



CITY COUNCIL REGULAR MEETING

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

Monday, March 06, 2023 at 6:00 PM

AGENDA

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

A. City Council Minutes - February 21, 2023

B. Winning With Cops Donation

C. Water Treatment Plant Flowmeter

D. Rental License Approvals

E. Payment of Claims

5. MEETING OPEN TO THE PUBLIC

6. SPECIAL BUSINESS

7. PUBLIC HEARING

8. OLD BUSINESS

A. Ordinance Amendment to Park Commission – Second Reading

Ordinance 303 - Amending Chapter 2, Section 4-3 "Park Commission"

B. Ordinance Amendment – Chapter 3 - Second Reading

Ordinance 308 - An Ordinance Amending Chapter 3, Municipal and Public/Private Utilities – Rules and Regulations, Rates, Charges, And Collections

9. NEW BUSINESS

A. Ordinance Update – Chapter 8 Section 4-3 – First Reading

Ordinance 309 - Amending Chapter 8 Section 4-3 of City Code

B. Serenity at Seelye Brook Concept Review

C. Comprehensive Plan Amendment, Rezoning - First Reading

Resolution 2023-11 - Approving a comprehensive plan amendment at 23040 Pederson Drive NW and authorizing submission of the amendment to the Metropolitan Council for review

Ordinance 310 - Rezoning approximately 1.2 acres of land at 23040 Pederson Drive NW from R-3 to B-2

10. MEETING OPEN TO THE PUBLIC

11. REPORTS

A. Fire Dept. Monthly Report

B. Community Development Annual Report 2022

12. COUNCIL MEMBER REPORTS

13. ATTORNEY'S REPORT

Move into closed meeting pursuant to Minn. Stat. 13D.03, Subd. 1(b), for the purposes of considering strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.

14. UPCOMING EVENTS

March 15 - Planning Commission Meeting - 7:00 pm

March 20 - City Council Meeting - 6:00 pm

March 27 - City Council Work Session - 6:00 pm @ Police Public Works Building

April 3 - City Council Meeting - 6:00 pm

April 29 - Recycling Event - 8:00 am - 2:00 pm

April 29 - Drug Take Back - 10:00 am - 2:00 pm

April 30 - Fire Dept. Hands on Safety Event - 10:00 - 2:00 pm

15. ADJOURNMENT

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA

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

February 21, 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, Kevin Robinson, Sarah Udvig, and Joe Muehlbauer.

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), Deputy Administrator/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.

3. APPROVAL OF AGENDA

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

Ayes: Udvig, Robinson, Muehlbauer, and Feldman

Nays: None

Motion carries: 4-0

4. CONSENT AGENDA

A. City Council Minutes - February 6, 2023

B. Contingent Offers of Employment- Part-time Firefighters

C. HVAC Controller Replacement at Police/Public Works

D. Payment of Claims

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

Ayes: Udvig, Robinson, Muehlbauer, and Feldman

Nays: None

Motion carries: 4-0

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 - NONE

7. PUBLIC HEARINGS – NONE

8. OLD BUSINESS

A. 2022 Code Revisions – Second Reading

Ordinance 304 – An Ordinance Modifying General and Use Definitions in Division 2 of the Zoning Code; Resolution 2023-07 – A Resolution Authorizing the Summary Publication of Ordinance 304, Modifying General and Use Definitions in Division 2 of the Zoning Code

Ordinance 305 – An Ordinance Modifying Agricultural Uses in the Zoning Code; Resolution 2023-08 – A Resolution Authorizing the Summary Publication of Ordinance 305, Modifying Agricultural Uses In The Zoning Code

Ordinance 306 – An Ordinance Modifying Division 6 Use-Specific Standards in the Zoning Code; Resolution 2023-09 – A Resolution Authorizing the Summary Publication of Ordinance 306, Modifying Division 6 Use-Specific Standards in the Zoning Code

Ordinance 307 – An Ordinance Modifying Division 7 Development Standards In The Zoning Code; Resolution 2023-10 – A Resolution Authorizing the Summary Publication of Ordinance 307, Modifying General and Use Definitions in Division 2 of the Zoning Code

Community Development Director Baumgardner reviewed the Staff report and gave updates on the ordinances from the last reading.

Mayor Feldman shared that the City Attorney has reviewed these changes and is of the opinion that these ordinances can continue with the second reading.

MOTION BY: ROBINSON SECOND: MUEHLBAUER APPROVING ORDINANCE 304 AN ORDINANCE MODIFYING GENERAL USE DEFINITIONS IN DIVISION 2 OF THE ZONING CODE RESOLUTION 2023-07

A roll call vote was performed:

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

Motion carried 4-0

MOTION BY: UDVIG SECOND: MUEHLBAUER APPROVING RESOLUTION 2023-07 AUTHORIZING THE SUMMARY OF PUBLICATION OF

ORDINANCE 304 AN ORDINANCE MODIFYING GENERAL USE DEFINITIONS
IN DIVISION 2 OF THE ZONING CODE

Ayes: Udvig, Robinson, Muehlbauer, and Feldman

Nays: None

Motion carries: 4-0

MOTION BY: MUEHLBAUER SECOND: MAYOR FELDMAN APPROVING
ORDINANCE 305 AN ORDINANCE MODIFYING AGRICULTURAL USE
DEFINITIONS IN DIVISION 2 OF THE ZONING CODE

A roll call vote was performed:

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

Motion carried 4-0

MOTION BY: UDVIG SECOND: ROBINSON APPROVING RESOLUTION 2023-
08 AUTHORIZING THE SUMMARY OF PUBLICATION OF ORDINANCE 305
AN ORDINANCE MODIFYING AGRICULTURAL USE DEFINITIONS IN DIVISION
2 OF THE ZONING CODE

Ayes: Udvig, Robinson, Muehlbauer, and Feldman

Nays: None

Motion carries: 4-0

MOTION BY: MUEHLBAUER SECOND: MAYOR FELDMAN APPROVING
ORDINANCE 306 AN ORDINANCE MODIFYING USE SPECIFIC STANDARDS
IN DIVISION 6 OF THE ZONING CODE

A roll call vote was performed:

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

Motion carried 4-0

MOTION BY: ROBINSON SECOND: MUEHLBAUER APPROVING
RESOLUTION 2023-09 AUTHORIZING THE SUMMARY OF PUBLICATION
OF ORDINANCE 306 AN ORDINANCE MODIFYING USE SPECIFIC
STANDARDS IN DIVISION 6 OF THE ZONING CODE

Ayes: Udvig, Robinson, Muehlbauer, and Feldman

Nays: None

Motion carries: 4-0

MOTION BY: MAYOR FELDMAN SECOND: MUEHLBAUER APPROVING ORDINANCE 307 AN ORDINANCE MODIFYING DEVELOPMENT STANDARDS IN DIVISION 7 OF THE ZONING CODE

A roll call vote was performed:

Mayor Feldman aye

Councilmember Robinson aye

Councilmember Udvig aye

Councilmember Muehlbauer aye

Motion carried 4-0

MOTION BY: UDVIG SECOND: MUEHLBAUER APPROVING RESOLUTION 2023-10 AUTHORIZING THE SUMMARY OF PUBLICATION OF ORDINANCE 307 AN ORDINANCE MODIFYING GENERAL AND USE DEFINITIONS STANDARDS IN DIVISION 2 OF THE ZONING CODE

Ayes: Udvig, Robinson, Muehlbauer, and Feldman

Nays: None

Motion carries: 4-0

9. NEW BUSINESS

A. Landscape Architecture Service

City Administrator Thunstrom reviewed the staff report and the request for landscape architecture services in regard to the new City Hall Fire Station facility through HKGI.

MOTION BY: MUEHLBAUER SECOND: UDVIG TO APPROVE THE LANDSCAPE ARCHITECT SERVICE CONTRACT WITH HKGI.

Ayes: Udvig, Robinson, Muehlbauer, and Feldman

Nays: None

Motion carries: 4-0

B. Ordinance Amendment – Chapter 3 - First Reading

Ordinance 308 - An Ordinance Amending Chapter 3, Municipal and Public/Private Utilities – Rules and Regulations, Rates, Charges, And Collections

Thunstrom reviewed the Staff report concerning language changes and updates in the City Code in regard to utilities.

Mayor Feldman shared he reviewed the changes and they seem to be

mainly housekeeping and help to clarify the language.

MOTION BY: ROBINSON SECOND: UDVIG TO ADOPT ORDINANCE AMENDMENT - CHAPTER 3 - FIRST READING ORDINANCE 308 AN ORDINANCE AMENDING CHAPTER 3, MUNICIPAL AND PUBLIC/PRIVATE UTILITIES - RULES AND REGULATIONS, RATES, CHARGES, AND COLLECTIONS.

A roll call vote was performed:

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

Motion carried 4-0

10. MEETING OPEN TO THE PUBLIC – NONE

11. REPORTS

12. COUNCIL MEMBER REPORTS

Udvig had nothing to report.

Muehlbauer shared that he was happy to be back in town and encouraged residents to drive safe.

Robinson stated that he attended the Planning and Zoning meeting and the Building meeting. He added that interviews for construction manager have been postponed to March 8. He stated that he also attended the Fire Committee meeting where they discussed combining resources with Bethel.

Mayor Feldman encouraged residents to be careful with the snow coming in the next few days and to be patient with the plows. He stated that he is glad for the opportunity to work from home so that Staff can stay safe at home while still working. He noted that Liquor Store Manager Schmidt will make the call on whether the liquor store will stay open or not. He asked City Engineer Jochum if there will be a sign off from MSA on Poppy Street. Jochum said yes, but not until next spring after the whole project, including landscaping is finished. Mayor Feldman added that he has seen many people using the sidewalk in this area. He hoped everyone would drive safely home this evening. He commended Public Works and public safety Staff for their work.

Thunstrom stated that the City Hall building will be closed and Staff will work remotely on Thursday.

13. UPCOMING EVENTS

March 6 - City Council Meeting

March 15 - Planning Commission Meeting

March 20 - City Council Meeting

14. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular City Council at 6:17 p.m.

Jennifer Wida, City Clerk

DRAFT



CITY COUNCIL AGENDA REPORT

TO: Kate Thunstrom, City Administrator
FROM: Todd Schwieger, Police Chief
SUBJECT: Winning With Cops Donation
DATE: March 6, 2023

OVERVIEW:

The primary mission of the program “Winning with Cops” is for the police department to work in partnership with St Francis Schools to aid developmentally disabled children and adults. This program is helping law enforcement interact with developmentally disabled individuals and foster a positive interaction between the two groups. The Winning with Cops interaction comes through social events, team sports and exercise. A majority of these events are funded through monetary donations from local businesses. Most recently a monetary donation of \$300.00 has been donated by CHOPS Pull Tabs who sell pull tabs at local St Francis establishments including Tasty Pizza Bar and Bowl.

ACTION TO BE CONSIDERED:

To accept the donation of \$300.00 from CHOPS Pull Tabs to be utilized for the Winning with Cops program.

BUDGET IMPLICATION:

The donation will supplement the police department budget in supporting the Winning with Cops program.



CITY COUNCIL AGENDA REPORT

TO: Kate Thunstrom, City Administrator
FROM: Paul Carpenter, Public Works Director
SUBJECT: Water Treatment Plant Flowmeter
DATE: March 6, 2023

OVERVIEW:

The flowmeter for the backwash pump at the Water Treatment Plant has failed. This is a critical piece of equipment that allows the system to backwash. It needs to be replaced ASAP.

ACTION TO BE CONSIDERED:

Authorize the flowmeter purchase of \$13,179 for the Water Plant.

BUDGET IMPLICATION:

The flowmeter will be purchased out of the Operations & Maintenance Budget for the Water Plant.

Attachments:

- Northwestern Power Equipment Co., Inc Acknowledgement

Northwestern Power Equipment Co., Inc.
779 County Road B2 W. (residence)
P.O. Box 131180
Roseville, MN 55113

Acknowledged

Agenda Item # 4C.

Date	Invoice #
2/28/2023	230077TE

Bill To

City of St Francis
Attn: Parish Barten
4058 St Francis Blvd
St Francis MN 55070

Ship To

City of St Francis
Attn: Parish Barten
3921 Stark Drive
St Francis MN 55070

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project	
Parish Barten	Net 30 Days	Toe	3/24/2023				
Quantity	Item Code	Description			U/M	Price Each	Amount
1	Lot McCrometer	McCrometer Model 395L for 20 inch DIP with all SS hardware 25 feet dual cables With SS 2 inch ball valve. Front Flow only dual 4-20ma Procomm				13,179.00	13,179.00



CITY COUNCIL
AGENDA REPORT

TO: Kate Thunstrom, City Administrator
FROM: Colette Baumgardner, Community Development Director
SUBJECT: Rental License Approvals
DATE: March 6, 2023

OVERVIEW:

The City created rental codes in 2014 to work with property owners on registration and expectations. In 2019, codes were updated to address a number of issues that Community Development and the Police Department faced when working with rental properties.

As part of the update, Code was changed to create a process in which Council approves, suspends or revokes Rental Licenses.

The tentative timeline of the City rental program will be as follows:

- November, letter to applicable rental properties
- January 15th, rental applications due
- Completed applicants move to Council
- February 1st – second letter with late fee to missing applications
- March 16th – third letter with late fees to missing applications
- First week of May – first Citation notice to be sent on missing applications

As rental property applications are received, inspections are conducted on select properties. Once the required inspection is complete, they are presented to Council for approval.

The Council approved the first round of rental licenses for the year at the Feb 6, 2023 meeting. Since, attached property units with addresses ending in the odd numbers have been inspected and are ready for Council approval. The properties to being considered have been shown to meet all of the requirements in City Code Chapter 4, Section 6.

ACTION TO BE CONSIDERED:

Approval of Rental Licenses for properties:

RENTAL ADDRESS	OWNER/MANAGEMENT AGENT
23647/23649 AMBASSADOR BLVD NW	SJODIN, STEVEN
4103 DEGARDNER CIR NW	SFR ACQUISITIONS 3 LLC



CITY COUNCIL AGENDA REPORT

TO: Kate Thunstrom, City Administrator
FROM: Darcy Mulvihill, Finance Director
Natalie Santillo, Accounting Tech/Deputy Clerk
SUBJECT: Payment of Claims
DATE: March 6, 2023

OVERVIEW:

Attached are the bills received since the last council meeting. Total checks to be written are \$65,350.75 plus any additional bills that are handed out at council meeting.

Other Payments to be approved:

Debt service payments –N/A

Direct Transfers from Previous Month-N/A

Credit Card Payment- N/A

Manual Checks-N/A

ACTION TO BE CONSIDERED:

Approved under consent agenda to allow the 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:

- 03-06-2023 Packet List-\$65,350.75

CITY OF ST FRANCIS

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Agenda Item # 4E.

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*Claim Register©

AP 03-06-2023

March 2023

Claim Type

Claim# 17617 ANOKA COUNTY TREASURY DEPT
 Cash Payment E 101-41910-318 Economic Development ECONOMIC DEV COST SHARE \$418.00
 Invoice EC021323V
 Transaction Date 2/28/2023 CASH 10100 **Total** \$418.00

Claim Type

Claim# 17642 ASPEN MILLS
 Cash Payment E 101-42110-437 Uniforms UNIFORMS \$20.00
 Invoice 309697
 Cash Payment E 101-42110-437 Uniforms UNIFORMS-Z. SCHWIEGER \$325.27
 Invoice 309151
 Transaction Date 2/28/2023 CASH 10100 **Total** \$345.27

Claim Type

Claim# 17599 AXON ENTERPRISE, INC
 Cash Payment E 101-42110-237 Small Equipment SMALL EQUIPMENT \$2,440.00
 Invoice INUS137374
 Transaction Date 2/22/2023 CASH 10100 **Total** \$2,440.00

Claim Type

Claim# 17615 BELLBOY CORPORATION
 Cash Payment E 609-49751-206 Freight FREIGHT \$2.72
 Invoice 0106446100
 Cash Payment E 609-49751-206 Freight FREIGHT \$18.15
 Invoice 0098488900
 Cash Payment E 609-49751-251 Liquor LIQUOR \$1,100.00
 Invoice 0098488900
 Cash Payment E 609-49751-254 Miscellaneous Merchandis MISC \$35.00
 Invoice 0106446100
 Transaction Date 2/28/2023 CASH 10100 **Total** \$1,155.87

Claim Type

Claim# 17614 BERNICK COMPANIES, THE
 Cash Payment E 609-49751-252 Beer BEER \$184.20
 Invoice 10048698
 Cash Payment E 609-49751-255 N/A Products NON ALCHOLIC PRODUCTS \$30.00
 Invoice 10048698
 Transaction Date 2/28/2023 CASH 10100 **Total** \$214.20

Claim Type

Claim# 17623 BGS (BARNA GUZY)
 Cash Payment E 405-43100-809 Patriot Parkway PATRIOT PARKWAY \$1,058.50
 Invoice 258762
 Cash Payment E 101-41600-304 Civil Legal Fees COMMUNITY DEVELOPMENT \$1,725.50
 Invoice 258762
 Cash Payment E 405-43100-809 Patriot Parkway PATRIOT PARKWAY \$783.00
 Invoice 258762
 Cash Payment E 101-41600-304 Civil Legal Fees COMMUNITY DEVELOPMENT \$638.00
 Invoice 258762
 Transaction Date 2/28/2023 Due 2/28/2023 CASH 10100 **Total** \$4,205.00

Claim Type

Claim# 17622 BREAKTHRU BEVERAGE
 Cash Payment E 609-49751-206 Freight FREIGHT \$32.62
 Invoice 347945467

CITY OF ST FRANCIS

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Agenda Item # 4E.

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*Claim Register©

AP 03-06-2023

March 2023

Cash Payment	E 609-49751-251	Liquor	LIQUOR		\$1,423.77
	Invoice 347945467				
Cash Payment	E 609-49751-253	Wine	WINE		\$112.00
	Invoice 347945467				
Cash Payment	E 609-49751-254	Miscellaneous Merchandis	MISC		\$202.62
	Invoice 347945467				
Transaction Date	2/28/2023	Due 2/28/2023	CASH	10100	Total \$1,771.01

Claim Type

Claim#	17621	CRYSTAL SPRINGS ICE			
Cash Payment	E 609-49751-206	Freight	FREIGHT		\$4.00
	Invoice 9001455				
Cash Payment	E 609-49751-254	Miscellaneous Merchandis	MISC		\$55.00
	Invoice 9001455				
Transaction Date	2/28/2023		CASH	10100	Total \$59.00

Claim Type

Claim#	17619	DAHLHEIMER DIST. CO. INC.			
Cash Payment	E 609-49751-252	Beer	BEER		-\$160.00
	Invoice 1847047				
Cash Payment	E 609-49751-252	Beer	BEER		\$8,290.25
	Invoice 1847004				
Cash Payment	E 609-49751-255	N/A Products	NON ALCHOHOLIC PRODUCTS		\$43.00
	Invoice 1847004				
Transaction Date	2/28/2023	Due 2/28/2023	CASH	10100	Total \$8,173.25

Claim Type

Claim#	17645	DEANS HOME SERVICES			
Cash Payment	R 101-36200	Miscellaneous Revenues	REFUND PERMIT 2023-00053-DUPLICATE PMT		\$121.00
	Invoice .03012023				
Transaction Date	3/1/2023	Due 3/1/2023	CASH	10100	Total \$121.00

Claim Type

Claim#	17611	FSA TITLE SERVICES			
Cash Payment	G 601-12300	Special Assess Rec-Deferred	REFUND OVER PAYMENT-23109 BUTTERFIELD DR NW		\$401.18
	Invoice .02232023				
Transaction Date	2/27/2023	Due 2/27/2023	CASH	10100	Total \$401.18

Claim Type

Claim#	17648	GOPHER STATE ONE-CALL			
Cash Payment	E 602-49490-442	Gopher State	IT TICKETS - FEBRUARY 2023		\$1.35
	Invoice 3020763				
Cash Payment	E 601-49440-442	Gopher State	IT TICKETS - FEBRUARY 2023		\$1.35
	Invoice 3020763				
Transaction Date	3/2/2023	Due 3/2/2023	CASH	10100	Total \$2.70

Claim Type

Claim#	17629	GRAINGER, INC.			
Cash Payment	E 601-49440-229	Project Maintenance	PROJECT MAINTENANCE		\$34.57
	Invoice 9602619067				
Cash Payment	E 601-49440-229	Project Maintenance	PROJECT MAINTENANCE		\$47.20
	Invoice 9586836794				
Transaction Date	2/28/2023	Due 2/28/2023	CASH	10100	Total \$81.77

CITY OF ST FRANCIS

*Claim Register©

AP 03-06-2023

March 2023

Claim Type

Claim# 17628 GREAT LAKES COCA-COLA

Cash Payment E 609-49751-254 Miscellaneous Merchandis MISC \$721.43
 Invoice 3649205440

Transaction Date 2/28/2023 CASH 10100 **Total** \$721.43

Claim Type

Claim# 17643 HAWKINS, INC.

Cash Payment E 601-49440-216 Chemicals CHEMICALS \$20.00
 Invoice 6360018

Transaction Date 3/1/2023 CASH 10100 **Total** \$20.00

Claim Type

Claim# 17624 JOHNSON BROS WHLSE LIQUOR

Cash Payment E 609-49751-206 Freight FREIGHT \$71.75
 Invoice 2245453

Cash Payment E 609-49751-206 Freight FREIGHT \$43.75
 Invoice 2242164

Cash Payment E 609-49751-206 Freight FREIGHT \$114.05
 Invoice 2245452

Cash Payment E 609-49751-206 Freight FREIGHT \$1.75
 Invoice 2242165

Cash Payment E 609-49751-251 Liquor LIQUOR \$5,335.84
 Invoice 2245452

Cash Payment E 609-49751-253 Wine WINE \$54.24
 Invoice 2242165

Cash Payment E 609-49751-253 Wine WINE \$2,251.65
 Invoice 2245453

Cash Payment E 609-49751-251 Liquor LIQUOR \$2,253.00
 Invoice 2242164

Transaction Date 2/28/2023 CASH 10100 **Total** \$10,126.03

Claim Type

Claim# 17607 KIMS KLEANING

Cash Payment E 601-49440-402 Janitorial Service WATER TREATMENT PLANT CLEANING \$188.80
 Invoice 9235

Cash Payment E 101-42110-402 Janitorial Service POLICE DEPARTMENT CLEANING \$944.00
 Invoice 9236

Cash Payment E 101-42210-402 Janitorial Service FIRE DEPT CLEANING \$177.00
 Invoice 9238

Cash Payment E 101-45000-402 Janitorial Service COMMUNITY CENTER CLEANING \$94.40
 Invoice 9233

Cash Payment E 101-41940-402 Janitorial Service CITY HALL CLEANING \$283.20
 Invoice 9232

Cash Payment E 601-49440-402 Janitorial Service WASTE WATER PLANT CLEANING \$259.60
 Invoice 9237

Cash Payment E 101-43100-402 Janitorial Service PUBLIC WORKS CLEANING \$236.00
 Invoice 9234

Cash Payment E 101-45200-402 Janitorial Service PUBLIC WORKS CLEANING \$236.00
 Invoice 9234

Cash Payment E 601-49440-402 Janitorial Service PUBLIC WORKS CLEANING \$236.00
 Invoice 9234

Cash Payment E 602-49490-402 Janitorial Service PUBLIC WORKS CLEANING \$236.00
 Invoice 9234

CITY OF ST FRANCIS

*Claim Register©

AP 03-06-2023

March 2023

Transaction Date	2/27/2023	Due 2/27/2023	CASH	10100	Total	\$2,891.00
Claim Type						
Claim#	17644	LAW ENFORCEMENT LABOR SVC				
Cash Payment	G 101-21707	Union Dues		MARCH 2023 OFFICER DUES		\$540.00
Invoice	.03012023					
Transaction Date	3/1/2023		CASH	10100	Total	\$540.00
Claim Type						
Claim#	17635	MACQUEEN EMERGENCY				
Cash Payment	E 101-42210-218	Equipment Maintenance		EQUIPMENT MAINTENANCE		\$1,435.00
Invoice	P11828					
Transaction Date	2/28/2023		CASH	10100	Total	\$1,435.00
Claim Type						
Claim#	17632	MCDONALD DIST CO.				
Cash Payment	E 609-49751-252	Beer		BEER		\$11,054.65
Invoice	675155					
Cash Payment	E 609-49751-251	Liquor		LIQUOR		\$111.90
Invoice	675154					
Cash Payment	E 609-49751-252	Beer		BEER		-\$134.40
Invoice	5810179					
Transaction Date	2/28/2023	Due 2/28/2023	CASH	10100	Total	\$11,032.15
Claim Type						
Claim#	17631	PERMITWORKS				
Cash Payment	E 101-42400-310	Computer Consulting Fee		PERMIT/BUSINESS LIC/CODE ENF SOFTWARE		\$3,585.00
Invoice	2023-0033					
Transaction Date	2/28/2023		CASH	10100	Total	\$3,585.00
Claim Type						
Claim#	17640	PHILLIPS WINE & SPIRITS CO.				
Cash Payment	E 609-49751-206	Freight		FREIGHT		\$8.73
Invoice	6549803					
Cash Payment	E 609-49751-206	Freight		FREIGHT		\$19.24
Invoice	6549804					
Cash Payment	E 609-49751-251	Liquor		LIQUOR		\$569.74
Invoice	6549803					
Cash Payment	E 609-49751-253	Wine		WINE		\$491.90
Invoice	6549804					
Transaction Date	2/28/2023		CASH	10100	Total	\$1,089.61
Claim Type						
Claim#	17600	RMB ENVIRONMENTAL LAB				
Cash Payment	E 602-49490-313	Sample Testing		WEEKS 2-4 COOLER 1		\$187.31
Invoice	B008105					
Cash Payment	E 602-49490-313	Sample Testing		POTABLE GENERAL CHEMISTRY		\$153.55
Invoice	B008133					
Cash Payment	E 602-49490-313	Sample Testing		POTABLE GENERAL CHEMISTRY		\$153.55
Invoice	B008134					
Cash Payment	E 602-49490-313	Sample Testing		POTABLE GENERAL CHEMISTRY		\$197.11
Invoice	B008132					
Cash Payment	E 602-49490-313	Sample Testing		WEEK 1 COOLER 1		\$469.36
Invoice	B008060					

CITY OF ST FRANCIS

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*Claim Register©

AP 03-06-2023

March 2023

Cash Payment	E 602-49490-313	Sample Testing	POTABLE GENERAL CHEMISTRY	\$153.55
	Invoice B008135			

Cash Payment	E 602-49490-313	Sample Testing	ALL WEEKS COOLER 2	\$135.04
	Invoice B008131			

Transaction Date	2/22/2023	Due 2/22/2023	CASH	10100	Total	\$1,449.47
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Claim Type

Claim# 17647 *SKOGQUIST, ERIK*

Cash Payment	E 101-41550-311	Contract	1ST QUARTER 2023 ASSESSING SERVICES	\$4,352.94
	Invoice .03022023			

Transaction Date	3/2/2023	Due 3/2/2023	CASH	10100	Total	\$4,352.94
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Claim Type

Claim# 17637 *SOUTHERN GLAZERS OF MN*

Cash Payment	E 609-49751-206	Freight	FREIGHT	\$20.48
	Invoice 2317059			

Cash Payment	E 609-49751-206	Freight	FREIGHT	\$3.84
	Invoice 2317060			

Cash Payment	E 609-49751-251	Liquor	LIQUOR	\$1,115.41
	Invoice 2317059			

Cash Payment	E 609-49751-253	Wine	WINE	\$240.00
	Invoice 2317060			

Transaction Date	2/28/2023	Due 2/28/2023	CASH	10100	Total	\$1,379.73
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Claim Type

Claim# 17618 *THE AMERICAN BOTTLING COMP*

Cash Payment	E 609-49751-254	Miscellaneous Merchandis	MISC	\$257.20
	Invoice 3562331129			

Transaction Date	2/28/2023	Due 2/28/2023	CASH	10100	Total	\$257.20
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Claim Type

Claim# 17646 *WELLS, MARY*

Cash Payment	E 101-41550-311	Contract	1ST QUARTER 2023 ASSESSING SERVICES	\$4,352.94
	Invoice .03022023			

Transaction Date	3/2/2023		CASH	10100	Total	\$4,352.94
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Claim Type

Claim# 17601 *WINTER EQUIPMENT COMPANY, I*

Cash Payment	E 101-43100-221	Vehicle Maintenance	PLOWING EQUIPMENT	\$682.50
	Invoice IV54779			

Cash Payment	E 101-45200-221	Vehicle Maintenance	PLOWING EQUIPMENT	\$682.50
	Invoice IV54779			

Cash Payment	E 601-49440-221	Vehicle Maintenance	PLOWING EQUIPMENT	\$682.50
	Invoice IV54779			

Cash Payment	E 602-49490-221	Vehicle Maintenance	PLOWING EQUIPMENT	\$682.50
	Invoice IV54779			

Transaction Date	2/22/2023		CASH	10100	Total	\$2,730.00
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Pre-Written Checks	\$0.00
Checks to be Generated by the Compute	\$65,350.75
Total	\$65,350.75



CITY COUNCIL AGENDA REPORT

TO: Mayor and Council
FROM: Kate Thunstrom, City Administrator
SUBJECT: Ordinance Amendment to Park Commission – Second Reading
DATE: March 6, 2023

OVERVIEW:

The City has made efforts in advancing its park system with extensive planning. Over the past two years steps have included community engagement and discussions with residents in what they felt the city was lacking to keep residents engaged in activities in their own communities.

