnDOT will provide the Local Government notice of the lack of funding within a reasonable time of MnDOT's receiving that notice.
- 14.4. **Suspension.** MnDOT may immediately suspend this agreement in the event of a total or partial government shutdown due to the failure to have an approved budget by the legal deadline. Work performed by the Local Government during a period of suspension will be deemed unauthorized and undertaken at risk of non-payment.
15. **Data Disclosure.** Under [Minn. Stat. § 270C.65](#), Subd. 3, and other applicable law, the Local Government consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to MnDOT, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Local Government to file state tax returns and pay delinquent state tax liabilities, if any.
16. **Fund Use Prohibited.** The Local Government will not utilize any funds received pursuant to this Agreement to compensate, either directly or indirectly, any contractor, corporation, partnership, or business, however organized, which is disqualified or debarred from entering into or receiving a State contract. This restriction applies regardless of whether the disqualified or debarred party acts in the capacity of a general contractor, a subcontractor, or as an equipment or material supplier. This restriction does not prevent the Local Government from utilizing these funds to pay any party who might be disqualified or debarred after the Local Government's contract award on this Project.
17. **Discrimination Prohibited by Minnesota Statutes §181.59.** The Local Government will comply with the provisions of Minnesota Statutes §181.59 which requires that every contract for or on behalf of the State of Minnesota, or any county, city, town, township, school, school district or any other district in the state, for materials, supplies or construction will contain provisions by which Contractor agrees: 1) That, in the hiring of common or skilled labor for the performance of any work under any contract, or any subcontract, no Contractor, material supplier or vendor, will, by reason of race, creed or color, discriminate against the person or persons who are citizens of the United States or resident aliens who are qualified and available to perform the work to which the employment relates; 2) That no Contractor, material supplier, or vendor, will, in any manner, discriminate against, or

intimidate, or prevent the employment of any person or persons identified in clause 1 of this section, or on being hired, prevent or conspire to prevent, the person or persons from the performance of work under any contract on account of race, creed or color; 3) That a violation of this section is a misdemeanor; and 4) That this contract may be canceled or terminated by the state of Minnesota, or any county, city, town, township, school, school district or any other person authorized to contracts for employment, and all money due, or to become due under the contract, may be forfeited for a second or any subsequent violation of the terms or conditions of this Agreement.

- 18. Appendix II 2 CFR Part 200 Federal Contract Clauses.** The Local Government agrees to comply with the following federal requirements as identified in 2 CFR 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, and agrees to pass through these requirements to its subcontractors and third party contractors, as applicable. In addition, the Local Government shall have the same meaning as "Contractor" in the federal requirements listed below.
- 18.1. Remedies.** Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- 18.2. Termination.** All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
- 18.3. Equal Employment Opportunity.** Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
- 18.4. Davis-Bacon Act, as amended.** (40 U.S.C. 3141-3148) When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.
- 18.5. Contract Work Hours and Safety Standards Act.** (40 U.S.C. 3701-3708) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for

compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

- 18.6. **Rights to Inventions Made Under a Contract or Agreement.** If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.
- 18.7. **Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended.** Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued under the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- 18.8. **Debarment and Suspension.** (Executive Orders 12549 and 12689) A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- 18.9. **Byrd Anti-Lobbying Amendment.** (31 U.S.C. 1352) Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
- 18.10. **Procurement of Recovered Materials.** See 2 CFR 200.322 Procurement of Recovered Materials.
- 18.11. **Drug-Free Workplace.** In accordance with 2 C.F.R. § 32.400, the Local Government will comply with the Drug-Free Workplace requirements under subpart B of 49 C.F.R. Part 32.
- 18.12. **Nondiscrimination.** The Local Government hereby agrees that, as a condition of receiving any Federal financial assistance under this agreement, it will comply with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 2000d), related nondiscrimination statutes (i.e., 23 U.S.C. § 324, Section 504 of the Rehabilitation Act of 1973 as amended, and the Age Discrimination Act of 1975), and applicable regulatory requirements to the end that no person in the United States shall, on the grounds of race, color, national origin, sex, handicap, or age be excluded from participation in, be denied the benefits of, or otherwise be

subjected to discrimination under any program or activity for which the Local Government receives Federal financial assistance. The specific requirements of the Department of Transportation Civil Rights assurances (required by 49 C.F.R. §§ 21.7 and 27.9) are incorporated in the agreement.

18.13. Federal Funding Accountability and Transparency Act (FFATA).

18.13.1. This Agreement requires the Local Government to provide supplies and/or services that are funded in whole or in part by federal funds that are subject to FFATA. The Local Government is responsible for ensuring that all applicable requirements, including but not limited to those set forth herein, of FFATA are met and that the Local Government provides information to the MnDOT as required.

- a. Reporting of Total Compensation of the Local Government's Executives.
- b. The Local Government shall report the names and total compensation of each of its five most highly compensated executives for the Local Government's preceding completed fiscal year, if in the Local Government's preceding fiscal year it received:
 - i. 80 percent or more of the Local Government's annual gross revenues from Federal procurement contracts and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - ii. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

Executive means officers, managing partners, or any other employees in management positions.

- c. Total compensation means the cash and noncash dollar value earned by the executive during the Local Government's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
 - i. Salary and bonus.
 - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
 - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
 - v. Above-market earnings on deferred compensation which is not tax qualified.

- 18.13.2. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.
- 18.13.3. The Local Government must report executive total compensation described above to the MnDOT by the end of the month during which this agreement is awarded.
- 18.13.4. The Local Government will obtain a Data Universal Numbering System (DUNS) number and maintain its DUNS number for the term of this agreement. This number shall be provided to MnDOT on the plan review checklist submitted with the plans for each project. More information about obtaining a DUNS Number can be found at: <http://fedgov.dnb.com/webform/>
- 18.13.5. The Local Government's failure to comply with the above requirements is a material breach of this agreement for which the MnDOT may terminate this agreement for cause. The MnDOT will not be obligated to pay any outstanding invoice received from the Local Government unless and until the Local Government is in full compliance with the above requirements.

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City of St. Francis

Local Government certifies that the appropriate person(s) have executed the contract on behalf of the Local Government as required by applicable articles, bylaws, resolutions or ordinances

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

DEPARTMENT OF TRANSPORTATION

By: _____

Title: _____

Date: _____

COMMISSIONER OF ADMINISTRATION

By: _____

Date: _____

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

RESOLUTION 2018-07

A general meeting of the City Council of the City of St. Francis, Minnesota was called to order by Mayor Pro-Tem Joe Muehlbauer at 6:00 p.m. in the ISD #15 District Office, St. Francis, Minnesota, on Tuesday, January 2 2018. The following Council Members were present: Council member Jerry Tveit, Joe Muehlbauer, Robert Bauer and Rich Skordahl. Mayor Steve Feldman absent. A motion to adopt the following resolution was made by Council Member and seconded by Council Member

**CITY OF ST. FRANCIS
RESOLUTION 2018-07**

**A RESOLUTION AUTHORIZING STATE OF MINNESOTA AGENCY
AGREEMENT #1030094 BETWEEN THE DEPARTMENT OF
TRANSPORTATION
AND THE CITY OF ST. FRANCIS**

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Francis, Minnesota, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of St. Francis to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Mayor and Administrator are hereby authorized and directed for and on behalf of the City of St. Francis to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 1030094", a copy of which said agreement was before the City Council and which is made a part hereof by reference.

The following Council Members voted in favor:

The following Council Members voted against or abstained:

Whereupon the motion was duly passed and executed.

Adopted by the St. Francis City Council this 2nd day of January, 2018.

Joseph Muehlbauer, Mayor Pro-Tem

Attest:

Barbara I. Held, City Clerk



**CITY COUNCIL
AGENDA REPORT**
Agenda Item #:
4 D

TO: Joe Kohlmann, City Administrator
FROM: Darcy Mulvihill, Finance Director
SUBJECT: **Bill List to be considered by Council**
DATE: 12/27/2017

OVERVIEW:

Attached are the bills received since the last council meeting. Total checks to be written are \$183,461.10 plus any additional bills that are handed out on Tuesday night. Also to be approved are manual checks of \$45,909.18

ACTION TO BE CONSIDERED:

Approved under consent agenda to allow Finance Director to draft checks or ACH withdrawals for the attached bill list. Please note additional bills may be handed out at the council meeting.

BUDGET IMPLICATION:

City bills

Attachments:

- 01-02-2018 Manual Checks
- 01-02-2018 Packet List

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| Claim Type | Direct | | | | | |
|------------------|-----------------|--------------------------|---------------|------------|--------------|---------|
| Claim# | 116894 | AIRGAS NORTH CENTRAL | Ck# 073508 | 12/20/2017 | | |
| Cash Payment | E 101-43100-217 | Other Operating Supplies | CYLINDER RENT | | | \$11.16 |
| | Invoice | 9949395876 | | | | |
| Cash Payment | E 101-43210-217 | Other Operating Supplies | CYLINDER RENT | | | \$11.16 |
| | Invoice | 9949395876 | | | | |
| Cash Payment | E 101-45200-217 | Other Operating Supplies | CYLINDER RENT | | | \$11.16 |
| | Invoice | 9949395876 | | | | |
| Cash Payment | E 601-49440-217 | Other Operating Supplies | CYLINDER RENT | | | \$11.16 |
| | Invoice | 9949395876 | | | | |
| Cash Payment | E 602-49490-217 | Other Operating Supplies | CYLINDER RENT | | | \$11.16 |
| | Invoice | 9949395876 | | | | |
| Transaction Date | 12/20/2017 | Due 0 | CASH | 10100 | Total | \$55.80 |

| Claim Type | Direct | | | | | |
|------------------|-----------------|---------------|----------------|------------|--------------|----------|
| Claim# | 116877 | ALLINA HEALTH | Ck# 073509 | 12/20/2017 | | |
| Cash Payment | E 601-49440-441 | Miscellaneous | MICHAEL HARRIS | | | \$99.50 |
| | Invoice | 311221505 | | | | |
| Cash Payment | E 602-49490-441 | Miscellaneous | MICHAEL HARRIS | | | \$99.50 |
| | Invoice | 311221505 | | | | |
| Transaction Date | 12/11/2017 | Due 0 | CASH | 10100 | Total | \$199.00 |

| Claim Type | Direct | | | | | |
|------------------|-----------------|--------------------------|---|------------|--------------|----------|
| Claim# | 116874 | ALWAYS BRIGHT LIGHTS LTD | Ck# 073510 | 12/20/2017 | | |
| Cash Payment | E 101-43100-311 | Contract | REMOVE FALL INSTALL HOLIDAY BANNERS & DECORATIONS | | | \$450.00 |
| | Invoice | 696 | | | | |
| Transaction Date | 12/11/2017 | Due 0 | CASH | 10100 | Total | \$450.00 |

| Claim Type | Direct | | | | | |
|------------------|-----------------|---------------------------|------------------------|------------|--------------|------------|
| Claim# | 116863 | ANOKA COUNTY PROPERTY REC | Ck# 073511 | 12/20/2017 | | |
| Cash Payment | E 101-49200-441 | Miscellaneous | 2017 PICTOMETRY FLIGHT | | | \$1,041.95 |
| | Invoice | | | | | |
| Transaction Date | 12/11/2017 | Due 0 | CASH | 10100 | Total | \$1,041.95 |

| Claim Type | Direct | | | | | |
|------------------|-----------------|-------------------|-----------------------------|------------|--------------|----------|
| Claim# | 116831 | ASPEN MILLS | Ck# 073512 | 12/20/2017 | | |
| Cash Payment | E 101-42110-437 | Uniform Allowance | UNIFORMS-GREENE | | | \$187.95 |
| | Invoice | 207657 | | | | |
| Cash Payment | E 101-42110-437 | Uniform Allowance | UNIFORMS-DZURIS | | | \$8.85 |
| | Invoice | 207656 | | | | |
| Cash Payment | E 101-42110-437 | Uniform Allowance | JODI BLACK OFFICER CLOTHING | | | \$123.30 |
| | Invoice | 208122 | | | | |
| Cash Payment | E 101-42210-437 | Uniform Allowance | RENEE GRIEGLO-FIREFIGHTER | | | \$81.45 |
| | Invoice | 199166 | | | | |
| Cash Payment | E 101-42210-437 | Uniform Allowance | JARED BELTER-FIREFIGHTER | | | \$194.50 |
| | Invoice | 198222 | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total | \$596.05 |

| Claim Type | Direct | | | | | |
|--------------|-----------------|--------------------------|------------|------------|--|------------|
| Claim# | 116826 | BELLBOY CORPORATION | Ck# 073513 | 12/20/2017 | | |
| Cash Payment | E 609-49751-251 | Liquor For Resale | LIQUOR | | | \$1,111.50 |
| | Invoice | 61893400 | | | | |
| Cash Payment | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | | | \$4.45 |
| | Invoice | 96850700 | | | | |
| Cash Payment | E 609-49750-210 | Operating Supplies | OPERATING | | | \$73.72 |
| | Invoice | 96850700 | | | | |

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|-------------------|---------------------|---------------------------|------------------------|------------|--------------|------------|
| Cash Payment | E 609-49751-254 | Miscellaneous Merchandis | MISC | | | \$21.00 |
| | Invoice 96850700 | | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total | \$1,210.67 |
| Claim Type | Direct | | | | | |
| Claim# | 116840 | BROCK WHITE CO. LLC | | Ck# 073514 | 12/20/2017 | |
| Cash Payment | E 410-45203-232 | Site Prep for Events | PAVER | | | \$22.00 |
| | Invoice 12838588-00 | | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total | \$22.00 |
| Claim Type | Direct | | | | | |
| Claim# | 116899 | CENTURY LINK | | Ck# 073515 | 12/20/2017 | |
| Cash Payment | E 602-49490-321 | Telephone | PHONE | | | \$70.09 |
| | Invoice | | | | | |
| Cash Payment | E 601-49440-321 | Telephone | PHONE | | | \$70.10 |
| | Invoice | | | | | |
| Transaction Date | 12/20/2017 | Due 0 | CASH | 10100 | Total | \$140.19 |
| Claim Type | Direct | | | | | |
| Claim# | 116843 | COURIER, THE | | Ck# 073516 | 12/20/2017 | |
| Cash Payment | E 101-41400-441 | Miscellaneous | WINTER 2017 NEWSLETTER | | | \$105.00 |
| | Invoice 97779 | | | | | |
| Cash Payment | E 101-42110-308 | Community Education | DECEMBER STANDARD AD | | | \$132.00 |
| | Invoice 97955 | | | | | |
| Transaction Date | 12/7/2017 | Due 0 | CASH | 10100 | Total | \$237.00 |
| Claim Type | Direct | | | | | |
| Claim# | 116836 | CUB SCOUT PACK #511 | | Ck# 073517 | 12/20/2017 | |
| Cash Payment | E 101-43210-439 | Recycling Days | PIONEER DAYS RECYCLING | | | \$800.00 |
| | Invoice | | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total | \$800.00 |
| Claim Type | Direct | | | | | |
| Claim# | 116841 | DAVIDS HYDRO VAC, INC | | Ck# 073518 | 12/20/2017 | |
| Cash Payment | E 602-49490-229 | Project Repair & Maintena | VAC OUT TANK | | | \$1,512.00 |
| | Invoice 14678 | | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total | \$1,512.00 |
| Claim Type | Direct | | | | | |
| Claim# | 116891 | DEX MEDIA EAST LLC | | Ck# 073519 | 12/20/2017 | |
| Cash Payment | E 609-49750-340 | Advertising | ADVERTISING | | | \$78.50 |
| | Invoice | | | | | |
| Transaction Date | 12/20/2017 | Due 0 | CASH | 10100 | Total | \$78.50 |
| Claim Type | Direct | | | | | |
| Claim# | 116886 | FREEDOM SERVICES, INC.-FD | | Ck# 073520 | 12/20/2017 | |
| Cash Payment | G 101-21706 | Flex Account | FLEX-JANUARY | | | \$373.34 |
| | Invoice | | | | | |
| Transaction Date | 12/20/2017 | Due 0 | CASH | 10100 | Total | \$373.34 |
| Claim Type | Direct | | | | | |
| Claim# | 116828 | GERDIN AUTO SERVICE, INC. | | Ck# 073521 | 12/20/2017 | |
| Cash Payment | E 101-42110-441 | Miscellaneous | TOW 2001 BUICK LASABRE | | | \$124.00 |
| | Invoice 88643 | | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total | \$124.00 |
| Claim Type | Direct | | | | | |
| Claim# | 116860 | GRATITUDE FARMS | | Ck# 073522 | 12/20/2017 | |

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|-------------------|---|----------------------------------|------------|-------|-------------------------|
| Cash Payment | E 101-42700-311 Contract | NOVEMBER 2017 | | | \$350.00 |
| Invoice | | | | | |
| Transaction Date | 12/7/2017 | Due 0 | CASH | 10100 | Total \$350.00 |
| Claim Type | Direct | | | | |
| Claim# | 116829 INNOVATIVE OFFICE SOLUTIONS, | Ck# 073523 | 12/20/2017 | | |
| Cash Payment | E 101-43100-200 Office Supplies | OFFICE SUPPLIES | | | \$15.86 |
| Invoice IN1839234 | | | | | |
| Cash Payment | E 101-42110-200 Office Supplies | OFFICE SUPPLIES | | | \$36.96 |
| Invoice IN1839234 | | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total \$52.82 |
| Claim Type | Direct | | | | |
| Claim# | 116834 ISD #15 | Ck# 073524 | 12/20/2017 | | |
| Cash Payment | E 101-42110-221 Vehicle Repair & Maintena | 2014 DODGE CHARGER | | | \$43.24 |
| Invoice 3460 | | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total \$43.24 |
| Claim Type | Direct | | | | |
| Claim# | 116837 KIMS KLEANING | Ck# 073525 | 12/20/2017 | | |
| Cash Payment | E 601-49440-402 Janitorial Service | CLEANING CONCRETE FLOOR | | | \$1,100.00 |
| Invoice 4799 | | | | | |
| Cash Payment | E 602-49490-402 Janitorial Service | CLEANING | | | \$165.00 |
| Invoice 4843 | | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total \$1,265.00 |
| Claim Type | Direct | | | | |
| Claim# | 116835 KNIGHTS OF COLUMBUS | Ck# 073526 | 12/20/2017 | | |
| Cash Payment | E 101-43210-439 Recycling Days | RECYCLING | | | \$360.00 |
| Invoice 2017001 | | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total \$360.00 |
| Claim Type | Direct | | | | |
| Claim# | 116842 KODIAK POWER SYSTEMS | Ck# 073527 | 12/20/2017 | | |
| Cash Payment | E 602-49490-229 Project Repair & Maintena | REPAIRS WATER PLANT WATER HEATER | | | \$670.95 |
| Invoice KPS0138 | | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total \$670.95 |
| Claim Type | Direct | | | | |
| Claim# | 116853 LEPAGE & SONS | Ck# 073528 | 12/20/2017 | | |
| Cash Payment | E 101-43210-439 Recycling Days | CLEAN UP DAY | | | \$1,230.00 |
| Invoice 22510 | | | | | |
| Transaction Date | 12/7/2017 | Due 0 | CASH | 10100 | Total \$1,230.00 |
| Claim Type | Direct | | | | |
| Claim# | 116888 LMC INSURANCE TRUST | Ck# 073529 | 12/20/2017 | | |
| Cash Payment | E 101-41110-360 Insurance | SECOND QUARTER INSURANCE | | | \$66.09 |
| Invoice | | | | | |
| Cash Payment | E 101-41120-360 Insurance | SECOND QUARTER INSURANCE | | | \$1.15 |
| Invoice | | | | | |
| Cash Payment | E 101-41400-360 Insurance | SECOND QUARTER INSURANCE | | | \$727.67 |
| Invoice | | | | | |
| Cash Payment | E 101-41410-360 Insurance | SECOND QUARTER INSURANCE | | | \$3.62 |
| Invoice | | | | | |
| Cash Payment | E 101-41500-360 Insurance | SECOND QUARTER INSURANCE | | | \$215.79 |
| Invoice | | | | | |
| Cash Payment | E 101-41600-360 Insurance | SECOND QUARTER INSURANCE | | | \$210.94 |
| Invoice | | | | | |

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|----------------------|---------------------------|--------------------------|------------|
| Cash Payment Invoice | E 101-41910-360 Insurance | SECOND QUARTER INSURANCE | \$289.12 |
| Cash Payment Invoice | E 101-41940-360 Insurance | SECOND QUARTER INSURANCE | \$797.27 |
| Cash Payment Invoice | E 101-42110-360 Insurance | SECOND QUARTER INSURANCE | \$4,224.19 |
| Cash Payment Invoice | E 101-42210-360 Insurance | SECOND QUARTER INSURANCE | \$1,885.69 |
| Cash Payment Invoice | E 101-42400-360 Insurance | SECOND QUARTER INSURANCE | \$367.37 |
| Cash Payment Invoice | E 101-43100-360 Insurance | SECOND QUARTER INSURANCE | \$3,626.81 |
| Cash Payment Invoice | E 101-43210-360 Insurance | SECOND QUARTER INSURANCE | \$97.80 |
| Cash Payment Invoice | E 101-45000-360 Insurance | SECOND QUARTER INSURANCE | \$1.49 |
| Cash Payment Invoice | E 101-45200-360 Insurance | SECOND QUARTER INSURANCE | \$3,701.09 |
| Cash Payment Invoice | E 101-49200-360 Insurance | SECOND QUARTER INSURANCE | \$27.13 |
| Cash Payment Invoice | E 601-49440-360 Insurance | SECOND QUARTER INSURANCE | \$3,524.35 |
| Cash Payment Invoice | E 602-49490-360 Insurance | SECOND QUARTER INSURANCE | \$7,740.28 |
| Cash Payment Invoice | E 609-49750-360 Insurance | SECOND QUARTER INSURANCE | \$1,129.15 |

Transaction Date 12/20/2017 Due 0 CASH 10100 Total \$28,637.00

Claim Type Direct

| | | | | | |
|----------------------|-----------------|----------------------|-------------------|------------|--|
| Claim# | 116875 | MARTIES FARM SERVICE | Ck# 073530 | 12/20/2017 | |
| Cash Payment Invoice | E 101-43100-408 | Ice & Snow Removal | ECO THAW ICE MELT | \$256.50 | |

Transaction Date 12/11/2017 Due 0 CASH 10100 Total \$256.50

Claim Type Direct

| | | | | | |
|----------------------|-----------------|---------------------------|-------------|------------|--|
| Claim# | 116861 | MEDTOX LABORATORIES, INC. | Ck# 073531 | 12/20/2017 | |
| Cash Payment Invoice | E 101-43100-441 | Miscellaneous | MED TESTING | \$6.25 | |
| Cash Payment Invoice | E 101-45200-441 | Miscellaneous | MED TESTING | \$6.25 | |
| Cash Payment Invoice | E 601-49440-441 | Miscellaneous | MED TESTING | \$6.25 | |
| Cash Payment Invoice | E 602-49490-441 | Miscellaneous | MED TESTING | \$6.25 | |

Transaction Date 12/7/2017 Due 0 CASH 10100 Total \$25.00

Claim Type Direct

| | | | | | |
|----------------------|-----------------|----------------------------|----------------------|------------|--|
| Claim# | 116857 | METRO WEST INSPECTIONS SER | Ck# 073532 | 12/20/2017 | |
| Cash Payment Invoice | E 101-42400-311 | Contract | OCTOBER 2017 PERMITS | \$492.73 | |
| Cash Payment Invoice | E 101-42400-311 | Contract | SEPTEMBER 2017 | \$2,388.13 | |

Transaction Date 12/7/2017 Due 0 CASH 10100 Total \$2,880.86

Claim Type Direct

| | | | | | |
|--------|--------|----------------------------|------------|------------|--|
| Claim# | 116876 | MIDCONTINENT COMMUNICATION | Ck# 073533 | 12/20/2017 | |
|--------|--------|----------------------------|------------|------------|--|

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| | | | | | |
|-------------------|---|---|------------|-------|-----------------------|
| Cash Payment | E 101-43100-321 Telephone | TELEPHONE | | | \$16.84 |
| | Invoice 1333130019111 | | | | |
| Cash Payment | E 101-42110-321 Telephone | TELEPHONE | | | \$16.83 |
| | Invoice 1333130019111 | | | | |
| Cash Payment | E 601-49440-321 Telephone | TELEPHONE | | | \$150.00 |
| | Invoice 1333130019111 | | | | |
| Cash Payment | E 601-49440-321 Telephone | TELEPHONE | | | \$150.00 |
| | Invoice 1333130019111 | | | | |
| Cash Payment | E 609-49750-321 Telephone | TELEPHONE | | | \$150.00 |
| | Invoice 1333130019111 | | | | |
| Cash Payment | E 101-41940-321 Telephone | TELEPHONE | | | \$36.96 |
| | Invoice 1333130019111 | | | | |
| Transaction Date | 12/11/2017 | Due 0 | CASH | 10100 | Total \$520.63 |
| Claim Type | Direct | | | | |
| Claim# | 116833 MN CHIEFS OF POLICE ASSN. | Ck# 073534 | 12/20/2017 | | |
| Cash Payment | E 101-42110-433 Dues and Subscriptions | MEMBERSHIP RENEWAL | | | \$253.00 |
| | Invoice 7368 | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total \$253.00 |
| Claim Type | Direct | | | | |
| Claim# | 116862 MUNICIPAL CODE CORPORATION | Ck# 073535 | 12/20/2017 | | |
| Cash Payment | E 101-41400-200 Office Supplies | COPIES OF REPUB L TO CODE OF ORDINANCES | | | \$20.86 |
| | Invoice 00299843 | | | | |
| Transaction Date | 12/11/2017 | Due 0 | CASH | 10100 | Total \$20.86 |
| Claim Type | Direct | | | | |
| Claim# | 116830 OPG 3 INC | Ck# 073536 | 12/20/2017 | | |
| Cash Payment | E 101-42110-311 Contract | BARCODE AND VALIDATION PKG | | | \$340.00 |
| | Invoice 2220 | | | | |
| Transaction Date | 12/6/2017 | Due 0 | CASH | 10100 | Total \$340.00 |
| Claim Type | Direct | | | | |
| Claim# | 116849 PACE ANALYTICAL SERVICES | Ck# 073537 | 12/20/2017 | | |
| Cash Payment | E 602-49490-313 Sample Testing | WASTEWATER | | | \$75.00 |
| | Invoice 171288323 | | | | |
| Cash Payment | E 602-49490-313 Sample Testing | WEEK 3 2ND EVENT | | | \$90.00 |
| | Invoice 171288367 | | | | |
| Cash Payment | E 602-49490-212 Motor Fuels | INF/EFF | | | \$148.00 |
| | Invoice 171288610 | | | | |
| Cash Payment | E 602-49490-313 Sample Testing | INF/EFF 11/22/17 | | | \$133.00 |
| | Invoice 171288719 | | | | |
| Transaction Date | 12/7/2017 | Due 0 | CASH | 10100 | Total \$446.00 |
| Claim Type | Direct | | | | |
| Claim# | 116846 QUILL CORPORATION | Ck# 073538 | 12/20/2017 | | |
| Cash Payment | E 101-42210-200 Office Supplies | NAME PLATE | | | \$22.28 |
| | Invoice 11166 | | | | |
| Cash Payment | E 101-41400-200 Office Supplies | DYMO LABELWRITER 450 | | | \$199.98 |
| | Invoice 2818662 | | | | |
| Transaction Date | 12/7/2017 | Due 0 | CASH | 10100 | Total \$222.26 |
| Claim Type | Direct | | | | |
| Claim# | 116838 RUSSELL SECURITY RESOURCE I | Ck# 073539 | 12/20/2017 | | |
| Cash Payment | E 602-49490-401 Repairs/Maint Buildings | PRE TREATMENT BLDG | | | \$140.00 |
| | Invoice A30905 | | | | |

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Cash Payment E 101-45200-401 Repairs/Maint Buildings POLICE/PW \$502.00
 Invoice A30904

Transaction Date 12/6/2017 Due 0 CASH 10100 **Total** \$642.00

Claim Type Direct

Claim# 116873 SUPERIOR MARKETING CONCEPT Ck# 073540 12/20/2017

Cash Payment E 609-49750-340 Advertising ADVERTISEMENT \$225.00
 Invoice

Transaction Date 12/11/2017 Due 0 CASH 10100 **Total** \$225.00

Claim Type Direct

Claim# 116896 U S BANK EQUIPMENT FINANCE Ck# 073541 12/20/2017

Cash Payment E 101-41400-240 Office Equip COPIER LEASE \$39.58
 Invoice 346145147

Cash Payment E 101-43100-240 Office Equip COPIER LEASE \$39.58
 Invoice 346145147

Cash Payment E 101-43210-240 Office Equip COPIER LEASE \$39.58
 Invoice 346145147

Cash Payment E 101-45200-240 Office Equip COPIER LEASE \$39.58
 Invoice 346145147

Cash Payment E 601-49440-240 Office Equip COPIER LEASE \$39.58
 Invoice 346145147

Cash Payment E 602-49490-240 Office Equip COPIER LEASE \$39.60
 Invoice 346145147

Cash Payment E 101-41400-240 Office Equip COPIER LEASE \$30.00
 Invoice 346279078

Cash Payment E 101-43100-240 Office Equip COPIER LEASE \$30.00
 Invoice 346279078

Cash Payment E 101-43210-240 Office Equip COPIER LEASE \$30.00
 Invoice 346279078

Cash Payment E 101-45200-240 Office Equip COPIER LEASE \$30.00
 Invoice 346279078

Cash Payment E 601-49440-240 Office Equip COPIER LEASE \$30.00
 Invoice 346279078

Cash Payment E 602-49490-240 Office Equip COPIER LEASE \$30.00
 Invoice 346279078

Transaction Date 12/20/2017 Due 0 CASH 10100 **Total** \$417.50

Claim Type Direct

Claim# 116900 VERIZON WIRELESS Ck# 073542 12/20/2017

Cash Payment E 101-42210-321 Telephone FIRE \$210.06
 Invoice 9797831237

Transaction Date 12/20/2017 Due 0 CASH 10100 **Total** \$210.06

| | |
|---------------------------------------|--------------------|
| Pre-Written Check | \$45,909.18 |
| Checks to be Generated by the Compute | \$0.00 |
| Total | \$45,909.18 |



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PAYMENT BATCH AP JE01-18

ALL TRAFFIC SOLUTIONS

| | | | | | |
|------------|-----------|-----------------|-----------------|-----------|-----------------|
| 12/04/2017 | SIN013014 | E 101-42110-237 | Small Equipment | MOUNT KIT | 305.00 |
| | | | | | <u>\$305.00</u> |

ANOKA CHIEFS OF POLICE ASSOCIA

| | | | | | |
|------------|--|-----------------|------------------------|------------|-----------------|
| 12/11/2017 | | E 101-42110-433 | Dues and Subscriptions | MEMBERSHIP | 138.00 |
| | | | | | <u>\$138.00</u> |

ANOKA COUNTY TREASURY DEPT.

| | | | | | |
|------------|----------|-----------------|-----------|-----------|-----------------|
| 12/04/2017 | B171204P | E 101-42110-321 | Telephone | BROADBAND | 37.50 |
| 12/04/2017 | B171204P | E 101-42210-321 | Telephone | BROADBAND | 37.50 |
| 12/04/2017 | B171204P | E 101-43100-321 | Telephone | BROADBAND | 37.50 |
| 12/04/2017 | B171204P | E 101-45200-321 | Telephone | BROADBAND | 37.50 |
| 12/04/2017 | B171204P | E 601-49440-321 | Telephone | BROADBAND | 37.50 |
| 12/04/2017 | B171204P | E 602-49490-321 | Telephone | BROADBAND | 37.50 |
| | | | | | <u>\$225.00</u> |

ARTISAN BEER COMPANY

| | | | | | |
|------------|---------|-----------------|-----------------|------|----------------|
| 12/20/2017 | 3229740 | E 609-49751-252 | Beer For Resale | BEER | 73.50 |
| | | | | | <u>\$73.50</u> |

ASPEN MILLS

| | | | | | |
|------------|--------|-----------------|-------------------|---------------------------|-------------------|
| 12/07/2017 | 208119 | E 101-42210-437 | Uniform Allowance | NAME TAGS | 56.55 |
| 12/07/2017 | 208120 | E 402-42210-582 | Turnout Gear | FIREFIGHTER-EVAN STURZL | 276.00 |
| 12/07/2017 | 208121 | E 402-42210-582 | Turnout Gear | FIREFIGHTER-RICK PHELPS | 276.00 |
| 12/20/2017 | 208911 | E 402-42210-582 | Turnout Gear | FIREFIGHTER-TAYLOR HERBST | 276.00 |
| 12/20/2017 | 208913 | E 101-42110-437 | Uniform Allowance | ADMIN JKT | 27.70 |
| 12/27/2017 | 208753 | E 101-42110-437 | Uniform Allowance | BRANDON STEMME | 849.00 |
| 12/27/2017 | 208912 | E 101-42110-437 | Uniform Allowance | CHRIS BULERA | 312.39 |
| | | | | | <u>\$2,073.64</u> |

BAUER BUILT INC.

| | | | | | |
|------------|-----------|-----------------|------------------------------|--------------------|-----------------|
| 11/10/2017 | 940047808 | E 101-42110-221 | Vehicle Repair & Maintenance | FIREHAWK PVS BW 99 | 487.16 |
| | | | | | <u>\$487.16</u> |

BAYCOM, INC

| | | | | | |
|------------|----------|-----------------|-----------------|---------------------------|-------------------|
| 12/20/2017 | GO-12745 | E 101-42110-237 | Small Equipment | ARBITRATOR INTERVIEW ROOM | 4,201.00 |
| | | | | | <u>\$4,201.00</u> |

BELLBOY CORPORATION

| | | | | | |
|------------|----------|-----------------|--------------------------|-----------|-----------------|
| 12/21/2017 | 96938600 | E 609-49750-210 | Operating Supplies | OPERATING | 221.09 |
| 12/21/2017 | 96938600 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 5.04 |
| | | | | | <u>\$226.13</u> |

BERNDT, BRITTNEY

| | | | | | |
|------------|---------|-----------------|----------------|--------------------------|-----------------|
| 12/21/2017 | .122117 | E 101-41910-110 | Commission Pay | PLANNING COMMISSION MTGS | 120.00 |
| | | | | | <u>\$120.00</u> |

BERNICK COMPANIES, THE

| | | | | | |
|------------|--------|-----------------|---------------------------|------|-----------------|
| 12/08/2017 | 397182 | E 609-49751-254 | Miscellaneous Merchandise | MISC | 34.00 |
| 12/08/2017 | 397183 | E 609-49751-252 | Beer For Resale | BEER | 183.95 |
| 12/15/2017 | 398479 | E 609-49751-254 | Miscellaneous Merchandise | MISC | 34.00 |
| 12/15/2017 | 398480 | E 609-49751-252 | Beer For Resale | BEER | 569.16 |
| | | | | | <u>\$821.11</u> |

BGS (BARNA GUZY)

| | | | | | |
|------------|-----------|-----------------|------------------|-----------|----------|
| 11/30/2017 | 42002-001 | E 101-41600-304 | Civil Legal Fees | MUNICIPAL | 1,900.00 |
|------------|-----------|-----------------|------------------|-----------|----------|

| | | | | | |
|------------|-----------|-----------------|---------------------------------|---------------------------|-------------|
| 11/30/2017 | 42003-001 | E 101-41600-312 | Criminal Legal Fees | PROSECUTION/RETAINER FILE | 5,000.00 |
| 11/30/2017 | 42004-034 | E 101-41600-304 | Civil Legal Fees | GENERAL LABOR | 2,842.00 |
| 11/30/2017 | 42004-089 | E 101-41600-304 | Civil Legal Fees | REAL ESTATE DEVELOPMENT | 247.00 |
| 11/30/2017 | 42004-091 | E 101-41600-304 | Civil Legal Fees | WASTE WATER TREATMENT FA | 585.00 |
| 11/30/2017 | 42004-250 | E 101-41600-304 | Civil Legal Fees | MEADOWS OF ST FRANCIS | 4,153.00 |
| 11/30/2017 | 42004-289 | G 803-22137 | Esc-TCO-Assited Living Facility | LEGLEN COMPANIES SENIOR H | 1,316.00 |
| 11/30/2017 | 42004-296 | E 101-41600-304 | Civil Legal Fees | RAMACHER PURCHASE | 445.00 |
| 11/30/2017 | 42004-298 | E 101-41600-304 | Civil Legal Fees | FORFEITURE | 61.50 |
| | | | | | <hr/> |
| | | | | | \$16,549.50 |

BREAKTHRU BEVERAGE

| | | | | | |
|------------|------------|-----------------|---------------------------|---------|------------|
| 11/06/2017 | 2080187847 | E 609-49751-251 | Liquor For Resale | LIQUOR | (63.01) |
| 11/30/2017 | 2080189072 | E 609-49751-253 | Wine For Resale | WINE | (12.99) |
| 12/07/2017 | 1080729355 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 8.25 |
| 12/07/2017 | 1080729355 | E 609-49751-251 | Liquor For Resale | LIQUOR | 631.31 |
| 12/14/2017 | 1080732658 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 28.60 |
| 12/14/2017 | 1080732658 | E 609-49751-251 | Liquor For Resale | LIQUOR | 816.66 |
| 12/14/2017 | 1080732658 | E 609-49751-254 | Miscellaneous Merchandise | MISC | 93.25 |
| 12/21/2017 | 1080736310 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 15.13 |
| 12/21/2017 | 1080736310 | E 609-49751-251 | Liquor For Resale | LIQUOR | 276.66 |
| 12/21/2017 | 1080736310 | E 609-49751-253 | Wine For Resale | WINE | 336.65 |
| 12/21/2017 | 1080736311 | E 609-49751-252 | Beer For Resale | BEER | 33.80 |
| | | | | | <hr/> |
| | | | | | \$2,164.31 |

CAPITOL BEVERAGE SALES, L.P

| | | | | | |
|------------|---------|-----------------|-----------------|------|----------|
| 12/18/2017 | 2041841 | E 609-49751-252 | Beer For Resale | BEER | 135.00 |
| | | | | | <hr/> |
| | | | | | \$135.00 |

CEDAR CREEK BAKING COMPANY

| | | | | | |
|------------|---------|-----------------|---------------------|-------------------|---------|
| 12/14/2017 | .121417 | E 101-42110-308 | Community Education | SANTA CLAUS VISIT | 63.00 |
| | | | | | <hr/> |
| | | | | | \$63.00 |

CENTERPOINT ENERGY

| | | | | | |
|------------|-------|-----------------|---------------|----------------------------|------------|
| 12/15/2017 | .1217 | E 101-41940-383 | Gas Utilities | CITY HALL #4 | 33.76 |
| 12/15/2017 | .1217 | E 101-41940-383 | Gas Utilities | CITY HALL #1 | 38.11 |
| 12/15/2017 | .1217 | E 101-41940-383 | Gas Utilities | CITY HALL #3 | 39.42 |
| 12/15/2017 | .1217 | E 101-41940-383 | Gas Utilities | CITY HALL #2 | 55.92 |
| 12/15/2017 | .1217 | E 101-42110-383 | Gas Utilities | POLICE/PW | 840.29 |
| 12/15/2017 | .1217 | E 101-42210-383 | Gas Utilities | FIRE GENERATOR | 23.13 |
| 12/15/2017 | .1217 | E 101-42210-383 | Gas Utilities | FIRE | 994.29 |
| 12/15/2017 | .1217 | E 101-43100-383 | Gas Utilities | POLICE/PW | 210.07 |
| 12/15/2017 | .1217 | E 101-45200-383 | Gas Utilities | POLICE/PW | 210.07 |
| 12/15/2017 | .1217 | E 101-45200-383 | Gas Utilities | WARMING HOUSE | 196.44 |
| 12/15/2017 | .1217 | E 601-49440-383 | Gas Utilities | POLICE/PW | 210.07 |
| 12/15/2017 | .1217 | E 601-49440-383 | Gas Utilities | PUBLIC WORKS (4020 ST FRAN | 101.33 |
| 12/15/2017 | .1217 | E 601-49440-383 | Gas Utilities | WATER PLANT | 869.30 |
| 12/15/2017 | .1217 | E 602-49490-383 | Gas Utilities | LIFT (23699 AMBASSADOR) | 22.92 |
| 12/15/2017 | .1217 | E 602-49490-383 | Gas Utilities | WWTP | 23.77 |
| 12/15/2017 | .1217 | E 602-49490-383 | Gas Utilities | PUBLIC WORKS (4020 ST FRAN | 101.33 |
| 12/15/2017 | .1217 | E 602-49490-383 | Gas Utilities | POLICE/PW | 210.07 |
| 12/15/2017 | .1217 | E 602-49490-383 | Gas Utilities | WWTP | 1,653.89 |
| 12/15/2017 | .1217 | E 609-49750-383 | Gas Utilities | LIQUOR | 213.11 |
| | | | | | <hr/> |
| | | | | | \$6,047.29 |

