

**TAYLORS FALLS CITY COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, FEBRUARY 14, 2011 - 7:00 P.M.**

MINUTES

The Agenda for this Meeting was posted Wednesday, February 9, 2011, at City Hall, the Post Office and on 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, February 14, 2011 at 7:00 p.m. in 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

MEMBERS ABSENT: Larry Julik-Heine, Mary Jo Murphy

OTHERS PRESENT: Clerk-Treasurer Jo Everson

ADOPTION OF AGENDA

The Agenda was amended to add under New Business: **Consider Resolution 11-02-05 Supporting a Border Cities Development Zone**; and removing the **Public Hearing for Alleged Tobacco Violations**.

MOTION BY TANGEN/RIVARD TO APPROVE THE AGENDA, AS AMENDED, FOR THE FEBRUARY 14, 2011 COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF CONSENT AGENDA

MOTION BY RIVARD/TANGEN TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: MINUTES OF CITY COUNCIL MEETING HELD ON JANUARY 24, 2011; STAFF REPORTS; COMMISSION/BOARD OR COMMITTEE MINUTES/REPORTS; CONSIDER SUBMISSION OF LOCAL TRAILS CONNECTION GRANT PROGRAM; CONSIDER CHANGES TO COMMISSION MEMBERSHIP; CONSIDER AN AMENDMENT TO THE EDC BYLAWS; CONSIDER DATE FOR LOCAL BOARD OF APPEAL & EQUALIZATION; CONSIDER RESOLUTION 11-02-03 AUTHORIZING PAYMENT OF MONTHLY FLEET SERVICES INVOICES; CONSIDER DATE FOR CLERK-TREASURER ANNUAL PERFORMANCE EVALUATION; APPROVAL OF CLAIMS & PAYROLL; AND CORRESPONDENCE. MOTION CARRIED UNANIMOUSLY.

PUBLIC FORUM

None.

STAFF REQUESTS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

CONSIDER DETERMINATION OF TOBACCO VIOLATION(S)

The City was notified by Chisago County Investigator Justin Wood that the General Store had failed a

tobacco compliance check on November 18, 2010. Since the City is the sole authority who grants tobacco licenses in the City, it must be the authority to impose the penalty. Ordinance requires that the offenders (the Store and the employee) be allowed a public hearing prior to imposing any fine. The Hearing Notice was published and letters sent to each offender, offering the opportunity to ADMIT or DENY the allegation, the Store and the employee ADMITTED the violation. Per City Ordinance, the employee was fined \$75.00, which has been paid and the General Store was fined \$500.00 since they have had three offenses within a 24 month period. Council must make the official fine determination based upon these facts:

MOTION BY RIVARD/TANGEN TO DETERMINE THAT THE GENERAL STORE FAILED A TOBACCO COMPLIANCE CHECK ON NOVEMBER 18, 2010, AND PURSUANT TO SECTION 1200.13 OF THE TAYLORS FALLS CODE OF ORDINANCES REGULATING TOBACCO, AN ADMINISTRATIVE FINE OF \$500.00 SHALL BE CHARGED TO THE GENERAL STORE. *(paid 02/9/11)*

IT WAS FURTHER MOVED TO DETERMINE THAT SHAWN CASTORENA, EMPLOYEE OF THE GENERAL STORE, FAILED A TOBACCO COMPLIANCE ON NOVEMBER 18, 2010, AND PURSUANT TO SECTION 1200.13 OF THE TAYLORS FALLS CODE OF ORDINANCES REGULATING TOBACCO, AN ADMINISTRATIVE FINE OF \$75.00 SHALL BE CHARGED BY SAID EMPLOYEE. *(paid 02/9/11)*

MOTION CARRIED UNANIMOUSLY.

CONSIDER AMENDMENT TO POLICY FOR CHARGES TO RESPOND TO PAGED INCIDENTS

The Taylors Falls Fire Department has recommended that the 2010 *Policy for Charges to Responding to a Paged Emergency Service Incident by the TF Fire Department* be amended by adding a surcharge to the structure fire run charge to cover the increased cost of fire suppression foam usage, and the increased costs of chimfex, which is a product used to extinguish chimney fires.

MOTION BY TANGEN/RIVARD TO AMEND THE TAYLORS FALLS POLICY FOR CHARGES TO RESPOND TO PAGED INCIDENTS, BY ADDING A SURCHARGE TO CERTAIN SERVICES. THE SURCHARGE SHALL BE ATTRIBUTED TO USE OF CHIMFEX AND FIRE SURPRESSION FOAM, AND SHALL BE EQUIVALENT TO THE CURRENT MARKET COST AS DETERMINED BY THE CHIEF OF THE TAYLORS FALLS FIRE DEPARTMENT. MOTION CARRIED UNANIMOUSLY. *(attached)*

CONSIDER RESOLUTION 11-02-04 ACCEPTING PROPOSAL FOR FEASIBILITY STUDY

The City is in the preliminary planning phase to develop a 10-acre business park on a portion of the 19.1 acre property the City intends to purchase from Xcel Energy on County Road 37. An essential component of this planning phase is to call for a feasibility study to identify costs related to the infrastructure needs at the site. City Engineer Steve Heth has recommended the City use \$1,500.00 for budget purposes for that study.

