

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
OCTOBER 2, 2017
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 – September 18, 2017
 - B. Pay Request No. 26 to Gridor Construction for the WWTF Improvements
 - C. Accept the Resignation of William Newstrom from the Fire Department
 - D. Accept the Resignation of Brian McDonough from the Fire Department
 - E. 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. Kwik Trip – Public Hearing: Easement Vacation
Resolution 2017-31: Vacating A drainage and Utility Easement
Resolution 2017-32: Approving the Conditional Use Permit Site Plan
 - B. Ord. 233, Sec Series Conveying Surplus Property to Anoka County per terms of Bridge Street Joint Powers Agreement (Second Reading)
 - C. Ord. 234, Sec Series Stormwater Ordinance Amendment, Chapter 10 Section 93 (First Rdg)
 - D. Assistant Fire Chief Appointment
10. MEETING OPEN TO THE PUBLIC **Maximum time of five minutes per person***
11. REPORTS
 - A. Councilmember Reports -
 - B. Upcoming Events - Oct 4: Council/Planning Commission – Comp Plan @ 6:00 pm
Oct 9: City Offices Closed in Observance of Columbus Day
Oct 10: Work Session on Riverbank Lane/Kings Hwy St Imp. 6:00 pm
Oct 14: French Toast Breakfast @ Fire Station 8 am - Noon
Oct 14: Free Paper Shredding Event Noon – 2:00 pm
Oct 16: City Council Meeting @ 6:00 pm
12. ADJOURNMENT

*For individuals who wish to address the Council on subjects which are not a part of the meeting agenda. Typically, the Council will not take action on items presented at this time but will refer them to staff for review, action and/or recommendation for future Council action.

MEMO

TO: Mayor & City Council

FROM: Joe Kohlmann, City Administrator

RE: Agenda Memorandum – October 2nd, 2017 Council Meeting

Agenda Items:

4. **CONSENT AGENDA:**

- a. City Council Minutes – September 18th, 2017
- b. Pay Request #26 - Gridor Construction WWTF
- c. Accept Resignation from William Newstrom –
- d. Accept Resignation from Brian McDonough –
- e. Payment of Claims -

6. **SPECIAL BUSINESS:**

- A. None

7. **PUBLIC HEARINGS**

- A. None

8. **OLD BUSINESS**

- A. None

9. **NEW BUSINESS**

- A. Kwik Trip –

- 1) Public Hearing – Easement Vacation

- Open the Public Hearing and take public comments. After all comments are received, close the Public Hearing and the City Council should discuss the matter.

- 2) **Resolution 2017-31** Vacating a drainage and utility easement

- 3) **Resolution 2017-31** Approve the Conditional Use Permit Site Plan (Report from Ben Gozola)

- B. Ordinance 223, Second Series – Conveying Surplus Property to Anoka County per terms of Bridge Street Joint Powers Agreement (**Second Reading**)

- C. Ordinance 234,, Second Series – Stormwater Ordinance Amendment, Chapter 10 Section 93 (**First Reading**) Updates for compliance with the MS4 permit.

- D. Assistant Fire Chief – Memorandum recommending the appointment of Joe Lawrence as the Assistant Fire Chief.

11. Reports:

A) Mayor and Council Reports

12. Adjournment

CITY OF ST. FRANCIS
ST. FRANCIS MN
ANOKA COUNTY

CITY COUNCIL MINUTES
SEPTEMBER 18, 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 Administrator Joe Kohlmann, Community Development Director Kate Thunstrom, Liquor Store Manager John Schmidt, Finance Director Darcy Mulvihill, and City Clerk Barb Held.

3. **APPROVAL OF AGENDA**

MOTION BY MUEHLBAUER SECOND SKORDAHL TO APPROVE THE AGENDA AS PRESENTED. Motion carried 5-0.

4. **CONSENT AGENDA**

MOTION BY MUEHLBAUER SECOND FELDMAN TO APPROVE THE CONSENT AGENDA ITEMS A-J AS FOLLOWS:

- A. City Council Minutes – September 5, 2017
- B. Accounting Technician/Deputy Clerk Job Description and Authorization to Advertise
- C. Assistant Community Development Director Job Description and Authorization to Advertise
- D. MMUA Safety Management Program Contract October 1, 2017-September 30, 2018
- E. Resolution 2017-26: Adjusting the Tax Levy for Bond Indebtedness
- F. Resolution 2017-27: Providing Preliminary Approval of a Proposed 2017 Tax Levy, Collectible in 2018 and Setting Budget Hearing Date
- G. Resolution 2017-28: Setting a Public Hearing on an Easement Vacation
- H. Accept the Resignation of Part Time Liquor Store Clerk Jennifer Baker
- I. Approval of the Application for Excluded Bingo Activity on 11/11/17 and 12/2/2017 at the St. Francis American Legion for the St. Francis Lions Club
- J. Payment of Claims \$331,570.79 (ACH #207 & #208 \$128,855.10 and Check #s 73055-73122 \$202,715.69)

Motion by Tveit to pull items C and E seconded by Feldman.

Discussion was held on the need for an Assistant Community Development Director at this time and the Levy.

Tveit said with the addition of an Assistant Community Development employee is more money than we can chew. Not just for this budget but for additional years. Not sure we need to bring on another full time employee that will affect our tax levy, they go hand and hand.

We discussed this in the work session. Feldman said our administration has been running lean for many years. We are not getting done with what we should get done. More about efficiency and making the city work better. It can't come together on a few shoulders. Plans without preparation go nowhere.

Muehlbauer said I did have a concern with the cost of the additional staff but spoke with city administrator. We're taking advantage of market value.

Bauer sided with Mr. Tveit. My goal is for the City to restructure. Just because the economy is good now, it may change.

Feldman said administration has been running lean for some time. Police is at full staff, new fire chief and public works added on. Have some back up.

Skordahl said with respect to the position there is a lot of work that is going to be asked of our staff to do. We just got done with St. Francis Forward that will create work. We did speak on this in the work session. Did a study on staffing and we were far behind in staffing compared to other cities. There is a lot of stuff that goes on at city hall that we don't see. Time is perfect and the funds and need are there. With the stuff we have been adding we have been behind in staffing.

Tveit said the rental housing, vacancy and chicken ordinance is fairly new. Citizens I talk to is they want smaller and more effective government. We were on a hiring and wage freeze for a number of years. Tveit said during the work session discussion this would be a 7.5 % increase.

Feldman again said planning without preparation is worthless. There are things that should have been done for years but didn't have the people to do it. We are spending the money wisely. Futuristic thinking and putting dollars to good use.

Motion carried 3-2. Tveit and Bauer voting nay.

5. **MEETING OPEN TO THE PUBLIC**
None

6. **SPECIAL BUSINESS**
None

7. **PUBLIC HEARINGS**

None

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

- A. Ordinance 231, Second Series "Animals and Fowl" - Second Reading
Muehlbauer said a resident brought up to me of how you would know when people get rid of the chickens when we only give out twenty permits. Maybe we need some more regulations.

Feldman asked if there is some way we can put that in the permit. Thunstrom said we can send out reminder cards to see if they are still housing chickens. Staff provided an implementation plan for the City Council to review.

Skordahl said if you are going to get chickens please keep them in your yard. Be a responsible animal owner.

Tveit said he still thinks twenty permits is not enough and it hurts the residents if you are not one of the lucky twenty. I understand to pass it as is and we can revisit it.

Feldman said we don't want to open up the flood gates, we want to start this up responsibly. We can look at this after a year. Start out slow and in a responsible way.

Bauer said he does agree with Tveit. Concession is that we can look at it again next year.

After more discussion it was decided on to forward.

MOTION BY BAUER SECOND MUEHLBAUER TO APPROVE THE SECOND READING OF ORDINANCE 231, SECOND SERIES AMENDING "LOCAL REGULATIONS REGARDING THE KEEPING OF CHICKENS".

Roll Call: Yay: Skordahl, Muehlbauer Feldman, Bauer

Nays: Tveit.

Motion carried 4-1.

- B. Resolution 2017-29 – Approving the Summary Publication of Ordinance 231, Second Series

MOTION BY TVEIT SECOND MUEHLBAUER TO ADOPT RESOLUTION 2017-29 A RESOLUTION APPROVING THE SUMMARY PUBLICATION OF ORDINANCE 231, SECOND SERIES. Motion carried 5-0.

- C. Ordinance 232, Second Series "Diseased Trees" – Second Reading

MOTION BY TVEIT SECOND BAUER TO APPROVE THE SECOND READING OF ORDINANCE 232, SECOND SERIES "DISEASED TREES".

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

D. Resolution 2017-30 - Approving the Summary Publication of Ordinance 232, Second Series

MOTION BY MUEHLBAUER SECOND BAUER TO ADOPT RESOLUTION 2017-30 A RESOLUTION APPROVING THE SUMMARY PUBLICATION OF ORDINANCE 232, SECOND SERIES. Motion carried 5-0.

E. Work Session Scheduling – Riverbank Lane Street Improvement

Work Session is set for October 10, 2017 at 6:00 pm at the community center for the Riverbank Lane/Kings Hwy Street Improvement.

MOTION BY MUEHLBAUER SECOND BAUER SETTING A DATE OF OCTOBER 10, 2017 6:00 PM FOR THE RIVERBANK LANE STREET IMPROVEMENT FEASIBILITY STUDY DISCUSSION. Motion carried 5-0.

F. Right of Entry Agreement-Bridge Street Project Land Conveyances

Schaps reported as part of the Joint Powers Agreement with Anoka County for the reconstruction of Bridge Street and the addition of two roundabouts, certain properties were to be conveyed by the City of St. Francis to Anoka County. Anoka County is working with the abutting private property owners, Robert and Carolyn O'Brien to obtain a settlement agreement and convey a portion of the property to them not needed for right of way in the reconstruction project. Currently, these portions of property are owned by the City of St. Francis and which are required under the terms of the Joint Powers Agreement to be conveyed to Anoka County. Allowing the O'Brien's to fulfill their desire to expand their existing business operations and parking area located at 3175 Bridge Street. As this process has taken some time to complete the transfer of property from the City to the County, the County is requesting the City grant a Right of Entry agreement with the County to allow access and enable them to work with the O'Brien's to proceed with their plans to expand their operations on the property. The Right of Entry will expire upon the City's conveyance of the property to Anoka County. The City needs to have two readings of the ordinance authorizing the conveyance of city surplus property to Anoka County pursuant to Bridge Street Joint Powers Agreement.

MOTION BY TVEIT SECOND MUEHLBAUER TO ENTER INTO A RIGHT OF ENTRY AGREEMENT WITH ANOKA COUNTY. Motion carried 5-0.

G. Ordinance 233, Second Series Conveying Surplus Property to Anoka County per terms of Bridge Street Joint Powers Agreement – First Reading

MOTION BY MUEHLBAUER SECOND BAUER APPROVING THE FIRST READING OF ORDINANCE 233, SECOND SERIES AUTHORIZING THE CONVEYANCE OF CITY SURPLUS PROPERTY TO ANOKA COUNTY PURSUANT TO BRIDGE STREET JOINT POWERS AGREEMENT.

Roll Call: Yay: Muehlbauer, Feldman, Bauer, Skordahl, and Tveit,

Nays: none

Motion carried 5-0.

10. **MEETING OPEN TO THE PUBLIC**

None

11. **REPORTS**

A. Public Works Report – Received report from public works.

B. Councilmember Reports-
Skordahl nothing to report.

Bauer nothing to report.

Muehlbauer reported he went to the school board meeting last week. The school is holding an informational bond meeting tonight at the St. Francis High starting at 7:00pm in the Saints room.

Tveit reported he attended the URRWMO Sept 20th meeting at Oak Grove. They are working on the ten year water management plan. Thanks to Bridge Church for hosting a Block Party this past Sunday what a great thing for the community, they have done a ton of community outreach and projects for St. Francis.

Feldman reported there has been a delay on the implementation of our new website. A resident asked him about the data sign. We are doing our own speed study on Bridge Street with our machines. Police are out on the streets looking for speeders and safety.

C. Upcoming Events - Oct 2: City Council Meeting @ 6:00 pm
Oct 4: Council/Planning Commission – Comp Plan @ 6:00 pm (Community Center)

12. **ADJOURNMENT**

There being no further business, Mayor Feldman adjourned the regular city council at 6: 47 pm.

Barbara I. Held, City Clerk



**BOLTON
& MENK**

Real People. Real Solutions.

7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303-5119

Ph: (763) 433-2851
Fax: (763) 427-0833
Bolton-Menk.com

September 6, 2017

City of St. Francis
Attn: Joe Kohlmann
City Administrator
23340 Cree St. NW
St. Francis, MN 55070-9390

RE: Pay Request No. 26
Wastewater Treatment Improvements
St. Francis, Minnesota
BMI Project No.: R21.109015

Dear Mr. Kohlmann:

Please find enclosed three copies of Pay Request No. 26 for the above referenced project. This pay request is primarily for irrigation and final grading. The requested and certified amount is \$160,543.00.

If you have any questions do not hesitate to call me at 612-840-6068.

Sincerely,

Bolton & Menk, Inc.

Paul Saffert, P. E.
Project Manager

PS/jo

cc: Paul Teicher, City of St. Francis

Enclosures (3 copies, signed Pay Request No. 26)

APPLICATION AND CERTIFICATE FOR PAYMENT

O:\Gregg\Current Jobs\St. Francis, MN\Pay Estimates\Pay Estimate #26.xls\Summary Page

TO OWNER:	City of St. Francis 4058 St. Francis Blvd. NW St. Francis, MN 55070	PROJECT:	Wastewater Treatment Facility Improvements	APPLICATION NO.:	26
CONTRACTOR:	Gridor Constr., Inc. 3990 27th Street SE Buffalo, MN 55313	ENGINEER:	Bolton & Menk, Inc. 7533 Sunwood Drive N.W. Ramsey, MN 55303	PERIOD TO:	7/28/17 to 8/25/17 R21.109015 03/20/17 05/19/17
CONTACT:	Gregg Schreiner	CONTACT:	Paul Saffert	PROJECT NO.:	
CONTRACTOR'S APPLICATION FOR PAYMENT			SUBSTANTIAL CONTRACT DATE: 03/20/17		
Application is made for payment, as shown below, in connection with the Contract.			FINAL CONTRACT DATE: 05/19/17		

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

\$0.00
\$0.00
\$0.00

1. ORIGINAL CONTRACT SUM..... \$21,832,300.00
2. Net change by Change Orders..... \$0.00
3. CONTRACT SUM TO DATE (Line 1 + Line 2)..... \$21,832,300.00
4. TOTAL COMPLETED & STORED TO DATE..... \$21,238,517.00
5. RETAINAGE: Securities in Lieu of Retainage

A. 0% of Completed to Date

B. 0% of Stored Materials

TOTAL Retainage

6. TOTAL EARNED LESS RETAINAGE..... \$21,238,517.00

(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT..... \$21,077,974.00

(Line 6 from prior payment)

8. CURRENT PAYMENT DUE..... \$160,543.00

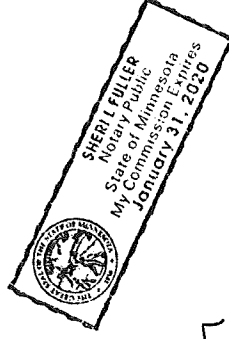
9. BALANCE TO FINISH, INCLUDING RETAINAGE..... \$593,783.00

(Line 3 less Line 6)

Notary Public:

1/31/2020

Commission Expiration



[Signature]
State of Minnesota
Subscribed and sworn to before me this 5th day of Sept, 2017
[Signature]
Notary Public:

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of Work is in accordance with the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$160,543.00

ENGINEER: Bolton & Menk, Inc.

