

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

CITY COUNCIL MINUTES

August 19, 2013

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 Mike Haggard, Amy Lazere, Tim Brown and Chris McClish. Also present were City Engineer Jared Voge (Bolton & Menk), City Attorney Scott Lepak (Barna, Guzy & Steffen) Police Chief Jeff Harapat, Public Works Director Paul Teicher, Liquor Store Manager John Schmidt, Finance Director Darcy Mulvihill, City Administrator Matt Hysten and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY LAZERE SECOND BROWN TO ADOPT THE AUGUST 19, 2013 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** MOTION BY LAZERE SECOND McCLISH TO APPROVE THE AUGUST 19, 2013, CITY COUNCIL CONSENT AGENDA AS A –C AS FOLLOWS:
 - a. Approve the City Council Minutes of August 5, 2013.
 - b. Withdraw the prior conditional hire and offer for the Police/School Resource Officer and make conditional offer to hire Matthew Schlenker as a Police/School Resource Officer pending background and testing
 - c. Payment of Claims \$617,668.06 (Check #66013-66080 \$238,426.79 and ACH 64E-66E \$379,241.27) Motion carried 5-0.
5. **Meeting Open to the Public:** Raymond Jones, 23725 Nacre Street, the reason I am here tonight to speak to the council is that at 6:00 pm City Clerk Barb Held picked up the sign-up sheet. I think you need to change the policy of when you pick up the sign-up sheet. It should be either kept until later in the meeting or at least until you get to the part on the agenda for meeting open to the public. People are not given the opportunity to speak if they come five minutes late.
6. **Petitions, Requests, Applications:**
 - a. **O'Reilly's Automotive Stores: Resolution 2013-26 Approving A Preliminary & Final Plat for The Aztec Commercial Plat and Resolution 2013-27 Resolution Approving a Variance & Site Plan review for O'Reilly Automotive Stores to Construct a Retail Store 5 Feet from the Aztec Street Right-of-Way:** O'Reilly Auto Parts has made an application for a preliminary plat, site plan review, and variance to develop a property located at the southeastern corner of Highway 47 and 233rd Avenue. The intent is to split the property into two building sites and construct an auto parts store on the new northern lot. At one time a plat was approved for this site to make three commercial parcels. The final plat was never recorded, as the State closed the access points to the property that were planned to be from Highway 47. City Planner, Nate Sparks provided a memorandum in regards to the preliminary plat, site plan review and variance. MOTION BY HAGGARD SECOND BROWN TO ADOPT RESOLUTION 2013-26 APPROVING A PRELIMINARY AND FINAL PLAT FOR THE AZTEC COMMERCIAL PLAT. Motion carried 5-0.

MOTION BY BROWN SECOND HAGGARD TO ADOPT RESOLUTION 2013-27 A RESOLUTION APPROVING A VARIANCE & SITE PLAN REVIEW FOR O'REILLY AUTOMOTIVE STORES TO CONSTRUCT A RETAIL STORE FIVE FEET FROM THE AZTEC STREET RIGHT-OF-WAY. Motion carried 5-0

b. Semler Homes proposal for Lot 8, Block 2 Royal Oaks Addition: Semler Homes proposed to purchase city property and construct a single family home on the lot located at the corner of 230th Lane and Ivywood Street, Lot 8, Block 2 Royal Oaks Addition. Previous discussions and direction from current and former Councils have guided staff to look at ways to sell city owned land that is not being utilized. This lot was originally proposed to be a small city neighborhood park, but upon review of our park plan of the City, this property is not needed to properly serve the neighborhood. Our previous intern had contact with Habitat for Humanity and they were about two years out if they were going to build at all. Staff would recommend the monies received from this property be put in the park dedication fund. Haggard asked about the value. Brown said that land has been a problem area for some years. Hylan said in 2012 the value was \$2,000 and in 2013, it is valued at \$12,000. More than likely it is because of the street improvement. Brown said this property could become a liability and would like to get this back on the tax roll. Lazere felt the City lot price seemed very low. Tveit said he too would like to see this lot back on the tax role. This lot has been talked about for some time. Hylan said when we spoke with Habitat for Humanity they wanted the lot for free. Brown said it has been a number of years but I did walk the lot and it is unique lot. McClish agreed with Brown and it is a unique lot but we have had problems with the vacant lot. **MOTION BY McCLISH SECOND BROWN TO AUTHORIZE STAFF TO SELL OF LOT 8, BLOCK 2 ROYAL OAKS ADDITION TO SEMLER HOMES FOR \$1,500 WITH THE PROCEEDS GOING BACK INTO THE PARK DEDICATION FUND.** Lazere agrees with selling the property but feels the price is too low, and would like to get a professional opinion. Lepak stated the options are to sell the lot to Semler Homes for \$1,500 with the funds going into park dedication fund. You can table and ask area experts on the lot value or open it for an appraisal. McClish said I believe we should be very reasonable but we can table for more information. Tveit said he too would like to get rid of the property. Councilmember McClish withdrew his motion and Brown withdrew his second. **MOTION BY McCLISH SECOND BROWN TO TABLE THE SEMLER HOME PROPOSAL.** Staff will get provide more information to the City Council in an off week memorandum. Motion carried 5-0.