CONNEXUS ENERGY

| | | | | | |
|------------|-------|-----------------|--------------------|---------------|----------|
| 12/21/2017 | .1217 | E 101-41940-381 | Electric Utilities | CITY HALL | 277.98 |
| 12/21/2017 | .1217 | E 101-41940-381 | Electric Utilities | SIGN | 58.35 |
| 12/21/2017 | .1217 | E 101-42110-381 | Electric Utilities | SIREN | 5.00 |
| 12/21/2017 | .1217 | E 101-42110-381 | Electric Utilities | SIREN | 5.00 |
| 12/21/2017 | .1217 | E 101-42110-381 | Electric Utilities | POLICE/PW | 838.38 |
| 12/21/2017 | .1217 | E 101-42210-381 | Electric Utilities | FIRE | 438.92 |
| 12/21/2017 | .1217 | E 101-43100-381 | Electric Utilities | POLICE/PW | 209.59 |
| 12/21/2017 | .1217 | E 101-43100-386 | Street Lighting | STREET LIGHTS | 2,557.79 |
| 12/21/2017 | .1217 | E 101-45200-381 | Electric Utilities | PARKS | 242.23 |
| 12/21/2017 | .1217 | E 101-45200-381 | Electric Utilities | POLICE/PW | 209.59 |
| 12/21/2017 | .1217 | E 601-49440-380 | Electric-System | WATER | 3,889.72 |
| 12/21/2017 | .1217 | E 601-49440-381 | Electric Utilities | POLICE/PW | 209.59 |
| 12/21/2017 | .1217 | E 602-49490-381 | Electric Utilities | LIFT STATIONS | 823.16 |
| 12/21/2017 | .1217 | E 602-49490-381 | Electric Utilities | WWTP | 7,017.44 |

| | | | | | |
|------------|--------|-----------------|--------------------|--------------------|--------------------|
| 12/21/2017 | .1217 | E 602-49490-381 | Electric Utilities | POLICE/PW | 209.59 |
| 12/21/2017 | .1217 | E 609-49750-381 | Electric Utilities | LIQUOR STORE | 767.93 |
| 12/21/2017 | 172195 | E 101-41910-441 | Miscellaneous | 3757 BRIDGE STREET | 14.46 |
| | | | | | <u>\$17,774.72</u> |

CORE & MAIN

| | | | | | |
|------------|---------|-----------------|-----------------|------------------------|-------------------|
| 12/07/2017 | 1163609 | E 601-49440-237 | Small Equipment | SUBSURFACE MAG LOCATOR | 1,020.00 |
| | | | | | <u>\$1,020.00</u> |

CORPORATE CONNECTION

| | | | | | |
|------------|-------|-----------------|------------------------|------------------|-----------------|
| 12/20/2017 | 47030 | E 601-49440-417 | Uniform Clothing & PPE | CARHARTT JACKETS | 147.24 |
| 12/20/2017 | 47030 | E 602-49490-417 | Uniform Clothing & PPE | CARHARTT JACKETS | 147.24 |
| | | | | | <u>\$294.48</u> |

COURIER, THE

| | | | | | |
|------------|-------|-----------------|------------------------------|---------------|-----------------|
| 12/06/2017 | 98418 | E 101-41400-352 | General Notices and Pub Info | ADVERTISEMENT | 50.00 |
| 12/06/2017 | 98418 | E 101-41400-352 | General Notices and Pub Info | ADVERTISEMENT | 59.50 |
| 12/06/2017 | 98418 | E 101-42210-441 | Miscellaneous | ADVERTISEMENT | 51.00 |
| 12/06/2017 | 98418 | E 101-43210-439 | Recycling Days | ADVERTISEMENT | 118.00 |
| | | | | | <u>\$278.50</u> |

CRYSTAL SPRINGS ICE

| | | | | | |
|------------|--------|-----------------|---------------------------|------|----------------|
| 12/13/2017 | 121317 | E 609-49751-254 | Miscellaneous Merchandise | MISC | 65.72 |
| | | | | | <u>\$65.72</u> |

DAHLHEIMER DIST. CO. INC.

| | | | | | |
|------------|---------|-----------------|---------------------------|------|--------------------|
| 12/06/2017 | 164832 | E 609-49751-252 | Beer For Resale | BEER | 3,961.20 |
| 12/13/2017 | 1320606 | E 609-49751-252 | Beer For Resale | BEER | 10,337.60 |
| 12/13/2017 | 1320606 | E 609-49751-254 | Miscellaneous Merchandise | MISC | 264.00 |
| 12/20/2017 | 165789 | E 609-49751-252 | Beer For Resale | BEER | 12,883.15 |
| 12/20/2017 | 165789 | E 609-49751-254 | Miscellaneous Merchandise | MISC | 84.00 |
| 12/20/2017 | 165789 | E 609-49751-255 | N/A Products | N/A | 26.05 |
| 12/21/2017 | 165836 | E 609-49751-252 | Beer For Resale | BEER | 89.60 |
| | | | | | <u>\$27,645.60</u> |

DELTA DENTAL

| | | | | | |
|------------|---------|-------------|------------------|------------------------------|-------------------|
| 12/15/2017 | 7132577 | G 101-21711 | Dental Insurance | JAN 01 - JAN 31 2018 PREMIUM | 1,091.40 |
| | | | | | <u>\$1,091.40</u> |

EAGLE GARAGE DOOR CO.

| | | | | | |
|------------|------|-----------------|-------------------------|------------------------|-----------------|
| 09/29/2017 | 4699 | E 101-42110-401 | Repairs/Maint Buildings | LUBRICATING OIL | 148.50 |
| 12/07/2017 | 4779 | E 101-43100-401 | Repairs/Maint Buildings | SERVICE & ADJUST DOORS | 50.00 |
| 12/07/2017 | 4779 | E 101-45200-401 | Repairs/Maint Buildings | SERVICE & ADJUST DOORS | 50.00 |
| 12/07/2017 | 4779 | E 601-49440-401 | Repairs/Maint Buildings | SERVICE & ADJUST DOORS | 50.00 |
| 12/07/2017 | 4779 | E 602-49490-401 | Repairs/Maint Buildings | SERVICE & ADJUST DOORS | 50.00 |
| | | | | | <u>\$348.50</u> |

ECM PUBLISHERS, INC.

| | | | | | |
|------------|--------|-----------------|--------------------------|--------------------|-----------------|
| 12/08/2017 | 555184 | E 101-41400-351 | Legal Notices Publishing | DEC 20 LAND ITEMS | 91.38 |
| 12/08/2017 | 555185 | E 101-41400-351 | Legal Notices Publishing | RESOLUTION 2017-45 | 75.25 |
| | | | | | <u>\$166.63</u> |

ELITE SANITATION

| | | | | | |
|------------|-------|-----------------|--------------------|------------------------|-----------------|
| 12/07/2017 | 24545 | E 101-45200-402 | Janitorial Service | PORTABLE TOILET RENTAL | 305.00 |
| | | | | | <u>\$305.00</u> |

EMBEDDED SYSTEMS

| | | | | | |
|------------|--------|-----------------|----------|-------------------|-----------------|
| 12/06/2017 | 343585 | E 101-42110-311 | Contract | SIREN MAINTENANCE | 553.50 |
| | | | | | <u>\$553.50</u> |

EMERGENCY APARATUS MAINTENENC

| | | | | | |
|------------|-------|-----------------|--------------------------------|---------|-------------------|
| 11/01/2017 | 96915 | E 101-42210-218 | Equipment Repair & Maintenance | SERVICE | 2,453.80 |
| | | | | | <u>\$2,453.80</u> |

EMERGENCY REPOSE SOLUTIONS

| | | | | | |
|------------|------|-----------------|-----------------|----------------------------|-----------------|
| 12/13/2017 | 9955 | E 101-42210-237 | Small Equipment | 4 PT HARNESS, FCPC, GI, FS | 266.59 |
| | | | | | <u>\$266.59</u> |

FLAHERTYS HAPPY TYME CO

| | | | | | |
|------------|---------|-----------------|---------------------------|--------|--------------|
| 12/21/2017 | .122117 | E 609-49751-254 | Miscellaneous Merchandise | LIQUOR | 57.00 |
| | | | | | <u>57.00</u> |

G&K SERVICES, INC

| | | | | | |
|------------|------------|-----------------|------------------------|---------------|-----------------|
| 11/28/2017 | 6043130628 | E 101-43100-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 11/28/2017 | 6043130628 | E 101-43210-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 11/28/2017 | 6043130628 | E 101-45200-417 | Uniform Clothing & PPE | UNIFORMS | 1.87 |
| 11/28/2017 | 6043130628 | E 601-49440-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 11/28/2017 | 6043130628 | E 602-49490-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 12/05/2017 | 6043136384 | E 101-43100-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 12/05/2017 | 6043136384 | E 101-43210-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 12/05/2017 | 6043136384 | E 101-45200-417 | Uniform Clothing & PPE | UNIFORMS | 1.87 |
| 12/05/2017 | 6043136384 | E 601-49440-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 12/05/2017 | 6043136384 | E 602-49490-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 12/12/2017 | 6043142152 | E 609-49750-219 | Rug Maintenance | RUGS | 11.23 |
| 12/12/2017 | 6043142154 | E 101-43100-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 12/12/2017 | 6043142154 | E 101-43210-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 12/12/2017 | 6043142154 | E 101-45200-417 | Uniform Clothing & PPE | UNIFORMS | 1.87 |
| 12/12/2017 | 6043142154 | E 601-49440-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 12/12/2017 | 6043142154 | E 602-49490-417 | Uniform Clothing & PPE | UNIFORMS | 1.86 |
| 12/18/2017 | 6043147895 | E 602-49490-417 | Uniform Clothing & PPE | UNIFORMS | 9.31 |
| 12/19/2017 | 6043147894 | E 101-42110-402 | Janitorial Service | RUGS & TOWELS | 48.08 |
| 12/26/2017 | 6043153653 | E 101-41940-219 | Rug Maintenance | RUGS | 16.16 |
| | | | | | <u>\$112.71</u> |

GARDNER, TODD

| | | | | | |
|------------|---------|-----------------|----------------|---------------------------|-----------------|
| 12/21/2017 | .122117 | E 101-41910-110 | Commission Pay | PLANNING COMMISSION MTGS. | 180.00 |
| | | | | | <u>\$180.00</u> |

GRANITE CITY JOBBING CO.

| | | | | | |
|------------|-------|-----------------|-----------------------------|---------|-------------------|
| 12/01/2017 | 71900 | E 609-49751-254 | Miscellaneous Merchandise | MISC | (11.07) |
| 12/12/2017 | 73020 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 4.25 |
| 12/12/2017 | 73020 | E 609-49751-256 | Tobacco Products For Resale | TOBACCO | 2,042.15 |
| | | | | | <u>\$2,035.33</u> |

GREAT LAKES COCA-COLA

| | | | | | |
|------------|------------|-----------------|---------------------------|------|-----------------|
| 12/08/2017 | 3643204676 | E 609-49751-254 | Miscellaneous Merchandise | MISC | 804.90 |
| | | | | | <u>\$804.90</u> |

HAKANSON ANDERSON ASSOC., INC.

| | | | | | |
|------------|-------|-----------------|---------------------------------|-----------------------------|-------------------|
| 11/30/2017 | 39164 | G 803-22142 | ESC-BL Holdings-Rum River 2 | RUM RIVER BLUFFS 2ND ADDITI | 2,213.40 |
| 11/30/2017 | 39165 | G 803-22054 | Esc-Smith Lake 1st | SMITH LAKE WILDLIFE ESTATES | 2,184.44 |
| 11/30/2017 | 39166 | G 803-22043 | Esc-River s Edge/Siwiek | LAKETOWN HOMES | 168.00 |
| 11/30/2017 | 39166 | G 803-22043 | Esc-River s Edge/Siwiek | RIVERS EDGE | 257.50 |
| 11/30/2017 | 39166 | G 803-22102 | Esc-Meridian Beh Health | MERIDIAN BEHAVIORAL HEALTH | 224.25 |
| 11/30/2017 | 39166 | G 803-22137 | Esc-TCO-Assited Living Facility | ST FRANCIS SENIOR LIVING | 154.50 |
| 11/30/2017 | 39166 | G 803-22145 | ESC-School Parking Lot | ISD 15 PARKING LOT | 191.00 |
| 11/30/2017 | 39166 | G 803-22149 | BUELL CONSULTING/VERIZON | VERIZON CELL TOWER | 309.00 |
| 11/30/2017 | 39166 | G 803-22151 | KWIK TRIP CUP | KWIK TRIP | 1,477.00 |
| 11/30/2017 | 39166 | G 803-22154 | ALS-WOODHAVEN COND USE | WOODHAVEN 6TH | 189.00 |
| 11/30/2017 | 39169 | E 101-42400-303 | Engineering Fees | BLDG PERMIT REVIEWS | 901.25 |
| | | | | | <u>\$8,269.34</u> |

HAWKINS, INC.

| | | | | | |
|------------|------------|-----------------|----------------|-----------|----------------|
| 11/24/2017 | 4189094 RI | E 601-49440-313 | Sample Testing | CYLINDERS | 30.00 |
| | | | | | <u>\$30.00</u> |

INNOVATIVE OFFICE SOLUTIONS, L

| | | | | | |
|------------|-----------|-----------------|-----------------|-----------------|-----------------|
| 12/07/2017 | IN1854526 | E 101-42110-200 | Office Supplies | PAD, ENVELOPES | 17.23 |
| 12/08/2017 | IN1855609 | E 101-42110-200 | Office Supplies | SURGE, 8 OUTLET | 16.79 |
| 12/12/2017 | IN1858648 | E 101-42110-200 | Office Supplies | BATTERIES | 124.53 |
| 12/12/2017 | IN1859852 | E 101-41400-200 | Office Supplies | OFFICE SUPPLIES | 177.24 |
| | | | | | <u>\$335.79</u> |

ISD #15

| | | | | | |
|------------|------|-----------------|------------------------------|------------------------|-------|
| 11/30/2017 | 3467 | E 101-42110-221 | Vehicle Repair & Maintenance | POLICE DEPT - TODD #21 | 43.24 |
| 11/30/2017 | 3468 | E 101-42110-221 | Vehicle Repair & Maintenance | POLICE DEPT - TODD #21 | 66.91 |

| | | | | | |
|------------|------|-----------------|------------------------------|--------------------|----------|
| 12/19/2017 | 3476 | E 101-42400-221 | Vehicle Repair & Maintenance | 2013 FORD ESCAPE | 133.18 |
| 12/19/2017 | 3478 | E 101-42110-221 | Vehicle Repair & Maintenance | 2017 DODGE CHARGER | 43.74 |
| 12/20/2017 | 3477 | E 101-43100-221 | Vehicle Repair & Maintenance | 2014 RAM | 105.44 |
| | | | | | <hr/> |
| | | | | | \$392.51 |

JJ TAYLOR DISTRIBUTING

| | | | | | |
|------------|---------|-----------------|--------------------------|---------|------------|
| 12/06/2017 | 2775392 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 3.00 |
| 12/06/2017 | 2775392 | E 609-49751-252 | Beer For Resale | BEER | 378.95 |
| 12/13/2017 | 2785843 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 3.00 |
| 12/13/2017 | 2785843 | E 609-49751-252 | Beer For Resale | BEER | 1,033.20 |
| 12/20/2017 | 2785901 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 3.00 |
| 12/20/2017 | 2785901 | E 609-49751-252 | Beer For Resale | BEER | 1,214.40 |
| | | | | | <hr/> |
| | | | | | \$2,635.55 |

JOHNSON BROS WHLSE LIQUOR

| | | | | | |
|------------|---------|-----------------|---------------------------|---------|-------------|
| 12/06/2017 | 5887648 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 53.38 |
| 12/06/2017 | 5887648 | E 609-49751-251 | Liquor For Resale | LIQUOR | 3,046.23 |
| 12/06/2017 | 5887649 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 39.25 |
| 12/06/2017 | 5887649 | E 609-49751-253 | Wine For Resale | WINE | 971.95 |
| 12/13/2017 | 5893194 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 61.75 |
| 12/13/2017 | 5893194 | E 609-49751-251 | Liquor For Resale | LIQUOR | 3,228.50 |
| 12/13/2017 | 5893195 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 67.51 |
| 12/13/2017 | 5893195 | E 609-49751-253 | Wine For Resale | WINE | 2,704.20 |
| 12/15/2017 | 658491 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | (1.96) |
| 12/15/2017 | 658491 | E 609-49751-253 | Wine For Resale | LIQUOR | (48.56) |
| 12/20/2017 | 2899066 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 69.08 |
| 12/20/2017 | 2899066 | E 609-49751-253 | Wine For Resale | WINE | 2,617.50 |
| 12/20/2017 | 5899065 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 34.54 |
| 12/20/2017 | 5899065 | E 609-49751-251 | Liquor For Resale | LIQUOR | 2,351.35 |
| 12/20/2017 | 5899067 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 10.99 |
| 12/20/2017 | 5899067 | E 609-49751-254 | Miscellaneous Merchandise | MISC | 190.19 |
| | | | | | <hr/> |
| | | | | | \$15,395.90 |

KODIAK POWER SYSTEMS

| | | | | | |
|------------|---------|-----------------|------------------------------|----------------|----------|
| 12/22/2017 | KPS0163 | E 601-49440-229 | Project Repair & Maintenance | TRAVEL & LABOR | 431.01 |
| 12/22/2017 | KPS0163 | E 602-49490-229 | Project Repair & Maintenance | TRAVEL & LABOR | 431.01 |
| | | | | | <hr/> |
| | | | | | \$862.02 |

LEAGUE OF MN CITIES

| | | | | | |
|------------|---------|-----------------|---------------------|----------------|---------|
| 12/15/2017 | 1004638 | E 101-42110-160 | Work Comp Insurance | TODD SCHWIEGER | 82.81 |
| | | | | | <hr/> |
| | | | | | \$82.81 |

MCDONALD DIST CO.

| | | | | | |
|------------|----------|-----------------|-----------------|--------|-------------|
| 12/07/2017 | 427914 | E 609-49751-252 | Beer For Resale | BEER | 10,808.50 |
| 12/07/2017 | 427914 | E 609-49751-255 | N/A Products | NA | 21.40 |
| 12/14/2017 | 110-0130 | E 609-49751-252 | Beer For Resale | BEER | (14.08) |
| 12/14/2017 | 428727 | E 609-49751-252 | Beer For Resale | BEER | 4,345.35 |
| 12/14/2017 | 428727 | E 609-49751-255 | N/A Products | NA | 101.90 |
| 12/21/2017 | 110-0138 | E 609-49751-252 | Beer For Resale | BEER | (23.10) |
| 12/21/2017 | 429565 | E 609-49751-252 | Beer For Resale | LIQUOR | 9,410.70 |
| | | | | | <hr/> |
| | | | | | \$24,650.67 |

MN DEPT OF LABOR & INDUSTRY

| | | | | | |
|------------|-------------|-----------------|-------------------------|-----------------|---------|
| 12/01/2017 | ABR0179061L | E 101-41940-401 | Repairs/Maint Buildings | PRESSURE VESSEL | 10.00 |
| | | | | | <hr/> |
| | | | | | \$10.00 |

MN STATE FIRE DEPT ASSOCIATION

| | | | | | |
|------------|---------|-----------------|------------------------|-----------------------------|----------|
| 12/11/2017 | .121117 | E 101-42210-433 | Dues and Subscriptions | 2018 REGION 7 MEMBERSHIP DI | 200.00 |
| | | | | | <hr/> |
| | | | | | \$200.00 |

MORIN, JULIE

| | | | | | |
|------------|---------|-----------------|----------------|--------------------------|----------|
| 12/21/2017 | .122117 | E 101-41910-110 | Commission Pay | PLANNING COMMISSION MTGS | 160.00 |
| | | | | | <hr/> |
| | | | | | \$160.00 |

MURRY, WILLIAM

| | | | | | |
|------------|---------|-----------------|----------------|--------------------------|----------|
| 12/21/2017 | .122117 | E 101-41910-110 | Commission Pay | PLANNING COMMISSION MTGS | 200.00 |
| | | | | | <hr/> |
| | | | | | \$200.00 |

MY ALARM CENTER

| | | | | | |
|------------|---------|-----------------|----------|------------|--------------|
| 01/01/2018 | 9930673 | E 609-49750-445 | Security | MONITORING | 78.30 |
| | | | | | <u>78.30</u> |

NELSON ELECTRIC MOTOR REPAIR

| | | | | | |
|------------|------|-----------------|------------------------------|------------------|---------------|
| 12/08/2017 | 8360 | E 602-49490-229 | Project Repair & Maintenance | SPARE PUMP PARTS | 250.00 |
| | | | | | <u>250.00</u> |

OLSON, JOEL

| | | | | | |
|------------|---------|-----------------|----------------|----------------------------|---------------|
| 12/21/2017 | .122117 | E 101-41910-110 | Commission Pay | PLANNING COMMISSION MTGS : | 100.00 |
| | | | | | <u>100.00</u> |

PACE ANALYTICAL SERVICES

| | | | | | |
|------------|-----------|-----------------|----------------|--------------------|---------------|
| 12/04/2017 | 171288771 | E 602-49490-313 | Sample Testing | AMMONIA/PHOSPHORUS | 105.00 |
| 12/11/2017 | 171289040 | E 602-49490-313 | Sample Testing | WATER TESTING | 120.00 |
| 12/12/2017 | 171288931 | E 602-49490-313 | Sample Testing | AMMONIA | 90.00 |
| 12/15/2017 | 171289228 | E 602-49490-313 | Sample Testing | WASTEWATER | 75.00 |
| | | | | | <u>390.00</u> |

PAUSTIS WINE COMPANY

| | | | | | |
|------------|------------|-----------------|--------------------------|---------|---------------|
| 12/11/2017 | 0000190-IN | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 4.50 |
| 12/11/2017 | 0000190-IN | E 609-49751-253 | Wine For Resale | WINE | 136.00 |
| | | | | | <u>140.50</u> |

PERMITWORKS

| | | | | | |
|------------|-----------|-----------------|--------------------------|---------------------------|-----------------|
| 12/08/2017 | 2017-0105 | E 101-42400-310 | Computer Consulting Fees | IMPLEMENTATION & TRAINING | 3,820.00 |
| | | | | | <u>3,820.00</u> |

PHILLIPS WINE & SPIRITS CO.

| | | | | | |
|------------|---------|-----------------|--------------------------|---------|-----------------|
| 12/01/2017 | 281060 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | (3.14) |
| 12/01/2017 | 281060 | E 609-49751-253 | Wine For Resale | WINE | (88.75) |
| 12/06/2017 | 2274707 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 7.85 |
| 12/06/2017 | 2274707 | E 609-49751-251 | Liquor For Resale | LIQUOR | 612.00 |
| 12/13/2017 | 2278482 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 21.98 |
| 12/13/2017 | 2278482 | E 609-49751-251 | Liquor For Resale | LIQUOR | 1,529.46 |
| 12/13/2017 | 2278483 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 32.97 |
| 12/13/2017 | 2278483 | E 609-49751-253 | Wine For Resale | WINE | 802.50 |
| 12/15/2017 | 282478 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | (1.57) |
| 12/15/2017 | 282478 | E 609-49751-251 | Liquor For Resale | LIQUOR | (85.65) |
| 12/20/2017 | 2282415 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 76.15 |
| 12/20/2017 | 2282415 | E 609-49751-251 | Liquor For Resale | LIQUOR | 5,883.63 |
| | | | | | <u>8,787.43</u> |

PROFORMA

| | | | | | |
|------------|------------|-----------------|-------------------|-------------------------|---------------|
| 10/20/2017 | 90B2904639 | E 101-42210-437 | Uniform Allowance | FD CREWNECK SWEATSHIRTS | 570.00 |
| | | | | | <u>570.00</u> |

QUILL CORPORATION

| | | | | | |
|------------|---------|-----------------|-----------------|----------------------------|--------------|
| 12/12/2017 | 3184862 | E 101-41400-200 | Office Supplies | CANON 2 COLOR PRINTING CAL | 56.99 |
| | | | | | <u>56.99</u> |

ROSEVILLE, CITY OF

| | | | | | |
|------------|---------|-----------------|--------------------------|-------------|----------|
| 12/21/2017 | 0224031 | E 101-41110-310 | Computer Consulting Fees | IT SERVICES | 293.82 |
| 12/21/2017 | 0224031 | E 101-41400-310 | Computer Consulting Fees | IT SERVICES | 954.92 |
| 12/21/2017 | 0224031 | E 101-42110-310 | Computer Consulting Fees | IT SERVICES | 3,378.95 |
| 12/21/2017 | 0224031 | E 101-42210-310 | Computer Consulting Fees | IT SERVICES | 543.57 |
| 12/21/2017 | 0224031 | E 101-42400-310 | Computer Consulting Fees | IT SERVICES | 271.80 |
| 12/21/2017 | 0224031 | E 101-43100-310 | Computer Consulting Fees | IT SERVICES | 293.82 |
| 12/21/2017 | 0224031 | E 101-45200-310 | Computer Consulting Fees | IT SERVICES | 293.82 |
| 12/21/2017 | 0224031 | E 601-49440-310 | Computer Consulting Fees | IT SERVICES | 293.82 |
| 12/21/2017 | 0224031 | E 602-49490-310 | Computer Consulting Fees | IT SERVICES | 293.82 |
| 12/21/2017 | 0224031 | E 609-49750-310 | Computer Consulting Fees | IT SERVICES | 146.91 |
| 12/21/2017 | 0224074 | E 101-41940-321 | Telephone | PHONE | 80.59 |
| 12/21/2017 | 0224074 | E 101-42110-321 | Telephone | PHONE | 80.59 |
| 12/21/2017 | 0224074 | E 101-42210-321 | Telephone | PHONE | 80.59 |
| 12/21/2017 | 0224074 | E 101-43100-321 | Telephone | PHONE | 80.59 |
| 12/21/2017 | 0224074 | E 101-45200-321 | Telephone | PHONE | 80.59 |
| 12/21/2017 | 0224074 | E 601-49440-321 | Telephone | PHONE | 80.59 |
| 12/21/2017 | 0224074 | E 602-49490-321 | Telephone | PHONE | 80.59 |
| 12/21/2017 | 0224074 | E 609-49750-321 | Telephone | PHONE | 80.59 |

\$7,410.03

ROYAL SUPPLY

| | | | | | |
|------------|-------|-----------------|--------------------------|----------|-------|
| 12/20/2017 | 22486 | E 101-41940-210 | Operating Supplies | SUPPLIES | 18.30 |
| 12/20/2017 | 22486 | E 101-42110-217 | Other Operating Supplies | SUPPLIES | 73.23 |
| 12/20/2017 | 22486 | E 101-43100-217 | Other Operating Supplies | SUPPLIES | 36.61 |
| 12/20/2017 | 22486 | E 101-45200-217 | Other Operating Supplies | SUPPLIES | 36.61 |
| 12/20/2017 | 22486 | E 601-49440-217 | Other Operating Supplies | SUPPLIES | 36.61 |
| 12/20/2017 | 22486 | E 602-49490-217 | Other Operating Supplies | SUPPLIES | 36.64 |

\$238.00

RUSSELL SECURITY RESOURCE INC.

| | | | | | |
|------------|------------|-----------------|-------------------------|------|-------|
| 11/29/2017 | 6043142154 | E 101-41940-401 | Repairs/Maint Buildings | KEYS | 40.00 |
|------------|------------|-----------------|-------------------------|------|-------|

\$40.00

SOUTHERN GLAZERS OF MN

| | | | | | |
|------------|---------|-----------------|--------------------------|---------|----------|
| 12/07/2017 | 1622970 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 2.24 |
| 12/07/2017 | 1622971 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 30.72 |
| 12/07/2017 | 1622971 | E 609-49751-251 | Liquor For Resale | LIQUOR | 3,287.15 |
| 12/07/2017 | 1622972 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 1.28 |
| 12/07/2017 | 1622972 | E 609-49751-251 | Liquor For Resale | LIQUOR | 89.91 |
| 12/14/2017 | 1625799 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 10.24 |
| 12/14/2017 | 1625799 | E 609-49751-253 | Wine For Resale | WINE | 387.33 |
| 12/14/2017 | 1625800 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 44.80 |
| 12/14/2017 | 1625800 | E 609-49751-251 | Liquor For Resale | LIQUOR | 3,418.53 |
| 12/21/2017 | 1628918 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 28.37 |
| 12/21/2017 | 1628918 | E 609-49751-251 | Liquor For Resale | LIQUOR | 2,697.01 |
| 12/21/2017 | 1628919 | E 609-49751-206 | Freight and Fuel Charges | FREIGHT | 1.28 |
| 12/21/2017 | 1628919 | E 609-49751-253 | Wine For Resale | WINE | 36.00 |

\$10,034.86

ST. FRANCIS COLLISION & GLASS

| | | | | | |
|------------|------|-----------------|------------------------------|--------------------|----------|
| 12/11/2017 | 9755 | E 101-42110-221 | Vehicle Repair & Maintenance | 2014 DODGE CHARGER | 3,527.35 |
|------------|------|-----------------|------------------------------|--------------------|----------|

\$3,527.35

ST. FRANCIS TRUE VALUE HARDWAR

| | | | | | |
|------------|-------|-----------------|------------------------------|-------|------|
| 11/30/2017 | 40192 | E 601-49440-229 | Project Repair & Maintenance | CAULK | 5.69 |
|------------|-------|-----------------|------------------------------|-------|------|

\$5.69

STEINKE, RAY

| | | | | | |
|------------|---------|-----------------|----------------|----------------------------|--------|
| 12/21/2017 | .122117 | E 101-41910-110 | Commission Pay | PLANNING COMMISSION MTGS : | 250.00 |
|------------|---------|-----------------|----------------|----------------------------|--------|

\$250.00

STRATEGIC INSIGHTS

| | | | | | |
|------------|-----|-----------------|--------------------------|---------|--------|
| 11/21/2017 | 229 | E 101-42110-310 | Computer Consulting Fees | PLAN-IT | 295.31 |
| 11/21/2017 | 229 | E 101-42210-310 | Computer Consulting Fees | PLAN-IT | 295.31 |
| 11/21/2017 | 229 | E 101-42400-310 | Computer Consulting Fees | PLAN-IT | 295.31 |
| 11/21/2017 | 229 | E 101-43100-310 | Computer Consulting Fees | PLAN-IT | 295.31 |
| 11/21/2017 | 229 | E 101-45200-310 | Computer Consulting Fees | PLAN-IT | 295.31 |
| 11/21/2017 | 229 | E 601-49440-310 | Computer Consulting Fees | PLAN-IT | 295.31 |
| 11/21/2017 | 229 | E 602-49490-310 | Computer Consulting Fees | PLAN-IT | 295.31 |
| 11/21/2017 | 229 | E 609-49750-310 | Computer Consulting Fees | PLAN-IT | 295.33 |

\$2,362.50

SUN LIFE FINANCIAL

| | | | | | |
|------------|---------|-----------------|-------------------------|-----------|--------|
| 12/19/2017 | .121917 | E 101-41400-130 | Employer Paid Insurance | INSURANCE | 256.01 |
| 12/19/2017 | .121917 | E 101-41500-130 | Employer Paid Insurance | INSURANCE | 131.48 |
| 12/19/2017 | .121917 | E 101-41910-130 | Employer Paid Insurance | INSURANCE | 71.66 |
| 12/19/2017 | .121917 | E 101-42110-130 | Employer Paid Insurance | INSURANCE | 910.09 |
| 12/19/2017 | .121917 | E 101-42400-130 | Employer Paid Insurance | INSURANCE | 62.65 |
| 12/19/2017 | .121917 | E 101-43100-130 | Employer Paid Insurance | INSURANCE | 185.53 |
| 12/19/2017 | .121917 | E 101-43210-130 | Employer Paid Insurance | INSURANCE | 41.22 |
| 12/19/2017 | .121917 | E 101-45200-130 | Employer Paid Insurance | INSURANCE | 185.53 |
| 12/19/2017 | .121917 | E 601-49440-130 | Employer Paid Insurance | INSURANCE | 31.73 |
| 12/19/2017 | .121917 | E 602-49490-130 | Employer Paid Insurance | INSURANCE | 31.72 |
| 12/19/2017 | .121917 | E 609-49750-130 | Employer Paid Insurance | INSURANCE | 126.35 |

\$2,033.97

SYNOVIA SOLUTIONS

| | | | | | |
|------------|--------|-----------------|----------|---------------------|----------|
| 12/12/2017 | 106768 | E 101-43100-311 | Contract | LEGACY LEASE #36530 | 45.79 |
| 12/12/2017 | 106768 | E 101-45200-311 | Contract | LEGACY LEASE #36530 | 45.79 |
| 12/12/2017 | 106768 | E 601-49440-311 | Contract | LEGACY LEASE #36530 | 45.79 |
| 12/12/2017 | 106768 | E 602-49490-311 | Contract | LEGACY LEASE #36530 | 45.82 |
| | | | | | \$183.19 |

THE AMERICAN BOTTLING COMPANY

| | | | | | |
|------------|------------|-----------------|---------------------------|------|----------|
| 12/14/2017 | 8257869406 | E 609-49751-254 | Miscellaneous Merchandise | MISC | 458.18 |
| | | | | | \$458.18 |

TJ ASSOCIATES

| | | | | | |
|------------|--------|-----------------|-----------------|-----------------|----------|
| 12/06/2017 | 225451 | E 101-42110-200 | Office Supplies | CHRISTMAS CARDS | 92.50 |
| 12/21/2017 | 225643 | E 101-41400-200 | Office Supplies | LETTERHEAD | 163.00 |
| | | | | | \$255.50 |

ZUTZ, GREG

| | | | | | |
|------------|---------|-----------------|----------------|----------------------------|----------|
| 12/21/2017 | .122117 | E 101-41910-110 | Commission Pay | PLANNING COMMISSION MTGS : | 160.00 |
| | | | | | \$160.00 |

FUND SUMMARY

\$183,461.10

| | |
|---------------------------|-------------|
| 101 GENERAL FUND | \$56,139.92 |
| 402 CAPITAL EQUIPMENT | \$828.00 |
| 601 WATER FUND | \$7,790.88 |
| 602 SEWER FUND | \$12,166.71 |
| 609 MUNICIPAL LIQUOR FUND | \$97,851.50 |
| 803 ESCROW | \$8,684.09 |
| Total | 183,461.10 |

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

RESOLUTION 2018-01

A RESOLUTION APPROVING THE APPOINTMENTS FOR 2018

| | |
|--|---|
| Mayor Pro Tem | Joe Muehlbauer, Council Member |
| City Assessor | Erik A. Skogquist, SAMA Mary Wells, CMA |
| City Attorney | Barna, Guzy & Steffen, Ltd. |
| City Engineer | Hakanson and Anderson |
| Planning Consultants | Sambatek |
| Health Officer | Allina Medical Clinic – Coon Rapids |
| Weed Inspector | Steve Feldman, Mayor |
| Assistant Weed Inspector | Paul Teicher, Public Works Director |
| Emergency Management Director | Todd Schwieger, Police Chief |
| Joint Law Enforcement Council: Police Chief Council Representative | Todd Schwieger, Police Chief Steve Feldman, Mayor |
| Official Newspaper | Anoka County Union |
| Official Public Depository | Village Bank of St. Francis Anoka County Federal Credit Union Ehlers & Associates Morgan Stanley RBC Dain Rauscher US Bank 4 M Fund |
| Financial Consultant/Bond Underwriter | Ehlers & Associates |
| Official Signatures | Steven D. Feldman, Mayor Joseph Muehlbauer Mayor Pro Tem Joseph 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 Feldman, Mayor |
| School District #15 | Robert Bauer, Council member |
| Park Commission | Jerry Tveit, Council member |
| Economic Development Authority: Council Representative Council Representative | Joe Muehlbauer, Council member Robert Bauer, Council Member |
| Upper Rum River Watershed: Council Representative/Consultant Rep. Resident Member | Jerry Tveit/City Engineer Lan Tornes |
| Metropolitan Council | Steve Feldman, Mayor |
| Heritage Preservation Commission | Ray Steinke, Resident |
| Pioneer Days: Council Representative Staff Representative | Joe Muehlbauer, Council Member Barb Held, City Clerk |
| Anoka County Joint Fire Powers Agreement Fire Chief Council Representative | David Schmidt, Fire Chief Robert Bauer, 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:

ADOPTED BY THE CITY COUNCIL OF ST. FRANCIS THIS 2nd DAY OF JANUARY, 2018.

APPROVED:

Joseph Muehlbauer, Mayor Pro-Tem

ATTEST:

Barbara I. Held, City Clerk

City of St Francis City Council Agenda Item
Executive Summary

Title of Item: **PLANNED UNIT DEVELOPMENT:** A request from GD1, LLC, to revise a previously approved PUD for the St. Francis Transitional Care Facility; an 89- unit assisted living facility with transitional and memory care units; proposed to be located on Lot 1, Block 1, Ponds Golf Course; PID: 33-34-24-34-0076. This request is very similar to the facility that was previously approved in October 2015, but was never constructed.

Meeting Date: **1-2-18**

Staff Reporting: **Ben Gozola, City Planner**

Summary: The applicant is proposing to construct an 89-unit senior housing facility with assisted and transitional care residential units. The proposed site and senior living facility were the subject of a Planned Unit Development (PUD) amendment in 2015. At that time, the project underwent a public hearing review and was recommended for approval by the Planning Commission and was approved by the City Council by resolution 2015-61 on November 2, 2015. The project was never commenced, and the 2015 approval has since lapsed.

The revised application address changes to stormwater management, and includes changes to the building layout including underground parking.

Recommendations:

- **Both staff and the planning Commission believe the PUD development plan can be approved with conditions.**
- **Template motions can be found on page 9, suggested findings of fact on pages 9 & 10, and recommended conditions on pages 10 & 11.**

List of Attachments:

- A) *Staff Report*
- B) *Engineering Memo*
- C) *Applicant's submittals*

City of St. Francis Planning Department
PUD Report

To: **City Council**
From: Jim Robinson, Associate Planner
Meeting Date: **1-2-18**
Applicant: **Chau M. Le d.b.a. GD1 LLC**
Property Owner: **GD1 LLC**
Location: Unaddressed property near the corner of 229th Ave. NW and Zion Parkway NW
(see Loc. Map - page 2)
Zoning: **PUD; Planned Unit Development with Underlying B-2; General Commercial District Standards**

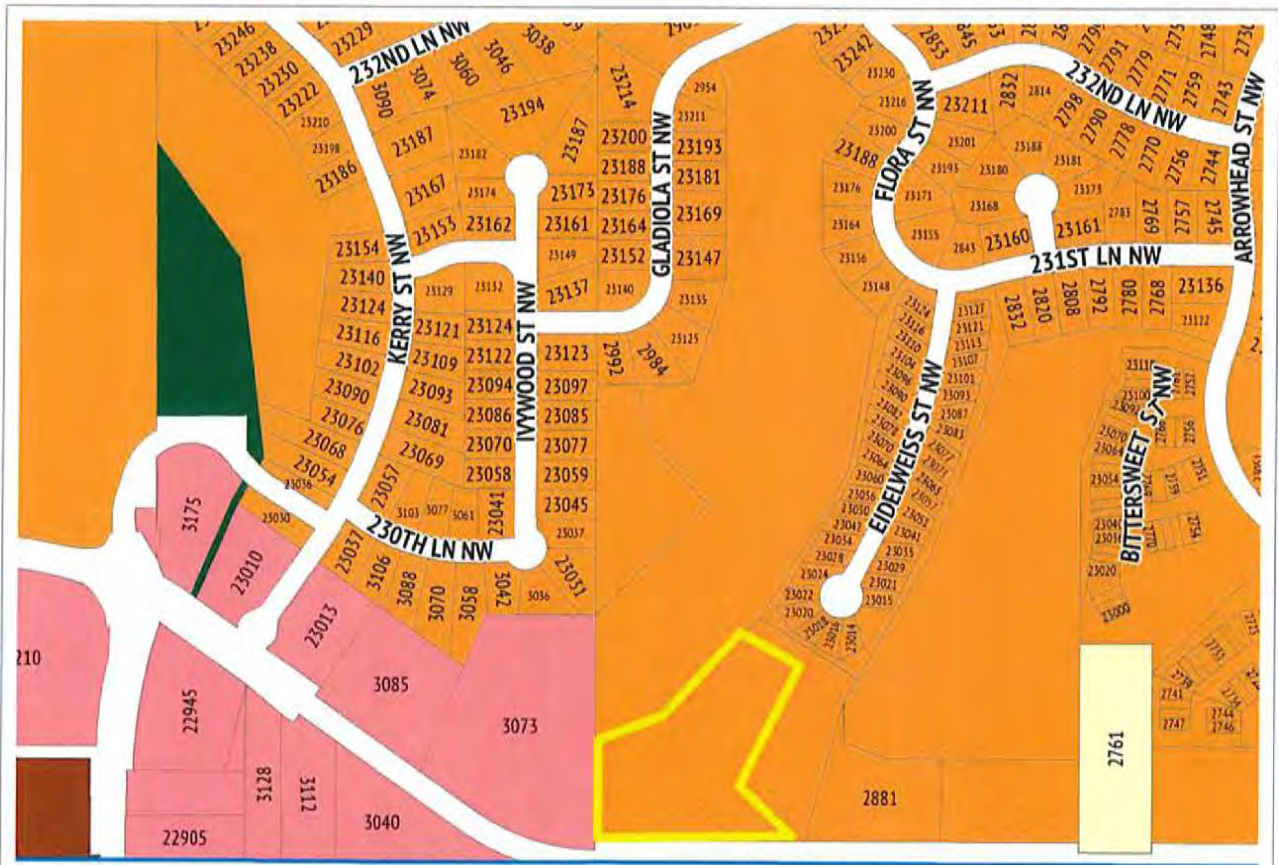
Introductory Information

| | |
|------------------------|---|
| <i>Project:</i> | The applicant is proposing to construct an 89-unit senior housing facility with assisted and transitional care residential units. |
| <i>PUD Request(s):</i> | The proposed senior housing facility will require the following permit: 1. A planned unit development amendment. |

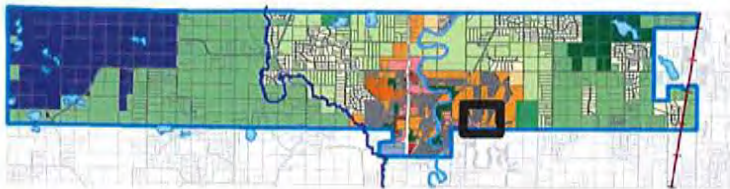
Background

The proposed site and senior living facility were the subject of a planned unit development, (PUD) amendment in 2015. At that time, the project underwent a public hearing review and was recommended for approval by the Planning Commission and was approved by the City Council by resolution 2015-61 on November 2, 2015 (see attached). The project was never commenced and the 2015 approval has lapsed.

