

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
St. Francis Area Schools District Office 4115 Ambassador Blvd. NW
NOVEMBER 1, 2021
6:00 p.m.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

2. ROLL CALL

Members Present: Mayor Steve Feldman, Councilmembers Robert Bauer, Kevin Robinson, and Sarah Udvig
Councilmember Joe Muehlbauer (attended via Zoom)

Also present: City Clerk Jenni Wida, City Administrator Joe Kohlmann, Public Works Director Jason Windingstad, Finance Director Darcy Mulvihill, Police Chief Todd Schwieger, Fire Chief Dave Schmidt, Community Development Director Kate Thunstrom, Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), City Engineer Craig Jochum (Hakanson Associates, Inc.), City Planner Beth Richmond (HKGi),

3. APPROVAL OF AGENDA

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

Ayes: Udvig, Muehlbauer, Feldman, Bauer, Robison

Nays: None

Motion carried 5-0

4. CONSENT AGENDA

- A. City Council Minutes October 18, 2021
- B. Surplus Vehicles, Resolution 2021-53
- C. Conditional Offer of Employment
- D. Claims

MOTION BY: ROBINSON SECOND: UDVIG APPROVING THE CONSENT AGENDA ITEMS A-D

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

Nays: None

Motion carried 5-0

5. MEETING OPEN TO THE PUBLIC- NONE

No one came forward.

6. SPECIAL BUSINESS- NONE

7. PUBLIC HEARING

A. Miscellaneous Special Assessments, Resolution 2021-55

Mayor Feldman opened the Public Hearing at 6:02 p.m.

Finance Director Darcy Mulvihill introduced the resolution to certify delinquent bill to 2022 taxes. They include utility billing accounts, storm water fees, admin citations and building demolition costs. The Council needs to hold a public hearing to allow for comment.

She explained that Council can resolve to certify these past due bills to the properties 2022 taxes. These will be a one-year assessment due and payable next year. There is a 10% fee added, this is limited to \$75.00 to all assessments except utility bills, this covers the costs associated with assessing these bills.

Mayor Feldman opened the Public Hearing at 6:02. No one came forward. Mayor Feldman closed the Public Hearing at 6:05 p.m.

Mayor Feldman referenced the assessment amount on the property 22708 Rum River Blvd and asked if it is correct and it stays attached to the project. Mulvihill confirmed this.

MOTION BY: UDVIG SECOND: MUEHLBAUER APPROVING MISCELLANEOUS SPECIAL ASSESSMENTS, RESOLUTION 2021-55

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

Nays: None

Motion carried 5-0

8. OLD BUSINESS – NONE

9. NEW BUSINESS

A. Concept Plan - Meadows of St. Francis 4th Addition

City Planner Beth Richmond gave a presentation on a request for a proposed concept plan which includes the development of 43 attached townhome lots on an 8.2-acre lot located northwest of St. Francis Boulevard and Cree Street. This lot was previously platted as part of the Second Addition of the Meadows of St. Francis but was never developed. The majority of the site is flat vacant land which is ready to be developed, with wetlands in the northwest and southeast corners. The proposal is for 43 attached townhomes with 20 individual buildings. A private street is proposed to connect to the existing street that was started as a part of the first addition of the Meadows. Anticipated land use actions for this project include rezoning to a PUD, preliminary and final plats, and vacating and reestablishing some of the existing easement on the property. With the proposed rezoning to PUD

R-3 the applicant is requesting flexibility with setbacks and reduced space between building separations. The extension of the private road is proposed to narrow in width and the applicant would need to work with the existing HOA's. Driveways on that are outside of the loop and proposed to be individual and those inside the loop are proposed to be joint driveways. The code requires 22 guest parking spaces for this development but no guest parking is shown on the plans, which has been recommended to the applicant to revise the concept plans to include them. There are two trails that are proposed to be extended as a part of this development. There are two wetlands on the site. The structures will be required to meet wetland and buffer setbacks. The applicant is working to complete updated wetland delineation. A common outlot is proposed that the HOA would be responsible for that would contain all the common elements of the development.

Richmond requested that the Council provide feedback to the applicant on the proposed concept plan with regard to sets backs, the private street, joint drives, guest parking and trails. The next step is for the applicant to prepare a Preliminary Plat for submittal.

