

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

CITY COUNCIL MINUTES

MAY 16, 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. Steve Kane Excused. Also present were City Attorney Scott Lepak (Barna, Guzy & Steffen), City Engineer Jared Voge (Bolton & Menk, Inc.) Police Chief Jeff Harapat, Public Works Director Paul Teicher, Finance Director Darcy Mulvihill, City Administrator Matt Hysten, and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY SANDOVAL SECOND McCLISH TO ADOPT THE MAY 16, 2011 CITY COUNCIL AGENDA. Tveit asked that item 6a. be moved up before 5 due to the fact that Mr. Berg has another meeting. Motion carried 4-0.
4. **Consent Agenda:** Schaffer asked that item be moved from the Consent agenda. Tveit stated we will move this to 6b. MOTION BY McCLISH SECOND SANDOVAL TO APPROVE THE MAY 16, 2011 CITY COUNCIL CONSENT AGENDA A –B and D-F AS FOLLOWS:
 - a. Approve the City Council Minutes of May 2, 2011.
 - b. Receive and File the May 3, 2011 Draft Minutes to the Upper Rum River Watershed Management Organization.
 - c. ~~Authorize the out of State Travel for Brigit Kelley on a Grant received for Fire Fighter Training expenses.~~
 - d. Approve the 3.2 Malt Liquor Permit for the Lions Clubs during Pioneer Days June 11-12th.
 - e. Waive the Warming House Rental Fee for High School Group Fundraiser who will be traveling to the Rainforest this summer.
 - f. Approve the Payment of Claims for \$187,968.45.Motion carried 4-0.
6. **Petitions, Requests, Applications:**
 - a. **Abdo, Eick and Meyers: 2010 Annual Audit Report:** Mr. Andy Berg a representative from Abdo, Eick and Meyers gave an overview of the 2010 Annual Audit Report. MOTION BY SANDOVAL SECOND McCLISH TO ACCEPT THE 2010 ANNUAL AUDIT REPORT. Motion carried 4-0.
4. c. **Authorize the out of State Travel for Brigit Kelley on a Grant received for Fire Fighter Training expenses.** Schaffer asked if there was any conduct related issues that would warrant not attending this training. Tveit indicated that any information in this area may be confidential. Lepak said any personnel matter would be disconnected from this firefighter being

able to attend this training. Hylen said the fire fighter applied for this grant by submitting an essay and was awarded the grant. Another firefighter applied but did not receive the grant.

MOTION BY SANDOVAL SECOND McCLISH ALLOWING BRIGIT KELLEY TO ATTEND THE OUT OF STATE TRAVEL WITH FUNDS RECEIVED FROM THE GRANT.

Motion carried 3-1. Schaffer voting nay

5. **Meeting Open to the Public:** Jeff Titus, 4324-230th Avenue NW; I have reviewed the budget on-line and commend the city council for staying under budget.

Another item is that I have a friend that lives on Riverbank Lane and that road needs some serious repair, be grading or whatever.

Motions are important. On the motion at the April 18 2011 meeting, he read the motion. Choose your words carefully. Maybe your intent was not to go out for the 9.5 million but it was not clear in your motion. Maybe you should restate your motion to make it clearer. Then Titus referenced Resolution 2011-12 presented at the May 2, 2011 meeting.

Before money is spent, you need to justify. Last winter because of workload, you chose to contract out the warming house, and now you are looking at contract out cleaning of the liquor store and mowing the parks. Then I see 9-12 vehicles parked at the public works building during the day. Maybe the supervisor should look at their workload. Maybe scheduling them more efficiently could be looked at. Higher more temporary workers during the summer for the mowing.

Last item of discussion is regarding the discussion on a policy for “Meeting Open to the Public”. Do you have any questions or comments for me?

Tveit said I did watch the video of the meeting later on. I believe we should let the public speak.

Schaffer asked Titus do you think the Council is being proactive enough. Titus said back when he was on the council we had liaisons. I knew what was going because I would be appointed to the different departments each year.

Ruth Titus, 4324-230th Avenue NW; chose not to speak at this time.

