

The Cannon Falls City Council met in a regular session on Tuesday, July 16, 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, Assistant City Administrator; Jeffrey McCormick, Police Chief; and Mike Althoff, Fire Chief / Public Works Director.

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| Call to Order  | Mayor Althoff called the City Council meeting to order at 6:30 p.m. Mayor Althoff noted the passing of former Council Member LeRoy McCusker and extended condolences to his family.   |
| 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.  |
| Presentation:<br>Ross Nelson, Welch<br>Mill Canoeing | <p>City Administrator Maroney introduced Ross Nelson of Welch Mill Canoeing. Mr. Nelson apologized for not being at the April or May meetings, as is his usual practice. He requested the continued use of Riverside Park as the access point for the business. He stated that the landing needs a little work, as there is a steep drop-off to get the canoes in. He stated that he would like to work with the City to make the area easier to access and safer for the public. Mr. Nelson also asked if the City had received his proof of insurance. Lanell Endres stated that she received this last year but has not received it this year. Mr. Nelson stated that he will look into this matter. He also noted that he would like to be called with any problems right away so that he can address them as soon as possible.</p> <p>Council Member Duncan asked Public Works Director Althoff if there was anything he could do to help Mr. Nelson. Director Althoff stated that he will look into the launch area. He commented the DNR controls the waterway and the right-of-way that goes with it. He stated that he will reach out to them to make sure that Public Works does not do anything that the DNR would not want done. Mr. Nelson noted that the DNR has been easier to work with in recent years.</p> <p>Council Member Bringgold asked if things have washed away. Mr. Nelson discussed current conditions.</p> <p>A motion was made by Council Member Duncan, seconded by Council Member Mattson and unanimously carried, to allow Welch Mill Canoeing to use the landing at Riverside Park.</p> |

Consent Agenda

- A. Just and Correct Claims – Accounting Period Ending July 10, 2019
- B. Meeting Minutes for June 18, 2019, City Council Meeting
- C. Meeting Minutes for July 2, 2019, City Council Meeting
- D. Disposal of Forfeited Vehicles
- E. DNR Contract Renewal
- F. Resolution 2432 Accepting Grant of \$500 for the Farmers Market
- G. Resolution 2433 Accepting Donation of \$5,000 from the Cannon Falls Fire Department Relief Association to the Fire Department

A motion was made by Council Member Bringgold, seconded by Council Member Duncan and unanimously carried, to approve the Consent Agenda

Council Business:

Second Reading and Adoption of Ordinance 366 and Summary of Publication, Amending Title XI of the Cannon Falls City Code Establishing Mobile Food Units Licensing and Regulation

Administrator Maroney referenced revisions that were discussed during the last Council meeting. He noted that if consideration is to be given to final adoption of this ordinance, he proposed bringing this back to the Council during the first meeting in August, in order to comply with requirements to post notice, per State law.

Administrator Maroney highlighted proposed changes:

- 1) The word “concerning” was changed to “establishing” in the ordinance title.
- 2) City Council was changed to City of Cannon Falls, per recommendation by City Attorney Roger Knutson.
- 3) Language was added relating to the fact that if a license is issued, it must be displayed in the food truck itself.
- 4) Language was added pertaining to allowing or restricting food trucks along Veterans Lane.
- 5) Language was added related to separation of food trucks from existing food establishments.
- 6) Language was added clarifying licensing food trucks in City parks.

Administrator Maroney noted that these were the main changes that were discussed during the last meeting. He suggested discussion of any additional revisions or clarifications at this time.

Administrator Maroney reiterated if the Council wished to move forward with the proposed revisions, this language could be back for the final reading of Ordinance 366 during the first meeting in August.

Council Member Duncan objected to allowing food trucks at John

Burch Park due to the concession stands being run by community organizations.

Mayor Althoff objected to food trucks being allowed near the Cannon Valley Fairgrounds. Administrator Maroney noted that if food trucks would be allowed near the swimming pool, this would potentially raise the issue relative to the Fairgrounds.

