

**TAYLORS FALLS CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
MONDAY, DECEMBER 29, 2008 – 6:30 P.M.**

**MINUTES**

The Agenda for this Meeting was posted Tuesday, December 23, 2008 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 Monday, December 29, 2008 at 6:30 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 6:30 p.m. by Mayor Mike Buchite.

**ROLL CALL**

MEMBERS PRESENT: Mike Buchite, Ross Rivard, John Tangen, Larry Julik-Heine, Zara Kinnunen

MEMBERS ABSENT: None

OTHERS PRESENT: Zoning Administrator-Coordinator Larry Phillips

**ANNOUNCEMENT**

The Mayor stated the Council would enter into closed session for the purpose of an annual performance review of Larry Phillips, Zoning Administrator-Coordinator.

**CLOSED MEETING**

MOTION BY JULIK-HEINE/RIVARD TO CLOSE THE MEETING TO THE PUBLIC IN ORDER TO CONDUCT THE PERFORMANCE EVALUATION OF ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS. AYES: ALL. MOTION CARRIED UNANIMOUSLY.

The Council entered closed session at 6:30 p.m.

**RETURN TO OPEN MEETING**

The Mayor declared that the Council ended its closed meeting at 6:43 p.m.

MOTION BY JULIK-HEINE/KINNUNEN TO RETURN TO OPEN SESSION. AYES: ALL. MOTION CARRIED UNANIMOUSLY.

**PERSONS PRESENT AT RETURN TO OPEN MEETING**

MEMBERS PRESENT: Mike Buchite, Ross Rivard, John Tangen, Larry Julik-Heine, Zara Kinnunen

MEMBERS ABSENT: None

OTHERS PRESENT: Zoning Administrator-Coordinator Larry Phillips

**SUMMARY OF CLOSED MEETING**

The Mayor declared the Council evaluated the job performance of Zoning Administrator-Coordinator Larry Phillips in its closed meeting. The closed meeting tape was sealed by the Mayor and placed in the locked employee file cabinet.

**REGULAR OPEN MEETING CALL TO ORDER**

The Taylors Falls City Council continued their regular meeting on Monday, December 29, 2008 at 6:50 p.m. in the Council Chambers at City Hall, 637 First Street, Taylors Falls, Minnesota.

**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, Zoning Administrator-Coordinator Larry Phillips, Joe Stein, Lee Casperson, Laird Mork, and Bob Porter from the Chisago County Press.

**ADOPTION OF AGENDA**

The Agenda was amended to include under New Business: **Consider Merit Pay for Zoning Administrator-Coordinator.**

MOTION BY KINNUNEN/JULIK-HEINE TO APPROVE THE AGENDA, AS AMENDED, FOR THE DECEMBER 29, 2008 COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

**ADOPTION OF CONSENT AGENDA**

MOTION BY TANGEN/RIVARD TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: CONSIDER PAYMENT OF ANDRIE ELECTRIC INVOICE FOR MEMORIAL COMMUNITY CENTER PROJECT; CONSIDER RESOLUTION 08-12-09 AUTHORIZING TRANSFER OF MONIES; CONSIDER RESOLUTION 08-12-07 AUTHORIZING TRANSFER OF MONIES AND CLOSE OUT OF MITIGATION FUND; CONSIDER RESOLUTION 08-12-08 AUTHORIZING TRANSFER OF MONIES TO BALANCE YEAR-END FUND BALANCES; CONSIDER APPROVING 2009 CIGARETTE LICENSES; CONFIRM DATE & TIME FOR 2009 COUNCIL ORGANIZATIONAL MEETING; CORRESPONDENCE. MOTION CARRIED UNANIMOUSLY.

**PUBLIC FORUM**

None.

