

**TAYLORS FALLS CITY COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, JUNE 23, 2008 – 7:00 P.M.**

MINUTES

The Agenda for this Meeting was posted Wednesday, June 18, 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, June 23, 2008 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, Larry Julik-Heine, Zara Kinnunen

MEMBERS ABSENT: John Tangen

OTHERS PRESENT: Clerk-Treasurer Jo Everson, Chris Eng, and Bob Porter from the Chisago County Press.

ADOPTION OF AGENDA

The Agenda was amended to include under New Business: **Consider Payment of Additional Prefer Paving Invoices.**

MOTION BY JULIK-HEINE/KINNUNEN TO APPROVE THE AGENDA, AS AMENDED, FOR THE JUNE 23, 2008 COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF CONSENT AGENDA

MOTION BY RIVARD/JULIK-HEINE TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: CONSIDER MERIT PAY FOR CLERK-TREASURER PERFORMANCE EVALUATION; CONSIDER RESOLUTION 08-06-02 ACKNOWLEDGING AUGUST 5TH AS NATIONAL NIGHT OUT; CONSIDER RESOLUTION 08-06-03 SETTING THE DATE FOR A HEARING FOR AN ALLEY VACATION; CONSIDER RESOLUTION 08-06-04 SETTING THE DATE FOR A HEARING FOR A STREET VACATION; RECONSIDER CONTRACT FOR RIVARD LAWN CARE PROPOSAL; CONSIDER APPROVAL OF CHANGE ORDER #3, WELLHOUSE #4 PROJECT; CONSIDER ZA-COORDINATOR TRAINING REQUEST; CONSIDER PAYMENT OF STREET IMPROVEMENT INVOICES; CORRESPONDENCE. MOTION CARRIED UNANIMOUSLY.

PUBLIC FORUM

None.

STAFF REQUESTS

PUBLIC WORKS

Consider Proposal for installation of 6" Gate Valve. MOTION BY KINNUNEN/JULIK-HEINE TO APPROVE THE PROPOSALS FROM WILD RIVER CONTRACTING FOR THE FOLLOWING WORK:

- » DIG UP WATER MAIN ON MULBERRY STREET IN-BETWEEN LOCUST AND BRIAR LANES AND INSTALL A GATE VALVE, AT A COST OF \$1,200.00, TO BE PAID FROM THE WATER FUND (601), WITH THE CITY TO PROVIDE PARTS.

» DIG UP AND REPAIR THE HYDRANT ON THE CORNER OF MULBERRY STREET AND HIGHWAY 95 AT A COST OF \$1,200.00, TO BE PAID FROM THE WATER FUND (601), WITH THE CITY TO PROVIDE PARTS.

MOTIONS CARRIED UNANIMOUSLY.

Consider Purchase of New Plow Truck. The Council reviewed the proposal submitted by the Public Works Department for the purchase of a new plow truck under the State of Minnesota pricing contract. The City's current truck, a 1997 Ford L800, continues to require significant repairs. Boyer Ford has offered the City \$29,200.00 as trade-in for the truck, which the Council agreed was a good price. The Mayor asked for comments from the Public Works Council Liaisons.

Larry Julik-Heine stated that in this case "necessity meets opportunity" since there are issues with the old plow truck, but regardless, the City received maximum trade-in value for it.

Ross Rivard questioned how the truck purchase should be financed and suggested bids from area banks for both an eight (8) year and a ten (10) year loan term. The goal was not to increase property taxes in order to pay for the truck. The Council will review the financing package at a later date.

MOTION BY JULIK-HEINE/KINNUNEN TO APPROVE THE PURCHASE OF A 2009 FORD STERLING L8500 SINGLE AXLE TRUCK CHASSIS AS SPECIFIED IN THE STATE OF MINNESOTA BID CONTRACT #439006 FROM BOYER FORD AT A COST OF \$39,181.00, WHICH INCLUDES THE \$29,200 TRADE-IN VALUE OF THE 1997 FORD L800.

