

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

APRIL 5, 2021
6:00 pm

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The regular City Council meeting was called to order at 6:00 pm by Mayor Steve Feldman through virtual setting via Zoom.

2. ROLL CALL

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

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, Community Development Director Kate Thunstrom, Finance Director Darcy Mulvihill, and Deputy Clerk Jenni Wida.

3. APPROVAL OF AGENDA

MOTION BY: Bauer SECOND: Robinson APPROVING THE REGULAR CITY COUCIL AGENDA

Ayes: Udvig, Muehlbauer, Feldman, Bauer, Robison

Nays: None

Motion carried 5-0

4. CONSENT AGENDA

A. City Council Minutes – March 15, 2021

B. 2021 Street Sweeping Quotes

C. 2021 Dust Control Quotes

D. 2021 Consortium Crack Filling and Sealcoating

E. Rental License Approvals – March 2021

F. River's Edge 5th Addn. – Grading Agreement

G. Asbestos Abatement Proposals on 3772 Bridge Street and 22951 Ambassador Blvd.

H. Tobacco License Application – The Ponds Golf Course

I. MS4 Permit Application

J. Payment of Claims

Robinson had a question on items D and F.

Robinson asked on item D – If any other cities are doing a consortium and who are they working with? City Administrator Joe Kohlmann stated that Coon Rapids puts it on and there are a number of different cities doing it as well. Robinson asked if they were using the infrared or special patching. City Administrator Joe Kohlmann advised that he wasn't sure what they are doing with this batch.

Item F- a year ago we had some constituents come forward about 234th and Underclift about final grading. Is it something that is going to be avoided, there was a drainage issue, just wanted to bring it up again to make sure that we have safeguards in place and this won't happen again. Mayor Feldman asked Community Development Director Kate Thunstrom if it was a final grading and Thunstrom stated that the development that was having the issues is on the other side of the river. We have put new safeguards in place and we are watching for those issues.

MOTION BY: Robinson SECOND: Muehlbauer APPROVING THE CONSENT AGENDA ITEMS A-J

Ayes: Bauer, Udvig, Muehlbauer, Robinson, and 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. Green Valley 2nd Addition - Subdivision Concept Plan

Beth Richmond gave a presentation on the concept plan for the Green Valley subdivision. A proposed project on the west side of the city at east of f Nacre Street and south of Ambassador Blvd. This includes 5 parcels equaling 145 acres. The applicant is requesting to cluster the residential lots towards ambassador and includes 14 lots. Staff is in favor of this because it will help preserve the natural features. Future use of this land will require rezoning. The site is currently zoned A-2 and the request we be to rezone to a Planned Unit

Development based on A2 requirements. Lots in this concept are ranging from 2 acres up to almost 91 acres. Access for the entire development would be onto Ambassador. Ambassador is a county road to review by the County would be needed for future development plans. The public street entrance would be a temporary dead-end street. A cul-de-sac is planned for southern end of the street. Sidewalk is required along one side of every public street and would provide a connection to future Sugar Hills Regional Trail. The applicant would establish a conservation easement over southern 80 acres. The planning commission did review at their meeting last month. Clustering the lots would preserve more natural space.

Mayor Feldman asked on how big is lot 9? Beth stated it was 90 acres, and the conservation easement would be on 80 acres of it. The conservation easement makes sure there are no future development possibilities on that lot. Feldman asked if the owner could use the 80 acres that has the easement. Beth stated that the owner would be able to use the lot for natural things like walking around, but cannot use it for development. Feldman also asked what the owners PID would be on the lot. Feldman asked if there would be a restriction on using that land and if there would need to be an agreement. Feldman asked attorney Dave Schaps if it was legal to minimize the use of that lot. Schaps stated that it was legal as long as the owner is notified of that restriction. Any future owner would need to be notified of the restriction.

Muehlbauer stated that he thought that it might be a turn on for someone because they wouldn't have anyone build around them.

Feldman asked who pays the taxes on this. Thunstrom stated that the owner will pay the taxes, it will require a special buyer and they will receive benefits for having it in a conservation district and preserving the land.

Udvig and Robinson stated that they did not have any further questions.

Bauer stated it looks like a good development with 14 new houses.

