

The Cannon Falls City Council met in a regular session on Tuesday, January 15, 2019, at 6:30 p.m. in the City Council Chambers. Present were Mayor John Althoff and Council Members Morris Mattson, Bill Duncan, Derek Lundell, Mary Jill Bringgold, Matt Montgomery, and Steve Gesme. Also present were Lanell Endres, Interim City Administrator; Dave Maroney, Community Development Director; Mike Althoff, Fire Chief/Public Works Director; Tim Malchow, EMS Chief; and Joe Berg, Police Lieutenant.

- Call to Order Mayor Althoff called the City Council meeting to order at 6:30 p.m.
- Roll Call All members were present.
- Pledge of Allegiance Mayor Althoff led in the recitation of the Pledge of Allegiance.
- Approval of Agenda A motion was made by Council Member Duncan, seconded by Council Member Gesme and unanimously carried, to approve the Agenda as submitted.
- Public Input Cannon Falls Area Chamber of Commerce President Kyle Paulson discussed two upcoming events. She described Flavor of the Falls which is schedule to be held on October 5-6 and would include several events held throughout Cannon Falls. She commented that anyone in the community can host an event and that the Chamber would help promote the event. She also discussed the Chamber's annual golf tournament and fundraiser, noting that it would be held in June this year.
- Consent Agenda
- A. Just and Correct Claims – Accounting Period Ending December 31, 2018
 - B. Just and Correct Claims – Accounting Period Ending January 11, 2019
 - C. Meeting Minutes for January 2, 2019, City Council Meeting
 - D. Election of 2019 Fire Department Officers
 - ~~E. Storm Water Utility (Ordinance Number 291)~~
This item was pulled by Council Member Duncan
 - F. Resolution 2407, Accepting Donation of \$250 from Molitor Farms to Fire Department
 - G. Continuing Education Agreement
- A motion was made by Council Member Bringgold, seconded by Council Member Mattson and unanimously carried, to approve the Consent Agenda, minus item E.
- City Administrator Contract Director Maroney stated that he recently met with the Personnel Committee to further discuss his contract to serve as City

Administrator. He stated that the unfinished business from the last draft contract included a beginning date and some other dates. He noted that, with Council approval, the contract would carry through the early part of July in terms of initial period of employment as the City Administrator. He stated that there would be additional conversation after that. He referenced contract language with regard to specific projects and duties and noted that nothing pertaining to compensation or benefits had been changed.

Council Member Duncan stated that the changes were very minor and recommended Council approval of the amended contract.

A motion was made by Council Member Duncan, seconded by Council Member Mattson and unanimously carried, to approve the City Administrator contract as amended.

Unscheduled Part-
Time Wages for
Ambulance
Employees

EMS Chief Malchow referenced an updated memo to the Council. He stated that he met with the Personnel Committee. He noted that the Personnel Committee directed him to do a little more research with Springsted, the company that developed the compensation system. He stated that he had a conversation with Springsted that day and would report back to the Personnel Committee. He stated that the Personnel Committee recommended moving ahead with the on-call proposal. He stated that this plan would help compensate employees who go above and beyond in their on-call time.

A motion was made by Council Member Mattson, seconded by Council Member Duncan and unanimously carried, to approve the unscheduled part-time wages for ambulance employees as presented to the Personnel Committee.

Storm Water Utility
(Ordinance Number
291)

Council Member Duncan asked Director Maroney to address the storm water request.

Director Maroney provided background information and reviewed a request by Sheryl Bauer for the Caravan Motel that has been under consideration by the Public Works Commission for several months.

Director Maroney stated that Ms. Bauer requested a retroactive credit for storm water fees paid since the Ordinance was adopted in 2009. He stated that the Public Works Commission and the City Attorney found that the Ordinance stated clearly there were to be no retroactive payments. Ms. Bauer requested that the matter be referred to the City Council to consider a retroactive payment and consider Ordinance language revisions.

Council Member Mattson stated that Ms. Bauer had been working with the Public Works Committee on this issue for years. Director Maroney stated that there had been ongoing communication, adding that it was uncertain whether there had been specific communication related to a storm water utility credit.

Council Member Duncan stated that Ms. Bauer had expressed concerns about her “water bill” but did not specifically mention storm water fees. He reiterated that the Ordinance did not allow for retroactive payments. He stated that he had consistently spoken against changing any Ordinance language to benefit one individual or business. He stated that this could open the door for other retroactive requests. He referenced the long-term liabilities associated with the storm water fund. He stated that, although a workaround was sought for Ms. Bauer, no solution could be found to address her request.

Director Maroney added that The Caravan applied for and has been receiving a credit. He noted that Ms. Bauer has been receiving a credit since October of 2018 but did not formally apply for this earlier.

Council Member Lundell questioned the reasoning for the credit. Director Maroney provided additional information with regard to storm water management of The Caravan property.

Council Member Duncan reiterated his recommendation to not revise the Ordinance language.

A motion was made by Council Member Duncan to leave the Ordinance language as currently written. The motion was seconded by Council Member Lundell.

Council Member Gesme stated that he spoke with Public Works Director Althoff. He noted that at the inception of this credit approximately a dozen property owners took advantage of it at that time. The Ordinance approval and publication process was reviewed. Public Works Director Althoff commented that information was also included with water bills.

