

CITY OF ST. FRANCIS
ST. FRANCIS MN
ANOKA COUNTY

CITY COUNCIL MINUTES
FEBRUARY 21, 2017

5:00 pm Informational Meeting with Met Council: Kyle Colvin, Assistant Manager Engineering Program from the Met Council gave a power point on their wastewater service area and facilities. The Met Council became a regional utility in 1969. Colvin explained where their regional facilities are located and the age of their infrastructure. They are 100% funded by user fees. Their Regional Service Policies are updated every 10 years. For rural service areas the time to inquire on future acquisitions would be during the comprehensive plan updates.

Feldman said on the campaign trail I was asked if the Met Council dictates the community. Do you mandate Section 8 housing? Colvin said there is an expectation for any community that they guide to have affordable housing units. Muehlbauer said your numbers have been over inflated recently. Colvin tried to explain the growth statistics and how they came about.

Dialogue went back and forth between Colvin and the council on potential/future growth, expansion of the Met Council wastewater service in St. Francis and surrounding communities, and requirements the City would have to follow regarding Section 8/Affordable housing if Met Council took over our system.

Feldman stated our main concern is that we have a WWTF coming on in April with a total capability of around 2700 additional connections. Can we work with some of the surrounding communities and then hook up to you? They would look to maximize the investment. Discussion was held on the East Bethel facility. Do we have a possibility that our plant go online with the help of Met Council if we help other communities. Colvin stated we usually do not go in and purchase a new treatment facility. Feldman said our facility was planned for a population that may never come. Down the road can we get help if we team up with other cities? Colvin said we are open to discuss this. Mike Rodger asked if there is a percentage of population that would be required to be Section 8. Not sure exactly, more on affordable housing and not just Section 8. Questions was asked if you take over wastewater treatment facility do you take over the water treatment too? Colvin said there is no plan or interest for regional water supply. Would you take over our WAC (Water Access Charge) and SAC (Sewer Access Charge) charges? WAC would be the cities, SAC is greater cost and would be worked out.

Feldman said, so the Met council is open for discussion with us and thank you for your time. I am happy that the Met Council is here and is open minded. I want to make sure that the communication stays open. Feldman closed the meeting at 5:53 pm.

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 Jerry Tveit, Joe Muehlbauer, Robert Bauer and Rich Skordahl. Also present City Administrator Joe Kohlmann, Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), City Engineer Jared Voge (Bolton & Menk) Kate Thunstrom, Community Development Director, Police Chief Todd Schwieger, Fire Chief Matt Kohout, Liquor Store Manager John Schmidt, Public Works Director Paul Teicher, Finance Director Darcy Mulvihill, and City Clerk Barb Held.

3. **APPROVAL OF AGENDA**

MOTION BY MUEHLBAUER SECOND SKORDAHL TO APPROVE THE AGENDA AS SUBMITTED. Motion carried 5-0.

4. **CONSENT AGENDA**

MOTION BY MUEHLBAUER SECOND BAUER TO APPROVE THE CONSENT AGENDA ITEMS A-F and H AS FOLLOWS:

A. City Council Minutes – February 6, 2017

B. Fire Works Agreement between Northern Pyrotechnics and the St. Francis Area Chamber of Commerce/City of St. Francis

C. Pay Request No. 19 for \$349,147.00 to Gridor Construction, Inc. for the Wastewater Treatment Facility Improvements

D. Approval of a Temporary On-Sale Liquor License for the St. Francis Lions Club and waive the fee during Pioneer Days

E. Approval of Planning Commission Term Extension for Brittney Berndt

F. Amusement License for Virtual Reality Arcade, 23168 St. Francis Blvd.

G. ~~Interim Wastewater Class "A" Operator~~

H. Payment of Claims \$831,276.23 (ACH 182E-185E \$690,599.03 and Checks #72079-72150 \$341,452.03)

Motion carried 5-0.

Interim Wastewater Class "A" Operator: Bauer can we wait and put the WWTF on a delay start up. Waiting until fall instead of spring? Teicher reported the MPCA is expecting us to start at this given time. Difficult to tell them no because there are expectations we need to follow. Teicher felt it was going to be fall of 2017 but construction went very well with good weather. We have already started the start-up of equipment, training on new equipment, and working with company representatives regarding the startup. The new operator is coming as an entry level operator. This would be a temporary agreement and would be terminated as soon as Parish (Barten) receives notice of passing the Class "A" exam from the MPCA. You can operate up one step up over your plant. Our old plant was a Class "C" facility and we have two operators that have their Class "B". Bauer said little disconcerting that we

have this facility in the works and no one is licensed. MOTION BY SKORDAHL SECOND MUEHLBAUER TO ENTER INTO A CONTRACT SERVICE AGREEMENT WITH KLUVER CONSULTING. Motion carried 5-0.

