

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

CITY COUNCIL MINUTES

SEPTEMBER 6, 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, Tim Brown, Steve Kane and Chris McClish. 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, Fire Chief Dean Kapler, Liquor Store Manager John Schmidt, Finance Director Darcy Mulvihill, City Administrator Matt Hysten, and City Clerk Barb Held.

Mayor Tveit welcomed Tim Brown to the Council.

3. **Adopt Agenda:** MOTION BY SANDOVAL SECOND BROWN TO ADOPT THE SEPTEMBER 6, 2011 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** MOTION BY KANE SECOND MCCLISH TO APPROVE THE SEPTEMBER 6, 2011 CITY COUNCIL CONSENT AGENDA-J AS FOLLOWS:
  - a. Approve the City Council Minutes of August 15, 2011.
  - b. Approve the Corrected August 1, 2011 City Council Minutes.
  - c. Receive and File the St. Francis Fire and Rescue General Meeting Minutes of August 7, 2011.
  - d. Approve Pay Estimate No. 6 for \$ 101,455.72 and Change Order No. 3 for \$5,383.00 to Geislinger & Sons, Inc. for the Ambassador Trunk Utility Improvements.
  - e. Approve Pay Estimate No. 1 for 188,744.88 to Peterson Companies, Inc for the Pederson Path Improvement.
  - f. Approve the Contract for School Liaison Officers for Independent School District 15 with the City of St. Francis for school year 2011-2012.
  - g. Authorize the St. Francis Fire Department to apply for FEMA AFG Grant.
  - h. Authorize the St. Francis Fire Department to Implement a Duty Officer Program to begin September 14, 2011 and continue until March 14, 2012 at which time a review would be completed and shared with City Council as whether or not to continue with the program.
  - i. Approve Not to Waive the Statutory Tort Liability Limits to the extent of the coverage purchased with LMCIT.
  - j. Approve the Payment of Claims for \$630,853.47.Motion carried 5-0.

5. **Meeting Open to the Public:**

Roland Willis, 23073 Eidelweiss Street NW; I see there is budget information in the packet on the building. I have not seen and have asked before, the annual maintenance amount of this

building. Along with never seeing a proposal to maintain this building, where the funds are going to come from.

William Gardner, 5304-238<sup>th</sup> Avenue NW, I have four things. Welcome back Mr. Brown to the Council. I was glad to see you, the Mayor, at the car show last Friday. I also like the Pederson Path but I would also like you to have the police department sit out by Hwy 47 to make sure the kids are pushing the pedestrian crossing button. I like to thank Barb (City Clerk) for getting me the audio of last meeting. Gardner had the audio transcribed and referenced the written minutes versus the audio regarding the building plans and their location at the meeting.

Ray Jones, 23547 Nacre Street NW, was wondering why the EDA applications was never advertised in the newspaper. I think you should table it.

LeRoy Schaffer, 4526 234<sup>th</sup> Avenue NW, stated Jerry (the Mayor) called me some time ago. I am sure I caused Jerry some grief. I tried something's and it backfired on me. There was no personal gain. I apologized to people in St. Francis but I felt a necessity to do so. LeRoy closed by saying thank you Jerry.

**6. Petitions, Requests, Applications:**

**a. Professional Design Group/Amcon Building Plan Presentation/Discussion with the City Council:** Jim Brach of Professional Design Group gave a brief history of the building process. This building project was initiated in 2007. There was a time where it was on hold. Mr. Brach stated a group comprised of staff and consultants have been meeting every two weeks. Miles Britz of Professional Design Group and Todd Christopherson of Amcon Construction Company gave a presentation on the proposed Police/Public Works Facility. This project meets the basic needs. It is designed as a 100 year facility. Bid alternates will be added, to see what kind of cost they come in with. These are not final plans but we have done estimates on cost. Mr. Christopherson also went over the timeline. Next step would be to produce final plans to be able to go out for bids. Authorization will be needed for approval of final plans and to be able to go out for bids. Kane asked on the roof design. How long can we expect the roof to last and what new items are on the market? The roof we are looking at would last about 20-25 years it will be white in color. Tveit said I have reviewed the plans and are very pleased. **MOTION BY KANE SECOND MCCLISH TO APPROVE THE DEVELOPMENT DESIGN OF THE PROJECT.** Motion carried 5-0. **MOTION BY KANE SECOND MCCLISH GIVING AUTHORIZATION FOR THE PREPARATION OF THE CONSTRUCTION DOCUMENTS.** Motion carried 5-0.

