

**TAYLORS FALLS CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
TUESDAY, MAY 26, 2009 – 7:00 P.M.**

**MINUTES**

The Agenda for this Meeting was posted Wednesday, May 20, 2009, 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 Tuesday, May 26, 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, Zara Kinnunen, Larry Julik-Heine

MEMBERS ABSENT: John Tangen

OTHERS PRESENT: Clerk-Treasurer Jo Everson, Joe Stein, and Bob Porter from the Chisago County Press

**ADOPTION OF AGENDA**

MOTION BY JULIK-HEINE/RIVARD TO APPROVE THE AGENDA, AS PRESENTED, FOR THE MAY 26, 2009 COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

**ADOPTION OF CONSENT AGENDA**

MOTION BY KINNUNEN/JULIK-HEINE TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: CONSIDER RESOLUTION 09-05-01 SETTING THE DATE FOR A PUBLIC HEARING; CORRESPONDENCE. MOTION CARRIED UNANIMOUSLY.

**PUBLIC FORUM**

None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**CONSIDER CIGARETTE LICENSE FOR "SMOKE ON THE WATER", 395 BENCH STREET**

The City received an application for a License to Sell Cigarettes at Retail from Tiffani Schleis, for her new business *Smoke on the Water*, located at 395 Bench Street. While the application is a legitimate request, Council Member Larry Julik-Heine expressed concern that the youth in the community would now have more access to tobacco products.

MOTION BY JULIK-HEINE/KINNEN TO APPROVE THE ISSUANCE OF A LICENSE TO SELL CIGARETTES AT RETAIL FOR THE PERIOD OF JUNE 1, 2009 TO DECEMBER 31, 2009, TO TIFFANI SCHLEIS, OWNER OF *SMOKE ON THE WATER*, LOCATED AT 395 BENCH STREET IN TAYLORS FALLS, CONDITIONAL UPON THE CITY RECEIVING A COPY OF THE SALES & USE TAX INFORMATION AND MINNESOTA TAX IDENTIFICATION NUMBER. MOTION CARRIED UNANIMOUSLY.

**CONSIDER LIQUOR LICENSE FOR LARRY SCHMIDT, BORDER BAR & GRILL**

Larry Schmidt, a former owner of the Border Bar & Grill, located at 367 Bench Street, is in the process of assuming ownership of the establishment again and has applied for a Liquor License.

MOTION BY JULIK-HEINE/KINNUNEN TO APPROVE THE ISSUANCE OF THE FOLLOWING LIQUOR LICENSES TO LARRY R. SCHMIDT, DBA BORDER BAR & GRILL, 367 BENCH STREET IN TAYLORS FALLS, FOR THE PERIOD OF JUNE 1, 2009 TO DECEMBER 31, 2009:

ON-SALE INTOXICATING LIQUOR	SUNDAY LICENSE
OFF-SALE LIQUOR	2 AM CLOSING LICENSE

CONDITIONAL UPON RECEIPT OF CERTIFICATE OF INSURANCE, ISSUANCE AND RECEIPT OF A MINNESOTA TAX IDENTIFICATION NUMBER, AND ISSUANCE AND RECEIPT OF A FEDERAL IDENTIFICATION NUMBER. MOTION CARRIED UNANIMOUSLY.

**CONSIDER REORGANIZATION OF PUBLIC WORKS DEPARTMENT**

The Council reviewed a memo from the Public Works Council Liaisons/Supervisors Ross Rivard and Larry Julik-Heine, who have recommended a reorganization of the Department to create a Public Works Superintendent position. According to Rivard, the Liaisons find themselves repeatedly performing administrative work that a Superintendent could be doing. Four years ago the Council eliminated the Public Works Supervisor position and decided to have two equal positions but with different job descriptions. The current system does not appear to be working. Julik-Heine was in agreement, and stated that this same discussion had occurred several times over the past few years as they looked for ways to improve the Department and how things were dealt with in Taylors Falls.

