

CITY OF ST. FRANCIS
ST. FRANCIS, MN

CITY COUNCIL MINUTES

December 1, 2008

6:00 PM

1. **Call to Order:** The regular City Council Meeting was called to order by Mayor Randy Dressen at 6:00 pm at the ISD #15 District Offices.
2. **Roll Call:** Present were Mayor Randy Dressen, Council members LeRoy Schaffer, Steve Kane, Ray Jones, and Tim Brown. Also present was City Attorney Scott Lepak (Barna, Guzy & Steffen), Public Works Director Paul Teicher, Finance Director Gayle Bauman, City Administrator Matt Hysten, and City Clerk Barb Held
3. **Adopt Agenda:** MOTION BY SCHAFFER SECOND KANE TO ADOPT THE DECEMBER 1, 2008 CITY COUNCIL AGENDA. Motion carried 5-0.
4. **Consent Agenda:** Jones asked to have g. pulled and place it under engineer. Hysten said being the engineer is not present tonight to answer any questions regarding this payment, this item could be tabled until the December 15th City Council meeting. MOTION BY BROWN SECOND KANE TO APPROVE THE DECEMBER 1, 2008, CITY COUNCIL CONSENT AGENDA A-H WITH G BEING TABLED FOR TWO WEEKS UNTIL DECEMBER 15, 2008.
 - a. Approve the City Council Minutes – November 17, 2008.
 - b. Approve the City Council Canvassing Board Minutes – November 6, 2008
 - c. Receive and File the Planning Commission Minutes – October 15, 2008.
 - d. Accept the Annual Performance Reviews of Public Works Workers David Tucker and Mark Sorenson and place them on Grade 7, Step 8.
 - e. Accept the Annual Performance Review of Police Administrative Assistant, Karla (Anderson) Keyes and place her on Grade 9, Step 4.
 - f. Approve Pay Request #15 of \$94,704.00 to Staab Construction for the Water Treatment Plant Project.
 - g. ~~Approve the payment of \$31,113 to MBI (Municipal Builders, Inc.) for the construction of the RIB No.1 Inlet Structure. TABLED.~~
 - h. Approve the Payment of Claims for \$159,420.45.Motion carried 5-0.
5. **Petitions, Requests, Applications:**
 - a. **Truth and Taxation – Public Hearing:** Mayor Randy Dressen opened the Truth and Taxation Public Hearing at 6:03 pm. Finance Director Gayle Bauman gave a power point presentation and a break down of each department on the 2009 General Fund Proposed Budget and

on the amount of property taxes, the City is proposing to collect in 2009. Jones asked if we don't get the Levy from the State where are the cuts going to come from. Bauman said I would consult with the City Administrator and we would come back with proposed cuts. Dressen asked if anyone in the audience had any questions or concerns. There were none. The 2009 Budget will be presented at the December 15, 2008 City Council meeting for Council approval. MOTION BY KANE SECOND BROWN TO CLOSE THE PUBLIC HEARING AT 6:13 PM. Motion carried 5-0.

b. Park Commission Applicants: The City received two applications from residents that are interested in being on the Park Commission. Those applicants are Randy Grabau and Sheryle Royce. MOTION BY KANE SECOND BROWN TO APPOINT RANDY GRABAU TO THE PARK COMMISSION. Schaffer said I would like to talk to these people first. Motion carried 4-1. Schaffer voting nay.

c. South Highway 47 Industrial Park – Final Plat: In a report from Nate Sparks of Northwest Associated Consultants, Inc., earlier this year, the City Council approved a preliminary plat of property located on Cree Street and Highway 47. The southern portion of the property is a future industrial park and the northern portion was a single commercial parcel. The final plat is ready for the northern commercial parcel. The remainder will be platted as an Outlot for future development. Jones asked is there any need to do this today, do we have anyone interested. Hylen said this has never gone through the final plat stage; this makes the lot more marketable. If someone shows interest in the lot, it would be ready to go. MOTION BY BROWN SECOND KANE TO ADOPT RESOLUTION 2008-32 A RESOLUTION APPROVING A FINAL PLAT FOR THE SOUTH HIGHWAY 47 INDUSTRIAL Motion carried 5-0.

