

The Cannon Falls City Council met in a regular session on Wednesday, January 2, 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; Jeffrey McCormick, Police Chief; Mike Althoff, Fire-Chief/Public Works Director; and Tim Malchow, EMS Chief.

- 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.
- Oath of Office Mayor Althoff and all newly elected Council Members – Mary Jill Bringgold, Derek Lundell, Bill Duncan, Matt Montgomery, and Steve Gesme – were sworn in by Interim City Administrator Endres.
- Approval of Agenda A motion was made by Council Member Duncan, seconded by Council Member Mattson and unanimously carried, to approve the Agenda as submitted.
- Public Input Babe O’Gorman, 26980 Michael Avenue, Cannon Falls, referenced the reported retirement of Dave Pagel in *The Beacon*. He stated that the Council actually voted to fire him. He stated that this employee did not receive due process by City staff, the former Mayor, and Council Members. He stated that the City did not have just cause to fire Mr. Pagel or force him to retire.
- Mr. O’Gorman requested that the new Mayor and Council Members look at this situation. He referenced a criminal issue in the Public Works Department that was reported by Dave Pagel, stating that the Police Department did nothing. He stated that Mr. Pagel decided to run the Public Works Department with all of the responsibility but without the authority, stating that someone had to do it as the Public Works Director would not.
- Mr. O’Gorman referenced information contained in the Personnel Policy Handbook. He again expressed concerns regarding the process of forcing Mr. Pagel into retirement. He stated his hope that the current Council would investigate this matter and reinstate Mr. Pagel.
- Tim Dehmer, Cannon Falls, stated that he knew the aforementioned employee and had run into him a couple of hours earlier. He stated that he was told by him that he was given a choice to be fired, to

retire, or resign. He did not wish to repeat anything that was mentioned earlier but also wanted to give his support to Mr. Pagel. He stated that he also had other issues with the Library and would bring them up later.

Leroy McCusker, 100 Stoughton Street, Cannon Falls, stated that the last few years had been rough in terms of employee situations. He stated that he was excited to see the new direction of the City Council. He encouraged the Council to sign the contract for the City Administrator. He suggested that everyone calm down and take things as they come. He advised the new Council Members to debate different opinions and listen to different ways of looking at things. He stated that he wanted everyone to be able to speak and state their opinions but encouraged everyone to try to calm things down.

Consent Agenda

- A. Just and Correct Claims – Accounting Period Ending December 27, 2018
- B. Meeting Minutes for December 18, 2018, City Council Meeting
- C. Resolution 2406, Designating the Depositories for City Funds for Fiscal Year 2019
- D. Designation of Official Newspaper for 2019
- E. Authorize John Althoff to be Placed on Bank Signature Cards
- ~~F. 2019 Committee Appointments~~  
*This item was pulled by Council Member Bringgold*
- G. Hire Unscheduled Part-Time Employee for Ambulance Department
- H. Second Reading and Adoption of Ordinance 364, Amending Chapter 152 of the Cannon Falls City Code, The Zoning Ordinance, Concerning Domestic Animals
- I. Streets and Parks Supervisor Posting

A motion was made by Council Member Lundell, seconded by Council Member Duncan and unanimously carried to approve the Consent Agenda, minus Item F.

Election of Mayor Pro Tem

Mayor Althoff suggested nominating Council Member Mattson to serve as Mayor Pro Tem. A motion was made by Council Member Gesme, seconded by Council Member Duncan, to nominate Council Member Mattson to serve as Mayor Pro Tem. A vote was taken and Council Members Lundell, Bringgold, Duncan, Montgomery, and Gesme voted aye; Council Member Mattson abstained; Five ayes, one abstention, motion carried.