Council Member Bringgold stated that it was regrettable that this did not happen initially. She commented that, when you were a business owner sometimes there are things that are not done at the proper time and end up being the cost of doing business. She stated that the situation was unfortunate but that the Ordinance was clear.

Mayor Althoff stated that he attended a couple of Public Works Commission meetings and that the Commission went out of their way to try to assist Ms. Bauer but the Ordinance was clear.

A vote was taken on the motion to keep the Ordinance as is carried by a vote of 5:1, with Council Member Mattson voting nay.

Staff Reports

Director Maroney reported that a \$10,000 payment was received at the end of 2018 from the Cannon Falls Historical Society related to the purchase of the property at 212 West Mill Street. He noted that this was the first payment and stated his understanding that more payments would be forthcoming. He thanked Steve Dabelow and the Historical Society for this payment.

Director Maroney reported that the EDA had closed on a loan with Raw Bistro and Patricia Green. He described an addition on the east side of the property to house additional refrigeration equipment for Raw Bistro. He stated that once the equipment was up and running, the temporary refrigerated trailer would be removed, which would help alleviate neighborhood concerns about noise.

Director Maroney stated he had been in communication with Greg Isakson, Goodhue County Engineer, with regard to next steps for the Third Street Bridge project.

Director Maroney discussed Federal funding toward the bridge project and indicated that it appeared that the balance of the project would be funded through the State. He commented that this was a high priority for the Minnesota State Historical Society and MnDOT. He noted that the project could begin in 2020.

Fire Chief Althoff discussed a Fire Department Family Appreciation Night event that would be held on January 19.

Public Works Director Althoff reported that Cannon Falls Township has purchased a new grader, which would allow Public Works to purchase the used grader. He discussed staff training with regard to grader operations.

EMS Chief Malchow stated that the new EMT class started the previous night, adding that anyone still interested should contact the Public Safety Department.

Police Lieutenant Berg reported regarding vehicle break-ins and issued a reminder for people to lock their cars and keep valuables out

of sight.

Interim Administrator Endres referenced Leadership Conference information from the League of Minnesota Cities and encouraged attendance at these training sessions if possible. She indicated that she could provide assistance with registration and review the travel reimbursement policy.

Mayor and Council
Reports

Council Member Montgomery stated the Park Board would begin meeting in the spring. He commented with regard to the use of portable toilets in parks.

Council Member Duncan raised concerns with regard to an individual who has engaged in unacceptable behavior during past Council meetings, including harassment, intimidation, and threats.

Council Member Duncan suggested re-establishing control of meetings, adding that he understood the need for freedom of speech. He commented that the rhetoric had been intensifying over the previous few months.

Council Member Duncan reviewed a procedure used by the Public Works Commission and suggested that the Council consider using the same procedure. He referenced law enforcement involvement, if necessary.

Council Member Duncan suggested moving the Public Input portion to the end of the meeting, following the reports. He commented that a motion could be made to adjourn if the proper public input protocol was not followed.

Council Member Duncan indicated that City employees were being harassed and felt threatened by this individual. He suggested that City employees who were not on call turn off their phones when not on duty. He recommended calling 911 if the individual came to their homes. He stated that the Council appreciated and supported all City employees. He stated that the behavior of this individual could have a negative impact on local businesses if it was not curtailed.

Council Member Lundell stated that he took the Public Works tour and found it to be very interesting. He thanked Director Althoff and his staff for providing the tour.

Council Member Bringgold stated that she would like to attend the newly elected official training, as she understood that it was a great

program and encouraged other members to attend.

Mayor Althoff read a statement from the Personnel Committee:

“On December 18, 2018, the Personnel Committee and the City Council accepted Dave Pagel’s request to voluntarily retire in good standing. In that Mr. Pagel has voluntarily retired, the Personnel Committee believes that the matter is resolved.” He stated that it would be up to Mr. Pagel as to where it went from there.

Mayor Althoff referenced past discussion of scheduling a work session. He suggested an evening session, as opposed to a Saturday morning. It was suggested to survey the Mayor and Council in terms of potential dates and times.

Interim Administrator Endres asked whether it would be beneficial to schedule this session after people have had an opportunity to perhaps attend some of the training, so that information could be clarified. Mayor Althoff suggested setting a date during the next Council meeting.

Mayor Althoff stated that representatives from Mayo Clinic Health System would like to schedule a meeting to discuss future plans. He noted that this meeting had been scheduled on February 27. Quorum considerations were discussed, and it was suggested to notice this as a public meeting.

Mayor Althoff referenced a meeting with a representative of the 2020 Census. Interim Administrator Endres provided information with regard to the Census Count Committee program and the benefits of being a CCC city. Mayor Althoff suggested issuing a Proclamation and publishing information in *The Beacon* to get the word out and encourage participation by community volunteers.

Mayor Althoff stated that MnDOT had scheduled a meeting on January 16 at Urland Lutheran Church to talk about the Highway 52 project.

Director Maroney stated that if anyone was interested in seeing what the EDA has been working on, he would be happy to provide a tour.

Adjournment

The meeting adjourned at 7:19 p.m.

Adopted by the City Council of the City of Cannon Falls on the 5th day of February, 2019.

John O. Althoff, Mayor

ATTEST:

David Maroney, City Administrator