

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

CITY COUNCIL MINUTES

DECEMBER 2, 2019

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The regular City Council meeting was called to order at 6:00 pm by Mayor Steve Feldman.

2. ROLL CALL

Members present: Mayor Steve Feldman, Councilmembers Kevin Robinson, Joe Muehlbauer, Robert Bauer, and Sarah Udvig. 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 Paul Teicher, Liquor Store Manager John Schmidt, Finance Director Darcy Mulvihill, and City Clerk Barb Held.

3. APPROVAL OF AGENDA

MOTION BY MUEHLBAUER SECOND ROBINSON APPROVING THE REGULAR CITY COUNCIL AGENDA. Motion carried 5-0.

4. CONSENT AGENDA

A. City Council Minutes – November 18, 2019
B. Annual License Renewals for 2020 – Resolution 2019-53
C. Massage Therapy License – 23280 Variolite Street NW
D. Payment of Claims \$168,019.40 (check #'s 76727-76782)
Add E. Accepting the Resignation of Public Works Director Paul Teicher effective December 13, 2019.

MOTION BY ROBINSON SECOND UDVIG APPROVING THE CONSENT AGENDA ITEMS A-E AS AMENDED. Motion carried 5-0.

Mayor Feldman said we wish Paul the best of luck with your future.

5. MEETING OPEN TO THE PUBLIC

None

6. SPECIAL BUSINESS

None

7. PUBLIC HEARING

A. Presentation on 2020 Proposed Budget - Public Input
1. Certifying Taxes Payable in 2020 – Resolution 2019-54
2. Adopting a Budget for 2020 – Resolution 2019-55

Finance Director Darcy Mulvihill gave a PowerPoint presentation on the 2020 Proposed Budget that included discussion on the budget and tax levy. A copy of the presentation can be found in the council packet. The Levy for 2020 is \$3,984,590. Feldman asked Mulvihill to explain the amounts on the budget resolution. Tax rate is 50.461%.

Council thanked Mulvihill and said good report.

Bauer said if the State lowers the Local Government Aid (LGA) again we will have to make a lot of cuts.

Mayor Feldman asked for public input at 6:21 pm. There was no public input. The public input portion was closed at 6:21 pm.

1. Certifying Taxes Payable in 2020 – Resolution 2019-54

MOTION BY MUEHLBAUER SECOND ROBINSON TO ADOPT RESOLUTION 2019-54 A RESOLUTION CERTIFYING TAXES PAYABLE IN 2020. Motion carried 5-0.

2. Adopting a Budget for 2020 – Resolution 2019-55

MOTION BY UDVIG SECOND ROBINSON TO ADOPT RESOLUTION 2019-55 A RESOLUTION ADOPTING THE BUDGET FOR 2020. Motion carried 5-0.

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

A. Fire Chief Position

City Administrator Joe Kohlmann stated included in your packet is an agenda report changing the fire chief from part time to a full time position. The amount was included in the 2020 budget. Job description is also included in the packet.

Feldman stated we have discussed at a number of work sessions this subject. Made cuts to make this work in the budget.

Robinson said he supports this change. The economy is right and the time is right, right guy for the job.

Muehlbauer nothing to add.

Udvig echo what Robinson said and cuts were made.

Bauer not opposed in the future but not right now. I don't believe St. Francis is big enough to support a full time fire chief. If this council decides to go to a full time, they should open it up for interviews. Don't believe financially we should be spending \$80,000 for a fulltime chief. I have been asking for a 5% decrease in the budget every year. Right now, I don't think we are in a need for a full time chief.

Feldman said we have someone in house that has been effective. We have had a lot of discussion on this topic.

MOTION BY ROBINSON SECOND UDVIG AUTHORIZING THE FIRE CHIEF POSITION TO MOVE FROM PART TIME TO FULL TIME STATUS AND APPROVE THE JOB DESCRIPTION. Motion carried 3-2. Bauer and Muehlbauer voting

B. Ordinance 256 Second Series: Amending Fee Schedule (Second Reading)

This is the second reading of amending the fee schedule for 2020. Only change was deleting the Pawn Broker per transaction fee.