At a work session in October, Council and Staff discussed establishing a Park Commission for the purposes of following the adopted park plan and working between residents and staff to build on the amenities that create a strong community, that residents are requesting and changes needed as the city grows.

Council made no changes at the first reading.

ACTION TO BE CONSIDERED:

Amendment to City Code Chapter 2, Section 4 -3 Park Commission

TIMELINE:

If Council agrees with the Amendments, the following timeline will apply:

February 6th - 1st Reading

March 6th – 2nd Reading

March 10th - Publish for Comment, 30 days

April 10th - Effective

Attachments:

- Ordinance 303 – Amendment to City Code Chapter 2, Section 4-3
- DRAFT City Code Chapter 5 Administration, Section 4 Boards and Commission, Section 3 Park Commission
- Clean Copy of new City Code Chapter 5 Administration, Section 4 Boards and Commission, Section 3 Park Commission

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

ORDINANCE 303, SECOND SERIES

AN ORDINANCE AMENDING CHAPTER 2, SECTION 4-3 “PARK COMMISSION”

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Amended. That Chapter 2, Section 4-3 shall hereby be amended to read as follows:

“Exhibit A”.

Section 2. Effective Date. This Ordinance shall take effect thirty days after publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS
THIS 6TH OF MARCH, 2023.

APPROVED:

Steven D. Feldman
Mayor of St. Francis

ATTEST:

Jennifer Wida
City Clerk

(seal)

2-4-3. Park Commission.

- A. Purpose. It is the purpose of the City Council to provide a high quality of life for the residents of the city by protecting the natural resources, safeguarding historic sites and developing and maintaining park and recreational facilities for public enjoyment. For such purpose, there is created and established in and for the city a board to be known and designated as the Park Commission.
- B. Establishment and Composition. A Park Commission is hereby established. The Commission shall be composed of ~~seven (7)~~ five (5) members who shall serve staggered ~~three-two (32)~~ (32) year terms. In addition, the Council may appoint a liaison to serve as needed to the Commission. All appointments shall be made by the City Council. Vacancies shall be reported to the City Council and filled by like appointment for the unexpired term. Commission shall serve up to three terms. A fourth term would require a four-fifths vote by the City Council. Council may remove a member by a four-fifths vote of the Council.
- C. Terms. A five-member commission shall have two members of the original board shall serve a term of one year, two shall serve a two-year term of an original term. Vacancies shall be filled for the remainder of the original term. All terms shall end on the last day of January.
- D. Structure. Officers of the Park Commission shall consist of a chair and a vice-chair and selected by the majority of the Committee. A quorum shall consist of a majority of the sitting members. Members shall receive a per diem based on the adopted city fee schedule. Chairs shall be selected annually.
- E. Schedule. The Park Commission shall meet quarterly in February, May, August and November of each year. Notice of meeting day and time will be publicly noticed at least three days proper to the meeting, except in the event of an emergency. All commission meetings shall be open to the public except as provided.
- F. The Commission shall be governed and operated pursuant to Robert's Rules of Order as revised.
- G. The Park Commission reports, conclusions and recommendations shall be made to the City Council in regular council meetings by a City staff representative.
- A-H. Staff. The city will appoint staff to the commission for purposes of communication and city process including reports and updates to Council as necessary.
- B. Powers and Duties.
 - A. The Commission shall,
 1. study and make recommendations concerning park improvements, and shall assist with Maintain a comprehensive plan for the city park system which categorizes park and recreation areas and facilities.
 2. Make recommendations for the development and maintenance of these areas and facilities based on such plans including recommendations of land acquisition purchases for park and recreation projects
 3. Coordinate with city staff to propose rules and regulations for the use of any parks or recreational facilities including conduct of and in park and recreation facilities
 4. Create a process for and review all requests for the special use of areas and facilities and make recommendations to the City Council regarding such requests
 5. Work with the City Streets and Parks Supervisor to ensure proper park maintenance, upkeep and operation. The Commission shall

6. Develop keep updated plans for community recreation by assessing the needs of the people of the community and by considering their wishes. ~~The Commission shall~~
7. Explore ways of providing as many recreational opportunities as possible. This may include but shall not be limited to working with neighboring communities, applying for grants, and organizing fund raisers.
8. Fees and deposits shall be reviewed by the Commission on an annual basis and recommendations made to the Council. The Commission shall submit to the Council an annual budget for park improvements and recreation.
- ~~1-9.~~ Any other plans and programs as may be assigned by the City Council from time to time.

2-4-3. Park Commission.

- A. **Purpose.** It is the purpose of the City Council to provide a high quality of life for the residents of the city by protecting the natural resources, safeguarding historic sites and developing and maintaining park and recreational facilities for public enjoyment. For such purpose, there is created and established in and for the city a board to be known and designated as the Park Commission.
 - B. **Establishment and Composition.** A Park Commission is hereby established. The Commission shall be composed of five (5) members who shall serve staggered two (2) year terms. In addition, the Council may appoint a liaison to serve as needed to the Commission. All appointments shall be made by the City Council. Vacancies shall be reported to the City Council and filled by like appointment for the unexpired term. Commission shall serve up to three terms. A fourth term would require a four-fifths vote by the City Council. Council may remove a member by a four-fifths vote of the Council.
 - C. **Terms.** A five-member commission shall have two members of the original board shall serve a term of one year, two shall serve a two-year term of an original term. Vacancies shall be filled for the remainder of the original term. All terms shall end on the last day of January.
 - D. **Structure.** Officers of the Park Commission shall consist of a chair and a vice-chair and selected by the majority of the Committee. A quorum shall consist of a majority of the sitting members. Members shall receive a per diem based on the adopted city fee schedule. Chairs shall be selected annually.
 - E. **Schedule.** The Park Commission shall meet quarterly in February, May, August and November of each year. Notice of meeting day and time will be publicly noticed at least three days proper to the meeting, except in the event of an emergency. All commission meetings shall be open to the public except as provided.
 - F. The Commission shall be governed and operated pursuant to Robert's Rules of Order as revised.
 - G. The Park Commission reports, conclusions and recommendations shall be made to the City Council in regular council meetings by a City staff representative.
 - H. **Staff.** The city will appoint staff to the commission for purposes of communication and city process including reports and updates to Council as necessary.
- B. **Powers and Duties.**
- A. The Commission shall,
 - 1. Maintain a comprehensive plan for the city park system which categorizes park and recreation areas and facilities.
 - 2. Make recommendations for the development and maintenance of these areas and facilities based on such plans including recommendations of land acquisition purchases for park and recreation projects
 - 3. Coordinate with city staff to propose rules and regulations for the use of any parks or recreational facilities including conduct of and in park and recreation facilities
 - 4. Create a process for and review all requests for the special use of areas and facilities and make recommendations to the City Council regarding such requests
 - 5. Work with the City Streets and Parks Supervisor to ensure proper park maintenance, upkeep and operation.
 - 6. Develop keep updated plans for community recreation by assessing the needs of the people of the community and by considering their wishes.

7. Explore ways of providing as many recreational opportunities as possible. This may include but shall not be limited to working with neighboring communities, applying for grants, and organizing fund raisers.
8. Fees and deposits shall be reviewed by the Commission on an annual basis and recommendations made to the Council. The Commission shall submit to the Council an annual budget for park improvements and recreation.
9. Any other plans and programs as may be assigned by the City Council from time to time.



CITY COUNCIL AGENDA REPORT

TO: Kate Thunstrom, City Administrator
FROM: Paul Carpenter, Public Works Director
SUBJECT: Ordinance Amendment – Chapter 3. Municipal and Public/Private Utilities – Rules and Regulations, Rates, Charges, and Collections
DATE: March 6, 2023

OVERVIEW:

The Ordinance Amendment presented is a housekeeping item to modify and clean up Chapter 3 in the City Code to better serve the needs of the City.

ACTION TO BE CONSIDERED:

Amendment to City code Chapter 3. Municipal and Public/Private Utilities – Rules and Regulations, Rates, Charges, and Collections

TIMELINE:

If Council agrees with the Amendments, the following timeline will apply:

February 21st – 1st Reading

March 6th – 2nd Reading

March 10th – Publish for comment, 30 days

April 17th – Effective

Attachments:

- Ordinance 308 – Amending Chapter 3
- DRAFT City code Chapter 3. Municipal and Public/Private Utilities – Rules and Regulations, Rates, Charges, and Collections

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

ORDINANCE 308

**AN ORDINANCE AMENDING CHAPTER 3, MUNICIPAL AND PUBLIC/PRIVATE
UTILITIES – RULES AND REGULATIONS, RATES, CHARGES, AND COLLECTIONS**

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Amended. That Chapter 3, shall hereby be amended to read as follows:

“Exhibit A”.

Section 2. Effective Date. This Ordinance shall take effect thirty days after publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS
THIS 6th OF MARCH, 2023.

APPROVED:

Steven D. Feldman
Mayor of St. Francis

ATTEST:

Jennifer Wida
City Clerk

(seal)

CHAPTER 3. MUNICIPAL AND PUBLIC/PRIVATE UTILITIES—RULES AND
REGULATIONS, RATES, CHARGES AND COLLECTIONS

SECTION 1. GENERAL PROVISIONS

3-1-1. Definitions.

As used this Code, the following words and terms shall have the meanings stated:

- A. **Company, Grantee, and Franchisee** mean any public utility system to which a franchise has been granted by the City.
- B. **Consumer** and **Customer** mean any user of a utility.
- C. **Municipal Utility** means any City-owned utility system, including, but not by way of limitation, water and sewerage service.
- D. **Service** means providing a particular utility to a customer or consumer.
- E. **Utility** means all utility services, whether the same to be public City-owned facilities or furnished by public utility companies.

3-1-2. Fixing rates and charges for municipal utilities.

All rates and charges for municipal utilities, including, but not by the way of limitation, rates for service, permit fees, deposit, connection and meter testing fees, disconnection fees, reconnection fees including penalties for non-payment if ~~may any~~, shall be fixed, determined and amended by the Council and adopted by ordinance as part of the City's Fee Schedule. Such ordinance, containing the effective date thereof, shall be kept on file and open to inspection in the office of the City Clerk and shall be uniformly enforced. For the purpose of fixing such rates and charges, the Council may categorize and classify under the various types of service, provided, that such categorization and classification shall be included in the resolution authorized by this Section.

(Ord. 170, SS, 10-7-2012)

3-1-3. Contractual contents.

Provisions of this Chapter relating to municipal utilities shall constitute portions of the contract between the City and all consumers of municipal utility services, and every such consumer be deemed to assent to the same.

3-1-4. Rules and regulations relating to municipal utilities.

- A. *Billing, Payment and Delinquency.* All municipal utilities shall be billed monthly and a utilities statement or statements shall be mailed to each consumer. All utilities charges shall be delinquent if they are unpaid at the close of business on the 15th day following such billing, provided, that if the 15th day shall fall on a Saturday, Sunday or legal holiday, the time shall be extended to the close of business on the next succeeding day on which business is normally transacted. A penalty of ten (10) percent of the delinquent amount shall be added to, and become part of, all delinquent utility bills. Each billing will clearly state the penalty as a percentage rate. Delinquent utility accounts shall result in disconnection within forty-eight (48) hours after

mailing notice thereof to the consumer. If service is suspended due to delinquency it shall not be restored at that location until a reconnection charge has been paid for each utility reconnected in addition to amounts owed for service and penalties.

- B. *Application, Connection and Sale of Service.* Application for municipal utility services shall be made upon forms supplied by the City, and strictly in accordance therewith. No connection shall be made until consent has been received from the City to make the same. All municipal utilities shall be sold and delivered to consumers under the then applicable rate applied to the amount of such utilities taken as metered or ascertained in connection with such rates.
- C. *Discontinuance of Service.* All municipal utilities may be shut off or discontinued whenever it is found that:
1. The owner or occupant of the premises served, or any person working on any connection with the municipal utility systems, has violated any requirement of the City Code relative thereto, or any connection therewith.
 2. Any charge for a municipal utility service, or any other financial obligation imposed on the present owner or occupant of the premises served, is unpaid after notice thereof.
 3. There is fraud or misrepresentation by the owner or occupant in connection with any application for service or delivery or charges therefore.
 4. The City will not shut off water service to a residential unit from October 15th through April 15th if that shut off would in any way affect the primary heat source of the unit and the present owner or occupant complies with the provisions of state law and regulations.
 5. The Building Official or the Director of Public Works to protect the public health and safety and in order to protect the public water supply and/or private property, may order the City water service immediately disconnected to any property upon determining that any of the following conditions exist:
 - a. The property if vacant;
 - b. The property if unsecured;
 - c. The property is determined to be uninhabitable or unsuitable for occupancy;
 - d. Other utilities to the property providing heat and/or light have been shut off;
 - e. The property has plumbing that is failing or unsafe;
 - f. That running water to the property creates an unsanitary or unsafe condition to anyone who may enter the property; or
 - g. The property owner or occupancy has refused access by authorized officials as authorized by this Section.
 6. If the Public Works Director or designee determines a meter needs reading, inspection, maintenance, or replacement, a notification shall be placed on the property. If the owner or occupier of a premise fails to respond to the order within fourteen (14) days, the City may cause to have a No Response Fee, as established by the Fee Schedule, charged to the property or premise account. After such charge is applied to the property, the City may cause to have the water shut-off.
- D. *Ownership of Municipal Utilities.* Ownership of all municipal utilities, plants, lines, mains, extensions and appurtenances thereto, shall be and remain in the City and no person shall own any part of portion thereof. Provided, however, that private facilities and appurtenances constructed on private property are not intended to be included in municipal ownership.
- E. *Right of Entry.* By applying for, or receiving, a municipal utility service, a customer irrevocably consents and agrees that any City employee acting within the course and scope of his employment may enter into and

upon the private property of the customer, including dwellings and other buildings, at all reasonable times under the circumstances, in or upon which private property a municipal utility, or connection therewith, is installed, for the purpose of inspecting, repairing, reading meters, connecting or disconnecting the municipal utility service.

- F. *Meter Test.* Whenever a consumer shall request the City to test any utility meter in use by him, such a request shall be accompanied by a cash deposit for each meter to be tested. If any such meter is found to be inaccurate the same shall be replaced with an accurate meter and the deposit thereon refunded. If the meter shall be found to be accurate in its recordings or calculations it shall be reinstalled and deposit shall be retained by the City to defray the cost of such test.
- G. *Unlawful Acts.*
 - 1. It is unlawful for any person to willfully or carelessly break, injure, mar, deface, disturb, or in any way interfere with any buildings, attachments, machinery, apparatus, equipment, fixture, or appurtenance of any municipal utility or municipal utility system, or commit any act tending to obstruct or impair the use of any municipal utility.
 - 2. It is unlawful for any person to make any connection with, opening into, use, or alter in any way any municipal utility system without first having applied for and received written permission to do so from the City.
 - 3. It is unlawful for any person to turn on or connect a utility when the same has been turned off or disconnected by the City for non-payment of a bill, or for any other reason, without first having obtained a permit to do so from the City.
 - 4. It is unlawful for any person to "jumper" or by any means or device fully or partially circumvent a municipal utility meter, or to knowingly use or consume un-metered utilities or use the services of any utility system, the use of which the proper billing authorities have no knowledge.
- H. *Municipal Utility Services and Charges a Lien.*
 - 1. Payment for all municipal utility (as that term is defined in City Code, Section 3-1-1) service and charges shall be the primary responsibility of the owner of the premises served and shall be billed to him unless otherwise contracted for and authorized in writing by the owner and the tenant, as agent for the owner, and consented to by the City of St. Francis, Minnesota. The City may collect the same in a civil action or, in the alternative and at the option of the City, as otherwise provided in this Subdivision.
 - 2. Each such account is hereby made a lien upon the premises served. All such accounts which are more than thirty (30) days past due may, when authorized by resolution of the Council, be certified by the City Clerk of the City of St. Francis, Minnesota, to the County Auditor, and the City Clerk in so certifying shall specify the amount thereof, the description of the premises served, and the name of the owner thereof. The amount so certified shall be extended by the Auditor on the tax rolls against such premises in the same manner as other taxes, and collected by the County Treasurer, and paid to the City along with other taxes.
- I. *Notice and Appeal.* The City will provide the current owner or occupant notice of a pending shut-off or certification prior to shutting off the water or certifying the unpaid amount and the appeal mechanism in the subdivision. This notice will be by first class mail to the individual's last known address at least twenty (20) days and, if there is no response, a red tag with the appropriate notice will be affixed to the property for a period of seven (7) days. Individuals who receive such a notice may appeal to the City Council by submitting a written appeal no later than thirty (30) calendar days after the initial notice. In addition, individuals who receive such a notice may submit a written request to meet with a City representative at any time prior to the matter being placed before the City Council to discuss the unpaid bill or other reason for shut off or certification.

(Ord. 170, SS, 10-7-2012)

3-1-5. Connection or tapping prohibited—delinquent assessments or charges.

No permit shall be granted to tap or connect with sewer or water mains when any assessment or connection charge for such sewer or water main against the property to be connected is in default or delinquent. If such assessment or connection charges are payable in installments, no permit shall be granted unless all installments then due and payable have been paid.

3-1-6. Connection and access charges.

Connection and access charges shall be required to be paid prior to the initiation of service for any utility. The cost of such charges shall be fixed from time to time by Ordinance in the form of the City's Fee Schedule. Such charges shall be reflective of the original cost of improvements to which connection is made, together with appropriate adjustments which reflect current costs for similar improvements shall be paid at the time a connection is made or required to be made to any Sanitary Sewer, Public Water, Storm Sewer, or other Public Improvement by any premise which has not previously contributed to the costs of such Public Improvement.

(Ord. 170, SS, 10-7-2012)

3-1-7. Violation a misdemeanor.

Every person who violates a section, subdivision, paragraph or provision of this Chapter when he/she performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

SECTION 2. RULES AND REGULATIONS RELATING TO WATER SERVICE

(Ord. 170, SS, 10-7-2012)

3-2-1. Deficiency of water and shutting off water.

The City is not liable for any deficiency or failure in the supply of water to customers whether occasioned by shutting the water off for the purpose of making repairs or connections or by any other cause whatever. In case of fire, or alarm of fire, water may be shut off to insure a supply for firefighting. In making repairs or construction of new works, water may be shut off at any time and kept off so long as may be necessary.

3-2-2. Repair of leaks.

It is the responsibility of the consumer or owner to maintain the service pipe from the corporation stop, through the curb stop box, and into the house or other building. In case of failure upon the part of any consumer or owner to repair any leak occurring in his/her service pipe within twenty-four (24) hours after oral or written notice has been given the owner or occupant of the premises, the water may be shut off and will not be turned on until a reconnection charge has been paid and the water service has been repaired. When the waste of water is great or when damage is likely to result from the leak, the water will be turned off if the repair is not proceeded with immediately. If repairs are necessary to protect public or neighboring properties and not initiated within twenty-four (24) hours after oral and written notice, the City may cause to have the work done at the account holder or property owners' expense.

(Supp. No. 10)

3-2-3. Abandoned service penalties.

All service installations connected to the City water system that have been abandoned or, for any reason, have become useless for further service shall be disconnected at the main. The owner of the premises, served by this service, shall pay the cost of the excavation and subsequent restoration. The owner of the premises, served by this service, shall obtain licensed contract services to perform the actual disconnection. When new buildings are erected on the site of old ones, and it is desired to increase the existing water service size, a new permit shall be taken out and the regular tapping charge shall be made as if this were a new service. It is unlawful for any person to cause to allow any service pipe to be hammered or squeezed together at the ends to stop the flow of water, or to save expense in improperly removing such pipe from the main. Also, such improper disposition thereof shall be corrected by the City and the cost incurred shall be borne by the person causing or allowing such work to be performed.

All work required to abandon or increase the existing water service shall be in compliance with the current version of the City of St. Francis Private Development Standards. If required by the Public Works Director or designee, the Owner shall provide construction and traffic control plans for the proposed work.

Failure to Connect to Remove Service Installation: If such service installation is not removed pursuant to this Section, the City, upon providing written notice to the owner of the premises, shall enter into a contract with a licensed contractor to have the installation removed, and the cost shall be assessed to the property taxes, unless authorized by the City Council to do otherwise.

(Ord. 294, SS , 2-7-2022)

3-2-4. Private service connections and maintenance.

- A. No person may excavate in a public right-of-way to obtain service from a water main, make connection therewith, or for any purpose which will expose a water main unless in receipt of a permit for the connection.
- B. The corporation stop inserted in the distributing pipe must be of the size specified in the permit order and the connection shall be made in a manner consistent with City specifications and standards. Minimum size connection with the water main shall be one-inch in diameter.
- C. Service pipes shall extend from the main through the curb stop box to the inside of the building; or if not taken into a building then to the hydrant or other fixtures which it is intended to supply. A brass ball valve, the same size as the service pipe, shall be installed close to the inside wall of the building, ahead of the meter and well protected from freezing. Service pipes 1 inch in diameter shall be Seamless Copper, Type K, Soft Annealed Copper, ~~or Polyethylene Grade PE-3408 or PE-4710,~~ or High Density Polyethylene SDR 11 and shall be rated for 200 PSI working pressure, ~~SDR-9, Copper Tube Size.~~ Copper materials shall not be used for services larger than 1 inch in diameter. Service materials for services larger than 2 ½ inches in diameter shall conform to the requirements of Ductile Iron Pipe Class 52, ~~or Polyvinyl Chloride Pipe C-900,~~ or High Density Polyethylene SDR 11. Where non-conductive service materials are installed, #12 AWG solid copper or copper clad steel (CCS) wire with 30 mil high density polyethylene (HDPE) insulating jacket shall be installed along the entire length of service pipe. The copper wire shall be terminated such that it is able to be connected to and used for underground locating purposes in accordance with the City's Private Development Standards.
- D. Every service pipe must be laid in such manner as to prevent rupture by settlement. The service pipe shall be placed not less than eight (8) feet below the surface in all cases so arranged as to prevent rupture and stoppage by freezing or other such damage.
- E. Joints on copper tubing shall be flared and kept to a minimum. Joints on polyethylene tubing shall be compression fitted with Type 304 stainless steel pipe inserts/stiffeners. Not more than one (1) joint shall be

used for a service up to seventy (70) feet in length. All joints shall be left uncovered until they have been inspected.

- F. The curb stop shall be installed in a manner such that it is accessible from the surface through a curb stop box without digging. The curb stop box shall be installed in a location accessible to the City at all times and in a manner approved by the City. All curb stop boxes shall conform and be maintained to the specifications and standards of the City. All curb stops shall be installed with a stationary operating rod a minimum of 78 inches in length. All valves within curb stop boxes shall be maintained in good working condition at all times. It shall be the responsibility of the applicant, owner, occupant or user to maintain the water service curb stop box for operability and at such height as will ensure that it remains above the finished grade of the land or property. No person shall erect any fence or other structure or plant any tree or other landscaping that would obstruct the use of the curb stop box or cause damage to the same. If the curb stop box needs maintenance or raising or if the area around the curb stop needs clearing for access, the City may cause to have the work done at the expense of the account holder and/or property owner.
- G. Frozen or otherwise damaged service pipes between the corporation stop and the building inclusive of the curb stop box shall be the responsibility of the private property owner. All maintenance, repairs, or other such work to the service pipe shall be done to the specification and standards of the City and require a permit and inspection from the Public Work Director and/or Building Official.
- H. No more than one house or building shall be supplied from one corporation stop.
- I. All piping and connections from the corporation cock and/or the curb stop box to the premise supply piping shall be made under the supervision of a licensed plumber subject to inspection by the City Building Official and/or the Public Works Director or designee. The water meter installation shall be inspected, tested, and the meter sealed by the Public Works Department.
- J. If the property owner requests maintenance services or repairs be performed by the City, or if repairs are necessary to protect public or neighboring properties in an emergency situation, the property owner shall be charged for the costs of the maintenance and/or repairs, including but not limited to any necessary street repairs, concrete, concrete curb and gutter, sidewalk, bituminous trail, turf, etc.

3-2-5. Private water supplies.

No water pipe of the City water system shall be connected with any pump, well, pipe, tank or any device that is connected with any other source of water supply and when such are found, the City shall notify the owner or occupant to disconnect the same and, if not immediately done, the City water shall be turned off. Before any new connections to the City system are permitted, the City shall ascertain that no cross-connections will exist when the new connection is made. When a building is connected to "City Water" the private water supply may be used only for such purposes as the City may allow as stated in Section 3-4-9.

- A. *Use of Private Wells:* Except where municipal water is not available, it shall be unlawful to construct, reconstruct, or repair any private water system which is designed or intended to provide water for human consumption.
- B. *New Homes and Buildings:* All new homes or buildings shall connect to the municipal water system if water is available to the property. Where new homes or buildings do not have water available to the property, the City Council shall determine whether and under what conditions the municipal water systems will be extended to serve the property.
- C. *Existing Homes and Buildings:* At such time as municipal water becomes available to existing homes or buildings, a direct connection shall be made to such public system within a period of time as determined by the City Council. If such connection is not made pursuant to this chapter, a penalty shall be levied in an amount as set forth by ordinance.

