

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

**CITY COUNCIL MINUTES
FEBRUARY 16, 2021**

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 a 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, Public Works Director Jason Windingstad, Finance Director Darcy Mulvihill, and City Clerk Barb Held.

3. APPROVAL OF AGENDA

MOTION BY ROBINSON SECOND MUEHLBAUER APPROVING THE REGULAR CITY COUNCIL AGENDA.

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

Nays: None

Motion carried 5-0.

4. CONSENT AGENDA

A. City Council Minutes – February 1, 2021

B. Accept Resignation of City Clerk Barb Held Effective 04-01-2021 and Authorization to Fill Vacancy

C. Rental License Approvals

D. Resolution 2021-06 Authorizing Police Department to Dispose of Surplus Forfeiture Vehicles

E. Public Works – Road Grader Wing Post Replacement from Falls Equipment for \$11,235

F. Payment of Claims \$443,558.13 (ACH 308e-377e \$233,673.14 and Check #'s 78710-78771 \$209,884.99)

Council member Robinson asked to pull item B from the consent agenda and Mayor Feldman asked item E be pulled for more discussion.

MOTION BY MUEHLBAUER SECOND UDVIG APPROVING THE CONSENT AGENDA ITEMS A, C, D AND F.

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

Nays: None

Motion carried 5-0.

B. Accept Resignation of City Clerk Barb Held Effective 04-01-2021
and Authorization to Fill Vacancy

Robinson said he didn't want this to just moved on in the consent motion. Want to recognize Barb Held for years with the City. The other councilmembers also thanked Barb for her years with the City, how she treated them professionally and that she gave a two-month notice.

E. Public Works – Road Grader Wing Post Replacement

Feldman stated this item has been in the works for replacement for a couple of years. Public Works does take care of their equipment very well but the grader gets used more than just grading the roads. It is used for snow removal too. Only one company that sells this piece that works with their current equipment. Public Works Director stated the current wing post is older technology and is operated by hydraulics cylinders and cables. The cable has been replaced multiple times over its lifetime. Not only is it a safety concern, it takes a couple of people to fix it when it does break. The new wing post is also half the height which will allow for better visual for the operator as well as easier installation and removal. Like the mayor said, the replacement has been discussed for several years and our guys will be capable of replacing this piece.

MOTION BY MUEHLBAUER SECOND ROBINSON APPROVING ITEMS 4 B AND 4 E OF THE CONSENT AGENDA. Discussion was should we included in the motion to have a work session before accepting item 4B. Bauer asked are we locking ourselves in filling the vacancy if we accept the motion as stated. Feldman said we are not locking ourselves in. City Attorney said accept both items and you can discuss filling the vacancy at a work session.

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

Nays: None

Motion carried 5-0.

5. **MEETING OPEN TO THE PUBLIC**

City Administrator Joe Kohlmann asked if anyone watching would like to speak to the council on an item not on the agenda.

Nick Wasche, 23500 Bridgestone Road; thanked the council for taking the time to listen but his question was on the rezoning portion but I believe I did get my question answered. It is going from Agricultural Zoning to Rural Residential. As long as I continue to do what I am currently doing I am grandfathered in. Feldman said if you change your use then it will have to abide by the new zoning code, correct Beth (City Planner). Beth stated yes.

City Administrator Joe Kohlmann stated the rezoning map discussion will be at tomorrow evenings Planning Commission meeting.

Dean Becker, 4436-241st Avenue; said I have the same issue. I bought this property zoned Ag-3 and now it is going to R-2. If I farm my land is it going to be a problem. Feldman said again, you would be grandfathered in on what you are doing until you change your use.

Robinson asked City Planner Beth Richmond if she would give a quick synopsis of the reason for the zoning changes. I know Kate (Thunstrom) gave us some bullet items on the changes maybe that should have been given out to help people understand.

Planner Richmond stated the update of the Zoning and Subdivision Chapters of the City Code resulted from a need to implement the St. Francis 2040 Comprehensive Plan that was adopted in March 2020 and bring the Code up to date to reflect current land use trends. Along with a planning guide for the future. This has been worked on the last six months and the last phase is redoing the zoning map.

The council discussed the reasoning for the changes. Every ten years the City has to update their Comprehensive Plan and submit it to the Met Council. This Comp Plan is a planning guide for the City. Dialogue between the concerned residents and council continued. Mayor Feldman thanked the residents for coming forward to ask questions.

