

CITY OF ST. FRANCIS  
ST. FRANCIS MN  
ANOKA COUNTY

CITY COUNCIL MINUTES  
FEBRUARY 20, 2018

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, Robert Bauer and Rich Skordahl.

Also present; Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), 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 MUEHLBAUER SECONDSKORDAHL APPROVING THE REGULAR CITY COUNCIL AGENDA. Motion carried 5-0.

4. **CONSENT AGENDA**

Remove items A and D from the consent agenda.

MOTION BY BAUER SECOND MEULBAUER TO APPROVE THE CONSENT AGENDA ITEMS B,C,E-G AS FOLLOWS:

- A. ~~City Council Minutes—February 5, 2018~~
- B. City Council Work Session Notes – February 8, 2018
- C. Accept the Resignation of Part Time Liquor Store Clerk Angela Westbrook
- D. ~~Hire Lucas Phelps, William Mangan, Kristina Kizer, Aaron Hill and Isaiah Brunette as St. Francis Fire Fighters contingent upon successful completion of all pre-employment testing~~
- E. Hire Shannon Denny and Kristine Windhauser as Part Time Liquor Store Clerk pending background checks
- F. Authorizing Solicitation of Contributions-Resolution 2018-09
- D. Payment of Claims \$452,962.50 (ACH #222 \$156,862.39 and Check #'s 73703-73781 \$296,100.11)

Motion carried 5-0.

A. City Council Minutes – February 5, 2018

The roll call vote for Ordinance 237, Second Series was not included in the minutes that were part of the packet.

MOTION BY SKORDAHL SECOND MUEHLBAUER TO APPROVE THE AMENDED MINUTES FOR FEBRUARY 5, 2018.

- D. Hire Lucas Phelps, William Mangan, Kristina Kizer, Aaron Hill and Isaiah Brunette as St. Francis Fire Fighters contingent upon successful completion of all pre-employment testing

Bauer asked to remove this from the consent agenda. Noticed a couple of the new names are relatives of current members on the fire department. Bauer asked Fire Chief Dave Schmidt what happens if a husband and wife go into a fire and problems occur, whom would you save.

Schmidt stated I think we are all family. We all watch out for each other no matter who it is. That is why we call each other brother and sisters. Bauer said because of my past experience, I would first do a quick assessment and then would save the one that has a best chance to survive, that's the answer I was looking for.

Schmidt said the two members in question. Lucas Phelps military trained fire fighter and son of a current fire fighter. Kristina Kizer's husband is on the fire department and she too has military fire fighter experience. Schmidt said I have zero concerns about either but appreciate your (Bauer) concerns.

Muehlbauer asked if they both live in town, Schmidt said yes.

Skordahl said I do not think we have a reason not to hire them according to our policies.

Bauer said St. Francis has had a poor history on this type of situation. Don't believe they are all finished through the pre-employment hiring process. Schmidt said we do not have another council meeting before the training academy starts, so that is why they are on this agenda with contingencies. Schmidt stated no one would continue if they do not meet all the required pre-employment testing requirements.

Feldman said we do have new leadership here, I feel confident under Dave (Fire Chief) and Joe's (Assistant Chief) leadership. Skordahl also said we do have policies in place.

MOTION BY TVEIT SECOND SKORDAHL TO APPOINT LUCAS PHELPS, WILLIAM MANGAN, KRISTINA KIZER, AARON HILL AND ISAIAH BRUNETTE AS ST. FRANCIS FIRE FIGHTERS CONTINGENT UPON SUCCESSFUL COMPLETION OF ALL PRE-EMPLOYMENT TESTING. Motion carried 4-1. Bauer. Voting nay.

5. **MEETING OPEN TO THE PUBLIC**

- A. Sarah Hunt, 23246 Kerry Street, I would like to address the fire chief. What I am about to say may be a little shocking but I think it needs to be said and I really do hope with you being chief now it doesn't reoccur. Between eight and six years ago, we had multiple married couples on the fire department. There were at least three affairs that took place within the fire department. I certainly would hate for that to happen again. It puts a big blemish on the department. Not only that, you actually have fire fighters that are concerned about you hiring

a couple of them. Not sure if you are not talking to them or are just ignoring their concerns. Just wanted to bring this up to the council as well.

6. **SPECIAL BUSINESS**

None

7. **PUBLIC HEARING**

None

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

A. Ordinance 237, Second Series – Amend Regulations on Solar Energy Systems (2<sup>nd</sup> Reading)

Thunstrom this is the second reading of the Solar Ordinance.

MOTION BY MUEHLBAUER SECOND BAUER TO APPROVE THE SECOND READING OF ORDINANCE 237, SECOND SERIES AMENDING REGULATIONS ON SOLAR ENERGY SYSTEMS.