IT WAS FURTHER MOVED TO APPROVE THE PURCHASE OF A DUMP BOX BODY/PLOW/WING/SANDER AND OTHER NECESSARY SNOW ATTACHMENTS AS SPECIFIED IN THE STATE OF MINNESOTA BID CONTRACT #438588 FROM J-CRAFT TRUCK BODIES & EQUIPMENT, AT A COST OF \$79,898.00.

IT WAS YET FURTHER MOVED TO DIRECT THE CITY CLERK-TREASURER TO RESEARCH FINANCING OPTIONS FOR SAID PURCHASES, TO BE PRESENTED TO THE COUNCIL AT A LATER DATE.

MOTIONS CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

CONSIDER MERIT PAY FOR CLERK-TREASURER PERFORMANCE EVALUATION

At the May 27th meeting, the Council did an annual performance evaluation of the Clerk-Treasurer position. Because the Council implemented the Merit Pay Program beginning in January 2008, it should have officially taken action in the open meeting immediately following the evaluation, to authorize the Merit Pay (if applicable) to the employee. The average points from that evaluation entitles a \$250.00 lump sum merit pay compensation. The Council agreed to the compensation in the closed meeting. However, it must take the official action in an open meeting.

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA A \$250.00 MERIT PAY PAYMENT TO CITY CLERK-TREASURER JO EVERSON FOR RECOGNITION AND REWARD AS AN EMPLOYEE WHO ACHIEVED MORE THAN WHAT WAS EXPECTED OF HER AND WHO HAS PUT IN CONSISTENTLY GREAT EFFORT IN HER POSITION AS CLERK-TREASURER FOR THE CITY OF TAYLORS FALLS.

NEW BUSINESS

SMALL CITIES GRANT UPDATE

Chris Eng, Chisago County HRA/EDA Director, gave an update to the Council on the status of the \$308,550.00 Small Cities Grant that was awarded to the City in 2007. To date only \$51,000.00 of the grant has been spent, although they are currently processing a \$25,000.00 application. Despite the aggressive marketing program, the Minnesota Department of Trade and Economic Development (DEED) has notified the City that it will recapture \$25,000 of the grant funds at this time since there are no other current interests in the program. The completion date for the Grant is September 30, 2008, at which time the City will then have to send back \$257,550.00 to the State if it has not been awarded. He recommended the Council (and the Press that was present) promote the Grant program as much as possible. Taylors Falls would have little chance of receiving a similar grant in the future since a large portion of the first grant funding was not utilized.

Eng also explained the Monitoring Report completed by DEED with regard to the Taylors Falls Comprehensive Project. There was a question as to whether a conflict of interest existed due to the involvement of one of the applicants of the Grant Program who is also a member of the Taylors Falls Economic Development Commission. City Attorney Patrick Kelly provided an opinion letter that Minnesota Statute §471.88, subd. 14 states that if this "governmental unit" officer [Wade Vitalis] discloses that he has applied for (and received) the grant he must disclose that information at an open meeting of the City Council and the Chisago County HRA-EDA and made a part of the official minutes. This has now been done.

No action by the Council was requested or taken.

CONSIDER REQUEST FOR WANNIGAN DAYS STREET DANCE FROM ROMAYNE'S ON MAIN

David McKeag, of Romaine's On Main, submitted a request pertaining to the street dance that he is sponsoring on the Saturday during Wannigan Days. This would involve the Public Works Department placing cones for no parking, closure of Ravine Street, and assisting with the installation of a temporary fence for the beer garden. There was discussion as to the request for the City to place and pay for two porta-potties at the corner of Ravine Street and Bench Street. Historically this has been paid from the Charitable Gambling Fund; however, there is no funding available at this time. It was suggested that the two porta-potties from the Marmon Parkway (Bench Street Parking Lot) be temporarily relocated to the dance location.

MOTION BY KINNUNEN/JULIK-HEINE TO AUTHORIZE/APPROVE THE FOLLOWING REQUESTS BY DAVID McKEAG, OWNER OF ROMAYNE'S ON MAIN:

AUTHORIZATION TO CLOSE OFF AND BLOCK RAVINE STREET FROM BENCH STREET TO GOVERNMENT STREET FOR THE STREET DANCE BEGINNING AT 1:00 P.M. ON SATURDAY, JULY 19, 2008 UNTIL THE END OF THE STREET DANCE, APPROXIMATELY 1:00 A.M.

