

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

CITY COUNCIL MINUTES

October 17, 2016

1. **Call to Order:** The regular City Council meeting was called to order by Mayor Pro Tem Tim Brown at 6:00 pm.
2. **Roll Call:** Present were Mayor Pro-Tem Tim Brown, Council members Richard Orpen and Rich Skordahl. Excused were Steve Kane and Chris McClish . Also present were City Engineer Jared Voge (Bolton & Menk, Inc.), Assistant City Attorney David Schaps (Barna, Guzy & Steffen), Fire Chief Matt Kohout, Public Works Director Paul Teicher, Liquor Store Manager John Schmidt, Police Sgt. Todd Schwieger, City Finance Director Darcy Mulvihill, City Administrator Joe Kohlmann, and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY ORPEN SECOND SKORDAHL TO ADOPT THE OCTOBER 17, 2016 CITY COUNCIL AGENDA. Motion carried 3-0.
4. **Consent Agenda:** MOTION BY SKORDAHL SECOND ORPEN TO APPROVE THE OCTOBER 17, 2016, CITY COUNCIL CONSENT AGENDA A-H AS FOLLOWS:
 - a. City Council Minutes –October 3, 2016
 - b. Ice Rink(s) Maintenance Agreement between the City and St. Francis Homerun Club
 - c. Pay Request No. 15 for \$830,189.00 to Gridor Construction, Inc. for the Wastewater Treatment Facility Improvements
 - d. Pay Request No. 10 for \$127,112.73 to LaTour Construction for the Bridge Street Utility Improvement
 - e. Accept the Resignation of Part Time Liquor Store Clerk Sandra Nelson
 - f. Acknowledge the Application from the St. Francis Lions for Bingo, 11/12/16 @ Am. Legion
 - g. Acknowledge Minutes of URRWMO: Unapproved 9/6/16; Approved 6/29/16 & 7/7/16
 - h. Payment of Claims \$ 486,390.67 (Check #71390-71451) Motion carried 3-0.
5. **Meeting Open to the Public:** None.
6. **Petitions, Requests, Applications:**
 - a. **Northland Securities: General Obligation Grant Anticipation Bond, Series 2016C:** George Eilertson of Northland Securities presented information on the sale of the General Obligation Grant Anticipation Bonds, Series 2016C. To cover the waste water funding until the city receives the grant funds expected from Minnesota Public Facility Fund. This bond specifically is AA+. This should be a very short-term bond. The resolution would lock in the rate and terms for the bond.
 1. **Resolution 2016-51: MOTION BY SECOND TO ADOPT RESOLUTION 2016-51 A:** MOTION BY ORPEN SECOND SKORDAHL TO ADOPT RESOLUTION 2016-51 A RESOLUTION AWARDED THE SALE OF GENERAL OBLIGATION GRANT

ANTICIPATION BONDS, SERIES 2016C, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$5,800,000; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT.

Motion carried 3-0.

7. **Ordinances & Resolution:**

a. **Resolution 2016-52 Tax Increment Financing (TIF) Decertification:** The City adopted a Tax Increment Financing Plan for the Turtle Ridge Townhouse development on December 20, 1999. This plan was a pay as you go finance plan meaning that the developer had to document costs to us to be reimbursed and these costs were repaid with the tax increment received each year. The documented costs were \$175,000.00. Payments to the developer occurred twice a year starting 10/10/2002 and continued until the last one that was paid out on 7/31/16, which paid off the note. MOTION BY SKORDAHL SECOND ORPEN ADOPT RESOLUTION 2016-52 A RESOLUTION RELATING TO THE DECERTIFICATION OF TAX INCREMENT FINANCING DISTRICT NO. 1. Motion carried 3-0.

b. **Resolution 2016-53: Declaring Police Recovered Property and Misc. Public Works Surplus:** The police department has 17 vehicles that have been seized and forfeited in relation to criminal offenses. The vehicles are ready to be sold and a public auction has been scheduled for October 22, 2016. The public works department also has some miscellaneous items that will be included in the auction. MOTION BY ORPEN SECOND SKORDAHL TO ADOPT RESOLUTION 2016-53 A RESOLUTION DECLARING POLICE RECOVERED PROPERTY AND MISCELLANEOUS PUBLIC WORKS SURPLUS PROPERTY. Motion carried 3-0.