6. **SPECIAL BUSINESS**
None

7. **PUBLIC HEARING**

A. Vacation of a Drainage and Utility Easement over Block 1, Lot 67 of the Meadows of St. Francis Subdivision (PID #: 06-33-24-11-0069) and Final Plat Approval

Beth Richmond gave the Council a quick refresher of this project. Project for the development started in 2004 and development has been in the process of construction ever since. Roughly half of the subdivision remains undeveloped today. In the fall of 2020, a PUD was developed and approved for the site to simplify the development process. The applicant now is requesting to create the 3rd Addition of the Meadows of St. Francis subdivision. This subdivision would replat the existing Block 1, Lots 1-0, 15-22 and 67. The developer is requesting this change in order to be able to construct more buildings with fewer units, creating more opportunities for “end”-units. The proposed change would reduce the number of townhome units in this development by two, from 66 to 64. The dimensions of the proposed Lots 1-15 have been slightly modified from the existing plat. The chart of the changes is included in your council packet. Also, a city owned drainage and utility easement existed over all of the existing Lot 67. Because this lot is included in the 3rd Addition and is changing size and shape the applicant has requested that the City vacate this easement. A new drainage and utility easement will be established over the new Lot 16 as part of the final plat. This easement vacation requires the public hearing.

Mayor Feldman opened the public hearing at 6:37 pm for public comment. After

hearing none, Mayor Feldman closed the public hearing at 6:68 pm on the Vacation of the Drainage and Utility Easement over Lot 67 of the Meadows of St. Francis Subdivision.

Council stated this was at the Planning Commission previously. Discussed the street width and two-way traffic. Lengths of the lots and driveways were also discussed.

1. Adopt Resolution 2021-07 Approving the Vacation of the Drainage and Utility Easement over Block 1, Lot 67 of the Meadows of St. Francis Subdivision

MOTION BY ROBINSON SECOND UDVIG TO ADOPT RESOLUTION 2021-07 APPROVING THE VACATION OF THE DRAINAGE AND UTILITY EASEMENT OVER BLOCK 1, LOT 67 OF THE MEADOWS OF ST. FRANCIS SUBDIVISION.

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

Nays: None

Motion carried 5-0.

2. Adopt Resolution 2021-08 Approving the 3rd Addition Final Plat of the Meadows of St. Francis Subdivision, with Conditions and Findings of Fact as presented by Staff

MOTION BY MUEHLBAUER SECOND BAUER TO ADOPT RESOLUTION 2021-08 APPROVING THE 3rd ADDITION FINAL PLAT OF THE MEADOWS OF ST. FRANCIS SUBDIVISION, WITH CONDITIONS AND FINDINGS OF FACT AS PRESENTED BY STAFF.

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

Nays: None

Motion carried 5-0.

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

A. Zoning Code Updates Chapters 10 and 11 - Ord 269, Second Series (Second Reading)

City Planner Beth Richmond reported since the last council meeting there have been no public comments received on the changes of the code but there have been some on the changes to the zoning map.

Feldman stated there is a public hearing at the Planning Commission meeting tomorrow night on the zoning map changes. There may be times where we need to tweak the zoning map. No further comments from the rest of the city council.

1. Approve second reading of Ordinance 269, Second Series Repealing and Replacing the existing Chapters 10 and 11 of the City Code with the new Zoning and Subdivision Chapters.

MOTION BY UDVIG SECOND ROBINSON APPROVING THE SECOND READING OF ORDINANCE 269, SECOND SERIES REPEALING AND REPLACING THE EXISTING CHAPTERS 10 AND 11 OF THE CITY CODE WITH THE NEW ZONING

AND SUBDIVISION CHAPTERS.

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

Nays: None

Motion carried 5-0.

2. Adopt Resolution 2021-09 Authorizing Summary Publication of Ordinance 269, Second Series

MOTION BY BAUER SECOND MUEHLBAUER ADOPTING RESOLUTION 2021-09 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 269, SECOND SERIES.

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

Nays: None

Motion carried 5-0.

B. Temporary Housing Extension – 4953 Ambassador Blvd. NW

Jason Westrom, 4953 Ambassador Blvd NW has requested another extension to his temporary housing. The council approved a permit for temporary habitation on June 1, 2020 as they wished to live in campers onsite while building a permanent home. Per city code temporary habitation shall not exceed 90 days. Upon the finding of substantial progress, the building official may extend the period of time for an additional 90 days. Any extension beyond this point require Council approval. The Council on December 7, 2020 approved a second extension to January 21, 2021, however the property owner is not able to make the end of January deadline.

