

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
St. Francis Area Schools District Office 4115 Ambassador Blvd. NW
JANUARY 18, 2022
6:00 p.m.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

2. ROLL CALL

Members Present: Mayor Steve Feldman, Councilmembers Robert Bauer, Kevin Robinson, and Sarah Udvig

Member Absent: Councilmember Joe Muehlbauer

Also present: City Clerk Jenni Wida, Community Development Director Kate Thunstrom, Water Sewer Supervisor Parish Barten, Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), City Administrator Joe Kohlmann, Finance Director Darcy Mulvihill, Fire Chief Dave Schmidt, Liquor Store Manager John Schmidt, and Police Chief Todd Schwieger

3. APPROVAL OF AGENDA

MOTION BY: BAUER SECOND: ROBINSON APPROVING THE REGULAR CITY COUCIL AGENDA

Ayes: Udvig, Feldman, Bauer, Robison

Nays: None

Motion carried 4-0

4. CONSENT AGENDA

- A. State of Minnesota Joint Powers Agreement; Resolution 2022-05
- B. Accept Donation from W.D. Larson Companies (Allstate-Peterbilt)
- C. Pay Equity Report
- D. Rental License Approvals
- E. Bottle Shop New Hire- Melinda Michels
- F. Job Descriptions and Reorganization
- G. Payment of Claims

MOTION BY: UDVIG SECOND: ROBINSON APPROVING THE CONSENT AGENDA ITEMS A-G

Ayes: Bauer, Udvig, Robinson, and Feldman

Nays: None

Motion carried 4-0

5. MEETING OPEN TO THE PUBLIC

Jesse Jones - 7038 Ambassador Blvd. St. Francis asked about the development going in to the east of his property. He stated it is for public benefit for PUD but it only benefits two lots, Lots 8 and 9. He questioned is that a standard and if he were to develop his land when if it only benefits two people. Mr. Jones also questioned if the developer is allowed to subdivide Lot 9.

Community Development Director Kate Thunstrom replied the issue of public benefit is still being discussed and is an agreement that will come before the Council. She continued PUD's are a standard in every development and will come back to Council. The City code in the area is zoned for one unit per net ten acres so it wouldn't be able to develop further unless the zoning was changed again to a rural residential as growth continues to the east and west as is the trend. As of today's, city codes and subdivision requirements, it wouldn't be allowed to developer further.

Mr. Jones commented that the lot behind him is 27 acres.

Thunstrom replied the overall development of 147 acres allows for 14 homes and the developer has capped that.

Mr. Jones asked for confirmation that the developer can't subdivide Lot 9 again once it is developed next to him. Thunstrom confirmed this.

Mr. Jones questioned who is going to prevent hunting on Lot 8, the wildlife conservation. Thunstrom replied if that remains as public property with the City having oversight that it remains a conservation easement, it would be to the owner of the public property or private property to determine who can and cannot hunt on the property.

Mayor Feldman questioned when Thunstrom said the City is the oversight unit, in what regard or what is the responsibility. Thunstrom replied it is the City's responsibility to ensure it remains a conservation property.

Mayor Feldman asked if anyone were to come forward, it would remain like that, that is the City's oversight. Thunstrom confirmed this. Mayor Feldman continued, for the usage of it, it will be the owner of it. Thunstrom replied, based on the agreement of the conservation easement.

Mr. Jones questioned if the owner would be the City or the developer for Outlot A. Mayor Feldman replied Thunstrom had answered it is the owner of the property with the City as oversight, that doesn't allow it to be anything

other than what it is, a conservation area unless it is zoned otherwise.

Mr. Jones questioned who is going to patrol for speed if people are walking around there. Mayor Feldman replied Ambassador is a County road.

Mr. Jones stated it was said no one can hunt there but asked who is to prevent hunters from being on the land because he has people on his farm who shouldn't be there. Mayor Feldman replied the responsibility goes to the owner of the property. The City's oversight only reaches as far as rezoning it as anything other than what it is, a conservation area. That is what Thunstrom said.

Mr. Jones questioned if the owner of the land is the City. Mayor Feldman replied, just the oversight of the conservation area which the City can never rezone. It is a conservation area forever.

Mr. Jones commented it is unbuildable land and it is going to stay unbuildable.

6. SPECIAL BUSINESS – NONE

7. PUBLIC HEARINGS – NONE

8. OLD BUSINESS

A. East Shop Site Rezoning; Ordinance 288- Second Reading

Community Development Director Kate Thunstrom gave a presentation on the ordinance for rezoning two properties the City owns on Birch Street. She stated it is a house keeping step to get the properties back on line with rezoning to the land use guidance of commercial. Originally it was high density residential for the purposes of the senior housing that was considered to go in there when the updated zoning map. She stated this does not effect any currently applications or uses at this time.

Mayor Feldman commented this was discussed at the last meeting and this is a second reading to follow up on the first reading. He had no questions.

Robinson stated he had no questions and that it was clear to him.

The Council had no questions.

MOTION BY: BAUER SECOND: ROBINSON APPROVING EAST SHOP SITE REZONING; ORDINANCE 288- SECOND READING

A roll call vote was performed.

Councilmember Udvig

aye

Councilmember Bauer	aye
Mayor Feldman	aye
Councilmember Robinson	aye

Motion carried.

B. 2021 Code Revisions- Second Reading

- Ordinance 289- Site Plan Review
- Ordinance 290- Principal Uses
- Ordinance 291- Accessory Uses
- Ordinance 292- Chapter 8
- Ordinance 293- Definitions

Community Development Director Thunstrom reviewed the staff report including the second reading of several code updates. She stated this is from the update of the full zoning code which Staff occasionally come across things which needs to be housekeeping. It is more of a text amendment. This includes definitions and clarifications. There are five actions to adopt for the housekeeping and text amendment changes.

Mayor Feldman stated, once again, this was discussed at the last meeting.

MOTION BY: ROBINSON SECOND: UDVIG APPROVING 2021 CODE REVISIONS- SECOND READING. ORDINANCE 289- SITE PLAN REVIEW

A roll call vote was performed.

Mayor Feldman	aye
Councilmember Bauer	aye
Councilmember Udvig	aye
Councilmember Robinson	aye

Motion carried.

