

**TAYLORS FALLS CITY COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, OCTOBER 27, 2008 – 7:00 P.M.**

MINUTES

The Agenda for this Meeting was posted Wednesday, October 22, 2008 at City Hall, the Post Office and the City's Web Site. 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, October 27, 2008 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: Clerk-Treasurer Jo Everson, Tom Delaney, Kevin Irwin, and Bob Porter from the Chisago County Press.

ADOPTION OF AGENDA

The Agenda was amended to include under New Business: **Consider Appointment of HPC Member; Consider OSHA Training Agreement with Hennepin Technical College; Consider Indemnity Agreement with Chisago County; Consider Agreement with Abdo, Eick & Meyers for 2008 Audit.**

MOTION BY RIVARD/JULIK-HEINE TO APPROVE THE AGENDA, AS AMENDED, FOR THE OCTOBER 27, 2008 COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF CONSENT AGENDA

MOTION BY KINNUNEN/TANGEN TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: CONSIDER MERIT PAY FOR DEPUTY CLERK-TREASURER'S PERFORMANCE EVALUATION; CONSIDER DATE TO CANVASS ELECTION RESULTS; CONSIDER APPOINTMENT OF JULIE HILDEBRAND AS HPC MEMBER; CONSIDER OSHA TRAINING AGREEMENT WITH HENNEPIN TECHNICAL COLLEGE; CONSIDER AGREEMENT WITH ABDO, EICK & MEYERS FOR 2008 AUDIT; CORRESPONDENCE. MOTION CARRIED UNANIMOUSLY.

PUBLIC FORUM

Chisago County Press Reporter Bob Porter complimented the City on the improvements to the Heritage Park, Riverwalk Park and the Memorial Community Center.

STAFF REQUESTS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

CONSIDER IDENTITY THEFT PREVENTION PROGRAM

The Federal Trade Commission (FTC) developed the “red flags” rules to detect, prevent, and mitigate the fraud commonly called identity theft. The rules apply to entities that qualify as “creditors” or maintain “covered accounts” under the law. The City is subject to the rule as a “creditor” because people use the city-provided water and sewer and pay for it later. Additionally, when the city defers

payment, it also has "covered accounts" under the rule. The rule requires the adoption of an Identity Theft Prevention Program by November 1, 2008.

MOTION BY JULIK-HEINE/KINNUNEN TO ADOPT THE TAYLORS FALLS IDENTITY THEFT PROGRAM, TO DETECT, PREVENT, AND MITIGATE THE FRAUD COMMONLY CALLED IDENTITY THEFT. (attached)

IT WAS FURTHER MOVED TO APPOINT DEPUTY CLERK-TREASURER JAYNA YESKE AS THE PROGRAM ADMINISTRATOR, GIVEN THAT SHE IS RESPONSIBLE FOR THE UTILITY BILLING SYSTEM FOR THE CITY.

IT WAS YET FURTHER MOVED TO APPOINT THE FOLLOWING AS THE IDENTITY THEFT PREVENTION COMMITTEE, RESPONSIBLE FOR DEVELOPING, IMPLEMENTING, AND UPDATING THE TAYLORS FALLS IDENTITY THEFT PROGRAM: CLERK-TREASURER JO EVERSON, WHO, AS THE CITY TREASURER, IS RESPONSIBLE FOR SUPERVISING THE CITY'S CASH FLOW; PUBLIC WORKS UTILITY WORKER BILL NESKA, WHO OFTEN TIMES HAS ONE-ON-ONE CONTACT WITH UTILITY CUSTOMERS; AND COUNCIL MEMBER JOHN TANGEN, WHO IS A 911 DISPATCHER FOR CHISAGO COUNTY AND WOULD HAVE ACCESS TO PERFORM IDENTITY VERIFICATION IF NECESSARY. THE COMMITTEE IS FURTHER AUTHORIZED TO RECOMMEND ANY NECESSARY UPDATES TO THE PROGRAM AND COMMITTEE APPOINTMENTS ON AN AS-NEEDED BASIS.

MOTIONS CARRIED UNANIMOUSLY.