6. Ordinances & Resolution:

a. Ordinance 129, Second Series: Amending Chapter 3, Sec. 3.04, Subd. 1 and Sec. 3.30 Subd. 9 (e) (2nd Reading): MOTION BY KANE SECOND JONES APPROVING THE SECOND READING OF ORDINANCE 129, SECOND SERIES; AN ORDINANCE AMENDING CHAPTER 3, SECTION 3.04, SUBD. 1 AND SECTION 3.30 SUBD. 9(e). Roll Call: Ayes: Brown, Jones, Kane, Dressen. Nays: Schaffer. Motion carried 4-1.

b. Ordinance 130, Second Series: Amending Chapter 10, Sec. 10.36 Subd. 6 e. Regarding Fences (1st Reading): MOTION BY KANE SECOND BROWN APPROVING THE FIRST READING OF ORDINANCE 130, SECOND SERIES; AMENDING CHAPTER 10, SECTION 10.36 SUBD. 6 E, REGARDING FENCES. Roll Call: Ayes: Brown, Jones, Schaffer, Kane, Dressen. Nays: None. Motion carried 5-0.

c. Ordinance 131, Second Series: Creating Chapter 10, Sec. 10.39 Entitled “Outdoor Furnaces” (1st Reading): MOTION BY KANE SECOND BROWN APPROVING THE FIRST READING OF ORDINANCE 131, SECOND SERIES; CREATING CHAPTER 10, SECTION 10.39 ENTITLED “OUTDOOR FURNACES”. Schaffer does not feel we should go in this direction because of the pollution. Roll Call: Ayes: Brown, Jones, Kane, Dressen. Nays: Schaffer. Motion carried 4-1.

7. Meeting Open to the Public: Jeff Sandoval, 5113-238th Avenue NW, said it has been a pleasure to come to these meetings. But once again I am tired about the rhetoric going around town with these flyers being passed out again. Schaffer asked if he can go to the bathroom before I throw

up. Dressen dismissed Schaffer at 6:23 pm. Hopefully Sandoval stated, December 16, 2008 it will be resolved.

8. Reports of Consultants & Staff Members:

a. Engineer:

b. Attorney: No report.

c. Staff: Fire Dept: Fire Department's Relief Association – City's Contribution: Past policy has been for the City to make an annual payment to the firefighters' pension fund equal to the State required contribution from two years prior. Over the past six years, the City's annual contribution has ranged from \$10,127 to \$29,741. The fund has continued to have a surplus each year. The City's minimum required payment for 2008 is \$0. The Council has the option to continue the past policy and contribute \$31,821 or do something different. Any monies contributed to the pension fund will come out of the Fire Department budget in the General Fund. Brown would like to continue as we have done in the past, not sure, why we should deviate. Jones said being they are funded as of 2007 by 122.3% and due to possible budget concerns, he would recommend a contribution of \$20,000. MOTION BY JONES SECOND BROWN TO MAKE A 2008 CITY CONTRIBUTION TO THE FIRE RELIEF ASSOCIATION PENSION FUND IN THE AMOUNT OF \$20,000. Motion carried 4-0.

Schaffer was back at 6:26 pm.

Public Works Dept: Traffic Signs on Poppy Street: The developer of the Dellwood Estates expressed some concerns, along with some new residents to the area regarding the speed limit and child safety along Poppy Street. The city of Oak Grove was contacted regarding a cost share but they were only willing to pay for a watch for children sign near the intersection of 225th Avenue and County Road 9. In researching the cost of signs, to install four signs the cost would be less than \$500.00 with funds being available in the Streets Repair and Maintenance portion of the Streets budget. MOTION BY BROWN SECOND KANE APPROVE THE INSTALLATION OF TWO (2) WATCH FOR CHILDREN SIGNS AND ONE (1) 30 mph ALONG POPPY STREET IN AN AMOUNT NOT TO EXCEED \$500.00. Motion carried 5-0.

