

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

**CITY COUNCIL MINUTES
September 8, 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: Councilmembers Robert Bauer, Kevin Robinson, Joe Muehlbauer, and Mayor Steve Feldman. Council member Sarah Udvig joined the meeting for a brief time and was excused for the rest of the meeting.

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, Finance Director Darcy Mulvihill, and City Clerk Barb Held.

3. **APPROVAL OF AGENDA**

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

Ayes: Muehlbauer, Feldman, Robinson, and Bauer.

Nays: None

Motion carried 4-0.

4. **CONSENT AGENDA**

- A. City Council Minutes – August 17, 2020
- B. City Council Work Session Notes – July 14, 2020
- C. City Council Work Session Notes – August 10, 2020
- D. School Resource Officer Contract with St. Francis Area Schools 2020-2021
- E. Skid Steer Replacement-Trade in of Bobcat S570 on a Caterpillar 259D3 from Ziegler Cat in Columbus MN.
- F. Generators - Load Bank Testing Quotes from Pioneer Critical Power Inc. and Zeigler Power Systems and approving Pioneer Critical Power Inc to perform the Annual Load Bank testing in the amount of \$7,964.
- G. Fiber Optic to the Bottle Shop – Quotes from Telcom Construction and Subsurface Construction and going with the quote of \$44,020.25 from Telcom construction.
- H. Rental License Approvals – Mid Year: 2768 235th Avenue NW
- I. CARES Act Grant Funding – Election Expenses Res 2020-32
- J. ~~Assessing Contract Renewal – Erik Skogquist~~
- K. Payment of Claims \$143,401.07 (Check #'s 77969-78033)

Mayor Feldman stated Councilmember Udvig asked to have item J. pulled from the consent agenda to discuss further.

MOTION BY MUEHLBAUER SECOND BAUER APPROVING THE CONSENT AGENDA AS AMENDED ITEMS A – I and K.

Ayes: Robinson, Feldman, Bauer, and Muehlbauer.

Nays: None

Motion carried 4-0.

J. Assessing Contract Renewal – Erik Skogquist

Udvig joined meeting for this agenda item.

Mayor Feldman stated Councilmember Udvig asked to have this pulled from the consent agenda in regards to an article in the Anoka County Union Herald about Erik Skogquist and his behavior to Anoka City staff. If that were to happen to any resident like what happened in Anoka we would want to review this again.

Mary Wells a partner with Erik Skogquist in the assessing firm stated unfortunately Erik had a conflict and could not view tonight's meeting but is remorseful and apologized after the event. I have worked with him for some time and have never heard him speak that way, he takes his job very seriously.

Most of the council was unaware of the article but Robinson suggested this be tabled until the next city council meeting.

Wells stated I believe Erik (Skogquist) would be happy to speak to the issue himself.

Udvig stated I believe Erik is remorseful. The way he spoke to city staff made it uncomfortable for them and spoke ill to the contractor too. I want to be completely sure this is a one-time thing and that it does not happen with our residents when he is out assessing properties. Article was concerning and wanted to make sure the council was aware of this incident.

Feldman said everyone deserves a second chance but would like to have this on the next agenda and Erik in attendance.

MOTION BY MUEHLBAUER SECOND ROBINSON TO CONTINUE THE ASSESSING CONTRACT RENEWAL UNTIL THE SEPTEMBER 21, 2020 CITY COUNCIL MEETING.

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

Nays: None

Motion carried 5-0.

Udvig left for the rest of the meeting.

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**

None

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

A. **Adjusting the Tax Levy for Bond Indebtedness – Resolution 2020-33**

Finance Director Darcy Mulvihill reported in 2013, a bond was issued to advance refund the 2007 Bonds. The city also issued GO Bonds in 2015 for street improvements. In 2017, the city refunded the 2012A EDA Lease Revenue with the 2017A GO Bonds. All of these issues have a tax levy associated with them. The city has averaged the levy out over the life of the bonds so that the levy stays consistent. The attached resolution adjusts the 2015 bond levy and the 2017 bond levy. Council indicated they had their questions answered before the meeting and had no further questions.

