

The Cannon Falls City Council met in a regular session on Tuesday, June 4, 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 Dave Maroney, City Administrator; Lanell Endres, Finance Director/Assistant City Administrator; Jeffrey McCormick, Police Chief; Mike Althoff, Fire Chief/Public Works Director; and Nicole Miller, Library Director.

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 Mattson and unanimously carried, to approve the Agenda.

Consent Agenda

- A. Just and Correct Claims – Accounting Period Ending May 29, 2019
- B. Meeting Minutes for May 21, 2019, City Council Meeting
- C. Approve Employment Agreement for the Farmers Market Managers
- D. Approve Agreement Modification for Zoning Services
- E. Approve Alley Signage
- F. Approve New Members to Reserve Program and Accept Resignation from a Member

A motion was made by Council Member Gesme, seconded by Council Member Duncan and unanimously carried, to approve the Consent Agenda as presented.

Council Business: There was no Council business to be discussed.

Council Committee/  
Commission Reports City Administrator Maroney noted that he was not in attendance at the Joint Powers Trail Board meeting, so he deferred to Council Member Bringgold. Council Member Bringgold presented an update on the Joint Powers Trail Board regarding signage and upcoming grants. Council Member Montgomery added that bridge work was discussed for projects starting in October, but nothing was finalized.

Administrator Maroney summarized items that were discussed by the Personnel Committee, including the employment agreement for the farmers market managers and the modification for zoning services. He referenced upcoming 2020 budget discussions and noted that the committee discussed different ways that Council Members could be involved in these conversations. Council Member Bringgold

commented that she would like to receive more in-depth information regarding budget planning. Administrator Maroney stated that he and Assistant Administrator Endres would be happy to work with any of the Council Members. Administrator Maroney noted that staff would like to develop a budget discussion schedule and explained the preliminary parameters that would need to be established by the Council. Mayor Althoff and Council Members suggested scheduling a budget workshop in June, perhaps following the next Council meeting. Administrator Maroney noted that a budget planning schedule would be developed.

#### Staff Reports

Library Director Miller provided information about upcoming events at the Library. She reported that grant funding had been approved for a collaborative project with the Cannon Arts Board for a teen mural project.

Police Chief McCormick detailed pricing information for the Nasal Ranger in order to bring this equipment up to date.

Administrator Maroney reviewed the findings provided by Trinity Consultants in 2014 during odor monitoring activities at Sustane. He noted that he had asked Mr. Holden to provide additional documentation and details of the studies that he referenced during the last Council meeting. Administrator Maroney reported that Mr. Holden has provided summaries of these reports, noting that he had not yet had time to review this information. He discussed plans for more detailed discussions regarding odor concerns. Administrator Maroney stated that the cost for revising the equipment that Chief McCormick had referenced earlier in the meeting and additional training would be approximately \$2,500. He recommended to the Council that he would like to have further conversation with Mr. Holden and provide further recommendations on how to proceed. He commented that an ordinance was not adopted after the study in 2014 in regard to odors, adding that odors could be enforced under the current nuisance ordinance. Mayor Althoff and Council Members expressed agreement with this recommendation.

Administrator Maroney reviewed concerns expressed by Babe O’Gorman during the last Council meeting. He referenced a comment relating to the presence of the City Attorney at Council meetings.

Administrator Maroney noted that the City Attorney has clarified that it was not a requirement of the City Code that the City Attorney be present at every meeting, adding that this would be at the discretion

of the City Council.

Administrator Maroney referenced Section 31.04 of the City Code relative to the Public Works Commission. He stated that he requested guidance from the City Attorney in this regard and reviewed comments provided by the City Attorney. He discussed the roles and responsibilities of Public Works Commission members.

Council Member Bringgold stated her understanding that committees serve in an advisory capacity and do not change policy, adding that their role was to forward information and recommendations to the City Council. This was confirmed by Administrator Maroney.

Mr. O’Gorman requested to speak on this subject at this time. He commented he did not feel that the clarifications offered match the Charter. He referenced language that the chairman of the Public Works Commission “must be” elected at the first meeting. A clarification was made by the Council that the wording is “shall be elected.” Mr. O’Gorman expressed concerns that the City Attorney has provided an opinion that it was okay that he was not doing his job.

