

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

CITY COUNCIL MINUTES

MARCH 7, 2011

1. **Call to Order/Pledge of Allegiance:** The regular City Council Meeting was called to order by Mayor Jerry Tveit at 6:00 pm.
2. **Roll Call:** Present were Mayor Jerry Tveit, Council members Jeff Sandoval, LeRoy Schaffer, and Chris McClish. Councilmember Steve Kane excused. Also present were City Attorney Scott Lepak (Barna, Guzy & Steffen), City Engineer Jared Voge (Bolton & Menk, Inc.) Nate Sparks (Northwest Associated Consultants-NAC), Police Chief Jeff Harapat, Public Works Director Paul Teicher, Finance Director Darcy Mulvihill, and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY SANDOVAL SECOND McCLISH ADOPT THE MARCH 7, 2011 CITY COUNCIL AGENDA. Motion carried 4-0.
4. **Consent Agenda:** City Attorney Scott Lepak asked that item c. be removed from the consent agenda and be addressed under 8b. MOTION BY SANDOVAL SECOND SCHAFFER TO APPROVE THE MARCH 7, 2011 CITY COUNCIL CONSENT AGENDA A, B and D THROUGH F AS FOLLOWS:
 - a. Approve the City Council Minutes of February 22, 2011.
 - b. Approve Amending the Contract for Services with ISD #15 regarding Maintenance of Vehicles and Equipment.
 - c. ~~Approve the Anoka County Connectivity Services Agreement for Broadband Services.~~
 - d. Approve the Amended January 2011 Upper Rum River Watershed Management Organization Joint Powers Agreement.
 - e. Accept Maria Weintzel's letter of resignation from the St. Francis Bottle Shop.
 - f. Approve the Payment of Claims for \$294,438.93.Motion carried 4-0.
5. **Meeting Open to the Public:** Mark and Tim Colling, leasing the building at 4058 St. Francis Blvd., were before the City Council asking to extend their lease for at least another month at this location. I (Mark) promise I will be out in 30 days. We have a cabinet finishing business. Due to some unforeseen circumstances, my son has not been able to help recently. I have some prior obligations that I would like to finish. We have good clients. Tveit said no action would be taken at this time during meeting open to the public section. The building at 4058 St. Francis Blvd was purchased from Mike and Ken Bourke. As part of the purchase agreement, the tenants, who currently lease from the Bourke brothers, have until March 31, 2011 to be in the building.
6. **Petitions, Requests, Applications:**
 - a. **Anoka Winter Knights Snowmobile Club Donation Presentation to the St Francis Fire Department:** Mike Stewart on behalf of the Anoka Winter Knights Snowmobile Club

presented a check for \$750.00 to the St. Francis Fire Department to be used for equipment. St. Francis Fire Department will be using the money to purchase a waterproof immersion suit used in ice/water rescues. Stewart stated the Club earns money by joining five other clubs to organize the annual Rum River Outlaw Grass Drags in Princeton.

7. **Ordinances & Resolution:**

a. **Resolution 2011-04: 2010 End of Year Transfers:** MOTION BY SANDOVAL SECOND SCHAFFER TO ADOPT RESOLUTION 2011-04 A RESOLUTION APPROVING THE END OF YEAR TRANSFERS FOR 2010. Motion carried 4-0.

Ordinance 153, Second Series: Amending Section 10-19 of the Zoning Ordinance regarding Disability Parking, Driveway Standards and Proof of Parking (First Reading): MOTION BY SANDOVAL SECOND McCLISH TO APPROVE THE FIRST READING AMENDING SECTION 10-19 OF THE ZONING ORDINANCE REGARDING DISABILITY PARKING, DRIVEWAY STANDARDS AND PROOF OF PARKING. Schaffer said I would like to review this more. Tveit stated being we do not have a full council and there are some questions on the first reading of this amendment I would recommended tabling the first reading until the next City Council meeting.

8. **Reports of Consultants & Staff Members:**

a. **Engineer:**

b. **Attorney:** Lepak reported this Connectivity Services Agreement with Community Anchor Institutions for Broadband Services has been amended a fair amount of times. There are number of difference agencies and attorneys reviewing the agreement. The most recent amendment happened this past Friday and your packets were already done. Lepak stated he would recommend the approval of the agreement subject to his review and approval. MOTION BY SANDOVAL SECOND MCCLISH TO APPROVE THE CONNECTIVITY SERVICES AGREEMENT WITH COMMUNITY ANCHOR INSTITUTION(S) FOR BROADBAND SERVICES SUBJECT TO THE CITY ATTORNEY'S REVIEW AND APPROVAL. Motion carried 4-0.

c. **Fire Department:** No report.

Public Works: Internship Possibilities for Public Works: During our work session last week, we talked about utilizing interns. Right after our work session, I received a call from a person who possibly would like to do an internship in St. Francis. I would like some guidance on how and if you would like us to utilize interns. There are various types of internships; some are paid some are not paid. We would work with the area vocational/college directors when accepting applicants. Majority of the internships I have seen are unpaid and usually for approximately 120 days but it can vary. If we do proceed, we would like to conduct a criminal background check, and a reference check on the potential intern. The particular person that contacted us is interested in the Public Works area. Tveit said I do not see why we should turn down free help. The rest of the council was in agreement with the internship. MOTION BY SANDOVAL SECOND TVEIT TO AUTHORIZING STAFF TO WORK WITH THE PROGRAM DIRECTORS AND COMPLETE THE HIRING OF AN INTERN. Motion carried 4-0.