Roland Willis, 23073 Eidelweiss Street NW; Couple things is I would like to thank you for video taping the meetings. I would like to thank Mr. Sandoval for working on the cleaning cost issue. I did some rough numbers on the cleaning. Roughly about a \$20,000 position for a cleaning person versus a cleaning company for about \$24,000. What about the employees doing their own cleaning? In regards to lawn care, as I see it cost about \$142 an acre to maintain. If you hire a part timer, would probably be around \$118 at \$10.00 per hour. I agree that it is a good thing to look at options. In regards to the buildings; Mr. Willis referenced Isanti government complex and cost. If the mayor is for public hearings why not have them. Also why use that land for a public works facility, I feel it would have more value for retail. Mr. Willis said do you know what kind of control an EDA committee has? An EDA does not have many checks and balances. We have agencies at the state level that are putting regulations on the cities. I thank

you for the time. I do want to see the City grow. I would be willing to be on the economic committee. Tveit stated we do get hit with a large number of unfunded mandates from the State. I am not sure we can snub are nose to them. Tveit said maybe it is something we can talk to our representatives about.

Schaffer said do you believe we should have a public open hearing. Willis yes we are not just talking about \$20,000 here. Tveit said we will have a public hearing when we know the cost. We don't have any numbers yet. Willis said put a number out there; put your neck out there. Schaffer said do you think this should be a referendum. Willis said I would like a say when you are spending that kind of money.

Sandoval said we had to come up with a number to use as an example. Could it be less, I hope it is. I don't think anyone wants the 9.5 million.

Clair Schuster, 22968 Navajo Street NW, requesting the council to consider an open meeting when there is an actual amount, so people have a voice. Raising taxes is not always the answer. There are a lot of foreclosures out there.

Tim Brown, 5268 Ambassador Blvd.; I read a couple of our local papers and discouraged of the misinformation out there. Brown said instead of accepting the outcome of democracy in action and the American way, you choose to do your usual behavior. Brown went on to say your job (Schaffer) is to accept the outcome of a majority vote and work to make it happen in the most economical and efficient way possible. Don't stand there and cry throwing sticks and stones and try to promote failure to a concept or project.

Ruth Titus, 4324-230th Avenue NW, asked if she could speak now. I too appreciate all your efforts. That includes all of you even Mr. Schaffer. With the information that is, being sent out by Mr. Schaffer has probably made me more aware of what is going on. I agree with Clair when you have to keep in mind all the foreclosures. I am asking you the council to be fiscally responsible. Jeff has been out of a job for 28 months, I hope we do not lose our house too. Please be responsible.

7. **Ordinances & Resolution:**

a.

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

a. **Engineer: Ambassador Blvd. Trunk Utility Improvements Project Update:** Voge reported that the contractor is currently completing work associated with the lift station. Such work includes concrete finishing and painting, lift station piping installation, and site grading. The electrician is also wiring the lift station control panel and generator. During the following weeks, the Contractor will also install additional culverts along Ambassador Blvd. to eliminate the standing water within the ditches. Anoka County will provide the culvert material. Turf restoration and bituminous pavement replacement at driveway and trail locations will also be completed during the following weeks.

b. Attorney: Economic Development Authority: Lepak reported that as the last council meeting the council directed staff to look into the potential formation of an Economic Development Authority (EDA). A memorandum from the City Attorney outlined of what an EDA is and how it operates. If you want to proceed, you would need to call for a public hearing by adopting the attached resolution. The public hearing would be held at the June 20, 2011 City Council meeting. **MOTION BY SCHAFFER SECOND SANDOVAL TO ADOPT RESOLUTION 2011-12 A RESOLUTION CALLING FOR A PUBLIC HEARING TO CONSIDER WHETHER THE CITY SHOULD PASS AN ENABLING RESOLUTION ESTABLISHING AN ECONOMIC DEVELOPMENT AUTHORITY.** Motion carried 4-0.

c. Staff: Fire Department: No report.

Public Works:

Liquor Store: No report.

Police Dept: No report.

