

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA

St. Francis Area Schools District Office 4115 Ambassador Blvd. NW

May 15, 2023

6:00 p.m.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The regular City Council meeting was called to order at 6:00 p.m. by Mayor Steve Feldman.

2. ROLL CALL

Members Present: Mayor Steve Feldman, Councilmembers Robert Bauer, Kevin Robinson, Sarah Udvig, and Joe Muehlbauer (attending remotely).

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

3. APPROVAL OF AGENDA

MOTION BY: ROBINSON SECOND: BAUER APPROVING THE REGULAR CITY COUNCIL AGENDA

- A. City Council Minutes - May 1, 2023
- B. Police Department UAV Program Policy
- C. Bike Rodeo Donation
- D. Rivers Edge 6th Extension
Resolution 2023-16 Extending the final plat submittal deadline for land within the boundaries of the original Rivers Edge PUD preliminary plat
- E. Development Agreement Rivers Edge 6th Addition
- F. Rental License Approvals
- G. Payment of Claims

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

Nays: None

Motion carries: 5-0

4. CONSENT AGENDA

MOTION BY: UDVIG SECOND: ROBINSON APPROVING THE REGULAR CITY COUNCIL CONSENT AGENDA

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

Nays: None

Motion carries: 5-0

5. MEETING OPEN TO THE PUBLIC

Mayor Feldman asked City Clerk Wida if they had anyone wanting to speak. She said they did not.

6. SPECIAL BUSINESS

7. PUBLIC HEARINGS – NONE

8. OLD BUSINESS

A. Patriot Parkway Rezoning – 2nd Reading

Ordinance 310 Approving rezoning approximately 1.2 acres at 23040

Pederson Drive NW from R-3 to B-2

Resolution 2023-17 authorizing the summary publication of Ordinance 310

City Planner Beth Richmond reviewed the Staff report concerning the rezoning for Patriot Parkway. She shared that the MET Council has given final approval for this rezoning.

Mayor Feldman stated that this has been discussed in many work sessions and the rezoning is straightforward. He shared his support.

Robinson thanked Staff for the hard work that they put into this.

MOTION BY: BAUER SECOND: MUEHLBAUER TO ADOPT ORDINANCE 310 APPROVING REZONING APPROXIMATELY 1.2 ACRES AT 23040 PEDERSON DRIVE NW FROM R-3 TO B-2.

A roll call vote was performed:

Mayor Feldman	aye
Councilmember Robinson	aye
Councilmember Udvig	aye
Councilmember Muehlbauer	aye
Councilmember Bauer	aye

Motion carried 5-0

MOTION BY: UDVIG SECOND: BAUER TO ADOPT RESOLUTION 2023-17 AUTHORIZING SUMMARY OF PUBLICATION OF ORDINANCE 310.

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

Nays: None

Motion carries: 5-0

B. 2023 Code Revisions – 2nd Reading

Ordinance 313 - Approving amendments to Division 7 Development Standards of the Zoning Code as presented by Staff

Resolution 2023-18 Authorizing Summary Publication of Ordinance 313

Ordinance 314 - Approving amendments to Division 8 Stormwater of the Zoning Code as presented by Staff

Resolution 2023-19 Authorizing Summary Publication of Ordinance 314

Ordinance 315 - Approving amendments to Section 11-43-02 Streets of the Subdivision Code as presented by Staff

Resolution 2023-20 Authorizing Summary Publication of Ordinance 315

Richmond reviewed the Staff report in regard to several Code amendments for the Zoning Code and Subdivision Code.

Mayor Feldman emphasized that a lot of these issues being discussed have been worked out in previous long work sessions. He stated that the hard work has already been done on these matters.

MOTION BY: ROBINSON SECOND: BAUER TO ADOPT ORDINANCE 313 - APPROVING AMENDMENTS TO DIVISION 7 DEPARTMENT STANDARDS OF THE ZONING CODE AS PRESENTED BY STAFF.