**STAFF REQUESTS**

None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**LAIRD MORK – CONCEPT REVIEW OF SWEDISH IMMIGRANT TRAIL & PROPOSED ACQUISITION OF PROPERTY**

Laird Mork, Chisago County Park Director, updated the Council on the progress of the Swedish Immigrant Trail Project. The goal of the Trail Project is to build and maintain a 20 mile, multi-use, hard surface trail that provides a safe route for recreation and alternative transportation, while interpreting and celebrating the Swedish immigrant history. This trail will connect Wyoming to Taylors Falls via Chisago City, Lindstrom, Center City and Shafer, utilizing an abandoned railway corridor that parallels Highway 8. The Chisago County Parks and Trails Foundation is spearheading the trail effort, in partnership with the supporting Cities and the Chisago County Park Board. The trail will connect to the Sunrise Prairie and Hardwood Creek Trails, the existing 24 mile trail system from North Branch to Hugo, and to the Gandy Dancer Trail in Wisconsin. Future planned connections include Duluth and the Twin Cities.

Mork presented a *draft* resolution to the Council that essentially expresses the City's support of the trail within the City, specifically approving the County land acquisition of 4.3 acres owned by Karen Grossman. The proposed trail on this property would be approximately 100' wide by 1743.5' long.

The proposal is for the trail to enter Taylors Falls from the west coming from Wildwood Campground, then north along Herberg Road utilizing a combination of purchased trail easements and the Herberg Road right-of-way. It would then turn east on the land purchased from Grossman before entering the Interstate State Park. In the State Park, the trail would continue east skirting north of the three ravines and following the grade to the greatest extent possible. It would exit the Park on

platted but unimproved Hill Street, then turn south on Mill Street, which is a low maintenance road, until it hit the existing railroad bed trail in the Park and turn northeast. The final segment of the trail would follow the existing railroad bed trail until ending at the Taylors Falls Memorial Community Center.

The Council expressed their support of the Project including the proposed acquisition of property, but did not support forcing any property owner to give up their property to allow the trail expansion. Minnesota Statute requires the "...governing body..." to approve by resolution the County's purchase of the Grossman property. The Mayor explained that the City Attorney and Staff would need to review the *draft* Resolution prior to the Council adopting it; therefore it would be appropriate to table further action until the next Council Meeting.

Mork reported that the County would be pursuing a 50/50 State Grant within the next eight weeks. It would be essential to have the City's support before they were able to move forward with this phase of the Trail Project.

MOTION BY KINNUNEN/JULIK-HEINE TO TABLE ADOPTION OF THE PROPOSED RESOLUTION AFFIRMING TAYLORS FALLS CITY COUNCIL COMMITMENT TO APPROVE THE ESTABLISHMENT OF THE SWEDISH IMMIGRANT TRAIL IN TAYLORS FALLS, UNTIL THE JANUARY 12, 2009 COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

**CONSIDER PAYMENT OF LAMPERTS INVOICE FOR MEMORIAL COMMUNITY CENTER IMPROVEMENT PROJECT**

Framing material from Lamperts was recently delivered to the Memorial Community Center in order to begin the next phase of the Community Center Improvement Project, which was initially funded by the Mitigation Funds. The lumber was ordered with the assumption the payment would be approved administratively like it did while the mitigation monies were used. However, that fund has now been depleted. The \$1,532.08 invoice exceeds the \$1,000.00 limit without prior Council approval to pay, therefore the Council discussed its payment and to what extent the project should continue.

Council Member and Project Liaison Ross Rivard indicated that the lumber would be used to rough in the walls in the basement, using free labor from the Sentence-to-Serve crew. Rivard recommended the City hire a lead carpenter to layout the framing walls, so in addition to the cost for this there may be other incidental expenses. He requested an additional \$1,000.00.

MOTION BY JULIK-HEINE/KINNUNEN TO AUTHORIZE THE \$1,532.08 PAYMENT TO LAMPERTS FOR FRAMING MATERIALS, AND FURTHER, TO AUTHORIZE THE FRAMING OF THE BASEMENT OF THE COMMUNITY CENTER AT A COST NOT TO EXCEED \$2,500.00 (WHICH SHALL INCLUDE THE PAYMENT TO LAMPERTS) TO BE PAID FROM THE COMMUNITY CENTER FUND (350). MOTION CARRIED UNANIMOUSLY.

