

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
TUESDAY, JANUARY 22, 2008
ISD #15 DISTRICT OFFICE
4115 Ambassador Blvd. NW

5:30 pm **City Council Workshop on discussing growth and expansion issues**


6:00PM **Regular City Council Meeting**

1. Call to Order
2. Roll Call
3. Adopt Agenda
4. Consent Agenda
 - a. City Council Minutes – January 7, 2007
 - b. Approve the Performance Review of Police Administrative Assistant
 - c. Re-Appoint John Hane to the Planning Commission for a Three Year Term
 - d. Re-Appoint Jesse Jones to the Park Commission for a Three Year Term
 - e. Approving the Amendment to the City Administrator Agreement
 - f. Approving the Letter of Understanding between the City of St. Francis and Allina Medical Transportation
 - g. Approving the Connexus Energy Electric Service Work for Well #4
 - h. Payment of Claims
5. Petitions, Requests, Applications
 - a.
6. Ordinances & Resolution
 - a. Resolution 2008-08: Approving Cities of Oak Grove and St. Francis Right-of-Way Plan No. One
 - b. Resolution 2008-09: Electing not to Waive the Monetary Limits on Municipal Tort Liability
7. Meeting Open to the Public
8. Reports of Consultants & Staff Members
 - a. Engineer:
 - b. Attorney:
 - c. Staff:
 - Fire Dept:
 - Water/Wastewater:
 - Streets/Parks: Joint Partnership with the St. Francis Baseball Assn. to improve the backstop and add dug outs at Community Park
 - Liquor Store:
 - a. Police: Approving the Appointment Chief of Police
 - City Administrator Report: Council Workshop Set for Saturday, February 9th
9. Reports from Council Members
10. Report from Mayor
11. Old Business
12. New Business
13. Adjournment

Calendar of Events

- February 4th: Met Council with hold their 2008 State of the Region Event at 10:00 am. at the new Minneapolis Central Library, 300 Nicollet Mall.
- February 4th: City Council Meeting 6:00 pm at District Office
- February 5th: Precinct Caucuses 7:00 pm (Will know location sometime next week)
- February 12th: Park Commission Meeting 6:15 pm at the Community Center
- February 18th: City Offices Closed in Observance of Presidents Day
- February 19th: Tuesday, City Council Meeting 6:00 pm at District Office
- February 20th: Planning Commission Meeting 7:00 pm

TO: Mayor & City Council

FROM: Matthew L. Hylen,
City Administrator 

RE: Agenda Memorandum – January 22, 2008 Meeting

Agenda Items:

4. **Consent Agenda:** b. Police Administrative Assistant Karla Anderson following a good performance review should be placed at Grade 9, Step 3. e. enclosed is a copy of Mayor Dressen's proposed employment contract with me. Please contact Mayor Dressen with any specific questions.

5. **Petitions, Requests, Applications:**

6. **Ordinances & Resolutions:**

- a. Resolution 2008-08: Enclosed is Resolution 2008-08 which approves the City of Oak Grove and St. Francis Right-of-Way Plat No. 1 on Poppy Street. A motion is in order to approve this Resolution.

8. **Reports:**

- a. **Engineer:**
b. **City Attorney:**
c. **Staff:**

Fire Dept:

Water/Wastewater:

Street/Parks: *Joint Work with St. Francis Baseball Association:* At the Park Commission attempted meeting (no quorum) last week, the St. Francis Baseball Association proposed to cost share with the City to extend the current fence and add dugouts to the current Baseball field. This would be a 50/50 cost split. The park commission members present felt this would be a good expenditure of the park monies. A motion would be in order to approve this request.

Liquor Store:

Police: *Chief of Police Appointment:* Enclosed is a memorandum from City Attorney Lepak regarding his research into some questions regarding Mr. Harapat being considered for the next Chief of Police. After reading Mr. Lepak's memorandum, my prior recommendation stands to have Council consideration to appoint Mr. Harapat as the next Chief of Police at Grade 19, Step 2.

City Administrator: The Mayor has set a Council Workshop for Saturday, February 9th, from 8:00 am to 12 Noon. This Workshop would include department heads and council at the Community Center. Would the council like to invite the planning and park commissions?

