

**TAYLORS FALLS CITY COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, MARCH 9, 2009 – 7:00 P.M.**

MINUTES

The Agenda for this Meeting was posted Wednesday, March 4, 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, March 9, 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, John Tangen, Larry Julik-Heine

MEMBERS ABSENT: Zara Kinnunen

OTHERS PRESENT: Deputy Clerk-Treasurer Jayna Yeske, Carey Hay, Ron & Darlene Schorr

ADOPTION OF AGENDA

MOTION BY JULIK-HEINE/TANGEN TO APPROVE THE AGENDA, AS PRESENTED, FOR THE MARCH 9, 2009 TAYLORS FALLS CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF CONSENT AGENDA

MOTION BY RIVARD/TANGEN TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: MINUTES OF PREVIOUS CITY COUNCIL MEETINGS; COMMISSION, BOARD OR COMMITTEE MINUTES/REPORTS; STAFF REPORTS; CONSIDER VACATION REQUEST; CONSIDER APPOINTMENT TO EDC; CONSIDER APPROVAL OF BINGO PERMIT FOR FIRST EVANGELICAL LUTHERAN CHURCH; CONSIDER UPDATE TO DANGEROUS DOG ORDINANCE; CONSIDER DATE FOR BOA MEETING; APPROVAL OF CLAIMS & 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 FEBRUARY 9 AND 23, 2009.

COMMISSION, BOARD OR COMMITTEE MINUTES/REPORTS

LIBRARY BOARD

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS LIBRARY BOARD MEETINGS HELD ON JANUARY 28 AND FEBRUARY 25, 2009.

PLANNING COMMISSION

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS PLANNING COMMISSION MEETING HELD ON JANUARY 5, 2009.

PARK AND RECREATION COMMISSION

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS PARK AND RECREATION COMMISSION MEETING HELD ON JANUARY 7, 2009.

PUBLIC FORUM

None.

STAFF REPORTS & REQUESTS

CHISAGO COUNTY SHERIFF'S DEPARTMENT

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

ADMINISTRATIVE DEPARTMENT

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

PLANNING & ZONING DEPARTMENT

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

STAFF REQUESTS

ZONING ADMINISTRATOR-COORDINATOR

Consider Purchase of GIS Maintenance. The Geographic Information Systems (GIS) software maintenance program expires on March 31, 2009. Keeping the maintenance current helps the City stay up-to-date with the rapid advancement in GIS technology and provides tools that enable more success in using the Environmental Systems Research Institute, Inc. (ESRI) software. The following are some of the maps that have been created using GIS: zoning maps, comprehensive plan maps, future trail maps, street and vacated street maps, heritage preservation district maps, city boundary maps, small scale utility maps, etc. The cost of maintenance for one year is \$405.20.

MOTION BY JULIK-HEINE/TANGEN TO APPROVE ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS' REQUEST TO PURCHASE GIS SOFTWARE MAINTENANCE FROM ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. (ESRI), AT A TOTAL COST OF \$405.20, TO BE PAID FROM THE PLANNING AND ZONING REPAIRS/MAINTENANCE EQUIPMENT BUDGET (41910-404). MOTION CARRIED UNANIMOUSLY.

Consider Vacation Request. THE CITY COUNCIL APPROVED BY CONSENT AGENDA ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS' VACATION LEAVE REQUEST FOR APRIL 27 THROUGH APRIL 29, 2009, FOR A TOTAL OF EIGHT (8) HOURS.

PUBLIC WORKS DEPARTMENT

Consider Purchase of Snow Plow Blades. The Public Works Department is requesting authorization to purchase carbide bits for the snow plow blades for the new truck. The blades were already purchased from H&L Mesabi, for a total cost of \$1,858.39, which exceeds the \$1,000.00 spending limit without first obtaining City Council approval.

MOTION BY JULIK-HEINE/RIVARD TO AUTHORIZE THE PURCHASE (AFTER THE FACT) OF CARBIDE SNOW PLOW BLADES FROM H&L MESABI AT A TOTAL COST OF \$1,858.39, TO BE PAID FROM THE PUBLIC WORKS OPERATING SUPPLIES BUDGET (43100-210). MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

None.

NEW BUSINESS

CONSIDER KENNEL LICENSE FOR 1054 MULBERRY STREET

Carey Hay of 1054 Mulberry Street applied for a kennel license for her three (3) cats and one (1) dog. City Ordinance only allows two (2) cats unless a kennel license is obtained. The City received a complaint regarding the cats and dog running at large and defecating in her neighbors' yard in which the City responded by sending a letter to Ms. Hay. The letter motivated Ms. Hay to license her animals and apply for the kennel license.

The City received a letter from Ms. Jodi Wolff, 579 Caneday Street, that expressed concerns with Ms. Hay' ability to contain her animals. Ms. Wolff believes that Ms. Hay should be allowed to keep her pets as long as they are taken care of and contained in her own yard.

Mayor Mike Buchite explained to Ms. Hay the consequences of allowing her pet(s) to roam freely and that if the City received future complaints Ms. Hay's kennel license would be revoked and one of her cats would need to be removed from the residence.

Council Member Tangen stated that applying for and being granted a kennel license forces the pet owner to be more responsible.