The memo identified the following reasons as to how a possible reorganization could allow the Department to run more efficiently and economically:

1. The PW Department Employees would be under direct daily supervision, rather than rely on Liaisons for matters that require only urgent attention.
2. A PW Superintendent would have a better ability to analyze, and prioritize projects according to the needs of the City and to his/her Department. They include:
  - Street projects > long-term & immediate
  - City Park needs > long-term & immediate
  - Building repairs/maintenance > long-term & immediate
  - Equipment needs > long-term & immediate
3. A PW Superintendent would be better able to provide on-going oversight on projects, using a hands-on approach to get them done in a timely manner.
4. A PW Superintendent would be better able to coordinate projects with other City Commissions, Departments or Organizations.
5. A PW Superintendent would need good communication and writing skills, which would improve contact with the public, both written and verbally, and provide the City Council with monthly reports with up-dates on activities within the Department.
6. A PW Superintendent would be involved in setting the budgets for his/her Departments (water, sewer, parks, and public works). The PW Superintendent would be responsible for researching and recommending an attainable budget to the City Council, who would in turn monitor spending more carefully and efficiently.

Rivard and Julik-Heine recommended that the City would be better served by re-instating the Supervisor position, but under the title of a Superintendent. The memo stated that they were not suggesting that a third PW employee be hired, but instead, eliminate one of the two existing positions who would work under the Superintendent.

Mayor Buchite questioned if one of the existing employees could be promoted. *Rivard responded by suggesting that the Council continue with past practice by opening the position to the public just as it did when the City Clerk position was posted in 1999 (then Treasurer/Bookkeeper Jo Everson was required to submit an application rather than simply promote from within). It assures that the most qualified person is hired.*

Mayor Buchite questioned if existing employees could apply for the new position, since the recommendation is for only two positions in the Public Works Department due to budgetary constraints. *Rivard and Julik-Heine responded that both employees are welcome to apply for the Superintendent position. However, since the positions would become Superintendent and Worker/Employee (exact title to be determined); one of the two existing positions (Street Worker or Utility Worker) would need to be eliminated.*

Mayor Buchite recommended that the Council give careful consideration as to what position should be eliminated.

The recommendation from the Public Works Liaisons was to have the Personnel Liaisons, Mayor Mike Buchite and Council Member John Tangen, after consultation with the City Attorney, develop and recommend to the Council several items with regard to the proposed reorganization of the Public Works Department.

MOTION BY KINNUNEN/RIVARD TO AUTHORIZE THE TAYLORS FALLS COUNCIL PERSONNEL LIAISONS, MAYOR MIKE BUCHITE AND COUNCIL MEMBER JOHN TANGEN, TO DEVELOP AND RECOMMEND TO THE CITY COUNCIL AT THE JUNE 8, 2009 MEETING:

- » A JOB DESCRIPTION FOR PUBLIC WORKS DEPARTMENT SUPERINTENDENT
- » A JOB DESCRIPTION FOR PUBLIC WORKS DEPARTMENT WORKER/EMPLOYEE
- » A PAY RANGE (USING LEAGUE OF MINNESOTA CITIES SALARY & BENEFITS SURVEYS)
- » A JOB POSTING
- » A RECOMMENDATION AND JUSTIFICATION AS TO WHO IS THE BEST QUALIFIED OF THE TWO EXISTING [EMPLOYEE] POSITIONS BY EVALUATING QUALIFICATIONS

MOTION CARRIED UNANIMOUSLY.

#### **CONSIDER RESOLUTION 09-05-01 SETTING THE DATE FOR A PUBLIC HEARING**

The Minnesota Interstate State Park (DNR) has petitioned the City to vacate nine platted but unimproved streets within the Park. The process requires the Council to adopt a resolution setting the date for a public hearing. Because five of the nine streets terminate upon the St. Croix River, the City is required to notify the Commission of Natural Resources at least sixty days before the hearing. Therefore the hearing will not be held until July 13, 2009.

