

**TAYLORS FALLS CITY COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, AUGUST 24, 2009 - 7:00 P.M.**

MINUTES

The Agenda for this Meeting was posted Wednesday, August 19, 2009 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, August 24, 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, Zoning Administrator-Coordinator Larry Phillips, Vern Metalf, Dave Clow, John Wertish, Ron Johnson, Mike Miller, Tammi Milberg from the Inter-County Leader and Holly Boettcher from the Ledger Newspaper.

ADOPTION OF AGENDA

MOTION BY JULIK-HEINE/KINNUNEN TO APPROVE THE AGENDA, AS PRESENTED, FOR THE AUGUST 24, 2009 COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF CONSENT AGENDA

MOTION BY KINNUNEN/RIVARD TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: CONSIDER TRAINING REQUEST FOR ZONING ADMINISTRATOR-COORDINATOR; CORRESPONDENCE. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING – 7:05 P.M.

MULBERRY STREET VACATIONS

The Mayor opened the Public Hearing for the Mulberry Street Vacation at 7:05 p.m. The City Clerk read the Notice of Public Hearing into the record:

*CITY OF TAYLORS FALLS
NOTICE OF PUBLIC HEARING*

The Taylors Falls City Council will conduct a public hearing on Monday, August 24, 2009 at the Taylors Falls City Hall in Council Chambers, 637 First Street, beginning at approximately 7:05 p.m. to consider a street vacation initiated by the City Council. The street being considered is: that portion of Mulberry Street lying north of the north line of Maple Street and south of the southerly right-of-way line of County Road 20, within the City of Taylors Falls, Chisago County.

All interested persons are invited to attend the hearing and be heard on these matters.

Dated: August 3, 2009

Larry Phillips, City Zoning Administrator-Coordinator, explained that Northern States Power and Dairyland Power Corporation began the process in 1996 of acquiring approvals to construct high voltage transmission lines in Taylors Falls. Taylors Falls then entered into litigation to prevent the

construction for various reasons, which ultimately resulted in a mediated Settlement Agreement in 2000. The Agreement established a specific configuration for an overhead 161kV line to be buried at a point just west of County Road 20 and then continue underground to the west bank of the St. Croix River.

There are two types of transition structures that could potentially be used for the transmission line to go from overhead to underground; either a 98' tall monopole structure, or a 60' tall three-pole structure. The 98' tall monopole structure would not be acceptable because it would be higher than the tree line, be visible from St. Croix Falls, and possibly the St. Croix River. The three-pole structure is shorter and less obtrusive. Xcel Energy has agreed to place the 60' tall three-pole transition structure on the west side of County Road 20 if this portion of the street is vacated because they do not have adequate right-of-way for its placement. The third option is to place the 60' tall transition structure on the east side of County Road 20 adjacent to Cherry Hill Park. This third option would conflict with the Settlement Agreement and cause negative visual impact to the City Park, and therefore is not a viable option.

The Steering Committee (established in the Agreement) provided minutes from their meeting recommending the City approve this proposed street vacation. The Chisago County Engineer submitted his support of the proposal since the vacation would eliminate an ingress and egress at the intersection of County Roads 20 and 71 thus creating a safer situation for the traveling public along this corridor and at this intersection.

In his report Phillips recommended the vacation of this portion of Mulberry Street based upon certain findings of fact that were included in the approving Resolution:

1. Approving the vacation will provide Xcel Energy with additional right-of-way to place a transition structure on the west side of County Road 20, reducing visual impact to Cherry Hill Park, thus creating a benefit to the public.
2. The proposed 60' tall three-pole transition structure will have less visual impact than the 98' tall monopole structure that would be required if the street is not vacated.
3. Approving the vacation will allow Xcel Energy to fulfill a requirement from the 2000 Settlement Agreement.
4. This portion of Mulberry Street is not intended to be improved by the City of Taylors Falls.
5. Eliminating ingress and egress at the intersection with County Road 71 and County Road 20 would create a safer situation for the traveling public along this corridor and at this intersection, thus creating a benefit to the public.

Mayor Buchite called for comments from the public in favor, opposed, and neutral to the proposed street vacation. Hearing none,

MOTION BY JULIK-HEINE/KINNUNEN TO CLOSE THE PUBLIC HEARING TO CONSIDER THE MULBERRY STREET VACATION. MOTION CARRIED UNANIMOUSLY. The Hearing closed at 7:10 p.m.

PUBLIC FORUM

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

CONSIDER RESOLUTION 09-08-04 APPROVING THE VACATION OF MULBERRY STREET

The Council began their deliberations regarding the proposed street vacation of a certain section

of Mulberry Street in Taylors Falls following the Public Hearing held earlier during this meeting.