Council Member Bringgold asked Mr. O’Gorman what he wanted to see happen. Mr. O’Gorman stated that the Council was trying to hold Sustane accountable and he wants to hold the Council accountable to uphold City ordinances. Administrator Maroney provided further clarification regarding the two specific items that were discussed earlier.

Administrator Maroney reported that the Planning Commission would not meet on Monday, June 10.

Administrator Maroney commented that the vast majority of workers at City Hall would be gone on Friday, July 5, and closing City Hall on July 5 had been discussed. He noted this would not be a paid holiday, and staff would need to use vacation or comp time if they were absent. He requested approval from the Council to close City Hall on July 5. A motion was made by Council Member Bringgold, seconded by Council Member Mattson and unanimously carried, to close City Hall on Friday, July 5.

Council Member Gesme commented regarding the Sustane odor issue and monitoring parameters. He suggested that the Council and Sustane work together to resolve this problem.

Council Member Bringgold expressed her opinion that not all issues could be measured in numbers. She commented that sometimes feelings enter into it, and Sustane should be held accountable.

Council Member Montgomery commented that National Trail Day was very successful.

Council Member Duncan reported that the next Public Works Commission meeting was scheduled for June 10, 2019 beginning at 4:30 p.m.

Mayor Althoff referenced Chapter 114 of the City Code and suggested allowing food trucks on a trial basis through Labor Day. Council Members discussed how many food trucks should be allowed. Administrator Maroney provided additional information and stated that an amendment to the City Code would be required in order to allow food trucks on a permanent basis. He indicated that a temporary authorization may be possible to conduct a trial. He outlined the questions that would need to be answered, including scheduling, hours of operation, and the number and location of the food trucks. A potential permitting process was discussed. Market factors were discussed. It was suggested to develop some options for Council discussion during the next meeting.

Public Input

Mayor Althoff reviewed the public input procedure.

Babe O’Gorman, Cannon Falls, reiterated his opinion that ordinances are laws. He stated that he was trying to hold the Council accountable to the laws that they enforce for the public.

Kyle Paulson, President of the Cannon Falls Area Chamber of Commerce, reviewed details of the upcoming Fun Fest on June 13, the Chamber golf tournament and fundraiser on June 27, and the summer coupon booklets that were now available.

Blaize Holden, representing Sustane Natural Fertilizer, addressed a couple of items that had been mentioned earlier in the meeting. He stated that Sustane was aware of the report done in 2014. He indicated that Sustane requested a copy of the report on multiple occasions, but only just received it last fall. Mr. Holden also stated that, while he understood that you cannot measure people’s happiness or wellbeing with numbers, there did need to be some way to quantify what the odor levels were and to know where they were coming from. Mr. Holden again expressed Sustane’s willingness to work on this issue.

Mr. Holden commented that, with the high visibility of this issue, Sustane was being blamed for odors even when the plant was not operating. He expressed Sustane's desire for a fair process for determining what the levels were and what the impact range was. He noted that Sustane had hired an odor consultant, adding that this company invented the Nasal Ranger and conducted previous training in its use.

Ken Carpenter, 1005 Park Street West, Cannon Falls, expressed concerns regarding the condition of Park Street south of Highway 19, where there were a lot of potholes and failing patches. He suggested that perhaps this street should be rebuilt next year. He noted that this was originally part of the West Side project but was not included because of the cost. He stated his recollection that the City Engineer had estimated this portion to be an approximately \$1 million project.

Mayor Althoff asked about future project plans. Public Works Director Althoff stated that the next phase planned was to work on everything north of the river. Director Althoff stated that he and the City Engineer have discussed this issue and plan to discuss this at the July Public Works Commission meeting in terms of what the focus should be for 2020. He commented that the budget for street maintenance would be depleted very soon. He added that this topic would fit in with budget discussions and described the different options that could be available.

Mayor Althoff reiterated that the Public Works Commission would meet on Monday, June 10, and that there would be no Planning Commission meeting in June. He also noted that MnDOT would provide a presentation on the Highway 52 project on June 27.

Adjournment

A motion was made by Council Member Duncan, seconded by Council Member Mattson and carried unanimously, to adjourn the meeting. The meeting adjourned at 7:22 p.m.

Adopted by the City Council of the City of Cannon Falls on the 18<sup>th</sup> day of June, 2019.

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John O. Althoff, Mayor

ATTEST:

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David Maroney, City Administrator