

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

**CITY COUNCIL MINUTES
NOVEMBER 2, 2020**

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The regular City Council meeting was called to order at 6:00 pm by Mayor Steve Feldman through a virtual setting via Zoom.

2. ROLL CALL

Members present: Mayor Steve Feldman, Councilmembers Robert Bauer, and Sarah Udvig. Joe Muehlbauer absent.

Also present: Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), City Engineer Craig Jochum (Hakanson Associates, Inc.), City Administrator Joe Kohlmann, Community Development Director Kate Thunstrom, Police Chief Todd Schwieger, Fire Chief Dave Schmidt, Public Works Director Jason Windingstad, Liquor Store Manager John Schmidt, and Finance Director Darcy Mulvihill.

3. APPROVAL OF AGENDA

MOTION BY ROBINSON SECOND UDVIG APPROVING THE REGULAR CITY COUNCIL AGENDA.

Ayes: Bauer, Robinson, Udvig, and Feldman.

Nays: None

Motion carried 4-0.

4. CONSENT AGENDA

A. City Council Minutes – October 19, 2020

B. Embedded Systems Contract Renewal 2021

C. Ice Rink Management – St. Francis Home Run Club 2020-2021

D. Authorization to add 3-5 Fire Fighters

E. Conditional Offer to hire Police Officer Candidate Kody Hadler after successful completion of pre-employment exams

F. Resolution 2020-40: Hearing on Proposed Assessments for the 2020 Street Reconstruction and Watermain Improvement Project

G. Payment of Claims \$345,375.05 (Check #78240-78296)

Mayor Feldman asked to pull items C, D and F from the Consent Agenda for questions and clarification. Udvig asked about Item B. it says 2018 in the contract. Just want to make sure there is an updated contract. Chief Schwieger said he will get an updated contract.

MOTION BY BAUER SECOND ROBINSON APPROVING THE CONSENT AGENDA ITEMS A, B, E AND G.

Ayes: Robinson, Bauer, Udvig, and Feldman.

Nays: None

Motion carried 4-0.

C. Ice Rink Management – St. Francis Home Run Club 2020-2021

Feldman said the Home Run Club states they are proposing 51-day season for \$7,373.58. Last year 51 days \$6,650.68 was there an increase? Both based on 51 days. Public Works Director Jason Windingstad said I am not sure, maybe a typo on my part. My understanding there was not an increase. Feldman said he would like to get a clarification. Prorated for less days. Robinson said that was a question of mine too but all for recreation. Bauer said based on contract and that it can be prorated I am for it but don't think we may even be able to use it. Windingstad said we do have the ability to shut it down. The amount is a typo, I just found out. Udvig said we will give this our best try. How would we close it off to the public? Windingstad said would be posted on social media and post it at the warming house. Will cross that bridge if we get there.

D. Authorization to add 3-5 Fire Fighters

Feldman wanted Fire Chief Dave Schmidt explain the need for additional fire fighters. Chief Schmidt stated our authorized strength for the fire department is 25 members. We will take into account the budgetary side also that it has on the department. We feel at this time if we can recruit 5 qualified fire fighters we will find a way to work within the budget. It would also help us with potential upcoming retirements and intermittent firefighter leaves due to ongoing pandemic.

Bauer said he was wondering what the top number would be and how it would affect the budget.

Udvig was just concerned with the budget too. If we could get to 25 that would be great.

Robinson asked about the pension amount. Chief Schmidt said we are currently at 22 members and explained the pension. Robinson said what is the average training cost to get a person up and running. Schmidt said approximately \$15,000 per person.

Robinson asked is there any more discussion with our neighboring communities. Schmidt said that is still ongoing. Our first commitment is to protect the residents of St. Francis.

Feldman asked for in the future please put the budget impact in your report, may save some questions.

F. Resolution 2020-40: Hearing on Proposed Assessments for the 2020 Street Reconstruction and Watermain Improvement Project

Feldman asked about the public hearing. City Engineer Craig Jochum said most of the assessments will go down slightly except for the townhomes. Feldman said there was a slight over all increase in the project. Council agreed 1.3% is reasonable increase that was bid out earlier this year. Next meeting the public hearing will be held. The road program is really going in the right direction, thank you Joe Kohlmann for bringing this to our attention.

MOTION BY BAUER SECOND ROBINSON APPROVING THE CONSENT AGENDA

ITEMS C, D AND F.

