

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

**CITY COUNCIL MINUTES
JULY 15, 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, Assistant Fire Chief Joe Lawrence, Public Works Director Paul Teicher, Finance Director Darcy Mulvihill and City Clerk Barb Held.

3. **APPROVAL OF AGENDA**

Add under 9 E. Water Meter Replacement Project; Resolution 2019-28 Lease Purchase Financing, the Master Lease Purchase Agreement and Proposal for Lease Purchase Financing.

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

4. **CONSENT AGENDA**

Mayor Feldman stated he would like to discuss two items before we approved the consent agenda. First is the Biosolids and the cost, change may happen to allow us to be able to use the 183 acres for disposal of the biosolids. Waiting for MPCA's decision. The biosolids can be applied to the land and cultivated into the ground. We would be able to use/lease the land every year but if we stop you need to wait three years before a farmer can use the field for human consumption crops such as sweet corn or potatoes. Teicher said even with the City disposing the biosolids on the property, the city could still lease out the property for regular crops such as soybean and field corn. Feldman stated at least there is some potential to use the land.

The second item has to do with the Wastewater Agreement with Oak Grove. Want to clarify on page 23 of the packet item C. The \$100,000 will be payable in two installments of \$50,000. First, will be paid on or before the date of connection to St. Francis Wastewater Treatment Facility (WWTF) and the second installment is one year from the date of connection to St. Francis WWTF. Such payments shall fully satisfy any and all connection, availability or similar up-front charges or fees that might otherwise be due or owed for existing sewer connections in the Ponds Development Area as of the date of this contract. We decided not to ask for it all up front and we are kind enough not to charge interest, which I was not for. On the next page, it goes over the control of discharge. Thanks to Paul, Parish and Craig for the addition of the language regarding the control of the effluent coming into our system. Also under A it

reads; Initial Construction: Purchaser will purchase, install and maintain at its own expense, all sanitary sewer system components plus all equipment necessary to connect Purchaser's sanitary sewer to Seller's wastewater collection system. Seller shall review and approve all construction plans for any portion of the collection system located within the Ponds Development modified after the effective date of this contract.

Robinson - pretty generous for zero interest for one year. Know several people in the Ponds Development and they have not raised their rates for a year and one-half. Not our fault if they see large increase. Call their councilmembers. Feldman said I thought they were going to phase in their increase. Kohlmann said I do not know.

Discussion on the Mayor's two items.

Muehlbauer - if we are locked in for five years with the contractor for removal of the biosolids what happens if we are able to utilize the 183 acres. Teicher said the contractor is flexible. We will take the best case scenario for the cost.

Robinson - so this is nothing new? Teicher said it is nothing new. Septic haulers have been doing it for years.

Bauer - had the same question as Muehlbauer. Teicher stated it could drop down the cost if we are able to use the land but still need Ferguson to haul the product to the land.

Udvig - like to reiterate what Robinson stated about the Ponds rates, we are not the ones raising the rates.

Feldman stated he would like to put on record; This deal is for the Ponds Development only and if West Lake George wants to hook up it is not the same deal.

MOTION BY UDVIG SECOND ROBINSON APPROVE THE CONSENT AGENDA ITEMS A-G AS FOLLOWS:

A. City Council Minutes – July 1, 2019

B. Accept the Resignation of Part Time Liquor Store Clerk Andrea Schauer

C. Authorizing Liquor Store Manager to fill the Part Time Vacancy

D. Approve quote for Routine Biosolids Removal - WWTP with Ferguson Power Pump for the next five years \$89,240.00 for year 1, \$86,300.00 for year 2, \$88,850.00 for year 3, \$91,400.00 for year 4 and \$93,950.00 for year 5.

E. Approve quote of \$8,700 from Empire Pipe Services for Routine Sewer System Cleaning (Jetting)

F. Enter into a Sewer Wastewater Service and Purchase Agreement with the city of Oak Grove Agreement for The Ponds Development Area.

G. Payment of Claims \$527,647.32 (ACH 262E-263E & 266E \$344,360.06 and Check #'s 76114-76193 \$183,287.26)

Motion carried 5-0

5. **MEETING OPEN TO THE PUBLIC**

None

6. **SPECIAL BUSINESS**

None

7. **PUBLIC HEARING**

None

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

A. Ordinance 249, Second Series - Chapter 6, Section 8. Pawn Brokers – Precious Metal Dealers-Second Hand Goods Dealers - (Second Reading)

If this ordinance was approved this evening, it would have an effective of August 19, 2019. Council commended staff on clarifying many gray areas in our current ordinance.

