

**TAYLORS FALLS CITY COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, MAY 23, 2011 – 7:00 P.M.**

MINUTES

The Agenda for this Meeting was posted Wednesday, May 18, 2011 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 met for a regular meeting on Monday, May 23, 2011 at 7:00 p.m. in 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.

ROLL CALL

MEMBERS PRESENT: Mike Buchite, Ross Rivard, John Tangen, Mary Jo Murphy

MEMBERS ABSENT: Larry Julik-Heine

OTHERS PRESENT: City Clerk-Treasurer Jo Everson, T.A. Doughty-St. Hilaire from the Ledger Press Newspaper and a reporter the Chisago County Press

PLEDGE OF ALLEGIANCE

All those present at the meeting recited the Pledge of Allegiance to the United States flag.

ROLL CALL

ADOPTION OF AGENDA

The Agenda was amended to remove **Staff Request from Public Works to Consider Tree Trimming on West Street** and Add **Consider CERT Ad for Publication**.

MOTION BY RIVARD/MURPHY TO APPROVE THE AGENDA, AS AMENDED, FOR THE MAY 23, 2011 TAYLORS FALLS CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF CONSENT AGENDA

MOTION BY MURPHY/RIVARD TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: CONSIDER RESOLUTION 11-05-01 ACKNOWLEDGING NATIONAL NIGHT OUT ON AUGUST 2, 2011; CONSIDER RESOLUTION 11-05-02 ACCEPTING A DONATION FROM FRIENDS OF TF PARKS & RECREATION; CONSIDER RESOLUTION 11-05-03 ACCEPTING A DONATION FROM THE TF WOMEN'S CIVIC LEAGUE; CONSIDER VACATION REQUEST FROM CLERK-TREASURER; CONSIDER VACATION REQUEST FROM ZONING ADMINISTRATOR-COORDINATOR; CORRESPONDENCE. MOTION CARRIED UNANIMOUSLY.

PUBLIC FORUM

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

CONSIDER CERT AD FOR PUBLICATION

Although there was not a member of the CERT (**C**ertified **E**mergency **R**esponse **T**eam) Task Force present, the Council discussed the request for approval of a flyer to be used for publication and distribution. The Council was disappointed that only five residents have volunteered to be on the Team, and hoped the flyer would invite others to volunteer.

MOTION BY TANGEN/RIVARD TO APPROVE THE AD FOR PUBLICATION IN THE CHISAGO COUNTY PRESS (TWICE) AS REQUESTED BY THE CERT TASK FORCE. MOTION CARRIED UNANIMOUSLY. (attached)

CONSIDER AMENDMENT TO CHAPTER 8 SEPTIC SYSTEMS

Currently private septic systems in Taylors Falls are regulated by Section 810.05 of the Code of Ordinances. This section adopts Minnesota Pollution Control Agency's (MPCA) rule 7080 by reference. The City Council discussed this matter on March 22, 2010, although no action taken at that time. MPCA Rule 7082.0040 Subp. 3. City and township responsibilities states: "*Cities and townships with SSTS ordinance must effectively administer and enforce an ordinance that conforms with this chapter and is administratively and technically as strict as the county ordinance, as determined by the agency.*"

In 2010 Chisago County updated their **Subsurface Sewage Treatment System (SSTS)** Ordinance due to changes in MPCA Rules (7080, 7081, 7082, and 7083). Jack Kramer, City Building/Septic Inspector, reviewed the County's SSTS ordinance and recommended adoption as written. However, since the ordinance refers to "County" and "Department" and not the "City" certain sections of the ordinance must be modified to allow the City to administer the ordinance. Chad Lemmons, City Attorney, drafted that language; all of the technical provisions included in the ordinance are included.

MOTION BY TANGEN/MURPHY TO ADOPT ORDINANCE 2011-05-23 REPEALING AND REPLACING SECTION 810.05, IN CHAPTER 8 OF THE TAYLORS FALLS CODE OF ORDINANCES ENTITLED PRIVATE SEWAGE DISPOSAL. MOTION CARRIED UNANIMOUSLY. (attached)

CONSIDER DONATION REQUEST FROM WANNIGAN DAYS COMMITTEE

Dr. Steve Bont, presenting the Wannigan Days Committee, requested the City contribute monies to the Wannigan Day Parade. In the past, the City has donated \$500 to the Fireworks Committee and \$100 to the Parade Committee. Since there is a large attendance at both the parade and at the fireworks, the fair thing to do would be to split the \$600, with \$300 going to support each event.

MOTION BY RIVARD/MURPHY TO AUTHORIZE A DONATION OF \$300.00 TO THE WANNIGAN DAYS PARADE COMMITTEE FOR USE TOWARDS THE EXPENSES OF THE WANNIGAN DAY PARADE, AND \$300.00 TO THE WANNIGAN DAYS FIREWORKS COMMITTEE FOR USE TOWARDS THE EXPENSES OF THE WANNIGAN DAYS FIREWORKS, BOTH TO BE PAID FROM THE COUNCIL DONATIONS TO CIVIC ORGANIZATIONS ACCOUNT (41110-90). MOTION CARRIED UNANIMOUSLY.

RECONSIDER DATE FOR ABATEMENT PUBLIC HEARING

Due to an error in the interpretation of the publishing requirements, the Clerk-Treasurer recommended the Council reconsider the date for the abatement public hearing originally scheduled for June 20, 2011.

MOTION BY MURPHY/RIVARD TO RECONSIDER THE DATE OF THE TAX ABATEMENT PUBLIC HEARING FROM JUNE 20TH TO JUNE 6TH, 2011, BEGINNING AT 7:00 P.M. MOTION CARRIED UNANIMOUSLY.

CONSIDER RESOLUTION 11-5-01 ACKNOWLEDGING NATIONAL NIGHT OUT

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 11-5-01, ACKNOWLEDGING NATIONAL NIGHT OUT ON AUGUST 2, 2011. (attached)

CONSIDER RESOLUTION 11-05-02 ACCEPTING A DONATION

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 11-05-02 ACCEPTING A DONATION FROM THE FRIENDS OF TAYLORS FALLS PARKS & RECREATION, NOTING THAT THE DONATION IS TO BE USED TOWARDS SUMMER RECREATION PROGRAM EXPENSES. (attached)

CONSIDER RESOLUTION 11-05-03 ACCEPTING A DONATION

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 11-05-03 ACCEPTING A DONATION FROM THE TAYLORS FALLS WOMEN'S CIVIC LEAGUE. (attached)

CONSIDER VACATION REQUEST FROM CLERK-TREASURER

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE REQUEST BY THE CLERK-TREASURER JO EVERSON, FOR VACATION LEAVE BEGINNING AUGUST 8TH – AUGUST 18TH, 2011, WITH RETURN TO WORK ON AUGUST 22, 2011.

CONSIDER ZONING ADMINISTRATOR-COORDINATOR VACATION REQUEST

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE REQUEST BY THE ZONING ADMINISTRATOR-COORDINATOR LARRY PHILLIPS, FOR VACATION LEAVE FOR A FULL DAY ON JUNE 9, 2011 AND A HALF DAY ON JUNE 23, 2011.

LIAISON OR COUNCIL MEMBER REPORTS

Mayor Mike Buchite reported that the legislative language for Taylors Falls' inclusion in the Border City Development Zone has been included in both the Senate and the House final bills, which is now before the Governor for approval. The Mayor stated he is optimistic that the bill will pass.

The Mayor also reported on a recent public informational meeting held by MnDOT to introduce the plans for the 2012 reconstruction of Bench Street/State Highway 95. Anticipated time frame is to begin work in early May and to finish prior to Memorial Day. One lane will be open at all times so that access would not be impeded.

Ross Rivard reported that E.H. Renner, Inc. would begin work this week on the #1 Well on West Street. He also stated that the paving bids should be available at the next Council Meeting.

CORRESPONDENCE

THE CITY COUNCIL ACKNOWLEDGED THE CORRESPONDENCE RECEIVED IN THE MAY 23, 2011 COUNCIL PACKET:

1. EMPLOYEE LEAVE REQUEST
2. STAFF CORRESPONDENCE & EMAIL'S

ADJOURNMENT

MOTION BY MURPHY/TANGEN TO ADJOURN THE MEETING OF THE MAY 23, 2011 TAYLORS FALLS CITY COUNCIL. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:15 p.m.

Michael D. Buchite, Mayor

Jo Everson, City Clerk-Treasurer

APPROVED: JUNE 13, 2011

Ordinance 11-05-23

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

AN ORDINANCE TO ENACT A NEW SECTION OF THE TAYLORS FALLS CODE OF ORDINANCES TO ADMINISTER AND REGULATE SUBSURFACE SEWAGE TREATMENT SYSTEMS.

- 1. REPEAL:** The Council of the City of Taylors Falls hereby ordains Section 810.05, included in Chapter 8 of the Taylors Falls Code of Ordinances (hereafter “this Code”) entitled Private Sewage Disposal, is hereby repealed in its entirety, and is replaced by the following new Section 810.05 (hereafter “this Section”), to read as follows:

810.05 Private Sewage Disposal.

Subd. 1 Public Sanitary Sewer Unavailable. Where a public sanitary sewer is not available under the provisions of Section 810.04, Subd. 4, the building sewer shall be connected to a private sewer disposal system complying with the provisions of this Section, the provisions of Minnesota Rules Chapters 7080, 7081, 7082 and 7083 as amended from time to time and the following sections of Chisago County Subsurface Sewage Treatment System Ordinance, Ordinance Number 10-1 as amended from time to time, Section 4; Subsection 5.04 of Section 5; Subsections 6.02, 6.03, 6.04, 6.05, 6.06, 6.07 and 6.08 of Section 6; Subsections 7.02, 7.03 and 7.04 of Section 7; Subsections 8.01, 8.02, 8.03, 8.04, 8.05, 8.07, 8.08, 8.09 and 8.10 of Section 8; Section 9; Section 10; Section 11; Subsections 12.01, 12.02 A, C, D, E, F, G, 12.03 and 12.04 of Section 12; Section 13; Section 14; Section 15; Section 16; and Section 17.