CONSIDER AWARDING BIDS FOR PUBLIC WORKS BUILDINGS

Sixteen bids for the Public Works/MnDOT buildings project were opened on October 21st, which ranged from \$299,000 - \$369,000. Several legal issues need to be resolved yet between the Chisago County HRA/EDA and the City (who are financial partners in this venture). Just as important is the need to come to an agreement between the City and MnDOT, who will be leasing the buildings in return for swapping their property on Bench Street.

MOTION BY TANGEN/RIVARD TO TABLE FURTHER CONSIDERATION OF AWARDING THE BIDS FOR THE PUBLIC WORKS BUILDINGS/MnDOT PROJECT UNTIL THE NOVEMBER 10, 2008 CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

CONSIDER LIQUOR LICENSE FOR SMITTY'S BORDER BAR 'N' GRILL

Kevin Irwin, the former owner of Smitty's Border Bar 'N' Grill recently reclaimed this establishment and re-applied for a liquor license in his name.

MOTION BY JULIK-HEINE/KINNUNEN TO APPROVE A TAYLORS FALLS LIQUOR LICENSE TO:

STACIAPINK INVESTMENTS, INC. - KEVIN IRWIN
DBA/ SMITTY'S BORDER BAR & GRILL at 367 Bench Street
ON-SALE LIQUOR LICENSE
OFF-SALE LIQUOR LICENSE
ON-SALE SUNDAY LICENSE

EFFECTIVE NOVEMBER 1, 2008 - DECEMBER 31, 2008. MOTION CARRIED, WITH TANGEN ABSTAINING DUE TO HIS EMPLOYMENT WITH THE CHISAGO COUNTY SHERIFF'S DEPARTMENT.

CONSIDER MERIT PAY FOR DEPUTY CLERK-TREASURER'S PERFORMANCE EVALUATION

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA A \$250.00 MERIT PAY PAYMENT TO CITY DEPUTY CLERK-TREASURER JAYNA YESKE FOR RECOGNITION AND REWARD AS AN EMPLOYEE WHO ACHIEVED MORE THAN WHAT WAS EXPECTED OF HER AND WHO HAS PUT IN CONSISTENTLY GREAT EFFORT IN HER POSITION AS DEPUTY CLERK-TREASURER FOR THE CITY OF TAYLORS FALLS.

SET DATE TO CANVASS ELECTION RESULTS

THE CITY COUNCIL SET BY CONSENT AGENDA THE DATE OF WEDNESDAY, NOVEMBER 5, 2008

AT 8:00 A.M. AS THE SPECIAL COUNCIL MEETING TO CANVASS THE 2008 GENERAL ELECTION RESULTS.

CONSIDER APPOINTMENT OF HPC MEMBER

THE CITY COUNCIL ACCEPTED THE RECOMMENDATION FROM THE TAYLORS FALLS HERITAGE PRESERVATION COMMISSION TO APPOINT JULIE HILDEBRAND AS A MEMBER OF THE COMMISSION, WHO'S TERM SHALL EXPIRE DECEMBER 31, 2010.

CONSIDER OSHA TRAINING AGREEMENT WITH HENNEPIN TECHNICAL COLLEGE

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE CONTRACT WITH HENNEPIN TECHNICAL COLLEGE/STATE OF MINNESOTA TO PROVIDE OSHA COMPLIANCE TRAINING TO THE PUBLIC WORKS DEPARTMENT EMPLOYEES AT A COST OF \$650.00 TO BE PAID FROM THE PUBLIC WORKS DEPARTMENT TRAINING BUDGET (43100-208). (on file)

CONSIDER INDEMNITY AGREEMENT WITH CHISAGO COUNTY

The City Council approved the purchase of two Dynamic Speed Display signs at previous meetings, both needing permits from Chisago County and the State of Minnesota in order to place them in the right-of-ways. Chisago County requested the specifications of the signs and an Indemnity Agreement, which was drafted by the City Attorney.

