

CITY OF ST. FRANCIS
ST. FRANCIS, MN

CITY COUNCIL MINUTES

March 1, 2010

6:00 pm

1. **Call to Order:** The regular City Council Meeting was called to order by Mayor Jerry Tveit at 6:00 pm at the ISD #15 District Offices.
2. **Roll Call:** Present were Mayor Jerry Tveit, Council members Jeff Sandoval, LeRoy Schaffer and Tim Brown. Excused was Steve Kane. Also present was City Attorney Scott Lepak (Barna, Guzy & Steffen), Assistant City Engineer Jared Voge (Bolton & Menk), Public Works Director Paul Teicher, Police Chief Jeff Harapat, Liquor Store Manager John Schmidt, Finance Director Gayle Bauman, City Administrator Matt Hylan and City Clerk Barb Held.
3. **Adopt Agenda:** MOTION BY SANDOVAL SECOND BROWN TO ADOPT THE MARCH 1, 2010 CITY COUNCIL AGENDA. Motion carried 3-1. Schaffer voting nay.
4. **Consent Agenda:** Schaffer would like c and e pulled. Tveit moved them to under 8c. City Administrator. MOTION BY BROWN SECOND SANDOVAL TO APPROVE THE MARCH 1, 2010 CITY COUNCIL CONSENT AGENDA A and B, D and F AS FOLLOWS:
 - a. Approve the City Council Minutes of February 16, 2010.
 - b. Approve the Special City Council Minutes of February 23, 2010.
 - c. ~~Accept the Annual Performance Review of Finance Director, Gayle Bauman and move her to Step 8, Grade 19.~~
 - d. Accept the Annual Performance Review of Part Time Liquor Store Clerk Barbara Olson and move her to Step 3 of the Liquor Store Part Time Scale.
 - e. ~~Authorizing the City Administrator, Matt Hylan to attend an International City Manager's Association training event in Pennsylvania May 19th-22nd~~
 - f. Approve the Payment of Claims for \$252,189.75.Motion carried 4-0.
5. **Meeting Open to the Public:**
 - a. Roland Willis, 23075 Eidelweiss Street; regarding the agenda item 4e. I feel it is a good thing to send people to training but with using some rough numbers, it may cost over \$1,800. With the economic times, now may not be the right time. Regarding the 230th and Ivywood Street Project I would like a not to exceed amount in the motion. The other item on the agenda is the truck replacement, I would like to see the City purchase a one-ton instead of a ¾ ton truck. I don't want to see six years down the road and you have to replace it because of not purchasing the right truck the first time. Under the budget impact for the vehicle, it is as if you are robbing Peter to pay Paul. The last thing I have this evening is about the public works building and the budget impact. Mr. Willis asked the Mayor if he could hand out a worksheet regarding a budget breakdown of the public works building that he came up with. With the population shrinking it is the property taxes pay for these buildings and there are fewer people paying. I am here because I have ideas I don't come here to hear myself speak, I am a concerned citizen that is why I am here. If I can meet with anyone to

discuss these items, I would like to. Schaffer thanked Mr. Willis; it is commendable to come forward.

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

a.

7. **Ordinances & Resolution:**

a. **Resolution 2010-08: Authorizing Execution of a Limited Use Permit for Two-Way Snowmobile Traffic within MN/DOT Th 47 Right-of-Way:** Tveit asked if the permit cost the City any money. The maintenance would be the cost to the City. MOTION BY SANDOVAL SECOND BROWN TO ADOPT RESOLUTION 2010-08 A RESOLUTION AUTHORIZING EXECUTION OF A LIMITED USE PERMIT FOR TWO-WAY SNOWMOBILE TRAFFIC WITHIN MN/DOT TH 47 RIGHT-OF-WAY. Schaffer asked if anyone is related to some of the bidders. Tveit said I believe you are on the wrong resolution. Motion carried 4-0.