Liquor Store: No report.

Police Dept: No report.

City Administrator Report: Fire Department Officer Appointments: On Tuesday, November 25th, Fire Chief Ken Pace, Assistant Fire Chief Brian McDonough, Councilmember Kane and myself interviewed candidates for the Fire Department Officers positions of Night Lieutenant, Day Captain. The recommendations to fill these two positions are Brigit Kelley for Night Lieutenant and Mark Sorenson for Day Captain. Councilmember Kane and I interviewed for the Fire Chief position, with their recommendation of Brian McDonough to be the next Fire Chief. MOTION BY BROWN SECOND KANE TO APPROVE THE APPOINTMENTS OF BRIGIT KELLEY FOR NIGHT LIEUTENANT, MARK SORENSON FOR DAY CAPTAIN AND BRIAN McDONOUGH FOR FIRE CHIEF. Schaffer said in plain language you are firing or in kinder words demoting the chief.

Hylen said if you are talking about performance issues I will not talk about tonight. The fire department and City Council agreed upon doing a more formal hiring process last year. Last spring we started this process with hiring Assistant Chief, Day Lieutenant, and Night Captain. Chief Pace himself did not want to make all the changes at once. Schaffer said that is a lot of jargon you are switching the assistant chief and the fire chief? Why is he being demoted? Schaffer asked them, why an I getting calls regarding this. This would create a vacancy of an assistant chief. Lepak referenced the fire department policies and procedure, chief and assistant chief are appointed by the City Administrator with concurrence of the City Council. Schaffer said my point of view it is a shaft. Brown said I feel I have some knowledge on the election of officers. Positions change all the time. A chief cannot go into a fire. You are just changing jobs within the fire department, it is not a demotion. You become stale if you stay in one position too long. Change and rotation is good. Schaffer said I still have not heard specifics. Motion carried 4-1. Schaffer voting nay. **MOTION BY BROWN SECOND KANE TO DECLARE THE VACANCY FOR THE ASSISTANT FIRE CHIEF POSITION.** Jones said we had one council member and the City Administrator in the interview process. I would like to see two council members part of the process from now on. Hylen said in the past we have had only one, but it is up to the council if you would like to have two. Dressen said I was invited but had a conflict and could not be there. Motion carried 5-0.

9. **Reports from Council Members:** Schaffer contacted a couple businesses.
10. **Report from Mayor: Closed Meeting Pursuant to Attorney/Client privilege to discuss salary negotiations for City Administrator Matt Hylen:** Lepak stated the City Council went into a closed session at 6:44 pm pursuant to Attorney/Client privileges to discuss salary negotiations for City Administration Matt Hylen.

At 7:09, the City Council was back in session. Lepak stated there was nothing to report out of the meeting.

11. **Old Business: Metro West Inspections Update:** At the last city council meeting, you asked me to explore various options regarding building inspections. I did contact the City's of Isanti and Oak Grove. Isanti was not interested and Oak Grove's city administrator will talk to their council regarding the possibility of sharing building inspectors. One other option is to hire a building inspector and combining it with other job duties, such as a fire marshal, another option is a code enforcer. Those are just some options. I could come back with a mock budget if the council so chooses. Is this something you want me to continue researching. Kane said he would like the option to cost share with another city. Kane asked what about another consulting firm. Hylen said he is not sure of a consulting firm local but he could check. Jones said you could just hire another inspector that does surrounding cities. Jones asked if anything happened between County Market and Metro West regarding the fire exit. Hylen said he is not sure but will find out and report back. Brown said maybe now have part time building inspector, eventually we will probably have to go to full time, I bet there is a retired part time inspector out there.

12. **New Business:** The comprehensive street plan is available at City Hall for review.

13. **Adjournment:** The Regular City Council meeting adjourned at 7:19 pm.

Barbara I. Held, City Clerk