

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
St. Francis Area Schools District Office
4115 Ambassador Blvd. NW
OCTOBER 4, 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, Councilmember, Robert Bauer, Kevin Robinson, and Sarah Udvig

Attending via Zoom: Councilmember Joe Muehlbauer

Also present: Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), City Engineer Craig Jochum (Hakanson Associates, Inc.), City Administrator Joe Kohlmann, Police Chief Todd Schwieger, Sergeant Ryan Larson, Fire Chief Dave Schmidt, Community Development Director Kate Thunstrom, Finance Director Darcy Mulvihill, and City Clerk Jenni Wida.

Attending Via Zoom: Public Works Director Jason Windingstad

3. APPROVAL OF AGENDA

MOTION BY: ROBINSON SECOND: UDVIG APPROVING THE REGULAR CITY COUCIL AGENDA

Ayes: Udvig, Muehlbauer, Feldman, Bauer, Robison

Nays: None

Motion carried 5-0

4. CONSENT AGENDA

A. City Council Minutes - 09-20-2021

B. 2021 Street Reconditioning Project Pay Estimate No. 1

C. Surplus Vehicle 2021 - Resolution 2021-51

D. Rivers Edge 5th Addition Financial Security Reduction

E. Approve Purchase of Portable Radios - Fire Dept.

~~F. High Service Pump #1 Rehab and Replacement~~

G. Ice Rink Management Agreement

~~H. Well #1 Rehabilitation~~

~~I. Well House Roof Replacement~~

J. Bottle Shop - Change Order #1

K. Claims

Mayor Feldman pulled items F, H, and I from the Consent Agenda.

MOTION BY: BAUER SECOND: MUEHLBAUER APPROVING THE CONSENT AGENDA ITEMS A, B, C, D, E, G, J, and K

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

Nays: None

Motion carried 5-0

F. High Service Pump #1 Rehab and Replacement

H. Well #1 Rehabilitation

I. Well House Roof Replacement

Mayor Feldman noted this item is to service pump 1 which is recommended every 7-10 years. He asked Public Works Director Jason Windingstad if they had already done this for pump 2. Windingstad answered that was correct. Mayor Feldman questioned that Renner comes in at \$14,880 and Traut Wells had a much higher bid at \$36,770 for the same work.

Windingstad answered that Traut is well known and they are a bigger company with a bigger staff. They also have a higher overhead. Renner has been in the business for close to 70 years and they are local and efficient. He stated he had used them with other cities he has worked in. He stated most people he knows locally have used them. He feels they do a quality job at a fair price.

Mayor Feldman questioned the \$22,000 difference between the 2 companies. He wondered if they were comparable and if there are other companies that could be used. Windingstad answered there are 3 main companies that put wells in. He gave the example of the Bottle Shop where there were a lot of bids on construction, from low to high. He stated that some will pay more to get the job done locally and to stay busy. He felt their motto was to make money, to do a job, and it works out. He stated that this is a family-owned business, they are really good at what they do, and they don't need to charge a lot of money to do it.

Mayor Feldman asked about Item H with Traut having a higher bid again, and stating that Renner is always going to win it because Traut is always going to be higher. He asked for Council input, considering they have a high bid and a low bid, and if they want to bring in another company to give them a broader perspective of bidding. Windingstad answered that they have the same people bidding on projects. One of the other companies is farther away and doesn't take local work. It depends on what kind of work it is, staff could look into it, but he would be surprised to see any other company outbid Traut. He has worked with this company for 20 years, since the beginning of his career.

Mayor Feldman also brought up for discussion the service Pump 1 and Well 1 that needs repair. Well 1 has a pump in it that needs repair so he asked for clarification.

Windingstad answered that the high service pump is at the treatment so that pulls out of a wet storage tank. Well 1 is one of the deep wells, by the water tower, and in an Aquaphor. The High Service Pump 1 is at the water plant.

Udvig asked about Item I noticing the difference in bids, that there are bids for the whole thing and one company doing only part of it. She noted if looking at doing one part, they were comparable. She asked if they would need to bring in another company to do the other work, noting she didn't feel they had something to compare it to.

Mayor Feldman asked the Council to address the 2 bids they had.

Windingstad stated things to consider is that High Service Pump 1 is shallow but Well #1 is roughly 500 feet deep so there is a lot more service, a lot more work involved. That's why there is such a big difference in the 2 bids.