Ayes: Udvig, Feldman, Robinson, and Bauer.

Nays: None

Motion carried 4-0.

5. **MEETING OPEN TO THE PUBLIC**

City Administrator Joe Kohlmann asked if anyone watching would like to speak to the council on an item not on the agenda. Hearing none the council continued.

6. **SPECIAL BUSINESS**

None

7. **PUBLIC HEARING**

A. Assessment Public Hearing: Certifying Assessments for Delinquent Utilities, Miscellaneous Invoices and Administrative Fines: Resolution 2020-41

City Administrator said our Finance Director will give a short presentation on the special assessments. After she is done you will open the public hearing for public input. Once the public has completed you will close the public hearing for discussion.

Finance Director Darcy Mulvihill stated before you this evening is a list of delinquent utility bills, storm water fees and administrative citations invoices and mowing bill. They will be put on next year's tax statement.

Mayor Feldman opened the public hearing at 6:24 pm. With no public comments heard closed the public hearing at 6:25 pm.

Feldman stated 18 pages of MS4 delinquent stormwater fees. We had four properties to schedule the water meter change out. Two of the four properties have paid. We did charge the other two properties the fines as we said we would.

Robinson said he was surprised on the number of people who didn't pay their stormwater fee. Does this \$6 penalty cover the cost. Mulvihill said I really don't think it covers all the cost with the extra mailings, staff time and the charge we receive from Anoka County. Robinson said it is not right the rest are paying for the extra cost.

Bauer said I don't think the \$6 pays for the three mailings. Is there something legally we can do to not send out three mailings. I do believe there must be a better way to do this.

Udvig wished we could get people to pay it. We did see how some fought it. Agrees the penalty cost doesn't cover the extra time. We should at least have our cost covered.

Feldman asked City Attorney Dave Schaps, can we send out only one notice or do we have to send multiple notices? Schaps said I would have to check the Statute but we do for sure have to send out one notice and have a public hearing to give them an opportunity to be heard. Feldman said the program is a good program. If we increase the penalty they will really complain and still not pay it. We have collected approximately \$132,000 to date, Feldman stated.

Robinson said it is a State mandated requirement. We didn't create this but we have to

abide by it.

Feldman said we are just the collectors for it. We are using the money for stormwater related activities. I think there is a thinking right now in the country that any government thing is a bad thing, not necessarily true at least not here. Where we do govern responsibly here in my opinion.

Bauer said I am by no means fighting it, just finding a different way to bill it. I am for doing it better. I don't want other tax paying people to pay for the ones that doesn't pay it. Put it on the water bill and just mail out the non-water bill paying people.

Feldman said I agree we should look at a better way of doing this. Maybe at a work session in 2021 we can discuss options.

MOTION BY BAUER SECOND UDVIG TO ADOPT RESOLUTION 2020-41 A
RESOLUTION CERTIFYING ASSESSMENTS FOR DELINQUENT UTILITIES,
MISCELLANEOUS INVOICES AND ADMINISTRATIVE FINES.

Ayes: Bauer, Udvig, Robinson and Feldman.

Nays: None

Motion carried 4-0.

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

A. **Code Enforcement Extension – DeGardner Circle**

Community Development Director Kate Thunstrom reported the City received from a property owner in DeGardner Circle a request for an extension beyond the 30 days as set by City Code. The property owner has created a brush pile fence that does not meet our fence codes. Both the fire and my departments have been involved in this one. They are requesting an extension to address the issues until June 30, 2021. Staff is not fully supportive of that long of an extension.

Feldman said there is a map of the property where is this fence. Thunstrom stated it is along the southern property line abutting the Woodhaven Manufacture Home Park. They were trying to make a fence out of the brush/sticks to keep out the residents of the manufactured home park.

Feldman said wouldn't they be better off putting evergreens or a berm in there so it is not so much of a fire hazard? I would be more interested in a 30-day extension. I would like to hear from the city attorney. Schaps said if the city council wants them to take this down sooner you have that authority.

Fire Chief Schmidt said he has had several residents stop off at the fire station this summer regarding this matter. The size and location of this fence does create a fire hazard. I too believe it needs to go. I think 30-days is a great opportunity for them to remove it.