MOTION BY: UDVIG SECOND: BAUER APPROVING 2021 CODE REVISIONS- SECOND READING. ORDINANCE 290- PRINCIPAL USES

A roll call vote was performed.

Mayor Feldman	aye
Councilmember Bauer	aye
Councilmember Udvig	aye
Councilmember Robinson	aye

Motion carried.

MOTION BY: UDVIG SECOND: BAUER APPROVING 2021 CODE REVISIONS- SECOND READING. ORDINANCE 291- ACCESSORY USES

A roll call vote was performed.

Mayor Feldman	aye
Councilmember Bauer	aye
Councilmember Udvig	aye
Councilmember Robinson	aye

Motion carried.

MOTION BY: ROBINSON SECOND: UDVIG APPROVING 2021 CODE REVISIONS- SECOND READING. ORDINANCE 292- CHAPTER 8

A roll call vote was performed.

Councilmember Robinson	aye
Councilmember Udvig	aye
Councilmember Bauer	aye
Mayor Feldman	aye

Motion carried.

MOTION BY: BAUER SECOND: ROBINSON APPROVING 2021 CODE REVISIONS- SECOND READING. ORDINANCE 293- DEFINITIONS

A roll call vote was performed.

Mayor Feldman	aye
Councilmember Udvig	aye
Councilmember Robinson	aye
Councilmember Bauer	aye

Motion carried.

C. Resolution 2022-06 Authorizing the Summary Publication of Ordinances 289-293; Amending the Zoning Code

MOTION BY: BAUER SECOND: UDVIG APPROVING RESOLUTION 2022-06 AUTHORIZING THE SUMMARY PUBLICATION OF ORDINANCES 289-293; AMENDING THE ZONING CODE.

Ayes: Bauer, Udvig, Robinson, and Feldman

Nays: None

Motion carried 4-0

9. NEW BUSINESS

A. Ordinance 294- Amending Chapter 3 City Code, First Reading

Water Sewer Supervisor Parish Barten reviewed the staff report and introduced the amendment to City Code Chapter 3. He stated these amendments would help

residents and Staff by establishing a criteria for when the connect water and sewer to the MUSA be extended. This includes water and wastewater.

Mayor Feldman asked for clarification on the staff report where it says “effect what is best for the City for connection/disconnections being made from existing properties, and or new construction properties.” Barten confirmed this. Mayor Feldman asked for confirmation that this has to do with connections and disconnections.

Barten replied, should water and sewer be extended, where ever it is extended, it would have a set criteria for which the residents have well and septic currently to connect to the new water and sewer that is put in place. He continued it would set criteria for when to disconnect as well.

Mayor Feldman asked, because he is curious about the MUSA expanse which is on the table, let’s say someone on a septic system on acreage still wants to maintain their septic and well, would they have to hook to the system or would they have an option to hook to the system. Barten replied what would happen, should the septic fail, at whatever time requirement the City Council gives then they would have to connect to it.

Mayor Feldman asked if until then they would be grandfathered in. Barten confirmed this.

Robinson commented that was his concern about forcing individuals to hook up. He asked about hardship cases and the age of a system. He asked if there was a system that was five years old and had a connection issue, and the residents calls to get a permit for repair does that raise a flag for the City and give reason that they need to hook up. Barten replied the City doesn’t want to force anyone but there is where Council would come in to work with the citizen to set a timeframe.

Mayor Feldman asked for clarification that it would come to City Council to decide what the time limit is. As in Robinson’s example, five years, a brand-new septic failed, the City could adjust for it and have some flexibility for it because those fields should last longer than five years. Barten replied typically wells and septic should last 20 years.

Robinson commented usually when someone pulls a permit that is when a flag goes up. Barten replied with inspection they would know when the septic is coming to the end of its useful life.

Bauer commented he had an issue with c “existing homes and buildings as such, reading “municipal water becomes available a direct connection shall made available such public systems within a period of time set by City Council”. If the connection is not made in this chapter a penalty shall be levied in the amount set forth by the ordinance.” He disagreed with the way that is written. He supported if

a homeowner is on well and septic and City water and sewer goes by their property and their well fails and they come to the City to pull a permit instead of spending thousands of dollars you must connect to the City. He believed there are some shared costs because when City water and sewer goes through there always is, the same for septic. He felt this read as soon as it goes through, existing homes and buildings need to connect to the water or face penalty. He stated the Council wants to give residents options for connecting when MUSA comes through their neighborhood but not force them to make that connection, but when their systems fail it would be fine. He also didn't see any provisions included for when the residents want to connect to City water, they would want to use their other well for purposes other than drinking. He noted it reads that it needs to be sealed by a professional and never used again. To him, it is government taking away the residents' right to do what they want with their land. Barten replied under section 3-4-9, that resident can keep the well if they chose to use it for irrigation. The well would have to be sealed if they are not going to be using it at all.

Mayor Feldman asked for confirmation that that is by State guidelines, not City, that dictates wells. Barten confirmed this, adding that it is not being said that residents cannot use existing wells for irrigation purposes if they chose to connect to City water.

Bauer questioned who is going to go out to monitor that. He asked what the volume of water in a private well that they don't want to get sealed. To him, that is a selling point that makes the land more valuable for irrigation and beautifying the lot. To deem a well not usable, question the amount, and say it needs to be sealed. He felt that is government overreaching landowner rights. Barten replied a citizen can apply for a maintenance permit which means they are going to keep the well onsite unsealed in the event they want to use water out of the well they can. That is an option as well. He added that the last thing the City wants is open, accessible wells. As a part of the well protection plan that one thing they are striving for.

Mayor Feldman added they don't want contaminated wells. Barten confirmed this.

Mayor Feldman referenced the staff notes where it says "public system within a period of time as determined by the City Council" so that timeframe that the Council will, at that point in time, when the Council get to that discussion will decide they can discuss the timeframe to let people phase in to City sewer and water versus septic and well. Once again, they are grandfathered in at that point. He pointed out again, that wells are dictated by State. Barten confirmed this. Mayor Feldman continued the residents may have to go to the State to fight some of those issues. There is only so much the City can do.

Robinson questioned if there is a fee for a maintenance permit. Barten replied he wasn't sure what that is.

Robinson questioned if there is a fee, not just documentation. Barten replied he

thought there was a fee but didn't believe it was significant. He stated he may be incorrect with that, that there may not be a fee with the State.

