

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

CITY COUNCIL MINUTES

July 20, 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 Kevin Robinson, Sarah Udvig, Robert Bauer, Joe Muehlbauer, and Mayor Steve Feldman. 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 MUEHLBAUER SECOND BAUER APPROVING THE REGULAR CITY COUNCIL AGENDA.

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

Nays: None

Motion carried 5-0.

4. CONSENT AGENDA

A. City Council Minutes – July 6, 2020

B. Accept the Resignation of Police Officer – Jody Black effective July 31, 2020.

C. Authorization to Fill Vacancy of Police Officer

D. Pay Estimate No. 1 to Kuechle Underground, Inc. \$430,315.13 for the 2020 Street Reconstruction Project

E. Pay Estimate No. 1 to North Valley Inc. \$151,915.11 for the 2020 Street Rehabilitation Project

F. Sewer System Cleaning (Jetting) and Televising – Accepting the two quotes; Ritter & Ritter Inc. \$28,210 and Empire Pipe Services \$26,0337.50 and award the bid to Empire Pipe Services.

G. Payment of Claims \$1,127,356.67 (ACH 290E-292E \$ 357,977.79) and (Checks 77754-77833 \$769,378.88)

MOTION BY ROBINSON SECOND UDVIG APPROVING CONSENT AGENDA ITEMS A-G.

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

Nays: None

Motion carried 5-0.

5. **MEETING OPEN TO THE PUBLIC**

Tom Simshauser, 23177 Jivaro Street; reported this past weekend there were fireworks on or around our street. They were still going off around 10:30 – 11:00 pm and quite loud. They woke up our kids and neighbors. The debris was ending up close to our house. I did email the mayor over the weekend about the noise. Seems like an on going problem lately. Was just wondering what can be done. I did go speak with the neighbors that were shooting them off.

Feldman asked Police Chief if he could let him know what they can do.

Chief Schwieger stated our city code follows the State Statute. What they were shooting off were probably not Minnesota legal. We have been receiving more complaint this year and we have confiscated a lot too. We recommend you call when it is going on. Give dispatch as much information as you can. You can remain anonymous but at least give dispatch the address of the person doing it or at least your address. We will also look for indicators. The enforcement is the discretion of the officer. If they have been warned and continue they will be issued a citation. Common problem this time of year and this year there seems to be more. There were a lot of comments on Facebook but only two called dispatch. Residents need to call dispatch, officers don't monitor Facebook. Giving dispatch as much information you can is huge.

Tom Simshauser said thank you and we hope to have no more conflict.

Muehlbauer stated he is looking at the Statute and the best we can do is support our police department. Continue to call the police, keep them informed.

Udvig stated unfortunate this is happening everywhere, be respectful to your neighbors.

Bauer agreed with Udvig, let's be respectful to your neighbors, be neighborly.

Robinson said he is glad this was handled respectfully. In our area we hear guns late at night.

Chief Schwieger stated in the water/sewer area no guns or bow and arrows are permitted. In the non water/sewer area you must be at least 500' away from a structure.

Feldman thanked the resident for coming forward.

6. **SPECIAL BUSINESS**

None

7. **PUBLIC HEARING**

None

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

A. **CARES Act – Small Business Relief Grant Program Policy**

The City received a Federal CARES Act funding that passed through the State of Minnesota. Cities were provided funds to address municipal costs and have the ability to provide grants to local businesses. However, there are parameters in which business must adhere in order to receive these funds. Community Development Director Thunstrom also stated you received a draft Small Business Relief Grant Program Policy. There may be updates as we continue to learn more information from the Federal and State level. We also have been working with Anoka County and cities within Anoka County. The time line was in the report.

The council is hoping this will help the local businesses. They also wanted to know if they could help in any way to get the word out about this program when it is ready.

MOTION BY UDVIG SECOND ROBINSON APPROVING THE SMALL BUSINESS RELIEF GRANT PROGRAM POLICY SUBJECT TO ATTORNEYS REVIEW.

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

Nays: None

Motion carried 5-0.

B. **CUP Cancellation on Meadows of St. Francis 2nd Addition-Vacant Lot**

Thunstrom reported the Meadows of St. Francis 2nd Addition was granted a Conditional Use Permit (CUP) for the development of a behavior health center in June, 2018. They anticipated to build in 2018 and/or 2019. In May 2020 staff was notified that the property owner was considering a sale of the property. In July staff was notified by their real estate agent the sale was now officially moving forward. A CUP runs with the land, so any future land owner can utilize the land use approval. Cancelling the CUP would require any project not “permitted” by Code to process a land use permit. If Council requests staff to move forward with the cancellation of the CUP, it would move to a public hearing at the Planning Commission, August 19 and Council on September 8, 2020.

Feldman stated he was not sure that is a good area for a behavioral health center. By canceling the CUP, we would have more control of what does go into that area. The realtor did contact a builder who already signed a letter of intent to purchase the property.

Robinson asked if they owed the city any money. Thunstrom said not this one. Robinson said lets wipe the slate clean; he too would like to see more housing.

Bauer agreed with Robinson. These would be water/sewer lots and butt right up to the potential new development in Oak Grove with acreage lots. Not sure why they would not want to hook up to our water/sewer so they could put in more lots.