B. EDI Senior Housing Concept Plan

Beth Richmond gave a presentation for a concept plan for Vista Prairie Senior Housing. The property is located between Ambassador Blvd and Highway 47 just south of Stark Road. The project is 33 acres includes land east and west of Ambassador Blvd. The project site is 18 acres that is between Highway 47 and Ambassador Blvd. An administrative subdivision would be requested as part of the project to split the property along Ambassador Blvd. The concept plan is a single two-story building that includes 120 units of senior housing, which include, assisted living, memory care, and care suites. Staff evaluated the concept plan for the different approvals that would be needed and it would require an administrative subdivision, comprehensive plan amendment, rezoning and

preliminary and final zoning plats. The project site would be the area west of Ambassador is split into two land use categories. The split follows a logical road connection between Aztec and Zea St. East side of property is guided of medium density residential where the senior housing is proposed to be located. There is a need for a comprehensive amendment to increase the density that is allowed. The request would be to change the land use to medium/high density. The property is currently split into multiple zoning districts. The request is to rezone the area to R3. The sites current access is currently on Highway 47 but that would be closed for future development. The concept plan is showing a primary access onto ambassador with secondary access to Aztec. Applicant is proposing 84 parking space about half underground and have will have surfaces and does meet parking requirement codes. This plan also includes sidewalks on the Aztec side and will have a sidewalk around the area for residents' recreational use. Impervious surface is limited to 50 percent of the entire site. 12 percent of the lot is required to designed outdoor recreation space.

Feldman – Likes the concept. Likes that it is between Ambassador Blvd and Highway 47. It fits into residential and likes that on the that side of 47 where the cul-de-sac could be a future development for townhomes it could be used for commercial. Should we discuss with MN Dot having access in and out of Highway 47 for commercial and not for townhomes. Feldman asked where would the access to Aztec be? Thunstrom stated that this was an old homestead and that homestead has access to Highway 47 and with a new development MN Dot would take that current access away from Highway 47. This development would be required to use 233rd to Aztec to get to the backside or Ambassador Blvd directly on the front side of the project. No new access will be given from Highway 47.

Beth stated that this is planned for business park use and not the typica retail commercial but more office space.

Robinson – Likes the idea and thinks it fits in that parcel. The portion to the west what is the future panning look like for that?

Udvig – Concern on the access at 47.

Bauer – Likes the concept. The future development I would like if the whole building was moved to the west then we can develop the ambassador side and not have to worry about access from 47.

Muehlbauer – Likes the concept plan and thinks the buffer on Highway 47 is a good idea.

Steve Kuhns and Scott Black of EDI and CEO of Vista Prairie Jim Bettendorf were at the meeting as well representing Vista Prairie.

Scott Black stated they would like access from 47. Ambassador has a great appeal for people driving by and they wondered how do we make the Highway 47 side work knowing we won't have access and that would be to develop townhomes for seniors that would target seniors who are not necessarily ready for full senior living. It could be a great location for a clinic, but without access to Highway 47 it hurts the value of the property. Feldman asked if the townhomes would be slab on grade. Kuhns said that yes, they would be condensed townhomes with underground parking.

Scott Black stated that they are ready to move forward. We are working on some title issues that should be resolved in the next 60-90 days. Would like to get this project into construction in the next 12 months.

C. Proposed Zoning Map

Beth stated tonight is the first reading for the adoption of the updated zoning map. In March 2020 the city adopted a 2040 comprehensive plan which includes a future land use map and that designates the intended future use for every property in the city. The next step for the city was to update zoning and subdivision map to conform to the 2040 Comprehensive Plan. The zoning ordinance that was updated establishes new zoning districts, uses, and dimensional standards that are in line with the Comprehensive Plan. The final step in that process is to update the zoning map with the new districts. The majority of the changes occurred because of several reasons: 1) the city consolidated existing districts, 2) the city updated district names, 3) a handful of parcels that were being used as residential were zoned as agricultural. The zoning map was reviewed in Feb and Mar. Prior to the February public hearing the city sent out letters to residents whose properties were being rezoned. Between the February and March meeting, staff talked with about 40 property owners and after answering their questions we had 5 people out of the 600+ letters that disagreed with the proposed rezoning. Staff took a deeper look at these five properties and there were two changes on the zoning. If the council chooses to review there will be a second reading on April 19th and the changes will be in effect in May.

