

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

CITY COUNCIL MINUTES

August 18, 2014

1. **Call to Order:** 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 Steve Kane, Amy Lazere, Tim Brown and Chris McClish. Also present were City Attorney Scott Lepak (Barna, Guzy & Steffen), City Engineer Jared Voge (Bolton & Menk) Police Sergeant Jake Rehling, Public Works Director Paul Teicher, Finance Director Darcy Mulvihill, City Administrator Matt Hysten and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY BROWN SECOND KANE TO ADOPT THE AUGUST 18, 2014 CITY COUNCIL AGENDA. Add 7d. Charter Question Resolution 2014-28. Motion carried 5-0.
4. **Consent Agenda:** MOTION BY LAZERE SECOND McCLISH TO APPROVE THE AUGUST 18, 2014, CITY COUNCIL CONSENT AGENDA AS A-B AS FOLLOWS:
 - a. City Council Minutes – August 4, 2014
 - B. Payment of Claims for \$730,859.71 (Check numbers 67708-67787 \$190,990.91 and ACH 92E & 93E \$539,868.80)Motion carried 5-0.
5. **Meeting Open to the Public:** Two people (Joe Raus and Connie Tillman) signed up but their topic is on the temporary sign ordinance so the Mayor suggested they speak first on that agenda item.
6. **Petitions, Requests, Applications:**
 - a. **Business Community Temporary Sign Ordinance Discussion:** Joe Raus, St. Francis Area Chamber of Commerce president, said the Temporary Sign Ordinance has been a hot topic since the ordinance was adopted. It is not perfect and it probably will not please everyone even when changed. Staff worked with the Chamber members when preparing this ordinance. After it was in place there are some areas that we would like to see revisited. In speaking with the business community, I think we can come up with something more palatable. We are a unique community with only two miles wide and long with a State Highway dividing our community. The areas they would like to see amended in the temporary sign ordinance is the size, number of days allowed and the length of time allowed to be displayed. Kane said we want to see businesses come to St. Francis and recommends having staff work with the business community again and revisit the ordinance. Tveit asked if there is a person who can be the best contact and expertise on this to work with staff. Raus said with the number of businesses that signed the petition I think there should be a group of business owners such as a business council and staff to work together. Tveit said maybe this group could possibly work with us on other issues too.

Tveit asked Connie Tillman to speak. Tillman said she would rather have Melissa Enzler speak first.

Melissa Enzler, owner of Anytime Fitness, I got this moving because of the number of businesses that had a concern with the temporary sign ordinance. We have kept track of the months we have had signs and the months we have not for two years. The black signs have a higher impact on our enrollment. As a franchise they come up with different sales/promotions throughout the year and I may have had used up all the days allowed. Raus did a very good job of summarizing what we are looking at. I would like to be on this business council. We have to be able to go up to a 6 x 8 sign. Many businesses made their signs permanent and more power to them but I am a tenant and cannot put up a permanent sign. As Raus said, we are a unique community. Businesses may not talk to you (council) but they talked to me and they are desperate, up to and including leaving town. Like Raus said size, number of signs or maybe an allowance of extra signs if needed. Gerdins too has a very unique situation with a small sign on his own property. I think we need to move this on as quickly as possible.

Connie Tillman, owner of CNJ Properties and St. Francis Collision located at 23515 St. Francis Blvd., advertising is tough around here so signage is very important. Both Raus and Enzler did a good explaining our concerns. We need customers; we are small town so you have to allow for differences. We hope we get a lot of customers by word of mouth. Whatever you can do to help us out is greatly appreciated. This town is very segmented. People do drive around with blinders so we have to grab them with signage. Thank you for your time and hope we can work together.

MOTION BY KANE SECOND BY McCLISH TO HAVE STAFF WORK WITH THE ST. FRANCIS BUSINESS COUNCIL TO WORK ON A SOLUTION TO AMEND THE CURRENT TEMPORARY SIGN ORDINANCE.. Brown said I wish there was more discussion when this first went came to us.

Raus said about one and one-half years ago I went to the Planning Commission and spoke to them for about forty-five minutes and it did not go anywhere. So there was concern shortly after the ordinance when into place. Tveit asked when do you think you can get your business council ready and contact staff and council. Raus said he could get one together soon. If we do not hear anything by next council make sure it is on the agenda under old business. McClish thanked the business owners for working together. Motion carried 5-0.

