

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
Virtual Meeting via Zoom

May 03, 2021
6:00 pm

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. ROLL CALL

Members Present: Mayor Steve Feldman, Councilmembers Sarah Udvig, Joe Muehlbauer, Kevin Robinson, and Rob Bauer

Also present: Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), City Engineer Craig Jochum (Hakanson Associates, Inc.), City Planner Beth Richmond (HKGi), City Administrator Joe Kohlmann, Police Chief Todd Schwieger, Fire Chief Dave Schmidt, Liquor Store Manager John Schmidt, Public Works Director Jason Windingstad, Community Development Director Kate Thunstrom, Finance Director Darcy Mulvihill, and Deputy Clerk Jenni Wida.

3. APPROVAL OF AGENDA

MOTION BY: SECOND: APPROVING THE REGULAR CITY COUCIL AGENDA

Ayes: Muehlbauer, Robinson, Udvig, Bauer

Nays: None

Motion carried 5-0

4. CONSENT AGENDA

- A. City Council Minutes – April 19th, 2021
- B. Authorization to Hire Diana Saenger as City Clerk
- C. Approve Agreement with HGAC (consortium for fire truck purchase)
- D. Approve Contract Fire Truck Purchase
- E. Claims

MOTION BY: BAUER SECOND: UDVIG ADOPTING THE CONSENT AGENDA

Ayes: Robinson, Muehlbauer, Bauer, Udvig, Feldman

Nays: None

Motion carried 5-0

5. MEETING OPEN TO THE PUBLIC

City Administrator Joe Kohlmann asked if anyone wanted to speak. No one came forward.

6. SPECIAL BUSINESS

None

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

None

9. NEW BUSINESS

A. CUP Admendment-4140 St. Francis Blvd (St. Francis Auto Parts)

Beth Richmond gave a presentation on an applicant seeking an amendment to existing CUP. The property has an existing CUP which allows the site to be used as a salvage yard. It was originally granted in 1987 and has been amended several times over the years. The site is currently used as a salvage yard. The applicant is requesting to amend the existing CUP to change the permitted uses on the site to bring the vehicle sales use into compliance and to add other uses on the site. The applicant is requesting the following uses: 15 offices for used vehicle sales, salvage yard, auto repair (major), and outdoor storage. The planning commission reviewed the CUP amendment, no members of the public provided comment either for or against the request. The Planning Commission recommend unanimously for approval of the CUP amendment request with conditions.

Muehlbauer – Since it's existing already is it grandfathered in as is? Is he required to pave and curb? Beth stated that the existing one would only need striping and the new parking lot would need to be paved and curbed.

Udvig- Stated that she wondered where the water would be going. As long as the water has a place to go. She thanked Beth for answering the question in her previous question that she answered.

Bauer – Stated that he is confused on the back lot where it shows personal storage. Beth stated that that is the reason they are requesting a site plan that will show where the water will drain properly to a correct location.

Robinson – The aesthetics of the building is a concern of mine. Rick stated that he planned to do some improvements over a period of time as this is what you first see when you come into St. Francis.

- i. Resolution 2021-16 Approving Conditional Use Permit Amendment
MOTION BY: MUEHLBAUER SECOND: ROBINSON TO ADOPT
RESOLUTION 2021-16 APPROVING A CONDITIONAL USE PERMIT
AMMENDMENT TO ALLOW SALVAGE YARD, USED VEHICLE SALES,
MAJOR AUTO REPAIR, AND OUTDOOR STORAGE

Ayes: Robinson, Udvig, Muehlbauer, Feldman

Nays: Bauer

Motion Carries: 4-1

B. Kennel –

- i. Ordinance 272, Second Series (Second Reading)
Community Development Kate Thunstrom stated that she was prepared for any questions.

No comments from Council.

MOTION BY: UDVIG SECOND: MUEHLBAUER TO ADOPT KENNEL
ORDINANCE 272, SECOND SERIES, SECOND SERIES

Ayes: Udvig, Muehlbauer, Bauer, Robinson, Feldman

Nays: None

Motion Carries: 5-0

- ii. Resolution 2021-17 Authorizing Summary Publication
MOTION BY: MUEHLBAUER SECOND: ROBINSON TO ADOPT
RESOLUTION 2021-17 AUTHORIZING SUMMARY PUBLICATION
Ayes: Muehlbauer, Bauer, Robinson, Feldman
Nays: None
Motion Carries:

C. Peddlers –

- i. Ordinance 273, Second Series (Second Reading)
Community Development Kate Thunstrom stated that she was prepared for any questions.

No comments from Council.