CITY OF ST. FRANCIS
ST. FRANCIS, MN

CITY COUNCIL MINUTES

January 7, 2008

1. **Call to Order:** The 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 Assistant City Engineer Jared Voge (Bolten & Menk, Inc.), Attorney Scott Lepak (Barna, Guzy & Steffen), Interim Police Chief Jeff Harapat, City Administrator Matt Hysten and City Clerk Barb Held
3. **Adopt Agenda:** MOTION BY KANE SECOND BROWN TO ADOPT THE JANUARY 7, 2009 CITY COUNCIL AGENDA. Hysten asked to add 8b. Closed Meeting to Discuss Labor Negotiations. MOTION CARRIED 4-1. Schaffer voted nay.
4. **Consent Agenda:** MOTION BY JONES SECOND BROWN TO APPROVE THE JANUARY 7, 2008, CITY COUNCIL CONSENT AGENDA A-L:
 - a. Approve the City Council Minutes – December 17, 2007.
 - b. Approve the Rum River Blvd. Project Pay Request #3 to Andrews Excavating of Princeton for \$159,737.92 with the recommended retainage withheld.
 - c. Approve the Water Treatment Plan Pay Request #3 for \$138,021.00 and Pay Request #4 for \$3350,976.00 to Staab Construction of Marshfield, WI with the recommended retainage withheld.
 - d. Accept the Dellwood Meadows one year warranty period and release the Letter of Credit.
 - e. Approve the Animal Control Officer Agreement with Marline Skinner.
 - f. Approve the Joint Powers Agreement with Anoka County for Assessing of Properties for
 - g. Approve the Construction General Local 523 Contract Agreement for 2009-2011.
 - h. Appoint Ray Steinke to the Planning Commission for a three-year term.
 - i. Approval of Invoice for \$585.00 to Mediation Services.
 - j. Approval of the Cost Share for the Rum River Bluffs oversizing to watermain and sanitary sewer pipe to Emmerich Development in the amount of \$32,703.60 for watermain oversizing and \$17,165.20 for sanitary sewer oversizing
 - k. Approving the Letter of Support to Anoka County Community Action Program, Inc to receive CDBG funds through Anoka County.
 - l. Approve the Payment of Claims for \$30118206.

Motion carried 4-1. Schaffer stated his reasoning for voting against the adoption of the agenda was because the police chief appointment was not on the agenda. Lepak noted that I am waiting for some material to come back on the closed case, and it is coming out of Chicago.

5. **Petitions, Requests, Applications:**

a. None

6. **Ordinances & Resolution:**

a. **Resolution 2008-01: Approving Appointments for 2008:** MOTION BY BROWN SECOND KANE TO ADOPT RESOLUTION 2008-01 APPROVING APPOINTMENTS FOR 2008. Motion carried 4-1. Schaffer voted nay.

b. **Resolution 2008-02: Setting Municipal Fees for 2008:** MOTION BY BROWN SECOND KANE TO ADOPT RESOLUTION 2008-02 SETTING MUNICIPAL FEES FOR 2008. Schaffer asked why we did not get any comparison from other communities. Hylen said staff did do comparisons. A sample resolution was sent out several weeks ago asking for any suggestions. Motion carried 4-1. Schaffer voted nay.

c. **Resolution 2008-03: Setting Fees for the Use of the Community Center:** MOTION BY KANE SECOND BROWN TO ADOPT RESOLUTION 2008-03 SETTING THE FEES FOR THE USE OF THE COMMUNITY CENTER. Schaffer thought the fees were too high. Motion carried 4-1. Schaffer voted nay.

d. **Resolution 2008-04: Adopting a List of Reimbursable Per Diems for Mayor and City Council:** MOTION BY BROWN SECOND KANE TO ADOPT RESOLUTION 2008-04 ADOPTING A LIST OF REIMBURSABLE PER DIEMS FOR MAYOR AND CITY COUNCIL. Schaffer against the reimbursement. Motion carried 4-1. Schaffer voted nay.

e. **Resolution 2008-05: Reducing the Tax Levy for the G.O. Improvement and Utility Revenue Bonds, Series 2007A:** MOTION BY KANE SECOND BROWN TO ADOPT RESOLUTION 2008-05 A RESOLUTION REDUCING THE TAX LEVY FOR THE G.O. IMPROVEMENT AND UTILITY REVENUE BONDS, SERIES 2007A. Motion carried 5-0.

7. **Meeting Open to the Public:** Bruce Hildebrandt a representative of Allina Ambulance was before the City Council to ask if the City would be open to the idea of having the ambulance stationed in St. Francis. Hildebrandt stated back in the early nineties the ambulance use to be stationed here. On a yearly basis, we evaluate where the activity is and we believe it is time to bring back the Allina Ambulance to St. Francis as early as February. Recently we met with the City Administrator, Police Chief and the Fire Chief. The only question the Fire Chief had was would this discontinue their rescue. Mr. Hildebrandt stated it would not. Jones asked would you need inside parking. Hildebrandt said they would not have to have it. Consensus of the City Council was yes bring it back, it would be great. MOTION BY BROWN SECOND KANE TO DEVELOP A LETTER OF AGREEMENT BETWEEN THE CITY OF ST. FRANCIS AND ALLINA AMBULANCE FOR THE JANUARY 22ND CITY COUNCIL AGENDA. Motion carried 5-0.