**CONSIDER PAYMENT FOR INSTALLATION OF RAILINGS ON RIVERWALK TRAIL TIMBER BRIDGE**

The Taylors Falls Economic Development Commission recommended the Council accept the bid from Brian Hall and approve the proposed expenditures to install railings on the timber bridge on the Riverwalk Trail near the St. Croix River. The work also includes adding wood railings immediately north of the bridge where wire and rope are temporarily being used for safety railings. Both projects are considered a public safety issue. This is also a structural issue on the bridge itself.

Council Member and Liaison John Tangen explained this is the final step of Phase I of the Riverwalk Trail and Timber Bridge Project. It is anticipated that a portion of the expenses must be transferred from the EDC budget to the Riverwalk Trail Fund. The work will begin yet this winter, with a volunteer work day to be held in January.

MOTION BY RIVARD/KINNUNEN TO AWARD THE BID TO BRIAN HALL FOR THE INSTALLATION OF THE RAILINGS ON THE RIVERWALK TRAIL TIMBER BRIDGE, INCLUDING THE AREA IMMEDIATELY NORTH OF THE BRIDGE, THE COST OF WHICH IS NOT TO EXCEED \$2,800.00, TO BE PAID FROM

THE ECONOMIC DEVELOPMENT COMMISSION OPERATING BUDGET (230) AND THE RIVERWALK PARK IMPROVEMENTS FUND (245). MOTION CARRIED UNANIMOUSLY.

**CONSIDER RESOLUTION 08-12-10 ORDERING A FREEZE OF ALL NON-ESSENTIAL SPENDING**

Mayor Buchite reported that Governor Pawlenty unallotted \$36,100.00 in Local Government Aid to Taylors Falls in his efforts to balance the \$426 million dollars short-term State budget crisis for this fiscal year. Fortunately, the City is able to absorb the cut using its cash reserves. However, the longer term State deficit for 2010-2011 biennium may be \$4.8 billion dollars, which must be addressed by the 2009 legislature. It is highly likely that the state aid will be reduced or eliminated completely. Unfortunately, the City may not know this information until well into the 2009 budget cycle. Any further reductions of the aid would greatly impact the City's cash reserves and its ability to carry on business as usual.

Mayor Buchite recommended that it would be in the City's best interests to implement certain financial limitations as a precautionary measure until the Governor and Legislature have made their final determinations as to how it intends to resolve their financial crisis. These precautions are outlined in Resolution 08-12-10, which includes a freeze on all non-essential spending and on employee wages and benefits.

Council Member Ross Rivard expressed his concern as to how the City could make any further budget adjustments if the State were to implement other cuts in addition to the LGA cuts.

Council Member Larry Julik-Heine stated that tough times require tough decisions.

Council Member John Tangen stated that it would be better to be proactive rather than reactive.

Council Member Zara Kinnunen stated that it is a difficult thing to ask staff to sacrifice, but unfortunately difficult times require the City to do this.

Mayor Buchite thanked Staff for their commitment to be flexible during the next few months. His assurance was that the last alternative to any other measures would be a lay-off of City Staff.

MOTION BY RIVARD/JULIK-HEINE TO ADOPT RESOLUTION 08-12-10, AS AMENDED, ORDERING A FREEZE OF ALL NON-ESSENTIAL SPENDING AND ON EMPLOYEE WAGES AND BENEFITS EFFECTIVE JANUARY 1, 2009, AND SHALL CONTINUE IN FORCE UNTIL FURTHER NOTICE. MOTION CARRIED UNANIMOUSLY. (attached)

**CONSIDER RESOLUTION 08-12-04 APPROVING THE FINAL 2009 BUDGET & FINAL 2008 LEVY**

Despite the possibility of the State's adjusting the City's 2009 Local Government Aid, the City Clerk-Treasurer recommended the Council move forward with its proposed 2009 budget and deal with any cuts as they are presented. Until then, the spending freeze will help to maintain the City's cash reserves at their modest level.

MOTION BY JULIK-HEINE/RIVARD TO ADOPT RESOLUTION 08-12-05, ADOPTING THE FINAL 2009 BUDGET AND 2008 LEVY, PAYABLE IN 2009, IN THE AMOUNT OF \$692,800.00. MOTION CARRIED UNANIMOUSLY. (attached)

**CONSIDER PAYMENT OF ANDRIE ELECTRIC INVOICE FOR MEMORIAL COMMUNITY CENTER PROJECT**

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA, PAYMENT OF \$2,330.29 TO ANDRIE ELECTRIC, FOR PAST WORK PERFORMED AT THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER, TO BE PAID FROM THE COMMUNITY CENTER FUND (350).

