

The Cannon Falls City Council met in a regular session on Tuesday, April 18, 2023, in the City Council Chambers. Present were Mayor Matt Montgomery and Council Members Laura Kronenberger, Derek Lundell, Steve Gesme, Lisa Groth, Ryan Jeppesen, and Diane Johnson. Also present were Neil Jensen, City Administrator; Sara Peer, City Clerk; Shelley Ryan, City Attorney; Laura Qualey, Community & Economic Business Specialist; Joe Berg, Police Lieutenant; and Nicole Miller, Library Director.

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 Johnson, seconded by Council Member Groth and unanimously carried, to approve the Agenda as presented.

Public Input Mayor Montgomery reviewed the public input procedure.

Brad Anderson, Goodhue County Commissioner, summarized Goodhue County's five-year road plan. He discussed short- and long-range plans for road resurfacing projects and construction projects that will improve safety. He discussed the use of local option sales tax revenue to help fund these projects along with grants and other funding sources. Commissioner Anderson also discussed a housing trust fund and the use of federal funding toward projects.

Babe O'Gorman, Cannon Falls, stated his understanding that Hardwood Estates is zoned R-2. He referenced recent EDA discussion of farmland rent and noted that agricultural uses are not allowed in this zoning district.

Public Hearings:
Resolution 2681,
Vacating Certain
Easements Located in
the City of Cannon
Falls, County of
Goodhue, State of
Minnesota

City Administrator Jensen provided background information and discussed proposed street vacations within the Cannon Valley Fairgrounds property.

Mayor Montgomery opened the Public Hearing for this item at 6:41 p.m.

Greg Kurtz summarized past discussions with the Cannon Valley Fair Board.

Mr. Kurtz stated his understanding that a portion of Dow Street North and a portion of Floyd Street North near the Fairgrounds would also

be vacated. City Administrator Jensen referenced the map and the agreement. The locations of Dow Street and Floyd Street were clarified. Utility easements were discussed. Mr. Kurtz asked about the next steps in the process, and City Administrator Jensen provided information in this regard. Mr. Kurtz asked whether the vacated streets will be surveyed. City Attorney Ryan further reviewed the process of vacating the streets and retaining utility easements. Mr. Kurtz inquired regarding the relationship between the City and the Cannon Valley Fair Board. Mayor Montgomery discussed the intention of the City to continue to provide services for the fair and maintain a cordial relationship with the Fair Board.

No one else spoke during the Public Hearing. Mayor Montgomery closed the Public Hearing at 6:50 p.m.

A motion was made by Council Member Gesme, seconded by Council Member Groth and unanimously carried, to adopt Resolution 2681.

Introduction and First
Reading of Ordinance
393, an Interim
Ordinance
Establishing a
Moratorium within the
City of Land Use and
Subdivision
Applications for the
Construction and
Development of
Residential Treatment
Facilities

City Administrator Jensen provided background information and summarized recent conversations about a potential new treatment facility. He referenced subsequent discussion with City Attorney Ryan. He suggested that the Council consider a moratorium on applications for residential treatment facilities, to allow time to review and discuss zoning regulations and ordinance language for these types of land uses.

Council Member Lundell asked about the length of the proposed moratorium. City Attorney Ryan indicated that the Council would need to determine the length of the moratorium. She suggested considering a moratorium of up to one year, during which time staff will study the existing City Code provisions and provide findings and recommendations.

Mayor Montgomery opened the Public Hearing for this item at 6:54 p.m.

Babe O’Gorman, Cannon Falls, asked whether the proposed ordinance language was published. City Attorney Ryan reviewed the Public Hearing notification process and referenced State law and the City Charter.

No one else spoke during the Public Hearing. Mayor Montgomery closed the Public Hearing for this item at 6:57 p.m.

Council Member Johnson inquired regarding the application for a new residential treatment facility.

City Attorney Ryan clarified that an inquiry was made but no formal application has been submitted that would necessitate a response from the City within a certain timeframe. She referenced State statutes in this regard.

Mayor Montgomery spoke in support of a one-year moratorium. City Attorney Ryan indicated that all land uses in the Residential Business district would be studied.

Council Member Kronenberger asked about the application process. City Administrator Jensen reviewed the process. City Attorney Ryan noted that a residential treatment facility is allowed in the RB district only with an approved Conditional Use Permit. Council Members Kronenberger and Gesme referenced discussion of a past CUP application and the need for additional guidelines. City Attorney Ryan provided additional background information, stating that the moratorium will allow an opportunity to consider potential regulations, zoning restrictions, and more specific conditions of approval for future applications.

Council Member Johnson asked about the study process during the moratorium, and City Administrator Jensen reviewed the steps that would be involved, including a work session with the City Council.

A motion was made by Council Member Johnson, seconded by Council Member Gesme, to approve the introduction and first reading of Interim Ordinance 393, establishing a one-year moratorium on applications for the construction and development of residential treatment facilities within the City of Cannon Falls. A vote was conducted, and the motion carried unanimously.