A roll call vote was performed:

Mayor Feldman	aye
Councilmember Robinson	aye
Councilmember Udvig	aye
Councilmember Muehlbauer	aye
Councilmember Bauer	aye

Motion carried 5-0

MOTION BY: BAUER SECOND: MUEHLBAUER TO ADOPT RESOLUTION 2023-18 AUTHORIZING SUMMARY OF PUBLICATION OF ORDINANCE 313.

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

Nays: None

Motion carries: 5-0

MOTION BY: BAUER SECOND: UDVIG TO ADOPT ORDINANCE 314 - APPROVING AMENDMENTS TO DIVISION 8 STORMWATER OF THE ZONING CODE AS PRESENTED BY STAFF.

A roll call vote was performed:

Mayor Feldman	aye
Councilmember Robinson	aye
Councilmember Udvig	aye
Councilmember Muehlbauer	aye
Councilmember Bauer	aye

Motion carried 5-0

MOTION BY: ROBINSON SECOND: BAUER TO ADOPT RESOLUTION 2023-19
AUTHORIZING SUMMARY OF PUBLICATION OF ORDINANCE 314.

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

Nays: None

Motion carries: 5-0

MOTION BY: BAUER SECOND: MUEHLBAUER TO ADOPT ORDINANCE 315 -
APPROVING AMENDMENTS TO SECTION 11-43-02 STREETS OF THE
SUBDIVISION CODE AS PRESENTED BY STAFF.

A roll call vote was performed:

Mayor Feldman	aye
Councilmember Robinson	aye
Councilmember Udvig	aye
Councilmember Muehlbauer	aye
Councilmember Bauer	aye

Motion carried 5-0

MOTION BY: UDVIG SECOND: ROBINSON TO ADOPT RESOLUTION 2023-20
AUTHORIZING SUMMARY OF PUBLICATION OF ORDINANCE 315.

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

Nays: None

Motion carries: 5-0

C. Construction Manager at Risk Contract

City Administrator Kate Thunstrom reviewed the Staff report concerning the construction manager risk contract for the new City Hall Fire Station project, which is the next step in the process.

Mayor Feldman stated that he looked this over and sees a huge difference in this agreement with Stahl Construction versus a previous agreement with Weber Construction. He stated that this contract is very professional and itemized. He added that he likes that Brunton will be the intermediary between the City and the contractor. He asked what binding dispute resolution meant in the agreement. Assistant City Attorney Dave Schaps stated that usually there is an intermediary that would come up with the terms for the two parties. Mayor Feldman stated that this is a good choice.

Muehlbauer shared he did not see any red flags in the agreement and has no issues with it.

Robinson deferred to the legal professionals on the matter who have stated that the bases are covered.

Bauer agreed with Robinson.

Udvig stated that she is confident that the legal team thoroughly reviewed this and she is confident in it.

Mayor Feldman shared that he believes this agreement was done very professionally and well. He added that he is very pleased with the team that put this together.

MOTION BY: BAUER SECOND: ROBINSON APPROVING CONSTRUCTION MANAGER AT RISK CONTRACT - STAHL CONSTRUCTION.

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

Nays: None

Motion carries: 5-0

9. NEW BUSINESS

A. 2022 Annual Comprehensive Financial Report

Justin Nilson of Adbo Solutions reviewed the 2022 annual comprehensive financial report. He highlighted the general fund budget, revenue, and expenditures. He also reviewed the capital improvement projects, the debt service, the water, sewer, and stormwater funds, and the liquor fund. He discussed the City's cash and investments, the debt, and the taxes. He concluded by reviewing key performance indicators for St. Francis in comparison to other Anoka County cities or cities of similar size.

Mayor Feldman shared that he likes what he sees in this report. He noted the stormwater fund and how there is more revenue coming in than going out, but mentioned that these funds are not only for stormwater related activities. He stated that the fund balances are good and the percentages seem to be higher than the State, which gives the City a cushion. He said it was a good report.

Udvig stated it was an excellent report and added that she found the graphs in the presentation very helpful. She noted that it is encouraging to see that the City continues to head in the right direction.

Muehlbauer said it was a great report with great information and thanked Adbo Solutions for their hard work on this.

Bauer asked if the tax numbers for the key performance indicators will come out next year as those numbers are not in the graph. Mr. Nilson stated that they do not have these numbers yet. Bauer stated it was a great report.