MOTION BY JULIK-HEINE/RIVARD TO APPROVE THE INDEMNITY AGREEMENT BY AND BETWEEN THE CITY OF TAYLORS FALLS AND CHISAGO COUNTY, FOR CLAIMS RELATING TO THE SPEED DISPLAY SIGN PLACED ON COUNTY ROAD 37. MOTION CARRIED UNANIMOUSLY.

MOTION BY JULIK-HEINE/RIVARD TO AMEND THE MOTION TO INCLUDE AUTHORIZATION FOR THE MAYOR AND THE CLERK-TREASURER TO SIGN THE SAID AGREEMENT. MOTION CARRIED UNANIMOUSLY.

Council Member John Tangen questioned the recent Letter to the Editor and political rumors on the street that allege that the City did not need to use taxpayers dollars to purchase these signs because they could have been obtained free of charge from Chisago County.

Clerk-Treasurer Jo Everson stated that she had correspondence from the Chisago County Assistant Engineer Joe Triplett stating that the County did not have an issue with the sign, and intended to actually use them in three different locations in the County as soon as he could. He assured the City that it would like the sign they purchased, and in his opinion, would be money well spent. He did not at any time indicate that the signs could or would be provided by the County.

Mayor Mike Buchite indicated that he had spoken with both Chisago County Commissioner Rick Greene and Chairman Mike Robinson, who assured the Mayor that the County cannot provide these kinds of signs free of charge.

CONSIDER AGREEMENT WITH ABDO, EICK & MEYERS FOR 2008 AUDIT

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE AGREEMENT BETWEEN THE CITY OF TAYLORS FALLS AND ABDO EICK & MEYERS, CERTIFIED PUBLIC ACCOUNTANTS AND CONSULTANTS, TO PERFORM THE 2008 FINANCIAL AUDITS, AT A COST OF \$13,274, THE STATE AUDITOR'S REPORTING FORM AT \$515, AND THE SINGLE AUDIT AT \$2,600.

LIAISON OR COUNCIL MEMBER REPORTS

Zara Kinnunen reported she was pleased to have Julie Hildebrand at the new Heritage Preservation Commission Member.

John Tangen reported that he has received many compliments from the public regarding the two new decks – the River Walk deck and the Heritage Park deck. They have improved the river's vista, and consequently, channeled more tourists into the business district.

Larry Julik-Heine reported that the new PRC Chair, Tana Havumaki, would be a welcome addition to the Commission. With her energy level, Julik-Heine stated that the PRC may be able to accomplish

even more in 2008 and into 2009.

Ross Rivard reported that the outdoor work on the Community Center project was near completion. The inside work continues, and will continue into 2009. The project came in slightly over-budget, but overall went very well.

Mayor Mike Buchite reported that the Taylors Falls and St. Croix Falls Chambers of Commerce have agreed to a joint merger in 2009. They are in the process of working out the legal issues.

The Mayor also reported that he had attended the recent Taylors Falls Historical Society banquet, at which the City was presented a Minnesota State flag in honor of its sesquicentennial (150 years). It is currently displayed on the wall in the Center, however, they would like it mounted on a pole similar to the one the American Flag is on.

The Crime Watch group held their quarterly potluck dinner which the Mayor attended. He again commended the group for their efforts to reduce the incidents on West Street.

CORRESPONDENCE

THE CITY COUNCIL ACKNOWLEDGED BY CONSENT AGENDA THE FOLLOWING CORRESPONDENCE PROVIDED IN THE OCTOBER 27, 2008 CITY COUNCIL MEETING PACKET:

1. MEMO FROM LMC, RE: 2009 DRAFT LEGISLATIVE POLICIES
2. NOTICE FROM DEED, RE: NOTICE OF NON-SECTION FOR 2009 SMALL CITIES GRANT AWARD
3. STAFF CORRESPONDENCE & EMAIL'S

ADJOURNMENT

MOTION BY JULIK-HEINE/KINNUNEN TO ADJOURN THE MEETING OF THE TAYLORS FALLS CITY COUNCIL HELD ON SEPTEMBER 22, 2008. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:22 p.m.

Michael D. Buchite, Mayor

Jo Everson, Clerk-Treasurer

APPROVED: NOVEMBER 10, 2008