MOTION BY: BAUER SECOND: ROBINSON TO ADOPT PEDDLERS
ORDINANCE 273, SECOND SERIES
Ayes: Bauer, Robinson, Udvig, Muehlbauer, Feldman
Nays: None
Motion Carries: 5-0

- ii. Resolution 2021-18 Authorizing Summary Publication
MOTION BY: MUEHLBAUER SECOND: UDVIG TO ADOPT
RESOLUTION 2021-18 AUTHORIZING SUMMARY PUBLICATION
Ayes: Bauer, Udvig, Robinson, Muehlbauer, Feldman
Nays: None
Motion Carries: 5-0

D. Storage –

- i. Ordinance 274, Second Series (Second Reading)
Community Development Kate Thunstrom stated that she was prepared for any questions.

No comments from Council.

MOTION BY: ROBINSON SECOND: BAUER TO ADOPT STORAGE
ORDINANCE 274, SECOND SERIES
Ayes: Robinson, Bauer, Muehlbauer, Udvig, Feldman
Nays: None
Motion Carries: 5-0

- ii. Resolution 2021-19 Authorizing Summary Publication
MOTION BY: ROBINSON SECOND: UDVIG TO ADOPT RESOLUTION
2021-19 AUTHORIZING SUMMARY PUBLICATION
Ayes: Udvig, Feldman, Bauer, Robinson, Muehlbauer
Nays: None
Motion Carries: 5-0

E. Targeted Residential Picketing –

- i. Ordinance 275, Second Series (Second Reading)
City Attorney Dave Schapps stated it does not take away the first amendment right it limits where the picketing can take place.

No comments from Council.

**MOTION BY: MUEHLBAUER SECOND: ROBINSON TO ADOPT
TARGETED RESIDENTIAL PICKETING ORDINANCE 275, SECOND
SERIES**

Ayes: Udvig, Robinson, Muehlbauer, Bauer, Feldman

Nays: None

Motion Carries: 5-0

- F. Dog Licensing and Regulations – Ordinance 276, Second Series (First Reading)
Community Development Kate Thunstrom stated that this was an ordinance that was found to be overlapping two other chapters. We've updated this ordinance to have all codes match.

Feldman- Chief Schwieger does this make it easier for your officers when making a call. The language was changed on this from "must" to "may" and our officers will follow the same procedures.

No comments from Council.

**MOTION BY: UDVIG SECOND: BAUER TO ADOPT DOG LICENSING AND
REGULATIONS ORDINANCE 276, Second Series FIRST READING**

Ayes: Robinson, Udvig, Bauer, Muehlbauer, Feldman

Nays: None

Motion Carries: 5-0

- G. Tobacco – Ordinance 277, Second Series (First Reading)
Community Development Kate Thunstrom stated that this was an update mainly because the age to purchase tobacco has changed from 18 to 21.

Feldman- Does this address vaping. Chief Schwieger stated that this does use the language to include vaping as well.

Bauer – This doesn't say anything about the use in buildings. Thunstrom stated that this is specifically for the sale and not the use.

No other comments.

**MOTION BY: BAUER SECOND: MEUHLBAUER TO ADOPT TOBACCO
ORDINANCE 277, SECOND SERIES, FIRST READING**

Ayes: Muehlbauer, Udvig, Robinson, Bauer, Feldman

Nays: None

Motion Carries: 5-0

- H. Saunas, Massage Parlors and Similar Adult-Oriented Services – Ordinance 278,
Second Series First Reading

Community Development Kate Thunstrom stated that much of this language was updated to cover if a business tried to go into some of the illegal activities of prostitution or sex trafficking. This includes the Massage Therapist licensing which currently we have this in two ordinances but will go through that for deletion on the next item on the agenda.

Feldman – The clarification of this ordinance is good. We need to make sure we have this in place.

MOTION BY: MUEHLBAUER SECOND: UDVIG TO ADOPT SAUNAS,
MESSAGE PARLORS AND SIMILAR ADULT-ORIENTED SERVICES
ORDINANCE 278 SECOND SERIES FIRST READING

Ayes: Bauer, Robinson, Muehlbauer, Udvig, Feldman

Nays: None

Motion Carries: 5-0

I. Massage Therapist License – Ordinance 279, Second Series (First Reading)

Community Development Kate Thunstrom stated that this is a request to delete Chapter Six Section Ten as this is the new language that was put into Section Nine so all of this language would come out of City Code and be part of the previous Ordinance 278 that we just discussed.

No comments from Council.

MOTION BY: ROBINSON SECOND: BAUER TO ADOPT MESSAGE
THERAPIST LICENSE ORDINANCE 279, SECOND SERIES FIRST READING

Ayes: Robinson, Muehlbauer, Udvig, Bauer, Feldman

Nays: None

Motion Carries: 5-0

J. Adult Entertainment – Ordinance 280, Second Series (First Reading)

Community Development Kate Thunstrom stated that much of this language was updated with zoning code. We split apart the zoning code and put it in Chapter Ten leave behind the Adult Business Licensing section.