Robinson asked if this was a vineyard would it matter and or it had no wire, would it matter? Chief Schmidt said with a grape vine it has vegetation where there is moisture and gets trimmed in the fall. This is more of a tinder box of brush. Thunstrom said this brush pile does fall under our junk and debris code because of the potential

of rodents. Robinson said it is unsightly. Maybe some arborvitaes to put along the lot line. I think we should act on it.

Udvig said I think they were trying to find a natural way to find a barrier but doesn't look safe or attractive. Appreciate they are trying to do something natural but don't think this is the solution.

Bauer agree with Udvig. Unsightly, concerning we are hearing about this now when there were earlier complaints. They could have had more time to take care of this. I don't think we need to give them an extension.

Feldman said the weather is suppose to be good for them to get rid of this. He asked Thunstrom about the 30 days. Thunstrom said I believe an additional 30 days is fair. They have already had some time to get rid of it. Chief Schmidt said he agrees with an additional 30 days.

MOTION BY BAUER SECOND ROBINSON TO GIVE A 30 DAY EXTENSION TO 41XX DEGARDNER CIRCLE STARTING TOMORROW, BEING ALLEVIATED BY DECEMBER 3rd.

Ayes: Udvig, Feldman, Bauer, and Robinson.

Nays: None

Motion carried 4-0.

Thunstrom said we will follow it through our code enforcement abatement.

B. Sale of City Owned Property

Thunstrom stated before you tonight is for the Council to set a sale price of the city owned property. This property was given to the City when Anoka County reconfigured Bridge Street. The parcel is part of a past residential property that is no longer being used. At the October 15, 2018 City Council meeting the Council approved the sale of the identified the parcel as surplus property. At that time staff had obtained a fair market value of the property at an amount of \$7,405 which was equivalent of \$1.00 per square foot. The value was determined by using local non-building property and right of way values. The interested party did identify two trees on the property that need to be removed. Public Works agreed the two trees are in poor shape and should be taken down as they are diseased/rotten.

Feldman gave a brief history of this parcel. I did speak to the homeowner this past weekend and said this is the best price we can do. Maybe we can work out something for the tree removal. Could we turn over this bid to the homeowner? Thunstrom said I believe we could but would have to ask public works. The bid the city received for the removal was \$1,175. Feldman said the potential buyer's bid was higher than what we received. They would like to put a line of evergreen trees along this street of property for privacy and help with the noise.

Bauer said this is just a little sliver of property over by Temperature Specialist. Looks like it belongs to their property. I would be okay with a sale price of \$6,000 and they remove the trees and move on.

Udvig said she willing to work with them with the price of the tree removal.

Robinson said I am somewhat confused on the price. Feldman said they pay us \$6,230 and they pay for the tree removal. I was more inline to split the cost of the tree

removal. But I don't want to hold this up either. They are going to enhance the property too. Feldman said they had privacy to their property before the roundabout and they would like to get it back. They maintain their property now and will maintain this too. I would like to see they get the same bid of \$1,175 from North Metro Tree Service, that would be a help for them. They received two quotes that were higher. Windingstad stated he would contact Jeremy (Shook-Public Works) to see if we can work that out.

Robinson asked what if they don't honor the quote we received. Robinson said let's put a maximum deduction of \$1,175. Feldman said good point. Bauer said what if the homeowner can not receive the same price for tree removal and we have the trees removed before closing, then they pay the \$7,405. Then no questions.

MOTION BY BAUER SECOND ROBINSON TO SELL THE PROPERTY AT 23036 KERRY STREET (33-34-24-33-0039) FOR \$7,405 WITH A DEDUCTION NOT TO EXCEED \$1,175 FOR TREE REMOVAL ON THE CONDITIONS THE LANDOWNER TAKES THE TREES DOWN. IF THE POTENTIAL PROPERTY OWNER DOES NOT WANT TO GET THE BID TO TAKE DOWN THE TREES THEY PAY THE FULL PRICE \$7,405 AND THE CITY TAKES THE TREES DOWN.

Ayes: Udvig, Feldman, Robinson and Bauer.

Nays: None

Motion carried 4-0.

City Administrator Joe Kohlmann stated the actual resolution for the delinquent utilities was not in the scanned packet for the City Council. It was prepared but inadvertently not part of the packet. Kohlmann showed the Council the prepared Resolution 2020-41 for the council to view. The council agreed to adopt Resolution 2020-41 again after viewing it.

