

**TAYLORS FALLS CITY COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, DECEMBER 14, 2009 – 7:00 P.M.**

MINUTES

The Agenda for this Meeting was posted Wednesday, December 9, 2009 at City Hall, the Post Office. Copies were e-mailed to residents requesting such, and the Press was notified.

The Taylors Falls City Council met for a regular meeting on Monday, December 14, 2009 at 7:00 p.m. in the Council Chambers at City Hall, 637 First Street, Taylors Falls, Minnesota.

CALL TO ORDER

The Meeting was called to order at 7:00 p.m. by Mayor Mike Buchite.

PLEDGE OF ALLEGIANCE

All those present at the meeting recited the Pledge of Allegiance to the United States flag.

ROLL CALL

MEMBERS PRESENT: Mike Buchite, Ross Rivard, John Tangen, Larry Julik-Heine, Zara Kinnunen

MEMBERS ABSENT: None

OTHERS PRESENT: City Clerk-Treasurer Jo Everson. Zoning Administrator-Coordinator Larry Phillips, Barb Nelson, and Eric Vargo from the Chisago County Press

ADOPTION OF AGENDA

MOTION BY KINNUNEN/JULIK-HEINE TO APPROVE THE AGENDA AS PRESENTED FOR THE DECEMBER 14, 2009 TAYLORS FALLS CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF CONSENT AGENDA

The Agenda Item under **New Business: Consider Approval of Salt/Sand Agreements** was removed from Consent Agenda for further discussion.

MOTION BY TANGEN/RIVARD TO APPROVE/ACCEPT THE FOLLOWING AMENDED CONSENT AGENDA ITEMS: MINUTES OF PREVIOUS CITY COUNCIL MEETINGS; STAFF REPORTS; COMMISSION, BOARD OR COMMITTEE MINUTES/REPORTS; CONSIDER RESOLUTION 09-12-01 CERTIFYING UNPAID UTILITY ACCOUNTS; CONSIDER AUTHORIZING INTERSTATE STATE PARK TO RECONSTRUCT A PORTION OF SIDEWALK AND GUARDRAIL; CONSIDER CONTRACT WITH HENNEPIN TECHNICAL COLLEGE FOR OSHA COMPLAINT TRAINING; APPROVAL OF CLAIMS AND PAYROLL; CORRESPONDENCE. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF MINUTES OF PREVIOUS COUNCIL MEETINGS

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS CITY COUNCIL MEETINGS HELD ON NOVEMBER 9 AND NOVEMBER 23, 2009.

PUBLIC HEARING

PROPOSED 2010 BUDGET

The Mayor opened the Public Hearing at 7:05 p.m. The Clerk read the Public Notice into the record:

*Notice of Proposed Property Taxes
City of Taylors Falls*

The Taylors Falls City Council will hold a public hearing on its budget and on the amount of property taxes it is proposing to collect to pay for the costs of services the City will provide in 2010.

Monday, December 14, 2009, 7:05 p.m.

Taylor's Falls City Hall

All City residents are invited to attend the public hearing of the City Council to express their opinions on the budget and on the proposed amount of 2010 property taxes.

The Mayor continued by explaining the Public Hearing process. The following information was provided to the public in a packet complete with budget information and information regarding Minnesota's taxation system. He noted that the City's tax rate increased by a minimal .24%, which could be adjusted prior to final action on December 28, 2009. If changed at that time, the Council may continue to assert that while the tax rate remains the highest in the County, it has steadily decreased over the past nine years. Additionally, Taylor's Falls would be the only municipality in Chisago County that reduced its tax rate.

	2009	2010	Change from 2009 - 2010
Total Tax Levy	\$692,800.00	\$624,590.00	- 9.846%
General Fund Levy	\$412,838.00	\$380,693.00	- 7.786%
City Tax Rate	81.155	81.347	+ .24%

The Mayor asked for public comment IN FAVOR OF, OPPOSED TO or NEUTRAL TO the proposed 2010 budget and the property taxes the City proposes to collect to pay for the costs of services it will provide.

Hearing none, MOTION BY JULIK-HEINE/KINNUNEN TO CLOSE THE 2009 PUBLIC HEARING ON THE 2010 PROPOSED BUDGET. MOTION CARRIED UNANIMOUSLY.

The Mayor announced that the Council would take final action on the 2009 Property Tax Levy, Payable in 2010 and the 2010 Budget at the December 28, 2009 City Council Meeting. The Public Hearing closed at 7:11 p.m.

COMMISSION, BOARD OR COMMITTEE MINUTES/REPORTS

LIBRARY BOARD

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS LIBRARY BOARD HELD ON NOVEMBER 18, 2009.