AUTHORIZATION FOR THE CITY CLERK TO ISSUE A DANCE/MUSIC PERMIT WITH THE FEES TO BE WAIVED TO ROMAYNE'S ON MAIN FOR THE STREET DANCE TO BE HELD FROM 8:30 P.M. TO 12:30 A.M. ON SATURDAY, JULY 19, 2008.

TO REQUIRE A FENCE TO BE ERECTED AROUND THE STREET DANCE AREA, THE INSTALLATION TO BE A COOPERATIVE EFFORT BETWEEN THE CITY PUBLIC WORKS AND ROMAYNE'S.

TO AUTHORIZE/REQUIRE TWO DEPUTIES TO WORK THE STREET DANCE FROM THE HOURS OF 8:30 P.M. – 12:30 A.M. ON SATURDAY, JULY 19, 2008, TO BE PAID FROM THE CONTRACT FEES EXPENSE ACCOUNT (42100-309).

TO AUTHORIZE THE RELOCATION OF THE TWO SATELLITE PORTA-POTTIES CURRENTLY PLACED IN THE MARMON PARKWAY (BENCH STREET PARKING LOT) TO THE CORNER OF RAVINE AND BENCH STREET DURING THE WANNIGAN DAYS PARADE AND STREET DANCE.

MOTIONS CARRIED UNANIMOUSLY.

CONSIDER QUOTE FROM ANDRIE ELECTRIC FOR HEATER AT LOWER LIFT STATION

During the Lift Station Improvement Project, the façade to be constructed around the building will be insulated. It was suggested that the unsightly LP fuel tank currently located on the property and used for heating purposes, be removed and a heater be installed in the building instead. This would be cost effective considering the price of fuel at this time. Council Member Ross Rivard was very supportive of the proposal and recommended the Council approve its purchase.

MOTION BY RIVARD/JULIK-HEINE TO APPROVE THE PROPOSAL FROM ANDRIE ELECTRIC TO PURCHASE AND INSTALL A 5K2 UNIT HEATER, 480 VOLT 3 PHASE WITH INTRIGAL THERMOSTAT AT THE LOWER LIFT STATION, AT A COST OF \$1,147.00, TO BE PAID FROM THE SEWER FUND (602). INSTALLATION IS TO BE COORDINATED WITH THE LIFT STATION IMPROVEMENT PROJECT. MOTION CARRIED UNANIMOUSLY.

CONSIDER TIMELY PAYMENT OF MITIGATION PROJECT EXPENSES & CHERRY HILL PARK PROJECT EXPENSES

Since there will be five projects going at one time this summer and fall, those being the Heritage Park deck, the River Walk deck & railings, the improvements to the lift station, the Community Center improvements, and the Cherry Hill Park project, it would be beneficial to designate someone as the Project Coordinator. This would not be taking away the Council Member's job of "overseeing" their projects, but would allow someone to oversee the day-to-day issues that come up. Because Larry Phillips, the City's Zoning Administrator-Coordinator has been involved in many of the project designs and has actually been the "go-to" guy so far, it was recommended that he be appointed as this official Coordinator of the projects.

Additionally, there may be times that a contractor might need to have upfront monies for certain expenses. At this time they have to wait until the next Council Meeting to get paid. The recommendation from Jo Everson, City Clerk-Treasurer, was to have the Council authorize payment of project expenses as they come in, subject to review by her, the Council Liaison for that project, and the "Project Coordinator" for assurance that the expense is project related and that it is within budget.

MOTION BY KINNUNEN/JULIK-HEINE TO APPOINT ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS AS THE OFFICIAL PROJECT COORDINATOR FOR THE HERITAGE PARK DECK PROJECT, THE RIVERWALK DECK AND RAILING PROJECT, THE LIFTSTATION IMPROVEMENT PROJECT, THE COMMUNITY CENTER IMPROVEMENT PROJECT AND THE CHERRY HILL PARK IMPROVEMENT PROJECT. MOTION CARRIED UNANIMOUSLY.