Community Development Director Kate Thunstrom commented with the wells, when a household hooks up to the City system there are backflow preventer pieces that are required by the building official. At that point, it should be ensured that that well is completely separate from the City water lines. That is when it could be identified to keep it for lawn irrigation or to fill a bucket one time a year versus abandoning it and putting a cap on it saying it is never going to be used again. That is where the State wants them sealed. She believed the well permit was \$20 or \$50. It is really for the purposes of determining where on the property the well is. Most of those records regarding wells are kept through the department of health, but when older ones come through when they are hooking up or changing a well site, it is documentation if something changes with the house that the City can work with the State to protect the aquifers.

Mayor Feldman commented when someone is buying or selling a piece of property they have to acknowledge if a well is on the property in the purchase agreement. It is there for that purpose too.

Bauer commented for the changes in the ordinance, if he were a homeowner who connects, has the well locked and sealed but if he sells the property, can the next homeowner could open the well. Barten replied, no, a sealed well is sealed.

Bauer commented he disagreed with that. He wasn't sure if this discussion would need to be continued.

Mayor Feldman replied that is still State regulated.

Barten replied once a well is sealed, that sealing record is sent to the State and then that well is no longer for use. New homeowner, if they chose they could put in a new well, that is State regulation, not City.

Mayor Feldman commented that then it is out of the Council's hands and that well couldn't be used but the homeowner could dig a new well. That is just the way it is.

Councilmember Udvig added that had nothing to do with the Council; they can't control it.

Councilmember Bauer commented that the City is forcing homeowners to either seal the well or leave it open and he thought that an overreach.

Councilmember Udvig replied that is the only choice.

Mayor Feldman replied the Council isn't doing it, what they are doing is, because

of the expansion of the municipal service area, the water and sewer area, is expanding out. It gives them an option to connect to the system but at the same time the City has flexibility in it, that they are going to be grandfathered in and will be putting a timeframe on it. So, as Robinson brought up, in a five-year period most likely it will go longer than that because most wells last 15 to 20 plus years, so it's just a matter of what the Council decides to attach to that, that gives them their rights but protects the public and falls in with the State guidelines. In the purchase agreement when you sell a recent property, as was just done, that is on there to be acknowledged. Again, wells, because of contamination issues, wells aren't like they used to be hundreds of years ago where they are open and exposed. But they are still water and they can contaminate the aquifer. There are reasons the regulations from the State are there. That is why the City has to deal with it. The City isn't forcing anybody to hook into a system, the option is given. He gave the example, of what if MUSA comes to an area and their well is old and instead of spending thousands of dollars to do a new well, they say they don't want the orange water any more and are going to go to City water and sewer and take advantage of it. There are two sides to everything here. The City doesn't want to force anyone, they want to give flexibility but at the same time they want to make sure the residents have the option if they want to go with it. He felt some would and some won't. When that time comes for discussion the Council will have to determine what is a proper timeframe to put that into effect.

Udvig commented she didn't have anything to add.

Mayor Feldman asked how this fits along with other cities that have rural versus urban and expansion of their MUSA. Barten replied in looking at what other cities were doing, it ran similar. There were some things that ran concurrent with things that were already in the St. Francis code.

Mayor Feldman asked what other cities have done as far as timeframes when MUSA gets out to an area that is rural as far as giving people that option or timeframe. Barten replied it depends on the Council. He has seen anywhere up to a year to make the connections, dependent upon if a septic is failing. That would want to be expedited. If someone's well has failed and there is water available, it is on the resident's behalf to expedite it.

Mayor Feldman repeated the question, if the well is operational and the septic field is operational, the resident is grandfathered in. Barten confirmed this. Mayor Feldman continued until that fails, then they would have to come on the system. Then the Council would have to dictate a five-year timeframe, a ten-year timeframe, whatever Council decides at that time, whoever sits in these chairs.

Bauer asked if it is being said someone has so many years past failure time, or was it being said when MUSA goes through, it doesn't matter how old the septic system is that the resident would have a year to connect. He stated there may be systems out there that have been running perfectly fine, they get inspected

according to all the City guidelines, they don't to connect in a year, five years, ten years' time. They will want to connect when it fails. He thought it was cost beneficial to a resident where MUSA has already gone through, they don't connect because their systems are running fine and they are keeping up with the codes. When it fails, then the City can step in and say they can't get a permit to replace the septic, they have to connect to the City, and they have a timeline to do it. He believed that was the proper way to do it.

Mayor Feldman replied that is an open discussion that the Council will have to have at the time. He understood Bauer's point that if the resident puts in a new septic field and well, a year or two before MUSA goes in, should that system be allowed to run until it can't be effective any more.

Bauer replied he thought so.

Mayor Feldman continued that would have to be discussed as a Council when that situation arises. Right now, that is not what this is talking about. He referenced the staff report that read "a direct connection shall be made at such public system within a period of time as determined by the City council." We have to determine that time, we haven't done that yet.

Robinson asked what if the well fails but the septic is fine and vice versa. He has seen that in other municipalities that if digging is happening, they are digging both. He asked what is being allowed for that. Barten replied there are one or two situations like that in town where the house has a private well but is served by the City's sanitary system. It is somewhat similar to that. Should the well fail, connecting to public water system and then it would be a timeframe of the sanitary fail should that happen.

Robinson asked, going forward would a customer have the same opportunity if their well fails but they have sewer vice versa, with the new language is there still an avenue to not do both at the same time without having a choice. He has seen that with other municipalities where then the homeowner is burdened with tens of thousands of dollars. Barten replied in a situation like that he could see the citizen saying they would want to hook up to both. It might make sense to do them both at the same time.

Mayor Feldman commented that should be the resident's choice. Barten replied it is.

Robinson commented that is all he is asking, that the customer gets a choice.

Mayor Feldman commented that it is understood that septic and well is expensive so they don't want anyone to only have it for a year and have to hook up to City sewer and water. It is up to Council, whoever sits in these seats at the time, to look at the situation, what is most fair to the resident and not force anyone to do

anything. Some people may be fed up with wells or at a time when they are at 19 years of a 20-year system that is ready to fail and this might be their way out. What it comes down to, is this way it is helping the resident to have an option to go to a system and get out of a failed system to a new system. Once it is a failed system, they can't go back to digging a new well, they have to stay on City sewer and water. The Council is going to have to look at it in-depth at the time and see what comes. If MUSA is not there yet, it is another discussion, but MUSA is going to expand, that is a fact so the question is how to be fair and flexible at the same time. He supported giving options to the public and not be forceful but doing right by the City at large.

