

The Cannon Falls City Council met in a regular session on Tuesday, January 4, 2022, in the City Council Chambers. Present were Mayor John Althoff and Council Members Bill Duncan, Steve Gesme, Matt Montgomery, Mary Jill Bringgold, Laura Kronenberger, and Derek Lundell. Also present were Neil Jensen, City Administrator; Dan Howard, Public Works Director; Joe Berg, Police Lieutenant; Mike Althoff, Fire Chief; and Sarah Schwarzhoff, City Attorney (remotely).

Call to Order	Mayor Althoff called the City Council meeting to order at 6:30 p.m.
Roll Call	Roll call was conducted. All members were in attendance.
Pledge of Allegiance	Mayor Althoff led the recitation of the Pledge of Allegiance.
Approval of Agenda	A motion was made by Council Member Lundell, seconded by Council Member Gesme and unanimously carried, to approve the Agenda as presented.
Public Input	<p>Mayor Althoff reviewed the public input procedure.</p> <p>Diane Johnson, Cannon Falls resident, commented regarding the proposed COVID-19 policy. She encouraged the City Council to include a testing and masking option, if a COVID-19 policy is adopted.</p>
Consent Agenda	<ul style="list-style-type: none">A. Just and Correct Claims – Accounting Period Ending December 29, 2021B. Meeting Minutes for December 21, 2021, City Council MeetingC. Resolution 2601, Establish License Fees and CompensationD. Approve 2022 AppointmentsE. Resolution 2602, Designating the Depositories for City Funds for Fiscal Year 2022F. 2022 Cost of Living Adjustment (COLA) Non-UnionG. Statutory Tort LimitsH. Approve Designation of Official Newspaper for 2022I. Resolution 2603, Approving a Change in Rates Charged for Ambulance ServicesJ. Resolution 2604, Accepting a Monetary Donation from the Cannon Falls Fire Department Relief Association for \$20,000 to the Fire DepartmentK. Resolution 2605, Accepting a Monetary Donation from Henkel Cannon Falls for \$11,500 to the Fire DepartmentL. Resolution 2606, Accepting a Monetary Donation from the Cannon Falls Fire Department Relief Association for \$7,500 to the Fire Department

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

Council Business:

Election of Mayor Pro Tem

The process of electing a Mayor Pro Tem was discussed. It was noted that Council Member Gesme is the current Mayor Pro Tem.

COVID-19 Policy

City Administrator Jensen provided background information and referenced past Council discussion of this topic. The proposed Federal and State mandates were reviewed. It was noted that the proposed City policy would become effective, based on the results of Supreme Court proceedings in this regard. The formation of a COVID-19 Policy Committee was discussed.

Council Member Duncan asked whether the proposed policy would also pertain to citizens who serve on City boards and commissions. Administrator Jensen discussed the challenges of extending this policy to volunteer positions. He stated that he and City Attorney Schwarzhoff are recommending that covered persons include full-time employees, part-time employees, and seasonal employees along with the Mayor and City Council. He noted that the draft motion can be amended at the direction of the City Council. Council Member Duncan suggested implementing the same standard for everyone, including board and commission members.

Council Member Duncan commented regarding expenses relating to testing and time away from work. Council Member Bringgold commented regarding the lack of available test kits at this time. It was clarified that rapid tests would be administered by Ambulance Service staff. The estimated cost of the test kits was reviewed. Policy enforcement by MNOSHA was discussed. Other expenses relating to the testing process were discussed. Masking requirements were reviewed.

City Attorney Schwarzhoff provided additional information and clarification relating to the draft policy language. She stated that a vaccination-only policy would likely be challenged. She reviewed policy guidelines relating to testing individuals who have had COVID-19, vaccinated individuals who test positive for COVID-19, and previously unvaccinated individuals who receive the vaccine. It was noted that the City's policy can follow the Federal and State guidelines, or could be more stringent.

Fire Chief Althoff requested clarification of whether Fire Department employees, EMS employees, paid on-call staff, and volunteer firefighters would all be subject to the policy.