D. *Unused Wells:* If the well is not used after the time a municipal water connection is made:

1. Within thirty (30) days after municipal water connection is made, the owner or occupant shall advise the Public Works Director or designee that the well has been sealed by a licensed well contractor and provide appropriate documentation to the City for its records.

(Ord. 294, SS , 2-7-2022)

3-2-6. Water use restrictions.

- A. A person may water, sprinkle, irrigate, or otherwise use water from the City Water System for lawn areas, grass, or turf (hereinafter referred to as "irrigation" or "irrigate") only on alternating days between May 1 and continuing until September 30 of each year. This prohibition is in effect from 10 am until 7 pm each day during this period.
- B. Alternating days means that property with an address ending in an odd number may irrigate only on odd-numbered days of the month and property with an address ending in an even number may irrigate only on even-numbered days of the month.
- C. Upon written request and approval by the City Administrator, or his designee, and subject to such terms and conditions imposed by the City Administrator, or his designee, with respect to such approval, the following persons may be authorized to irrigate or otherwise utilize water from the City's municipal water system at times other than as permitted in Section 3-2-16 Subdivision A and B hereof:
 1. Employees and agents of the City or School District, in such instances wherein lawn, grass, or turf used for play fields or park areas owned and operated by such entities require more frequent irrigation to prevent unreasonable damage thereto.
 2. Owners and lessees (their employees and agents) of lands newly sodded or grass seeded which requires irrigation to prevent loss of the new sod, seed, or immature turf or grasses for a period of thirty (30) days, when in receipt of a permit for such activity from the Public Works Director.

3-2-7. Water emergencies.

- A. Whenever in the judgment of the City Administrator, or his designee, the water pressure and/or available water in the municipal water system reaches a level which endangers the public health or safety of residents and other persons in the City, he may declare a state of water emergency which shall continue until such time as he shall determine that the danger to public health or safety no longer exists. Forthwith upon the declaration of a state of water emergency notice thereof shall be publically posted, and all orders of the City Administrator, or his designee, issued pursuant thereto shall be enforced after one hour has elapsed from the time of such notice.
- B. During the existence of a state of water emergency the City Administrator, or his designee, may, by order, impose restrictions on sprinkling, irrigation, or other utilization of water from the City's municipal water system including, but not limited to the total prohibition of water use for lawn and garden sprinkling, irrigation, car washing, air conditioning, and other uses, or either or any of them or the prohibition of such water use on specified days or during certain hours.

3-2-8. Opening hydrants.

It is unlawful for any person, other than members of the Fire Department or other person duly authorized by the City, in pursuance of lawful purpose, to open any fire hydrant or attempt to draw water from the same or in

any manner interfere therewith. It is also unlawful for any person so authorized to deliver or offer to be delivered to any other person any hydrant key or wrench, except for the purposes strictly pertaining to their lawful use.

3-2-9. Un-metered service.

In cases where, in the opinion of the Public Works Director, no reasonable manner for metered service is available, a private system user may be granted un-metered service on a temporary basis. The user shall pay the temporary meter fee and fees for the estimated water use based on the judgment of the Public Works Director.

3-2-10. Water meters and water meter horns.

All water meters shall be furnished, owned, controlled, and maintained by the City at the expense of the property owner. All repairs of water meters not resulting from normal usage shall be the responsibility of the property owner. All meters in need of replacement, shall be replaced with a remote type which shall be furnished and maintained by the City. All water meters shall be installed in a manner acceptable to the City and the cost of installation shall be the responsibility of the property owner. All ~~five-eighth~~three quarters (3/4" ~~5/8~~) and one (1) inch meters shall be installed in a meter horn with remote wire and remote pad. All meters larger than one (1) inch shall meet City requirements including remote wire and remote pad. All meter installations shall be controlled and inspected by the City and the cost of installation shall be the responsibility of property owner.

3-2-11. Code requirement.

All piping, connections and appurtenances shall be installed and performed strictly in accordance with the Minnesota Plumbing Code and other standards and specifications of the City. Failure to install or maintain the same in accordance therewith, or failure to have or permit required inspections shall, upon discovery by the City, be an additional ground for termination of water service to any consumer. The corresponding fees for such permits, as established by the City's Fee Schedule, shall be paid at the time of permit issuance.

3-2-12. Water connection charges.

~~Connection charges are due to the City upon issuance of a building permit or connection permit and prior to a new occupancy. This fee shall be set by ordinance for each equivalent connection unit. An equivalent connection unit (one E.C.) is established in Section 3-3-8 for development within the City. One single family dwelling is one unit. These Standards may be amended as may be necessary by ordinance.~~

A. *Equivalent Connection Charge Definition and Application.* A sum of money hereinafter termed "the equivalent connection charge" is to be collected for the purpose of providing funding necessary for the construction of the water supply, storage and treatment system and additions or extensions thereto, and for payment of principal and interest due or accruing on bonds and other obligations issued or incurred to finance such improvements. This sum of money is hereby charged with respect to every lot, parcel of land, buildings or premises within the Municipal Urban Service Area (MUSA) that abuts a public right-of-way or easement in which there is located a public water main of the City. Such charge is made for the privilege of making a connection, direct or indirect, to the City's facilities for the supply of domestic water to such premises.

B. *Payment of Connection Charges.* Connection charges are payable at the time of the building permit issuance. The Building Inspector shall not issue a building permit until such connection charge is paid. For any building permit issued prior to the effective date of this Section, in which the connection has not been made to the public water system, connection charges are then payable prior to the time of connection or by such date as stipulated by the Council. For existing buildings connection charges are payable upon application for a connection permit.

- C. Application and Permit for a Connection. No connection from any premises to the water system is authorized without there being first obtained for such connection a permit issued by the City. No permit may be obtained from the City, and no representative of the City is authorized to issue a permit for connection unless and until an authorized representative of the City receives an application for such connection, determines and establishes the type of connection to be made and receives the equivalent connection fee as required. The City shall prepare, provide for, and furnish any form and instrument found necessary to the connection applications and permits of the City and perform all acts reasonably required with respect thereto. Applications and permits shall be uniform, in accordance with this Section.
- D. Increased Connection Charges Based on Measurement. The determination and establishment in the first instance of the equivalent connection charge represented by a connection, especially when made by estimate based upon representations of the owner or occupant of the premises is at all times subject to further determination and establishment after the connection has been made and determined by an actual measurement and/or analysis by the Public Works Director of the water demand from such connection. The receipt and acceptance by the City of any money paid and received by the City, as previously imposed does not bar the City's right to payment of the correct amount of money due therefore, as may be determined and established by actual measurement; and the City's right to recover therefore is not impaired. After a connection has been made and the connection charge established, imposed and paid, no diminution in water demand from the premises shall entitle the owner (or occupant) against the City to a reduction, reimbursement or refund with respect to the connection charge imposed and paid.
- E. Computation of Connection Charges. Connection charges are due to the City upon issuance of a building and/or connection permit. This fee shall be set by Council resolution for each equivalent connection unit. An equivalent connection unit (one E.C.) is established in Section 3-3-8 of this code for development within the City. One single family dwelling is one equivalent connection (one E.C.).
- F. Determination of Equivalent Connection for Unlisted Uses. The connection unit for those building uses not included in Subparagraph E, above, shall be determined by the Council after a report from the City Engineer. All non-residential property uses shall have a minimum of one (1) equivalent connection. The City shall supply appropriate forms to those required to get approval and shall submit the completed form to the Community Development Director. No building permit may be issued until the Public Works Director or City Engineer has designated and transmitted to the Community Development Director the connection unit assignment and the fee has been collected. The Public Works Director shall review actual water usage one (1) year after the initial connection, and the City may impose such additional connection charges in accordance with the provisions of Section 3-2-12-D of this Code.
- G. Application of Funds. The funds received from the collection of connection charges authorized by this Subdivision shall be used to provide funds for the payment of principal and interest on obligations incurred to finance the cost of constructing improvements to the City water supply, storage, distribution and treatment system as prescribed by resolutions or covenants authorizing or securing such obligations; and to provide funds for the reasonable requirements of extending, improving and/or replacing City water supply facilities. These funds shall be disbursed by Council resolution.

3-2-13. User charges.

- A. Purpose of User Charges. For the purpose of providing monies necessary to the construction, maintenance and operation of the water system of the City as well as additions thereto, or extensions thereof, including payment of principal and interest due or accruing on bonds and other obligations issued or incurred to finance such construction, maintenance, and operation, there is hereby charged a "user charge" to be collected by the City with respect to each lot, parcel of land, building or premises, having any connection, direct or indirect, with the water system. The "user charge" is to be paid at an interval as determined by the

- City commencing with connection and continuing (unless for good cause, waived or excused by the Council) for as long as the premises remain connected, whether or not such connection is actively used during any particular period of time.
- B. Computation of User Charges. Charges for water use shall be paid by the user to the City or its designated agent according to a rate, established by Council resolution. A copy of the rate shall be kept in the office of the City Clerk and open to public inspection during regular office hours.
 - C. Amount Due. The City or its designated agent shall compute the amount due the City for service charges and render a statement thereof at an interval as determined by the City to the owner of any premises served. All amounts due hereunder shall be payable to the office of the Finance Department, or its designated agent.
 - D. Permanence of User Charge. A connection once made shall thereafter be considered in continual use, except and unless the building or facility is completely removed and the building water service capped in a manner approved by the City. The "user charge" imposed shall be collected by the City (with respect to such connection) for each monthly period of time that such connection exists, whether such connection is then being actively used or otherwise. Such "user charge" shall be promptly paid when due by the owner (or occupant) of the premises affected directly to the City for the monthly period of use represented by such payment. The Council may establish a schedule of additional charges for late payment of user charges.
 - E. Application of Funds. The funds received from the collection of charges authorized by this Subdivision shall be deposited, as collected, in a fund known as the Sewer and Water Operating Fund and shall be disbursed to meet the costs of operating and maintaining the water supply, storage, treatment and distribution facilities.

3-2-14. Water Trunk Line Availability Area Fee

- A. Water Trunk Line Availability Area Fee Definition and Application. A sum of money hereinafter termed the "water trunk line availability fee" is to be collected for the purpose of providing funding necessary for the construction of the trunk water distribution system and additions or extensions thereto, and for payment of principal and interest due or accruing on bonds and other obligations issued or incurred to finance such improvements. This sum of money is hereby charged with respect to every lot, parcel of land, buildings or premises within the MUSA that abuts a public right-of-way or easement in which there is located a water main of the City. Such charge is made for the privilege of making a connection, direct or indirect, to the City's facilities for the availability of public water.
- B. Payment of Water Trunk Line Availability Area Fee. The water trunk line availability fees are payable at the time of subdivision of land or approval of a Final Plat. The City shall not approve a subdivision or Final Plat until such water trunk line availability fee is paid.
- C. Computation of Water Trunk Line Availability Area Fee. The water trunk line availability fee shall be calculated by multiplying the water trunk line availability fee set forth in section 2-9-1 of this code by the net developable area. For purposes of this calculation, the net developable area shall be considered the gross upland area and shall be determined by subtracting the delineated wetlands, rivers, lakes, streams, and floodplain area from the gross lot area. For purposes of this calculation, wetland and waterbody buffers, as required by this code, may also be excluded from the gross lot area to determine the net developable area.
- D. Application of Funds. The funds received from the collection of water trunk line availability fee authorized by this Subdivision shall be used to provide funds for the payment of principal and interest on obligations incurred to finance the cost of constructing improvements to the City water distribution system as prescribed by resolutions or covenants authorizing or securing such obligations; and to provide funds for

the reasonable requirements of extending, improving and/or replacing City water distribution facilities. These funds shall be disbursed by Council resolution.

3-2-~~13~~15. Backflow protection.

Approved devices or assemblies for the protection of the potable water supply must be installed at any plumbing fixture or equipment where backflow or back siphonage may occur and where a minimum air gap cannot be provided between the water outlet to the fixture or equipment and its flood level rim.

- A. Any device or assembly for the prevention of backflow or back siphonage installed, shall have first been certified by a recognized testing laboratory and have a certification number clearly visible on the devise. AWWA, ASSE, and USC are the certified labs recognized by the Administrative Authority. These devices must be readily accessible.
- B. The installation of reduced pressure backflow preventers shall be permitted only when a periodic testing and inspection program conducted by qualified, accredited personnel will be provided by an agency acceptable to the administrative authority. Inspection intervals shall not exceed one year, and overhaul intervals shall not exceed five years. The administrative authority may require more frequent testing if deemed necessary to assure protection of the potable water. Backflow preventers shall be inspected frequently after initial installation to assure that they have been properly installed and that debris resulting from piping installation has not interfered with the functioning of the assembly.

3-2-~~14~~16. Additional rules and regulations.

The Council may, by resolution, adopt such additional rules and regulations relating to placement, size and type of equipment as it, in its discretion, deems necessary or desirable. Copies of such additional rules and regulations shall be kept on file in the office of the City Clerk, and uniformly enforced.

SECTION 3. RULES AND REGULATIONS RELATING TO SEWAGE SERVICE

3-3-1. Definitions.

The following terms, as used in this Section, shall have the meanings stated:

- A. **BOD** or **BOD₅**(denoting Biochemical Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees C., expressed in milligrams per liter.
- B. **Building Drain** means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning at least one (1) foot outside the building footings.
- C. **Building Sewer Service** means the sewer extension from the building drain to the public sewer main or other place of disposal.
- D. **Collection** means the receiving and conveying of sewage, including any lifting or pumping equipment and/or structures, to the sewage treatment facility.
- E. **Domestic Wastes** includes one or more of the following: human excretions, food and meal preparation, dishwashing, and laundry wastes in less than industrial quantities.
- F. **Equivalent Connection** means a building sewer which produces a flow equivalent to an average single family detached residence contribution calculated at two-hundred seventy-four (274) gallons per day with a BOD loading of 0.60#/day.

- G. **Garbage** means solid wastes from the domestic and commercial preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.
- H. **Industrial Wastes** means the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
- I. **Industrial User** means any person from whose property industrial waste is discharged into the public sanitary sewer in quantities greater than one thousand (1,000) gallons per day or which produces concentrations of suspended solids or BOD content exceeding the limits herein set for normal sewage.
- J. **Maintenance** means the repairing, replacing, cleaning, repainting or such similar work as is necessary to maintain the sewage system in proper operating condition.
- K. **Natural Outlet** means any outlet into a watercourse, pond, ditch, lake or other body or surface or groundwater.
- L. **Normal Sewage** means sewage in volumes of two-hundred seventy-four (274) or less per day and containing an average concentration of suspended solids below hundred fifty (250) milligrams per liter and a BOD content of below two hundred fifty (250) milligrams per liter.
- M. **Operation** means the day-to-day managing, controlling, and maintaining of the sewage system.
- N. **pH** means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- O. **Properly Shredded Garbage** means the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½) inch (1.27 centimeters) in any dimension.
- P. **Public Sewer** means a sanitary sewer in which all owners of abutting properties have equal usage rights, and is controlled by public authority.
- Q. **Replacement** means the purchase and installation in the sewage system of an item of real or personal property as a substitute for a like item that has been damaged or not functioning properly.
- R. **Sanitary Sewer** means a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
- S. **Sewage** means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.
- T. **Sewage Treatment Plant** means any arrangement of devices and structures used for treating sewage.
- U. **Sewerage System** means all facilities for collecting, pumping, treating, and disposing of sewage.
- V. **Slug** means any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- W. **Storm Drain** or **Storm Sewer** means a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- X. **Suspended Solids** means solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- Y. **Unpolluted Water** means clean water uncontaminated by industrial wastes, other wastes, or any substance which renders such water unclean or noxious or impure so as to be actually or potentially

harmful or detrimental, or injurious to public health, safety, or welfare to domestic, commercial, industrial or recreational uses; or to livestock, wild animals, birds, fish, or other aquatic life.

- Z. **Watercourse** means a channel in which a flow of water occurs, either continuously or intermittently.
- AA. **Zones or Zone** means any one or more of the following specified zones.
- BB. **Metropolitan Urban Service Area (MUSA)** means the area identified in the Comprehensive Plan as intended for urban services (i.e. sewer and water).
- CC. **Rural Service Area** means the area identified in the Comprehensive Plan as intended for rural services (i.e. septic and well).

(Ord. 170, SS, 10-7-2012)

3-3-2. Use of public sewers required.

- A. *Deposition of Waste.* It is unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable waste.
- B. *Discharge to Natural Outlets.* It is unlawful for any person to discharge to any natural outlet or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Section.
- C. *Construction of Private Waste Disposal System.* Except as hereinafter provided, it is unlawful for any person to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage in the MUSA that abuts a public right-of-way or easement in which there is located a public sanitary sewer of the City. No expansion or alteration or repair of these systems will be allowed; should they be necessary, the connection to the public system will then be required within ninety (90) days. Parcels within the MUSA greater than twenty (20) acres in size may install and maintain an on-site sewerage disposal system until that time the parcel is further subdivided.
- D. *Connection to the Public Sewerage System.* Unless excepted above, the owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other like purposes situated within the MUSA abutting on any street, alley or right-of-way in which there is located a public sanitary sewer of the City, is hereby required at his expense to install suitable toilet and other wastewater collection facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Section, within ninety (90) days after the date of official notice to do so from the City. Provided, however, that this requirement shall not apply to unheated buildings used exclusively for storage.
- E. *Abandonment of Private System.* At such time as public sewer becomes available to a property sewered by a private sewage disposal system, as direct connections shall be made to the public sewer in compliance with this Section, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be removed from the site. In cases where the City Engineer finds that removal may cause significant damage in regards to public property, erosion, or mature trees the system may be abandoned, cleaned of sludge, and filled with suitable material, such as clean pit-run gravel or dirt to the satisfaction of the Public Works Director.
 - 1. *Nonconforming Private System:* At such time as a public sewer becomes available to a property served by a nonconforming private wastewater disposal system, a direct connection shall be made to the public sewer within thirty (90) days. Where a hardship exists, the Council may allow the continued use of any existing safe on-site sewage disposal system, as a non-conforming use.

2. *Conforming Private System:* At such time as a public sewer becomes available to a property served by a conforming private wastewater disposal system, a direct connection shall be made to the public sewer within a period of time as determined by Council resolution.
 3. *Failure to Connect to Public System:* If such a connection is not made pursuant to this chapter, the city, upon providing written notice to the owner of the premises, shall enter into a contract with a licensed contractor to have the connection made, and the cost shall be assessed to the property taxes, unless authorized by the City Council to do otherwise.
- F. *Extension of Sewer.* If a person in the MUSA needs or desires to connect to the City Sewerage System, he may petition the Council to extend sewers to serve his property. The Council shall follow the procedure as specified by statute for the construction of said improvements.
- G. *Pretreatment.* Sewerage systems users shall provide necessary wastewater treatment as required to comply with this Section and shall achieve compliance with all Federal categorical pre-treat wastewater to a level acceptable to the Public Works Director and/or City Engineer shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Public Works Director and/or City Engineer for review, and shall be acceptable to the Public Works Director and/or City Engineer before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce and effluent acceptable to the Public Works Director and/or City Engineer under the provisions of this Section. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Public Works Director and/or City Engineer prior to the user's initiation of the charges. All records relating to the compliance with pretreatment standards shall be made available by the Public Works Director and/or City Engineer to officials of the EPA or MPCA upon request.
- H. *Confidential Information.* Information and data on a user's water consumption and sewage characteristic obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agencies without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Public Works Director that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for users related to this Section, the NPDES Permit, State Disposal System Permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater composition and characteristics will not be recognized as confidential information. Information accepted by the Public Works Director as confidential, shall not be transmitted to any governmental agency or to the general public by the Public Works Director until and unless a ten (10) day notification is given to the user.
- I. *Sludge Generated.* Sludge, floats, skimming, etc., generated by an industrial or commercial pretreatment system shall not be placed into the wastewater disposal system. Such sludge shall be contained, transported, and disposed of by haulers in accordance with all Federal, State and local regulations.

(Ord. 170, SS, 10-7-2012; Ord. 294, SS, 2-7-2022)

3-3-3. Constructing building sewers and connections to public sewers.

- A. *Unauthorized Work on a Public Sewer.* It is unlawful for any person to uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof, without first obtaining a written permit from the Public Works Director.

- B. *Building Sewer Permits.* There shall be three classes of building sewer permits (1) for residential service; (2) service to commercial and industrial firms producing domestic wastes; and, (3) for service to firms producing industrial wastes. The owner or his agent shall make application on a special form furnished by the City which form shall be adopted by the Council and the permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Public Works Director. A permit and inspection fee set by the Council resolution according to the proposed sewer use and connection shall be paid to the City at the time the application is filed. Said permit fees may be changed by the Council, from time to time, by resolution, and a copy of such resolution shall be kept on file in the office of the City Clerk and available for inspection during regular office hours. Any fee charged by the State of Minnesota or any other entity of the State or Federal government shall also be collected and shall be in addition to the fee herein.
- C. *Installation and Connection Costs.* All costs and expenses incident to the installation and connection of the building sewer service shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- D. *Separate Sewer Service for Each Building.* A separate and independent building sewer shall be provided for every principal building. Residential, commercial, and industrial developments with several buildings may require sewers and manholes on private property to provide individual building services. Such a system must be approved by the City Engineer.
- E. *Reuse of Old Sewer Services.* Old building sewer services may be used in connection with new buildings only when they are found, on examination and/or testing by the owner in a manner acceptable to the Public Works Director, to meet all requirements of this Section.
- F. *Building Sewer Service Code Requirements.* The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, connection to the public sewer, testing, and backfilling the trench, shall all conform to the requirements of the State Building Code and of other applicable rules and regulations of the City. Care shall be taken to prevent entry of groundwater or any unauthorized waters into the public sewer during construction. For residential service, no floor drains from accessory building or garages, whether attached or detached, shall be connected to the building sewer or sanitary sewer.
- G. *Gravity or Lifted Sewage Flow in Sewer Service.* Whenever possible, the building sewer service shall be brought to the building at an elevation below the basement floor, in all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means discharged to the building sewer service.
- H. *Building Sewer Service Inspection.* The applicant for the building sewer service permit shall notify the Public Works Director when the building sewer service is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Public Works Director or his representative.
- I. *Public Hazard Protection During Service Installation.* All excavations for building sewer service installation shall be adequately guarded with barricades and lights so as to protect the public from hazard as required by the Minnesota Department of Transportation rules and regulations. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

(Ord. 170, SS, 10-7-2012)

3-3-4. Repairs to sewage service.

- A. Whenever any building sewer service becomes clogged, obstructed, broken or out of order between the building and the main, the owner shall forthwith make repairs.

- B. If the owner fails to make the necessary repairs required by Section 3-3-4.A of this Code, the City may cause the work to be performed and bill the property owner accordingly.
- C. Whenever any damage condition of a building sewer service shall cause damage to, or the introduction of soil or foreign matter into, the municipal sewerage system which shall require repairs or cleaning of the system, the property owner shall be responsible for the cost of repairs or cleaning.
- D. Each day, after notice, that a person neglects or fails to repair the building sewer service constitutes a separate violation of the City Code.

3-3-5. Use of public sewers.

A. *Prohibited Discharges.*

- 1. *Unpolluted Waters.* No person, firm, or corporation shall discharge or cause to be discharged directly or indirectly any storm water, groundwater, roof runoff, yard drainage, yard fountain water, pond or pool overflow, subsurface drainage, waste from on-site disposal systems, unpolluted cooling or processing water to any sanitary sewer except as permitted by the City or other local unit government. Storm water and all other unpolluted discharge shall be directed to the storm water collection system, except that unpolluted cooling or processing water shall only be so discharged upon approval by the City or other unit of local government.
- 2. *Foreign or Hazardous Substances.*
 - a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas;
 - b. Any water or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the wastewater treatment works;
 - c. Any water or waste having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater treatment works;
 - d. Solid or viscous substances, either whole or ground, in quantities or of such size capable of causing obstruction to the flow in the sewers, or other interference with the proper continuation of the wastewater facilities but not limited to ashes, cinders, disposable diapers, glass grinding or polishing wastes, stone cuttings or polishing wastes, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails, sanitary napkins, paper dishes, cups, milk containers, ~~and~~ other paper products, and dental waste;
 - e. Noxious or malodorous liquids, gases, or substances which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repairs.

- B. *Regulated Discharges.* No person shall discharge or cause to be discharged directly or indirectly the following described substances to any public sewer unless in the opinion of the City the discharge will not harm the wastewater facilities, nor cause obstruction to the flow in sewers, nor otherwise endanger life, limb, or public property, nor constitute a nuisance. In forming its opinion as to the acceptability of the wastes, the City may give consideration to such factors as the relation of flows and velocities in the sewers, nature of the sewage treatment process, capacity of the sewage plant, the City's NPDES permit, and other pertinent determinations either on a general basis or as to discharges from individual users or specific discharges, and

may prohibit certain discharges from individual users because of unusual concentrations or combinations which may occur. The substances restricted shall be:

1. Any liquid or vapor having a temperature in excess of one hundred ~~forty~~ (145) degrees F (60 degrees C).
 2. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred ~~forty~~ (145) degrees F. (zero (0) and sixty-five (65) degrees C.).
 3. Any ~~organic material~~garbage that has not been ground or comminuted to such degree that all particles will be carried freely in suspension under flows normally prevailing in the public sewers, with no particles greater than one-half inch in any dimension.
 4. Any water or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions, whether neutralized or not.
 5. Any water or wastes containing phenols or other taste or odor producing substances which constitute a nuisance or hazard to the structures, equipment, or personnel of the sewage works, or which interfere with the treatment required to meet the requirements of the State or Federal Government, or any other public agency with proper authority to regulate the discharge from the sewage treatment plant.
 6. Any radioactive wastes or isotopes of such half-life or concentration that they are not in compliance with regulations issued by the appropriate authority having control over their use or may cause damage or hazards to the treatment works or personnel operating it.
 7. Any water or wastes having a pH in excess of 9.5.
 8. Materials which exert or cause:
 - a. Unusual concentrations of suspended solids, (such as, but not limited to, Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
 - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment works.
 - d. Unusual volume of flow or concentration of wastes constituting a slug.
 - e. Water or water containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the NPDES Permit, or requirements of other governmental agencies having jurisdiction over discharge from the sewage treatment plant.
- C. *Response to Improper Discharge.* If any water or wastes are discharged, or are proposed to be discharged directly or indirectly to the public sewers, which water or wastes do not meet the standards set out in or promulgated under this Section, or which in the jurisdiction of the City may have a deleterious effect upon the treatment works, processes, equipment, or receiving waters, or which otherwise create a hazard to life, or constitute a public nuisance, the City may take all or any of the following steps:
1. Refuse to accept the discharges.
 2. Require control over the quantities and rates of discharge.