MOTION BY JULIK-HEINE/TANGEN TO APPROVE A KENNEL LICENSE FOR CAREY HAY, 1054 MULBERRY STREET, FOR NO MORE THAN ONE (1) DOG AND THREE (3) CATS, WITH THE CONDITION THAT THE ANIMALS ARE UNDER CONTROL AT ALL TIMES AS REQUIRED BY CHAPTER 3, SECTION 345 OF THE TAYLORS FALLS CODE OF ORDINANCES. MOTION CARRIED UNANIMOUSLY.

CONSIDER REDUCTION OF LETTER OF CREDIT FOR GRANITE LEDGE

GP Land Corporation submitted a written request for a reduction in the Letter of Credit for the plat of Granite Ledge from \$237,315.16 to \$126,496.20. Dan Erickson of SEH submitted a letter recommending that the letter of credit be reduced throughout the duration of the one year warranty period.

MOTION BY JULIK-HEINE/RIVARD TO APPROVE A REDUCTION OF THE LETTER OF CREDIT HELD BY KLEINBANK, FOR GP LAND CORP, FROM \$237,315.16 TO \$126,496.20, FOR THE DEVELOPMENT KNOWN AS GRANITE LEDGE IN TAYLORS FALLS, CONDITIONAL UPON THE CITY RECEIVING THE ADJUSTED LETTER OF CREDIT FROM KLEINBANK. MOTION CARRIED UNANIMOUSLY.

CONSIDER ACCEPTANCE OF PUBLIC IMPROVEMENTS AT GRANITE LEDGE SUBDIVISION

GP Land Corporation submitted a written request for the City Council to accept the Public Improvements for the plat of Granite Ledge. Dan Erickson of SEH submitted a letter recommending that the City accept the public improvements for the Granite Ledge Development.

MOTION BY TANGEN/RIVARD TO ADOPT RESOLUTION 09-06-01 ACCEPTING THE PUBLIC IMPROVEMENTS AT GRANITE LEDGE. MOTION CARRIED UNANIMOUSLY. (see attached)

CONSIDER APPOINTMENT TO EDC

THE CITY COUNCIL APPOINTED BY CONSENT AGENDA KEN MOORE AS AN ECONOMIC DEVELOPMENT COMMISSION MEMBER FILLING A CURRENT VACANT POSITION.

CONSIDER APPROVAL OF BINGO PERMIT FOR FIRST EVANGELICAL LUTHERAN CHURCH

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA THE REQUEST FROM THE FIRST EVANGELICAL LUTHERAN CHURCH TO CONDUCT EXCLUDED BINGO AT THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER ON APRIL 25, 2009.

CONSIDER UPDATE TO DANGEROUS DOG ORDINANCE

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA ORDINANCE 2009-03-09, AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 3 OF THE TAYLORS FALLS CODE OF ORDINANCES. (see attached)

CONSIDER DATE FOR BOA MEETING

THE CITY COUNCIL SET BY CONSENT AGENDA THE DATE OF WEDNESDAY, APRIL 22, 2009 AT 7:00 P.M. AS THE TAYLORS FALLS BOARD OF APPEALS MEETING, TO BE HELD IN COUNCIL CHAMBERS AT CITY HALL.

APPROVAL OF CLAIMS & PAYROLL

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE PAYMENT OF CHECK NUMBERS
22307-

22352 TOTALING \$35,310.84, AND TO APPROVE FEBRUARY PAYROLL TOTALING \$12,989.52 AND ADDITIONAL BILLS TOTALLING \$4,714.61.

LIAISON OR COUNCIL MEMBER REPORTS

Larry Julik-Heine reported that the Park and Recreation Commission will be meeting on March 18th and that the Public Works Department is preparing for spring and have patched potholes on West Street.

John Tangen reported that he met with Fire Chief Al Rivard and discussed Shafer Township Contract amendments.

Ross Rivard reported that the Planning Commission met on March 2nd and reviewed the Heritage Preservation Commission's proposal to designate 431 Bench Street as a Taylors Falls Heritage Preservation Site.

Rivard also reported that the basement work at the Community Center is progressing forward however so slowly.

Mayor Mike Buchite reported that he continues to testify before the House of Representatives regarding the Border Cities Development Zone.

CORRESPONDENCE

THE CITY COUNCIL ACKNOWLEDGED THE CORRESPONDENCE RECEIVED IN THE MARCH 9, 2009 COUNCIL PACKET:

1. LMC FRIDAY FAXES
2. EAST CENTRAL SOLID WASTE COMMISSION FLYER
3. EAST CENTRAL REGIONAL DEVELOPMENT COMMISSION REGION 7E FORUM NOTIFICATION
4. STAFF CORRESPONDENCE & EMAIL'S

ADJOURNMENT

MOTION BY JULIK-HEINE/RIVARD TO ADJOURN THE MEETING OF THE MARCH 9, 2009 TAYLORS FALLS CITY COUNCIL. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:30 p.m.

Michael D. Buchite, Mayor

Jayna Yeske, Deputy Clerk-Treasurer

APPROVED: APRIL 13, 2009

**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

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

_____ date

Approved by the Taylors Falls City Council

_____ date

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

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