

The Cannon Falls City Council met in a regular session on Tuesday, March 18, 2014, at 6:30 p.m. in the City Council Chambers. Present were Mayor Robby Robinson and Council Members Bill Duncan, Jay Sjoblom, Morris Mattson, Rodney Holst, LeRoy McCusker, and Merlyce Johnson. Also present were Ron Johnson, City Administrator; Justin Padgett, Library Director; Greg Anderson, City Engineer; and Jeffrey McCormick, Police Chief.

- Call to Order Mayor Robinson called the City Council Meeting to order at 6:30 p.m.
- Pledge of Allegiance Mayor Robinson led in the recitation of the Pledge of Allegiance.
- Approval of Agenda Council Member Johnson moved, seconded by Council Member Duncan to approve the Agenda as submitted. All members present voted aye. The motion was declared passed.
- Public Input There was no public input.
- Consent Agenda
- A. Just and Correct Claims – Accounting Period Ending March 14, 2014
 - B. Meeting Minutes for March 6, 2014, City Council Meeting
 - C. Resolution 2064, Approving a Conditional Use Permit for Public Art Mural. City Administrator Johnson reported some language changes as recommended by the City Attorney.
 - ~~D. Resolution 2065, Approving Rezoning and Preliminary Plat for Mulvihill Development Pulled by Council Member McCusker~~
 - ~~E. Introduction and First Reading of Ordinance 335, Amending Chapter 152 of the Cannon Falls City Code by Rezoning Certain Property from a Planned Unit Development District to an R-2, Single-Family Residential District Pulled by Council Member McCusker~~
 - ~~F. Resolution 2066, Approving Rezoning for 200 Waters, LLC Pulled by Council Member McCusker~~
 - ~~G. Introduction and First Reading of Ordinance 336, Amending Chapter 152 of the Cannon Falls City Code by Rezoning Certain Property from an R-3, Medium Density Residential District to an I-1, Limited Industrial District Pulled by Council Member McCusker~~
 - ~~H. Resolution 2067, Approving a Conditional Use Permit for 1201 Fifth Street North Pulled by Council Member McCusker~~
 - I. Burning Permit Request
 - ~~J. Personnel Committee Recommendations Pulled by Council Member Mattson~~
 - K. Resignation of Nick Sather/Internal Promotion of Jacob Edwinson
 - L. Introduction and First Reading of Ordinance 337, Changing Street Names in the City of Cannon Falls
 - M. Sale of Grass Rig Fire Truck
 - N. Goodhue County Mutual Aid Fire Services Agreement

O. MS Tram Bicycle Tour Request

Council Member Johnson moved, seconded by Council Member Duncan to approve the Consent Agenda, minus Items D, E, F, G, H, and J. All members present voted aye. The motion was declared passed.

Library Leak Issue

Library Director Padgett reviewed water leakage issues in the Library, stating that the construction management firm for the building project, Bossardt, was contacted and conducted an investigation. Project Manager Shane Butler from Bossardt and John Amundson from American Engineering Testing reviewed the findings and recommendations. Apparently due to the significant depth of the frost this winter, water was backing up into the building. It was recommended that the waterproofing system be checked for adequacy and determine a solution. Once the cause of the problem was determined, responsibility and costs for correcting the problem would be assigned. When asked whether the City would be responsible for this expense, Mr. Butler replied that he felt the City would not be held responsible and that Bossardt was committed to taking care of the problem. Council Member Mattson relayed prior conversations regarding potential drainage issues and expressed dissatisfaction with regard to the lack of adequate precautions. Council Member McCusker inquired regarding roof drainage concerns. Mr. Amundson replied that the water did not appear to be running down the wall but was coming in from the base of the wall. Council Member McCusker asked why a drainage system was not installed. Mr. Amundson clarified that there was drain tile along the east side of the building along the footings and also in the front of the building. The plan was to make sure that the drain tile was not clogged. Mayor Robinson requested that the problem be corrected as soon as possible.

Personnel Committee
Recommendations

Council Member Mattson requested to abstain from a vote on the recommendations from the Personnel Committee item due to a relationship conflict. Council Member Johnson moved, seconded by Council Member Duncan, to approve the Personnel Committee Recommendations. The motion carried by a vote of 5:0, with Council Member Mattson abstaining.

