

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

CITY COUNCIL MINUTES

MAY 18, 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, Joe Muehlbauer, Sarah Udvig, and Kevin Robinson. 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 ROBINSON APPROVING THE REGULAR CITY COUNCIL AGENDA.

Ayes: Muehlbauer, Bauer Robinson, Udvig and Feldman.

Nays: None

Motion carried 5-0.

4. CONSENT AGENDA

- A. City Council Minutes – May 4, 2020
- B. Temporary Sale of Fireworks Application from TNT Fireworks
- C. Resolution 2020-23 -Declaring the Official Intent to Reimburse Certain Expenditures from the Proceeds of Bonds to be Issued by the City
- D. Code Enforcement Revision Policy 4.01
- E. Payment of Claims \$393,986.62 (ACH 286E-287E \$250,693.40 and checks #'s 77501 -77560 \$143,293.22)
- F. Upper Rum River Water Management Organization (URRWMO) 2021 Annual Budget Ratification

Mayor Feldman asked to remove item D from the consent agenda.

MOTION BY ROBINSON SECOND UDVIG APPROVING THE CITY COUNCIL CONSENT AGENDA ITEMS A-C and E-F.

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

Nays: None

Motion carried 5-0.

D. Code Enforcement Revision Policy 4.01

Mayor Feldman stated this was brought up at a previous work session. This update came about due to an issue with a property owner that is not a resident of St. Francis who makes complaints about specific properties in St. Francis. City Administrator Joe Kohlmann stated these complaints from this non-resident is demanding action on items that are not health or safety issues.

Muehlbauer asked is this individual is going to keep calling our police? Discussion on the priorities of calls and again if it has to do with health and safety issues.

Feldman said the issues are more civil matters between the St. Francis residents and the Athen's Township resident.

Feldman also noted the URRWMO 2021 Annual Budget Ratification was approved by all the other cities involved. The budget in 2020 was \$6,783 and for 2021 St. Francis portion will be \$8,410. Feldman stated the URRWMO is a good organization. They help protect our waterways.

MOTION BY UDVIG SECOND ROBINSON APPROVING THE CODE ENFORCEMENT REVISION POLICY 4.01.

Ayes: Feldman, Bauer, Muehlbauer, Udvig and Robinson

Nays: None

Motion carried 5-0.

5. MEETING OPEN TO THE PUBLIC

City Administrator Joe Kohlmann stated we do have some viewing members this evening. The first one he called upon was David Brace.

A. David Brace, 25952 10th Street, Zimmerman

Mr. Brace stated he was addressing the council on behalf of local residents, they are asking for help. Mr. Brace said we'll stand behind their constitutional rights and support. Princeton Township, Oak Grove, Nowthen and Albertville to name a few cities that have passed resolutions supporting the reopening of businesses and churches.

Feldman stated the one copy we received from the Anoka County Commissioner was not formally approved at a meeting. The City did sign a Declaration of Emergency but that was for the City departments. We are here to support our local businesses but our City Attorney is recommending staying out of this legally is a good idea for liability reasons. City Attorney Dave Schaps stated there are a number of lawsuits already started but this should stay between the State of MN and the business owners.

Mr. Brace stated look it over in earnest.

Robinson stated we support the businesses in St. Francis whether we support this document or not.

Attorney Schaps stated this is an ever-changing environment and believes the council is supportive of the businesses but this is a legal matter between the State of MN and the businesses.

Robinson stated again, we do support our local businesses but do not want to expose our city with additional liability.

Muehlbauer stated what Robinson, Feldman and Schaps stated it is between the businesses and the State of MN. I took an oath for this office to support the constitution. This declaration is more symbolic. I do support the constitution. If any business wants to open up, they need to contact their own attorney.

Feldman stated again we do not need this document to support our businesses but this is out of our jurisdiction and don't want the vulnerability.

Bauer said I agree what Joe (Muehlbauer) said, this is mostly symbolic. I agree the State might have outstep their boundaries. Instead of shutting businesses, they should have laid out steps of safety. I too don't want to open us up for liability. Bauer asked Chief Schwieger what happens if someone does open. Chief Schwieger stated if we receive a call we would get the information and submit it to the State of MN and make a report. We encourage compliance.

Bauer said I am 100% for the small businesses within St. Francis but I don't think I can set St. Francis up for a liability concern.

Feldman asked Schaps do the businesses have to have a plan to open? Schaps stated it is my understanding they do.

Udvig stated she echoes what other councilmembers stated. We support our local businesses but don't want to set us up for liability.

Feldman said just like with MnDOT and the four roundabouts, we support small businesses, fighting for them but cannot risk the vulnerability, time and money.

City Administrator asked if there was anyone else from the public viewing that would like to comment or address the council. Kohlmann than asked Melissa Pierce if she would like to make a comment and she stated she was just an observer.

6. **SPECIAL BUSINESS**

A. Abdo Eick and Meyers – 2019 Annual Financial Report

Justin Nilson of Abdo, Eick and Meyers LLP gave an overview of the 2019 Financial Statement Audit. (The full audit can be found on the City's website). He started out by thanking the Council for hiring their auditing firm and the help of all staff, especially Darcy (Finance Director).

After the presentation and some question and answers of the audit Feldman thanked Darcy and staff. Feldman stated he appreciated all the different graphs. The last four years have seen strong budgetary management, stated Feldman. We have become more due diligent and the numbers look good. We are doing projects more sized to our budget.

