

The Cannon Falls City Council met in a regular session on Tuesday, November 7, 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; Jed Petersen, Public Works Director; Bill Angerman, City Engineer; Zach Logelin, Permit & License Technician; and Mike Truax, Police Officer.

Call to Order Mayor Montgomery called the City Council meeting to order at 6:32 p.m.

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

Public Input Mayor Montgomery reviewed the public input procedure.

Justin Sieben, 30379 72nd Avenue Way, Cannon Falls, stated that he and his neighbors feel that they would not benefit from the proposed paving project and that this would create a financial burden for them. He stated that he has received little information about the development or the paving project, except for a flyer in his mailbox.

Mike Bowen, Hardwood Estates, Cannon Falls, also commented regarding the lack of communication from the City, the EDA, and the property owner relating to the proposed development. He noted that he has received no written notice from the City describing the paving project in detail, except for the flyer. Mayor Montgomery indicated that more information will be provided to impacted property owners prior to the Public Hearing.

Mark Roesler stated that he owns property located at 30319 72nd Avenue Way. He indicated that he also had no knowledge of the project and requested more information. He expressed concerns about the proposed assessments and suggested exploring other potential project funding sources.

Public Hearings:  
Resolution 2711,  
Certifying Unpaid  
Utility

Mayor Montgomery opened the Public Hearing for this item at 6:38

Charges to be  
Collected with Taxes

p.m. No one spoke during the Public Hearing. Mayor Montgomery closed the Public Hearing at 6:38 p.m.

A motion was made by Council Member Johnson, seconded by Council Member Gesme and unanimously carried, to adopt Resolution 2711 as drafted.

Introduction and First  
Reading of Ordinance  
399, An Ordinance  
Amending City Code  
151.112 Relating to  
Private Wells and  
Individual Sewer  
Treatment Services

Mayor Montgomery opened the Public Hearing for this item at 6:39 p.m. No one spoke during the Public Hearing. Mayor Montgomery closed the Public Hearing at 6:39 p.m.

Permit & License Technician Logelin provided background information, referenced past discussion of the proposed ordinance, and reviewed the revised ordinance language.

A motion was made by Council Member Jeppesen, seconded by Council Member Johnson and unanimously carried, to approve Ordinance 399 as drafted.

Resolution 2715,  
Approving Property  
Tax Abatements and  
Authorizing Execution  
of a Tax Abatement  
Agreement

Mayor Montgomery opened the Public Hearing for this item at 6:40 p.m. No one spoke during the Public Hearing. Mayor Montgomery closed the Public Hearing at 6:40 p.m.

City Administrator Jensen provided background information and referenced past discussion of the former Sandstone Ridge development. He detailed the proposed tax abatement agreement, which would provide the developer with \$50,000 to support the cost of curb and gutter removal.

A motion was made by Council Member Johnson, seconded by Council Member Jeppesen and unanimously carried, to adopt Resolution 2715 as drafted.

Consent Agenda

- A. Just and Correct Claims – Accounting Period Ending November 2, 2023
- B. Meeting Minutes for October 17, 2023, City Council Meeting
- C. Approve 2024 Joint Powers Agreement for Building Code Administration with Goodhue County
- D. Approve Grove Street Retention Pond Drainage
- E. Resolution 2712, Approving a Cooperative Snow Removal Agreement with MnDOT
- F. Approve Purchase of Metal Detector for Public Works
- G. Approve Roof Inspection Reports and Repairs

- H. Approve Declaration of Release and Termination of Developer's Agreement for Sandstone Ridge
- I. Approve Charitable Gambling at Chuggers Bar and Grill by Minnesota Jaycees Charitable Foundation

Council Member Jeppesen requested clarification of the bidding process relating to Item D. Public Works Director Petersen and City Administrator Jensen provided information in this regard.

