

The Cannon Falls City Council met in a regular session on Tuesday, December 18, 2018, at 6:45 p.m. in the City Council Chambers. Present were Mayor Robby Robinson and Council Members Morris Mattson, Cedar Abadie, Bill Duncan, Ken Carpenter, John Althoff, and Derek Lundell. Also present were Lanell Endres, Interim City Administrator; Dave Maroney, Community Development Director; Jeffrey McCormick, Police Chief; Greg Anderson, City Engineer; Mike Althoff, Fire-Chief/Public Works Director; Samantha Pierret, Zoning Assistant; Joe Berg, Police Lieutenant; and David Kendall, Attorney from Campbell Knutson.

Call to Order Mayor Robinson called the City Council meeting to order at 6:45 p.m.

Roll Call All members were present.

Pledge of Allegiance Mayor Robinson led in the recitation of the Pledge of Allegiance.

Approval of Agenda A motion was made by Council Member Carpenter, seconded by Council Member Duncan and unanimously carried, to approve the Agenda as submitted.

Public Input Tom Bergeson, Northfield, stated that he wished to thank some people – Rod, Jay, Merle, Mike Dalton, Cedar, Ken, Bill, and Robby. He also thanked the City staff, stating that they do a fantastic job. He advised the new Council Members to not micromanage the staff. He stated that he worked almost 30 years for various cities and commented that the staff here was a good group of people. He stated that he saw two good City Administrators leave because of micromanaging. He stated that he got caught up in this and stepped on the wrong toes. He apologized to the Council and stated that he would like to see Council Members and staff not being bullied at City Council meetings and by letters to the editor. He thanked Mayor Robinson for the great job he has done, especially with keeping the budget down.

Tim Dehmer, Cannon Falls, stated his plea to all present, those elected or appointed to the City of Cannon Falls government, and to all citizens:

- 1) To be fairly treated with due process and respect, exactly like you would expect and want to be treated;
- 2) To have equality and justice;
- 3) To be free of any and all discrimination.

Mr. Dehmer stated that he had been inaccurately and incorrectly accused of things without any fair due process. He described three decades of being treated by a lot of people like an outcast. He stated that he felt that he and others have been treated poorly by people who were too rushed to listen and know the full story. He stated that

people jumped to conclusions. Mr. Dehmer stated that this should not happen to anyone in a country with justice and equality for all. He stated that he does not conform to all of the opinions and attitudes that others have. He stated that he does his best to be compliant, to help when able, and to try to be happy like anyone else.

Mary Jill Bringgold, 609 East Mill Street, Cannon Falls, stated that she wanted to take an opportunity to thank the ambulance crew. She reported that last July she had a bad attack of kidney stones. She noted that the ambulance crew dealt with everything calmly, respectfully, and took care of everything beautifully.

Public Hearing:
Resolution 2401,
Approving Property
Tax Abatements for
Keith Meyers Project

Community Development Director Maroney provided background information regarding a request from Keith and Tamara Meyers for a tax abatement program to assist them with obtaining financial feasibility for a proposed redevelopment project in the former Scofield Drug building.

Director Maroney noted that the applicants communicated with the Economic Development Authority, and the EDA recently approved a \$75,000 loan to assist with financing renovation costs. He noted that, in addition to the \$75,000 loan by the EDA, the applicants would be providing \$75,000 in cash equity toward the estimated \$150,000 investment in this building. To assist with minimizing market risk and attaining financial feasibility, Director Maroney reported that the applicants have requested property tax abatement.

Director Maroney referenced a property tax abatement program approved by the Council for the GrandStay Hotel project. He noted that the current proposal was different, in that if the abatement was approved there would be a rebate of taxes paid going back to the owners of the building over the recommended 8-year term of abatement. He clarified that, if approved, the tax abatement would assist with private improvements, while the tax abatement for the GrandStay Hotel was used to pay for public improvements.

Director Maroney reviewed the tax abatement program approval process, including the requirement for a Public Hearing to be conducted.

Mayor Robinson opened the Public Hearing at 7:06 p.m. No one came forward to speak. Mayor Robinson closed the Public Hearing at 7:07 p.m.

Council Member Duncan inquired regarding the proposed 8-year term, from 2021 to 2028. He asked why the program would not start in 2019 or 2020. Director Maroney explained that the proposed improvements to the building would be completed in 2019, which would create a new property value as of January 2, 2020, for taxes payable in 2021.

A motion was made by Council Member Carpenter, seconded by Council Member Lundell, to adopt Resolution 2401, approving property tax abatement for the Keith Meyers project. A vote was taken, and Council Members Lundell, Carpenter, Althoff, Abadie, and Duncan voted aye; Council Member Mattson abstained. Five ayes; one abstention; motion carried.

