

The Cannon Falls City Council met in a regular session on Tuesday, February 5, 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, Matt Montgomery, and Steve Gesme; Council Member Mary Jill Bringgold was absent. Also present were Dave Maroney, City Administrator; Jeffrey McCormick, Police Chief; Mike Althoff, Fire Chief/Public Works Director; and Samantha Pierret, Zoning Assistant.

- Call to Order Mayor Althoff called the City Council meeting to order at 6:30 p.m.
- Roll Call Roll call was conducted. Mayor Althoff and Council Members Lundell, Mattson, Duncan, Montgomery, and Gesme were present. Council Member Bringgold was absent.
- 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 Mattson and unanimously carried, to approve the Agenda.
- Public Input Mayor Althoff reviewed the public input procedure. No one came forward to speak regarding items not listed on the Agenda.
- Public Hearing:  
Resolution 2408,  
Certifying Unpaid  
Utility Charges to be  
Collected with Taxes
- City Administrator Maroney stated that notices had been provided to customers who had delinquent outstanding water and sewer bills. He stated that, per the City Code, a Public Hearing was being held to accept input from those who had delinquent accounts. He stated that, following the Public Hearing, the Council would be asked to consider certifying the unpaid utility charges to Goodhue County for taxes payable in 2020.
- Mayor Althoff opened the Public Hearing at 6:33 p.m. No one came forward to speak during the Public Hearing. Mayor Althoff closed the Public Hearing.
- A motion was made by Council Member Duncan, seconded by Council Member Mattson and unanimously carried, to adopt Resolution 2408, certifying unpaid utility charges to be collected with taxes.
- Consent Agenda
- A. Just and Correct Claims – Accounting Period Ending December 31, 2018
  - B. Just and Correct Claims – Accounting Period Ending January 31, 2019
  - ~~C. Meeting Minutes for January 15, 2019, City Council Meeting~~  
*This item was pulled by Council Member Gesme*
  - D. Statutory Tort Limits

~~E. Resolution 2409, Approve Conditional Use Permit for Cannon Falls Mall, Inc.~~

*This item was pulled Council Member Mattson*

~~F. Hiring Streets and Parks Supervisor~~

*This item was pulled by Council Member Gesme*

G. Public Works Maintenance II Posting

A motion was made by Council Member Gesme, seconded by Council Member Montgomery and unanimously carried, to approve the Consent Agenda, minus Items C, E, and F.

Resolution 2410,  
Accepting Grant for  
the Farmers Market

City Administrator Maroney provided background information regarding a grant for the Farmers Market. He stated that during 2018 two farmers markets were held – a Downtown Market approved by special permit by the City Council, and the other one held in conjunction with Artisan Plaza. He noted that Mr. David Olson received a CUP for that operation, along with the Artisan Plaza development. He stated that the EDA applied for and received a Food Aggregation Permit from the Minnesota Department of Agriculture for the Artisan Plaza Farmers Market. He noted that this permit allows Farmers Market produce to be aggregated and resold to purchasing institutions, such as the hospital, the School District, and Twin Rivers. He stated that some grant funding was received in 2018 and that another grant of \$500 will be received in 2019.

Administrator Maroney commented that meetings have been held with representatives of the Downtown Farmers Market and with David Olson, representing the Artisan Plaza Farmers Market. He stated his understanding was that the Downtown Farmers Market would submit a request to operate a market again this season.

A motion was made by Council Member Duncan, seconded by Council Member Lundell, to adopt Resolution 2410, accepting a grant for the Farmers Market. A vote was taken and unanimously carried.

City Council Agenda  
Format

Administrator Maroney stated that, in addition to the suggested changes to the agenda, there would be additional conversation during the Council workshop in terms of how City staff, the City Council, and the public can best work together to receive, process, and manage public input that is provided.

Administrator Maroney reviewed the draft Agenda format, noting that almost every Agenda item involves some amount of public input.

Administrator Maroney noted that input may come directly to the

Council, it may come first to City staff, it may come to a Council committee, or it may go to the Planning Commission. He stated there are numerous ways to invite, receive, and accept public input from the community.

Administrator Maroney reviewed the Presentations and Public Hearings sections of the Agenda. He stated that the revised Agenda format would provide more specifics related to Public Hearings. He provided examples of scheduled presentations.

Administrator Maroney reviewed the Consent Agenda section of the Agenda. He stated that Council Members have the right to pull items for discussion and possibly allow additional input from the public. He noted that this section is not a change from the current format.

Administrator Maroney reviewed the Council Business section of the Agenda. He stated that there was almost always a public component to this section, as many Agenda items were driven by the public. He noted that nothing would change in regard to this section.

Administrator Maroney discussed changes to the Reports section of the Agenda, including scheduled committee reports. He commented that Mayor and Council reports would not change. He referenced discussions related to staff reports and how to better utilize opportunities to present information to the Council and the public.

Administrator Maroney discussed potential changes to the Public Input portion of the meeting and placement of this section on the Agenda. He noted that if input was provided that was not respectful, did not meet Data Practices requirements, and/or was not an appropriate conversation for the meeting at the time and the Council identified that, there could be a motion to adjourn, a second to adjourn and thereby ending the meeting and public input. He noted that this process allows opportunity to better manage the discussion in the future.

Administrator Maroney clarified that the Agenda format would continue to be discussed and that this is the initial draft only.

Council Member Duncan expressed agreement with the new format. He spoke in support of an established time for public input. He commented that there were varying opinions about what was considered disrespectful. Administrator Maroney stated that he had researched policies in this regard that were utilized by other government bodies.

Council Member Duncan stated that he did not want to allow a situation in which one Council Member may think something was not very respectful and made a motion to adjourn because of that, and that another Council Member may not agree that it was disrespectful. He stated that this could create potential chaos.

Council Member Montgomery stated that he was hesitant to move the Public Input section to the end of the meeting, as this may not allow time for a thorough discussion to be held.

Council Member Duncan stated his opinion that the proposed format would give individuals with items that were on the Agenda priority over those who are just coming in to make a comment.

Council Member Montgomery stated that he was not questioning priorities but did question the effectiveness of trying to contain public input.

Council Member Lundell stated that he felt moving the Public Input section to the end gave the impression that Council was trying to limit free speech. He stated that oftentimes the public wanted to come in, state their issue, and leave. He commented that sometimes meetings were long and the public would have to wait a long time to state their comments. He noted that if comments were to become disrespectful or go on too long, Mayor Althoff has a gavel and is free to stop the discussion, adding that if the person will not stop, they could be removed.

Mayor Althoff suggested discussing this topic during a future work session.

Administrator Maroney stated that the point of the discussion was to introduce the Agenda format and solicit thoughts and conversation.

Resolution 2409,  
Approve Conditional  
Use Permit for  
Cannon Falls Mall,  
Inc.

Council Member Mattson inquired as to how long the Cannon Falls Mall storage units have been in place. Zoning Assistant Pierret stated her understanding that the portable units were just placed a couple of months prior. Council Member Mattson inquired whether Mr. Rymer appeared before the Council to discuss the larger storage units. Zoning Assistant Pierret indicated that she was not sure. She stated her understanding that the CUP requirement was not in the Ordinance at the time they were constructed.

Administrator Maroney clarified that Mr. Rymer made application to the City to change the Ordinance several years ago to allow this kind of use on that property, subject to a CUP.

Administrator Maroney discussed the Public Hearing process that took place and discussions with the Planning Commission and the City Council. He noted that the Ordinance was changed to allow self mini-storage as a land use in the B2 district, which was the Mall area, adding that Mr. Rymer never brought a project forward. He stated that approximately a year or two after that, one or two storage units appeared on the site. Administrator Maroney stated he asked Mr. Rymer about this at the time and was told that these units were going to be temporary.

Administrator Maroney stated that zoning violations have traditionally been enforced based on complaints. He stated that he told Mr. Rymer that if any complaints were received regarding the temporary units, he would have to issue a violation. He stated that the current units showed up last fall without a permit and without any advance notification to City staff. He noted that this led to Mr. Rymer applying for a CUP through the Planning Commission.

Council Member Mattson stated that he did not really have a problem with the units; he was just trying to determine the history.

A motion was made by Council Member Mattson, seconded by Council Member Duncan, to adopt Resolution 2409, approving a Conditional Use Permit for Cannon Falls Mall, Inc. A vote was taken and carried unanimously.

Meeting Minutes for  
January 15, 2019 City  
Council Meeting

Council Member Gesme stated that he wished to make it clear that the minutes that are published are not a verbatim transcript; they are an overview of items dealt with during meetings. He noted that if a word-for-word transcript was desired, the recording may be reviewed.

A motion was made by Council Member Gesme, seconded by Council Member Duncan, to approve the minutes for the January 15, 2019, City Council Meeting. A vote was taken and carried unanimously.