MOTION BY TANGEN/RIVARD TO ADOPT RESOLUTION 11-02-04, ACCEPTING THE PROPOSAL FROM BOLTON & MENK, INC. TO CONDUCT A FEASIBILITY STUDY FOR THE PROPOSED TEN ACRE BUSINESS PARK ON COUNTY ROAD 37 IN TAYLORS FALLS. MOTION CARRIED UNANIMOUSLY. *(attached)*

CONSIDER RESOLUTION 11-02-01 ACCEPTING A GRANT FROM EAST CENTRAL ARTS COUNCIL

The City has been awarded the Arts and Cultural Heritage Fund Grant in the amount of \$14,500.00 from the East Central Arts Council. The City's "in-kind" match is \$2,550.00, which includes staff time, volunteer time, use of the Memorial Community Center for the dedication ceremony, use of the retaining wall, and an \$800.00 cash donation from the Women's Civic League. Local artist Terry Hildebrand was selected to create the mural once the grant was funded, therefore a contract must be approved and executed.

Mayor Buchite expressed his support of the project and of past work produced by the artist. He recommended that Mr. Hildebrand be allowed to proceed without any interference of creativity from outside sources. He stressed there would be no Project Manager for this project.

MOTION BY TANGEN/RIVARD TO ADOPT RESOLUTION 11-01-01, AS PRESENTED, ACCEPTING A GRANT IN THE AMOUNT OF \$14,500.00 FROM THE EAST CENTRAL ARTS COUNCIL, A PROGRAM OF THE EAST CENTRAL REGIONAL DEVELOPMENT COMMISSION. MOTION CARRIED UNANIMOUSLY. (attached)

MOTION BY RIVARD/TANGEN TO APPROVE THE CONTRACT IN THE AMOUNT OF \$14,819.00 BY AND BETWEEN THE CITY OF TAYLORS FALLS AND TERRY HILDEBRAND, TO CREATE THE MURAL AS DESCRIBED IN THE ABOVE MENTIONED GRANT DOCUMENTS, CONDITIONAL UPON RECEIPT OF THE \$14,500.00 IN GRANT FUNDING FROM THE CENTRAL ARTS COUNCIL. MOTION CARRIED UNANIMOUSLY. (on file)

MOTION BY TANGEN/RIVARD TO AUTHORIZE PAYMENT OF THE \$3,000.00 INITIAL PAYMENT TO TERRY HILDEBRAND, AS INDICATED IN THE SAID CONTRACT, FOR THE PURCHASE OF MATERIAL FOR THE MURAL PROJECT, CONDITIONAL UPON RECEIPT OF THE \$14,500.00 IN GRANT FUNDING FROM THE EAST CENTRAL ARTS COUNCIL. MOTION CARRIED UNANIMOUSLY.

CONSIDER RESOLUTION 11-02-02 & AUTHORIZING SUBMISSION OF THE FEDERAL RECREATIONAL TRAIL PROGRAM GRANT

In 2010 Taylors Falls was awarded \$197,404.00 of Federal Transportation Enhancement Funding, which will be used to partially fund the proposed Valley View Trail Project (yet to be officially named), resulting in the construction of a new 4,500' trail within the City that will connect several neighborhoods to the downtown area, including the planned County Swedish Immigrant Trail, the future State Gateway Trail, Minnesota Interstate State Park, Bryant Woods Park Reserve and other local parks. This new grant, the Federal Recreational Trail Program Grant, is for \$141,500.00 and can be used towards the City's required local match as well as to pay for professional fees, design and construction engineering, whereas the Federal Transportation Enhancement Funding cannot. Grant awards are announced in June.

MOTION BY RIVARD/TANGEN TO ADOPT RESOLUTION 11-02-02, AS AMENDED, SUPPORTING A GRANT APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR THE FEDERAL RECREATIONAL TRAIL PROGRAM. MOTION CARRIED UNANIMOUSLY. (on file)

MOTION BY TANGEN/RIVARD TO AUTHORIZE SUBMISSION OF THE FEDERAL RECREATIONAL TRAIL PROGRAM GRANT APPLICATION, ADMINISTERED BY THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES, IN THE AMOUNT OF \$141,500.00 ACKNOWLEDGING THAT THIS GRANT, IF AWARDED, WILL BE USED TO MEET THE LOAL MATCH REQUIREMENT IN THE FEDERAL TRANSPORTATION ENHANCEMENT FUNDING AWARDED TO TAYLORS FALLS IN 2010. ADDITIONALLY, THE CITY ACKNOWLEDGES THAT THE TWO AFOREMENTIONED GRANTS COMBINED DO NOT ACCOUNT FOR MORE THAN NINETY (90) PERCENT OF THE TOTAL PROPOSED TRAIL PROJECT COST.

IT WAS FURTHER MOVED TO AUTHORIZE THE MAYOR AND CLERK-TREASURER SIGNATURES ON SAID APPLICATION. MOTION CARRIED UNANIMOUSLY. (on file)

City Clerk-Treasurer Jo Everson informed the Council that if the City should receive more than \$300,000.00 in federal funding in one year, it would force a single audit to be conducted, which may cost \$2,000.00 or more.