The planning report for the 2015 PUD amendment referenced the 2002 Turtle Run plat that was part of a planned unit development for a mixed-uses surrounding the golf course. The report states that the subject parcel was identified in the 2002 PUD as intended for commercial use that would defer to the B-2; General Business standards. The report further references the B-2 as allowing for hospitals and nursing homes as permitted uses and therefore concludes that the proposed senior assisted facility would fit within the parameters of the approved PUD and the zoning code. The new proposal is very similar to the 2015 plans, but has been updated to address current stormwater standards and now includes underground parking.



Lot 1, Block 1, Ponds Golf Course



Location within the City of St Francis



SITE IDENTIFICATION MAP



(cont.) The proposal continues to include the development of a three-story, 89-unit apartment complex with underground parking (see attached Project Narrative). Each of the three floors would have 24,662 GSF plus an underground level with 12,700 GSF. The project is designed with 52 studio units, 25 one-bedrooms, 2 one-bedroom plus den and 10 two-bedroom units. Units will average in size from 350 sq. ft. for studios and up to 1,000 sq. ft. for two-bedroom floor plans. The site development plan includes provision for: 35 surface parking stalls, 8 ADA compliant stalls, and an additional 24 underground stalls. The project also includes ample common area including a community room, kitchen, and outdoor patio space.

Findings

- | | |
|----------------------------|---|
| Site Data: | <ul style="list-style-type: none"> ▪ Lot Size ≈ 4.38 acres ▪ Existing Use – vacant land with native vegetation ▪ Existing Zoning – PUD; Planned Unit Development with underlying B-2; General Business District Zoning ▪ Property Identification Number (PID): 33-34-24-34-0076 |
| Comp Plan Guidance: | <ul style="list-style-type: none"> ▪ The City’s 2030 Comprehensive Plan guides this lot for Commercial use. ▪ The corresponding zoning assigned to this property (PUD with underlying B-2) allows for nursing homes and hospitals as permitted uses. The PUD district standards allows for a wide variety of uses including high density housing. |

Application Review:

| | |
|-------------------------------------|---|
| Applicable Code Definitions: | <p>PLANNED UNIT DEVELOPMENT: A development procedure whereby a mixing of buildings and uses can occur which cannot be otherwise addressed under this Ordinance, and/or whereby internal site design standard deviations from this Ordinance may be allowed to improve site design and operation.</p> |
|-------------------------------------|---|

- | | |
|-------------------------------|--|
| Applicable City Codes: | <ul style="list-style-type: none"> ▪ <u>Chapter 10. Section 10: Planned Unit Development</u> Describes the purpose, standards, procedures, criteria, performance standards and general requirements for PUD’s in the city. ▪ <u>Chapter 10, Section 63: B-2; General Business District</u> Outlines the purpose, permitted and conditional uses, and lot and setback standards for General Business district developments in the city. |
|-------------------------------|--|

- (cont.)
- **Chapter 10, Section 75: PUD; Planned Unit Development District**
Outlines the purpose, application and procedures for planned unit development districts in the city.

Staff Comment:

- The three above referenced city code sections together provide the framework for the review and evaluation of planned unit developments and amendments with B-2 standards.
- Per the previous planner's report, the subject property's land use history dates back to a 2002 PUD and plat which included this property and subjected it to the B-2; General Business District standards. Sambatek has accepted the history of this development based on the past staff report and subsequent City approval, and did not conduct historical research to confirm the findings of the previous planner.
- The B-2 district continues to allow for nursing homes and hospitals as permitted uses. The proposed senior care facility is considered to be close enough in character to be considered a permitted B-2 use.
- The property's PUD zoning classification also provides for a wide variety of uses as specified in the zoning ordinance including commercial and multi-family housing uses.
- The City's PUD ordinance at Chapter 10 of the zoning code has as its stated purpose to provide for a wide variety of uses and flexibility of development practices through a carefully planned set of procedures and approval processes. PUD developments may progress through multiple stages from concept approval through more detailed development stage approval and finally to final plan and construction. The ordinance also allows for a proposal to be submitted at the development stage. The proposal before the Planning Commission at this time is in the development stage and as such is ready for a formal recommendation to the City Council for final approval. Consistent with the 2015 project, the current proposal is being processed as an amendment to the original 2002 planned unit development. Amendments to PUD's require the same procedural requirements as original proposals and therefore require a 4/5ths majority of the City Council to approve the amendment application. PUD standards are typically designed to require a super majority of the council for approval because of the additional flexibility afforded a PUD.

**Planned Unit
Development
Performance
Standards:**

10-10-2: General Requirements and Standards:

The key requirements and standards outlined in the PUD ordinance as they relate to this project and staff's comments are summarized below:

- Comprehensive Plan Consistency. The City's Comprehensive Plan designates this property for commercial land use. Given the nature of the proposal, staff finds (as was the case in 2015) that the use as an assisted living and transitional care facility is consistent with the proposed commercial land use designation. **Criteria Met.**
- Compatibility with Adjacent Land Uses. The proposed senior apartment style use is compatible with the other land uses in the area including the single-family subdivision to the north, the golf course, and American Legion building. **Criteria Met.**
- Common Open Space Provided. The PUD standards call for common open space at least sufficient to meet the standards in the comprehensive plan and as necessary to meet the needs of the residents of the PUD. Staff finds that the site development plan includes sufficient open space around the building including a generous back yard area with an ample patio area for the residents of the building. **Criteria Met.**
- Density Standards. The maximum allowable density shall be determined by standards negotiated and agreed upon between the applicant and the City. The proposed density of the project is 20.3 units per acre. In comparison, the City's R-4; High Density Residential District allows for 22 units per acre. Senior housing, and especially assisted care senior housing, has a lessor impact in terms of density due to the limited mobility of residents, most of whom are not anticipated to own or drive a car. Also, persons per dwelling unit are typically less than conventional apartment development. Lastly, the proposal at this time is for the same number of units as was approved in 2015. **Criteria Met.**
- Setbacks. Requirements for setbacks are as specified by the City as appropriate for the proposal. The 2015 proposal referenced the B-2 standards which include a 50 foot front and rear requirement and 10 side yards. The attached narrative provided by Wenk Associates details building and pavement setbacks, all of which meet or exceed the City's B-2 setback standards. **Criteria Met.**
- Utilities. Urban services including municipal sewer and water are required and are available and proposed for this property. In addition, electric, gas and cable lines are required to be provided underground. All proposed utility connections are proposed to be underground and will be the responsibility of the property owner. The City Engineer has reviewed the site utility plans and provided comment as (see attached memo dated 12-xx-2017). **Criteria Met.**

- (cont.)
- Landscaping. In any PUD a detailed landscape plan is required to be approved by the City. In assessing the plan the City will consider the natural features of the site, the architectural characteristics of the proposal and the PUD in general. The attached landscape plan provides a detailed description of the proposed landscape features. The plan calls for preservation of a limited number of existing trees outside of the grading area. The City's landscape ordinance requires that a specific number of caliper inches be provided based on the gross floor area of the building. The applicant will need to provide a more detailed analysis of the trees to be saved and included to meet the tree caliper requirement. Tree preservation techniques should also be implemented prior to grading. **Criteria Met.**
 - Minimum Lot Size. The minimum lot size for a PUD is one (1) acre. The subject property is over four (4) acres. **Criteria Met.**
 - Building Height. The City code in the B-2 District allows for building height up to 40 feet as measured to the mean of a gable roof. The proposed building measures 48'-8" at the peak of the highest gable which is 40 feet high as measured to the mean height. **Criteria Met.**
 - Parking Supply Required. The City's parking requirement for assisted senior housing is one-half stall per unit. Therefore, 45 stalls are required as compared to the proposal which is for 67 stalls including both surface and underground stalls. **Criteria Met.**

***PUD Process
and Approval
Requirements:***

10-10-6 Amendment of a PUD:

Amendment requirements for a PUD are outlined in the Zoning Code at Section 10-10-6. The code states that, "*any alteration in a project for which a PUD has been approved shall require an amendment of the original development stage plan. The same application and hearing procedure for an amendment of a PUD shall be followed as was followed with respect to the applicant's initial request, as outlined in Section 10-10-4 of this Ordinance.*"

Staff Comment: The procedures being followed for this amendment are consistent with the above referenced code Section. As previously stated, the 2015 approval also involved an amendment to the original PUD which lapsed due to the project not commencing. The new application is also being processed as a PUD amendment. As such, **an affirmative vote of four-fifths (4/5) of the full Council shall be required for approval of the amendment.**

(cont.) **10-10-7 General Requirements:**

Included in the City's general requirements for approval is a requirement for a "Financial Security to Assure Compliance." The code states: "In order to insure that all improvements contained in the PUD are completed in accordance with said plans and to insure that an applicant fully complies with all conditions of a PUD permit, the applicant may be required to post a letter of credit guaranteeing the faithful performance of such work and compliance with such conditions. Such security shall be in a form satisfactory to the City, shall be in an amount established by the City Council, and shall cover each segment or each phase of a PUD project."

Staff Comment: The 2015 project approval resulted in the drafting of a development agreement which provided a detailed list of the improvements and associated costs which were to be covered by financial security to be provided by the developer. The attached conditions of approval include requirements for a development agreement and financial security. **Criteria addressed.**

***PUD Approval
Standards
Review:***

Issuance of a PUD requires an analysis of the proposed use against the specific review criteria established in code. Staff has reviewed the City's criteria as they pertain to the proposed senior housing facility, and we offer the following analysis for consideration:

General review Criteria (10-6-3):

1. The plan is not in conflict with the Comprehensive Plan of the City.

Staff Comment: The proposed senior care facility is consistent with the land use classification in the City's Proposed Land Use Plan of "commercial".
Criteria met.

2. The plan is designed to form a desirable and unified development within its own boundaries.

Staff Comment: The plan provides for a stand-alone facility with independent facilities. The use of a shared driveway with the adjacent golf course is provided for by recorded easement. **Criteria met.**

3. The proposed uses will not be detrimental to present and future land uses in the surrounding area.

Staff Comment: The proposed apartment style complex is compatible with surrounding uses and is not anticipated to present conflicts with adjacent uses.
Criteria met.

- (cont.)
4. ***Any exceptions to the standard requirements of this chapter and the Subdivision Regulations Chapter are justified by the design of the development.***

Staff Comment: The proposal meets or exceeds all performance standards as specified in the zoning code and as such requires no unique exceptions.

Criteria met.

5. ***The plan will not create an excessive burden parks, schools, streets and other public facilities or utilities that are proposed to serve the Planned Unit Development.***

Staff Comment: The proposed facility can be accommodated by existing public services and will pose no unique burden on the City's service capacities. Traffic generation by the proposed use is within capabilities of streets serving the property. **Criteria met.**

6. ***The PUD will not have an undue and adverse impact on the reasonable enjoyment of the adjoining property.***

Staff Comment: The proposed senior living facility should be a low-impact use and will not create adverse impacts on adjoining property. **Criteria Met.**

Additional Information:

- Project plan sets and submitted information follow this report.

Engineering Report:

- City Engineer review of the plans and technical requirements are provided in the attached memo to the city dated December 13, 2017.

Public Comment:

- At this time we know of no public comment on the current PUD application.
- There were no speakers at the 12-20-17 public hearing before the Planning Commission.

Planning Commission Rec:

- The Planning Commission reviewed the application at their meeting on 12-20-17, and found sufficient reason to **recommend approval** of the request based on the findings of fact listed in the staff report and subject to the recommended conditions.

Conclusion:

The following is a summary of the requested planned unit development amendment along with recommendations.

Request for a planned unit development amendment to allow the development of an 89-unit senior transitional care and assisted living facility on the unaddressed property near the corner of 229th Ave. NW and Zion Parkway NW.

- **PC & Staff Recommendation: APPROVAL of the PUD amendment with conditions**, based on the fact that the provided plans subject to conditions are in conformity to City standards required for planned unit development and senior living facilities.

Commission Options:

The City Council has the following options:

- A) APPROVE THE REQUEST based on the applicant’s submittals and findings of fact. **NOTE: by code, an affirmative vote of four-fifths (4/5) of the full Council shall be required for approval of a PUD amendment.**
- B) DENY THE REQUEST based on the applicant’s submittals and findings of fact.
- C) TABLE THE ITEM and request additional information.
 - Based on an application date of 10/19/2017, the 60-day review period for the PUD application expires on 12/17/2017. Due to review and meeting scheduling constraints, this deadline has been extended an additional 60 days. As extended, the final deadline for a decision on the PUD is 02/16/2018.

Template Denial Motion:

(not recommended)

- “I move that we deny the requested planned unit development based on the following findings of fact:”
 - *(provide findings to support your conclusion)*

Template Approval Motion:

RECOMMENDED

- “I move that we approve the requested planned unit development amendment based on the findings of fact in the staff report, and subject to the conditions listed on pages 10 and 11 as may have been amended here tonight.”

***Suggested Findings
of Fact:***

1. The proposal is consistent with the Commercial designation in the City's Comprehensive Plan as senior living facilities with transitional and assisted care components are considered a permitted use in the City's B-2; General Commercial zoning district.
2. The City acknowledges the need for assisted living and transitional care senior living facilities in the community to provide housing with needed services to the City's growing senior population.
3. A senior care living housing proposal was previously approved as a PUD amendment for this property in 2015 and the revised proposal before the City at this time is substantially the same project but with certain stormwater enhancements and the addition of underground parking facilities.
4. The proposed project as delineated includes significant architectural and site design features which will make this facility an asset to the communities housing stock.
5. The proposed project will strengthen the City's housing diversity by adding a needed assisted senior component to its life-cycle housing program.
6. The project has the potential to add to the City's affordable housing stock and will be beneficial in the City meeting its goals under the Livable Communities Act.
7. With the recommended conditions attached to the approval of the planned unit development amendment, the site will maintain safe and healthful conditions.

***Recommended
Conditions:***

1. The Final Plan stage application shall include plans and materials consistent with development stage approval except as required to be updated per conditions of development stage approval.
2. All changes requested by the City Engineer in their review memo dated 12/13/17 shall be implemented on the final plans prior to permits being issued.
3. Minor updates to the approved plans as may be needed to avoid encroachment(s) into final drainage and utility easements, meet required setbacks, or to improve the site design shall be worked out with City Staff (i.e. final sign placements) during the permitting process.

- (cont.)
4. The proposed landscape plan shall be revised to comply with the City's tree caliper requirements.
 5. Trees to be preserved shall be identified, and tree preservation techniques (including protective fencing) shall be installed prior to grading.
 6. The applicant shall satisfy the city engineer's requirements for an acceptable grading and storm water pollution prevention plan.
 7. Adequate erosion control shall be in place throughout the duration of the project.
 8. Ground cover shall be established with final landscaping as quickly as possible following final grades and completion of construction activities.
 9. Any damage to adjacent roadways caused by construction activities or deliveries related to this project shall be repaired at the applicant's expense.
 10. The applicant shall enter into a development agreement with the city specifying the responsibilities, securities, and timeline for project completion.
 11. A financial security (or securities), shall be provided to the city to ensure the installation of proposed site improvements including but not limited to; landscaping, lighting, grading, and stormwater management.
 12. The property owner shall adhere to all applicable governmental regulations, secure all necessary licenses, and shall obtain all necessary permits to authorize construction, establishment, and continued operation of the proposed use.
 13. The site plan shall include an access driveway to the rear of the building for fire-safety purposes as directed by the City Fire Marshall.
 14. A trail easement will be supplied along 229th Ave. as previously proposed in the draft 2015 development agreement.

*cc: Chau M. Le; Applicant
Kevin Pfeiffer, RLA, Wenck Associates*

DESCRIPTION OF REQUEST: (attach additional information if needed)

Project Name: St. Francis Senior Living

Nature of Proposed Use:

89 unit assisted living facility with transitional and memory care units.

Reason(s) to Approve Request:

Proposed development is consistent with approved PUD and underlying B-2 commercial zoning intent.

PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE:

(attach additional information if needed)

Project Name: St. Francis Transitional Care

Date of Application: 9-29-15

Nature of Request: CUP / PUD

PROPERTY INFORMATION:

Street Address:

NW Corner of 229th Ave NW & Zion PKWY NW

Property Identification
Number (PIN#):

33-34-24-34-0076

Legal Description

(Attach if necessary):

Lot(s): 1

Block: 1

Subdivision:

Ponds Golf Course

OWNER INFORMATION:

Name: Chau M. Le

Business Name: GD1, LLC

Address: 2122 St Anthony Ave

City: St Paul

State: MN

Zip Code: 55104

Telephone: 651-755-9747

Fax: N/A

E-mail: in contact section

Contact: Chau M. Le - Email: chau.le@legenccompanies.com

Title: Principal

APPLICANT INFORMATION: (if different from owner)

Name: Same As Owner

Business Name:

Address:

City:

State:

Zip Code:

Telephone:

Fax:

E-mail:


Contact:


Title:

NOTE: Applications must be signed by all property owners. Applications only accepted with ALL required support documents and fees. Please request and follow appropriate Development Checklist(s) for desired application.

APPLICATION FEES AND EXPENSES: By signing this application form, I agree that all fees and expenses incurred by the City for the processing of this application, including costs for professional services, are the responsibility of the property owner to be paid immediately upon receipt or the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes 429.081 as amended. All fees and expenses are due whether the application is approved or denied or withdrawn. Escrow fees may not cover actual expenses; any additional fees will be billed.

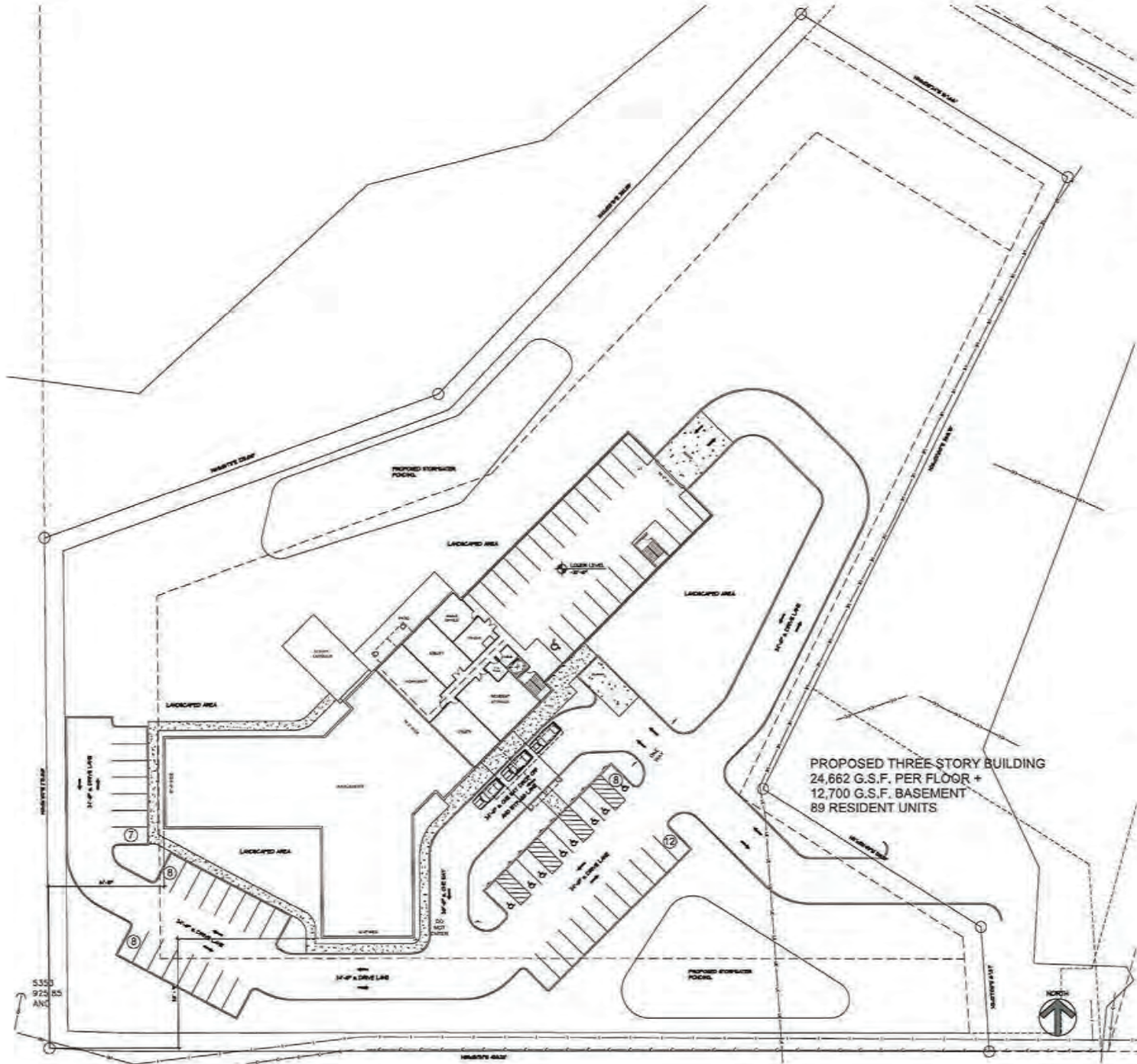
I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge. I further understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant(s):  _____ Date: 10/18/2017

Owner(s):  _____ Date: 10/18/2017

Required Copies

| | |
|---------------------------|--|
| Minor Subdivisions | Please provide (3) Certificates of Survey at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). ***See below for other required information. |
| Concept Plans | Please provide (3) large scale copies at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). ***See below for other required information.* |
| Preliminary Plat | Please provide (3) large scale copies at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). ***See below for other required information. |
| Final Plats | Please provide (3) large scale copies at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). **See below for other required information. |
| *** | <ol style="list-style-type: none"> 1. If applicable, an additional large scale copy at 22" by 34" shall be provided for each of the following: <ol style="list-style-type: none"> a. (1) If project lies within a DNR Shoreland District or Floodplain b. (1) If project is adjacent to a neighboring City or Township 2. If applicable, an additional small scale copy at 11" by 17" shall be provided for each of the following: <ol style="list-style-type: none"> a. (1) If project increases the number of dwelling units for the Met Council b. (1) If project is adjacent to a County Road or County State Aid Highway c. (1) If project is adjacent to a MN/Dot state highway |



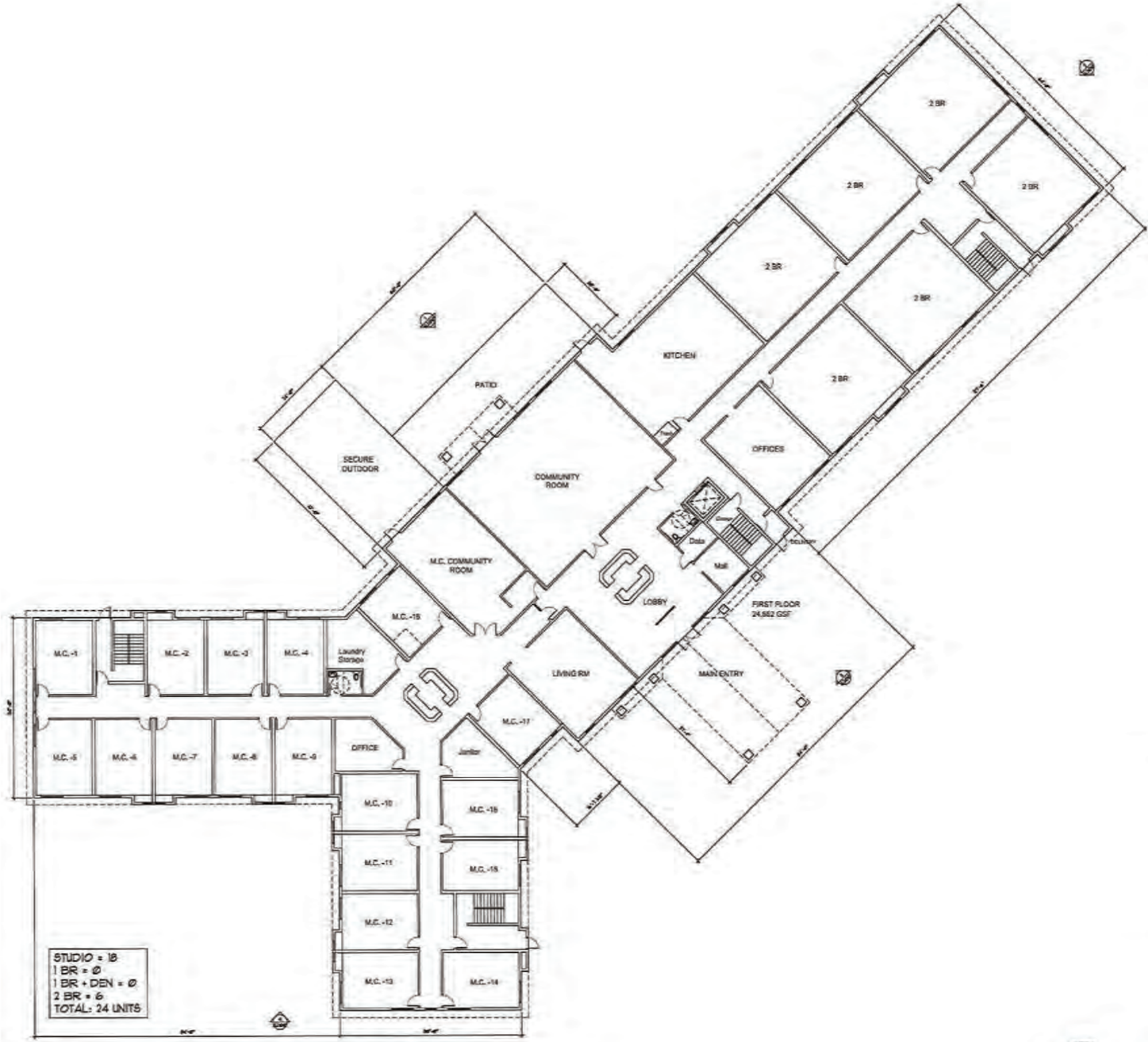
PROPOSED THREE-STORY BUILDING
 24,662 G.S.F. PER FLOOR +
 12,700 G.S.F. BASEMENT
 89 RESIDENT UNITS

scale 1"=20'0"

name _____

Issue date 10.10.17
 All plans / sheets final

a050
 copyright 2017



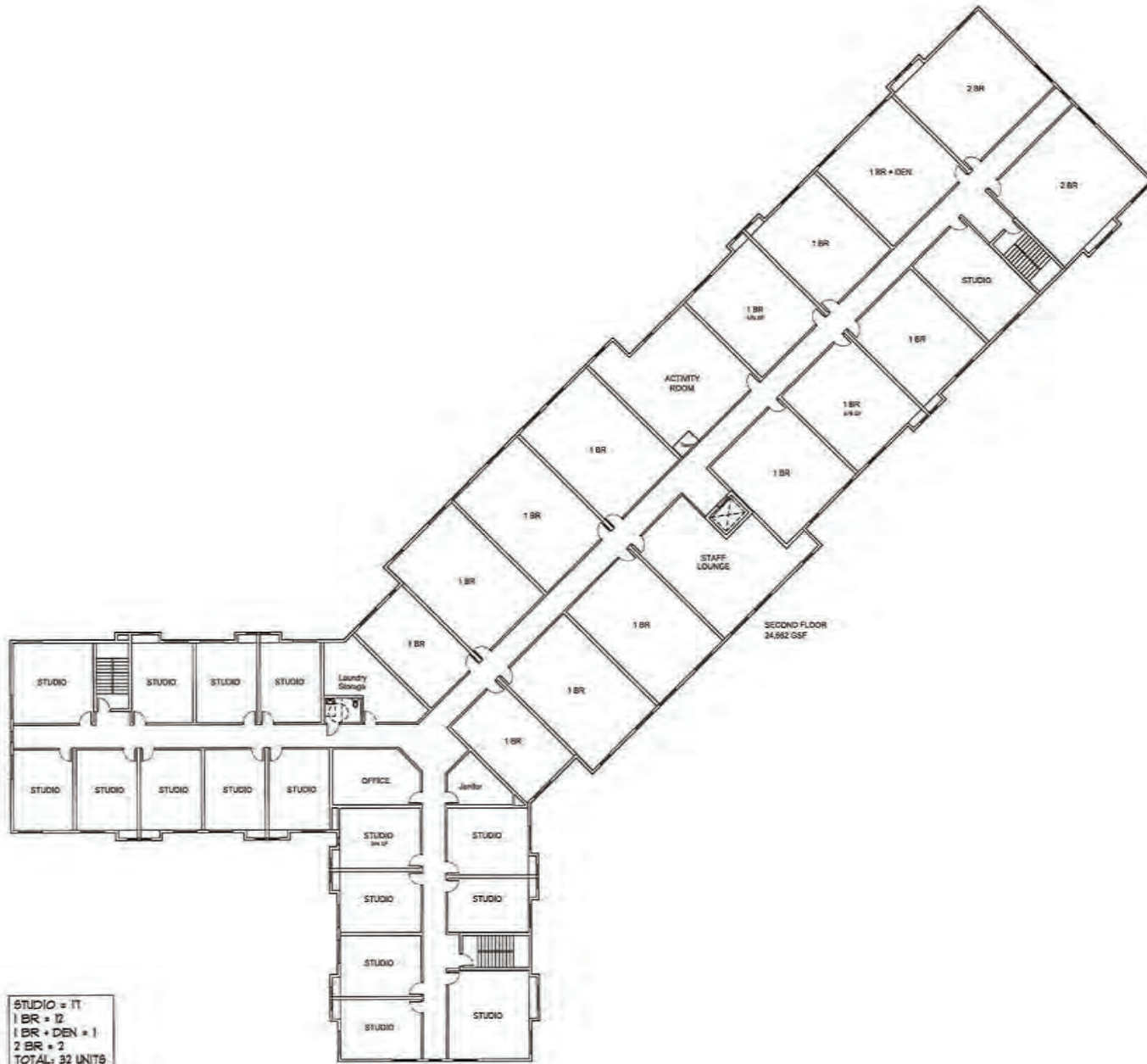
STUDIO = 18
 1 BR = 0
 1 BR + DEN = 0
 2 BR = 6
 TOTAL: 24 UNITS

FIRST FLOOR PLAN



scale: 1/8" = 1'-0"
 name: _____

 Issue date: 10.15.17
 Title: _____



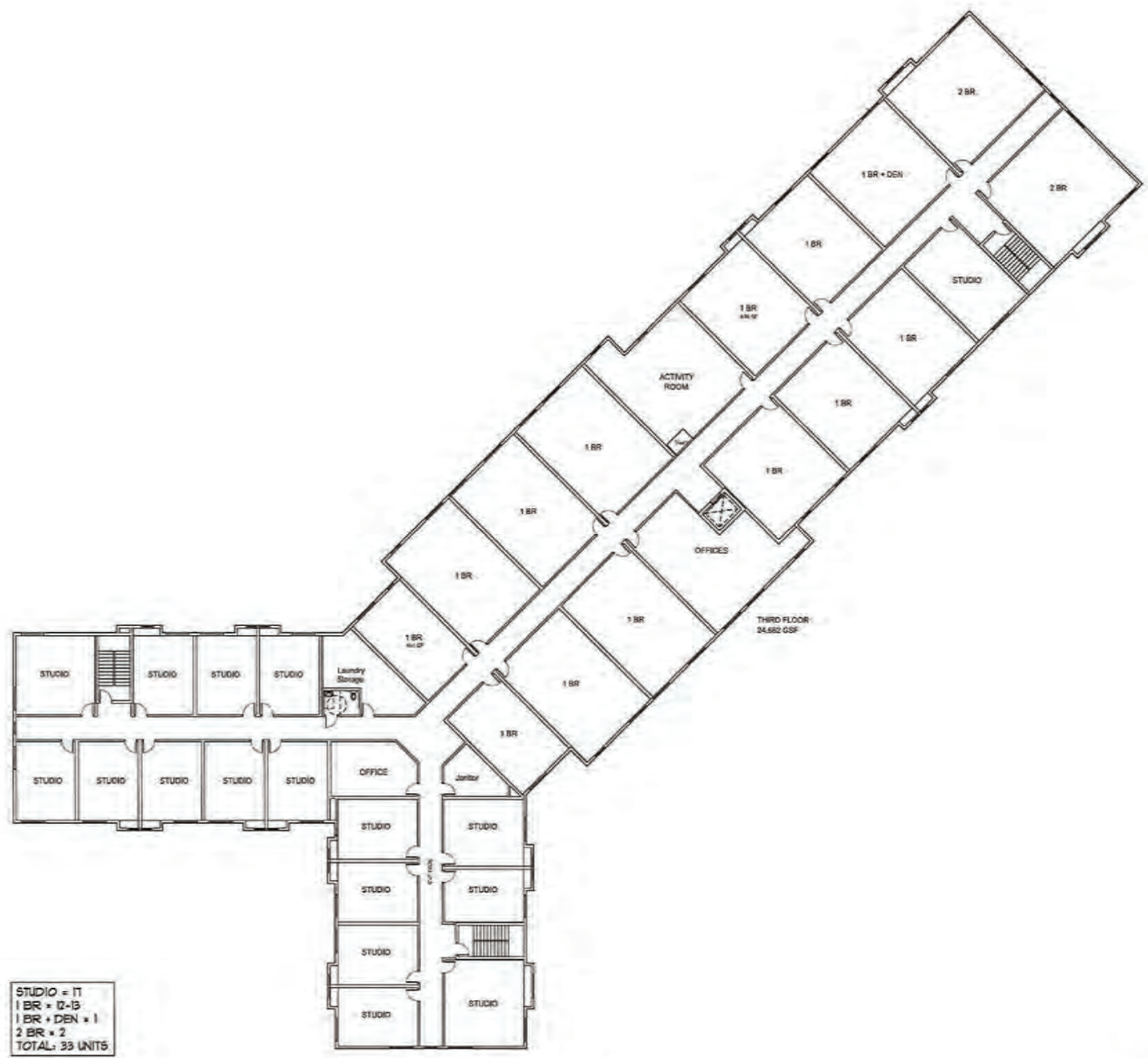
STUDIO = IT
 1 BR = 12
 1 BR + DEN = 1
 2 BR = 2
 TOTAL: 32 UNITS

SECOND FLOOR OVERALL PLAN
 1/2" = 1'-0"



scale 1/2" = 1'-0"
 name: [redacted]

issue date: 10.22.17
 version: 001



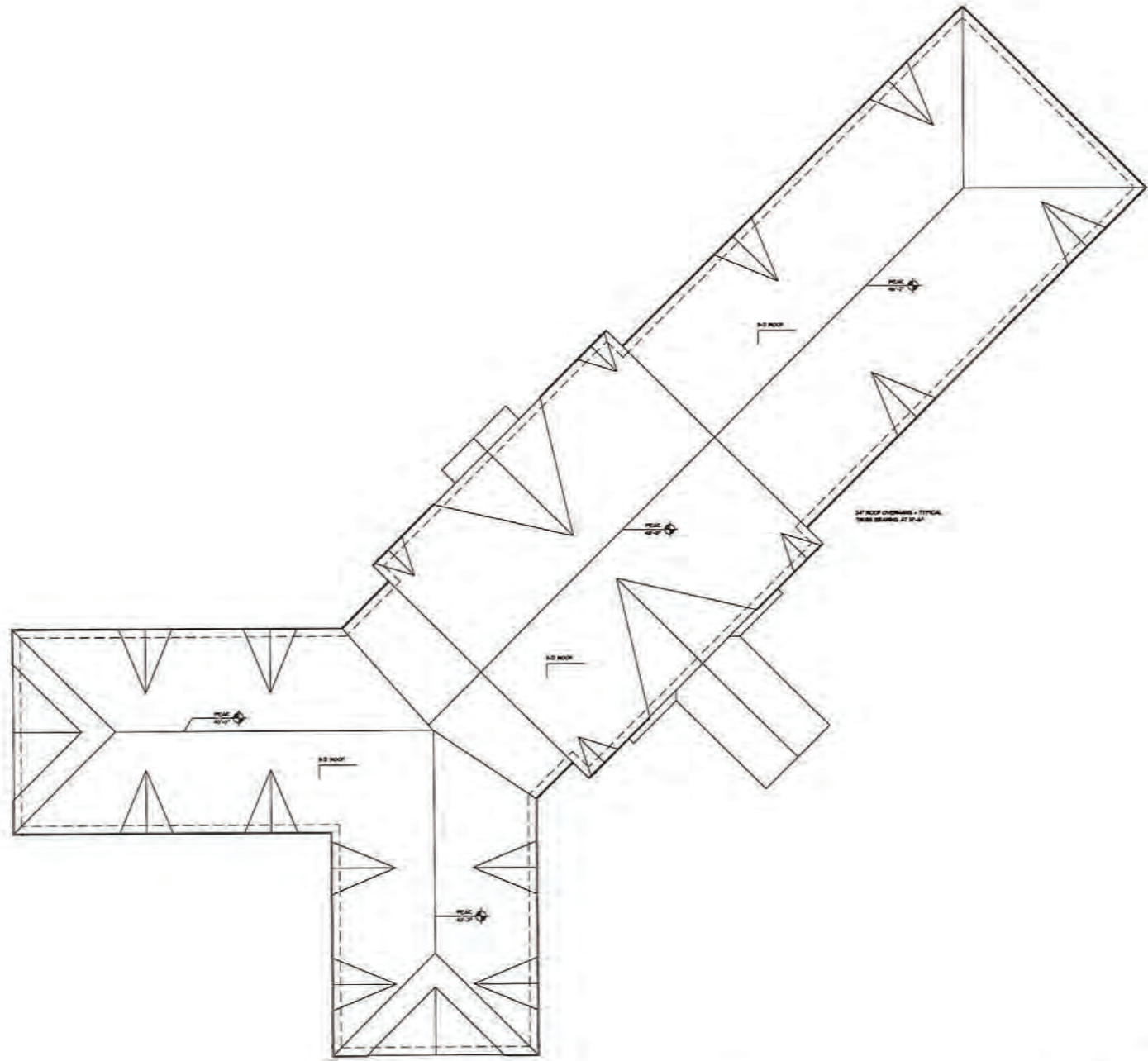
STUDIO = 11
 1 BR = 12-13
 1 BR + DEN = 1
 2 BR = 2
 TOTAL: 33 UNITS

THIRD FLOOR OVERALL PLAN
 3/27/17



scale 3/32" = 1'-0"
 name

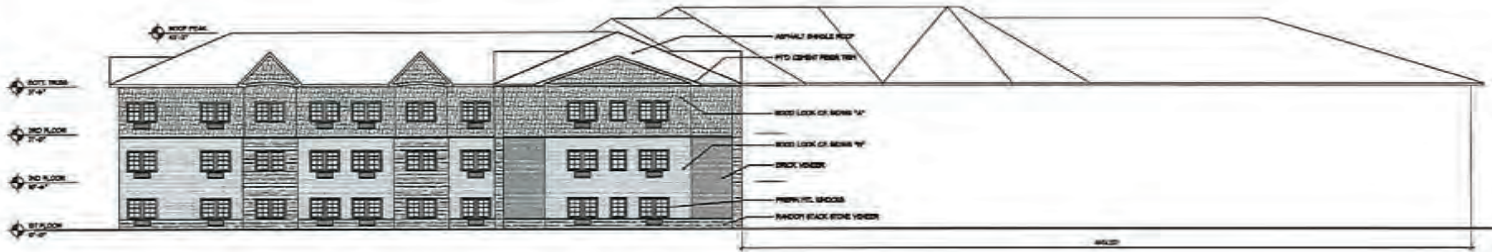
 issue date 10.19.17
 title Rev



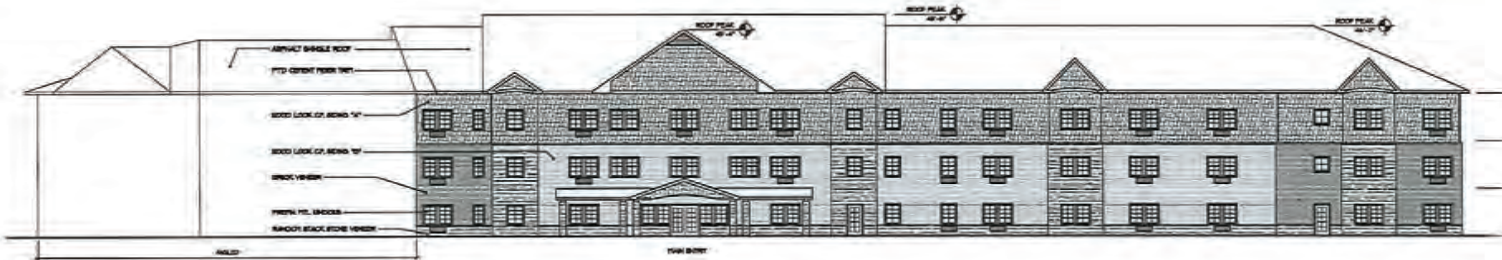
ROOF PLAN
1/8\"/>



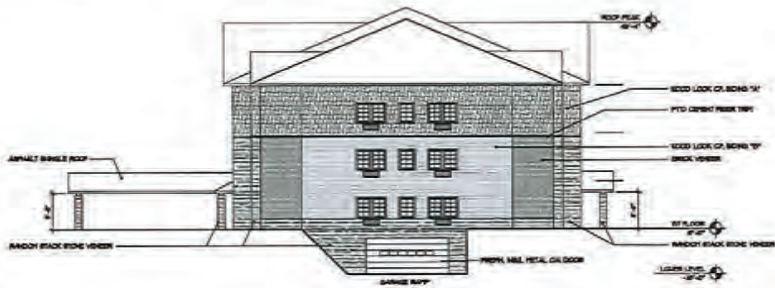
scale 1/8" = 1'-0"
name
date
issue date 10.15.17
dwl



1 SOUTH ELEVATION
 3/20' = 1" = 0'



2 SOUTHEAST (MAIN ENTRY) ELEVATION
 3/20' = 1" = 0'



3 NORTHEAST ELEVATION
 3/20' = 1" = 0'



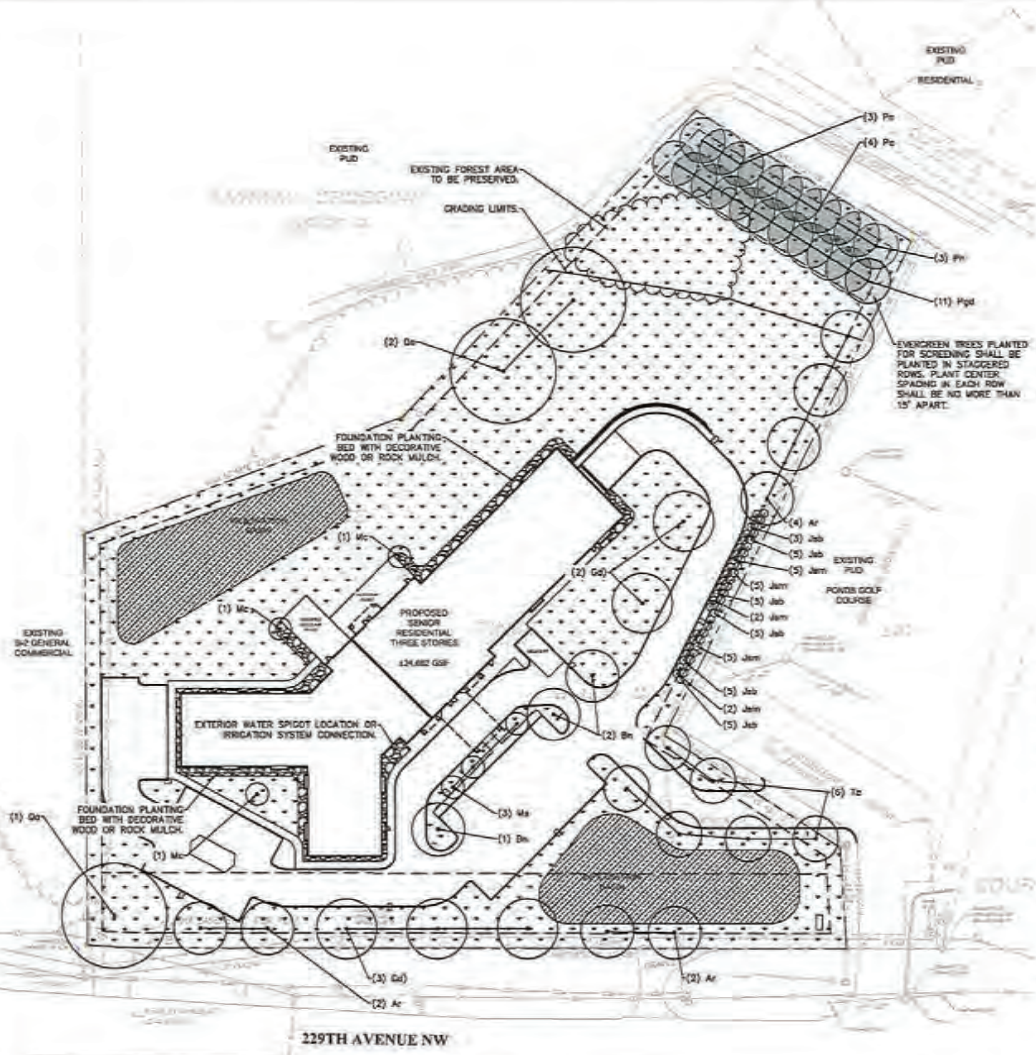
4 NORTHWEST ELEVATION
 3/20' = 1" = 0'

scale 3/20" = 1' = 0"
 name

Issue Date 03.15.17
 author

UNSCALED

MANAGEMENT: Trees to be removed shall be removed in accordance with applicable codes.



