

The Cannon Falls City Council met in a regular session on Tuesday, August 1, 2023, in the City Council Chambers. Present were Mayor Matt Montgomery and Council Members Laura Kronenberger, Derek Lundell, Lisa Groth, Ryan Jeppesen, and Diane Johnson; Council Member Steve Gesme was absent. Also present were Neil Jensen, City Administrator; Sara Peer, City Clerk; Jed Petersen, Public Works Director; Laura Qualey, Community & Economic Business Specialist; Shelley Ryan, City Attorney; Bill Angerman, City Engineer; Zach Logelin, Permit & License Technician; 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. Mayor Montgomery and Council Members Groth, Jeppesen, Johnson, Kronenberger, and Lundell were in attendance.
- Pledge of Allegiance Mayor Montgomery led the recitation of the Pledge of Allegiance.
- Approval of Agenda Mayor Montgomery reported that State Representative Pam Altendorf has requested to address the Council during the Public Input portion of the meeting. A motion was made by Council Member Lundell, seconded by Council Member Johnson and unanimously carried, to approve the Agenda.
- Public Input Minnesota State Representative Pam Altendorf provided her contact information and discussed her work on the Energy, Education, and Elections Committees. She summarized the legislative session, noting the number of bills that were introduced and the 75 new laws that were passed. She referenced the State surplus and expressed concerns about the new State budget that was adopted, describing her approach as fiscally conservative and business friendly. She discussed funding toward the John Burch Park project that was included in the bonding bill. She commented regarding the Clean Energy Bill. She reviewed statistics relating to gross income loss over the last few years. She stated that one of her priorities is fighting for small towns. She advised the City Council to allocate one-time funding toward infrastructure projects and not increase the budget.
- Public Hearing:
Resolution 2689,
Certifying Unpaid
Utility Charges to be
Collected with Taxes
- Mayor Montgomery opened the Public Hearing at 6:46 p.m. No one spoke during the Public Hearing. Mayor Montgomery closed the Public Hearing at 6:47 p.m.

A motion was made by Council Member Johnson, seconded by Council Member Jeppesen and unanimously carried, to adopt Resolution 2689, certifying unpaid utility charges to be collected with property taxes.

Consent Agenda

~~A. Just and Correct Claims — Accounting Period Ending July 27, 2023~~

This item was pulled by Council Member Groth

- B. Meeting Minutes for July 11, 2023, City Council Meeting
- C. Approve Chamber Event Request
- D. Resolution 2690, Approving Conditional Use Permit for 31265 County 24 Boulevard

Mayor Montgomery reviewed the Consent Agenda.

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

Council Business:
Purchase Agreement
for Sandstone Ridge

City Administrator Jensen provided background information regarding the Sandstone Ridge property. He referenced discussions with the proposed developers and summarized discussion by the Finance Committee. He reviewed the proposed purchase agreement terms, including a request for a 10-year tax abatement to support curb removal work. The proposed \$50,000 City-only tax abatement was clarified.

Mark Sonstegard, representing the developer, provided additional details and reviewed a concept plan for the project. He discussed plans to demolish and rebuild streets. He commented that the development would include a variety of lot sizes and home options. He reviewed the anticipated project timeline and discussed the next steps in the process.

A motion was made by Council Member Johnson, seconded by Commissioner Jeppesen and unanimously carried, to approve the purchase agreement for Sandstone Ridge as presented.

Purchase Agreement
with Riverside
Terrace

City Administrator Jensen discussed the need for property acquisition in conjunction with the 2023 street reconstruction project. He referenced discussions with the property owners and summarized discussion by the Finance Committee. He reviewed the terms of the

proposed purchase agreement. He noted that the agreement is being reviewed by the City Attorney. City Attorney Ryan provided additional details and requested that the City Council consider approving the purchase agreement, subject to final approval by the City Attorney and the City Administrator.

A motion was made by Council Member Lundell, seconded by Council Member Jeppesen and unanimously carried, to approve the purchase agreement, subject to final approval by the City Attorney and the City Administrator.

Resolution 2691,
Denying Development
Application for the
Molenaar Property

City Attorney Ryan provided background information. She stated that a development application was received seeking preliminary plat approval and two variances relating to a proposed subdivision. She summarized discussion by the Planning Commission on July 10. She referenced City Code requirements for subdivisions and commented that the application lacked detailed information. She stated that the Planning Commission was not able to determine whether the submission complied with the requirements. She noted that there was no provision for a public street and stated that the City Code does not allow a private easement to be utilized as a public street. She stated that because the Cannon Falls City Code does not outline a process for granting a variance to a subdivision requirement, as required by State law, the Planning Commission was not able to recommend granting a variance. She stated that the second variance pertained to the zoning requirement for a minimum acreage in the Urban Reserve zone. She summarized the resolution language to deny the development application and referenced Findings of Fact to support the denial. She reviewed the appeal process and clarified that the applicant could submit a revised development application in the future.