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

Hearing:  
The Terrace of  
Cannon Falls Nursing  
Home Hearing

City Attorney Ryan provided background information and relayed information she received from Police Chief Jeffrey McCormick relating to potential City Code violations at the former nursing home property located at 300 Dow Street North. She detailed the violations and reviewed the notification process to the property owners. She stated that the property owners were given an opportunity to correct the nuisance conditions but have failed to do so. She requested that the City Council consider declaring the property to be a public nuisance and potentially approve an order of abatement. Officer Truax reviewed public safety concerns, discussed criminal activity at the site, and detailed numerous police calls about the property. He noted that the interior of the structure is deteriorating. The potential for broken pipes and other issues was discussed.

Attorney Ryan reviewed the hearing notification process. She detailed the next steps in the process, referenced City Code section 97.021, and discussed the timeline. It was noted that the site is still hooked up to power and water. Officer Truax discussed daily patrols and monitoring of the area.

Mayor Montgomery opened the hearing and asked whether anyone representing the property owners wished to speak. No one spoke during the hearing.

A motion was made by Council Member Gesme, seconded by Council Member Groth and unanimously carried, to declare nuisance conditions at 300 Dow Street North, including deteriorating tarps, broken windows, and other issues; require the property owners to resolve the nuisance conditions within two weeks; and authorize the City Attorney and City Staff to conduct a notification and posting

process.

Council Business:  
2023 / 2024 Street  
and Utility  
Improvements

City Engineer Angerman provided background information and reviewed the bidding process. He noted that the low bid of \$1,271,065.00 by Fitzgerald Excavating came in under budget. He detailed the process of calculating, presenting, and approving final assessments for the project. He reviewed the Public Hearing process. He discussed the initial Public Hearing that was conducted for this project and reviewed the process that will be undertaken for the 72nd Avenue Way project.

1. Resolution 2713, Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment in Connection with 2023 / 2024 Street & Utility Improvements.

A motion was made by Council Member Lundell, seconded by Council Member Johnson and unanimously carried, to adopt Resolution 2713 as drafted.

2. Resolution 2714, Calling Hearing on Assessments for 2023 / 2024 Street & Utility Improvements.

A motion was made by Council Member Gesme, seconded by Council Member Jeppesen and unanimously carried, to adopt Resolution 2714 as drafted.

Reports:

Council Committees /  
Commissions /  
Nonprofit  
Organizations

Cannon Falls Area Chamber of Commerce Director Maggie Wilson provided a recap of Halloween events and discussed the upcoming Chamber Breakfast. She reviewed Deck the Falls activities and discussed a holiday window decorating contest sponsored by the *Today* publication.

Council Member Groth summarized topics of discussion during a recent Joint Powers Trail Board meeting, including the third quarter budget and the Trail Manager position description.

Staff

City Administrator Jensen summarized topics of discussion during a recent EDA meeting, including the Raw Bistro loan, the Hardwood Estates project, the 2024 CEDA contract, and the scheduling of a strategic planning meeting.

Topics of discussion during a recent Public Works Commission meeting were reviewed.

Public Works Director Petersen discussed Deck and Falls and winter preparation activities. John Burch Park maintenance was discussed.

City Engineer Angerman provided a John Burch Park project update, including survey work. He discussed the proposed 72nd Avenue Way paving project and the Hardwood Estates project. He clarified the process and the planned topics of discussion during the initial Public Hearing for the proposed 72nd Avenue Way project.

Officer Truax reviewed winter parking restrictions.

City Clerk Peer reported that the Public Hearing notices relating to the 72nd Avenue Way project have been mailed.

Mayor and Council

Council Member Johnson congratulated the Cannon Falls High School volleyball team on their accomplishments. She also reported that the Cannon Falls FFA Crops team is participating in the national competition.

Mayor Montgomery congratulated the Cannon Falls Bombers volleyball and football teams on their successful seasons. He expressed appreciation to the City Council on the past year of service and stated that he has been proud to serve as Mayor with them.

Adjournment

A motion was made by Council Member Groth, seconded by Council Member Johnson and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:10 p.m.

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

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Matt Montgomery, Mayor

ATTEST:

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Neil L. Jensen, City Administrator