By: *[Signature]*

Date: 9/6/17

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY

Total changes approved in previous months
by Owner: COs
Total approved this month:

TOTALS: \$0.00

NET CHANGES by Change Order:

\$0.00

DEDUCTIONS

Item No.	B Description of Work	C Scheduled Value	D		E		F Material Presently Stored (Not in D or E)	G Total Completed and Stored To Date (D+E+F)	H Percent Completed (G/C)	I Balance To Finish (C-G)
			From Previous Application	Work Completed This Period	Amount					
					Percent					
Division 1										
1000.000	Mobilization Insurance & Bonds	\$360,000	\$360,000				\$0	\$360,000	100.0%	\$0
1020.001	General Construction - Allowance	\$250,000	\$459,698	4%	\$11,113		\$0	\$470,811	188.3%	-\$220,811
1020.002	Utility Service - Allowance	\$25,000	\$19,197				\$0	\$19,197	76.8%	\$5,803
1020.003	Building Permit - Allowance	\$150,000	\$24,901				\$0	\$24,901	16.6%	\$125,099
Subtotal for	Division 1	\$785,000	\$863,796			\$11,113	\$0	\$874,909	111.5%	-\$89,909
							check	\$874,909		

Division 2									
2020.000	Biosolids Site Reclamation	\$550,000	\$236,500			\$0	\$236,500	43.0%	\$313,500
2060.000	Demolition of Existing Wastewater Treatment Facilities	\$40,000	\$40,000			\$0	\$40,000	100.0%	\$0
2100.000	Site Preparation	\$50,000	\$50,000			\$0	\$50,000	100.0%	\$0
2110.000	Column Foundation Systems - Allowance	\$2,450,000	\$2,158,824			\$0	\$2,158,824	88.1%	\$291,176
2120.000	Rammed Aggregate Pier Soils Reinforcement - Allowance					\$0	\$0	0.0%	\$0
2210.000	Finish Grading	\$30,000	\$25,000	16.67%	\$5,000	\$0	\$30,000	100.0%	\$0
2220.000	Excavating & Backfill	\$1,100,000	\$1,100,000			\$0	\$1,100,000	100.0%	\$0
2221.000	Removing Pavement & Miscellaneous Structures	\$20,000	\$20,000			\$0	\$20,000	100.0%	\$0
2330.000	Excavation & Embankment - Roadway & Pavement	\$30,000	\$30,000			\$0	\$30,000	100.0%	\$0
2370.000	Storm Water Pollution Prevention Plan (SWPP)	\$30,000	\$30,000			\$0	\$30,000	100.0%	\$0
2550.000	Site Utilities	\$1,000,000	\$1,000,000			\$0	\$1,000,000	100.0%	\$0
2600.000	Roads, Walks & Curbs	\$150,000	\$50,000	66.67%	\$100,000	\$0	\$150,000	100.0%	\$0
2813.000	Design Build Irrigation System - Allowance	\$150,000	\$90,000	8.29%	\$12,430	\$0	\$102,430	68.3%	\$47,570
2830.000	Chain Link Fence & Gates	\$15,000		100.00%	\$15,000	\$0	\$15,000	100.0%	\$0
2835.000	Modular Block Retaining Wall	\$10,000	\$9,000	10.00%	\$1,000	\$0	\$10,000	100.0%	\$0
2920.000	Soil Preparation, Seeding & Sodding	\$40,000	\$30,000	25.00%	\$10,000	\$0	\$40,000	100.0%	\$0
2921.000	Prairie Restoration	\$10,000	\$10,000			\$0	\$10,000	100.0%	\$0
Subtotal for	Division 2	\$5,675,000	\$4,879,324.00		\$143,430	\$0	\$5,022,754	88.51%	\$552,246
		check				Check	\$5,022,754		

Division 3									
3200.000	Concrete Reinforcement - 760 ton	\$1,520,000	\$1,520,000			\$0	\$1,520,000	100.0%	\$0
3300.000	Cast In Place Concrete - 8600 cy	\$3,440,000	\$3,440,000			\$0	\$3,440,000	100.0%	\$0
3400.000	Precast/ Prestressed Concrete - Tees/ Plank/ Wall Panels	\$1,630,000	\$1,630,000			\$0	\$1,630,000	100.0%	\$0
Subtotal for	Division 3	\$6,590,000	\$6,590,000.00		\$0	\$0	\$6,590,000	100.0%	\$0
		check				Check	\$6,590,000		

Item No.	B Description of Work	C Scheduled Value	D		E		F Material Presently Stored (Not in D or E)	G Total Completed and Stored To Date (D+E+F)	H Percent Completed (G/C)	I Balance To Finish (C-G)
			From Previous Application	Work Completed This Period	Amount					
					Percent					
Division 4										
4810.000	Unit Masonry Assemblies	\$0					\$0	\$0	0.0%	\$0
Subtotal for Division 4		\$0	\$0.00				\$0	\$0	0.00%	\$0
check \$0										
Division 5										
5100.000	Structural Metal	\$30,000	\$30,000				\$0	\$30,000	100.0%	\$0
5500.000	Miscellaneous Metal Work	\$140,000	\$140,000				\$0	\$140,000	100.0%	\$0
5520.000	Handrails & Railings	\$50,000	\$50,000				\$0	\$50,000	100.0%	\$0
5521.000	Roof Hatches	\$6,000	\$6,000				\$0	\$6,000	100.0%	\$0
Subtotal for Division 5		\$226,000	\$226,000.00			\$0	\$0	\$226,000	100.00%	\$0
check \$226,000										
Division 6										
6100.000	Rough Carpentry	\$10,000	\$10,000				\$0	\$10,000	100.0%	\$0
6200.000	Finish Carpentry	\$1,000	\$1,000				\$0	\$1,000	100.0%	\$0
6400.000	Interior Architectural Woodwork	\$1,000	\$1,000				\$0	\$1,000	100.0%	\$0
6410.000	Solids Surface Sills & Thresholds	\$3,000	\$3,000				\$0	\$3,000	100.0%	\$0
Subtotal for Division 6		\$15,000	\$15,000.00			\$0	\$0	\$15,000	100.00%	\$0
check \$15,000										
Division 7										
7150.000	Dampproofing	\$5,000	\$5,000				\$0	\$5,000	100.0%	\$0
7190.000	Vapor Barrier	\$5,000	\$5,000				\$0	\$5,000	100.0%	\$0
7210.000	Building Insulation	\$20,000	\$20,000				\$0	\$20,000	100.0%	\$0
7535.000	Fully Adhered Membrane Roof System	\$170,000	\$170,000				\$0	\$170,000	100.0%	\$0
7600.000	Flashing & Sheet Metal Work	\$30,000	\$30,000				\$0	\$30,000	100.0%	\$0
7900.000	Caulking & Sealants	\$20,000	\$20,000				\$0	\$20,000	100.0%	\$0
Subtotal for Division 7		\$250,000	\$250,000.00			\$0	\$0	\$250,000	100.00%	\$0
check \$250,000										
Division 8										
8110.000	Doors & Frames	\$50,000	\$50,000				\$0	\$50,000	100.0%	\$0
8380.000	Upward Acting Sectional Doors	\$15,000	\$15,000				\$0	\$15,000	100.0%	\$0
8700.000	Hardware	\$30,000	\$30,000				\$0	\$30,000	100.0%	\$0
8800.000	Glass & Glazing	\$6,000	\$6,000				\$0	\$6,000	100.0%	\$0
Subtotal for Division 8		\$101,000	\$101,000.00			\$0	\$0	\$101,000	100.00%	\$0
check \$101,000										

Item No.	B Description of Work	C Scheduled Value	D	Work Completed		E		F Material Presently Stored (Not in D or E)	G Total Completed and Stored To Date (D+E+F)	H Percent Completed (G/C)	I Balance To Finish (C-G)
				From Previous Application	Percent	This Period					
						Amount					
Division 9											
9111.000	Non-Load Bearing Steel Framing	\$15,000	\$15,000					\$0	\$15,000	100.0%	\$0
9250.000	Gypsum Drywall	\$25,000	\$25,000					\$0	\$25,000	100.0%	\$0
9310.000	Ceramic Tile	\$8,000	\$8,000					\$0	\$8,000	100.0%	\$0
9500.000	Acoustical Ceiling System	\$6,000	\$6,000					\$0	\$6,000	100.0%	\$0
9900.000	Wastewater Treatment Facility Painting	\$350,000	\$350,000					\$0	\$350,000	100.0%	\$0
9930.000	Concrete Staining	\$15,000	\$15,000					\$0	\$15,000	100.0%	\$0
Subtotal for	Division 9	\$419,000	\$419,000.00				\$0	\$0	\$419,000	100.00%	\$0
		check						Check		\$419,000	
Division 10											
10110.000	Marker Board	\$1,000	\$1,000					\$0	\$1,000	100.0%	\$0
10155.000	Toilet Compartment	\$2,300	\$2,300					\$0	\$2,300	100.0%	\$0
10250.000	Safety Devices	\$4,000	\$4,000					\$0	\$4,000	100.0%	\$0
10260.000	Wall Surface Protection	\$1,000	\$1,000					\$0	\$1,000	100.0%	\$0
10400.000	Identifying Devices	\$6,000	\$6,000					\$0	\$6,000	100.0%	\$0
10800.000	Toilet Accessories	\$2,000	\$2,000					\$0	\$2,000	100.0%	\$0
Subtotal for	Division 10	\$16,300	\$16,300.00				\$0	\$0	\$16,300	100.00%	\$0
		check						Check		\$16,300	

Item No.	B Description of Work	C Scheduled Value	D	Work Completed		E		F Material Presently Stored (Not in D or E)	G Total Completed and Stored To Date (D+E+F)	H Percent Completed (G/C)	I Balance To Finish (C-G)
				From Previous Application	Percent	This Period					
						Amount					
Division 11 & 12											
11214.000	Vertical Turbine Pumps	\$160,000	\$160,000					\$0	\$160,000	100.0%	\$0
11245.000	Polymer Mix/ Feed System - Allowance	\$235,000	\$235,000					\$0	\$235,000	100.0%	\$0
11246.000	Carbon Feed System - Allowance							\$0	\$0	0.0%	\$0
11248.000	Ferric Chloride Feed System - Allowance							\$0	\$0	0.0%	\$0
11265.000	Ultraviolet Disinfection - Allowance	\$635,000	\$635,000					\$0	\$635,000	100.0%	\$0
11280.000	Hydraulic Gates	\$30,000	\$30,000					\$0	\$30,000	100.0%	\$0
11310.000	Centrifugal Wastewater Pumps	\$120,000	\$120,000					\$0	\$120,000	100.0%	\$0
11311.000	Submersible Centrifugal Pumps	\$110,000	\$110,000					\$0	\$110,000	100.0%	\$0
11312.000	Recessed Impeller Vortex Pump	\$25,000	\$25,000					\$0	\$25,000	100.0%	\$0
11318.000	Screw Impeller Centrifugal Pumps	\$25,000	\$25,000					\$0	\$25,000	100.0%	\$0
11320.000	Grit Removal System	\$54,000	\$54,000					\$0	\$54,000	100.0%	\$0
11321.000	Grit Separation System	\$35,000	\$35,000					\$0	\$35,000	100.0%	\$0
11335.000	Fine Screen	\$90,000	\$90,000					\$0	\$90,000	100.0%	\$0
11345.000	Chlorination/ Dechlorination Equipment - Allowance							\$0	\$0	0.0%	\$0
11351.000	Clarifier Equipment - Suction Type Clarifier	\$200,000	\$200,000					\$0	\$200,000	100.0%	\$0
11373.000	Blower System (PD w/ Enclosure)	\$290,000	\$290,000					\$0	\$290,000	100.0%	\$0
11374.000	Fine Pore Membrane Aeration Equipment	\$85,000	\$85,000					\$0	\$85,000	100.0%	\$0
11385.000	Coarse Bubble Aeration System	\$85,000	\$85,000					\$0	\$85,000	100.0%	\$0
11386.000	Rapid Mixers	\$13,000	\$13,000					\$0	\$13,000	100.0%	\$0
11387.000	Submersible Mixers	\$55,000	\$55,000					\$0	\$55,000	100.0%	\$0
11600.001	Laboratory Equipment	\$46,000	\$46,000					\$0	\$46,000	100.0%	\$0
11600.002	Laboratory Equipment - Allowance	\$25,000	\$1,836					\$0	\$1,836	7.3%	\$23,164
11630.000	Automatic Sampler	\$39,000	\$39,000					\$0	\$39,000	100.0%	\$0
12300.000	Furnishings - Allowance	\$25,000	\$12,632					\$0	\$12,632	50.5%	\$12,368
12346.000	Casework	\$30,000	\$30,000					\$0	\$30,000	100.0%	\$0
Subtotal for	Division 11 & 12	\$2,412,000	\$2,376,468.00				\$0	\$0	\$2,376,468	98.53%	\$35,532
check											
Division 13											
13126.000	Circular Tank Covers	\$290,000	\$290,000					\$0	\$290,000	100.0%	\$0
13211.000	Water Storage Tank Disinfection	\$1,000	\$1,000					\$0	\$1,000	100.0%	\$0
13222.000	Filter Underdrain System	\$90,000	\$90,000					\$0	\$90,000	100.0%	\$0
13226.000	Filter Media & Gravel	\$30,000	\$30,000					\$0	\$30,000	100.0%	\$0
13228.000	Filter Washwater Troughs	\$30,000	\$30,000					\$0	\$30,000	100.0%	\$0
13852.000	Grating	\$30,000	\$30,000					\$0	\$30,000	100.0%	\$0
Subtotal for	Division 13	\$471,000	\$471,000.00				\$0	\$0	\$471,000	100.00%	\$0
check											
Check											
\$471,000											

Item No.	B Description of Work	C Scheduled Value	D	Work Completed		E		F Material Presently Stored (Not in D or E)	G Total Completed and Stored To Date (D+E+F)	H Percent Completed (G/C)	I Balance To Finish (C-G)
				From Previous Application	Percent	This Period					
						Amount					
Division 14:											
14300.000	Hoisting Equipment	\$12,000	\$12,000					\$0	\$12,000	100.0%	\$0
14620.000	Portable Hoist	\$4,000	\$4,000					\$0	\$4,000	100.0%	\$0
Subtotal for	Division 14	\$16,000	\$16,000.00				\$0	\$0	\$16,000	100.00%	\$0
check											
Division 15:											
15050.000	Industrial Hose & Fittings	\$6,000			100.00%		\$6,000	\$0	\$6,000	100.0%	\$0
15060.000	Process Pipe & Pipe Fittings	\$855,000	\$855,000					\$0	\$855,000	100.0%	\$0
15100.000	Valves	\$400,000	\$400,000					\$0	\$400,000	100.0%	\$0
15101.000	Electric Valve Actuators							\$0	\$0	0.0%	\$0
15102.000	Pneumatic Valve Actuators							\$0	\$0	0.0%	\$0
15130.000	Gauges	\$20,000	\$20,000					\$0	\$20,000	100.0%	\$0
15140.000	Supports & Anchors	\$90,000	\$90,000					\$0	\$90,000	100.0%	\$0
15250.000	Mechanical Insulation	\$40,000	\$40,000					\$0	\$40,000	100.0%	\$0
15400.000	Plumbing	\$440,000	\$440,000					\$0	\$440,000	100.0%	\$0
15500.000	Heating/ Ventilating & Air Conditioning	\$530,000	\$530,000					\$0	\$530,000	100.0%	\$0
15510.000	Hydronic Heating Systems	\$300,000	\$300,000					\$0	\$300,000	100.0%	\$0
15950.000	HVAC Controls	\$50,000	\$50,000					\$0	\$50,000	100.0%	\$0
15990.000	TAB	\$5,000	\$5,000					\$0	\$5,000	100.0%	\$0
Subtotal for	Division 15	\$2,736,000	\$2,730,000.00				\$6,000	\$0	\$2,736,000	100.00%	\$0
check											
Division 16:											
16010.000	Electrical General Provisions	\$50,000	\$50,000					\$0	\$50,000	100.0%	\$0
16100.000	Basic Materials & Methods	\$220,000	\$220,000					\$0	\$220,000	100.0%	\$0
16200.000	Power Generation System	\$200,000	\$200,000					\$0	\$200,000	100.0%	\$0
16400.000	Electrical Distribution	\$250,000	\$250,000					\$0	\$250,000	100.0%	\$0
16500.000	Lighting	\$80,000	\$80,000					\$0	\$80,000	100.0%	\$0
16700.000	Special Systems	\$20,000	\$20,000					\$0	\$20,000	100.0%	\$0
16900.000	Starters & Motor Control	\$250,000	\$250,000					\$0	\$250,000	100.0%	\$0
16950.001	Instrumentation & Control	\$1,000,000	\$1,000,000					\$0	\$1,000,000	100.0%	\$0
16950.002	Computer - Allowance	\$50,000	\$54,086					\$0	\$54,086	108.2%	-\$4,086
Subtotal for	Division 16	\$2,120,000	\$2,124,086.00				\$0	\$0	\$2,124,086	100.19%	-\$4,086
check											
Grand Total:											
			\$21,832,300	\$21,077,974			\$160,543	\$0	\$21,238,517	97.28%	\$593,783
check											
Total Available for Division 16: \$2,124,086											



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

TO: Joe Kohlmann, City Administrator
FROM: Darcy Mulvihill, Finance Director
SUBJECT: Bill List to be considered by Council
DATE: 09/26/2017

OVERVIEW:

Attached are the bills received since the last council meeting. Total checks to be written are \$270,571.00 plus any additional bills that are handed out on Tuesday night. Also to be approved are direct transfers of \$160,543.00 to Gridor and \$5,851,233.33 to Bond Trust Services. There is also 1 manual check to be approved of \$415.00

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:

- 10-02-2017 Packet List
- 10-02-2017 Other Checks

Checks cut since last Council Meeting

Disbursements via Debits to 4M Account

TOTALPayee

	TOTAL	
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09/26/2017 11:36 am

PAYMENT BATCH AP 10/02/17

AHO, CARL

07/11/2017	.0917	G 803-22000	Deposits	REISSUE VOIDED CHECK	4,000.00
					<u>\$4,000.00</u>

ANOKA COUNTY CENTRAL COMM.