5. **MEETING OPEN TO THE PUBLIC**

Mike Rodger, 2770 232nd Lane NW; questioned the Work Order No. 12 and who signed for it. Is it typical to bring the change order five months after the change order was completed? The Bridge Street change order of \$35,743.50. Mike Rodger asked if the document was not signed by the city is it legal binding contract? Assistant City Attorney Schaps said that is what the council will take action on. Who approved the change order for the Gridor Construction? From this day on if there are any change orders that come forward they should have city approval first.

Liza Fairbanks, 24360 Yukon Street, I would like to see if you would address chickens again. Direct staff to look into the current ordinance.

I would also like to address the speed limit on Bridge Street. It goes from 30 to 40 mph and then 15 mph by the roundabouts. I would like to see if we could get it more consistent. Teicher said it is a county road and they do post the speed limit. During the construction of the roundabouts this was discussed in length to get a consistent speed throughout the area. Anoka County will be conducting some speed studies, and hopefully starting in March. Teicher said he would be contacting Anoka County.

As part of the St. Francis all night Senior Party we are looking for a donation of \$500 to help out and worked together. Staff will look at the request and put it on the next agenda.

6. **SPECIAL BUSINESS**

- A. Patriot Award: Staff Sgt. Richard Seibert introduced Bill Obedoza stated part of his job with the Department of Defense is to hand out awards and be mediators. We are all volunteers. I thought it was a good fit to be part of the St. Francis Police Reserves with my background in the military. I was in the middle of my FTO and with a very short notice I received notification that I will be deployed to Cuba in March. Both Chief Schwieger and Reserve Johnson were very accommodating. That is why I nominating them for the Patriot Award. Also presented a certification of appreciation to the police department.

7. **PUBLIC HEARINGS**

None

8. **OLD BUSINESS**

- A. Pay Request No. 11 and Change Order No. 3 to LaTour Construction for the Bridge Street Utility Improvement: Feldman stated the next two items, Pay Request No. 11/Change Order No. 3 along with Work Order No. 12 was tabled at the last meeting so I request a motion to take the issues off the table for discussion. MOTION BY MUEHLBAUER SECOND BAUER TO TAKE

FROM THE TABLE BOTH ISSUES FOR CITY COUNCIL DISCUSSION.
Motion carried 5-0.

Muehlbauer asked what can we do to be more proactive to have the change orders come in on a timely matter. Voge said the first item is the final pay estimate for the city project. Some of the material came in lower than anticipate and some higher. The Final Pay Estimate No. 11 to LaTour Construction includes all work completed through October 29, 2016 for \$75,462.27. The Change Order No. 3 for \$32,710.12 reconciles the final contract amount with the final contract quantities which were incorporated in the project. MOTION BY TVIET SECOND SKORDAHL TO APPROVE.
Motion carried 5-0.

- B. Work Order No. 12 t for the Bridge Street Utility Improvement : Voge reported the Work Order reflects the aggregate bedding (sewer rock) incorporated into Anoka County's Bridge Street Improvements Project by R. L. Larson Excavating Inc. during the installation of sanitary sewer. As stated at the last meeting the aggregate bedding was required as a result of organic and unsuitable soils encountered at and below the sanitary sewer pipe. This was necessary to prevent settlement of the sanitary sewer. Included in the packet was a spreadsheet which includes the information associated with the rock incorporated into the project as well as a figure illustrating the locations where the rock was installed. The work was incorporated into the project. 1750 tons were originally submitted. All the tickets were verified. The county and city entered into a joint agreement. Feldman said six different locations and soiling borings were done. They were probably done in 2013 or 2014. I would like to see some procedural changes so this doesn't happen again. Who is at fault here? Can we question the county? Voge said the soil borings were obtained by Anoka County. They also ran into problems with their street project with the soils. Feldman said couldn't we have held more retainage or have a line item for the sewer rock because of our soil. Voge said it is a difficult determination. Feldman said I would like to have two authorized people to review before the change orders happen. I would like to have the public works director and city administration to go out on site. Voge explained the difference between a work order versus a change order. How can we get the information before the orders are completed? Feldman asked about pre-bid meetings. Voge said that is an option usually done on larger projects. In future projects I think we should have pre-bid meetings. Muehlbauer said this is a county project and why are we picking up the extra cost. City is responsible to any items containing to the sewer portion of the project. MOTION BY TVEIT SECOND SKORDAHL APPROVING WORK ORDER NO. 12 FOR THE 2015-BRIDGE STREET UTILITY IMPROVEMENTS. Motion carried 5-0.