c. Pioneer Days Discussion with the St. Francis Area Chamber of Commerce: At the last meeting we had the Chamber come before the City Council with a financial request to help with Pioneer Days. McClish reported last September the city council committed up to \$9,000 for Pioneer Days. Joe Raus, president of the St. Francis Area Chamber of Commerce, after the last meeting we did more research on the cost of the insurance. It was higher than we originally thought. It was about \$7,000-\$9,000 for the insurance premium including officer indemnity. Tveit stated on the re-cap that was received the salaries only were from the public works department. Hylan stated there is always going to be some public works hours. There were more volunteers this year to help offset some of the cost. There still is going to be a partnership but less staff time for the preparation. Tveit asked if there is a way to have the City hold a rider for the insurance portion of it. Hylan said I suspect there is a model out there where the City carries the insurance and the Chamber would run the event. Tveit said the Chamber is asking for a \$25,000 donation. I am not sure if we can commit to that amount for four years. For that amount, maybe the City should keep it. Lazere said I am a little confused on why wouldn't we want someone to take it over, why do you want to keep it. David Johnson, vice president would like to

clarify some of the questions. Two parts, \$10,000 would be from the liquor store to pay for the fireworks and the \$15,000 would be from the City. We think we can take this over with a partnership for just a number of years from the City. Brown said maybe we scale back and use the fireworks money towards the weekend event. Many cities are cutting back on events. Tveit said I would be in favor of committing \$10,000 per year. I think the liquor store donation should be a year-by-year review. Lazere asked if the Chamber could run it with a \$10,000 donation. Haggard asked if the city could pay for the insurance would you still be interested. Johnson said that would be a viable option. McClish stated \$10,000 to \$13,000 would be something he would support. Lazere said the first year I would be fine with \$15,000 and \$10,000 the next three. I think it is awesome that they have stepped up. McClish said he totally supports Lazere's idea. It is very important to the City. McClish said let's look at year four and see what money is available. Tveit said if everything goes well they may not need as much the fourth year. Brown and if the economy gets better maybe we can do more. We can't put the city in a bind either. Discussion was held on the numbers \$15,000 for the first year, \$12,000 for years two and three and \$10,000 for the fourth year. MOTION BY HAGGARD SECOND McCLISH FOR THE CITY TO FUND PIONEER DAYS WITH YEAR ONE AT \$15,000, YEARS TWO AND THREE \$12,000 AND YEAR FOUR AT \$10,000. Brown said I think if we have to make difficult cuts remember how much we are giving for Pioneer Days. Motion carried 5-0.

7. **Ordinances & Resolution:**

a. **Resolution 2013-28: Continue Efforts towards a Shared Fire Service:** MOTION BY TVEIT SECOND LAZERE TO ADOPT RESOLUTION 2013-28 A RESOLUTION TO CONTINUE EFFORTS TOWARDS A SHARED FIRE SERVICE. Motion carried 5-0.

b. **Resolution 2013-29: Transfer from General Fund, Water Fund and Sewer Fund to EDA Lease Revenue:** MOTION BY BROWN SECOND McCLISH TO ADOPT RESOLUTION 2013-29 A RESOLUTION TO TRANSFER FROM THE GENERAL FUND, WATER FUND AND SEWER FUND TO EDA LEASE REVENUE. Motion carried 5-0.

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

a. **Engineer: Establishing Municipal State Aid Streets- Resolution 2013-30:** This resolution is the same as Resolution 2013-21. We noticed a street named incorrectly by our staff. MOTION BY McCLISH SECOND LAZERE TO ADOPT RESOLUTION 2013-30 A RESOLUTION ESTABLISHING MUNICIPAL STATE AID STREETS. Motion carried 5-0.

b. **Attorney:**

c. **Staff:**

Building Official:

Fire Dept.:

Public Works:

Liquor Store:

Police Dept.: Department Report: Chief Jeff Harapat explained the make up for their department. We have ten sworn officers; being the chief, sergeant, an investigator, school liaison and four street officers. Our liaison and again this year will be Nathan Schwieger. The previous investigator Todd Schwieger will be back on the street and AJ Gennaro will now be the investigator. These are internal appointments and changes there were no promotions. If there would ever be a promotion, it would come before the council. I apologize with I had not brought this to the council before. Brown said you run the department and being they are just internal changes I do not feel you have to bring the changes forward.