MPCA Groundwater Monitoring Wells: The MPCA is enhancing its early warning network to improve the assessment of groundwater quality conditions and trends across the state. The data collected from MPCA ground water investigations is valuable to drinking water protection efforts. This data informs the state’s drinking water supply protection efforts, identifies threats to groundwater quality, and guides the development of best management practices to avoid future ground water impacts. The agency will be installing additional monitoring wells and focuses on typical urban land use settings. Provided in the information was a draft agreement. The newly constructed wells will be sampled annually for non-agricultural chemicals. The three sites in St. Francis are Hidden Ponds Park, Edgewild Park and Smith Lake Park. Lepak said it is fairly an access agreement to be able to enter the property for the purpose of conducting surveys of the monitoring wells. MOTION BY TVEIT SECOND SCHAFFER APPROVING THE MPCA PROPERTY ACCESS AGREEMENT WITH THE CITY OF ST. FRANCIS FOR THE THREE LOCATIONS. Motion carried 4-0.

Emergency Snow Removal Report: Pursuant to Chapter 7, Section 2, Subdivision 1 of the St. Francis City Code, after a significant snowfall residents are required to clear the adjacent sidewalk with 24 hours. If snow is not cleared and the City receives a complaint from a resident, the City has the snow removed by a contractor. The cost for the removal is then billed to the property owner. Failure to pay the bill results in an assessment. The ordinance requires that City Staff report such activity to the Council prior to collecting for this service. The City received multiple complaints regarding the sidewalks on two occasions. This has resulted in emergency snow removal on December 21, 2010 and February 24, 2011. The City’s contractor has documented the snow on the walk and removal of the snow in each instance. There were eight properties cleared on February 24, 2010 and nine on December 21, 2010. Staff will work with the residents regarding reimbursement for this service. If the City cannot get payment from the property owners, Staff will bring the item back to Council for assessment. No Council actions is required at this time.

Liquor Store: No report.

Police Dept: No report.

City Administrator Report: No report.

9. **Reports from Council Members:** Schaffer said he attended a URRWMO meeting and gave a report of the meeting.

McClish wanted to say that he thought the work session on February 28, 2011 was very good and important.

10. **Report from Mayor:** Tveit said I too thought it was a very good work session. I am looking forward to the report.

11. **Old Business:** None.

12. **New Business:**

a. **Efficiency Report Card-Police Department:** Chief Harapat reported the a number of years ago Anoka County went with a 800 megahertz radio system. Anoka County is now looking at implementing a new records system. It is still in the research area. Once it farther along, I will be back asking a resolution of support.

Schaffer said he would like to extend the 30-day extension for the lease. MOTION BY SCHAFFER SECOND TVEIT TO AUTHORIZE THE 30 DAY EXTENSION TO THE BUSINESS AT 4058 ST, FRANCIS BLVD. Lepak stated the property we are currently talking about is the site next to our public works site (4058 St. Francis Blvd.). When the City was looking at purchasing the property, it was to utilize the building for a short-term storage facility. The City established, as part of the agreement was to have this be an empty clean property when they purchased the building. The City's intent was not to lease out the building. The current lease the Collings have is with the Bourke brothers and not with the City of St. Francis. The agreement was drafted to have the Bourke brothers be charged \$75 per day if the building is not vacant after March 31st. Tveit asked the Public Works Director about the additional storage that is needed. Teicher said just last week we are out another stall in our east shop. As the City, we want to promote businesses but we do not want to incur legal expense. The owners (Bourke brothers) agreed to have the building vacant March 31, 2011. Lepak also would want the City Administrator to check into the insurance, if the City Council decides to grant the extension. Mark and Tim Colling both came back to microphone. We (Mark and Tim Colling) stated they have not received a 60 day written notice to leave. We don't want to sue the City. We do have insurance on the property with St. Francis listed on the insurance. Tveit said this is a hard situation. Colling said we do not want a legal battle we just want an additional 30 days. They said don't worry about any relocation cost. We just need time to find another location. Tveit asked legal if there was anything that could be drafted to compromise. Lepak stated in light of the statements that they have a legal dispute, that is with their current landlord not the City. If you do grant the extension, you are probably in for a lawsuit. Motion failed 1-3.

Per Diem Request: Tveit said I do have one per diem request that is not on the list of pre-authorized expenses. MOTION BY MCCLISH SECOND SANDOVAL TO AUTHORIZE THE PER DIEM REQUEST FOR THE MAYOR'S SNOWMOBILE RIDE. Sandoval questioned some of the per diems that are being requested. McClish stated the City Council previously approved the per diem amounts and the list of allowable reimbursements. Motion 2-1. Schaffer voting nay and Tveit abstained.

13. **Adjournment:** The City Council meeting adjourned at 7:20 pm.