Udvig stated good thorough report. Sitting now pretty well.

Robinson stated he appreciates the detail to the report. Shows responsibility, spending more wisely, making progress, improvements and assets to show for it. This shows we are doing a good job.

Muehlbauer had question on the debt service and several others questions.. Justin Nilson answered his questions. Muehlbauer said great job.

Feldman noted all the different software that is helping, we are spending money properly is what is helping us. Every city has to spend money but you want to get a good return on it.

Bauer said we have been good stewards of the money. I would like to see more money put into the street fund. Great job Justin and Darcy, we are doing a great job financially.

Feldman said it is a team effort, auditors, staff and council working together. Thank you Justin and your company. I know segregation of duties is always mentioned in the management letter and it is because of the number of employees we have.

MOTION BY MUEHLBAUER SECOND UDVIG TO ACCEPT THE 2019 ANNUAL FINANCIAL STATEMENT AUDIT.

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

Nays: None

Motion carried 5-0.

7. **PUBLIC HEARING**

None

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

A. Resolution on COVID-19 Situation

City Administrator Joe Kohlmann stated we have already discuss this topic thoroughly earlier in the meeting. Feldman said we are at looking into ideas but do not want any liability.

B. MnDOT Meeting

Kohlmann reported MnDOT has reached out to staff and would like to know if we would prefer a virtual meeting with the Commissioner to the requested face-to-face meeting. A virtual meeting would speed up the timeline. Consensus was to wait and do a face-to-face meeting. Feldman stated Highway 47 is just as important to St. Francis as is Highway 65, 10 and 694 are to their cities.

C. Liquor Store Expansion

Kohlmann stated included in the packet was a revised timeline and cost estimate for the liquor store expansion. Miles Britz of Pearl Architect was available for questions. Britz stated the drawings are 99% complete some of the items that still need to be done will depend of whether or not the council want to proceed at this time.

Feldman had questions about the additional coolers. Because of what is happening to the State's budget, now might be the right time for the expansion. We don't know what the effect of COVID-19 will have on our budget. If we wait, we can still use these plans.

Robinson agreed this project went farther than what we started with. What have we invested so far on this project? Kohlmann said around \$67,000. Feldman said we can still use the same plans. Robinson asked what about just completing the fiber optic portion at this time. Kohlmann stated the previous quote was around \$45,000 and that could proceed without the addition. Robinson said he was for putting the project on hold but go ahead with the fiber optic to increase their technology needs.

Muehlbauer said he was disappointed to see the cost keep going up. Not necessary opposed to the fiber optics at this time. No issue with waiting because the number was higher than anticipated but mostly happy with the design.

Udvig agreed to hold off on the project expansion but agrees to move on the fiber optics.

Bauer questioned if we should still go out for bids. After some discussion, it was agreed that would not be a good options right now. Bauer stated this is not my specialty so I will go with your recommendation. However, I do agree with moving forward with the fiber optics,

Consensus of the council was to update the price of placing fiber optics to the building. Council thanked Miles Britz for all the time he has spent on this project.

10. MEETING OPEN TO THE PUBLIC

None.

11. REPORTS

A. Department Reports – Public Works Monthly Reports

Public Works Director Jason Windingstad gave an update on the Monthly Report for his departments. Council agreed it was a good report as usual

B. Councilmember Reports -

Muehlbauer – nothing more to report.

Udvig – just a reminder when you join the Zoom meeting please mute your device when not speaking. When you want to report an incident to the police who should you call. Chief Schwieger stated the easiest number to remember is 9-1-1. There is a non-emergency number too and goes to the same operators.

Bauer – We and I support local businesses. Also agree with Joe (Muehlbauer) the sample resolutions are symbolic.

Robinson – had the opportunity to attend the Oak Grove City Council meeting in regards to the Poppy Street Improvement. They just want to do a mill and overly, really disappointed.

Feldman – the City will be sending a check to the SFE APT for the playground equipment as soon as we receive notification from the St. Francis Bottle Shop that the \$2,500 donation has been meet. I would like to applaud the city council and compliment John (liquor store manager).

Feldman asked City Engineer Craig Jochum if there was going to be a streetlight on the south end of Butterfield Drive with this project. Jochum not at this time but he could get pricing and bring that number back to council. Hoping for a pre-construction meeting next week for that project. Looks like the contractor would start around early June in the Rivershores area and maybe be in the Butterfield area around early July. Feldman stated I am disappointed in Oak Grove not going in more on the street project. We saved them money in SAC (Sewer Access Charges) when the Ponds Development hooked up to our sewer system. Discussed what the different options are and how we should proceed with that portion of Poppy Street.

Filing for local races opens tomorrow May 19 and runs until June 2.

Feldman said he also spoke with both Dallas and Gary regarding the previous noise complaints. Hoping to get all parties together to work together on maybe a fence.

C. Upcoming Events -

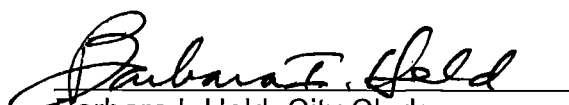
May 18 City Council Meeting @ 6:00 pm

May 20 Planning Comm. Meeting @ 7:00 pm

June 1 City Council Meeting @ 6:00 pm

12. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular city council at 8:47 pm.


Barbara I. Held, City Clerk