

CITY OF SAINT PETER, MINNESOTA
OFFICIAL PROCEEDINGS
MINUTES OF THE CITY COUNCIL MEETING
JANUARY 24, 2022

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Saint Peter was conducted in the Governors' Room of the Community Center.

A quorum present, Mayor Nowell called the meeting to order at 7:00 p.m. The following members were present: Shanon Nowell, Keri Johnson, Brad DeVos, Emily Bruflat, Darrell Pettis, Ben Ranft, and Dustin Sharstrom. The following officials were also present: City Administrator Todd Prafke and City Attorney James Brandt.

Approval of Agenda – A motion was made by Ranft, seconded by Bruflat, to approve the agenda. With all in favor, the agenda was approved.

Public Hearing: Reassessment For 1420 North Third Street –Mayor Nowell opened the public hearing on reassessment of costs related to the North Third Street, Center and McLeod Streets From West St. Julien To 1,000 Feet North Project at 7:02 p.m. City Administrator Prafke reviewed the assessment process and indicated that following assessment of costs for abutting property owners in 2021, the property owner at 1420 North Third Street had filed suit in District Court objecting to the original assessment against her property. Subsequent to that action, Prafke noted the City retained a specialized appraiser to prepare a full appraisal of the property and staff's recommendation was to reassess the property in the amount of \$11,000.

Keri Leonard, owner of 1420 North Third Street, addressed the Council to state her objection to any assessment against her and indicated she would appeal to court again if an assessment was adopted over her objections. Leonard stated she was unable to get a fair hearing and proceeded to comment on numerous documents she brought to the hearing. Leonard, who had been acting as her own attorney in the matter, objected to the City Attorney sending her a letter advising she wasn't allowed to speak to the City Council and the Council had been advised not to speak to her. City Attorney Brandt interrupted to indicate that his letter had instructed her to make all contact through him as the City Council's legal counsel.

Leonard continued to speak and pointed out her appraisal showed the project had provided no benefit to the value of her property. Leonard also stated the new Councilmembers didn't understand the situation and the City Council has the power to change the assessment policy to make it more equitable. Leonard expressed her belief that she was being forced to pay a higher percentage of assessments than the other property owners who had willingly signed waivers of assessment and given away their rights. Finally, Leonard objected to staff's recommendation that she be pay a higher interest rate than other property owners with a shorter payment term. There being no further speakers, the hearing was declared closed at 7:12 p.m.

Approval of Minutes – A motion was made by Johnson, seconded by DeVos, to approve the minutes of the January 10, 2022 regular City Council meeting. With all in favor, the minutes were approved. A complete copy of the minutes of the January 10, 2022 regular City Council meeting is contained in the City Administrator's book entitled Council Proceedings 20.

Consent Agenda – In motion by Pettis, seconded by Ranft, Resolution No. 2022–12 entitled "Resolution Approving Consent Agenda" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2022–12 is contained in the City Administrator's book entitled Council Resolutions 24.

Project Assessments – 1420 North Third Street – City Administrator Prafke recommended adoption of a resolution providing for \$11,000 in assessments at 2.75% interest over a term of five (5) years to the property at 1420 North Third Street.

Councilmember DeVos questioned if the assessment would be all or nothing if the matter was once again appealed to District Court. City Attorney Brandt indicated it would be at the Judge's discretion, but indicated that if Ms. Leonard chose to again appeal to District Court, the City would file for reimbursement of the City's costs including legal fees.

Councilmember Bruflat asked if the 1420 North Third Street property was bigger than the other properties which had been assessed. City Administrator Prafke indicated the Leonard property was the biggest of all properties abutting the project and assessments are based on frontage size.

Councilmember Sharstrom questioned if the Council could discuss the matter further in closed session. City Attorney Brandt noted closed sessions under attorney-client privilege may be called to discuss threatened or active litigation as in this case, but public notice was required prior to doing so and no notice had been given for a closed session.

Councilmember Johnson asked if the “adjourned hearing” Leonard had referenced was the same as a closed session. Brandt indicated they were not the same and noted the \$11,000 was directly tied to the City’s full appraisal which had been completed by a well-qualified appraiser. Brandt also noted Leonard had previously rejected a City offer to assess her property at \$10,000.

In motion by Johnson, seconded by Bruflat, Resolution No. 2022-13 entitled “Resolution Adopting Assessments For 1420 North Third Street Related To North Third Street, Center And McLeod Streets From West St. Julien To 1,000 Feet North Project” was introduced. Upon roll call, Councilmembers Bruflat, DeVos, Johnson, Pettis, Ranft and Mayor Nowell voting aye, Councilmember Sharstrom voting nay, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2022-13 is contained in the City Administrator’s book entitled Council Resolutions 24.