ECONOMIC DEVELOPMENT COMMISSION

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS ECONOMIC DEVELOPMENT COMMISSION MEETING HELD ON OCTOBER 20, 2009.

PARK AND RECREATION COMMISSION

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS PARK & REC COMMISSION MEETINGS HELD ON OCTOBER 21 AND NOVEMBER 18, 2009.

PLANNING COMMISSION

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS PLANNING COMMISSION MEETING HELD ON NOVEMBER 2, 2009.

PUBLIC FORUM

None.

STAFF REPORTS & REQUESTS

ADMINISTRATIVE DEPARTMENT

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE NOVEMBER 2009 FINANCIAL REPORTS PRESENTED BY CLERK-TREASURER JO EVERSON.

CHISAGO COUNTY SHERIFF'S DEPARTMENT

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA CORPORAL SHANE CARROLL'S NOVEMBER 2009 CHISAGO COUNTY SHERIFF'S DEPARTMENT REPORT.

ZONING & PLANNING DEPARTMENT

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE NOVEMBER 2009 ZONING REPORT PRESENTED BY ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS.

CITY ATTORNEY

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE NOVEMBER BILLING STATEMENT FROM THE CITY ATTORNEY'S OFFICE OF KELLY AND LEMMONS, P.A.

PUBLIC WORKS DEPARTMENT

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE NOVEMBER 2009 PUBLIC WORKS REPORT PRESENTED BY PUBLIC WORKS SUPERINTENDENT MIKE KRIZ.

UNFINISHED BUSINESS

None.

NEW BUSINESS

CONSIDER REJECTING BID FOR PUBLIC WORKS BUILDING PROJECT

On November 10, 2008, the Council awarded a bid to construct the Taylors Falls MnDOT/Public Works Building Projects to Mark Haug Construction at \$253,000. Council action was conditional upon the following:

1. Execution of a Construction Contract with the bidder, authorizing the Mayor/Vice-Mayor and City staff to negotiate the terms of the contract, to be approved by the City Council prior to execution.
2. Execution of a Lease Agreement/Real Estate Transfer with the Minnesota Department of Transportation.
3. Execution of a Bond Agreement with Chisago County HRA-EDA prior to construction of the building.

A Lease Agreement/Real Estate Transfer with MnDOT and the Bond Agreement with Chisago County HRA-EDA have not been executed primarily due to the additional costs associated with amendment of the soils at the MnDOT property which in turn makes the entire project cost prohibitive. However, preliminary figures show that in lieu of a free standing vehicle maintenance building, adding an additional bay onto the existing Public Works building would be financially feasible. Because the original project was competitively bid, such major changes to the building specifications cannot be made without re-bidding the contract. In order to do that, the existing bid for the project must be rejected.

MOTION BY KINNUNEN/TANGEN TO REJECT THE BID FROM MARK HAUG CONSTRUCTION FOR CONSTRUCTION OF THE TAYLORS FALLS MnDOT/PUBLIC WORKS BUILDING PROJECTS, IN THE AMOUNT OF \$253,000, DUE THE FOLLOWING REASONS:

1. A LEASE AGREEMENT/REAL ESTATE TRANSFER BETWEEN THE CITY AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION HAS NOT BEEN EXECUTED NOR IS IT LIKELY ONE WILL BE EXECUTED FOR THIS PARTICULAR PROJECT.
2. A BOND AGREEMENT BETWEEN THE CITY AND THE COUNTY HRA-EDA HAS NOT BEEN EXECUTED, NOR IS IT LIKELY ONE WILL BE EXECUTED FOR THIS PARTICULAR PROJECT.

MOTION CARRIED WITH RIVARD ABSTAINING DUE TO A CONFLICT OF INTEREST BECAUSE OF AN EXISTING CONTRACT IN PLACE WITH THE BIDDER.

CONSIDER HPC REQUEST FOR GRANT APPLICATION

The Taylors Falls Heritage Preservation Commission has recommended pursuing a grant to obtain funding to produce an on-line audio/visual presentation promoting heritage tourism and public education for Bench Street. The audio/visual presentation would be approximately 45 minutes in length and divided into segments and hosted on the City's website or youtube.com. Bench Street was selected as the topic for the presentation because of its historical significances and to promote tourism and economic development.

The funding source is the Legacy money, administered through the Minnesota Historical Society, Heritage Tourism and Public Education grant program. This is a no-match grant. The funding amount is less than \$7,000 and considered to be a "small grant." This means they accept applications monthly and have a more rapid turnaround on applications.

The audio/visual presentation would be produced by a professional. Commission Member Julie Hildebrand and Zoning Administrator-Coordinator Larry Phillips propose to work on this grant application together.