09/11/2017	2017083	E 101-42210-237	Small Equipment	BATTERY	228.00
					<u>\$228.00</u>

ANOKA COUNTY PROPERTY RECORDS

09/01/2017	.0917	E 601-49440-441	Miscellaneous	2017 2ND HALF TAXES	272.58
09/01/2017	.0917	E 602-49490-441	Miscellaneous	2017 2ND HALF TAXES	272.58
					<u>\$545.16</u>

ASPEN MILLS

09/06/2017	203525	E 101-42210-437	Uniform Allowance	UNIFORMS-SCHMIDT	554.40
					<u>\$554.40</u>

BERNICK COMPANIES, THE

09/15/2017	381719	E 609-49751-254	Miscellaneous Merchandise	MISC	14.00
09/15/2017	381720	E 609-49751-252	Beer For Resale	BEER	59.20
09/15/2017	381720	E 609-49751-255	N/A Products	NA	40.00
					<u>\$113.20</u>

BREAKTHRU BEVERAGE

09/14/2017	1080690001	E 609-49751-206	Freight and Fuel Charges	FREIGHT	99.94
09/14/2017	1080690001	E 609-49751-251	Liquor For Resale	LIQUOR	5,932.79
09/14/2017	1080690001	E 609-49751-253	Wine For Resale	WINE	60.00
09/21/2017	1080692936	E 609-49751-206	Freight and Fuel Charges	FREIGHT	15.13
09/21/2017	1080692936	E 609-49751-251	Liquor For Resale	LIQUOR	562.53
09/21/2017	1080692936	E 609-49751-253	Wine For Resale	WINE	344.65
					<u>\$7,015.04</u>

CENTERPOINT ENERGY

09/15/2017	.09170	E 101-41940-383	Gas Utilities	CITY HALL #1	15.00
09/15/2017	.09170	E 101-41940-383	Gas Utilities	CITY HALL #4	16.07
09/15/2017	.09170	E 101-41940-383	Gas Utilities	CITY HALL #2	15.62
09/15/2017	.09170	E 101-41940-383	Gas Utilities	CITY HALL #3	15.00
09/15/2017	.09170	E 101-42110-383	Gas Utilities	POLICE/PW	148.80
09/15/2017	.09170	E 101-42210-383	Gas Utilities	FIRE GENERATOR	20.72
09/15/2017	.09170	E 101-42210-383	Gas Utilities	FIRE	55.67
09/15/2017	.09170	E 101-43100-383	Gas Utilities	POLICE/PW	37.20
09/15/2017	.09170	E 101-45200-383	Gas Utilities	POLICE/PW	37.20
09/15/2017	.09170	E 101-45200-383	Gas Utilities	WARMING HOUSE	21.00
09/15/2017	.09170	E 601-49440-383	Gas Utilities	PUBLIC WORKS (4020 ST FRAN	10.50
09/15/2017	.09170	E 601-49440-383	Gas Utilities	WATER PLANT	312.98
09/15/2017	.09170	E 601-49440-383	Gas Utilities	POLICE/PW	37.20
09/15/2017	.09170	E 602-49490-383	Gas Utilities	WWTP	21.00
09/15/2017	.09170	E 602-49490-383	Gas Utilities	LIFT (23699 AMBASSADOR)	21.20
09/15/2017	.09170	E 602-49490-383	Gas Utilities	POLICE/PW	37.19
09/15/2017	.09170	E 602-49490-383	Gas Utilities	WWTP	87.89
09/15/2017	.09170	E 602-49490-383	Gas Utilities	PUBLIC WORKS (4020 ST FRAN	10.50
09/15/2017	.09170	E 609-49750-383	Gas Utilities	LIQUOR	22.49
					<u>\$943.23</u>

CITY EMPLOYEES UNION, LOCAL #3

10/01/2017	.1017	G 101-21707	Union Dues	OCTOBER UNION DUES	162.80
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					\$162.80
CONNEXUS ENERGY					
09/22/2017	.0917	E 101-41940-381	Electric Utilities	SIGN	99.68
09/22/2017	.0917	E 101-41940-381	Electric Utilities	CITY HALL	356.26
09/22/2017	.0917	E 101-42110-381	Electric Utilities	POLICE/PW	881.14
09/22/2017	.0917	E 101-42110-381	Electric Utilities	SIREN	5.00
09/22/2017	.0917	E 101-42110-381	Electric Utilities	SIREN	5.00
09/22/2017	.0917	E 101-42210-381	Electric Utilities	FIRE	476.42
09/22/2017	.0917	E 101-43100-381	Electric Utilities	POLICE/PW	220.28
09/22/2017	.0917	E 101-43100-386	Street Lighting	STREET LIGHTS	2,565.81
09/22/2017	.0917	E 101-45200-381	Electric Utilities	POLICE/PW	220.28
09/22/2017	.0917	E 101-45200-381	Electric Utilities	PARKS	336.61
09/22/2017	.0917	E 601-49440-380	Electric-System	WATER	4,583.78
09/22/2017	.0917	E 601-49440-381	Electric Utilities	POLICE/PW	220.28
09/22/2017	.0917	E 602-49490-381	Electric Utilities	POLICE/PW	220.28
09/22/2017	.0917	E 602-49490-381	Electric Utilities	WWTP	7,129.77
09/22/2017	.0917	E 602-49490-381	Electric Utilities	LIFT STATIONS	891.58
09/22/2017	.0917	E 609-49750-381	Electric Utilities	LIQUOR STORE	1,231.49
					\$19,443.66
CREATIVE REAL ESTATE INC					
08/20/2017	.0817	G 601-22200	Deferred Revenues	REFUND ACCT 5058	184.56
					\$184.56
CRYSTAL SPRINGS ICE					
09/12/2017	003.B005836	E 609-49751-254	Miscellaneous Merchandise	MISC	163.48
09/19/2017	003.B005937	E 609-49751-254	Miscellaneous Merchandise	MISC	201.46
					\$364.94
DAHLHEIMER DIST. CO. INC.					
08/22/2017	157543	E 609-49751-252	Beer For Resale	BEER	(60.80)
09/13/2017	158929	E 609-49751-252	Beer For Resale	BEER	7,178.90
09/13/2017	158929	E 609-49751-255	N/A Products	NA	25.10
09/20/2017	1304822	E 609-49751-252	Beer For Resale	BEER	11,579.30
09/20/2017	1304822	E 609-49751-254	Miscellaneous Merchandise	MISC	117.00
					\$18,839.50
DELTA DENTAL					
09/15/2017	7038472	G 101-21711	Dental Insurance	OCT PREMIUM	562.65
					\$562.65
ELITE SANITATION					
09/12/2017	24328	E 101-45200-311	Contract	TOILET RENTAL	678.00
					\$678.00
EMERGENCY REPOSE SOLUTIONS					
09/08/2017	9382	E 402-42210-580	C-O-L Other Equipment	GEAR	139,113.70
09/14/2017	9421	E 402-42210-582	Turnout Gear	GEAR	220.47
					\$139,334.17
EMPIRE PIPE SERVICES					
08/23/2017	2328	E 602-49490-400	System Jetting	SEWER CLEANING	15,847.80
					\$15,847.80
FAHLAND, MATT					
08/20/2017	.0817	G 601-22200	Deferred Revenues	REFUND ACCT 1505	388.73
					\$388.73
FAIRVIEW					
08/10/2017	.0817	E 101-42210-305	Medical & Testing Fees	PREVENTATIVE VISIT	456.00
					\$456.00
G&K SERVICES, INC					
09/19/2017	6043873391	E 609-49750-219	Rug Maintenance	RUG MAINT	11.23
09/19/2017	6043873392	E 601-49440-402	Janitorial Service	RUG MAINT	23.04
09/19/2017	6043873393	E 602-49490-417	Uniform Clothing & PPE	UNIFORM MAINT	9.31
					\$43.58

GERDIN AUTO SERVICE, INC.

09/19/2017	88176	E 101-42110-441	Miscellaneous	POLICE TOW	124.00
09/19/2017	88177	E 101-42110-441	Miscellaneous	POLICE TOW	129.00
09/19/2017	88178	E 101-42110-441	Miscellaneous	POLICE TOW	132.00
09/25/2017	88281	E 101-42110-441	Miscellaneous	POLICE TOW	128.00
					<u>\$513.00</u>

GOOSSEN, JEFF

08/20/2017	.0817	G 601-22200	Deferred Revenues	REFUND ACCT 1908	61.95
					<u>\$61.95</u>

GRANITE CITY JOBBING CO.

09/12/2017	62374	E 609-49751-206	Freight and Fuel Charges	FREIGHT	4.25
09/12/2017	62374	E 609-49751-254	Miscellaneous Merchandise	MISC	60.59
09/12/2017	62374	E 609-49751-256	Tobacco Products For Resale	TOBACCO	1,395.67
09/19/2017	63236	E 609-49750-210	Operating Supplies	OP SUPPLIES	42.31
09/19/2017	63236	E 609-49751-206	Freight and Fuel Charges	FREIGHT	7.16
09/19/2017	63236	E 609-49751-256	Tobacco Products For Resale	TOBACCO	409.94
					<u>\$1,919.92</u>

GREAT LAKES COCA-COLA

09/22/2017	3643204128	E 609-49751-254	Miscellaneous Merchandise	MISC	1,244.19
					<u>\$1,244.19</u>

HAKANSON ANDERSON ASSOC., INC.

08/31/2017	38606	G 803-22142	ESC-BL Holdings-Rum River 2	RUM RIVER BLUFFS 2ND	237.75
08/31/2017	38607	E 101-43100-303	Engineering Fees	SMITH LAKE WILDLIFE	15.00
08/31/2017	38609	E 101-43100-303	Engineering Fees	KINGS HWY AND RIVERBANK LI	3,964.45
08/31/2017	38610	E 101-41910-303	Engineering Fees	ROUTINE SERVICES	133.33
08/31/2017	38610	E 101-43100-303	Engineering Fees	ROUTINE SERVICES	133.33
08/31/2017	38610	E 101-45200-303	Engineering Fees	ROUTINE SERVICES	133.33
08/31/2017	38610	E 601-49440-303	Engineering Fees	ROUTINE SERVICES	133.33
08/31/2017	38610	E 602-49490-303	Engineering Fees	ROUTINE SERVICES	133.34
08/31/2017	38610	E 603-49490-303	Engineering Fees	ROUTINE SERVICES	133.34
08/31/2017	38612	E 101-43100-309	ROW-Engineering	UTILITY PERMIT REVIEWS	412.00
					<u>\$5,429.20</u>

INNOVATIVE OFFICE SOLUTIONS, L

09/13/2017	IN1748493	E 101-41400-200	Office Supplies	OFFICE SUPPLIES	72.04
09/14/2017	IN1750981	E 101-42110-200	Office Supplies	OFFICE SUPPLIES	24.88
09/21/2017	IN1758365	E 101-41400-200	Office Supplies	OFFICE SUPPLIES	74.32
09/21/2017	IN1758905	E 101-42110-200	Office Supplies	OFFICE SUPPLIES	74.78
09/21/2017	IN1759183	E 101-41400-200	Office Supplies	OFFICE SUPPLIES	4.34
					<u>\$250.36</u>

ISANTI COUNTY TREASURER

09/01/2017	.0917	E 602-49490-441	Miscellaneous	2ND HALF TAXES	4,391.00
					<u>\$4,391.00</u>

JJ TAYLOR DISTRIBUTING

09/13/2017	2745903	E 609-49751-206	Freight and Fuel Charges	FUEL	3.00
09/13/2017	2745903	E 609-49751-252	Beer For Resale	BEER	1,717.50
09/13/2017	2745903	E 609-49751-255	N/A Products	NA	39.10
09/20/2017	2745962	E 609-49751-206	Freight and Fuel Charges	FUEL	3.00
09/20/2017	2745962	E 609-49751-252	Beer For Resale	BEER	1,204.50
					<u>\$2,967.10</u>

JOHNSON BROS WHLSE LIQUOR

09/11/2017	643101	E 609-49751-206	Freight and Fuel Charges	FREIGHT	(4.71)
09/11/2017	643101	E 609-49751-253	Wine For Resale	WINE	(156.00)
09/13/2017	5821856	E 609-49751-206	Freight and Fuel Charges	FREIGHT	1.57
09/13/2017	5821856	E 609-49751-251	Liquor For Resale	LIQUOR	135.00
09/13/2017	5821857	E 609-49751-206	Freight and Fuel Charges	FREIGHT	42.39
09/13/2017	5821857	E 609-49751-253	Wine For Resale	WINE	1,726.15
09/20/2017	5827046	E 609-49751-206	Freight and Fuel Charges	FREIGHT	54.16
09/20/2017	5827046	E 609-49751-253	Wine For Resale	WINE	4,416.00
09/21/2017	5828225	E 609-49751-206	Freight and Fuel Charges	FREIGHT	87.92
09/21/2017	5828225	E 609-49751-251	Liquor For Resale	LIQUOR	3,285.00

09/21/2017	5828226	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.14
09/21/2017	5828226	E 609-49751-253	Wine For Resale	WINE	111.00
09/21/2017	5828227	E 609-49751-206	Freight and Fuel Charges	FREIGHT	17.27
09/21/2017	5828227	E 609-49751-254	Miscellaneous Merchandise	MISC	382.50
					\$10,101.39

KODIAK POWER SYSTEMS

09/22/2017	KPS0133	E 101-42110-401	Repairs/Maint Buildings	PARTS AND LABOR	182.97
09/22/2017	KPS0133	E 101-43100-401	Repairs/Maint Buildings	PARTS AND LABOR	182.97
09/22/2017	KPS0133	E 101-45200-401	Repairs/Maint Buildings	PARTS AND LABOR	182.97
09/22/2017	KPS0133	E 601-49440-401	Repairs/Maint Buildings	PARTS AND LABOR	182.96
09/22/2017	KPS0133	E 602-49490-401	Repairs/Maint Buildings	PARTS AND LABOR	182.97
					\$914.84

LAW ENFORCEMENT LABOR SVCS.

10/01/2017	.1017	G 101-21707	Union Dues	OCTOBER UNION DUES	343.00
					\$343.00

LENNARTSON, DOUGLAS

09/20/2017	.0917	G 601-22200	Deferred Revenues	REFUND ACCT 1979	441.04
					\$441.04

MCDONALD DIST CO.

09/14/2017	413061	E 609-49751-252	Beer For Resale	BEER	4,179.15
09/21/2017	415221	E 609-49751-252	Beer For Resale	BEER	14,725.25
09/21/2017	415221	E 609-49751-255	N/A Products	NA	20.45
					\$18,924.85

MED-COMPASS, INC.

09/06/2017	32062	E 101-42210-305	Medical & Testing Fees	ANNUAL HEARING TEST	1,000.00
09/07/2017	32059	E 101-41400-441	Miscellaneous	ANNUAL HEARING TEST	96.00
09/07/2017	32059	E 101-42110-441	Miscellaneous	ANNUAL HEARING TEST	80.00
09/07/2017	32059	E 101-43100-441	Miscellaneous	ANNUAL HEARING TEST	382.00
					\$1,558.00

METRO SALES, INC.

09/18/2017	INV890092	E 101-41400-200	Office Supplies	COPIES	34.31
09/18/2017	INV890092	E 101-42110-200	Office Supplies	COPIES	34.31
09/18/2017	INV890092	E 101-42400-200	Office Supplies	COPIES	34.31
09/18/2017	INV890092	E 101-43100-200	Office Supplies	COPIES	34.31
09/18/2017	INV890092	E 101-45200-200	Office Supplies	COPIES	34.31
09/18/2017	INV890092	E 601-49440-200	Office Supplies	COPIES	34.31
09/18/2017	INV890092	E 602-49490-200	Office Supplies	COPIES	34.31
09/18/2017	INV890092	E 609-49750-200	Office Supplies	COPIES	34.31
					\$274.48

MN MUNICIPAL BEVERAGE ASSN.

09/01/2017	.0917	E 609-49750-208	Training and Instruction	MMBA MEETING	15.00
					\$15.00

M-R SIGN COMPANY, INC.