Mayor Feldman stated that at this rate, Renner would win the bids because Traut is always going to be higher. He asked if there is another company that could give them more of a perspective of the bidding price. He imagines that Renner got more jobs over the years than Traut because of the price but questioned if there was a third company they could compare with. Windingstad answered that with the next go around, staff could reach out to see if there are other bids and look into that beforehand. He stated that Parish has a really good working relationship with Renner and knows their system but he was willing to look into another company as well.

Mayor Feldman asked whether staff can say that the bidding process was done fairly. Windingstad replied absolutely. Mayor Feldman continued, because one project is a \$20,000 difference, so of course you're not going with Traut, but the other one is a \$5,000 difference so Renner is always going to get the work.

Muehlbauer stated that since Renner is the lowest bid and Windingstad thinks they are responsible he would support them.

Mayor Feldman commented on Item H, the bids were the same for the 2 companies for the roof. The difference was \$5,000 worth of work that the other company was going to do. Windingstad explained that with the roof, there are some foundation issues that are causing the roof to shrink and crack the blockwork. The one company that does the repairs that bid on the roof doesn't do concrete repairs on that type of building. Right now, to be able to get people out to do the whole project, is nearly impossible because everyone is so busy. Windingstad explained this company specializes in both issues. He asked the Bottle Shop, the company that does the brick work, what it would cost to do the repairs. He was told they needed to see what was going on structurally to be able to correct the problem. He stated that staff felt comfortable that the company to repair the roof was also going to repair the building so they could make proper adjustments to both so this doesn't

happen in the future.

Mayor asked about the roof. Windingstad answered, it's a flat rubber roof. Mayor Feldman commented that he didn't know they stretched that much. Windingstad answered that they do, that it stretched enough to crack the concrete block.

Mayor Feldman wondered if something had gone wrong during installation because he's never heard of a ballast roof shrinking and pulling the weight of rock in. Windingstad answered the good news is that if this is approved, they can get in there and see what's going on.

Mayor Feldman questioned the \$15,500 for the roof repairs, the same for B&B and McDowall. He noted the City knows McDowall, how they operate and what they can do, the question is that there isn't another company listed that can do the whole project. He knew there was a limited number of companies that do the whole project of repairs.

Windingstad answered that he asked B&B and was told they do not do that so staff looked for a local company that can do concrete work and coordinate the two to work together. Staff sat down with McDowall, saw their process, and that they were going to take care of both issues within budget so they could make the correction so it doesn't happen in the future.

Mayor Feldman stated a one-stop shop was probably the way to go. He added he would like to know why the roof pulled and cracked the concrete. Windingstad answered they will certainly ask the question. Mayor Feldman stated he's done both roof types and has never heard of this problem.

Bauer questioned the bidding for the pump repairs. He asked if the \$14,000 bid is just for inspection and is the \$36,000 bid going to address other items. He also questioned Traut's bid with a pump fee, noting Renner states they are going to rebuild the motor so are they going to look at it or are they going to put in a new motor. He questioned why the bid is so low and why are they so different. He wanted to know if they are going to get a company that is going to replace everything. He felt the Renner bid didn't state they were going to replace anything or that they were just going to inspect everything either so it raised some questions for him. Windingstad answered if a pump is bad, they take apart everything, replace the bearings and turbine, and it's basically just the casting that they're reusing. Both companies would be doing the same thing. If they had to replace the turbine the price would be a lot more than \$30,000.

Bauer questioned the bids on the pump rebuild noting Renner was a little higher than Traut. He wondered if there were some things on the Traut bid that maybe weren't necessary to bring it up to \$35,000.

Windingstad commented that he notices with sewer and water, whether it be lift

stations, well houses, or water towers, they see this on a lot of bids. Someone can come in and bid on irrigation for \$6,000 and the next one is \$20,000 and they are bidding on the same thing. He explained a lot of it has to do with what they have in inventory, how much they can get the product for, and sometimes companies mix it up in their quote process just to keep other companies honest, which happens a lot. He feels they know that they are getting for a product, he knows they are getting replacement parts, he knows they are going to go through it top to bottom, and the City is getting a warranty. It's the bottom dollar that should be looked at because when parts break down, the prices vary a lot.

Bauer questioned the warrantee that was mentioned as he didn't see that in the bid. He also questioned if they are the same in length for both bids. Windingstad answered, the warrantees are the same.