MOTION BY RIVARD/JULIK-HEINE TO AUTHORIZE THE CITY CLERK-TREASURER, AT HER DISCRETION, TO IMMEDIATELY PAY INVOICES/EXPENSES RELATING TO THE MITIGATION FUND PROJECTS AND THE CHERRY HILL PARK PROJECT, SUBJECT TO REVIEW BY THE PROJECT COORDINATOR AND THE COUNCIL MEMBER REPRESENTATIVE TO THE PROJECT FOR ASSURANCE THAT THE EXPENSE IS PROJECT RELATED AND THAT IT IS WITHIN BUDGET. MOTION CARRIED UNANIMOUSLY.

Xcel Energy/NSP notified the City that it will release the \$150,000.00 Mitigation Funds on July 2, 2008. In order to allow the projects to move forward until the monies have been received, the following Resolution was introduced:

MOTION BY KINNUNEN/RIVARD TO ADOPT RESOLUTION 08-06-05, A RESOLUTION ACKNOWLEDGING THE USE OF MITIGATION FUNDS FROM THE CHISAGO PROJECT SETTLEMENT AGREEMENT. MOTION CARRIED UNANIMOUSLY. (attached)

CONSIDER CHANGES TO THE CITY WEB SITE

City Administrative Staff have been working on improving the City's web-site (www.ci.taylors-falls.us.mn) but are at a point that they cannot make any other design changes without involving Avenet, the company who manages the site for the City (as they do for most cities in the State). The next step in the development process would be to hire their web designer on an hourly basis to make the recommended new design improvements.

MOTION BY KINNUNEN/JULIK-HEINE TO AUTHORIZE ADMINISTRATIVE CITY STAFF TO SPEND UP TO \$1,000.00 FOR DESIGN IMPROVEMENTS BY AVENET ON THE CITY'S WEB SITE, TO BE PAID FROM THE COUNCIL NEW EQUIPMENT BUDGET ACCOUNT (41110-580). MOTION CARRIED UNANIMOUSLY.

CONSIDER RESOLUTION 08-06-02 ACKNOWLEDGING AUGUST 5TH AS NATIONAL NIGHT OUT

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 08-06-02, A RESOLUTION ACKNOWLEDGING AUGUST 5, 2008 AS NATIONAL NIGHT OUT. (attached)

CONSIDER RESOLUTION 08-06-03 SETTING THE DATE FOR A HEARING FOR AN ALLEY VACATION

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 08-06-03, A RESOLUTION

SETTING THE DATE FOR A HEARING FOR AN ALLEY VACATION COMMENCED BY A PETITION OF A MAJORITY OF ABUTTING LANDOWNERS. (attached)

CONSIDER RESOLUTION 08-06-04 SETTING THE DATE FOR A HEARING FOR A STREET VACATION

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 08-06-04, A RESOLUTION SETTING THE DATE FOR A HEARING FOR A STREET VACATION OF A PORTION OF PLATTED BUT UNIMPROVED PLATEAU STREET. (attached)

RECONSIDER CONTRACT FOR RIVARD LAWN CARE PROPOSAL

At a previous Council Meeting, the Council approved a proposal from Rivard Lawn Care to provide lawn care services. Upon review of the minutes from that meeting, the City Attorney assumed that bidding had occurred and recommended the City enter into a Contract with the Rivards. However, because the cost of their service is minimal, it does not require the City to solicit bids for the service. Additionally, there were provisions in the contract that were just not applicable to this small company, and this temporary service.

THE CITY COUNCIL RECONSIDERED BY CONSENT AGENDA THE CONTRACT BY AND BETWEEN THE CITY OF TAYLORS FALLS AND RIVARD LAWN CARE PREVIOUSLY APPROVED BY THE CITY COUNCIL ON MAY 27, 2008, AND FURTHER MOVE TO APPROVE THE LAWN CARE ESTIMATE SUBMITTED BY RIVARD LAWN CARE, AT A COST NOT TO EXCEED \$350.00 PER WEEK, SUBJECT TO RECEIPT OF A CERTIFICATE OF INSURANCE.

CONSIDER CHANGE ORDER #3 FOR WELLHOUSE PROJECT

THE CITY COUNCIL APPROVED BY CONSENT AGENDA CHANGE ORDER #3 IN THE AMOUNT OF +\$5,493.80 FOR ADDITIONAL EXPENSES DUE TO WINTER CONSTRUCTION.