Fire Chief Althoff asked about compensating firefighters for the time spent testing, if testing is mandated. He also asked who would make determinations relating to religious and medical exemptions. He relayed concerns about discriminating against unvaccinated staff members. He suggested testing all staff members, noting that fully vaccinated individuals can test positive and spread the virus.

Council Member Bringgold commented that the chance of severe illness is minimized for fully vaccinated and boosted individuals.

Fire Chief Althoff commented that the rapid tests are associated with a high number of false positives.

Council Members stated their understanding that all Fire and Ambulance personnel would be covered by the policy. City Attorney Schwarzhoff provided clarification in this regard. She commented that, while the policy may not be perfect, the draft policy provides the best possible guidance at the current time. She noted that if the Federal mandate is upheld, this will require all employees to be vaccinated. She stated that the COVID-19 Committee will review requests for religious or medical exemptions, while protecting privacy.

Fire Chief Althoff suggested establishing scheduled testing times. City Attorney Schwarzhoff indicated that a testing schedule could be established.

Council Member Duncan commented that mandatory vaccination would be an easier process, with Council Member Bringgold adding that there would be fewer questions. Council Member Bringgold stated that the face of the pandemic is changing, with the primary challenges at this time relating to the overtaxing of the healthcare system.

Council Member Montgomery stated that the City will be required to implement a COVID-19 policy, with the goal of being as fair to employees as possible. He asked how many Fire Department staff members would be subject to testing requirements. Fire Chief Althoff indicated that he did not know the exact number. He noted that he has made staff members aware of vaccination and booster clinic

opportunities, with the goal of at least 50% of the staff being vaccinated.

The role of the COVID-19 Committee was discussed. When asked how other fire departments are handling the situation, Fire Chief Althoff indicated that Cannon Falls appears to be more progressive.

Council Member Kronenberger requested clarification of the status of volunteer firefighters. Fire Chief Althoff and City Attorney Schwarzhoff provided additional information in this regard.

Council Member Duncan asked whether the policy, if adopted, would be subject to change. City Attorney Schwarzhoff indicated that revisions to the policy would likely be necessary.

Council Member Duncan reiterated his suggestion for the policy to cover citizen volunteers on boards, commissions, and committees, for consistency.

City Attorney Schwarzhoff reviewed potential options for Council action at this time. The option for the City's policy to be more strict was discussed. City Attorney Schwarzhoff provided additional information in this regard. She indicated that if employee testing is required, the City will most likely be responsible for the cost of the testing and a reasonable amount of time to complete the testing process. Options for administration of the testing process were reviewed.

A motion was made by Council Member Montgomery to adopt the COVID-19 vaccination and testing policy, as presented, contingent upon the Federal mandate being upheld by the Supreme Court. Council Member Lundell referenced the concerns raised by Fire Chief Althoff and commented that the testing process may be quite complicated. The motion was seconded by Council Member Gesme. A roll call vote was requested. Council Members Bringgold, Gesme, Kronenberger, and Montgomery voted aye; Council Members Duncan and Lundell voted nay. Four ayes; two nays; motion carried.

Reports:
Council Committees /
Commissions /
Nonprofit
Organizations

Cannon Falls Area Chamber of Commerce President Kyle Paulson discussed the Chamber's 2022 membership drive. She reported that the Chamber is seeking photos for the cover of this year's Discover Guide.

Staff Public Works Director Howard reported that the ice rinks have been flooded and the warming house is open. Mayor Althoff suggested considering the installation of an ice rink liner next year. Director Howard provided additional information in this regard.

Mayor and Council Council Member Lundell indicated that the upcoming Public Works Commission meeting has been cancelled.

Council Member Montgomery reported that the upcoming Park Board meeting has been cancelled.

Mayor Althoff reviewed the upcoming meeting schedule.

Adjournment A motion was made by Council Member Lundell, seconded by Council Member Montgomery and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:24 p.m.

Adopted by the City Council of the City of Cannon Falls on the 18th day of January, 2022.

John O. Althoff, Mayor

ATTEST:

Neil L. Jensen, City Administrator