

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

CITY COUNCIL MINUTES

OCTOBER 3, 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 Planner Nate Sparks (Northwest Associated Consultants), 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 KANE SECOND BROWN TO ADOPT THE OCTOBER 3, 2011 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** MOTION BY SANDOVAL SECOND McCLISH TO APPROVE THE OCTOBER 3, 2011 CITY COUNCIL CONSENT AGENDA-G AS FOLLOWS:
 - a. Approve the City Council Minutes of September 19, 2011.
 - b. Accept the Resignation of Liquor Store Clerk Bruce Olsen.
 - c. Accept the Resignation of Fire Fighter John Fraune.
 - d. Approve Pay Estimate No. 2 and Change Order No. 1 for the Pederson Path Improvement to Peterson Companies, Inc.
 - e. Approve the Agreement between Minnesota Municipal Utilities Association (MMUA) and the city of St. Francis for the 2011-2012 Safety Management Program.
 - f. Approve the Fireworks Application to Flashing Thunder for October 7, 2011 after the SFHS Homecoming Football Game.
 - g. Approve the Payment of Claims for \$182,738.14.Motion carried 5-0.
5. **Meeting Open to the Public: None.**
6. **Petitions, Requests, Applications:**
 - a. **4020-233rd Avenue – Code Enforcement:** Tveit said this is the old Food-n-Fuel building. City Planner Nate Sparks of Northwest Associated Consultants, Inc. provided a memorandum regarding the background on the parcel of 4020-233rd Avenue. Spark's reported the City received complaints regarding the property appearance and was served notice. The property owner responded and corrected the violations regarding the tall grass, graffiti and unsecure building. Also as part of the investigation on the nuisance complaint, staff became aware that there were four abandoned underground tanks on site. The Minnesota Pollution Control Agency was contacted to check on the status of the tanks. MPCA staff notified the City that the tanks have been ordered to be removed but that order has gone without response from

the property owners. The MPCA states that in this situation, the local government unit may declare the site an official hazardous site and order the removal of the tanks. If the property owner fails to respond to an order to remove the tanks, the City may have the tanks removed and assess the costs to the property owner. There is a process that needs to be followed. However, the process may be contested by the property owner. The council agreed with taking the next step. This building has been closed for along time. MOTION BY KANE SECOND McCLISH FOR THE CITY ATTORNEY TO TAKE THE NEXT STEP AS WARRANTED. Motion carried 5-0.

b. South Highway 47 Industrial Park 2nd Addition Plat-Preliminary /Final Plat Amendment: In order to combine these parcels as part of this existing plat and to alter the layout, the Preliminary Plat needs to be revised. The site was previously preliminary platted for six industrial parcels and one commercial parcel. The first addition final plat was for the commercial parcel with the industrial portion being platted as an Outlot to be final platted later. The revised preliminary plat is for the remaining six industrial parcels to be re-platted as just 1 industrial parcel. Then two parcels of land adjacent to the site are being added to the plat and incorporated into the 1 industrial parcel. A final plat then must be recorded based on the amended preliminary plat. MOTION BY BROWN SECOND McCLISH TO ADOPT RESOLUTION 2011-28 A RESOLUTION APPROVING A PRELIMINARY AND FINAL PLAT FOR THE SOUTH HIGHWAY 47 INDUSTRIAL PARK SECOND ADDITION. Motion carried 5-0.

c. Vacation of Cree Street Easement: Public Hearing: Mayor Tveit opened the public hearing at 6:12 pm. Sparks gave an overview of the vacation of the easement. The City had previously acquired a road easement on part of the new property being incorporated into this plat. This easement extends further into the site than necessary and is six feet wider than current City street standards. On the final plat, the easement is replaced by an appropriately sized right-of-way. The right-of-way terminates at the location where a frontage road may be extended to the west if the neighboring property were to re-develop. On the preliminary plat, there is shown a temporary cul-de-sac easement to meet the City's subdivision standards. It also lines up with Cree Street to the North.

Ray Jones, 23725 Nacre Street, asked about the publication, was it done? Hylen reported yes it was published in the Anoka County Union, our official newspaper. Jones then read a portion of Resolution 2011-29. There was an error on the date in the resolution. Jones asked if the City received any money from the county for that easement and do you have to give any back. Hylen said Mr. Jones is accurate on the resolution; unfortunately, the date was not changed. The date needs to be changed to October 3, 2011 in the resolution. Mayor Tveit closed the public hearing at 6:19 pm.

