

The Cannon Falls City Council met in a regular session on Tuesday, May 3, 2022, in the City Council Chambers. Present were Mayor John Althoff and Council Members Bill Duncan, Steve Gesme, Mary Jill Bringgold, Laura Kronenberger, Derek Lundell, and Matt Montgomery (remotely initially). Also present were Neil Jensen, City Administrator; Sarah Schwarzhoff, City Attorney; Dan Howard, Public Works Director; Jeffrey McCormick, Police Chief; Laura Qualey, Community & Economic Business Specialist; and Shelley Ryan, Attorney with Hoff Barry.

Call to Order Mayor Althoff called the City Council meeting to order at 6:30 p.m.

Roll Call 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 Duncan, seconded by Council Member Lundell and unanimously carried, to approve the Agenda as presented.

Public Input Mayor Althoff reviewed the public input procedure.

Babe O’Gorman, Cannon Falls, referenced his past comments regarding the fact that opportunities for public input are not currently provided during Finance Committee and Police Commission meetings. He requested Council consideration of this concern. Mr. O’Gorman also expressed concerns that the most recent Police Commission meeting was conducted in July of 2021. He noted that Ordinance 370 requires Police Commission meetings to be held at least quarterly. He provided examples of matters that should be discussed by the Police Commission. He referenced the guidelines for holding community meetings that were published by the Minnesota Chiefs of Police Association. He discussed an update to the data practices policy that is currently being considered by the City Council.

Public Hearings:  
Resolution 2627,  
Certifying Unpaid  
Utility Charges to be  
Collected with Taxes

City Administrator Jensen provided background information. He stated that the Public Hearing provides an opportunity for residents with delinquent utility charges to address the City Council. He noted that following the Public Hearing the Council will be asked to adopt Resolution 2627, certifying unpaid utility charges to be collected with property taxes. Mayor Althoff opened the Public Hearing for this item at 6:37 p.m. No one spoke during the Public Hearing. Mayor Althoff closed the Public Hearing at 6:38 p.m.

A motion was made by Council Member Bringgold, seconded by Council Member Lundell and unanimously carried, to adopt Resolution 2627.

Introduction and First  
Reading of Ordinance  
383, an Ordinance  
Amending City Code  
Chapter 121 Relating  
to Mobile Food Units

City Administrator Jensen provided background information. He referenced a business owner in the Residential Business zoning district that is requesting an amendment to Ordinance 121.17 that would allow mobile food units within 100 feet of a food service establishment in the I-1, I-2 and R-B districts, upon written permission of the food service establishment owner. City Attorney Schwarzhoff referenced the proposed Ordinance language.

Mayor Althoff opened the Public Hearing for this item at 6:40 p.m.

Kelly Elvestad introduced herself as an owner of the Dairy Inn. She provided additional information and rationale for the proposed Ordinance amendment. She clarified that her establishment is outside of the Downtown business district, which would not be impacted by the Ordinance change. She reviewed plans to invite one or two food trucks to park on the Dairy Inn property for a few days at a time, in order to supplement and complement the offerings of the seasonal ice cream shop. Mayor Althoff commented that food establishment owners were invited to participate in the discussion.

Diane Johnson, Cannon Falls, requested clarification of the proposed Ordinance language, and City Attorney Schwarzhoff provided additional information in this regard.

No one else spoke during the Public Hearing. Mayor Althoff closed the Public Hearing at 6:47 p.m.

Council Member Gesme relayed comments from three restaurant owners, who expressed concerns about lunchtime competition from food trucks in the area.

Council Member Lundell requested clarification of the Ordinance language, which was provided. Council Member Lundell asked what would happen if Downtown bars request food trucks, citing the challenges of hiring kitchen staff and providing food service. He expressed concerns about setting a precedent. City Attorney Schwarzhoff stated her opinion that the proposed Ordinance amendment would not set a legal precedent, as the Dairy Inn's situation is unique. She commented that this is a divisive issue and reviewed the intention of the current mobile food unit Ordinance language.

A motion was made by Council Member Bringgold to approve the first reading of Ordinance 383, amending Chapter 121 of the City Code relating to mobile food units. The motion was seconded by Council Member Duncan. A vote was conducted and the motion carried by a vote of 5:1, with Council Member Gesme voting nay.

