

CITY OF ST. FRANCIS
CITY COUNCIL AGENDA
St. Francis Area Schools District Office 4115 Ambassador Blvd. NW
APRIL 4, 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, Sarah Udvig, and Joe Muehlbauer (attended remotely)

Also present: Interim City Administrator Kate Thunstrom, Deputy City Administrator-City Clerk Jenni Wida, Assistant City Attorney Dave Schaps (Barna, Guzy & Steffen), Police Chief Todd Schwieger, Finance Director Darcy Mulvihill, Streets and Parks Supervisor Jeremy Shook, Water and Sewer Supervisor Parish Barten, Liquor Store Manager John Schmidt, and Fire Chief Dave Schmidt.

3. **APPROVAL OF AGENDA**

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

A roll call vote was performed:

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

Motion carried 5-0

4. **CONSENT AGENDA**

- A. City Council Minutes – March 21, 2022
- B. Investment Advisory Services
- C. Transient Merchant/Food Truck Permit Application
- D. Payment of Claims

MOTION BY: ROBINSON SECOND: MUEHLBAUER APPROVING THE

CONSENT AGENDA ITEMS A-D.

A roll call vote was performed:

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

Motion carried 5-0

5. MEETING OPEN TO THE PUBLIC

No one came forward.

6. SPECIAL BUSINESS – NONE**7. PUBLIC HEARINGS – NONE****8. OLD BUSINESS – NONE****9. NEW BUSINESS****A. Pre-Architectural RFP-Building Design Feasibility**

Interim City Administrator Kate Thunstrom gave a presentation on the pre-architectural RFP results for the building design feasibility. She stated this is the next step they would move forward with for the City Hall/Fire Station building. She stated the space, cost and site are identified in this step but doesn't commit the Council to construction but is a planning step to determine what fits on the site and what is reasonable regarding access on the site.

Mayor Feldman thanked the committee for the work they did in touring the different facilities under different architects, which he stated, were vetted through reference checks. He stated they learned through the Liquor Muni to be more thorough, do more due diligence. He stated every architect was vetted, called the various cities, talked to the Fire Chiefs, and took tours. He stated he was very impressed in all regards. He thought any of the top three companies would have been sufficient, but they wanted to get the cream of the crop, which is what he thought they did with the decision on Brunton. He liked the supply chain for pre-cast construction, their ability to build on smaller sites like the one they have, and the fact that their communication levels were high. He thought all three companies had high communication levels but the supply chain was a little more impressive with Brunton as far as today's market and getting pre-cast. He stated they all felt after the process that this was the architect to go with and he thought it was a good choice. He asked for Council feedback starting with Council member Robinson.

Robinson commented he thought it was a very thorough job. In looking ahead he is excited about the Fire Station and City Administration side of it. He wanted to see this be the most versatile building for the citizens as possible since they will be helping to build it. He stated it is a dire need for the City. He felt other cities were missing out by not reaching out to St. Francis because they are building a state-of-the-art building along with the talent that will be in that building. He stated his looking forward to shaping it as they go through the process.

Mayor Feldman commented the key to the City Hall/Fire Station is that they want to build it for the use today and the needs tomorrow. He stated that is the most impressive thing, so that as the City changes and the need changes with the growth of the City this building should be able to handle that.

Corey Brunton, President and CEO of Brunton Architects and Engineers, stated he was there to answer any questions the Council had.

Councilmember Muehlbauer commented he was excited to move forward and see what they could do with that site.

Councilmember Udvig commented she was excited too. She stated she was glad the committee put time in and went to do some tours. She was glad this project is moving forward.

Bauer asked about the site analysis and what that entailed. Brunton replied because this is a Fire Station and City Hall site there are a number of things that have to be done carefully. He stated safety is the number one most important thing they look at when they design anything. He stated there is a lot to the site analysis including the site, the utilities and access to those, considering the density of the surrounding neighborhoods and site lines.