CONSIDER ZA-COORDINATOR TRAINING REQUEST

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE REQUEST FROM ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS TO ATTEND THE FOCUS GROUP FOR PLANNING FORUM ON AN AGING POPULATION TO BE HELD ON JUNE 26TH FROM 10 – 11:30 A.M. IN NORTH BRANCH. STANDARD MILEAGE REIMBURSEMENT TO APPLY.

CONSIDER PAYMENT OF STREET IMPROVEMENT INVOICES

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA THE PAYMENT OF \$24,999.00 TO ALLIED BLACKTOP COMPANY FOR THE 2008 CRACKFILL & SEAL COATING PROJECTS, TO BE PAID FROM THE STREET IMPROVEMENT FUND (650).

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA THE PAYMENT OF \$20,800.00 TO PREFER BLACKTOP COMPANY FOR THE 2008 PAVING PROJECTS, TO BE PAID FROM THE STREET IMPROVEMENT FUND (650)

CONSIDER ADDITIONAL INVOICES FROM PREFER PAVING

Public Works Liaison Ross Rivard reported that there was additional patching that needed to be done prior to the cracksealing on certain streets. He acknowledged that this expense was over and above the bid submitted by Prefer Paving.

MOTION BY JULIK-HEINE/RIVARD TO APPROVE THE PAYMENT OF \$2,450.00 TO PREFER PAVING FOR ADDITIONAL PATCHING, TO BE PAID FROM THE WATER FUND (601) AND STREET IMPROVEMENT FUND (650). MOTION CARRIED UNANIMOUSLY.

LIAISON OR COUNCIL MEMBER REPORTS

Zara Kinnunen reported that the HPC had reviewed a site alteration permit for Bob Claybaugh, and have agreed that the HPC will act as the Design Review Board at this time.

Ross Rivard reported that the City is waiting for the pump to arrive for the Well #4 project. The landscaping is progressing. He also reported that the City may need to replace approximately 1,800' of

water main from Well #3 into town as there appears to be a manganese build-up in this area. The main would be increased from a 6" line to a 12" line if the project goes forward. City Engineer Steve Heth from SEH is to provide a proposal on this project at the next Council Meeting.

Larry Julik-Heine reported that he and Rivard were monitoring the daily activities of the Public Works Department. The handrails downtown have been scraped and painted. He was also excited to report that the Cherry Hill Park site has had significant progress and should be completed by the end of August.

Mayor Mike Buchite encouraged the Council to attend the National Night Out on August 5th to be held at the Baptist Church this year. He also reported that a complaint had been received at City Hall with regard to the lack of handrails on the River Walk trail and bridge. Building Inspector Jack Kramer confirmed that handrails were not required. However, Zoning Administrator-Coordinator Larry Phillips indicated that railings were to be installed in the next phase of the project. In addition, the trail is a "work in progress"; therefore, pedestrians should take extra precaution when walking it.

Buchite also updated the Council on the RIGHT turn only recently required by the Council at the intersection of First and Highway 95. The correct signage and painting/stripping have been installed. The Council felt there was no need for additional signs to be placed. It was a matter of enforcement at this point.

CORRESPONDENCE

THE CITY COUNCIL ACKNOWLEDGED BY CONSENT AGENDA THE FOLLOWING CORRESPONDENCE PROVIDED IN THE JUNE 23, 2008 CITY COUNCIL MEETING PACKET:

1. NOTICE OF COMMISSION MEETING; CHISAGO PROJECT
2. NOTICE OF ECRDC MEETING
3. STAFF VACATION REQUESTS
4. MNDOT METRO CONSTRUCTION MAP & PLANS
5. STAFF CORRESPONDENCE & E-MAIL'S

ADJOURNMENT

MOTION BY KINNUNEN/JULIK-HEINE TO ADJOURN THE MEETING OF THE TAYLORS FALLS CITY COUNCIL HELD ON JUNE 23, 2008. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:59 p.m.

Michael D. Buchite, Mayor

Jo Everson, Clerk-Treasurer

APPROVED: JULY 14, 2008