**b. Northland Securities: Financial Presentation for Public Works/Public Safety Building and Discussion with the City Council:** George Eilertson of Northland Securities gave a presentation on financing the new facility using our existing and future City budgets. Some time ago, I gave a presentation on the different types of funding. The council at that time agreed to go with Lease Revenue Bonds. There is a favorable market in interest rates. A 20, 25 and 30-year bonding scenarios were presented. To avoid an additional debt service, the City is proposing to use funds currently being set aside for a new city hall, fire/police building as well as a 30 percent water and sewer utility fund transfer and liquor store funds. Kane asked by taking the CIP numbers from City Hall it tells me that we will not be building a City Hall anytime soon. Tveit said yes, we are making a choice by sacrificing a future city hall. Lepak said the EDA has

certain authority with this process. Although the current city hall is functional it is probably not in the best location. MOTION BY KANE SECOND MCCLISH AUTHORIZING THE EDA TO ENTER INTO A LEASE REVENUE BOND AGREEMENT IN AN AMOUNT NOT TO EXCEED \$8,200,000. Sandoval said but we don't have an EDA yet. Lepak said yes, this gives the EDA board once appointed, something to act on. Motion carried 5-0.

**c. Appointment of Economic Development Authority (EDA) Members:**

Tveit stated we do have a resident that was concerned because it was not published in the local paper. Lepak said based on his opinion there is not a legal obligation to be published. Historically we have published openings but that was before the internet. Tveit asked what if the Council appoints themselves as the EDA board for 30 days, publish, take applications and then appoint members. Lepak said if there is a need to get the EDA up and running my recommendation would be to appoint two council members and three applicants tonight. I am not sure the tight time frame. Tveit asked Hylen, Mr. Eilertson already left otherwise Hylen said I would have asked him. McClish said we have had this posted for months, it was on the website, and has been in our newsletters. We have been asking for members for months and we need to move forward. Tveit said I have had it in my Mayor's portion of the newsletter too. Sandoval said I see both sides. Brown agreed to move forward.

**1. Citizen Applications:** The City received four applications for the EDA. They are Brenda Pavelich-Beck, Richard Orpen, and Troy Shook. Christian Westbrook's application came in late Thursday afternoon, after the Council Packets were posted online. After discussion, the council indicated they have four good applicants. Hylen reminded the City Council to identify with 4, 5 or 6 year terms for each applicant. MOTION BY KANE SECOND BROWN TO APPOINT TROY SHOOK TO THE EDA FOR A FOUR-YEAR TERM. Carried 5-0.

MOTION BY KANE SECOND MCCLISH TO APPOINT RICHARD ORPEN TO THE EDA FOR A FIVE-YEAR TERM. Motion carried 5-0.

MOTION BY BROWN SECOND KANE TO APPOINT BRENDA PAVELICH-BECK TO THE EDA FOR A SIX-YEAR TERM. Motion carried 5-0.

**2. City Council Members:** Tveit asked what two elected officials would be interested in serving on the EDA. Sandoval said he would be. MOTION BY TVEIT SECOND MCCLISH TO APPOINT SANDOVAL TO THE EDA TO A THREE-YEAR TERM. Kane asked what if Sandoval decides not to run in the next election. Lepak said then the council would fill the vacancy. Motion carried 5-0. McClish said he too would be interested. MOTION BY TVEIT SECOND SANDOVAL TO APPOINT CHRIS MCCLISH TO THE EDA TO A TWO-YEAR TERM. Motion carried 5-0.