Feldman stated that plans are a good base foundation and said that there is room for tweaking. Appreciates that we can be flexible and work through things.

Muehlbauer – no comment

Udvig- no comment

Bauer- no comment

Robinson – Thanked Kate and Beth and said that they handled the property owners concerns very well. Robinson asked Beth if she felt that she met the

property owners concerns and needs. Beth stated that she felt that she was able to handle the property owner's questions. Robinson stated that they handled these concerns professionally and thanked her for all her hard work.

Feldman stated that Property owners are grandfathered in for their previous zoning for what they are currently doing on their land and if they make changes going forward they have to abide by the new zoning regulations. Beth Richmond stated that was correct.

- 1) Ordinance 270, Second Series (First Reading)
MOTION BY MUEHLBAUER SECOND UDVIG TO ADOPT
ORDINANCE 270 THE FIRST READING SECOND SERIES
Ayes: Udvig, Robinson, Bauer, Muehlbauer, and Feldman
Nays: None
Motion carries: 5-0

D. Code Enforcement Extension Request – 23725 Nightingale Street

Community Development Director Kate Thunstrom stated that a property owner requested an extension for a second time. This is not the first time we have worked with them on clearing the cars from the property. Property requested that we offer an extension while they build pole building.

Feldman stated that he does not want to give them an extension. They should have something done in the 20 months that they have already had. He also stated that they are using these cars to pull parts and possibly sell those parts. He wonders if they should also have a conditional use permit.

Muehlbauer – What are our two options? To continue to cite them or give them an extension and we do not cite them. Thunstrom stated that the property owner is stating that once the pole building is built it will solve the problem of the cars on their property. They do have a permit application submitted but they have not paid for the permit. Muehlbauer stated that given the time that has passed I don't see the benefit in giving them an extension.

Udvig- Agrees with Mayor Feldman and Muehlbauer. She understands that COVID is a factor but she would be more inclined to give an extension if they showed some progress on cleaning up the property.

Bauer- Is there a deadline for a permit application? Thunstrom stated that they do allow some time for applicants to pick up their permit, however if they do not pay for their permit in a timely manner we do charge for plan review. Thunstrom also stated that permits expire after 6 months. Bauer stated that he is leaning towards to what Mayor Feldman stated.

Robinson – Agrees that the extension has gone too far, and no one talks about the effects on the neighbors around them and how they have to suffer as well. They did not make well on their agreement on their first extension. I would give them 30 days and that is being generous. I think they need to prove to us that are going to so what they are going to say.

Feldman then stated that they need to have the permit pulled, paid for, and construction needs to started and will give them 30 days to complete the pole building. Asked the council if they would agree to the extension with conditions. Bauer, Muehlbauer, Udvig, and Robinson all agreed to this last 30-day extension with conditions mentioned above.

**MOTION BY ROBINSON SECOND UDVIG APPROVING THE CODE
ENFORCEMENT EXTENSION OF 30 DAYS FOR 23725 NIGHTINGALE**

Ayes: Muehlbauer, Bauer, Feldman, Robinson, and Udvig

Nays: None

Motion carried 5-0

E. City Sale of Property to the EDA

Community Development Director Kate Thunstrom discussed the topic that was discussed at the work session that the process of selling the properties through the EDA versus directly from the city and how that affects the performance agreement, the timeline for this action would be as follows:

Tonight – Adoption of Resolution and first reading

April 19th – Second Reading

All properties would be able to close around May 24th. The three properties included in this are: Bridge St, two properties south of Mansetti's

Feldman stated it was a good idea to put in the hands of the EDA.

Udvig – agreed to EDA handling

Robinson agreed to EDA handling

Bauer – no comment

Muehlbauer – agreed to EDA handling

1) Resolution 2021-12 Declaring Surplus Property for the Disposal of Said Properties

MOTION BY BAUER SECOND UDVIG TO ADOPT RESOLUTION 2021-12

Ayes: Udvig, Muehlbauer, Bauer, Robinson, and Feldman

Nays: None

Motion carried 5-0

2) Ordinance 271, Second Series (First Reading) Approving the Sale of City

Owned Real Estate
MOTION BY UDVIG SECOND ROBINSON APPROVING THE FIRST
READING OF ORDINANCE 271, SECOND SERIES

Ayes: Robinson, Muehlbauer, Udvig, Bauer, and Feldman

Nays: None

Motion carried 5-0

F. Schedule a Work Session

City Administrator Joe Kohlmann stated that he would like to schedule a work session next week to discuss the Bottle Shop Staffing of a full-time employee and to revisit the Park discussion. Mayor Feldman asked if the bids will be discussed at this work session. Kohlmann stated that the bids will automatically be added to council. Work session was scheduled for Tuesday April 13th at 5:30 pm via Zoom.