AUTHORIZATION TO PURSUE THE LOCAL TRAILS CONNECTION GRANT PROGRAM

The Local Trails Connection Grant Program is administered by the Minnesota Department of Natural Resources. It would be used to fund the same proposed Valley View Trail project as both the Federal Transportation Enhancement Funding and the Federal Recreational Trail Program Grant do. Representatives of the Department of Natural Resources, who recently conducted a field review of the trail, recommended that the City pursue both grants. However, the City is only eligible to receive either the Local Trails Connection Grant or the Federal Recreational Trail Grant, not both.

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA FOR THE TAYLORS FALLS TRAIL PROJECT MANAGEMENT TEAM TO PURSUE THE LOCAL TRAILS CONNECTION GRANT PROGRAM ADMINISTERED BY THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR FUNDING FOR THE PROPOSED TRAIL PROJECT KNOWN AS THE VALLEY VEIW TRAIL.

CONSIDER RECOMMENDATION TO APPOINT JULIE JOHNSON TO THE LIBRARY BOARD

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE RECOMMENDATION BY THE TAYLORS FALLS LIBRARY BOARD TO APPOINT JULIE JOHNSON TO THE LIBRARY BOARD, WHO'S TERM SHALL EXPIRE DECEMBER 31, 2013.

CONSIDER CHANGES TO COMMISSION MEMBERSHIP

The Taylors Falls Heritage Preservation Commission and Economic Development Commission submitted recommendations for changes in their membership.

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE COMMISSION MEMBERSHIP CHANGE IN THE TAYLORS FALLS HERITAGE PRESERVATION COMMISSION FOR ALYSSA AUTEN TO BECOME A REGULAR COMMISSION MEMBER, WHO'S TERM EXPIRES DECEMBER 31, 2012, AND FOR BRIAN PIGGOT TO BECOME THE ALTERNATE COMMISSION MEMBER.

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA BETH BANTARI'S RESIGNATION FROM THE TAYLORS FALLS ECONOMIC DEVELOPMENT COMMISSION, WITH APPRECIATION EXTENDED FOR HER MANY YEARS OF SERVICE ON THE COMISSION.

CONSIDER AMENDMENT TO THE ECONOMIC DEVELOPMENT COMMISSION BYLAWS

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE AMENDMENT TO THE TAYLORS FALLS ECONOMIC DEVELOPMENT COMMISSION'S BY-LAWS BY REDUCING ITS VOTING MEMBERSHIP FROM SEVEN TO FIVE. (attached)

SET DATE FOR LOCAL BOARD OF APPEAL & EQUALIZATION

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE DATE OF WEDNESDAY, APRIL 20, 2011 AT 7:00 P.M. AS THE TAYLORS FALLS BOARD OF REVIEW MEETING TO BE HELD AT CITY HALL IN COUNCIL CHAMBERS.

CONSIDER RESOLUTION 11-02-03 AUTHORIZING EARLY PAYMENTS

The new Petro Plus-Riverview Station requires credit card purchases for fuel rather than in-house credit. Because of the company's cutoff date and the scheduled dates of Council Meetings, there is a delay in their receiving timely payments, and as a result the City is charged late fees. The Clerk-Treasurer has recommended the Council authorize early payment of Fleet Card Services invoices prior to Council Meetings in order to avoid these reoccurring charges.

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 11-02-02 APPROVING PAYMENT OF ADIUM ADVANTAGE FLEET CARD INVOICES WHEN THEY ARE RECEIVED PRIOR TO COUNCIL MEETINGS. (attached)

CONSIDER DATE FOR CLERK-TREASURER'S ANNUAL PERFORMANCE EVALUATION

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE DATE OF MONDAY, FEBRUARY 28, 2011 AT 6:30 P.M. FOR A CLOSED CITY COUNCIL MEETING FOR THE ANNUAL PERFORMANCE EVALUATION OF CLERK-TREASURER JO EVERSON.

CONSIDER RESOLUTION 11-02-05 SUPPORTING A BORDER CITIES DEVELOPMENT ZONE

Over the years (18 times since 2005) the City Council has discussed the possibility of establishing a Border Cities Development Zone as allowed in Minnesota Statute §469. This designation is awarded only by legislative action, and allows the opportunity for certain border cities in Minnesota to designate areas of the city to tax exemption status. The intent is to encourage economic development, to revitalize the designated areas, to expand tax base and economic activity, and to provide job creation, growth and retention. In this Legislative Session the City has requested a five-year \$100,000.00 appropriation from the State, to be used as a financing tool for the proposed business park on County Road 37 in Taylors Falls. Mayor Buchite reported that he had testified this day before

the first of four Senate Sub-Committee Hearings. There is only one Committee Hearing in the House of Representatives that Taylors Falls must testify before. Senator Sean Nienow and Representative Bob Barrett have authorized the bill under consideration, which if approved by both the Senate and the House, the language would be included in the Omnibus Bill to be sent to Governor Dayton for consideration. Representative Barrett has requested the City adopt a Resolution in support of the program.