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

a. **Engineer: Water Treatment Plant Update:** Voge reported the Water Treatment Plant is on schedule with no issues of concern to report. Jones had a question on where the reclaimed water ends up. Voge explained the water reclaim process.

b. **Attorney: City Council Code of Conduct:** Lepak stated that the council packet contains two documents. Lepak stated that he and the City Administrator responded to the Mayor's direction some time ago by obtaining sample codes of conduct from approximately 15-20 other cities. Some were very lengthy. In reviewing these samples, Lepak said the first seven of the ten items in the draft pledge were common to

these samples. Lepak stated that this formed the basis for the draft pledge. Lepak stated that the pledge references following the second document, which was a proposed amendment to the City's employee code of conduct outlined in the City's personnel policies. Lepak stated that this draft would apply the same standards expected of employees to the mayor and council in a number of areas. Lepak noted that employees are expected to meet these standards and failure to meet these standards of employees may result in termination. Lepak stated that, if approved tonight this would be included in the City's personnel policy.

Schaffer asked if the proposed pledge a law. Lepak responded no, it is a promise. Mayor Dressen read each of the pledges and ask for council member's comments. Council members Schaffer read a pre written response to all the Pledge Items. The general theme in each of the responses was they were common sense, but he believed in democracy and freedom of speech. After all the pledges were read, Mayor Dressen asked the Council members again for any comments. The rest of the Council stated the ten pledges were mostly common sense. Dressen then noted that rule number eleven in the pledge stated Council Members would follow the City Code of Conduct. Dressen along with other council members stated they should be held to the same standard as our employees. Consensus of the Mayor and four council members was to keep it in the Pledge.

MOTION BY KANE SECOND BROWN TO ADOPT THE PLEDGE OF THE CITY OF ST. FRANCIS-MAYOR AND COUNCIL MEMBERS. Motion carried 4-1. Schaffer voted nay.

MOTION BY BROWN SECOND KANE TO ADOPT RESOLUTION 2008-06 A RESOLUTION AMENDING THE CITY PERSONNEL POLICIES AND REVISE THE CITYWIDE WORK RULES/CODE OF CONDUCT AND APPLYING CERTAIN STANDARDS TO COUNCIL MEMBERS. Motion carried 4-1. Schaffer voted nay.

Closed Meeting to discuss labor negotiations: MOTION BY KANE SECOND BROWN TO GO INTO CLOSED SESSION AT 6:50 PM TO DISCUSS LABOR NEGOTIATIONS. Motion carried 5-0.

The City Council was back in session at 7:19 pm. No action from the closed meeting.

c. Staff: Fire Dept: None

Water/Wastewater: None

Streets/Parks: None

Liquor Store: None.

Police Dept: Discussion on Snowmobile Patrol: Interim Police Chief Jeff Harapat stated that he and City Administrator Matt Hylen have been discussing the options and future of the snowmobile patrol. Currently the City has two snowmobiles, a trailer, helmets and snowsuits. With the limited

use of the snowmobiles would the council be open to discontinue the snowmobile patrol. If the Council decides to discontinue the snowmobile patrol, the City would need to declare the equipment surplus. MOTION BY BROWN SECOND KANE TO ADOPT RESOLUTION 2008-07 A RESOLUTION DECLARING THE TWO SNOWMOBILES, TRAILER AND EQUIPMENT SURPLUS PROPERTY. Jones asked would these be sealed bids, Hylen stated yes. Motion carried 5-0.

Harapat handed out a flyer that could be used by the police department if the City council likes the idea. The flyers would be used when the St. Francis Police stops by a home for various reasons and no one is home. This notice would be left on the door, letting the resident know they were there. Consensus was the City Council liked the idea.

City Administrator Report: Approval of Assistant Public Works Director Job Description: Hylen reported this job description was graded at a Grade 14 with a 2008 salary range of \$56,056.00 to \$70,075.20. MOTION BY KANE SECOND BROWN TO ACCEPT THE JOB DESCRIPTION FOR THE ASSISTANT PUBLIC WORKS DIRECTOR. Jones asked do we have someone on staff that is qualified. Hylen said that is the next item. We have Eric Peterson who does meet the minimum qualifications. Schaffer asked about the salary and is it comparable. Hylen reported last year we had a consultant, Sherrie Le review the job descriptions and salary comparisons. Motion carried 5-0.