Roll Call: Yays: Feldman, Bauer, Skordahl, Muehlbauer, and Tveit  
Nays: None

Motion carried 5-0.

Tveit asked if we had a summary resolution for this ordinance. Council agreed for a summary resolution to be brought back to the next meeting for consideration.

B. Emergency Management Plan

Police Chief Todd Schwieger stated having an Emergency Management Plan in place is essential to insure the City of St. Francis is prepared to deal with disasters and to protect the public. Schwieger gave an overview of the plan. This plan can be amended annually if needed, and the goal is to get city staff and elected official in different training scenarios. Important to have a plan in place.

Feldman stated this plan has been in place in other cities too. It has been tried and tested in many events. You can use this for something small or a large event.

Bauer good road map if something catastrophic would happen.

Skordahl said it is a good plan. I would encourage you not to put it on the shelf and forget about it. Ideal to have the best information as soon as you can. I often wondered what happens if something happens at a business and we want to put the school on a lock down. Who should or do you call? Schwieger said if

there is imminent danger call 911. Skordahl said we are folks of leadership, what do we do if I get a call that is threatening or could be. Schwieger said always call 911.

Muehlbauer good format, like that it will be reviewed annually. Muehlbauer wants to thank Sgt. Larson how he handle of a recent incident. School was happy how it was handled too.

Feldman said before you go on Facebook, important to call 911 first.

Schwieger said it is tough to correct misinformation once it is out there (social media).

MUEHLBAUER SECOND BAUER TO APPROVE THE ST. FRANCIS EMERGENCY MANAGEMENT PLAN. Motion carried 5-0.

C. Public Works – Bobcat Toolcat Replacement

Public Works Director Paul Teicher gave a brief overview of the history regarding the routine replacement of the Bobcat Toolcat. The one being traded in is a 2012 with roughly 1250 hours. I would like to point out that we were pleased with the trade-in value of \$29,000.

Feldman said with the trade-in is more if they under 1500 hours. Commend Teicher on the great condition of the machine. The machine is at its peak performance the whole time you have it. Teicher stated you want to minimize the down time. Feldman said the trade in was higher because the company was impressed with its condition.

Muehlbauer asked are you trading in a bobcat for a scissor lift. Teicher no, bobcat with a bobcat but adding a v-plow.

Tveit stated trade-in programs are a great deal for the city. Like the buyback programs.

Skordahl, commend staff for keeping the equipment in good condition.

Bauer too want to commend staff for taking good care of the equipment.

MOTION BAUER SECOND TVEIT AUTHORIZNG THE REPLACEMENT OF THE 2012 BOBCAT TOOLCAT FROM CRAWFORD EQUIPMENT WITH A NEW BOBCAT TOOLCAT WITH A V-PLOW IN THE AMOUNT OF \$23,615.62 PLUBS TAX IF APPLICABLE PER MN STATE BID. Motion carried 5-0.

D. Public Works - Scissor Lift Purchase

Teicher stated after substantial completion of the wastewater treatment facility, staff began to recognize the need for a scissor lift to safely complete routine maintenance. One area of concern is changing the eight filters for the aeration blowers. The top of the shroud that protects the filter is located twelve feet off the ground and requires the use of a 14-foot, two-person stepladder and/or an extension ladder. The protective shroud weighs roughly 50 lbs. and safely lifting and lowering of them to the ground has become an issue of concern. The purchase of the scissor lift would allow staff to complete the work safely from an elevated platform level with the top of the shroud. It would free up one person. Staff would also utilize this piece of equipment for roof access, HVAC maintenance, security camera maintenance, light fixture maintenance in/on all city buildings. Teicher is asking for authorization to purchase a 26' scissor lift from API Supply Lifts who had the lowest quote of \$17,600 plus tax, if applicable. This could be purchased with the trade-in funds we received from the bobcat.

Feldman said this will get a lot of use. Safety first, one fine from OSHA could be more than the cost of this piece of equipment. Commend staff with the trade in value and the good condition. No change to the budget.

Bauer liked how you explained this purchase.

Skordahl asked if we can use this at the fire station, do we have a way to get it over there. Teicher said yes we have a trailer that can move the lift. Even with this type of equipment, you still need to be safe. Make sure they receive proper training. Teicher said training for staff is included in the purchase of this piece of equipment. They will still wear a harness and lanyard.

Tveit asked how often do you change the filters. Teicher said monthly on the blowers that run during the month. Tveit said these are safer than a ladder but it does open us up to other liability, daily inspections, etc. Tveit said maybe good this year but it will cost us to maintain and replace this equipment. I believe we should not purchase one and save the money. We could rent one when needed.