10. **MEETING OPEN TO THE PUBLIC**

DeAnne Hilgers is asking what happened for 9C. Feldman stated that it was approved by council for the first reading and zoning map.

11. **REPORTS**

A. Department Reports –

B. Councilmember Reports -

Muehlbauer – Not a lot to report just stated that there is a stomach bug going around out there.

Udvig attended Community ED meeting. Trying to tweak Community ED classes and trying to see what needs are out there. There will be another meeting scheduled next week. They are offering a viewing of the movie Angst and offering that to 500 people. In our work sessions when we come to an agreement Udvig asked that council does not make any additional comments on social media. She reached out to PTA and there are concerns from parents. Udvig spoke to Beth Giese from the District and she stated that they are one of the only districts that pays for the SRO and they pay year-round but do not get use of the SRO for the whole year, only when school is in session. Giese also voiced her concerns about the SRO taking vacation days. Udvig told Giese that the SRO is for mental health and we need that and we need to hear concerns from the parents. Does not believe that the district has slammed the door on this matter. Feldman asked if the parents are aware that the SRO is being discontinued? We need the parents to be informed and have them voice their concerns. Feldman wanted to know what the School Districts budget is for the SRO? Parents need to know the budget for the SRO so they can see the bigger picture.

Robinson- Udvig answered a lot of the questions that I had. I hope that the Police Chief can get someone's time to talk about the SRO. Robinson attended the Finance meeting with Jason with the Public Works Department. He did a great job. I attended the Oak Grove City Council meeting and sat in on the Poppy St

discussion. Their engineer is going to look at it again.

Bauer – Comment on what the superintendent said about the SRO taking a vacation day. I think that it is offensive that they said that an officer can not take a vacation day.

Bauer stated that he had a conversation with Commissioner Matt Look about the things/ideas/thoughts that we wanted to do in the city. I did talk to about the idea of the City Hall/Fire Station/Library Dorm. Look thought it was a great idea. I brought up the Bike path underneath bridge street and Look said it was still in the plans. I also talked about the 47 corridor and how we look forward to having his presence at the next meeting.

Feldman asked if we can draw a concept plan on Highway 47 of what we would like to see? City Administrator Joe Kohlmann stated that we can and when we started this we had it on the plan having the right away going back to the city or the property owners. We can certainly engage in the design but may not be able to have it completed by the next meeting on April 15th. The big question is what do we put at the intersections.

Feldman – The Poppy St construction with utility changes is now that we need to wait for engineer to look over the numbers that he has already looked over before. I made a call to MN Municipal State Aid program and reached out to a Dan Erickson and asked if there was ever a time that he has mediated a meeting on the MSA program and maybe he can bring clarity on this and who will have to pay for what. The engineer said that he would try and help out.

Robinson and Feldman will be part of the process of for City Clerk position

Jackie from Ambassador Program wanted to thank council for the \$400.00 for the storage facility this year because they were unable to raise the funds because of the pandemic.

Feldman stated that he believes we have the right people and the right knowledge to make handle the City's growth. He thanked Council and Staff on their efforts and hard work.

Feldman asked about Consent Agenda item 4G on page 28 and page 29 and was looking at the two bids on this Asbestos Abatement. The two bids are completely opposite of each other and wanted to thank staff on getting these two bids to show the difference in what companies bid out.

C. Upcoming Events –

Apr 19 City Council Meeting – 6:00 pm, Zoom meeting

Apr 21 Planning Commission Meeting – 7:00 pm, Zoom Meeting

Apr 24 Recycling Day @ Public Works Facility

May 3 City Council Meeting – 6:00 pm, Zoom meeting

12. **ADJOURNMENT**

There being no further business, Mayor Feldman adjourned the regular city council at 7:45 PM.