Council Member Larry Julik-Heine questioned the validity of #b in the Approving Resolution which identified one of the rights of Northern States Power Company: *the right to erect reasonable signs for the purpose of monumenting the boundaries of the easement area reserved herein. From time to time electric lines and supporting structures may be reconstructed or relocated on the said easement area with changed dimensions, voltages.*

John Wertish, representing Xcel Energy, assured the Council that this was standard language for easement changes, and that it referred to potential maintenance issues. Any actual changes in voltage or placement of the line would require approvals from the regulatory bodies through the same permitting process as this project was subject to.

MOTION BY JULIK-HEINE/KINNEN TO ADOPT RESOLUTION 09-08-04, AS AMENDED, APPROVING THE VACATION OF A PORTION OF MULBERRY STREET. MOTION CARRIED UNANIMOUSLY. (copy attached)

CONSIDER LETTER OF UNDERSTANDING FROM TF HISTORICAL SOCIETY

In April the Taylors Falls Historical Society submitted a proposal to the Council for use of the lower level of the Community Center when the remodeling is complete. The Council was supportive of the proposal, which prompted the Organization to request a formal Letter of Understanding with the City.

MOTION BY RIVARD/JULIK-HEINE TO APPROVE THE LETTER OF UNDERSTANDING BETWEEN THE TAYLORS FALLS HISTORICAL SOCIETY BOARD OF DIRECTORS AND THE CITY OF TAYLORS FALLS REGARDING USE OF LOWER LEVEL OFFICE AND STORAGE SPACE AT THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER. MOTION CARRIED UNANIMOUSLY. (copy attached)

CONSIDER TRAINING REQUEST FOR ZONING ADMINISTRATOR-COORDINATOR

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA FOR ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS TO ATTEND THE 2009 LAND CONSERVATION AND CLEAN WATER SUMMIT, AT A COST OF \$120.00 TO BE PAID FROM THE PLANNING AND ZONING TRAINING BUDGET (41910-208).

LIAISON OR COUNCIL MEMBER REPORTS

Larry Julik-Heine reported that the sign for Heritage Park is ready to be installed. The Park & Rec Commission will be hosting a ceremony in the near future. He also indicated that the PRC continues to discuss the playground equipment for the "tot lot" on West Street. The project began as a beta test site at no cost to the City, but has changed to a price tag of \$21,000.00. The group hopes to scale down the project and submit a proposal for the Council to consider, with site prep work to be completed before year-end.

Julik-Heine also reported that the new Public Works Superintendent began work today, just in time to supervise the 2009 street projects of crackfilling and seal coating.

Ross Rivard reported that work continues on the remodeling of the Community Center. With weddings occurring the next three weekends, the lower level stairway, hallway and bathrooms are nearly finished, with thanks to Zoning Administrator-Coordinator Larry Phillips who has done the painting and staining. The remaining work will progress as money is available.

Zara Kinnunen reported that the Economic Development Commission met last Thursday, however, she was not able to attend. 2010 projects related to the Riverwalk Trail were discussed including additional trail paving and the permanent placement of the trail entrance archway.

Mike Buchite reported that negotiations continue to be held with MnDOT on the Public Works Building Project. Issues involving site conditions have yet to be resolved. The Mayor also reminded Council of the Budget Workshop on Wednesday morning.

CORRESPONDENCE

THE CITY COUNCIL ACKNOWLEDGED BY CONSENT AGENDA THE FOLLOWING CORRESPONDENCE PROVIDED IN THE AUGUST 24, 2009 CITY COUNCIL MEETING PACKET:

1. LETTER FROM XCEL ENERGY, RE: STREET LIGHTING SERVICES
2. LETTER FROM CHISAGO COUNTY, RE: CSAH 20 PROJECT
3. INFORMATION FROM STATE AUDITORS OFFICE, RE: RELIEF ASSOCIATION'S INVESTMENT REPORT CARD
4. INFORMATION FROM LMC, RE: ELECTRONIC COMMUNICATIONS BETWEEN COUNCIL MEMBERS
5. INVITATION FROM ST. CROIX VALLEY HEALTH CARE FOUNDATION'S FUNDRAISING DINNER
6. EMPLOYEE VACATION REQUEST
7. STAFF CORRESPONDENCE & EMAIL'S

ADJOURNMENT

MOTION BY JULIK-HEINE/RIVARD TO ADJOURN THE MEETING OF THE TAYLORS FALLS CITY COUNCIL HELD ON AUGUST 14, 2009. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:32 p.m.

Michael D. Buchite, Mayor

Jo Everson, Clerk-Treasurer

APPROVED: SEPTEMBER 14, 2009