09/13/2017	197366	E 101-43100-226	Sign Repair Materials	SIGNS	63.62
					\$63.62

MY ALARM CENTER

10/01/2017	9508302	E 609-49750-445	Security	LIQUOR STORE ALARM	39.15
					\$39.15

NORTH MEMORIAL OCCUPATIONAL ME

09/05/2017	00031784-00	E 101-43100-441	Miscellaneous	DOT ALCH TEST	27.00
					\$27.00

PACE ANALYTICAL SERVICES

09/08/2017	171284583	E 602-49490-313	Sample Testing	SAMPLE TESTING	120.00
09/15/2017	171284867	E 602-49490-313	Sample Testing	SAMPLE TESTING	146.00
09/19/2017	171285040	E 601-49440-313	Sample Testing	SAMPLE TESTING	137.50
					\$403.50

PEDERSEN, TANYA

08/20/2017	.0817	G 601-22200	Deferred Revenues	REFUND ACCT 2425	90.27
					<u>\$90.27</u>
PHILLIPS WINE & SPIRITS CO.					
09/13/2017	2230282	E 609-49751-206	Freight and Fuel Charges	FREIGHT	23.55
09/13/2017	2230282	E 609-49751-251	Liquor For Resale	LIQUOR	1,291.40
09/13/2017	2230283	E 609-49751-206	Freight and Fuel Charges	FREIGHT	18.84
09/13/2017	2230283	E 609-49751-253	Wine For Resale	WINE	385.75
09/13/2017	2230284	E 609-49751-206	Freight and Fuel Charges	FREIGHT	1.57
09/13/2017	2230284	E 609-49751-254	Miscellaneous Merchandise	MISC	28.75
09/15/2017	274458	E 609-49751-206	Freight and Fuel Charges	FREIGHT	(14.13)
09/15/2017	274458	E 609-49751-251	Liquor For Resale	LIQUOR	(733.50)
09/20/2017	2233848	E 609-49751-206	Freight and Fuel Charges	FREIGHT	31.40
09/20/2017	2233848	E 609-49751-251	Liquor For Resale	LIQUOR	1,582.20
09/20/2017	2233849	E 609-49751-206	Freight and Fuel Charges	FREIGHT	1.57
09/20/2017	2233849	E 609-49751-253	Wine For Resale	WINE	48.00
					<u>\$2,665.40</u>
PROFORMA					
09/13/2017	90B2904565	E 101-42210-437	Uniform Allowance	UNIFORMS	820.00
					<u>\$820.00</u>
RUM RIVER TRAIL ASSOCIATION					
09/01/2017	.0917	E 609-49750-340	Advertising	ADVERTISING	200.00
					<u>\$200.00</u>
SERSHEN, FRED					
08/20/2017	.0817	G 601-22200	Deferred Revenues	REFUND ACCT 3800	355.37
					<u>\$355.37</u>
SKOG, NICKOLAS					
08/20/2017	.0817	G 601-22200	Deferred Revenues	REFUND ACCT 4467	104.79
					<u>\$104.79</u>
SOUTHERN GLAZERS OF MN					
07/20/2017	1569468	E 609-49751-206	Freight and Fuel Charges	FREIGHT	0.21
07/20/2017	1569470	E 609-49751-206	Freight and Fuel Charges	FREIGHT	2.56
07/20/2017	1569470	E 609-49751-254	Miscellaneous Merchandise	MISC	125.91
09/14/2017	1590155	E 609-49751-206	Freight and Fuel Charges	FREIGHT	39.68
09/14/2017	1590155	E 609-49751-251	Liquor For Resale	LIQUOR	3,280.60
09/14/2017	1590156	E 609-49751-206	Freight and Fuel Charges	FREIGHT	1.92
09/14/2017	1590157	E 609-49751-206	Freight and Fuel Charges	FREIGHT	1.28
09/14/2017	1590157	E 609-49751-253	Wine For Resale	WINE	36.00
09/21/2017	1592811	E 609-49751-206	Freight and Fuel Charges	FREIGHT	2.56
09/21/2017	1592812	E 609-49751-206	Freight and Fuel Charges	FREIGHT	6.40
09/21/2017	1592812	E 609-49751-251	Liquor For Resale	LIQUOR	710.50
09/21/2017	1592813	E 609-49751-206	Freight and Fuel Charges	FREIGHT	1.28
09/21/2017	1592813	E 609-49751-251	Liquor For Resale	LIQUOR	89.91
					<u>\$4,298.81</u>
STEPHENS, DAVID & REBECCA					
08/20/2017	.0817	G 601-22200	Deferred Revenues	REFUND ACCT 4189	219.97
					<u>\$219.97</u>
SUN LIFE FINANCIAL					
09/20/2017	.0917	E 101-41400-130	Employer Paid Insurance	INSURANCE	256.01
09/20/2017	.0917	E 101-41500-130	Employer Paid Insurance	INSURANCE	75.67
09/20/2017	.0917	E 101-41910-130	Employer Paid Insurance	INSURANCE	71.66
09/20/2017	.0917	E 101-42110-130	Employer Paid Insurance	INSURANCE	798.61
09/20/2017	.0917	E 101-42400-130	Employer Paid Insurance	INSURANCE	62.65
09/20/2017	.0917	E 101-43100-130	Employer Paid Insurance	INSURANCE	185.21
09/20/2017	.0917	E 101-43210-130	Employer Paid Insurance	INSURANCE	41.15
09/20/2017	.0917	E 101-45200-130	Employer Paid Insurance	INSURANCE	185.21
09/20/2017	.0917	E 601-49440-130	Employer Paid Insurance	INSURANCE	(3.43)
09/20/2017	.0917	E 602-49490-130	Employer Paid Insurance	INSURANCE	(3.42)
09/20/2017	.0917	E 609-49750-130	Employer Paid Insurance	INSURANCE	126.35
					<u>\$1,795.67</u>
THE AMERICAN BOTTLING COMPANY					

09/14/2017	8257851207	E 609-49751-254	Miscellaneous Merchandise	MISC	257.96
					<u>\$257.96</u>

VINOCOPIA, INC.

09/22/2017	0189276-IN	E 609-49751-206	Freight and Fuel Charges	FREIGHT	3.50
09/22/2017	0189276-IN	E 609-49751-251	Liquor For Resale	LIQUOR	171.25
					<u>\$174.75</u>

FUND SUMMARY

\$270,571.00

101 GENERAL FUND	\$18,953.66
402 CAPITAL EQUIPMENT	\$139,334.17
601 WATER FUND	\$7,791.71
602 SEWER FUND	\$29,553.30
603 STORM WATER	\$133.34
609 MUNICIPAL LIQUOR FUND	\$70,567.07
803 ESCROW	\$4,237.75
Total	<u>270,571.00</u>

PUBLIC HEARING NOTICE

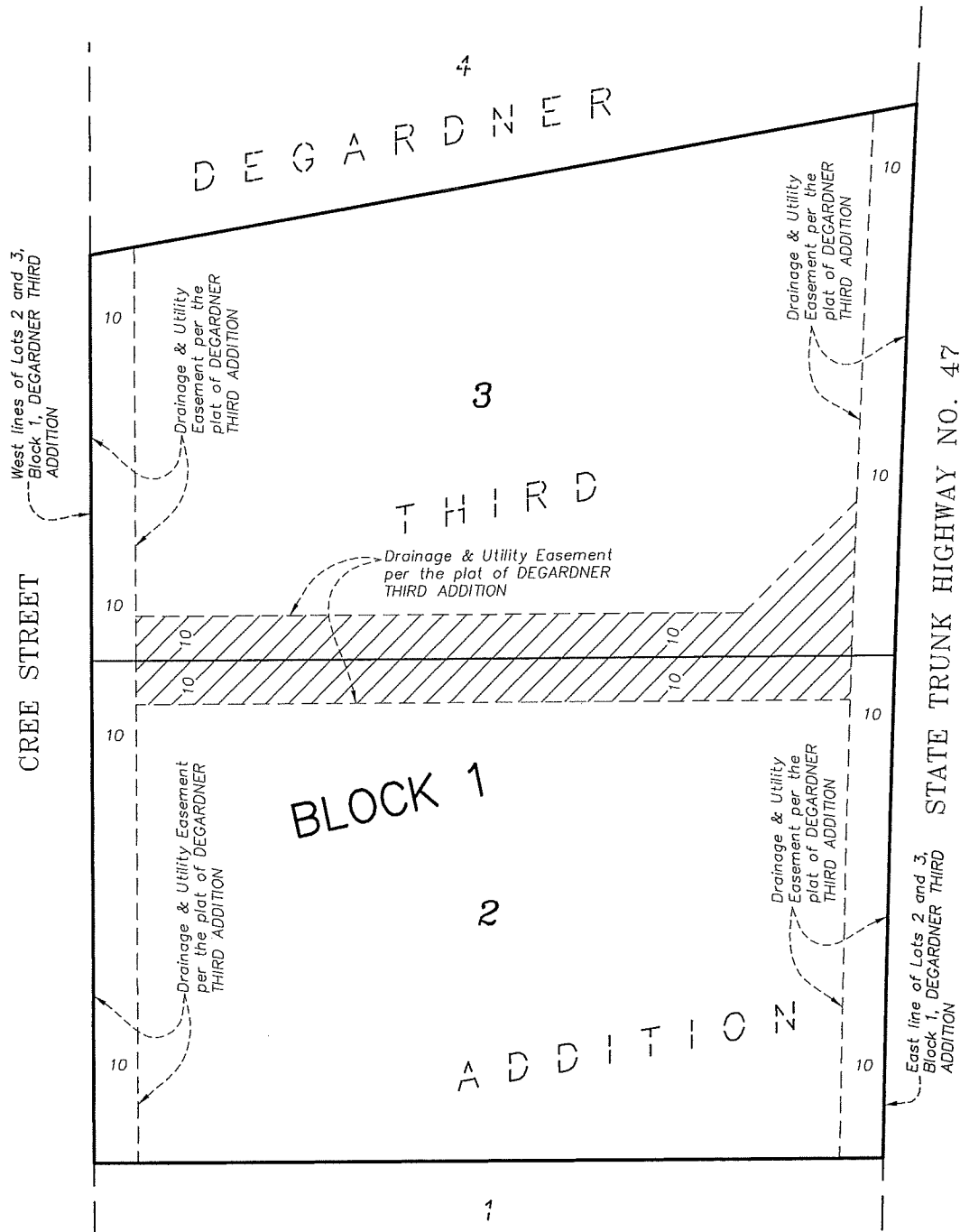
Notice is hereby given that the St. Francis City Council will be holding a public hearing on the following vacation on **October 2, 2017, starting at 6:00 p.m.** at the ISD #15 District Office located at 4115 Ambassador Blvd.

1. **EASEMENT VACATION:** Council will consider the vacation of a publicly owned drainage and utility easement running through the property at 4020 233rd Avenue NW – PIDs 31-34-24-14-0022 & 31-34-24-14-0023. The vacation will be contingent upon approval of a concurrent request for a conditional use permit to authorize a new motor fueling station, establishment of new easements on the property as needed, and relocation of all existing utilities within the existing easement.

All persons wishing to be heard on the above items should attend the meeting. Written comments may be submitted to the City no later than 7:00 p.m. on Friday, September 29th, or emailed to Ben Gozola at (bgozola@sambatek.com) no later than noon on the day of the meeting. Materials regarding the above items are available upon request.

Ben Gozola
City Planner

Easement Vacation Description Sketch



EASEMENT VACATION DESCRIPTION:

All of the drainage and utility easements lying over, under, and across those parts of Lots 2 and 3, Block 1, as created and dedicated in the plat of DEGARDNER THIRD ADDITION, according to the recorded plat thereof, Anoka County, Minnesota, EXCEPT the easterly and westerly 10.00 feet of said Lots 2 and 3.

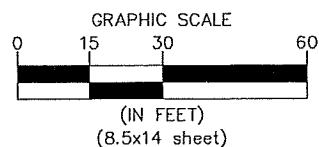
Described area contains $\pm 3,594$ sq. ft.



ENVIRONMENTAL • ENGINEERING • SURVEYING
3890 Pheasant Ridge Drive NE,
Suite 100, Blaine, MN 55449
Phone: 763-489-7900 Fax: 763-489-7959



Easement Vacation Area



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

RESOLUTION 2017 - 31

RESOLUTION VACATING A DRAINAGE AND UTILITY EASEMENT

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 October, 2017. The following members were present: Mayor Steve Feldman; Council Members Robert Bauer, Joe Muehlbauer, Rich Skordahl, and Jerry Tveit.

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

WHEREAS, MDW Equity LLC (the "Owner") has purchased three properties at 4020 233rd Avenue Northwest (the "Property") which are legally described as follows:

Lots 1, 2, and 3, Block 1, DeGardner Third Addition, Anoka County, Minnesota

WHEREAS, the Owner is currently seeking approval of an administrative subdivision to combine Lots 1 & 2, concurrently with the combination of the new lot with existing Lot 3; and,

WHEREAS, combination of the lots will require the creation of new drainage and utility easements throughout the property to accommodate the proposed new development; and

WHEREAS, the Owner has requested the City Council vacate one existing drainage and utility easement, described in Exhibit A attached hereto, located near the center of the property to facilitate the proposed new development of a Kwik Trip on the property; and

WHEREAS, the easement does not terminate at or abut upon public water; and

WHEREAS, the City Council, pursuant to Minnesota Statute §412.851, desires to consider the vacation of the existing drainage and utility easement legally described as:

All of the drainage and utility easements lying over, under, and across those parts of Lots 2 and 3, Block 1, as created and dedicated in the plat of DEGARDNER THIRD ADDITION, according to the recorded plat thereof, Anoka County, Minnesota, EXCEPT the easterly and westerly 10.00 feet of said Lots 2 and 3.

and,

WHEREAS, the City Council provided notice of and conducted a public hearing regarding the proposed vacation on October 2nd, 2017; and

WHEREAS, the City Council hereby finds and determines the following:

1. Combination of the lots will require the creation of new drainage and utility easements throughout the property to accommodate the proposed new development;
2. Utilities currently located within the easement being vacated will be relocated into the new easements as part of the redevelopment of the property;
3. The easement will not be needed in the future; and
4. It is in the public's interest to vacate the easement;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby vacates the easement described in Exhibit A effective upon the following:

1. Dedication of new drainage and utility easements as required by the City Engineer as part of the administrative subdivision application currently under review; and
2. Approval of the requested CUP for a new motor fueling station to be located on the Property; and
3. The Owner entering into a Developer's Agreement with the City and posting a financial security in a form acceptable to the City Attorney in an amount equal to 150% of the estimated construction costs of relocating the City owned watermain, and the legal establishment of new easements as required by the City", and

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 October, 2017.

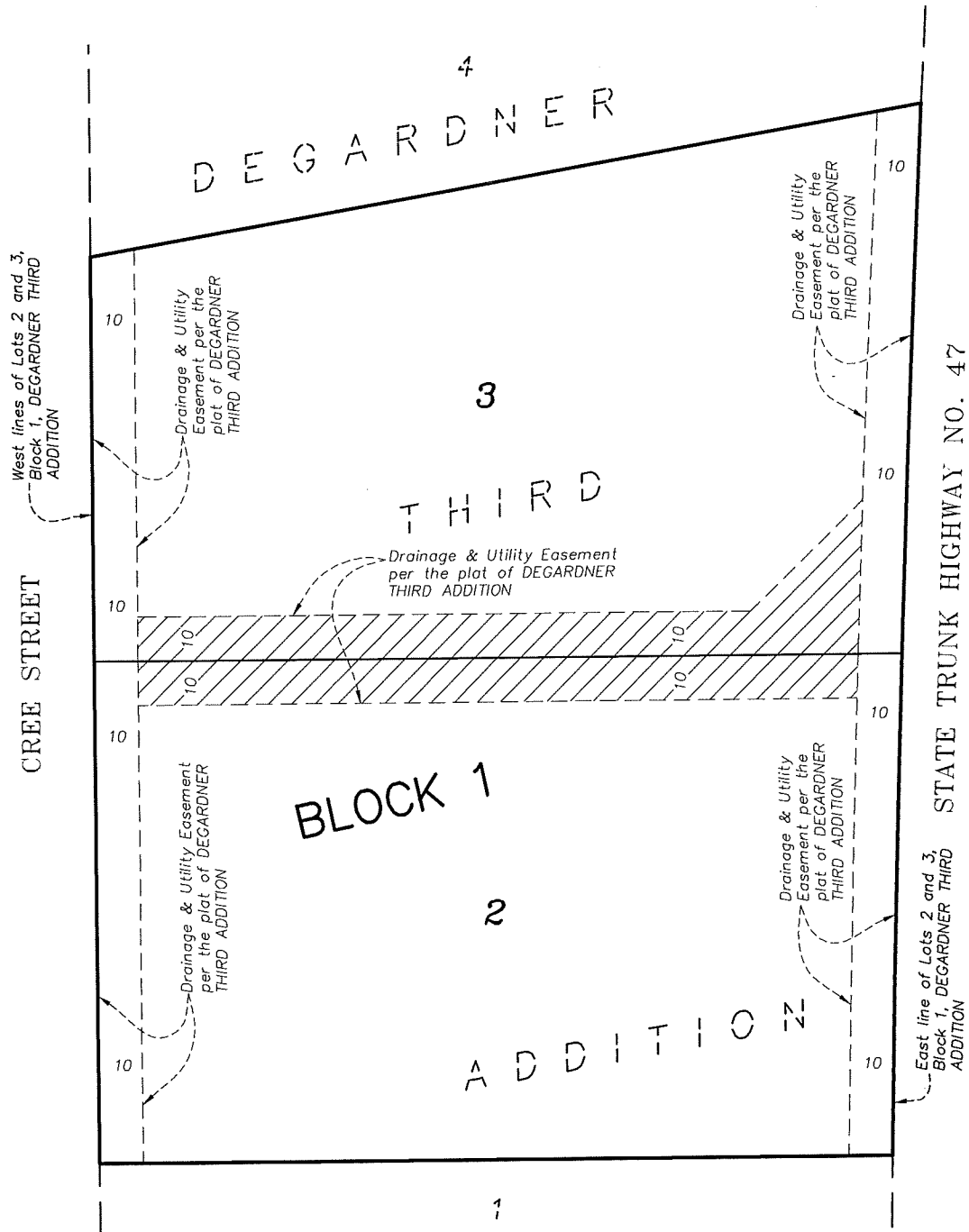
Steven D. Feldman, Mayor

ATTEST:

Barbara I. Held, City Clerk

Dated

Easement Vacation Description Sketch



EASEMENT VACATION DESCRIPTION:

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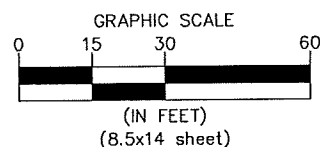
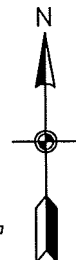
Described area contains $\pm 3,594$ sq. ft.

