

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

CITY COUNCIL MINUTES

MARCH 21, 2016

1. **Call to Order:** The regular City Council meeting was called to order by Mayor Steve Kane at 6:00 pm.

2. **Roll Call:** Present were Mayor Steve Kane, Council members Richard Orpen, Rich Skordahl, Chris McClish and Tim Brown. Also present were City Engineer Jared Voge (Bolton & Menk, Inc.), City Attorney Scott Lepak (Barna, Guzy & Steffen), Public Works Director Paul Teicher, Police Chief Jeff Harapat, Fire Chief Matt Kohout, City Finance Director Darcy Mulvihill, Community Development Director Kate Thunstrom, City Administrator Joe Kohlmann, and City Clerk Barb Held.

3. **Adopt Agenda:** Kane asked that 6a be moved before item 5. MOTION BY SKORDAHL SECOND McCLISH TO ADOPT THE MARCH 21, 2016 CITY COUNCIL AGENDA AS AMENDED. Motion carried 5-0.

4. **Consent Agenda:** MOTION BY BROWN SECOND ORPEN TO APPROVE THE MARCH 21, 2016, CITY COUNCIL CONSENT AGENDA A-E AS FOLLOWS:

- a. City Council Minutes – March 7, 2016
- b. Pay Request No. 8 for \$559,195.16 to Gridor Construction, Inc. for the Wastewater Treatment Facility Improvements
- c. Final Pay Request for \$10,103.19 and Change Order No. 1 for (\$-7,021.61) to North Valley Inc. for the Kerry Street, 232nd Lane & Ivywood Street Improvements
- d. 2016 Agreement for Residential Recycling Program with Anoka County
- e. Payment of Claims \$1,897,295.54 (ACH 143E-145E \$119,616.44 and Check #70424-70482)

6. **Petitions, Requests, Applications:**

a. **MS4 - Storm Water Fee Presentation:** City Engineer Jared Voge gave a power point presentation on the MS4 Regulations. (*Copy of the power point will be part of the City Council minutes.*)

After the presentation, Mayor Kane asked the City Council if they had any questions. Orpen asked how is this different from the watershed management plan. Voge said the URRWMO does not necessary meet the MS4 requirements. There are communities within the URRWMO they do not have the same requirement. Orpen why was the bill put out all at once instead on taxes. Finance Director Darcy Mulvihill explained the reasoning behind the one bill per parcel versus putting on the taxes. There will be a separate fund set up for the fees that are collected. Could there be a surplus in this fund and what would happen. Mulvihill the council can always review the fund and make changes accordingly. The fund will be part of the audit will be

handled just like any other enterprise fund. In the presentation it states an annual meeting must be held. How are the annual meetings done? Voge stated the annual meeting notice will be sent out to review the budget and annual report.

Skordahl asked, am I right that Ramsey, Andover, Anoka already charge the Stormwater fee? Yes, most cities put it on their utility bills. Is there another way to pay other than by check. The city can take checks or credit card. We could have done on the taxes but commercial properties would have been hit harder and this way it was spread out to all parcels.

Kane asked if they want to pay it over a couple payments. Mulvihill yes, basically they have until the beginning of November to pay.

5. **Meeting Open to the Public:** Mike Blood 24411 Riverbank Lane NW, I am here about the MS4. Some of my questions have been answer before the meeting. Developing the permit applicant and development A specific area of town has not been identified. Blood asked the Riverbank Lane be looked at first. It has not been touched in fifty years. Yards are flooding because there are no ditches. Up to this point nothing has been done in our area. In 2010, the city engineer and employees worked on the easement that runs over our property and since then I have been maintaining it. Just want you to know that now with this fee I will know longer be doing the maintenance.

Bob Olson, 7175 245th Avenue NW, owns property in rural part of St. Francis but lives in Isanti County. Therefore, we can't speak on behalf of the taxes. My wife and I do a lot of conservation on our property and have been recognized for that. You should have specific projects before you collect the money. Should have laid out the ground work first. Thank you for allowing us to speak.

Liz Fairbanks 24360 Yukon Street NW, I have been trying to study this and I am concerned with a lot of things. I have friends of mine that own their structure and belong to an association, so they are paying twice. Steve Weis from the MPCA said their goal is not to rack up the fines. Why are we being charged \$60 when the permit is only \$400? I am taking care of my property. Why do I have to pay you when I don't know what you are doing. I would rather pay the State. I heard you are upgrading Pederson Drive. What else are you guys going to throw at us. You are going to tear us apart.

Joseph Murrell 24360 Yukon Street NW, I am going to be speaking to Speaker Kurt Daudt tomorrow. We do have two round abouts going in. Commissioner Look said the council could have stopped that project. You have a wastewater treatment plant going in and our water rates are doubling. You need to listen to the people that are here. If I have to come to every meeting to babysit to make sure you don't kept spending our money, I will.

Kane said the money collected does go into a separate fund.

Ray Jones, 23725 Nacre Street NW, not here to take about the MS4 item but I would like to know how much are we going to collect. It was noted just under \$180,000. I am here about the council changing the meeting dates by resolution and I would like to speak on that.

Mark Vogel 2540 243rd Avenue NW, thank you for allowing me to speak. There is not one drop of my water going into the storm sewer. I take some pride on keeping up with what is going on in my city. It was not in the spring newsletter. Went on the website that sent me to the MPCA website. Thank Paul the public works director for taking my call and answer my questions. Paul also told me it was in the winter newsletter. The MS4 is just the tip of the iceberg. I cannot wait for the day when has the guts to tell MPCA that we will not comply. The \$60.00 per parcel I have not seen or heard where the number came from. I am looking for an answer to that questions. It would have been helpful to have more information on it. Why not put the time and expense to bill us separately. I don't believe Anoka County can't put it on the taxes. It doesn't make any sense and I am upset.