The HPC has also discussed pursuing a grant in the future to produce a similar presentation for Angel Hill. The focus of that project would be more on historical significance and less for economic development, so the Interpretive grant program would be used which is similar to the Heritage Tourism and Public Education grant program.

MOTION BY KINNUNEN/JULIK-HEINE TO AUTHORIZE THE TAYLORS FALLS HERITAGE PRESERVATION COMMISSION TO PURSUE A GRANT THROUGH THE HERITAGE TOURISM AND PUBLIC EDUCATION GRANT PROGRAM ADMINISTERED BY THE MINNESOTA HISTORICAL SOCIETY, FOR AN AUDIO/VISUAL PRESENTATION, IN AN AMOUNT LESS THAN \$7,000. MOTION CARRIED UNANIMOUSLY.

DISCUSSION OF POSSIBLE FEDERAL TRANSPORTATION ENHANCEMENT GRANT

Zoning Administrator-Coordinator Larry Phillips explained to the Council that the City was recently notified by the East Central Regional Development Commission of a potential grant opportunity through the Federal Transportation Enhancement program. The project would be to construct 4,262' of multi-use trail within the City. The grant is an 80/20 match. Preliminary cost estimates are \$197,541, of which \$39,508 would be the City's local match. The City could pursue additional funding through the Department of Natural Resources' Local Trails Connection Program which can then be used to match Federal Transportation Enhancement Funding.

Because Taylors Falls is under the population of 5,000, Chisago County would need to sponsor the City. We would work with County Engineer Joe Triplett and the County Board would have to pass an approving resolution. If the City were to pursue the grant, it must provide assurance that the 20% would be paid regardless if additional grants were awarded or not.

The deadline for submission to the East Central Regional Development Commission is January 15, 2010 and would be awarded in the 2013-2014. The City would not need to commit to the project until such time the grant is awarded.

MOTION BY JULIK-HEINE/KINNUNEN TO AUTHORIZE LARRY PHILLIPS, ZONING ADMINISTRATOR-COORDINATOR TO PURSUE A GRANT THROUGH THE FEDERAL TRANSPORTATION ENHANCEMENT PROGRAM, FOR A TRAIL SYSTEM. MOTION CARRIED UNANIMOUSLY.

CONSIDER RESOLUTION 12-09-01 CERTIFYING UNPAID SPECIAL CHARGES

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 12-09-01 ADOPTING SPECIAL CHARGES FOR THE TAX YEAR 2009 TO BE COLLECTED IN 2010. (attached)

CONSIDER AUTHORIZING INTERSTATE STATE PARK TO RECONSTRUCT A PORTION OF SIDEWALK AND GUARDRAIL

Interstate State Park in the process of a North Parking Lot Rehabilitation Project, which includes improving the pedestrian connection between downtown and the Park. The Park is proposing to reconstruct a portion of sidewalk and guardrail to better direct pedestrian traffic. Once complete, it would be the City's responsibility to maintain the area.

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA FOR INTERSTATE STATE PARK TO RECONSTRUCT THE PORTION OF SIDEWALK AND GUARDRAIL AS SHOWN IN THE SUBMITTED PROPOSED PLANS. (on file)

CONSIDER 2009/2010 SALT/SAND AGREEMENTS

The City historically enters into an agreement with the First Evangelical Lutheran Church and the Taylors Falls Elementary School to provide salt/sand upon request. The charge for the service is \$50.00 per occurrence. This charge was relatively low because the City previously received this salt/sand at no cost due to the agreement with Chisago County. However, a recent decision by the Chisago County Public Works Department will change this arrangement. Effective immediately, Taylors Falls will no longer be plowing or sanding County Road 37/First Street, County Road 20/Chestnut Street, County Road 71/Mulberry Street or County Road 16/Wild Mountain Road. Chisago County will assume complete responsibility for their maintenance. As such, Taylors Falls will also no longer be receiving salt/sand free of charge.

Council Member and Public Works Council Liaison Larry Julik-Heine explained that the City may need to evaluate the cost of providing this service, and requested the issue be tabled until more definitive costs can be determined.

MOTION BY JULIK-HEINE/TANGEN TO TABLE APPROVAL OF THE SALT/SAND AGREEMENTS UNTIL SUCH TIME THE PUBLIC WORKS COUNCIL LIAISONS ARE READY FOR ADDITIONAL DISCUSSION. MOTION CARRIED UNANIMOUSLY.

CONSIDER CONTRACT WITH HENNEPIN TECHNICAL COLLEGE FOR OSHA COMPLIANCE TRAINING

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE CONTRACT BETWEEN HENNEPIN TECHNICAL COLLEGE AND THE CITY OF TAYLORS FALLS TO PROVIDE OSHA COMPLIANCE SELECTED SUBJECT FOR THE CITY PUBLIC WORKS DEPARTMENT, AT A COST OF \$670.00, TO BE PAID FROM THE PUBLIC WORKS TRAINING BUDGET ACCOUNT (43100-208).