3. Require pretreatment to an acceptable condition for the discharge to the public sewers. The design and installation of the plant and equipment for pretreatment of equalization of flows shall be subject to the review and approval of the City, and subject to the requirements of 40 CFR 403, entitled "Pretreatment Standards", and the Minnesota Pollution Control Agency.
 - a) Discharges 25,000 gallons per day or more of process wastewater;
 - b) Contributes a load of five (5) % or more of the capacity of the City's Wastewater Treatment Plant; or
 - c) Is designated as significant by the Permittee or the MPCA on the basis that the Significant Indirect User has a reasonable potential to adversely impact the City's Wastewater Treatment Plant POTW, or the quality of its effluent or residuals. [Minn. R. 7049]
 4. Require payment to cover the added cost of handling or treating the wastes.
- D. *Interceptors.* Grease, oil, and mud interceptors shall be provided when they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in this Chapter, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection.
- E. *Preliminary Treatment or Flow Equalization Facilities.* Where preliminary treatment or flow equalization facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- F. *Testing.*
1. *Required.* When required by the City, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure and equipment, when required, shall be constructed at the owner's expense in accordance with plans approved by the City and shall be maintained by the owner so as to be safe and accessible at all times.
 2. *Standards.* All measurements, tests, and analyses of the characteristics of water and waste to which reference is made in this Chapter shall be determined in accordance with 40 CFR 136 "Guidelines Establishing Test Procedures for the Analysis of Pollutants"; the latest edition of Standard Methods For the Examination Of Water and Wastewater, and shall be determined at the control structure provided, or upon suitable samples taken at the control structure. In the event that no special structure has been required, the control structure shall be considered to be the nearest downstream manhole in the public sewer from the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effluent constituents and their effect upon the treatment works and to determine the existence of hazards to life, health and property. Sampling methods location, times, duration, and frequencies are to be determined on an individual basis subject to approval by the City.
- G. *Industrial Waste.* The owner of any property serviced by a building sewer carrying industrial wastes shall, at the discretion of the City, be required to provide laboratory measurements, tests, and analyses of waters or wastes to illustrate compliance with this Chapter and any special condition for discharge established by the City or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of sampling and laboratory analyses to be performed by the owner shall be as stipulated by the City. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the Federal, State and local standards are being met. The owner shall bear the expense of all measurements, analyses and reporting required by the City. At such times as deemed necessary the City reserves the right to take measurements and samples for analysis by an outside laboratory.

- H. *Special Agreements or Arrangements with City.* No statement contained in this Subdivision shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payments for additional capital equipment and/or operating and maintenance costs therefore, by the industrial concern.
- I. *Discharged Waste Sample Gathering.* Commercial and industrial users with other than normal sewage shall permit the monthly gathering of samples of their discharged wastes by the Public Works Director or his authorized representative.
- J. *Required Daylighting.* All sump pumps and garage floor drains shall be daylighted to prove the discharge is not being put into the sanitary sewer system. The discharge pipes from both shall be directed away from houses/principal structures on neighboring properties and wetlands.

(Ord. 170, SS, 10-7-2012)

3-3-6. Damage to the public sewage system.

- A. It is unlawful for any person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewerage system.
- B. It is unlawful for any person, having charge of any building or other premises which drains into the municipal sewerage system, to permit any substance or matter which may form a deposit or obstruction to flow or pass into the public sewer.

3-3-7. Authority and powers of inspectors.

- A. *Permission to Enter Onto Private Property for Observation and Testing.* The Public Works Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Section. The Public Works Director shall have no authority to inquire into any proprietary processes in metallurgy, chemical manufacturing, refining, paper making, ceramics, or similar industries beyond the technical information required for the proper receiving, conveying and treatment of the particular waste.
- B. *Observation of Safety Rules by City Employees.* While performing the necessary work on private properties referred to herein, the Public Works Director or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.
- C. *Inspection, Sampling, Measurement and Maintenance on Private Property.* The Public Works Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewerage system lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of duly negotiated easement pertaining to the private property involved.

(Ord. 170, SS, 10-7-2012)

3-3-8. Equivalent connection charges.

- A. *Equivalent Connection Charge Definition and Application.* A sum of money hereinafter termed "the equivalent connection charge" is to be collected for the purpose of providing funding necessary for the construction of the sewerage system and additions or extensions thereto, and for payment of principal and interest due or accruing on bonds and other obligations issued or incurred to finance such improvements. This sum of money is hereby charged with respect to every lot, parcel of land, buildings or premises within the MUSA that abuts a public right-of-way or easement in which there is located a public sanitary sewer of the City. Such charge is made for the privilege of making a connection, direct or indirect, to the City's facilities for the collections and treatment of sewage, industrial waste and water or other liquid discharged from such premises.
- B. *Payment of Connection Charges.* Connection charges are payable at the time of the building permit issuance. The Building Inspector shall not issue a building permit until such connection charge is paid. For any building permit issued prior to the effective date of this Section, in which the connection has not been made to the Public Sewerage System, connection charges are then payable prior to the time of connection or by such date as stipulated by the Council. For existing buildings connection charges are payable upon application for a connection permit.
- C. *Application and Permit for a Connection.* No connection from any premises to the disposal system is authorized without there being first obtained for such connection a permit issued by the City. No permit may be obtained from the City, and no representative of the City is authorized to issue a permit for connection unless and until an authorized representative of the City receives an application for such connection, determines and establishes the type of connection to be made and receives the equivalent connection fee as required. The City shall prepare, provide for, and furnish any form and instrument found necessary to the connection applications and permits of the City and perform all acts reasonably required with respect thereto. Applications and permits shall be uniform, in accordance with this Section.
- D. *Increased Connection Charges Based on Measurement.* The determination and establishment in the first instance of the equivalent connection charge represented by a connection, especially when made by estimate based upon representations of the owner or occupant of the premises is at all times subject to further determination and establishment after the connection has been made and determined by an actual measurement and/or analysis by the Public Works Director of the sewage or waste discharge from such connection entering into the system of the City. The receipt and acceptance by the City of any money paid and received by the City, as previously imposed does not bar the City's right to payment of the correct amount of money due therefore, as may be determined and established by actual measurement; and the City's right to recover therefore is not impaired. After a connection has been made and the connection charge established, imposed and paid, no diminution in discharge from the premises shall entitle the owner (or occupant) against the City to a reduction, reimbursement or refund with respect to the connection charge imposed and paid.
- E. *Computation of Connection Charges.* Connection charges are due to the City upon issuance of a building and/or connection permit. This fee shall be set by Council resolution for each equivalent connection unit. An equivalent connection unit (one E.C.) is established as the anticipated flow from a single family residence as referenced herein. City hereby adopts by reference and incorporates herein Appendix A of the Metropolitan Council Environmental Services (MCES) Sewer Availability Charge Procedure Manual as may be amended in the future. A copy of said document and amendments thereto shall be kept on file in the office of the City Clerk for reference and open to public inspection during regular office hours. In cases where said document references MCES or MCES Staff shall be interpreted to mean City of St. Francis or City of St. Francis Staff respectively.

- F. *Determination of Equivalent Connection for Unlisted Uses.* The connection unit for those building uses not included in Subparagraph E, above, shall be determined by the Council after a report from the City Engineer. All non-residential property uses shall have a minimum of one (1) equivalent connection. The City shall supply appropriate forms to those required to get approval and shall submit the completed form to the Community Development Director. No building permit may be issued until the Public Works Director or City Engineer has designated and transmitted to the Community Development Director the connection unit assignment and the fee has been collected. The Public Works Director shall review actual sewage flow one (1) year after the initial discharge, and the City may impose such additional connection charges in accordance with the provisions of Section 3-3-8-D of this Code.
- G. *Application of Funds.* The funds received from the collection of connection charges authorized by this Subdivision shall be used to provide funds for the payment of principal and interest on obligations incurred to finance the cost of constructing improvements to the City sanitary sewerage system as prescribed by resolutions or covenants authorizing or securing such obligations; and to provide funds for the reasonable requirements of extending, improving and/or replacing City sanitary sewerage facilities. These funds shall be disbursed by Council resolution.

(Ord. 170, SS, 10-7-2012; Ord. 229 , SS, 6-19-2017)

3-3-9. User charges.

- A. *Purpose of User Charges.* For the purpose of providing monies necessary to the construction, maintenance and operation of the sewerage system of the City as well as additions thereto, or extensions thereof, including payment of principal and interest due or accruing on bonds and other obligations issued or incurred to finance such construction, maintenance, and operation, there is hereby charged a "user charge" to be collected by the City with respect to each lot, parcel of land, building or premises, having any connection, direct or indirect, with the disposal system of the City or otherwise discharging sewage industrial waste, water or other waste directly or indirectly into the City disposal system. The "user charge" is to be paid at an interval as determined by the City commencing with connection and continuing (unless for good cause, waived or excused by the Council) for as long as the premises remain connected, whether or not such connection is actively used for discharge of sewage or waste during any particular period of time.
- B. *Computation of User Charges.* Charges for sewer use shall be paid by the user to the City or its designated agent according to a rate, established by Council resolution. A copy of the rate shall be kept in the office of the City Clerk and open to public inspection during regular office hours.
- C. *User Charge Surcharge.* In the event the Council makes an industrial waste surcharge, such surcharge shall be charged by the City to the designated industrial user causing such discharge. Such surcharge shall be in addition to other charges required herein and shall be based on rate of flow in gallons per day, strength of sewage in BOD, and suspended solids in parts per million. If unusual chemicals or substance are in the industrial waste the charge shall be based on the actual collection and treatment costs. The City in the future may consider United States Environmental Protection Agency funding for expansion of the sewage treatment plant. Federal regulations require the recovery of such funds expended for industrial sewage capacity (Industrial Cost Recovery) and the return of those funds to the Federal government. Industrial users will be charged on the basis of the above sewage characteristics over twenty (20) years to recover each user's share of the expansion cost. The Council shall collect, invest, and transmit to the U.S.E.P.A. such industrial user charges according to Federal regulations.
- D. *[Amount Due.]* The City or its designated agent shall compute the amount due the City for service charges and render a statement thereof at an interval as determined by the City to the owner of any premises served. All amounts due hereunder shall be payable to the office of the Finance Department, or its designated agent.

- E. *Permanence of User Charge.* A connection once made shall thereafter be considered in continual use, except and unless the building or facility is completely removed and the building sewer service capped both in a manner approved by the City. The "user charge" imposed shall be collected by the City (with respect to such connection) for each monthly period of time that such connection exists, whether such connection is then being actively used or otherwise. Such "user charge" shall be promptly paid when due by the owner (or occupant) of the premises affected directly to the City for the monthly period of use represented by such payment. The Council may establish a schedule of additional charges for late payment of user charges.
- F. *Application of Funds.* The funds received from the collection of charges authorized by this Subdivision shall be deposited, as collected, in a fund known as the Sewer and Water Operating Fund and shall be disbursed to meet the costs of operating and maintaining the sewage disposal pumping stations and facilities.

(Ord. 229 , SS, 6-19-2017)

3-3-10. Trunk Sanitary Sewer Area Fee

- A. Trunk Sanitary Sewer Area Fee Definition and Application. A sum of money hereinafter termed the "trunk sanitary sewer area fee" is to be collected for the purpose of providing funding necessary for the construction of the trunk sanitary sewer collection system and additions or extensions thereto, and for payment of principal and interest due or accruing on bonds and other obligations issued or incurred to finance such improvements. This sum of money is hereby charged with respect to every lot, parcel of land, buildings or premises within the MUSA that abuts a public right-of-way or easement in which there is located a public sanitary sewer of the City. Such charge is made for the privilege of making a connection, direct or indirect, to the City's facilities for the treatment of sewage, industrial waste and water or other liquid discharged from such premises.
- B. Payment of Trunk Sanitary Sewer Area Fee. The trunk sanitary sewer area fees are payable at the time of subdivision of land or approval of a Final Plat. The City shall not approve a subdivision or Final Plat until such trunk sanitary sewer area fee is paid.
- C. Computation of Trunk Sanitary Sewer Area Fee. The trunk sanitary sewer area fee shall be calculated by multiplying the trunk sanitary sewer area fee set forth in section 2-9-1 of this code by the net developable area. For purposes of this calculation, the net developable area shall be considered the gross upland area and shall be determined by subtracting the delineated wetlands, rivers, lakes, streams, and floodplain area from the gross lot area. For purposes of this calculation, wetland and waterbody buffers, as required by this code, may also be excluded from the gross lot area to determine the net developable area.
- D. Application of Funds. The funds received from the collection of trunk sanitary sewer area fees authorized by this Subdivision shall be used to provide funds for the payment of principal and interest on obligations incurred to finance the cost of constructing improvements to the City sanitary sewer collection system as prescribed by resolutions or covenants authorizing or securing such obligations; and to provide funds for the reasonable requirements of extending, improving and/or replacing City sanitary sewer collection facilities. These funds shall be disbursed by Council resolution.

3-3-1011. Connection with and use of city system without compliance prohibited.

No connection to the sewage disposal system shall be made (directly or indirectly) from any premises, and no use of a connection from the premises to the system, shall be continued in use except in strict compliance with the provisions of this Section, whether as to connection or use of the City system or payment of charges imposed

and to be collected with respect thereto, subjects an offender to a disconnection and termination of use, claim for loss or damage sustained by the City, and also all provisos and penalties imposed by law.

3-3-~~1112~~. Qualifications of persons.

Any person engaged in the laying of or building public sewers shall be qualified to perform such work and be familiar with all laws and regulations of the State of Minnesota Department of Health, Pollution Control Agency, Plumbing Code, and City Code provisions. The contractor shall also place on file with the City certificated of insurance showing that he is covered, by workmen's compensation in the amount required by statute, and public liability and property damage in the amount of \$100,000.00 per person and \$300,000.00 per incident for injuries, including accidental death of any one person, and property damage insurance in an amount of not less than \$100,000.00 per incident.

- A. *Performance Bond.* Each contractor shall provide the City with one of the following: (1) If master plumber and has State license a copy thereof; (2) Non-Master—\$2,000.00 bond; (3) Excavation—\$2,000.00 bond. The intent for this requirement is to assure that installations shall comply with all applicable laws and that the contractor shall pay for any and all materials and labor for such work.
- B. *Connection to Public Sewer of Privately Laid Sewer.* A property owner may lay sewer on his property but a licensed sewer layer must make the connection to the City Sewerage System.
- C. *Failure of Privately Laid Sewer to Meet Requirements of this Section.* If the work is done by a property owner on his own premises and does not meet the requirements of this Section and he cannot perform the work to comply with the requirements as instructed by the Inspector, he shall engage a licensed sewer layer to install the connection. Failure to do so will be considered just cause for the City to refuse him a sewer connection.

**SECTION 4. RULES AND REGULATIONS RELATING TO INDIVIDUAL ON-SITE
SEWAGE TREATMENT SYSTEMS**

(Ord. 170, SS, 10-7-2012)

3-4-1. Purpose, applicability, and authority.

- A. *Purpose.* It is the purpose and intent of this ordinance to establish standards for the design, location, construction, operation, and maintenance of Subsurface Sewage Treatment Systems (SSTS).
- B. *Applicability.* The sewer provisions of this ordinance shall apply to any premises in the City that are not served by the municipal wastewater treatment system.
- C. *Authority.* This ordinance is adopted pursuant to the authorization and requirements contained in Minnesota Statutes §145A.05, 115.55 and Minnesota Administrative Rules Chapter 7082.

(Ord. 195, 5-5-2014, eff. 6-8-2014)

3-4-2. General provisions.

- A. *Treatment Required.* All sewage generated in unsewered areas shall be treated and dispersed by an approved SSTS or a system permitted by the Minnesota Pollution Control Agency. All sewage generated in the jurisdiction is to be treated either in an agency-permitted facility or a system that meets the requirements of City Ordinance as adopted under 7082.0100 and follow the allowed methods to determine

the loading rate from part 7080.2150, subpart 3, item E, Table IX or IXa, for sizing or soil treatment and dispersal systems.

- B. *Administration.* This Ordinance shall be administered by the St. Francis City Building Official or any such designee of the Building Official or City Administrator.
- C. *Compliance.* No person shall cause or permit the location, construction, alteration, extension, conversion, operation, or maintenance of a subsurface sewage treatment system, except in full compliance with the provisions of this ordinance. A variance to the local ordinance provisions herein are not allowed.
- D. *Conditions.* Violation of any condition imposed by the City on a license, permit, or variance, shall be deemed a violation of this ordinance and subject to the penalty provisions set forth in this ordinance.
- E. *Site Evaluation, System Design, Construction, Inspection, and Servicing.* Site evaluation, and system design, construction, inspection and system servicing shall be performed by Minnesota Pollution Control Agency licensed SSTS businesses or qualified employees of local governments or persons exempt from licensing in Minn. R. 7083.0700.
 - 1. For lots platted after April 1, 1996, a design shall evaluate and locate space for a second soil treatment area.
 - 2. Vertical separation for systems built before April 1, 1996 that are not SWF as defined in part 7080.1100, Subpart 84, must meet the requirements in part 7080.1500, subpart 4, item E.
- F. *Inspection.* No part of an individual sewage treatment system shall be covered until it has been inspected and approved by the Building Official. If any part of the system is covered before being inspected and approved as herein provided, it shall be uncovered upon the direction of the Building Official. The Building Official shall cause such inspections as are necessary to determine compliance with this ordinance. It shall be the responsibility of the permittee to notify the Building Official that the system is ready for inspection. If the integrity of the system is threatened by adverse weather if left open and the Building Official is unable to conduct an inspection, the permittee may, after receiving permission from the Building Official document compliance with the ordinance by photographic means that show said compliance and submit that evidence to the Building Official prior to final approval being sought.
- G. *Compliance Inspection Required.* A SSTS compliance inspection is required:
 - 1. For a new or replacement SSTS.
 - 2. When altering an existing structure to add a bedroom.
 - 3. When a parcel having an existing system undergoes development, subdivision, or split.
- H. *Imminent Public Health and Safety Threat; Failing System; and Surface Discharge.*
 - 1. A subsurface sewage treatment system which poses an imminent threat to public health and safety shall immediately abate the threat according to instructions by the Building Official and be brought into compliance with this ordinance in accordance with a schedule established by the Building Official, which schedule will not exceed six (6) months.
 - 2. A failing system, an SSTS that is not protective of groundwater, shall be brought into compliance within six (6) months after receiving notice from the Building Official.
 - 3. An SSTS discharging raw or partially treated wastewater to ground surface or surface water is prohibited unless permitted under the National Pollution Discharge Elimination System.
- I. *Conflict Resolution.* For SSTS systems regulated under this Ordinance, conflicts and other technical disputes over new construction, replacement and existing systems will be managed in accordance with Minnesota Rules 7082.0700 Subpart 5.

J. *Septic Tank Maintenance.*

1. *Periodic Maintenance Required.* The owner of a sewage tank or tanks, shall regularly, but not less frequently than every three years, inspect the tank(s) and measure the accumulations of sludge and scum by an individual licensed to do such work in the State of Minnesota. If the system is pumped, measurement is not needed. The owner shall remove and sanitarly dispose of septage whenever the top of the sludge layer is less than twelve (12) inches below the bottom of the outlet baffle or the bottom of the scum layer is less than three (3) inches above the bottom of the outlet baffle. Removal of septage shall include complete removal of scum and sludge.
2. *Maintenance Record Required.* Maintenance activities are required to be recorded on forms supplied by the City of St. Francis and submitted to the City within thirty (30) days of the maintenance activity. The maintenance record shall be supplied by an individual licensed by the state to do such work. One copy of the maintenance record shall be given to the City and one to the property owner. A recording fee shall be paid in accordance with the City's Fee Schedule.

K. *Non-Complying Systems.* Existing systems which are non-complying, but not an imminent health or safety threat, failing, or discharging to surface, may continue in use so long as the use is not changed or expanded. If the use changes or is expanded, the non-complying elements of the existing system must be brought into compliance.

L. *Non-Complying Work.* New individual sewage treatment system construction that is non-compliant, or other work on a system that is non-complying, must be brought into compliance with this ordinance in accordance with a schedule established by the Building Official, which schedule will not exceed seven (7) days unless the Building Official finds extenuating circumstances.

M. *Change In Use.* A Certificate of Compliance may be voided if, subsequent to the issuance of the certificate, the use of the premises or condition of the system has changed or been altered.

N. *Setback Reduction.* Where conditions prevent the construction, alteration, and/or repair of an individual sewage treatment system on an existing developed parcel of real property, the Building Official may reduce property line and building setbacks and system sizing requirements provided said reduction does not endanger or unreasonably infringe on adjacent properties and with the concurrence of the affected properties. In no instance will a setback reduction be allowed from the standards of Section 10-82-4.B.6 except in cases where a variance is approved following the procedure established by Section 10-82-9.D.

O. *Floodplain.* An SSTS shall not be located in a floodway or floodplain. Location within the flood fringe is permitted provided that the design complies with this ordinance and all of the rules and statutes incorporated by reference.

P. *Class V Injection Wells.* All owners of new or replacement SSTS that are considered to be Class V injection wells, as defined in the Code of Federal Regulations, title 40, part 144, are required by the Federal Government to submit SSTS inventory information to the Environmental Protection Agency.

(Ord. 195, 5-5-2014, eff. 6-8-2014; Ord. 258 , SS, 2-3-2020, eff. 3-4-2020)

3-4-3. Standards adopted.

A. *Minnesota Rules Adopted.* Minnesota Rules, Chapters 7080 and 7081, that are in effect on the date of passage of this ordinance, relating to subsurface sewage treatment systems, are hereby adopted by reference and made a part of this ordinance as if fully set forth herein.

B. *Rules Amended.* The rules, adopted in Section 3.01 are amended as follows:

1. *Compliance Inspection—Fifteen (15) Percent Vertical Separation Reduction.* MR 7080.1500 Subp. 4D is amended to allow fifteen (15) percent reduction of vertical separation (separation distance no less than 30.6 inches) may be determined to be compliant for existing systems to account for settling and variable interpretation of soil characteristics.
- C. *Holding Tanks.* Holding tanks may be allowed for the following applications: as replacement to a failing existing system, an SSTS that poses an imminent threat to public health and safety, or for an existing lot in which a SSTS cannot feasibly be installed and the Building Official finds extenuating circumstances. Holding tanks require an operating permit as which defines routine maintenance activities as approved by the City Building Official. Failure to adhere to the operating permit is a violation of this Ordinance.
- D. *System Abandonment.* An SSTS, or component thereof, that is no longer intended to be used must be abandoned in accordance with MN Rules 7080.2500. Replacement systems which result in discontinued use of any or all existing components shall initiate requirement of maintenance recoding and abandonment procedures as specified in MN Rules 7080.2500. The standards in Section 3-3-2.E shall also be followed when a system is abandoned due to the property being connected to the public sewer system.

(Ord. 195, 5-5-2014, eff. 6-8-2014)

3-4-4. Permits.

- A. *Permit Required.* No person shall cause or allow the location, construction, alteration, extension, conversion, or modification of any subsurface sewage treatment system without first obtaining a permit for such work from the Building Official. No person shall construct, alter, extend, convert, or modify any structure which is or will utilize subsurface sewage treatment system without first obtaining a permit.
 1. All work performed on an SSTS shall be done by an appropriately licensed business, qualified employees or persons exempt from licensing pursuant to MN Rules 7083.0700. Permit applications shall be submitted by the person doing the individual subsurface sewage treatment system construction on forms provided by the Building Official and accompanied by required site and design data, and permit fees.
 2. Permits shall only be issued to the person doing the individual sewage treatment system construction.
 3. Permit applications for new and replacement SSTS shall include a management plan for the owner that includes a schedule for septic tank maintenance.
 4. A permit is not required for minor repairs or replacement of damaged or deteriorated components that do not alter the original function, change the treatment capacity, change the location of system components or otherwise change the original system's design, layout, or function.
- B. *Operating Permit.* An operating permit shall be required of all owners of new holding tanks, Type IV and V systems; MSTs and other SSTS that the Building Official has determined requires operational oversight.
 1. *Application.* Application for an operating permit shall be made on a form provided by the Building Official.
 2. *Holding Tanks.* The owner of holding tanks installed after the effective date of this Ordinance shall provide the Building Official with a copy of a contract with a licensed sewage maintenance business for monitoring and removal of holding tank contents.

(Ord. 195, 5-5-2014, eff. 6-8-2014)

3-4-5. Violations and penalties.

The City may seek to have violations of this Ordinance corrected by any means found in the City Code including, but not limited to:

- A. *Misdemeanor.* Any person who fails to comply with the provisions of this ordinance may be charged with a misdemeanor and upon conviction thereof, shall be punished therefore, as provided by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
- B. *Injunctive Relief.* In the event of a violation or a threat of violation of this ordinance, the Building Official may institute appropriate actions or proceedings to include injunctive relief to prevent, restrain, correct or abate such violations or threatened violations; and the City Attorney may institute a civil action.
- C. *Civil Action.* In the event of a violation of this ordinance, the City may institute appropriate actions or proceedings to include injunctive relief to prevent, restrain, correct, or abate such violations, or threatened violations, and the City Attorney may institute such action.

(Ord. 195, 5-5-2014, eff. 6-8-2014)

3-4-6. Sale or transfer of property.

- A. *Certificate of compliance.* A certificate of compliance shall be provided by the seller to the buyer at or before the closing. The certificate of compliance shall indicate that the SSTS is in compliance with the standards adopted by this article. The certificate of compliance shall be filed with the county auditor along with the certificate of real estate value. A copy of the certificate of compliance shall also be filed with the City. If the system is found to be noncompliant the owner shall submit to the City an acceptable replacement plan within 20 days after notification. The replacement plan shall include a construction permit application and a design for the replacement SSTS. Failure to submit and execute an acceptable replacement plan is a violation of this section.
- B. *Exempt transactions.* The certificate need not be completed if the sale or transfer involves the following circumstances.
 - (1) The tract of land is without buildings or contains no dwellings or other building with plumbing fixtures.
 - (2) The sale or transfer is exempt from the requirements that a certificate of real estate value be filed with the county auditor, as per Minn. Stats. § 272.115.
 - (3) Any dwellings or other buildings with running water which are connected to a municipal wastewater treatment system.
 - (4) The transfer is a foreclosure or tax forfeiture.
- C. *Sale or transfer transactions occurring between November 1 and April 30.* If the transaction occurs between November 1 and April 30, and the inspection cannot be completed, the buyer and seller shall arrange for the compliance inspection to be completed by the following June 1 and, if necessary, a system upgrade be completed and the certificate of compliance be submitted to the City no later than June 30.
- D. *Prohibition against transfer of property.* No real property in the city shall be transferred unless the parties to the transaction have complied with the requirements of this section.

(Ord. 258 , SS, 2-3-2020, eff. 3-4-2020)

Comment
in the word
"MUNICIPAL"
from this s

3-4-7. Reserved.

(Ord. 195, 5-5-2014, eff. 6-8-2014)

3-4-8. Reserved.

(Ord. 195, 5-5-2014, eff. 6-8-2014)

3-4-9. Private well regulations.