MOTION BY KANE SECOND BROWN TO APPOINT ERIC PETERSON TO THE ASSISTANT PUBLIC WORKS DIRECTOR POSITION AT GRADE 14, STEP 3. Brown said he wants to make sure our streets and parks are not neglected. Schaffer would like to see Peterson's resume'. Hylen said he worked for the City a couple years. Hylen asked the Council do you want Mr. Schaffer or myself to conduct a background, Dressen stated Hylen should conduct the background. Motion carried 5-0.

Authorization to Advertise for a Public Works Director: MOTION BY KANE SECOND BROWN TO AUTHORIZE TO ADVERTISE FOR A PUBLIC WORKS DIRECTOR. Motion carried 5-0.

Website Discussion: The City is in the process of updating the City's website. Would the City Council like to have the pictures, individual/group on the website? Consensus was to have their individual picture on the website.

East Water Tower Removal Discussion: Currently the City has a lease agreement on the eastern water tower with Genesis, who use to provide free computer access to the City. With our current computer system we have in place we no longer use this service. Therefore we need to contact Genesis. If the tenant would want to go on the new tower, there would need to have brackets put on the tower.

9. Reports from Council Members:

10. **Report from Mayor:** We previously went through Mr. Hylen's review. In the past, the Council has authorized me to negotiate with the City Administrator on wages and benefits. The final agreement would be brought back for the full council approval.

MOTION BY JONES SECOND BROWN AUTHORIZING MAYOR DRESSEN TO NEGOTIATE WITH THE CITY ADMINISTRATOR, WAGES AND BENEFITS, WITH THE FINAL AGREEMENT BEING APPROVE BY THE FULL COUNCIL. Motion carried 4-1. Schaffer voted nay.

The Fire Department trailer is here, we are just waiting for some of the detailing.

11. **Old Business:** Jones asked what legal right we have to clear the trees in the road right away along City streets. Lepak said we have the right to trim if they are in the easement. Jones is just worried about the tree falling down on the roads.

12. **New Business:** None

13. **Adjournment:** The Regular City Council meeting adjourned at 7:57 pm.

Barbara I. Held, City Clerk

EMPLOYMENT AGREEMENT

AGREEMENT by and between the **CITY OF ST. FRANCIS**, a Minnesota municipal corporation ("Employer"), and **Matthew L. Hylan** ("Employee").

The parties agree as follows:

1. POSITION. Employer agrees to continue to employ Employee as its City Administrator. Employee agrees to continue to serve as City Administrator in accordance with state statutes and City ordinances and to perform such other legally permissible and proper duties and functions as the City Council shall from time to time assign.

2. PENSION PLAN. Employer shall contribute to PERA as required by State law for Employee. In addition to PERA, if the Employee chooses, the Employer will match dollar for dollar, up to \$2,000, into an approved 457 Retirement Plan (deferred compensation).

3. SALARY. Effective November 14, 2007, Employer shall pay Employee the amount indicated on Grade 23, Step 6 of the City's salary schedule. This amount will be subject to review and amendment by the City on an annual basis. Employee shall be given an annual performance review.

4. SENIORITY. For purposes of employment benefits such as sick leave, vacation leave, and the like, Employee will be credited with having completed fifteen (15) years of employment with the City for future leave accrual purposes. Employee shall accrue leave in accordance with the City's personnel policies.

5. AUTOMOBILE. At such time as a vehicle becomes available, this vehicle will be assigned to the City Administrator and be available for City business purposes and personal use that is clearly incidental to the use of the vehicle for local government business as the City Administrator sees fit.

6. HOLIDAYS. Employer shall provide Employee the same holidays as enjoyed by other non-union employees.

7. GENERAL INSURANCE. Employer shall provide Employee the same stipend to be used toward the purchase of health insurance benefits as provided to all other non-union employees. In the event that the Employer provides health, life or other insurance to its nonunion employees and discontinues payment of a stipend in lieu of health insurance, Employee will receive the same insurance coverage as other non-union employees and will no longer receive the stipend.

8. DUES AND SUBSCRIPTIONS. Employer shall budget and pay the following professional dues and subscriptions for Employee which are necessary for Employee's continued participation in the following associations which are necessary and desirable

for Employee's continued professional participation, growth and advancement: Minnesota City/County Managers Association; International City/County Managers Association.

9. PROFESSIONAL DEVELOPMENT. Employer shall pay the reasonable budgeted travel and subsistence expenses of Employee for professional and official travel, meetings and occasions adequate to continue the professional development of Employee and to adequately pursue necessary official and other committees thereof which Employee serves as a member. Employee shall use good judgment in his outside activities so he will not neglect his primary duties to the Employer.