City Administrator Report: Contract for Interim Fire Chief Services with the City of Ramsey: City Administrator Hysten reported on the memorandum he provided to the City Council. It has been reviewed by the City of Ramsey and St. Francis' attorneys. Tveit said I did have the opportunity to meet the Fire Chief, Dean Kapler. Sandoval asked what has been the reaction of our firefighters. Hysten reported that our fire fighters do respect Chief Kapler. Chief Kapler is well respected in Anoka County. Chief Kapler has scheduled to have a meeting with each fire fighter starting today. Sandoval said have you heard any negative comments from our fire fighters. Hysten said no. Tveit said I have not heard any negative either. Is there a cost to this? Tveit stated the salary would be \$2,000 per month. **MOTION BY TVEIT SECOND McCLISH FOR THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT FOR INTERIM FIRE CHIEF SERVICES BETWEEN THE CITY OF ST. FRANCIS AND THE CITY OF RAMSEY.** Sandoval asked what about after six months. Hysten said this agreement is to help us transition. Sandoval said we are setting a precedent when we are paying this person \$2,000. McClish said we have had two fire chiefs in a short period of time, I think it will be a great idea. Tveit said we are taking in a seasoned chief to develop our current fire fighters. Sandoval concerned they are just meeting today. My frustration is \$2,000 a month. Maybe we should have paid our previous chiefs more. Tveit said our assistant chief has also resigned. Sandoval said he is not against trying this; it is just the precedents I believe we are setting. Hysten stated Chief Kapler has met with the fire department at their general meeting in May along with the officer meeting. Motion carried 3-0. Schaffer abstained.

Discussion on Construction Manager versus General Contractor: A diagram was provided about the two different ways the City could use in constructing a building. General direction was to have staff research more into a Construction Manager and bring back some proposals. Schaffer asked what about an architect. Hysten said the council already hired an architect.

Miscellaneous: Last week I attended a meeting on the River Crossing Project and the Bridge Street extension. We did talk about how to get more information out to the public. I have heard from some public that businesses are going to be upset about improvements along Bridge Street. We have been talking about four years on the Bridge Study the project may not even happen until 2016-2017. There is and has been a lot of planning going on.

9. **Reports from Council Members:** Sandoval reported that the Public Works Director Paul Teicher attended a SHIP meeting about healthy living. Talked about paths, policies and procedures. Sandoval said I do stay involved with the departments. We do stay involved. We try not to interrupt the public while they are talking, that is your time. Our city is not the only area that is being hurt financially.

Schaffer reported he is a representative of the URRWMO along with Lan Tornes and read the draft minutes. The other thing I want to talk about is the literature I have given out is information I received from the City, a contractor, etc. I have been trying to be as accurate as possible. Before you contest integrity look at yourself.

10. **Report from Mayor:**

First I just want to report is we do utilize part timers during the summer. I have been contacted by the city of Oak Grove about a fire district. I said that is something maybe the council can take a look at. We are trying to be as fiscally responsible as possible. Tveit said I am a conservative. Maybe doesn't sound like it when we talk about different purchases but we are trying to protect the City's assets. I would encourage our council members and residents to view the videos on are website. We are doing the best we can. This was evident at the workshop we had. We are trying to get the communication out. We are trying to put out the right and correct information. There has been advertisements in the paper as of late. One resident stated it motivated her. However, I do believe there is misguiding information given to our citizens. It goes against what we talked about in our work session to get the correct information out there and work together. It frustrates me. I would encourage again to look at the videos to see what we have.

a. Discussion on a Policy for "Meeting Open to the Public" section of the agenda:

Tveit stated I asked that this be put on the agenda. I would like to ask the council what about before the meeting starts have the city clerk tell me how many people signed up. That would give us an idea if we need to limit the public speaking time. Sandoval said I see limiting the speaking time for the public necessary to keep order. Just make sure they are all given the same time. McClish said if we have one hundred people make sure we limit. People do have the right to speak. Schaffer said I want an hour for the public to speak. Tveit asked the City Attorney in your experiences in other cities what have you seen. Lepak stated there are different approaches. The cities that televise the public forums seem to go longer. There is zero requirements that there is a meeting open to the public even on the agenda. You already have in your City Code that you can limit the speaking time in the meeting. Tveit said so it is not good to have a two-way interaction. Lepak stated correct, plus once the meeting open to the public is done you should not take public input. Tveit said what about give people five minutes and if more than five people speak limit them. How do I let people speak and be fair? Sandoval said that is your discretion that is your call. The rest of the council agreed it should be left up to the mayor.

11. **Old Business:** None.

12. **New Business:**

a. Efficiency Report Card-Police Department: Currently working on the school contract. Officer Steiger is our training officer so more training can be done in house.

One other area that is being looked into is developing a Crime Free Rental Housing Program.

13. **Adjournment:** The City Council meeting adjourned at 8:34 pm.

Barbara I. Held, City Clerk