Council Member Lundell asked if anything prohibits multiple food trucks being right next to each other on the same day. Administrator Maroney stated that food trucks could be licensed based on the specific locations. Council Member Lundell asked whether the 100-foot separation would apply in this instance. Administrator Maroney clarified that the 100-foot separation would apply to a brick-and-mortar establishment (food service building) and not to other mobile food units.

Administrator Maroney asked if the Council would like to do anything regarding John Burch Park. Council Member Duncan reiterated his objection. Council Member Gesme asked if there was language included in the ordinance pertaining to nonprofits. Administrator Maroney stated that nonprofit organizations are not licensed under this ordinance. He stated that there would need to be a 500-foot separation, unless the event organizer approved.

A motion was made by Council Member Bringgold, seconded by Council Member Montgomery, to move the final reading of Ordinance 366 to the first meeting in August.

Police Chief McCormick commented that the 500-foot language only applies to an approved community festival. Further discussion took place relating to John Burch Park, and a language revision was suggested to resolve this issue.

Council Member Lundell suggested revisiting the issue next spring, including feedback from food trucks and local businesses.

A motion was made by Council Member Bringgold, seconded by Council Member Morris and unanimously carried, to amend the original motion to include the language as discussed.

A vote was then taken on the original motion and carried unanimously.

Submit a Legacy  
Grant Application for  
the Third Street  
Bridge Project –  
Inspection Services

the Legacy Grant for the Third Street Bridge project. He noted that the plans are complete and have been approved. He provided information relating to local cost share obligations related to inspection and construction costs and discussed an estimated cost share of \$50,000. He reviewed a potential grant opportunity to cover these costs through the Minnesota Historical Society and discussed the application process.

A motion was made by Council Member Gesme, seconded by Council Member Duncan and unanimously carried, to authorize staff to submit a grant application.

Night to Unite /  
National Night Out

Chief McCormick noted that Night to Unite falls on the same night as the August 6 Council meeting. He suggested that the Council consider rescheduling the Council meeting, in order to participate in Night to Unite.

A motion was made by Council Member Duncan, seconded by Council Member Lundell and unanimously carried, to change the first City Council meeting in August to Wednesday, August 7. Chief McCormick provided details of the events that will take place during Night to Unite.

Reports:  
Council Committee /  
Commission

Administrator Maroney provided an update on EDA activities, which included discussion of asbestos abatement / demolition of the Lee Chevrolet building and a joint meeting of interested groups to discuss promotion and marketing of the community.

Council Member Duncan provided an update on the agenda items that were discussed during a recent Public Works Commission meeting, which included the sod from the West Side 2016 project. He noted that the Public Works Commission decided not to do anything regarding this issue. He stated that the other item discussed was the East Side II project punch list. Council Member Duncan noted that Public Works Director Althoff will walk the entire route to make sure that all of the items have been completed before the punch list is signed off.

Council Member Mattson asked why the Public Works Commission decided not to do anything about the sod on the West Side project. Council Member Montgomery noted that the issue of trying to decide who deserved help and who did not was discussed. He stated that there were just too many factors to determine, so it was decided to leave it as is.

Mayor Althoff commented that this is City's problem and that something needs to be done. Council Member Duncan commented that some residents decided not to water and take care of the sod. It was discussed that there was not good soil underneath the sod. Council Member Lundell asked about the cost to address the problem.

Babe O'Gorman, Cannon Falls, commented that when the sod was installed the inspector for SEH was inexperienced. He stated that the spec book indicates that there should be at least 4 inches of top soil. He suggested that the Council take a look at the spec book and determine who does or does not have 4 inches of top soil and then hold SEH accountable to correct the problem.

Mayor Althoff inquired regarding a \$5,200 expense for the East Side project. Director Althoff relayed information from City Engineer Greg Anderson, noting that the contractor billed the City for materials they needed to correct the cul-de-sac. Mayor Althoff commented that when the walk-through is done, this should be looked at carefully.