Robinson questioned line item in the bid regarding the pipe sections. He wondered about the estimate. Windingstad answered that he can't speak to what they have for prices for certain items over the other. He stated the High Service Pump is 25 feet deep the Well #1 is over 400 feet deep so when it comes to replacing, he couldn't know how they came up with their pricing.

Robinson stated it was 6 times what Renner was charging so he wondered if it was an estimation error on their part, noting Renner has a history with the municipality and with Windingstad. Windingstad stated if they were both the same price, he would pick Renner every day of the week because of their knowledge and history in the area, the things they have worked on with the Aquaphor, years of service, and all the people that have been in there are second to none. He feels it's a learning lesson every time they come out and he finds it interesting. He stated they are a very good company. Robinson commented that he was satisfied.

Muehlbauer commented that he had nothing to add.

Mayor Feldman reiterated the suggestion that a third party be brought in to level the playing field for bids because Renner would win all the bids. He acknowledged that they needed to take the most qualified bid but wanted to know how another company would out outbid Renner. Windingstad stated they would certainly do that in the future.

MOTION BY: UDGIV SECOND: BAUER TO ACCEPT CONSENT AGENDA ITEMS F, H, and I.

Ayes: Udvig, Muehlbauer, Feldman, Bauer, Robison

Nays: None

Motion carried 5-0

5. MEETING OPEN TO THE PUBLIC

Mayor Feldman asked if anyone wanted to speak. No one came forward.

6. SPECIAL BUSINESS - NONE**7. PUBLIC HEARINGS****A. Portable Recording Systems - Body Worn Camera**

Police Chief Todd Schwieger presented on the need for the Police Department to begin using portable recording systems. He went through the process they used including establishing a timeline, budgeting for and researching equipment, looking at policies and State guidelines. He stated they are in the second stage of the process, according to State law, of accepting public comments. The Police Department must also establish written policy of how the recording would be used and allow for public comment. He stated the first public comment came through a survey and the policy that were posted on City website on August 26, 2021, and stayed on the website through September 30, 2021. Tonight, was the second opportunity for public comment through the public hearing. He noted 55 people responded to the survey and responses showed support for the use of cameras for accountability and for safety for the officers. The results of the survey are on the City's website.

Schwieger reviewed the equipment they looked into with consideration to reliability, durability, quality, warranty, reputation, and cost. They found equipment was pretty comparable across manufacturers. After looking at several vendors, they narrowed it down to Panasonic Arbitrator and Axon because they both have good reputations and meet the criteria. He reviewed the cost comparisons for both companies over with a breakdown of needed items and costs differences over a 5-year period. Panasonic came in around \$6,000 under Axon over 5 years. He stated Axon had more options that staff felt were more expensive and wanted a fair comparison. He stated the Police Department is currently using Panasonic in their squad cars and have found them to be reliable. He recommended moving forward with the Panasonic Arbitrator.

Mayor Feldman opened the Public Hearing at 6:38 p.m.

Liz Fairbanks, 24360 Dupont Street, stated she fully supports this and thinks it's a great thing.

There being no further public comment, Mayor Feldman closed the Public Hearing at 6:38 p.m.

Mayor Feldman wanted it on record that this is no reflection on the police, why they want this or why they should do this. The Council trusts their officers, the Police Department has a great chief and sergeants in place, it's not a reflection on the staff or officers, it's a statement of the way we have it in this country and the world. He noted social media has caused a situation where cameras are needed.

Mayor Feldman asked if the cameras would be on all the time, or when they make stops. Schwieger answered right now, the policy is that cameras are required to be on for all calls and service. Also, during any interaction with the public or situation that could lead to an altercation.

Robinson commented on the 55 participants for the survey, if there wasn't enough concern about the efficiency of the Police Department that people didn't feel the need to comment on the cameras. He asked for more detail on the line in the policy about "officer discretion of use." Schwieger answered it does say "all calls and service" but noted that a lot of the interactions can be initiated by the officer and it would be up to the officer if they want to use it. The cameras would not be used for general citizen contact.

Robinson asked about instances in other cities when the cameras maybe should have been on and would there need to be guidance and reminders for the officers. Schwieger answered yes, they intend to have training sessions.