10. CIVIC CLUB MEMBERSHIP. Employer recognizes the desirability of representation in and before local civic and other organizations. Employee is authorized to become a member of such civic clubs or organizations as deemed appropriate by him and at Employer's expense.

11. GENERAL EXPENSES. Employer shall reimburse Employee miscellaneous job related expenses which it is anticipated Employee will incur from time to time when provided appropriate documentation.

12. HOURS OF WORK. It is understood that the position of City Administrator requires attendance at evening meetings and occasionally at weekend meetings. It is understood by Employee that additional compensation and compensatory time shall not be allowed for such additional expenditures of time. It is further understood that Employee may absent himself from the office to a reasonable extent in consideration of extraordinary time expenditures for evening and weekend meetings at other than normal working hours.

13. TERMINATION BENEFITS. In the event that Employee is terminated by the Employer during such time that Employee is willing and able to perform the duties of City Administrator, then in that event, Employer agrees to pay Employee at the time of receipt of his last pay check a lump sum cash equal to six (6) months aggregate salary (subject to withholding obligations).

However, in the event Employee is terminated because of his conviction for an illegal act involving personal gain to Employee or an act of moral turpitude, then Employer shall have no obligation to pay the termination benefits.

If Employer at any time during the employment term reduces the salary or other financial benefits of Employee in a greater percentage than across-the-board reduction for all non-union employees, or if Employer refuses, following written notice, to comply with any other provisions of this Agreement benefiting Employee or Employee resigns following a formal suggestion by Employer that he resign, then Employee may, at his option, be deemed to be "terminated" on the effective date of Employee's resignation and the Employee shall also be entitled to receive the termination benefits set forth above.

If Employee voluntarily resigns his position with Employer, Employee agrees to give the Employer thirty (30) days advance notice. If Employee voluntarily resigns his position with Employer, there shall be no termination pay due to Employee.

14. GENERAL CONDITIONS OF EMPLOYMENT. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employer to terminate the services of Employee at any time, for any reason, subject only to the provisions of this Agreement and statutory requirements. Furthermore, nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employee to resign at any time from his position with Employer, subject only to the provisions of this Agreement.

Approved: January 22, 2008 by Employee:

EMPLOYEE:

Matthew L. Hylan

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 22nd
DAY OF JANUARY 2008.

APPROVED:

Randy Dressen
Mayor

ATTEST:

Barbara I. Held
City Clerk
352508_1

LETTER OF UNDERSTANDING

Between
Allina Medical Transportation
&
City of St. Francis

On January 7, 2008 Allina Medical Transportation requested of the City of St. Francis permission to locate an Advanced Life Support ambulance at the St. Francis Fire/Police facility. This vehicle would be parked outside when on duty, but would allow access of the crew members to the lounge area located at the Fire Station.

This vehicle will be there at various hours and is not to be interpreted as being committed to the city of St. Francis. Allina Medical Transportation will respect the accommodations and will keep it clean and presentable.

Allina Medical Transportation will provide its own vehicle insurance on any vehicle that will be stationed at the fire station. Allina Medical Transportation hereby releases St. Francis from any claims related to the vehicle or Allina personnel that may arise while on St. Francis property to the extent that such claim is not covered by insurance held by St. Francis. Allina Medical Transportation will also assume responsibility for its employee's on duty and stationed at the St Francis facility

Bruce Hildebrandt
Allina Medical Transportation
Ambulance Operations Manager

Date

R.J. Dressen
City of St. Francis
Mayor

Date

Electric Service Work Summary

January 11, 2008

ST FRANCIS CITY OF
 PO BOX 730
 SAINT FRANCIS, MN 55070-0730

Account: 454468/298359
 Workorder: 08-1472
 Representative: Nancy C

RE: Electric Service Request for: 3911 233RD AVE NW WELL #4

Our design engineer has estimated Connexus Energy's facilities charges for your service. This amount must be paid or arrangements made with Connexus Energy before construction can begin.

There will be additional charges if underground facilities are installed between November 1 and April 1.

Payment must be received within 60 days to avoid cancellation of your electric service request.

Please mark all privately owned utilities (e.g. geothermal systems, wells, septic systems, underground sprinkler systems, etc) on this property. To avoid delays please make sure your lot is graded to within 4" of final grade, and the pathway for our trench is clear of all obstructions (trees, lumber, etc). Connexus Energy is not responsible for restoring, to its original condition, the lawn, yard, land, etc., which might be disturbed during installation.