Bauer commented he would like to see this bigger than smaller and work with the County to bring in the community library that is in the City as well. He stated he would like to see the post office in there with their own garage and work with the Federal government to bring the City into a bigger and better environment for the community to be able to come to one building that will last 75 to 100 years.

Brunton replied he respected the desire to get the most for their money. He stated they are designing a 75 to 100 year building. He stated with safety being the most important thing that they have to ensure they don't pack too much in that it becomes unsafe. They have to make sure the requirements for parking are met so responding firefighters have a place to park. He stated the site isn't very big and when he was inquiring about the concept of a community center on the site, which is different from a community use room. He stated that is not what they were talking about because the site isn't big enough. He stated he heard the request and they will look at creating a program of spaces taking the information provided. They will look at synergizing spaces to reduce construction costs with their

expertise. He stated post offices can be difficult to work with. He stated the idea of creating a lobby so there is a balance of access but not too much public access to the Fire Station side or the City Hall side and ensure responding fire fighters can come and go safely. He stated they will look for synergies where they could be, but he didn't think the parking lot would allow for much more than what is planned.

Mayor Feldman commented what impressed him with Brunton was the size of the sites they have been on. For example, he checked with Albert Lee on a four-acre site and New Port with a 1.6 acre site which is for a Fire Station, City Hall and a small segment for the Sheriff's Department. He commented he understood where Brunton was coming from. He stated they would need to put together a wish list. He explained to the Council that a wish list is a wish list and how it comes down from the beginning to the end will depend on their pocketbook and the site. He stated the committee put together a wish list, things that were discussed before, which will go to Brunton and his company. He stated they are in the beginning of the process but are in a good position after the vetting and tours. He commented he will be excited to see New Port under construction. He stated he is a fan of pre-cast and it was amazing to him to see that pre-cast can be made to be really beautiful. He gave the example of the industrial buildings on Highway 169 south. He thought it was a veneer of brick, or a brick building, but it isn't a brick building but the mold that was used for pre-cast. He stated that even the trash area was pre-cast and very appealing. He stated it is a 26,000 square foot building with two floors and they are planning a 27,000 square foot building. He stated he thought they were going in the right direction and the main thing was to build this with the mindset of the use today and the needs tomorrow. He emphasized spending money today will save tons of money in the future.

Brunton agreed. He stated pre-cast is a product is going to cost more for materials but far less in labor, which is a current problem. He stated pre-cast is one of the few materials that hasn't been impacted by the pandemic. He stated it is a highly durable material that has brick embedded in it. He stated the neat thing with pre-cast is that they can take brick and put it in the mold to embed it in with mortar and it will be three times stronger than brick and mortar. He stated these buildings would have inherent characteristics of storm shelters, which are being required.

Mayor Feldman commented they were told they can't core drill on pre-cast but in New Port showed they can. He stated the longevity of the building because of how it was put together is going to be a big part of the payout in the long run. He commented they went to Bloomington and looked at a whole block building, Eagan, and New Port and their many references. He stated they are all excited and there is a good team in place. He commented Council will be brought through the whole process. He asked Brunton to explain for Staff and Council his experience with the Fire Department.

Brunton replied he is a recently a retired fire fighter. He stated he looks at projects both from the user standpoint, the architect, and construction standpoint. He stated

they are the designer and will help the City hire a construction manager, or if they want to go traditional they will help with that process. He reiterated safety is important and understanding how operations work for the Fire Station on the ground but every station they design is 100% unique for the needs of the site and community.

Mayor Feldman asked if there was no cookie cutter plan, if it is correct that it is all customized. Brunton confirmed this.

Mayor Feldman commented that is what he heard from the representative and the Chief at Albert Lee said that when it came to questions that the company gave their input but always went with what the city's needs, not the company's needs. Brunton confirmed this adding Albert Lee was a great project, which won national awards. He stated they had looked at placing that building at a new site just out of town and there was a lot of turmoil questioning if that was the right site. The City eventually went with a downtown site to get it close to the City Hall and Sheriff's Department. He stated it was more expensive but it was valuable.