Udvig didn't have any questions.

Bauer asked for confirmation that this is a first reading. Mayor Feldman confirmed this. Bauer asked if it was possible on item C to take some latitude in that language and put in something about a failing system. The way he reads it, there is no latitude. It reads "a direct connection shall be made to a public system within a period of time as determined by the City Council." There is no latitude for a failing system. He was supportive of increasing the timeline if a system fails when MUSA is available, noting the City doesn't want to have residents polluting the bigger picture but he doesn't like the language with how item C is written.

Mayor Feldman replied the cart is not before the ox yet because MUSA isn't there and it gives flexibility to the Council to set a timeframe. Once the timeframe is set, then a penalty would go into place. He gave the example of someone two years before this goes into effect, puts in a septic field and wants to get 15 to 20 years out of it, they are still grandfathered in and nothing changes. He asked for confirmation from Barten that nothing changes, and they are still grandfathered in. If during the 15 to 20 years, that well or septic field fails, then they can connect to the system and not have to pay for a new system. It is basically saying eventually MUSA will be there and residents will eventually have to be on it. When that eventually happens, is up to the current Council to determine what a fair timeframe is. Barten replied the language could be updated between readings one and two.

Mayor Feldman replied he didn't know what else could be done. He read "public system with a period of time as determined by the City Council. If such connection is not made pursuant of this chapter a penalty shall be leveled" based on a timeframe people sitting in these chairs will calculate. Whether that be two years, five years, ten year, or 15 years but right now the Council isn't even at that time to discuss it. He asked for input from legal.

City Administrator Joe Kohlmann replied Mayor Feldman was right, it is impossible for this Council to predict circumstances of the future Council. This gives the most latitude for either a future City Council be it years or five days. It is hard for anyone to predict what is going to happen as it depends on what the factors are and who is sitting in the Council seats at that time. He indicated this is the most latitude that

can be given.

Mayor Feldman asked Assistant City Attorney Schaps if he had any comments.

Assistant City Attorney Dave Schaps replied, that is correct, it gives the Council the time and ability to hear from the property owner to get the facts and circumstances in regard to what their situation is and to make a decision.

Mayor Feldman stated the bottom line is that the Council is not forcing people to go to MUSA but eventually, MUSA will expand and there will be some situations where a septic or well will fail. When letting them continue to do septic or well when City sewer and water is there, they should have the option to connect to it and be fair and flexible at the same time. That is what the discussion will be about when that time comes. Which we don't know. He noted the Council is under discussion now and it will be a long discussion. He asked from any other comments from Council or Staff. There were none.

MOTION BY: UDVIG SECOND: ROBINSON APPROVING ORDINANCE 294-AMENDING CHAPTER 3 CITY CODE, FIRST READING

A roll call vote was performed.

Councilmember Robinson	aye
Councilmember Bauer	aye
Councilmember Udvig	aye
Mayor Feldman	aye

Motion carried.

Mayor Feldman thanked Barten. He stated if there are any other comments or suggestions before the second reading, they should be brought to the Council's attention.

10. MEETING OPEN TO THE PUBLIC – NONE

11. REPORTS

A. Public Works Monthly Report- December 2021

Water and Sewer Superintendent Parish Barten presented the Water and Sewer, and Streets monthly report for December. He stated on the water and wastewater side, about six months ago they started the American Water Infrastructure Act Plan (AWIA). There were two separate categories within the plan: resident resilience and emergency response plans. Those had to be in to the EPA by December 31, 2021. That happened so it is good for another five years. Well one was removed, a few issues were found with it that are repairable. He stated the goal of meeting 96% water accounted for was not met for December which was good.

Mayor Feldman asked for an explanation. Barten replied it is water that comes out of the ground versus water that is sold. That gap has shrunk.

Mayor Feldman stated ten gallons comes out, ten gallons gets used, and we are close. Barten confirmed this. Mayor Feldman asked if it has always been close. Barten replied not that close. AWWA, Minnesota Department of Health, DNR hope that some cities are within that percent, St. Francis is within 3%. Mayor Feldman commented that is very good. Barten added it can be tracked in real time.

Barten continued by reporting in regard to streets there were four all staff plow events. Staff has been busy.

Mayor Feldman asked for confirmation that there was no lift station on the report. Robinson commented the City is saving money.

Mayor Feldman commented this has only happened twice in five years that he knows of. He also commented that meter re-reads are really low, which is good. He noted the new system with meters seems to be working. Barten replied that it is still worded as "re-reads" but it is not a re-read as it once was. It is more if maintenance was done outside of a house and a meter was removed then it might have to be reinstalled.

Mayor Feldman replied, that is the 13, he was talking about the two re-read meters. He stated that tells him that the new meters are actually doing what they wanted them to do. Barten confirmed this. Mayor Feldman continued it was a little bit of a hardship in the beginning but it has turned out to what they hoped it would be, which is good. He thanked Barten and asked for Council comment.

Robinson commented it has always been a really good. If he has been up at 2:30 a.m. he sees the yellow lights flashing and the Staff is working. He added the citizens are happy and the Staff is doing a really good job and thanked Barten.

Mayor Feldman commented that with the two big trucks the City has, plus the front-end loader, and now the grader retrofit, there are now some really good machines out there doing the job. That is good. He noted some other changes that Staff did with the flappers, that Paul came up with, were some suggestions. Barten agreed there was ingenuity within the Staff in doing some work and in between snows, the guys took time to think about what would work better on certain equipment.

Mayor Feldman gave kudos to the Staff for doing that, noting they take the initiative and do it.

Bauer commented it was a great report. He asked for clarification on the two re-reads if that was the homeowner saying their water bill is too high and can the meter be looked at. Barten replied it can but with the two here, if the meters haven't been read by the data collector, staff will have to go out to read them. It can be

that the homeowner was doing work on the exterior of the home and wires got severed.

Mayor Feldman asked Darcy if she had any comments. Finance Director Darcy Mulvihill replied those are the problems that are being seen.

