

CITY OF ST. FRANCIS  
ST. FRANCIS MN  
ANOKA COUNTY

CITY COUNCIL MINUTES  
AUGUST 7, 2017

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

The regular City Council meeting was called to order at 6:00 pm by Mayor Steve Feldman.

2. **ROLL CALL**

Members present: Mayor Steve Feldman, Councilmembers Jerry Tveit, Joe Muehlbauer, and Robert Bauer. Rich Skordahl excused.

Also present; City Attorney Scott Lepak (Barna, Guzy & Steffen), City Engineer Craig Jochum (Hakanson Anderson), City Administrator Joe Kohlmann, Community Development Director Kate Thunstrom, Police Chief Todd Schwieger, Fire Chief Dave Schmidt, Public Works Director Paul Teicher, Finance Director Darcy Mulvihill, and City Clerk Barb Held.

3. **APPROVAL OF AGENDA**

MOTION BY TVEIT SECOND MUEHLBAUER TO APPROVE THE AGENDA AS PRESENTED. Motion carried 4-0.

4. **CONSENT AGENDA**

MOTION BY TVEIT SECOND FELDMAN TO APPROVE THE CONSENT AGENDA ITEMS A-J AS FOLLOWS:

- A. City Council Minutes – July 17, 2017
- B. Acknowledge EDA Minutes – July 17, 2017
- C. Acknowledge the MN Lawful Gambling Permit for the SFHS Dance Team Park Boosters to conduct a raffle at the St. Francis High School on September 12, 2017 with no waiting period
- D. Adopting the Retention Schedule for the Police Department to remain consistent with Anoka County PSDS Records Management
- E. Accepting the Terms of the Contract between the DNR and the City of St. Francis Fire Department for assistance and reimbursement in regards to Wildland Fire Suppression Aid Agreement
- F. Payment of Claims \$251,067.74 (Checks #72713 and 72845-72931 )

5. **MEETING OPEN TO THE PUBLIC**

- A. Eric Schmoll, St. Francis Area Chamber of Commerce president read a letter from the Chamber requesting funds from the City for the St. Francis Pioneer Days. 2017 was the last year of a three year donation deal between the City of St. Francis and the St. Francis Area Chamber of Commerce. We would like to keep some in reserves in case we have a totally bad year or as in this year a rainy Sunday. This year we were short \$4,500. Feldman stated are you asking for a year to year donation or something more long term. Schmoll said the

three year term worked out well but up to you. Would nice to know how much to expect each. This topic will be it back at a future meeting.

6. **SPECIAL BUSINESS**

None

7. **PUBLIC HEARINGS**

A. 2018-2022 Capital Improvement Plan

The 2018-2022 Capital Improvement Plan has been discussed at a number of work sessions. A public hearing must be held for public comment.

Mayor Feldman opened the public hearing at 6:07 pm. Feldman read the memo provided in the packet. Referencing each year the City must approve the CIP for the next 5 years by August 15. The proposed 2018-2022 CIP has been on the City's website since the end of June. In 2015, the City combined the fire truck replacement fund with the capital equipment fund. Amounts are designated for the replacement of fire trucks and other fire equipment. With this change we are hoping to level out the amount needed each year going into this fund and any monies not spent would be left in the fund to build up reserves for following years. Also, funding for the capital equipment is coming from transfers from water and sewer of \$10,000 each per year and for 2017, \$233,150 from the general tax levy.

Joe Murrell said you are raising the water and sewer rates to buy a fire truck? Feldman explained that is not the case.

Mike Rodger asked if the plan would add a fire ladder truck. Fire Chief Schmidt stated at this point I have no interest in adding a ladder truck. We do have mutual aid to help with calls where there may be a need. Rodger asked if Schmidt was aware we have potentially a three story building coming into St. Francis. Schmidt said a ladder truck would be coming from East Bethel and we also have an agreement with the DNR. Schmidt said it is more of a want than a need. Rodger would like the council to take into future consideration for a purchase of a piece of equipment like this.

Tveit said years ago we started a task force and through this we developed a good relationship with surrounding fire departments. Ramsey has a ladder truck and with the good mutual aid with the surrounding communities we do share equipment.

Rodger said I would like to see a tornado siren on the east end of the city too. Feldman asked if there were any further questions.

Discussion was held on the reasoning of the \$10,000 transfer from the water and sewer funds.

With no further public comment, Feldman closed the public hearing at 6:22 p.m.

MOTION BY TVEIT SECOND BAUER TO APPROVE THE 2018-2022  
CAPTITAL IMPROVEMENT PLAN. Motion carried 4-0.

8. **OLD BUSINESS**

- A. ISD #15 Ordinance 227, Second Series (Second Reading) Amending the St. Francis Zoning Ordinance Regarding the Surfacing of Event Parking Areas and CUP Request Res. 2017-08

The City received updated site plans, lot combination request and a Stormwater Plan from Independent School District #15. This item initially was before the City Council on March 6, 2017.