MOTION BY KANE SECOND McCLISH TO ADOPT RESOLUTION 2011-29 A RESOLUTION PROVIDING FOR THE VACATION OF AN EASEMENT WITHIN TRACT A OF REGISTERED LAND SURVEY NO. 230 CHANGING HE DATE FROM AUGUST 15, 2011 TO OCTOBER 3, 2011. Sandoval asked if we could answer Mr. Jones question whether the City received any money from the county. Motion carried 5-0.

7. **Ordinances & Resolution:**

a. **Resolution 2011-30: Proclaiming November as Homelessness Awareness Month:**
MOTION BY SANDOVAL SECOND KANE TO ADOPT RESOLUTION 2011-30 A
RESOLUTION PROCLAIMING NOVEMBER AS “HOMELESSNESS AWARENESS
MONTH”. Motion carried 5-0.

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

a. **Engineer:**

b. **Attorney:**

c. **Staff: Fire Department: October 9-15, 2011 Fire Prevention Week:** Time to check your batteries in your smoke alarms. Zylstra’s Harley-Davidson in Elk River is sponsoring a fire fighter appreciation night on Friday, October 7 from 6-8 pm.

Public Works:

Liquor Store:

Police Dept:

City Administrator Report - Building Inspection Discussion: Hylen said you ask me two years ago, I would have never brought this up. Nevertheless, with the economy today they are a lot of very qualified building inspector’s out of work. A full time person does not pencil out. However, an inspector maybe a couple hours a day would be beneficial for us and the residents. As building increases, when and if, we can increase hours. Maybe there can be some code enforcement help to Mr. Sparks. Another area we would like to improve on is on the technology side of customer service. We are in the process of a re-doing our website, adding twitter and Facebook. A job description was drafted back in 2006/2007 but we never implemented a full time inspector. This job description could be amended to a part time position. Tveit said I would like to see down the road that all permit applications would be online. Change is good and we need to keep pushing forward. Kane asked if Hylen talked with any of the surrounding communities. Hylen said sharing an employee can be very good, like with our current interim fire chief or it can turn out to be not a good situation. Sandoval said with building slow, how are they going to keep busy? Hylen said this would work financially, if there is no work they do not come in. MOTION BY TVEIT SECOND KANE TO CANCEL THE CONTRACT WITH METRO WEST INSPECTION SERVICE. Sandoval said worst case scenario, we don’t find an inspector then what? Hylen said there is a city that has an inspector and still contracts out with a company we may be able to use or go back to Metro West. Motion carried 5-0.

MOTION BY SANDOVAL SECOND BROWN AUTHORIZING STAFF START THE APPLICATION PROCESS FOR A PART TIME BUILDING INSPECTOR. Motion carried 5-0.

US Department of Justice: We did not receive the COPS grant again.

Miscellaneous: I belong to a Joint City/School/County Committee. There was a presentation from a company last week on a program that could be possibly implemented throughout the cities and county. It was on building maintenance scheduling.

9. **Reports from Council Members:** No report.

10. **Report from Mayor:** Forgot to mention this earlier that the Fire Department will have an Open House and a French Toast breakfast next Saturday, October 15 from 8 to noon.

Last week Mr. Hylen and I attended a meeting with the cities of Ramsey, Nowthen and us. We talked about what could we share, we are already sharing the fire chief. We are looking at other areas too. One area of interest to discuss further is maybe look into a fire district. We did invite Bethel and Oak Grove to attend our next meeting on sharing services.

11. **Old Business:** Brown said there was a lot of work done on a joint fire district years ago. Maybe see if we can get some of that information.

12. **New Business:**

a. **Efficiency Report Card-Finance Department:** Mulvihill updated the council on the general fund. I hope that we will be at a positive of \$72,000 at the end of the year. Everyone is trying not to spend unless needed. Today we received an invoice from the State of MN for a little over \$52,000 that the City owes from a 2003 project. Liquor store is up about \$130,000 over last year.

13. **Adjournment:** The City Council recessed the meeting at 6:59 pm.

Barbara I. Held, City Clerk