Feldman said that was looked in to. For the use of it, it pays for itself in the long run. Can be used in different locations. We are spending money wisely.

Tveit said in Minneapolis they rent one quarterly. Not sure how much it would be. There was no cost difference in the packet. Maybe in favor of holding on to the extra money from the bobcat trade in right now. We are not sure how often we need to change the filters.

Discussion on leasing/renting versus buying. Feldman said we are getting a warranty extension. Money being spent wisely. Tveit said I am not convinced

we need it.

Muehlbauer stated we are saving on the trade in and need to consider safety. Not in the budget but can use the money we received from the trade-in, good job with the research.

MOTION BY MUEHLBAUER SECOND BAUER AUTHORIZING STAFF TO PURCHASE JGL 2646 ES SCISSOR LIFT FROM API SUPPLY LIFTS (LOWEST QUOTE) FOR THE AMOUNT OF \$17,6000 PLUS TAX, IF APPLICABLE.

Motion carried 4-1. Tveit voting nay.

E. City Charter Amendments – Sections 4.05 and Section 7.06

For discussion only. We will need to set a public hearing for the amendments.

MOTION BY MUEHLBAUER SEOCND SKORDAHL DIRECTING STAFF TO SET A PUBLIC HEARING AT A FUTURE CITY COUNCIL MEETING.

Motion carried 5-0.

F. Hazardous Building Process and Designation

Assistant City Attorney Dave Schaps reported there are three residential properties that are in a significant and ongoing state of disrepair. Two of properties have had house fires. The properties identified by staff are; 3731 Bridge Street, 23611 Ambassador Blvd, and 22708 Rum Rive Blvd. At this time, it appears all three properties likely fall under the hazardous building designation as outlined in Minn. State Chapter 463.

BGS would handle the step-by-step process as noted in their memorandum to the City Council. However, hazardous building designations and the corresponding court actions are a non-retainer item. Therefore, it has been the position of our office to approach the City Council prior to undertaking these actions, as outside expert and attorney's fees will be incurred. Minn. State. 463.22 does allow the City to account for and specially assess these costs back against the property; however, the City will need to pay for these expenses up front prior to being reimbursed through the special assessments.

Community Development Director Kate Thunstrom stated two of the properties have extreme damage on the inside because of the fire damage.

Feldman said there are concerns for safety hazard. They need either to be brought up to code or taken down.

Bauer asked if mailings were sent notifying them. Thunstrom stated all received notices. Bauer said well then let us move forward if we can assess.

Skordahl said no choice but to move forward.

Muehlbauer asked about what could be assessed. It was stated legal fees and all fees associated.

Tveit said so these properties have been fined through our administrative process. Thunstrom said they have received administrative notices and given opportunity to appeal but some still choose not to address the issue. Some just pay the fines and not address the issue. Tveit agreed let's get it taken care of.

Feldman again stated he is concerned of safety issues in their current condition, the only way to go.

MOTION BY BAUER SECOND MUEHLBAUER DIRECTING STAFF AND THE CITY ATTORNEY'S OFFICE TO MOVE FORWARD TO UNDERTAKE HAZARADOUS BUILDING ACTIONS AT 3731 BRIDGE STREET, 23611 AMBASSADOR BLVD, AND 22708 RUM RIVER BLVD. Motion carried 5-0.

G. Animal Control Contract Discussion

Feldman stated before we get into this I would like to hear from all sources. We have not made up our minds. To do this correctly, I think is to start a committee. Myself, police chief and another council to interview the parties first before making a decision. Going on Facebook to try and influence us to change our animal control company is not the way to go about it. We received emails from people that don't even live here about this topic. Bring your concern here.

MOTION BY MUEHLBAUER SECOND FELDMAN TO FORM A COMMITTEE TO TALK TO ALL INTERESTED PARTIES AND COME BACK TO COUNCIL WITH A RECOMMENDATION. Feldman asked for discussion.

Bauer said I have read a lot of this unfold on social media. Bauer stated I move to table it. There is a lot of unsubstantial information out there, seems like a witch-hunt on this small business. They are a quality animal control and other cities recently have reemployed this company. We have a great small business doing a good job for our cities.

Skordahl I really have a hard time dealing with he said she said. I don't know, is there something broken that needs to be fixed. Emotion needs to be taken out of the situation and let's be fair. Not opposed to the committee but don't know if there is something wrong enough to be fixed.

Feldman said we have had residents asked us to look into it. Don't really know what to believe.

Muehlbauer said too if a resident asked us to look into, we should look into it. Get the best person, cost wise and stop the emails. Lot of unsubstantial information out there. Our duty is for the residents, best person to serve our residents and make it affordable.