MOTION BY TANGEN/RIVARD TO ADOPT RESOLUTION 11-02-05 SUPPORTING TAYLORS FALLS' INCLUSION IN THE BORDER CITIES DEVELOPMENT ZONE LEGISLATION. MOTION CARRIED UNANIMOUSLY. (attached)

APPROVAL OF CLAIMS & PAYROLL

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE PAYMENT OF CHECK NUMBERS – 23730 - 23761 TOTALING \$29,432.59, AND CHECK NUMBERS 5885 - 5892 IN THE AMOUNT OF \$11,684.02 FOR JANUARY PAYROLL.

LIAISON OR COUNCIL MEMBER REPORTS

John Tangen reported that he recently met with the Fire Chief to discuss issues related to the department. New officers were elected in January; Council will approve their appointment at the next Council Meeting. The members of the Fire Department have shoveled snow from every fire hydrant in the City, which was a tremendous amount of work and very appreciated. He recommended that the next TidBits newsletter include an appeal to property owners to “adopt a hydrant.” Tangen and Fire Chief Al Rivard recently attended a Shafer Township meeting where the 2011 Fire Contract was discussed. This will be on the Council’s Agenda for approval at the next meeting.

Tangen also reported that a new property owner in Angel Hill requested information from the Heritage Preservation Commission on the designation process.

Mayor Mike Buchite reported that he and Chris Eng, Executive Director of the Chisago County HRA/EDA testified before a Senate Sub-Committee requesting the City’s inclusion in the Border Cities Development Zone. More testimonies would be required as time goes on. Representative Bob Barrett and Senator Sean Nienow have authored bills requesting legislative approval.

CORRESPONDENCE

THE CITY COUNCIL ACKNOWLEDGED BY CONSENT AGENDA THE FOLLOWING CORRESPONDENCE PROVIDED IN THE FEBRUARY 14, 2011 CITY COUNCIL MEETING PACKET:

1. CORRESPONDENCE FROM QUEST, RE: 2011 CONSTRUCTION SEASON
2. PRESS RELEASE FROM ST. CROIX NATIONAL SCENIC RIVERWAY, RE: SPEAKER SERIES
3. STAFF CORRESPONDENCE & EMAIL’S

ADJOURNMENT

MOTION BY RIVARD/TANGEN TO ADJOURN THE MEETING OF THE TAYLORS FALLS CITY COUNCIL HELD THIS FEBRUARY 14, 2011. MOTION CARRIED UNANIMOUSLY.

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

Michael D. Buchite, Mayor

Jo Everson, Clerk-Treasurer

APPROVED: MARCH 14, 2011

**CITY OF TAYLORS FALLS
POLICY FOR CHARGES TO RESPONDING TO A PAGED EMERGENCY SERVICE
INCIDENT BY THE TAYLORS FALLS FIRE DEPARTMENT**

This policy is intended to assist in the preparation, submission and billing of all paged emergency service incidents by the Taylors Falls Fire Department. Chapter 5 of the Taylors Falls Code of Ordinances state:

Section 507 - Emergency Services/Fire Calls

- 507.01 Charges for Service.** Pursuant to Minnesota Statutes §366.011 and 415.01, the City hereby imposes a service charge for emergency services, including fire, rescue, medical and related services provided by the City of Taylors Falls Fire Department, or contracted for with the City.
- 507.02 Collection.** Pursuant to Minnesota Statutes §366.011 and 415.01, the City or its contractor on behalf of the City may use any lawful means allowed to a private party for the collection of an unsecured delinquent debt if the service charge remains unpaid 30 days after a notice of delinquency is sent to the recipient of the service or the recipient's representative or estate.
- 507.03 Fees.** The fee for the said service shall be established in Section 305.05 of this Code of Ordinances.

Incident Report. Following the response by the Taylors Falls Fire Department to a paged incident for emergency services, the Fire Chief or Officer in Charge shall provide a completed Incident Report (*attachment A*) to the City Clerk's office at City Hall within a reasonable amount of time after said incident. The Report is to be completed with as much information as possible to assist in the determination of the appropriate fees.

Once all pertinent information is received (preferably via fax), the Clerk-Treasurer, or other designated official, shall prepare an invoice and mail it to the responsible party, which shall then be due and payable within 30 days. Incomplete Incident Reports will not be charged out until sufficient information is provided.

Charges for Services. Charges for Emergency Services shall be based upon the level of urgency according to the level sliding scale:

Alarms, CO or Smoke Detectors - \$100 for the initial response up to one hour,
\$250 per hour thereafter.

Rock Fall/River Rescue - \$300

Accident Response, Vehicle Fire, Grass Fire - \$250 per hour (\$500 cap)

Structure Fire - \$500

Extrication - \$500 for use of extrication equipment

Special Sur-Charges for Services. Due to the increased costs associated with firefighting foam and chimfex, there shall be a surcharge added when firefighting services require there need. The surcharge shall be equivalent to the current market cost as determined by the Chief of the Taylors Falls Fire Department. (approved by Council 2-14-11)

Any amendments to the Fee Schedule associated with a paged emergency service incident shall be established by the City Council at their Organizational Meeting in January of each year. Once a payment is received it shall be posted as revenue to the Special Fire Protection Fund (407) less a 10% administrative fee. If the charges remain unpaid, the City shall use any means available for collection, including the assessment of the special charge to the property taxes as specified in Chapter 5 of the Taylors Falls Code of Ordinances, Section 507 - Emergency Services/Fire Calls.

