

The Cannon Falls City Council met in a regular session on Tuesday, March 7, 2023, in the City Council Chambers. Present were Mayor Matt Montgomery and Council Members Laura Kronenberger, Derek Lundell, Steve Gesme, Lisa Groth, Diane Johnson, and Ryan Jeppesen (remotely). Also present were Neil Jensen, City Administrator; Sara Peer, City Clerk; Dan Howard, Public Works Director; Laura Qualey, Community and Economic Business Specialist; and Jeffrey McCormick, Police Chief.

Call to Order Mayor Montgomery 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 Montgomery led the recitation of the Pledge of Allegiance.

Approval of Agenda A motion was made by Council Member Groth, seconded by Council Member Lundell, to approve the Agenda as presented. A roll call vote was conducted, and the motion carried unanimously.

Public Input Mayor Montgomery reviewed the public input procedure.

Nancy Hovel introduced herself as a representative of the Cannon Valley Fair Board. She provided information regarding 4-H member and open class entries in the 2022 Cannon Valley Fair. She also discussed volunteer and fundraising opportunities by other community organizations. She discussed free entertainment, bandstand shows, the 4th of July parade, and the fireworks display. She discussed other events that are held at the fairgrounds and use of the parking lot and grounds for other purposes.

Becky Youngmark, Cannon Falls, referenced the City Charter with regard to Police Commission involvement in the police officer hiring process.

Consent Agenda

- A. Just and Correct Claims – Accounting Period Ending March 2, 2023
- B. Meeting Minutes for February 21, 2023, City Council Meeting
- C. Approve New On-Sale Wine License for the Cannon Falls Bears
- D. Second Reading and Adoption of Ordinance 390, Amending City Code Section 152.648 Relating to Indoor Storage
- E. Approve Replacement of Wastewater Treatment Plant Raw Wastewater Pit Pump
- F. Approve Sale of 2000 Dodge Dakota Pickup
- G. Approve Minnesota Fire Engine Club Request
- H. Approve East Side Park Name Change
- I. Approve East Side Park Sign Replacement
- J. ~~Approve Hire of Two Police Officers~~

*This item was pulled by Council Member Kronenberger*

A motion was made by Council Member Johnson, seconded by Council Member Groth, to approve the Consent Agenda as presented, minus Item J, which was moved to the Council Business portion of the meeting. A roll call vote was conducted, and the motion carried unanimously.

Council Business:  
Approve Hire of Two  
Police Officers

Council Member Kronenberger referenced an email she received from Becky Youngmark, who requested clarification of the hiring process for police officers. She summarized discussion by the Police Commission with regard to the establishment of an interview committee, which would provide hiring recommendations to the Police Commission, which would forward recommendations to the City Council. Police Chief McCormick provided additional information, noting that City staff handles administrative functions for the Police Commission. He stated that his recent memo served to communicate the recommendations of the Police Commission with regard to the hiring of two police officers. He also provided historical background information regarding Minnesota's transition to a licensure state and referenced State-mandated requirements. He discussed the competitive nature of the hiring process and the need for expediency. He stated his opinion that the current process is in compliance with the City Charter. Police Chief McCormick discussed the processes specific to the hiring of a part-time officer and a full-time officer, noting that the Police Commission will be meeting in the near future. He reviewed options for Council action. Mayor Montgomery referenced extenuating circumstances relating to the timing of the process and changes in Police Commission membership. Police Chief McCormick reviewed the interview and scoring process that was conducted. City Administrator Jensen provided clarification of the options for Council action at this time.

A motion was made by Council Member Johnson to offer a part-time position to Robert Luna, contingent upon this candidate meeting all State licensing requirements. The motion was seconded by Council Member Gesme, a roll call vote was conducted, and the motion carried unanimously.

A motion was made by Council Member Kronenberger to approve the hiring of a full-time police officer, contingent upon approval by the Police Commission. The motion was seconded by Council Member Gesme, a roll call vote was conducted, and the motion carried unanimously.