Udvig replied it was an excellent report and thanked Barten.

B. Fire Department Monthly Report- December 2021

Fire Chief Dave Schmidt gave the December Fire Department monthly comparison report. He stated the response time goal has been met with a response time of 9 minutes and 47 seconds. December was busy with 68 runs. Staffing was done a little with an average of 5 firefighters per response, this is attributed to the pandemic and having to rotate staff. The EMS and fire distribution continues to be around 73% EMS runs and 27% fire runs. He stated there were 9 runs flagged for COVID-19 and 7 runs for an ambulance time of over 20 minutes. There were 5 initial fire inspection and one reinspection.

Mayor Feldman commented it was a great report. He commented on the 9 COVID runs and he wished that was better and hoped time will tell. He stated the EMS is unbelievable. He stated again for the record that if someone were going to have a heart attack, St. Francis is the city to have a heart attack in. Because the chances of being saved or getting to a hospital with this public safety people that are in charge here, people are in good hands. Not All-State, the good hands of St. Francis and he means that sincerely. He continued it was proven during the summer time with the one individual on the golf course. Mayor Feldman commented that he feels so confident, so good about the EMS abilities here in the City, and that both departments are doing excellent. He hoped the public understands what Schmidt has done here, what both departments have done. That when a call is made, there are some people that can actually handle the situation before the ambulance gets there. That is a big deal and he thanked Schmidt for that.

Udvig commented that it was an excellent report. She stated that it is unfortunate that staffing is a problem everywhere. She hoped that that picks up for the Fire Department because that is a burden. She commented she liked to see the fire inspections and thanked Schmidt.

Robinson referenced the fire truck from a couple of years ago and asked if there have been any issues in the last year or so. Schmidt replied there was one issue this year and found that there was a part that needed to be replaced. In mid-October, a check engine light would come on from time to time and a new company came out and determined it was the same part. There was a little delay getting the part. Robinson asked if it was warranted. Schmidt replied not warranted. Schmidt continued the part was replaced and there hasn't been any issue since.

Robinson asked if there was a wiring problem. Schmidt replied there were a couple things that were worked through. There were several computer updates which resulted in an issue with wiring being shorted out. Once that was figured out, they were able to resolve the issue.

Robinson asked for confirmation that it was an issue that was repaired and there hasn't been any more issues and it hasn't caused any service issues. Schmidt confirmed this.

Robinson asked when the commissioning of the new fire truck be. Schmidt replied there is a request to the manufacturer now and he would like to send two people down by the end of January, beginning of February, to do a construction inspection. They are anticipating delivery between March and April depending on the availability of components.

Robinson asked for an update on Nowthen. Schmidt replied Nowthen is going well and three fire fighters were brought out in December, which helps stabilize their staffing. Nowthen is are hiring an Assistant Chief from within their station to help offset the burden on him and Assistant Chief Lawrence. He noted they are a number of initiatives going on.

Robinson asked about the expenses he saw related to physical fitness and if it is getting to where Schmidt wants it and if it is beneficial. Schmidt replied that most of the fitness equipment has been donated. Robison asked if there are expenses coming for that. Schmidt replied he didn't think so, that they have the needed equipment.

Robinson asked if there was anything the Council should be aware of mechanically. He stated the Mayor worked on levelling the floor awhile back. Schmidt replied he didn't know of any immediate needs. He suggested waiting to see where the process goes before investing money into the facility, noting there are minor issues but the current major issues have been resolved.

Robinson asked if less frost is being seen inside the building. Schmidt confirmed this. Robinson continued that means money is being saved on heat. Schmidt confirmed this.

Bauer commented it was a great report. He asked about the seven ambulance response times that were over 20 minutes and how many of those resulted in transport. Schmidt replied he didn't have that information but guessed that a high percentage of those were transport.

Bauer replied it is not on the Department but is frustrating for ambulatory services in St. Francis that it is hard to get an ambulance to St Francis. He commented he has seen that number growing. Schmidt replied it is not just a St. Francis problem,

but is a County, State, and National problem. The number of challenges that EMS has faced in the last couple years is being multiplied in ways that are outside of the Department's control. The Department is aware that the staff challenges with the pandemic that is ongoing, EMS is not immune to that either. They have decided to track the numbers because of the growing pattern. He stated things are being explored for tracking, if it is an over 20-minute response time and it is an emergent transport to the hospital that may be helpful data.

Bauer replied then changes and improvements can be made to reduce response times. He agreed that getting data is important as is letting residents know there is a need if they want to join the Emergency Services. Schmidt agreed and stated that hopefully partnerships can be made for EMS that maybe haven't existed in this part of the country before. It is being looked at holistically to determine gaps and to be a part of the solution.

Mayor Feldman commented that obviously there aren't enough ambulances and not enough staff manning those ambulances for the problems. Fifty calls are seen for EMS to 18 on fire and that is going up, so it is understaffed. He noted it is a trend nationwide and that is why it is important to have EMS service and having that person stay alive until an ambulance gets there. It is truly a matter of life and death. He acknowledged it is a hard situation and it always come down to dollars and cents, sadly but truly. He stated he had a heart attack and the ambulance got him to the hospital and that was good. It was not in St. Francis but in Ramsey. He thanked Schmidt.

C. Community Development Annual Report

Community Development Director Kate Thunstrom presented highlights from the annual Community Development Report. She stated there have been several active projects in the last year with economic development. Development projects include senior housing, industrial expansion and a coffee shop. With initiatives for marketing, she stated a lot of direct outreach has been done. Broadband internet issues on the east and west side of the City is a very time extensive project and is dependent on future growth patterns. She stated the Staff is continuing conversations. She also reported there are three major street and utility expansion projects that are going because of City growth and each have a high impact to the future and current projects that Staff is in discussion on. The Hwy 47 project is moving forward with focus groups on safety and traffic patterns. She reported that the EDA only met once in 2021 to acquire properties along Bridge Street for a possible future City campus. The St Francis Forward Staff continues to use this as a guide to work with developers both with the Bridge Street development and Hwy 47 corridor. She reported that housing projects continue to be strong. Projects include Bridge Street with conversations happening with developers on multifamily apartments and townhouse. Street expansion would be a part of that. She reported there were several housing developments that had completed new homes or had plans to move forward with potential new housing. She reported

that Staff has been fielding calls from residents wanting to subdivide land as well as from developers asking how land can be developed. This is a change from the City seeking out developers. She stated it was a busy year. She reported on the building department stating that permit revenue for building was down a bit this year due to a decrease in permits. She also highlighted building trend reports and new home construction property values. She gave an annual comparison on code enforcement calls.