Mayor Feldman commented that he is looking forward to the second addition of this development but highlighted concerns with the plans as well as issues he felt are present with the existing development. He stated this development was being completed when the current Council took office, but given his background in construction, he hopes these issues can be fixed with the second addition. Mayor Feldman commented on how narrow the streets are, which makes it difficult to plow. He also feels the driveways are too short and small. He is adamant that the driveways need to be around 20-24 feet in length to ensure larger vehicles wouldn't be parked in the street. Mayor Feldman also expressed concerns about the 12-foot setbacks between buildings, stating he would support closer to 15 feet. He also questioned where the guest parking would be located on the property given the space constraints.

Robinson commented on the size of the project and the space available. He stated that these townhomes will likely be first homes for new residents and expressed concerns over the condensed space. He agreed with the comments made by Mayor Feldman. Robinson added that he supported the proposed one-way street and expressed concerns about the narrowness of the street and access to and from the development. He wanted to ensure the quality of the build and the size of the living space for the new residents. He expressed concerns with the lack of guest parking and the developer having to work with three HOA's.

Muehlbauer stated his concerns were aligned with the Planning Commission regarding guest parking and snow storage. He also agreed with the comments made by Mayor Feldman and Council member Robinson.

Udvig agreed with the concerns regarding the size of the project for the proposed space.

Bauer agreed that driveways should be at least 20 feet. He suggested having a bigger road that is similar in size going through the development. He commented that providing guest parking is a priority stating that cars are parking on the street in the current development, which makes navigating the road difficult. He suggested removing a unit to put in a parking lot, if necessary, or having a model where the garage is set back and the house is set forward. He also supported having 12-15 feet between each property.

Mayor Feldman expressed concerns about adding a 26-foot road to a private street as well as adding additional HOA's to the existing three. He thanked Richmond for her work on the plans so far.

Richmond commented that she will provide this feedback to the developer.

B. Ordinance 285 - Amending City Code Chapter 8, Section 3 Animals Subdivision 4 Animal Waste and Resolution 2021-54- 2nd Reading

Public Works Director Jason Windingstad stated this case is to consider giving second reading to the ordinance. He explained the Minnesota Pollution Control Agency (MPCA) is requiring the City of St. Francis to add language to the city code that is specific to prohibit animal waste from being disposed of down storm drains. This needs to be in place by 2022.

Mayor Feldman stated this is a second reading and the MPCA is requiring the added language. He asked for Council comments.

Udvig, Bauer, and Robinson didn't offer additional comment.

Muehlbauer commented that it is mandated so the City does not have a choice.

MOTION BY: ROBINSON SECOND: MUEHLBAUER APPROVING SECOND READING AND ADOPTING ORDINANCE 285 AMENDING CITY CODE CHAPTER 8, SECTION 3. ANIMALS SUBDIVISION 4 ANIMAL WASTE

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

Nays: None

Motion carried 5-0

MOTION BY: UDVIG SECOND: BAUER ADOPTING RESOLUTION 2021-54

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

Nays: None

Motion carried 5-0

B. Nowthen Shared Services Agreement

City Administrator Joe Kohlmann introduced the shared services agreement with

the City of Nowthen to support their administrative services. They will be utilizing 8 hours of the Finance Director's time and 8 hours of the City Administrator's time each week as they are going through transition. The agreement is drafted to end on or before December 10, 2021. Per the recommendation of the League of Minnesota Cities, the City of Nowthen contacted the City of St. Francis for assistance to gather the necessary information to pass to incoming staff during the transition period.

Mayor Feldman expressed disappointment with the Minnesota League of Cities for not being able to offer assistance instead of advising the City of Nowthen to ask a neighboring city. He wants to help but expressed concern over remaining an independent city. He recognized the amount of work that Staff is currently doing for the City of St. Francis and asked Staff if they felt they could help the City of Nowthen in a reasonable amount of time without disrupting priority services for the City of St. Francis.

Kohlmann replied that they can, noting some of the eight hours will overlap with their current operational hours. After getting the initial assessment of things that need to be done there, he felt they were basic things that he and Finance Director Mulvihill do on a day-to-day basis. He felt they were looking for help with the transition to get bills paid, their next payroll out, and other basic level items.

Mayor Feldman reiterated concern that St. Francis remain the main priority. He noted when they took over administration in 2017, there were a lot of things that needed fixing that required time and hard work, but they did it. His concern was Staff taking time away from their current workload with the City of St. Francis to work for Nowthen.

Udvig stated her first concern was knowing how hard Staff works and that they are always busy. But since Kohlmann and Mulvihill are saying they can do the work, she trusts them to not take away from what they are doing for St. Francis. She also trusts them to say if the added work is affecting their work for St. Francis and that they will say they can't do the extra work for Nowthen.

