

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

**MINUTES**

The Agenda for this Meeting was posted Wednesday, February 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, February 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 7:11 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 (arrived at 7:11 p.m.), John Tangen

MEMBERS ABSENT: Zara Kinnunen, Larry Julik-Heine

OTHERS PRESENT: Clerk-Treasurer Jo Everson, Zoning Administrator-Coordinator Larry Phillips, Corporal Shane Carroll, Joe Stein, Jeff Williams, and Bob Porter from the Chisago County Press.

**ADOPTION OF AGENDA**

The Agenda was amended to include under New Business: **Employee Recognition.**

MOTION BY TANGEN/RIVARD TO APPROVE THE AGENDA, AS AMENDED, FOR THE FEBRUARY 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; 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 JANUARY 5, JANUARY 19, AND JANUARY 26, 2009.

**COMMISSION, BOARD OR COMMITTEE MINUTES/REPORTS**

**HERITAGE PRESERVATION COMMISSION**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS HERITAGE PRESERVATION COMMISSION MEETINGS HELD ON JULY 8, AUGUST 12, SEPTEMBER 10, NOVEMBER 12, AND DECEMBER 9, 2008.

**PUBLIC FORUM**

**Joe Stein, 500 Herberg Road,** commented on the proposed Snowmobile/All Terrain Vehicle Use Ordinance. He stated that he was speaking on behalf of several property owners who expressed concern with the restrictions placed upon ATV use. ATVs are used to plow snow, collect maple syrup, fix fences and have many other uses, but do not make a significant amount of noise like a snowmobile does. As with all privileges, abuse inevitably occurs, but not necessarily in Taylors Falls. Stein questioned the exceptions in Section 605.02, suggesting the inclusion of ATVs as well as snowmobiles. He also questioned the language in recent Taylors Falls Tidbits stating that it is allowed for snowmobiles to be driven in town to obtain fuel or food. *(staff will check into this language)*

### **STAFF REPORTS & REQUESTS**

#### **CHISAGO COUNTY SHERIFF'S DEPARTMENT**

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

#### **ADMINISTRATIVE DEPARTMENT**

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

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE 2008 ARCHERY DEER HERD MANAGEMENT SUMMARY REPORT PROVIDED BY DEPUTY CLERK-TREASURER JAYNA YESKE.

#### **PLANNING & ZONING DEPARTMENT**

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

#### **FIRE DEPARTMENT**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA FIRE CHIEF KEVIN RIVARD'S NOVEMBER 2008, DECEMBER 2008 AND 2008 YEAR-END REPORTS.

### **STAFF REQUESTS**

#### **PUBLIC WORKS DEPARTMENT**

**Consider Purchase of Tires for 1-Ton Truck.** Public Works Council Liaison Ross Rivard, reported that City vehicles recently underwent DOT Inspections (Department of Transportation). The Ford 1-Ton truck tires did not pass due to the minimum tread depth, therefore they need to be replaced. Six quotes were received.

MOTION BY RIVARD/TANGEN TO APPROVE THE PURCHASE OF SIX (6) KUMHO 937 TIRES, MOUNTED AND BALANCED, FROM TIRE EXPERTS IN MILLTOWN, WISCONSIN, AT A COST OF \$1,400.00 TO BE PAID FROM THE PUBLIC WORKS REPAIR AND MAINTENANCE BUDGET ACCOUNT (43100-404). MOTION CARRIED UNANIMOUSLY.

### **UNFINISHED BUSINESS**

#### **CONSIDER AMENDMENTS TO SECTION 605 SNOWMOBILES & ATV USE ORDINANCE**

Zoning Administrator-Coordinator Larry Phillips presented amendments to Section 605 of the Taylors Falls Code of Ordinances relating to Snowmobiles and All Terrain Vehicles. Changes include primarily statutory references and to prohibit alcohol consumption and open bottles on snowmobiles and ATVs. There was discussion concerning the open bottle provision, which not only would prohibit it while operating the vehicle on a trail, but would also prohibit it while operating on private land. Discussion occurred whether to exclude this provision on private property, with Corporal Shane Carroll commenting that Minnesota Statute §169A.20 would apply which would not give authority to enforce the open bottle provision on private land. The recommendation was to include language in this section of the Ordinance that specifically excludes the prohibition on private property.