2019 Committee  
Appointments

Council Member Bringgold expressed concerns regarding having Mayor Althoff and Council Member Mattson both serve on the Personnel Committee, as they both have children who were full-time City employees. She stated that she would hate to have things look like nepotism, and she stated that this was what it would look like to her. She expressed concerns about Mayor Althoff being the person to bring forward recommendations from the Personnel Committee and also being the tie-breaking vote. She referenced potential conflicts of interest.

Council Member Mattson stated that he does not have contact with his daughter regarding Council business. Mayor Althoff stated that the reason he chose Council Members Mattson and Duncan was because he felt there were going to be personnel issues coming up and he wanted the most experienced people to serve on this committee. He stated that he had nothing to do with the process of hiring his son as the Public Works Director. He agreed that this could be seen as a conflict of interest, adding that he could abstain from certain votes.

Council Member Bringgold stated that she did not feel that anyone on the Council had any bad intent. She discussed her experiences as the boss's daughter and how this situation impacted other employees.

Babe O'Gorman stated that he wished to clarify his earlier comments, when he talked about the Public Works Director. He indicated that he was not talking about the current Public Works Director but was referring to the former Public Works Director.

Council Member Duncan expressed agreement with Mr. McCusker that no one on the Personnel Committee would have any type of agenda, but the optics look bad when there were two people who have children working for the City in sensitive positions. He stated that this was a worry for him.

Council Member Gesme stated that he felt that there was plenty of oversight and that if a problem were to arise because of Mayor Althoff or Council Member Mattson serving on the Personnel Committee, the Council could keep them reined in and make sure that their agenda matched everyone else's on the Council.

Council Member Duncan commented that the Care and Share Board and the Chemical Health Council were basically defunct and suggested that these two committees be eliminated. He also suggested eliminating the Park Board, as anything the Park Board did

has to come back through Public Works. He added he would not push that suggestion at this point.

Mayor Althoff stated he did not want to eliminate the Park Board but did share Council Member Duncan's recommendation regarding the Chemical Health Council and the Care and Share Board, stating his understanding that these two committees had not met in years.

Council Member Bringgold reiterated her concerns that a City employee might feel that they could not bring their concerns to the Personnel Committee. She suggested exercising caution in this regard, adding that if there were any problems the situation may have to be revisited.

A motion was made by Council Member Duncan, seconded by Council Member Lundell, to eliminate the Care and Share Board and the Chemical Health Council as committees. A vote was taken, and the motion carried unanimously.

Council Member Duncan stated that he would not make a motion to eliminate the Park Board but reiterated his opinion that this was a duplication of effort. He described it as a subcommittee of Public Works.

Leroy McCusker provided background information with regard to the reinstatement of the Park Board. He discussed the work of the Park Board. He provided examples of safety issues that were discovered and corrected.

Council Member Duncan stated that he was just trying to point out that the Public Works Department managed the parks.

Mayor Althoff stated that he attended the last Park Board meeting and that there are a lot of good people on that committee who have a lot of good suggestions. He stated there will probably be a lot of issues with ADA compliance in the future, so he felt the Park Board should stay.

Council Member Mattson expressed agreement with Mayor Althoff. He stated that there were a lot of issues. He spoke in support of the Park Board in terms of forwarding issues and recommendations to Public Works.

Mayor Althoff suggested further discussion of the Personnel Committee assignments.

Council Member Lundell asked if there was a limit to the number of people who could serve on the Personnel Committee. Council Member Duncan referenced the Open Meeting Law and quorum considerations.

Council Member Bringgold stated that she would be fine with things moving forward. She commented that she wanted to make people aware of the issue, stating that this could be dealt with later if problems arose.

A motion was made by Council Member Bringgold, seconded by Council Member Gesme, to approve the Personnel Committee appointments as proposed. A vote was taken and Council Members Lundell, Bringgold, Montgomery, and Gesme voted aye; Council Members Duncan and Mattson abstained. Four ayes, two abstentions; motion carried.

A motion was made by Council Member Duncan, seconded by Council Member Mattson, to approve the remainder of the committee appointments. A vote was taken, and the motion carried unanimously.

