

The Cannon Falls City Council met in a regular session on Tuesday, December 17, 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; Wes Anway, Interim Public Works Director; Tim Malchow, EMS Chief; and Joe Berg, Police Lieutenant.

- 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 Mattson, seconded by Council Member Duncan and unanimously carried, to approve the Agenda.
- Live Well Tobacco Project David Anderson, Live Well Goodhue County Coordinator, thanked the Council for allowing him to share information regarding a project to try to curtail the use of tobacco. He shared statistics regarding the number of preventable deaths that occur annually and the medical costs. He noted that the initiative primarily targets youth who use tobacco. He discussed the dangers of electronic cigarettes and outlined things that can be done to prevent youth from starting this dangerous habit.
- Mayor Althoff stated that he has heard that Congress is considering raising the legal age to purchase tobacco to 21. Mr. Anderson acknowledged this and noted that there are also discussions occurring at the State and County levels.
- Council Member Mattson asked if the “fruity flavors” for e-cigarettes are being pulled off the market. Mr. Anderson stated that the company Juul has pulled some of these flavors, and other companies and retailers are starting to do this also.
- Council Members thanked Mr. Anderson for the informative presentation. Mayor Althoff suggested that perhaps local regulations for these products could be considered by the City Council in the future.
- Consent Agenda ~~A. Just and Correct Claims—Accounting Period Ending December 13, 2019~~
This item was pulled down by Mayor Althoff
B. Meeting Minutes for November 13, 2019, City Council Work Session 2

- C. Meeting Minutes for December 3, 2019, City Council Meeting
- ~~D. Resolution 2452, Approving Amended Conditional Use Permit for Casey's General Store~~
This item was pulled down by Council Member Duncan
- E. Resolution 2453, Approving State Water Service Connection Fee

A motion was made by Council Member Lundell, seconded by Council Member Duncan and unanimously carried, to approve the Consent Agenda, minus Items A and D.

Approve Appointment
of Utility Billing Clerk
Position

Interim Public Works Director Anway noted that six candidates were interviewed for the utility billing clerk position. He stated that one candidate stood out, with a recommendation to hire Ellen Hartman.

A motion was made by Council Member Bringgold, seconded by Council Member Mattson and unanimously carried, to approve the appointment of Ellen Hartman to the Utility Billing Clerk position.

Resolution 2454,
Approving a Change
in Rates Charged for
Ambulance Services

EMS Chief Malchow stated his recollection that ambulance service rates were last discussed in 2016. He referenced recent discussion of this topic during budget workshops. He noted that lift assists have been a major issue. He detailed lift assist calls over the last year, noting that these calls resulted in ambulance transports only about a third of the time. He stated that providing this service has become burdensome for the department. He estimated the cost for providing this service at approximately \$650 per call. He stated his opinion that \$200 would be a reasonable fee to charge for this service. Chief Malchow stated that he has discussed this issue with the Fire Chief and the Police Chief. He reviewed a plan to provide patients with two lift assists per year at no charge, no matter which department is called, with patients subsequently being charged for this service.

Mayor Althoff asked if the rates are State mandated or if there is a range for the charges. EMS Chief Malchow stated that there is a range that is charged. He noted that he compared information from neighboring communities and selected rates in the middle of the range. He also noted that Medicare and Medicaid drive what is reimbursed per call.

Council Member Bringgold expressed support for the lift assist fee schedule, no matter whether it is Police, Fire, or EMS that is called. She stated her opinion that something needs to be done in this regard.

Council Member Montgomery asked about the number of calls that

would come in if a fee structure is put in place. EMS Chief indicated that he had no data to provide in this regard. He commented that EMS personnel try to work with families with regard to potential options.

Council Member Lundell requested further explanation regarding a new fee for motor vehicle crash patient assessment and refusal. EMS Chief Malchow provided additional information in this regard. He noted that most insurance companies will pay approximately \$400 for an ambulance call if the patient is not transported. He provided rationale for the fee structure in this regard.

Council Member Bringgold asked for clarification of a fee related to “waiting time” at \$100 for 30 minutes and an EMS personnel standby fee. EMS Chief Malchow provided an explanation of these fees. He stated that a wait time fee has never really been charged but stated his position that if resources are being tied up waiting, that there should be a fee collected. He also provided an explanation of the EMS standby fee and again stated that he felt a fee should be charged for this service.

A motion was made by Council Member Bringgold, seconded by Council Member Lundell and unanimously carried, to adopt Resolution 2454, approving a change in the rates charged for ambulance services.

Resolution 2452,
Approving Amended
Conditional Use
Permit for Casey's
General Store

Council Member Duncan asked a representative of Casey's General Store, who was present in the audience, to explain their proposal and request for a conditional use permit. Council Member Duncan also noted that there was a neighbor in attendance who would like to address the Council.