Fire Station USDA Incurrence of Indebtedness Correction – City Administrator Prafke requested adoption of a resolution that would rescind Resolution No. 2022-05 which contained a numerical error and reauthorize the indebtedness with the USDA for the Fire Station funding with the correct amount of \$9,400,000. In motion by Bruflat, seconded by Ranft, Resolution No. 2022-14 entitled “Resolution Rescinding Resolution No. 2022-05 And Authorizing And Providing For The Incurrence Of Indebtedness For The Purpose Of Providing A Portion Of The Cost Of Acquiring, Constructing, Enlarging, Improving, And/Or Extending Its Fire Station Facility To Serve An Area Lawfully Within Its Jurisdiction To Serve” was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2022-14 is contained in the City Administrator’s book entitled Council Resolutions 24.

ICE Study Formal Acceptance – Public Works Director Moulton and City Engineer Domras presented the Intersection Control Evaluation study conducted by Bolton and Menk, Inc. for the intersection of Broadway Avenue and Sunrise Drive. Moulton reminded the Council the study was a pre-requisite for using the LRIP grant funds awarded to the City and indicated that once the study was accepted by the City Council, staff would begin funding negotiations with Nicollet County which controls one leg of the Broadway Avenue/Sunrise Drive intersection. Domras reviewed the findings of the study which included traffic counts, pedestrian and vehicular traffic patterns at various times of day, and based on the findings, included four options for proceeding. The options included doing nothing, establishing right and left turn lanes, installation of traffic signals, and construction of a single-lane roundabout. Domras indicated that using a benefit to cost ratio, the engineering recommendation was to proceed with construction of the roundabout.

Councilmember Pettis questioned how much additional money was needed for construction of the roundabout. Moulton reported the grant totaled \$1.25 million and the projected cost would be \$1.57 million with staff recommending the remainder of the cost funded by a combination of Municipal State Aid funds and utility funds to pay for the utility improvements that would be included in the project.

Councilmember Bruflat asked if fire trucks would be able to negotiate the roundabout. Domras indicated the design allows for large vehicles like trucks and agricultural equipment to maneuver through a roundabout.

In motion by DeVos, seconded by Sharstrom, Resolution No. 2022-15 entitled “Resolution Accepting The 2021 Saint Peter Intersection Control Evaluation (ICE) Study For The Broadway Avenue And Sunrise Drive Intersection” was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2022-15 is contained in the City Administrator’s book entitled Council Resolutions 24.

American Water Infrastructure Act of 2018 Update Acceptance – Public Works Director Moulton recommended acceptance of the updated Risk and Resiliency and Emergency Response Plans required by the American Water Infrastructure Act of 2018. Moulton noted the updated plans had already been submitted to the Environmental Protection Agency to meet the Act deadlines. In motion by Bruflat, seconded by Pettis, Resolution No. 2022-16 entitled “Resolution Accepting Submittal And Completion Of Self-Certification For America’s Water Infrastructure Act (AWIA) Of 2018 – Risk And Resiliency (Part I) And Emergency Response Plan (Part II)” was introduced. Upon roll call, with all in favor, the Resolution was declared

passed and adopted. A complete copy of Resolution No. 2022-16 is contained in the City Administrator's book entitled Council Resolutions 24.

Council Out of State Travel Authorization – City Administrator Prafke recommended approval of a resolution authorizing Councilmembers DeVos and Sharstrom to attend the American Public Power Association legislative rally in Washington, D.C. at the end of February. Prafke noted any out of state travel by Councilmembers requires City Council approval as per the adopted Council travel policy. In motion by Johnson, seconded by Pettis, Resolution No. 2022-17 entitled "Resolution Authorizing Elected Official Travel" was introduced. Upon roll call, Councilmembers Sharstrom, Bruflat, Johnson, Pettis, Ranft, and Mayor Nowell voting aye, Councilmember DeVos abstaining, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2022-17 is contained in the City Administrator's book entitled Council Resolutions 24.

Request for City Assistance: All School Reunion – City Administrator Prafke recommended approval of a request submitted by the All School Reunion committee for City assistance for their event on July 2, 2022. Prafke noted the actual event will be held in the parking lot of First National Bank, but the group had asked to use the east side of the 300 block of South Third Street for food service as well as use of City barricades and light standards, picnic tables, Police Reserves, and City electricity. Prafke noted the recommended approval was contingent upon receipt of the required certificate of insurance and providing for necessary hygiene (porta-potties and washing stations) facilities and required licenses prior to the event. In motion by Pettis, seconded by Johnson, Resolution No. 2022-18 entitled "Resolution Approving City Assistance Request For 2022 All School Reunion Event" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2022-18 is contained in the City Administrator's book entitled Council Resolutions 24.

Request for City Assistance: St. Patrick's Day Parade – City Administrator Prafke recommended approval of a request submitted by the St. Peter Ambassador's for City assistance (parking restrictions, barricades, and police traffic control) for the annual St. Patrick's Day parade on March 17, 2022 along South Third Street from Broadway Avenue to West Mulberry Street. In motion by Ranft, seconded by Sharstrom, Resolution No. 2022-19 entitled "Resolution Authorizing City Assistance For St. Patrick's Day Parade" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2022-19 is contained in the City Administrator's book entitled Council Resolutions 24.