In an attempt to improve the quality of our service and ultimately ensure customers are being billed correctly for energy usage, the following requirements must be met prior to energizing a multi unit facility.

Contractor responsibility:

1. Appropriate application/permits/forms must be filled out and sent to Connexus Energy.
2. All meter sockets must be clearly and accurately marked with the appropriate unit number or address. If the meter sockets are not clearly and accurately marked or we are unable to match individual units to the meter socket, the building will not be energized and a new service request must be filed with Connexus Energy after the problem has been resolved.
3. Verify that all meters sockets & units are clearly & correctly marked.
4. All units must be wired to the corresponding meter socket according to local code.

Type	Quantity	Cost	Tot Charge(w/tax)	Amt Paid
- NEW SVC FEE(\$15)	1 EA	\$ 15.00	\$ 15.98	\$ 0.00
- NEW SERVICE UG	1 EA	\$ 655.00	\$ 655.00	\$ 0.00
- FOOTAGE UG	400 FT	\$ 8.10	\$ 3,240.00	\$ 0.00
- TRANSFORMER CAPACITY FEE	1 EA	\$ 4,860.00	\$ 4,860.00	\$ 0.00
- BORING CHARGE	1 EA	\$ 1,200.00	\$ 1,200.00	\$ 0.00
			Subtotals: \$ 9,970.98	\$ 0.00

Amount Due: \$ 9,970.98

Comments: Charges for service to well #4. Additional winter charges will be applied following construction.



14601 Ramsey Boulevard
Ramsey, Minnesota 55303
763.323.2600
Fax: 763.323.2603
1.800.642.1672
www.connexusenergy.com
info@connexusenergy.com

Questions can be directed to Customer Service at 763.323.2650 or 1.800.642.1672.

Thank you,

Customer Service

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

RESOLUTION 2008-08

A RESOLUTION APPROVING
CITIES OF OAK GROVE AND ST. FRANCIS
RIGHT-OF-WAY PLAT NO. ONE

WHEREAS, the Cities of Oak Grove and St. Francis are jointly improving Poppy Street from 227th Avenue to 225th Avenue with municipal state aid funds and Oak Grove is improving 225th Avenue from Poppy Street to CSAH 9; and

WHEREAS, additional temporary and permanent easements are required to accommodate the construction of the improvements within the design requirements of the municipal state aid rules; and

WHEREAS, the right-of-way plat has been drafted to depict the parcels of permanent and temporary easements; and

WHEREAS, the properties have been acquired by quitclaim deeds as shown in the right-of-way plat; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of St. Francis hereby approves the Cities of Oak Grove and St. Francis Right-of-way Plan No. One and authorizes the Mayor to sign the plat.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 22ND
DAY OF JANUARY, 2008.

APPROVED:

ATTEST:

R.J. Dressen, Mayor

Barbara I. Held, City Clerk

**CITY OF ST. FRANCIS
ST. FRANCIS, MN**

RESOLUTION 2008-09

**A RESOLUTION ELECTING NOT
TO WAIVE THE MONETARY LIMITS ON
MUNICIPAL TORT LIABILITY**

WHEREAS, the City of St. Francis has obtained liability coverage from the League of Minnesota Cities Insurance Trust; and

WHEREAS, the City of St. Francis must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased; and

WHEREAS, the St. Francis City Council has determined that it would be in the established by Minnesota Statutes §466.04.

NOW, THEREFORE, BE IT RESOLVED by the City council of the City of St. Francis that the City hereby Does Not Waive the monetary limits on municipal tort liability established by Minnesota Statutes §466.04; and

BE IT FURTHERED RESOLVED that this Resolution will continue in effect until such time as the City decides to modify the monetary limits on municipal tort liability.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ST. FRANCIS THIS 22ND DAY OF JANUARY, 2008.

APPROVED:

ATTEST:

R.J. Dressen, Mayor

Barbara I. Held, City Clerk

ESTIMATE WORKSHEET

hansen bros. fence

ATTN: MARK SV, HEC

and construction company

"gaining your respect the old fashioned way - we earn it"