Consent Agenda

~~A. Just and Correct Claims – Accounting Period Ending April 13, 2023~~

This item was pulled by Council Member Groth

- B. Meeting Minutes for March 7, 2023, City Council Work Session
- C. Meeting Minutes for April 4, 2023, City Council Meeting
- D. Second Reading and Adoption of Ordinance 392, Authorizing the Sale of East Half of Vacated Ninth Street Adjacent to Block 8, Cannon Falls Co's Addition to Cannon Falls, Goodhue County
- E. Approve Lions East Side Park Plaque Placement
- F. Approve Replacement of Pool Umbrellas and Bases
- G. Approve Purchase of Sprayers for Public Works Department

- H. Approve Sale of Boom Sprayer at Auction
- I. Approve Janitorial Quote
- J. Approve Striping Proposal
- K. Approve VFW Option Agreement
- L. Approve Sewer Credit
- M. Approve John Burch Park Fundraising Sign
- N. Approve Pool Manager and Assistant Managers
- O. Resolution 2680, Accepting a Donation of Dugouts at Archie Swenson Fields from Cannon Falls Youth Athletics Organization to the Parks Department
- P. Approve 2022 Library Annual Report

Library Director Miller clarified that the 2022 Library Annual Report was provided for informational purposes. She noted that the report was approved by the Library Board and submitted to the State.

A motion was made by Council Member Gesme, seconded by Council Member Jeppesen and unanimously carried, to approve the Consent Agenda, minus Item A.

Council Business:

Just and Correct
Claims – Accounting
Period Ending April
13, 2023

Council Member Groth requested clarification of attorney fees. City Administrator Jensen reviewed these expenses. The process of managing and redacting data requests was detailed. Staff time challenges were discussed. City Attorney Ryan provided additional information with regard to data requests, noting that this process is governed by the Data Practices Act.

A motion was made by Council Member Johnson, seconded by Council Member Lundell and unanimously carried, to approve the just and correct claims from the accounting period ending April 13, 2023, as presented.

Malloy Lot Purchase
Agreement

City Administrator Jensen referenced past discussion of the 2023 street and utility reconstruction project and the need for property acquisition. He reported a proposed purchase price of \$30,270.58 for approximately 1.14 acres. He discussed the need for a partial mortgage release and appraisal. He requested that the Council consider approving the purchase agreement with Rich and Paige Malloy and authorize the release application and appraisal expenses.

Council Member Johnson asked about the cost of the appraisal, and City Administrator Jensen stated his understanding that this cost would be between \$1,000 and \$1,500.

A motion was made by Council Member Gesme, seconded by Council Member Groth and unanimously carried, to approve the purchase agreement and authorize the mortgage release application and appraisal.

2023-2027 Fire
Contracts for Cannon
Falls Township and
Cannon Valley Rural
Fire Association

Council Member Gesme summarized discussion by the Finance Committee and referenced the proposed fire contracts. He reviewed plans to meet in the future to further discuss costs and potential options. Council Member Lundell discussed improved billing procedures.

A motion was made by Council Member Johnson, seconded by Council Member Lundell, to approve the 2023 – 2027 fire contracts as presented. A vote was conducted, and the motion carried unanimously.

WHKS Professional
Services Agreement
for Phase 1 of
Hardwood Estates

Community & Economic Business Specialist Qualey summarized discussion during a recent EDA meeting, during which a professional services agreement with WHKS was reviewed and recommended for approval. She clarified the scope of services for the first phase of the project along with the costs and reviewed the project area.

Council Member Lundell asked about the anticipated project timeframe. Ms. Qualey further discussed the benefits of the housing project and reviewed the anticipated phased roll-out.

Council Member Johnson expressed concerns about asking the City and taxpayers to financially support engineering studies and infrastructure work toward this housing project. She discussed other City needs and inquired regarding the source of these funds.

A motion was made by Council Member Lundell, seconded by Council Member Gesme, to approve the professional services agreement as presented. A vote was conducted, and the motion carried by a vote of 4:2, with Council Members Johnson and Jeppesen dissenting.

Reports:
Council Committees /
Commissions /
Nonprofit
Organizations

Council Members summarized topics of discussion during recent Park Board, Public Works Commission, and Finance Committee meetings.

Staff

Police Lieutenant Berg summarized a recent incident that resulted in a school lock-down and thanked the community for their patience.

City Administrator Jensen summarized discussion by the Public Works Commission relating to the hiring process for a new Public Works Director. Council Member Gesme agreed to participate on the interview committee along with Council Member Kronenberger and Mayor Montgomery.

City Administrator Jensen also reviewed the process of hiring a new Zoning Administrator and requested the same members participate in the hiring process of the Zoning Administrator.

Library Director Miller provided an update regarding upcoming Library programs and activities. She also discussed public participation in hybrid crafting activities and the Library's role in terms of life-long learning.

Mayor and Council Council Member Johnson expressed appreciation to the Cannon Falls Police Department for their actions during the recent incident. She also thanked everyone who participated in a recent Cannon Falls Education Foundation fundraiser.

The VFW deck project was further discussed.

Mayor Montgomery also expressed appreciation to the Cannon Falls Police Department for proceeding with an abundance of caution and prioritizing student safety and the wellbeing of the entire community during the recent incident.

Adjournment A motion was made by Council Member Gesme, seconded by Council Member Johnson and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:39 p.m.

Adopted by the City Council of the City of Cannon Falls on the 5th day of May, 2023.

Matt Montgomery, Mayor

ATTEST:

Neil L. Jensen, City Administrator