- A. All wells shall be installed and maintained in compliance with all State and County regulations.
- B. Upon connection to City Water, any existing well on site shall be sealed and properly abandoned unless granted a permit as set forth in this Section.
- C. Permits for irrigation wells for Commercial, Industrial, Institutional, or Multi-Family users in the MUSA may be approved by the Public Works Director in the following instances:
 - 1. The proposed well is consistent with the City's Wellhead Protection Plan.
 - 2. There shall be no cross connections or possible cross connections with the City Water system.
 - 3. The well shall be used for exterior landscape irrigation purposes only.
 - 4. There shall be only one well per irrigation system.
 - 5. Adequate backflow prevention measures have been taken.
 - 6. Users shall comply with all watering restrictions found in Sections 3-2-6 and 3-2-7.
 - 7. All requirements by the State and/or County are met.
- D. Permits for drive point irrigation wells in the MUSA may be approved by the Public Works Director in the following instances:
 - 1. There shall be no cross connections or possible cross connections with the City Water system.
 - 2. The well shall be used for exterior landscape irrigation purposes only.
 - 3. There shall be only one well per parcel.
 - 4. Users shall comply with all watering restrictions found in Sections 3-2-6 and 3-2-7.
 - 5. All requirements by the State and/or County are met.
 - 6. The drive point well shall not impair or endanger the City's Wellhead Management Area.

~~SECTION 5. TRUNK AREA FEES~~

~~3-5-1. Trunk area.~~

~~The City hereby establishes a Trunk Area consisting of the following identified parcels:~~

~~30-34-24-22-0005; 30-34-24-23-0002; 30-34-24-23-0005; 30-34-24-22-0002; 30-34-24-21-0002; 30-34-24-24-0004; 30-34-24-24-0005; 30-34-24-13-0002; 30-34-24-13-0004; 30-34-24-13-0007; 30-34-24-13-0006; 30-34-24-14-0006; 30-34-24-14-0007; 30-34-24-14-0002; 30-34-24-14-0003; 30-34-24-11-0006; 30-34-24-11-0005;~~

Comment appears to

~~30-34-24-11-0003; 30-34-24-11-0004; 30-34-24-12-0006; 30-34-24-12-0007; 30-34-24-12-0004; 30-34-24-12-0002; 30-34-24-21-0003; 29-34-24-33-0001; 29-34-24-32-0001; 29-34-24-31-0001; 29-34-24-23-0002; 29-34-24-23-0003; 29-34-24-23-0004; 29-34-24-22-0002; 29-34-24-22-0003; 29-34-24-21-0001; 29-34-24-12-0005; 29-34-24-12-0006; 29-34-24-12-0002; 29-34-24-12-0003; 29-34-24-12-0017; 29-34-24-12-0018; 29-34-24-12-0019; 29-34-24-12-0004; 29-34-24-12-0020; 29-34-24-12-0021; 29-34-24-12-0022; 29-34-24-12-0023; 29-34-24-13-0001; 29-34-24-13-0003; 29-34-24-13-0011; 29-34-24-13-0007; 29-34-24-13-0008; 29-34-24-13-0009; 29-34-24-13-0010; 29-34-24-12-0007; 29-34-24-12-0008; 29-34-24-12-0009; 29-34-24-12-0026; 29-34-24-12-0012; 29-34-24-12-0013; 29-34-24-12-0014; 29-34-24-12-0024; 29-34-24-11-0002; 29-34-24-11-0003; 29-34-24-11-0004; 29-34-24-11-0013; 29-34-24-11-0012; 30-34-24-31-0001; 30-34-24-31-0002; 30-34-24-31-0004; 30-34-24-31-0005; 30-34-24-31-0006; 30-34-24-31-0007; 30-34-24-42-0001; 30-34-24-41-0001; 30-34-24-41-0002; 30-34-24-43-0001; 30-34-24-44-0001~~

~~3-5-2. Trunk sanitary sewer area fee.~~

~~The City hereby adopts a Trunk Sanitary Sewer Area Fee in the amount of five thousand seventy five dollars (\$5,075) per acre. This fee shall be applicable to the Trunk Highway 47 sewer and water service area.~~

~~3-5-3. Trunk watermain area fee.~~

~~The City hereby adopts a Trunk Watermain Area Fee in the amount of one thousand three hundred twenty dollars (\$1,320) per acre. This fee shall be applicable to the Trunk Highway 47 sewer and water service area.~~



CITY COUNCIL AGENDA REPORT

TO: Mayor and Council
FROM: Kate Thunstrom, City Administrator
SUBJECT: Ordinance Update – Chapter 8 Section 4-3 – First Reading
DATE: March 6, 2023

OVERVIEW:

It has come to the attention of Staff that a statement within City Code does not meet current State Statute. Current language in place was created in 1991 and has since been updated. This is a housekeeping item to ensure we comply with State and Federal requirements. Legal review recommended the language update.

ACTION TO BE CONSIDERED:

Council to review and approve the updated language in Ordinance to meet State Statute

1st Reading: March 6, 2023
 2nd Reading: March 20, 2023
 30-day public Comment: March 24, 2023
 Effective: April 24, 2023

Attachments:

- Ordinance Chapter 8 Public Protection– Section 4 Crimes and Offenses -Redline

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

ORDINANCE 309

**AN ORDINANCE AMENDING CHAPTER 8 SECTION 4-3 DANGEROUS WEAPONS
AND ARTICLES – FIRST READING**

THE CITY OF ST. FRANCIS ORDAINS:

Section 1. Code Amended. That Chapter 8-4-3, shall hereby be amended to read as follows:

“Exhibit A”.

Section 2. Effective Date. This Ordinance shall take effect thirty days after publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS
THIS 6TH OF MARCH, 2023.

APPROVED:

Steven D. Feldman
Mayor of St. Francis

ATTEST:

Jennifer Wida
City Clerk

(seal)

8-4-3. Dangerous weapons and articles.

A. *Acts Prohibited.* It is unlawful for any person to:

1. Recklessly handle or use a gun or other dangerous weapon or explosive so as to endanger the safety of another; or,
2. Intentionally point a gun of any kind, capable of injuring or killing a human being and whether loaded or unloaded, at or toward another; or,
3. Manufacture or sell any unlawful purpose weapon known as a slung-shot or sand club; or,
4. Manufacture, transfer or possess metal knuckles or a switch blade knife opening automatically; or,
5. Possess any other dangerous article or substance for the purpose of being used unlawfully as a weapon against another; or,
6. ~~Sell or have in his possession any device designed to silence or muffle the discharge of a firearm~~ Sells or has in possession a suppressor that is not lawfully possessed under federal law; or,
7. Permit, as a parent or guardian, any child under fourteen (14) years of age to handle or use, outside of the parent's or guardian's presence, a firearm or air gun of any kind, or any ammunition or explosive; or,
8. Furnish a minor under eighteen (18) years of age with a firearm, air gun, ammunition, or explosive without the written consent of his parent or guardian or of the Police Department.
9. Possess, sell, transfer, or have in possession for sale or transfer, any weapon commonly known as a throwing star, nun chuck, sharp stud or splat gun. For the purpose of this Subparagraph, (1) a "throwing star" means a circular metallic devise with any number of points projecting from the edge, (2) a "nun chuck" means a pair of wood sticks or metallic rods separated by chain links attached to one end of each such stick or rod, (3) a "sharp stud" means a circular piece of metal attached to a wrist band, glove, belt or other material which protrudes one-fourth inch, or more, from the material to which it is attached, and with the protruding portion pyramidal in shape, sharp or pointed, and (4) a "splat gun" means a weapon which, by means of compressed air or gas, emits a projectile containing paint or other substances.

B. *Exception.* Nothing in Section 8-4-3.A of this Code shall prohibit the possession of the articles herein mentioned if the purpose of such possession is for public exhibition by museums or collectors of art.

C. *Discharge of Firearms and Explosives.* It is unlawful for any person to fire or discharge, within the area served by any City utility, any cannon, gun, pistol or other firearm, firecracker, sky rocket or other fireworks, air gun, air rifle, or other similar device commonly referred to as a B-B gun, or within five hundred (500) feet of a residence in the rest of the City.

D. *Exception.* Nothing in Section 8-4-3.C of this Code shall apply to a display of fireworks by an organization or group of organizations authorized in writing by the Council, or to a peace officer in the discharge of his duty, or to a person in the lawful defense of his person or family. This Section shall not apply to the discharge of firearms in a range authorized in writing by the Council.

E. *Exposure of Unused Container.* It is unlawful for any person being the owner or in possession or control thereof, to permit an unused refrigerator, ice box, or other container, sufficiently large to retain any child and with doors which fasten automatically when closed, to expose the same accessible to children, without removing the doors, lids, hinges or latches.

F. *Use of Bow and Arrow.* It is unlawful for any person to shoot a bow and arrow within the area served by any City utility, except in the Physical Education Program in a school supervised by a member of its faculty, a

community-wide supervised class or event specifically authorized by the Chief of Police, or a bow and arrow range authorized by the Council, or within five hundred (500) feet of a residence in the rest of the City.

(Ord. 75, SS, 6-16-2003)

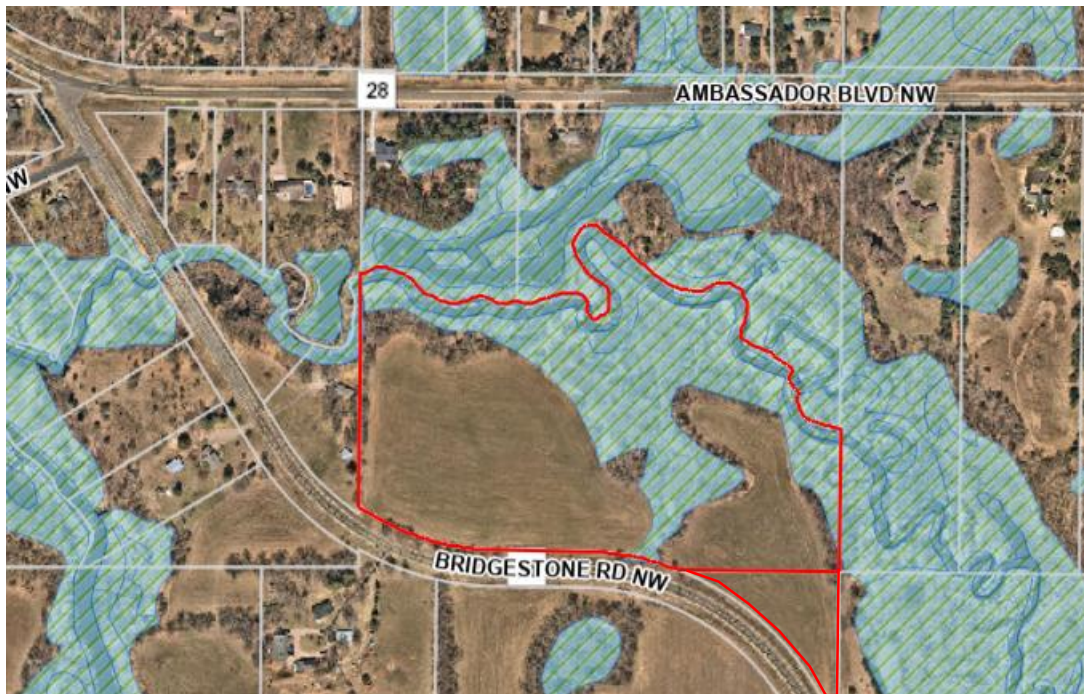


CITY COUNCIL AGENDA REPORT

TO: St. Francis City Council
FROM: Beth Richmond, Planner
SUBJECT: Serenity at Seelye Brook Concept Review
DATE: March 6, 2023
APPLICANT: C&E Ventures, LLC (Eric Vickaryous)
LOCATION: South of Ambassador Blvd NW and north of Bridgestone Rd NW (PIDs 36-34-25-22-0006 and 36-34-25-23-0004)
COMP PLAN: Agriculture
ZONING: A-2 Rural Estate-Agriculture

OVERVIEW

The applicant, C&E Ventures LLC, represented by Eric Vickaryous, has applied for review and discussion of several concept plans for residential development on a ~23 acre site located south of Ambassador Blvd NW and north of Bridgestone Road NW (PIDs 36-34-25-22-0006 and 36-34-25-23-0004). The applicant has provided four concept plans showing options to subdivide the site resulting in 2, 4, 6, or 8 residential lots.



PLANNING COMMISSION REVIEW

The Planning Commission reviewed the concepts at their meeting on February 15, 2023. Commissioners discussed the number of units proposed, related approvals that would be necessary for each concept, and proposed access points along Bridgestone Rd NW.

Commissioners preferred the 2- and 4-unit concepts. The Planning Commission was receptive to a potential Comprehensive Plan map amendment to reguide the property from Agriculture to Rural Residential, but was not supportive of changing the density of the Rural Residential land use category overall. Commissioners also noted their preference for individual driveways rather than shared drives and discussed the potential for an internal street or cul-de-sac with the applicant. The applicant indicated that he is not interested in creating an internal street for this project.

ACTION TO BE CONSIDERED

The City Council is requested to provide feedback to the applicant on the proposed concepts. No motion is required. Comments shared are not binding to the City nor do they constitute official assurances or representations of the City on future recommendations or approvals.

If the applicant chooses to proceed with the project following concept plan review, the likely entitlements would include a Comprehensive Plan amendment (map and/or text), rezoning, and preliminary and final plat.

Attachment:

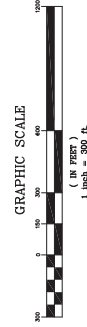
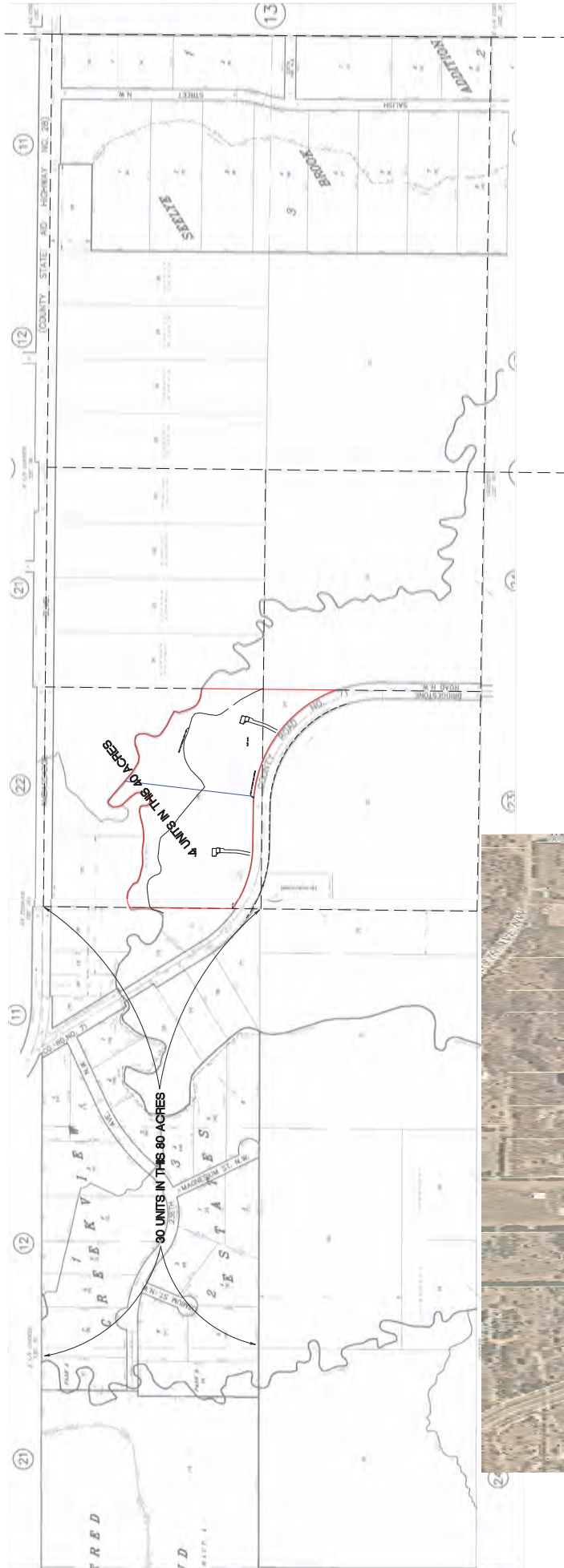
- Concept Plans
- Planning Commission Memo – February 15, 2023

CONCEPT PLAN

~OF~

SERENITY AT SEELEY BROOK

Property Address: #UNASSIGNED
23XXX BRIDGESTONE ROAD N.W.



I hereby certify that this survey, plan and map were made by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Preliminary 02/01

ERIC R. VICKARTO

Date: Jan. 9th, 20

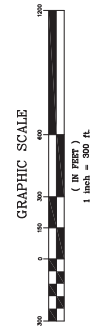
4125

ACRE LAND SURVY
Surveying the Old
area and below
763-455-2897 acreland.com

Agenda Item # 9B.



NORTH



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

_____ preliminary 02/03
ERIC R. VICKARYOJL
Date: Jan. 9th, 2003

ACRE LAND SURVY
Serving Twin Cities In
Lawrence & Boyd
763-468-8988
www.lawrenceandboyd.com

Agenda Item #

4125

COGNITIVE

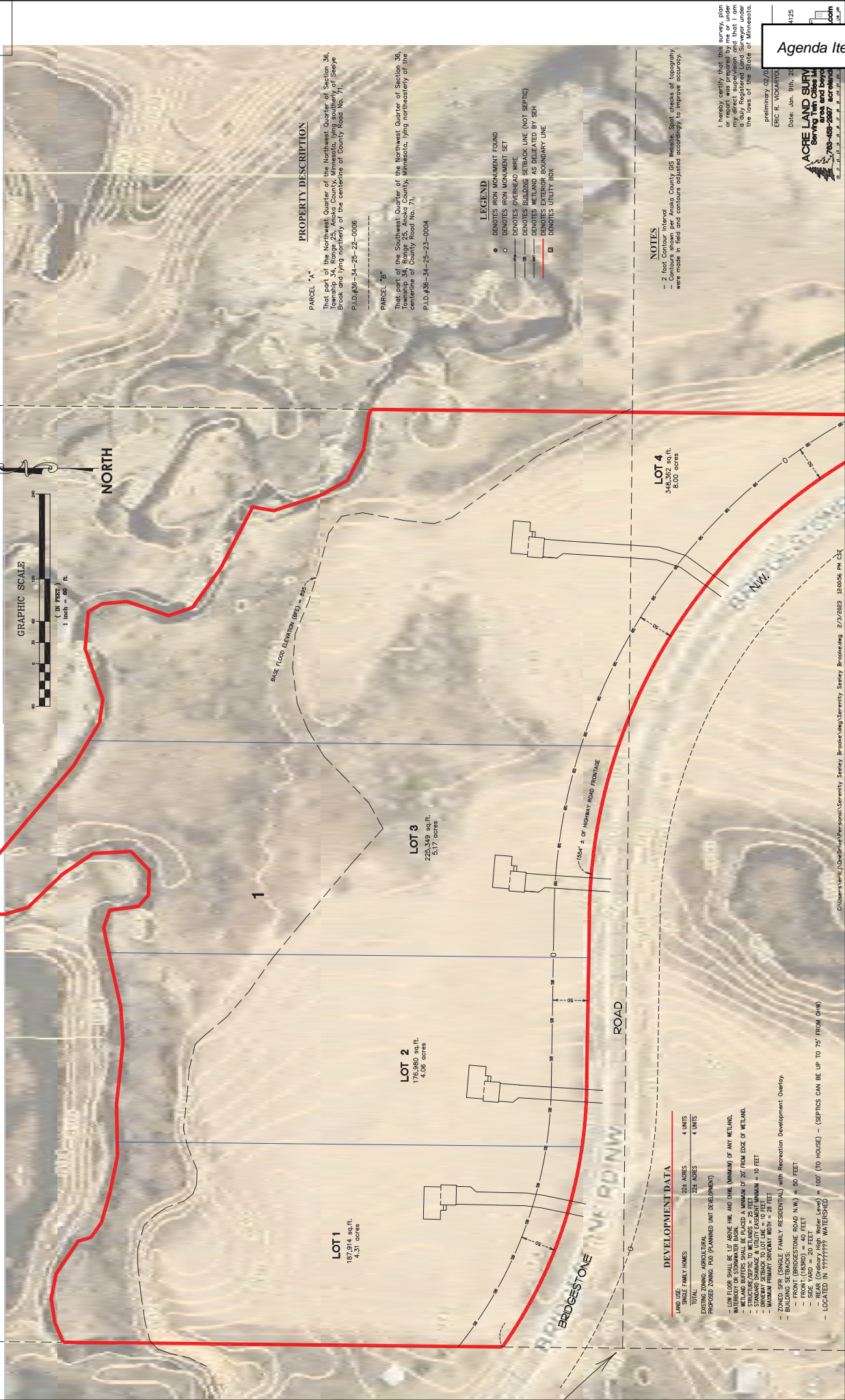
CONCEPT PLAN

~OF~

SERENITY AT SEELEY BROOK

Property Address: #UNASSIGNED
23XXX BRIDGESTONE ROAD N.W.

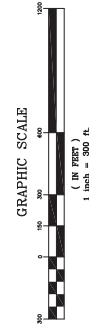
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Agenda Item # 9B.

ACRE LAND SURVEY
Eric R. Wickert
Surveying and Mapping
763-469-2887
www.ericwickert.com

4125



ACRE LAND SURV
Serving Twin Cities M
area and beyon
763-458-2997 acreland

Agenda Item # 9B.

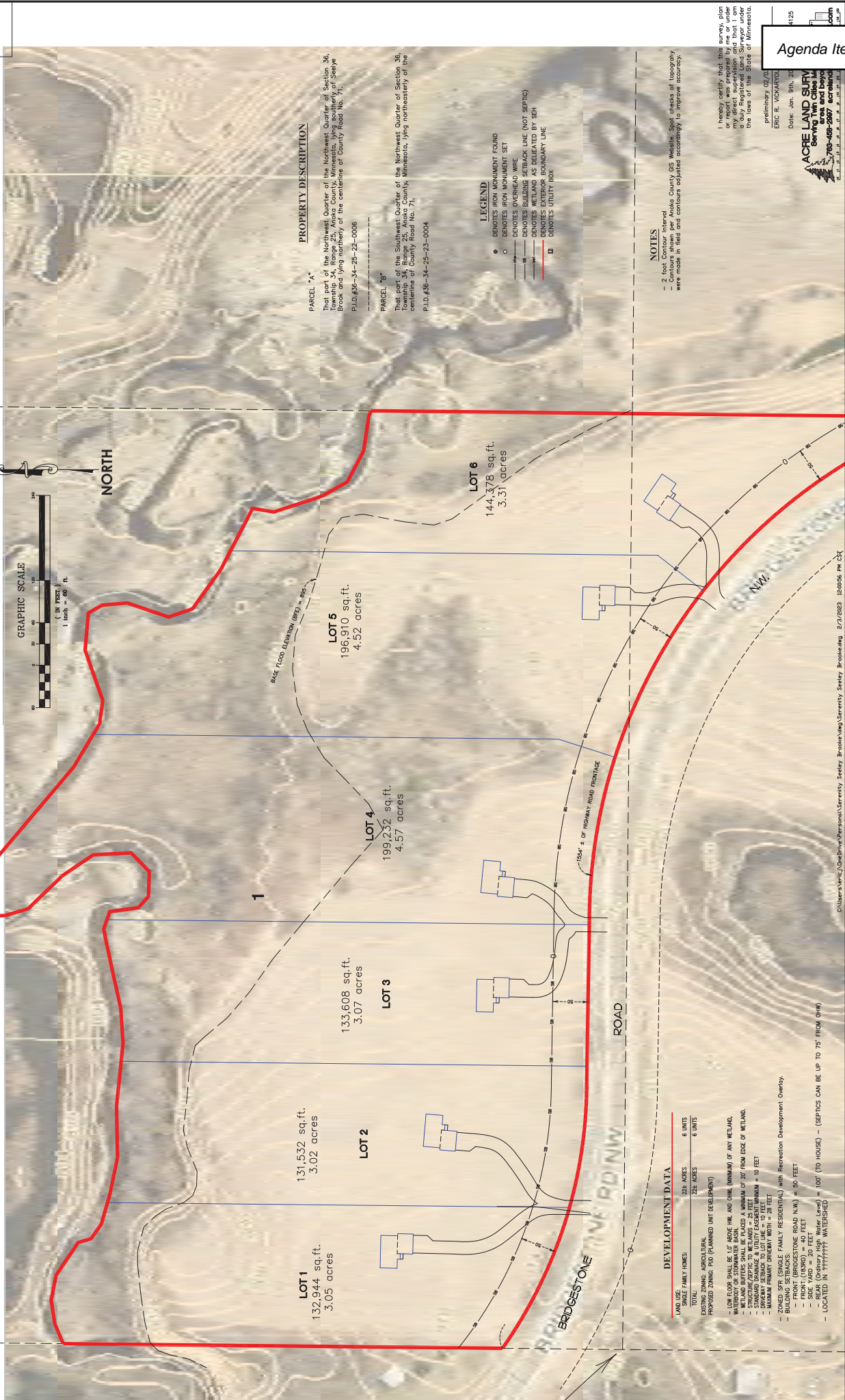
CONCEPT PLAN

~OF~

SERENITY AT SEELEY BROOK

Property Address: #UNASSIGNED
23XXX BRIDGESTONE ROAD N.W.

5



Agenda Item # 9B.

ACRE LAND SURVEY
Surveying the above
described area and being
763-469-2887
www.ericrwick.com

ERIC R. WICK/ARCO
preliminary 02/03
Date: Jan. 8th, 2011
4125

I hereby certify that this survey plan was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

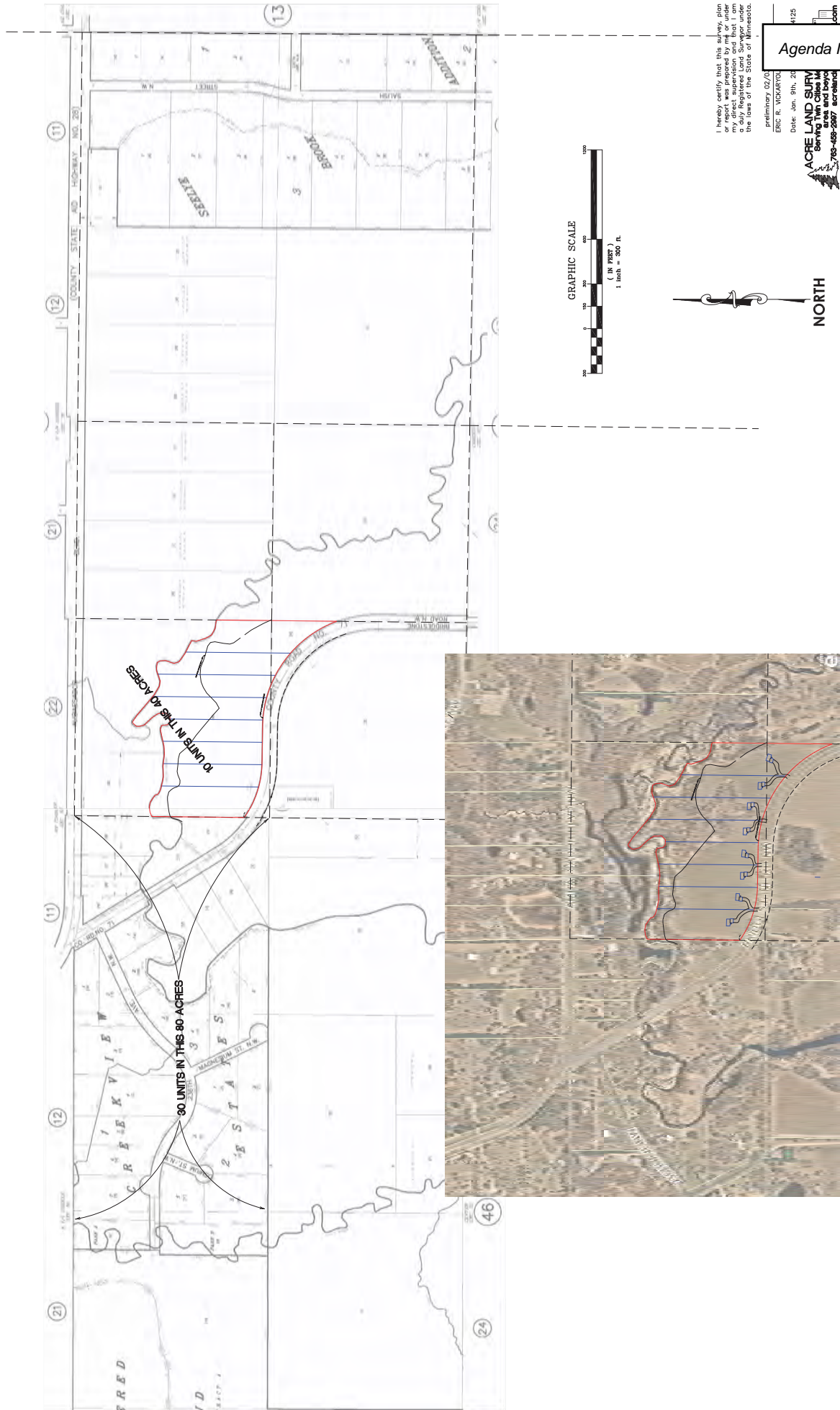
CONCEPT PLAN

~OF~

SERENITY AT SEELEY BROOK

Property Address: #UNASSIGNED
23XXX BRIDGESTONE ROAD N.W.