**7. Ordinances & Resolution:**

**a. Resolution 2011-25: Providing Preliminary Approval of a Proposed 2011 Tax Levy, Collectible in 2012:** State Law requires the City Council give preliminary approval of a proposed tax levy for 2011 payable in 2012 by September 15, 2011. The preliminary maximum tax levy payable in 2012 against taxable property in the City of St. Francis at \$2,873,160 or a maximum increase of 0%. MOTION BY BROWN SECOND KANE TO ADOPT RESOLUTION 2011-25 A RESOLUTION PROVIDING PRELIMINARY APPROVAL OF A PROPOSED 2011 TAX LEVY, COLLECTABLE IN 2012. Kane said I would like to go on record and say due to the change on the homestead credit by our State Legislators and their new formula, property owners taxes could still go up even if we choose a zero percent increase. Hylen

said yes the burden has been moved to the commercial and industrial properties. Motion carried 5-0.

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

a. **Engineer:**

b. **Attorney:**

c. **Staff: Fire Department: Repair of Generator on Engine #1:** Fire Chief Dean Kapler reported the generator on Engine #1 is not operating and is in need of repair/replacement. The generator provides power to the on-scene emergency lighting as well as 110-volt power supply power to equipment in the field at emergency scenes. A quote was received for the repair and one for the replacement. MOTION BY TVEIT SECOND SANDOVAL AUTHORIZING THE FIRE DEPARTMENT TO REPLACE THE CURRENT GENERATOR IN ENGINE #1 AND CHARGE IT TO EQUIPMENT REPAIR AND MAINTENANCE. Motion carried 5-0.

**Public Works:**

**Liquor Store:**

**Police Dept:**

**City Administrator Report:** Hysten reported today, with the help of Anoka County, we started a Twitter account and continue researching starting a Facebook page. In September, we are hoping to roll out our new website.

Last week I gave a tour of the east shop location to a senior housing company and will keep the EDA informed.

9. **Reports from Council Members:** McClish said he will not be at the next council meeting because he will be at the National Canine trials.

Kane said I maybe out of town the next two meetings.

Sandoval congratulated Tim on being appointed to the Council and to the new EDA members.

Tim Brown said I am happy to be on the council and looking forward to the new adventures.

10. **Report from Mayor:** Tveit said I am glad Tim Brown stayed involved by coming to the council meetings.

Pederson Path looks great and would like to say congratulations to your engineering firm Bolton and Menk and also the contractor Peterson Companies on an efficient project.

Tveit thanked the council members for stepping up to be on the EDA.

11. **Old Business:**

a. **Don Voytilla-Curb Stop Repair:** Tveit gave a brief review of what happened with this event. The responsibility of the bill is that of the homeowners. Tveit's recommendation would be to allow Mr. Voytilla pay this off this bill with a 21 to 26 year assessment. The cost of the repair was \$12,136.89. Would that be acceptable to the council? Sandoval said I agree giving him a break but I think, we should collect some type of interest. We have to be careful

and not set precedence. McClish agrees with Sandoval by adding some type of interest. Voge said typically on an assessment the interest rate is 1.5% over prime rate. Right now prime is 3.25%. MOTION BY SANDOVAL SECOND MCCLISH TO SPECIAL ASSESS DON VOYTILLA 3.25% FOR 21 YEARS. Hylen said this would be pending objection from the homeowner. Tveit said what about going out 26 years. Motion failed 0-5. MOTION BY SANDOVAL SECOND MCCLISH TO SPECIAL ASSESS DON VOYTILLA \$12136.89 AT 3.25% FOR 26 YEARS WITH THE FIRST YEAR BEING PAID UP FRONT FOR THE CURB STOP REPAIR BILL. Motion carried 5-0.

**b. Setting Budget Workshop date:** Kane said he should know his schedule better tomorrow. Everyone contact Barb Held by 4:00 pm and she will set a date for a Budget Workshop.

12. **New Business:**

**a. Efficiency Report Card: Public Works:** Teicher reported on all the savings with Connexus Energy by installing energy efficient equipment.

Also received a grant to attend a AWWA Conference at the end of September.

13. **Adjournment:** The City Council recessed the meeting at 7:51 pm.

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Barbara I. Held, City Clerk