Robinson asked about Panasonic's customer service and their experience with them so far. Schwieger answered their representative has been the same. Metro-I Net has also recommended the Arbitrator as they have a good working relationship. Robinson thanked Schweiger for his presentation and stated this will be another tool for their toolbox that will help the officers be more accountable and put the public more at ease.

Bauer commented that he agreed with the Mayor that the cameras are needed at this time in society. He added that a written policy is better than a blanket policy as to when the cameras should be on. He suggested when the shift starts and when it ends but overall, he didn't have any major issues with the policy. He encouraged the officers to wear them with pride and not let it change them.

Udvig commented that this has been talked about before and agreed that it is necessary even though the Council trusts the police. If something were to happen she feels good with having footage of what happened instead of leaving it up to the public.

Muehlbauer commented that he thinks it's a great thing as it helps keep people honest and protected on both sides. He liked that the Police Department is leaning towards Panasonic because they are a quality product and over time it costs less.

Mayor Feldman agreed with the Council. He added that the policy put in place will help protect the police if it's needed. He is in favor of it.

MOTION BY: ROBINSON SECOND: UDVIG AUTHORIZING THE PURCHASE OF PANASONIC ARBITRATOR PORTABLE RECORDING SYSTEM EQUIPMENT THROUGH THE VENDOR BAYCOM, TO BE USED FOR THE DEPARTMENT'S PORTABLE RECORDING SYSTEM. INITIAL COST OF

EQUIPMENT AND DATA STORAGE FOR THE 1ST YEAR WOULD BE \$17,288 AND TOTAL COST OVER FIVE YEARS WOULD BE \$29,624. DATA WOULD BE STORED ON EXISTING ROSEVILLE METRO I-NET SERVERS

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

Nays: None

Motion carried 5-0

8. OLD BUSINESS – NONE

9. NEW BUSINESS – NONE

10. MEETING OPEN TO THE PUBLIC – NONE

11. REPORTS

A. Community Development - QTR 3 Report

Community Development Director Kate Thunstrom presented the 3rd Quarter Community Development Report. She highlighted Bridge Street and the progress made in working with developers and supporting the existing businesses. She noted Hwy 47 has a large project that is in conversation and moving forward with 2 additional retail opportunities that are looking to come in.

Thunstrom also highlighted 2 housing developments that are going strong, The Meadows and River's Edge as well as 2 that are in process. It shows that those areas can be successful and can continue to develop in those areas. She also highlighted Turtle Ponds stating they are waiting until next spring and Rita Meadows is another new one. Thunstrom highlighted building statistic stating there are 35 single-family homes and it looks they will make the 2018 timeline.

Thunstrom reported on the administration which she stated remains very busy. The staff are working on the internet projects, park plan, Hwy 47, and utilities expansions that are all in various steps of progress. Staff is also working on the department website and forms to update the code.

Thunstrom reported that code enforcement remains high. She did mention that terms for 2 planning commission members are up at the end of the year and she has 1 application.

Mayor Feldman commented that the report has 35 permits for new construction and wanted to clarify that there are other permits for additions such as decks. Thunstrom answered that is correct.

Mayor Feldman also noted that the report mentions the extension services on the east side and asked if that was completed. Thunstrom answered, as far as she knows, it is not completed but is close and they had planned to be done this fall.

Mayor Feldman referenced code enforcement numbers and stated that is what the code enforcement is doing, what it hoped it would do, which is notify people what the problem is and give them the opportunity to remediate it and it worked. This shows that it was a good move, that Officer Hearn is the right guy in the right place, along with Jody who is doing a fantastic job. When assessments need to happen, they have 90% of people being notified and mediated which shows good governance. Mayor Feldman commented that this is a marked improvement.

Udvig thanked Thunstrom for her report and presenting it so well. She commented on code compliance, noting that many people are complying when there is an issue.

Muehlbauer thanked Thunstrom for her report and all her hard work. He hoped with some of the projects being completed that they might see a lot more revenue next year.

Bauer thanked Thunstrom for her report. He commented that he was surprised at the progress with construction with the lumber prices being so high. He hopes that things will level off and the City will be able to continue to grow for 2022.

Robinson commented on the code compliance with 10 people needing some extra help. He cited a case earlier in the spring that needed to be worked with to come under compliance, which took place. He asked for background on MnDOT activity, noting they had hired a firm to help work through the Hwy 47 project. City Administrator Joe Kohlmann answered they are continuing conversations and trying to determine the scope of the work that is going to be done. MnDOT has laid out multiple options to move forward and the consultants are working on finalizing quotes from MnDOT to determine costs.