Items discussed at length were; the turn lane, fencing, entrance and exits, along with the Stormwater Management Plan.

City Engineer Jochum stated all areas of concern are satisfied except the project requires infiltration of 1 inch of runoff from the impervious surface prior to discharging to the wetlands. This could be part of the conditional use permit. Feldman said this should have been received before the work was started.

MOTION BY TVEIT SECOND FELDMAN APPROVING THE SECOND READING OF ORDINANCE 227, SECOND SERIES AMENDING THE ST. FRANCIS ZONING ORDINANCE REGARDING THE SURFACING OF EVENT PARKING AREAS. Bauer said I have a problem changing an ordinance because our backs are against the wall.

Feldman said that is a very good point. However, they have the fence and turn lane in place.

Kohlmann stated we gave them time to fulfill the requirements and they did all the work that was asked of them.

Feldman said we want to work with ISD #15 if we approve this tonight, don't do this again. I too don't like back door issues, from anybody not just ISD #15.

Bauer asked what says that any other business could ask for this exemption. Kohlmann said it specifically for sports facility parking lots. Bauer said can we specifically name this parking lot. Lepak said we could put in an address but usually you don't put in specific addresses. Thunstrom said I believe putting the address is quite restrictive. With a CUP you address each specific topic.

Roll Call: Yay: Bauer, Feldman, Muehlbauer and Tveit  
Nays: None Motion carried 4-0.

Feldman read the ten conditions addressed in the Conditional Use Permit.

Bauer asked about the engineer's concern. Jochum said they will be able to address it in the first condition where it states "All comments from the City Engineer shall be addressed." Bauer asked about traffic flow on 235<sup>th</sup> and Rum

River Blvd. Jochum said the County and the developer of Rum River Bluffs have an agreement with improvements to include also a buy pass lane. Bauer also asked in this CUP, is the access to 235<sup>th</sup> to be closed off?

Feldman said Anoka County did have a concern but with the turn lane that helps. But the access to go out on to 235<sup>th</sup> is so close to the intersection.

Discussion was held on whether or not there needs to be an attendant for traffic congestion. Troy Ferguson, Superintendent of ISD #15 stated we don't have a plan to have an attendant. Police Chief Schwieger said I attend sporting events myself there and it does become very congested. Not sure if a flag person would help. There are a number of games but not everyone leaves at once.

Feldman maybe let's monitor it. Ferguson said there are staggered times of events. Ferguson said by getting the cars of Rum River Blvd is huge. Feldman said I too think the chain link fence will help. August 1 to November 1 for major events is when we need the extra parking. Feldman said he would like Chief Schwieger to keep an eye on the area about congestion.

Bauer said for the record, I am concerned with vehicles exiting and taking a left, it is a bad idea. Muehlbauer said that is my concern too.

Ferguson said we can revisit this again. We are approaching the busy season and see how it plays out this year. We are also concerned with safety.

Feldman asked if this could be revisited each year. Lepak stated you could add condition number ten to read; the Conditional Use expire December 3, 2018. Lepak said that way we will get two years of data. School officials also accepted that condition. Lepak stated then add the eleventh condition that was previously number ten.

MOTION BY TVEIT SECOND BAUER ADOPTING RESOLUTION 2017-08 A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A GRAVEL EVENT PARKING LOT FOR ISD #15 WITH ELEVEN CONDITIONS. Motion carried 4-0.

## **9. NEW BUSINESS**

### **A. Fire Department Job Description – Assistant Chief**

Fire Chief Dave Schmidt said while Chief Kapler was here the City Council appointed Barry McDonough as the Assistant Fire Chief and Jon Faanes to Captain on an interim basis. Chief Schmidt stated he has been reviewing the Assistant Fire Chief Position description and is recommending some changes. As per the Fire Department Policy and Procedure Manual; the Chief and Assistant Chief are appointed by the City Administrator with concurrence of the City Council. The Chief will administratively outline the process for the

Assistant Chief selection in coordination with the City Administrator and a formal recommendation will be brought back to the City Council.

Council agreed with Chief Schmidt's recommendations and to move forward.

MOTION BY BAUER SECOND MUEHLBAUER TO REVISE THE FIRE DEPARTMENT POLICY AND PROCEDURE MANUAL WITH THE RECOMMENDED JOB DESCRIPTION CHANGES AND AUTHORIZE THE CITY ADMINISTRATOR AND FIRE CHIEF TO BRING BACK A RECOMMENDATION FOR THE ASSISTANT FIRE CHIEF APPOINTMENT. Motion carried 4-0.

Feldman said he had a question on the DNR agreement. If DNR calls us and then decides they don't need us they do still pay for the time. Chief Schmidt said they would reimburse us for the call out.