MOTION BY MUEHLBAUER SECOND BAUER APPROVING THE SECOND READING OF ORDINANCE 249, SECOND SERIES – CHAPTER 6, SECTION 8 ENTITLED PAWN BROKERS – PRECIOUS METAL DEALERS - SECOND HAND GOODS DEALERS.

Roll Call: Ayes: Feldman, Bauer, Udvig, Robinson and Muehlbauer
Nays: None

Motion carried 5-0.

B. Resolution 2019-25 – Authorizing Summary Publication of Ordinance 249, Second Series

MOTION BY BAUER SECOND ROBINSON ADOPTING RESOLUTION 2019-25 A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 249, SECOND SERIES, CHAPTER 6, SECTION 8. ENTITLED “PAWN BROKERS- PRECIOUS METAL DEALERS – SECOND HAND GOODS DEALERS”.

Motion carried 5-0.

C. Ordinance 250, Second Series-Chapter 4, Section 6. Rental Housing Licensing (Second Reading)

No changes since the last meeting and would be published in its entirety with an effective date of August 19, 2019.

The main changes to the ordinance are;

- Administering the Rental License as a business license to create a consistent and transparent process
- Clarifying language on when and how a property would require an inspection
- Removing language that is beyond the City's enforceable capacity
- Identifying site capacity and the process for conversion
- Creating a minimum standard of conduct to address properties with high volume call and enforcement issues

If this ordinance was approved this evening, it would have an effective of August 19, 2019.

Bauer asked about a summary publication. Thunstrom said no; the rental housing ordinance provides staff with additional tools to enforce compliance as staff and the Council may likely be taking actions pursuant to the new ordinance in the future.
MOTION BY UDVIG SECOND ROBINSON APPROVING THE SECOND READING OF ORDINANCE 250. SECOND SERIES – CHAPTER 4, SECTION 6 ENTITLED “RENTAL HOUSING LICENSING”.

Roll Call: Ayes: Bauer, Udvig, Robinson, Muehlbauer, and Feldman,
Nays: None.

Motion carried 5-0.

D. Declaring Surplus Property – Duty Officer Pick Up and Transfer of Police Tahoe to the Fire Department – Resolution 2019-26

Assistant Chief Joe Lawrence reported currently the Fire Department is utilizing 2002 Ford pick-up for the Duty Officer. The Chief is assigned a 2013 Dodge Charger. The truck is rusting and needs some engine repair. Police are eliminating the 2011 Tahoe from their fleet. Fire Department is asking for council approval to reassign the Tahoe to the Fire Chief and the duty officer would use the current chiefs vehicle. New graphics to identify the vehicles as a Fire Department vehicles versus a Police Department vehicle would be completed.

Feldman like the idea the charger will become the duty officer car and the Tahoe for the Chief utilizing the resources, we have.

MOTION BY BAUER SECOND MUEHLBAUER TO APPROVE THE DEPARTMENTAL TRANSFER OF THE 2011 CHEVROLET TAHOE TO THE FIRE DEPARTMENT AND ADOPT RESOLUTION 2019-26 DECLARING THE 2002 FORD F250 PICK-UP AS SURPLUS PROPERTY.

Motion carried 5-0.

E. 2019 Water Meter Replacement Project – Accepting Bids and Awarding Contract-Res 2019-27 and Financing Resolution 2019-28

City Engineer Craig Jochum stated as required by State Statute staff prepared plans, advertised for bids with a bid opening published for July 3, 2019 at 10:00 am. Only one bid was received. The bid was from Ferguson Waterworks of Blaine, MN with a project bid of \$604,812.95 with several conditions. Since the addition of the Water Treatment Plant opening in 2008 the City has approximately 700 meters that will remain in place because they are compatible and have been put in after the treatment plant opened, therefore only a new register and meter antenna need to be installed on these meters, which is a significant cost savings to the City. Ferguson Waterworks has been providing meters and meter services to the city for over 11 years and is familiar with the City's current system. This is probably why we only received one bid. Along with the bid, they submitted several conditions. The exceptions to the General Condition are in regards to the insurance requirements and warranties. The City attorney is working with Ferguson Waterworks on these items. A copy of the exceptions that were submitted with the bid was included in the packet. Insurance and

also in the Supplemental Agreement (text in “red” is the proposed revised language) clarifies that the Contractor is not responsible to repair faulty or substandard plumbing with the meter replacement. Staff believes it is a reasonable request. One other contingency was on the financing.