Mayor Feldman commented that one of the issues he sees, is that CenturyLink has not been very helpful with the broadband issue from what Council has gathered from past discussions, and MinnCo has been more receptive. He wished what would happen as these developments go in, is that it was mandated that they have to put that service in because in today's world, he couldn't see not having internet in some form. A slowed internet, especially as he sees the trend from the pandemic, it seems like more people are going to be working from home more long term. It doesn't seem like it is going to go backwards; it will stay at the same amount or go forwards. He doesn't understand why these companies are so hesitant to do it because it is only money in their pockets. He has said before, when a house is built and a meter put on it for gas and electric, no matter how many times that house turns over with new ownership, it is still getting money to an electric company and a gas company. It is forever for the life of that house. An owner may stay there for five years, but that house could be there for 20 years and they are making money. He didn't understand why internet companies are so hesitant with a development to put it in there. He stated he has been told by developers that do put them in, that they have to guarantee a certain amount of hook up and if they don't do it, they end up paying for it out of pocket themselves. It seemed to him, again, with the trends changing from commuting to staying at home to work, and he doesn't see computers going away; he sees internet being important. He didn't see why companies aren't picking up on that. He stated again, that CenturyLink has not been as workable as MinnCo has. He wished there were two cables, two satellites, and more competition, which is what capitalism is all about.

Mayor Feldman stated, an interesting fact that he was told, and he sees in the staff report on housing is "although the price range with the highest growth rate was in homes selling at over a million dollars" 41% increase, he was told, something to that effect, he asked for confirmation on that. Thunstrom replied she thought it was 46% increase in home sales for a million dollars from last year, that is correct.

Mayor Feldman replied inflation, the economy it boggles his mind. And yet, the price range that tended to sell the quickest was at \$250,000-\$350,000. He commented he didn't know how these people were doing it, but more power to them.

Mayor Feldman commented that Udvig had brought something to his attention before the meeting and it may be something to discuss after the comments from

the Council. He referenced the staff report on code compliance and stated from 2017 to 2021, the City started to put into effect code compliance with Jody handling that with Lyle. He asked if that was done in 2019 or if that was earlier. City Administrator Joe Kohlmann replied he thought it was in 2020.

Mayor Feldman questioned 2020, as he thought it was earlier, in 2019. He stated that what he wanted to say to people, because Councilmember Udvig is going to bring up a concern here, which he'll let her do, but once again he wanted to say to everyone in the City that they need to stop going on Facebook to get information on what the City thinks or does. He noted the best thing they can do is call the City, call Jody or Thunstrom. He stated it seemed to him that people go on there for misinformation and tend to believe everything on Facebook, Twitter, TikTok and other formats but the best place to call is 763-235-3200 or 2630, whatever the case may be, and ask some questions from the Staff and then they will find out which way to go.

Mayor Feldman stated Thunstrom had a good report and turned it over to Udvig so she could say what she thinks. He stated code compliance was changed in 2019 by putting Jody in charge with Lyle Hearn. They have done good there but they still get people who complain on social media networks, which doesn't help the Council to help them.

Udvig commented on code compliance and social media. She has had people contact her and ask what can be done because it is winter. She tells them the City wants to know what the issues are so planning can be done for when it gets nice out because communication is important. She thought it was more neighbors calling in complaints than the code compliance officer driving around calling on properties. It may be true that people have gotten away with things for a long time but eventually there are going to be code enforcements. She stated the City Staff is helpful and willing to work with people if they call the City instead of going on Facebook, then fines can be avoided. She suggested if people don't want to call, just to email, but when Staff calls back, they have to answer the phone. She stated it was up to the residents to know what the ordinances are and the right of neighbors to call in complaints. She suggested people sign up for New Muni Code because it is a good way to keep track.

Mayor Feldman thanked Udvig. He thought she was right and since the City started this, Lyle informs people of what the codes are and gives them time to remediate the situation, which is the right thing to do. He stated the City isn't out to get money, the City doesn't make money by fines, it is made through revenue by tax dollars and development, which he has said on more than one occasion. He stated people go on social media, misinform others, and right away it's the City's fault. He understood with a younger audience brought in through City growth, people care about their properties and when they have to look at an eyesore next to them, he would be the same. If he took care of his property and there was someone who doesn't cut their lawn or has weeds and storage, as he sees in Oak

Grove all the time. He stated his point is that if someone were to call today with a situation that was brought to their attention, it was winter, and something that couldn't be done in wintertime, what would the response be. Thunstrom replied that they work with everyone. If a resident gets a letter in the winter and more time is needed, there is a process outlined by the code. She stated she has brought requests for extensions that go into the spring. She cautioned residents regarding social media that there is a different story on the other side. She echoed the suggestion for residents to call with questions. She stated every resident that gets a letter, gets an application to apply for an immediate 30-day extension. She stated it is residents who are bringing in complaints because they are tired.

Mayor Feldman added that they care about their property. He stated, for the record, Council and Staff didn't put this in effect to get money from the public. They did this so there could be a check and balance to make the neighborhoods comfortable and responsible for the neighbors and everyone involved. It wasn't done to create revenue. He stated he has heard that he created this, that the Council created this, but they didn't do that. What was done was to put a situation in place with Jodie and with Lyle backing her up to inform people of what the codes are so they can remediate the situation and not be fined. He stated if people are not working with the City, then it is their problem, their fault that they are getting fines. He urged people to call and work with the City, not on Facebook, Twitter, or TikTok and then they will be shown flexibility. He stated Council serves the public but when they don't come for help and he hears things through third parties or other people that he created this mess. He didn't create this mess to punish anyone, he created this mess to have a situation to remediate the situation quicker without fining people. He stated this Council has been flexible in giving extensions more than once. He hoped people would hear and call the City. If there is a problem, they should discuss it with the right people, Jodie, Kate or a councilmember, whoever it would take for them to be comfortable with to discuss it because going on Facebook gets them nowhere. He continued that it frustrates him, as he has said in Council meetings and the newsletter. Issues can't be addressed unless they are brought to the City's attention. The City doesn't read minds or drive around looking for problems; they have enough on their plate without doing that. The City tries to find solutions. He suggested to the public that if there is problem, they bring it to the Council and hopefully have a direction or solution to the problem. Then Council can better help them because the City is a customer service business and the public is the customers. He stated he gets so frustrated with Facebook misinformation and being blamed for things that they are given a chance to solve because council is already at fault before the issue is even known, which doesn't make sense to him at all. He hoped that his comments got on record by the minute taker.