Feldman said to be impartial we need to interview them because of all the information that is out there.

Tveit said pets are parts of people's families. I don't know if we need to change things now in mid-stream. I have had a dealing with my dog and she did everything that was supposed to be done. Don't know how you can fault someone for that. Don't think she (Gratitude Farms) has done anything wrong. I don't think there is a problem.

Feldman said something was brought forward from a resident we need to look into and find the facts and make the right decisions.

Tveit said I don't see a reason to stop the contract.

Feldman said I sat out there and I still don't have all the answers to my questions. I just like to air it out and get the facts out. Open, transparency and accountability is what we ran on.

Tveit said but nothing happened in our city. Feldman said because someone brought it up to us about their concern of this company. Tveit said but what are we going to ask them, what is this committee going to do. Feldman said being it blew up on social media that is why it came to us.

Skordahl said we could do twostep process; first look to see how our current contractor does business and are they meeting our needs. If not then bring back to the council.

Feldman said let's just get the facts. I may not give you what the public wants to hear but doing the best for the residents. Fire storms need to be stopped on Facebook.

Bauer not opposed for a two-part review.

Schaps asked for clarification. We actually have two motions before you. We need to have a second to the motion by Bauer.

Feldman said the motion was to create a committee to look into the concerns asked from the residents. We would investigate to see if the current animal control is meeting the needs. Feldman said it has become a polarized situation. One party after the other. Need to get the facts out there.

Schaps stated Bauer had made a motion to table. Schaps said I think it would be appropriate to clarify the motion.



MOTION BY FELDMAN SECOND MUEHLBAUER TO CREATE A COMMITTEE FOR FACT FINDING TO SEE WHERE WE ARE WITH OUR CURRENT ANIMAL CONTROL COMPANY AND BRING THE INFORMATION BACK TO THE CITY COUNCIL. Bauer wants to make sure there is a twostep process.

Motion carried 4-1. Tveit voting nay.

Feldman asked for a volunteer to be on the committee with himself and the police chief. Tveit said he would. Skordahl stated if anyone can't make it he would be happy to step in too.

10. **MEETING OPEN TO THE PUBLIC**

None

11. **REPORTS**

A. Public Works – Monthly Report

Teicher stated one interesting note in this report is we collected 200 lbs. of Christmas lights this season. They are taken to a recycling location. Feldman asked where are we with the skating rinks. Teicher stated the contract ended February 11. Warming house is closed and with the warm sun the ice does melt fast.

Skordahl and Feldman said they like these reports.

Bauer asked about the Christmas lights, do you take this year round? Teicher said yes. Bauer likes reading these reports.

B. Councilmember Reports-

Skordahl commended whoever manages the electronic sign, thank you. As I drove by this past weekend I noticed the meeting was on Tuesday, I don't get Presidents Day off so I didn't think of not having a meeting on Monday. Keeps up the good work.

Bauer said the emails do need to stop, come to council if you have concerns.

Muehlbauer commended Sgt. Larson how he handled last week's situation with the school situation. Facebook comments got out of hand quickly. Attendance at the schools were down due to what was put out on Facebook, Superintendent Ferguson of ISD #15 said Larson handled the situation well. Appreciate police department keeping us up to date. Facebook is really not the place to get the facts and news. Call up staff, wonderful resource to use.

Tveit reported the Upper Rum River Management Organization met on the same night as our council meeting. There is a ten year plan meeting coming up

and was scheduled for February 22 but they had to change because of a conflict. Have not heard when that meeting has been rescheduled to.

Feldman stated we are all itching for springtime. Days are getting longer, watch out for pedestrians. Study on 235<sup>th</sup> and Rum River Blvd., and on Pederson and Hwy 47 coming this spring.

If you have a concern or an issue, call staff or come to the meeting. It is your council, it was brought to my attention that we don't let people talk, we do. Before you go on Facebook, come here and ask. Staff and council working together for a better city. Take the time to come and talk to us. Still looking at the rate study and the best way to help lower the rates is to get development here. One thing is, I don't like how slow government moves.

C. Upcoming Events -

- Feb 21 Planning Commission Meeting @ ISD #15 Central Services Center 7 pm
- Mar 5 City Council Meeting @ ISD #15 Central Services Center 6:00 pm
- Mar 17 St. Francis Lions Easter Bingo @ SF American Legion 6:30 pm
- Mar 19 City Council Meeting @ ISD #15 Central Services Center 6:00 pm

12. **ADJOURNMENT**

There being no further business, Mayor Feldman adjourned the regular city council at 7:46 pm.

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Barbara I. Held, City Clerk