Mayor Feldman commented they came in under budget. Brunton confirmed this.

Mayor Feldman continued it was on some soil that was in question and they were able to negotiate.

Brunton replied they are always trying to find synergies and battle to get the best bang for the buck. He stated the more they can impress the City, and advocate for them, the more the city is going to advertise to other cities. He commented he was glad the committee checked on the company because he wants other cities to do the same and have St. Francis be a testimonial.

Mayor Feldman commented they learned from past mistakes, which are going to happen because they are human, but the key is to learn from it and not repeat them. He asked if there were any more questions for Brunton by Council. There were none.

MOTION BY: UDVIG SECOND: MAYOR FELDMAN TO ENTER INTO A CONTRACT WITH BRUNTON ARCHITECTS & ENGINEERS FOR THE PRE-ARCHITECTURAL NEEDS OF A CITY HALL AND FIRE STATION INCLUDING COMMUNITY USE SPACE AS PRESENTED BY STAFF.

A roll call vote was performed:

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

Motion carried 5-0

Mayor Feldman thanked Brunton for coming to the meeting.

B. Zoning Preemption Legislation

Resolution 2022-18 Supporting Housing and Local Decision Making Authority

Interim City Administrator Kate Thunstrom presented the zoning preemption legislation that Mayor Feldman brought forward regarding concerns that are going through both the House and Senate about removing certain local controls. She explained she outlined some of the specifics between the Senate bill and the House bill as they have some similarities and some differences. She stated this is not just a Twin Cities problem but greater Minnesota as well and cities are starting to take a stand.

Mayor Feldman commented he brought this to Council's attention because the League of Minnesota Cities mailed something to him. He stated as a contactor he gets mailing from a building association.

Thunstrom stated it is the old Builder's Association.

Mayor Feldman stated he didn't agree with them that PUD's are stopping development. He stated PUD's, Planned Unit Developments, are a tool. He gave the example that ten years ago, as the City was going in a different direction, that an ordinance could be in place and then ten years later the growth changes, the PUD gives a chance to change with that growth. He didn't agree that that is what is stifling development. He stated he didn't like the fact that the State legislator is telling cities what they should be doing with their land. He thought there were 100 cities that signed on to this already. They are trying to put, where the guidance on PUD's was set to the Department of Labor and Industries (DOLI) as a bottom, now they are setting it as a ceiling. He stated everything is set on the DOLI codes.

Mayor Feldman noted it is like in the Charter Commission hasn't been a fan of a 10th District Judge being in Stillwater deciding what they do they do in this City for Charter members. He felt the Council should be the governing body that elects who sits on that committee because they know the City and that judge doesn't. He stated it is the same here, where he doesn't believe State legislators in St. Paul know what the needs are in St. Francis. He stated this has been tabled in the House and Senate right now but it has been on their plates for many years and he thought it would continue to be until it passes. He stated the legislators are getting some pushback on it. He suggested that if cities are abusing PUD's or licensing and go after them.

Mayor Feldman stated one reason permits are high is because the sewer access charge (SAC) and the water access charge (WAC), which are fees put in place to

maintain the systems everyone pays for. These systems, for water and wastewater, are very costly to maintain and operate and that is what those fees are about. He stated when the State says the City is getting outrageous with the building permit fees, they are not looking at what the fees are pertaining to. He gave the example of a lady who came in a few years ago who came out of the 40 acres, which were divided into two 20 acre lots. The building permits because she was on septic and well was less than \$3,500. If she had been on City sewer and water that would have been over the \$10,000 range because of the SAC and WAC charges. He stated he thought there is a lot of misinformation going out and placing blame on where the fault lies.

Mayor Feldman didn't believe PUD's are the reason that development is squelched. He stated he didn't like the fact that people in St. Paul should dictate what is happening in the City of St. Francis. He stated he supported this resolution. He stated he didn't know how much good it is going to do but thought it was important to speak out. He asked for Council comment.

Udvig commented she agreed with the Mayor that they didn't need government over reach in the City.

Muehlbauer commented there are some positives in that and there are some inditements in that too. He stated he thought what isn't broken shouldn't be fixed but the cities that are abusing things should be addressed. He stated he didn't think the legislators in St. Paul know or really care what St. Francis needs. He thought the resolution was arbitrary and may not do anything really but is more of a position. He thought if 100 cities sign on maybe the legislators will listen to the people.

Bauer agreed with this move. He thought it was big government knowing how to spend tax dollars and now they are telling cities they know better how to run the cities. He disagreed with the push for that. He commented that it is also the mass email to all the cities when there is a small problem with some cities abusing things that should be addressed to fix the problem instead of addressing the whole state. He agreed they need to limit the State from their over reach.

Robinson commented he agreed with the pushback adding the State has issues managing things like mass transit such as the light rail. He didn't think they cared about the expenses that are already spent. He didn't think there was a sense of urgency to see where the money was being spent. He thought the Commission should be elected instead of appointed. He thought the less government, the better.

MOTION BY: BAUER SECOND: ROBINSON TO ADOPT ZONING PREEMPTION LEGISLATION RESOLUTION 2022-18 SUPPORTING HOUSING AND LOCAL DECISION MAKING AUTHORITY.

A roll call vote was performed:

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

Motion carried 5-0

10. MEETING OPEN TO THE PUBLIC – NONE

11. REPORTS – NONE

12. COUNCIL MEMBER REPORTS

Udvig asked residents to be aware of children as there are a lot of children out with the spring-like weather and asked that people watch for children and adults out biking because there aren't adequate sidewalks on a lot of the streets. She asked people to be patient when driving because there are many accidents that could maybe be avoided if people slowed down and had more patience. She thanked Staff for doing an excellent job in helping to make Council's job easier.

Bauer commented he didn't have much to report. He stated Arizona was beautiful and warm. He stated he saw something on Facebook and at Kerry Street and 232nd there is a stop sign on that intersection. He stated there was a debate on Facebook on people making the turn without using the stop sign. He encouraged residents to use stop signs on their streets.

Muehlbauer commented he didn't have much to report. He stated he was a part of the City Administrator interviews. He stated the Citizen's Academy starts April 14, 2022 for the Police Department and he was looking forward to hearing that two Councilmembers will be participating. He stated it is fun and informative and hoped there was good participation.

Muehlbauer asked if sign ups were done. Police Chief Todd Schwieger replied no, they are still taking registrations. Muehlbauer suggested it be put on the Facebook page to get it out to people and that one or two Councilmembers participate.

Robinson thanked the Council that has allowed him to be apart of the Building Committee. He stated he would like at a future Work Session to share pictures taken to bring the other Councilmembers up to date to share the vision of what they saw on tours. He thought with the Fire's Chief's input, the Mayor's building background expertise, the Public Works involvement that they had a terrific team. He offered congratulations and welcome to Kate being the new City Administrator. He stated she was already doing the job for a while and thought she would be a

great fit. He referenced the Citizens Academy and stated he was waiting for his background check to come back. He signed up for it and is looking forward to it. He encouraged Councilmembers and citizens that haven't taken it to attend.

Mayor Feldman congratulated Kate and stated he had no doubt of the job she would do and is looking forward to the many years she will have guiding the City and being the coach of the team.

Mayor Feldman thanked the Building Committee including Water and Sewer Supervisor Parish Barten, Robinson, Assistant City Attorney Dave Schaps, Interim City Administrator Kate Thunstrom. He stated he thinks they learned from the Liquor Muni to vet and due diligence. He stated it is a long process which won't happen overnight. He continued one thing former City Administrator Joe Kohlmann did before he left was get the financing in place, which was his expertise, and was appreciated. He stated he looks at the economy as a cloud or a sunshine. As they go through the process and finally get to the plan they want to seek bids on, it will come down to what the economy is when they decide to do this. They may have to put it on hold, change it, or if the economy is favorable for labor and materials that it may work out. It is unknown. He stated they will go through the process in a due diligent way that wasn't done with the wastewater treatment facility. It will be done now and they will be able to answer any questions the public has and add their input to it.