MOTION BY ROBINSON SECOND BAUER ADOPTING RESOLUTION 2020-33 A RESOLUTION ADJUSTING THE TAX LEVY FOR BONDED INDEBTEDNESS.

Ayes: Feldman, Muehlbauer, Robinson, and Bauer.

Nays: None

Motion carried 4-0.

B. **Preliminary Approval of Proposed 2020 Tax Levy, Collectible in 2021 and Setting Budget Hearing Date – Resolution 2020-34**

Finance Director Darcy Mulvihill reported as per State Law the City is required to certify its preliminary 2021 Levy to the county by September 30, 2020. This levy cannot be increased when the final levy is adopted in December. The council also needs to set the date the budget and levy will be discussed in December allowing for public input. In the agenda memo the proposed tax rate for 2021 was listed at 50.548% since the time the packet was sent out Anoka County did give us a rate of 50.575%. Feldman said that is only a difference of .027%. Mulvihill stated the 2021 levy is proposed to increase to \$4,234,590. This includes the General Operating Levy of \$3,866,000 and a debt service levy of \$368,590. This levy utilizes the city's increased market value amounts to keep the overall tax rate about the same as the rate in 2020. This means that a home valued the same in both years will pay the about the same amount in city taxes as last year. The 2020 tax rate was 50.543%. The total increase in the levy is \$250,000 or 6.59%. The total levy has not changed from the August 10th Work session. This does include an increase of \$186,000 for a future city hall/fire station debt service. The General Operating Levy is broken down to the General Fund, Capital Equipment, Building Improvements and Street Improvements. There has been \$250,000 designated to Capital Equipment to fund projects listed in the CIP Plan for 2021-2025. The resolution also sets the date for the

Public Hearing on the 2021 Levy and Budget for Monday December 7, 2020 at 6:00 pm as part of the regular city council meeting VIA ZOOM.

Robinson stated good to see we are keeping things flat, concerned about the State finances. Not sure what will happen there.

Bauer said he had no questions, like we are keeping pretty flat.

Muehlbauer said he had nothing to add.

MOTION BY BAUER SECOND ROBINSON TO ADOPT RESOLUTION 2020-34 A
RESOLUTION PROVIDING PRELIMINARY APPROVAL OF A PROPOSED 2021 TAX LEVY
AND SETTING THE BUDGE PUBLIC HEARING DATE OF DECEMBER 7, 2020.

Ayes: Bauer, Robinson, Muehlbauer, and Feldman.

Nays: None

Motion carried 4-0.

C. Conditional Use Permit Revocation – Multiple Properties

Community Development Director Kate Thunstrom reported Conditional Use Permits (CUPs) are granted to residential property owners for home-based businesses or use. Over the years, the properties in which hold the permitted use have been sold, changed owners or existing owners are no longer operating the property for which the permit was granted. Staff reviewed the CUP files and identified several that are inactive. Property owners were given the opportunity to come forward and identify any reason(s) or concerns. The steps to revoke a CUP were as follows:

1. Notice in the newspaper 10 days prior to the public hearing: August 7, 2020
2. Direct notice to property owner, mailed August 5, 2020
3. Notice to surrounding properties within 350', mailed August 5, 2020
4. Public Hearing – August 19, 2020
5. Planning Commission recommends revocation of the above addresses – August 19, 2020

The revocation process is an important step as CUP permits run with the land until affirmatively revoked. The CUP's listed in the agenda report are being revoked due to lapse or non-conformity with the CUP Conditions. Planning Commission held a public hearing on the revocation of the Conditional Use Permit on the addresses listed. There were no comments received by any parties in response to the revocation of the CUP permits.

The council thanked Thunstrom for cleaning up some of the old files and noted it was very well spelled out in the agenda memo.