Jordan Lillemon introduced himself as an employee of Design Tree Engineering, a consultant for Casey's. He reviewed a site plan for the Casey's General Store project and provided the details of the proposal.

Council Member Duncan asked if all they were doing on the new parcel was expanding parking. Mr. Lillemon confirmed this and stated they would also be extending the canopy and adding six new pumps. Council Member Duncan noted that the proposal was approved during the most recent Planning Commission meeting.

Jim Hoffman, Cannon Falls, expressed appreciation for being allowed to speak. He apologized for not being in attendance at the Public

Hearing held at the Planning Commission meeting regarding this matter, but explained that he did not know about it until after the fact.

Mr. Hoffman commented that the site plan and Mr. Lillemon's explanation of the project helped to clarify a few things for him. He commented that traffic is much greater in the neighborhood than it used to be. He expressed understanding that this is a great location for Casey's but expressed concerns regarding the smells of the food being cooked; lighting pollution; odors of gas and diesel; and what this project may do to property values in the neighborhood. He commented that a lot of people did not know about the Public Hearing and therefore would know nothing about this project until construction started. He added that he is also concerned about fuel storage, with the addition of six new pumps. Mr. Lillemon indicated that he only knew about the location of the new tank, not the capacity. Mr. Hoffman commented that having that much gasoline being stored in a residential area is very concerning to him. He stated that he would like the location of this new tank looked into further. Mr. Hoffman expressed appreciation for being allowed to voice his concerns.

Council Member Gesme asked Mr. Hoffman if he had received any notification by mail regarding the Public Hearing. Mr. Hoffman stated that to his knowledge he did not receive notification of the Public Hearing. He noted that he had seen a notice in the *Beacon*, but it was too late at that point.

Council Member Duncan asked about the Public Hearing notification process. When asked about the location of his residence, Mr. Hoffman indicated that he lives approximately one block from Casey's. Administrator Maroney noted that neighbors within about one block of the perimeter of Casey's were mailed a notice, with the notice also being published in the *Beacon*. He indicated that he will check to see if Mr. Hoffman was on the list to receive notification by mail.

Council Member Duncan asked Mr. Lillemon if Casey's had considered placing the new gas storage tank right behind the building versus the proposed location. Mr. Lillemon commented that he did not feel there was any room right behind the building, as the tanks need to be pretty deep and also need to be 30 feet away from structures.

Mayor Althoff stated that no one at the Public Hearing mentioned gas storage. He noted that green space, lighting, and garbage odor were discussed. Council Member Montgomery asked if consideration had

been given to placing the garbage containers just to the west side of the building. Mr. Lillemon commented that Casey's had considered this but decided against it because trucks would have to drive over the area of the old fuel tanks.

A motion was made by Council Member Gesme, seconded by Council Member Mattson and unanimously carried, to adopt Resolution 2452, approving an amended Conditional Use Permit for Casey's General Store.

Administrator Maroney referenced a number of conditions that were included in Resolution 2452. He noted that these match up in part with the ordinance specifically written for this kind of land use, adding that there are additional details that the consultant and Casey's will need to provide. He invited Mr. Hoffman to stay in contact for updates or revisions to the plan. He also noted that the parcel of land where Casey's is currently located and the parcel where the former accounting office was located are zoned B-2 Business Commercial, with area around it zoned Residential.

Just and Correct
Claims – Accounting
Period Ending
December 13, 2019

Mayor Althoff indicated that he had some questions regarding expenditures. He inquired regarding an expenditure of \$4,000 for tires. Lieutenant Berg provided rationale for Police Department expenditures. Mayor Althoff referenced recent discussions of the Police Department budget. Council Member Duncan asked if this was to replace tires on all of the Police Department vehicles. Lieutenant Berg provided further explanation of this expenditure, noting that this will be for 2020. He indicated that the Police Department typically purchases a set of summer tires and a set of winter tires for each squad. Council Member Duncan stated his opinion that tires should only need to be replaced on a few vehicles per year, rather than all of them. Lieutenant Berg provided additional information relating to tire replacement. Mayor Althoff commented that this expenditure seemed high. Lieutenant Berg stated that these tires would be used for the next two years and are purchased at State contract prices. A discussion took place as to the process in place of replacing tires on the Police Department vehicles.

Mayor Althoff inquired regarding the expenditure for a crisis response class. Lieutenant Berg provided an explanation of this expenditure. Mayor Althoff also inquired regarding a League of Minnesota Cities Patrol Subscription expense. Lieutenant Berg explained that this is a subscription to online training courses that officers need to complete annually.

