

The Cannon Falls City Council met in a regular session on Wednesday, August 7, 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; Nicole Miller, Library Director; Mike Althoff, Public Works Director / Fire Chief; and Sulo Kyra, EMS Supervisor.

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| 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 | <p>A. Just and Correct Claims – Accounting Period Ending July 31, 2019</p> <p>B. Meeting Minutes for July 16, 2019, City Council Meeting</p> <p>C. Meeting Minutes for July 16, 2019, City Council Work Session</p> <p>D. Tractor Trade-In and Equipment Purchase for Public Works Department</p> <p>E. Resolution 2434, Accepting Donation of \$75.00 from Cannon Falls Lions Club on Behalf of Leon Gangloff to the Cannon Falls Community Pool</p> <p>F. R&R Investments Utility Bill Adjustment</p> <p>G. Application for Payment No. 3 for Alexander Court Project</p> <p>H. Purchase 2019 Road Rescue Ambulance</p> <p>I. Appointment of Bruce Colwell to the Library Board</p> <p>J. City Administrator Agreement</p> <p><i>This item was pulled by Council Member Gesme</i></p> <p>A motion was made by Council Member Bringgold, seconded by Council Member Duncan and unanimously carried, to approve the Consent Agenda, minus item J.</p> |
| Second (Final)
Reading and Adoption
of Ordinance No. 366
and Summary of
Publication Amending
Title XI of the Cannon
Falls City Code
Establishing Mobile
Food Units Licensing
and Regulation | <p>City Administrator Maroney noted that some revisions had been made to the mobile food unit ordinance language, as per discussions during the last Council meeting. Mayor Althoff commented that he liked the changes and stated that he felt this should be given a try and amended early next year if needed.</p> <p>Administrator Maroney noted that he received no further input since the last Council meeting.</p> |

A motion was made by Council Member Duncan, seconded by Council Member Montgomery and unanimously carried, to adopt Ordinance No. 366.

John Burch Park
Scoreboard
Replacement

Administrator Maroney provided background information regarding the John Burch Park scoreboard replacement by the school and boosters. He noted that the one issue the City had with the proposal pertained to the four proposed advertising panels below the scoreboard. Administrator Maroney stated that there was no language in the current Sign Ordinance that would allow these panels. He noted that if the City Council wanted to pursue potential approval of the advertising panels, there would need to be an amendment to the Sign Ordinance to allow private advertising on a public sign under certain terms and conditions.

Council Member Duncan stated his understanding that the School District did not want to put the scoreboard up unless it had the advertising panels attached.

Administrator Maroney noted that the City Code would allow the scoreboard but not the private advertising. He noted that if the Council approved the scoreboard, the school could put it up but could not attach the advertising panels until approved. Administrator Maroney commented that he understands that the School District does not want to install the scoreboard without the advertising panels and before proceeding further would like feedback from the Council as to whether it was likely there could be language to permit the panels.

Council Member Duncan asked if there was signage similar to this in place at another location. Council Members offered examples of other advertising on signs. Administrator Maroney noted that he was not able to find anything in his research since 2006, when the current Sign Ordinance was adopted.

Mayor Althoff commented that he supported the scoreboard and was not really against the advertising, but noted that he wanted to make sure that the process was fair and that everyone was given a chance to advertise.

Administrator Maroney stated that if the Council directed him to go ahead with amending the Sign Ordinance that he would request from the School District the specific terms of their agreement for advertising.

Council Member Bringgold commented that she felt it should be clear that it was not up to the Council to decide who was allowed to advertise.

Council Member Montgomery clarified that the scoreboard was the property of the School District but would be located on City property. Administrator Maroney clarified the signage approval process.

Council Member Duncan noted that he had no problem with the scoreboard but recommended that the sign advertising approval should be specific to John Burch Park.

Mayor Althoff asked about a variance, and Administrator Maroney provided additional information about the ordinance amendment process and timing, noting that a variance would not be applicable in these circumstances.

Administrator Maroney stated that he would be willing to explore with the City Attorney if there were ways through some type of specific agreement that this could be accomplished, rather than amend the Sign Ordinance, as this was a time-consuming process. Council Members expressed agreement with this approach.

City Administrator
Agreement

Council Member Gesme expressed concerns regarding the accumulation of vacation time beyond the maximum limit of 320 hours in the proposed city administrator agreement. He stated that he felt in order to be fiscally responsible, that wording was too open-ended. He added that if the Administrator were to keep accumulating hours and then decided to leave, the City would be left with a large payout.

Council Member Bringgold asked about the process of documenting employee vacation accruals from an accounting standpoint. Finance Director Endres provided additional information in this regard.

Council Member Gesme expressed concerns about employees accumulating large amounts of vacation time.

Council Member Bringgold provided rationale for allowing employees to accumulate vacation time, stating that this was helpful when an employee needed to take an extended leave.

Council Member Duncan noted that other possibilities were explored, noting that the Administrator position was unique. He discussed other aspects of the agreement.

A motion was made by Council Member Mattson, seconded by Council Member Duncan, to accept the City Administrator's Agreement. A vote was taken. Council Members Lundell, Bringgold, Mattson, Duncan, and Montgomery voted aye; Council Member Gesme voted nay. The motion carried by a vote of 5:1.