**Carlson
McCain**
ENVIRONMENTAL • ENGINEERING • SURVEYING
3890 Pheasant Ridge Drive NE,
Suite 100, Blaine, MN 55449
Phone: 763-489-7900 Fax: 763-489-7959

1428 6703-dsc-esmtvacation



Easement Vacation Area



City of St Francis City Council Agenda Item
Executive Summary

Title of Item: **CONDITIONAL USE PERMIT:** A request from Kwik Trip to construct a new motor fueling station at 4020 233rd Avenue NW – B-2 (General Commercial) zoning – PIDs 31-34-24-14-0022, 31-34-24-14-0023, & 31-34-24-14-0024.

Meeting Date: **10-2-17**

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

Summary: | The applicant is proposing to demo the old Oasis Gas Station and Car Wash to construct a new motor fueling station with a car wash facility. 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 are followed.

Recommendations: |

- **Staff believes the CUP can be approved with conditions**
- **The Planning Commission unanimously recommended approval of the request with conditions**
- **Template motions, recommended findings, and suggested conditions can be found on pages 13 - 15**

List of Attachments: |

- A) *Staff Report*
- B) *Traffic Study Executive Summary*
- C) *Applicant's submittals*

City of St. Francis Planning Department
CUP Report

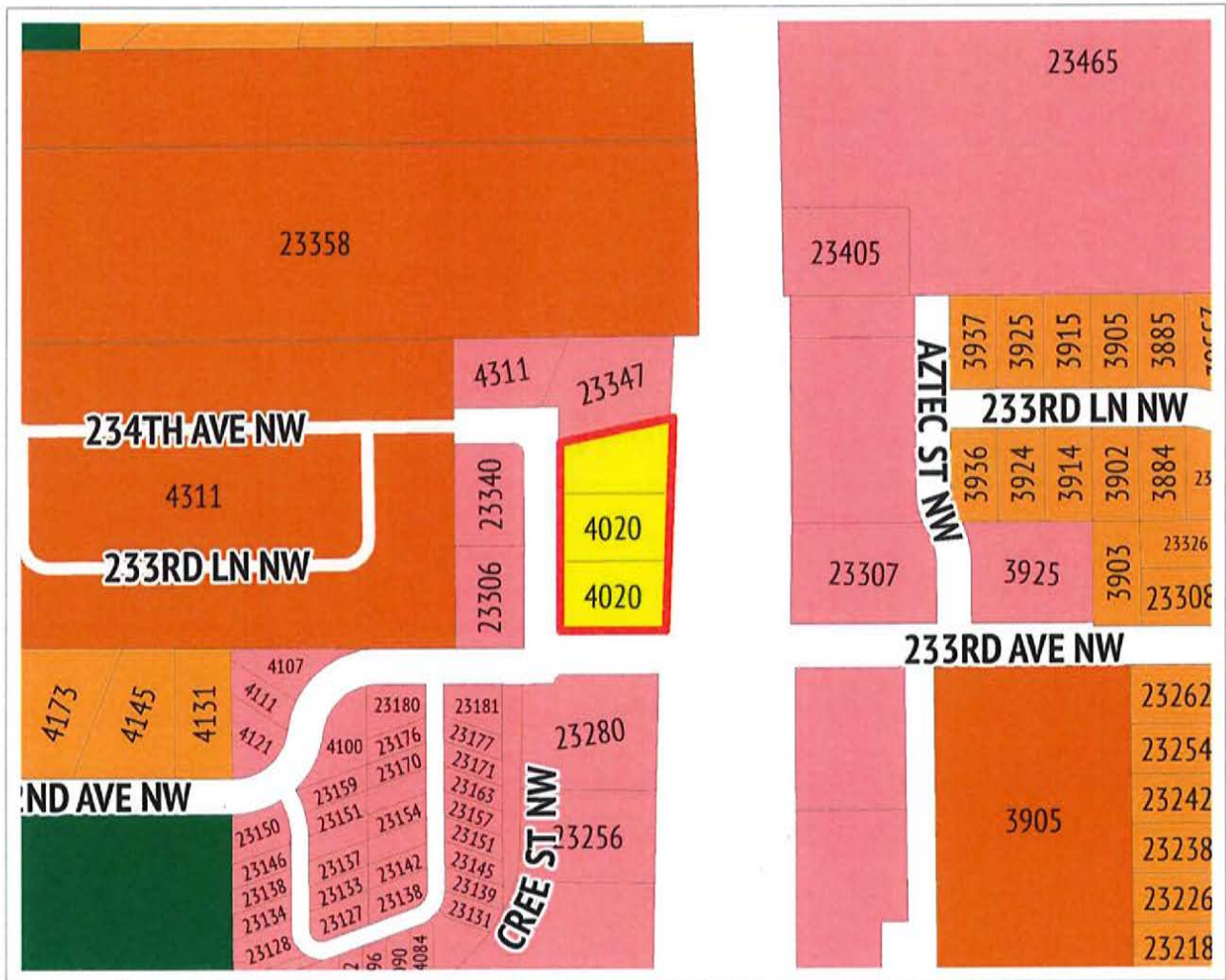
To: **City Council**
From: Ben Gozola, City Planner
Meeting Date: **10-2-17**
Applicant: **Kwik Trip**
Property Owner: MDW Equity LLC
Location: 4020 233rd Avenue NW
Zoning: **B-2: General Commercial**

Introductory Information

<i>Project:</i>	The applicant is proposing to demo the old Oasis Gas Station and Car Wash to construct a new motor fueling station.
<i>CUP Request(s):</i>	The application is requesting a conditional use permit for a motor fueling station at 4020 233rd Avenue NW.

Findings

<i>Site Data:</i>	▪ Lot Size ≈ 1.41 acres (currently split between three parcels being combined concurrently with this CUP request) ▪ Existing Use – Commercial land (vacant – closed gas station & car wash) ▪ Existing Zoning – B-2 ▪ Property Identification Numbers (PIDs): 31-34-24-14-0022, 31-34-24-14-0023, & 31-34-24-14-0024
<i>Comp Plan Guidance:</i>	▪ The comprehensive plan guides this lot for Commercial use. ▪ The corresponding zoning assigned to this property (B-2) allows a motor fuel station as a conditionally permitted use.



4020 233rd Avenue NW



Location within the City of St Francis



SITE IDENTIFICATION MAP



Application Review:

***Applicable Code
Definitions:***

COMMERCIAL USE, AUTOMOBILE SERVICE STATION: Any building, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar accessories.

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.

BUSINESS: Any establishment, occupation, employment or enterprise where merchandise is manufactured, exhibited or sold, or where services are offered for compensation.

CANOPY: An accessory roof-like structure, which is either attached to or detached from an allowable primary building; which is open on all sides, other than where attached; and, which is located over and designed to provide cover for entrances, exits, walkways, and approved off-street vehicle service areas.

LOADING SPACE (OFF-STREET): A formally delineated space, area, or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a vehicle or truck while loading or unloading merchandise or materials.

MOTOR FUEL STATION: A place where gasoline is stored only in underground tanks, kerosene or motor oil and lubricants or grease, for operation of automobiles, are retailed directly to the public on premises, and including minor accessories and services for automobiles, but not including automobile major repairs and rebuilding.

PARKING SPACE: An area enclosed in the principal building, in an accessory building, or unenclosed, sufficient in size to store one motor vehicle, which has adequate access to a public or private street, alley or driveway permitting satisfactory ingress and egress of such motor vehicle.

SIGN AREA. That area within the marginal lines of the surface which bears the advertisement, or in the case of messages, figures, or symbols attached directly to any part of any building, that area which is included in the smallest rectangle which can be made to circumscribe the message, figure or symbol displayed thereon. The stipulated maximum sign area for a free standing sign refers to a single facing.

SIGN, BUSINESS. Sign identifying a business or group of businesses, either retail or wholesale, or any sign identifying a profession or used in the identification or promotion of any principal commodity or service, including entertainment, offered or sold upon the premises where the sign is located.

Applicable Codes:	▪ Chapter 10, Section 6: <u>Conditional Use Permits</u> Outlines the general standards required of all conditionally permitted uses within the City of St. Francis. ▪ Chapter 10, Section 63: <u>B-2 Central Business District</u> Outlines allowed uses within the B-2 zoning district. Motor fueling stations are listed as a conditionally permitted use. ▪ Chapter 10, Section 19, Subsection 9: <u>Parking Supply Requirements</u> Requires that Motor Fuel Stations provide one parking (1) space per pump plus one (1) space per employee on the largest work shift. With convenience grocery; include one (1) space per one hundred (100) square feet of floor area. Parking areas at pump islands are allowed to be counted as parking spaces.
Applicant's Project Description:	▪ With regards to the proposed use: "The proposed use of the property is to construct a Convenience store (motor fueling station) with an attached one-bay carwash. The proposed convenience store would have 16 fueling points. The building footprint is approx. 7,000 SF with 3630 SF of interior retail area. ✓ B-2 zoning requires motor fueling stations to be approved as a conditional use. ✓ Hours of operation: store open 24hrs a day, 7 days a week. ✓ Duration of the proposed use is indefinite ✓ Termination of the use would only occur upon sale" ▪ With regards to how the CUP fits the City's Comprehensive Plan: "A Kwik Trip convenience store located in this commercial area fits in the conditional use of this area. Kwik Trip builds and operates an aesthetically pleasing, clean convenience store that would be a great addition to the City of St. Francis at this location." ▪ With regards to impacts on water resources/ surface waters: "The proposed site plan will change the percent of impervious area from existing of 42% to a proposed condition of 80%. The stormwater rate would be controlled with underground storage and would reduce the existing runoff of 7.31 cfs to 7.11 cfs (100 yr runoff). All existing and proposed conditions along with the calculations are included in the Storm water Management Calculations document." ▪ With regards to grading and erosion: "It is estimated that 1.4 Acres will be graded, the amount of soil to be move in preliminary calculations is anticipated to be very close to a balance with minimal fill or export required. No steep slopes or highly erodible soils are anticipated. An erosion control plan is included as part of the submittal and is shown on sheets SWP1-4."

- (cont.)
- **With regards to parks, trails, or other unique resources:** “The project site is adjacent to Hwy 47 which has a multiuse trail that runs along the East edge of the property. Accommodations to provide access to the trail will be included.”
 - **With regards to other additional information that would be helpful to the City in reviewing this application:** “The parking requirements for a Motor Fuel Station are one space per one hundred square feet of floor area. That comes out to be 37 required parking spaces and the current proposal and 22 marked spaces, 16 under the gas canopy for a total of 38 parking spaces.”

The signing requirements allow one freestanding sign of 80 square feet. Kwik Trips proposed sign has an ID cabinet of 36 sq ft, a message area of 29.15 sq feet and a price cabinet of 52 sq ft. The price cabinet is required for a motor fueling station by law and the area is not typically included in the sign area allowed. That would put the sign at 65.15 sq ft. which is within the allowed area.

The landscape plan included is very attractive and has salt tolerant plantings that have been proven to be very hardy while providing a visually pleasing site.”
 - **With regards to all review criteria:** “Kwik Trip believes that the proposed site plan meets the requirements of the city code and is looking forward to being a partner with the City of St. Francis.”

**Motor Fuel
Station
Standards:**

- There are no specific CUP standards listed in code for this type of conditionally permitted use. All general CUP standards will therefore be our 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 calls for the properties in question to be used for Commercial purposes. **Criteria met.**

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

Staff Comment: The site is the former home to the Oasis Market fueling station and car wash, so redevelopment of this site into a new Kwik Trip facility with a car wash will be consistent with past uses on the site. Furthermore, like surrounding uses, the proposed motor fueling station is a specifically allowed use within the B-2 zoning district. Provided all recommended site design standards are implemented per the provided traffic study, we find the proposed use will be compatible with both present and future 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: The applicants were required to complete a traffic study of the proposed use and submit such as a component of the CUP application (the executive summary is provided as an attachment to this report). The traffic study showed that construction of the new Kwik Trip will not warrant a traffic signal on Highway 47, and that operation of the intersection both before and after the proposed development is within the safety expectations of similar two-way stop intersections and does not deviate from statewide trends.

With regards to the capacity of the intersection, the traffic model showed queuing will never exceed the unreasonable 95th Percentile Queue for this type of intersection, and that the intersection level of service will be excellent throughout the day except for a very short period in the P.M. peak hour (such backups are only anticipated to occur during less than five percent of the total PM peak hour). **Criteria met.**

- 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 of 233rd Avenue was also examined by the traffic study as the existing access point is in relatively close proximity to both TH 47 and Cree Street. The study is recommending that the existing access point on 233rd be restricted to an

(cont.)

Enter Only access (thereby prohibiting traffic from exiting the site at that location) Such an improvement would provide the best balance of safe operation and efficient site circulation. The plans as proposed follow this recommendation and actually shifts the entrance further from the Highway in accordance with a MnDOT recommendation. All traffic exiting the site would utilize the Cree Street access points.

- 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 noted, however, that the Intersection Control Evaluation report needs to be certified by the preparer. Staff is suggesting such as a condition of approval should this application move forward.
- Parking – Based on the proposed site plan, a total of 40 parking spaces must be provided to meet code requirements (3630 sq ft of interior retail = minimum 36 spaces + 4 pump areas = minimum 4 spaces). The plan as proposed includes 40 defined spaces.
- Parking Setbacks – The revised site plan currently shows the southern parking spaces are within the required 5' setback. The plans are in the process of being revised by the applicant, and should show conforming setbacks by the date of the Planning Commission meeting.

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: Adequate parking spaces are located adjacent to the main entrance and fueling points to provide customers with safe ingress/egress to the main building. The spaces on the far side of the fueling lot are anticipated to be used primarily by staff. We are not recommending special pedestrian accommodations from these rear spaces given the infrequent use they'll receive and the fact that there is nothing unique to navigating the proposed parking lot that doesn't exist at most destinations. **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 given the size of the proposed facility, but the design adequately takes into consideration how deliveries, will be made, how waste will be handled, etc. **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 loading and waste management areas of the building are located in the NE corner adjacent to the Highway and commercially zoned property to the north. 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.*

Staff Comment: This site is only adjacent to other commercially zoned properties. No residential screening is required. **Criteria met.**

- g) *General site screening and landscaping shall be provided in compliance with Chapter 20 of this Ordinance.*

Staff Comment: The provided plan sets includes the plating of six (6) over story trees, eight (8) evergreen trees, ninety-two (92) shrubs, thirty (30) perennials, and one hundred nine (109) natural grasses [an overall increase in plantings as compared to the initially reviewed site plan]. The noted species on the landscaping plan are either specifically listed in code or have been deemed appropriately similar to allowed species by staff, so we have no issues with the planting plan as designed.

Per code, the minimum number of caliper inches of trees to be planted is 23 caliper inches ($7298 \text{ sq ft} / 320 = 22.8 = 23 \text{ caliper inches}$). Four foot tall evergreens are equivalent to two (2) caliper inches. Based on the submitted site plan, the site design is providing approximately 28.5 caliper inches, and the mix of deciduous and coniferous trees meets City standards. **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 0.4 foot candles on adjacent property at the shared property line, nor will it exceed one (1) foot candle from the centerline of adjacent streets. This plan is in compliance with City standards.

Regarding the proposed fixtures, code requires they all contain a cut-off to direct light at an angle of 90 degrees or less downward, and free-standing fixtures are not to exceed 25' in height. While height appears to be met, Staff

(cont.)

will leave it up to Engineering to determine if the proposed fixtures have the proper cut off. Engineering will review the design to ensure code requirements are being met, and changes to the design (if needed) be implemented at the time of building permit application. **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 Engineer is comfortable with the preliminary plans as provided and feels that final amendments to the stormwater management plan can be handled at the time of building permit. Conditions and requirements called out by Engineering must be implemented per one of the recommended conditions of approval. **Criteria met.**

- 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 providing a desirable look for the property from any direction. **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 provided an updated and complete signage plan for the site which is in conformance to the City's minimum standards. Per the plan,

- Max height is met (no sign exceeds 25' in height)
- Up to four directional signs are allowed on the site, and four (4) are proposed. All will be double sided which is permitted by code.
- Directional signs as will need to adhere to the size maximum of 2 sq ft. This will be confirmed prior to issuance of a sign permit.