Mayor Feldman emphasized they are not talking about a community center, which they don't have space for, but a community room and City Hall. He stated they will be able to do some things inside the building to bring activities to the community. He felt after six years, and the direction the City is going that it is time to bring activities for the residents to enjoy without going to other cities. He stated all they have is the ice rink and Pioneer Days which has been disrupted by the pandemic. He thought it was time to bring activities to St. Francis for residents to enjoy the tax dollars to benefit them.

Mayor Feldman commented Casa Rio has changed their name to Mama Nacho Taco Truck which was scheduled to come on Wednesday but was changed to Friday April 8th due to weather. They will be serving from noon to 7:00 p.m. at the Bottle Shop. He stated the dates throughout the month of April, May and the rest of summer will be on the spotlight window on the Website, on the Facebook page and the Mayor's Facebook page. He stated he is looking at getting a food truck through the summer and encouraged residents to ask City Hall about it. He stated he is looking at getting mini donut trucks, barbeque trucks and others. He stated he wants to have a food truck day to count on once a month. He stated communication has been difficult but he is persistent.

Mayor Feldman thanked Staff, noting the most important position has been filled. He stated now it is a matter of getting the Community Development Director position filled and the Public Works-Deputy Administrator position filled as well. He

thought with Kate in the position of City Administrator, it is a good fit and feels good. He stated he has learned that when he goes against his gut feeling that there is regret attached to it but when he goes with his gut he doesn't. He stated he is really pleased. He thanked the Staff for getting the information to him today.

Mayor Feldman referenced Udvig's comments about kids being out and encouraged people to be extra watchful. He stated there was an accident on 233rd and 47th last week and he hoped no one got hurt.

Mayor Feldman stated talks have been ongoing with MNDot. He thought if someone from MNDot would come out to 233rd and sit during the summer or spring to watch from 4:30 p.m. on from east, west traffic that they would want a stop light there. He stated it didn't take an engineer to figure out that that is a dangerous crossing at Pederson and 233rd. He didn't understand why MNDot doesn't see it because they see everyday and something has to be done better than it is right now. He stated he would invite MNDot if he thought it would do any good but would stick with the chosen course of having WSB as the consultant.

13. ATTORNEY'S REPORT

Mayor Feldman made the following statement: "in a few minutes he will close the meeting under Minnesota Statute 13D.03 subdivision 1(b). The City Council has the ability to move into a closed meeting. The governing body of a city may, by a majority vote, in a public meeting decide to hold a closed meeting to consider strategy for labor negotiations including negotiation strategies or developments or discussion and review of a labor negotiation proposals. Labor negotiations are proposals between the City of St. Francis and law enforcement, labor services, police officers and sergeants." He asked for a motion to move the meeting into a closed session for a discussion of labor negotiations.

RECESS AND RECONVENE

MOTION BY: UDVIG SECOND: BAUER TO RECESS TO A CLOSED SESSION FOR A DISCUSSION OF LABOR NEGOTIATIONS.

A roll call vote was performed:

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

Motion carried 5-0

Mayor Feldman continued reading "once this is approved the Council should move into a closed session. I will now close this meeting."

Meeting recessed to a Closed Session at 6:41 p.m.

The meeting reconvened at 8:18 p.m.

14. UPCOMING EVENTS

April 11, 2022 – Work Session at Police/Public Works Building – 5:30 p.m.

April 14, 2022 – Citizens Academy- Police Department – 6:00 to 8:00 p.m.

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

April 20, 2022 – Planning Commission Meeting – 7:00 p.m.

April 30, 2022 – Spring Recycling Event – 8:00 a.m. to 2:00 p.m.

15. ADJOURNMENT

There being no further business, Mayor Feldman adjourned the regular City Council at 8:18 p.m.

Jennifer Wida, City Clerk