Staff

Director Althoff noted that he discussed with Council Member Gesme several complaints that were received by Public Works regarding mowing that was or was not being done around town. He provided additional information in this regard.

Director Althoff commented that he has determined some areas being mowed that are not City property. He stated that he decided to stop this practice unless there is an agreement with the City. He also commented that if the Public Works Department is not mowing something that they should be mowing, he would like to be notified.

Mayor and Council

Council Member Gesme noted that sometimes people complain about their water bills on social media. He commented that if there is a large discrepancy, something must be wrong. He encouraged residents to contact City staff to discuss these issues.

Council Member Gesme relayed information from City Engineer Anderson about the East Side watering process.

Council Member Gesme also commented on Mr. McCusker's passing. He also stated that he wanted to dispel the notion that it is the citizens against the City. He added that everyone is approachable and encouraged citizens to talk with City Council Members or staff about their concerns.

Council Member Montgomery stated that he was sad to hear about the passing of Mr. McCusker, noting that he was a kind man who will be missed.

Council Member Duncan agreed with Council Member Montgomery's comments.

Council Member Lundell also agreed with these comments and noted that he took over for Mr. McCusker when he resigned for health reasons. He commented that he watched all the meetings prior to that and that Mr. McCusker was someone he admired.

Council Member Bringgold commented that she had known Mr. McCusker for a long time, and he will be missed. She also noted that she received notice from the Library Board that there have been two resignations. She stated that Library Director Miller notified her that they are looking for a City representative and a County representative, adding that if someone is interested, they could contact the City or the Library.

Council Member Mattson noted that there was no question that everyone would miss Mr. McCusker. He stated that he was a great guy who would speak his mind.

Mayor Althoff commented that Mr. McCusker was a good friend. He noted they did not always agree on everything, but nonetheless they were good friends.

Public Input

Mayor Althoff reviewed the public input procedure.

Don King, 1024 Hoffman Street West, Cannon Falls, referenced past discussion and stated his understanding that West Side project residents would be receiving a letter, but that he received no such letter. He stated that he was told that this was not in the budget but commented that repairs are not in his budget, either. He stated that he paid \$5,600 in assessments and was told by a City employee that he was not charged for the project, as he paid assessments when Floyd Street was completed. He provided details of problems that occurred when Floyd Street was completed, noting that these were similar to the problems with the West Side project. Mr. King referenced a memo by City Engineer Anderson from July of 2017 and read a portion of this memo. Mr. King noted that his sod had looked good in the fall and the start of the spring but then died out. He stated that he brought soil samples to the Public Works Commission

meeting. He stated that the City needs to be run like a business, adding that if the customer is not happy, things need to be made right by the City. Mr. King expressed his hope that the Council will do the right thing and help the West Side residents, as they did not create the problem. He stated that anything that could be done would be appreciated and thanked Council Members for their time.

Kyle Paulson, President of the Cannon Falls Area Chamber of Commerce, reported that the July Fun Fest was not as well attended as the June event but did have about 200 people in attendance. She relayed feedback from vendors at this event. She noted that there will be two more Fun Fest events, on August 8 and September 12. Ms. Paulson discussed the recent Chamber golf tournament event and fundraiser. She discussed the upcoming Flavor of the Falls on October 5. She discussed a meeting on July 25 to begin planning for Deck the Falls on November 30, adding that new ideas are always welcome.

Tim Dehmer, Cannon Falls, referenced comments about open communication and reiterated his past concerns. He stated that another issue has arisen and requested advocacy and answers to his questions. He indicated that he would be in touch.

Mayor Althoff issued a reminder regarding the Wine and Arts Festival at Hannahs Bend Park on Saturday and Sunday and invited everyone to participate.

Adjournment

A motion was made by Council Member Lundell, seconded by Council Member Montgomery 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 7<sup>th</sup> day of August, 2019.

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John O. Althoff, Mayor

ATTEST:

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David Maroney, City Administrator