LANDSCAPE LEGEND

- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED ORNAMENTAL TREE
- PROPOSED SHRUB/PERENNIAL PLANT
- ▨ PROPOSED DECORATIVE GRAVEL
- ▩ PROPOSED MN NATIVE SEED MIX 34-702
- SOD
- EXISTING TREE TO REMAIN

PLANTING SCHEDULE

THE CITY OF ST. FRANCIS REQUIRES AT A MINIMUM A NUMBER OF CALIPER INCHES OF TREES EQUAL TO THE TOTAL GROSS SQUARE FOOTAGE OF ALL FLOORS DIVIDED BY 300. THE COMPLEMENT OF TREES SHALL NOT BE LESS THAN 25% DECIDUOUS, 25% EVERGREEN AND 10% ORNAMENTAL.

| GROSS SQUARE FOOTAGE | 713,886 | | | | | | |
|--------------------------|------------------------------|-----|-------------------------|--|---------------|--|--------------------------------|
| CALIPER INCHES REQUIRED | 232 | | | | | | |
| EXISTING TREES TO REMAIN | APPROX 6 - 10 TREES, 4" EACH | | | | | | |
| EXISTING CALIPER INCHES | 34 | | | | | | |
| PROPOSED PLANTING: | | | | | | | |
| PLANT TYPE | SYMBOL | QTY | COMMON NAME | SCIENTIFIC NAME | SIZE | MINIMUM % COMPLEMENT OF TREES PROPOSED | % COMPLEMENT OF TREES REQUIRED |
| CONIFEROUS TREE | Ps | 4 | NORWAY SPRUCE | <i>Picea abies</i> | 4" B&B | 21.2% | 25.0% |
| | Pge | 11 | BLACK HILLS SPRUCE | <i>Picea canadensis</i> | 4" B&B | | |
| | Ph | 6 | AUSTRIAN PINE | <i>Pinus nigra</i> | 4" B&B | | |
| DECIDUOUS TREE | Ar | 8 | RED MAPLE | <i>Acer rubrum</i> | 2" B&B | 22.2% | 25.0% |
| | Gc | 5 | KENTUCKY COFFEE TREE | <i>Gymnocladia dioica 'Stately Master'</i> | 2" B&B | | |
| | Ta | 6 | REDWOOD LINDEN | <i>Tilia americana 'Redmond'</i> | 2" B&B | | |
| ORNAMENTAL TREE | Qu | 3 | WHITE OAK | <i>Quercus alba</i> | 2" B&B | | |
| | Bc | 3 | RIVER BIRCH CLUMP | <i>Betula nigra</i> | 2" B&B | 0.1% | 10.0% |
| | Mc | 3 | CORALBURST CRABAPPLE | <i>Malus 'Coralstar'</i> | 2" B&B | | |
| TALL SHRUBS | Ma | 3 | SNOWDRIFT CRABAPPLE | <i>Malus 'Snowdrift'</i> | 2" B&B | | |
| | Job | 28 | SKY HIGH JUNIPER | <i>Juniperus scopulorum 'Sky High'</i> | 3" to 4" tall | | |
| | Jem | 16 | MEDORA JUNIPER | <i>Juniperus scopulorum 'Medora'</i> | 3" to 4" tall | | |
| | | 99 | PROPOSED PLANTINGS | | | | |
| | | 198 | PROPOSED CALIPER INCHES | | | | |
| | | 232 | TOTAL CALIPER INCHES | | | | |

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAKING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT (612) 448-8222 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATION OF ALL UNDERGROUND WATER, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG
GOPHER STATE ONE CALL

TWIN CITY AREA (612) 448-8222
TOLL FREE 1-888-252-1188



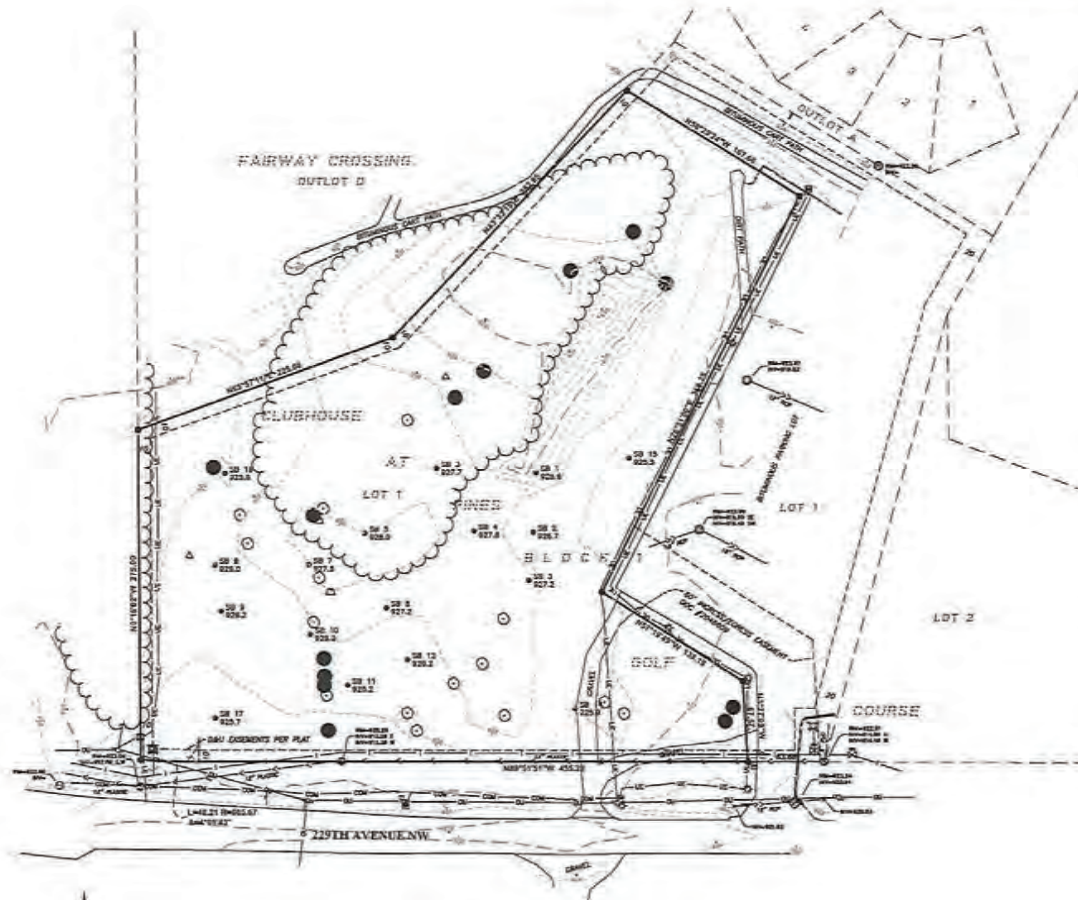
ST. FRANCIS SENIOR HOUSING
 NW CORNER OF 229TH AVE NW & ZION PKWY NW
 ST. FRANCIS, MN 55070
 WHITE STONE CONSTRUCTION
 7002 LEONARD ROAD
 MAPLE GROVE, MN 55851

| | |
|-------------|----------------|
| Issue # | 1 |
| Date | 10/27/21 |
| Project # | 5065-0001 |
| Drawn by | JSA |
| Issue Date | 2017-1018 |
| Issue # | 1 |
| Sheet # | L-100 |
| Sheet Title | LANDSCAPE PLAN |

WORK FOR CONSTRUCTION

CERTIFICATE OF SURVEY

PART OF LOT 1, BLOCK 1 CLUBHOUSE AT PONDS GOLF COURSE



PROPERTY DESCRIPTION:
Document Number 2560679

All that part of Lot 1, Block 1, Clubhouse at Ponds Golf Course, Anoka County, Minnesota, (ing Easterly, Northwesterly and Southeasterly of the following described line:

Commencing at the Southeast corner of said Lot 1; thence South 89 degrees 36 minutes 47 seconds West, assumed bearing, along the South line of said Lot 1, a distance of 63.68 feet to the point of beginning of the line to be described; thence North 03 degrees 58 minutes 30 seconds West, 67.57 feet; thence North 57 degrees 51 minutes 11 seconds West, 138.19 feet; thence North 25 degrees 59 minutes 35 seconds East, 368.75 feet; thence North 58 degrees 51 minutes 46 seconds West, 167.67 feet to the Northwesterly line of said Lot 1 and said line there terminating.

SURVEYOR'S NOTES:

1. This survey was prepared based on a cursory title review, the surveyor does not guarantee that all or any adverse interests, encumbrances or other encumbrances are shown or that the owner listed has fee title to the property.
2. Horizontal Datum: Anoka County Coordinate System NAD83(98)
3. Vertical Datum: NAVD83
4. Date of Fieldwork: 8/20/2015

SURVEYOR'S CERTIFICATION:

I hereby certify that this survey was completed by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Clifford 8/28/2015
Cliff Amburn Date
LS 45005

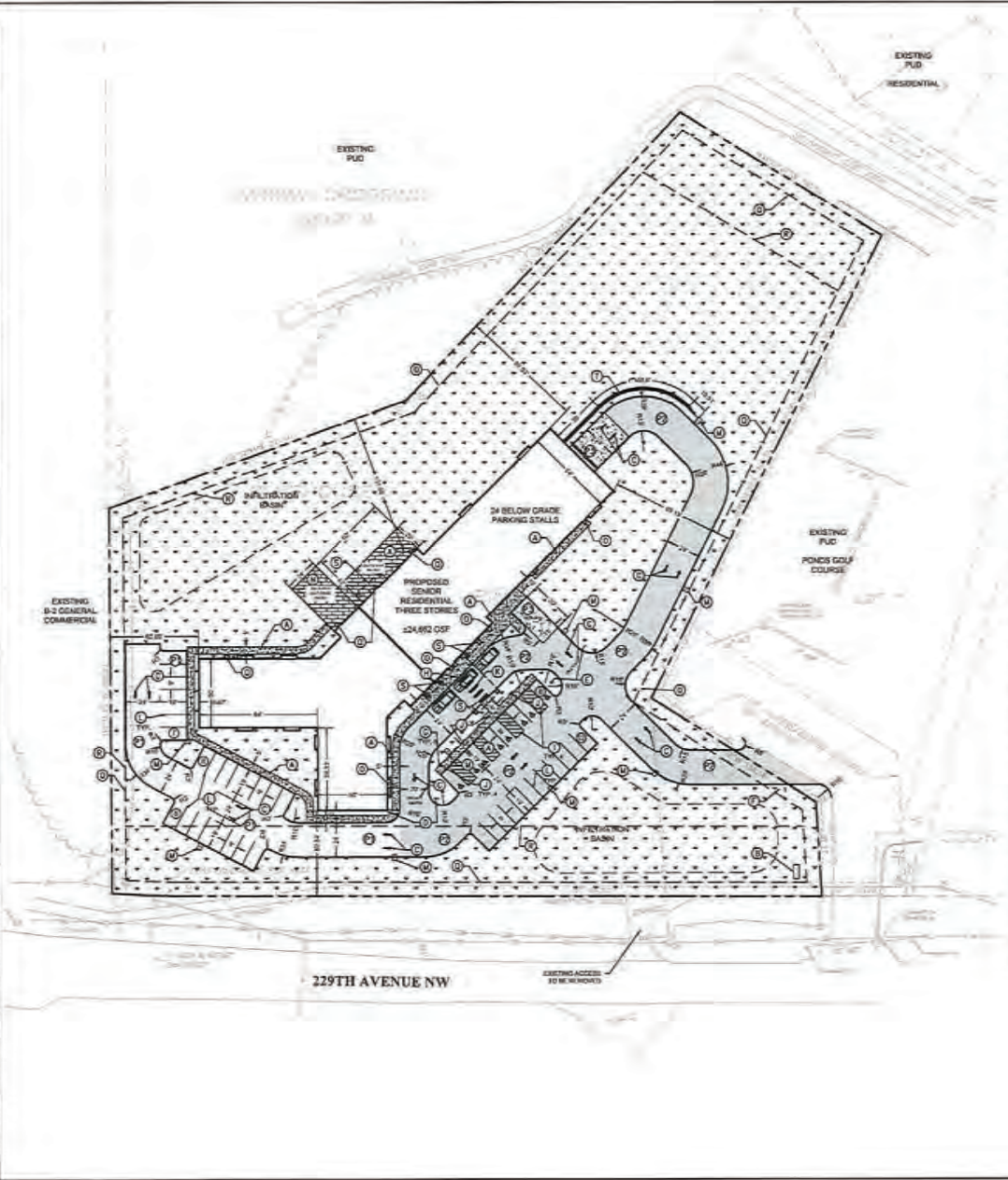
LEGEND

- | | | |
|---------------------------|-------------------|------------------------------------|
| △ CONTROL POINT | ○ UTILITY POLE | —○— STORM SEWER |
| ● FOUND ADJACENT | —○— ANCHOR CHAIN | —○— SANITARY SEWER |
| ○ SANITARY SEWER MANHOLE | —○— LIGHT POLE | —○— WATERMAIN |
| ○ STORM SEWER INLET | ○ STUMP | —○— UNDERGROUND COMMUNICATION LINE |
| ○ STORM SEWER INLET | ○ SCISSORING TREE | —○— UNDERGROUND ELECTRIC LINE |
| ○ CURB STOP WALK | ○ CONIFEROUS TREE | —○— OVERHEAD UTILITY LINE |
| ○ HIGHWAY | ○ DECIDUOUS TREE | —○— SURVEYOR BOUNDARY LINE |
| ○ WATER GATE VALVE | ○ DRIVE/DRIVE | ○ TREE LINE |
| ○ COMMUNICATIONS PEDESTAL | ○ SOIL BORING | |
| ○ ELECTRIC METER | ○ MANHOLE | |
| ○ ELECTRIC TRANSFORMER | | |
| ○ TRAFFIC SIGN | | |

| | | |
|---|---|--|
|  Responsive partner. Exceptional outcomes. 1802 WOODDALE DRIVE WOODBURY, MN 55125 Ph: 651-385-5212 | CLIENT NAME: TCO DESIGN | PROJECT TITLE: CERTIFICATE OF SURVEY |
| | DWN BR/CHK'D XXX PROJECT NO. 5602-0001 | APP'D XXX SHEET NO. 1 OF 1 |

UNIVERSITY MICROFILMS

UNIVERSITY MICROFILMS



SITE ANALYSIS TABLE

PART OF LOT 1, BLOCK 1 CLUBHOUSE AT PONDS GOLF COURSE

| | | |
|---|------------------------------|-------------|
| EXISTING ZONING | PLANNED BUSINESS DISTRICT | |
| PROPOSED USE | SENIOR HOUSING - RESIDENTIAL | |
| LOT AREA | ***** | |
| TOTAL BUILDING AREA | ***** | |
| SETBACK SUMMARY | BUILDING | PARKING |
| FRONT / STREET ROW | 50' PER PUD | 10' PER PUD |
| WESTERN SIDE | 10' PER PUD | 10' PER PUD |
| EASTERN SIDE | 10' PER PUD | 10' PER PUD |
| REAR | 50' PER PUD | 10' PER PUD |
| IMPERVIOUS AREA SUMMARY | REQUIRED | PROPOSED |
| BUILDING | N/A | ***** |
| PAVED DRIVE / PARKING | N/A | ***** |
| SIDEWALK | N/A | ***** |
| TOTAL IMPERVIOUS AREA | ***** | ***** |
| PERVIOUS AREA | ***** | ***** |
| PARKING SUMMARY | REQUIRED | PROPOSED |
| STANDARD SURFACE PARKING | 43 STALLS | 25 STALLS |
| UNDERGROUND PARKING | N/A | 24 STALLS |
| ADA PARKING | 2 STALLS | 8 STALLS |
| TOTAL PARKING | 45 STALLS | 57 STALLS |
| ST. FRANCIS CITY CODE PARKING REQUIRED: * 1/2 STALL PER UNIT | | |



KEYNOTE LEGEND

| | |
|-----|---|
| (A) | CONCRETE SIDEWALK. SEE DETAIL. |
| (B) | GENERAL LOCATION OF MONUMENT SIGN. REFERENCE ARCH PLANS FOR DETAIL AND EXACT PLACEMENT |
| (C) | DIRECTIONAL PAVEMENT MARKING. |
| (D) | "DO NOT ENTER" SIGN. |
| (E) | "ONE WAY DAILY" SIGN. |
| (F) | "STOP" SIGN. |
| (G) | ACCESSIBLE PARKING SIGN |
| (H) | ACCESSIBLE CURB RAMP. SEE DETAIL. |
| (I) | ACCESSIBLE AISLE STRIPING--AREA STRIPED WITH 4" ***** |
| (J) | ACCESSIBLE VAN PARKING SIGN. |
| (K) | PEDESTRIAN CROSSWALK MARKING. |
| (L) | 4" WHITE PAVEMENT STRIPING--DASHED OR SOLID PER PLAN |
| (M) | SITE LIGHTING. REF PHOTOMETRIC PLANS. REF ARCH / MEP PLANS FOR ELECTRICAL ROUTINGS. MAX POLE HEIGHT 25' |
| (N) | CONCRETE PATIO WITH FENCE. REFERENCE ARCH PLANS FOR DETAIL. |
| (O) | DOOR LOCATION / STRUCTURAL STOOP. REFERENCE ARCH / STRUCTURAL PLANS |
| (P) | PAVEMENT TYPE. SEE LEGEND |
| (Q) | PAVEMENT SETBACK |
| (R) | BUILDING SETBACK |
| (S) | BUILDING OVERHANG / AWNING / CANOPY. REFERENCE ARCH / STRUCTURAL PLANS |
| (T) | RETAINING WALL BY OTHERS - REFERENCE GRADING PLAN FOR ELEVATIONS |

- ### SITE NOTES
- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY / COUNTY REGULATIONS AND CODES, AND O.S.H.A STANDARDS.
 - CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS OF AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS. PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
 - ALL DISTURBED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL, SEED, MULCH, AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
 - ALL DIMENSIONS AND RISES ARE TO FACE OF CURBS UNLESS OTHERWISE NOTED.
 - SITE BOUNDARY, TOPOGRAPHY, UTILITY, AND ROAD INFORMATION TAKEN FROM A TOPOGRAPHICAL SURVEY BY WENCK ASSOCIATES, INC, DATED 8/28/2015.
 - *****
 - CONTRACTOR SHALL REFERENCE ARCH/MEP PLANS FOR SITE LIGHTING AND ELECTRICAL PLANS.
 - TRASH WILL BE INTERNAL TO BUILDING. REFERENCE ARCH PLANS

WARNING:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 451-464-8882 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND UTILITIES, CABLES, CONDUITS, PIPES, MINORILES, WELLS OR OTHER SENSITIVE STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHICH DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG
GOPHER STATE ONE CALL
TWIN CITY AREA: (612) 642-8882
TOLL FREE: 1-800-251-7199

WENCK ASSOCIATES, INC.

Responsible partner. Responsible outcomes.

ST. FRANCIS SENIOR HOUSING
NW CORNER OF 229TH AVE NW & ZION PKWY NW
ST. FRANCIS, MN 55070

WHITE STONE CONSTRUCTION
7085 EAST FISH LAKE ROAD
MAPLE GROVE, MN 55127

| | | | | | | | | | |
|----------|-----|------------|------------|---------|---|---------|-------|-------------|-----------|
| Date | | | | | | | | | |
| Drawn by | JFA | Issue Date | 10/17/2019 | Issue # | 1 | Sheet # | C-103 | Sheet Title | SITE PLAN |

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

RESOLUTION 2018 - 02

**A RESOLUTION APPROVING A PLANNED UNIT DEVELOPMENT
AMENDMENT AND SITE & BUILDING PLAN REVIEW FOR THE ST. FRANCIS
TRANSITIONAL CARE FACILITY**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of St. Francis, Minnesota was held on the 2nd day of January, 2018. The following members were present:

Council Member _____ introduced the following resolution and moved its adoption:

WHEREAS, the City of St. Francis is a municipal corporation, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City Council of the City of St. Francis has adopted a comprehensive plan and corresponding zoning regulations to promote orderly development and utilization of land within the city; and,

WHEREAS, GD1 LLC (“Applicant”) is owner of unaddressed property near the corner of 229th Ave. NW and Zion Parkway NW (“Property”) which is legally described as follows:

All that part of Lot 1, Block 1, Clubhouse at Ponds Golf Course, Anoka County, Minnesota, lying Easterly, Northeasterly and Southeasterly of the following described line:

Commencing at the Southeast corner of said Lot 1; thence South 89 degrees 36 minutes 47 seconds West, assumed bearing, along the South line of said Lot 1, a distance of 63.68 feet to the point of beginning of the line to be described; thence North 03 degrees 58 minutes 30 seconds West, 67.57 feet; thence North 57 degrees 51 minutes 11 seconds West, 138.18 feet; thence North 25 degrees 59 minutes 38 seconds East, 368.75 feet; thence North 58 degrees 51 minutes 46 seconds West, 167.67 feet to then Northwesternly line of said Lot 1 and said line there terminating.

WHEREAS, the Property was formerly approved for a similar PUD amendment by resolution 2015-61 on November 2, 2015; and

WHEREAS, the project was never commenced by the previous applicant and the 2015 approval has since lapsed; and

WHEREAS, the Applicant is now seeking a new Planned Unit Development amendment for a senior living facility similar to the one approved in 2015; and

WHEREAS, the City determined in 2015 that the proposed use is consistent with both the Comprehensive Plan and the underlying zoning (B-2) within the existing Turtle Run PUD; and

WHEREAS, staff fully reviewed the request and prepared a report complete with findings and recommendations for Planning Commission and City Council consideration; and

WHEREAS, the Planning Commission on December 20, 2017, opened and closed a duly noticed public hearing and considered the applicant's submission, the contents of the staff report, public testimony, and other evidence available to the Commission; and made recommendations for consideration by Council; and

WHEREAS, the City Council subsequently considered on January 2, 2018, the recommendations of Staff and the Planning Commission, the Applicant's submissions, the contents of the staff report, public testimony, and other evidence available to the Council;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of St. Francis hereby approves a Planned Unit Development Amendment and site plan based on the following findings of fact:

- (1) The proposal is consistent with the Commercial designation in the City's Comprehensive Plan as senior living facilities with transitional and assisted care components are considered a permitted use in the City's B-2; General Commercial zoning district.
- (2) The City acknowledges the need for assisted living and transitional care senior living facilities in the community to provide housing with needed services to the City's growing senior population.
- (3) A senior care living housing proposal was previously approved as a PUD amendment for this property in 2015 and the revised proposal before the City at this time is substantially the same project but with certain stormwater enhancements and the addition of underground parking facilities.
- (4) The proposed project as delineated includes significant architectural and site design features which will make this facility an asset to the communities housing stock.
- (5) The proposed project will strengthen the City's housing diversity by adding a needed assisted senior component to its life-cycle housing program.
- (6) The project has the potential to add to the City's affordable housing stock and will be beneficial in the City meeting its goals under the Livable Communities Act.

- (7) With the recommended conditions attached to the approval of the planned unit development amendment, the site will maintain safe and healthful conditions.

BE IT FURTHER RESOLVED that approval of the Conditional Use Permit for the Planned Unit Development amendment shall be subject to the following conditions:

- (1) The Final Plan stage application shall include plans and materials consistent with development stage approval except as required to be updated per conditions of development stage approval.
- (2) All changes requested by the City Engineer in their review memo dated 12/13/17 shall be implemented on the final plans prior to permits being issued.
- (3) Minor updates to the approved plans as may be needed to avoid encroachment(s) into final drainage and utility easements, meet required setbacks, or to improve the site design shall be worked out with City Staff (i.e. final sign placements) during the permitting process.
- (4) The proposed landscape plan shall be revised to comply with the City's tree caliper requirements.
- (5) Trees to be preserved shall be identified, and tree preservation techniques (including protective fencing) shall be installed prior to grading.
- (6) The applicant shall satisfy the city engineer's requirements for an acceptable grading and storm water pollution prevention plan.
- (7) Adequate erosion control shall be in place throughout the duration of the project.
- (8) Ground cover shall be established with final landscaping as quickly as possible following final grades and completion of construction activities.
- (9) Any damage to adjacent roadways caused by construction activities or deliveries related to this project shall be repaired at the applicant's expense.
- (10) The applicant shall enter into a development agreement with the city specifying the responsibilities, securities, and timeline for project completion.
- (11) A financial security (or securities), shall be provided to the city to ensure the installation of proposed site improvements including but not limited to; landscaping, lighting, grading, and stormwater management.
- (12) The property owner shall adhere to all applicable governmental regulations, secure all necessary licenses, and shall obtain all necessary permits to authorize construction, establishment, and continued operation of the proposed use.
- (13) The site plan shall include an access driveway to the rear of the building for fire-safety purposes as directed by the City Fire Marshall.

(14) A trail easement will be supplied along 229th Ave. as previously proposed in the draft 2015 development agreement.

The motion for adoption of the foregoing resolution was duly seconded by Council Member _____ and, upon vote being taken thereon, the following voted in favor thereof: _____. The following voted against or abstained: _____.

Whereupon the resolution was declared duly passed and adopted the 2nd day of January, 2018.

Joseph Muehlbauer, Mayor Pro-Tem

ATTEST:

Barbara I. Held, City Clerk

Dated

The undersigned Applicants have read, understand and hereby agree to the terms of this resolution and on behalf of himself/herself, his/her heirs, successors and assigns, hereby agree to the conditions set forth above, and to the recording of this resolution and attachments in the chain of title of the property.

Dated _____

GD1 LLC

Subscribed and sworn to before me this _____ day of _____, 2018.

Notary Public

City of St Francis City Council Agenda Item
Executive Summary

Title of Item: **CONDITIONAL USE PERMIT:** A request from Meridian Behavioral health, LLC, to construct a new in-patient chemical dependency treatment center on Lot 1, Block 1, Meadows of St. Francis 2nd Addition – PID 06-33-24-11-0084. This request is very similar to the facility that was previously approved in May 2013, but was never constructed.

Meeting Date: **1-2-18**

Staff Reporting: **Ben Gozola, City Planner**

Summary: Meridian Behavioral Health is seeking re-approval of a conditional use permit for an in-patient chemical treatment facility on Lot 1, Block 1, Meadows of St. Francis 2nd Addition.

In May of 2013, the City approved both a rezoning of the subject property and a conditional use permit (CUP) to allow construction of a new Meridian Behavioral Health facility within the City of St. Francis. While the rezoning of the land was successfully completed, economic considerations forced the applicant to delay construction of the project until the present time. This new CUP application is needed to re-establish the previous approval, and is seeking to authorize updates to the site plan to address updated storm water and building operation requirements that have come into play since the previous approval.

Recommendations:

- **Both staff and the Planning Commission believe the CUP can be approved with conditions.**
- **Template motions, recommended findings, and suggested conditions can be found on pages 14 through 16.**

List of Attachments:

- A) *Staff Report*
- B) *Engineering Memo*
- C) *Applicant's submittals*

City of St. Francis Planning Department
CUP Report

To: **City Council**

From: Ben Gozola, City Planner

Meeting Date: **1-2-18**

Applicant: **Meridian Behavioral Health, LLC**

Property Owner: (same)

Location: Lot 1, Block 1, Meadows of St. Francis 2nd Addition

Zoning: **R-4**

Introductory Information

Project: Meridian Behavioral Health is seeking re-approval of a conditional use permit for an in-patient chemical treatment facility on Lot 1, Block 1, Meadows of St. Francis 2nd Addition.

History: In May of 2013, the City approved both a rezoning of the subject property and a conditional use permit (CUP) to allow construction of a new Meridian Behavioral Health facility within the City of St. Francis. While the rezoning of the land was successfully completed, economic considerations forced the applicant to delay construction of the project until the present time. This new CUP application is needed to re-establish the previous approval, and is seeking to authorize updates to the site plan to address updated storm water and building operation requirements that have come into play since the previous approval.

CUP Request(s):

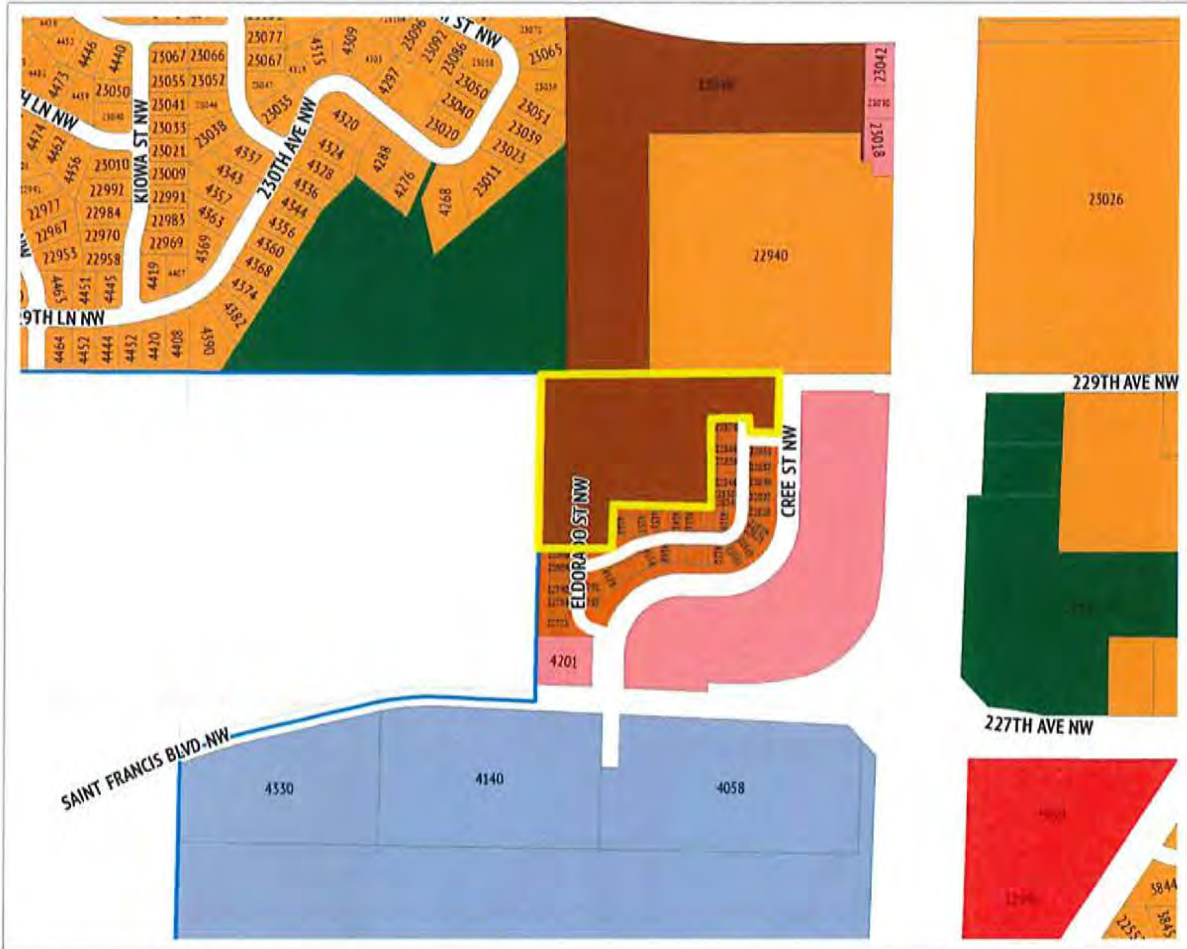
- The application is requesting a Conditional Use Permit to establish, construct, and maintain an "In-patient chemical dependency treatment center."
- This use is conditionally permitted in the R-4 zoning district which means the use is permitted provided all code provisions are met.

Findings

Site Data:

- Lot Size ≈ 8.21 acres (357,621 sq ft)
- Existing Use – open space
- Existing Zoning – R-4
- Property Identification Number (PID): 06-33-24-11-0084

- Comp Plan Guidance:** ■ The comprehensive plan guides this property for high-density residential. The proposed use under R-4 zoning is therefore appropriate.



Lot 1, Block 1, Meadows of St Francis 2nd Addition



Location within the City of St Francis



SITE IDENTIFICATION MAP



Application Review:

Applicable Code Definitions:

CHEMICAL DEPENDENCY TREATMENT CENTER: A facility required to be licensed by the state or county that provides one or more persons with twenty-four (24) hour per day care, food, lodging, training, education, supervision, habilitation, rehabilitation, or treatment outside a person’s own home for the purposes of relieving chemical dependency. Facilities are limited to those licensed and/or regulated by the Department of Human Services and the Department of Health.

CONDITIONAL USE: A use which, because of special problems of control the use presents, requires reasonable, but special, unusual and extraordinary limitations peculiar to the use for the protection of the public welfare and the integrity of the City Comprehensive Plan.

CONDITIONAL USE PERMIT: A permit issued by the City Council in accordance with procedures specified in this Ordinance, as a flexibility device to enable the City Council to assign dimensions to a proposed use or conditions surrounding it after consideration of adjacent uses and their functions and the special problems which the proposed use presents.

RESIDENTIAL CARE FACILITY, STATE LICENSED: Any program, defined by Minnesota Statutes section 245A.02, subdivision 14, that provides twenty four (24) hour a day care, supervision, food, lodging, rehabilitation, training, education, habilitation, or treatment outside a person's own home, including a nursing home or hospital that receives public funds, administered by the commissioner of the Department of Human Services to provide services for five (5) or more persons whose primary diagnosis is mental retardation or a related condition or mental illness and who do not have a significant physical or medical problem that necessitates nursing home care; a program in an intermediate care facility for four (4) or more persons with mental retardation or a related condition; a nursing home or hospital that was licensed by the commissioner of the Department of Human Services on July 1, 1987, to provide a program for persons with a physical handicap that is not the result of the normal aging process and considered to be a chronic condition; and chemical dependency or chemical abuse programs that are located in a hospital or nursing home and receive public funds for providing chemical abuse or chemical dependency treatment services under Minnesota Statutes 254B. Residential programs include home and community-based services for persons with mental retardation or a related condition that are provided in or outside of a person's own home.

Applicable Codes:

- **Chapter 10, Section 6: Conditional Use Permits**
Outlines the general standards required of all conditionally permitted uses within the City of St. Francis.
- **Chapter 10, Section 59: R-4 High Density Residential District**
Outlines allowed uses within the R-4 zoning district. Chemical dependency treatment centers are conditionally permitted in this district.

***Applicant's
Narrative:***

Background

The proposed Meridian Behavioral Health project is an in-patient dependency treatment center with 48 beds. The project legal description is Lot 1 Block 1 Meadows of St. Francis 2nd Addition located west of the intersection of Cree St. NW and 229th Ave. NW. The proposed building will be a single-story structure, at 20,454 GSF. This facility will be opened 24 hours for in patient chemical dependency. The project site is currently zoned R4- High Density Residential and allows for an in-patient chemical dependency treatment center with a conditional use permit.

The comprehensive plan has this area shown to be high density residential, which the proposed use is compatible.

Building

The proposed building will be a one-story wood frame construction over a concrete slab-on- grade. The exterior finishes include a brick masonry base with an architectural precast concrete sill. Above the base will be two types of cementitious siding, 7" lap side and 4" lap siding. The asphalt roof will be primarily Hip roof with three Gable roof areas, one designating the front entrance. The roof truss bearing will be 10' above finish floor. The roof ridge will be at 24'-0" above finished floor elevation. The facility will house 48 residents in 12 shared bedrooms (4 residence per room) at each end with supporting Group Rooms, Toilets and Offices. The central area will accommodate the controlled entrance, reception, medical, fitness and dining services. Trash / recycling enclosure will be located on the back side of the building. All entrances and exits will be controlled and monitored.

Signage

A signage package for the development will be forthcoming for separate approval. The building will have wall mounted signage in addition to a monument sign near the main entrance at intersection of Cree St. NW and 229th Ave. NW. All signage will adhere to City Code.

Site

The site is approximately 8.21 acres and is currently vacant and un-developed, with existing stormwater pond that will serve our proposed project along with surrounding residential development. The site is currently zoned as a R-4 High Density Residential, and is designed to meet zoning standards. Setbacks for the property are per the table below. The proposed facility will meet the required setbacks, with the exception of the first 125 feet of driveway entrance, which encroaches 7 feet into the side yard setback. This encroachment is due to the orientation of the adjoining 229th Ave NW. The proposed driveway is aligned center-to-center with 229th and begins a gradual sweep south to enter the site. This large sweep is designed with traffic safety in mind entering the facility. To avoid the side yard encroachment, either the entrance drive would be installed off center from 229th, or a severe turn immediately after entering the site would be required, which would increase risk for traffic entering and exiting the facility.