2022 County Library Contract – City Administrator Prafke recommended execution of a renewal contract with Nicollet County for the City to provide library services to County residents living outside the Saint Peter corporate limits. Prafke noted the County is required by Statute to pay a "minimum maintenance of effort" amount and the \$50,044 the County has provided since 2019 has not kept pace with the cost of operation and inflation. Prafke reported that Saint Peter and North Mankato make an annual joint appeal to the County for additional funding, but with the exception of an additional \$5,000 for each City in 2017 when the request had been for an additional \$10,000 each, the requests have not been granted. Prafke noted that without the contract, the Library budget would be short by \$50,000 and he recommended execution of the contract. In motion by Sharstrom, seconded by Bruflat, Resolution No. 2022-20 entitled "Resolution Authorizing Execution Of Library Services Contract" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2022-20 is contained in the City Administrator's book entitled Council Resolutions 24.

City Code Modification: Sales Tax Ordinance – City Administrator Prafke recommended adoption of an ordinance that would establish the local option sales tax of one-half of one percent effective July 1, 2022. Prafke noted the ordinance is the next step in the process with a future step being execution of an agreement with the Minnesota Department of Revenue to collect the tax. Prafke also pointed out the ordinance had been reviewed by both the Department of Revenue and the City Attorney and references to the motor vehicle excise tax had been removed as that tax was now part of State Statute. In motion by Ranft, seconded by Johnson, Ordinance No. 51, Third Series entitled "An Ordinance Amending Saint Peter City Code Chapter 46 'Taxation' And Adopting By Reference Saint Peter City Code Chapter 1 Section 1-6, Which, Among Other Things, Contain Penalty Provisions" was introduced. Upon roll call, with all in favor, the Ordinance was declared passed and adopted. A complete copy of Ordinance No. 51, Third Series is contained in the City Administrator's book entitled Council Ordinances 2.

Calling For Closed Session – Police Officer Union Contract Negotiations – City Administrator Prafke asked for a closed session as authorized by State Statute to discuss labor

services contract negotiations with the Law Enforcement Labor Services Local #240 (Police Officers). In motion by DeVos, seconded by Ranft, Resolution No. 2022-21 entitled "Resolution Calling For Closed Session" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2022-21 is contained in the City Administrator's book entitled Council Resolutions 24.

The Council adjourned to closed session at 8:08 p.m. to discuss the Police Officer union contract.

The closed session was adjourned at 8:25 p.m.

The Council returned to open session at 8:29 p.m.

2022-2023 Law Enforcement Labor Services Local #241 (Police Officers) Contract – City Administrator Prafke recommended execution of the 2022-2023 union contract with the Police Officer union which would provide for a three percent (3%) across the board wage increase, market rate adjustments for all contract positions ranging from \$3.00 to \$4.50 per hour; and modification to the response time requirement from 20 minutes to 25 minutes. Prafke noted approval of the contract would result in an additional \$97,000 in costs above the budgeted amount, but was necessary based on comparison studies of Police wages in other municipalities and supply and demand issues for licensed law enforcement staff. In motion by DeVos, seconded by Johnson, Resolution No. 2022-22 entitled "Resolution Approving Contract By And Between The City of Saint Peter And Law Enforcement Labor Services Local #241 (Police Officers) For Calendar Years 2022 And 2023" was introduced. Upon roll call, with all in favor, the Resolution was declared passed and adopted. A complete copy of Resolution No. 2022-22 is contained in the City Administrator's book entitled Council Resolutions 24.

Reports

Mayor's Report – Mayor Nowell extended her gratitude to all of the members of the City Council's advisory boards and commissions and encouraged interested residents to apply for the remaining openings. Nowell also acknowledged the good job the Public Works crews have done in removing snow from the roadways.

COVID Mask Reminders – City Administrator Prafke reminded the public of the need to wear masks inside City facilities regardless of vaccination status. Prafke also noted that the requirement will be reconsidered when Saint Peter finally moves from the high community transmission rate to a lower level.

Minnesota River Valley Transit Fares – City Administrator Prafke reported fares will once again be charged for Minnesota River Valley Transit service beginning January 31, 2022. Prafke reminded the Council the Minnesota River Valley Transit Board had hoped to implement fares again at the beginning of January, but difficulties with the RouteMatch software had prevented staff from doing so.

Public Works Director Moulton reported the City's Electric Utility had been awarded platinum RP3 (reliability power provider) status based on system reliability, safety, workforce development and system improvements. Moulton noted only 14 utilities in Minnesota received the designation and Saint Peter was in the top six. City Administrator Prafke stated the willingness of the City Council to invest in the technology and equipment necessary to ensure reliability of the City's electric system continues to ensure reliable service to customers.

City Administrator Prafke also reminded the public of the need to move vehicles off the roadway when there is plowable snow and for property owners to ensure the entire width of their sidewalks are cleared within twenty-four (24) hours of a snowfall.

There being no further business, a motion was made by Bruflat, seconded by Johnson, to adjourn. With all in favor, the motion carried and the meeting adjourned at 8:39 p.m.

Shanon A. Nowell
Mayor

ATTEST:

Todd Prafke
City Administrator