The subject of allowing ATV's to travel roadways in certain instances similar to the provision that allows snowmobiles to travel roadways was discussed. According to Corporal Carroll, there is a Minnesota Statute that does not allow ATV's to use roadways at any time on State highways or County roads. During the "Ag Zone Period" from April 1<sup>st</sup> to August 1<sup>st</sup>, an ATV can obtain a Farm/Ag sticker that will allow a farmer to haul equipment on the roadway when necessary. Furthermore, because there are no ATV trails within the immediate area, there would be no need for an ATV to travel roadway or ditches in Taylors Falls.

MOTION BY TANGEN/RIVARD TO ADOPT ORDINANCE 2009-02-09, AS AMENDED, AMENDING CERTAIN SECTIONS OF THE TAYLORS FALLS CODE OF ORDINANCES RELATING TO CHAPTER 6 TRAFFIC AND MOTOR VEHICLES, 605 SNOWMOBILES AND ALL TERRAIN VEHICLES. MOTION CARRIED UNANIMOUSLY. (attached)

#### **UPDATE ON GOVERNOR PAWLENTY'S BUDGET PROPOSAL & HOW IT IMPACTS LGA PAYMENTS**

Mayor Buchite reported that Governor Pawlenty's 2010-2011 budget proposal was announced Jan. 27<sup>th</sup>, forecasting a \$4.8 billion deficit for the State's biennium. The Governor proposes budget cuts of local government aid (LGA) and market value homestead credit (MVHC) reimbursement by \$285.4 million. Taylors Falls' aid will be reduced by \$43,889.00 in 2009 and \$93,736.00 in 2010. The Legislature will consider his recommendations over the next several months as it debates how to balance the budget. The Mayor suggested that a Council Workshop may be necessary this month to review the City's 2009 and 2010 budget and how these cuts will impact the City.

No action was taken by the Council at this time.

#### **NEW BUSINESS**

##### **EMPLOYEE RECOGNIZATION**

Mayor Buchite presented Clerk-Treasurer Jo Everson with a Certificate of Appreciation and gift certificate recognizing her fifteen years of service with the City of Taylors Falls.

##### **APPROVAL OF CLAIMS & PAYROLL**

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE PAYMENT OF CHECK NUMBERS 22244 - 22298 TOTALING \$45,004.36, AND TO APPROVE JANUARY PAYROLL TOTALING \$12,767.35.

##### **LIAISON OR COUNCIL MEMBER REPORTS**

**John Tangen** reported that the Fire Department elected Al Rivard as the new Fire Chief. The Council extended their appreciation to outgoing Chief Kevin Rivard for his three years of service.

**Mayor Mike Buchite** reported that he, Chisago County HRA/EDA Director Chris Eng, and Economic Development Commission Chair Wade Vitalis would be testifying before the Senate Tax Committee this week for the third time, petitioning for inclusion in the Border City Development Zone program.

The Mayor also reported that the City had received notice that the Minnesota Department of Transportation had signed an internal *Partnership Agreement*, which would be the first step of entering into the Lease Agreement with the City for the MnDOT Redevelopment project.

##### **CORRESPONDENCE**

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

1. INVITATION TO SKATING RINK APPRECIATION OPEN HOUSE
2. LMC FRIDAY FAXES
3. STAFF CORRESPONDENCE & EMAIL'S

##### **ADJOURNMENT**

MOTION BY TANGEN/RIVARD TO ADJOURN THE MEETING OF THE FEBRUARY 9, 2009 TAYLORS FALLS CITY COUNCIL. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:49 p.m.

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Michael D. Buchite, Mayor

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Jo Everson, Clerk-Treasurer

**APPROVED: MARCH 9, 2009**