2



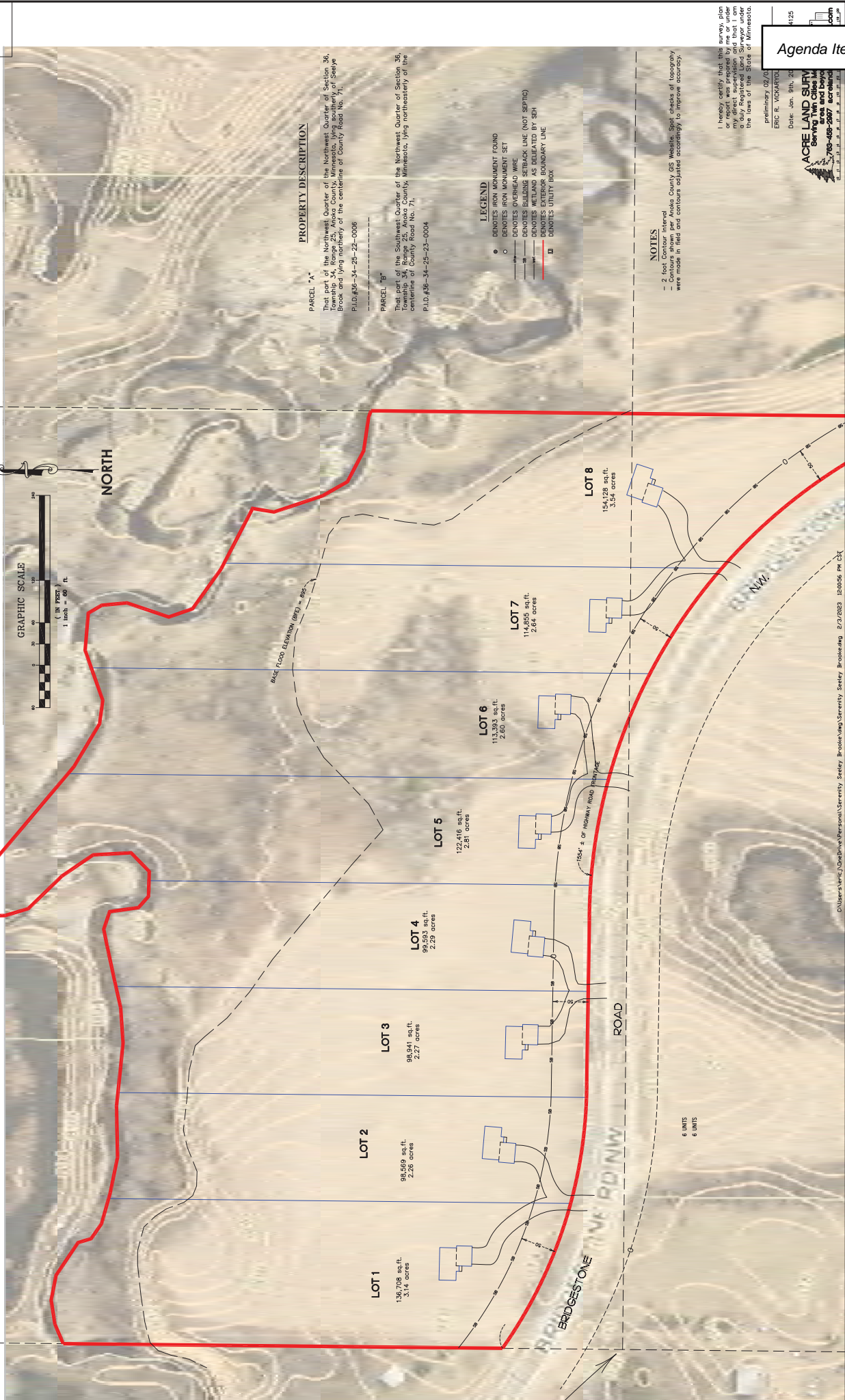
CONCEPT PLAN

~OF~

SERENITY AT SEELEY BROOK

Property Address: #UNASSIGNED
23XXX BRIDGESTONE ROAD N.W.

3





PLANNING COMMISSION AGENDA REPORT

TO: St. Francis Planning Commission

FROM: Beth Richmond, Planner

SUBJECT: Serenity at Seelye Brook Concept Review

DATE: 2-8-2023 for 2-15-2023 meeting

APPLICANT: C&E Ventures, LLC (Eric Vickaryous)

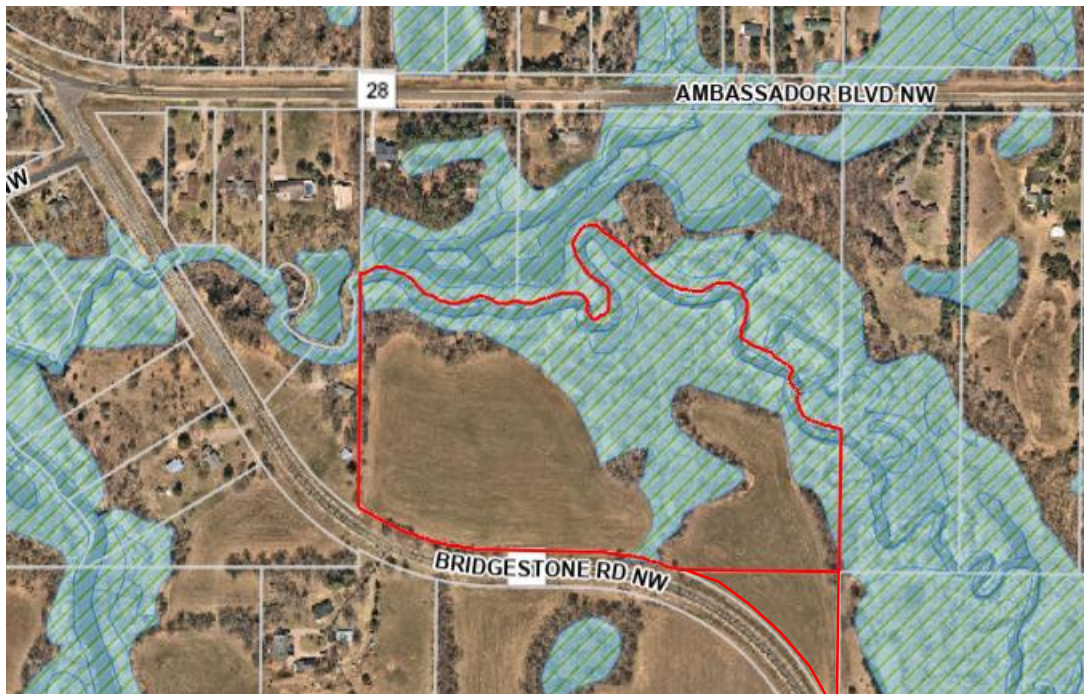
LOCATION: South of Ambassador Blvd NW and north of Bridgestone Rd NW (PIDs 36-34-25-22-0006 and 36-34-25-23-0004)

COMP PLAN: Agriculture

ZONING: A-2 Rural Estate-Agriculture

OVERVIEW

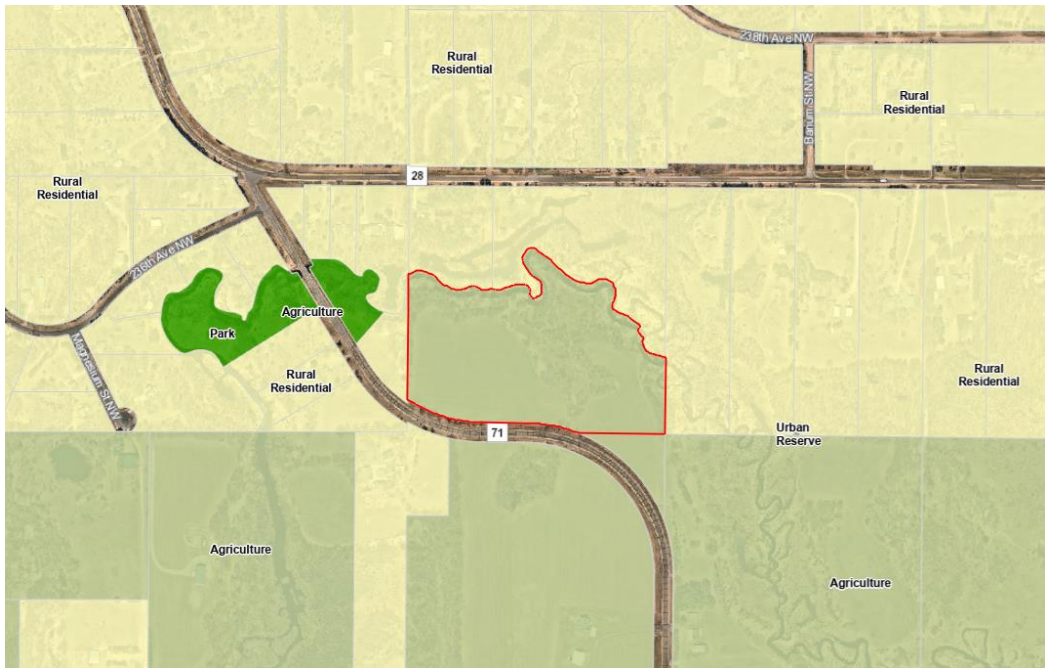
The applicant, C&E Ventures LLC, represented by Eric Vickaryous, has applied for review and discussion of a concept plan for a residential development on a ~23 acre site located south of Ambassador Blvd NW and north of Bridgestone Road NW (PIDs 36-34-25-22-0006 and 36-34-25-23-0004). The applicant has provided four concept plans showing options to subdivide the site resulting in 2, 4, 6, or 8 residential lots.



ANALYSIS

Existing Site Characteristics

The ~23 acre site includes two undeveloped parcels and is located on the west side of the City. The site is currently guided for agriculture use by the Comprehensive Plan. It is bordered by property guided for Rural Residential use to the north, east and west, and by land guided for agriculture use to the south.



Both parcels have frontage on Bridgestone Rd NW (CR 71). Bridgestone Rd NW is a County Road; therefore Anoka County has jurisdiction over any access points onto Bridgestone Rd NW from the site. No access points exist today. Anoka County has been notified of the proposed concepts but has not yet provided comment.

The site is vacant today. The northern boundary of the site abuts Seelye Brook, which is designated as a protected public water by the MnDNR. A large wetland complex covers roughly 8.5 acres throughout the northern and central portions of the site. The wet areas of the site are heavily wooded. A wetland delineation and geotechnical report would be required to be submitted with any additional applications.

Proposed Improvements

This site is located outside of the City’s Urban Service Area. As such, each lot created would be expected to be served by individual private well and septic. No public streets are planned to be constructed as a result of this development.

Concepts

The applicant has provided four concepts for review by the Planning Commission. They are listed from most to least number of lots proposed.

Concept A (2 lots)

Concept A shows the property divided into 2 single-unit residential lots of 10.34 and 11.21 acres. This concept is consistent with the current agriculture designation for the property and would not require a Comprehensive Plan amendment or a rezoning. The only approval required would be for a metes and bounds subdivision.

Concept B (4 lots)

Concept B shows the property divided into 4 single-unit residential lots ranging in size from 4.03 to 8.00 acres. Each lot is proposed to have its own individual driveway. As the applicant noted, there are a number of privileges that lots over 5 acres in size have in the City, including large animal keeping. If Concept B is the preferred concept, Staff suggests shifting the lot lines slightly to create cohesive lots that each exceed 5 acres in size.

In order to achieve this concept, the following approvals would be required:

- Comprehensive Plan map amendment to reguide the area to the Rural Residential land use category
- Rezoning to RR district
- Preliminary and final plats

Concept C (6 lots)

Concept C shows the property divided into 6 single-unit residential lots. The layout is similar to that of Concept D; however the lots are slightly larger. The lots in Concept C range in size from 3.02 acres to 4.57 acres. Three shared driveways are proposed to minimize access onto Bridgestone Rd NW.

In order to achieve this concept, the property would require the following approvals:

- A Comprehensive Plan map amendment to reguide the area to the Rural Residential land use category.
- A Comprehensive Plan text amendment to redefine the maximum density for the Rural Residential land use category. This would be a significant change to the Rural Residential category and would affect all properties in the City that have this guidance. Text amendments are complicated, and Staff is unsure at this time what all would be required to complete this change.
- A rezoning to RR or PUD. If rezoning to RR, a text amendment to change the lot dimension requirements for the RR district would also be needed. If rezoning to PUD, the applicant would need to demonstrate the public benefit of the development.
- Preliminary and final plats

Concept D (8 lots)

Concept D shows the property divided into 8 single-unit residential lots. The lot lines extend all the way from Bridgestone Rd NW in the south to Seelye Brook in the north, creating relatively long, thin lots. The lots range in size from 2.26 acres to 3.54 acres. The applicant is proposing to create 4 shared driveways in this concept. Each driveway would serve two lots.

In order to achieve this concept, the property would require the same approvals listed for Concept C.

Land Use

As noted above, Concepts C and D would require a text change to the Rural Residential land use category in order to allow a density greater than 1 unit per 5 acres (the current maximum). This change would be significant because it would affect all properties guided Rural Residential, not only the subject site in this concept.

The Metropolitan Council implements the Metropolitan Land Planning Act. In doing so, the Metropolitan Council has established regional land use policies that all local jurisdictions must be consistent with in their local land use planning. The land within the City of St. Francis that is located outside of the Urban Service Area has been designated as “Diversified Rural.” This designation allows a maximum density of no more than 4 units per 40 acres across all “Diversified Rural” land. If a text amendment were to allow a more dense development pattern, Staff would need to complete a detailed analysis across all rural residential lands to determine how such a change in density affects the overall “Diversified Rural” density, and what the appropriate maximum density would be. If the change to the Rural Residential land use category results in the City exceeding the 4 units per 40 acre “diversified rural” maximum density, then the density change will not be allowed by the Metropolitan Council because it would be inconsistent with regional land use policy.

Staff will present additional information at the meeting related to the level of effort it would take to complete this analysis and to work with the Metropolitan Council to update the density maximum. It is possible that amending the Rural Residential density maximum may also affect calculations in other chapters such as Transportation which would then need to be updated.

Discussion Items

Staff will review the following items at the meeting for discussion purposes:

- Is it appropriate to amend the Comprehensive Plan to reguide this property to the Rural Residential land use category?
 - If so, is the Commission interested in amending the text of the Rural Residential land use category to increase the maximum allowable density?
- If the land were to be reguided, is it appropriate to rezone this property to the RR zoning district?
 - Depending on the desired concept, the RR district’s dimensional requirements may also need to be amended. Applicant has also discussed desire to rezone to PUD.
- Staff’s preferred concepts would be Concept A or Concept B as they are more consistent with the City’s vision and regional land use policy. Does the Planning Commission have a preferred concept?

ACTION TO BE CONSIDERED

The Planning Commission is requested to provide feedback to the applicant on the proposed concept. No motion is required. Comments shared are not binding to the City nor do they

constitute official assurances or representations of the City on future recommendations or approvals. The City Council will also review the concept and provide feedback.

If the applicant chooses to proceed with the project following concept plan review, the likely entitlements would include a Comprehensive Plan amendment, rezoning, and preliminary and final plat.

Attachment:

- Concept Plans



CITY COUNCIL AGENDA
REPORT

TO: St. Francis City Council

FROM: Beth Richmond, Planner

SUBJECT: Comprehensive Plan Amendment, Rezoning

DATE: March 6, 2023

APPLICANT: City of St. Francis & First Baptist Church

LOCATION: 23040 Pederson Dr NW

COMP PLAN: MHDR, HDR, C

ZONING: R-3, B-2

OVERVIEW:

The requested Comprehensive Plan amendment and rezoning at 23040 Pederson Drive NW are the next steps for the Patriot Parkway project. This project first went through a concept review process in September 2022 and is intended to create a new public road, two new commercial parcels, and regional stormwater for the land located south of Pederson Drive and west of Hwy 47. Over the last several months, City Staff has been working with the landowner, the First Baptist Church, to move this project forward.

Staff recently conducted a detailed cost estimate for the project, and the estimated cost is over double what was anticipated. Staff is working on funding options with the interested developers, and the developers have continued being interested to date. Regardless of the timeline of the road construction, Staff believes that the Comprehensive Plan amendment will help create safe and orderly development in the area by aligning the use change with the western entrance of County Market.

PLANNING COMMISSION REVIEW & RECOMMENDATION

The Planning Commission reviewed the amendment request at their meeting on February 15, 2023. No members of the public were present to speak for or against the application. Commissioners were supportive of the project and unanimously recommended approval of the Comprehensive Plan amendment and rezoning requests.

ACTION

Given Planning Commission and Staff recommendation for approval of both requests, a draft resolution and 1st reading of an ordinance have been prepared for your consideration.

Suggested Motions:

1. Move to approve Resolution 2023-11 approving the Comprehensive Plan Amendment to reguide the property at 23040 Pederson Drive NW from MHDR to HDR and C with conditions and findings of fact.
2. Move to approve the 1st reading of Ordinance 310 rezoning approximately 1.2 acres of land at 23040 Pederson Drive NW from R-3 to B-2.

ATTACHMENTS

- Draft Resolution 2023-11
- Draft Ordinance 310 – 1st Reading
- Planning Commission Memo – February 15, 2023

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

RESOLUTION 2023-11

A RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT AT 23040 PEDERSON DRIVE NW AND AUTHORIZING SUBMISSION OF THE AMENDMENT TO THE METROPOLITAN COUNCIL FOR REVIEW

WHEREAS, the City of St. Francis and the First Baptist Church, have together requested a Comprehensive Plan amendment at 23040 Pederson Drive NW to reguide the land currently guided Medium High Density Residential (MHDR) to High Density Residential (HDR) and Commercial (C) as depicted in Exhibit A; and

WHEREAS, the land to be reguided is legally described in Exhibit B; and

WHEREAS, all adjacent and affected agencies including MnDOT, Anoka County, and the City of Oak Grove were provided an opportunity to review the proposed amendment and provide comments; and

WHEREAS, on February 15, 2023, after published and mailed notice in accordance with Minnesota Statutes and the City Code, the Planning Commission held a public hearing, at which time all persons desiring to be heard concerning this application were given the opportunity to speak thereon; and

WHEREAS, on February 15, 2023, the Planning Commission unanimously recommended approval of the requested amendment; and

WHEREAS, the City Council of the City of St. Francis, on March 6, 2023, considered the requested amendment and how it might affect public health, safety, or welfare and found that the project will not negatively impact the public health, safety, or welfare.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of St. Francis hereby approves the requested Comprehensive Plan amendment at 23040 Pederson Drive NW based on the following findings of fact:

1. The proposed amendment is compatible with the surrounding land uses.
2. Public infrastructure is capable of serving a more dense residential development on this site.

BE IT FURTHER RESOLVED that approval of the Comprehensive Plan Amendment at 23040 Pederson Drive NW shall be subject to the following condition:

1. The Comprehensive Plan amendment shall be submitted to the Metropolitan Council for final review and approval.

Approved and adopted by the City Council of the City of St. Francis on the 6th day of March, 2023.

Steven D. Feldman, Mayor

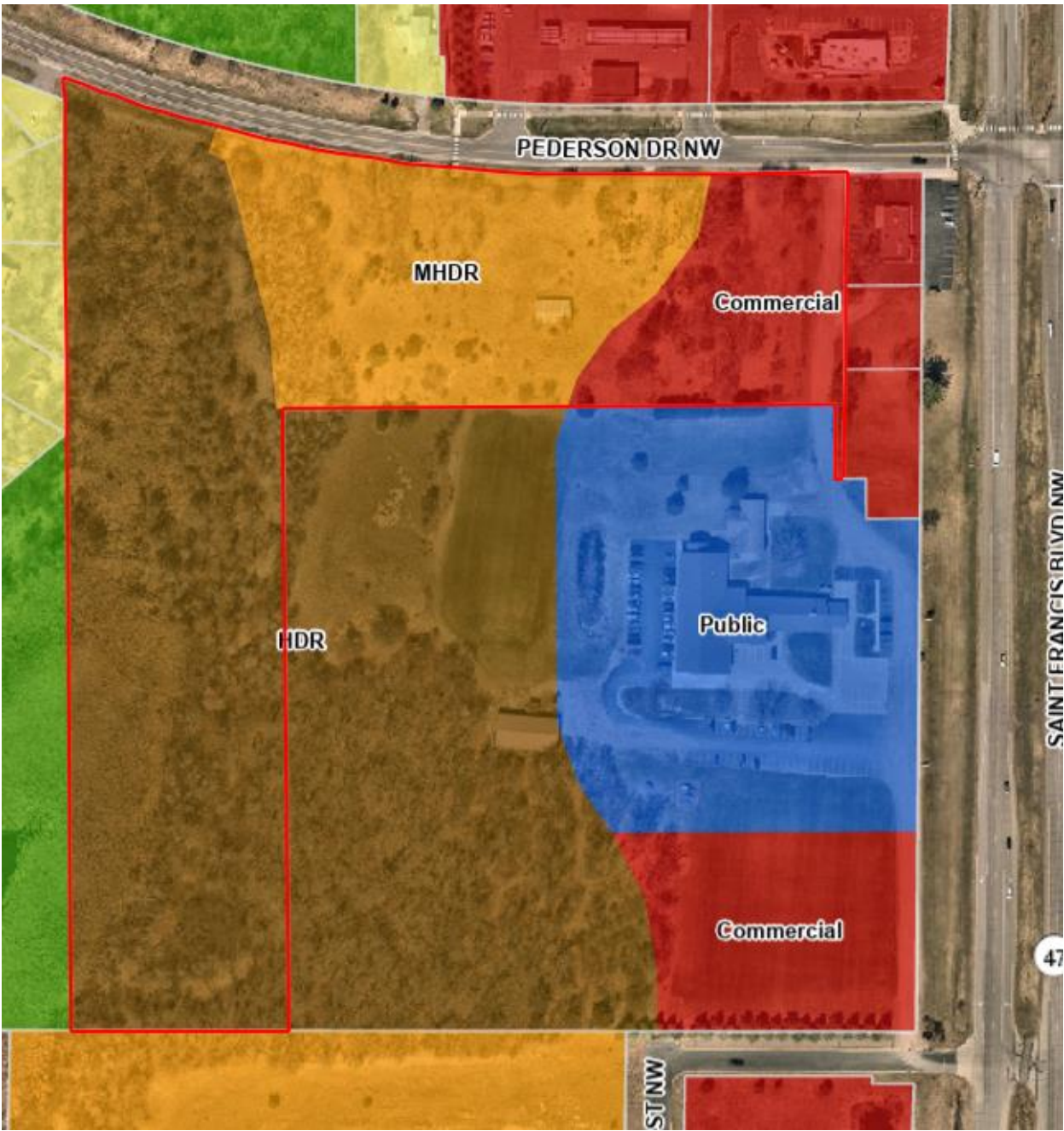
Attest: Jennifer Wida, City Clerk

Dated

This Instrument Drafted By:
Hoisington Koegler Group, Inc.
800 Washington Ave, Suite 103
Minneapolis, MN 55401

EXHIBIT A

Existing Comprehensive Plan Land Use Guidance



Proposed Land Use - Comprehensive Plan Amendment

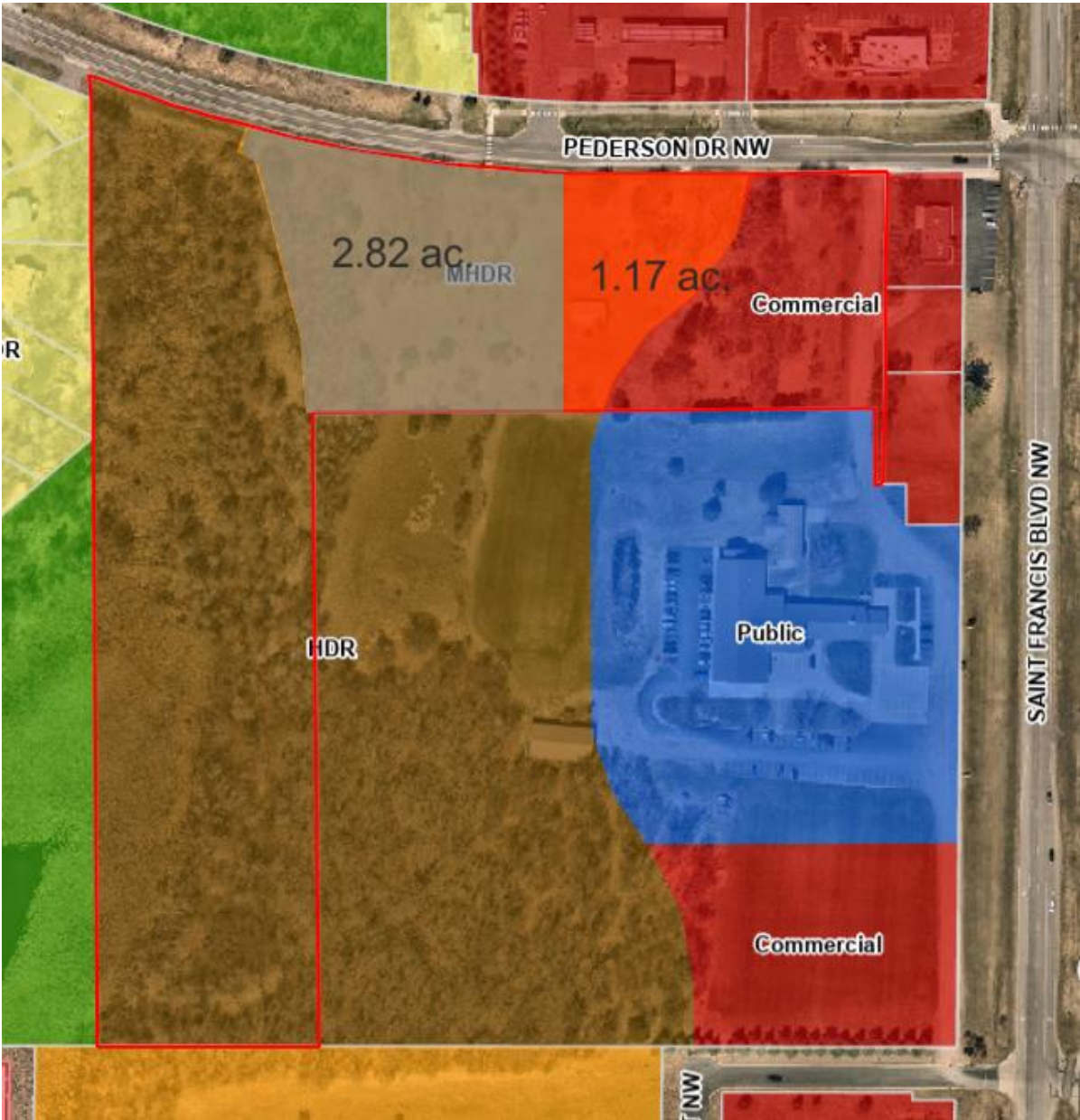


EXHIBIT B

<Insert legal description>

ORDINANCE NO. 310, SECOND SERIES

**CITY OF ST. FRANCIS
ANOKA COUNTY**

**AN ORDINANCE APPROVING REZONING 23040 PEDERSON DRIVE NW FROM
R-3 TO B-2 – FIRST READING**

WHEREAS, City Staff requested a rezoning for the property legally described in Exhibit A on behalf of the property owner, First Baptist Church; and

WHEREAS, on February 15, 2023, after published and mailed notice in accordance with Minnesota Statutes and the City Code, the Planning Commission held a public hearing, at which time all persons desiring to be heard concerning this application were given the opportunity to speak thereon; and

WHEREAS, on February 15, 2023, at an official public hearing, the Planning Commission 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 the City Council; and

WHEREAS, on March 6, 2023, the City Council has considered the proposed project and found that the project will not negatively impact the public health, safety, or welfare; and

WHEREAS, the rezoning to B-2 is consistent with the Comprehensive Plan designation for the site; and

**THE CITY COUNCIL OF THE CITY OF ST. FRANCIS, ANOKA COUNTY,
MINNESOTA, ORDAINS:**

Section 1. The property legally described in Exhibit A is hereby rezoned from the R-3 High Density Residential District to the B-2 General Business District.