Special Circumstances. The expectation is that all paged emergency service incidents responded to by the Taylors Falls Fire Department shall be charged the appropriate fees. However, there may be special circumstances where these fees may not be appropriate:

- » Mutual Aid: NO CHARGE
- » Cancelled in route: NO CHARGE
- » Called in by someone other than property/vehicle owner & unfounded: NO CHARGE
- » Responded to call but unfounded: NO CHARGE
- » Called in by someone other than property owner with just cause: CHARGED AS APPROPRIATE
- » If determined by the Fire Chief or Officer in Charge from the Taylors Falls Fire Department, a Deputy from the Chisago County Sheriff's Department, or the Judicial Court System, that an Emergency Service Incident was intentionally, maliciously or carelessly set by a person(s), the entire fees associated with the said incident shall be born by that person(s).
- » Proven hardship: NO CHARGE
- » No Insurance or not able to pay entire fee: PAYMENT SCHEDULE WITH NO ACCRUING INTEREST
- » Special circumstances per Officer in Charge in making an assessment for exceptional and unusual circumstances, the officer in charge shall inform the Council of information gathered at the scene such as, serious illness or medical condition of owner or family members, or general disability or other observations of hardship that support circumstances where fees may not be appropriate.

Approved by the Taylors Falls Fire Department
2009

Approved by the Taylors Falls City Council
March 8, 2010

Amended by the Taylors Falls City Council
February 14, 2011

C. Certification

I do hereby request that I be considered for a waiver of the payment responsibilities as they relate to this administrative abatement fee. By signing this form, I certify that I meet the criteria for a hardship. I declare that all of the information contained in this document and the attachments are true and accurate. I understand that I may be held liable for any false statements pertaining to this waiver request. I hereby agree to notify the City of Taylors Falls of any changes in the applicant's financial status that may affect the ability to pay the administrative abatement fee.

Signature of Applicant

Date

Printed Name of Applicant

Taylor's Falls Fire Department - Incident Report

RUN #

ICR # _____

Date _____

Day of Week _____

Time Paged _____

Leave Station (10-8) _____

Arrival _____

Leave Scene _____

Back In Station (10-10) _____

Run Type
(Check)

Structure Fire Vehicle Accident Vehicle Fire

Rock Fall Medical Assist Rescue

Wildland fire Gas Leak/Smell Other _____

Incident Location _____

Name _____

Home address if not at incident _____

Phone no: _____

Insurance Co. _____

Policy No. _____

Fire/Structure Fire:

Fire Description _____

Possible Source _____

Smoke Detector Status _____

Vehicle:

Possible Source _____

LIC # _____ Make _____ Model _____

Rescue:

Rescue Description _____

Injury/Injury Response _____

General Information:

Brief Review of Incident/Response (use back if necessary) _____

of Firefighters Responding _____

Firefighters Injured _____

Describe incident & injuries on back

Apparatus in Service _____

Approx Water Used _____

Mutual Aid YES _____ NO _____

With Whom _____

Officer in Charge

Alan Rivard, Fire Chief

RESOLUTION 11-02-04

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

**A RESOLUTION ACCEPTING A PROPOSAL FROM
BOLTEN & MENK TO CONDUCT A FEASIBILITY STUDY**

WHEREAS, the City of Taylors Falls entered into an Option Contract with Northern States Power Company (d/b/a Xcel Energy) on June 18, 2010, to purchase 19.10 acres of property located on County Road 37, Section 26, Town 34N, Range 19W in Taylors Falls; and

WHEREAS, the City proposes to create a 10-acre Business Park within said property; and

WHEREAS, the City is in the preliminary planning phase of the Park development, and proposes to use a variety of financing options, including but not limited to, property tax abatement, tax relief through a legislatively approved Border City Development Zone, and partnerships with State, County and Local Government; and

WHEREAS, an essential component of this planning phase is to call for a feasibility study to identify costs related to infrastructure needs at the site;

SO THEREFORE BE IT RESOLVED by the Taylors Falls City Council that it hereby authorizes Bolton and Menk, Inc., the City's Engineering firm, to prepare a feasibility study for the proposed future Business Park in Taylors Falls, as illustrated in the attached Concept Plan.

BE IT FURTHER RESOLVED that the \$1,500.00 cost for said study shall be paid in equal shares from the General Fund (101), Water Fund (601) and Sewer Fund (602).