B. Anoka County HRA Request – Resolution 2017-20

Community Development Director Thunstrom reported as a participating City with the Anoka County HRA/EDA, funds are available for qualified projects and activities. HRA/EDA funds may be used for acquisition and redevelopment projects. The City has utilized these funds in the past for site acquisitions, plans and studies. The EDA met earlier this evening and approved a property acquisition. Resolution 2017-20 was created for the request of Anoka County HRA/EDA funds. The property would be purchased through a voluntary sale.

Bauer said the EDA has had a great start, glad to be part of it. Feldman commended the EDA on their work along with Thunstrom for her work.

MOTION BY MUEHLBAUER SECOND FELDMAN TO ADOPT RESOLUTION 2017-20 A RESOLUTION REQUESTING FUNDS FROM THE ANOKA COUNTY HRA/EDA FOR THE COMPLETION OF A REAL PROPERTY ACQUISITION FOR REDEVELOPMENT. Motion carried 4-0.

10. MEETING OPEN TO THE PUBLIC

- A. Liz Fairbanks, 24360 Yukon Street, very disappointed on Nite to Unite and the two locations. Hope next year there should be only be one location. However, had fun at each location. Feldman said it was not the intent of the police department to have two locations. I will coordinate and work together with all the parties next year. We will try to do better.
- B. Sarah Udvig, 3709-229<sup>th</sup> Lane, could possibly be a leak on the water fountain in Woodbury Park.

- C. Joe Murrell 24360 Yukon Lane NW, referenced a letter from the county engineer who recommended not to utilize the existing maintenance driveway for the parking lot expansion. Speed limit on County Road 72 there is a tree limbs blocking the speed limit sign. Teicher said he will contact the County to have it trimmed. Commend most of you, doing a fine job and open to communication.
- D. Sarah Hunt, 23246 Kerry Street, my son plays football in this area. Concerned is this parking lot needs to be paved. Closing off the 235<sup>th</sup> access would be more dangerous. Is there a way to separate the two parking lots? So the two parking lots would have separate entrances and exits. Feldman said they have a conditional use permit and must abide by the conditions.
- E. Mike Rodger, 2770 232<sup>nd</sup> Lane, about the parking lot I think we are missing an easy solution to this. Why not use our police reserves during the busy time. 229<sup>th</sup> and Arrowhead Street would like to thank the county for putting in the bypass lane. Chief Schwieger said our reserves are volunteers and to have them out there five days a week may not work. Concern again was mentioned that was frustrating was how far along they were in the process before it came forward to the city.

## 11. REPORTS

- A. Police Department Report – Police Chief presented the second quarter report which included training, statistics, enforcement and community outreach. Neighborhood watch has really taken off, enjoying in connecting with the neighborhoods.

Feldman said the police department has additional radar guns and data machines. I just want to say, don't speed. Bauer said I would like the portable speed sign on Poppy Street. Schwieger said the sign is currently up on Poppy Street.

- B. Councilmember Reports-

Bauer I enjoyed Nite to Unite and did go to both locations. Like to see the helicopters land in the softball field next year. Have all organizations come together.

Muehlbauer would like the Nite to Unite to be in one location. Rum River Blvd is a road that they drive fast too.

Tveit commended the Council for stopping in at Nite to Unite. Has not always been that way. Agree the Nite to Unite should come together and be a civic event. I believe the Ambassador Program always organized the event in the past. Great to have the helicopters there.

Feldman thanked the police chief for making the department more community oriented. Dave (Schmidt) welcome and we're here to support the fire department. Monitor the parking lot situations and keep an eye on it, safety is our concern.

Maggie Ewen competed at the Track and Field World Championships in London this last weekend. Maggie was a St. Francis High School graduate and is now a senior at Arizona State, congratulations.

C. Upcoming Events -

August 16 Planning Commission Meeting @ 7:00 pm  
August 21 City Council Meeting @ 6:00 pm

12. Closed Session pursuant to Minn. Stat. 13D.05, subd. 3 (b), attorney client privilege to discuss pending litigation in matter of Gennaro vS. City of St. Francis and strategy relating to same.

I said the only time I would go into a close meeting is if there was a personnel issue.

MOTION BY BAUER SECOND TVEIT TO GO INTO A CLOSED SESSION PURSUANT TO MINN. STAT. 13D.05 SUBD. 3(B), ATTORNEY CLIENT PRIVILEGE TO DISCUSS PENDING LITIGATION IN THE MATTER OF GENNARO VS. THE CITY OF ST. FRANCIS AND STRATEGY RELATING TO SAME. 4-0

The City Council went into closed session at 7:38 pm

The City Council was back in session at 8:55 pm.

13. **ADJOURNMENT**

There being no further business, Mayor Feldman adjourned the regular city council at 8:55 pm.

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Barbara I. Held, City Clerk