Robinson stated it was a great report and that it is great to see the comparison. He noted that this will show the residents how the City does versus other cities in Anoka County. He asked how the limited segregation of duties is remedied and how many times does there have to be a hit before something is done about it. Mr. Nilson explained that hiring more people would be an example of segregating the duties and being of a cost benefit. He stated that it comes down to the Council's acceptance of risk. Robinson asked if Abdo's oversight counts as a segregation of duties. Mr. Nilson stated that the auditors are not a part of the City's internal controls.

Mayor Feldman asked between the discrepancy of what the State says the City should have as a percentage of 35%-50% and what the City does have of 62% of the general fund, if that is left up to the City of what is done with these funds. Mr. Nilson stated that he has not reviewed the State policy in a while but he does believe that they have minimums. He noted that the City can use these funds. Mayor Feldman asked what the benefit is to keep the high percentage. Mr. Nilson explained that the biggest reason to keep reserves is to prevent a big spike in taxes one year.

MOTION: BAUER SECOND: ROBINSON ADOPT THE 2022 ANNUAL COMPREHENSIVE FINANCIAL REPORT.

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

Nays: None

Motion carries: 5-0

Finance Director Darcy Mulvihill thanked Mr. Nilson and his team for their work and guidance.

B. Real Property Acceptance from EDA

Resolution 2023-21 Approving the transfer of property and granting signatory authority

Thunstrom reviewed the Staff report in regard to accepting four parcels from the EDA as a step for the new City Hall Fire Station.

Mayor Feldman noted that this was discussed at a work session and said it is a clear choice to move forward with this.

Udvig agreed that this is the next step in getting the City Hall Fire Station. She asked if the EDA was on board with this. Thunstrom confirmed.

MOTION BY: BAUER SECOND: MUEHLBAUER TO ADOPT REAL PROPERTY ACCEPTANCE FROM EDA, RESOLUTION 2023-21 APPROVING THE TRANSFER OF PROPERTY AND GRANTING SIGNATORY AUTHORITY.

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

Nays: None

Motion carries: 5-0

C. Real Property Transfer to the EDA

Resolution 2023-22 Approving the transfer of property and granting signatory authority

Thunstrom reviewed the Staff report in regard to transferring property north of the 3731 Bridge property to the EDA which will allow the EDA to act as one seller for this property.

Mayor Feldman noted that this was discussed in a work session. He stated that he sees no issues with this.

Bauer asked why there is one property going from the EDA to the City and one property going from the City to the EDA. He asked why these properties are not all coming to the City as they will be used for development. Thunstrom explained that when the EDA sells a property they have the ability to add a performance requirement which would require the developer to build within a set timeframe or structure and the City cannot hold the same requirements.

MOTION BY: MUEHLBAUER SECOND: UDVIG TO ADOPT REAL PROPERTY TRANSFER TO THE EDA, RESOLUTION 2023-22 APPROVING THE TRANSFER OF PROPERTY AND GRANTING SIGNATORY AUTHORITY.

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

Nays: None

Motion carries: 5-0

D. Personnel Policy Update

Thunstrom reviewed the Staff report concerning the personnel policy updates.

Mayor Feldman noted that this was worked through during a work session.

Udvig thanked Staff for their time and effort in putting this together.

Robinson appreciated the work that has been done on this and the open mindedness of Staff to continue to serve those around them.

MOTION BY: ROBINSON SECOND: BAUER TO ADOPT THE PERSONNEL POLICY UPDATES.

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

Nays: None

Motion carries: 5-0

E. St. Francis Dental Clinic Addition – Temporary Construction Easement

Agreement and Temporary Code ExemptionResolution 2023-23 Approving a temporary exemption from City Code section 10-72-02 to allow temporary parking on an unimproved surface in the R-3 zoning district

Community Development Director Collette Baumgardner reviewed the Staff report concerning an addition to the dental office at 3715 Bridge Street and the request for a temporary exemption from City Code.

Mayor Feldman asked if this was for construction purposes only. Baumgardner confirmed and stated that once the construction is complete the easement is done.