7. Ordinances & Resolution:

a. **Ordinance 199, Second Series: Amending Chapter 2, Section 2.12, entitled “Salaries of Mayor and City Council Members” (Second Reading):** MOTION BY McCLISH SECOND LAZERE APPROVING THE SECOND READING OF ORDINANCE 199, SECOND SERIES AMENDING CHAPTER 2, SECTION 2.12, ENTITLED “SALARIES OF MAYOR AND CITY COUNCIL MEMBERS”. Roll Call: Ayes: Kane, Lazere, Brown, McClish and Tveit Nays: None Motion carried 5-0.

b. **Resolution 2014-26: Proclaiming October as Domestic Violence Month:** MOTION BY TVEIT SECOND KANE ADOPTING RESOLUTION 2014-26 A RESOLUTION PROCLAIMING OCTOBER AS DOMESTIC VIOLENCE MONTH. Motion carried 5-0.

c. **Resolution 2014-27: Requesting a Variance from Standard for State Aid Operation for Project No. S.A.P. 002-624-026:** Voge reported this resolution is requesting a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9936 Minimum Design Standards, Urban: New or Reconstruction Projects to allow a 25 MPH curve on Kerry Street in lieu of a 30 MPH curve. MOTION BY BROWN SECOND McCLISH ADOPTING RESOLUTION 2014-27 A RESOLUTION REQUESTING A VARIANCE FROM STANDARD FOR STATE AID OPERATION FOR PROJECT NO. S.A.P. 002-624-026. Motion carried 5-0.

d. **Resolution 2014-28: Submitting Charter Amendment Issue to the Voters:** The City Council in 2013 did not pass a Charter Amendment unanimously in regards changing the mayor's term from two years to four. The Charter Commission asked that this question be placed on the next general election ballot. MOTION BY LAZERE SECOND McCLISH ADOPTING RESOLUTION 2014-28 A RESOLUTION SUBMITTING CHARTER AMENDMENT ISSUE TO THE VOTERS. Motion carried 5-0.

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

a. **Engineer: 241st Avenue Improvement:** Voge stated I apologize for not being at the last meeting. There was some discussion on a potential industrial use along 241st Avenue (West of Hwy 47). First step authorize the preparation of a feasibility study to see what type of cost could be associated with this project. Tveit asked if you could have a resolution ready for the next city council meeting for the preparation of a feasibility study. Voge said absolutely. I think we need to reinvest into St. Francis and this is a good start. Consensus of the council was to bring forward a resolution asking for the preparation of a feasibility study. Kane asked the time frame to get the study back. The feasibility study could be back in October and maybe authorizing plans in December/January so best case scenario next July/August the project would start.

b. **Attorney: 1) Closed Meeting Pursuant to Minn. Stat. Sec. 13D.05, Subd. 3(b) attorney/client privilege to discuss threatened or pending claim against the City.** MOTION BY BROWN SECOND KANE TO GO INTO A CLOSED MEETING PURSUANT TO MINN. STAT. SEC. 13D.05 SUBD. 3(B) ATTORNEY/CLIENT PRIVILEGE TO DISCUSS THREATENED OR PENDING CLAIM AGAINST THE CITY AT 6:48 PM. Motion carried 5-0. The City Council was back in session at 7: 52 pm.

2) Closed meeting pursuant to Minn. Stat. Sec. 13D.05 to discuss allegations or charges against individual subject to council authority: MOTION BY McCLISH SECOND LAZERE TO GO INTO A CLOSED MEETING PURSUANT TO MINN. STAT. SEC. 13D.05 TO DISCUSS ALLEGATIONS OR CHARGES AGAINST INDIVIDUAL SUBJECT TO COUNCIL AUTHORITY AT 6:49PM. Motion carried 5-0. The City Council was back in session at 7:52 pm.

Lepak stated he had nothing further to report.

Motion by Tveit second McClish to place City Administrator on paid administrative leave effective immediately. Motion carried 4-1. Brown voting nay.

Motion by Tveit second Lazere to appoint Public Works Director Paul Teicher as Acting City Administrator. Motion carried 4-1. Brown voting nay.

Motion by Tveit second McClish to table the Nepotism policy. Motion carried 5-0.

Motion by Tveit second Lazere to table the sergeant appointment. Motion carried 5-0.

c. Staff:

Finance Dept.: GFOA Distinguished Presentation Budget Award for 2014: Mayor Tveit presented Finance Director Darcy Mulvihill the Distinguished Budget Presentation Award for the current budget from the Government Finance Officers Association (GFOA). Tveit read, this award is the highest form of recognition in governmental budgeting and represents a significant achievement by your organization. On behalf to the City, I (Tveit) would like to say thank you.

Fire Dept.:

Public Works:

Liquor Store:

Police Dept.: Appointment of Police Sergeant: Tabled.

City Administrator:

9. **Reports from Council Members:** None.
10. **Report from Mayor:** None.
11. **Old Business:** None.
12. **New Business:** None.
13. **Adjournment:** The Regular City Council meeting adjourned at 7:56 pm.