

The Cannon Falls City Council met in a regular session on Tuesday, November 19, 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; Jeff McCormick, Police Chief; Greg Anderson, City Engineer; Wes Anway, Interim 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 Bringgold, seconded by Council Member Lundell and unanimously carried, to approve the Agenda.

Public Hearing:  
Resolution 2449,  
Certifying Unpaid  
Utility Charges to be  
Collected with Taxes Mayor Althoff opened the Public Hearing to consider certifying unpaid utility charges to be collected with taxes at 6:34 p.m.

Finance Director Endres provided background information on Resolution 2449. She noted that the quarterly public hearing provides an opportunity for residents and property owners of delinquent accounts to speak to the Council before the assessments were adopted.

Adam Peters, Cannon Falls, inquired regarding the total number of delinquent accounts. He offered the suggestion of adding a disconnection and reconnection fee if a property owner was delinquent for longer than 3 to 4 months. He stated that there was no reason anyone should be that late paying a water bill. Mayor Althoff noted that there were 41 delinquent accounts on the list.

Finance Director Endres noted that this had been discussed in the past. She noted that it was currently the City's policy to disconnect commercial and industrial accounts that were delinquent, but the City had taken the position not to do this for residential accounts. She suggested discussing with the Public Works Commission whether a disconnect/reconnect fee should be applied to residential delinquent accounts to determine if the Council is interested in pursuing the idea.

Mayor Althoff expressed agreement with these comments. He noted that delinquent amounts were being collected through property taxes, and this had been agreed upon in the past.

No one else came forward to speak during the Public Hearing. The Public Hearing was closed at 6:36 p.m.

A motion was made by Council Member Gesme, seconded by Council Member Mattson and unanimously carried, to adopt Resolution 2449, certifying unpaid utility charges to be collected with taxes.

Consent Agenda

- A. Just and Correct Claims – Accounting Period Ending November 15, 2019
- B. Meeting Minutes for November 6, 2019, City Council Meeting
- C. Meeting Minutes for November 6, 2019, City Council Work Session
- D. Meeting Minutes for November 13, 2019, City Council Work Session
- E. Meeting Minutes for November 13, 2019, City Council Special Session

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

Approve Solar  
Garden Subscription  
Agreement

City Administrator Maroney provided an update regarding consideration of the three different solar garden subscription proposals that had been presented to the City Council. He noted that a legal review had been done of the subscription agreements, as well as looking at further details regarding Novel Energy Systems and Nokomis Partners. He commented that the proposals were very similar in their projected 25-year future value savings to the City. He stated that after reviewing the agreements that he had provided both companies with comments from the City Attorney and both had accepted a change of terms in their contracts to meet the legal requirements. Administrator Maroney reviewed differences in the length of the agreements, which are typically 25 years among solar providers. He commented that the ability for a shorter term of 10 to 12 years offered by Novel Energy Systems could be an advantage in the event of future opportunities.

Administrator Maroney referenced a prior discussion relating to the Sandstone Ridge area involving SEMMCHRA and Goodhue County in regard to potential solar energy becoming part of a future redevelopment plan for this area. He noted that he had first become aware of Novel Energy Systems, as they had been working with SEMMCHRA and Goodhue County specifically related to the Sandstone Ridge property.

Administrator Maroney offered his recommendation to proceed with working out agreement details with Novel Energy Systems and reiterated his reasons for this recommendation.

Mayor Althoff expressed agreement with this recommendation and commented that he liked the early opt-out provision.

A motion was made by Council Member Lundell, seconded by Council Member Bringgold and unanimously carried, to approve a subscription agreement with Novel Energy Solutions.

Approve Pay Estimate  
No. 4 (Final) for  
Alexander Court

City Engineer Anderson provided background information regarding the Alexander Court project. He stated his opinion that the road looked good, adding that he did not believe there were any issues. He noted that he was looking for approval of Pay Estimate No. 4 (Final) to Rochester Sand and Gravel. He discussed the one-year warranty period. He noted that the final cost was approximately \$6,100 more than the bid amount and provided reasons for the higher cost.

A motion was made by Council Member Duncan, seconded by Council Member Gesme and unanimously carried, to approve Pay Estimate No. 4 (final) for Alexander Court.

Approve Appointment  
for Maintenance II  
Position

Interim Public Works Director Anway reviewed the interview and selection process for the Maintenance II Operator position. He noted that Joseph Savoie was recommended for being hired at pay grade 8, step 5. He discussed Mr. Savoie's experience and recommended Mr. Savoie for hire.