MOTION BY BAUER SECOND MUEHLBAUER TO APPROVE THE SECOND READING OF ORDINANCE 256, SECOND SERIES AMENDING SECTION 2-9-1 OF THE CITY CODE REGARDING FEE SCHEDULE.

Ayes: Bauer, Feldman, Muehlbauer, Robinson and Udvig

Nays: None.

Motion carried 5-0.

C. Summary Publication of Ordinance 256, Second Series – Resolution 2019-56

MOTION BY ROBINSON SECOND BUAER TO ADOPT RESOLUTION 2019-56 A RESOLUTION AUTHORIZING THE SUMMARY PUBLICATION OF ORDINANCE 256 SECOND SERIES AMENDING SECTION 2-9-1 OF THE CITY CODE REGARDING THE FEE SCHEDULE FOR THE CITY OF ST. FRANCIS.

Bauer asked why do we have to publish ordinances, can't we just put them on our website.

City Attorney Schaps said publications has been an item for discussion at the legislation for years. Motion carried 5-0.

D. Code Enforcement Extension Request – 4xxx-233rd

Community Development Director Kate Thunstrom reported on a code extension request. Property owners with complex code enforcement concerns and clean up requirements have come forward in the past requesting an extension beyond the 30 days as set by Code. Staff has working with this property owner in regards to the cleanup but has a history of issues with vehicles and has continued to expand issues in the rear property. They are allowed up to 30 days for cleanup, if property wants more time staff needs to bring it to council. Property owner is working with staff. A request for the ability to extend the deadline until May 13th, 2020 has been requested. Staff will do progress reports. Property owner is having problems obtaining titles for some of the vehicles.

Chris Johnstone, the property owner stated he is waiting for titles from the police department.

Feldman asked if he feels comfortable with the deadline. Johnstone said yes.

Robinson said did you think you may have a problem when you kept adding vehicles. Think about your neighbors. Everyone has different hobbies. If it was summer time would we give him six months. Seems like you have been given many opportunities.

Thunstrom said this one is a little unique it has an ongoing legal aspect.

Chief Schwieger said yes, there is an ongoing investigation with this property.

Bauer said I won't get into the title thing. With extensions for the title issues, I will go along with the extension. Should look good by May 13.

Udvig thank you for coming tonight. I hope that you get this taken care of by May 13.

Feldman said this is a onetime extension. This is one thing we do not relish to do. The sooner the better but deadline is May 13.

Robinson asked if we could get a progress report on April 13 that would be good.

Thunstrom said yes, we would be doing progress reports.

MOTION BY BAUER SECOND MUEHLBAUER GRANTING THE EXTENSION FOR 4XXX-233RD TO MAY 13 WITH A REPORT DUE ON APRIL 13. Motion carried 5-0.

E. 2020 Street Rehabilitation Project - Resolution 2019-57

City Engineer Craig Jochum reported as per council direction bids were received for the rehabilitation (mill and overlay) of Arrowhead Street, Flora Street and 231st Lane. This project will be financed with Municipal State Aid funds and local funds. This project also includes improvements to the water valves. Water valve improvements will be financed with the Water Fund. Seven bids were received and opened November 26, 2019. This project will require dewatering that is why the bids were a little higher than initially expected. The bids received are as follows:

<u>Contractor</u>	<u>Bid Amount</u>
North Valley, Inc.	\$522,325.92
Northwest Asphalt, Inc.	\$524,026.50
Valley Paving, Inc.	\$542,311.55
ASTECH Corp.	\$548,482.05
Park Construction Company	\$591,520.78
Knife River Corporation	\$594,750.05
Omann Brothers Paving, Inc.	\$600,829.11

Bauer asked about the funding source for the valve replacement. Should we change the funding source for the valves? After an explanation, the valves are coming out of the water fund.

Udvig asked about the dewatering.

Robinson asked about the MSA money with the no parking on one side of the street. Jochum said just on Arrowhead Street qualifies for MSA funds. So Arrowhead will be

the only street with one side parking. Robinson asked how are we going to let the residents know. Jochum said there will be no parking signs. For the future, let's give the residents information on what is all going on with the project before the signs go in. Robinson also asked have we worked with North Valley, Inc. before. Jochum said they did an exact type of project in 2018 for St. Francis.

Feldman said if we don't use MSA funds the residents would be paying more.

Bauer said if there is going to be no parking can we put it on the fire hydrant/mail box side. Jochum said we do have that option.

MOTION BY BAUER SECOND ROBINSON TO ADOPT RESOLUTION 2019-57 A RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT TO NORTH VALLEY, INC. FOR THE 2020 STREET REHABILITATION PROJECT. Motion carried 5-0.

F. 2020 Street Reconstruction and Watermain Improvement Project

The streets included in the 2020 Street Reconstruction and Watermain Improvement Project were selected primarily based on street surface deterioration, utility age, available funding and overall program staging. The project will replace some old and undersized watermains and corresponding water services and provide an adequate stormwater collection system. This project will also replace deteriorated concrete curbing and bituminous surfacing. These infrastructure systems have served beyond their expected useful life. There are four project areas. The proposed street and utility improvement limits are shown on Exhibit A in the council packet.

This project will also complete two watermain loops. The first watermain loop includes an 8-inch PVC pipe from the River Shores neighborhood to the wastewater treatment property. Currently all of the property's east of Rum River Boulevard between 225th Lane and 227th Court are only supplied in one direction. This loop will provide more reliable water supply and facilitate water shut downs when required for watermain breaks and repairs. The second watermain loop will include constructing a new watermain on 229th Lane from Poppy Street to Quay Street. This section of new watermain will provide a secondary supply to the residents on Quay Street and will eliminate the dead end watermain on Quay Street.

Engineer Jochum stated staff is requesting direction on the assessment method. As requested, the assessments have been calculated based on the Front Footage Method and the Per Unit Assessment Method. The assessments are based on the City's current assessment policy; assessing 40% of the watermain lateral costs, 40% of the storm sewer improvement costs, and 100% of the water service costs. Engineers recommendation would be to use the frontage assessment method. As part of the schedule, I have included mixing in a neighborhood meeting, more informal type of setting. Otherwise, they would come right to the Improvement Hearing.

Feldman asked could you still do the project doing the unit prices. Jochum said yes, the final numbers are the same using the two methods. Feldman said I am more for the per unit. Jochum gave an explanation on why he would recommend the frontage price. We do need a decision today if you want it in the feasibility report.

Mulvihill said this project would need to be bonded for.

Muehlbauer said I would go with the engineer's recommendation.

Robinson is this more of a need than a want. Is it prudent to upgrade what is in there?

Jochum said right now there is a thin wall pvc in there. Project will also include new connections.

Bauer would be incline for a per unit assessment after some discussion.

Udvig I can see your point Rob (Bauer).

Feldman said he is still for the per unit. Can we split out commercial versus residential. Schaps said you need to follow your assessment policy.

MOTION BY MUEHLBAUER SECOND BAUER PROCEEDING WITH THE 2020 RECONSTRUCTION AND WATERMAIN IMPROVEMENT PROJECT WITH ASSESSMENT BASED ON A FRONTAGE CHARGE INSTEAD OF PER UNIT. Motion carried 4-1 Feldman voting nay. Base on frontage assessment instead of per unit.

G. Fire Flow Water Meter

Public Works Director Paul Teicher reported the 2019 water meter replacement program is moving right along. However, staff discovered an issue with the Woodhaven West water meter. Initially we intended to just replace the 2-ince bypass meter and eight-inch meter on the Sensus Fire service assembly, or Fire Service meter. Teicher went on to explain how the 2-inch meter and a check valve work if suddenly high water use is needed such as a fire. Staff discovered if you change a piece of equipment of this apparatus or use different components or equipment from different companies it no longer maintains its UL/FM rating and certification. Therefore, the whole component needs to be changed and was not included in the initial bid price from Ferguson Waterworks. A quote of \$13,100 was obtained from Ferguson Waterworks due to the special purpose of this meter and in order to match into the current meter change out program. No other quote was obtained because of the uniqueness..

Feldman asked how important is this meter. Teicher said we could be liable if we don't do this properly. This meter was probably installed in the early 1990's. Feldman stated this City didn't sure plan twenty years ago. Being it is important for fires, council down the road will have it a lot easier because we are preventive and proactive.

Robinson asked shouldn't Ferguson have found this. Teicher said we missed it. We didn't think we would have to replace this one. Could they give us a price break Robinson asked? Teicher said I think it is a fair price.

Feldman said in the future bid the worst-case scenario.

Bauer said he spoke with Teicher about this. Some of the items that won't be used by Ferguson during the change out will come back to the city.

Udvig said I get there was an oversight and needs to get fixed. Getting a second quote may make a difference.

Discussion continued for a short time before a motion was made.

MOTION BY UDVIG SECOND BAUER TO FOREGO A SECOND QUOTE DUE TO THE SPECIALIZED NATURE OF THIS APPARATUS AND AUTHORIZE THE PURCHASE OF THE NEW FIRE SERVICE METER FROM FERGUSON WATER WORKS IN THE AMOUNT OF \$13,100. Motion carried 5-0.

H. Biosolids Disposal

There is a long history on these 183 acres. Land application of biosolids gives the council the opportunity to use the 183 acres if they want to or not. The wastewater plant produces biosolids and needs to dispose of it either by land application or brought to a landfill. One of the options up for consideration is using the 183 acres the city owns. The renter is aware of this and would like more nutrients for the property. We had to landfill in 2018 because we did not have permitted sights. The permit requirements are restricted by MPCA. Because of State and Federal regulations, of the total 687 acres that were considered, only 196 acres were approved for land applying. This included the city owned 183 acres. Due to calculations and setbacks, the city owned site was reduced to 127 acres. Want to save money and be flexible enough to work with farmers by having enough land.

Feldman asked about the 196 acres, will that be enough. Teicher said we would like to obtain more acres. Right now, it is enough. It is currently in the land lease that it is an option and the renter is aware of it. After we stop biosolids land application to the city property, the city would need to retain ownership of the property for at least one year.

Muehlbauer said right now it is not feasible to sell because of the bonding restriction.

Robinson asked about the white product that is applied to outstate farm fields. Teicher said it is probably lime and that is a by product of water plants. Can sewer pumping businesses still dump on fields. Teicher stated ours goes through more requirements/restrictions.

Teicher again stated we would like to have as much land permitted to the city. Doesn't mean we are going to use all the property but it gives us options.

Feldman said landfill versus land application, we save money.

Bauer said he had some questions regarding this but were answered by Teicher.

Question were asked about the application and when would that occur. Teicher said a lot has to do with timing. Ideal of time for application is when they have the crop off and before they plow. There are strict requirements from MPCA. Land application of biosolids help reduce the need for chemical fertilizers.

Feldman said the savings is there. Getting more land for the application would help to ensure flexible land availability when the need arises.

Bauer stated I would really like to incorporate pumpers to be able to dump at our wastewater plant too. Teicher said we never have dropped that off our radar.

Teicher said we have contacted other cities that accept septic haulers. Want to make sure our facility is able to handle what we are doing first.

Udvig said a lot of my questions were answered. We want to make sure we continue looking for land even though you are leaving. Need to keep moving forward.

MOTION BY ROBINSON SECOND BAUER TO UTILIZE THE CITY OWNED 183 ACRES FOR BIOSOLIDS LAND APPLICATION. Motion carried 5-0.

I. Setting Work Session Date and Time

Council set the work session at for December 11 at 5:30 at city hall.

J. Audio Equipment

City Administrator Joe Kohlmann reported staff along with councilmembers have been working on upgrading the audio/video for the City Council Meetings. A proposal was received from Guitar Center which has a 45 day return policy with no questions asked. Not much different information than what was obtained in January. A major concern of the council then was with the restocking fee if the City returned the equipment. Proposal also includes a carrying case. Discussion was held on the equipment included in the proposal.

Udvig happy we came up with something that looks like will be good. What about when we are showing a power point presentation can we get something that shows the presentation? We have been asking for a long time before I got on the council for a shared unit. If we buy it would be nice to take it with us. Could get confusing if we share. I don't know if it is a good idea with this price

tag.

Feldman said this can be taken with where ever we go.

Bauer said for years this has been a problem. Could we practice with it on a work session?

Muehlbauer stated we are going to have to test it out. To see how it works.

Kohlmann said equipment is going to have be ordered and not sure when they will have it in.

Muehlbauer there is going to be more logistics that we need to know too. Need to know how to set it up.

Feldman said how can we make this totally independent. We have been talking about this for years.

Muehlbauer said maybe do more research.

Bauer said I want to be able to have the viewers to be able to hear what is being said.

Robinson said I don't want to race into this but the audio is terrible.

Feldman said whatever we do let's do it right.

Direction to go forward with what was presented. Maybe check with Metro I-net to see if they would help set it up.

10. **MEETING OPEN TO THE PUBLIC**
None

11. **REPORTS**

A. **Councilmember Reports-**

Udvig – went to tree lighting in Woodbury Park. Ran out of cookies approximately 300 people attended. This Thursday I will speak to a Girl Scouts Troup about being on the council.

Bauer -also went to tree lighting, very successful. Well attended, appreciated the community coming together. December 5, starting at 5:30 pm Santa on the Fire Truck two routes collecting food for NACE. Dec 12 Santa at the police department 5-7 pm. Paul Teicher, I appreciate the last couple of years working with you and all the hard work you have done. Let me know if you ever need anything.

Muehlbauer – also attended the tree lighting, Anoka County Fire Prevention Council, city and their budgets are on task. Thank you Paul, disappointed but support you on whatever you do.

Muehlbauer said I did vote no for the full time fire chief but I did have a good conversation with Dave prior to the meeting today. I would like the record to reflect that I will continue to support the fire department. They do have my full support and I do believe you will do everything in your power to make it that I voted wrong today. I appreciate that.

Robinson – thanked Paul too, wish you well. December snow flying and the plowers are out. Referenced plowing snowing across the road, it is illegal. Help your neighbor. Real tragedy's in the cities recently, be mindful.

Feldman - Paul, I was shocked, I will miss you, I hope we get someone that is close to your leadership, hard to replace, thank you for your service. In regards to the Fire chief, we have had many discussions on this. I don't make these decisions lightly. But I think it is the right move, a department that has lacked leadership. Votes are based on our beliefs; we are going in the right directions. Council is workable and approachable. Drive safely to your destination.

B. Upcoming Events -

Dec 5 Santa on the Fire Truck 5:30 pm in various neighborhoods

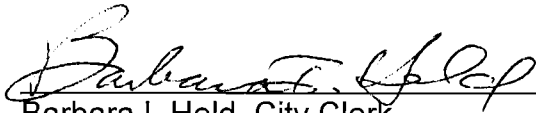
Dec 12 Santa at the SF Police Department 5-7 pm

Dec 16 City Council Meeting @ St. Francis Area Schools District Offices 6:00 pm

Dec 18 Planning Comm. Mtg @ St. Francis Area Schools District Offices-CANCELLED

12. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular city council at 8:22pm.


Barbara I. Held, City Clerk