Proclamation:  
Proclamation for  
National Police Week  
2022

Mayor Althoff read a proclamation declaring May 11-17, 2022, as Police Week in Cannon Falls and recognizing the service of law enforcement officers in the community and across the nation.

Consent Agenda

- A. Just and Correct Claims – Accounting Period Ending April 28, 2022
- B. Meeting Minutes for April 19, 2022, City Council Meeting
- C. Second Reading and Adoption of Ordinance 382, and Summary of Publication, Amending Chapter 152 of the Cannon Falls City Code by Rezoning Certain Property from UR, Urban Reserve, to B-2 Highway Business District
- D. Approve Pool Scholarship Policy
- E. Approve Use of City Water Truck
- F. Approve Data Practices Policy Update
- G. Approve Police Officer Resignation and Fill Vacancy
- H. Approve Surplus Property Agreement
- I. Approve Hiring of Full-Time Paramedic
- J. Resolution 2628, Accepting a Monetary Donation of \$500 from Southeast Minnesota Emergency Medical Services to the Ambulance Department
- K. Second Reading and Adoption of Ordinance 379, and Summary of Publication, an Ordinance of the City of Cannon Falls, Minnesota, Amending City Code Chapter 152 by Rezoning Property at 415 Hickory Drive from B-2 to R-4 PUD and Approving Final Plans

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

Council Business:  
Fair Board / Grounds  
Plat Approval

City Administrator Jensen provided background information and summarized recent discussions with the Fair Board relating to property and right-of-way issues. He requested approval to begin the process of working with the Fair Board and others to resolve these issues. Mayor Althoff provided additional information and commented that a special meeting of the Cannon Valley Fair stockholders has been scheduled for discussion of this matter.

A motion was made by Council Member Duncan to authorize the City Engineer and the City Attorney to work with City staff and the Fair Board to resolve fairgrounds, swimming pool, and Hannah's Bend Park land ownership issues. The motion was seconded by Council Member Montgomery, a vote was conducted, and the motion carried unanimously.

Resolution 2629,  
Authorizing Execution  
of a Development  
Agreement with  
Keller-Baartman  
Properties XIV, LLC

Community and Economic Business Specialist Qualey provided background information and summarized the proposed development agreement. She stated that this should be one of the last documents requiring Council approval for this project. She noted that soil borings will be conducted prior to excavation. The easement agreement with McDonald's was discussed.

A motion was made by Council Member Bringgold, seconded by Council Member Montgomery and unanimously carried, to adopt Resolution 2629.

Reports:

City Council /  
Commissions /  
Nonprofit  
Organizations

Cannon Falls Area Chamber of Commerce President Kyle Paulson provided a flower basket update and discussed sponsorship opportunities. She discussed the upcoming community-wide garage sales. She discussed the Memorial Day parade and ceremony. She stated that the first Fun Fest will be held on June 9, with two Fun Fest events and two Open Air Fair events scheduled through September. She discussed the Chamber golf tournament and fundraiser at Gopher Hills.

Council Members Bringgold and Kronenberger summarized a recent meeting of the Joint Powers Trail Board.

Staff

Public Works Director Howard discussed preparations for a utility line televising project in the Sandstone area. He stated that repair work has begun on the fire-damaged gazebo in the City parking lot. He discussed the water tower painting project.

Community & Economic Business Specialist Qualey discussed an American Veterans Memorial groundbreaking ceremony on May 7.

Police Chief McCormick was asked to discuss recent vandalism incidents in the City Park.

Mayor Althoff introduced Attorney Shelley Ryan from Hoff Barry, noting that she will be filling in as City Attorney.

City Administrator Jensen discussed the recent financial audit, noting that a formal report will be provided during a future Council meeting.

Mayor and Council

Council Member Montgomery congratulated the Cannon Falls School District for ranking in the top 5% of schools in Minnesota.

Mayor Althoff reviewed the upcoming meeting schedule.

Adjournment

A motion was made by Council Member Duncan, seconded by Council Member Gesme and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:18 p.m.

Adopted by the City Council of the City of Cannon Falls on the 17<sup>th</sup> day of May, 2022.

---

John O. Althoff, Mayor

ATTEST:

---

Neil L. Jensen, City Administrator