9. **NEW BUSINESS**

- A. Pay Request No. 4 Final and Change Order No. 1 to Park Construction Company for Pederson Drive Improvement: The Final Pay Request No. 4 from Park Construction Company for the Pederson Drive Improvement is \$34,112.95 and the Change Order No. 1 is (\$36,747.40). Feldman said this one came under budget. MOTION BY MUEHLBAUER SECOND BAUER APPROVING PAY REQUEST NO. 4 FINAL AND CHANGE ORDER NO. 1 TO PARK CONSTRUCTION FOR THE PEDERSON DRIVE IMPROVEMENT. Motion carried 5-0.
- B. Building Official Position and Nowthen Contract: Due to the recent resignation of the Building Official, the City was forced to reexamine the building service functions. Staff brought the topic to the City Council at the February 13th Work Session. Currently the City has a contract with the City of Nowthen for Building Official Services. City Staff is working to supplement the inspection services through a contracted service for commercial and septic inspections. Staff anticipates securing a contracted service proposal for consideration at the March 6th City Council meeting. The Building Official job description was reviewed and updated. Our current Building Inspector Phil Dahlheimer could be promoted to Building Official Limited for the time being. MOTION BY MUEHLBAUER SECOND SKORDAHL TO PROMOTE PHIL DAHLHEIMER AS THE BUILDING OFFICIAL. Motion carried 4-1. Bauer voting nay.

MOTION BY BAUER SECOND TVEIT TO UPDATE THE BUILDING OFFICIAL JOB DESCRIPTION. Motion carried 5-0.

MOTION BY MUEHLBAUER SECOND FELDMAN TO TERMINATE THE CONTRACT WITH THE CITY OF NOWTHEN FOR BUILDING OFFICIAL SERVICES. Kohlmann stated they may be in favor of going with an earlier termination date than the 60 days as stated in the contract. Motion carried 5-0.

- C. Squad Car Transfer to Fire Department: The Police Department is on a standard rotating schedule for replacing squad cars. The used squad car(s) usually get traded in to the dealership. The trade in value for the vehicle was estimated at \$4,000. However, the Fire Department identified a need for an additional vehicle. This would allow the Fire Chief to use the squad car as a day-to-day vehicle and allow the Fire Officers to utilize the fire utility truck. This idea was discussed at the February 13th Work Session. MOTION BY BAUER SECOND MUEHLBAUER TO TRANSFER THE USED SQUAD CAR TO THE FIRE DEPARTMENT TO ALLOW FIRE OFFICERS TO UTILITY THE FIRE TRUCK. Bauer asked how the \$4,000 will be transferred. Motion carried 5-0.

10. MEETING OPEN TO THE PUBLIC
None

11. **REPORTS**

- A. Administrator's Report - Stormwater Presentation: Kohlmann stated he was asked to give a presentation to explain the Stormwater Fund. Muehlbauer thanked Kohlmann for this presentation. Feldman asked so where does this money go? Kohlmann said it goes into a designated fund. Skordahl stated just so people know, this does not replace any effects to continue to grants. Tveit asked just a side note asked if there is anyone on staff that is knowledgeable in grant writing. How do you even write them so they have the right buzz words. Kohlmann said usually engineers are more up to date as to what is out there for grants. Bauer said once the fees go out and if property owners do not pay what is the fee if assessed. Mulvihill said \$66 assessed to their taxes. There is a 10% administration fee. Council asked that this power point be placed on the website.
- B. Public Works - January Report: Public Works Director Paul Teicher gave his monthly report for the water, sewer, streets and parks department. Feldman asked when it gets cold again will you flood again? Teicher said no, we try to be open from Christmas break until mid-February.
- C. Councilmember Reports – Tveit reminded everyone that he will have a meet and greet at the community room at 7:00 pm Wednesday evening. A time to get to know your councilmembers and ask any questions you may have. Tveit said I am not in favor of our city administrator to go down on the site to approve a change order. They are busy and not experts on how and why it needs to be corrected. Should rely on the inspector and maybe have the inspector take the pictures. That is why the inspector is there and they are the expert. Tell the engineer to take pictures and let us know what is going on.

Muehlbauer regarding the sound I have not done too much research in the last couple weeks. Did have a work session and was open to the public. Subscription messaging would have people ask questions and more engagement. Any ideas let me know. During our work session we talked about different engineers and planning services, reviewed the Nowthen contract and set a few goals.

Skordahl still want to than the staff still coming to the council meetings.

Bauer said March 6 he will be absent from the council meeting.

Feldman said now it looks like Sunday liquor may pass. In regards to work orders, if it come to pictures okay but I am looking at how to make the system a little more efficient so the engineer is in sync with staff and contractor . I don't think there is anything wrong with asking questions, I don't think there is anything wrong with accountability or anything wrong with everyone knowing

what is going on. Feldman said I think the work session went extremely well. The finance committee will have it's first meeting in March. In regards with the sound we are working on that. I just want to remind people that water rates are always on our mind. We are doing things just be patient please. Remind to signal your turns when exiting the roundabouts. Paul our public works director will keep in touch with the county on the speed limits. Thanked staff and thank the residents for coming out.

12. **ADJOURNMENT**

There being no further business, Mayor Feldman adjourned the regular city council at 7:23 pm.

Barbara I. Held, City Clerk