MOTION BY MUEHLBAUER SECOND ROBINSON APPROVING THE
REVOCATION OF THE CONDITIONAL USE PERMITS LISTED IN THE AGENDA
REPORT.

Ayes: Feldman, Bauer, Robinson, and Muehlbauer.

Nays: None

Motion carried 4-0.

D. Conditional Use Permit Revocation – Lot 1, Block 1 Meadows of St. Francis 2nd Addition.

Thunstrom report Lot 1, Block 1 Meadows of St. Francis 2nd Addition, Parcel 06-33-24-11-0084 was awarded a Conditional Use Permit (CUP) to allow for an In-Patient Chemical Treatment Facility in June 2018. This property is also known as Meridian Behavioral Health.

In May of this year, Staff was notified that the project is not moving forward and that the current property owner was selling the parcel. The owner has directly identified the CUP will not be utilized. To revoke a CUP, the process must be initiated by Council or the Planning Commission. Council requested on July 20, 2020 that staff take the necessary steps to revoke the CUP. Planning Commission held a public hearing on the revocation on August 19, 2020. There were no property owners, representatives or residents that came forward with comment. Planning Commission recommended to Council the revocation of the conditional use permit. If another behavior health center was to purchase the land, they would be required to also obtain a Conditional Use Permit. By revoking the current permit, it releases the property from the existing conditions and a new project would create new conditions.

Council all agree with the revocation of the Conditional Use Permit for that parcel.
MOTION BY BAUER SECOND MUEHLBAUER TO REVOKE THE CONDITIONAL USE PERMIT ON LOT 1, BLOCK 1, MEADOWS OF ST. FRANCIS 2nd ADDITION.

Ayes: Robinson, Muehlbauer, Feldman, and Bauer.

Nays: None

Motion carried 4-0.

E. Fire Department Garage Floor Repair

Fire Chief Dave Schmidt said three quotes were received to epoxy coast and seal the east bay garage floors of the fire station. The east bay concrete has been failing for several years from salt, debris, and vehicle traffic. At this time the concrete in the east bay is at risk for a total failure if it is not addressed soon. The identified solution for a cost-effective repair is to apply an epoxied barrier coating to the floor. The three quotes were from:

- | | |
|------------------------------|------------|
| • IGF Coatings | \$4,453.00 |
| • Concrete Coating Solutions | \$7,500.00 |
| • Distinctive Garage Floors | \$5,616.82 |

Council was interest in seeing the difference of the quotes but agreed it should get done and to go with the lowest bidder.

MOTION BY MUEHLBAUER SECOND ROBINSON GOING WITH THE LOWEST QUOTE FROM IGF COATINGS WITH AN AMOUNT NOT TO EXCEED \$4,453.00 FOR REPAIRING THE FIRE DEPARTMENT EAST BAY GARAGE.

Ayes: Feldman, Muehlbauer, Robinson, and Bauer.

Nays: None

Motion carried 4-0.

F. Food Vendor – Bottle Shop Parking Lot

Mayor Feldman said this vendor came about through social media. I had put a post out there looking for food vendors and Mandy from CASA Rio contacted me. She was already booked on weekends so they will be at the bottle shop parking lot from 11 am- 7 pm today, next Tuesday, September 15 from 11 am – 7 pm and Wednesday, September 16 from 3 pm – 7 pm. Next year we would like to expand support of the food vendors. Started with my contact and ended with staff.

Council agreed it was a great idea especially during these COVID times. Great for the residents. Feldman also asked to waive the food vendor fee as we did for the previous ones.

MOTION BY ROBINSON SECOND BAUER APPROVING THE FOOD VENDOR PERMIT FOR CASA RIO AND WAIVING THE FEE.

Ayes: Bauer, Muehlbauer, Robinson, and Feldman.

Nays: None

Motion carried 4-0.

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. Councilmember Reports -

Muehlbauer – said he didn't have much to report. Was copied on an email that staff has handled. It was about Riverbank Lane ditches and they also spoke with Craig (Jochum).