THE TAYLORS FALLS CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 09-05-01, SETTING THE DATE FOR A PUBLIC HEARING FOR STREET VACATIONS COMMENCED BY A PETITION OF A MAJORITY OF ABUTTING LANDOWNERS OF INTERSTATE STATE PARK. (attached)

#### **LIAISON OR COUNCIL MEMBER REPORTS**

**Mayor Mike Buchite** reported that the City had filed the Permit Amendment Request for the Xcel Energy Application for a Route Permit for the Chisago County to Apple River 115/161 kV High Voltage Transmission Line Project. The City's efiled document can be found at <https://www.edockets.state.mn.usEFiling/ShowFile.do?DocNumber=20095-37411-01>. The public can also contact Dave Birkholz, Project Manager at [david.birkholz@state.mn.us](mailto:david.birkholz@state.mn.us). The Public Hearing is scheduled for June 11, 2009.

**Ross Rivard** reported he and Planning Commission Chair Joe Stein had recently attended a training session on Comprehensive Plans. He also reported that the watermain leak on County Road 37 had

been repaired today, with the repairs to the sewer manhole repair scheduled for tomorrow.

**Larry Julik-Heine** reported that the Park & Rec Commission had a cleanup day at the Cherry Hill Park, with two more workdays scheduled for the next two weeks.

**Zara Kinnunen** reported that the EDC discussed the possibility of another joint meeting with the Minnesota Departments of Transportation and Natural Resources, and the Interstate State Park to further discussions on the next phase of the RiverWalk Trail.

**Jo Everson, City Clerk-Treasurer**, updated the Council on the status of Governor Pawlenty's threat to exercise his unallotment authority to balance the State's budget deficit. Under unallotment, the Governor can reduce, delay or defer state appropriations. According to the League of Minnesota Cities, governors have only exercised their unallotment authority four times since the law was enacted in 1939. Governor Al Quie unallotted \$195.1 million in 1980. Governor Rudy Perpich unallotted \$109.8 million in 1986. Governor Tim Pawlenty unallotted \$381 million in 2008 and then another \$271.6 million in December 2008. The pending unallotments by the Governor would be by far the broadest and largest exercise of the power.

Everson continued to challenge the wisdom of Pawlenty's veto of the final legislative bill sent to balance the budget with a number of tax increases and a school revenue "shift". Nearly \$1.8 billion in state revenues to school districts, a new 9% fourth-tier income tax bracket for joint filers earning more than \$250,000, generating an estimated \$516.3 million over the biennium, a new surtax on excess interest rates charged by institutions that would have generated \$216.3 million, increased alcohol taxes by approximately \$286.1 million, and finally, a tax compliance initiative that was estimated to generate \$14 million in revenue through the collection of unpaid taxes. The Governor's rationale for the veto was his opposition of tax increases. It was reported that the Governor criticized City concerns about the yet-to-be-announced cuts by suggesting that City officials are merely "whining". Unfortunately, due to the severity of the remaining budget deficit, it is conceivable that the unallotment reductions could be larger than even those proposed in the Governor's January budget. Everson commented that the Governor intends to take millions of dollars away using unallotment. These are very serious financial times for all cities.

#### **CORRESPONDENCE**

THE CITY COUNCIL ACKNOWLEDGED BY CONSENT AGENDA THE FOLLOWING CORRESPONDENCE PROVIDED IN THE MAY 26, 2009 CITY COUNCIL MEETING PACKET:

1. TRANSCIENT MERCHANT PERMIT ISSUED TO MR. MAC'S CONCESSIONS
2. EMPLOYEE VACATION REQUESTS
3. MINUTES FROM TH 243 BRIDGE EARLY COORDINATION MEETING
4. LETTER TO CHISAGO COUNTY FROM LUTHERAN CHURCH, RE: PAVING OF CO. ROAD 20
5. CORRESPONDENCE FROM US BANK, RE: BANK SERVICES
6. SHORELAND RULES UPDATE PROJECT, FISCAL IMPACT SURVEY
7. LMC FRIDAY FAXES
8. STAFF CORRESPONDENCE & EMAIL'S

#### **ADJOURNMENT**

MOTION BY JULIK-HEINE/KINNUNEN TO ADJOURN THE MEETING OF THE TAYLORS FALLS CITY COUNCIL HELD ON MAY 26, 2009. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:31 p.m.

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Michael D. Buchite, Mayor

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Jo Everson, Clerk-Treasurer

**APPROVED: JUNE 8, 2009**