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

a. **Engineer: 230TH Lane and Ivywood Street Project: Bid Results-Resolution 2010-09:** Voge reported on Thursday February 11, 2010 19 bids were received for this project. The bids range from a low bid in the amount of \$316,844.85 to a high bid in the amount of \$504,010.70. A bid abstract was provided for the council in their packet. The low bidder has provided information, including references, for its identified subcontractors for the work required as part of the 230th and Ivywood Improvements. The information and references provided for the low bidder's identified utility sub-contractor do not demonstrate any public sanitary sewer and watermain reconstruction experience of the extent or nature required for this project. Based on the information provided by the low bidder and the lack of documented sanitary sewer and watermain reconstruction experience for the low bidder and its identified utility subcontractor, we cannot recommend award to the low bidder. The Council may consider award of the contract to Kuechle Underground of Kimball, MN, the second low bidder, in the amount of \$353,508.49. Based on the Engineer's direct prior experience, Kuechle Underground has extensive underground utility reconstruction and utility project management experience of the extent and nature required for a reconstruction project such as the 230th Lane and Ivywood Street NW Improvements. Schaffer asked if there is any conflict of interest in the bidder that would be awarded. Voge replied, I am not aware of any conflict. Sandoval asked how do we handle cost over run. Voge said we would handle any additional cost by change orders that come before the council. The Council may reject all bids and rebid the project. Rebidding will delay the award of the contract for another 6 weeks and there is no guarantee that another round of bids will produce pricing similar to that received on first bidding. MOTION BY SCHAFFER SECOND BROWN TO ACCEPT THE 19 BIDS RECEIVED FOR THE 230TH LANE AND IVYWOOD STREET PROJECT. Tveit said the only question I raise is, do we want to re-bid, but with 19 bids we did received favorable amounts. Motion carried 4-0. MOTION BY BROWN SECOND SCHAFFER TO ADOPT RESOLUTION 2010-09 A RESOLUTION ACCEPTING BIDS AND AWARDING THE CONTRACT FOR THE 230TH AND IVYWOOD STREET IMPROVEMENT TO KUECHLE UNDERGROUND OF KIMBALL, MN IN THE AMOUNT OF \$353,508.49.

Voge stated I would to hold an open house for the residents along the street project next Tuesday, March 9th at the Community Center from 5:30 – 7:00 pm. Schaffer asked when is the open house.

Tveit would like the residents to be informed of the restoration period. Voge noted, as always in our projects we will keep the residents informed with construction newsletters.

b. Attorney:

c. Staff: Fire Dept:

Public Works: Truck Replacement: As stated in the Public Works Director's Agenda Report; the vehicle in question is a 2001 Chevy ½ ton. This vehicle has a history of frontend issues and currently has about 80,000 miles therefore; it needs to be replaced one year earlier than scheduled. Teicher said he would like to start off by asking the Council if they have any questions for him. Tveit asked if the ¾ ton truck will be efficient. Teicher said yes I feel confident that this truck will do the job. We have been working on getting the right truck for the right job. Schaffer said is this truck being replaced before the regular rotation. Teicher said this truck has cost us a lot of money this past year. Trade in value is approximately \$3,000-\$3,500 from the dealer. Selling it out right we may make a little more. Brown said I would prefer trading it in, it cost us money to trying to sell it on our own with staff time. Sandoval asked don't we have a one-ton truck right now that is not being utilized for plowing. Teicher said the one-ton has an extended cab and has a long box. It makes it more difficult plowing tight areas like cul-de-sacs with this size of truck. Sandoval said it would be more of a cost savings to use the existing truck. I plow with a one-ton extended cab and long box. Yes, it is tight but I think we should try to utilize the current truck. Tveit asked what about buying the plow this year and wait for the purchase of a new truck next year. Hylen said many of the points that you have brought up we have discussed before bringing this forward. I would recommend that we table this and bring back additional information. MOTION BY SANDOVAL SECOND BROWN TO TABLE THE PURCHASE A 2010 DODGE DIESEL PICKUP UNTIL THE MARCH 15TH, CITY COUNCIL MEETING. Motion carried 4-0.

Liquor Store:

Police Dept: No report.

City Administrator Report: Community/Liquor Store Signs: Hylen reported that John Schmidt, Liquor Store Manager has been leading the charge relating to a new automated Liquor Store sign(s) as well as working with the Chamber of Commerce on the development of a community informational sign. Both John Schmidt the Liquor Store Manager along with the St. Francis Area Chamber president, David Johnson are present to answer any questions. Schmidt handed out photos on roughly what the signs would look like on the building. The second sign, in working with the Chamber would be placed down by the softballs fields along Highway 47. Tveit asked would the City lease or purchase the signs. Tveit said he has been approached by a contractor stating that leasing a sign would be better. Hylen said the Chamber has been discussing the placement of a sign for sometime. That is why we are trying to partner with the Chamber and maybe we can get a better deal on the signs. They do have funds to put towards this project. To have a community sign would be beneficial to the Chamber and the City. Tveit said I am very supportive of this idea, we can help each other out and share the cost it is a win, win situation. Hylen stated said this is more of an informational item. We will bring back more details with all the required permits before we get final approval from the Council. Tveit asked what about shared cost. Bids for the signs on the store come in anywhere from \$31,000 to \$40,000. David Johnson stated the Chamber have been looking at signage for some time. From the Chamber's perspective, all available funds would go to the purchase of the signs. We estimate we have about \$13,000 to donate towards the purchase of the signs. Brown said he agrees with Tveit and would like to see it go forward. Schaffer

asked is this in the budget. Tveit said the funds would come from the Chamber and Liquor Store Funds. All of the council members would like to see it go forward.