**CONSIDER RESOLUTION 08-12-07 AUTHORIZING TRANSFER OF MONIES AND CLOSE OUT OF MITIGATION FUND PROJECT FUND**

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 08-12-07 AUTHORIZING TRANSFER OF MONIES TO BALANCE THE MITIGATION FUND DEFICIT BALANCE AND TO CLOSE OUT OF THE MITIGATION FUND PROJECTS FUND. (attached)

**CONSIDER RESOLUTION 08-12-08 AUTHORIZING THE TRANSFER OF MONIES TO BALANCE YEAR-END FUND BALANCES**

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 08-12-08 AUTHORIZING THE TRANSFER OF MONIES TO BALANCE YEAR-END FUND CASH BALANCE DEFICITS. (attached)

**CONSIDER RESOLUTION 08-12-09 AUTHORIZING THE TRANSFER OF MONIES**

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 08-12-09 AUTHORIZING THE TRANSFER OF MONIES FROM THE WATER FUND TO THE 2007 NEW WELL DEBT SERVICE FUND. (attached)

**CONSIDER APPROVING 2009 CIGARETTE LICENSES**

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE 2009 CIGARETTE LICENSES TO BE ISSUED TO THE FOLLOWING:

RIVERVIEW GAS STATION, 341 BENCH STREET  
MIKE'S GENERAL STORE, 184 FIRST STREET  
SMITTY'S BORDER BAR 'N' GRILL, 367 BENCH STREET

**CONFIRM DATE & TIME FOR 2009 COUNCIL ORGANIZATIONAL MEETING**

THE CITY COUNCIL CONFIRMED BY CONSENT AGENDA, THE DATE OF MONDAY, JANUARY 5, 2009 AT 8:00 A.M. AS THE ORGANIZATIONAL MEETING OF THE TAYLORS FALLS CITY COUNCIL.

**CONSIDER MERIT PAY FOR ZONING ADMINISTRATOR-COORDINATOR.**

The City implemented a Merit Pay Program beginning in 2008. Compensation is based upon the Employee's Annual Performance Evaluation. The average points from that evaluation entitle lump sum merit pay bonuses.

MOTION BY TANGEN/KINNUNEN TO AWARD A \$250.00 MERIT PAY BONUS TO THE CITY ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS FOR RECOGNITION AND REWARD AS AN EMPLOYEE WHO ACHIEVED MORE THAN WHAT WAS EXPECTED OF HIM AND WHO HAS PUT IN CONSISTENTLY GREAT EFFORT IN HIS POSITION AS ZONING ADMINISTRATOR-COORDINATOR. MOTION CARRIED UNANIMOUSLY.

**LIAISON OR COUNCIL MEMBER REPORTS**

**Ross Rivard** reported that the new plow truck will be ready for delivery the second week in January. Snow continues to keep the Public Works Department busy.

**CORRESPONDENCE**

THE CITY COUNCIL ACKNOWLEDGED BY CONSENT AGENDA THE FOLLOWING CORRESPONDENCE PROVIDED IN THE DECEMBER 29, 2008 CITY COUNCIL MEETING PACKET:

1. NOTICE OF RATE INCREASE FROM EHLERS & ASSOCIATES
2. THANK YOU FROM LIGHTING FESTIVAL COMMITTEE
3. MPCA MEETING NOTICE - AQUATIC LIFE USES
4. STAFF CORRESPONDENCE & EMAIL'S

**ADJOURNMENT**

MOTION BY JULIK-HEINE/TANGEN TO ADJOURN THE MEETING OF THE TAYLORS FALLS CITY COUNCIL HELD ON DECEMBER 29, 2008. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 8:00 p.m.

---

Michael D. Buchite, Mayor

**APPROVED: JANUARY 12, 2009**

---

Jo Everson, Clerk-Treasurer

---

John Tangen, Council Secretary at Closed Meeting