1701 James Circle North
Minneapolis, MN 55430

Telephone: (612) 520-0922
Fax: (612) 520-0991

www.hansenbrosfence.com

Customer ST. FRANCIS Baseball ASSOCIATION

Address _____

City _____ FAX _____

Telephone (home) _____ (work) 763-753-5400

MATERIALS

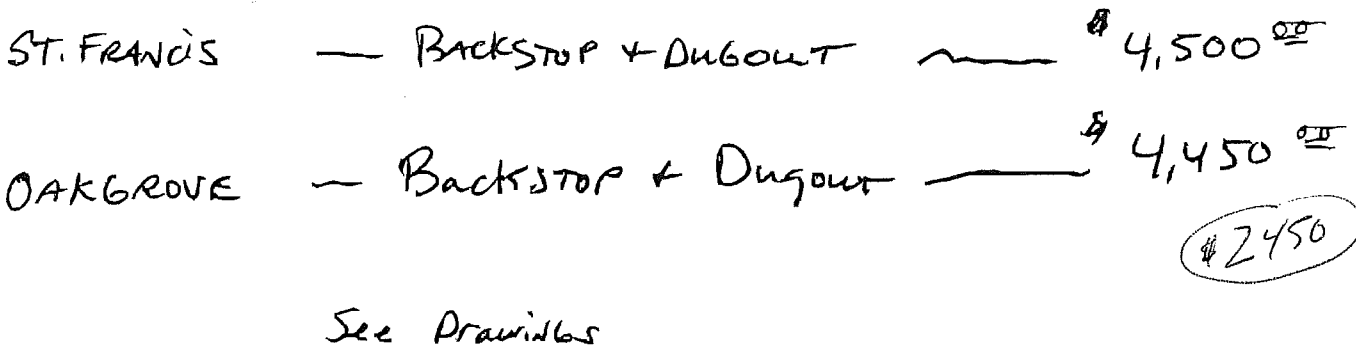
	WOOD TYPE	CHAINLINK TYPE	OTHER
Style <u>Backstop 6' overhang & dugout fence</u>			
End and/or extra posts <u>FRONT & L W/ 6 FT 72" Dugout fence</u>			
Corner and/or terminal posts <u>TOP & BOTTOM RAIL</u>			
Gates <u>Concrete</u>			
Miscellaneous <u>6' overhang</u>			
		TOTAL	
		TOTAL MATERIALS	

LABOR

Lineal footage	_____
Hard holes <u>Scaffolding</u>	_____
Clearing/obstructions	_____
Dismantle and/or haul & dump	_____
LABOR TOTAL	<u>1900</u>
MATERIAL TOTAL	<u>2600</u>
BID TOTAL	<u>4,500</u>
HBF Rep	<u>Doug</u>

* Purchasers Payment Plan: Deduct 2% from the bid total for payment the day installation is complete *

FENCE DIAGRAM



We sincerely thank you for this opportunity!

Christian, Tom, Eric, Doug, Hodge, Kurt, Bruce, Karen, Gretchen, Jane, Carrie, Sharon, Rich, Stacy, Joseph, Elaina, Weston, Via, Olivia, Luke, Hannah, Jake, Katie, Jack, Pete, Phil, Fran, Ron, Mark, Jorge, Juan, Memo, and Oscar.

RICHARD A. MERRILL
DARRELL A. JENSEN
JEFFREY S. JOHNSON
RUSSELL H. CROWDER
JON P. ERICKSON
THOMAS P. MALONE
MICHAEL F. HURLEY
DOUGLAS G. SAUTER
HERMAN L. TALLE
CHARLES M. SEYKORA
DANIEL D. GANTER, JR.
BEVERLY K. DODGE
JAMES D. HOEFT
JOAN M. QUADE
JOHN T. BUCHMAN
SCOTT M. LEPAK
STEVEN G. THORSON

BGS

Barna, Guzy & Steffen, Ltd.

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WILLIAM F. HUEFNER
BRADLEY A. KLETSCHER
DOUGLAS J. DEHN
KRISTI R. RILEY
WILLIAM D. SIEGEL
TIMOTHY D. ERB
KAREN K. KURTH
ANGELA M. SAMEC
SUSAN E. SHEELY
ADRIEL B. VILLARREAL
KIP R. PETERSON
THOMAS J. KETTLESON
KRISTIN N. STOWELL
TAMMY J. SCHEMMELE
CAREEN H. MARTIN
SUSAN E. TEGT

MEMORANDUM

TO: St. Francis Mayor, City Council and Administrator
FROM: Scott Lepak, City Attorney
RE: Police Chief Appointment
DATED: January 15, 2008

At the request of the Mayor and City Administrator, I reviewed the materials submitted at an earlier council meeting related to the potential appointment of the acting police chief as police chief.

It is important to note that, in the event that the Council takes this action, the appointment will be to probationary status. The personnel policies provide that:

Regular employees who are promoted ... will be required to serve an additional probationary period up to six (6) months. ... For positions reporting directly to the City Administrator, the Administrator will evaluate the employee and determine whether or not to upgrade the employee's status to that of a regular employee.