c. **Resolution 2016-54: Directing Certain Ordinance Violations as Payable Offenses:** Assistant City Attorney David Schaps reported currently, all individuals that are cited for criminal ordinance violations are all required to make a mandatory court appearance; this includes all misdemeanor violations, and also includes petty misdemeanors such as parking tickets. This process is often time consuming and requires the individual to take time off from work or school in order to make a court appearance. The process to convert some ordinance violations to payable offenses requires the City Attorney's office to request an order from the District Court granting a petition to turn some city ordinance violations into payable offenses. This is a way to reduce the time spent on pursuing some of the minor ordinance violations in a court setting and instead offer individuals the opportunity to either mail or electronically pay the offense online. Individuals who choose to do so are admitting guilt for the violation, but the process ends at that time. Individuals still have to contest the violation in court if they wish to do so. A draft petition and order to the District Court, along with a list of the offences were included in the council packet. If granted by the Court, individuals would be allowed to choose to pay a fine without an appearance at the courthouse. The District Court does have the final say. Skordahl asked about the \$88 surcharge and law library fee. Schaps said that would be fixed charge from the county in addition to our fee. MOTION BY SKORDAHL SECOND ORPEN TO ADOPT RESOLUTION 2016-54 A RESOLUTION DIRECTING CERTAIN ORDINANCE VIOLATIONS AS PAYABLE OFFENSES. Motion carried 3-0.

d. **Ordinance 225, Second Series: Authorizing the Conveyance of City Surplus Property to State of Minnesota PID 32-34-24-22-0002 (First Reading):** Schaps said we will not take formal action on this tonight being we do not have at least four members present. Motion carried 3-0.

Schaps stated in August, the City Council approved an ordinance providing the sale for real property identified as PID 32-34-24-22-0002 to NSK Properties, LLC as purchaser and adjoining landowner. The conveyance was to achieved through a quit claim deed to the purchaser after a review of the title on the property. Subsequent to the approval, the City was informed by the State of MN via Anoka County that there was an unrecorded conditional use deed attached to the property. This conditional use deed specified that the property was to be used as a public use for future roadway purpose. Since the City has not put the property to use as a road and does not have any plans to do so, the City is required to re-convey the property back to the State of Minnesota. The adjoining property owner can then request and potentially purchase the property from the State at public auction. MOTION BY BROWN SECOND ORPEN TO CONTINUE ORDINANCE 225, SECOND SERIES TO THE NOVEMBER 7, 2016 CITY COUNCIL MEETING. Motion carried 3-0.

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

a. **Engineer:**

b. **Attorney:**

c. **Staff:**

Community Economic Development:

Bottle Shop: Quarterly Report: Manager John Schmidt reported on the Bottle Shop sales analysis of the first three quarters of business. A good gross profit to maintain is 25%. For the first two quarters, we maintained a 27% gross profit. The third quarter was 25% but the reason we were in the red was due to a \$60,000 transfer to general fund. Construction did hurt us this summer as you can see for the third quarter. We should be on track for a two million dollar in sales again this year. Last year was a very good year \$2.18 million in sales and we were on track to do the same as last year until we saw the third quarter numbers.

Police: Quarterly Report: Acting Police chief Todd Schwieger gave a brief overview of the last quarter. We hired two new officers who still are in field officer training. This last quarter we also had a lot of training. We now have two officers certified for car seat installation. Skordahl asked where do we stand on the number of officers. Schwieger stated right now we have one on leave and two in field officer training. Orpen asked if this report included on line training. Schwieger stated right now most is still done in person. Orpen asked how many of the investigator cases are solved? Schwieger said I do not have the number in front of me. They do all get closed but some may stay open longer than others.

Public Works: Monthly Report: Public Works Director Paul Teicher stated one area to show you that we had 116 locates in September alone. Shows the strong and continued building in the city. I will also add next month to show the hours spent on the new wastewater treatment facility. Some vandalism occurred in the park, mowing is not slowing down it is amazing how fast it keeps growing. Park activity use is still strong. Orpen asked at what point do we hire or spread out the current employees duties for our new WWTF. Teicher said I would first need to discuss that with our city administrator.

Brown asked how many hours are being spent on the new storm water fee? Teicher said our engineer and myself have been working on getting the permit ready to

submit to the MPCA. Then we have 36 months to complete a long list of requirements. We do have some hours already accumulated but I don't have specific numbers on what hours it will take to meet our deadlines. There numerous different steps that will be brought forward such as ordinance amendments and new ordinances.

9. **Report from Councilmembers:** Skordahl said I like the flow of the roundabouts but why people don't use their signal lights, I don't understand. I am not sure if people have watched the video on how to drive a roundabout.
10. **Report from Mayor:** None.
11. **Old Business:** None.
12. **New Business:** None.
13. **Adjournment:** Mayor Pro-Tem Brown adjourned the Regular City Council Meeting at 6:28 pm.

Barbara I. Held, City Clerk