Mayor Althoff stated that he was involved in the hiring process and noted that there were several very good candidates. He expressed agreement with Interim Director Anway's recommendation and thanked him for his efforts in this process.

A motion was made by Council Member Mattson, seconded by Council Member Bringgold and unanimously carried, to approve the hiring of Joseph Savoie for the Maintenance II Operator position.

Resolution 2450,  
Approving a  
Cooperative Snow  
Removal Agreement  
with MnDOT

Interim Director Anway provided background information regarding the proposed MnDOT snow removal agreement. He noted that \$165.00 per hour charged to MnDOT was what had been charged in the past and commented that this seemed very low. He stated that he inquired from MnDOT what was reimbursable. He noted that it

was discovered that in prior years the City had not charged for the loader, the grader, or the skid loader.

Interim Director Anway reviewed the process that was undertaken to develop an agreement to be sent to MnDOT with Council approval. He noted that MnDOT's major concern related to clearing the bridges.

Interim Director Anway noted that there was also an agreement in place with MnDOT District 6 and provided details of the area that they cover. He noted that this agreement was being requested at \$2,400 per year. He stated that he and Administrator Maroney need to clarify why this agreement was so different than the agreement with the MnDOT Metro District and why it was hourly compared to mileage. He stated more information would be provided regarding this issue during the next Council meeting.

A motion was made by Council Member Duncan, seconded by Council Member Mattson and unanimously carried, to adopt Resolution 2450, approving a cooperative snow removal agreement with MnDOT.

Council  
Committees/  
Commissions Reports

Kyle Paulson, representing the Cannon Falls Area Chamber of Commerce, provided an update on activities that were planned to take place during Deck the Falls. She noted that these activities would take place on November 30 in conjunction with Small Business Saturday. She requested permission from the Council to have fireworks at John Burch Park after the lighting of the Christmas tree. She noted that funds have been secured for this endeavor.

A motion was made by Council Member Duncan, seconded by Council Member Montgomery and unanimously carried, to allow fireworks at the Deck the Falls event. Discussion took place as to the best location for observing the fireworks. Ms. Paulson expressed appreciation to Council Members for their support of this event.

City Engineer Anderson provided an update regarding the East Side II project. He noted that he would review final details for this project during the next Council meeting.

City Engineer Anderson provided an update on the Ohio Street drainage issue with the assistance of an aerial photo. He provided options with regard to how this matter could be reconciled. Mayor Althoff commented that this problem could be fixed with a future Ohio Street improvement project. Council Member Gesme requested details regarding the street improvement project and how this would

improve the drainage. City Engineer Anderson provided additional information in this regard.

Interim Director Anway asked if Ohio Street could be raised, curb and gutter installed, and a better grade provided. City Engineer Anderson provided details of how this could possibly be accomplished.

Council Member Montgomery asked whether all of this water came from the industrial park. City Engineer Anderson stated his understanding that much of the water came from the east. Council Member Montgomery asked if this water could be stopped before it reached to Ohio Street. City Engineer Anderson stated this might be a good option.

Mayor Althoff stated that he did not know when the Ohio Street improvement project would take place. City Engineer Anderson commented there was no easy way to fix this problem.

Council Member Gesme asked if there are any options that could take place now to help alleviate the issues before the street project took place. City Engineer Anderson discussed the options that would be a possibility.

Council Member Bringgold asked if this problem was worse this year than previously. City Engineer Anderson noted that this was always a problem but perhaps was worse this year. Council Member Bringgold asked which option City Engineer Anderson would prefer. He noted that his first choice would be to include it with the street project, but he did not know the timing of this and this may be too long to wait. He again reiterated the options and noted that none of them were perfect or would take care of all the problems.

It was discussed that this was just an update to make the Council aware of the situation and that more information would be forthcoming.

Mayor Althoff suggested adding this topic to a future meeting agenda of the Public Works Commission.

Mayor Althoff referenced past discussion of the SEH invoices and requested clarification. City Engineer Anderson provided an explanation of these invoices. Mayor Althoff stated that his biggest concern was the cul-de-sac by the High School, which needed to be redone. City Engineer Anderson commented that overall the project would come in significantly under budget. He provided background

information on the cul-de-sac project.