Bauer stated that this is a great thing to show the City and the businesses within the City are working together to continue to grow.

Mayor Feldman noted that it is a big deal that this applicant wants to stay in St. Francis and continue to grow within the City.

Udvig agreed that this is a great thing to see that businesses want to work and grow within the City.

Robinson stated he is glad to see the City work well with the small business community. He asked if there is additional success with the County on property lines for the dental offer to obtain additional properties. Baumgardner explained that the dental offer has been working with adjoining property owners to the east and they are requesting an interim use permit to turn what is currently the storage area to a surface parking lot. She stated that there is a contingent purchase agreement on this currently.

Muehlbauer noted that this was also discussed with the EDA.

MOTION BY: ROBINSON SECOND: UDVIG TO ADOPT RESOLUTION 2023-23 APPROVING A TEMPORARY EXEMPTION FROM CITY CODE SECTION 10-72-02 TO ALLOW TEMPORARY PARKING ON AN UNIMPROVED SURFACE IN THE R-3 ZONING DISTRICT.

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

Nays: None

Motion carries: 5-0

F. Meadows of St. Francis 4th Addition – Minor Subdivision and Site Improvement Performance Agreement

Resolution 2023-24 Approving a Minor Subdivision for the 4th Addition of the Meadows of St. Francis Development

Richmond reviewed the Staff report concerning the Meadows at St. Francis Development.

Mayor Feldman stated that this has to do with the Dollar General and asked if the original owner of this property has come to an agreement on this. Richmond stated that this is part of the reason why the applicant is coming forward with a plat amendment, as the land owner is still hesitant to sign an agreement with the City. She explained that this will still allow for development in the different areas in the future. Mayor Feldman stated that this is standard operating procedures of the City.

Robinson asked the representative from Dollar General if they anticipate keeping both stores. The representative stated that he did not know of any plans to close the second location; however, it is common that both would remain open.

Mayor Feldman asked the representative if he sees the situation arising from the land owner that is holding back. The representative stated that Dollar General is committed to getting this job done and they have never run into this issue before.

Mayor Feldman asked the representative of the property owner what the concern is with a policy that the City has had in effect for many years. The representative of the property owner stated that the owner does not feel as though he has the ability to properly and accurately be a developer. He stated that he is happy to sell the property or he will just keep the property. Mayor Feldman added that when the property owner came forward in the past he mentioned wanting to grow produce on the land for a stream of revenue until the land could be sold. He stated that the City is not asking for another out of line and is a standard procedure of the policies. The representative of the property owner shared that the property owner acknowledges this and his only other option was to keep the land as a whole and wait for someone to buy the whole thing. He emphasized that the property owner does not want to be a developer. Mayor Feldman reiterated that the City is not asking anything outrageous from the property owner. The representative of the property owner stated that this is not about money, rather the perception of responsibilities and obligations of things the property owner would need to take care of. Mayor Feldman asked what the property owner's major concerns are with the policy. The representative of the property owner stated that the property owner just does not want to be a developer.

Mayor Feldman asked Richmond if she is confident that this will move forward. Richmond said yes and explained that with this path forward of doing the subdivision of this parcel will allow for Dollar General to develop. She shared appreciation for Dollar General being so patient with the City. Mayor Feldman stated that there is nothing abnormal that the City is requesting with this.

Udvig stated that if this is the way that this can move forward then this is the way that this needs to be done. She emphasized that they have to be willing to work with the property owner on this one, because if they do not he will just hold onto the property and then there would be no Dollar General on this site.

Mayor Feldman stated that he thought this was off the table and he is glad to see

this back on the table for discussion.

Bauer shared his appreciation for everyone working together to obtain this property separated for Dollar General to come in. He encouraged the property owner to sell the rest of the land for development.

MOTION BY: UDVIG SECOND: BAUER APPROVING MEADOWS OF ST FRANCIS 4TH ADDITION - MINOR SUBDIVISION AND SITE IMPROVEMENT PERFORMANCE AGREEMENT, RESOLUTION 2023-24 APPROVING A MINOR SUBDIVISION FOR THE 4TH ADDITION FOR THE MEADOWS OF ST. FRANCIS DEVELOPMENT.