Resolution 2065,
Approving Rezoning
and Preliminary Plat
for Mulvihill
Development

The Council discussed the recommendation from the Planning Commission to rezone and approve the preliminary plat for a development being proposed by Glenn Mulvihill on the former Tanners Grove development property. Council Member McCusker expressed concerns regarding potential street and utility

improvements needed in the development area. Mayor Robinson reported on feedback received from MnDOT, stating that water drainage issues would need to be addressed before final project approval. City Administrator Johnson reported on Planning Commission discussions and the continuation of a public hearing scheduled for April 14. Proposed revision of the language of Resolution 2065 was reviewed.

Council Member Johnson moved, seconded by Council Member Duncan to approve Resolution 2065 as discussed. All members present voted aye. The motion was declared passed.

Resolution 2066,
Approving Rezoning
for 200 Waters, LLC

Council Member McCusker asked why, as a nearby resident, he did not receive a notice to attend the recent Planning Commission meeting during which the request to rezone the property located at 200, 210 and 220 Water Street West that would allow for limited industrial use was addressed. He discussed potential uses for this building and expressed concerns regarding potential noise, truck traffic, and infrastructure issues. Council Member Duncan reviewed the Planning Commission discussions regarding this project. Mayor Robinson cautioned against approving a light industrial island in a residential area. City Administrator Johnson recommended tabling this item.

Council Member Johnson moved, seconded by Council Member Duncan to table Resolution 2066 until the next meeting. All members present voted aye. The motion was declared passed.

Intro & 1st Reading of
Ord 336, Amending
Chapter 152 of the
Cannon Falls City
Code by Rezoning
Certain Property from
an R-3, Medium
Density Residential
Dist to an I-1, Limited
Industrial District

The Council discussed the proposed Ordinance that would rezone the property located at 200, 201 and 220 Water Street West which was the former creamery building. This item was related to the previously discussed action item regarding Resolution 2066, which was tabled.

Council Member Johnson moved, seconded by Council Member Holst to table the Introduction and First Reading of Ordinance 336. All members present voted aye. The motion was declared passed.

Intro & 1st Reading of
Ord 335, Amending
Chapter 152 of the
Cannon Falls City
Code by Rezoning

The Council discussed the proposed ordinance that would rezone the property formerly known as the Tanners Grove development. This item was related to the previously discussed action item regarding Resolution 2065, which was approved.

Certain Property from
a Planned Unit
Development Dist to
an R-2, Single-Family
Residential Dist

Council Member McCusker moved, seconded by Council Member Johnson to approve the Introduction and First Reading of Ordinance 335. All members present voted aye. The motion was declared passed.

Resolution 2067,
Approving a
Conditional Use
Permit for 1201 Fifth
Street North

The Council received a request for a Conditional Use Permit to allow an existing vacant structure and property to be used as a single-family detached dwelling in the R-B district as recommended by the Planning Commission. Council Member McCusker pointed out potential drainage and utility easement concerns. Council Member Duncan reviewed the Planning Commission discussions of this issue.

Council Member McCusker moved, seconded by Council Member Duncan to approve Resolution 2067 as recommended by the Planning Commission. All members present voted aye. The motion was declared passed.

Staff Reports

Library Director Padgett reported that, once the water leakage issues have been resolved, plans would move forward on a stained glass window project for the library.

Police Chief McCormick discussed potential flooding preparations.

City Administrator Johnson thanked the mayor and council for the opportunity to serve the City. He complimented Library Director Padgett and Bossardt Corporation on the manner in which the library water leakage issues have been managed.

Mayor and Council
Reports

Council Members welcomed City Administrator Johnson, extended appreciation to Officer Sather for his service to the community, and congratulated Officer Edwinston on his promotion.

Council Member McCusker thanked the community for their patience and assistance during the recent water line freezing situation. He discussed concerns related to the property next to Subway purchased by the State as part of the highway construction project.

Mayor Robinson welcomed City Administrator Johnson and commented on various issues affecting the City.

Adjournment The meeting adjourned at 7:34 p.m.

Adopted by the City Council of the City of Cannon Falls on the 1st day of April, 2014.

Lyman M. Robinson, Mayor

ATTEST:

Ronald S. Johnson, City Administrator