Hiring Streets and  
Parks Supervisor

Council Member Gesme voiced a concern that perhaps a supervisor should have been hired from outside of the Public Works Department or the candidate search expanded. Public Works Director Althoff provided background information. He discussed the requirement to post positions internally, per the union contract, and interview

qualified applicants. He discussed his desire to encourage employees to succeed and pursue advancement opportunities. He stated that the candidate had good experience, adding that there would be a six-month probationary period.

Council Member Duncan spoke in support of encouraging employee development. He stated his opinion that the candidate was a good choice.

A motion was made by Council Member Duncan, seconded by Council Member Montgomery, to approve the hiring of Tony Haan as the Streets and Parks Supervisor. A vote was taken and the motion carried by a vote of 5:1, with Council Member Gesme voting nay.

Staff Reports

Administrator Maroney provided an update on the status of the broadband project with Blandin. He discussed the work of the steering committee to help sort through ideas for use of the \$75,000 Blandin broadband grant. He stated that four projects had been approved so far and were moving forward through various stages. He stated that one project involved creating a brand for local foods programs, and another project involved extending broadband service beyond the City limits of Cannon Falls into the rural areas. He discussed an educational project related to how to better utilize broadband services, and another project involving the distribution of computers to the public. He commented that the steering committee would be reviewing ideas for two more projects during their meeting the following week. He expressed appreciation to the steering committee and City staff for their assistance.

Director Althoff stated that, with the upcoming forecast, Public Works would likely be plowing curb-to-curb each night for the rest of the week. He noted that so far the City had not experienced any broken water pipes, adding that assistance had been provided to some residents in this regard. He noted that the Public Works Commission would be discussing potential sewer credits during their meeting the following week.

Zoning Assistant Pierret provided an update. She stated that most of the current year would be spent cleaning up the Zoning Ordinance, with items coming to Council for approval once they went through the Planning Commission. She stated this would help with the enforcement process. She discussed the updated City website and stated that she would be happy to answer any questions that may arise.

Police Chief McCormick stated that on Thursday, February 7, there would be a Coffee, Cops, and Conversation event unless the weather interfered. He discussed a Triad event scheduled for February 13.

Chief McCormick discussed the enforcement of parking restrictions.

Chief McCormick discussed a Police Commission meeting held earlier in the day. He reported that Todd Hanson was selected as the Chair. He noted that the Commission declined to designate a Council Liaison at this time because several Council members were fairly new. He stated that in the interim he would provide Police Commission updates during Council meetings. He discussed the Police Commission meeting schedule.

Chief McCormick reviewed Police Commission discussion of the Police Department budget relating to ammunition, pistols, and radios.

Chief McCormick reviewed Public Works and Police Commission discussions of speed signs. He stated that he would be working with Director Althoff on this issue and would bring information back to the Council. Mayor Althoff spoke in favor of speed signs.

Mayor and Council

Council Member Gesme stated that he attended the League of Minnesota Cities training for new Council Members in Mankato. He stated that this was very enlightening and well worth his time. He reported that the Cable Commission met and reviewed budget items.

Council Member Montgomery expressed appreciation for allowing him to attend the League of Minnesota Cities training. He stated that they pointed out that 70% of Minnesota cities have fewer than 4000 people and noted that Cannon Falls is one of the "big" small towns.

Council Member Montgomery stated that the trainers suggested keeping the following traits in mind:

- 1) Be curious.
- 2) Be respectful.
- 3) Be human.

Council Member Montgomery stated that it was stressed that people will not remember the outcomes of votes as much as they will recall Council Member and Mayor conduct.

The scheduling of work sessions was discussed.

Mayor Althoff reported that he and Assistant City Administrator

Endres met with the Regional Census Director to discuss the City's participation in the Complete Count Committee program. He noted that local jobs would be available to assist with the census. He discussed the importance of an accurate census.

Mayor Althoff discussed a Highway 52 project scheduled for 2021, noting that MnDOT had declared Highway 52 to be a "freeway." He reviewed the project area, from Cannon Falls to Zumbrota. He discussed the elimination of access points to Highway 52, from the current 66 down to 6.

Director Althoff discussed a recent meeting that included Fire Department, EMS, Police Department, and School District representatives to discuss this project. He referenced impacts on school bus routes and response times. He noted that the City would be working closely with MnDOT during this project.

Adjournment

A motion was made by Council Member Duncan, seconded by Council Member Mattson and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:24 p.m.

Adopted by the City Council of the City of Cannon Falls on the 19<sup>th</sup> day of February, 2019.

---

John O. Althoff, Mayor

ATTEST:

---

David Maroney, City Administrator