Westrom stated he had been working to get the inside project completed but did not know the siding and soffits needed to be completed to obtain the CO. He has been working on the house mostly by himself and is taking longer than expected. He also stated their construction loan is up April 28th which is his deadline to complete everything and asking for the same deadline extension for his temporary housing.

After council discussion they all agreed to give the extension but wanted him to make sure he stays in communication with city staff and understand COVID-19 may have slowed down some of his supply orders.

MOTION BY MUEHLBAUER SECOND BAUER GRANTING A FINAL EXTENSION OF THE TEMPORARY HABITATION TO APRIL 28, 2021 AND IF TEMPORARY HABITATION IS NOT MOVED BY THAT TIME, STAFF TO BEGIN CODE ENFORCEMENT.

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

Nays: None

Motion carried 5-0.

10. **MEETING OPEN TO THE PUBLIC**

City Administrator Joe Kohlmann asked if anyone watching would like to speak to the council on an item not on the agenda. Hearing none the council continued.

Feldman said I did receive an email from Larry Mancill regarding vehicles running unattended and read Mancill's email for the record.

Dear Mayor;

I think we should introduce a bill to establish a city code of ordinance against leaving the vehicle running unattended with the key in the ignition anywhere in St. Francis city limit including residential driveways and parking lots. We do not want to invite carjackers and auto thieves to this town if they knew we do not have this ordinance. Those types of crimes are on the rise all over the Anoka County.

Feldman asked isn't that a State law already. Police Chief Schwieger stated that ordinance is popping up all over the metro area with the recent increase carjackings. I do not see the immediate need for this ordinance here. Feldman asked City Attorney Schaps isn't it a State law. Schaps said he would have to check into it. Feldman said let's keep this on the radar if it becomes a major problem we can bring it back.

11. **REPORTS**

A. Department Reports –

Public Works Departments Monthly Reports

Public Works Director Jason Windingstad wanted to address a couple items before he went over his monthly reports. First, of the four water meters that still needed to be changed out, we are making progress. Two were installed and one property owner came down with COVID and will reschedule and the last one we have tried every number we have and mailed notices, still no response. I will be getting in contact with the attorney to see our next step. The wastewater permit was approved and needs to be published. The warming house will no longer be open due to the warmer weather but people can still skate. Windingstad then gave an overview of his monthly reports.

Council all agreed a good report again. Asked about re-reads, pulling pumps at lift stations and fining property owners for non-compliance in the meter change out.

Fire Department Monthly Reports

Fire Chief Dave Schmidt stated these monthly reports are the same type of report that were in the Off Weeks. Chief Schmidt discussed the call volumes, fire runs vs EMS runs, response times and business inspections for the month.

Council appreciated the good work they are doing and good report.

Work Session

Discussion was held on when should the Council hold a work session in regards filling the City Clerk vacancy. After some discussion it was agreed upon to hold a Work Session on Thursday, February 25, 2021 via Zoom at 5:30 pm for the purpose of discussing the vacancy of the city clerk position.

B. Councilmember Reports -

Muehlbauer – nothing to report.

Udvig – joined the School Board meeting via Zoom. As of today, students are back in school. Still some staffing and bus driver concerns.

Bauer – not much to report. Asking residents to help remove snow around the hydrants for the safety of the city, fire fighters and residents.

Feldman – first I would like to say thank you for all the public works staff, first responders, fire fighters and police working in these subzero temperatures the last couple weeks. Pass it on to staff that we appreciate them.

Casa Rio – Food Truck would like to come back again this year to the Bottle Shop parking lot. They are thinking next Tuesday already being it is supposed to warm up. City Clerk Barb Held said she would reach out to them regarding the application process.

Feldman said also, read the newsletter when you receive it, lots of good information in there, check out our website we have done some changes with the pictures and spotlight window. Thanks to the staff that help do the changes. Thank you be safe and healthy.

C. Upcoming Events –

Feb 3 Charter Commission Meeting – 5:30 pm, Zoom meeting

Feb 15 City Offices Closed in Observance of Presidents Day Holiday

Feb 16 City Offices Closed in Observance of Presidents Day Holiday

Feb 17 City Council Meeting – 6:00 pm, Zoom meeting

Mar 1 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.



Barbara I. Held, City Clerk