Charles Martin 2295 243rd Avenue NW, I have neither, culvert, storm sewer, or a ditch in my area. I live on a county road, they don't even maintain it. I have heard that ground water will eventually go in to the Rum River. I don't understand how you can just charge us \$60.00. Like Mr. Vogel stated I am also upset.

7. **Ordinances & Resolution:**

a. **Ordinance 214, Second Series: Amending City Code Chapter 6 Section 3 entitled "Dances" (Second Reading):** The city will no longer require a police officer at the dances. They have to submit a security plan. MOTION BY BROWN SECOND ORPEN APPROVING THE SECOND READING OF ORDINANCE 214, SECOND SERIES AMENDING CITY CODE CHAPTER 6, SECTION 3 ENTITLED "DANCES". Roll Call: Ayes: Brown, McClish, Skordahl, Orpen and Kane. Nays: None. Motion carried 5-0.

b. **Ordinance 215, Second Series: Amending the City Charter Relating to "Council Meetings" (Second Reading):** Ray Jones asked what exactly is the council going to do. Kohlmann said the reasoning to allow the city council to cancel a meeting such as the second meeting in December and around fourth of July by resolution instead of doing it by ordinance. Ray said there is no conflict in 2015 and one date in 2016. I don't know why you have to change any of the meetings. If there is a holiday have the meeting the following day. MOTION BY McCLISH SECOND BROWN APPROVING THE SECOND READING OF ORDINANCE 215, SECOND SERIES AMENDING THE CITY CHARTER RELATING TO "COUNCIL MEETINGS". Roll Call: Ayes: Brown, McClish, Skordahl, Orpen and Kane. Nays: None. Motion carried 5-0.

c. **Ordinance 217, Second Series: Drug Paraphernalia (Second Reading):** MOTION BY McCLISH SECOND ORPEN APPROVING THE SECOND READING OF ORDINANCE 217, SECOND SERIES ENACTS "OFFENSES RELATING TO DRUG PARAPHERNALIA, CHAPTER 8, SECTION 11. Roll Call: Ayes: Brown, Skordahl, McClish, Orpen and Kane Nays: None. Motion carried 5-0.

d. **Ordinance 216, Second Series: Tobacco Ordinance (Second Reading):** MOTION BY SKORDAHL SECOND ORPEN APPROVING THE SECOND READING OF

ORDINANCE 216, SECOND SERIES AMENDING CHAPTER 6, SECTION 4 ENTITLED “TOBACCO”. Roll Call: Ayes: Skordahl, Orpen, Brown, McClish and Kane. Nays: None. Motion carried -0.

e. Ordinance 218, Second Series: Amending City Code Chapter 2 Section 2 Entitled “Council Meeting-Time and Place (First Reading): With the Charter Amendment being approved the City Code does need to be amended to reflect the change. MOTION BY BROWN SECOND SKORDAHL.TO APPROVE THE FIRST READING OF ORDINANCE 218, SECOND SERIES AMENDING CITY CODE CHAPTER 2, SECTION 2 ENTITLED “COUNCIL MEETING-TIME AND PLACE. Roll Call: Ayes: Brown,McClish, Skordahl, Orpen, and Kane. Nays: None. Motion carried 5-0.

f. Resolution 2016-07: Writing off Escrow Balances for Year Ending 2015: Orpen asked why we can’t collect them. We have been trying to put it against the parcels and over the years we could not find the contractors or people to associate it with a parcel. MOTION SKORDAHL BY McCLISH SECOND ADOPT RESOLUTION 2016-07 A RESOLUTION APPROVING WRITING OFF ESCROW BALANCES FOR YEAR ENDING 2015. Motion carried 5-0.

g. Resolution 2016-08: Authorizing the Summary Publication of Ordinance 214, Second Series: MOTION BY BROWN SECOND McCLISH ADOPTING RESOLUTION 2016-08 A RESOLUTION AUTHORIZING THE SUMMARY PUBLICATION OF ORDINANCE 214, SECOND SERIES. Motion carried 5-0.

h. Resolution 2016-09: Authorizing the Summary Publication of Ordinance 216, Second Series: MOTION BY ORPEN SECOND McCLISH APPROVING RESOLUTION 2016-09 A RESOLUTION AUTHORIZING THE SUMMARY PUBLICATION OF ORDINANCE 216, SECOND SERIES. Motion carried 5-0.

i. Resolution 2016-10: Authorizing the Summary Publication of Ordinance 217, Second Series: MOTION BY McCLISH SECOND SKORDAHL APPROVING RESOLUTION 2016-10 A RESOLUTION AUTHORIZING THE SUMMARY PUBLICATION OF ORDINANCE 217, SECOND SERIES. Motion carried 5-0.

8. Reports of Consultants & Staff Members:

a. Engineer:

b. Attorney:

c. Staff:

Finance:

Fire:

Public Works:

Liquor Store:

Police:

City Administrator:

9. Reports from Council Members: Brown received an email from a Connexus Energy candidate. We should vote and mail back the ballots.

10. Report from Mayor: None.

11. **Old Business:** None.

12. **New Business:** Orpen when walking my daughter and son by 235th Avenue and Heather Street this area has no transition from the trail to the sidewalk. There is a segment missing. I would like to explore the cost to finish that stretch for everyone's safety.

McClish said right now we have two YouTube channels is it possible to delete the old one? Staff will check into the possibility.

13. **Adjournment:** Mayor Kane adjourned the City Council meeting at 6:59 pm.

Barbara I. Held, City Clerk