City Administrator: Permission to Seek DNR Grant for 245th: The portion of 245th north of Bethel is a problematic road and we are trying a joint cooperation with Athens Township to have this road upgraded. The time frame for this grant application is soon approaching and we have not heard from Athens in regards to St. Francis taking the lead. Hysten stated we also had discussed having a third party engineer review this project. There will be a cost share for this upgrade. MOTION BY LAZERE SECOND McClish AUTHORIZING STAFF TO MOVE FORWARD ON THE DNR GRANT AND HAVE OUR ENGINEERING FIRM LEAD THE 245th AVENUE PROJECT. Motion carried 5-0.

Work Session Regarding City Hall for September 3: Last meeting we discussed briefly the future of our current city hall.. Would that work for the council to meet after the next regular city council meeting to discuss this further. The Council agreed to meet immediately after the next council meeting.

East Shop Demolition Update: Hysten reported I was hoping to have an updated quote for the demolition of the east shop. I am obtaining a second quote too.

9. **Reports from Council Members:** McClish had the opportunity to meet with Public Works Director for the tour of the Public Works building. Their space is being utilized. This Thursday construction will begin on Hwy 47. The State will be resurfacing Hwy 47 from Alpine Drive in Ramsey to Pederson Drive in St. Francis. The project will last until September. Thank all city staff who attended the Night to Unite. McClish stated he would not here for the October 21, 2013 City Council meeting. Thanked Chief Harapat for the information he provided to us, appreciate the update.

10. **Report from Mayor:** Night to Unite was well attended. I would like to say thank you to the public works department for how well Woodbury Park is looking. I will be using it this weekend.

11. **Old Business:**

a. **Revised Retreat Proposal from Professional & Workforce Training:** The fee for the retreat was lowered by \$100. Tveit stated I think this would be a great opportunity and would like to take the funds from the liquor store for this training. Lazere felt it would be beneficial. McClish asked about the two-day session. Tveit said there would be a 30-day gap between meetings. Brown stated being you indicated it would come from the liquor store, I would be ok with it. Haggard said he is in favor of the class. Brown asked if this would be held outside the City. Discussion was held on whether this should be held in St. Francis or not. The retreat would be just the city council and held at the community college. MOTION BY TVEIT SECOND LAZERE AUTHORIZING STAFF TO SET UP THE COUNCIL RETREAT WITHIN 20 MILES OF ST. FRANCIS WITH IT BEING HELD ON A SUNDAY. Motion carried 5-0.

b. **Organized Waste Collection Discussion:** Tveit said this is just a discussion on whether or not if we want staff to proceed and research it further. Lazere would like to limit how many we have. McClish agree with Lazere and limit the number of haulers. Haggard would not like to limit it to just one hauler. Brown said let us make a decision and move on. Tveit said I would

like to limit to the four we have. Hylen said ultimately do you want to go through a formally organized management. Do you go out for bids for a single hauler, or section off the city and bid it out. Do you see the City regulating the number of haulers? Tveit said I think we are in favor of limiting the number of haulers. Hylen said we will do research on organized collection.

c. **Office Clerk Position Discussion:** This was tabled at the last meeting. Tveit asked the council for discussion. Lazere asked if we could table this and discuss this at the work session next Tuesday. The rest of the council agreed.

McClish briefly discuss the 2014 Budget and stated we will be getting an increase of \$232,537 in LGA. I believe that it is positive for our City. Tveit said however, the State is keeping our Tax Levy at zero percent increase.

12. **New Business:** Tveit stated the reasoning the meeting open to the public was placed at the beginning of the agenda was because the residents complained they never got to address the council on agenda items. Residents can always contact the city clerk to be placed on the agenda. Haggard said I feel whoever is here should be able to speak at that time whether they sign up before the meeting or not. Brown really doesn't the idea of them calling up to get your name on the agenda but if you want to address the council they should be able to get here 5 minutes before the meeting. Tveit said if people don't get here in time, I would wish they would stay and talk to us after the meeting. Haggard said we are missing the point; we work for the people of St. Francis. We are servants of them. I do not think they should have to put the name on a list. McClish said I believe what we have in place now is very efficient and is working well. Lepak stated the council is who changed the parameters. There was even discussion previously whether or not we should have it on the agenda or not. Some cities have open forums before the meetings even start. Tveit stated the names are put on the sheet to organize the time and if there are a lot of people on the same topic they would appoint a spokesperson. There will be no change to the meeting open to the public.

13. **Adjournment:** The Regular City Council meeting adjourned at 7:51 pm.

Barbara I. Held, City Clerk