

The Cannon Falls City Council met in a regular session on Tuesday, September 3, 2024, in the City Council Chambers. Present were Mayor Matt Montgomery; Council Members Derek Lundell, Steve Gesme, Lisa Groth, Ryan Jeppesen, Laura Kronenberger, and Diane Johnson. Also present were Neil Jensen, City Administrator; Sara Peer, City Clerk; Shelley Ryan, City Attorney; Jed Petersen, Public Works Director; 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 Gesme, 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 A motion was made by Council Member Jeppesen, seconded by Council Member Groth and unanimously carried, to approve the Agenda as presented.
- Public Input Mayor Montgomery reviewed the public input procedure.
- Ferlin Miller, Minnesota Street, introduced himself as a representative of the Cannon Valley Fair Board. He requested the removal of Item 7A relating to the Cannon Valley Fair's application for a zoning text amendment from the Agenda.
- Paul Anderson stated that he represents a group of citizens who support the Planning Commission's recommendation to deny a proposed zoning text amendment for the Cannon Valley Fair. He stated that the group is also opposed to the granting of any permits or Conditional Use Permits to allow motorized racing within the Cannon Falls city limits. He summarized a list of concerns relating to the cart racing track.
- The Cannon Valley Fair Board has not adhered to City, County, and State requirements and noise ordinances.
  - The City of Cannon Falls has not addressed citizen complaints that have been filed with the Minnesota Pollution Control Agency or calls to the Cannon Falls Police Department during race events.
  - Mr. Anderson stated that the Princeton Speedway should not be held up as an example of a track built within city limits, as it

was built in 1956 and noise ordinances apply to tracks built after 1996. He reviewed examples of proposed tracks that have been denied.

- The City Council should consider due process, disclosure, and financial considerations.

Curt Beissel, Minnesota Street, read a letter that he previously sent to the Planning Commission in opposition to the proposed zoning text amendment relating to noise, environmental, and other concerns. He summarized past discussions, stating that residents were misinformed by representatives of the Cannon Valley Fair Board and the racetrack. He cited State statutes relating to noise standards. He stated that the racetrack is a separate entity from the Cannon Valley Fair. He noted that due diligence was not conducted by the City. He urged the City Council to support the recommendation of the Planning Commission.

Brandon Allison introduced himself as the Pastor of Bethel's Rock Church of Cannon Falls. He reviewed the economic and other benefits of churches and referenced other permitted uses in B-2 zoning districts. He requested that the City Council consider adopting a proposed zoning text amendment that would allow churches to operate in B-2 zoning districts as a conditional use. He reviewed the advantages of the proposed location and referenced letters of support.

Consent Agenda

- A. Just and Correct Claims – Accounting Period Ending August 28, 2024
- B. Meeting Minutes for August 20, 2024, City Council Meeting
- C. Resolution 2779, Approving James Hernke Vacation Request

Council Member Johnson requested clarification of an expense included in the the Finance Report relating to engineering services for Timber Ridge. City Administrator Jensen indicated that this expense is reimbursable by the developer.

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

Council Business:  
Cannon Valley Fair  
Application for Zoning  
Text Amendment

Mayor Montgomery referenced the comments made earlier during the meeting by Cannon Valley Fair Board Member Ferlin Miller. City Attorney Ryan indicated that a formal statement or resolution to

withdraw the request would need to be submitted by the Cannon Valley Fair Association.

City Attorney Ryan recommended that the City Council take action on the request, consider tabling this item to allow time for City staff to clarify the situation, or remand this matter back to the Planning Commission.

Ferlin Miller provided additional comments from Cannon Valley Fair Board Members.

The timeline for making a decision was reviewed. Council Member Gesme asked about an extension, and City Attorney Ryan indicated that this would be an option. She clarified that if the request is officially withdrawn, no further Council action would be required. Council Members suggested tabling this item, to allow time for the Fair Board to officially indicate its wishes.

A motion was made by Council Member Gesme, seconded by Council Member Johnson and unanimously carried, to table the request by the Cannon Valley Fair Association for a zoning text amendment.

Bethel's Rock Church  
Application for Zoning  
Text Amendment

Permit & License Technician Logelin provided background information. He reviewed an application by Bethel's Rock Church for a zoning text amendment to allow religious institutions in B-2 zoning districts as a conditional use. He referenced the results of his research regarding how religious institutions are zoned in surrounding communities. He noted that the Planning Commission voted to recommend approval of the proposed zoning text amendment. He cited Section 152.057 of the City Code.

Council Member Johnson thanked Mr. Logelin for providing Findings of Fact to support approval or denial of the request.

Council Member Gesme requested clarification that, if the zoning text amendment is approved, a CUP would still be required for a church to operate in a B-2 zoning district. It was clarified that this would be the case.

A motion was made by Council Member Gesme to approve the zoning text amendment application as presented. City Attorney Ryan recommended approving a motion to approve the application and the first reading of an ordinance to the Zoning Code.

Council Member Gesme amended his motion to approve the zoning text amendment application and the first reading of Ordinance 405 as drafted. The motion was seconded by Council Member Johnson, a vote was conducted, and the motion carried unanimously.

Reports:  
Council Committees,  
Commissions, and  
Nonprofit  
Organizations

Council Member Groth summarized topics of discussion during recent Joint Powers Trail Board meetings, including a grant application to fund trail repairs at Mile 14 and Mile 16.

Staff

Public Works Director Petersen provided project updates. He discussed John Burch Park improvements. He discussed progress at the Hardwood Estates and Timber Ridge developments.

Permit & License Technician Logelin reviewed the liquor license renewal process.

Police Chief McCormick reported that the Sogn Valley Art Fair was inadvertently not included in the list of street closures for 2024 community events, describing this as an oversight. He requested that the Council either take action relating to this request or add this topic to the Consent Agenda for the next regular meeting.

A motion was made by Council Member Groth, seconded by Council Member Kronenberger and unanimously carried, to close Veterans Lane between Mill Street and Fourth Street for the Sogn Valley Art Fair on October 4-6.

Mayor and Council  
Members

There were no reports.

Adjournment

A motion was made by Council Member Gesme, seconded by Council Member Jeppesen and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:00 p.m.

Adopted by the City Council of the City of Cannon Falls on the 17<sup>th</sup> day of September, 2024.

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Matt Montgomery, Mayor

ATTEST:

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Neil L. Jensen, City Administrator