Consent Agenda

- ~~A. Just and Correct Claims — Accounting Period Ending December 13, 2018
This item was pulled by Council Member Althoff~~
- B. Meeting Minutes for December 4, 2018, City Council Meeting
- C. Gambling Premises Permit Application - Tilion
- ~~D. Gambling Premises Permit Application - Chuggers
This item was pulled by Council Member Lundell~~
- E. Approve Hardwood Way Agreement with Cannon Falls Township
- F. Approve Application for Payment No. 6 for 2018 Street Improvements Project
- G. Resolution 2402, Accepting Donation of \$200.00 from Dakota Electric to Public Works Department
- H. Resolution 2403, Accepting Donation of \$96.69 from Catherine Johnson to Ambulance Department
- I. Introduction and First Reading of Ordinance 364, Amending Chapter 152 of the Cannon Falls City Code, the Zoning Ordinance Concerning Domestic Animals
- J. Resolution 2404, Accepting Grant of \$75,000.00 from the Charles K. Blandin Foundation to the EDA
- K. Second Reading and Adoption of Ordinance 363 and Approve Summary Publication of Ordinance, Amending Chapter 96 of the Cannon Falls City Code Concerning Parks

A motion was made by Council Member Duncan, seconded by Council Member Carpenter and unanimously carried, to approve the Consent Agenda, minus Items A and D.

Second Reading and Adoption of Ordinance 362 and Approve Summary Publication of Ordinance, Amending Chapter 94 of the Cannon Falls City Code Concerning Dog Regulation and Licenses

Police Chief McCormick reviewed a recommendation from the Police Commission to increase the number of dogs from the current two to three, and change the number relative to multiple housing units to two per unit.

Council Member Duncan stated that he voted no during the first reading of Ordinance 362. He commented that, while he was a dog lover, he did not see the need for anyone in Cannon Falls to have more than two dogs. He reiterated his opinion that three dogs in the City would be too many, adding that he was still not in favor of this.

A motion was made by Council Member Carpenter, seconded by Council Member Abadie, to approve the second reading of Ordinance 362. Council Members Lundell, Carpenter, Mattson, Althoff, and Abadie voted aye; Council Member Duncan voted nay; motion carried by a vote of 5:1.

Resolution 2405, Conditional Use Permit for Krie Property

Zoning Assistant Pierret stated that the Conditional Use Permit request for the Krie property was being brought back to the City Council for final action. She provided background information and summarized the process to date. She noted that the CUP application had been tabled and additional information requested. She stated that the applicants requested an extension for approval of the CUP but never submitted the requested information. She referenced the Findings of Fact and discussions with the City Attorney. She reviewed options for Council action at this time and requested that the Council consider whether to approve or deny the CUP.

Council Member Althoff stated that the Planning Commission recommended approval of the Conditional Use Permit back in July.

A motion was made by Council Member Althoff, seconded by Council Member Mattson, to grant the Conditional Use Permit with a condition that the City Engineer review and approve the final plans relating to drainage and a retaining wall prior to construction.

Council Member Duncan expressed support for the motion. He referenced a recent conversation with Zoning Assistant Pierret with regard to the rules about moving a manufactured home onto a building site. He suggested further discussion of the Zoning Ordinance language, commenting that a manufactured home and a stick-built home would need to meet the same requirements. Council Members expressed agreement with these comments.

A vote was taken, and the motion carried unanimously.

January 1 Council
Meeting Change

Mayor Robinson stated that the regular first meeting in January would fall on the January 1st holiday and the meeting would need to be rescheduled.

Council Member Duncan stated a preference for the meeting to be held on January 2 because of some ongoing issues with Public Works and some personnel items.

A motion was made by Council Member Duncan, seconded by Council Member Lundell and carried unanimously, for the next Council meeting to be held on January 2, 2019.

City Administrator
Contract for Dave
Maroney

Mayor Robinson provided background information and referenced discussion by the Personnel Committee regarding the City Administrator contract for Dave Maroney. He stated that Director Maroney had requested that no action be taken during this meeting. Mayor Robinson requested that the Council authorize Mr. Maroney to request information from the Bureau of Mediation Services, as a representative of the City.

Council Members Duncan and Abadie requested additional information with regard to the request. Director Maroney provided additional background information with regard to the labor union negotiation process and rationale for his request to obtain information from the Bureau of Mediation Services.

A motion was made by Council Member Duncan, seconded by Council Member Carpenter and unanimously carried, to authorize Director Maroney to request information from the Bureau of Mediation Services.