(cont.)

| | Building Setback | | Pavement Setback | |
|--|------------------|-----------------|------------------|-----------------|
| | <i>Required</i> | <i>Proposed</i> | <i>Required</i> | <i>Proposed</i> |
| Front Yard B-2 & R-3 (East) | 60 Feet | 60 Feet | 30 Feet | 30 Feet |
| Side Yard R-1 & R-4 (North) | 50 Feet | 110 Feet | 25 Feet | 58 Feet (AVG) |
| Side Yard R-3 (South) | 25 Feet | 130 Feet | 25 Feet | 35 Feet |
| Rear Yard (West) 30 Feet from delineated wetland | 30 Feet | 60 Feet | 30 Feet | 30 Feet |

Within the R-3 District, the total allowable impervious surface is limited to 50% of the site area. The proposed development has approximately 84,594 SF of impervious area, which includes the 20,454 SF building footprint. The proposed impervious area is approximately 24% of the total site area.

Access and Parking

Site access is provided at the northeast corner of the site, off intersection of Cree St. NW and 229th Ave. NW. Entrance drive is 24' wide and runs south west leading to two parking areas.

Parking area east of building is for ADA accessibility and visitor parking. The second parking area south of the building is employee and overflow parking for visitors. A vehicular drop-off is located in front of the main entrance. The facility has 48 beds and the parking has been sized at one stall per bed plus largest employee shift.

Deliveries to the building will follow the ring road around to the west side of the building at a dedicated delivery access. Delivery vehicles will load and unload externally from the building. The building trash enclosure is located on the west side of the building adjacent to the delivery drive. This ring road also serves as fire access for the facility.

Landscaping and Tree Preservation

Landscaping is designed to provide site character and blend into the surrounding existing tree canopy. We plan to preserve existing trees that fall outside of the grading limits and provide screening from abutting residential properties. The project has proposed a planting schedule which provides ample landscaping and screening for the site. The types (species) of new trees and minimum size specified meets the City ordinance. The proposed trees in addition to the existing trees that plan to be saved we are near the required percentages. An existing tree survey has not been completed, but after reviewing existing site aerial images the assumption is that there are sufficient trees preserved and that they are of a reasonable size and species to meet the total required caliper inches and complement percentages.

(cont.)

Grading and Drainage

Proposed site grades are generally between 1.2% and 4.0% within drive aisles and parking areas. The northwest side of site has a 4' tall retaining wall and serves as a natural separation from the wetland. The parking lot and drive aisles will be bounded with curb and gutter to collect stormwater runoff and direct it to the onsite stormwater infiltration basins. Overall grades within greenspace areas are typically kept at 20%, though some areas may steepen to a maximum of 3:1.

Stormwater Treatment

The City of St. Francis requires stormwater treatment to be provided for all new development. The site has an existing wet stormwater pond with a normal water level of 904' in the southeast corner. This pond serves the adjacent residential development and was designed to accommodate additional runoff from future residential on the site. The proposed development will install three infiltration basins in the northeast and southwest areas of the property. These basins will provide treatment for the runoff generated and will infiltrate the instantaneous runoff volume of one inch over the new impervious surfaces on site. The southwest basin is split into two sub basins in order to avoid stormwater encroachment over the utilities running to the south. Both infiltration basins will discharge to the existing pond which will be utilized for rate control. The existing outlet for the pond will be re-aligned to avoid conflicts with the proposed building. Discharge rates will be less than existing runoff rates for all design storms through the existing pond and proposed outlet control structures.

Per the Minnesota Pollution Control Agency, infiltration basins provide 100% removal efficiency of all pollutants within the infiltrated stormwater volume. The City of St. Francis requires no increase in the amount of total suspended solids and total phosphorous from the site. The proposed infiltration basins provide an overall reduction of pollutants within the stormwater runoff via infiltration of the required water quality volume. Though soils are typically type A throughout the site, type B was used for conservative modeling purposes.

Utilities

The proposed facility will connect to existing City sanitary and water lines within the public utility easement along Eldorado Street NW to the south. The existing lines have capacity to serve the proposed development.

The 8" PVC watermain will be looped to the existing 8" watermain within the public utility easement on the northeast corner of the property. The proposed 6" combined water service will tee off of the proposed watermain. The water service will split internally for domestic potable and fire service flows. The building will be sprinklered. One new hydrant is proposed on the northeast corner of the building, which provides full building coverage and fire access. An existing hydrant in the northeast corner of the site will be relocated adjacent to the proposed entrance drive.

(cont.) The existing sanitary stubs to the site are within a public utility easement. The proposed sanitary is an 8" PVC main that will connect to and extend the public sanitary main that serves the adjacent residential properties. This main will be extended to the front of the proposed building and terminated with a manhole. The proposed sanitary service for the facility will be a 6" PVC service to this manhole.

Both the proposed 8" watermain and 8" sanitary main are within a proposed public utility easement per the section below.

Site lighting will be provided via pole mounted fixtures around the perimeter of the parking lot and site entrance. Pole height will be limited to 25 feet. Additional decorative pole mounted fixtures at the building entrance and wall mounted fixtures around the building will be added as necessary as design progresses.

Easements

The site currently has easements that were platted to serve the proposed development from the initial rezoning during May of 2013. These easements include a 30' wide Public Utility and City Utility Easement (Doc. No. 532481.002) that overlaid the proposed public watermain and sanitary, a 24' wide Access Easement (Doc. No. 53248.002) that provided access to the existing stormwater pond, and a 20' wide Public Drainage and Utility Easement that overlaid the proposed outlet from the existing stormwater pond to the wetland.

All three of these easements were platted with the original design from 2013. The new building layout and site orientation is not conducive to the reuse of these existing easements. For the proposed design, all three easements are to be vacated and new easements are proposed. All three proposed easements serve the same purpose as the existing easements, simply with slightly different alignments to serve the new facility. An easement vacation exhibit and new legal descriptions of the proposed easements are included with this submittal.

St. Francis Meridian Behavioral Health Development Schedule

- November, 2017 – CUP Application to the City of St. Francis
- Winter, 2018 – Building Permit Application
- Summer, 2018 – Begin Construction
- Spring, 2019 – Building occupancy

Chemical Dependency Treatment Center Standards:

- There are no specific CUP standards listed in code for this type of conditionally permitted use in the R-4 district. All general CUP standards will therefore be the City's guiding review criteria.

**CUP Standards
Review:**

Issuance of a CUP requires an analysis of the proposed use against the specific review criteria established in code. Staff has reviewed the City's criteria for conditionally permitted uses, and we offer the following analysis for consideration:

General review Criteria (10-6-3):

1. ***The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the Official City Comprehensive Plan.***

Staff Comment: The city's Comprehensive Plan guides this property for high-density residential, and the corresponding zoning district for this land use classification is R-4. Per the zoning ordinance, Chemical Dependency Treatment Centers are a conditionally permitted use in this zoning district, so the proposed use is consistent with the City's Comprehensive Plan. **Criteria met.**

2. ***The proposed use is or will be compatible with present and future land uses of the area.***

Staff Comment: The site is adjacent to the Meadows of St. Francis Townhome Development which is only partially developed to the south of the subject site. Proposed parking on this site will come within 80 feet of one existing residence, and the proposed building will be a full 250 feet from the nearest residence. These distances combined with the proposed landscaping along the southern property boarder should provide adequate separation between the two land uses. **Criteria met.**

3. ***The proposed use conforms with all performance standards contained in this Ordinance.***

Staff Comment: The following is a summary of the various performance standards listed in code (see section 10-6-4):

- a) ***The use and the site in question shall be served by a street of sufficient capacity to accommodate the type and volume of traffic which would be generated and adequate right of way shall be provided.***

Staff Comment: In 2013, previous staff completed an analysis to compare the proposed use to the townhomes that were previously contemplated for this area. It was determined that the treatment center would generate approximately 327 trips/day for a 50 employee as compared to the 375 trips per day that were anticipated if townhomes were constructed. As the revised facility is similar in both size and anticipated number of employees, staff finds this previous analysis continues to hold true with this application. **Criteria met.**

(cont.)

- b) *The site design for access and parking shall minimize internal as well as external traffic conflicts and shall be in compliance with Chapter 19 of this Ordinance.*

Staff Comment:

- **Site Access** – The proposed site access off the intersection of Cree Avenue NW & 229th Ave NW in the northwestern corner of the Meadows Development will keep most traffic to and from this site away from the existing townhomes to the south as traffic will naturally come directly from the highway. Dead-ending Eldorado St NW within the existing townhome development will also push entering and exiting traffic to 229th.
- **Internal Traffic Flow & Conflicts** – The City Engineer has reviewed the plans and did not find any issues of note regarding internal traffic flows and/or conflicts. It was requested that all existing & proposed traffic controls (i.e. stop signs) be shown on future plans for review and approval.
- **Parking** – The City previously determined in 2013 that the applicable requirement for this use is one (1) space per six (6) patient beds, plus one (1) space per employee on the largest work shift; so we are holding this revised proposal to the same standard. There are sixty-two (62) spaces proposed on site, and a total of 50 employees anticipated to work at the facility. Even if the large shift included every employee, the proposed number of spaces would be sufficient.
- **Parking Setbacks** – All proposed parking is well inland to the site, so staff has no concerns about setbacks.

Criteria met with conditions.

- c) *If applicable, a pedestrian circulation system shall be clearly defined and appropriate provisions made to protect such areas from encroachment by parked or moving vehicles.*

Staff Comment: A pedestrian circulation system/plan is unnecessary with this application. In general, there does not appear to be anything out of the ordinary with the parking lot design, and a walkway is being provided adjacent to the building to provide direct access to all parking areas. **Criteria met.**

- d) *Adequate off-street parking and off-street loading shall be provided in compliance with Chapter 19 of this Ordinance.*

Staff Comment: As previously noted, the site meets parking requirements as designed. No off-street loading docks are required by code, but one is proposed on the rear of the building facing the wetland to the NW. **Criteria met.**

(cont.)

- e) *Loading areas and drive-up facilities shall be positioned so as to minimize internal site access problems and maneuvering conflicts, to avoid visual or noise impacts on any adjacent residential use or district, and provided in compliance with Chapter 19 of this Ordinance.*

Staff Comment: The one proposed loading area is well screened from adjacent properties, so staff sees no problem with its inclusion. We do not anticipate any problems with site access, on-site maneuvering, or nuisances as a result of the design. **Criteria met.**

- f) *Whenever a non-residential use is adjacent to a residential use or district, a buffer area with screening and landscaping shall be provided in compliance with Chapter 20 of this Ordinance.*
- g) *General site screening and landscaping shall be provided in compliance with Chapter 20 of this Ordinance.*

Staff Comments:

- Per section 10-20-4(B)(5)(b)(1), the required number of trees is equal to the gross square footage of the building divided by 320. Based on a 20,454 square foot building, the required number of trees is 64. Per the proposed planting plan, 137 trees (or 376 caliper inches of tree) are proposed to be planted around the site periphery in excess of city requirements.
- Regarding the mix of trees and shrubs, the planting plan is also conforming to code as 33.5% of the plantings are proposed to be deciduous (minimum 25% required), 25% are proposed to be coniferous (minimum 25% required), and 14.4% are proposed to be ornamental (minimum 10% required).
- Multiple species of deciduous and evergreen trees are proposed as required.
- Spacing/opacity requirements appear to be met.
- As a condition of approval, all open areas of the site not occupied by the building, parking, or other improvements shall be either seeded or sodded as may be approved by the City Engineer.

Both criteria met.

- h) *All exterior lighting shall be so directed so as not to cast glare toward or onto the public right of way or neighboring residential uses or districts, and shall be in compliance with Section 10-16-8 of this Ordinance.*

Staff Comment: The revised photometric plan that shows lighting will never exceed 0.1 foot candles on adjacent property at the shared property line. This plan is in compliance with City standards.

(cont.)

Regarding the proposed fixtures, all must contain a cut-off to direct light at an angle of 90 degrees or less downward, and each free-standing fixture shall not exceed 25' in height. **Criteria met with conditions.**

- i) *Potential exterior noise generated by the use shall be identified and mitigation measures, as may be necessary, shall be imposed to ensure compliance with Section 10-16-12 of this Ordinance.*

Staff Comment: Staff does not anticipate any problems with exterior noise as a result of the proposed use. **Criteria met.**

- j) *The site drainage system shall be subject to the review and approval of the City Engineer.*

The City Engineers have reviewed the proposed storm water management plan provided by the applicant, and their initial analysis it outlined in the attached Engineer's memo. Revisions and changes as outlined in the memo for all engineering items should be a condition of any approval recommendation. **Criteria met with conditions.**

- k) *The architectural appearance and functional design of the building and site shall not be so dissimilar to the existing or potential buildings and area so as to cause a blighting influence. All sides of the principal and accessory structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment.*

Staff Comment: The proposed building incorporates high-quality materials throughout in conformance with the requirements of code. All faces of the building are also treated consistently with the lone exception of modular brick being used on the western side of the building as opposed to face brick which will be used on the other three sides. Staff is OK with this approach. **Criteria met.**

- l) *All signs and informational or visual communication devices shall be in compliance with Chapter 23 of this Ordinance.*

Staff Comment: The applicants have identified the location for an entrance monument near the entrance at 229th Avenue NW. Per section 10-23-8(D), one permanent area identification sign is allowed not to exceed sixty (60) square feet in sign area and ten (10) feet in height. A future sign permit application will need to show conformity to this and all other applicable code standards. If desired, one business wall sign of up to two square feet can also be permitted on the structure. **Criteria met.**

(cont.)

- m) *The use and site shall be in compliance with any Federal, State or County law or regulation that is applicable and any related permits shall be obtained and documented to the City.*

Staff Comment: Staff would recommend that any approval of this CUP be conditioned on successfully adherence to all applicable governmental regulations and obtaining of all necessary permits to authorize construction and establishment of the use. **Criteria met.**

- n) *Any applicable business licenses mandated by the City Code are approved and obtained.*

Staff Comment: Staff would recommend that any approval of this CUP be conditioned on successful acquisition of any needed business licenses mandated by City Code. **Criteria met.**

- o) *The hours of operation may be restricted when there is judged to be an incompatibility with a residential use or district.*

Staff Comment: The nature of this use dictates that it will be a 24-hour a day, 7-day a week facility, and the use has already been deemed conditionally permitted in this zoning district. Provided all other requirements are met or can be met with conditions, there will be no incompatibility. **Criteria met.**

- p) *The use complies with all applicable performance standards of the zoning district in which it is located and where applicable, any non-conformities shall be eliminated.*

Staff Comment: All proposed structures (and the use itself) will be conforming to R-4 performance standards; and all setbacks, height, and impervious surface standards are being met. Subject to all engineering requirements, this **criteria is met.**

- q) *All additional conditions pertaining to a specific site are subject to change when the Council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying or expanding the conditions set forth herein.*

Staff Comment: As a condition of approval, the applicant shall be put on notice that modifications or expansion to conditions for public safety or public betterment may be considered by Council at a future date. **Criteria met.**

- (cont.) 4. **The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.**

Staff Comment: The City Engineers fully reviewed the sewer and water system serving this site, and their initial analysis it outlined in the attached Engineer's memo. Revisions and changes as outlined in the memo for all engineering items should be a condition of any approval recommendation. **Criteria met with conditions.**

5. **Traffic generation by the proposed use is within capabilities of streets serving the property.**

Staff Comment: As previously indicated, traffic from the previously planned for townhome use in this area was estimated to generate 375 trips per day as compared to the 327 trips per day anticipated for the proposed use. As the streets and intersections were designed for a greater number of vehicles, we do not find any deficiencies in the existing system. **Criteria met.**

Additional Information:

- Even though the project does not directly front on Highway 47, MnDOT was provided with the development plans and was asked to provide if desired. As of the penning of this report, no feedback has been offered. Staff will present such feedback at the meeting should it be received prior to the 20th.

Engineering Review:

- An Engineering review memo of the proposed plans was penned by Hakanson Anderson and is attached to this report.

Public Comment:

- Staff has not received any feedback from surrounding property owners as of 12/13/17.
- The Planning Commission held a public hearing on this matter at their meeting on December 20, 2017, and the following is a summary of the public comments received:
 - Further traffic increases on Highway 47 will eventually require that an overpass be provided for kids to get to school. Is that being examined?
 - One resident applauded the number of trees that were being planted, but expressed concern about how the use is run (i.e. is this a day-treatment facility or are these full-time residents?). The applicant clarified that the facility will house full-time residents who are their voluntarily, and there are procedures in place for both the intake of new patients, and the departure of existing patients.
 - Two residents expressed concern about the clients and asked if patients get out, will they harm people? One was also concerned that a family member may return to town if they can get help in St. Francis.

(cont.)

- One resident stated support for the facility and indicated more treatment centers are needed in society today.
- One resident expressed concern about lighting, but was satisfied when told the plans showed conforming light levels at the property lines.

**Planning
 Commission
 Rec:**

- The Planning Commission recommended approval of the requested CUP based on the findings of fact listed in the report subject to the recommended conditions.

Conclusion:

The application is requesting a Conditional Use Permit to establish, construct, and maintain an "In-patient chemical dependency treatment center" on Lot 1, Block 1, Meadows of St. Francis 2nd Addition.

Recommendation: APPROVAL with conditions

**Commission
 Options:**

The City Council has the following options:

- A) APPROVE THE REQUEST based on the applicant's submittals and findings of fact.
- B) DENY THE REQUEST based on the applicant's submittals and findings of fact.
- C) TABLE THE ITEM and request additional information.

- Based on an application date of 11/9/2017, the 60-day review period for this application expires on 1/8/2018. This deadline can be extended an additional 60 days if more time is necessary.

**Template Denial
 Motion:**
 (not recommended)

- "I move to deny the requested conditional use permit based on the following findings of fact:"
 - (provide findings to support your conclusion)

**Template Approval
 Motion:**
RECOMMENDED

- "I move to approve the requested conditional use permit based on the findings of fact listed on pages 14 & 15 of the report subject to the conditions listed on pages 15 & 16."

***Suggested Findings
of Fact:***

1. The subject site is guided for residential use, and in-patient chemical dependency treatment centers are a conditionally permitted use within the R-4 zoning district.
2. The proposed separation distance between the facility coupled with proposed landscaping will ensure this permitted use will continue to be compatible with surrounding land uses.
3. The proposed direct connection to 229th Avenue NW will ensure traffic is not an issue and is consistent with anticipated traffic levels for this site.
4. Proposed parking has been deemed to be adequate for the use and is consistent with the City's minimum parking standards.
5. All proposed buildings and parking spaces meet required setbacks.
6. Proposed landscaping materials are acceptable, and the proposed planting plan is in conformance with City standards.
7. Proposed lighting will not cast glare onto the public right-of-way or adjacent property in a manner that is inconsistent with code.
8. The proposed building materials to be used are of high quality and are consistent with City standards for residential structures.
9. Stormwater plans will be in conformity with local standards once all engineering issues are addressed, and post-development runoff rates will be less than existing run-off rates once the project is complete.
10. The proposed use can be adequately served by the City's sewer and water infrastructure, and will not be a burden on city services.

***Recommended
Conditions:***

1. Construction shall be consistent with all plans approved as part of this conditional use permit except as required to be updated by City Staff to conform to conditions of approval.
2. All changes requested by the City Engineer in their review memo dated 12/13/17 shall be implemented on the final plans prior to permits being issued.
3. Minor updates to the approved plans as may be needed to avoid encroachment(s) into final drainage and utility easements, meet required setbacks, or to improve the site design shall be worked out with City Staff (i.e. final sign placements) during the permitting process.
4. An NPDES Construction Permit from the MPCA shall be obtained by the applicant.

- (cont.)
5. All exterior lighting shall include cut-offs to direct light at an angle of 90 degrees or less downward, and each free-standing fixture shall not exceed 25' in height.
 6. The use shall be in compliance with all Federal, State, or County laws and regulations that are applicable, and all related permits shall be obtained and documented to the City.
 7. The property owner shall adhere to all applicable governmental regulations, secure all necessary licenses, and shall obtain all necessary permits to authorize construction, establishment, and continued operation of the proposed use.
 8. The applicant shall enter into a development agreement with the city specifying the responsibilities, securities, and timeline for project completion.
 9. A financial security (or securities), shall be provided to the city to ensure the installation of proposed site improvements including but not limited to; landscaping, lighting, grading, and stormwater management.
 10. The applicant shall recognize that modifications or expansion to conditions for public safety or public betterment may be considered by Council at a future date.
 11. The applicant shall successfully complete an easement vacation for an existing drainage and utility easement, and shall establish a new drainage and utility easement conducive to the proposed improvements on the site prior to issuance of a building permit.

cc: Kenith Piper, Applicant Representative



**ENGINEERING REVIEW
for the City of St. Francis
by
Hakanson Anderson**

Submitted to: City of St. Francis

cc: Joe Kohlmann, City Administrator
Benjamin Gozola, City Planner
Kate Thunstrom, Community Development Director
Craig Jochum, City Engineer

Reviewed by: Shane Nelson, Assistant City Engineer

Date: December 12, 2017

Proposed Project: Meridian Behavioral Health

Street Location: Lot 1, Block 1 Meadows of St Francis 2nd Addition

Applicant: Jolene Hoysler, Meridian Behavioral Health

Owners of Record: Anoka Property Holdings, LLC

Purpose: Residential Treatment Center

Jurisdictional Agencies: City of St. Francis, MPCA, MDH
(but not limited to)

Permits Required: City Approval, NPDES Construction Permit, MPCA Sanitary
(but not limited to) Sewer Extension, MDH Water Extension

INFORMATION AVAILABLE

Meridian Behavioral Health Submittal Stage Plans, dated 11/16/17, prepared by Wenck Associates and Pope Architects

Meridian Behavioral Health Stormwater Management Calculations, dated 11/16/17, prepared by Wenck Associates

Conditional Use Permit application, dated 11/9/17

Easement Documentation, dated 11/15/17, prepared by Wenck Associates

SITE ACCESS / VEHICULAR TRAFFIC

1. The site is proposed to gain access from 229th Avenue and Cree Street, which are public streets.
2. The access road is aligned center-line to center-line with 229th Avenue, which is encouraged. Applicant shall depict existing traffic controls (i.e. stop signs) so it can be determined if any changes are necessary.

SEWER AND WATER UTILITIES

1. Sanitary sewer to the site is available at Eldorado Street, as shown.
2. There is an existing sanitary sewer that is in-line with a northerly extension of Dakota Street. The grading plan depicts a berm in this area directly over the sanitary sewer manhole. All manholes must be accessible by maintenance equipment via a paved surface. Consider removing approximately 100' of sewer pipe and constructing a new manhole to the south if the existing sewer line will not be utilized for this development.
3. Domestic water is available to the site at Eldorado Street and the northerly extension of Dakota Street, as depicted in the plans. A watermain loop is proposed through the site.
4. Please add notes to "Tie into existing tracer wire" at water main connections.
5. On Sheet C-401 - Note 20. Per City standards rod extensions are always required on gate valves. Please revise note.

GRADING, DRAINAGE AND EROSION CONTROL

1. A 15' wetland buffer is required adjacent to the wetland in the northwest corner of the site. Please depict on the plans, including signage.
2. The silt fence is depicted within the wetland buffer. Permanent restoration of the buffer is required. Please provide a site specific restoration plan inclusive of seed mix and timing.
3. Grading is proposed near Cree Street and 228th Avenue. Erosion control (i.e. silt fence) will be required in this area.
4. The 2-Yr, 10-Yr, and 100-Yr HWL elevations shall be labeled on all ponds and wetlands on the site.
5. The HWL shall be labeled on the infiltration basins.

6. Pond A outlet and outlet control structure must be accessible for inspection and maintenance. Access routes shall be a minimum of 10' wide, shall be clearly labeled on the plans and within an easement, and shall have a longitudinal gradient of 8% or less.
7. The infiltration basins do not appear to have 3' separation to groundwater, which is required. Please provide additional information and/or revise the design.

STORMWATER MANAGEMENT

1. The infiltration basins and internal storm sewer system, once constructed, will be a private system. The property owner will be required to enter into a maintenance agreement to ensure the long term operation and maintenance.
2. Provide double ring infiltrometer tests to verify infiltration rates meet or exceed the designed rate.
3. As noted, the infiltration basins shall not be constructed until the contributing area is stabilized and after constructed shall be tested to ensure infiltration rates are greater than or equal to stated design parameters.
4. Outlet structure OCS-4 requires 12" of water covering the inlet to provide sufficient skimming.
5. Detail 3-C800 does not match city standard skimmer detail. Please revise.
6. Riprap thickness (on detail 4-C800) must be at minimum equal to the largest rock size.
7. It is unclear why two outlet structures are proposed for the southeast infiltration basin. Please explain.
8. Figure 3 – Proposed watershed map does not match grading plans provided in the civil set. Please revise.
9. Water sheds P1, P6, P3, and P4 do not match proposed grading as provided in the civil plans. Please revise.
10. FES 3 is too close to FES 7 and will result in short circuiting. Per City standards, separation is required to be 50% of the pond length.
11. Details for OCS-5 is mislabeled on the stormwater details.
12. Storm water table values for the proposed 10 year do not agree with the model calculations.
13. Provide water quality calculations and summarize in the narrative. The MIDS Calculator as available on the MPCA website or P8 are acceptable methods.

OTHER ITEMS

1. Final Plans must be certified.
2. Scale is not complete on existing conditions plan.
3. Cree Street is mislabeled on all sheets.



23340 Cree Street NW, St. Francis, MN 55070

Community Development
Department Phone: 763.753.2630

This Building Permit was received by: *JS*

| | |
|-------------------|----------------|
| Application Date: | |
| Fee: \$350 | Escrow: \$2000 |

NOV 16 2017

PERMIT APPLICATION

City of St. Francis
PERMIT YOU ARE REQUESTING:
St. Francis, MN 55070

CONDITIONAL USE

INTERIM USE

| | | | |
|--|--|--|--|
| PROPERTY INFORMATION <small>If multiple properties, attach separate sheet</small> | PARCEL ID #: 06-33-24-11-0084 | COMP PLAN FUTURE LAND USE: (HD) Apartments | |
| | LEGAL DESCRIPTION: <i>LOT 1 BLOCK 1 MEADOWS OF ST. FRANCIS 2ND ADD</i> | ZONING DISTRICT: R4 - High Density Residential | |
| | PROJECT ADDRESS: NA | LOT SIZE: 8.2 Acres | |
| | OWNER INFORMATION | | |
| NAME: Jolene Hoysler Meridian Behavioral Health, LLC | | ADDRESS: 550 Main Street Suite 190 | |
| CITY: New Brighton | STATE: MN | ZIP: 55112 | |
| PHONE: 763-670-9396 | EMAIL: <i>JOLENE.HOYSLER@MERIDIANPRODUCTIONS.COM</i> | | |
| APPLICANT <small>If different than owner</small> | NAME: | PHONE: | |
| DESCRIPTION OF REQUEST | We are requesting approval of a conditional use permit allowing Meridian to build a facility detailed in attached package. | | |
| REASON FOR REQUEST | The proposed use of In-patient chemical dependency treatment center is a approved conditional use within the R-4 District. | | |
| ORDINANCE REQUIREMENT | R-4, High Density Residential District, 10-59-4: Conditional Uses | | |

Submittal Materials

The following materials must be submitted with your application in order to be considered complete. A complete application must be made by the application deadline for the Planning Commission meeting for which you wish to be heard. If you have any questions or concerns regarding the necessary materials, please contact the Community Development Department.

MATERIALS

Survey, site plan, and development plans. Three (3) sets of large scale drawings; one legible set of 8 1/2" x 11" or 11" x 17" reductions. Additional sizes and copies may be requested and required by the City for application completion. The following information must be included:

- Map or plat showing the lands proposed for the conditional use permit and all land within 350 feet of the boundaries of the property.
- Survey of the property showing all property lines, topography, existing and proposed structures (including dimensions and distances to property lines and other buildings), existing streets, alley, private roads, and fire lanes and easements.
- Access points, driveways, and parking areas including striping and number of spaces.
- Landscaping and ground cover including existing to be retained, existing to be removed, and proposed – all identified by size, type species, and quantity.
- Grading, drainage, and stormwater plans with existing and proposed topography prepared by a professional civil engineer registered in the state and adopted.
- Utility plans prescribing locations for city water, sewer, fire hydrants, manholes, power, telephone, and cable lines, natural gas mains, and other service facilities prepared by a professional civil engineer registered in the state and adopted.
- General floor plans and elevations for all existing and proposed structures.
- Proposed signage.
- Site lighting.
- A legend identifying the legal description, size of parcel, use(s) and square footage, number of units and density of residential, building height, floor area ratio, ground floor area ratio, impervious surface ratio, setbacks on all sides, graphic scale, north point, and usable open space.

Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County Departments, State Agencies, or others that may have authority over your property for approvals and necessary permits.

Names, addresses, and signatures of all owner(s), and any other person having legal interest, of the property.

Permit application form completed, including questionnaire answers.

Permit Request Supplement

Paid application fee \$350 and escrow \$650

MATERIALS THAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY

Survey of the property: An official survey, by a licensed surveyor, must be submitted with the application. The survey shall be scalable and in an 11" x 17" or 8 1/2" x 11" format.


Electronic copy of all submittal documents

Any other materials as deemed necessary to help in the review of the application

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge. I further understand that the IUP application will be processed in accordance with the established City review procedures and Minnesota Statutes 15.99 as amended, at such times as it is determined to be complete. Pursuant to Minnesota Statutes 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as required by the City may be cause for denying this application.

This application must be signed by all owners of the subject property or an explanation given why this is not the case.

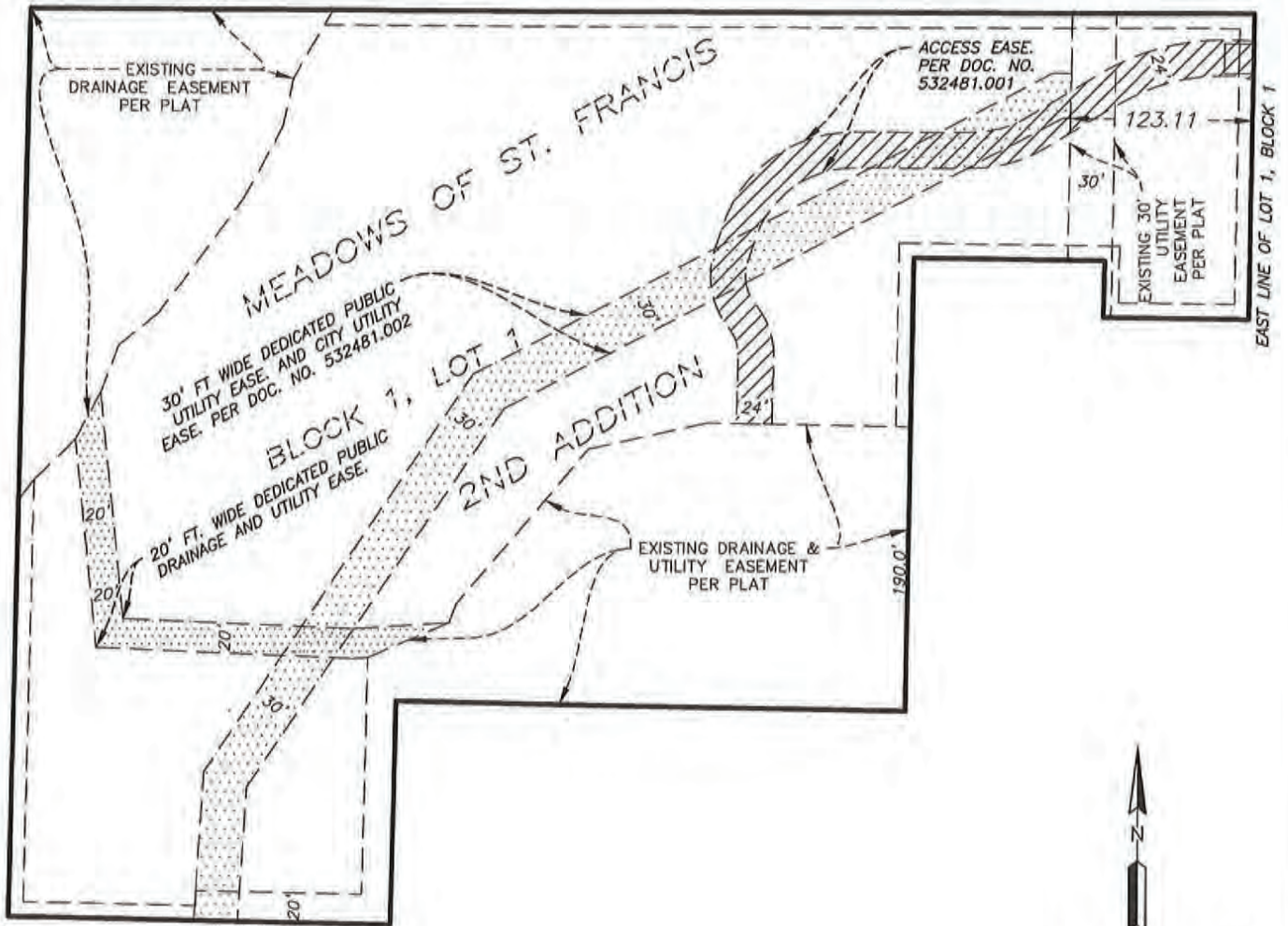
We, the undersigned, have read and understand the above.

 Jolene Hoysler 11-09-2017
 Signature of Applicant Date

 Signature of Applicant Date

 Signature of Owner (if different than Applicant) Date

Office Use Only:
 Planning/Zoning Meeting Date: _____
 Council Meeting Date: _____



LEGAL DESCRIPTION OF EASEMENTS TO BE VACATED

- 1) All of the 24-foot-wide access easement in favor of the City of St. Francis, dated July 24, 2015, filed August 5, 2015 as Document No. 532481.001 Torrens, Anoka County, Minnesota.
- 2) That part of the 30-foot-wide utility easement in favor of the City of St. Francis, dated July 22, 2015, filed August 8, 2015 as Document No. 532481.002 Torrens, Anoka County, Minnesota, and the public 30-foot-wide utility easement as dedicated on the plat of MEADOWS OF ST. FRANCIS SECOND ADDITION, filed as Document No. 532721.001 Torrens, Anoka County Minnesota, which lies westerly of a line 123.11 feet west of and parallel with the east line of Lot 1, Block 1 of said plat; Together with the public 20-foot wide drainage and utility easement dedicated on said plat.

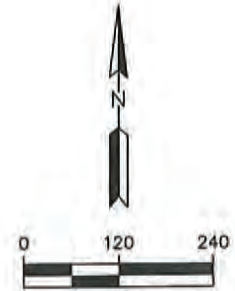
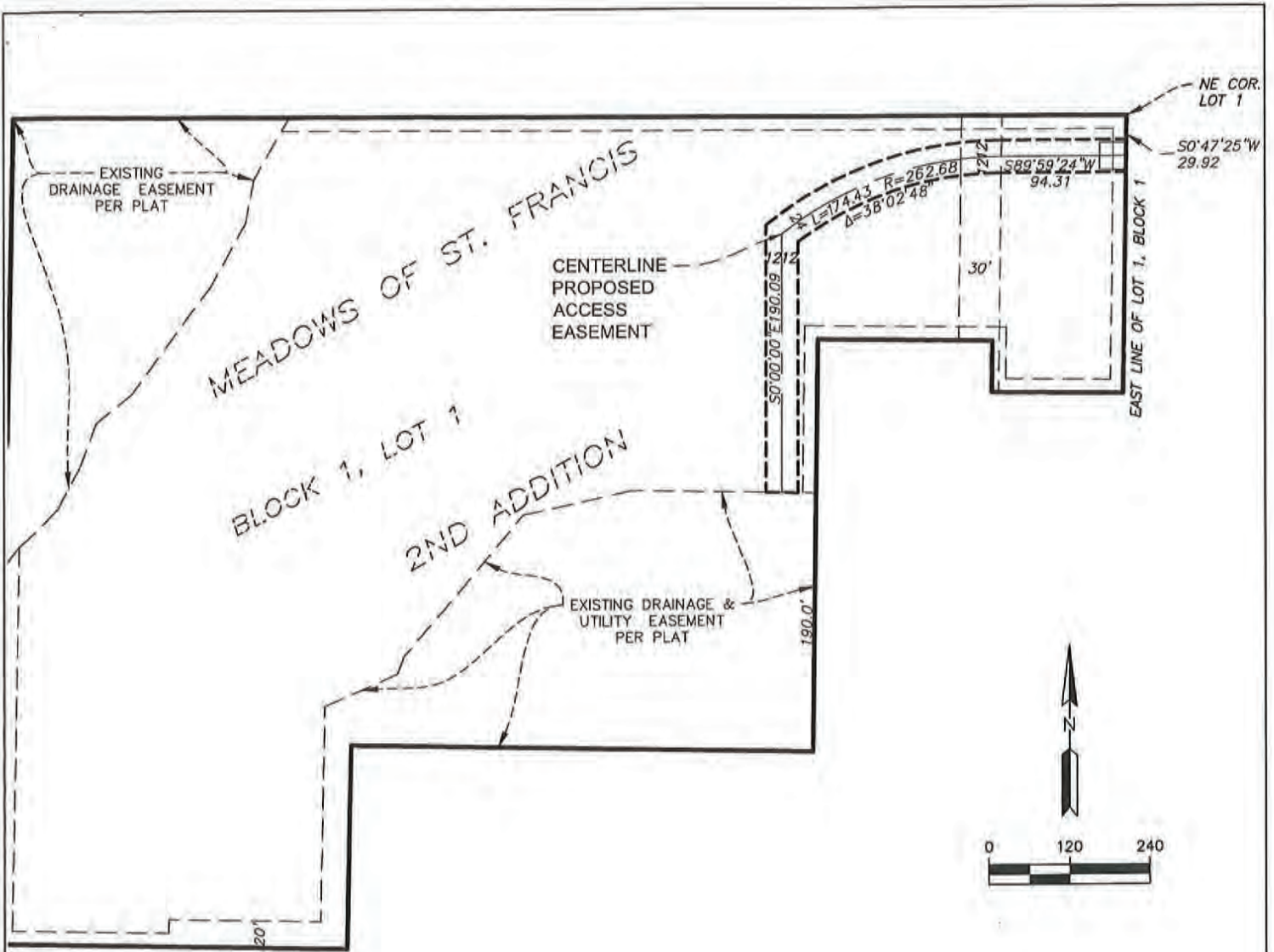


(1) ACCESS EASEMENT TO BE VACATED



(2) DRAINAGE AND UTILITY EASEMENT TO BE VACATED

| | | | | |
|--------------------------------|--|-----------|---------------------------|-----------|
| WENCK ASSOCIATES | 1800 Pioneer Creek Cir. Maple Plain, MN 55359 Ph: 763-479-4200 Fax: | | PROJECT TITLE | |
| | Responsive partner. Exceptional outcomes. | | EASEMENT VACATION EXHIBIT | |
| CLIENT NAME | DWN BY | CHK'D | APP'D | DWG DATE |
| MERIDIAN BEHAVIORAL HEALTH | GJB | XXX | XXX | 15-NOV-17 |
| | PROJECT NO. | SHEET NO. | | SCALE |
| | 4340-0022 | 1 OF 1 | | 1" = 120' |




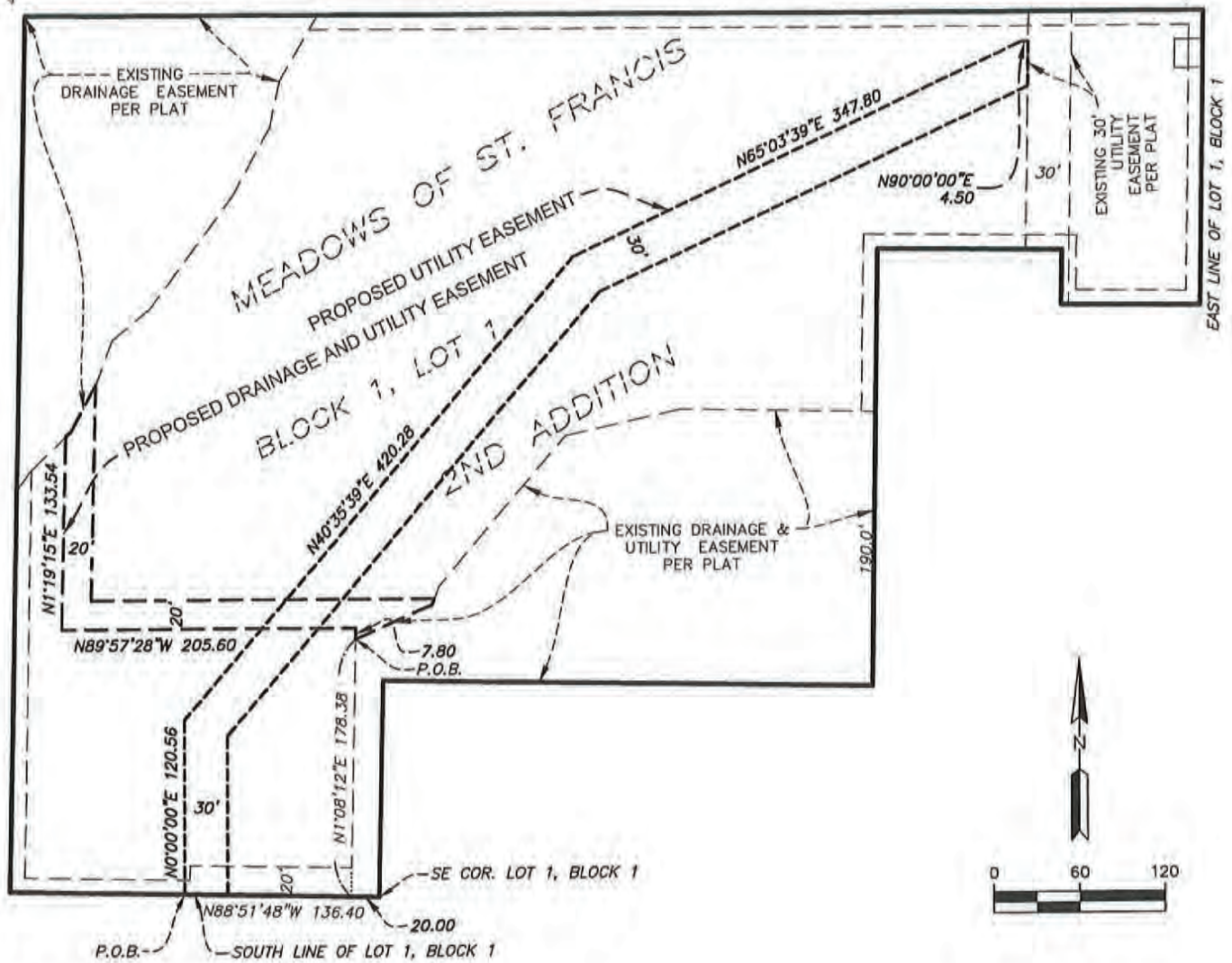
PROPOSED ACCESS EASEMENT:

A 24 foot wide easement for access purposes, over and across Lot 1, Block 1, MEADOWS OF ST. FRANCIS 2ND ADDITION, Anoka County, Minnesota which lies 12.00 feet on each side of the following described centerline:

Commencing at the northeast corner of said Lot 1, Block 1; thence South 00 degrees 47 minutes 25 seconds West 29.92 feet along the east line of said Lot 1 to the point of beginning for said centerline; thence South 89 degrees 59 minutes 24 seconds West 94.47 feet; thence westerly 174.43 feet along a tangential curve to the southeast, having a radius of 262.68 feet and a delta angle of 38 degrees 02 minutes 48 seconds; thence South 00 degrees 00 minutes 00 seconds West 190.09 feet and there said centerline terminating.