No comments from Council.

MOTION BY: BAUER SECOND: ROBINSON TO ADOPT ADULT
ENTERTAINMENT ORDINANCE 280, SECOND SERIES FIRST READING

Ayes: Muehlbauer, Robinson, Udvig, Bauer, Feldman

Nays: None

Motion Carries: 5-0

K. Anderson Companies Extension

Community Development Kate Thunstrom stated the city entered into contract with Anderson Companies for a protentional senior living building. At this time

Greg Anderson could work quickly enough with us for a code change that is coming in August. We will have something else that we will put in front of staff that will hopefully be fruitful.

Bauer – If the senior living is not going to come in, I am not in favor of locking down this land for 90 days. We are in a growth spurt right now.

Udvig- Have we had people that were interested in that land? Thunstrom stated that

we do not have anyone else interested in this land at this time. I am in favor of the extension.

Robinson – I think that Mr. Anderson is worthy of this 90-day extension as he has devoted his time.

Feldman – Anderson Companies has put time and money into this project. I am in favor of this extension.

MOTION BY: UDVIG SECOND: ROBINSON TO APPROVE LETTER OF INTENT FOR ANDERSON COMPANIES FOR A 90 DAY EXTENSION

Ayes: Udvig, Robinson, Muehlbauer, Feldman

Nays: Bauer

Motion Carries:4-1

10. MEETING OPEN TO THE PUBLIC

11. REPORTS

A. Department Reports – None

B. Councilmember Reports -

Robinson – I missed the Finance meeting last week. I did go to the Oak Grove City Council Meeting and they are narrowminded. I don't think that they are looking forward. We are looking to discuss more on the SRO. Hopefully the Chief can get his time to speak on the SRO.

I was contacted by residents about people putting "Free" stuff at the end of their driveway and streets. Do we have a code enforcement? Thunstrom stated if she received a complaint they can reach out to them.

I worked Recycling Days and it was busy.

Udvig – Attended school board meeting on Monday 4/26/21. I have had conversations with the Superintendent and board members, I think we are making some headway on the SRO. I will be attending the school board meeting on May 10, 2021. I did get us on the Agenda and I think it is important for Chief Schwieger to answer their questions and they can make an informed decision.

I did get reports from people about Recycle Days and people thought it was run much more smoothly.

May 4, 2021 6:00-7:30 – Mental Health Forum for Community Ed Team.

Do we know when the work will start on 241st, 239th, Ute, and Tamarack? Craig Jochum said that they don't bid until May 11th. They have until September 30th, it shouldn't take that long but it should be a three week process.

Bauer – Social Media can get the word out and they can make or break the decision, If you have ever been bullied in school you would know that a SRO is a must.

Muehlbauer – As far as the SRO, I have made my comments on Facebook previously.

I choose not to engage in the recent activity. A lot of people wonder why we as a city don't pay so much for the SRO? For the schools in our city, our city is paying for 100% of the calls for in our District.

I attended two classes of the St. Francis Citizens Academy and it is a really cool program. I would encourage people to check it out and you get an inside look and a different perspective from law enforcement.

Feldman – Butterfield and 225th residents are wondering about the seed and when that will be there. Feldman stated that we need sun and water to see the effects, council has no control. Craig Jochum stated that seed is better because it is less expensive. We dormant seeded last fall and that can be hit or miss. The contractor is keeping track of it.

The ordinance on picketing does not consider the content of the speech just the time, place, and manner.

The SRO is frustrating. The school has a \$61 million revenue and they are eliminating the SRO which is .0126% of this revenue. I am hoping that the school district will allow Chief Schwieger and Officer Dzuris time to talk.

I have reached out to MN Municipal Aid about Oak Grove and the Poppy Street project. The road is 1,100 ft and it's only 550 feet of road for Oak Grove. I am not sure why they won't work with us even after helping them with the Ponds water issue. I was hoping for a relationship with our sister cities, but I am running out of hope with Oak Grove.

County Market reached out to me since we put the barricades west of Casey's they have been having problems with teens in their parking lot. Chief Schwieger spoke to Jeff from County Market and this is a topic that comes up every spring. We will have officers driving through more often to let try and get the teens off of private properties. We encourage them to look at city parks or hang out at someone's house. How is Vista doing with there site plan. Thunstrom state that they are looking to get on the June Agenda for the Planning Commission.

The new City Clerk will be starting on May 17, 2021.

C. Upcoming Events –

- i. May 17 City Council Meeting – 6:00 pm, Zoom meeting
- ii. May 19 Planning-7 Zoom

12. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular city council at 7:39 PM.



Jennifer Wida, Deputy City Clerk