Finally, the personnel policies address the effect of appointing an individual after they have served in an "acting" capacity:

- D. Position vacancies may be filled on an "acting" basis as needed prior to filling a position through the normal process. ... If a current employee is appointed to an acting position and is later hired to fill the regular appointment, with no break in service in the new position, the effective date of the regular appointment will be considered to be the date on which the acting appointment was made. ...

Issues to consider:

1. Minimum requirements: the position requires: 1) licensure as a peace officer; 2) a valid driver's license; 3) seven years experience as a patrol officer; and 4) three years experience as a supervisor of uniformed officers.

Mr. Harapat meets these requirements. He currently meets both licensure requirements and the experience requirements as follows:

He has his two year Associate's Degree in Law Enforcement from Alexandria AVTI.

He has over 25 years as a peace officer (over 12 years as an officer) and over 12 years as a sergeant.

- Jeff Harapat has been a police officer since he was hired by the City of Long Prairie in 1981.
- He left Long Prairie's police department when he was hired by St. Francis in 1986 and served as a police officer for St. Francis.
- Mr. Harapat was promoted to the newly created Sergeant position in 1995 and served in that capacity until his appointment as acting Police Chief.
- He was appointed as acting Police Chief on September 1, 2007.

In considering appointment, it is common to also consider the individual's work record and performance level.

2. Work Record:

- His performance evaluations as a police officer were as follows:
 - Since 1991 his evaluations have been at the level of superior (in 1991 using an old form where superior was right below exceptional)
 - Using a new form in 1994, he had a meets expectations for that year
 - He had the highest grade of exceeds expectations (starting in October of 1995 through his appointment as Sergeant).
- During the time that he was Sergeant through his most recent evaluation in December of 2005, he has received an overall rating of "Exceeds Expectation" which is the highest rating on the evaluation form.

3. Prior Discipline:

- April 24, 1990 he had a letter placed in his file noting that his car was parked at a private residence for an excessive period of time. This letter did not indicate that it was a formal reprimand.
- November 18, 1992, he had a letter placed in his file noting that he overslept. This letter did not indicate that it was a formal reprimand.

4. Other areas of note:

- In response to the materials submitted at the earlier council meeting, Mr. Harapat's personnel file does not reflect any discipline or performance deficiencies during or covering that period of time (September of 1990 through May of 1992). To the contrary, Mr. Harapat was promoted to Sergeant in 1995, while the litigation was still recent.

- It appears that the City did not discipline **any** of the individuals named in the complaint by the former employee. Employees, including Mr. Harapat, admitted to a number of instances of horseplay with what they perceived as willing participants and expressed remorse for the situation and their conduct. It appears that the matter was addressed through a citywide education because of this honesty, lack of malice and the employees' subsequent recognition of accountability. The City also updated its policies.
- The settlement referred to in the materials was made by the City's insurance company. The City was not required to, and did not consent to the settlement. There are no materials suggesting why the insurance company chose to settle the matter. A number of individuals associated with the City at the time were strongly opposed to this settlement and wanted the opportunity to have the entire story presented.
- The City and affected employees participated in companion litigation in which the boyfriend of the accuser sued the City and a number of City employees, including Mr. Harapat, in federal court alleging similar facts. This matter was resolved in the City's favor. I was able to obtain a copy of the court decision on the main claim. The matter was dismissed on August 8, 1995.
- Mr. Harapat has been involved with the police department from the time when it consisted of the police chief, two officers and one office staff to the present where it consists of the police chief, an opening for sergeant, eight officers, an investigator and two office staff.
- As Sergeant, Mr. Harapat also served as the Command Sergeant, Lead Firearms Instructor and Vehicle Maintenance Manager.
- During his tenure as Acting police chief (since September), Mr. Harapat has instituted the following changes to the department:
 1. Worked with post board, in regards to dept policy and mandatory officer training. This resulted in the St. Francis Police Dept. passing the Peace officer standards and trainings compliance check. Certificate received.
 2. Hired new officer on 12-03-07. Officer Allen is currently in Field Training.
 3. Created new Department Policy manual that will be implemented as soon as the review is completed by the city attorney.
 4. Replaced outdated duty weapons.
 5. Replaced lap tops in squads. The new computers will be compatible with 2008 programs for paperless ticket writer and other new programs.

6. Ordered new squad car and found new company to set it up.
7. Have been attending meetings such as CLEO (Chief Law Enforcement Officer) Chief of Police Meetings, Joint Law Enforcement Council meetings and Anoka county radio users meetings.
8. Making sure officers attend mandated trainings.
9. Scheduling work hours for patrol.
10. Attending council meetings when necessary, department head meetings and safety committee meetings.
11. Fill day shift call car position and fulfill Sgt. and Chief duties.

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