Robinson commented that usually it is 5% or less of the people who are the offenders and they are acting like victims. The victims are actually the 95% who are doing what they are supposed to be doing and have pride in their neighborhoods. He stated he had no sympathy for the offenders. He referenced

a property to the east and asked if a city ever ask another city about something that looks poor that borders their city.

Thunstrom asked to clarify, if the question was, does a city call another city and ask them to address their own issues. Robinson replied yes, because he knows it is a complaint-based city.

Thunstrom replied she hasn't done that yet. If there is a neighbor, they are encouraged to call the city in which the property is located.

Robinson questioned CenturyLink's participation. Thunstrom replied she has had one phone meeting with eight members of the CenturyLink team who promised some mapping, quotes, and data. Two quotes are needed in order to get any of the grants or be considered for any funding. She stated they were supposed to come the end of December but it hasn't come yet.

Robinson questioned if it was correct that there was a secured County grant that was matched to help with what is going to take place with MinnCo. Thunstrom replied, no and the County is also looking for multiple bids. Because it's federal funding, federal procurement requirements have to be followed. The County is looking for two quotes. She stated she has shared concerns in getting two quotes and St. Francis is not the only city that is expressing concern with CenturyLink right now; there are other cities in the northern suburbs as well. Staff is working with Anoka County to try to get help as well. She stated she has what is needed from MinnCo but is waiting for documentation from CenturyLink.

Robinson questioned if what was spoken of in early spring and summer is sitting idle because two bids are needed. Thunstrom confirmed this. Robinson continued that he had seen MinnCo trucks after several of the meetings and thought things were progressing.

Thunstrom replied because of the increased development, MinnCo chose to do their expansion on the east side of the City on their own because they saw enough growth in the past few years. They have also identified areas as projects on the west side. They are looking for a private/public partnership which would need City and County funds. Getting CenturyLink to match up for comparison has been a challenge. She continued that the growth helps because it may cause them to do it on their own. Right now, they are looking for funding for the project on the west side because the east side seems to be taking care of itself.

Robinson commented that the west side is more important because it is more populated; complaints from parents during homeschooling was from the west side as well. He asked for an update on the neighboring community's holding pond. Thunstrom replied she has not heard anything nor has anything been brought to her attention regarding input from St. Francis.

Robinson also asked about a retail outlet that was planned for south of Hwy 47. He stated it is a duplicate store to what is already in town and asked if the other one was going to be closed as it seemed redundant to him. Thunstrom replied they are either backing out or moving very slow. Land use applications have not been met, so they will miss the February Planning Commission meeting. She stated the first store was struggling.

Robinson added they are struggling with a lack of employees and corporate didn't seem to care or be involved. He didn't think it looked good to have two of the same store on either end of town and asked if there was a purchase agreement in place. Thunstrom replied she believed there was a purchase agreement and the surveying and site work had been completed. Their next step would be to come to City Hall for the lot split and then site plan approval. It was her understanding that the City couldn't single out a store if it were allowed for commercial retail. The company hasn't indicated to Staff if they are going to close or sell their other store.

Robinson replied he thought it would be a hardship for that end of town if the store closes. He thanked Thunstrom for all her hard work and expressed excitement to see the future of the northeast corner and what that could be as well as the senior housing project that is progressing. He appreciated business people who are investing in the City and felt it will be an asset to the community when it is completed.

Mayor Feldman asked about CenturyLink deal, if they are bidding against each other for the right to put their service in the developments or can't they both put their service in the developments. Thunstrom replied the problem on the west side is that there currently isn't enough homes for the providers so they are asking for City financial assistance. For example, MinnCo stated they would contribute about two thirds and the City would be responsible for one third, based on the number of residents today. Being there is only one pot of money, if it was requested that both companies were to lay lines, they would both want money because there aren't enough residents to support the lines on their own. The grants are where the City would apply for a project by picking one company but there needs to be a price comparison to ensure they are getting the best price.

Mayor Feldman stated he just got an email today from the League of MN Cities talking about a \$2 billion plus infrastructure bill from the State. City Administrator Joe Kohlmann commented that may be part of the problem, everyone was rushing to put this in and that is why Thunstrom isn't hearing back from CenturyLink because now there is a mad rush on the companies with extreme pressure and a lot of money flowing around.

Mayor Feldman replied it always comes down to dollars, but he would think these companies would want to get their lines in there. As the area is growing, it starts with a small group of homes and it expands upon that throughout the expansion, so they are going to get their money back. He asked, when they are the only show

in town giving up cable or DSL, how do they lose money. He stated years ago with capitalism, with competition, there was better pricing, better quality, and better service but today, it seems like a stacked deck which doesn't make sense to him. If the company were to put it in now and start with ten homes, that ten homes will turn into 20, 30, 50 homes and they would get it back. And yet this money is out there through the federal government and the State, over \$2 billion in infrastructure dollars and some of that is going to broadband. He asked if the company knew that. Thunstrom replied they do.

Mayor Feldman commented he just didn't understand CenturyLink. He questioned who Thunstrom is talking to at CenturyLink and if she needed to go to someone higher up. Thunstrom replied when she was on the phone call, it was with their team which had people from four different states including a regional rep, the person working with site plans and designs. She stated when thinking about the money, the federal government and the State are giving out money and saying they want border to border. Anoka County took part of the funds that are still federal to expand and give money to every city. Every city that has a gap is calling CenturyLink, MinnCo, Xfinity are all tripping over each other. These providers know all that money is out so it's not about money anymore.

Mayor Feldman replied they should hire more help then. Thunstrom stated that Anoka County had all of them come in one room and several cities were doing projects and asking for the same numbers and deadlines. The providers are trying to manage all of the requests. Mayor Feldman commented they were doing a poor job of it in his opinion.