(cont.)

- The main freestanding sign will need to be located at least 25 feet from the proposed entry point, 25 feet from the intersection of Hwy 47 & 233rd, and at least 10 feet from the highway ROW. This can be completed as part of the sign permit & building permit application process.
- Total allowable area on a freestanding sign is 80 square feet, and per the definition, that is a per-side allowance. The 40 square foot electronic message board sign plus the 36 square foot Business Name ID cabinet complies with the City standard.
- The 52 square foot price cabinet on the freestanding sign and the roughly 20 square foot price board on the Auto Gas canopy are both being treated as informational signs which do not count towards the allowed sign maximum.
- The signage on the canopy is being treated as a permanent banner sign, and is well below 100 square foot maximum.
- The main Kwik Trip sign above the store's entrance is approximately 24 square feet in size which is not greater than 15% of the southern facing wall area.

Criteria met.

- 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 successful 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: Given the site's location adjacent to the highway and surrounded by commercial uses and commercially zoned property, staff does not see any incompatibilities with surrounding land uses necessitating a restriction on hours of operation. As proposed, this is intended to be a 24-hour facility. **Criteria met.**

(cont.)

- 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 existing structures and possible nonconformities are being eliminated as a result of this new conditionally permitted use. Regarding B-2 performance standards, all setbacks, lot minimums, height, and impervious surface standards are being met. **Criteria 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.**

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

Staff Comment: The City Engineer fully reviewed the sewer and water system serving this site, and there will be no problem serving the site with existing infrastructure. There are a number of small things that must still be addressed by the applicant moving forward, but all such issues can be addressed as a condition of CUP approval should this move forward.

With regards to police and fire services, this new use will not generate any unusual burdens on such services. **Criteria met.**

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

Staff Comment: The provided traffic study shows the area roadways are more than capable to handle the anticipated traffic to and from this site. **Criteria met.**

Additional Information:

- MnDOT is not opposed to the proposed redevelopment, and the applicant has incorporated their recommendation to shift the entrance only point off of 233rd Avenue NW to the west.
- Site Plan 1.1 Keynotes suggests there may be an electric car charger on site, but no corresponding notation is shown on the plans.

(cont.)	- Completion of this development will also require the approval of an administrative subdivision to combine the two lots currently owned by the applicant. Per the City's subdivision codes, this is an administrative process that is running concurrently with the CUP application. As a condition of any approval, staff suggests the CUP be contingent on the applicant finalizing and following through on any conditions of approval placed on the administrative subdivision. - A notable behind the scenes issue that must be dealt with as part of the administrative subdivision is the need to relocate a water line that currently runs through the property. This requires vacation of an existing drainage and utility easement over the current pipe, and a public hearing before the City Council has been scheduled for the October 2nd meeting. By law, the City Council must hold this public hearing rather than the planning commission. A financial surety to cover issues associated with this water main and easement will be required as a condition of the easement vacation.
Engineering Review:	The initial review memo penned by Hakanson Anderson is included as an attachment to this report. HAA continues to work with the applicant on minor details, and they believe conditional approval is appropriate at this time.
Public Comment:	Staff has not received any feedback from surrounding property owners as of 9/26/17, and there were no comments for or against the proposal at the public hearings.
Planning Commission Review:	- The Planning Commission held two (2) public hearings on this request and received only feedback from the applicant at both hearings. The second public hearing was necessitated by changes to the site plan in response to MnDOT comments on the location of the right-in only access off of 233rd Avenue NW. - The Planning Commission unanimously recommended approval of the CUP request based on the findings of fact and conditions listed in the staff report.

Conclusion:

The applicant is proposing to demo the old Oasis Gas Station and Car Wash at 4020 233rd Avenue NW to construct a new Kwik Trip motor fueling station.

Staff & PC Recommendation: APPROVAL with conditions

Council 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 07/28/2017, the 60-day review period for this application expires on 09/26/2017. This deadline was extended by staff due to changes to the site plan, so the final deadline for a decision is now 11/25/17.
Template Denial Motion: (not recommended)	▪ "I move that we 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 we approve the requested conditional use permit based on the findings of fact listed on pages 13 & 14 of the report. Furthermore, the approval shall include the conditions listed on pages 14 & 15 as may have been amended here tonight."
Suggested Findings of Fact:	1. The subject site is guided for commercial use, and motor fueling station is a conditionally permitted use within the B-2 zoning district. 2. The proposed site is surrounded by other commercial uses, and the proposed motor fueling station will be compatible with present and future uses of land in the area. 3. The provided traffic study demonstrates that no unusual traffic issues will result from the proposed use, and no special accommodations will be needed on adjacent roads or intersections. 4. The site design minimizes internal and external traffic conflicts in as much as possible for this type of use. 5. The proposed amount of on-site parking is conforming to minimum code requirements. 6. All proposed buildings and parking spaces meet required setbacks.

- (cont.)
7. Proposed landscaping materials are acceptable, and the planting plan is in conformance with City standards.
 8. Proposed lighting will not cast glare onto the public right-of-way or adjacent property in a manner that is inconsistent with code.
 9. The proposed building materials to be used are of high quality and are consistent with City standards.
 10. The proposed signage plan is consistent with City standards for non-residential uses.
 11. Impervious surfaces on the site will not exceed the 80% maximum for a property in the B-2 zoning district.
 12. Stormwater plans are in conformity with local standards, and post-development runoff rates will be less than existing run-off rates once the project is complete.
 13. 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. Prior to any building permits being issued, the applicant shall successfully finalize an administrative subdivision or a re-plat of all lots to establish the full project site as represented in the CUP application.
2. 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.
3. All changes requested by the City Engineer in their final review memo shall be implemented on the final plans prior to permits being issued.
4. The provided Intersection Control Evaluation report shall be certified by the preparer.
5. Minor updates to the approved plans 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.
6. An NPDES Construction Permit from the MPCA shall be obtained by the applicant.

- (cont.)
7. The existing entrance point off of 233rd Avenue shall be restricted to an Enter Only access meeting all standards as may be required by the City Engineer.
 8. All exterior lighting shall include cut-offs to direct light at an angle of 90 degrees or less downward.
 9. On-site directional signs shall conform with the two (2) square foot maximum prior to approval of a sign permit and eventual installation.
 10. The main freestanding sign shall be located at least 25 feet from the proposed entry point, 25 feet from the intersection of Hwy 47 & 233rd, and at least 10 feet from the highway ROW.
 11. The property owner shall adhere to all applicable governmental regulations, secure all necessary licenses, and shall obtain all necessary permits to authorize construction and establishment of the proposed use.
 12. All final plan sheets shall be certified by the professional that prepared each plan.
 13. 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.

*cc: Nate Byom, Applicant Representative
Paul Jung, MnDOT*

*Attachments: Traffic Study Executive Summary
Applicant Plan Sets*

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

RESOLUTION 2017 - 32

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A
MOTOR FUELING STATION ON THE PROPERTY AT
4020 233RD AVENUE NW**

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 October, 2017. The following members were present: Mayor Steve Feldman; Council Members Robert Bauer, Joe Muehlbauer, Rich Skordahl, and Jerry Tveit.

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, MDW Equity LLC (“Applicant”) is owner of the properties at 4020 233rd Avenue Northwest (“Property”) which are legally described as follows:

See Attachment A

WHEREAS, the the Property was formerly used as a motor fueling station that has long been closed and has fallen into disrepair; and

WHEREAS, the Applicant is seeking a new Conditional Use Permit (CUP) for a motor fueling station on this land in order to demolish the existing structures on the site and construct a new facility; and

WHEREAS, the comprehensive plan guides this lot for Commercial use; and

WHEREAS, the corresponding zoning assigned to the property (B-2) allows a motor fuel station as a conditionally permitted use; 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 August 16, 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 Applicant updated the site plan following the August public hearing to address concerns expressed by MnDOT and the Planning Commission; and

WHEREAS, the Planning Commission on September 20, 2017, opened and closed a second duly noticed public hearing and once again 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 October 2, 2017, 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 a motor fueling station at 4020 233rd Avenue Northwest based on the following findings of fact:

- (1) The subject site is guided for commercial use, and motor fueling station is a conditionally permitted use within the B-2 zoning district.
- (2) The proposed site is surrounded by other commercial uses, and the proposed motor fueling station will be compatible with present and future uses of land in the area.
- (3) The provided traffic study demonstrates that no unusual traffic issues will result from the proposed use, and no special accommodations will be needed on adjacent roads or intersections.
- (4) The site design minimizes internal and external traffic conflicts in as much as possible for this type of use.
- (5) The proposed amount of on-site parking is conforming to minimum code requirements.
- (6) All proposed buildings and parking spaces meet required setbacks.
- (7) Proposed landscaping materials are acceptable, and the planting plan is in conformance with City standards.
- (8) Proposed lighting will not cast glare onto the public right-of-way or adjacent property in a manner that is inconsistent with code.
- (9) The proposed building materials to be used are of high quality and are consistent with City standards.
- (10) The proposed signage plan is consistent with City standards for non-residential uses.

- (11) Impervious surfaces on the site will not exceed the 80% maximum for a property in the B-2 zoning district.
- (12) Stormwater plans are in conformity with local standards, and post-development runoff rates will be less than existing run-off rates once the project is complete.
- (13) 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 a motor fueling station shall be subject to the following conditions:

- (1) Prior to any building permits being issued, the applicant shall successfully finalize an administrative subdivision or a re-plat of all lots to establish the full project site as represented in the CUP application.
- (2) 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.
- (3) All changes requested by the City Engineer in their final review memo shall be implemented on the final plans prior to permits being issued.
- (4) The provided Intersection Control Evaluation report shall be certified by the preparer.
- (5) Minor updates to the approved plans 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.
- (6) An NPDES Construction Permit from the MPCA shall be obtained by the applicant.
- (7) The existing entrance point off of 233rd Avenue shall be restricted to an Enter Only access meeting all standards as may be required by the City Engineer.
- (8) All exterior lighting shall include cut-offs to direct light at an angle of 90 degrees or less downward.
- (9) On-site directional signs shall conform with the two (2) square foot maximum prior to approval of a sign permit and eventual installation.
- (10) The main freestanding sign shall be located at least 25 feet from the proposed entry point, 25 feet from the intersection of Hwy 47 & 233rd, and at least 10 feet from the highway ROW.
- (11) The property owner shall adhere to all applicable governmental regulations, secure all necessary licenses, and shall obtain all necessary permits to authorize construction and establishment of the proposed use.
- (12) All final plan sheets shall be certified by the professional that prepared each plan.
- (13) 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.

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 October, 2017.

Steven D. Feldman

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 _____

MDW Equity LLC

Subscribed and sworn to before me this _____ day of _____, 2017.

Notary Public

JEFFREY S. JOHNSON
RUSSELL H. CROWDER
MICHAEL F. HURLEY
DOUGLAS G. SAUTER
HERMAN L. TALLE
CHARLES M. SEYKORA
DANIEL D. GANTER, JR.
BEVERLY K. DODGE
JAMES D. HOEFT
*JOAN M. QUADE
*JOHN T. BUCHMAN
SCOTT M. LEPAK
ELIZABETH A. SCHADING
CAROLE CLARK ISAKSON

*Also Licensed in Wisconsin



Barna, Guzy & Steffen, Ltd.

ATTORNEYS AT LAW

200 Coon Rapids Boulevard NW, Suite 400
Minneapolis, MN 55433-5894

www.bgs.com

(763) 780-8500 FAX (763) 780-1777

WILLIAM F. HUEFNER
BRADLEY A. KLETSCHER
TIMOTHY D. ERB
KAREN K. KURTH
ADRIEL B. VILLARREAL
TAMMY J. SCHEMMEL
JENNIFER C. MOREAU
DAVID R. SCHAPS
THOMAS R. WENTZELL
NICOLE R. WIEBOLD
LINDSAY K. FISCHBACH

OF COUNSEL
JON P. ERICKSON
STEVEN G. THORSON
W. JAMES VOGL, JR.
*JAMES H. WILLS

MEMORANDUM

TO: Honorable Mayor and City Councilmembers, Joe Kohlmann, City Administrator

FROM: David Schaps, Assistant City Attorney

THROUGH: Scott Lepak, City Attorney

RE: Approval of Ordinance Conveying Surplus Property to Anoka County Per Terms of the Bridge Street Joint Powers Agreement

DATE: September 15, 2017

BACKGROUND:

The City and Anoka County entered into a Joint Powers Agreement on or about October 10th, 2014 for the reconstruction of Bridge Street in the City of St. Francis and the addition of two roundabouts in the community. As part of that agreement, certain properties were to be conveyed by the City of St. Francis to Anoka County, with the County entering into settlement negotiations with abutting private property owners regarding the right of way acquisition for the project.

Per the terms of the Joint Powers Agreement, Anoka County is requesting the City of St. Francis convey the property listed under the Agreement to them so that they may work with abutting private property owners (Robert and Carolyn O'Brien) to convey property not needed for the right of way. The O'Briens anticipate expanding their business operations upon the County conveying the property to them per a right of way settlement agreement.

RECOMMENDED MOTION:

Motion to approve Ordinance²³³ Second Series, authorizing the conveyance of City surplus property to Anoka County pursuant to the Bridge Street Joint Powers Agreement and as listed in the Agreement as Exhibit D Parcel 3.

**City of St. Francis
St. Francis, MN
Anoka County
State of Minnesota**

Ordinance 233, Second Series

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY SURPLUS
PROPERTY TO ANOKA COUNTY PURSUANT TO BRIDGE STREET JOINT
POWERS AGREEMENT - EXHIBIT D (PARCEL 3)**

WHEREAS, Section 8-7-3 of the St. Francis City Code entitled "Disposal of Property" outlines the procedure for the disposal of City owned property ; and

WHEREAS, pursuant to Section 8-7-3, the City has identified property legally described as follows as surplus property and is no longer needed for municipal service;

WHEREAS, the parcels are described as:

That part of the west one-half of the southwest quarter of Section 33, Township 34, Range 24, Anoka County, Minnesota described as follows:

Commencing at the northwest corner of the southwest quarter of said Section 33; thence 120.00 feet east along the north line of the southwest quarter of said Section 33; thence south 1,917.39 feet, more or less, along a line 120.00 feet east of and parallel to the west line of said Section 33 to the centerline of County State Aid Highway (CSAH) No. 24, that being the point of beginning; thence north 243.32 feet along said line 120.0 feet east of and parallel to the west line of said Section 33; thence perpendicular and west 120.00 feet to the west line of said Section 33; thence south along said west line of said section 33 to the centerline of CSAH No. 24; thence southeasterly along the centerline of CSAH No. 24 to the point of beginning.

AND

That part of Lot 1, Block 5, ROYAL OAKS, according to the recorded plat thereof, Anoka County, Minnesota, described as follows:

Beginning at a point on the west line of said Lot 1, a distance of 61.69 feet north of the southwest corner of said Lot 1; thence north along said west line a distance of 52.00 feet; thence east, perpendicular to said west line, a distance of 10.00 feet; thence south, perpendicular to last described coarse, a distance of

52.00 feet; thence west, perpendicular to last described coarse, a distance of 10.00 feet to said point of beginning.
and;

WHEREAS, The City of St. Francis and Anoka County entered into a Joint Powers Agreement ("Agreement") for the joint reconstruction of Bridge Street in the City of St. Francis dated on or about October 14, 2014 which provided that the City would convey the above mentioned property (also described in the Agreement as Exhibit D, Parcel 3) to Anoka County pursuant to the terms of the Agreement; and

WHEREAS, Now that the Bridge Street reconstruction portion of the project has been completed, Anoka County has requested the parcels be conveyed at this time; and

WHEREAS, Anoka County has requested the conveyance of the property at this time in order to move forward with right of way settlement negotiations with abutting private property owners to continue the process to bring the project to a close.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

1. The Mayor and City Clerk are authorized to execute and transfer the above referenced property to Anoka County upon the approval as to form by the City Attorney.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 18th DAY OF SEPTEMBER, 2017.