Bauer – hope the electronic billboard is up and running so we can get the food vendor dates and times on there.

Robinson – shout out to the police department and the call report they put on their Facebook page each week. Sat in on 90 minutes of the school board emergency meeting last Friday morning. He also asked Kate (Thunstrom) how the food vendor event went in Community Park the other weekend. Thunstrom said she was not able to attend but the feedback she heard, it was well received. Kohlmann stated he heard from the main food vendor and said it went really well and would like to come back again. Robinson asked about the used car places like the one that went into the old Marties, is that the same thing as what St. Francis Auto Parts is now? Thunstrom stated St. Francis Auto Part has a Conditional Use Permit and the car dealers are part of the CUP. Both businesses are quiet but up and running.

Feldman – as Robinson said at a previous meeting, people don't see how much time we put in behind the scenes. Feldman then asked the engineer where are we with the Riverbank Lane project. Jochum stated the contractor is seeding the ditches again. I believe this is the third time.

Feldman then asked Chief Schwieger how the hiring process was going. Schwieger stated all staff is involved in the process one way or another. Going well, we will be interviewing 14 on our first round of interviews.

Feldman asked Thunstrom and City Attorney Dave Schaps how the house on Rum River Blvd. is proceeding. Thunstrom stated there was a motion hearing last week and hoping to hear something this week.

Feldman stated in regards to the skid steer we have done yearly trade ins in the past, this time we are purchasing a track machine. Windingstad said in his memo with a track machine with an industrial brush hog the machine will be able to do more than with a wheel machine. \$65,000 was budgeted, the cost savings of \$25,866 was from the wide area mower along with a trade in value of the skid steer (\$26,020) leave a balance of \$13,114. We will keep this machine 3-5 years. The Caterpillar quote was higher but it comes with a premier warranty of an extra year or 1000 hours and the Bobcat did not. Feldman stated I believe if you take care of your equipment like our public works department does you can keep a machine longer.

Feldman said in regards to the Fiber Optics to the Bottle Shop. If you recall back the proposed amount as of October 31, 2018 was \$45,976.00 to extend Fiber Optics. Now the quote from Telcom came in as \$44,929.25 a difference of \$1,046.75. the other quote received was only for the piping and no cable. Feldman just wants to make sure this is put in place with the understanding the Bottle Shop will be remodeled.

Feldman asked Thunstrom how the business CARES Act money is going. Thunstrom stated the city received 6 requests. The EDA will be meeting Monday, September 14 to address the request. Myself and Brenda Pavelich-Beck of the EDA did review the initial requests. We believe we should be able to get the 6 businesses their funding. Feldman asked about the meeting with the Commissioner of MnDOT regarding Hwy 47. Kohlmann stated it is tabled indefinitely.

Feldman also asked about the IT service contract with Roseville. Kohlmann said once COVID hit we have not heard from them.

Feldman asked Thunstrom about the land acquisition. There is a chance Thunstrom said we could see a first draft this week or next.

Feldman said he is happy and pleased the school district stayed with a school resource officer, I see other school districts are getting rid of theirs.

In regards to projects, the curb should be put down in the Rivershores area this week and hoping to be mostly completed in 2-3 weeks.

Feldman briefly spoke a on the racetrack issue that has been a problem in the past and it seems like it may be an issue again.

B. Upcoming Events –

Sept 7 Labor Day –City Offices Closed

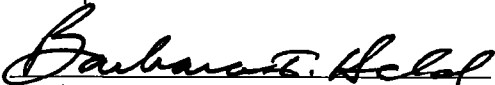
Sept 8(Tues) City Council Meeting 6:00 pm, Zoom meeting

Sept 16 Planning Comm. Meeting @ 7:00 pm

Sept 19 Recycling Event @ LePage & Sons 8 am-noon

12. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular city council at 7:13 pm.


Barbara I. Held, City Clerk