The sidelines of said easement are intended to be shortened or extended to meet the east line of said Lot 1 and the north line of the existing dedicated drainage and utility easement.

| | | | | |
|--|-------------------------|-------|-----------|-----------|
|  <p>1800 Pioneer Creek Cir. Maple Plain, MN 55359 Ph: 763-479-4200 Fax:</p> | PROJECT TITLE | | | |
| | ACCESS EASEMENT EXHIBIT | | | |
| Responsive partner. Exceptional outcomes. | DWN BY | CHK'D | APP'D | DWG DATE |
| CLIENT NAME | GJB | XXX | XXX | 15-NOV-17 |
| MERIDIAN BEHAVIORAL HEALTH | PROJECT NO. | | SHEET NO. | |
| | 4340-0022 | | 1 OF 1 | |



PROPOSED DRAINAGE AND UTILITY EASEMENTS:

A 30 foot wide public easement for utility purposes, over, under and across Lot 1, Block 1, MEADOWS OF ST. FRANCIS 2ND ADDITION, Anoka County, Minnesota which lies parallel with and 30 feet east and southeast of the following described line:


Commencing at the southeast corner of said Lot 1, Block 1; thence North 88 degrees 51 minutes 48 seconds West 136.40 feet along the south line of said Lot 1 to the point of beginning for said line; thence North 00 degrees 00 minutes 00 seconds East 120.56 feet; thence North 40 degrees 35 minutes 39 seconds East 420.28 feet; thence North 65 degrees 03 minutes 39 seconds East 347.80 feet; thence North 90 degrees 00 minutes 00 seconds East 4.50 feet and there said line terminating.

The sidelines of said easement are intended to be shortened or extended to meet the south line of said Lot 1 and the west line of existing 30' wide publicly dedicated utility easement.

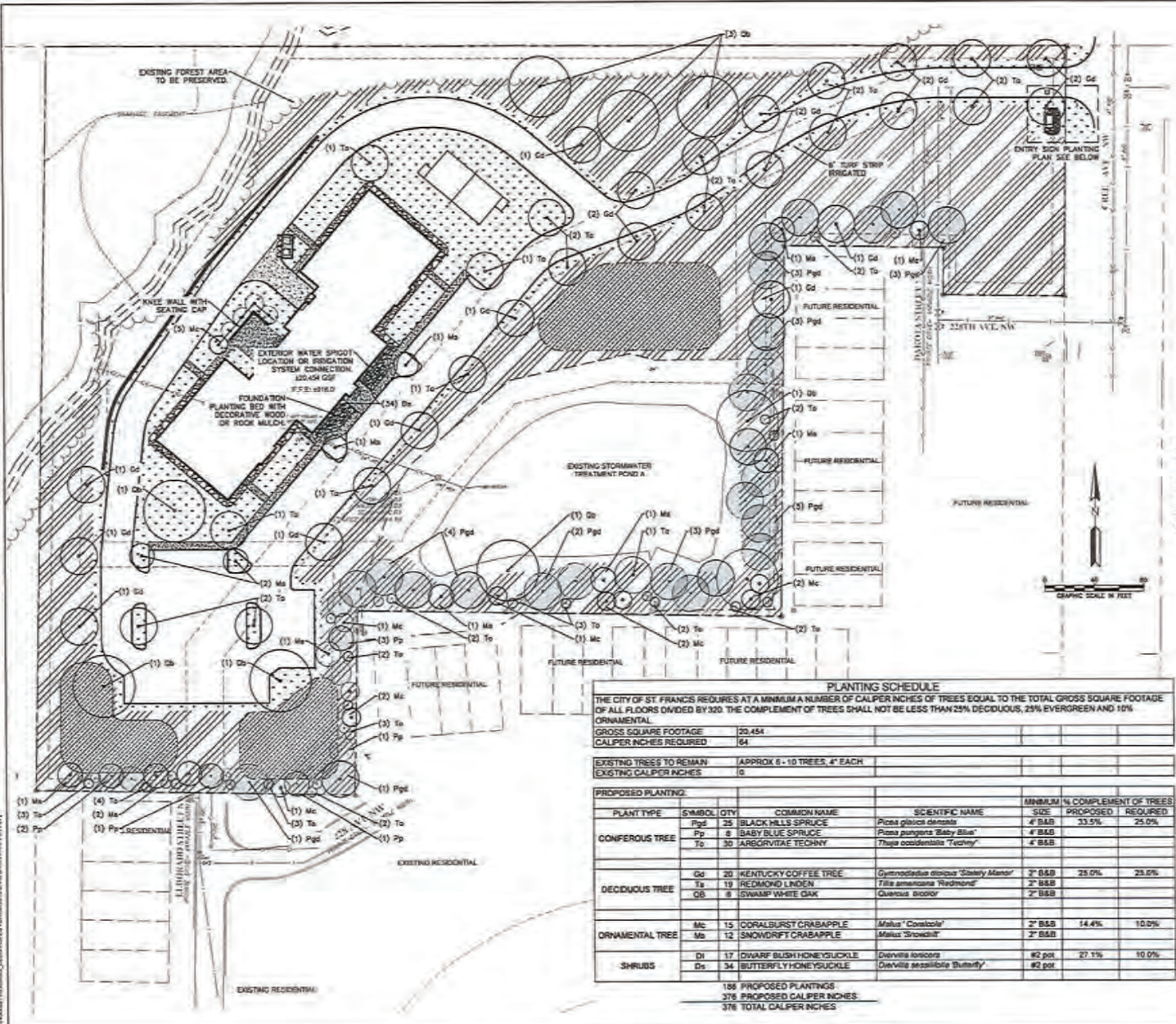
And a public easement for drainage and utility purposes, over, under and across Lot 1, Block 1, MEADOWS OF ST. FRANCIS 2ND ADDITION, Anoka County, Minnesota which lies parallel with and 20 feet north and east of the following described line:

Commencing at the southeast corner of said Lot 1, Block 1; thence North 88 degrees 51 minutes 48 seconds West 20.00 feet along the south line of said Lot 1; thence North 01 degrees 08 minutes 12 seconds East 178.38 feet to the point of beginning for said line; thence continuing North 01 degrees 08 minutes 12 seconds East 7.80 feet; thence North 89 degrees 57 minutes 28 seconds West 205.60 feet; thence North 01 degrees 19 minutes 15 seconds East 135.54 feet and there said line terminating.

The sidelines of said easement are intended to be prolonged or shortened to meet existing dedicated drainage and utility easements. And the northerly sideline of said easement is to be extended easterly to meet the existing dedicated drainage and utility easement.

| | | | | | | |
|--|--|--|---|--------------|--------------|-----------------------|
|  <p>Responsive partner. Exceptional outcomes.</p> | 1800 Pioneer Creek Cir. Maple Plain, MN 55359 Ph: 763-479-4200 Fax: | | PROJECT TITLE DRAINAGE AND UTILITY EASEMENT EXHIBIT | | | |
| | CLIENT NAME MERIDIAN BEHAVIORAL HEALTH | | DWN BY GJB | CHK'D XXX | APP'D XXX | DWG DATE 15-NOV-17 |
| PROJECT NO. 4340-0022 | | | SHEET NO. 1 OF 1 | | | |

LANDSCAPE PLAN



LANDSCAPE LEGEND

- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED ORNAMENTAL TREE
- PROPOSED SHRUB/PERENNIAL PLANT
- ▨ PROPOSED DECORATIVE GRAVEL
- ▨ PROPOSED MIN NATIVE SEED MIX 35/30/2 DRY SWALE/SPOD
- ▨ PROPOSED MIN NATIVE SEED MIX 35/2/1 DRY PRAIRIE GENERAL MIX
- 30G-IRRIGATED
- EXISTING TREE TO REMAIN

WARNING:
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.
 THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 855-648822 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRING, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER REBUILT STRUCTURES BEFORE EXCAVING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE EXCAVATION DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
CALL BEFORE YOU DIG
GOPHER STATE ONE CALL
 TWIN CITY AREA: 651-648822
 TOLL FREE: 1-855-252-1166

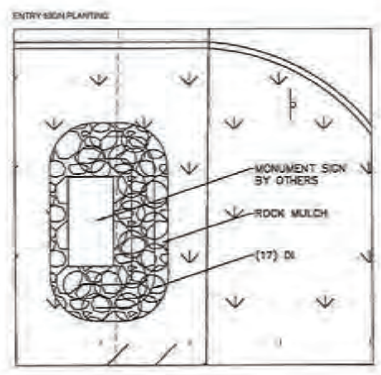
PLANTING SCHEDULE

THE CITY OF ST. FRANCIS REQUIRES AT A MINIMUM A NUMBER OF CALIPER INCHES OF TREES EQUAL TO THE TOTAL GROSS SQUARE FOOTAGE OF ALL FLOORS DIVIDED BY 320. THE COMPLEMENT OF TREES SHALL NOT BE LESS THAN 25% DECIDUOUS, 25% EVERGREEN AND 10% ORNAMENTAL.

| | |
|--------------------------|------------------------------|
| GROSS SQ. FLOOR FOOTAGE | 220,454 |
| CALIPER INCHES REQUIRED | 64 |
| EXISTING TREES TO REMAIN | APPROX 6 - 10 TREES, 4" EACH |
| EXISTING CALIPER INCHES | 6 |

| PLANT TYPE | SYMBOL | QTY | COMMON NAME | SCIENTIFIC NAME | % COMPLEMENT OF TREES | |
|-----------------|--------|-----|------------------------|---|-----------------------|----------|
| | | | | | PROPOSED | REQUIRED |
| CONIFEROUS TREE | Ppd | 25 | BLACK HILLS SPRUCE | <i>Picea glauca densata</i> | 4" B&B | 33.5% |
| | Pp | 8 | BABY BLUE SPRUCE | <i>Picea pungens 'Baby Blue'</i> | 4" B&B | |
| | Ts | 30 | ARBOVITAE TECHNY | <i>Thuja occidentalis 'Techny'</i> | 4" B&B | 25.0% |
| DECIDUOUS TREE | Gd | 20 | KENTUCKY COFFEE TREE | <i>Gymnocladia dioica 'Sister Mary'</i> | 2" B&B | 25.0% |
| | Ts | 19 | REDMOND LINDEN | <i>Tilia americana 'Redmond'</i> | 2" B&B | |
| | Ob | 8 | SWAMP WHITE OAK | <i>Quercus bicolor</i> | 2" B&B | |
| ORNAMENTAL TREE | Mc | 15 | CORALBURST CRABAPPLE | <i>Malus 'Coralburst'</i> | 2" B&B | 14.4% |
| | Mb | 12 | SNOWDRIFT CRABAPPLE | <i>Malus 'Snowdrift'</i> | 2" B&B | 10.0% |
| SHRUBS | Di | 17 | CLAWF BUSH HONEYBUCKLE | <i>Lonicera japonica</i> | #2 pot | 27.1% |
| | Ds | 34 | BUTTERFLY HONEYBUCKLE | <i>Diervilla aestivale 'Butterfly'</i> | #2 pot | 10.0% |

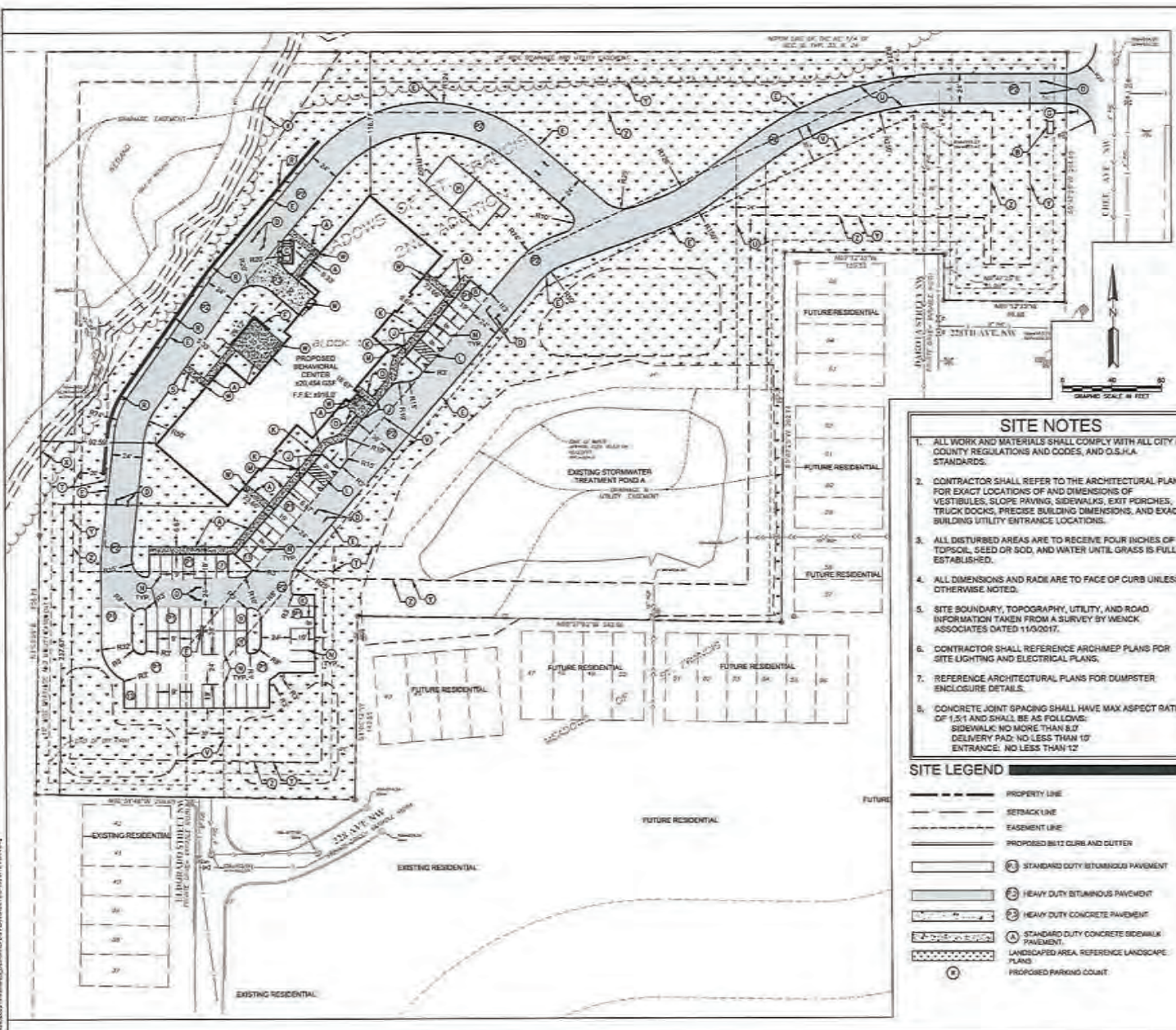
186 PROPOSED PLANTINGS
 376 PROPOSED CALIPER INCHES
 376 TOTAL CALIPER INCHES



MERIDIAN BEHAVIORAL HEALTH
 ST. FRANCIS, MINNESOTA
 Meridian Programs
 550 MAIN STREET, SUITE 230
 NEW BRIGHTON, MN 55112

| | |
|-------------|--|
| Project # | 11212100000000000000 |
| Client | ST. FRANCIS BEHAVIORAL HEALTH |
| Site | 550 MAIN STREET, SUITE 230, NEW BRIGHTON, MN 55112 |
| Phase # | 040-0027 |
| Drawn by | S.B. |
| Issue Date | 2017-11-25 |
| Scale | 1" |
| Sheet # | L-100 |
| Sheet Title | LANDSCAPE PLAN |

WENCK ASSOCIATES



SITE ANALYSIS TABLE
LOT 1, BLOCK 1, MEADOWS OF ST. FRANCIS 2ND ADDITION

| EXISTING ZONING | | R-4 HIGH DENSITY RESIDENTIAL |
|------------------------|-------------------------------|------------------------------|
| PROPOSED USE | RESIDENTIAL TREATMENT CENTER | |
| LOT AREA | ±257,521 SF (±8.21 AC) | |
| TOTAL BUILDING AREA | ±20,454 SF (5.7% OF LOT AREA) | |
| SETBACK SUMMARY | | |
| | BUILDING | PARKING |
| FRONT / STREET ROW | 60' | 30' |
| SIDE | 50' | 25' |
| REAR | 35' | 25' |
| WETLAND | 30' | 30' |

| GREENSPACE SUMMARY | | |
|-------------------------------|-------------------|-------------|
| IMPERVIOUS AREA (INCL. BLDG.) | REQUIRED | PROPOSED |
| | ±178,895 SF (MAX) | ±84,284 SF |
| PERVIOUS AREA | REQUIRED | PROPOSED |
| | ±178,895 SF (MIN) | ±273,026 SF |
| PARKING SUMMARY | | |
| | REQUIRED | PROPOSED |
| STANDARD PARKING COUNT | 22 STALLS | 60 STALLS |
| ACCESSIBLE PARKING | 1 STALLS | 4 STALLS |
| TOTAL PARKING COUNT | 23 STALLS | 64 STALLS |

ST. FRANCIS CODE PARKING REQUIRED:
 ONE SPACE PER SIX (6) PATIENT BEDS, PLUS ONE (1) SPACE PER EMPLOYEE ON LARGEST WORK SHIFT.
 * CALCULATION BASED OFF OF 48 BEDS + 15 PERSON LARGEST SHIFT

SITE NOTES

- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY / COUNTY REGULATIONS AND CODES, AND O.S.H.A. STANDARDS.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS OF AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- ALL DISTURBED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL, SEED OR SOD, AND WATER UNTIL GRASS IS FULLY ESTABLISHED.
- ALL DIMENSIONS AND RADI ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- SITE BOUNDARY, TOPOGRAPHY, UTILITY, AND ROAD INFORMATION TAKEN FROM A SURVEY BY WENCK ASSOCIATES DATED 11/3/2017.
- CONTRACTOR SHALL REFERENCE ARCH/MEP PLANS FOR SITE LIGHTING AND ELECTRICAL PLANS.
- REFERENCE ARCHITECTURAL PLANS FOR DUMPSTER ENCLOSURE DETAILS.
- CONCRETE JOINT SPACING SHALL HAVE MAX ASPECT RATIO OF 1.5:1 AND SHALL BE AS FOLLOWS:
 SIDEWALK: NO MORE THAN 8.0'
 DELIVERY PAD: NO LESS THAN 10'
 ENTRANCE: NO LESS THAN 12'

SITE LEGEND

| | |
|--|--|
| | PROPERTY LINE |
| | SETBACK LINE |
| | EASEMENT LINE |
| | PROPOSED CURB AND GUTTER |
| | STANDARD DUTY BITUMINOUS PAVEMENT |
| | HEAVY DUTY BITUMINOUS PAVEMENT |
| | HEAVY DUTY CONCRETE PAVEMENT |
| | STANDARD DUTY CONCRETE SIDEWALK PAVEMENT |
| | LANDSCAPED AREA. REFERENCE LANDSCAPE PLANS |
| | PROPOSED PARKING COUNT |

KEYNOTE LEGEND

- (A) CONCRETE SIDEWALK. SEE DETAIL.
- (B) GENERAL LOCATION OF MONUMENT SIGN, REFERENCE ARCH PLANS FOR DETAIL AND EXACT PLACEMENT.
- (C) TRASH ENCLOSURE. REFERENCE ARCH PLANS FOR DETAILS, SCREENING, GATES, BOLLARDS, AND MASCARAY.
- (D) DIRECTIONAL PAVEMENT MARKING.
- (E) SITE LIGHTING. REF PHOTO METRIC PLANS, REF ARCH / MEP PLANS FOR ELECTRICAL ROUTING. MAX POLE HEIGHT 28'
- (F) 2" TALL KNEE WALL AROUND PATIO
- (G) "STOP" SIGN.
- (H) VOLLEYBALL COURT.
- (I) SITE LIGHTING. REFERENCE PHOTO METRIC PLANS.
- (J) FLUSH CURB FOR ADA ACCESS. REFERENCE GRADING PLAN.
- (K) ACCESSIBLE PARKING SIGN.
- (L) ACCESSIBLE AISLE STRIPING - AREA STRIPED WITH 4" SSSL @ 45° 2' O.C.
- (M) ACCESSIBLE VAN PARKING SIGN.
- (N) 4" WHITE PAVEMENT STRIPING - DASHED OR SOLID PER PLAN.
- (O) BUILDING OVERHANG / AWNING / CANOPY. REFERENCE ARCH / STRUCTURAL PLANS.
- (P) PAVEMENT TYPE. SEE LEGEND.
- (Q) AREA STRIPED WITH 3" SWSL @ 45° 2' O.C.
- (R) RETAINING WALL BY OTHERS - REFERENCE GRADING PLAN FOR ELEVATIONS.
- (S) STAIRS WITH RAILINGS.
- (T) PROPOSED 20' DRAINAGE EASEMENT
- (U) PROPOSED 24' ACCESS EASEMENT
- (V) PROPOSED 30' PUBLIC UTILITY EASEMENT
- (W) DOOR LOCATION / STRUCTURAL STOOP. REFERENCE ARCH / STRUCTURAL PLANS.
- (X) WETLAND BUFFER.
- (Y) PAVEMENT SETBACK
- (Z) BUILDING SETBACK



MERIDIAN BEHAVIORAL HEALTH
 ST. FRANCIS, MINNESOTA
 Meridian Programs
 550 MAIN STREET, SUITE 230
 NEW BRIGHTON, MN 55112

| | |
|-------------|-----------|
| Project # | 4245-0022 |
| Drawn By | JSA |
| Issue Date | 2017-1-15 |
| Issue # | 1 |
| Sheet # | C-103 |
| Sheet Title | SITE PLAN |

WENCK ASSOCIATES, LICENSED ARCHITECTS AND ENGINEERS, REGISTERED PROFESSIONAL ENGINEERS

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

RESOLUTION 2018 - 03

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN
IN-PATIENT CHEMICAL DEPENDENCY TREATMENT CENTER ON
LOT 1, BLOCK 1, MEADOWS OF ST. FRANCIS 2ND ADDITION**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of St. Francis, Minnesota was held on the 2nd day of January, 2018. The following members were present:

Council Member _____ introduced the following resolution and moved its adoption:

WHEREAS, the City of St. Francis is a municipal corporation, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City Council of the City of St. Francis has adopted a comprehensive plan and corresponding zoning regulations to promote orderly development and utilization of land within the city; and,

WHEREAS, Meridian Behavioral Health, LLC (“Applicant”) is owner of property legally described as LOT 1, BLOCK 1, MEADOWS OF ST. FRANCIS 2ND ADDITION; and

WHEREAS, the Property was formerly approved for a similar CUP by resolution 2013-12 on May 6, 2013; and

WHEREAS, the project was never commenced by the previous applicant and the 2013 approval has since lapsed; and

WHEREAS, the Applicant is now seeking a new conditional use permit for an in-patient chemical dependency treatment center similar to the facility previously approved in 2013; and

WHEREAS, staff fully reviewed the request and prepared a report complete with findings and recommendations for Planning Commission and City Council consideration; and

WHEREAS, the Planning Commission on December 20, 2017, opened and closed a duly noticed public hearing and considered the applicant's submission, the contents of the staff report, public testimony, and other evidence available to the Commission; and made recommendations for consideration by Council; and

WHEREAS, the City Council subsequently considered on January 2, 2018, the recommendations of Staff and the Planning Commission, the Applicant's submissions, the contents of the staff report, public testimony, and other evidence available to the Council;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of St. Francis hereby approves a Conditional Use Permit (CUP) to allow an in-patient chemical dependency treatment center on Lot 1, Block 1, Meadows of St. Francis 2nd Addition based on the following findings of fact:

- (1) The subject site is guided for residential use, and in-patient chemical dependency treatment centers are a conditionally permitted use within the R-4 zoning district.
- (2) The proposed separation distance between the facility coupled with proposed landscaping will ensure this permitted use will continue to be compatible with surrounding land uses.
- (3) The proposed direct connection to 229th Avenue NW will ensure traffic is not an issue and is consistent with anticipated traffic levels for this site.
- (4) Proposed parking has been deemed to be adequate for the use and is consistent with the City's minimum parking standards.
- (5) All proposed buildings and parking spaces meet required setbacks.
- (6) Proposed landscaping materials are acceptable, and the proposed planting plan is in conformance with City standards.
- (7) Proposed lighting will not cast glare onto the public right-of-way or adjacent property in a manner that is inconsistent with code.
- (8) The proposed building materials to be used are of high quality and are consistent with City standards for residential structures.
- (9) Stormwater plans will be in conformity with local standards once all engineering issues are addressed, and post-development runoff rates will be less than existing run-off rates once the project is complete.
- (10) The proposed use can be adequately served by the City's sewer and water infrastructure, and will not be a burden on city services.

BE IT FURTHER RESOLVED, that approval of the Conditional Use Permit for an in-patient chemical dependency treatment center shall be subject to the following conditions:

- (1) Construction shall be consistent with all plans approved as part of this conditional use permit except as required to be updated by City Staff to conform to conditions of approval.
- (2) All changes requested by the City Engineer in their review memo dated 12/13/17 shall be implemented on the final plans prior to permits being issued.
- (3) Minor updates to the approved plans as may be needed to avoid encroachment(s) into final drainage and utility easements, meet required setbacks, or to improve the site design shall be worked out with City Staff (i.e. final sign placements) during the permitting process.
- (4) An NPDES Construction Permit from the MPCA shall be obtained by the applicant.
- (5) All exterior lighting shall include cut-offs to direct light at an angle of 90 degrees or less downward, and each free-standing fixture shall not exceed 25' in height.
- (6) The use shall be in compliance with all Federal, State, or County laws and regulations that are applicable, and all related permits shall be obtained and documented to the City.
- (7) The property owner shall adhere to all applicable governmental regulations, secure all necessary licenses, and shall obtain all necessary permits to authorize construction, establishment, and continued operation of the proposed use.
- (8) The applicant shall enter into a development agreement with the city specifying the responsibilities, securities, and timeline for project completion.
- (9) A financial security (or securities), shall be provided to the city to ensure the installation of proposed site improvements including but not limited to; landscaping, lighting, grading, and stormwater management.
- (10) The applicant shall recognize that modifications or expansion to conditions for public safety or public betterment may be considered by Council at a future date.
- (11) The applicant shall successfully complete an easement vacation for an existing drainage and utility easement, and shall establish a new drainage and utility easement conducive to the proposed improvements on the site prior to issuance of a building permit.

The motion for adoption of the foregoing resolution was duly seconded by Council Member _____ and, upon vote being taken thereon, the following voted in favor thereof: _____. The following voted against or abstained: _____.

Whereupon the resolution was declared duly passed and adopted the 2nd day of January, 2018.

Joseph Muehlbauer, Mayor Pro-Tem

ATTEST:

Barbara I. Held, City Clerk

Dated

The undersigned Applicants have read, understand and hereby agree to the terms of this resolution and on behalf of himself/herself, his/her heirs, successors and assigns, hereby agree to the conditions set forth above, and to the recording of this resolution and attachments in the chain of title of the property.

Dated _____

Meridian Behavioral Health, LLC

Subscribed and sworn to before me this _____ day of _____, 2018.

Notary Public

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

RESOLUTION 2018 - 04

RESOLUTION SETTING A PUBLIC HEARING ON AN EASEMENT VACATION

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of St. Francis, Minnesota was held on the 2nd day of January 2018. The following members were present:

Council Member _____ introduced the following resolution and moved its adoption:

WHEREAS, the City of St. Francis is a municipal corporation, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City Council of the City of St. Francis has adopted a comprehensive plan and corresponding zoning regulations to promote orderly development and utilization of land within the city; and,

WHEREAS, Meridian Behavioral Health, LLC, has applied for a conditional use permit for an in-patient chemical treatment facility on land legally described as Lot 1, Block 1, Meadows of St. Francis 2nd Addition; and

WHEREAS, Lot 1, Block 1, Meadows of St. Francis 2nd Addition contained an existing drainage and utility easement in favor of the City of St. Francis designed to accommodate a previous proposed use on the site; and

WHEREAS, Lot 1, Block 1, Meadows of St. Francis 2nd Addition contained an existing access easement in favor of the City of St. Francis designed to accommodate a previous proposed use on the site; and

WHEREAS, neither the existing drainage and utility easement nor the access easement as currently established will work for the new site design and therefore both easements must be vacated and re-established in a new location as part of the development process; and

WHEREAS, the City Council pursuant to Minnesota Statute §412.851 desires to consider the vacation of the existing drainage and utility easement and existing access easement on the property being developed (Lot 1, Block 1, Meadows of St. Francis 2nd Addition, Anoka County, Minnesota) in favor of new drainage and utility easement and new access easement in favor of the City; and

WHEREAS, any approval of the vacation will be contingent upon a requested CUP for the

new in-patient chemical treatment facility first being approved by the City Council; and,

WHEREAS, approval of the vacation will also be contingent upon the legal establishment of new easements as required by the City, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Francis, as follows:

The Council will consider the vacation of a drainage and utility easement and vacation of an access easement on Lot 1, Block 1, Meadows of St. Francis 2nd Addition, Anoka County, Minnesota, and a public hearing shall be held on such proposed vacations on the 16th day of January, 2018, at 6:00 p.m. before the City Council at the ISD #15 District Office located at 4115 Ambassador Blvd; and,

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

The motion for adoption of the foregoing resolution was duly seconded by Council Member _____ and, upon vote being taken thereon, the following voted in favor thereof: _____. The following voted against or abstained: _____.

Whereupon the resolution was declared duly passed and adopted the 2nd day of January, 2018.

Joseph Muehlbauer, Mayor Pro-Tem

ATTEST:

Barbara I. Held, City Clerk

Dated

City of St Francis City Council Agenda Item
Executive Summary

Title of Item: **PUD CONCEPT PLAN:** A request from Laketown Homes LLC seeking feedback on a two-hundred twenty (220) lot urban development on 93.6 acres to the west of County Road 72 and to the north of Rum River Bluffs.

Meeting Date: **1-2-18**

Staff Reporting: **Ben Gozola, City Planner**

Summary: Development of this land in a similar fashion was approved by the City in 2006, but a combination of the economy and health of the previous landowner delayed that development and the final plat has since become void. This concept plan includes a number of improvements when compared to the original development, but a number of things will need to be examined per the staff report.

The City Council is asked to examine the proposed Concept Plan and provide feedback for consideration by the applicant. The applicant will need to consider all feedback from both Council and the Planning Commission, and determine whether or not to proceed. Keep in mind that feedback at this point does NOT carry with it any assurances of future success or approvals. The goal is to inform the applicant of all potential issues that need to be addressed so no surprises are encountered moving forward.

Recommendations: **▪ Review the proposed concept plan and provide feedback/direction to the applicant**

List of Attachments: A) *Staff Report*
B) *Engineering Memo*
C) *Applicant's submittals*

City of St. Francis Planning Department
Rivers Edge PUD Concept Plan Review

To: **City Council**

From: **Ben Gozola, City Planner**

Meeting Date: **1-2-18**

Applicant(s): **Laketown Homes, LLC (Dale Willenbring)**

Location: **Siwek Farm (north of the Rum River Bluffs PUD)**

Introductory Information

Request: The applicants are seeking feedback on a PUD concept plan for a two-hundred twenty (220) lot urban development on 93.6 acres to the west of County Road 72 and to the north of Rum River Bluffs. Development of this area in a similar fashion was approved by the City in 2006, but a combination of the economy and health of the previous landowner delayed that development, and the final plat has since become void.

- Site Data:***
- *Existing Zoning* – R2 (Single Family Residential) & A3 (Interim Agriculture)
 - *Land Use Guidance* – Low Density Residential (1.5 to 2.5 units per acre)
 - *Acres* – 93.6 acres (includes 54 acres within the Rum River Scenic Overlay District and 35 acres which are currently outside of the Municipal Urban Service Area (MUSA) line.
 - *Property Identification Numbers (PIDs):* 33-34-24-22-0016, 32-34-24-12-0001, 32-34-24-21-0001, and 29-34-24-34-0002

| | | |
|-----------------------------|---|-----------------|
| <i>Various Calcs</i> | <i>TOTAL PROPERTY AREA</i> | 93.6 |
| <i>(in acres):</i> | <i>WETLAND AREA</i> | 14.0 |
| | <i>NET ACREAGE AFTER WETLANDS</i> | ≈ 82.1 |
| | <i>TOTAL PROPOSED LOTS</i> | 220 |
| | <i>GROSS DENSITY</i> | 2.35 UNITS/ACRE |
| | <i>NET DENSITY</i> | 2.67 UNITS/ACRE |

Review

- | | |
|---------------------------------|---|
| Existing Site Character: | <ul style="list-style-type: none">▪ The rolling hills, open farm fields and scattered woodlands on these four (4) parcels exemplify the rural landscape in St. Francis. |
|---------------------------------|---|

PUD STANDARDS REVIEW:

- | | |
|-------------------------------|--|
| Ownership: | <ul style="list-style-type: none">▪ As part of any preliminary plan submittal, proof of ownership shall be provided by the applicant.▪ All landowners with interest in the PUD must sign future applications for both preliminary and final plat. |
| Comp Plan Consistency: | <ul style="list-style-type: none">▪ <i>Page 2-8 states that the density range within the Low Density Residential classification is 1.5 to 2.5 units per net acre. PUDs are allowed provided the City's PUD ordinances are "rigorously" applied and the gross residential density does not exceed 2.5 units per acre.</i> Staff comment: The gross density of the proposed concept plan does not exceed this limit.▪ <i>The comp plan also outlines the following guidance for judging PUDs (pgs 2-8 and 2-9):</i><ul style="list-style-type: none">○ <i>"For PUD design, substantial architectural enhancements will be a minimum component of the amenity package."</i>○ <i>"Enhancements to the quality and quantity of open space are likely to be expected."</i>○ <i>Extraordinary attention to natural environmental detail may also qualify a project for PUD consideration.</i>Staff comment: The Commission and Council will need to consider these factors while examining the overall proposal.▪ <i>Land Use Policy A (pg 2-15) states that "residential subdivision design must preserve important natural features and promote St. Francis as a distinct location from its suburban neighbors. Policies supporting the statement include:</i><ul style="list-style-type: none">○ <i>Development should preserve woodlands, wetlands, natural lakes and other natural features.</i>○ <i>New subdivisions must include amenities which establish a small town character and feel.</i>○ <i>Planned roadway connections must be extended and new dead-ends created where future extensions will occur.</i> |

(cont.)

Staff comment: The Commission and Council should provide guidance as to whether the plans successfully protect natural areas, and give direction on desired amenities to give the neighborhood a "small town" feel. Staff will examine and comment on transportation connections within the Roadways section of this report.

- *Land Use Policy C (pg 2-16) seeks creative approaches to the use of land. "New residential subdivisions, especially those utilizing a PUD design process, will be evaluated as to their variety and diversity of housing materials, colors, architectural styles and details, and other factors."*

Staff comment: The Commission and Council should provide guidance on what policies should be adopted as part of the PUD to ensure a diversity of housing materials, colors, styles, etc.

- *Land Use Policy F (pg 2-18) states that the land use plan is designed to be consistent with the Met Council policies relating to new urban development; specifically, an average of 3.0 residential units per developable acre for all future residential areas.*

Staff comment: Staff will need to get feedback from the Met Council as to whether the proposed density would be in conformance with the 2.0 u.p.a. average based on all other development within the community. Council and the Commission should understand that approval of the proposed densities would bring the overall density of the City's urban area down, and the new comp plan currently being penned would need to reflect this change. Ultimately, approval of a residential development of less than 3.0 units per acre may require designation of higher density land elsewhere in the City.

- The comprehensive plan will need to be amended to add the northwestern river-fronting parcel into the MUSA, and to guide the additional land for the proposed type of development. Concurrently updating zoning of the same land will also need to occur.

Staff comment: The applicant could also choose to forgo seeking approval of development in the additional land area at this time if they would like to only pursue development within the existing MUSA.

Compatibility:

- Single-family homes will be consistent with the existing land use to the south and the planned land use in this portion of the City.
- Given that a similar development plan was already approved on this site in 2006, the City has already determined that development of this area is compatible with adjacent land uses and is not premature. Completion of the recent upgrades to the City's wastewater treatment plant provides further support for sewer extensions.

- Common Open Space:***
 - The proposal includes a significant area or preserved woodland near the river, and an open area near the center of the development for an eventual active park.
 - With any future submittal, the applicant should provide a narrative explaining the wooded open space. Who will own/maintain it? Will there be trails in this area? Will the land be publicly accessible, or will it be limited to members of an association? If this is an extension of open space or parkland to the south, the applicant should highlight such and indicate how this land would integrate with the neighboring land. Trail connections, if possible, should be examined.

- Operations:***
 - The future PUD plans shall contain provisions to assure the continued operation and maintenance of all open space and service facilities to a pre-determined reasonable standard. Options for provisions are listed in section 10-10-2(E).

- Open Space Staging:***
 - The applicant will eventually need to provide greater detail as to the development staging, and show how the dedication of open space will always be (at a minimum) proportional to the amount of development being authorized in any given phase.

- Density:***
 - The maximum density shall be determined by standards negotiated and agreed upon between the applicant and the City provided the density is consistent with the comprehensive plan.
 - The concept plan appears to propose a density in-line with comp plan expectations, but the Metropolitan Council may have a differing opinion. The City will need to seek comment during any future preliminary plat/comp plan amendment phase.

- Utilities:***
 - Telephone, electric, and/or gas service lines are to be placed underground in accordance with the provisions of all applicable City ordinances.
 - All connections and laterals shall be designed to minimum City standards.

- Roadways:***
 - All roadways will need to be designed and constructed to minimum City standards.

- Landscaping:***
 - The future PUD submittal will need to include a landscaping plan showing a detailed list of proposed plantings (must show plant sizes, species, and proposed locations).
 - The proposed plan should be harmonious with the overall PUD design.

- Setbacks:***
 - Perimeter setbacks for residential PUDs shall be the same as the setback on adjacent property.

- (cont.)
- No building on the preliminary plans shall be located less than fifteen (15) feet from the back of a curb line which is part of the internal street system.
 - All buildings within the proposed PUD shall be a minimum of twelve (12) feet apart. As proposed, we anticipate all buildings to be separated by a minimum of 15 feet as part of the preliminary plans.

- Minimum Size:**
- This property far exceeds the PUD minimum of one (1) acre.