A motion was made by Council Member Duncan, seconded by Council Member Bringgold and unanimously carried, to approve the just and correct claims for accounting period ending December 13, 2019.

Reports

EMS Chief Malchow provided a reminder that there are plenty of support groups for people having trouble during the holiday season and invited the public to seek out those services.

Police Lieutenant Berg noted that the Police Department has posted the support groups to which EMS Chief Malchow referred on Facebook. He discussed a proposal for a crisis line accessed by calling 988, in addition to contacting emergency services by calling 911.

Lieutenant Berg also expressed appreciation to Community Resource Bank for serving a meal to first responders at the Public Safety Building.

Kyle Paulson, President of the Cannon Falls Area Chamber of Commerce, provided an update that in January the Chamber will begin accepting credit cards for payments. She also reported that the "I Love Cannon Falls" mugs have sold out and another shipment is expected soon. She noted that the 2020 Calendar of Events is available and will be posted on the website soon. She provided an update regarding upcoming events.

Council Member Lundell noted that the only item on the agenda of the most recent Planning Commission meeting was the Casey's amended CUP, which was just approved by the City Council. Administrator Maroney expressed appreciation to Council Member Montgomery for filling out the quorum at the last Planning Commission meeting.

Administrator Maroney discussed an update to EDA policy. He noted that several years ago the EDA established a fund to foster economic development in Cannon Falls. He stated that the EDA recently adopted an updated policy to utilize funds from a Blandin Foundation grant to provide loans and grant assistance to local Cannon Falls businesses for digital marketing. He provided details regarding this initiative and funding sources.

Administrator Maroney also provided an update regarding the relationship between Economic Initiatives and the EDA for redevelopment of the former Cannonball site. Administrator Maroney

discussed consultant assistance with an economic development program for next year.

Interim Public Works Director Anway provided an update regarding topics discussed during the most recent Public Works Commission meeting, including a District 6 snow removal agreement, a plan for Downtown street lights, and snow removal in the Downtown area.

Council Member Duncan commented that almost all of the Police Department officers have been doing some moonlighting as private security at the winery. He expressed concerns regarding this, citing a conflict of interest and potential legal liability. He suggested that staff develop a policy preventing Cannon Falls Police Department officers from providing private security services. He stated his understanding that the Council and City Attorney have not approved this arrangement. Mayor Althoff asked how long this activity has been taking place. Lieutenant Berg stated this is the third year they have done this and noted they used to provide service to Goodhue County at the Malt House. Council Member Lundell asked whether the Cannon Falls School District hires Police Department officers to provide security for school events. Lieutenant Berg stated that the Police Department is only notified of events taking place. Mayor Althoff asked whether the officers are in uniform when they provide this service. Lieutenant Berg stated that they are requested to be in plain clothes. He described the reimbursement process and rates. Council Member Duncan expressed concerns about reimbursement being processed via the City's payroll system. Council Member Bringgold asked about withholding and Workers Compensation. Lieutenant Berg explained his understanding of the Workers Compensation policy. Council Member Duncan reiterated his concerns and requested that Administrator Maroney look into this matter.

Mayor Althoff suggested scheduling a brief work session following the first meeting in January to review the goals set for 2019, discuss progress toward these goals, and gather ideas for 2020 goals. Council Members expressed agreement with this suggestion.

Public Input

Mayor Althoff reviewed the public input process.

Chuck Widholm, Cannon Falls, noted that he was recently given a certificate for years of service and expressed appreciation for the recognition.

Mr. Widholm noted that there have been many changes in the 15

years that he has worked for the Public Works Department. He commented that he enjoys his job and again expressed appreciation for the recognition.

Adam Peters, Cannon Falls, asked why the Council is not considering refinancing road improvement projects. He referenced an interest rate of 6% and asked if something better could be found. Administrator Maroney explained that the assessment rate has been established per City policy as a standard rate and not tied to the cost of money. Council Member Duncan added that the City has refinanced loans when there is opportunity to get a lower rate.

Tim Dehmer, Cannon Falls, expressed concerns about inaccurate information being included in Police Department reports. He stated that he has voiced his concerns several times, with no response. He asked about the process for getting an item placed on a future meeting agenda.

Mr. Dehmer then observed a moment of silence.

Mr. Dehmer then asked how long it should take for a response regarding a complaint he recently filed with the Police Department. Lieutenant Berg stated that the Police Chief handles these matters. He stated that Mr. Dehmer could either follow up with him directly, or he could let Chief McCormick know that he has questions.

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 7:03 p.m.

Adopted by the City Council of the City of Cannon Falls on the 7th day of January, 2020.

John O. Althoff, Mayor

ATTEST:

David Maroney, City Administrator