Section 2. The Zoning Map of the City of St. Francis referred to and described in Section 10-14-03 of the St. Francis City Code shall not be republished to show the aforesaid rezoning, but the Zoning Administrator or designee shall appropriately mark the Zoning Map on file in the City Clerk's office for the purpose of indicating the rezoning provided for in this ordinance and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

Section 3. This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

Approved and adopted by the City Council this 6th day of March, 2023.

SEAL

BY: _____
Steven D. Feldman, Mayor

Attest: Jennifer Wida, City Clerk

Published in the Anoka County Union Herald _____ 2023.

DRAFTED BY:
Hoisington Koegler Group, Inc.
800 Washington Ave N, Suite 103
Minneapolis, MN 55401

EXHIBIT A

Legal Description

<to be inserted>



PLANNING COMMISSION AGENDA REPORT

TO: St. Francis Planning Commission

FROM: Beth Richmond, Planner

SUBJECT: Comprehensive Plan Amendment, Rezoning

DATE: 2-8-2023 for 2-15-2023 meeting

APPLICANT: City of St. Francis & First Baptist Church

LOCATION: 23040 Pederson Dr NW

COMP PLAN: MHDR, HDR, C

ZONING: R-3, B-2

OVERVIEW:

The City owns two parcels along Hwy 47 that are guided for commercial development. The lots are currently accessed by a gravel drive from Pederson Dr NW (CR 81). In order to provide access to the lots and allow development to occur, a paved, public road is needed. This project would include the city-owned parcels as well as land owned by the First Baptist Church. The City went through a concept review process for this project in September 2022. This concept showed a paved public roadway and the creation of two additional commercial parcels on the land currently owned by the church. The Planning Commission and City Council were supportive of the concept as proposed.

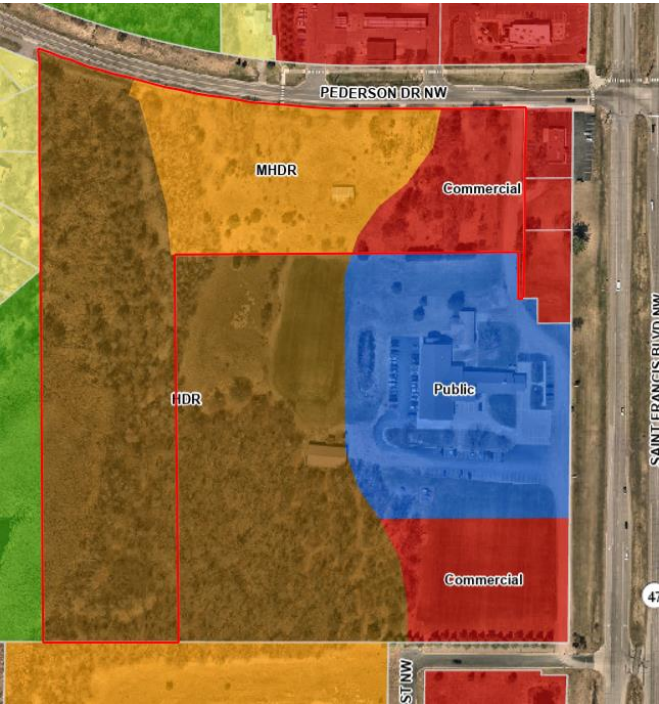
The next step in the process is to request a Comprehensive Plan amendment and rezoning for a portion of the church-owned land involved in this project. The Planning Commission is requested to hold a public hearing, review the Comprehensive Plan amendment and rezoning requests, and provide a recommendation to the City Council.

COMPREHENSIVE PLAN AMENDMENT REVIEW

The property at 23040 Pederson Dr NW is currently split into three land use categories on the Future Land Use map in the Comprehensive Plan. The eastern ~2 acres are guided for commercial use. The central 4 acres are guided for Medium/High Density Residential (MHDR) use, and the western ~7.75 acres are guided for High Density Residential (HDR) use.



Existing Future Land Use Map

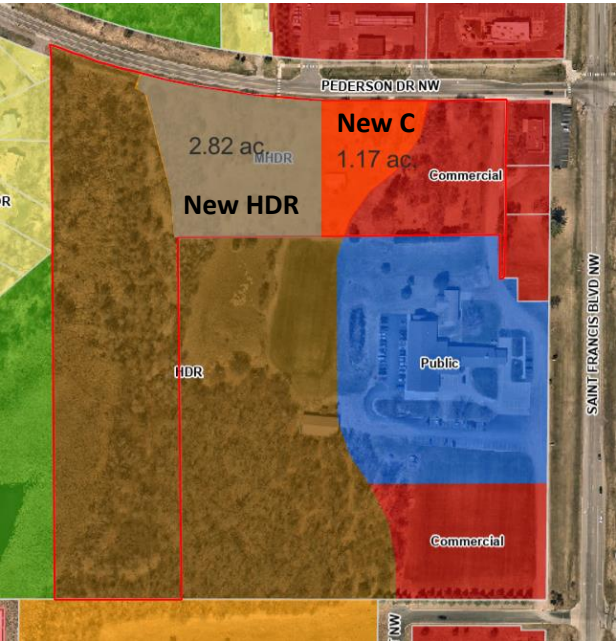


The Comprehensive Plan amendment as proposed would split the land currently guided for MHDR use into commercial land on the east and HDR land on the west. No MHDR land would remain.

The requested Comprehensive Plan amendment includes:

- 1. A conversion of the eastern ~1.2 acres of MHDR land to Commercial use.
- 2. A conversion of the western ~2.8 acres of MHDR land to HDR use.

Proposed Comprehensive Plan Amendment



The additional commercial land will be used to create two new commercial lots that would be available for future development. Staff is requesting to reguide the remainder of the MHDR land to HDR to be consistent with the existing residential guidance on the western portion of the site and to help move the City toward its overall density goals. The future development of the site will be required to adhere to the uses and density ranges established in the Comprehensive Plan for each land use category. Land guided for HDR use must have a density of 12-60 units per net acre.

REZONING REVIEW

The City is required to ensure that its zoning map is in compliance with its Comprehensive Plan land use guidance. The land that is currently guided for MHDR use is all zoned R-3 High Density Residential. The newly-guided 1.2 acres of commercial land should be rezoned to B-2 General Business to be consistent with its new land use designation and with the existing commercial land surrounding it. Because the newly-guided residential land is already zoned R-3 High Density Residential, no rezoning is required for this portion of the property.

RECOMMENDATION

Staff requests that the Planning Commission hold a public hearing and review the requested Comprehensive Plan amendment and rezoning. Staff recommends that the Planning Commission act to recommend approval of the Comprehensive Plan amendment and rezoning to the City Council. If the City Council approves the Comprehensive Plan amendment request, the amendment will be submitted to the Metropolitan Council for final review.

Staff recommends the following:

- 1. Planning Commission recommendation of approval of the Comprehensive Plan Amendment to reguide the property at 23925 St. Francis Blvd with conditions and findings of fact.
- 2. Planning Commission recommendation of approval of the rezoning request to rezone ~1.2 acres of land at 23040 Pederson Dr NW from R-3 to B-2.

Proposed Conditions of Approval – Comprehensive Plan Amendment

- 1. The Comprehensive Plan amendment shall be submitted to the Metropolitan Council for final review and approval.

Proposed Findings of Fact – Comprehensive Plan Amendment

- 1. The proposed amendment is compatible with the surrounding land uses.
- 2. Public infrastructure is capable of serving the proposed development on this site.

PLANNING COMMISSION ACTION

After the public hearing and discussion, the Planning Commission could take one of the following actions:

- 1. Recommend approval with the conditions and findings of fact as presented by Staff.

Proposed Motions:

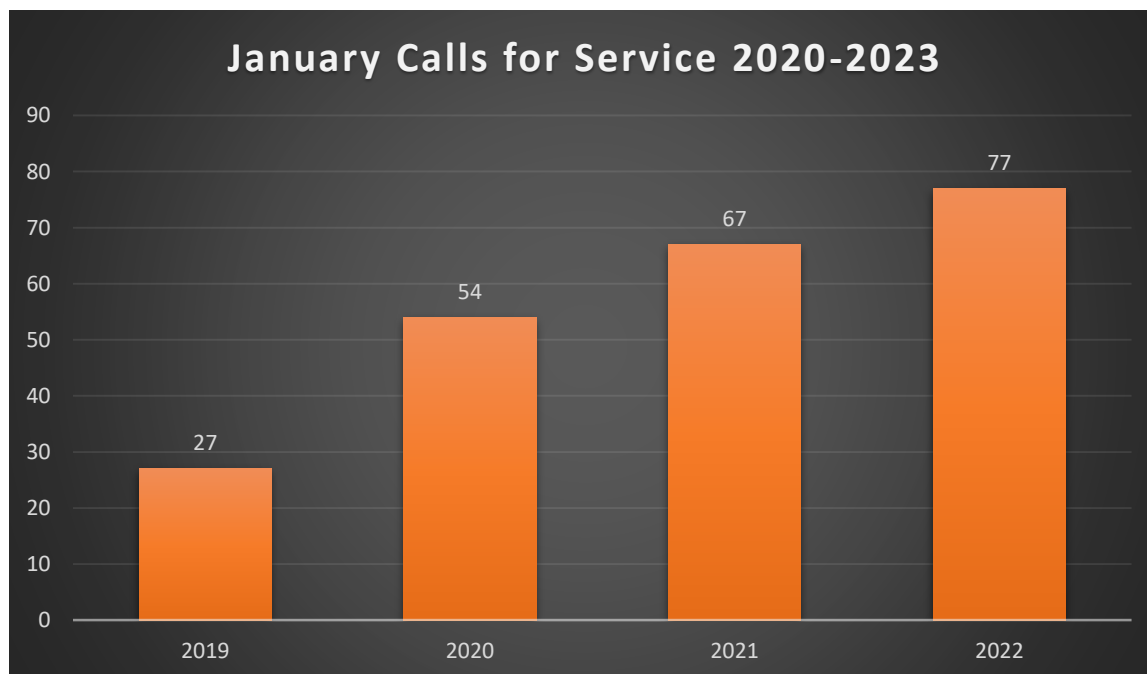
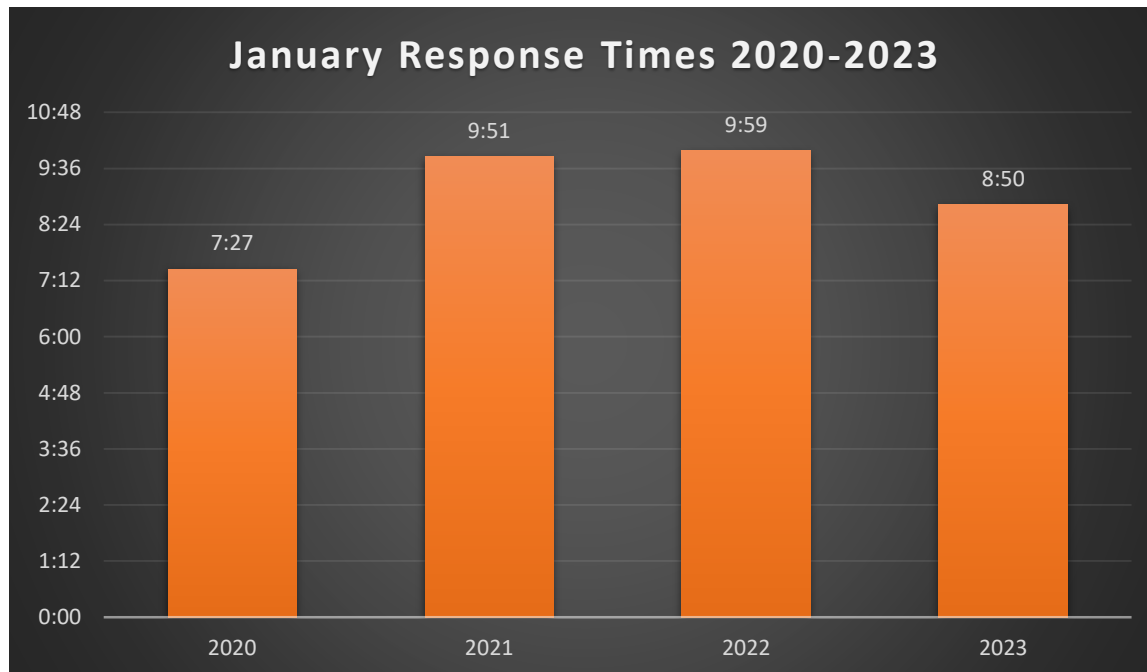
- a. Move to recommend approval of the Comprehensive Plan Amendment to reguide ~4 acres of land at 23925 St. Francis Blvd to HDR and C with conditions and findings of fact as recommended by Staff.*
 - b. Move to recommend approval of the rezoning request to rezone ~1.2 acres of land at 23925 St. Francis Blvd from R-3 to B-2.*
2. Recommend denial with Planning Commissioners' findings of fact.
3. Table the request to the next Planning Commission meeting and provide direction to Staff and the applicant as to the additional information needed.

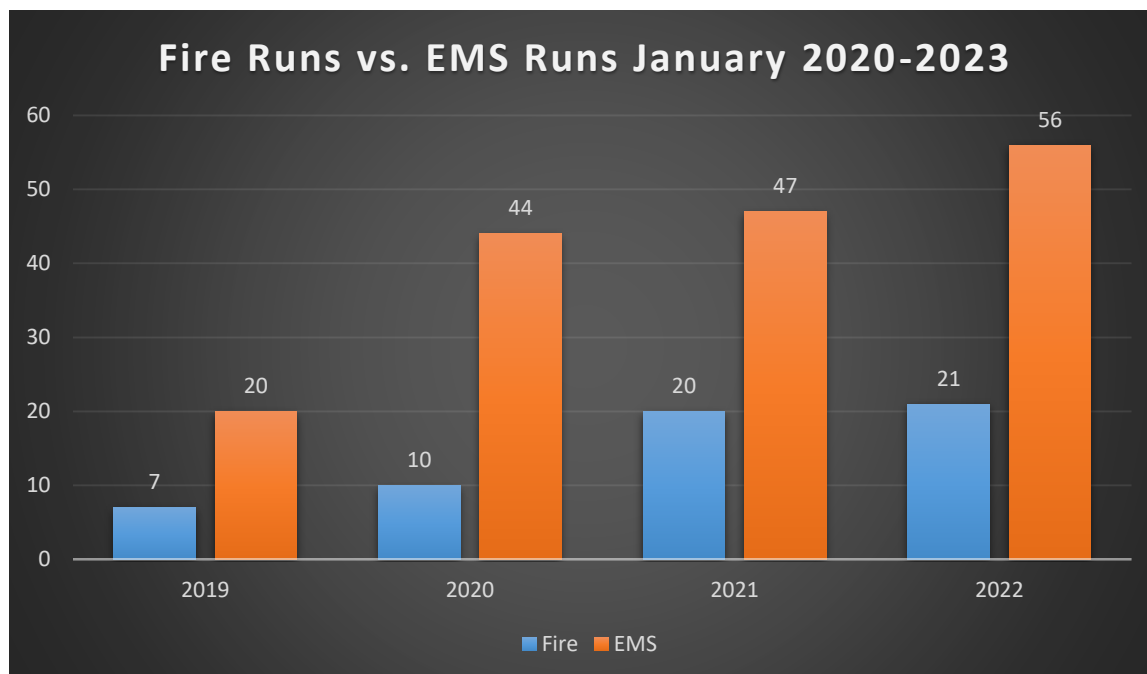
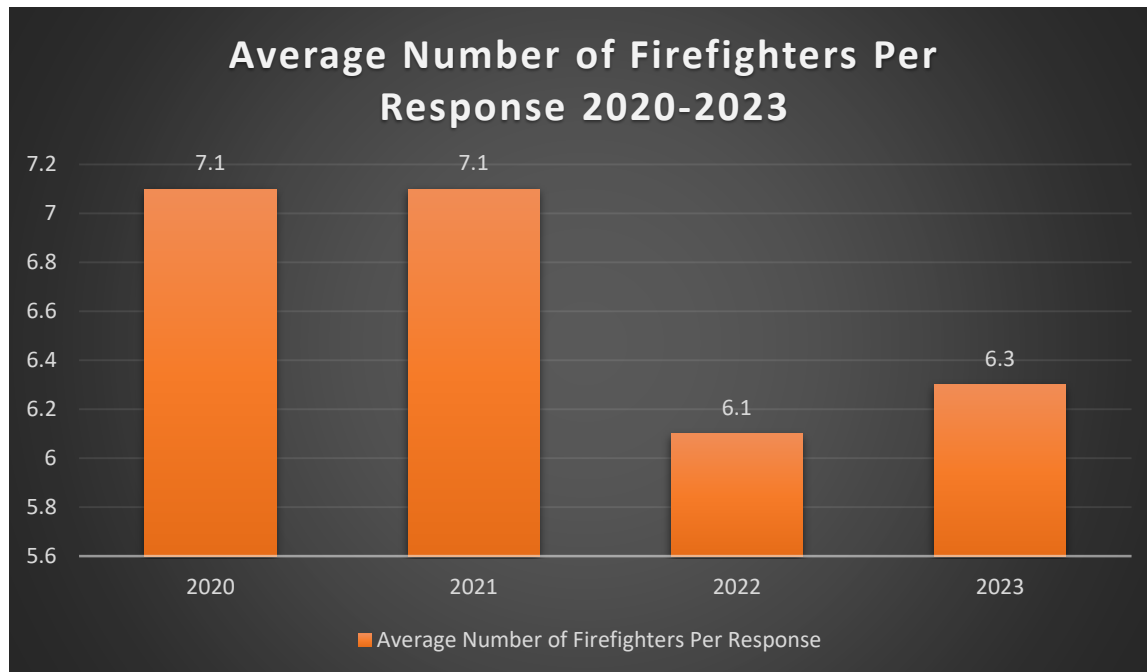
MONTHLY COMPARISON REPORT 2020-2023

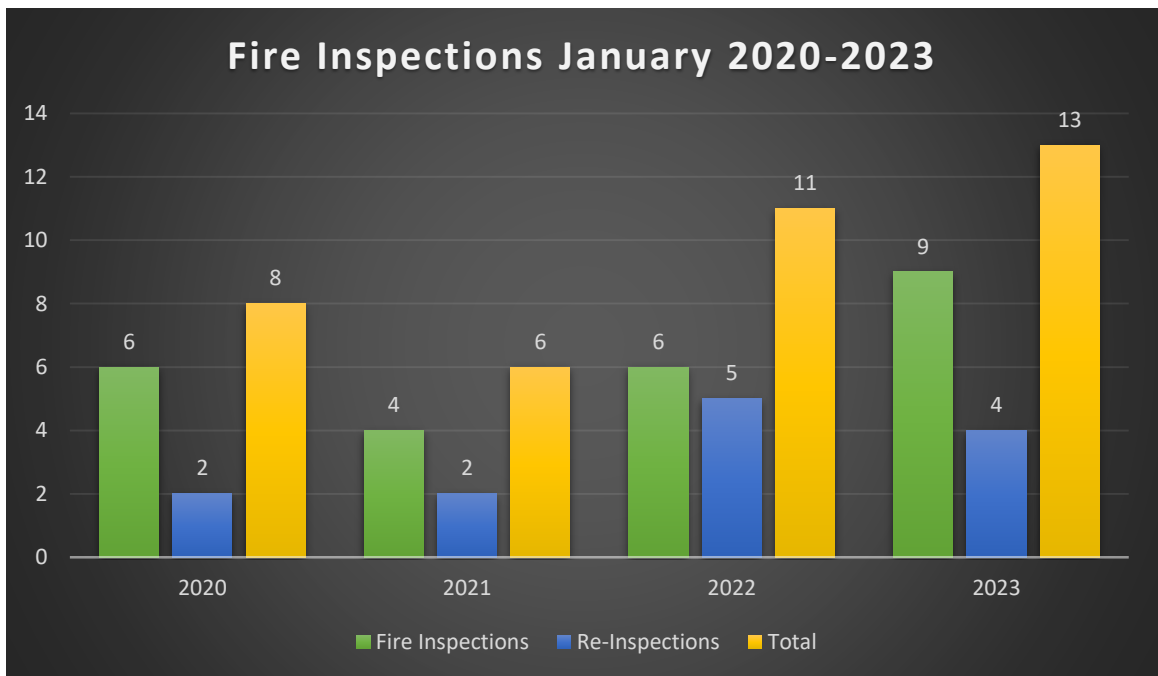
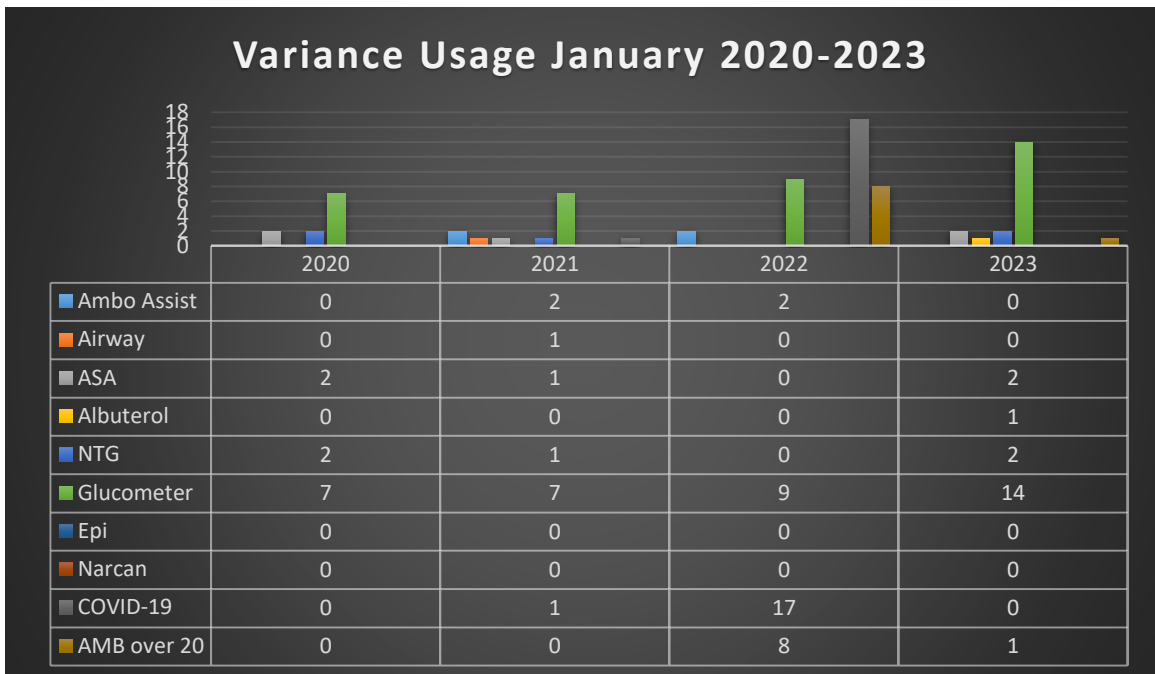
January



ST. FRANCIS
FIRE & RESCUE









Community Development

Annual Report

2022

Respectfully Submitted by:

Colette Baumgardner

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March 2, 2023

Mayor and City Council:

The Community Development Department has undergone significant transitions in 2022 with the onboarding of a new Community Development Director. Various staff have had to fill in gaps with staff shortages and onboarding new roles. Through this, the Community Development Department continued to support its mission of promoting and growing economic and housing development through building, marketing, and community engagement.

The core functions of Community Development include Building Code and Inspections, Planning and Zoning, Economic Development, Communications, Code Enforcement, and Rental and Vacant Housing programs. Although these functions are related, they each have a separate responsibility for the City as a whole. The department has four positions that administer and complete the responsibilities of all programs and work closely together to keep St. Francis competitive and successful in its development needs. The department also relies on the support and efforts of the City's consultants, including planning, engineering, and legal.