Just and Correct
Claims – Accounting
Period Ending
December 13, 2018

Council Member Althoff stated he liked how the new tractor was budgeted out to the different departments.

A motion was made by Council Member Althoff, seconded by Council Member Carpenter and unanimously carried, to approve the just and correct claims for the accounting period ending December 13, 2018.

Gambling Premises
Permit Application –
Chuggers

The Council received a request from the Farmington Fire Relief Association to be allowed to conduct lawful gambling activity at Chuggers. Council Member Lundell inquired why the Farmington Fire Department would receive the proceeds.

Fire Chief Mike Althoff provided background information relating to charitable gambling, noting that the Relief Association holds the gambling license. He referenced the request to move the pull-tab site for the Cannon Falls Fire Department Relief Association to Tilion Brewing Company. He stated his understanding that there would be no legal reason to deny the Chuggers request.

Chief Althoff stated that this was a common practice and provided examples. He commented that the Cannon Falls Fire Department Relief Association has not had pull-tabs at Chuggers for more than two years.

A motion was made by Council Member Lundell, seconded by Council Member Mattson and unanimously carried, to approve the gambling premises permit application for Chuggers.

Close Meeting for Job
Evaluation of David
Pagel

Mayor Robinson provided background information regarding conducting a job performance review for employee David Pagel, pursuant to MN Statute 13D.05, Sub 3(a). The Council entered into closed session at 7:26 p.m.

Open Meeting to
Outline Results and
Take Action, If Any

The meeting returned to open session at 9:30 p.m. Following the closed session, Mayor Robinson announced that David Pagel had decided to retire from his employment with the City.

Staff Reports

Interim Administrator Endres reminded everyone that this was the last City Council meeting for several members. She presented certificates of appreciation to Mayor Robinson for service to the City of Cannon Falls as Mayor from 2009 to 2018; to Council Member Abadie for service to the City of Cannon Falls as Council Member from 2016 to 2018; and to Council Member Ken Carpenter for service to the City of Cannon Falls as Council Member from 2017 to 2018. On behalf of the City staff, she thanked them for their service and wished them well.

Mayor and Council
Reports

Council Member Duncan thanked Mayor Robinson, Council Member Abadie, and Council Member Carpenter for their service.

Council Member Abadie stated that it was an honor and a privilege to have had the opportunity to serve the citizens of Cannon Falls.

Council Member Althoff also congratulated the outgoing members and stated that they all did a good job.

Council Member Althoff inquired whether there had been any recent complaints about Sustane. He commented that the odor had been terrible coming from the north. Interim Administrator Endres reported that she had received a complaint a few weeks earlier and had notified Sustane. Chief McCormick referenced some recent weather inversion conditions, stating these were always problematic. He noted that Sustane tries to remedy the problem when it occurs. Council Member Duncan commented regarding recent bad air quality days.

Council Member Althoff inquired regarding a charging station for electric cars. Interim Administrator Endres discussed a grant program but stated that she had not received new updates. Mayor Robinson commented that the proposed grant funding may not have been approved by the Minnesota Legislature during the last session.

Council Member Althoff discussed cars turning right at the stoplight at Highway 19, stating that he was almost involved in two accidents the prior week. Chief McCormick stated that the driving lane was the striped lane. He noted continued problems, adding that things had gotten a lot better.

Council Member Lundell also thanked Mayor Robinson and Council Members Abadie and Carpenter for their service. He stated it had been fun working with them and that he was looking forward to working with the new members.

Council Member Carpenter stated that he has enjoyed working with the City staff and Council Members and thanked them.

Council Member Mattson also thanked Council Members Abadie and Carpenter and Mayor Robinson for their service.

Mayor Robinson commented that he had seen a lot of things happen in the City over the previous ten years – everything from a visit by President Obama, to floods, to tornadoes, to personnel changes. He commented that the City employees were very good and very dedicated. He stated that he could not have done his job without every one of the current Council Members, as well as members from past Councils. He stated that it takes the whole City Council to make the decisions to try to keep the City running the best that it can be with the best budget possible, trying not to raise taxes. He added that there were some things that could not be helped, such as increasing health insurance premiums. He referenced four large infrastructure projects that had been completed over the last ten years. He

expressed his hope that the next Council would continue to make Cannon Falls a great place to live. He wished everyone good luck, adding that he would still be working for Goodhue County.

Adjournment The meeting adjourned at 9:39 p.m.

Adopted by the City Council of the City of Cannon Falls on the 2nd day of January, 2019.

John Althoff, Mayor

ATTEST:

Lanell Endres, Interim City Administrator