Administrator Maroney provided an update on the most recent EDA meeting. He noted that discussion focused on the joint effort of the EDA and Economic Initiatives of Cannon Falls to work out a plan to evaluate, clean up, and redevelop the former Cannonball site. He provided details of this discussion and noted that both parties have agreed to contribute up to \$150,000 each toward this effort. He reviewed environmental assessment activities. He stated that an agreement was currently being worked on by and between the parties and that progress was being made. He referenced discussions with Goodhue County related to future acquisition of the forfeited property. Mayor Althoff and Council Members spoke in support of these efforts. Mayor Althoff commented that several developers have expressed interest in the property.

Administrator Maroney noted the Blandin Foundation projects were also discussed by the EDA in terms of training on how businesses can better use broadband opportunities to promote and expand their businesses. He noted they were working on a program utilizing Blandin grant funds and a forgivable loan by the EDA along with private investment to provide technical assistance to businesses. Council Member Mattson commented that the Blandin group has provided assistance in other communities and, as a result, businesses have flourished. Administrator Maroney noted that the EDA would work with the Chamber of Commerce on this effort.

Administrator Maroney referenced recent discussions with Goodhue County and SEMMCHRA representatives related to the Sandstone Ridge property in terms of legal issues and land use options.

Staff Reports

Library Director Miller reported that an application was received for a County resident to serve on the Library Board, which would be discussed during the next Library Board meeting. She stated that a City resident was still being sought. She noted that there would be no Library Board meeting in December. She provided a summary of upcoming events at the Library.

Police Chief McCormick noted that the Deck the Falls event would not involve parking restrictions on Fourth Street. He noted that there would be some restrictions in place due to the fireworks on the west side of the river.

Administrator Maroney noted that the Planning Commission would meet on December 9. He stated they received an application from

Casey's to expand additional gas pumps, parking, and maneuverability through their site. This would be an amendment to their original Conditional Use Permit.

Administrator Maroney expressed appreciation to Mayor Althoff for participating in interviews for the Maintenance II Operator position. He also expressed appreciation to Interim Director Anway for bringing the MnDOT issue to his attention and his efforts to obtain an agreement that provides the City with reimbursement for the time and effort they are providing on behalf of MnDOT.

Public Input

Mayor Althoff reviewed the public input procedure.

Brenda Voshalike, Cannon Falls, relayed a story regarding a lottery that took place years ago and how it parallels the Council's budget discussions. She commented that she felt the budget was being decided this year via a lottery system and explained her reasons for this opinion.

Sam Jennings, Cannon Falls, expressed concerns that the City was sacrificing public safety in order to save money by reducing positions in the Police Department. He commented that the City would be downsizing a department that does a really good job. He stated that Cannon Falls was a safe community because of the job done by the Police Department. He stated that the community desired fiscal responsibility from everyone on the Council and members of each department, but stated that public safety should not make up for lapses in fiscal responsibility. He encouraged the Council to give careful consideration to this matter. He speculated that there could be legal ramifications if the City did not have enough personnel to provide public safety.

Adam Peters, Cannon Falls, stated that he had an opposing view. He stated that Council Members were voted in to represent the residents as a community. He commented that budget cuts were sometimes necessary. He noted that this was not an easy decision to make, but did need to be made. He provided budget comparisons with other communities.

Josh Witt, Cannon Falls, reiterated that Council Members were elected to represent the community. He stated that he heard that the Council Members were receiving calls 10:1 in favor of keeping the Police Department as is. He stated that if administrative positions were cut, Police Officers would need to do this work and would not have as much time to be on the streets. He commented regarding

the low turnover rate in the Police Department. He stated that this was much different than in other City departments, stating his opinion that this was due to Police Chief McCormick doing a good job in managing the Police Department. He stated that comparison data could be offered to support one's personal agenda. He described the Police Department budget as average. Mr. Witt stated that Council Members were elected to represent the people. He referenced the overwhelming response at City Council meetings and had heard of an overwhelming response in emails and phone calls to the Council Members. He suggested that leaving the Police Department budget as is would be the right thing to do.

Nick King, Cannon Falls, inquired regarding the tax levy. He commented that if the Council did not know what it was, there was no reason to cut the Police Department budget. He stated his opinion that this was being considered for personal reasons and not for strategic planning purposes.

Adjournment

A motion was made by Council Member Montgomery, seconded by Council Member Mattson and carried unanimously, to adjourn the meeting. The meeting adjourned at 7:49 p.m.

Adopted by the City Council of the City of Cannon Falls on the 3<sup>rd</sup> day of December, 2019.

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John O. Althoff, Mayor

ATTEST:

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David Maroney, City Administrator