Muehlbauer said if you are going to put in a behavioral center, across from the police department is not a bad area for one. Addiction facilities get a bad rap but I would agree with starting the cancelation process.

Udvig stated she agrees with the cancelation of the CUP.

MOTION BY ROBINSON SECOND MUEHLBAUER DIRECTION STAFF TO INITIATE CANCELING THE CONDITIONAL USE PERMIT ON THE MEADOWS OF ST. FRANCIS 2ND ADDITION.

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

Nays: None

Motion carried 5-0.

C. Emergency Management Declaration

City Administrator Joe Kohlmann reported the City adopted an Emergency Ordinance due to COVID-19 in March, 2020. Staff has been following industry guidelines that have been pushed out by the State of MN regarding specific departmental functions. Included in the packet are documents that were required to be adopted as part of a Reopening Plan. The plan did not need to be submitted but was required to be put in place. Kohlmann asked for direction on whether we keep this in place or not. The council generally agreed to keep it in place for the time being. This will be revisited again the second council meeting in October.

D. Change Order No. 1 – 225th Lane (2020 Street Reconstruction Project)

City Engineer Craig Jochum reported during the reconstruction of 225th Lane from Rum River Blvd. to Tulip Street the contractor noticed a soft subgrade that was not anticipated. This development went in around 1979. Jochum went into detail of how this may of gone unnoticed and what was needed to correct the subgrade properly. Jochum's report was included in the packet. Jochum stated it is not known at this time if the soils issue may continue up Zea Street/226th Avenue too. Jochum stated to qualify for Municipal State Aid funds a change order must be processed to add the geotextile fabric to the contract. Provided to the council was Change Order No. 1 is for 12,000 square yards of Geotextile Type 5 for \$28,440. This is a unit price project therefore; the contractor will only be paid for the actual units or square yards of geotextile fabric installed.

Muehlbauer said thank you for the explanation. Not a fan for paying more but at least we can use MSA funds. Muehlbauer asked for a projected completion date. Jochum stated there has been a significant amount of work that needed to be done on this project. We are hoping early to mid-August with restoration after that.

Robinson thank Jochum for the detailed explanation.

Feldman stated we need to do this right and asked for the residents to be patient.

Udvig said she had nothing further to ask but also thank Jochum for his explanation of the works that needs to be completed.

Bauer said anytime we go that far down things do come up. Thanked Jochum for the informative change order explanation, we never got that with Bolton and Menk.

Feldman said I like that we heard about the change order on time not like the changes orders the council use to get after it was completed. Be patient and let's do this right.

MOTION BY MUEHLBAUER SECOND ROBINSON APPROVING CHANGE ORDER NO. 1 ON THE 2020 STREET RECONSTRUCTION AND WATERMAIN IMPROVEMENT PROJECT FOR THE GEOTEXTILE IN THE AMOUNT OF \$28,440.

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

Nays: None

Motion carried 5-0.

10. **MEETING OPEN TO THE PUBLIC**

None.

11. **REPORTS**

A. Department Reports – Police Department 2020 Second Quarter Report

Chief Schwieger stated he was going to introduce Police Reserve Derek Barck, who is interning with the police department for his college requirements but is no longer signed on to the meeting. This week Derek will be with me.

Chief Schwieger gave his quarterly report. He highlighted the department in response to COVID, calls for service, Community Resource Officer, events, and TZD. TZD is Minnesota's Toward Zero Death traffic safety program. Will also be working on hiring another officer.

Feldman thanked Chief Schwieger for the report. I like that we are being proactive and preemptive.

Robinson stated good report and asked about fines for not wearing seatbelt and texting.

Bauer said he was surprised that agency assist and a lot of the numbers went down this quarter in comparison to other quarters.

Udvig stated another excellent report and kudos to the police department for their community relationship, keep up the good work.

Muehlbauer said good report and appreciate what your staff does and also glad you are our chief during this time. Muehlbauer then asked about the Citizen Police Academy. Chief Schwieger said if not this fall definitely in the spring.

Feldman said council is blessed with the council and staff we have. We will always have issues to deal with. Resident Tom Simshauser thanked the council and staff for what you do. Feldman stated we don't hear that very often, nice to know we have a good team.

B. Councilmember Reports -

Udvig – has been reaching out to food vendors to see we can do to get some in St. Francis.

Bauer – nothing to report.

Muehlbauer – did miss the work session, didn't feel well.

Robinson – felt we had good discussion at the work session.

Feldman – in speaking with Public Works Director Jason Windingstad he found out that with the milling that was left over from the street project and some that we had around he was able to sell it to a contractor for \$850. Good initiative, better bang for the buck.

C. Upcoming Events -

July 18 Recycling Event @ LePage & Sons 8 am to noon

Aug 3 City Council Meeting @ 6:00 pm

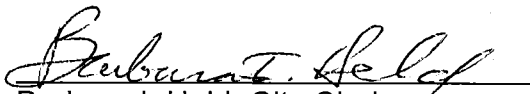
Aug 11 State Primary Election 7am to 8 pm

Aug 17 City Council Meeting @ 6:00 pm

Aug 19 Planning Comm. Meeting @ 7:00 pm

12. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular city council at 7:30 pm.


Barbara I. Held, City Clerk