IN GENERAL

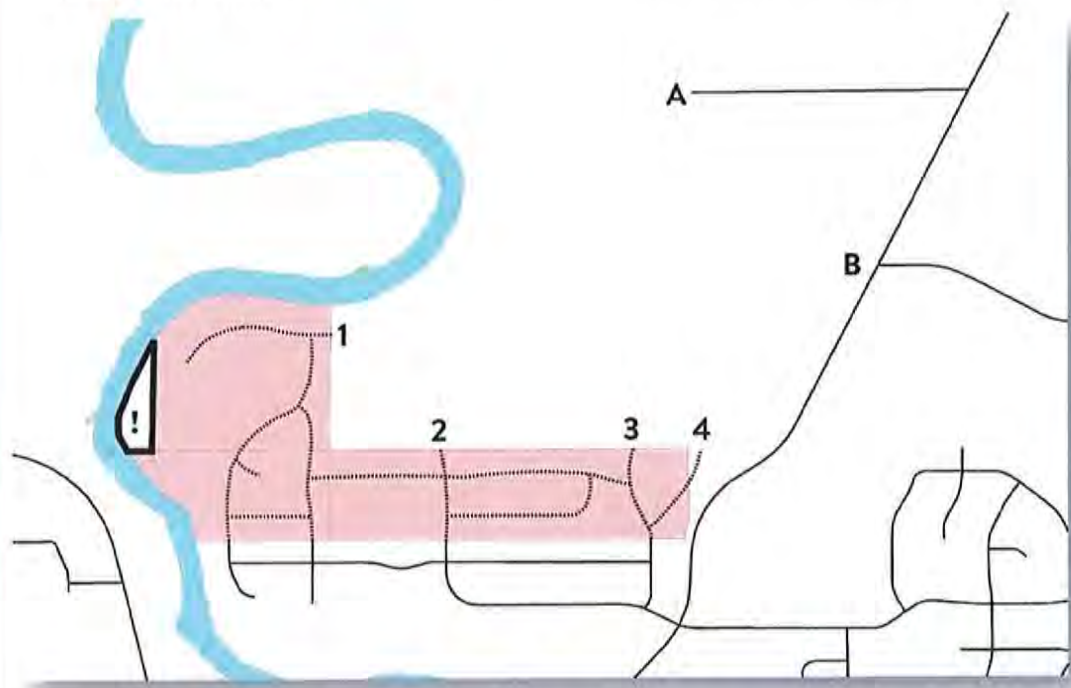
- Lots and Blocks:**
- All lots, blocks, and cul-de-sacs are generally conforming to minimum and maximum standards established in code, and deviations as may be needed can be approved as part of the PUD process provided the deviation is in the best interest of the development and City.
 - One deviation we anticipate will be requested, per the current plans, would be an allowance for the cul-de-sac in the NW corner to exceed the maximum length of 500 feet (a length of just over 800 feet is proposed). Given that the design protects and builds around the large wooded area near the river, this appears to be a reasonable request as part of the PUD.
 - The other main deviation being considered is the incorporation of smaller detached townhome lots in the eastern portion of the development. Smaller patio homes geared towards retirees are a popular product in today's market, and an important component to a City's life-cycle housing inventory.
 - Per the City Engineer, there appear to be several remnant pieces (containing wetlands) that are not large enough to be lots. Such areas should be combined with adjacent lots.

- Lot Access:**
- All proposed lots will have direct access to a public road.
 - Future driveways should be located so as to preserve existing trees in as much as possible.
 - Addresses for the individual homes should be posted at each driveway entrance.

- Future parcel development:**
- The proposed subdivision would fully divide the property as a PUD.

Adjacent parcel dev.:

- All Rum River Bluff connections are extended as planned into this proposed development.
- The surrounding land to the north can develop at some point in the future, so it is important to consider how the current proposal will integrate with those future developments.
- As you can see in the graphic below, there are potentially two nearby roads to the NE that future development should connect to. The four dead end connections proposed will adequately service both properties to the north and will allow for future connections.



- The area to the west of the proposed development on the river (denoted by a thick black line and exclamation point) is part of a larger parcel which sits on the opposite side of the river. While this land is likely undevelopable due to its proximity to the river and topography, the City must still safeguard access to the land for that property owner. As part of a future submittal, the applicant shall demonstrate how access to that land will be provided to the landowner, OR shall acquire this property to become part of the development, OR shall provide evidence of an agreement with that landowner regarding access (or lack thereof) that will result from this development.

- Easements:**
- All standard drainage and utility easements will need to be shown on the future preliminary plan document(s).
 - All easements intended for public utilities shall meet minimum City standards for width, and must be as wide as necessary to address access and/or maintenance objectives. All questions regarding needed easement widths should be directed to the City Engineer.

- Resident Concerns:**
- To date, staff has not received any public feedback regarding the proposed concept plan.

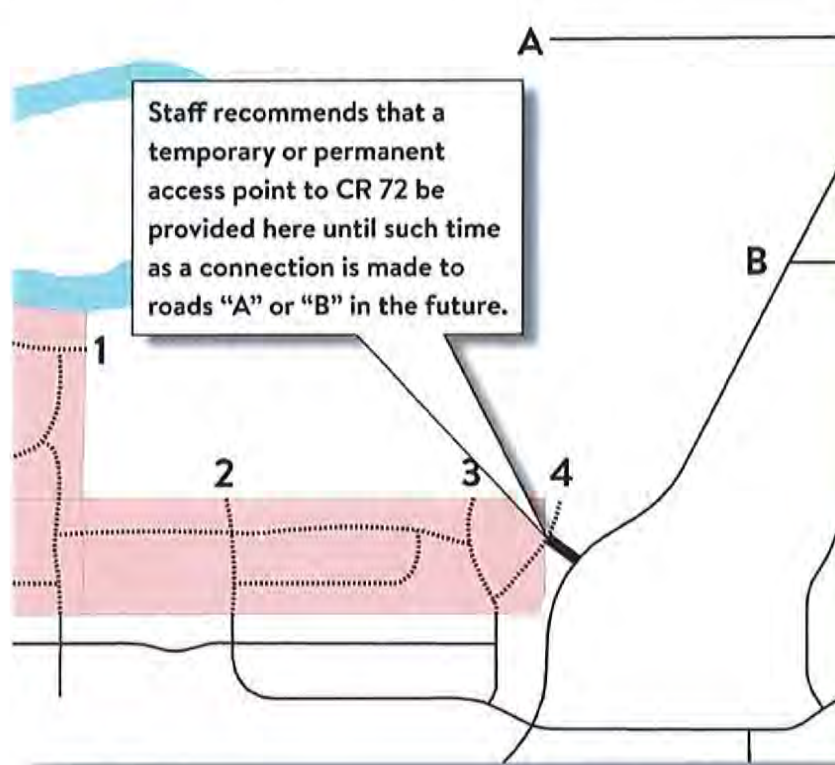
INFRASTRUCTURE:

- In General:**
- All public improvements constructed to support the development must be designed and constructed in accordance with the City's Private Development Standards available on the City website.

- Streets and Transportation:**
- Staff will be very adamant about preserving the roadway connection between this development and Rum River Bluffs to the south for a number of reasons:
 1. There are approximately 60 existing homes (and eventually over one hundred homes) in Rum River Bluffs that rely on a single access point to their homes off of County Road 72. Ideally, this number of homes should have a *minimum* of two ingress/egress points, and connections to this proposed development will provide such opportunities.
 2. One access point is a major safety problem that must be rectified. Reconstruction of County Road 72 has the potential to severely limit (or eliminate at times) access to Rum River Bluffs. During those times, not only will residents have problems accessing their properties, but so too will emergency vehicles.
 3. Each of the existing stubbed roads are not “dead ends.” All were clearly built within dedicated right-of-way to facilitate future development to the north. These same connections were previously approved to be used in 2006, and are not present today only because the development was never finalized.

Enforcing the continuation of through-roads between developments that are completed years apart is admittedly difficult for all communities, and all existing neighborhoods request that such roads be terminated. Importantly though, the City has a responsibility to represent not only the current residents in this neighborhood, but also the future residents as well, and the safety/access issue must be addressed.

- (cont.)
- As currently proposed, River's Edge would provide future connections to the north that would eventually allow for secondary County Road access for all residents. However, as the land to the north is guided for Interim Agriculture, those future connections are ostensibly many years into the future. Accordingly, staff must require the future preliminary plans be amended to provide at least one additional access point on to County Road 72. This access point could be eliminated once one of the northern connections was completed via future development (see the figure below). The applicant will need to work with the County and City on the configuration of the existing and new entry points, and how they will be used/amended over time. ROW needs for the temporary access point will need to be worked out with HAA and the County. The applicant has indicated they are amenable to this request.



- As of the penning of this report, comments from Anoka County regarding access have yet to be received. Staff will present any comments that come in at the meeting on the 2nd. It is anticipated that improvements to the 235th Avenue NW intersection may be requested given the number of lots proposed.

- (cont.)
 - The applicant shall address all engineering concerns listed in the provided Engineer's memo following this report. Additionally, the alignments of both Quay Street NW and Marigold Street NW should be reviewed with the engineer to ensure they are properly designed for future extensions north given the wetland in the area.
 - Quay Street NW and 237th Street NW must intersect at a right angle.
 - The curves on Marigold Street NW and any other thru street shall be designed for a 30 mph design speed.
 - All other horizontal curves must have a minimum radius of 200 feet.

- Water System(s):**
 - Future plans must be in accordance with all applicable standards

- Sanitary System(s):**
 - Future plans must be in accordance with all applicable standards

- Storm water /Grading:**
 - Future plans must be in accordance with all applicable standards

- Development Phasing:**
 - It is staff's understanding that the proposed development would begin with phase 1 off of the end of Quay St. NW, and development would proceed Eastward until the build out was complete up to County Road 72. The final phase(s) would then move from Quay St. NW to the western and northern edges of the proposed development.
 - Additional phasing plan information will be needed moving forward to demonstrate that stormwater management requirements remain in compliance during each phase of the project, and to confirm that adequate open spaces are being dedicated as development occurs (per comp plan PUD directives).

- Utilities:**
 - All public utilities and facilities such as gas, electrical, sewer, and water supply systems to be located in the flood plain district (if present) shall be flood-proofed in accordance with the building code or elevated to above the regulatory flood protection elevation.
 - Telephone, electric, and/or gas service lines are to be placed underground in accordance with the provisions of all applicable City ordinances.

- Parking Facilities:**
 - Staff did not identify any parking issues for the proposed lots. On-site and on-street parking opportunities should meet all needs within the development.

- Required Signage:** ▪ New street signs will be required at all intersections at the developer's expense.
- Entrance Monument:** ▪ Designs and locations for entrance monuments (if desired) should be identified as part of any future preliminary plan submittal. Location, height, size, etc, shall be in conformance with code standards.
- Fire Hydrants:** ▪ The applicant will be required to work with the City Engineer, Public Works, and the Fire Chief to identify the proper locations for all future fire hydrants.
- Streetlights:** ▪ Street lights conforming to City specifications will need to be installed at locations determined by the City Engineer. The applicant should meet with the Engineer to get such feedback, and all needed streetlights must be shown on the Preliminary Plans.
- Monuments:** ▪ In accordance with Section 11-11-2; reference monuments shall be placed in the subdivision as required by state law.

ENVIRONMENTAL & OTHER NEIGHBORHOOD IMPACTS:

- Environmental Impacts:** ▪ Staff does not foresee the need for an in-depth environmental analysis based on the current proposal (i.e. EAW, EIS, AUAR, etc.)
- Wetlands:** ▪ The developer will need to follow all of the rules and regulations spelled out in the Wetlands Conservation Act, and acquire any/all needed permits.
▪ A wetland management plan as called for by Section 10-91-4 of the zoning ordinance shall be submitted for review by the City Engineer.
▪ Review and comment by the Anoka Conservation District (ACD) will be sought with any future preliminary plat/plan application. The applicant is encouraged to meet with the ACD prior to any future submittal.
- Shoreland (Riverway) District:** ▪ Approximately 54 acres of this proposed development is located in the Rum River scenic overlay district.
▪ The applicant shall provide an exhibit showing the location of all slopes 12% or greater within the riverway district, and show that sufficient building pads are available outside of such areas. The 12% calculation represents a bluff, and the minimum setback from a bluff line is 30 feet.

- (cont.)
- The minimum lot size for sewerd non-riparin lots in the riverway is 12,150 sq ft, and the minimum lot size for sewerd riparian lots in the riverway is 20,000 sq ft. Special setbacks and minimal requirements for these lots are also listed in Section 10-82-4(C). All proposed lots are expected to meet general riverway standards, or the DNR will need to sign off on the proposal per Section 10-82-8(B).
 - Future plans will need to conform to the provisions of 10-82-7 for landscape alterations within the riverway district.

- Erosion Control:**
- The future grading plan should indicate proposed erosion control methodologies to be utilized during the development process.
 - Silt fencing should be shown at the construction limits for the proposed houses or driveways with the future building permit application.

- Traffic:**
- The proposed project will not significantly increase traffic volumes beyond that which was already anticipated with the guided land use. No traffic study is needed.

- Flood Plain & Steep Slopes:**
- It appears that the 100-year floodplain of the Rum River is at elevations 899.5 to 901.7 from south to north (see the official FEMA maps for this area). Given the topography in the area, the applicant should review each of the proposed lots and roadway layout to understand where the floodplain is and how it must be addressed. Note that FEMA approval will be necessary for proposed fill within the floodplain.
 - Elevation labels are missing on the contours.

- Docks:**
- The project does not include any proposed river access.

- Other Permits:**
- All necessary permits must be provided to the City. (MPCA, NPDES, MDH, etc. as may be applicable)

CHARGES, FEES, & RESPONSIBILITIES:

- In General:**
- As always, the applicant is responsible for all fees related to the review of this application (including but not limited to planning, legal, engineering, wetland, environmental consultants, or other such experts as required by this application).

- Park Dedication:**
- Section 11-08-9 of the Subdivision requires all subdivisions of land to dedicate a reasonable portion of land to the City for public use as parks, trails, or open space. The required dedication percentage for a residential development is 10% of the gross acreage being developed.
96.1 * 10% required dedication = 9.61 acres of land
 - The future preliminary plans must show how this dedication will be met and/or how much of the dedication will be satisfied via cash in lieu of land.
 - The comprehensive plan guides this area for a "mid-sized" park and a "small passive" park on the river portion of the project. The concept plan would address both of these desires.
 - The centrally located land to the south of 237th Street NW would be an excellent location for a park to serve both this development and the Rum River Bluffs development to the south.
 - The open space along the river would importantly accomplish two goals: screening of the development from the river in accordance with Riverway standards; and providing for the passive park option called for in the Comp Plan.

- Sewer Charges:**
- The applicant should consult with the City Engineer on future sewer access charges and/or individual hook up charges that may be applicable.

- Water Charges:**
- The applicant should consult with the City Engineer on future water access charges and/or individual hook up charges that may be applicable.

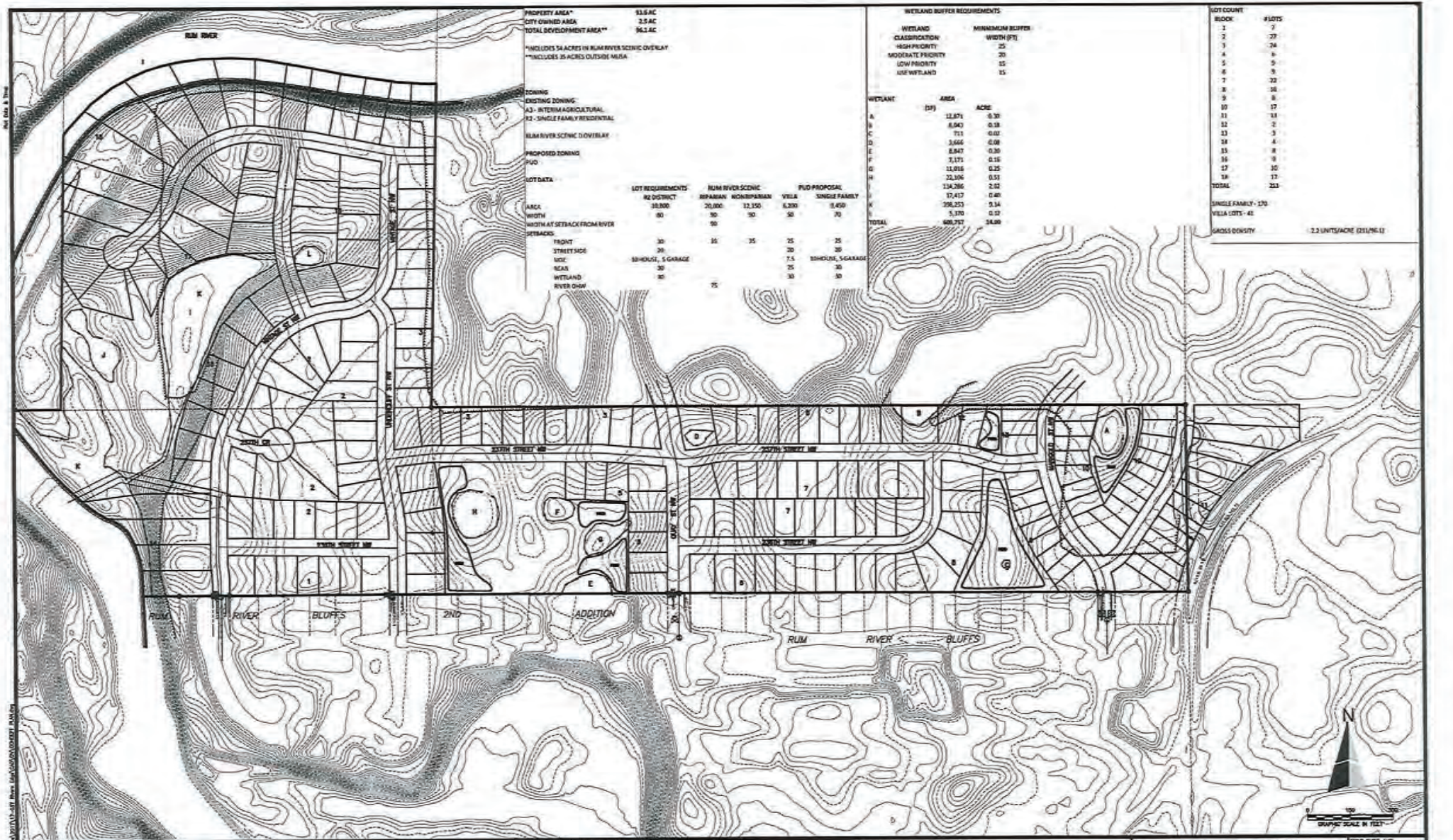
Conclusion

The City Council is asked to examine the proposed Concept Plan and provide feedback for consideration by the applicant, and the applicant will need to consider all feedback and determine whether or not to proceed.

Keep in mind that feedback at this point does NOT carry with it any assurances of future success or approvals. The goal is to inform the applicant of all potential issues that need to be addressed so no surprises are encountered moving forward. While the City strives to identify all issues during the concept plan phase, it is ultimately the applicant's responsibility to adhere to all local, state, and Federal regulations as may be applicable.

**Commission
Feedback:**

1. Consider ways this development could be connected to the larger City (i.e. encouraging the senior townhome units to participate in local groups).
2. Townhome area should meet all ADA standards
3. Sidewalks are needed and expected throughout the development.
4. Provide additional information/narratives on the amenities being provided (i.e. will there be trails in the wooded land adjacent to the river?)
5. 2nd access point to CR 72 will be needed.
6. The development should provide at least three levels of life-cycle housing to add housing diversity to this area of the City: the patio townhomes to the east, entry to mid-level in the middle of the development, and high price point lots near the river.
7. While two access points are needed, there is concern about safety at the only location for a second entry...it may need to be an emergency only access that can be opened to the general public if the primary entrance point is blocked or impeded by construction.
8. The temporary access point should also be considered as a construction access to keep construction vehicles out of Rum River Bluffs



PROPERTY AREA** 113.4 AC
 CITY OWNED AREA 2.5 AC
 TOTAL DEVELOPMENT AREA** 110.9 AC

**INCLUDES 54 ACRES IN RUM RIVER SCENIC OVERLAY
 ***INCLUDES 26 ACRES OUTSIDE MURA

ZONING
 EXISTING ZONING
 A3 - INTERM AGRICULTURAL
 R2 - SINGLE FAMILY RESIDENTIAL
 RUM RIVER SCENIC OVERLAY

PROPOSED ZONING
 PUD

LOT DATA

| AREA | RUM RIVER SCENIC | | PUD PROPOSAL | |
|-----------------------------|--------------------|-------------|--------------|-------------------|
| | SEPARATE | NONSEPARATE | VILLA | SINGLE FAMILY |
| AREA | 20,000 | 12,350 | 6,200 | 8,450 |
| WIDTH | 50 | 50 | 50 | 70 |
| WIDTH AT SETBACK FROM RIVER | 50 | 50 | 50 | 70 |
| SETBACKS: | | | | |
| FRONT | 30 | 35 | 25 | 25 |
| STREET SIDE | 30 | 30 | 30 | 30 |
| SIDE | 30-HOUSE, 5 GARAGE | | 7.5 | 5-HOUSE, 5 GARAGE |
| REAR | 30 | | 25 | 30 |
| WETLAND | 30 | | 30 | 30 |
| RIVER OHW | | 75 | | |

WETLAND BUFFER REQUIREMENTS

| WETLAND CLASSIFICATION | MINIMUM BUFFER WIDTH (FT) |
|------------------------|---------------------------|
| HIGH PRIORITY | 25 |
| MODERATE PRIORITY | 20 |
| LOW PRIORITY | 15 |
| USE WETLAND | 15 |

WETLAND

| WETLAND | AREA (SF) | ACRE |
|---------|-----------|------|
| A | 12,871 | 0.30 |
| B | 8,942 | 0.20 |
| C | 713 | 0.02 |
| D | 3,666 | 0.08 |
| E | 8,847 | 0.20 |
| F | 7,171 | 0.16 |
| G | 11,018 | 0.25 |
| H | 22,106 | 0.51 |
| I | 114,786 | 2.62 |
| J | 17,417 | 0.40 |
| K | 296,223 | 6.74 |
| L | 5,370 | 0.12 |
| TOTAL | 408,797 | 9.30 |

LOT COUNT

| BLOCK | #LOTS |
|-------|-------|
| 1 | 7 |
| 2 | 27 |
| 3 | 24 |
| 4 | 9 |
| 5 | 9 |
| 6 | 9 |
| 7 | 22 |
| 8 | 18 |
| 9 | 8 |
| 10 | 17 |
| 11 | 11 |
| 12 | 2 |
| 13 | 3 |
| 14 | 4 |
| 15 | 4 |
| 16 | 8 |
| 17 | 10 |
| 18 | 17 |
| 19 | 213 |
| TOTAL | 213 |

SINGLE FAMILY - 170
 VILLA LOTS - 41
 GROSS DENSITY 2.2 UNITS/ACRE (213/96.1)

| NO. | DATE | DESCRIPTION / REVISIONS |
|-----|------|-------------------------|
| | | |

CAMPION ENGINEERING SERVICES, INC.

• Civil Engineering • Land Planning
 1600 Pioneer Creek Center,
 P.O. Box 249
 Maple Park, MN 55308
 Phone: 763-479-2172
 Fax: 763-479-4242
 E-Mail: mcs@campioneng.com

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
 North P. Campion - Lic. # 19001 Date:

**RIVERS EDGE
 LAKETOWN HOMES
 ST FRANCIS, MN**

| | |
|-------------------------|-----------------------|
| OVERALL CONCEPT | PROJECT NO: 17-037 |
| SHEET NO. 1 OF 5 SHEETS | DATE: 11/28/2017 |



| NO. | DATE | DESCRIPTION | REVISIONS |
|-----|------|-------------|-----------|
| | | | |
| | | | |


CAMPION ENGINEERING SERVICES, INC.

* Civil Engineering * Land Planning
 1800 Pioneer Creek Center,
 P.O. Box 249
 Maple Park, MN 55059
 Phone: 763-479-5172
 Fax: 763-479-0242
 E-Mail: rcampion@campioneng.com

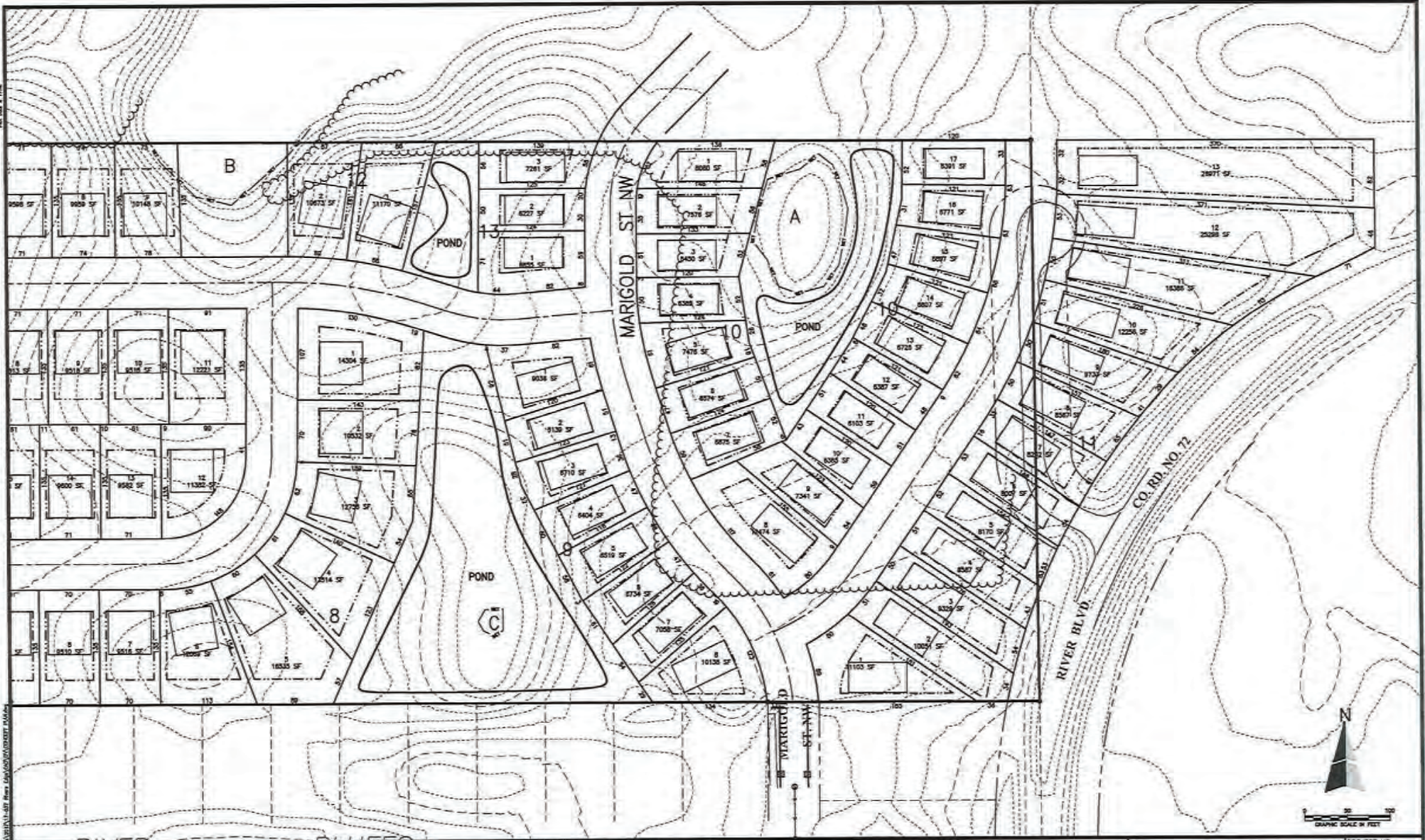
I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
 North P. Campion - Lic. # 19901 Date:

**RIVERS EDGE
 LAKETOWN HOMES**
 ST FRANCIS, MN

OVERALL CONCEPT
 SHEET NO. 1 OF 5 SHEETS

PROJECT NO:
17-037
 DATE:
11/28/2017

All Rights Reserved. This drawing is the property of Campion Engineering Services, Inc. and is not to be used for any other project without the written consent of Campion Engineering Services, Inc.



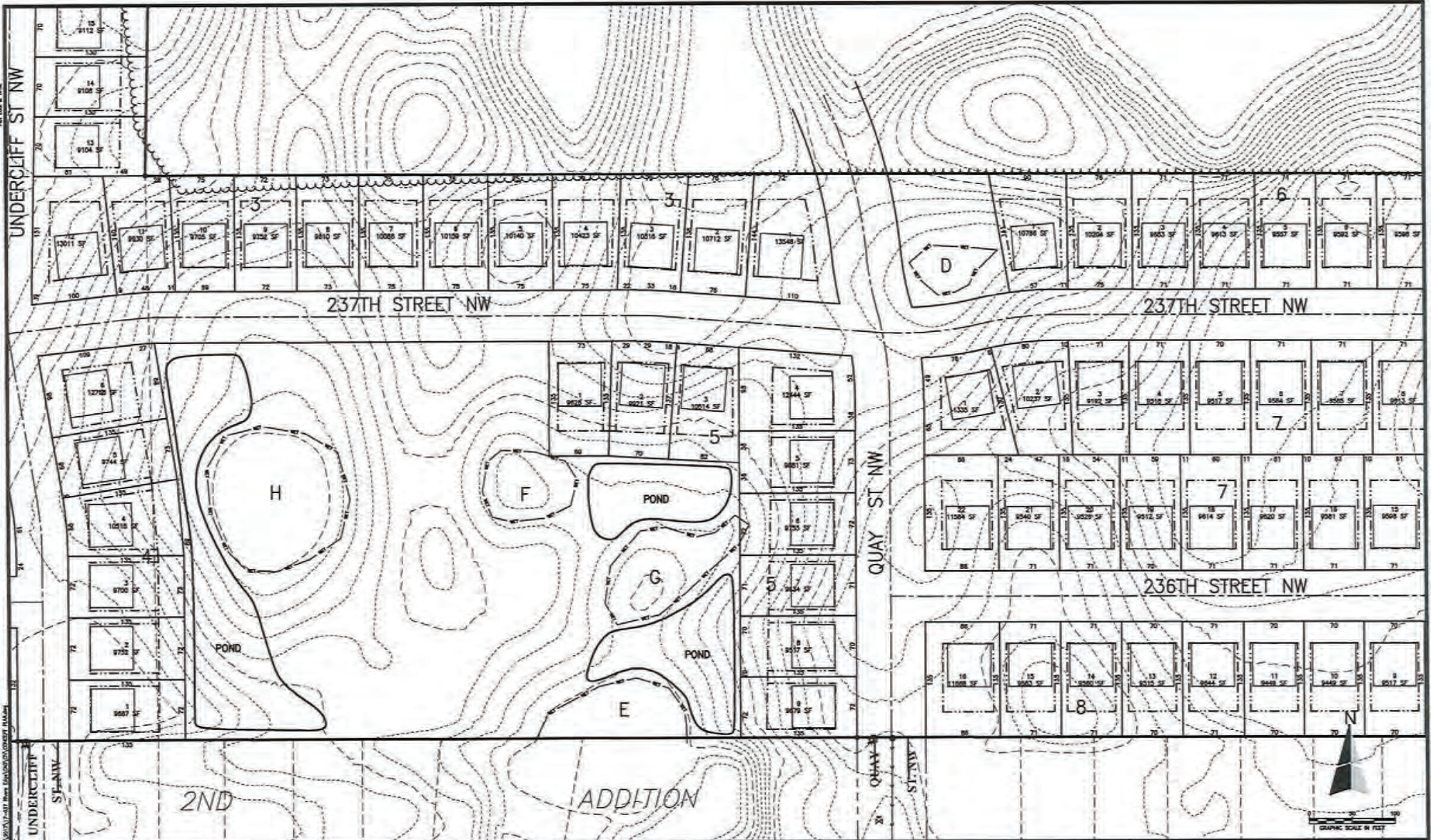
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CAMPION ENGINEERING SERVICES, INC.
 * Civil Engineering * Land Planning
 1800 Pioneer Creek Center,
 P.O. Box 246
 Maple Park, MN 55356
 Phone: 763-479-5172
 Fax: 763-479-4262
 E-Mail: mrcampion@campioneng.com

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
 Mark P. Compton - Lic. # 19901 Date:

**RIVERS EDGE
 LAKETOWN HOMES
 ST FRANCIS, MN**

| | | |
|-------------------------|--|-----------------------|
| CONCEPT PLAN | | PROJECT NO: 17-037 |
| SHEET NO. 2 OF 5 SHEETS | | DATE: 11/28/2017 |



| NO. | DATE | DESCRIPTION | REVISIONS |
|-----|------|-------------|-----------|
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CAMPION ENGINEERING SERVICES, INC.

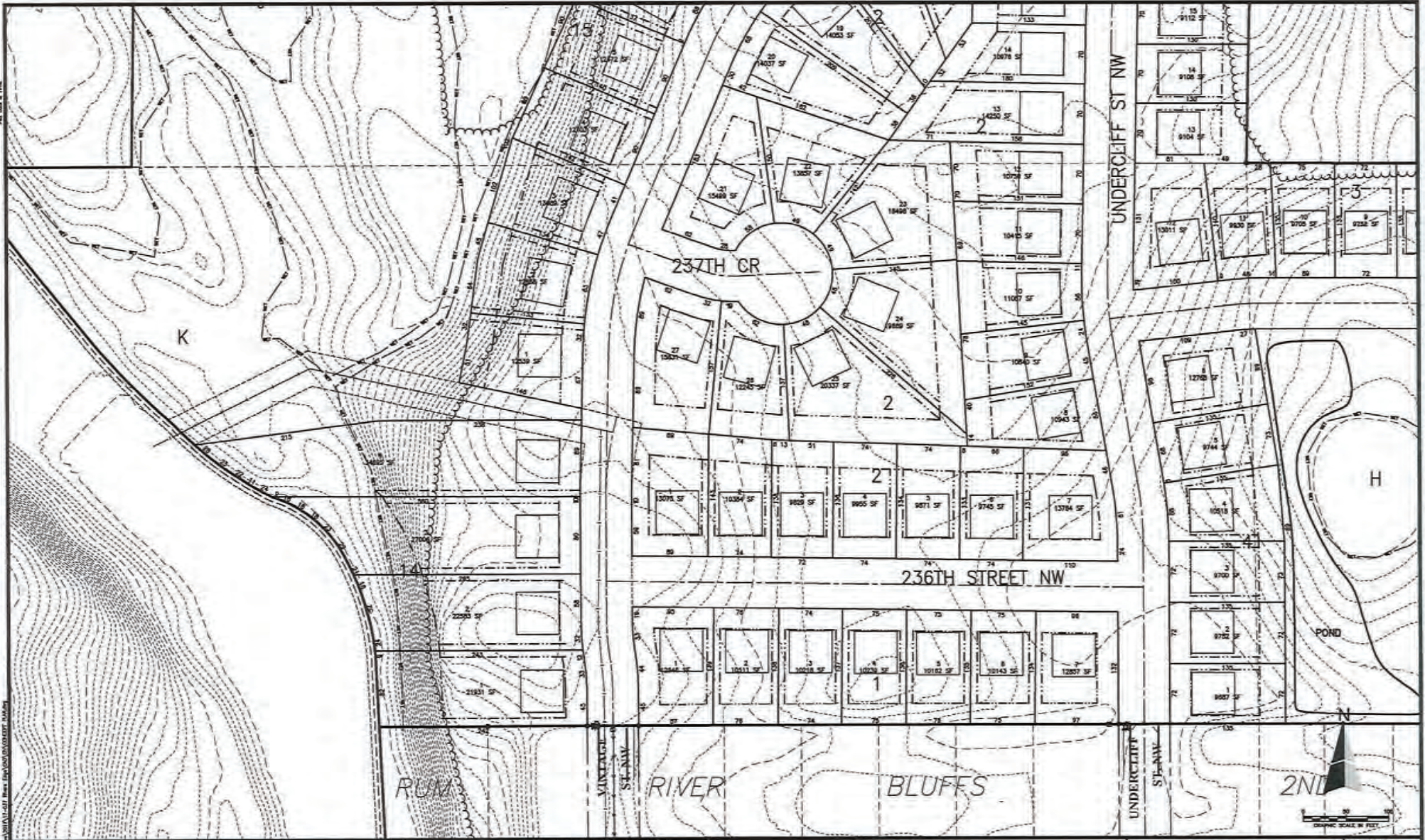
* Civil Engineering * Land Planning
 1800 Plover Creek Center,
 P.O. Box 244
 Maple Plain, MN 55359
 Phone: 763-478-3172
 Fax: 763-478-3262
 E-Mail: mcampion@campioneng.com

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

Marvin P. Campion - Lic. # 19901 Date: _____

**RIVERS EDGE
LAKETOWN HOMES
ST FRANCIS, MN**

| | |
|-------------------------|-----------------------|
| CONCEPT PLAN | PROJECT NO: 17-037 |
| SHEET NO. 3 OF 5 SHEETS | DATE: 11/28/2017 |



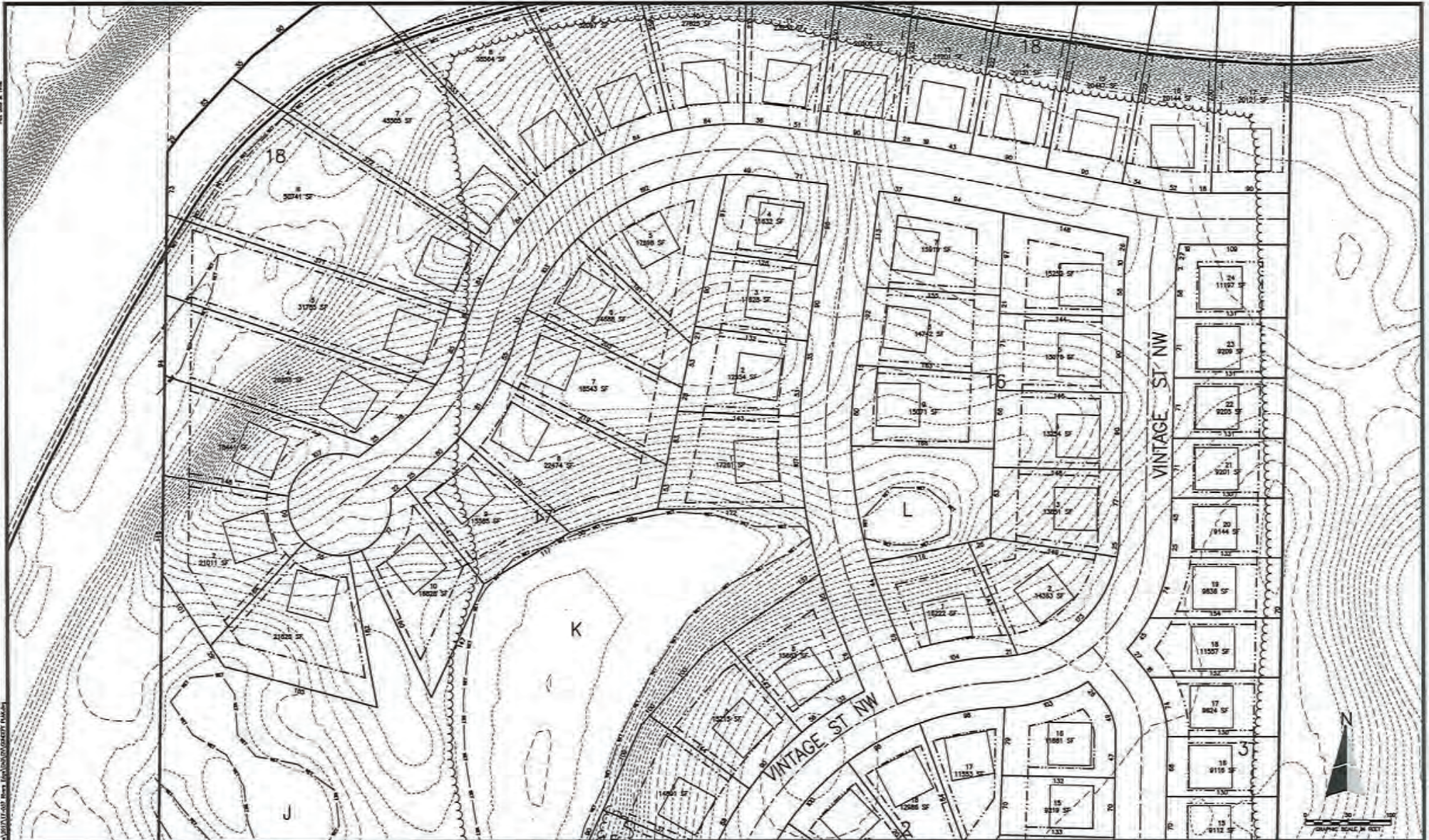
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CAMPION ENGINEERING SERVICES, INC.
 * Civil Engineering * Land Planning
 1800 Pioneer Creek Center,
 P.O. Box 249
 Maple Park, MN 55358
 Phone: 763-479-2172
 Fax: 763-479-4242
 E-Mail: mcampion@campioneng.com

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
 Martin P. Campion - L.E. # 19901 Date:

**RIVERS EDGE
 LAKETOWN HOMES
 ST FRANCIS, MN**

| | |
|-------------------------|------------------------------|
| CONCEPT PLAN | PROJECT NO: 17-037 |
| SHEET NO. 4 OF 5 SHEETS | DATE: 11/28/2017 |



| NO. | DATE | DESCRIPTION | REVISION |
|-----|------|-------------|----------|
| | | | |
| | | | |
| | | | |


**CAMPION
ENGINEERING
SERVICES, INC.**

• Civil Engineering • Land Planning
 1500 Pioneer Drive Center,
 P.O. Box 249
 Maple Plain, MN 55329
 Phone: 763-479-0772
 Fax: 763-479-0242
 E-Mail: info@campioneng.com

I hereby certify that this plan, specification
 or report has been prepared by me or
 under my direct supervision and that
 I am a duly Licensed Professional Engineer
 under the laws of the State of Minnesota.
 North P. Campion - Lic. # 19001 Date:

**RIVERS EDGE
LAKETOWN HOMES**
 ST FRANCIS, MN

CONCEPT PLAN
 PROJECT NO. 17-037
 SHEET NO. 5 OF 5 SHEETS DATE 11/28/2017

DESCRIPTION OF REQUEST: (attach additional information if needed)

Project Name: River's Edge

RECEIVEDNature of Proposed Use:
220 single family homesites

NOV 16 2017

City of St. Francis**Reason(s) to Approve Request:**

This new plan is an improvement upon a prior approved preliminary plat. The neighborhood will have patio homes for empty nesters, starter homes, and excellent river view lots.