Council Member Groth asked about the process of putting in a public street. City Attorney Ryan provided information in this regard and further reviewed the subdivision requirements.

Following a comment from the gallery, Council Member Kronenberger requested clarification of the role of the Planning Commission and the role of the City Council relating to this application. City Attorney Ryan noted that, following a lengthy discussion, the Planning Commission voted unanimously to recommend denial of the preliminary plat and variance requests as submitted. She reviewed the options for City Council action and discussed potential legal challenges if a variance to the public street requirement is granted.

A motion was made by Council Member Johnson to adopt Resolution 2691, denying the development application for the Molenaar property. The motion was seconded by Council Member Jeppesen, a vote was conducted, and the motion carried unanimously.

A member of the gallery requested further discussion, and Mayor Montgomery stated that discussion could continue after the meeting.

Towering Bluffs

City Attorney Ryan provided background information and referenced past approval of a preliminary plat and rezoning of the property to accommodate a phased residential development. She noted that a Public Hearing was conducted, followed by discussion and a recommendation from the Planning Commission.

City Attorney Ryan requested Council action at this time relating to the next steps in the process.

Council Member Johnson asked about parkland dedication requirements. City Attorney Ryan provided information, noting that the development agreement would be recorded against the property and enforceable with future owners. City Administrator Jensen reported that the Park Board recommended approval of the agreement.

- 1) Introduction and First Reading of Ordinance 394, an Ordinance of the City of Cannon Falls, Minnesota, to Amend the Cannon Falls Zoning Ordinance by Amending a Zoning District.

A motion was made by Council Member Jeppesen, seconded by Council Member Lundell and unanimously carried, to approve the introduction and first reading of Ordinance 394 as drafted.

- 2) Resolution 2692, Approving Towering Bluffs Planned Unit Development Phase I.

A motion was made by Council Member Johnson, seconded by Council Member Kronenberger and unanimously carried, to adopt Resolution 2692 as drafted.

- 3) Resolution 2693, Granting Final Plat Approval for Towering Bluffs First Addition.

A motion was made by Council Member Lundell, seconded by Council Member Jeppesen and unanimously carried, to adopt Resolution 2693 as drafted.

Just and Correct
Claims – Accounting
Period Ending July
27, 2023

Council Member Groth pointed out a recent expense relating to a data request.

A motion was made by Council Member Johnson, seconded by Council Member Groth and unanimously carried, to approve the just and correct claims for the accounting period ending July 27, 2023.

Reports:

Council Committees /
Commissions /
Nonprofit
Organizations

Cannon Falls Area Chamber of Commerce Director Maggie Wilson discussed the recent Crazy Days activities. She reported that the August Fun Fest has been cancelled because not enough vendors signed up to participate. She discussed the Cannon Cruisers event and other Downtown activities.

Council Member Kronenberger reported that the primary topic of discussion during a recent Cannon Valley Trail Joint Powers Board meeting was the submission of a grant application toward trail repairs.

Staff

City Administrator Jensen summarized topics of discussion during a recent special meeting of the Park Board, including development proposals and parkland dedication.

Public Works Director Petersen reported that the Park Board also approved a fireworks display during the Deck the Falls event in November.

City Engineer Angerman further discussed development applications and provided a 2023 street reconstruction project update.

Community & Economic Business Specialist Qualey discussed EDA activities.

Police Chief McCormick discussed traffic disruption during the Cannon Cruisers event. Chief McCormick stated that the Goodhue County Sheriff is requesting staffing assistance from local police departments during the upcoming Goodhue County Fair. He referenced the rates for contracted police services, noting that assistance to other agencies was excluded. He reviewed the reimbursement that would be provided by Goodhue County and

requested Council guidance. He noted that this request was received after the meeting agenda had been published. The requested days and hours were discussed. Council Member Johnson asked whether any officers were interested, and Chief McCormick indicated that he wanted to seek Council guidance before communicating the request. Council Member Lundell asked whether staffing levels could support the request, and Chief McCormick stated that Cannon Falls needs would come first. Mayor Montgomery spoke in support of honoring the request if staffing allows.

A motion was made by Council Member Johnson, seconded by Council Member Groth and unanimously carried, to approve Cannon Falls Police Officers covering shifts at the Goodhue County Fair.

City Clerk Peer referenced past discussion of posting meeting agendas and approved minutes on the City website, noting that these are now available.

Mayor and Council Council Members thanked City Clerk Peer for posting Board and Commission agendas and minutes on the City website.

Council Member Groth encouraged community members to relay any questions to her, noting that she will provide information and seek answers to questions.

Mayor Montgomery discussed Night to Unite / National Night Out activities and the upcoming Cannon Cruisers event. He referenced the budget discussion that was conducted during the work session.

Adjournment A motion was made by Council Member Jeppesen, seconded by Council Member Johnson and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:29 p.m.

Adopted by the City Council of the City of Cannon Falls on the 15th day of August, 2023.

Matt Montgomery, Mayor

ATTEST:

Neil L. Jensen, City Administrator