MOTION BY UDVIG SECOND BAUER A RESOLUTION AUTHORIZING AND DIRECTING CERTIFICATION OF MUNICIPAL UTILITY SERVICES, MAINTENANCE OF PRIVATE PROPERTY, ADMINISTRATIVE CIVIL NOTICE FEES AND REPAIR OF LEAKS AS A LIEN UPON PREMISES.

Ayes: Udvig, Feldman, Bauer, and Robinson.

Nays: None

Motion carried 4-0.

C. Schedule a City Council Work Session

City Administrator Joe Kohlmann said if it is held on November 9th, both myself and Craig, city engineer will be attending the Oak Grove City Council meeting regarding Poppy Street. Robinson said I would say wait, why have staff waste your time.

Feldman said I agree with Robinson. Let's wait maybe until January. Robinson said what we are asking for is reasonable with the wastewater matter and this project too. Feldman said if we keep paying their share they will keep doing it to us. Bauer agreed to wait along with Udvig.

The Work Session is proposed for November 9th. The council agreed with a Zoom work session starting at 6:00 pm.

D. Schedule a City Council Special Meeting to Canvass Election Results

Bauer said this is usually pretty quick meeting. Feldman asked is 5:30 pm is acceptable via Zoom for November 12th. Mulvihill asked for payment of claims be added to this special meeting due to CARES Act Funding. Council agreed to November 12 at 5:30 pm.

10. MEETING OPEN TO THE PUBLIC

City Administrator Joe Kohlmann asked if anyone watching would like to speak to the council on an item not on the agenda. Hearing none the council continued.

11. REPORTS

A. Department Reports – None

Robinson said he received an email from City Clerk Barb Held from a person about the accidents along Hwy 47 who wanted a signal light at the intersection of Hwy 47 and 233rd Avenue. I did respond to the person telling him we have been in contact with MnDOT for several years but we are waiting for MnDOT's response. Feldman said I too responded to him and gave him the plan the State wanted with the four roundabouts and all the discussion we have had with them. We are waiting for them to get back to us.

B. Councilmember Reports -

Udvig - attended the Recycling Day event, dropped off items. Residents if you have a concern and call us but you too need to follow through. We are here to help.

Bauer – missed recycling day unfortunately out of town. To the people watching this get out and vote. Let your voices be heard.

Robinson – I attended recycling days and worked it. Commend the Public Works employees for their work. Large thank you to Kate and City Planner Beth for the Zoning Updates, long planning commission meeting. A lot being done behind the scenes. We appreciate it and the generations down the road appreciate it too.

Feldman – thanked Robinson for work the Recycling Day hoping next year I will be able to get back and work it.

CASA Rio will be here Wednesday and Thursday this week because it is supposed to be nice out.

Regarding the Fiber Optics to the liquor store is being worked on and hopefully after the first of the year we can start the remodel to the store.

Hoping the second wear course is going on this week for the 2020 Street Construction project.

In regards to elections, Chief Schwieger said they will keep an eye on it. Been working with the city clerk on this so everyone knows what is going on. Staff working the election are aware of the rules. The right to vote is a privilege, Feldman stated I fought for it. I hope you get out and vote. Utilize the right you have. Thank you to everyone that has helped out with the elections. Also, thank you for your patience with the pandemic, would like meetings to be able to go back in person. Feldman

asked Udvig if the school is in hybrid. Distance learning potentially will be pushed out to November 16th and is subject to change. There are waivers for some circumstances but another problem is with staffing and bus drivers. Their hope is to keep everything as hybrid and keep the kids in school as long as possible.

Feldman asked would this affect us with the new officer and the school resource officer. Chief Schwieger said we are trying to stay as involved as possible with the school even on Fridays.

The digital speed sign on Poppy Street probably needs new batteries. Windingstad said they will check it out tomorrow.

Feldman thanked everyone. Enjoy the nice weather for the remainder of the week.

C. Upcoming Events –

Nov 3 General Election – Polls Open 7 am – 8 pm

Nov 11 City Offices Closed – Veterans Day

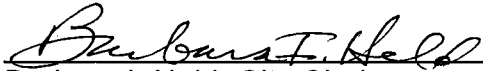
Nov 16 City Council Meeting 6:00 pm, Zoom meeting

Nov 18 Planning Commission Meeting - 7:00 pm, Zoom meeting

Nov 26-27 City Offices Closed – Thanksgiving Holiday

12. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular city council at 7:46 pm.


Barbara I. Held, City Clerk