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

Nays: None

Motion carries: 5-0

MOTION BY: ROBINSON SECOND: BAUER TO APPROVE THE SITE IMPROVEMENT PERFORMANCE AGREEMENT FOR LOT 1, BLOCK 1, MEADOWS OF ST. FRANCIS 4TH ADDITION.

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

Nays: None

Motion carries: 5-0

G. City Hall/Fire Station Site Plan

Resolution 2023-25 Approving a site plan for City Hall/Fire Station

Richmond reviewed the Staff report and the City Hall Fire Station site plan. She shared Anoka County's recommendations and requests for this project.

Mayor Feldman stated that he would rather lose the 12 parking spots over losing square footage of the building; however, he would rather not have to lose anything. He stated that they have discussed with Fire Chief Dave Schmidt ways to remedy the parking for the Fire Department. He stated that the requests from the County do not surprise him. He shared his support for the site plan the way that it is.

Muehlbauer stated that he attended the building meeting and he is in support of the site plan. He shared his concern with the numbers when the bids come through.

Udvig stated that she is in favor of the site plan and understands that they needed to give up some parking and a bay for a fire truck.

Mayor Feldman added that they fared as well as they could after dealing with the County.

Robinson shared his appreciation for the work that has been done so far. He stated that he is privileged to be a part of the Building Committee. He reiterated that if this

project comes in above budget it will not be done. He stated that this will be taken one step at a time.

Bauer asked about the easement that is requested by the County. Thunstrom explained that if the County were to put a roundabout or a new turn lane in the area, there would be a new right-of-way and both of these are shown in the packet. Richmond added that Staff is planning to have additional conversations with the County as this project moves forward to better understand what this intersection will look like. Bauer expressed his frustration with the County not making a decision for this intersection. He asked if there was enough room with the two lots on the north to push their request north and keep the City's lot the same size. He added that the County will need to put trees in at 27 feet of the right of way. Richmond noted that they will also be talking to the County about the streetscape. He asked if flagpoles are designed into this. Thunstrom explained that this is proposed in the plaza towards the front entrance.

MOTION BY: BAUER SECOND: UDVIG TO ADOPT RESOLUTION 2023-25 APPROVING A SITE PLAN FOR THE CITY HALL/FIRE STATION.

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

Nays: None

Motion carries: 5-0

10. MEETING OPEN TO THE PUBLIC – NONE

11. REPORTS – NONE

12. COUNCIL MEMBER REPORTS

Bauer shared that the last work session was very lengthy and informational.

Muehlbauer stated that he also attended the work session as well as the construction meeting.

Udvig shared she attended the work session and shared her appreciation in the liquor store presence on social media. She added that residents have told her that they have marked events on their calendar because they have been notified of them ahead of time through social media.

Robinson stated that he also attended the work session which was very fruitful. He noted that there is a volunteer call for Pioneer Days. He added that Councilmembers will also be a part of the dunk tank at this event. He mentioned that the farmer's markets are right around the corner and thanked Baumgardner for her hard work.

Mayor Feldman noted that the agenda packet for this event was 395 pages and they were able to work through it quickly due to the work that gets done outside of

the Council meetings at work sessions. He emphasized how fruitful the work sessions are. He stated that a lot of the work of Council is done behind the scenes. He thanked Staff and Council for their efforts in work sessions. He emphasized the fact that Staff does a lot of work that is outside of their call-of-duty to get the job done. He asked Liquor Store Manager John Schmidt if there was any update from the MMBA on the direction of the liquor store. Schmidt stated that he will be meeting with MMBA on June 1.

Mayor Feldman noted that Pioneer Days is approaching and encouraged everyone to be safe and enjoy the activities.

13. UPCOMING EVENTS

May 17 - Planning Commission Meeting

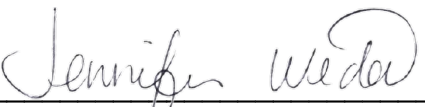
May 29 - City Offices Closed in Observance of Memorial Day

June 5 - City Council Meeting

June 20 - City Council Meeting

14. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular City Council at 7:30 p.m.



Jennifer Wida, City Clerk