APPROVAL OF CLAIMS & PAYROLL

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE PAYMENT OF CHECK NUMBERS 22860 - 22207 TOTALING \$44,100.00 AND CHECK NUMBERS 5610 - 5622 IN THE AMOUNT OF \$12,637.50 FOR NOVEMBER PAYROLL.

LIAISON OR COUNCIL MEMBER REPORTS

Ross Rivard and Larry Julik-Heine both explained in greater detail the recent meeting with representatives from Chisago County. In the past Taylors Falls and Chisago County had an agreement whereby Taylors Falls would maintain the hill on First Street/County Road 37, as well as aid in the snow plowing on other County roads in the City. However, at the meeting they were told with no advance warning that Chisago County will now assume complete responsibility for their maintenance. So effective immediately, Taylors Falls will no longer be plowing or sanding County Road 37/First Street, County Road 20/Chestnut Street, County Road 71/Mulberry Street or County Road 16/Wild Mountain Road. There was concern expressed whether Chisago County would provide the same quality of service as provided by the City's Public Works Department. Concern was also expressed regarding the costs for now purchasing salt/sand. A letter will be sent to City residents and business owners informing them of this change with the telephone numbers for them to call in the event there are complaints, concerns or questions.

CORRESPONDENCE

THE CITY COUNCIL ACKNOWLEDGED THE CORRESPONDENCE RECEIVED IN THE DECEMBER 14, 2009 COUNCIL PACKET:

1. ARTICLE ON LARRY COLLINS NAMED 2009 HEALTH CARE ADVOCATE
2. CORRESPONDENCE FROM EAST CENTRAL REGIONAL DEVELOPMENT COMMISSION, RE: SURVEY FOR COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY
3. AT A GLANCE NEWSLETTER
4. CORRESPONDENCE FROM JOE TRIPLETT, CHISAGO COUNTY ENGINEER, RE: CSAH 20 & 71 PROJECT
5. STAFF CORRESPONDENCE & EMAIL'S

ADJOURNMENT

MOTION BY KINNUNEN/JULIK-HEINE TO ADJOURN THE MEETING OF THE DECEMBER 14, 2009 TAYLORS FALLS CITY COUNCIL. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:50 p.m.

Michael D. Buchite, Mayor

Jo Everson, City Clerk-Treasurer

APPROVED: JANUARY 11, 2010

RESOLUTION 09-12-01

**CITY OF TAYLORS FALLS
CHISAGO COUNTY
STATE OF MINNESOTA**

**A RESOLUTION ADOPTING SPECIAL CHARGES
FOR THE TAX YEAR 2009 TO BE COLLECTED IN 2010**

WHEREAS certain properties Taylors Falls have been charged specific fees for various purposes; and

WHEREAS there currently remains unpaid balances due the City;

SO THEREFORE BE IT RESOLVED by the Taylors Falls City Council that it hereby adopts the following list of unpaid 2009 Special Charges to be levied upon the individual properties for the tax year 2009 to be collected in 2010 along with property taxes:

PID #	OWNER	ASMNT	PURPOSE	FUND
R20.00011.00	Boucher, James & Mary	\$39.01	Stormwater Utility Fee	600
R20.00016.00	Boucher, John & Nancy	\$99.00	Stormwater Utility Fee	600
R20.00009.00	Dibble, Clarence & Janet	\$52.76	Stormwater Utility Fee	600
R20.00078.50	Equity Bridge	\$9.74	Stormwater Utility Fee	600
R20.00010.00	Johnson/Ludwig, Lorne & Joyce	\$38.94	Stormwater Utility Fee	600
R20.00022.00	Johnson, Kevin & Melinda Deutsche Bank	\$21.63	Stormwater Utility Fee	600
R20.00013.00	Peltier, Randy	\$57.62	Stormwater Utility Fee	600
R20.00239.00	SCG OF MN LLC	\$59.40	Stormwater Utility Fee	600
R20.00008.10	Swenson, S A (Andy) & Geraldine	\$39.53	Stormwater Utility Fee	600
R20.00406.00	Krause, Randy & Tammy	\$47.10	Delinquent Water & Sewer	601/602
R20.00240.00	Pedrys, Ronald & Evelyn	\$517.03	Delinquent Water & Sewer	601/602
R20.00555.69	Gonzalez Rodriquez, Luis and Tania Ramos Alonso	\$311.86	Delinquent Water & Sewer	601/602

Adopted by the City Council on December 14, 2009

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer