

**TAYLORS FALLS CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
MONDAY, OCTOBER 11, 2010 – 7:00 P.M.**

**MINUTES**

The Agenda for this Meeting was posted Wednesday, October 6, 2010 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 for a regular meeting on Monday, October 11, 2010 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, Zara Kinnunen

MEMBERS ABSENT: None

OTHERS PRESENT: City Clerk-Treasurer Jo Everson, Commissioner Rick Greene

**ADOPTION OF AGENDA**

The Agenda was amended to include under New Business: **Consider Pay Request #1A to Finnteck for Salt/Sand Storage Building Project; Consider Giller Masonry Pay Request.**

MOTION BY KINNUNEN/JULIK-HEINE TO APPROVE THE AGENDA, AS AMENDED, FOR THE OCTOBER 11, 2010 TAYLORS FALLS CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

**ADOPTION OF CONSENT AGENDA**

MOTION BY TANGEN/RIVARD TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: MINUTES OF PREVIOUS CITY COUNCIL MEETINGS; STAFF REPORTS; COMMISSION, BOARD OR COMMITTEE MINUTES/REPORTS; CONSIDER PAY REQUEST #3 PUBLIC WORKS ADDITION PROJECT; CONSIDER PAY REQUEST #1A TO FINNTECK FOR SALT/SAND STORAGE BUILDING PROJECT; CONSIDER GILLER MASONRY PAY REQUEST; APPROVAL OF CLAIMS AND 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 SEPTEMBER 13, SEPTEMBER 27, AND OCTOBER 5, 2010.

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

**LIBRARY BOARD**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS LIBRARY BOARD MEETING HELD ON WEDNESDAY, SEPTEMBER 29, 2010.

**PARK & REC COMMISSION**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS PARK & REC COMMISSION MEETING HELD ON AUGUST 18, 2010.

**HERITAGE PRESERVATION COMMISSION**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS HERITAGE PRESERVATION COMMISSION MEETING HELD ON AUGUST 11, 2010.

### **C.E.R.T. TASK FORCE**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS CERTIFIED EMERGENCY RESPONSE TEAM TASK FORCE MEETING HELD ON SEPTEMBER 23, 2010.

### **STEERING COMMITTEE**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE CHISAGO PROJECT STEERING COMMITTEE MEETING HELD ON SEPTEMBER 16, 2010.

### **PUBLIC FORUM**

Chisago County **Commissioner Rick Greene** reported that the County had a 0% tax levy increase for the second year in a row. When he first took office the increases were double digit numbers each year. Chisago County recently bonded for road improvements without increasing the tax levy. Rather than reverting to the possible lay-off of employees, Chisago County has been offering early retirement packages, without rehiring for the position. Greene also reported that there would be a Public Hearing on October 20<sup>th</sup> for the \$11 - \$12 million bonding needed to purchase the mandated 800 mhz radio system.

### **STAFF REPORTS & REQUESTS**

#### **ADMINISTRATIVE DEPARTMENT**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE SEPTEMBER 2010 FINANCIAL REPORTS PRESENTED BY CLERK-TREASURER JO EVERSON.

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

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA CORPORAL SHANE CARROLL'S SEPTEMBER 2010 CHISAGO COUNTY SHERIFF'S DEPARTMENT REPORT.

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

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE SEPTEMBER 2010 ZONING REPORT PRESENTED BY ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS.

#### **PUBLIC WORKS DEPARTMENT**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE SEPTEMBER 2010 PUBLIC WORKS REPORT PRESENTED BY PUBLIC WORKS SUPERINTENDENT MIKE KRIZ.

#### **FIRE DEPARTMENT**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE AUGUST 2010 FIRE DEPARTMENT REPORT PRESENTED BY FIRE CHIEF ALAN RIVARD.

#### **CITY ATTORNEY**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE SEPTEMBER BILLING STATEMENT FROM THE CITY ATTORNEY'S OFFICE OF KELLY AND LEMMONS, P.A.

### **STAFF REQUESTS**

None.

### **UNFINISHED BUSINESS**

#### **CONSIDER ADDITIONAL EXPENSE FOR THE COMMUNITY CENTER**

In May 2010 the Council tabled approving additional expenses for the Community Center, which included vinyl stair treads and sheet rocking portions of the lower level.

MOTION BY JULIK-HEINE/KINNUNEN TO AUTHORIZE CARPETING BY MIKE TO INSTALL VINYL STAIR TREADS ON THE STAIRS AND LANDING AT THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER AT A COST OF \$1,150.00 TO BE PAID FROM THE MEMORIAL COMMUNITY CENTER FUND (350). MOTION CARRIED UNANIMOUSLY.

MOTION BY TANGEN/JULIK-HEINE TO AUTHORIZE DT DRYWALL TO SHEET ROCK THE MAIN MEETING ROOM AND THE OFFICE IN THE LOWER LEVEL OF THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER AT A COST OF \$1,259.76 TO BE PAID FROM THE MEMORIAL COMMUNITY CENTER FUND (350). MOTION CARRIED UNANIMOUSLY.

**CONSIDER SIDEWALK INSTALLATION ON RIVER STREET NEAR RECTORY**

The City Council tabled this issue at the September 27, 2010 meeting to allow more time for discussion between the property owner and the City. The City's Sidewalk Policy requires a cost sharing of 50% City/50% property owner. However, the sidewalk in question was partially damaged due to the City's snowplowing practice. Additionally, the cost for removal of existing sidewalks should be paid by the City. Two bids were received, with Wild River Contracting submitting the lowest bid.

MOTION BY KINNUNEN/TANGEN TO ACCEPT THE PROPOSAL FROM WILD RIVER CONTRATING TO *"TEAR OUT 92' x 5' OF WIDEWALK IN FRONT OF THE CATHOLIC CHURCH RECTORY. SAW CUT ON EITHER SIDE OF DRIVEWAY ENTRANCE APRON TO LEAVE APRON IN PLACE. POUR SIDEWALK TO MATCH PREVIOUS AND ADD A HANDICAP ENTRANCE AT END OF SIDEWALK"* AT A COST OF \$1,955.00 TO BE PAID IN THE FOLLOWING MANNER:

- THE CITY TO PAY \$500 FOR CUTTING OUT & HAULING AWAY DEBRIS PER THE CITY'S SIDEWALK REPLACEMENT POLICY (43100-408).
- THE CITY WILL PAY ADDITIONAL \$227.50 FOR PREVIOUS DAMAGE TO THE SIDEWALK CAUSED BY THE CITY'S SNOWPLOW (43100-408).
- THE CITY WILL PAY \$500.00 AS THEIR ½ OF THE COST OF SIDEWALK REPLACEMENT PER THE CITY'S SIDWALK REPLACEMENT POLICY (43100-408).
- THE ST. JOSEPH'S CATHOLIC CHURCH WILL PAY \$500 AS THEIR ½ OF THE COST OF SIDEWALK REPLACEMENT PER THE CITY'S SIDEWALK REPLACEMENT POLICY.

MOTION CARRIED, WITH COUNCIL MEMBER JULIK-HEINE ABSTAINING SINCE HE IS A PARISH COUNCIL MEMBER AT ST. JOSEPH'S CHURCH.

**NEW BUSINESS**

**CONSIDER CONTRACT WITH BOLTON & MENK, INC.**

The Council recently held a workshop with Steve Heth and Mark Kasma from Bolton & Menk, to discuss switching the City's engineering firm from Short Elliot Hendrickson to Bolton & Menk, Inc. since Heth no longer works for SEH. The move will allow for significant savings to the City since the first 16 hours a month with Bolton & Menk would be at a rate of \$75.00/hour. Any service provided over the first 16 hours would be at a rate of \$120.00/hour. The rate paid at SEH was \$134.99/hour.

The Mayor reported that the City Attorney had provided comments regarding certain language in the Professional Agreement that had not yet been addressed by Bolton & Menk, Inc.

MOTION BY RIVARD/JULIK-HEINE TO APPROVE THE PROFESSIONAL AGREEMENT BY AND BETWEEN THE CITY OF TAYLORS FALLS AND BOLTEN & MENK, INC. TO PROVIDE ENGINEERING SERVICES TO THE CITY, CONDITIONAL UPON BOLTEN & MENK, INC. ADDRESSING THE CITY ATTORNEYS COMMENTS. (attached)

IT WAS FURTHER MOVED TO AUTHORIZE CITY CLERK-TREASURER JO EVERSON TO SEND A LETTER TO SHORT ELLIOT HENDRICKSON INFORMING THEM THAT THE CITY OF TAYLORS FALLS WOULD NO LONGER BE REQUIRING THEIR SERVICES, REQUESTING ELECTRONIC COPIES OF ANY PERTINENT FILES AND DOCUMENTS HELD BY THEM IN THE NAME OF THE CITY.

MOTIONS CARRIED UNANIMOUSLY.

**CONSIDER PETITION FOR DETACHMENT**

On September 27, 2010, the Council adopted an Ordinance annexing certain lands into Taylors Falls

from Shafer Township. As part of the negotiations with Shafer to do this, the City agreed to support the detachment of 80 acres from the City previously annexed in 2007 if Shafer would support the new Xcel Energy property annexation. As a result, property owners Roger and Helen Anderson and Howard Fredlund submitted a petition officially requesting the detachment. Included with the petition was \$4,400 from the property owners as reimbursement of past development fees still owed to the City Attorney from the original annexation process.

The Council was supportive of the detachment at this time since the property in question is an island rather than contiguous to City limits. Additionally, with the payment of monies owed, the City would be able to cancel a long-term debt owed to the City Attorney.

MOTION BY KINNUNEN/JULIK-HEINE TO ADOPT RESOLUTION 10-10-01, AS PRESENTED, APPROVING THE DETACHMENT OF CERTAIN LAND PURSUANT TO MINNESOTA STATUTES §414.06. MOTION CARRIED UNANIMOUSLY. (attached)

### **CONSIDER BIDS FOR LOWER LEVEL PARKING LOT PAVING**

Council Member Ross Rivard explained the proposed paving areas of the lower level parking lot. A small portion of the paving is required for the salt/sand building project and the public works addition project. The majority of the paving is for the existing parking lot. If paved it would square off the area improving the appearance of the parking lot. It would also improve drainage and allow for easier snow plowing. Two bids for the base work and two bids for the paving were received.

MOTION BY KINNUNEN/JULIK-HEINE TO AWARD THE BID TO WAUSAU ASPHALT TO PERFORM BASE WORK AND PAVING WORK FOR THE LOWER LEVEL PARKING LOT PAVING PROJECT AS DESCRIBED IN THE PROJECT SPECS, IN THE AMOUNT OF \$21,500.00, AND FUTURE AUTHORIZE A PROJECT CONTINGENCY OF \$2,150.00 FOR A TOTAL PROJECT COST OF \$23,650.00. EXPENSES ARE TO BE PAID IN THE FOLLOWING MANNER:

- \$2,600.00 TO BE PAID FROM THE SALT/SAND STORAGE BUILDING FUND (505-50506)
- \$2,900.00 TO BE TAKEN FROM THE PW BUILDINGS FUND (505-50504)
- \$16,000 TO BE TAKEN FROM THE STREETS IMPROVEMENT FUND (650)
- \$2,150 CONTINGENCY, IF NEEDED, BE TAKEN FROM THE STREETS IMPROVEMENT FUND (650)

MOTION CARRIED UNANIMOUSLY.

### **CONSIDER PURCHASE OF 800 MHZ PORTABLE RADIOS**

The City received a National Fire Plan, Rural Fire Administration Grant to purchase 800 mhz portable radios by October 30, 2010. The Federal portion of the grant is \$16,380.00 with a local match of \$1,638.00, for a total of \$18,018.00. Because the cost exceeds \$1,000.00, the Council must first authorize the purchase. Council Liaison John Tangen requested the approval be tabled until the October 25<sup>th</sup> meeting so that Fire Department can obtain an actual invoice from the vendor with the radio costs and specifications.

MOTION BY TANGEN/JULIK-HEINE TO TABLE FURTHER CONSIDERATION OF THE PURCHASE OF 800 MHZ PORTABLE RADIOS UNTIL THE OCTOBER 25, 2010 TAYLORS FALLS CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

### **CONSIDER PAY REQUEST #3 FOR THE PW ADDITION PROJECT**

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA PAYMENT OF PAY REQUEST #3 IN THE AMOUNT OF \$2,068.13 TO LAMPERT YARDS, INC. FOR THE MATERIAL FOR THE PARTITION WALL FOR THE PUBLIC WORKS ADDITION PROJECT, TO BE PAID FROM THE PUBLIC WORKS BUILDING FUND (550-50504).

**CONSIDER PAY REQUEST #1A TO FINNTECK FOR SALT/SAND STORAGE BUILDING PROJECT**

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA PAYMENT OF PAY REQUEST #1A IN THE AMOUNT OF \$61,750.00 TO FINNTECK, INC. FOR EXCAVATION, THE PRE-CAST CONCRETE BUNKER BANELS, AND THE BUILDING PERMIT FOR THE SALT/SAND STORAGE BUILDING PROJECT. PAYMENT IS CONTINGENT UPON COMPLETION OF THE CONCRETE TOES FOR THE PRE-CAST CONCRETE BUNKER PANELS, FINAL EXCAVATION, AND INSPECTION BY THE BUILDING OFFICIAL, TIMING OF PAYMENT SHALL BE DETERMINED BY PROJECT MANAGERS ROSS RIVARD AND LARRY PHILLIPS. FUNDS ARE TO BE PAID FROM THE SALT/SAND STORAGE BUILDING FUND (505-50506).

**CONSIDER GILLER MASONRY PAY REQUEST**

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA PAYMENT OF \$15,932.00 TO GILLER MASONRY, FOR THE SIDEWALK INSTALLATION ON RIVER AND SECOND STREET, TO BE PAID IN THE FOLLOWING MANNER:

- 2% MINNESOTA STATE WITHHOLDING = \$318.64
- THE STREET IMPROVEMENT FUND (650) = \$1,019.09
- THE RIVERWALK TRAIL FUND (345) = \$14,594.27

MOTION CARRIED UNANIMOUSLY.

**APPROVAL OF CLAIMS & PAYROLL**

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE PAYMENT OF CHECK NUMBERS – 23468 - 23511 TOTALING \$96,133.51, AND CHECK NUMBERS 5796 - 5806 IN THE AMOUNT OF \$11,997.66 FOR SEPTEMBER PAYROLL.

**LIAISON OR COUNCIL MEMBER REPORTS**

**Mayor Mike Buchite** recommended that Council Members take the time to read the minutes provided in the Agenda Packets each month from the City Commissions.

**Ross Rivard** reported that the progress of the Public Works/MnDOT Building and Salt/Sand Storage Building project continues to move forward.

**Larry Julik-Heine** reported the plans for the Oktoberfest fundraiser by the Friends of Taylors Falls Parks are in the final stages of preparation. The event will be Saturday, October 16<sup>th</sup> from 11:00 am – 3:00 pm in the Marmon Parkway (Bench Street Parking Lot).

**John Tangen** reported that the newly established Taylors Falls Fire Department Women's Auxiliary held their first fundraiser on Saturday which was well attended.

**CORRESPONDENCE**

THE CITY COUNCIL ACKNOWLEDGED THE CORRESPONDENCE RECEIVED IN THE OCTOBER 11, 2010 COUNCIL PACKET:

1. LETTER FROM FAMILY PATHWAYS, RE: EXPLANATION OF SERVICES
2. CORRESPONDENCE FROM MPCA, RE: BROWNFIELD ASSESSMENT PROGRAM
3. LETTER FROM RM CONSTRUCTION, RE: CONSTRUCTION SERVICES
4. HOERNER FOR GOVERNOR INFORMATION
5. LETTER FROM XCEL ENERGY, RE: STREET LIGHTING TARIFFS
6. LETTER FROM LAMPERT YARDS, RE: NOTICE OF LEIN RIGHTS
7. LETTER FROM CHISAGO LAKES SCHOOL DISTRICT, RE: ELECTION NOTICE
8. STAFF CORRESPONDENCE & EMAIL'S

**ADJOURNMENT**

MOTION BY KINNUNEN/JULIK-HEINE TO ADJOURN THE MEETING OF THE OCTOBER 11, 2010 TAYLORS FALLS CITY COUNCIL. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:40 p.m.

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Michael D. Buchite, Mayor

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Jo Everson, City Clerk-Treasurer

**APPROVED:** NOVEMBER 8, 2010

**RESOLUTION 10-10-01**

**CITY OF TAYLORS FALLS  
CHISAGO COUNTY  
STATE OF MINNESOTA**

**A RESOLUTION APPROVING THE DETACHMENT OF CERTAIN LAND  
PURSUANT TO MINNESOTA STATUTES §414.06**

WHEREAS on September 10, 1007, the City of Taylors Falls approved an annexation of certain property as described in Exhibit A, currently owned by John and Helen Anderson and Howard Fredlund; and

WHEREAS on October 4, 2010 the City received a Petition from said property owners, requesting detachment of these properties from the City of Taylors Falls and to make them part of the Township of Shafer; and

WHEREAS the property is situated within the boundaries of City of Taylors Falls, abuts the municipal boundary and the boundary of the Township of Shafer, all in the County of Chisago; and

WHEREAS the City Council has determined that the detachment of the property described herein to be in the best interests if the landowners of said area in that the subject property continues to be rural in character and not developed for urban residential, commercial, or industrial purposes; and

WHEREAS the City has initiated an annexation of other property located in the Township of Shafer which required cooperation between the entities, and as a condition of the approval by the Township, the Township requested the City consider said detachment of the property described in Exhibit A;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TAYLORS FALLS, MINNESOTA pursuant to the provisions of Minnesota Statute §414.06, the City hereby requests by resolution of the Office of Administrative Hearings – Municipal Boundary Adjustments to order the detachment of certain properties described herein from the City of Taylors Falls and the annexation of said property to the Township of Shafer, based upon the following findings of fact:

1. The property is situated within the boundaries of the City of Taylors Falls, abuts the municipal boundary and the boundary of the Township of Shafer, in the County of Chisago. The petitioned area is totally surrounded by Shafer Township.
2. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
3. The number of acres in the property proposed for detachment is 120 acres and is legally described and graphically depicted on attached Exhibit A which is incorporated herein by reference.
4. The number of residents in the area proposed for detachment is two.
5. The number and character of buildings on said property is three consisting of a residence, a barn and a storage shed.

6. There are no public improvements on said property.
7. AS a condition of the City adopting this Resolution, the Petitioners shall reimburse the City for all recording fees and costs incurred by the City as well as pay to the City \$4,400 to reimburse the City for unpaid development fees and costs.

BE IT YET FURTHER RESOLVED that by approving said detachment the Taylors Falls City Council acknowledges that the circumstances are unique, and that it does not establish policy or precedence for any future petitions of detachment.

Adopted by the City Council on October 11, 2010

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Michael D. Buchite, Mayor

ATTEST:

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Jo Everson, Clerk-Treasurer

**EXHIBIT C**  
**LEGAL DESCRIPTIONS**

ROGER AND HELEN ANDERSON PROPERTY

The Northwest Quarter of the Southeast Quarter (NW  $\frac{1}{4}$  OF SE  $\frac{1}{4}$ ) of Section 27, Township 34, Range 19, Chisago County, Minnesota.

AND

The Southwest Quarter of the Northeast Quarter (SW  $\frac{1}{4}$  OF NE  $\frac{1}{4}$ ) Section 27, Township 34, Range 19, Chisago County, Minnesota.

HOWARD FREDLUND PROPERTY

The Northeast Quarter of the Southwest Quarter (NE  $\frac{1}{4}$  OF SW  $\frac{1}{4}$ ) Section 27, Township 34, Range 19, Chisago County, Minnesota.