ADOPTED FEBRUARY 14, 2011

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer

RESOLUTION 11-02-01

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

**A RESOLUTION ACCEPTING A GRANT
FROM THE EAST CENTRAL ARTS COUNCIL**

WHEREAS, the Taylors Falls Economic Development Commission proposed to create a public mural on the retaining wall located just north of the Taylors Falls Memorial Community Center; and

WHEREAS, the Taylors Falls Economic Development Commission received authorization from the City Council on September 27, 2010 to submit an Arts and Cultural Heritage Grant application to the East Central Arts Council, a program of the East Central Regional Development Commission; and

WHEREAS, the East Central Arts Council has notified the City that it has been awarded \$14,500.00 for the creation of the *Taylors Falls Northern Pacific Engine #328 Public Mural*; and

SO THEREFORE BE IT RESOLVED by the Taylors Falls City Council that it hereby signifies the acceptance of the Arts and Cultural Heritage Grant in the amount of \$14,500.00 from the East Central Arts Council, a program of the East Central Regional Development Commission, for the creation of the *Taylors Falls Northern Pacific Engine #328 Public Mural* located on the retaining wall just north of the Taylors Falls Memorial Community Center.

BE IT FURTHER RESOLVED that City's match will be as follows:

- \$500 in-kind staff time for the Project Director
- \$250 in-kind volunteer time for Area History Consultant
- \$250 in-kind volunteer time for Historical Archeologist
- \$800 cash for the Artist Fees to be taken from the \$800 donated to the City by the Taylors Falls Women's Civic League
- \$250 in-kind for the use of the Taylors Falls Memorial Community Center for the dedication ceremony
- \$500 in-kind for the use of the retaining wall space

ADOPTED FEBRUARY 14, 2011

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer

RESOLUTION 11-02-02

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

**A RESOLUTION SUPPORTING A GRANT APPLICATION TO THE
MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR THE
FEDERAL RECREATIONAL TRAIL PROGRAM**

WHEREAS, the City of Taylors Falls supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program. The application is to construct 4,500' of paved trail currently referred to as the Valley View Trail but to be officially named at a later date. The Valley View Trail is located within the City of Taylors Falls and will provided connections to key areas within the City; and

WHEREAS, the City of Taylors Falls recognizes the fifty (50) percent match requirement for the Federal Recreational Trail Program, and has secured the matching funds;

SO THEREFORE BE IT RESOLVED, if the City of Taylors Falls is awarded a grant by the Minnesota Department of Natural Resources, the City of Taylors Falls agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. The City of Taylors Falls will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement.

BE IT FURTHER RESOLVED, the City Council of the City of Taylors Falls names the fiscal agent for the City of Taylors Falls for this project as:

Jo Everson
Clerk-Treasurer
City of Taylors Falls
637 First Street
Taylors Falls, MN 55084

BE IT FURTHER RESOLVED, the City of Taylors Falls hereby assures the Valley View Trail will be maintained for a period of no less than 20 years.

ADOPTED FEBRUARY 14TH, 2011

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer

**Taylors Falls Economic Development Commission
Rules and Bylaws**

Article I Introduction

Section 1 Purpose.

The City of Taylors Falls Economic Development Commission desires to conduct its business and perform all of its responsibilities and duties in an orderly, efficient, fair, and lawful manner. These Rules and Bylaws are established for that purpose.

Section 2 Application of Rules and Bylaws.

Unless otherwise specifically indicated, these Rules and Bylaws shall apply to the transaction and administration of all Economic Development Commission business and the conduct of all its meetings.

Section 3 Compliance With Applicable Law.

It is the specific intent of the Commission to perform all of its responsibilities and conduct all of its meetings in accordance with all applicable federal law, state statutes and regulations, and official controls enacted by the City of Taylors Falls. The Rules and Bylaws and all actions of the Commission shall be in accordance with all relevant federal and state law and official controls enacted by the City of Taylors Falls.

Section 4 Non-exclusivity of Rules and Bylaws.

These Rules and Bylaws are not and cannot be the totality of all regulations governing the Economic Development Commission activity. Federal law, state law, and official controls enacted by the City of Taylors Falls should also be reviewed by all participants in Economic Development Commission matters.

Article II Membership

Section 1 Original number of voting members.

The Economic Development Commission consists of eleven (11) voting members at its establishment, as outlined in Chapter 2, Section 245 of the City Code.

Section 2 Subsequent number of voting members.

If a vacancy occurs and the Commission determines that a lesser number of voting members than eleven (11) serves the needs of the City, it may recommend to the City Council to reduce the number of members, but at least five (5) voting members must be maintained.

If the number of members is reduced below the original eleven (11) voting members, the Commission may also recommend to the City Council to increase the number of members if it is determined that serves the needs of the City.

Whether increasing or decreasing the number of members, Section 3 of Article II must be amended by the City Council which identifies and establishes the current number of voting

members in the Commission.

Section 3 Current number of voting members.

The number of voting members as of this date of amendment (February 14, 2011) is five (5).

The number of voting members as of this date of amendment (March 12, 2007) is seven (7).

The number of voting members as of this date of amendment (November 28, 2005) is nine (9).

The number of voting members as of the adoption of these bylaws on May 20, 1999 is eleven (11).

One (1) alternate member may be appointed, who shall be a resident of the City. An alternate member may partake in discussion at the Commission table, but cannot vote if a quorum of the Commission is present. If a quorum of the Commission is not present, the alternate member may vote. Additionally, in the event a full member of the Commission resigns his/her position, the Commission may make a recommendation to the City Council that the alternate member be appointed as a full member. Only the City Council shall have the final authority to appoint members, whether alternate or full, to the Commission membership.