Postings on City  
Website

Council Member Johnson reviewed her recommendation to post agendas, minutes, and other supporting documentation on the City's website for all City Boards, Commissions, and Committees. She discussed the benefits of making this information available. City Administrator Jensen discussed the use of software programs for this purpose and referenced the cost. He also discussed the use of an email distribution list. Council Member Kronenberger asked about distribution of meeting agendas and minutes. City Clerk Peer discussed how requests are handled. Council Member Johnson suggested researching the cost of posting additional information on the City's website. City Clerk Peer discussed how the website was designed, noting that the City currently does not employ a full-time IT staff member. Mayor Montgomery referenced legal posting requirements. City Clerk Peer commented that the website would need to be updated in order to provide additional public access. Police Chief McCormick provided additional information with regard to data storage. Mayor Montgomery suggested continuing to offer the public the option to join an email distribution list. Council Member Johnson suggested promoting this option on the City's website. Council Member Groth suggested posting links on social media. City Administrator discussed staffing considerations. Council Member Kronenberger commented that posting the information in a central location may require less staff time than responding to requests for information. Council Member Gesme asked about software maintenance fees, and City Clerk Peer provided information in this regard. Council Member Johnson reiterated her suggestion to at least research options and costs. Council Member Gesme inquired regarding the number of citizen requests for information, and City Clerk Peer provided information in this regard, adding that there are some requests for paper copies.

City Attorney Present  
at Council Meetings

Council Member Johnson referenced past discussion of this topic. She quoted information from the City Charter indicating that the City Attorney must attend Council meetings. City Administrator Jensen referenced the current City Attorney contract. He also provided historical background information, noting significant budget cuts that were necessary during the Great Recession of 2009 and subsequent decreases in LGA revenue. He stated that not all City policies and procedures are governed by ordinances and provided examples of "playing in the gray area." He discussed 2024 budget challenges. He recommended asking the City Attorney to attend Council meetings as needed and consider a change to the City Charter in this regard. Council Member Johnson quoted information from the City Charter

that was voted on in 2012. She expressed agreement with considering a vote to change the Charter.

Mayor Montgomery quoted from the City Charter with regard to the responsibilities of the City Attorney. He commented that the phrase “must attend Council meetings” is open to interpretation, absent the word “all” or “every.” He also referenced City ordinances pertaining to the City Attorney. He stated that City Attorney Shelley Ryan is available to attend Council meetings upon request of the City Council. Council Member Johnson expressed disagreement with Mayor Montgomery’s interpretation of the City Charter verbiage and referenced language from the City Attorney contract. She suggested obtaining a legal opinion in this regard. Council Members Lundell and Gesme referenced past Council discussion of this issue. Police Chief McCormick stated his recollection that this discussion took place during the time that the legal firm of Campbell Knutson provided legal services to the City. Mayor Montgomery suggested obtaining an opinion on this matter from City Attorney Ryan.

Update Contract with  
City Attorney

Council Member Johnson provided suggestions for revision to the City Attorney contract. It was suggested to further discuss this topic after receiving an opinion regarding the meeting attendance issue.

Reports:

Council Committees /  
Commissions /  
Nonprofit  
Organizations

Mayor Montgomery summarized topics of discussion during a recent EDA meeting, including an annual review and a preliminary plat for Hardwood Estates.

Council Member Lundell summarized topics of discussion during a recent Park Board meeting, including renaming East Side Park to Lions East Side Park and potential park improvements. He noted that the Park Board also discussed grant funding, wayfinding signage, and disc golf.

Council Member Lundell summarized topics of discussion during a recent Public Works Commission meeting, including water bill adjustment requests, which were recommended for denial; a wastewater treatment plant pit pump; the sale of a 2000 Dodge Dakota pickup; and the hiring of a part-time custodian.

Staff

Police Chief McCormick issued a reminder regarding parking restrictions during snow emergencies.

Mayor and Council

Mayor Montgomery congratulated the Cannon Falls Bombers boys’ basketball team for making it to the section semifinals.

Mayor Montgomery discussed a recent League of Minnesota Cities meeting in Alexandria. Council Member Kronenberger relayed a suggestion to consider the staffing impacts of Council decisions.

Adjournment

A motion was made by Council Member Lundell, seconded by Council Member Johnson, to adjourn the meeting. A roll call vote was conducted, and the motion carried unanimously. The meeting adjourned at 7:34 p.m.

Adopted by the City Council of the City of Cannon Falls on the 21<sup>st</sup> day of March, 2023.

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Matt Montgomery, Mayor

ATTEST:

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Neil L. Jensen, City Administrator