APPROVED:

Steven D. Feldman
Mayor of St. Francis

ATTEST:

Barbara I. Held
City Clerk

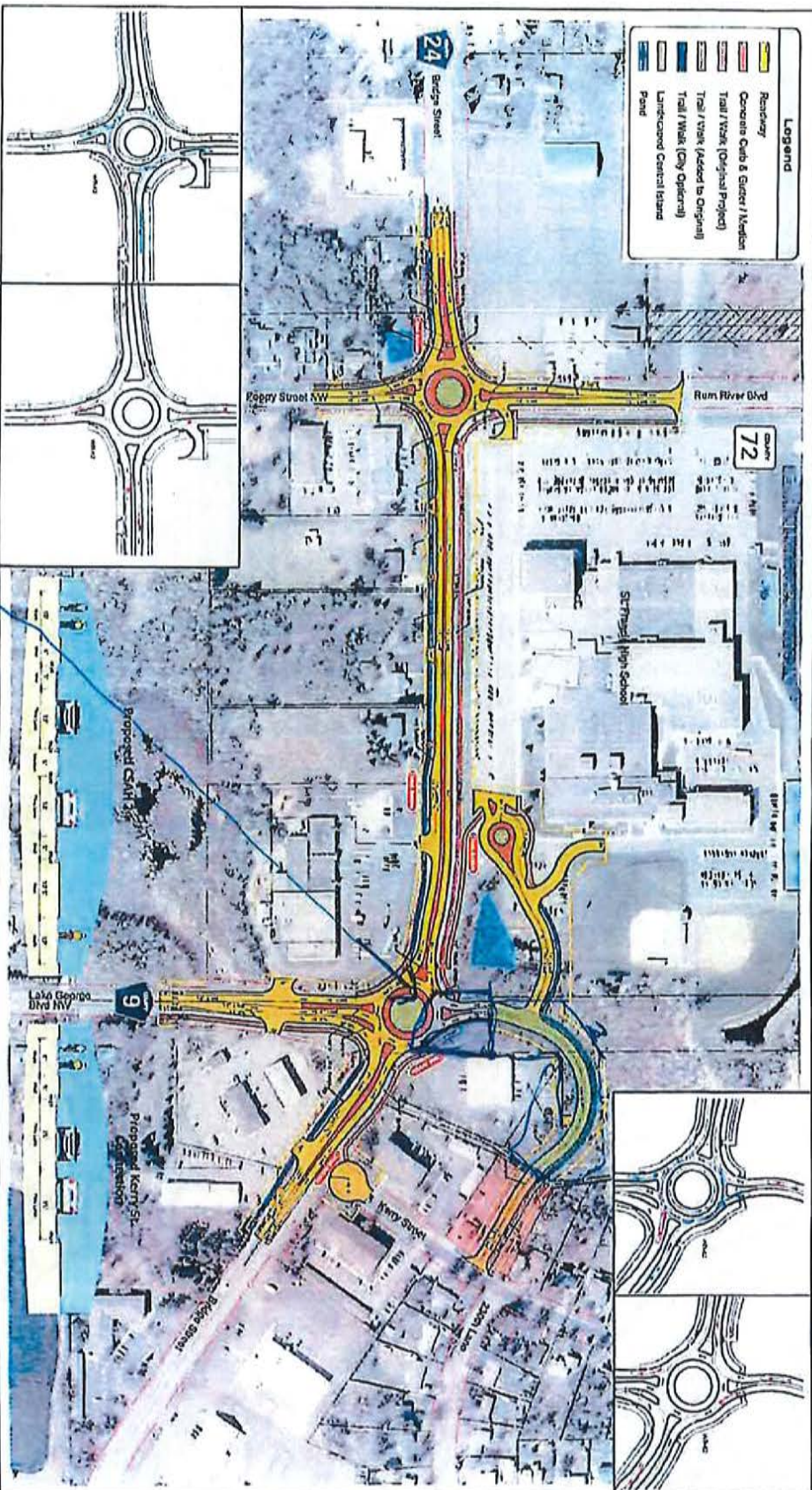


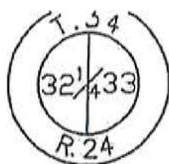
CSAH 24 (Bridge Street) Improvements Anoka County, Minnesota

- Parcel 1 COUNTY OWNED, TRANSFER TO CITY
- Parcel 2 TO BE PURCHASED BY ANOKA COUNTY FOR
RELOCATED CITY STREET
- Parcel 3 CITY OWNED, TO BE DONATED FOR PROJECT

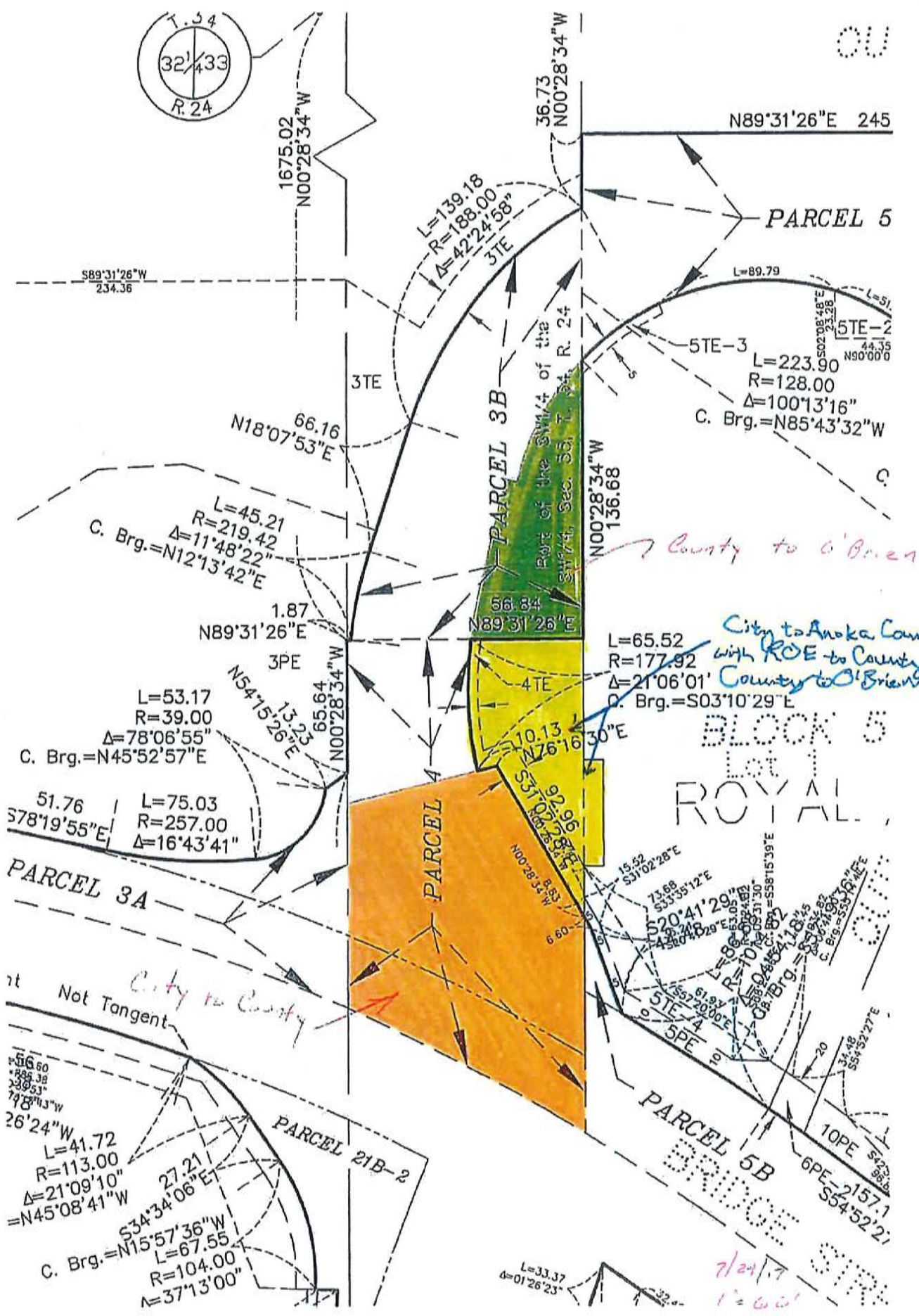


Project Layout
May 11, 2014





OU



City to County

City to Anoka County with ROE to County of O'Brien

BLOCK 5
Lot 1
ROYAL

7/24/17
1 = 60'

MEMORANDUM

TO: Joe Kohlmann, City Administrator

FROM: Shane Nelson, Assistant City Engineer

DATE: June 15, 2017

RE: Chapter 93 – Stormwater Management – Stormwater Pollution Prevention Ordinance

Please find attached the proposed revisions to Chapter 93 of the City Code. The proposed revisions have been incorporated to satisfy the requirements of the state mandated MS4 Permit. In general, the updates include revisions to the permanent stormwater standards. The current ordinance requires infiltration of 0.5 inches of runoff from the impervious surface, while the proposed ordinance requires infiltration of 1 inch of runoff from the impervious surface (which is required by the state). Other state required provisions, such as infiltration restrictions and prohibitions, have been added as well.

The remaining revisions are not significant, however, are necessary for compliance with the City's MS4 permit.

CHAPTER 93

STORMWATER MANAGEMENT - STORMWATER POLLUTION PREVENTION

SECTION:

- 10-93-1: Purpose
- 10-93-2: Scope
- 10-93-3: Stormwater Pollution Prevention Plan for Small Sites
- 10-93-4: Stormwater Pollution Prevention Plan for Large Sites
- 10-93-5: Minimum Stormwater Pollution Prevention Measures and Related Items for All Sites.
- 10-93-6: Permanent Stormwater Pollution Controls.
- 10-93-7: Review
- 10-93-8: Modification of Plan
- 10-93-9: Financial Securities
- 10-93-10: Right of Entry and Inspection
- 10-93-11: Notification of Failure of the Stormwater Pollution Prevention Plan:
- 10-93-12: Illicit Discharge:
- 10-93-13: Enforcement
- 10-93-14: Abrogation and Greater Restrictions
- 10-93-15: Severability

10-93-1: PURPOSE: The purpose of this chapter is to control or eliminate stormwater pollution along with soil erosion and sedimentation within the City. It establishes standards and specifications for conservation practices and planning services, which minimize stormwater pollution, soil erosion, and sedimentation.

10-93-2: SCOPE: Except where a variance is granted, any person, firm, sole proprietorship, partnership, corporation, state agency, or political subdivision proposing a land disturbance activity within the City shall submit to the City, for approval, a Stormwater Pollution Prevention Plan, as required by this ordinance. No land shall be disturbed until the plan is approved by the City and conforms to the standards set forth herein.

10-93-3: STORMWATER POLLUTION PREVENTION PLAN FOR SMALL SITES: Every applicant for a building permit with more than twenty thousand (20,000) square feet but less than 1.0 acres of land disturbance, subdivision approval, or a permit to allow for excavation, filling, grading, or other such activity shall submit a Stormwater Pollution Prevention Plan to the City Engineer for review and approval. Sites that disturb less than 1.0 acre but are part of a larger development or connected action disturbing a cumulative 1.0 or more acres shall meet all the requirements of 10-93-4 **STORMWATER POLLUTION PREVENTION PLAN FOR LARGE SITES.**

- A. **Control Runoff.** Small Sites shall be designed to control runoff rate so as to not cause downstream flooding or erosion.
- B. **Minimize Erosion.** Small Site Stormwater Pollution Prevention Plans shall be designed to minimize erosion and to contain sediment from exiting the site.
- C. **Approval.** No building permit, subdivision approval, or permit to allow land disturbing activities shall be issued until the City approves this plan.

10-93-4: STORMWATER POLLUTION PREVENTION PLAN FOR LARGE SITES:

In addition to meeting the requirements for Stormwater Pollution Prevention Plans for Small Sites, Large Site Stormwater Pollution Prevention Plans shall meet or exceed the following criteria:

- A. **Minnesota NPDES/SDS Construction Stormwater General Permit MN R100001 (Construction Stormwater Permit).** Designed and implemented to meet or exceed the requirements of the Construction Stormwater Permit.
- B. **General Policy on Stormwater Runoff Rates and Water Quality for Large Sites.**

1. For new development ~~release-stormwater runoff~~ rates, volume, total suspended solids, and total phosphorus from the site ~~on-an-annual average basis~~ shall not increase over the predevelopment ~~24-hour 2-year, 10-year and 100-year peak-storm discharge~~ values, based on the last 10-years of how that land was used. Also accelerated channel erosion must not occur as a result of the proposed activity.

a. Stormwater peak discharge rates shall not increase for the 24 hour, 2-year, 10-year, and 100-year storm events.

b. Volume, total suspended solids, and total phosphorous may not increase on an average annual basis.

~~c.~~ An instantaneous stormwater volume calculated as one inch of runoff from the new impervious surface shall be retained on-site.

2. For redevelopment ~~there shall be a net reduction on-an-annual-average basis-for-release-rates~~stormwater runoff rates, volume, total suspended solids, and total phosphorus must be managed from the predevelopment ~~24-hour 2-year, 10-year and 100-year peak-storm discharge~~ values, based on the last 10-years of how that land was used. Also accelerated channel erosion must not occur as a result of the proposed activity.

- a. -Stormwater peak discharge rates shall not increase for the 24 hour, 2-year, 10-year, and 100-year storm events.
- b. Volume, total suspended solids, and total phosphorous must show a net reduction on an average annual basis.
- c. An instantaneous stormwater volume calculated as one inch of runoff from the new impervious surface shall be retained on-site.

3. Infiltration prohibited. Infiltration shall be prohibited if one or more of the following circumstances are present:

- a. The site is required to obtain a NPDES/SDS Industrial Stormwater Permit and the permit prohibits infiltration;
- b. Where vehicle fueling and maintenance occur;
- c. Less than three (3) feet of separation is present from the bottom of the infiltration practice to the elevation of the seasonally saturated soils or top of bedrock;
- d. Where high levels of contaminants in the soil or groundwater will be mobilized by infiltrating stormwater.

4. Infiltration restricted. Higher engineering review shall be required when the infiltration device will be constructed in areas:

- a. Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn R. 4720.5100, subp. 13;
- b. Where soil infiltration rates are more than 8.3 inches per hour;
- c. Other areas as determined by the City Engineer.

3.5. For projects where site constraints limit the ability to provide the required control practices within the project boundary; the project shall provide for downstream improvements for that portion that cannot be treated within the project boundaries. Such projects may include:

- a. Linear projects where reasonable effort has been made to obtain sufficient right-of-way to install required control practices and said efforts have been unsuccessful;
- b. Sites where infiltration is prohibited;
- c. Other locations as determined by the City.

6. Sequencing. Projects that cannot fully meet the stormwater requirements of this section must demonstrate the site constraints through a sequencing analysis subject to review and approval of the City Engineer. Prior to consideration of off-site mitigation, the applicant must demonstrate on-site treatment to the maximum extent practicable given the site constraints.

4.7. Projects that have made reasonable effort but have been unable to fully meet volume, total suspended solids and total phosphorus requirements within the project limits may, upon authorization by the City, utilize the following methods to meet that portion not met onsite:

- a. Provide treatment that yields the same benefits in an offsite location to the same receiving water that receives runoff from the project site. If this is not feasible then;
- b. Provide treatment that yields the same benefits in an offsite location within the same Minnesota Department of Natural Resources catchment area as the project site. If this is not feasible then;
- c. Provide treatment that yields the same benefits in an offsite location within an adjacent Minnesota Department of Natural Resources catchment area up-stream of the project site. If this is not feasible then;
- d. Provide treatment that yields the same benefits at a site approved by the City.
- e. Offsite mitigation authorized by the City shall be completed within 24-months of the beginning of construction on the permitted site.

5.8. Applicants shall provide documentation showing compliance with the rate and quality requirements of this ordinance. Acceptable documentation shall be:

- a. For Rate and Volume: Calculations shall be by a methodology listed in the Minnesota Pollution Control Agency's publication, "The Minnesota Stormwater Manual" or other method approved by the City.

- b. For total suspended solids and total phosphorus: Calculations shall be done using the Minimal Impact Design Standards (MIDS) Calculator available on the MPCA website, P8 or other

method approved by the City.

b.c. Prepared and certified by a Professional Engineer.

10-93-5: Minimum Stormwater Pollution Prevention Measures and Related Items for All Sites. These minimum control measures are required where bare soil is exposed for all sites.

- A. **Easements.** If a stormwater management plan involves directing some or all of the site's runoff, the applicant or his designated representative shall obtain from adjacent property owners any necessary easements or other property interests concerning the flowing of such water. It shall be the responsibility of the applicant to obtain any necessary easements or other property interests to allow permanent access to the stormwater management facilities for inspection and maintenance purpose.
- B. **Temporary Stockpiles.** Temporary stockpiling of fifty (50) or more cubic yards of excess soil on any lot or other vacant area will not be allowed without issuance of a grading permit for the earth moving activity in question.
 - 1. For soil stockpiles greater than ten (10) cubic yards, the toe of the pile must be more than twenty-five (25) feet from a road, drainage channel or stormwater inlet. If left for more than seven (7) days, they must be stabilized with mulch, vegetation, tarps or other means. If left for less than seven (7) days, erosion from stockpiles must be controlled with silt fences or rock check dams.
 - 2. If for any reason a soil stockpile of any size is located closer than twenty-five (25) feet from a road, drainage channel or stormwater inlet, and left for more than seven (7) days, it must be covered with tarps or controlled in some other manner.
- C. **Mining Operations.** All sand, gravel or other mining operations taking place on the development site shall have any necessary authorization from the MPCA to discharge under the Minnesota National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) General Permit MNR050000 for Industrial Stormwater Multi-Sector (ISW) and all required Minnesota Department of Natural Resources permits.
- D. **Sweeping.** Traveled surfaces including but not limited to streets, parking lots, sidewalks and trails must be cleaned and swept whenever tracking of sediments occurs but no later than the end of each business day. Establishment of a regular sweeping schedule is encouraged.
- E. **Catch basins.** All newly installed and rehabilitated catch basins immediately prior to rivers, lakes, streams, or wetlands must be provided with a minimum three (3) foot sump area for collecting coarse-grained material or a permanent sedimentation pond between the outlet and such water bodies.