Staff Reports

Community Development Director Maroney discussed the scheduling of a Personnel Committee meeting to further discuss the City Administrator contract.

Public Works Director Althoff referenced a discussion about nepotism that he and his father had prior to the election. He stated that both he and his father have community support. He indicated that he would be very transparent in the way that he conducts his duties, adding that he would be okay with taking care of issues at the Council level as opposed to bringing issues to the Personnel Committee.

Director Althoff referenced Public Works Commission agenda items, upcoming street projects, road maintenance, and water tower issues. He encouraged Council Members to reach out to him with any questions. He offered to take Council Members on a tour of the community and discuss Public Works infrastructure and responsibilities.

EMS Chief Malchow stated that he would have some recommendations for the Personnel Committee in terms of recruitment and retention of EMS staff. He stated that the Ambulance Department relied heavily on unscheduled part-time employees and

was looking at ways to keep people engaged and retained. He stated that he would be requesting Council consideration of an online education tool in order for employees to attend training easily and get the required education. He stated that Police Department and Fire Department employees have also expressed interest in this tool.

EMS Chief Malchow discussed an upcoming EMT class.

Police Chief McCormick referenced an upcoming Triad meeting and provided background information about this partnership with the Police Department, the Sheriff's Office, and seniors. He noted that the speaker at this month's event would be retired Goodhue County Sheriff Scott McNurlin.

Interim Administrator Endres discussed training offered by the League of Minnesota Cities for newly elected officials and suggested taking advantage of training opportunities. She encouraged Council Members to contact her with any questions.

Mayor and Council  
Reports

Council Member Gesme thanked the citizens who voted for him. He stated that he would try his best and welcomed input from the public.

Council Member Montgomery stated that he was excited to serve the community. He stated that he planned to do a lot of listening and would get to know the community.

Council Member Duncan suggested planning a leadership retreat for senior staff and the City Council. He stated that this would provide an opportunity to bring new members up to speed, to review do's and don'ts, and to set goals. He suggested including administrative staff who were not department heads. He suggested scheduling this meeting on a Saturday morning. He noted that no decisions would be made and suggested that this not be a public meeting. He asked whether this type of meeting would be allowed.

Interim Administrator Endres stated there were certain legal requirements to have a closed session and that she would need to look into this.

Council Member Lundell stated that he was asked about bow hunting within the City limits. He stated his understanding that this was brought up several years ago but did not know what became of it.

Chief McCormick stated that City Ordinances do not allow any hunting within the City limits. He referenced past discussion of

seeking a DNR permit, noting that the Council decided not to pursue that.

Council Member Bringgold stated that she was not shy but would try not to be overbearing and try not to run the meetings. She also thanked the voters and stated that she looked forward to serving Cannon Falls for the next four years. She encouraged the public to contact her with any concerns.

Council Member Mattson stated there were a lot of matters to be worked out.

Mayor Althoff thanked the public for their support. He referenced discussions with residents related to water bills and property taxes. He suggested working to cut expenses on next year's budget in order to decrease the City's tax levy.

Babe O'Gorman again expressed concerns regarding the treatment of Mr. Pagel and again stated that he wanted the Council to look into this.

Mayor Althoff stated that two weeks prior he encouraged Mr. Pagel to retire. He referenced a recent conversation with Mr. Pagel, who indicated that he planned to file a grievance to get his job back. Mayor Althoff noted that there was a procedure to be followed.

Mr. McCusker suggested that the Personnel Committee further discuss this matter and forward a recommendation to the City Council, adding that this process should be conducted in a respectful manner.

Adjournment

The meeting duly adjourned at 7:22 p.m.

Adopted by the City Council of the City of Cannon Falls on the 15<sup>th</sup> day of January, 2019.

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John Althoff, Mayor

ATTEST:

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Lanell Endres, Interim City Administrator