Council Committees/
Commissions Reports

Administrator Maroney discussed a recent Personnel Committee meeting, during which Public Works staffing was discussed. He reported that Public Works Director Althoff had submitted a notice of resignation and wished him well.

Council Member Montgomery discussed a recent Park Board meeting, during which the City pool was discussed. He clarified information related to the pool, noting that the City has never threatened to close the pool. Public Works Director Althoff provided additional background information and recommended exploring potential options. A past water park proposal was discussed, for which a referendum failed.

Council Member Montgomery suggested that Public Works research what needed to be done to maintain the pool to try to get at least one more year, and then get a pool committee together to get the ball rolling on a new project. Council Members expressed agreement with this approach.

Staff Reports

Library Director Miller provided an update with regard to Library activities.

Police Chief McCormick thanked the Council for moving the meeting night to allow his presence at National Night Out, as well as allowing Council Members to attend. He discussed the upcoming Fun Fest on August 8, noting that Bike Cannon Falls would be conducting a bicycle safety instructional rodeo. He encouraged participation in this activity.

Administrator Maroney provided updates and details on two grant applications that have been submitted, one by Goodhue and Dakota Counties for Lake Byllesby improvements, and the other for the Third Street Bridge rehab project.

Mayor and Council
Reports

Council Member Gesme thanked Director Althoff for his service as Public Works Director. Council Member Gesme referenced the West Side boulevard issue. He stated he had been told that everything had been signed off by the City Engineer. He noted that witnesses told

him that the topsoil that was installed had chunks of blacktop in it. He commented that he did not like how this has worked out and felt that a discussion needed to be undertaken to get the issues resolved.

Council Member Montgomery also thanked Director Althoff and stated that it had been a pleasure to work with him. Council Member Montgomery discussed a recent Joint Powers Trail Board meeting. He reviewed trail usage statistics. He also commented that he had a great time at National Night Out and thanked Chief McCormick for his assistance.

Council Member Duncan stated that he also enjoyed the National Night Out event.

Council Member Duncan noted that the next Public Works Commission meeting has been canceled due to Director Althoff's departure. He also commented he was sorry to see Director Althoff leave, and that it had been a pleasure working with him. He stated his opinion that Mr. O'Gorman's harassment has created a hostile work environment for City employees.

Council Member Lundell also thanked Director Althoff for his hard work. He also thanked Administrator Maroney for deciding to stay on. He also stated that he enjoyed National Night Out.

Council Member Bringgold commented that she had watched over many years how City government worked and did not work and has seen many employees and department heads come and go. She asked how many times people have told themselves that Babe O'Gorman will be upset upon finding something out and how this has kept people from doing something that they knew they should do – to speak up, to complain, or to suggest something. She asked how this situation has been allowed to happen. She noted that when she asked Mr. O'Gorman why he does this, he stated that it was because he cares about Cannon Falls. She noted that everyone on the Council cared about Cannon Falls and felt there was something more to it than that. She noted that the Council did not run the day-to-day operations of the City. She stated that the process of replacing Director Althoff would likely not be easy or quick. She apologized to Director Althoff that the Council did not better support him. Council Member Bringgold suggested that any other City employees who felt that this was a bad environment should talk to the Council. She commented that she likes Mr. O'Gorman and feels that he has positive things to offer, but expressed disappointment about the situation that has been created.

Council Member Mattson also stated that he had attended the National Night Out event and enjoyed it immensely. He commended Director Althoff on the job he has done and commented that he will still be the Fire Chief.

Mayor Althoff stated that he also enjoyed National Night Out and felt it was a great success. He also thanked Director Althoff for his service.

Public Input

Mayor Althoff reviewed the public input procedure.

Babe O’Gorman, Cannon Falls, stated that he wanted to share some things with the Council. He shared private texts that were sent to him by Director Althoff. He stated that he and Director Althoff had gotten along just fine, noting that Director Althoff had told him that he had nothing to do with him quitting.

Kyle Paulson, President of the Cannon Falls Area Chamber of Commerce, noted that the Chamber was having a very successful year, including 22 new members. She provided a reminder about the next Fun Fest on August 8 and provided details of the activities that will take place. She noted that Live Well Goodhue County will be conducting a bike challenge and thanked Public Works for building obstacles for the course. She noted that she was aware of problems with the flower baskets and was working with the vendor that these were purchased from and would report later on how this would be resolved. She thanked Public Works for watering these baskets and noted that this was not the problem. She thanked Director Althoff and noted that it had been a pleasure to work with him.

Tim Dehmer, Cannon Falls, thanked the Council for giving him the opportunity to speak. He noted that he did not know until tonight that Director Althoff was leaving. He stated that he has been a longtime resident of Cannon Falls. He stated that City staff and Council Members have integrity, accountability, and transparency and have been very fair with him. He noted that he has issues he would like to deal with and asked how to get an item on a future agenda. He noted that he was currently having issues with a senior living facility that he would like to get resolved.

Mayor Althoff thanked Administrator Maroney for signing his contract and again thanked Director Althoff for his service.

Adjournment

A motion was made by Council Member Duncan, seconded by Council Member Montgomery and carried unanimously, to adjourn the meeting. The meeting adjourned at 7:29 p.m.

Adopted by the City Council of the City of Cannon Falls on the 20th day of August, 2019.

John O. Althoff, Mayor

ATTEST:

David Maroney, City Administrator