

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

CITY COUNCIL MINUTES

September 15, 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, Fire Chief Dean Kapler, Finance Director Darcy Mulvihill, and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY LAZERE SECOND KANE TO ADOPT THE SEPTEMBER 15, 2014 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** MOTION BY LAZERE SECOND McCLISH TO APPROVE THE SEPTEMBER 15, 2014, CITY COUNCIL CONSENT AGENDA AS A-H AS FOLLOWS:
 - a. City Council Minutes – September 2, 2014
 - b. URRWMO Minutes – July 8, 2014 and Unapproved September 2, 2014
 - c. MN Municipal Utilities Association Program Contract October 1, 2014-September 30, 2015.
 - d. Pay Estimate No. 5 in the amount of \$42,054.12 to LaTour Construction for the Rum River Bluffs-Phase 2 Development.
 - e. St. Francis Community for Drug Awareness – 5k Family Fun Run September 27, 2014
 - f. Hire Brian Reeder as a Public Works Operator contingent upon passing pre-employment testing and evaluation and reporting to work as assigned for his first day.
 - g. Approval of Settlement Agreement and General Release for former Public Works Employee.
 - h. Payment of Claims for \$302,855.11 (Check numbers 67847- 67914 \$212,821.31 and ACH 96E & 97E \$90,033.80)Motion carried 5-0.
5. **Meeting Open to the Public:** Steve Feldman, 22766 Poppy Street NW, my wife and I moved here in March of 2014. We love living here and our neighbors. However, the problem is the speeding cars along Poppy Street. It is just not the school year people drive fast it is all time. It seems to be a short cut from County Road 9 to Bridge Street. I have called the police a few times and they drive through but I would like to see some enforcement. I think once people see some people pulled over they might slow down at least for a while. I have seen the digital speed limit signs around town that shows your speed might help too. Once they know the speed they are traveling at they might slow down. They seem to not obey the speed signs. The roundabouts may help but completion will not be for about two years. On behalf of the neighborhoods, I would like to see some type of enforcement to help slow down the speed of vehicles traveling on Poppy Street. Mr. Feldman thanked the city council.

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

a. **Acknowledge Retirement of Fire Fighter Mark Sorenson over 22 years of service:** Mayor Tveit said it is with great honor to thank Mark Sorenson for his 22+ years as a St. Francis Fire Fighter and presented him a certificate. Fire Chief Dean Kapler thanked Mark for his leadership skills and recognized him for his dedication to the St. Francis Fire Department.

7. **Ordinances & Resolution:**

a. **Resolution 2014-30: Providing Preliminary Approval of a Proposed 2014 Tax Levy, Collectible in 2015 and Setting Budget Hearing Date:** Mulvihill stated with this resolution you will be setting the levy as stated at the last city council meeting. Tveit said remember you can lower the levy but not increase after you set it. The final adoption of the levy will be set in December. If you want, we can set a budget meeting at the second meeting in October or the first meeting in November for discussion.. The council set a budget meeting before the October 20, 2014 City Council meeting. McClish said he would be ok with a 6% or 7% to start with. Kane said his is ok with that. Lazere stated let us start at 7%. Tveit said agree to start at 7% but not comfortable with that high of a number. However, we have had five years of zero percent levy increases and our expenses keep going up. Mulvihill stated our total Levy will be \$3,195,079. After Council discussion they agree to set the levy at 7% MOTION BY TVEIT SECOND LAZERE TO ADOPT RESOLUTION 2014-30 A RESOLUTION PROVIDING PRELIMINARY APPROVAL OF A PROPOSED 2014 TAX LEVY, COLLECTIBLE IN 2015 AND SETTING BUDGET HEAR DATE. Motion carried 5 -0.

b. **Resolution 2014-32: Adopting Anoka County Multi-Jurisdictional Hazard Mitigation Plan:** MOTION BY McCLISH SECOND LAZERE TO ADOPT THE ANOKA COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN. Motion carried 5-0.

c. **Resolution 2014-33: Resolution Authorizing the Preparation of Plans and Specifications for the Wastewater Treatment Facility Improvements Project:** Voge stated this is a follow up from the last Council meeting where I informed you that the Point Source Implementation Grant which was submitted to the MPCA for the Wastewater Treatment Facility Improvements earlier this year and was approved. The total grant amount is \$2.5 million. The Facility Plan approved by Council and submitted to the MPCA in March 2014 has been approved and the project is on the 2015 Public Facilities Authority Intended Use Plan which means it is eligible for PFA financing; the same financing used for the Water Treatment Plant Project. The grant and financing requires that plans and specifications be submitted to the MPCA for approval in March of 2015. Tveit stated he was very happy to hear we received the grant. MOTION BY KANE SECOND McCLISH TO ADOPT RESOLUTION 2014-33 A RESOLUTION AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE WASTEWATER TREATMENT FACILITY IMPROVEMENTS PROJECT. Motion carried 5-0