Hylen stated he attended a meeting last Monday on shared services. I am working on getting a packet together on that topic.

The neighborhood meeting for the 230th and Ivywood Street Project is not a council meeting it is for the neighborhood to come in and ask the engineer questions regarding the project.

The public works facility hopefully, will be on a future agenda when the east shop project moves forward. Just want you to keep that in mind when we meet for the workshop. Sandoval asked regarding the public works building are we looking at an energy efficient building. The design group said they would design that into the building.

c. **Accept the Annual Performance Review of Finance Director, Gayle Bauman and move her to Step 8, Grade 19:** Schaffer said the reason why he wanted it pulled is because he would like a copy of the review and have Barb Held send it to my home. Tveit said it is my understanding that we do not copy reviews and send them to your home. Tveit asked can we make an arrangement that Mr. Schaffer come into City Hall and have access. Hylen said yes we can. Lepak said the personnel policy states Performance reviews shall be retained as part of the employee's personnel file. The evaluation is place on consent agenda being it is a ministerial review. Schaffer asked Lepak if he could make a motion to request the performance review. Tveit said we can arrange for you to review it but we cannot make copies and give it out. **MOTION BY SANDOVAL SECOND BROWN TO ACCEPT THE ANNUAL REVIEW OF FINANCIAL DIRECTOR GAYLE BAUMAN AND PLACE HER ON STEP 8. 3-1. Schaffer voting nay.**

Lepak asked that Mr. Schaffer call him at his office to make arrangements on a date and time to review the performance review of Finance Director, Gayle Bauman.

e. **City Administrator ICMA Leadership Training May 19-22nd:** Schaffer said I would love to go to this training. I feel it is more of a history lesson. I don't think it has the merit. Tveit said in Mr. Hylen's contract it states that we encourage him to attend training and keep up his credentials. There was another ICMA training event that is held in California that Mr. Hylen did not attend. I did forgo going to training in Canada last year and California this year. Hylen said this is an application to see if I am even accepted into the leadership conference. Schaffer said if you go, I want a report. **MOTION BY BROWN SECOND SANDOVAL TO APPROVE THE CITY ADMINISTRATOR'S ICMA LEADERSHIP TRAINING SESSION MAY 19TH-22ND.** Sandoval said how would this apply towards your credentials. Hylen stated he needs 40 hours of training each year to keep up his credential for the ICMA Leadership program. 3-1. Schaffer voting nay.

9. **Reports from Council Members:** Brown said he did hear that City Council may have authority to change speed limits, is that something we can look at. Hylen said just in 2009 the Legislation did pass some new laws pertaining to speed limits in rural residential areas.

Sandoval said as a Lions Club member, we appreciate the Special Meeting the Council held regarding the gambling license renewals.

10. **Report from Mayor:** I have been trading emails with the St. Francis High School Webcast 50 Advisor regarding taping of the council meetings. I see they are here taping the meeting tonight and I am glad to see that.

Just in the past couple weeks I was driving west on Pederson Path and almost hit a kid walking on the side of the road. I would like that path along Pederson Drive to be put in. If we don't have the money I would like to do some type of fund raising to get that path in. I would like the support of the council. I would like to start by writing letters to the local representatives and next to corporations, businesses, organizations asking for donations. Schaffer said we might have to bond for it, I am not for bonding but I would on this project. Tveit said we do not have money in the budget for the project. I would at least like to put out some feelers and if you have any ideas on fundraisers let me know.

11. **Old Business:**

a. Business Permit Fee Discussion: A couple of meetings ago we had a presentation from the fire department on business permits. Brown said we should look at the cost of the inspections and charge this back to the business. Sandoval asked would this be at the time of their annual fire inspection? Hylen said the fire department schedule inspections through out the year. With the business license fee we do not go out to the business and inspect, we would be collecting pertinent information from each business on these forms. Brown said it is important for a preplan for each business. We will have the Finance Director gather some information on the fee.

12. **New Business:**

a. Commission Applicants: The City has received a number of applications for the Planning Commission. Does the council have any reservation of myself and Mr. Brown, the Mayor Pro-tem to review all applications and bring our recommendations to the full council. Schaffer said I would like to review them; I have not been able to review any. Tveit asked Lepak was it part of one of your censures that Schaffer could not take part in this. Lepak said I do not know right off hand. The council agreed to have the Mayor and Pro-Tem review the applications. Schaffer said I would still like to interview these applicants. Tveit said when we recommend the applicants you can review their applications.

Brown asked if the City Engineer could come up with the cost for the Pederson Path so at least we know what amount we would need.

13. **Adjournment:** The Regular City Council meeting adjourned at 7:29 pm