Section 4 Quorum.

To hold a valid meeting or take action on any business at a meeting, the Commission must have a quorum of a simple majority of its current voting membership as specified in Section 3.

Section 5 Conflict of Interest

Upon taking office, a member is expected to make the interest of the EDC and City paramount over personal interests on any matter related currently or prospectively to the projects and responsibilities of the EDC. A member may not use his or her board position to make personal profit or to gain other advantages. If a member has personal interest in a contract or transaction to which the EDC or the City is a party, or has indirect interest because of employment or investment with a person or organization with which the EDC is dealing, the member must disclose the existence of the interest, and describe the nature of the interest to the EDC prior to the time the board takes any action with respect to the person or organization. The interested member may be counted in determining the presence of a quorum, but must abstain on any discussion or vote taken in which there exists a conflict of interest. An interested member must excuse himself or herself from the board table during the discussion and vote. This section is not to be interpreted as a prohibition of members doing business with the EDC as long as there is full disclosure of the cost to the EDC and the City and is reasonable and competitive with that of other vendors.

Article III Officers And Duties

Section 1 Officers Designated.

The officers of the Commission shall be the chair, vice-chair, secretary and financial liaison, who shall be elected from the regular membership of the Commission.

Section 2 Election of Officers.

Officers shall be elected at the first regularly scheduled meeting of the new calendar year. They shall serve for one year and shall be eligible for re-election.

Section 3 Duties of Officers.

3.01 Chair. The chair shall have the following responsibilities:

- (1) Supervise the affairs of the Commission.
- (2) Preside at all meetings.
- (3) Be ex-officio member of all committees.
- (4) May vote on all issues.
- (5) Schedule special meetings.
- (6) Determine the meeting location in the event change is needed prior to a regularly scheduled meeting.
- (7) Set the agenda for Commission meetings in cooperation with the Secretary.

3.02 Vice chair. The Vice-chair shall have the following responsibilities:

- (1) Perform those duties delegated by the chair.
- (2) Act as chair in the event of the chair's illness, disability, absence from a meeting, absence from City or not being readily able to function as chair.

3.03 Secretary. The secretary shall have the following responsibilities:

- (1) Serve as parliamentary advisor.
- (2) Act as temporary chair in absence of the chair and vice-chair.
- (3) Record and maintain a record of minutes of the meetings of the Commission.
- (4) Process and maintain all information relating to the Commission's business.
- (5) Post meeting notices.
- (6) Keep Commission member's notebooks up-to-date.
- (7) Perform all general correspondence for the Commission.

The Commission may appoint a person to assist the Secretary to perform duties. This person shall not be a member of the Commission nor act without the approval of the Secretary.

3.04 Financial Liaison. The financial liaison shall have the following responsibilities:

- (1) Develop and keep a record of the Commission's annual budget.
- (2) Work with the City Clerk-Treasurer on fiscal matters.
- (3) Provide financial reports to the Commission.

Section 4. Vacancies of Officers and Members.

4.01 Chair.

In the absence of the chair, the vice-chair shall be chair.

4.02 Vice-chair or Secretary.

If a vacancy occurs in the office of vice-chair or secretary, the Commission shall elect a member to fill the remaining time left in the term.

4.03 Chair and Vice-chair.

If at a meeting of the Commission neither the chair nor vice-chair are present, the secretary shall conduct the meeting until the members have elected a chair for the meeting.

4.04 Members.

If a Commission member has three unexcused absences within any calendar year, the Commission chair shall declare the member removed for non-attendance and the position vacant. The chair shall promptly notify the Commission of any vacancies occurring in its membership and take action according to Article II, Section 2. Absences shall be considered excused if the chair is notified in advance of the meeting that the member is unable to attend for a just cause.

Article IV Meetings

Section 1 Notices.

Notices of all meetings of the Economic Development Commission shall be made in a manner in accordance with all statutory and ordinance notification requirements.

Section 2 Inclusions

2.01 Project Site Viewing.

The Commission, the Commission chair or thirty percent (30%) of Commission members may call for a project site viewing for the purpose of viewing the site of a proposed project or action subject to review and/or approval by the Commission.

2.02 Workshops and General Purposes.

Workshops and other meetings of the Economic Development Commission, whose sole

purpose is for general informational and/or educational purposes and not for transaction of any public business, shall be included in these rules.

Section 3 Meetings.

3.01 Open Meetings and Records.

All meetings of the City of Taylors Falls Economic Development Commission shall be open to the public. The votes of the members of the Commission on any action shall be recorded in the minutes, and the minutes shall be available to the public during all normal business hours in the offices of the City of Taylors Falls.

3.02 Information Property of City of Taylors Falls.

All documents submitted to the Economic Development Commission for meeting purposes become the property of the City of Taylors Falls.

3.03 Record Maintenance.

The Secretary shall be required to maintain all records gathered during public meetings.

Section 4 Meeting Records.

Minutes of all public meetings shall be prepared by or under the direction of the Secretary. Transcripts of public meetings are not ordinarily prepared. The public is specifically allowed to preserve and record the proceedings of the Economic Development commission by using voice recording instruments, court reporters, stenographers, or other reasonable means of record preservation.