Bauer commented that it was a great report. He stated in looking at CenturyLink from a business position, he thought St. Francis may be farther down the list than other cities. He also stated that in running the numbers, only 7% of residents were getting a code enforcement citation. He agreed with the Mayor that the City isn't trying to raise a revenue stream from fees but a code enforcement system was created because citizens were complaining and the City had to set up something. He commented that there are 771 properties with their own septic and wells. He asked residents to get them inspected to prevent system failures and to follow the regulations through the City which also meet State and federal requirements.

Mayor Feldman commented Bauer said it well on the code enforcement.

Robinson commented he gives kudos to Liquor Store Manager John Schmidt and team because the Bottle Shop ranked in the top 10 liquor stores in the State as far as a sales margin.

Mayor Feldman commented that they should be happy with that and let the public know because that revenue helps keep the tax levy rate low. It also goes back into the City for special projects. He hoped with the expansion more will be seen. He thanked Robinson for bringing it to the Council's attention.

12. COUNCIL MEMBER REPORTS

Udvig reported she attended the work session. She thanked the people who called her about Green Valley and hoped she was able to clarify things for them. She also thanked the people who called her about code compliance. She hoped they followed her advice to call Jody. She stated for residents that information will be in the letters and she hoped residents would use that information to help themselves.

Bauer reported he also attended the work session and fielded phone calls from Green Valley. He stated it will be coming up on the agendas soon if anyone wanted to discuss it further. He also stated he would love to give his opinion on landowner's rights if anyone wanted to call.

Robinson reported he also attended the work session, which he enjoyed, took calls about Green Valley, and enjoyed the community involvement and feedback. He appreciated the respectful nature of those voicing concerns. He commended Superintendent Beth Giese who he felt did a good job in leadership, work ethic, and dedication to the City. He stated whatever is good for the school is good for the City.

Mayor Feldman commented that has been said before and he completely agreed. He stated it seems like sometimes it works only one way, not the other. He hoped they understood that as much as the Council wants it to be understood. He continued regarding the un-named city Robinson mentioned that he hoped it didn't fall on deaf ears, but only time will tell.

Mayor Feldman reported on the Liquor-Muni that Water and Sewer Supervisor Parish Barten, himself, and the architect met last Thursday and were going over the bills to finalize the note. Right now, the only thing that will be escrowed will be some repair on the outside of the building and some redo of the painting of the new addition. That will be escrowed for a springtime or summertime repair. The lower cabinets in the wine tasting area still have to be dealt with. There has been a situation with their walk-in cooler with freon that will be solved tomorrow. Right now, they are winding down and the store will have one big clean up as a part of the bid and is fully operational as it has been. He noted many compliments have been received on the store and gave kudos to Liquor Store Manager John Schmidt and staff. He noted on the consent agenda, an individual was hired that was there for many years and is coming back so that helps. He commended John, Crystal, and Corinne for holding down the fort really well through the whole thing and for their patience. He stated that although he has been doing this for many years, it was getting to him at the end so he is glad it is winding down. He hoped this will get settled with the numbers. One benefit is that he was there for all of it and one thing he knows is that everything will get paid that is owed, not one less not one more. They will get paid. He continued at the end of the day, he is satisfied with

the outcome of the store and it was a lot of hard work but they can move on from that. He stated there will be some closer returns done on the front doors in the spring time to make shutting the doors a little easier. He was sure that one thing he would be bringing to Council next year will be landscaping and a sprinkler system for the lawns. There is a good-looking building and now we have to make the landscaping match it. That will be brought to Council attention. That is why it was held off in the beginning for the construction and will be dealt with later on. He stated it was probably a good thing to do, especially with water being as tight as it was and the summer being as hot as it was. It would have been a waste of money to do a lawn at that point. Other than that, he repeated that he thought the staff is doing really well there and with the new addition of the part time, it will help out a lot. He thanked everyone. He stated he did a lot of work there but he had a team behind him and he wanted to thank them all for that.

Mayor Feldman continued, it does always take a team and that always brings him to his last conversation as he says in every meeting. This is a team, it works as a team, and things get done as a team. Whether it is a Staff member that brings up an issue or a Council Member that does, nothing ends up in completion unless it is done as a team and if they all work together they are a cohesive force. From the first day that he started being Mayor, he saw Joe Kohlmann write on an off-week memo 'Team St. Francis,' and that has stuck with him. He told Joe to emphasize that and Kohlmann has done very well with that because they are a team and work together. He stated it has been a real honor and privilege to work with you guys. He doesn't worry about problems because he knows they will get solved, hopefully a little faster and less expensive timewise, but he always knows that problems will get solved. When he came in, in the beginning, they had to deal with a lot of past problems which was difficult at the time. He remembered having discussions with Kohlmann and Thunstrom about that, frustrations being settled out, but at the same time they sorted it out. He stated that growth is a double-edged sword. There are going to be people that are for growth and people that aren't and there are going to be problems created by growth. That is what is being faced here today. The situation that was done by restructuring the administration, as has been done, will help pursue this growth in a good way. He thinks it is really important to take advantage of the growth they have right now and hopefully the seeds planted today will pay off big dividends 10, 20, 30 years down the road. He again gave kudos to the Staff and Council for working as a team.

Mayor Feldman emphasized again that residents need to talk to Council and not the social media as they will not get anywhere with social media, only more frustrated and more mad and blame everyone else for their lot in life. The best thing to do is to give the City an opportunity to solve the situation or issue. Then if it is not solved to your liking, which may happen, it will be a fully vetted issue that we will look into. At the same time, they could say at least they gave the City an opportunity. He would rather the Council and Staff be given an opportunity to solve something, and maybe not to your liking, but when you go on Facebook, hear misinformation, and spread misinformation, they are not helping the City to help

you better. He urged people to come to them and talk to, stating they are not that hard to talk to. He asked if there were any other business. There was none.

13. UPCOMING EVENTS

January 17, 2022 – City Offices Closed in Observance of Martin Luther King Jr. Day

January 18, 2022 – City Council Meeting – 6:00 p.m.

January 24, 2022 – Annual City Charter Comm. Meeting – 5:30 p.m. at City Hall

February 7, 2022 – City Council Meeting – 6:00 p.m.

14. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular City Council at 7:45 p.m.

Jennifer Wida, City Clerk