IS THIS APPLICATION, PART OF, OR IN ADDITION TO, A PREVIOUS APPLICATION(S) PERTAINING TO THE SUBJECT SITE? IF YES:

PROJECT NAME:

NATURE OF REQUEST:

(attach additional information if needed)

PROPERTY INFORMATION:

Street Address:

Siwek Farm

Property Identification
Number (PIN#):

32-34-24-12-0001

Legal Description

(Attach if necessary):

Lot(s):

Block:

Subdivision:

APPLICANT INFORMATION:

Name:

Dale Willenbring

Business Name:

Laketown Homes, LLC

Address:

1536 Beachcomber Blvd

City

Waconia

State:

MN

Zip Code:

55387

Telephone:

952-715-2926

Fax:

E-mail:

dale@laketownhomes.com

Contact:

Dale Willenring

Title:

President

OWNER INFORMATION: (if different from applicant)

Name:

Business Name:

Address:

City:

State:

Zip Code:

Telephone:

Fax:

E-mail:

Contact:

Title:

APPLICATION FEES AND EXPENSES: By signing this application form, I agree that all fees and expenses incurred by the City for the processing of this application, including costs for professional services, are the responsibility of the property owner to be paid immediately upon receipt or the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes 429.81 as amended. All fees and expenses are due whether the application is approved or denied or withdrawn. Escrow fees may not cover actual expenses; any additional fees will be billed.

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge. I further understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

APPLICANTS MUST BE SIGNED BY ALL PROPERTY OWNERS AS WELL AS/AND IN ADDITION TO, APPLICANT

Applicant(s): Dale Wittenbring Date: 11/20/2017

Owner(s): _____ Date: _____

Required Application attachments

| | |
|---------------------------|--|
| Minor Subdivisions | Please provide (3) Certificates of Survey at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) to-scale electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). ***See below for other required information. |
| Concept Plans | Please provide (3) large scale copies at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) to-scale electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). ***See below for other required information.* |
| Preliminary Plat | Please provide (3) large scale copies at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) to-scale electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). ***See below for other required information. |
| Final Plats | Please provide (3) large scale copies at 22" by 34", (1) reproducible reduction at 11" by 17", and (1) to-scale electronic PDF. File of all information and submit an electronic (Word for Windows) version of the complete legal description of the property(s). **See below for other required information. |
| *** | <ol style="list-style-type: none"> 1. If applicable, an additional large scale copy at 22" by 34" shall be provided for each of the following: <ol style="list-style-type: none"> a. (1) If project lies within a DNR Shoreland District or Floodplain b. (1) If project is adjacent to a neighboring City or Township 2. If applicable, an additional small scale copy at 11" by 17" shall be provided for each of the following: <ol style="list-style-type: none"> a. (1) If project increases the number of dwelling units for the Met Council b. (1) If project is adjacent to a County Road or County State Aid Highway c. (1) If project is adjacent to a MN/Dot state highway |

CITY OF ST. FRANCIS – 2018 DEVELOPMENT APPLICATION SCHEDULE

| COMPLETE APPLICATION DUE DATES | PUBLIC HEARING NOTICES DUE | PLANNING COMMISSION MEETING DATES | CITY COUNCIL MEETING DATES |
|---------------------------------------|-----------------------------------|--|-----------------------------------|
| THURSDAY 5:30 PM | WEDNESDAY 10:00 AM | WEDNESDAY 7:00 PM | MONDAY 6:00 PM |
| 12/17/17 | 1/2/18 | 1/17/18 | 2/5/18 |
| 1/18/18 | 2/6/18 | 2/21/18 | 3/5/18 |
| 2/15/18 | 3/6/18 | 3/21/18 | 4/2/18 |
| 3/15/18 | 4/3/18 | 4/18/18 | 5/7/18 |
| 4/19/18 | 5/1/18 | 5/16/18 | 6/4/18 |
| 5/17/18 | 6/5/18 | 6/20/18 | 7/2/18 |
| 6/21/18 | 7/3/18 | 7/18/18 | 8/6/18 |
| 7/19/18 | 8/31/18 | 8/15/18 | 9/4/18 |
| 8/16/18 | 9/4/18 | 9/19/18 | 10/1/18 |
| 9/20/18 | 10/2/18 | 10/17/18 | 11/5/18 |
| 10/18/18 | 11/6/18 | 11/21/18 | 12/3/18 |
| 11/15/18 | 12/4/18 | 12/19/18 | 1/7/19 |
| 12/20/18 | 12/31/18 | 1/16/19 | 2/4/19 |

State statutes provides up to 120 days for the review of complete application, but the City will strive to finalize your request as quickly as possible. Please note that missing application due date and meeting dates or submitting an incomplete application WILL result in the review of the request being delayed. All City Council meeting dates are estimated as it is City policy that issues be resolved and plans be revised as may be needed prior to Council consideration.



**CITY COUNCIL
AGENDA REPORT**

Agenda Item #:

9 E

TO: Joe Kohlmann, City Administrator
FROM: Kate Thunstrom, Community Development Director
SUBJECT: City Code, Chapter 6 Ordinance amendment to add Section 14 Peddlers, Solicitors, and Transient Merchants
DATE: 12/04/17 & 01/02/18

OVERVIEW:

City staff requested Sambatek to address a gap in our process as it relates to the City Code and the internal process for Peddlers, Solicitors, Canvassers and Transient Merchants licenses. It is common for Cities to put a process in place to address solicitation to protect residents against unethical sales practices. The process is used to knowledge who is within our community, the reason they are here and complete a background check for public safety.

A license of this type is used for those who sell goods while traveling from place to place by foot or vehicle. Typically it is seen in door to door sales such as contractors for storm damage, organizations selling books, home improvement offers, etc. The individuals are offering goods and services that are not affiliated with our local organizations, schools or non-profits.

Working with Sambatek it was clear that as we have used Chapter 8 for this type of business license in the past, we needed to include a license process in Chapter 6 to clarify process and expectations.

ACTION TO BE CONSIDERED:

Council is being requested to consider moving forward the proposed changes to Chapter 6 addressing the language added for Peddlers, Solicitors and Transient Merchants

BUDGET IMPLICATION:

None

Attachments: Sambatek Ordinance Packet

Memorandum

DATE: Wednesday, November 29, 2017
TO: St. Francis City Council
FROM: Jim Robinson, Associate Planner
SUBJECT: Peddlers and Solicitors Ordinance

Background

The City of St. Francis currently regulates solicitors including peddlers, canvassers and transient merchants, through City Code Chapter 8: *Public Protection, Crimes and Offenses*. This ordinance includes the following sections: purpose statement, definitions, prohibited solicitation practices and a duration section. The effective date of the Ordinance is 06-01-1990.

Chapter 8 defines a solicitor as including, “such common terms as peddler, transient merchant and canvasser”. The ordinance further defines two types of solicitation including, *business solicitation* and *contribution solicitation*. *Business solicitation* is broadly defined to include an attempt by a solicitor to sell or distribute goods or services for personal, family, or household purposes by telephone or in person, other than at an established place of business. Four exceptions or exclusions are also listed including: 1) solicitation when the solicitor personally knows the solicitee; 2) when the solicitee has first contacted the solicitor; 3) solicitation of a newspaper subscription; and 4) solicitation for sale of farm or garden products cultivated by the solicitor. *Contribution solicitation* is defined as an attempt by a solicitor to obtain money from a solicitee for any cause or purpose by telephone or in person, other than at an established place of meeting, business service or activity of the organization represented by the solicitor. Two exceptions are listed and include: 1) the solicitation in which the solicitor, his or her organization and the identity of the services are known to the solicitee; and 2) solicitation in which the solicitee has first initiated contact with the solicitor.

Chapter 8 further includes a licensing reference for both *contribution and business solicitations*. Section C. *Prohibited Solicitation Practices*, includes: Paragraph 5, which states that; “It is unlawful for any person to engage in *contribution solicitation* without completion of licensing or registration as herein provided”. And, Paragraph 6, which states, “It is unlawful for any person to engage in *business solicitation* without a license issued by Anoka County and without registering such license with the City”.

The city’s current regulations regarding both contribution canvassing and business solicitation are vague. First the contribution solicitation reference to licensing, “*as provided herein*”, lacks specificity, as there is no

further direction in Chapter 8, and no reference to the licensing requirements the city utilizes in Chapter 6: Business Regulation and Licensing. Secondly, the *business solicitation* reference to and reliance on Anoka County to regulate solicitors is tenuous as it does not provide for any significant city oversight. The county regulations (pursuant to MN Stat. 329.11) only pertain to *out of state* businesses, when coming to the county to do business [emphasis added]. While this provision would provide some oversight of out of state solicitors (for example, contractors who go door to door after storm damage in a community to solicit contracts for home restoration such as roofing and siding restoration) the language leaves the majority of business solicitors as defined by the city's ordinance without regulation.

The city's business licensing requirements are detailed in the city code at Chapter 6 and include sections, dealing with administration and the twelve-business types requiring a license from the city. Chapter 6 defines *Business* as— "any activity, occupation, sale of goods or services, or transaction that is either licensed or regulated, or both licensed and regulated by the terms and conditions of this Chapter". Chapter 6 currently does not currently include a citation requiring licensing requirements for solicitors, peddlers, hawkers, canvassers, or transient merchants. Chapter 6 does however contain a sole reference to solicitors at Section 6:1-7: Carrying or Posting; but only requires solicitors to carry proof of licensing when soliciting.

The application procedures and requirements for business licensing in the city are detailed in the first section of Chapter 6, and then further referred to and expanded upon in the twelve-businesses enumerated in the code sections that follow the application requirements. The ordinance's administrative requirements include the following sections:

1. Violation a Misdemeanor
2. Definitions
3. Applications
4. Inspections
5. Action on Application, Transfer, Termination, and Duplicate License
6. Fixing License Fees
7. Carrying or Posting
8. Penalty for Property Owner
9. Responsibility of Licensee
10. Renewal of License
11. Insurance Requirements
12. License Denial and Fixing Rates – Hearing
13. Worker's Compensation

The twelve-business types enumerated in the Chapter are subject to the above referenced application provisions and several also have their own unique provisions enumerated within their distinct section. By adding the peddlers, solicitors and transient merchant licensing requirements to Chapter 6, the city may follow this same format by adding application provisions and regulations tailored to these specific activities.

Purpose

The general rationale for establishing an ordinance to regulate peddlers, solicitors and transient merchants is to provide a reasonable amount of oversight by the city to ensure that its residents are protected from unregulated commerce of a temporary or transient nature. Regulations in the draft ordinance include: application and review procedures, eligibility standards, enforcement and revocation procedures. Together, these regulations are designed to protect the public's health, safety and general welfare, including: protecting the privacy of residents and preventing fraud, and other criminal activities.

Regulation Practices

Regulation practices and procedures for these types of activities vary widely from city to city. Most cities utilize the more rigorous licensing procedures for peddlers, solicitors, and transient merchants and either exempt canvassing altogether, or only require a registration for some forms of the activity—such as fund raising or contribution canvassing. Due to court rulings, the city attorney has recommended that the city refrain from regulating “non-commercial door-to-door advocates” as defined by the League of Minnesota Cities and as included in the attached draft ordinance. Other cities simply require an administrative registration procedure for all types of solicitation. The City of St. Francis’ current ordinance relating to *contribution solicitation (similarly defined as non-commercial door-to-door advocacy)* includes language which requires either licensing or registration as provided in the ordinance, but without further direction as to the procedures required. The new ordinance would clarify that this type of door-to-door (free speech) activity would be exempt from city licensing and registration.

Definitions

Definitions are important in differentiating various forms of solicitation in order to establish a clear and enforceable ordinance. After reviewing definitions of solicitors, peddlers, hawkers, canvassers and transient merchants, from several sources including the League of Minnesota Cities (the League), we found several commonalities which have been incorporated into the draft ordinance.

First the term “peddler” generally refers to a person who goes from place to place, including door to door, to attempt to sell goods which are *immediately deliverable* upon sale. The term “hawker” is generally used synonymously with the term peddler and is sometimes included in the definition of peddler.

The term “solicitor” is generally used similarly to the term peddler but with a key distinction being that a solicitor is a person going from place to place with the intent of taking orders for goods or *services* to be delivered at a *future time*.

Transient merchants are distinct from peddlers and solicitors as they offer goods or services in a fixed location and facility which is temporary in nature. The goods or service may be available immediately or in the future. Examples of such merchants would include Christmas tree vendors, food stands and lawn and garden retailers.

Background checks are included in the draft ordinance provisions as a prerequisite for approval of licensing of all regulated activities including, peddlers, solicitors and transient merchants.

The term canvasser (also referred to as a “non-commercial door-to-door advocate”) is often defined as a person who goes from place to place for the primary purpose of disseminating religious, political, social, or other ideological beliefs. This activity may include pamphleteering and fund raising. This type of activity is protected under state and federal free speech provisions and may not be infringed upon by city ordinance.

Proposed Ordinance

Based on our review of League recommendations, other area cities regulations, and the City of St. Francis’ past practice of regulating these types of activities, we have organized the new ordinance around the three previously mentioned groupings: peddlers, solicitors, and transient merchants. Due to the temporary nature of peddlers, solicitors and transient merchants and their potential for negative impact on the community, we are recommending that they be licensed by the City under Chapter 6 – Business Regulations and Licensing, as outlined in the draft ordinance. Non-commercial door-to-door advocate activities (including non-commercial contribution canvassing, as currently referenced in the city’s ordinance) would become exempt from regulation consistent with court rulings and the League recommendations. This distinction provides for oversight of commercial oriented door-to-door solicitation and transient merchant activities while recognizing and respecting the state and federal rights to freedom of speech under the constitution for non-commercial door-to-door advocate undertakings. A complete listing of other exemptions to licensing included in the draft ordinance can be found under Section 6-14-3 (A), Exceptions.

The draft regulations also include specific application procedures as well as grounds for denial based on Ineligibility criteria listed in Section 6-14-4. The City Clerk is established as the licensing agent for the process and may issue or deny license applications for the activities based on the criteria provided in the draft ordinance. Upon denial, an appeal process before the City Council is provided for. In addition, any action to suspend or revoke a license would require City Council approval, and a public hearing before the Council is provided for a licensee who wishes to appeal a revocation or suspension. A comprehensive list of Standards of Conduct and Prohibited Activities is also provided at Section 6-14-7.

Recommendation

A related action required concurrently with the adoption of the new Solicitors’ Ordinance is the repeal of current code language at Chapter 8-4-7 “Solicitors”. The attached draft ordinance adds a new Section 14: Peddlers, Solicitors, and Transient Merchants to Chapter 6: Business Regulation and Licensing and repeals the existing language in Chapter 8, at Section 8-4-7 Solicitors. The ordinance as outlined is ready for input and first reading by the City Council. Staff recommends adoption of first reading.

ORDINANCE NO. 236, SECOND SERIES

CITY OF ST. FRANCIS

ANOKA COUNTY

STATE OF MINNESOTA

BY ACT OF THE CITY COUNCIL, THIS ORDINANCE AMENDS

CITY ORDINANCE 236, SECOND SERIES WITH THE FOLLOWING ORDINANCE AMENDMENTS RELATING TO THE REGULATION OF PEDDLERS, SOCLICITORS, AND TRANSIENT MERCHANTS.

THE CITY OF ST. FRANCIS ORDAINS THE FOLLOWING LANGUAGE AMENDMENTS TO ORDINANCE 236, SECOND SERIES:

Section 1. Code Amended. Chapter 8 Section 4-7 Entitled SOLICITORS shall be amended as follows:

~~8-4-7: SOLICITORS:~~

~~A. Purpose. This Section is not intended to in any way hinder, delay or interfere with legitimate business or organizational activities. The Council finds, however, that solicitors have used public streets and their direct contact with residents of the City for the illegitimate solicitation practices or harassment, nuisance, theft, deceit, or menacing, troublesome or unlawful activities. This Section is intended to ferret out and control: (1) businesses and organizations using solicitation as a means of concealing unlawful activities; and (2) businesses and organization which, though its activities be lawful or even commendable, use such illegitimate practices in solicitation; and, (3) individual natural persons who, though they represent lawful businesses and organizations, use such illegitimate solicitation practices. The Council further finds that a large number of the residents of the City are employed as their livelihood and means of support by manufacturing plants and other businesses on shifts rotating between night and day, and to disturb them during their sleeping hours for the purpose of solicitation is a source of nuisance or even harassment and should be subject to control.~~

~~B. Definitions. The following terms, as used in this Section, shall have the meaning stated:~~

~~1. "Solicitor" means any person making the solicitation, including such common terms as "peddler", "transient merchant" and "canvasser".~~

~~2. "Solicitee" means the person solicited.~~

~~3. "Goods" means any tangible thing of value including money if the selling price exceeds the face value thereof. The term includes such chattels as are furnished or used at the time of sale or subsequently in the modernization, rehabilitation, repair, alteration, improvement or construction of real property so as to become a part thereof whether or not severable there from.~~

~~4. "Services" means work, labor, or services of any kind.~~

~~5. "Established place" means real estate in the City owned, leased on a month-to-month or term certain longer than thirty (30) days. The term includes a booth, compartment, or area leased or assigned during and for the length of an event or occasion.~~

~~6. "Business solicitation" means an attempt by a solicitor, engaging in transactions of the same kind, to sell or distribute for a consideration any goods or services primarily for personal, family, or household purposes, when either the solicitor or person acting for him contact the solicitee by telephone or in person, other than at the established place of business of solicitor, except: (1) an attempted solicitation in which the solicitee personally knows the identity of the solicitor, the name of the business firm or organization he represents, and the identity or kinds of goods, services or things of value offered; or, (2) an attempted solicitation in which the solicitee has first initiated the contact with the solicitor; or, (3) an attempted solicitation of a newspaper subscription in which the solicitor is a minor child engaged in both the delivery and sale of the newspaper; or, (4) an attempted solicitation for the sale of products of a farm or garden occupies or cultivated by the solicitor, when facts of such occupancy or cultivation are proven by the solicitor.~~

~~7. "Contribution solicitation" means an attempt by a solicitor to obtain money from a solicitee for any cause or purpose, when either the solicitor or person acting for him contacts the solicitee by telephone or in person other than at the established place of meeting, business, service, or activity of the organization represented by the solicitor, except: (1) an attempted solicitation in which the solicitee personally knows the identity of the solicitor, the name of the organization he/she represents, and the identity of the services performed or offered by the organization, or, (2) an attempted solicitation in which solicitee has first initiated the contact with the solicitor or the organization represented by him.~~

~~C. Prohibited Solicitation Practices.~~

~~1. It is unlawful for any solicitor to engage in solicitation for any unlawful business or organizational purpose or activity.~~

~~2. It is unlawful for any solicitor to practice harassment, nuisance, theft, deceit, or menacing, troublesome or otherwise unlawful activities during the course of solicitation.~~

~~3. It is unlawful for any solicitor to enter, or attempt to gain entrance, to residential premises displaying at such entrance a sign at least three and three-quarters (3³/₄) inches long and three and three-quarters (3³/₄) inches high with the words "Peddlers and Solicitors Prohibited" or "Solicitors Prohibited" in type not smaller than forty-eight (48) point.~~

~~4. It is unlawful for any solicitor to refuse to leave business premises when requested by the owner, lessee, or person in charge thereof.~~

~~5. It is unlawful for any person to engage in contribution solicitation without completion of licensing or registration as herein provided.~~

~~6. It is unlawful for any person to engage in business solicitation without a license issued by Anoka County and without registering such license with the City.~~

~~D. Duration of Contribution Solicitation Registration. Registration of contribution solicitation shall expire sixty (60) days after registration is approved.~~

Source: City Code Effective Date: 06-01-1990: Deleted in Entirety 9- -17: See Chapter 6-14.

Section 2. Code Enacted. Chapter 6, Section 14 of the St. Francis City Code Entitled PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS shall be enacted as follows:

SECTION 14

PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS

SECTION:

- 6-14-1: Purpose
- 6-14-2: Definitions
- 6-14-3: Regulation Established Application for License
- 6-14-4: License Ineligibility
- 6-14-5: Transient Merchant License
- 6-14-6: Peddler and Solicitor License
- 6-14-7: Standards of Conduct
- 6-14-8: Suspension-Revocation – Prohibited Activities
- 6-14-9: Exclusion by Placard
- 6-14-10: Penalty-Enforcement
- 6-14-11: Severability

6-14-1: Purpose. The City Council finds that peddlers, solicitors, and transient merchants, by virtue of the temporary nature of their business and the lack of permanent location for their operations, present unique consumer protection problems. In order to protect the health, safety, and welfare of the community and pursuant to the authority granted by Minn. Stat. § 329.15, the City of St. Francis herein licenses and regulates all peddlers, solicitors and transient merchants operating within the city, as described herein. The purpose of this chapter of the city code is to prevent fraud and criminal activity, such as burglary, theft, and assault and to protect the privacy of residents in their homes by requiring peddlers, solicitors and transient merchants to be licensed, and to impose restrictions on their operations within the city that are narrowly tailored to address the risks these operations pose to the public health, safety and welfare. It is not the purpose of this ordinance to burden interstate commerce or interfere with constitutionally protected rights under the First Amendment of the United States Constitution or Art. I, Section 3 of the Minnesota Constitution.

6-14-2: Definitions. Unless the context clearly indicates otherwise, the words below are defined for the purpose of this section as follows:

- A. "Licensee" means an individual, partnership, corporation or association licensed within the city under this section and also includes a person who is or will be conducting the regulated activity on behalf of the licensee.
- B. "Non-Commercial Door to Door Advocate" means a person who goes door-to-door for the primary purpose of disseminating religious, political, social, or other ideological beliefs. For purpose of this ordinance, the term door-to-door advocate shall fall under the term solicitor and include door-to-door canvassing and pamphleteering intended for non-commercial purposes.
- C. "Non-profit" means an organization that currently has tax-exempt status from either the state or federal government and provides written evidence of that status.
- D. "Occupant" means a person living, staying, or working at a residence, including a guest.
- E. "Peddler" means a person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place movement, for the purpose of offering for sale, displaying for exposing for sale, selling or attempting to sell, and delivering immediately upon sale, the goods, wares, products, merchandise, or other personal property that the person is carrying or otherwise transporting. For purpose of this ordinance, the term peddler shall have the same common meaning as the term hawker.
- F. "Person" means any natural individual, group, organization, corporation, partnership or association. As applied to groups, organizations, corporations, partnerships and associations, the term shall include each member, officer, partner, associate, agent or employee.
- G. "Regular Business Day" means any day during which the city hall is normally open for the purpose of conducting public business. Holidays defined by state law shall not be considered regular business days.
- H. "Regulated activity" means the activity of a peddler, solicitor, or transient merchant as defined in this section.
- I. "Solicitor" means a person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place movement, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property, or services of which he or she may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a

later time. The absence of samples or catalogs shall not remove a person from the scope of this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above. For purposes of this ordinance, the term solicitor shall have the same meaning as the term canvasser.

- J. "Transient merchant" means a person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, other portable shelter, or empty store front for the purpose of exposing or displaying for sale, selling or attempting to sell, and delivering goods, wares, products, merchandise, or other personal property and who does not remain in any one location for more than ninety (90) consecutive days.

6-14-3: Regulation Established-Application For License Required. A person engaging in a regulated activity within the city, as defined herein, must comply with the provisions of this section. A person engaging in a regulated activity within the city must first obtain a license, and an identification card from the City Clerk. The person must also comply with any applicable zoning and health regulations.

- A. Exceptions. A person engaging in any of the following activities is not required to obtain a license or an identification card from the city:
1. Any person selling or attempting to sell at wholesale any goods, wares, products, merchandise, or other personal property to a retail seller of the items being sold by the wholesaler.
 2. Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.
 3. Any person selling products of the farm or garden grown or raised by the seller, including meat, provided such activities comply with applicable health regulations.
 4. Any person selling antiques, collectibles, art work or other similar products in a show or festival which lasts for five days or less and which involves two or more sellers or exhibitors.
 5. Any person calling upon residents in connection with establishing or servicing a regular route service for the sale and delivery of perishable daily necessities of life such as bakery products and dairy products.
 6. Any person conducting the type of sale commonly known as garage sales, estate sales, or rummage sales.
 7. School children, age 17 or younger, soliciting for school-sponsored activities or for other charitable youth oriented fundraisers.

8. Any person doing business by appointment.
9. Any person participating in an organized multi-person bazaar or flea market.
10. Any person conducting an auction as a properly licensed auctioneer.
11. Any officer of the court conducting a court-ordered sale.
12. Any non-commercial door-to-door advocate exercising that person's state or federal constitutional rights such as freedom of speech, freedom of press, freedom of religion, and the like. Nothing within this ordinance shall be interpreted to prohibit or restrict non-commercial door-to-door advocates. A person engaging in non-commercial door-to-door advocacy shall not be required to register as a solicitor under this section. This exception will not apply if the person's exercise of constitutional rights is merely incidental to what would properly be considered a commercial activity.

Exceptions under this section, shall not, for the scope of this chapter, excuse any person from complying with any other applicable statutory provision or requirement provided by any other city ordinance or county requirement.

- B.** Application. Application for a license must be made at least ten (10) business days before the regulated activity is proposed to begin and must include an accurate, sworn statement in writing, on a form furnished by the city, that gives the required information listed below and includes any required supporting documentation:

(1) The applicant's full legal name.

(2) Any and all other names under which the applicant has or does conduct business, or to which the applicant will officially answer to.

(3) A physical description of the applicant (hair color, eye color, height, weight, any distinguishing marks or features, and the like).

(4) Full address of applicant's permanent residence.

(5) Telephone number of applicant's permanent residence.

(6) Full legal name of any and all business operations owned, managed, or operated by applicant, or for which the applicant is an employee or an agent.

- (7) Full address of applicant's regular place of business, if any exists.
- (8) Any and all business-related telephone numbers of the applicant, including cellular phones and facsimile (fax) machines.
- (9) The type of business for which the applicant is applying for a license.
- (10) The duration of the license for which the applicant is applying.
- (11) The dates during which the applicant intends to conduct business. If the applicant is applying for a daily license, the number of days he or she will be conducting business within the city.
- (12) Any and all addresses and telephone numbers where the applicant can be reached while conducting business within the city, including the location where a transient merchant intends to set up his or her business.
- (13) A statement as to whether or not the applicant has been convicted with the last five (5) years of any felony, gross misdemeanor or misdemeanor for violating any state or federal statute or any local ordinance, other than minor traffic offenses.
- (14) A list of the three (3) most recent locations where the applicant has conducted business as a peddler, solicitor or transient merchant.
- (15) Proof of any required county license.
- (16) Written permission of the property owner or the property owner's agent for any location to be used by a transient merchant.
- (17) A general description of the items to be sold or services to be provided.
- (18) Any and all additional information as may be deemed necessary by the City Council.
- (19) The applicant's driver's license number or other acceptable form of identification.

(20) The license plate number, registration information, vehicle identification number (VIN) and physical description for any vehicle to be used in conjunction with the licensed business operation.

- C. Photographs. Each individual applicant and person who will be conducting the regulated activity on behalf of the partnership or organization must submit two copies of a recent photograph of themselves approximately 1½ inches by 1½ inches, showing the head and shoulders of the person in a clear and distinguishable manner. An application is not complete until the required photograph(s) is supplied.
- D. Fees. The application must be accompanied by the required license and identification card fees specified in section 6-1-6 of this Chapter.
- E. County License Required. No person shall conduct business as a peddler, solicitor or transient merchant within the city limits without having first obtained the appropriate license from the county if applicable.
- F. Procedure for License Issuance or Denial. Upon receipt of the application and payment of the license fee, the city clerk will, within two (2) regular business days, determine if the application is complete. An application will be considered complete if all required information is provided. If the city clerk determines that the application is incomplete, the city clerk must inform the applicant of the required, necessary information that is missing. If the application is complete, the city clerk must order any investigation, including background checks, necessary to verify the information provided with the application.

Within ten (10) regular business days of receiving a complete application the city clerk must issue the license unless grounds exist for denying the license application under Section 6-14-4 listed below, in which case the clerk must deny the request for a city peddler, solicitor or transient merchant license. If the city clerk denies the license application, the applicant must be notified in writing of the decision, the reason for denial and the applicant's right to appeal the denial by requesting, within twenty (20) days of receiving notice of rejection, a public hearing before the City Council.

The City Council shall hear the appeal with twenty (20) days of the date of the request for a hearing. The decision of the City Council following the public hearing can be appealed by petitioning the Minnesota Court of Appeals for a writ of certiorari.

6-14-4: License Ineligibility. The following shall be considered grounds for denying a license under this Chapter:

- A. The failure of the applicant to obtain and show proof of having obtained any required county license.

- B. The failure of the applicant to fully or truthfully provide any of the information requested by the city as a part of the application, or the failure to sign the application, or the failure to pay the required fee at the time of the application.
- C. The conviction of the applicant within the past five (5) years from the date of the application for any violation of any federal or state statute or regulation, or of any local ordinance, which adversely reflects on the person's ability to conduct the business for which the license is being sought in an honest and legal manner. Those violations shall include, but not be limited to, burglary, theft, larceny, drug, swindling, fraud, unlawful business practices, and any form of actual or threatened physical harm against another person; unless the individual can show sufficient evidence of rehabilitation as defined in Minn. Stat. § 364.03, subd. 3.
- D. The denial or revocation within the past five (5) years of any license issued to the applicant for the purpose of conducting business as a peddler, solicitor, or transient merchant.
- E. The applicant is found to have a history of poor business practices. Evidence of a history of poor business practices shall include, but not be limited to, the existence of more than three complaints against the applicant with the Better Business Bureau, the Office of the Minnesota Attorney General or other state attorney general's office or other similar business or consumer rights office or agency, within the preceding 12 months, or three (3) complaints within the City within the preceding five (5) years.
- F. A person who produces documentation of identification that is torn, pasted, peeled, or otherwise damaged or altered.

6-14-5: Transient Merchant License: Transient merchants shall first obtain a transient merchant license pursuant to Section 6-14-3 of this Chapter and as set forth herein. Unless otherwise granted by the City Council, all transient merchant licenses are subject to the following:

- A. Transient merchant licenses are valid for a period of ninety (90) days.
- B. No transient merchant activities shall take place on property which is zoned for residential uses.
- C. No license shall be issued unless the application is accompanied by a written consent to the activities signed by the owner of the property upon which the transient merchant activity is to be conducted.
- D. Applications shall be accompanied by a site plan of the proposed transient merchant location and surrounding premises.

6-14-6: Peddler and Solicitor Licenses: Peddler and solicitor license shall be issued for a period of sixty-(60) days.

6-14-7: Standards of Conduct-Prohibited Activity.

- A. Except for those people specified in section 6-14-3(A), a person may conduct regulated activity in the city only if a valid city identification card identifying the person has been issued, is prominently displayed by attaching it to the front of the outermost clothing between the waist and neck, and has not been revoked, suspended, or impounded.
- B. A licensee must not transfer its license or identification card to another person.
- C. A person must not use a city identification card issued to someone other than that person.
- D. A city identification card must be displayed only while conducting regulated activity in the city and may not be used for other purposes or other than approved locations.
- E. A person conducting regulated activity must not go onto private property for that purpose when there are signs prominently posted indicating that trespassing, solicitation, or peddling are unwelcome or prohibited.
- F. A person must not be on a street, highway, or adjacent boulevard and direct regulated activity toward the occupants of any motor vehicle in transit and must not obstruct the free flow of vehicular or pedestrian traffic on any public street, sidewalk, or other public right-of-way.
- G. A person must not conduct regulated activity in a manner that creates a health or safety hazard.
- H. A person must conduct regulated activity in a reasonably courteous manner at all times, must not engage in offensive, obscene, or abusive language, must not push open a door not opened by an occupant, must not place any portion of the person's body through an opened doorway without the invitation of an occupant, and must not physically attempt to stop an occupant from closing a door.
- I. A licensee must immediately leave private property when requested to do so by an owner or occupant and must leave immediately upon completion of a transaction or an unsuccessful attempt to contact an occupant.
- J. A licensee entering onto residential property must go directly to a front door of the residence, unless there is an adult present outside of the residence or in an open garage. At no time may a licensee go to a window or to the back yard, unless invited to do so by the occupant.
- K. A person conducting regulated activity must not make untrue statements to the people contacted regarding the purpose of the contact, orders placed by the neighbors, or the goods and services offered.

- L. A licensee must not make statements to the people contacted indicating or implying that the city identification card constitutes an endorsement of their activities or products by the city.
- M. No person may call attention to his or her business or the items to be sold by means of blowing any horn or whistle, ringing any bell, crying out, or by any other noise, so as to be unreasonably audible within an enclosed structure.
- N. No person under this ordinance shall conduct business before 8:00 A.M. or after 9:00 P.M.

6-14-8: Suspension-Revocation.

- A. Generally. Any license issued under this section may be suspended or revoked at the discretion of the City Council for violation of any of the following:
 - (1) Subsequent knowledge by the city of fraud, misrepresentation or incorrect statements provided by an applicant on the application form.
 - (2) Fraud, misrepresentation or false statements made during the course of the licensed activity.
 - (3) Subsequent conviction of any offense to which the granting of the license could have been denied under Section 6-14-4.
 - (4) Engaging in any prohibited activity as provided under Section 6-14-7 of this ordinance.
 - (5) Violation of any other provision of this ordinance.
- B. Multiple persons under one license. The suspension or revocation of any license issued for the purpose of authorizing multiple persons to conduct business as peddlers or transient merchants on behalf of the licensee shall serve as a suspension or revocation of each authorized person's authority to conduct business as a peddler, solicitor or transient merchant on behalf of the licensee whose license is suspended or revoked.
- C. Notice. Prior to revoking or suspending any license issued under this chapter, the city shall provide a license holder with written notice of the alleged violations and inform the licensee of his or her right to a hearing on the alleged violation. Notice shall be delivered in person or by mail to the permanent residential address listed on the license application, of if no residential address is listed, to the business address provided on the license application.

- D. Public Hearing. Upon receiving the notice provided in part (C) of this section, the licensee shall have the right to request a public hearing. If no request for a hearing is received by the city clerk within ten (10) days following the service of the notice, the city may proceed with the suspension or revocation. For the purpose of a mailed notice, service shall be considered complete as of the date the notice is placed in the mail. If a public hearing is requested within the stated time frame, a hearing shall be scheduled within twenty (20) days from the date of the request for the public hearing. Within three (3) regular business days of the hearing, the City Council shall notify the licensee of its decision.
- E. Emergency. If, in the discretion of the City Council, imminent harm to the health or safety of the public may occur because of the actions of a peddler, solicitor or transient merchant licensed under this ordinance, the City Council may immediately suspend the person's license and provide notice of the right to hold a subsequent public hearing as prescribed in part (C) of this section.
- F. Appeal. Any person whose license is suspended or revoked under this section shall have the right to appeal that decision in court.

6-14-9: Exclusion By Placard.

- A. Unless specifically invited by the property owner or tenant, no peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or other person engaged in other similar activities shall enter onto the property of another for the purpose of conducting business as a peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or similar activity when the property is marked with a sign or placard:
 - (1) At least four inches long.
 - (2) At least four inches wide.
 - (3) With print of at least 48 point in size.
 - (4) Stating "No Peddlers, Solicitors or Transient Merchants," "Peddlers, Solicitors, and Transient Merchants Prohibited," or other comparable statement.
- B. No person other than the property owner or tenant shall remove, deface, or otherwise tamper with any sign or placard under this section.

6-14-10: Penalty-Enforcement.

- A. A violation of a provision of this section is subject to the penalties established in Section 6-1-1 of this Chapter.

B. The City Clerk, the Chief of Police, and their designees are authorized to enforce this ordinance. They may impound an identification card, and license, when a person has been found violating a provision of this section, when cause exists for suspending or revoking the identification card, or license, or when the identification card or license has been suspended or revoked. When impounding a card or license, the official must send a notice to the licensee and the subject of the card at the address on the application form, giving the parties ten (10) days to submit a written request for a hearing before the city council. Failure to timely request an appeal, constitutes a waiver of that appeal and results in an automatic suspension of the license or card for three years.

6-14-11: Severability.

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

Section 3. Effective Date.

This Amended Ordinance shall take effect thirty (30) days after its publication.

PASSED AND ADOPTED by the City Council of the City of St. Francis, Minnesota, this ___th day of December, 2017.

Steve Feldman
Mayor

ATTEST:

Barbara I. Held
City Clerk

722212-v1

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

RESOLUTION 2018 - 05

**RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 236, SECOND SERIES BY TITLE AND SUMMARY**

WHEREAS, the city council of the City of St. Francis has adopted Ordinance No. 236, Second Series an ordinance to amend local regulations regarding the licensing of Peddlers, Solicitors, and Transient Merchants; and

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Francis, that the City Clerk shall cause the following summary of Ordinance No.236, Second Series be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of St. Francis has adopted Ordinance No. 236, Second Series an ordinance adding and amending local regulations regarding the licensing of peddlers, solicitors, and transient merchants and repealing existing regulations regarding the same as currently specified in Chapter 8 of City Code at Section 4-7. The City Council finds that peddlers, solicitors, and transient merchants, by virtue of the temporary nature of their business and the lack of permanent location for their operations, present unique consumer protection problems. In order to protect the health, safety, and welfare of the community and pursuant to the authority granted by Minn. Stat. § 329.15, the City of St. Francis proposes to license and regulate all peddlers, solicitors and transient merchants operating within the City, as specified in the draft ordinance. The draft ordinance includes the following Sections: Purpose, Definitions, Regulation Established Application for License, License Ineligibility, Transient Merchant License, Peddler and Solicitor License, Standards of Conduct, Suspension-Revocation-Prohibited Activities, Exclusion by Placard, Penalty-Enforcement, and Severability. The full ordinance text is available for inspection at City Hall during regular business hours, and will be emailed or sent to any party upon request.

Joseph Muehlbauer, Mayor Pro-Tem

BE IT FURTHER RESOLVED by the City Council of the City of St. Francis that the City Clerk keep a copy of the ordinance at City Hall for public inspection, and that a full copy of the ordinance be posted in a public place within the City.

Adopted this 2nd day of January, 2018 by the City of St. Francis City Council with voting as follows:

Mayor Steve Feldman: _____

Rich Skordahl: _____

Robert Bauer: _____

Jerry Tveit: _____

Joe Muehlbauer: _____

Joseph Muehlbauer, Mayor Pro-Tem

ATTEST:

Barbara I. Held, City Clerk

(SEAL)

**CITY COUNCIL
AGENDA REPORT**

Agenda Item #:

9G

TO: Mayor & City Council
FROM: Dave Schmidt, Fire Chief
SUBJECT: **Approval for the Fire Department to enter in to a Joint Duty Crew Study**
DATE: January 2nd, 2018

OVERVIEW:

Over the past couple months Fire Chiefs from St. Francis, Oak Grove, Bethel, East Bethel and Linwood Fire Departments has been meeting once a month to discuss the possibility of creating a joint Duty Crew Staffing program between jurisdictions. Duty Crew staffing utilizes part-time/Paid-On-Call firefighters to staff the fire station(s) to cover calls and requests for service. This provides a consistent and reliable level of staffing.

These cities have discussed the possibility of "cost sharing" the staffing of area fire stations with part-time staff. Other area departments such as Andover, Anoka, Spring Lake Park-Blaine-Mounds View Fire Departments already utilize some model of a Duty Crew system.

Currently there is grant money available from the State Fire Marshall's office for fire departments to hire an outside consultant to review and evaluate new and creative ways for Paid-on-Call fire departments to cover requests for service quickly and efficiently.

This request of Council is for the department to participate in a study should the group be successful in receiving the grant. There is no obligation on the part of the City of St. Francis to move forward in any agreement for budget dollars or staffing as a result.

Action to be considered:

Motion to approve the Fire Department to participate in a grant writing process for a Joint Duty Crew study with Oak Grove, East Bethel, Bethel, and Linwood Fire Departments



**CITY COUNCIL
AGENDA REPORT**

Agenda Item #:

9 H

TO: Mayor & City Council
FROM: Dave Schmidt, Fire Chief
SUBJECT: Designate Drager SCBA's as Surplus Equipment
DATE: January 2, 2018

OVERVIEW:

In November 2017 the Fire Department placed the new MSA SCBA's in to service on all Fire Department Apparatus. Our inventory of Drager SCBA's no longer have functional service to the Fire Department. The Fire Department is requesting that the inventory of Drager SCBA's be deemed surplus equipment, this will allow the Fire Department and City to sell/donate/dispose of the equipment in accordance with any/all regulations pertaining to used Self Contained Breathing Apparatus.

Any proceeds from a sale of the equipment would be placed back in to the Fire Department Capital Fund.

Action to be considered:

Motion and Resolution 2018-06 deeming Drager SCBA's as surplus equipment, and allowing any proceeds from a potential sale of the equipment to be placed in to the Fire Department Capital Fund.

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

RESOLUTION 2018-06

**A RESOLUTION DECLARING SURPLUS
PROPERTY AND AUTHORIZING THE DISPOSAL
OF SAID PROPERTY**

WHEREAS, Section 8-7-3 of the St. Francis City Code entitled "Disposal of Excess Property" outlines the procedure for disposal of City owned property; and

WHEREAS, pursuant to Section 8-7-3, the City has identified property owned by the City that is no longer needed for municipal service; and

WHEREAS, by the City Council of the City of St. Francis that the following property is hereby classified as surplus property, with the approximate value said property assigned as follows:

| Surplus Property | Estimated Value |
|--------------------------|------------------------|
| Drager SCBA's (20 Units) | Less than \$5,000 |

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 2nd DAY OF JANUARY, 2018.

APPROVED:

ATTEST:

Joseph Muehlbauer, Mayor Pro-Tem

Barbara I. Held, City Clerk