Feldman said I think this is the right thing to do. Ferguson will look at the water meter and if they see a problem, they will contact staff to look at it. Homeowner will need to make corrections at their own expense before the meter is replaced. Meter horns may need to be replaced on some too but Ferguson will do that. Jochum said that was already in the specifications. Financing was discussed in length. The City will not bond for this project.

Bauer asked if there is an issue prior to the new meter being replace, is there a plan to put it out for bids to have one plumber to make the corrections. Teicher said it is up to the homeowner to do their research and hire their own plumber. We do not recommended anyone. Bauer would like to see the bid company (Ferguson) provide the homeowners a list to call. Muehlbauer said it is the homeowner's responsibility. Feldman said the City could not recommend any company over the other. Muehlbauer said are the homeowners given a certain timeframe to fix it? What happens if they do not fix it.

Jochum said we hope those cases are very minimum. Teicher said we expect we may have some of those issues at the end. Per our ordinance, we have some options if they choose not to change it out. Feldman said it gives us more control, better readings, and a benefit. I am sure there will be some people who complain. There is always the two percent. Jochum said the two biggest issues we see are valves and meter horns being replace beside the meter and this is part of Ferguson's bid. Bauer said I would just like it to be flawlessly being we are coming into their homes. Ferguson should know what needs to be fixed, so that can be relayed to the homeowners plumber. If the homeowners have any questions, they can all the City, lots of different resources. Robinson explained what a meter horn is and asked about the valves. When things get disturbed things can happen. Concerned about the homeowners. Discussion on what the possible problems that could happen. Bauer still wants Ferguson to give the homeowner a list of several plumbers in case the homeowner has a problem. Feldman said they are just replacing the valve, meter and meter horn. Teicher said they are taking a picture before and after, having an adult there and homeowner sign off. There will also be a 24-hour call center. Feldman asked would they call the public works. Teicher said if the curb stop needs to be shut off they will call us. Ferguson will never leave anyone without water. Ferguson does have on staff, an employee who is a master plumber and their employees work under his license and will follow code. Robinson said our job is to ask questions. Udvig said if something happens like to us years ago and we had problem with water in our basement. Public Works came out to fix it. Jochum said it is part of the contract they would cover it if they caused the problem.

MOTION BY MUEHLBAUER SECOND BAUER ADOPT RESOLUTION 2019-27 A RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT TO FERGUSON WATERWORKS OF BLAINE MN FOR THE 2019 WATER METER REPLACEMENT PROJECT. Motion carried 5-0.

MOTION BY MUEHLBAUER SECOND UDVIG TO ADOPT RESOLUTION 2019-28 A RESOLUTION AUTHORIZING PURCHASE AGREEMENT, ESCROW AGREEMENT AND OTHER DOCUMENTS RELATED THERETO WITH RESPECT TO THE 2019 WATER METER REPLACEMENT PROJECT; AUTHORIZING THE EXECUTION AND DELIVER OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION CONTINGENT UPON BOND COUNCIL REVIEW AND APPROVAL. The proposed ten-year installment purchase financing agreement is at a rate not to exceed 3.7% per annum interest rate. Motion carried 5-0.

MOTION BY UDVIG SECOND MUEHLBAUER APPROVING THE MASTER EQUIPMENT LEASE-PURCHASE AGREEMENT CONTINGENT UPON BOND COUNCIL REVIEW AND APPROVAL. Motion carried 5-0.

MOTION BY BAUER SECOND ROBINSON APPROVING THE PROPOSAL FOR LEASE PURCHASE FINANCING CONTINGENT UPON BOND COUNCIL REVIEW AND APPROVAL. Motion carried 5-0.

F. Setting a Work Session for 2020 Budget Discussion – July 22, 2019

Council set the work session for July 22, 2019 for 6:00 pm at city hall to discuss the 2020 General Fund Budget.