Robinson asked about the consultant, if they are communicating in a timely fashion. Kohlmann answered they have been very receptive and working through the contracts so there is some positive progress.

Robinson stated for the Planning Commission meeting, 3 members were no-shows for the last meeting and encouraged people to attend and be a part of it. He noted there are openings for 1-2 people at this time, that this is an opportunity to voice concerns and be a part of it.

Mayor Feldman asked about the broadband available on the west side. Thunstrom answered she is waiting for a contract agreement from Anoka County for grant funds. The federal government has clarified some of their terms on the funding in regard to areas that can receive money for broadband so the County is having to re-write some of the policies. This area still qualifies so she is waiting for the updated agreement from Anoka County and the prices from MNCo, then they will come back to the Council.

Mayor Feldman asked if CenturyLink stepped forward to work with them. Thunstrom

answered that despite efforts to contact CenturyLink, they have been too busy to give more information. At this time, Midco is ready to go and it will get the services the fastest on this route but if they want to expand, staff can look at other grants.

12. COUNCIL MEMBER REPORTS

Councilmember Muehlbauer thanked staff and Council and the public for making accommodations for him while he is out of town. He thanked Finance Director Darcy Mulvihill and staff for getting Zoom to work. He expressed appreciation for all the staff back home.

Councilmember Udvig thanked the staff as well for being wonderful to work with and always being accommodating.

Councilmember Bauer stated he just got back in town after a vacation. He thanked the department heads for their work. He commented on the French toast breakfast event on Saturday in support of the Fire Department and encouraged people to join in the festivities.

Councilmember Robinson stated he didn't have anything to share.

Mayor Feldman stated that the security glass and security fobs are done despite delays. He asked staff if there were comments from the public and if it had been noticed. Staff responded they had not heard any comments. Mayor Feldman stated that should the pandemic continue, or come again, they will be better prepared. As far as security, it's a situation based on the times today and it's better to be safe than sorry. As far as the Liquor Muni, he reported the cooler that was taken out will be returning, the exterior should be done shortly, and the roof top unit is going to go on so things are progressing. Mayor Feldman stated the finish line is coming and he's happy with it because it will allow the Liquor Muni to increase bulk purchasing ability and expand the product line. The customers are excited about it and he thinks it's a smart move for the city. Mayor Feldman stated he hopes putting a stop light on 233rd will improve the east/west traffic and will help the business there. He noted they are also getting a new parking lot at the Liquor Muni and when it opens, they will offer a tour. He encouraged attendance at the French toast breakfast as it's always a great event. Mayor Feldman thanked staff for all the work and patience with the public and the Council. He stated that their due diligence with this administration and offering full transparency for the public was appreciated. He hoped that would continue with the next administration.

Upcoming Events

October 12, 2021 – City Council Work Session – 5:30 p.m.

October 18, 2021 – City Council Meeting – 6:00 p.m.

October 20, 2021 – Planning Commission Meeting – 7:00 p.m.

November 1, 2021- City Council Meeting- 6:00

13. CLOSED MEETING

- A. Closed Meeting Pursuant to Minn. Statute 13D.05 Subd.3 (c)(3) to consider develop or consider offers or counteroffers for the purchase of real properties as described as 05-33-24-22-0013 and 05-33-24-22-0012

MOTION BY: BAUER SECOND: UDVIG TO RECESS THE MEETING TO A CLOSED SESSION

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

Nays: None

Motion carried 5-0

The open session meeting recessed to closed session at 7:17 p.m.

MOTION BY: ROBINSON, SECOND: UDVIG TO OPEN THE MEETING

Ayes: Bauer, Udvig, Muehlbauer, Robinson, Feldman

Nays: None

Motion carried 5-0

The open session meeting reconvened at 8:31 p.m.

MOTION BY: BAUER, SECOND: ROBINSON TO DIRECT STAFF TO CONTINUE TO PROCEED TO ADDRESS THE TITLE ISSUE WITH THE TITLE INSURANCE COMPANY ON THE PROPERTY

Ayes: Bauer, Udvig, Robinson

Nays: Muehlbauer, Feldman

Motion carried 3-2

14. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular City Council at 8:30 p.m.

Jennifer Wida, City Clerk