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

a. **Engineer:**

b. **Attorney: Acting Pay Issues Memorandum:** With the appointment of Public Works Director, Paul Teicher to acting City Administrator the question is whether or how to adjust the Public Works Director's compensation for this period of time. There is no language in the City Personnel Policies dealing with this type of compensation. The current Acting Police Chief was placed at a step on the Police Chief's pay scale that was at least 7.5% above his existing pay. In

the event this same type of placement is done for the Public Works Director, who is currently at Grade 17, Step 8 he would receive a salary equivalent to Grade 23, Step 3. The other issue is when does this become effective? You could use the start of a pay period of August 25, 2014. The council would like the city attorney to look at amending our personnel policy so in the future we have a policy to follow. **MOTION BY KANE SECOND LAZERE IN THE INTERIM PLACE PUBLIC WORKS DIRECTOR AT GRADE 23, STEP 3 WITH THE PAY INCREASE RETRO TO AUGUST 25, 2014.** Motion carried 5-0.

2) Closed Meeting Pursuant to Minn. Stat. Sec. 13D.05, Subd. 3(b) and the attorney/client privilege to discuss potential and threatened litigation against the City. Motion by Tveit second Lazere to go into a closed meeting at 6:30 pm.

The City Council was back in session at 6:38 pm. Lepak stated he had nothing further to report.

c. Staff:

Finance Dept.:

Fire Dept.:

Public Works:

Liquor Store:

Police Dept.:

City Administrator: Teicher gave a brief update on the Dollar General who was given authorization to receive their grading plan. The building permit however has not been issued at this current time.

9. Reports from Council Members:

Lazere reported on the Social Media Update; the City now has 295 Facebook likes up 29%, since May, the average posts per month have doubled since January and the average engagement per post has increased by 52% since January. In regards to Twitter account, they rose 9% since May. Current mobile users on our website is 440 per month.

Brown said the September Planning Commission meeting has been cancelled due to lack of agenda items. Apologized for his comments at the last meeting.

10. Report from Mayor: No report.

11. Old Business:

a. Order the Preparation of a Feasibility Study for 241st Avenue: Mayor Tveit asked the city attorney to put this back on the agenda. I was really looking forward on moving forward, stated Tveit. I know right now we don't have an administrator but I would like the council to reconsider this improvement. Tveit asked Brown and Kane if they felt strong against the improvement. Kane said I did not feel right to go ahead without you, (Tveit) at the meeting. Brown said he is not against the project but maybe wait because of the uncertainty right now. Tveit said one way to cure the 7% potential Levy increase is to grow. It might mean you have to put money down to invest into our community. Brown again said I would like to wait. Tveit said let us bring this back after we get the management problem resolved. Brown agreed that he would like to see this brought back right away after management issue is resolved.

Tveit said he received an email from Melissa Enzler, owner of Anytime Fitness. Corporate issued a sale and they (Anytime Fitness) do not have any days left on the temporary sign permit. The Chamber is still working on getting their business council put together. She did mention that at the meeting she was present that corporate does occasionally have these random promotions. Brown said were they not going to have something before us in two weeks. Tveit said the Chamber is looking for the representation on this committee. They have businesses that are not located in St. Francis. Tveit asked the city attorney is our ordinance set in stone. Lepak stated you need to take action on the problem as a whole and not exempt anyone from the code at this time. Direct staff to contact the Chamber to see how far along they are on developing the business council.

Brown said in regards to the gentleman that was here before the council, didn't we purchase digital speed limit signs years ago? Let's use them.

12. **New Business:** Lazere asked if we have an update on the car auction. Acting Police Chief Jake Rehling said they sold 19 vehicles. We were hoping to sell more but did not receive the titles in time. About 40-50 people attended the auction. Thanked St. Francis Auto Parts owner, Rick Sonstebly for transferring the titles. He has his dealer's license so he was able to help them out. We did very well probably gross of \$18,500. However, there will be fees that need to be paid out of that amount. Lazere said just to get a clarification on the custom vehicle that is still in the city's possession. Rehling stated we were awarded the vehicle though the court on the second appeal case. The judge took it under advisement and until we get the paperwork from the judge for the vehicle, we are unable to transfer the title. Once we received the paperwork, transfer the title only then can put that vehicle up for sale. We are not sure which avenue to sell it through. I want to do more homework and sell it with the city's best interest in mind.

13. **Adjournment:** The Regular City Council meeting adjourned at 7:02 pm.

Barbara I. Held, City Clerk