A subcommittee of the Commission must keep minutes of its meetings. A quorum of Commission members at a subcommittee meeting constitutes a meeting of the Economic Development Commission.

Section 5 Meeting Arrangements.

5.01 Date.

The Economic Development Commission shall normally meet on the third Thursday of each month. If the regular meeting date falls on a public holiday or if the commission's regular meeting site is not available, the chair may reschedule the regular meeting date.

5.02 Time.

The time of the meetings shall be set by the Chair and shall be generally convenient for members, staff and the public.

5.03 Location.

The location of meetings of the Economic Development Commission shall be held in the Lower Level Conference Room at City Hall. If the site is not available, the chair shall select an

alternative meeting location which shall be convenient and suitable for the members and the general public.

5.04 Additional Meetings.

The Commission, the Commission Chair or thirty percent (30%) of Commission members may call special meetings in accordance with all applicable federal law, state statutes and regulations, and official controls enacted by the City of Taylors Falls.

Section 6 Order of Business.

6.01 The following shall be the order of business of Commission meetings:

- (a) Call to order.
- (b) Roll call
- (c) Approval of the agenda.
- (d) Approval of minutes of the previous meeting.
- (e) Correspondence and communications.
- (f) Reports of committees.
- (g) Unfinished business.
- (h) New business.
- (i) Citizen/visitor presentations.
- (j) Commission member presentations.
- (k) Adjournment.

Section 7 Parliamentary Procedure.

7.01 Robert's Rules of Order.

Robert's Rules of Order, Revised, shall govern the conduct of the meeting except when federal laws, state statute, City ordinances and policies, and these rules state otherwise.

7.02 Parliamentary rulings.

The Secretary shall serve as the parliamentary advisor, interpreting Robert's Rules of Order for the Commission. The Chair shall make all parliamentary rulings.

Article V Bylaw Amendments

Section 1 Amendment recommendation.

The Rules and Bylaws may be changed by a two-thirds approval of the Commission. The bylaw change must be approved by the City Council.

Section 2 Amendment adoption.

After the City Council has approved the bylaw changes, the Commission shall make the amended bylaws available for use by the members and public.

RESOLUTION 11-02-03

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

**A RESOLUTION APPROVING PAYMENT OF ADIUM ADVANTAGE
FLEET CARD INVOICES AS THEY ARE RECEIVED**

WHEREAS, the City of Taylors Falls purchases fuel for City-owned vehicles from the Petro Plus-Riverview Station in Taylors Falls; and

WHEREAS, City Departments use a charge card from the Adium Advantage Fleet Services through Wright Express Financial Services Corporation for these purchases; and

WHEREAS, the cutoff date for purchases are the 15th day of each month, with payment due prior to the 10th day of the following month; and

WHEREAS, the City Council meets the 2nd Monday of each month to approve payment of expenses incurred for the previous month, which conflicts with this payment due date; and

WHEREAS, the Company charges a late fee of 2% and an effective annual rate of 24% for payments received later than the due date; and

WHEREAS, it would not be fiscally prudent to continue paying these late fees;

SO THEREFORE BE IT RESOLVED by the Taylors Falls City Council that it hereby authorizes the City Clerk-Treasurer to pay invoice statements from the Adium Advantage Fleet Services as they are received each month for the purchase of fuel for vehicles owned by the City of Taylors Falls.

ADOPTED FEBRUARY 14, 2011

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer

RESOLUTION 11-02-05

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

**A RESOLUTION SUPPORTING TAYLORS FALLS'
INCLUSION IN THE BORDER CITY DEVELOPMENT ZONE LEGISLATION**

WHEREAS, Minnesota Statute §469 entitled Border City Development Zones, allows the opportunity for certain cities in Minnesota to designate areas of the city to tax exemption status; and

WHEREAS, this designation is intended to encourage economic development, to revitalize the designated areas, to expand tax base and economic activity, and to provide job creation, growth and retention; and

WHEREAS, Taylors Falls is in the preliminary planning phase of the development of a Business Park, and proposes to use a variety of financing options, including but not limited to, property tax abatement, tax relief through a legislatively approved Border City Development Zone, and partnerships with State, County and Local Government; and

WHEREAS, the City of Taylors Falls has requested inclusion in this limited number of cities approved by Statute, by requesting tax reductions of the state portion of property taxes, in the accumulative amount of \$100,000; and

WHEREAS the Taylors Falls City Council has discussed this opportunity more than eighteen times since 2005, with the Mayor testifying before the Legislature four times since his election to the position of Mayor eight years ago;

WHEREAS, the House of Representatives does have before them House File Number 112, authored by Representative Bob Barrett, and the Senate does have before them S.F. Number 109, authored by Senator Sean Nienow, both introducing legislature that authorizes the City of Taylors Falls to Create a Border City Development Zone;

SO THEREFORE BE IT RESOLVED by the Taylors Falls City Council that it hereby officially supports the bills relating to the City of Taylors Falls, whereby if enacted by the Legislature of the State of Minnesota, would authorize the City to establish and exercise border city development zone powers and appropriate monies to do so.

ADOPTED FEBRUARY 14, 2011

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer