

**TAYLORS FALLS CITY COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, JUNE 8, 2009 – 7:00 P.M.**

MINUTES

The Agenda for this Meeting was posted Wednesday, June 3, 2009 at City Hall, the Post Office, and on the City's website. 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, June 8, 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 7:02 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, Larry Phillips, Ronald Brace, Pam Shakal, Barbara Anderson, Eric Garner, and Bill Neska.

ADOPTION OF AGENDA

MOTION BY JULIK-HEINE/KINNUNEN TO APPROVE THE AGENDA, AS PRESENTED, FOR THE JUNE 8, 2009 TAYLORS FALLS CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF CONSENT AGENDA

MOTION BY TANGEN/RIVARD TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: MINUTES OF PREVIOUS CITY COUNCIL MEETINGS; COMMISSION, BOARD OR COMMITTEE MINUTES/REPORTS; STAFF REPORTS; CONSIDER MERIT PAY PAYMENT; CONSIDER ADDITIONAL EXPENSE FOR CONCRETE PROJECTS; CONSIDER ZONING ADMINISTRATOR-COORDINATOR VACATION REQUEST; 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 MAY 11 AND MAY 26, 2009.

COMMISSION, BOARD OR COMMITTEE MINUTES/REPORTS

PLANNING COMMISSION

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS PLANNING COMMISSION HELD ON MAY 4, 2009.

PARK & RECREATION COMMISSION

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS PARK & RECREATION COMMISSION HELD ON APRIL 15, 2009.

PUBLIC FORUM

None.

STAFF REPORTS & REQUESTS

CITY ATTORNEY

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

PLANNING & ZONING DEPARTMENT

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA LARRY PHILLIPS' MAY 2009 ZONING ADMINISTRATOR-COORDINATOR'S REPORT.

CHISAGO COUNTY SHERIFF'S DEPARTMENT

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

ADMINISTRATIVE DEPARTMENT

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

STAFF REQUESTS

None.

UNFINISHED BUSINESS

CONSIDER REORGANIZATION OF PUBLIC WORKS DEPARTMENT

At the May 26, 2009 Council Meeting, the Public Works Liaisons recommended a reorganization of the Public Works Department, which resulted in the Council action to authorize the Personnel Liaisons to develop and recommend several items with regard to that reorganization.

- **Proposed Position Description for Public Works Superintendent.** The City's Position Description for Public Works Supervisor was written by former Mayor Jerry Spicer 9+ years ago. It was very formal, and needed additional required elements. Several job descriptions from smaller cities were reviewed in order to get to this version. Vice-Mayor Ross Rivard questioned the qualification provision that allowed the applicant to obtain their water and sewer operator's license within two years. The Council agreed that the Superintendent must have a Class C or D license when hired.
- **Proposed Position Description for Public Works Maintenance Worker.** Since the Superintendent Position becomes in essence the "manager" of the department, the existing two Public Works Position Descriptions must be merged to become one position.
- **Proposed Pay Scale and Proposed Job Posting.** The recommendation from the Personnel Liaisons was to advertise the pay scale between \$19.00 - \$25.00. This was arrived at by reviewing the average pay for similar sized cities throughout the State. The proposed job posting does not provide the actual pay scale except to note that it is DOQ (depending upon qualifications). Rivard suggested to "fine tune" a section that refers to the hands-on supervisory position. The Public Works Liaisons agreed to review the posting prior to actually publishing for the position. It will be sent to the Chisago County Press, Inter-County Leader and Ledger Press Newspaper (required by Personnel Policy). It will also be posted on the League's web site, and the City's web site.
- **Proposed Timeline for Hiring Process.**
 - Requests for Applications will be published June 17th and 24th and July 1st.
 - Deadline for submission of applications is noon on July 15, 2009.
 - Public Works Council Liaisons Larry Julik-Heine and Ross Rivard, with assistance from the City Clerk, will review the initial applications and recommend applicants for the Council to interview.
 - The City Clerk will coordinate interview dates and times between July 20, 2009 and August 7, 2009.
 - The Council will approve an Offer of Position at their August 10, 2009 Council Meeting.

- **Council Determine Current Maintenance Worker Position Employee.** Mayor Buchite reported that the Personnel Liaisons were not ready to make this recommendation at this time and suggested that it be tabled until a future Council Meeting.

MOTION BY RIVARD/JULIK-HEINE TO APPROVE THE PROPOSED POSITION DESCRIPTIONS, AS AMENDED, FOR THE TAYLORS FALLS PUBLIC WORKS SUPERINTENDENT POSITION AND THE TAYLORS FALLS PUBLIC WORKS MAINTENANCE WORKER POSITION. MOTION CARRIED UNANIMOUSLY.

MOTION BY TANGEN/KINNUNEN TO APPROVE THE PROPOSED JOB POSTING, AS AMENDED, FOR THE TAYLORS FALLS PUBLIC WORKS SUPERINTENDENT, WITH THE PROPOSED PAY RANGE OF \$19.00 - \$25.00, TO BE POSTED IN THE CITY'S TIDBIT NEWSLETTER, CITY WEB SITE, LEAGUE OF MN CITIES WEB SITE, CHISAGO COUNTY PRESS, INTER-COUNTY LEADER, AND LEDGER PRESS NEWSPAPER. MOTION CARRIED UNANIMOUSLY.

MOTION BY JULIK-HEINE/RIVARD TO APPROVE THE PROPOSED TIME-LINE FOR THE HIRING PROCESS OF THE PUBLIC WORKS SUPERINTENDENT POSITION:

- ➡ APPLICATIONS WILL BE PUBLISHED JUNE 17TH AND 24TH AND JULY 1ST.
- ➡ DEADLINE FOR SUBMISSION OF APPLICATIONS IS NOON ON JULY 15, 2009.
- ➡ PUBLIC WORKS COUNCIL LIAISONS LARRY JULIK-HEINE AND ROSS RIVARD, WITH ASSISTANCE FROM THE CITY CLERK, WILL REVIEW THE INITIAL APPLICATIONS AND RECOMMEND APPLICANTS FOR THE COUNCIL TO INTERVIEW.
- ➡ THE CITY CLERK WILL COORDINATE INTERVIEW DATES AND TIMES BETWEEN JULY 20, 2009 AND AUGUST 7, 2009.
- ➡ THE COUNCIL WILL APPROVE AN OFFER OF EMPLOYMENT AT THEIR AUGUST 10, 2009 COUNCIL MEETING.

MOTION CARRIED UNANIMOUSLY.

MOTION BY JULIK-HEINE/KINNUNEN TO TABLE THE DETERMINATION OF THE MAINTENANCE WORKER POSITION EMPLOYEE UNTIL A FUTURE COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

CONSIDER PC RECOMMENDATION ON DEVELOPMENT CODE TEXT AMENDMENT

On June 1, 2009, the Planning Commission held a Public Hearing to consider a text amendment to the Taylors Falls Development Code requested by the First Baptist Church and Valley Christian School to add private schools as a conditional use in the Small Town and Residential Transitional Zoning Districts.

According to Zoning Administrator-Coordinator Larry Phillips, the First Baptist Church located at 661 West Street, intends to rent their church basement to the Valley Christian School to utilize the space for a private school. However, the current Development Code only allows public schools (local government buildings) as a conditional use in the Small Town, Residential Transitional, and Rural Countryside Zones. The Code does not allow private schools in any zoning district. The recommendation from the Planning Commission is to modify the current definition of schools to include public and private schools.

MOTION BY RIVARD/JULIK-HEINE TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE TEXT AMENDMENT TO THE TAYLORS FALLS DEVELOPMENT CODE TO ALLOW SCHOOLS IN THE SMALL TOWN AND RESIDENTIAL TRANSITIONAL ZONING DISTRICTS AND TO MODIFY THE DEFINITION OF SCHOOLS TO INCLUDE BOTH PUBLIC AND PRIVATE SCHOOLS, BASED UPON THE FOLLOWING FINDINGS OF FACT:

1. SCHOOLS ARE A COMMUNITY ASSET AND CONDUCTIVE TO PUBLIC HEALTH SAFETY AND WELFARE.
2. PRIVATE SCHOOL PROPOSALS WILL BE REVIEWED THROUGH A CONDITIONAL USE PERMIT PROCESS.
3. PRIVATE SCHOOLS ARE COHESIVE IN THE SMALL TOWN AND RESIDENTIAL TRANSITIONAL ZONE.
4. THERE ARE MANY SUITABLE SITES IN THE SMALL TOWN AND RESIDENTIAL TRANSITIONAL ZONING DISTRICTS FOR PRIVATE SCHOOLS.
5. THE COMPREHENSIVE PLAN SUGGESTS INSTITUTIONAL USES SHOULD BE PERMITTED IN THE SMALL TOWN ZONE.

MOTION CARRIED UNANIMOUSLY.

CONSIDER PC RECOMMENDATION ON CONDITIONAL USE PERMIT

On June 1, 2009, the Planning Commission held a Public Hearing to consider an application for a Conditional Use Permit for the First Baptist Church, located at 661 West Street, to rent their building to the Valley Christian School to utilize the space for a private school.

According to Zoning Administrator-Coordinator Larry Phillips, the property is +/- 1.47 acres with a 20' wide platted but unimproved alley bisecting the property. The surrounding land use includes a public school; therefore a private school would be consistent in this zoning district.

Concerns of increased traffic and parking were introduced at the Public Hearing. Currently Valley Christian School has thirty students, four full-time and two part-time staff members. According to the application material there is currently 22 cars driving to and from the school; current average daily traffic on West Street would be an increase of 44 cars per day. The average daily traffic will increase or decrease in the future depending on the number of students and facility. Much of the traffic on West Street is generated from the Taylors Falls Elementary School across the street. The hours of operation at the elementary school are 8:55 a.m. to 3:25 p.m. with buses and cars arriving before 8:55 a.m. and leaving after 3:25 p.m. Valley Christian School has indicated that they will retain their current hours of operation from 8:20 a.m. to 3:00 p.m. Staggering the schedules would help alleviate any potential traffic congestion.

The parking area on the site exceeds the minimum requirements. The proposed drop off location for students is at the southwest corner of the building.

Ronald Brace, Administrator of the Valley Christian School indicated that the move to this location is not intended to be a permanent move. The school hopes to construct a new building in the future. Depending upon the increase in the number of students during this interim, they may need to utilize portables or modular units. If or when this occurs, the property owner will be required to obtain an Interim Use Permit from the City at that time.

The City Council's approval or denial of the CUP was contingent upon the Council approving the text amendment to allow schools (including private schools) in the Small Town and Residential Transitional Zoning Districts. This was approved by the Council previously at this meeting.

MOTION BY KINNUNEN/JULIK-HEINE TO APPROVE THE PLANNING COMMISSION'S RECOMMENDATION TO GRANT A CONDITIONAL USE PERMIT FOR THE FIRST BAPTIST CHURCH LOCATED AT 661 WEST STREET IN TAYLORS FALLS, TO RENT THEIR BUILDING TO VALLEY CHRISTIAN SCHOOL, WITH THE FOLLOWING CONDITIONS:

1. GENERAL SCHOOL HOURS OF OPERATION ARE TO BE 8:20 A.M. TO 3:00 P.M.

MOTION IS BASED ON THE FOLLOWING FINDINGS OF FACT:

1. SCHOOLS ARE A COMMUNITY ASSET AND CONDUCTIVE TO PUBLIC HEALTH SAFETY AND WELFARE.
2. THE PROPOSAL MEETS APPLICABLE ZONING REGULATIONS.
3. THE COMPREHENSIVE PLAN SUGGESTS INSTITUTIONAL USES SHOULD BE PERMITTED IN THE SMALL TOWN ZONE.

4. THE USE OF A SCHOOL IN THIS AREA IS CONSISTENT WITH THE SURROUNDING NEIGHBORHOOD BECAUSE THERE IS AN ELEMENTARY SCHOOL ACROSS THE STREET.

MOTION CARRIED UNANIMOUSLY.

CONSIDER INSULATION PROPOSALS FOR LOWER LEVEL OF COMMUNITY CENTER

The lower level of the Community Center requires insulation before the walls can be sheet rocked. The recommended insulation is 1.5" thick closed cell spray foam which creates an airtight seal. Three proposals were received with Advanced Insulation Systems, LLC submitting the lowest cost proposal.

MOTION BY KINNUNEN/TANGEN TO AUTHORIZE ADVANCED INSULATION, LLC TO SPRAY FOAM THE LOWER LEVEL OF THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER AT A COST NOT TO EXCEED \$2,000.00 TO BE PAID FROM THE COMMUNITY CENTER FUND (350). MOTION CARRIED UNANIMOUSLY.

CONSIDER MERIT PAY PAYMENT

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA A \$250.00 LUMP SUM MERIT PAY PAYMENT TO PUBLIC WORKS UTILITY WORKER BILL NESKA FOR "RECOGNITION AND REWARD FOR HIS PERFORMANCE OVER THE PAST YEAR WHO ACHIEVED MORE THAN WHAT WAS EXPECTED OF HIM AND WHO PUT IN CONSISTENTLY GREATER EFFORT."

CONSIDER ADDITIONAL EXPENSE FOR CONCRETE PROJECTS

The authorized expense for the 2009 concrete projects was \$5,500.50. However, the actual cost of the projects was \$5,924.50. The additional amount was for an additional \$94 for concrete poured in the sidewalk north of the Community Center, due a slight re-design of the sidewalk after consultation with a landscape designer and an additional \$330 for an 8' x 8' concrete pad poured southeast of the Community Center. In the future this pad can be fenced for a dumpster site.

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA PAYMENT OF THE ADDITIONAL \$424.00 TO GILLER MASONRY FOR THE 2009 CONCRETE PROJECT, TO BE PAID FROM THE COMMUNITY CENTER FUND (350).

CONSIDER ZONING ADMINISTRATOR-COORDINATOR VACATION REQUEST

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE VACATION REQUEST FROM ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS FROM TUESDAY, AUGUST 4, 2009 THROUGH WEDNESDAY, AUGUST 12, 2009.

APPROVAL OF CLAIMS & PAYROLL

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE PAYMENT OF CHECK NUMBERS 22477 - 22534 IN THE AMOUNT OF \$85,907.27 FOR CLAIMS AND CHECK NUMBERS 5507 - 5525 IN THE AMOUNT OF \$19,693.78 FOR MAY PAYROLL.

LIAISON OR COUNCIL MEMBER REPORTS

Larry Julik-Heine reported that the Public Works Liaisons have recommended that the contract mowing skip the next weekend's mowing due to the dry weather. He also reported that the Park & Rec Commission had their second work day on the pavilion at the Cherry Hill Park.

Ross Rivard reported the Trunk Water Main Project is scheduled to begin on June 15th or June 22nd, and is expected to take approximately four days, working 7:00 am - 8:30 pm.

Mayor Mike Buchite reported that the hearing before the Public Utilities Commission for the Xcel Energy Chisago Transmission Line Project Permit Amendment is scheduled for Thursday, June 11, 2009. He, the City Attorney, Vice-Mayor Ross Rivard, Loren Caneday and Zoning Administrator-Coordinator Larry Phillips are expected to attend.

CORRESPONDENCE

THE CITY COUNCIL ACKNOWLEDGED THE CORRESPONDENCE RECEIVED IN THE JUNE 8, 2009

COUNCIL PACKET:

1. CORRESPONDENCE TO XCEL ENERGY, RE: PLACEMENT OF LAWRENCE CREEK SUBSTATION
2. COMMENTS IN SUPPORT OF CITY'S PETITION TO AMEND THE CHISAGO TRANSMISSION PROJECT ROUTE PERMIT
3. NOTICE OF PUBLIC HEARING, RE: MPCA SUB-SURFACE SEWAGE TREATMENT SYSTEMS
4. NOTICE OF PUBLIC HEARING, RE: PETITION TO AMEND CHISAGO COUNTY LOCAL WATER MANAGEMENT PLAN
5. CORRESPONDENCE FROM LMC, RE: LOSS CONTROL SURVEY
6. NOTICE FROM ADMINISTRATION MN, RE: 2008 POPULATION ESTIMATE
7. THANK YOU FROM INITIATIVE FOUNDATION, RE: CONTRIBUTION
8. BURNING RESTRICTION NOTICE
9. STAFF CORRESPONDENCE & EMAIL'S

ADJOURNMENT

MOTION BY JULIK-HEINE/KINNUNEN TO ADJOURN THE MEETING OF THE JUNE 8, 2009 TAYLORS FALLS CITY COUNCIL. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:45 p.m.

Michael D. Buchite, Mayor

Jo Everson, Clerk-Treasurer

APPROVED: JULY 13, 2009