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

11. **REPORTS**

A. Department Reports – Public Works Monthly Reports -

Public Works Director Paul Teicher gave the monthly report. Parks - spending a large amount of time mowing. Summer recycling this Saturday, at LePage and Sons 9 am - noon. Wastewater plant is performing extremely well. Had a hockey puck logged in the impeller but the lift station was not plugged, fortunately. Feldman asked if we have ever had a lift station burn up because of a plugging issue. Teicher said there are a lot of mechanisms in place to have it shut down so they don't burn out. There were 50 no-reads this past month.

Bauer said we need to let the public know it cost man-hours to fix the lift station. Nice report. The rest of council agreed.

Police Department Quarterly Reports –

Police Chief Todd Schwieger said there was nothing out of the ordinary this past quarter. Traffic enforcement was a focus. The DUI's are not necessarily coming from St. Francis establishments. Officers doing a good job and are involved with TZD. In regards to theft and burglary, trying to educate residents notifying them through social media if there is a problem area. We have been having the overnight officers knock on doors to notify residents if their garage doors are open. Lots of theft are from open garage doors. New siren is up in Edge Wild Park, waiting for Connexus Energy to finish the last phase. Bike rodeo and car seat events each had the highest turnout since we started. New event, Cone with a Cop next Wednesday, and Night to Unite August 6.

Feldman asked about the increase in calls. Chief Schwieger said we do typically see an uptick in the summer. New solar panels are now on the signs.

Robinson asked about agency assists. Chief Schwieger said if a high priority call comes in we will assist if deputy is out and we can respond quicker. One business owner said the police department is doing speed traps, the citizens want it, if the same business owner needed assistance I am sure you would be right there. I think you are doing a very good job.

Muehlbauer great report, like the community events.

Bauer thank you for the report, continue to use Nixle.

Udvig good report, like to see all the police presence. I too keep my light on all night.

Feldman asked have we seen any effect since the signal went in on Hwy 47. The citations have gone down since the initial installation. Interesting to see when school starts again. Feldman said I think we will see some changes with Kwik Trip opening soon. Udvig asked about the hands free new law. Chief Schwieger said you cannot have the phone in your hand. Feldman stated please turn your signal out of a roundabout. Signs are only good as enforcement.

B. Councilmember Reports-

Udvig had one resident ask about the road patching and how dangerous it is to motorcycles. Teicher said Muehlbauer also received an email on this too. Crack filling is best practice and has been used the last fifty years. Safety is our number one concern. Crack filling preserves the road so moisture does not get in there. Next week you will see the chip seal applied. Not trying to insult or offend anyone. If unsafe condition, maybe drive slower or take another route. Never have had that complaint before. Don't know an affordable alternative right now. Feldman said adjust your speed. If we don't do the crack filling then rain gets in there. We are doing the best we can. As stated by Robinson in the past, if you have a problem stop the thirty minutes on your keyboard and come here and spend 15 minutes at the podium.

Bauer why do they use the toilet paper for crack filling. Teicher said to keep the rubber from sticking to your vehicle, plus able to keep the road open.
Muehlbauer – nothing further to add.

Robinson said also keep your grass clipping off the road, Night to Unite August 6 if you can't make it to the city's event try one in your own neighborhood. Get to know your neighbors.

Feldman asked about the grass clipping. Teicher said it is against city ordinance to put grass clipping in the street. Events coming up; Recycling Event, Night to Unite, may not have a helicopter, a lot of different activities, help us to serve you better. Come and talk to us. People bring problems to us with no ideas or solutions. If you are not part of the solution, you are part of the problem. We are here to serve you better. Call before you start anything. Widths of driveways are 24'. Before you do anything call us. Make the call first.

Riverbank Lane/Kings Hwy: small utilities are completed; brush has been removed, silk fence this week

C. Upcoming Events -

July 17 Planning Comm. Meeting @ St. Francis Area Schools District Office 7:00 pm
July 20 Recycling Event @ LePage and Sons, 9 am - noon
Aug 5 City Council Meeting @ St. Francis Area Schools District Office 6:00 pm
Aug 6 Night to Unite @ Community Park 5:00 pm – 8:00 pm
Aug 19 City Council Meeting @ St. Francis Area Schools District Office 6:00 pm

12. ADJOURNMENT

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


Barbara I. Held, City Clerk