- F. **City Inspections.** The applicant shall be responsible for all required erosion and sediment inspections required in the approved Stormwater Pollution Prevention Plan. The City may perform inspections ~~on a regular basis to ensure that erosion and sediment control measures are properly installed and maintained to ensure conformance with this section.~~ The applicant and/or builder shall provide access to the site and address any deficiencies noted by the City to maintain proper erosion and sediment control at all sites within the timeframes noted in this ordinance and the Construction Stormwater Permit. In cases where cooperation is withheld, construction stop orders may be issued by the City, until erosion and sediment control measures are compliant with the Construction Stormwater Permit and this ordinance. Follow up erosion and sediment control/grading inspections must then be scheduled and passed before the construction stop order is lifted or any other inspections will be done.
- G. **Inspection and Maintenance.** All stormwater pollution control management facilities must be designed to minimize the need of maintenance, to provide easy vehicle and personnel access for maintenance purposes, and be structurally sound. The City or its designated representative shall inspect all stormwater management facilities during construction and during the first year of operation.
- H. **Private Facilities.** Where private facilities are allowed by the City Council the applicant must provide as part of the design a plan of operation and maintenance. The plan must indicate the responsible party or parties charged with the long term maintenance, repair, or replacement of the facilities. The plan shall also include information on the intended final ownership of the properties containing such facilities and the means by which inspection, maintenance, repair, or replacement when necessary shall be funded and accomplished and the party that will be responsible for the operation and maintenance. The details shall be included in an agreement that shall be recorded against the property being developed. In addition, the agreement shall provide for:
1. Access in perpetuity for inspection of the facilities by the City.
 2. Access in perpetuity for maintenance of the facilities should the City find that storm water facility maintenance is required and upon written notice the property owners fail to take corrective action with the cost of such maintenance to be paid by the property owner.
 3. If upon inspection, the City finds that any private stormwater management facilities require maintenance, repair, or replacement, but such deficiencies do not create a critical or imminent threat to adjacent properties, the environment, or other stormwater facilities; the party or

parties responsible for the continued operation of the facilities shall be given written notice of the findings.

4. If upon inspection, the City finds that any private stormwater water management facilities require maintenance, repair, or replacement and such deficiencies create a critical or imminent threat to adjacent properties, the environment, or other stormwater facilities, the City may take immediate corrective action and charge the costs to the properties identified in the agreement as benefiting from the private stormwater facilities. The City Council shall, by appropriate resolution, assess the costs including appropriate administrative fees against said properties, and certify the same to the County Assessor of Anoka County, Minnesota.

10-93-6: Permanent Stormwater Pollution Controls.

- A. **Stormwater Fees.** The applicant shall install or construct, and pay all appropriate City Stormwater Fees for all stormwater management facilities necessary to manage increased runoff, so that the proposed stormwater runoff rates and water quality meet the criteria in this ordinance.
- B. **Maintenance of Existing Facilities.** Maintenance of existing permanent pollution controls that do not have adequate capacity to meet the runoff and water quality criteria of this ordinance shall not be accepted in lieu of new or retrofit permanent stormwater pollution controls.
- C. **Community Stormwater Management Facilities.** The applicant shall also make an in-kind or monetary contribution to the development and maintenance of community stormwater management facilities designed to serve multiple land disturbing and development activities undertaken by one or more persons, including the applicant.
- D. **Calculations.** All calculations and information used in the design shall be submitted along with the Stormwater Pollution Prevention Plan for the review and approval of the City Engineer.
- E. **Minimum Design Standards for all Stormwater Facilities.**
 1. At a minimum these facilities must conform to the most current technology as reflected in the current version of the Minnesota Pollution Control Agency's publication, "The Minnesota Stormwater Manual" and the Construction Stormwater Permit, and the Upper Rum River Watershed Management Organization's Watershed Management Plan including all amendments.

2. Major stormwater facilities (i.e., ponds, pond outlet systems, and major conveyance systems) shall be designed for a return period of one hundred (100) years.
3. All minor drainage systems (i.e., piped collection systems and minor conveyance systems) shall be designed for a return period of ten (10) years.
4. Minimum building (low floor) elevations shall be above in-situ, designed or designated flood levels water levels. The lowest building floor elevation shall be ~~one (1) foot above the 100-year flood level or one (1) foot above the pond EOF~~ three (3) feet above mottled soils or highest known or anticipated water table, whichever is higher. ~~The 100-year flood level shall be the highest 100-year level resulting from a single event analysis; the 100-year 24-hour rainfall event, 10-day snowmelt event; a multiple-day runoff event analysis, or the critical event analysis. The City Engineer may allow deviation from these separations if the applicant submits evidence certified by a Licensed Geotechnical Engineer that a lesser separation can be achieved. Certification by a Licensed Geotechnical Engineer shall include field monitoring of the groundwater with piezometers to establish the highest anticipated ground water elevation.~~
5. Minimum opening elevations shall be above designed or designated flood levels. The minimum building opening elevation shall be one and a half (1.5) foot—feet above the 100-year flood level or ~~pond EOF~~ emergency overflow elevation. The 100-year flood level shall be the highest 100-year level resulting from a single event analysis; the 100-year, 10-day snowmelt event; a multiple day runoff event analysis, or the critical event analysis.
6. Landlocked runoff basins shall be sized to handle back-to-back 100-year SCS twenty-four (24) hour rainfall events, the ten (10) inch SCS twenty-four (24) hour rainfall event or the 100-year, 10-day snowmelt snow melt event, whichever produces the higher peak pond elevation (Landlocked HWL high water level). The lowest building floor elevation around landlocked basins shall be two (2) feet above the Landlocked HWL high water level.
7. Emergency overflows or outlets to drainage systems shall be provided to any landlocked area if the available stormwater storage capacity is inadequate to prevent flooding of residences and if the available downstream conveyance system capacity is adequate to accept additional flow.
8. The area of a pond's HWL plus one (1) foot of freeboard shall be

contained entirely within an outlet that is owned by the City, or within a drainage and utility easement,~~that is owned by the City.~~

10-93-7: REVIEW: The City Engineer shall review the Stormwater Pollution Prevention Plan.

- A. **Permit Issued.** If the City determines that the Stormwater Pollution Prevention Plan meets the requirements of this ordinance, the City shall issue a permit valid for a specified period of time that authorizes the land disturbance activity contingent on the implementation and completion of the approved plan.
- B. **Denial.** If the City determines that the Stormwater Pollution Prevention Plan does not meet the requirements of this ordinance, the City shall not issue a permit for the land disturbance activity. All land use and building permits must be suspended until the applicant has an approved Stormwater Pollution Prevention Plan.

10-93-8: MODIFICATION OF PLAN: An approved Stormwater Pollution Prevention Plan may be modified upon submission of a written application for modification to the City, and after written approval by the City Engineer. In reviewing such an application, the City Engineer may require additional reports and data.

10-93-9: FINANCIAL SECURITIES: The applicant shall provide security for the performance of the work described and delineated on the approved grading plan involving the Stormwater Pollution Prevention Plan related remedial work in an amount of \$2,000 per gross acre or \$750 for each single or twin family home, whichever is greater. This security must be available prior to commencing the project. The form of the securities must be;

- A. **Currency.** The first \$10,000 (in U.S. currency) or fifteen (15) percent, whichever is greater, of this financial security must be by cash deposit to the City.
- B. **Deposit.** Deposit, either with the City, a responsible escrow agent, or trust company, at the option of the City, money, negotiable bonds of the kind approved for securing deposits of public money or other instruments of credit from one or more financial institutions, subject to regulation by the state and federal government wherein said financial institution pledges that the funds are on deposit and guaranteed for payment. The type of security must be of a type acceptable to the City.
- C. **Financial Security.** The City may request a greater financial security, if the City considers that the development site is especially prone to erosion or the

resource to be protected is especially valuable.

- D. **Maintaining the Financial Security.** If at any time during the course of the work the security falls below fifty (50) percent of the required deposit, the applicant shall make another deposit in the amount necessary to restore the cash deposit to the required amount.
1. If the applicant does not bring the financial security back up to the required amount within seven (7) days after notification by the City that the amount has fallen below fifty (50) percent of the required amount the City may:
 - a. Withhold the scheduling of inspections and/or the issuance of a Certificate of Occupancy.
 - b. Revoke any permit issued by the City to the applicant for the site in question or any other of the applicant's sites within the City's jurisdiction.
- E. **Proportional Reduction of the Financial Security.** When more than half of the development's exposed soil area achieves final stabilization, the City may reduce the total required amount of the financial security by half, if recommended by the City Engineer.
- F. **Action Against the Financial Security.** The City may act against the financial security if any of the conditions listed below exist. The City shall use funds from this security to finance remedial work undertaken by the City, a private contractor hired by the City, or to reimburse the City for all direct costs incurred in the process of remedial work including, but not limited to, staff time, consultant time, and attorney's fees.
1. The applicant ceases land disturbing activities and/or filling and abandons the work site prior to completion of final stabilization.
 2. The applicant fails to conform to the grading plan and/or the Stormwater Pollution Prevention Plan as approved by the City.
 3. The permanent stormwater control measures required by this ordinance fail within one year of site final stabilization.
 4. The applicant fails to reimburse the City for corrective action taken under this ordinance.
- A. **Returning the Financial Security.** Any unspent amount of the financial security deposited with the City for faithful performance of the Stormwater Pollution Prevention Plan and any Stormwater Pollution Prevention Plan

related remedial work ~~must~~may be released one full year after the completion of the installation of all stormwater pollution control measures as shown on the grading and/or Stormwater Pollution Prevention Plan and establishment of final stabilization.

10-93-10: RIGHT OF ENTRY AND INSPECTION:

- A. **Powers.** The permittee shall allow the City and their authorized representatives, upon presentation of credentials to:
1. Enter upon the permitted site for the purpose of obtaining information, examination of records, conducting investigations or surveys.
 2. Bring such equipment upon the permitted development as is necessary to conduct such surveys and investigations.
 3. Examine and copy any books, papers, records, or memoranda pertaining to activities or records to be kept under the terms and conditions of this permitted site.
 4. Inspect the stormwater pollution control measures required as part of the Storm Water Pollution Prevention Plan.
 5. Sample and monitor any items or activities pertaining to permits issued by the City.

10-93-11: NOTIFICATION OF FAILURE OF THE STORMWATER POLLUTION PREVENTION PLAN:

- A. **Notification by the City.** The initial contact will be to the party or parties listed on the application and/or the Stormwater Pollution Prevention Plan. Forty-eight (48) hours after notification by the City or seventy-two (72) hours after the failure of erosion control measures, whichever is less, the City, at its discretion, may begin corrective work.
- B. **Erosion Off-Site.** If erosion breaches the perimeter of the site, the applicant shall immediately develop a cleanup and restoration plan, obtain the right-of-entry from the adjoining property owner, and implement the cleanup and restoration plan within forty-eight (48) hours of obtaining the adjoining property owner's permission. In no case, unless written approval is received from the City, shall more than seven (7) calendar days lapse without corrective action being taken. If in the discretion of the City, the applicant does not repair the damage caused by erosion, the City may do the remedial work required and charge the cost to the applicant.

- C. **Erosion into Streets, Wetlands or Water Bodies.** If eroded soils (including tracked soils from construction activities) enter or appear likely to enter streets, wetlands or other water bodies, prevention strategies, cleanup and repair must be immediate. The applicant shall provide all traffic control and flagging required to protect the traveling public during the cleanup operations.
- D. **Failure to Do Corrective Work.** When an applicant fails to conform to any provision of this policy within the time stipulated, the City may take the following actions:
1. Withhold the scheduling of inspections and/or the issuance of a Certificate of Occupancy.
 2. Revoke any permit issued by the City to the applicant for the site in question or any other of the applicant's sites within the City's jurisdiction.
 3. Direct the correction of the deficiency by the City or by a separate contract. The issuance of a permit constitutes a right-of entry for the City or its contractor to enter upon the construction site for the purpose of correcting deficiencies in erosion control.
 4. All costs incurred by the City in correcting stormwater pollution control deficiencies must be reimbursed by the applicant. If payment is not made within thirty (30) days after costs are incurred by the City, payment will be made from the applicant's financial securities as described in this ordinance.
 5. If there is an insufficient financial amount, in the applicant's financial securities as described in this ordinance to cover the costs incurred by the City, then the City may assess the remaining amount against the property. As a condition of the permit, the owner shall waive notice of any assessment hearing to be conducted by the City, concur that the benefit to the property exceeds the amount of the proposed assessment, and waive all rights by virtue of Minnesota Statute 429.081 to challenge the amount or validity of assessment.

10-93-12: ILLICIT DISCHARGE: No person shall throw, deposit, place, leave, maintain, or keep nor permit to be thrown, placed, left, maintained or kept, any refuse, rubbish, garbage, or any other discarded or abandoned objects, articles, accumulations, or pollutants, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin conduit or drainage structure, business place, or upon any public or private plot of land in the City, so that the same might enter a public water, except in containers, recycling bags, or other lawfully established waste disposal facility.

A. **Illegal Discharges.** No person shall cause any illegal discharge to enter the

municipal storm water system unless such discharge:

1. Consists of non-storm water that is authorized by an NPDES point source permit obtained from the MPCA; or
2. Is associated with firefighting activities.

B. Good Housekeeping Provisions. Any owner or occupant of property within the City shall comply with the following good housekeeping requirements:

1. No person shall leave, deposit, discharge, dump, or otherwise expose any chemical or septic waste in an area where discharge to streets or storm drainage system may occur. This section shall apply to both actual and potential discharges.
2. Runoff of water from residential property shall be minimized to the maximum extent practicable. Runoff of water from the washing down of paved areas in commercial or industrial property is prohibited unless necessary for health or safety purposes and not in violation of any other provisions in the City's codes.

C. Storage of Materials, Machinery, and Equipment. Objects, such as motor vehicle parts, containing grease, oil or other hazardous substances, and unsealed receptacles containing hazardous materials, shall not be stored in areas susceptible to runoff. Any machinery or equipment which is to be repaired or maintained in areas susceptible to runoff shall be placed in a confined area to contain leaks, spills, or discharges.

D. Removal of Debris and Residue. All motor vehicle parking lots located in areas susceptible to runoff shall be swept to remove debris. Such debris shall be collected and properly disposed. Fuel and chemical residue or other types of potentially harmful material, such as animal waste, garbage or batteries, which is located in an area susceptible to runoff, shall be removed as soon as possible and disposed of properly in accordance with all State and Local requirements.

10-93-13: ENFORCEMENT: The City is responsible for enforcement of this section.

- A. The City has adopted ~~an~~ Enforcement Response Procedures (ERP) ~~Document that~~ that includes increasing penalties for Illicit Discharges of Pollutants. The ERP ~~Document~~ is hereby referenced as part of this ordinance.
- B. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this section

or may be restrained by injunction or otherwise abated in a manner provided by law.

- C. In the event the violation constitutes an immediate danger to public health or public safety, the City is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The City is authorized to seek costs of the abatement as outlined in this ordinance.

10-93-14: ABROGATION AND GREATER RESTRICTIONS: No part of this ordinance is intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

10-93-15: SEVERABILITY: The provisions of this ordinance are severable, and if any provisions of this ordinance, or application of any provision of this ordinance to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this ordinance must not be affected thereby.



**CITY COUNCIL
AGENDA REPORT**
Agenda Item #:
9D

TO: Honorable Mayor & Council
FROM: Joe Kohlmann, City Administrator
SUBJECT: Assistant Fire Chief
DATE: 10-2-2017

OVERVIEW:

On September 13th the City held Assistant Fire Chief interviews. Two panels conducted the interviews. The peer panel was made up of current firefighters on the department. The other interview panel was the Fire Chief and City Administrator.

With that, I would like to recommend that Joe Lawrence be appointed as the Assistant Fire Chief for the City of St. Francis.

The procedure for appointing the Assistant Chief states "...Assistant Chief is appointed by the City Administrator with concurrence of the City Council".

ACTION TO BE CONSIDERED:

Motion to approve Joe Lawrence as the Assistant Fire Chief.