Muehlbauer agreed with Mayor Feldman that St. Francis comes first. He also agreed with Udvig as far as trusting the integrity of the Staff that they will put St. Francis work first. He stated the mayor of Nowthen will need to have that understanding as well. He stated they want to be able to help as they have with the Fire Chief, noting he has shown integrity in balancing and prioritizing the workload. Muehlbauer supported helping the sister city for the short time as long as it doesn't affect the services provided to St. Francis. He felt that Staff would say if it gets to be too much.

Bauer agreed. He added a message to the mayor of Nowthen, stating he hoped that the City Administrator and Finance Director of St. Francis can guide the new staff in the kind of work atmosphere they have in St. Francis. He encouraged them

to always lean on the City when they need to.

Robinson stated he doesn't agree with this; if it was a death or something unforeseen, he would support it but that is not the case here. The administration had 30 days to act and he has not seen the Mayor of Nowthen speak about this or a plan of action about how he is going to make things come together within the 30 days the St. Francis staff is helping. He feels St. Francis comes first, Staff is already busy, and for them to take time out to focus on another entity would be difficult. He doesn't doubt the abilities of Kohlmann and Mulvihill but expressed concerns about how the 30 days would be spent without being overextended. He didn't see a plan nor anyone present tonight to speak of a plan for the two cities to work together. He stated he does not support the shared service agreement.

Mayor Feldman added concern about it being extended into long-term help beyond December 10, 2021 with the workload for St. Francis being already so demanding. He expressed concern about remaining independent from Nowthen instead of being considered a joint entity. He stated he has full faith in the Staff and doesn't doubt that they can do the work but commented that their compensation for the additional work was low.

City of Nowthen Mayor Jeff Pilon addressed the Council. He replied to Council member Robinson's question about the last 30 days. He stated they that 30 days ago, they received a resignation notice from the Clerk Treasurer who, at the time, said she would train staff to take over the responsibilities. Two weeks ago, they received resignations from the rest of the staff. They contacted the League of Minnesota Cities to identify interim administrators. They conducted interviews and hired someone who started today. The problem is that the new administrator isn't adept at financial matters. In addition, the staff that left didn't leave processes for the tasks that need to be done in the immediate future. That is what they are focusing on for now. They need help with things like payroll and financial responsibilities that new staff is not adept at. He believes the December 10, 2021 end date is achievable and it may be before that. He understands the imposition this poses to the City of St. Francis. He stated that although he values the relationship between their two cities, he wanted to assure Mayor Feldman that Nowthen intends to remain independent. He expressed appreciation for the City's help with the development of the Fire Department, adding they have maintained boundaries well and balanced the workload in the partnership. He is asking for help to get them through the transition while they are in the hiring process and not looking for a long-term commitment. In the future, he hopes Nowthen can be a good sister city once they get back on their feet and rebuild.

Mayor Feldman asked Nowthen Mayor Pilon if he would want St. Francis Staff to attend the Nowthen Council meetings as well. Mayor Pilon replied that would not be necessary.

Mayor Feldman asked if there are any legal issues that would need to be

considered between the two cities. Assistant City Attorney Dave Schaps replied they have been addressed in the contract.

Mayor Feldman emphasized that December 10, 2021 is the end date and asked that an extension not be requested. He commented that he regretted the situation Mayor Pilon faced and stated if Staff wanted to help, they could.

Kohlmann replied he thought they could get it done faster. Mayor Feldman commented that would be appreciated.

Mayor Feldman asked for assurances that taking on the additional work wouldn't affect the work they are doing for St. Francis. Mulvihill and Kohlmann both agreed.

Mayor Feldman asked Nowthen Mayor Pilon if they have hired an interim city administrator and where they are in the hiring process. Mayor Pilon replied they need to hire two other office staff.

Udvig expressed concern about St. Francis Staff spending time helping with the transition of the new Nowthen staff and what happens if there is more turn over.

Kohlmann replied he likes to create a position manual so if someone is gone, there is a step-by-step guide for how to process things. He sees that as being part of this process. He thought they may already have some things on file that would be helpful in the event there was another turn over so someone could come in and still get important things like payroll done.

Mayor Feldman asked Nowthen Mayor Pilon how his council felt about having St. Francis Staff coming to help. Mayor Pilon replied they are very excited about it, concerned about the loss of employees, but there was a unanimous vote to approach St. Francis to request help.

Mayor Feldman referenced the League of Minnesota City's suggestion to Nowthen Mayor Pilon that he reach out to other sister cities for help and asked if he had approached any other cities.

Nowthen Mayor Pilon replied he talked with Oak Grove and Ramsey. He stated the League of Minnesota Cities said it would be helpful during the transition to reach out to the surrounding cities to see what others have done. The League has stayed in touch with Nowthen, supporting them through help with IT, HR, and the re-hiring process, as well as an attorney to ensure things move forward and end well.

Nowthen Mayor Pilon stated the League said to reach out to other surrounding cities, which he did. They all said to let them know what they could do to help. He approached St. Francis for this level of assistance because the two cities already have an administrative relationship with St. Francis through the Fire

Department. Because of that, they thought it would make sense to have other Staff from St. Francis help with these roles.

Mayor Feldman commented that he was indecisive but re-emphasized December 10, 2021 was the end date. He stated if Kohlmann or Mulvihill needed to be reached for work related to St. Francis, that would take priority. Kohlmann confirmed he will make it work and thought the work could potentially be done in 20 days, by Thanksgiving.

Mayor Feldman asked Nowthen Mayor Pilon to confirm that it was just the Finance Director, Administrator, and Public Works, that Nowthen needed help with. Nowthen Mayor Pilon confirmed this.

Robinson commented he is disappointed in the League of Minnesota Cities, considering the amount of dues and financial support they give the organization, for them to do as little as they have done so far. This instance shows that cities, big or small, should have an emergency plan of action in place. He stated that his vote tonight isn't a reflection on anyone or their performance.

Mayor Feldman advised Kohlmann and Mulvihill to keep the St. Francis Council abreast of what's going on and any changes that are taking place. He hopes this will help the City of Nowthen get back on its feet.

MOTION BY: BAUER, SECOND: MUEHLBAUER APPROVING THE NOWTHEN SHARED SERVICES AGREEMENT AS STATED WITH AN END DATE NO LATER THAN DECEMBER 10, 2021

Ayes: Bauer, Udvig, Muehlbauer, and Feldman

Nays: Robinson

Motion carried 4-1

10. MEETING OPEN TO THE PUBLIC – NONE

11. REPORTS – NONE

12. COUNCILMEMBER REPORTS

Muehlbauer reported he attended the Work Session via Zoom. He is still out of town but hopes to be home soon, possibly by November 15, 2021.

Udvig reported she attended the Planning and Zoning Meeting. She stated the Community Tree Lighting will be on December 1, 2021.

Bauer reported he attended the Work Session.

Robinson reported he attended the Work Session and was the liaison for the Planning and Zoning Meeting. He commented it was another spirited but orderly meeting with

a lot of public input and things will be coming to the Council soon. He was encouraged to see public involvement in person instead of having people go to social media.

Mayor Feldman reported he also attended the Work Session and a meeting with the Police Chief.

Mayor Feldman asked if there was any news on Poppy Street. City Engineer Craig Jochum replied last week they sent out the easements and offers to the property owners. Staff will give time for them to react before following up with residents later this week to see if they will sign. If the residents sign, they will move forward.

Robinson referenced the price of bituminous and oil now compared to last spring or summer, and asked what the vendors are forecasting for the spring or summer. Jochum replied as of right now, they don't see any great increases.

Mayor Feldman expressed frustration with the delays in negotiations to complete this project.

Mayor Feldman reported on the Liquor Muni. He stated they had meetings during the week to address a list of issues towards substantial completion. Mayor Feldman commended City Attorney Schaps for his advice to prepare documentation, which they have done. He hopes the contract will be honored, to have a quality building and to be able open on time. Mayor Feldman invited the Council to visit to see the progress.

Mayor Feldman thanked Staff for the time and effort they give the City. He stated when they took office five years ago and brought a proactive, preventative attitude, they responded well to residents and rebuilt trust in their government. He stated the Council couldn't do what they do without working as a team. An issue that is raised by a Council member, Staff, or resident is addressed as a team, which is important to highlight because no one individual can do all the work. He commended Staff for the work they do and for their support, noting when residents work with and trust their government, there isn't anything they can't do.

13. UPCOMING EVENTS

November 15, 2021 – City Council Meeting – 6:00 p.m.
December 6, 2021 – City Council Meeting – 6:00 p.m.

14. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular City Council at 7:08 p.m.



Jennifer Wida, City Clerk