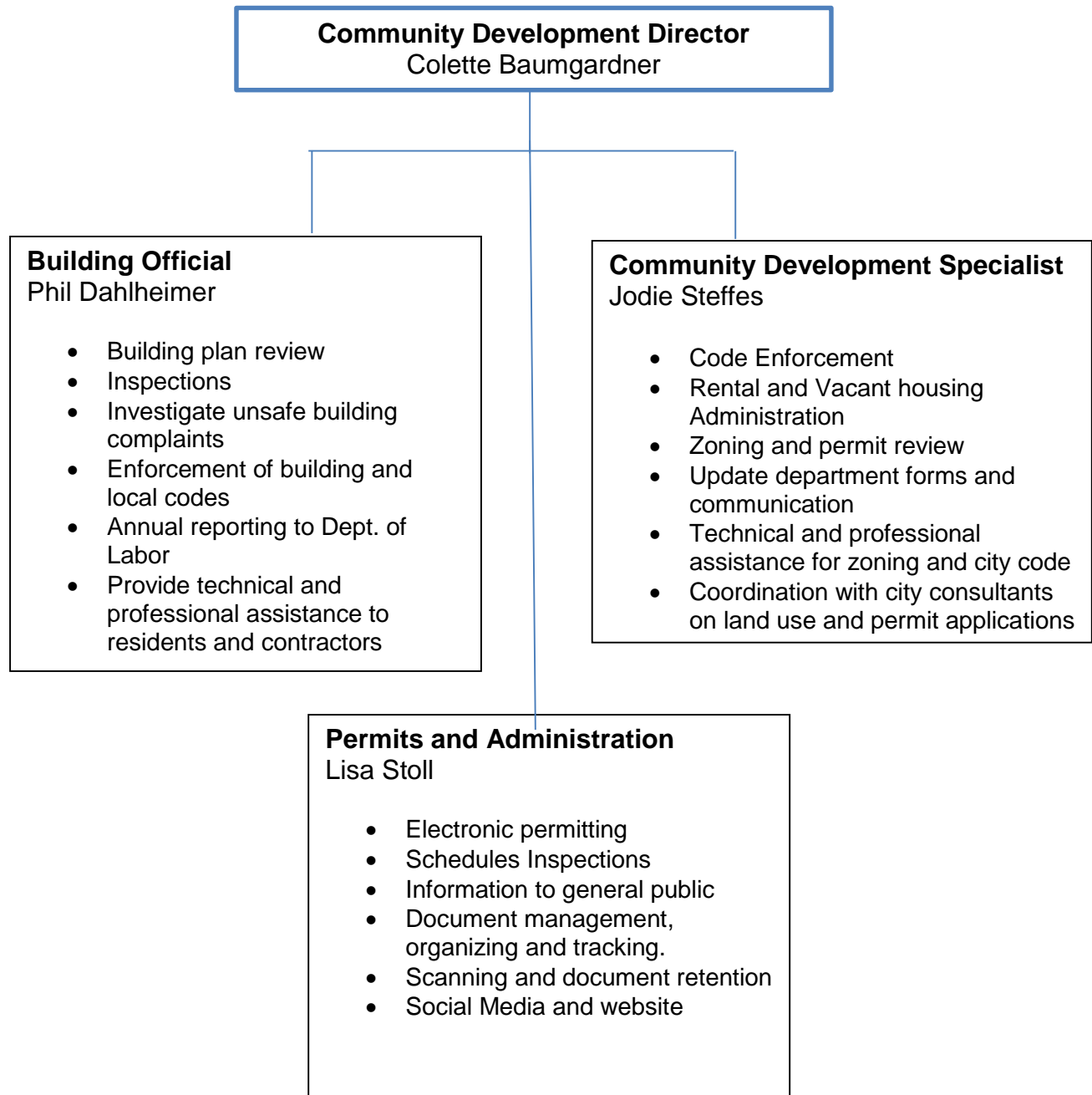
Many accomplishments were achieved and work continues on redevelopment to encourage activity and growth that aligns with the City's goals and vision.

I am pleased to provide this report to you about the activities performed in the Community Development Department in 2022.

Regards,

Colette Baumgardner

COMMUNITY DEVELOPMENT ORGANIZATIONAL CHART



Economic Development

The department continues to work with project concepts and property sales for economic growth and opportunities. Here is an update on the status of the following projects:

- **Patriot Parkway** – Staff executed a contract with First Baptist Church to develop a new road, create 3 to 4 commercial lots, and create a new lot for high density residential. The Planning Commission and City Council discussed the concept plan, and a preliminary plat was prepared based on their feedback. This project was managed by Streetar Consulting who provided necessary staffing backfill during the vacancy in the Community Development Director role.
- **Downtown Redevelopment - Bridge Street**
 - 3518 Bridge Street – Property is listed for sale and an RFP is being updated for release. Property's listing showcases the lot as a premier opportunity for commercial development that meets the St. Francis Forward plan.
 - 3765, 3757, 3771 Bridge Street – The EDA reviewed a concept plan for this site at their November meeting. The concept included a new brewery on the commercial corner and a 34-unit townhome development. This project would correspond with the future extension of Woodbine St NW.
 - 23115 Ambassador Blvd– The City acquired this property to make way for a future extension of Woodbine St NW. The home on this property was demolished in 2022.
 - 3772 Bridge St, 22951 Ambassador Blvd and two vacant lots – Staff is working with the City Administrator and Fire Chief on a new city campus. This project made significant process in 2022 under the leadership of the City Administrator.



Initiatives and Marketing:

Staff continues to work with various partners to attract and invite economic development projects to the City. Efforts include:

- Work with the Anoka County Regional Economic Development (ACRED) partnership including Connexus Energy, Metro North Chamber and cities participating to improve economic development as a region.
- Staff hosted a table at the Anoka County Up River event to highlight the city and development sites
- Partnering with the St. Francis Chamber of Commerce and providing logistical, strategic, and practical support for their efforts

Broadband and Internet:

In 2020, the COVID-19 pandemic identified the weakness in our state, county, and city broadband infrastructure. In 2022, Staff continued working with Midco and CenturyLink to seek bids for a City border-to-border grant. However, the City efforts were put on hold as the County took a more active role in recruiting broadband funding. Anoka County submitted a grant application for a fixed wireless broadband connection that they anticipate could bring broadband access to Anoka County residents as early as 2023.

Utility and Street Expansions for Growth:

During the past year, staff has worked with three major projects related to the expansion of city infrastructure. The expansions are necessary if the City wishes to meet the demand for property development as property owners sell. Projects include:

- 241st from Hwy 47 to Roanoke to provide street alignment with the Bluffs of Rum River project and extend sewer and water
- Woodbine extension from Bridge Street to Ambassador Blvd
- Patriot Parkway to access the city owned property south of Pederson Dr.

Hwy 47 Redesign

Staff alongside the City Administrator and the Public Works Director attended several meetings with MnDOT and WSB to review designs for Hwy 47. After several discussions, the City Council selected a design for Hwy 47 in 2022 for two stoplights and two roundabouts.

St. Francis Economic Development Authority

The EDA held one meeting in November 2022. The work completed by the EDA this year was to acquire four properties at the southeast intersection of Bridge Street and Ambassador Blvd. The EDA will work with the City on these properties for the development of a new city campus with the continued goal of redevelopment of our downtown area along the Bridge Street corridor.

Land Use Development

The City continued to utilize HKGi for planning services in 2022 to support land use development working primarily with Beth Richmond. This partnership has worked well, and staff are happy with their consultation services. Additionally, Jodie Steffes took on more responsibility in the land use application process in 2022, especially in the transition time of Community Development Directors. Jodie helped to ensure that applicants received timely responses, and she was essential in keeping the department running during this transition.

Residential Development

According to the St. Paul Area Association of Realtors, housing inventory remains constrained in most segments of the market. The median sales prices in St. Francis increased by 9.6% over the past year to sales price of \$330,000. This is a smaller increase than was seen in between 2020 and 2021, but is still significant growth. St. Francis had a total of 146 closed sales in 2022 with all sales going for at least the original asking price.

Staff continues to provide technical assistance to housing developers as we have seen our inventory move quickly as new lots open and rural lots are split for housing construction. The following projects were reviewed in 2022.

- **Bluffs of Rum River** – The Preliminary Plat, Comprehensive Plan Amendment, and rezoning for the Bluffs of Rum River project was completed in 2023. This development will provide 302 additional housing units including single family, villas, townhomes and an apartment building. This development is located at the NE intersection of Hwy 47 and Ambassador Blvd and extends to the Rum River and 241st.
- **Eagle Point/Vista Prairie - Senior Living Project** – This project completed its final platting and site plan approval process in 2022. Construction was delayed due to lack of access to financing, but it is anticipated to start construction in 2023.
- **3731 Bridge Street** – This is an EDA owned infill housing site. The EDA reviewed a concept plan for this site for 34 townhomes. The City is anticipating entering into a LOI with a developer in 2023 and construction starting in 2024.
- **Rivers Edge Development** – The preliminary plat for the 7th Addition provided an additional 29 lots in the water and sewer district. The final plat for the 7th Addition is anticipated in 2023.
- **Enchanted Meadows Development** – Staff worked with developer on 20 lot residential development at PID: 33-34-24-22-0009. The developer withdrew the application prior to City Council review due to financial concerns.
- **Variances** – A variance was approved to allow for a single-family home that did not abut an improved street at 24295 Erkium St NW. The variance converted a nonconforming lot into a buildable one.

Commercial Development

Commercial development is a critical component of a healthy community and local economy. Commercial development creates local job opportunities and allows for residents to meet the needs of their daily life within the city.

- **Meadows 4th Addition** – This development created 4 commercial lots along Hwy 47 on the southern edge of town. The northern most lot has an approved site plan for Dollar General, and staff is in discussion with the land owner on commercial users for the other sites.
- **Dollar General Site Plan** – A site plan for a new Dollar General store was approved at the intersection of 229th and Hwy 47. The site plan will allow for access off of 229th and Cree St and allows for the option of joint parking with future commercial development to the south. Construction is anticipated in 2023.
- **Dental Office Expansion** – St. Francis Dental Care received site plan approval to expand their dental office to the north. The parking lot will also expand to the east. Construction on the expansion is anticipated in 2023.
- **Northrup Grumman** – Northrup Grumman received an IUP for grading to prepare for the expansion of a firing range for ordnance testing.

Planning Commission

The Planning Commission met 8 times in 2022 working its way through roughly 13 complicated code updates and developments. Many items required a public hearing which they are responsible for in the land use process.

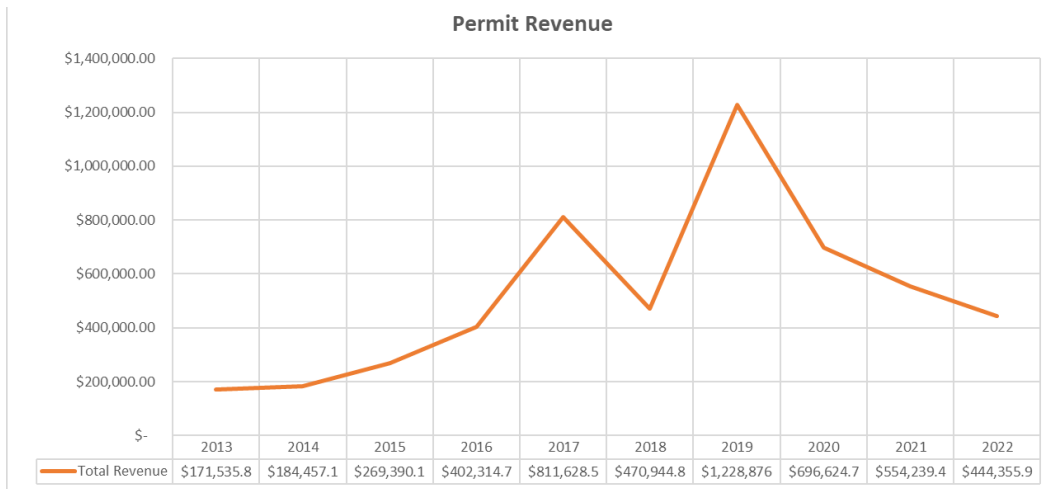
The Planning Commission had two members step down mid-year in 2022 due to moving outside of the City. Staff advertised for the vacancies, interviewed interested community members, and worked with the Council to appoint two new members to the Commission.

During the year they collected input from the public and made recommendations to Council on the following items:

- Developments: Vista Prairie, Bluffs of Rum River, River's Edge 7th
- Site Plan: Dollar General, Dental Office Expansion
- IUP: Northrup Grumman Grading
- Concept Plan: Enchanted Meadows, Turtle Ponds 6th Addition, Patriot Parkway
- Variance: Erkium Street Driveway

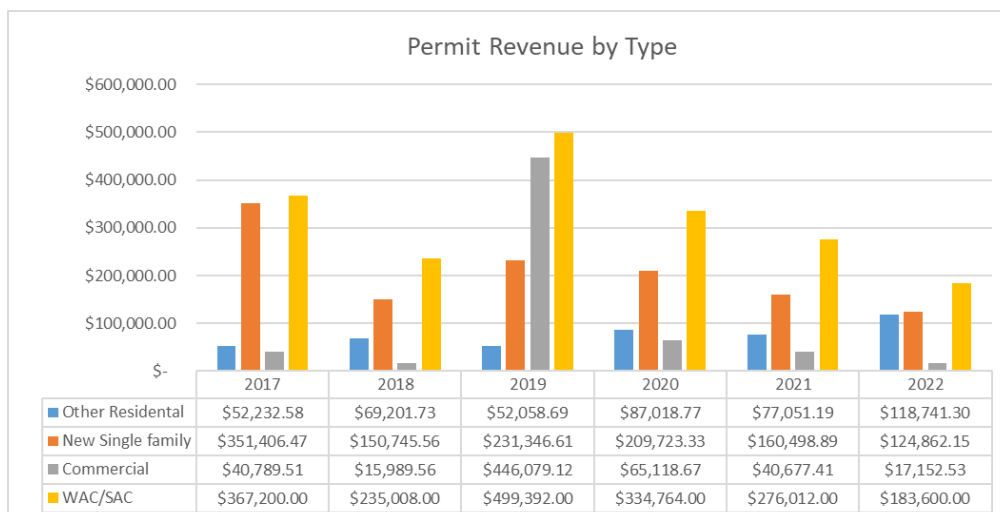
Building Department

Building permit revenue continues to fluctuate with the city growth and development patterns in new housing units, residential remodeling and commercial construction. Building and zoning fees are set through the Fee Schedule. The graph below shows how permit revenues have changed over the past ten years.



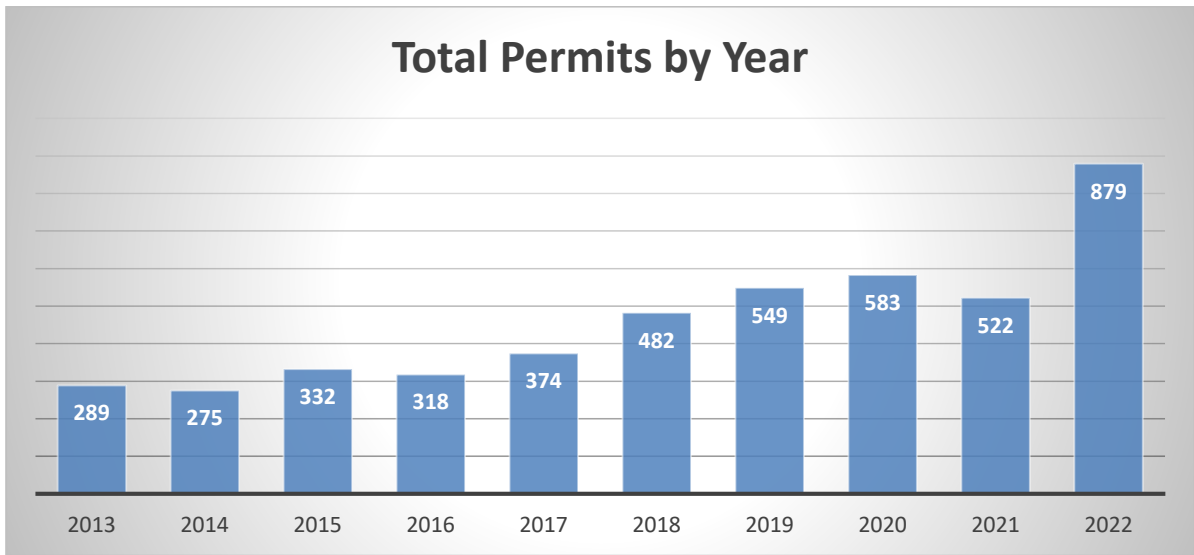
The large spike in 2019 has two main contributing factors: Kwik Trip construction and school district remodeling projects. The school district's remodeling and renovation projects accounted for approximately \$499,000 of the revenue in 2019. This was a historic investment in the school buildings, and without these projects the 2019 permit revenue would have been below 2017. This is important to note from a goal setting and expectations perspective on permit revenue.

Revenue from building permit fees collected support stormwater, planning, and engineering reviews, in addition to inspections. Commercial and septic permits are received and processed through a contract with Metro West Inspection Services in which the City pays a percentage of fees back to their organization. Metro West is also utilized when the city Building Official is out for any extended period of time.



However, permit revenue does not necessarily correlate with the number of permits and workload required by staff. In 2022, the City had its largest year for number of permits issued with a total of 879 permits! The increase in permits in 2022 is due in large part to a hail event in early 2022 leading to more reroof permits. Approximately 40% of all permits in 2022 were for a reroof. Staff processed 386 reroof permits in 2022, compared to 52 reroof permits in 2021.

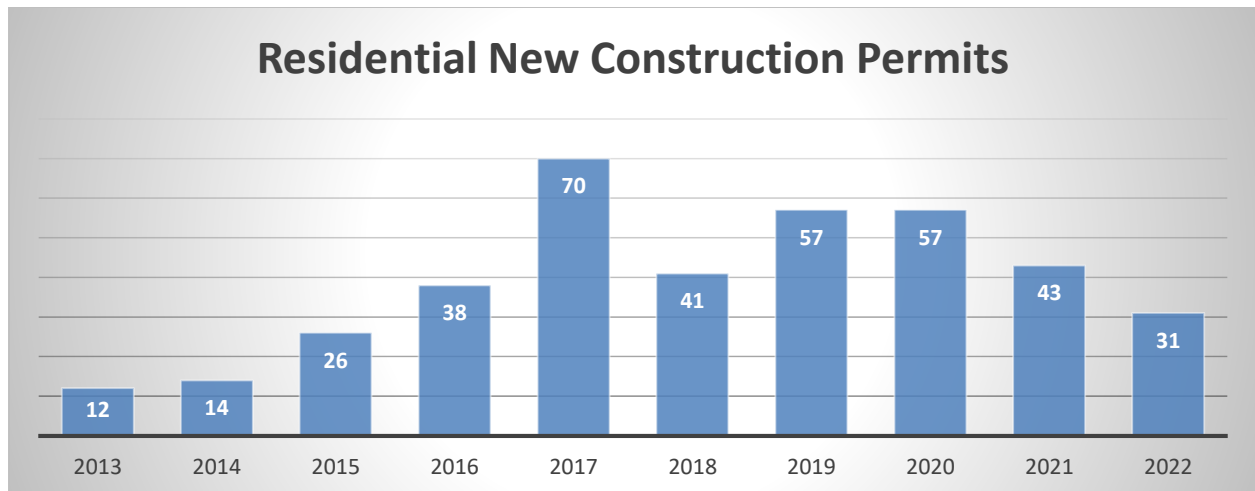
This is a remarkable accomplishment by staff, especially Lisa Stoll and Phil Dahlheimer. Many other cities in our area hired temporary staff to help with this additional workload, but St. Francis staff found a way to streamline the process to handle it in house.



The numbers counted in “Total Permits” include new construction, commercial, zoning, roofing, deck and other permits that staff receives. All permits received are input into the PermitWorks software for tracking and reporting, reviewed for zoning, engineering and building codes and inspected for completion.

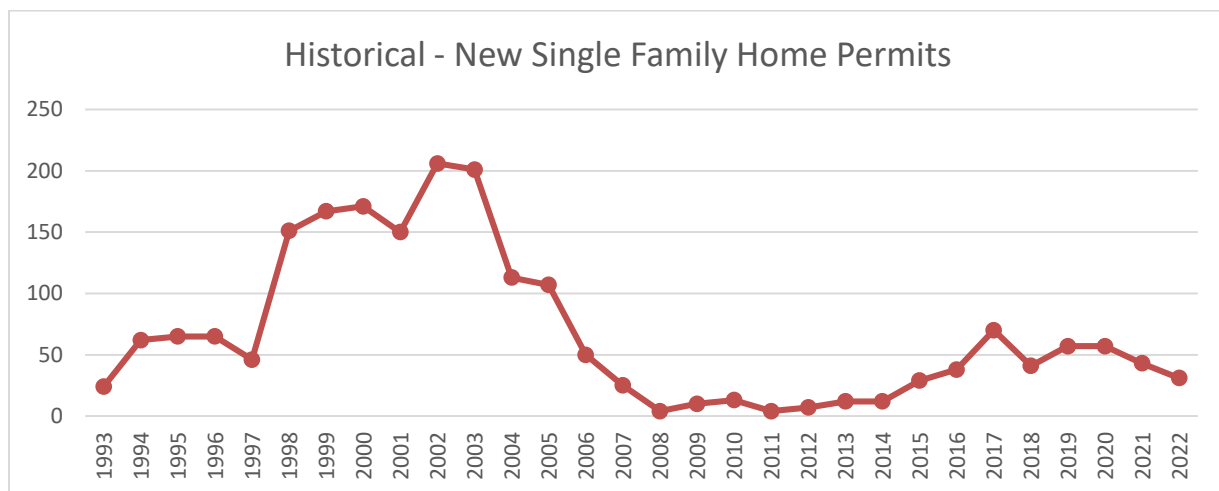
Growth

The leading indicator of growth in a city is new construction permits. In 2022, the City had 31 new homes built in the form of single units and multi-unit townhomes. Builders continued to experience supply chain issues as well as unpredictable cost increases as inflation rose. Builders also expressed additional caution due to increased interest rates year over year.



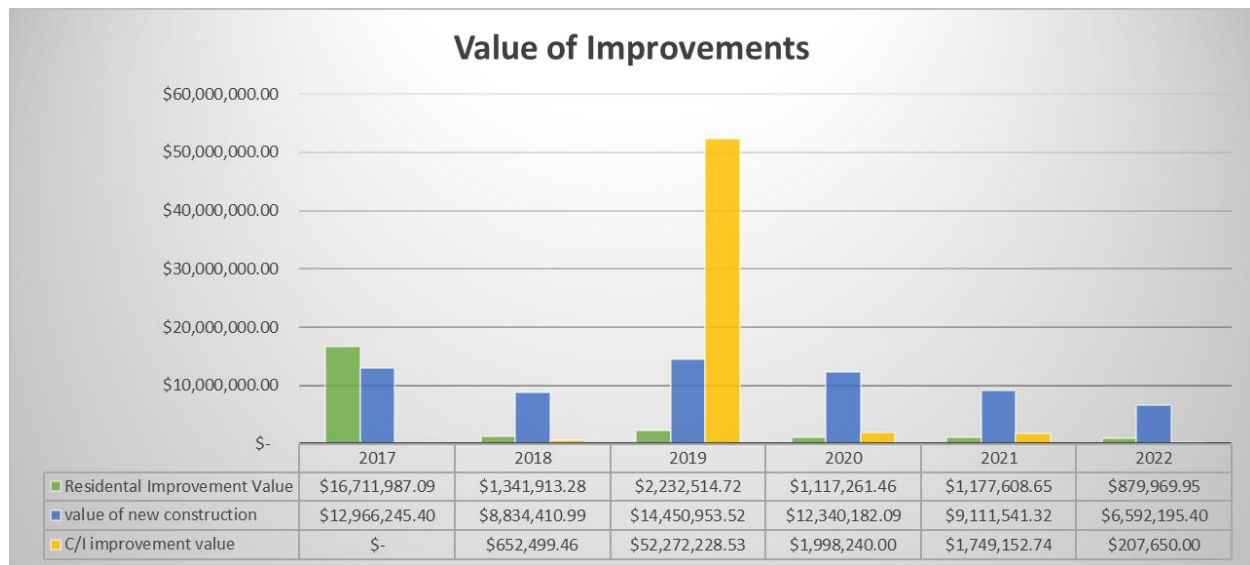
Does not include Manufactured Homes

Below is the historical data of all new single-family construction permits. The highest year of tracked new construction permits was in 2002 with a total of 206 new homes in a single year from a low of four new homes in 2008 and 2011. The last large growth of subdivisions in the City was between 1998 through 2005.



Investment

Investment in our building stock comes from new construction and building improvements. Every permit brings a value to the community through improvement supporting sustainability and the ongoing value of the improved structure. In general, the City's permit fee structure has flat fees for standard maintenance items such as replacing a water heater, and has valuation-based fees for building improvements such as building a deck. All commercial permits are based on valuation. The graph below shows the approximate value of improvements that are valuation-based.



Code Enforcement

Enforcement is an ongoing function of staff, and it is primarily managed by Jodie Steffes with inspection support from Phil Dahlheimer. Most of the code enforcement is administered on a community compliant basis with some staff-initiated outreach and corrections. After a complaint is received, staff sends an Administrative Notice to the property to inform them of the violation. Most issues are resolved with this notice. Typically, the property owner creates a resolution plan with Jodie, and then she schedules a follow-up inspection.

During 2022, staff worked with over 88 properties to address complaints that required an Administrative Notice be sent. Of the 88 notices issued, only 10 properties received citations. The most frequent complaints reported continue to be related to junk and debris and vehicle parking issues.

Properties contacted with Code enforcement concerns:

Year	Number of Notices:	Number of Citations:
2017	49	16
2018	58	22
2019	57	16
2020	120	10
2021	165	12
2022	88	10

Administrative Projects:

- **BS&A Transition** – In 2022, the City Council approved a new software vendor to handle finance topics, permits, rentals, code enforcement, and land use applications. Staff is very much looking forward to the implementation of this software in 2023 and think it will streamline much of the process currently done in spreadsheets and on paper. Staff have worked to prepare documentation and forms to input into the software when it launches.
- **Rental Housing Licensing** – The rental license program helps to ensure that all residents are living in safe and decent housing that is being properly maintained. The properties are inspected every few years to ensure they are safe. There are currently 120 rental properties registered in the City and this is a decrease from 2021 when we had 136. Rental properties are likely to increase with projects as multi-family housing is being discussed and showing up in concept plans.
- **Vacant Property Registration** – The vacant registration program helps to ward off blight and uphold quality buildings in the City. There are currently only 4 known vacant properties being tracked. This is a very positive number as deterioration of a property has a strong negative community impact. Staff are able to identify these properties through code complaints and water utility usage. Staff notifies the owner to get it registered and make sure the property does not fall into disrepair.
- **Farmers' Market** – At the end of 2022, staff started to prepare for a Farmers' Market for the summer of 2023. Staff talked with market managers from other cities, attended training webinars, and read the Minnesota Farmers' Market guidebook. The Market is planned to run every Wednesday from June 7th – September 23rd in Community Park from 3 pm to 7 pm.
- **Transition Meetings** – With the transition of staff in 2022, staff spent many hours in transition meetings with staff from Anoka County regarding the HRA/EDA and ACRED, MetCouncil, MnDOT, ISD 15 school district with the superintendent and community ed advisor, etc. These introductory meetings were critical for smooth development reviews and collaboration activities in the future.
- **Website and Department forms/applications** – Keeping the website up-to-date is an on-going activity. Staff values the website being up-to-date for transparency with the public and easy reference for the status of projects. It is also important to ensure that all of our informational handouts and documents are aligned with current codes and procedures.