Subd. 2 Administration. For the purpose of administering and enforcing the Sections listed in Subd. 1. from the Chisago County Subsurface Sewage Treatment System Ordinance, Ordinance Number 10-1, the term City shall be substituted for the terms County and Department. Only a City employee or contracted City inspector may issue a Permit as established in Section 8.05 of the Chisago County Subsurface Sewage Treatment System Ordinance, Ordinance Number 10-1. The applicant may appeal a City employee or contracted City inspector’s decision to deny an permit for a SSTS to the Taylors Falls City Council.

Subd. 3 Certificate of Compliance. The Point of Sale Certificate of Compliance for transfers of property with existing SSTS shall only be issued by a qualified independent inspector who holds a license from the Minnesota Pollution Control Agency. Point of Sale inspections will not be conducted by the City. A Certificate of Compliance will not be issued by the City. No liability or responsibility may be imposed upon the City or any of its officials, employees, or other contract agent, for damage resulting from negligent inspection.

Subd. 4 Compliance with Regulations. The type, capacities, locations and layout of a private sewage disposal system shall comply with Minnesota Pollution Control Agency Rules Chapter 7080, 7081, 7082 and 7083 as amended from time to time and the provision of the Chisago County Subsurface Sewage Treatment System Ordinance set forth in Subd. 1 of this Ordinance as amended from time to time.

Subd. 5 Conflicts. To the extent any provision set forth in this Section 810.05, conflicts with any provision of any other Section of Chapter 8 of the City’s Ordinances, then to the extent of said conflict, the terms contained in this Section 810.05 shall supersede said conflicting provision.

RESOLUTION 11-05-01

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

A RESOLUTION ACKNOWLEDGING AUGUST 2, 2011 AS NATIONAL NIGHT OUT

WHEREAS, The National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 2, 2011 entitled "National Night Out"; and

WHEREAS, the "28th Annual National Night Out" provides a unique opportunity for Taylors Falls to join forces with thousands of other communities across the country promoting cooperative police-community crime prevention efforts; and

WHEREAS, Taylors Falls residents play a vital role in assisting the Chisago County Sheriff's Department through joint crime, drug and violence prevention efforts in the City of Taylors Falls and is supporting "National Night Out 2011" locally; and

WHEREAS, it is essential that all citizens of Taylors Falls be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in Taylors Falls, and;

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program;

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF TAYLORS FALLS, MINNESOTA that we hereby call upon all citizens of Taylors Falls to join the Chisago County Sheriff's Department, The Taylors Falls Elementary School, the Hazelden Foundation, the Community Partnership with Youth & Families, the Taylors Falls Crime Watch Group, The Taylors Falls Parents for Education, the Lakes Area Police Department, the St. Croix Regional Medical Center, and other local organizations in supporting the "28th Annual National Night Out" on August 2, 2011.

BE IT FURTHER RESOLVED THAT, the City of Taylors Falls hereby proclaims Tuesday, August 2, 2011 as "NATIONAL NIGHT OUT" in Taylors Falls.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Taylors Falls this 23rd Day of May, 2011.

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer

RESOLUTION 11-05-02

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

**A RESOLUTION ACCEPTING A DONATION FROM THE
FRIENDS OF TAYLORS FALLS PARKS**

WHEREAS The City of Taylors Falls is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes §412.21 and §465.03 for the benefit of its citizens; and

WHEREAS, the City of Taylors Falls has received a donation in the amount of \$110.00 from the Friends of Taylors Falls Parks, who have requested that the monies be used towards summer recreation programs within the City ;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TAYLORS FALLS, MINNESOTA that it hereby acknowledges and accepts the \$110.00 donation from the Friends of Taylors Falls Parks.

BE IT FURTHER RESOLVED THAT: the City Council of the City of Taylors Falls expresses its thanks and appreciation for said donation towards the improvements of parks within the City, and shall hereby direct that the monies be deposited in the Park Improvement Fund (404).

Adopted by the City Council on this 23rd Day of May, 2011

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer

RESOLUTION 11-05-03

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

**A RESOLUTION ACCEPTING A DONATION FROM THE
TAYLORS FALLS WOMEN'S CIVIC LEAGUE**

WHEREAS, the Taylors Falls City Council accepted a \$14,500 from the East Central Arts Council, a program of the East Central Regional Development Commission, for the creation of the *Taylors Falls Northern Pacific Engine #328 Public Mural* located on the retaining wall just north of the Taylors Falls Memorial Community Center; and

WHEREAS, a requirement of said Grant is a financial match provided by the City; and

WHEREAS, the Taylors Falls Women's Civic League has graciously donated \$800.00 to be used to partially fund this project; and

WHEREAS The City of Taylors Falls is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statutes §412.21 and §465.03 for the benefit of its citizens; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TAYLORS FALLS, MINNESOTA that it hereby acknowledges and accepts the \$800.00 donation from the Taylors Falls Women's Civic League.

BE IT FURTHER RESOLVED THAT: the City Council of the City of Taylors Falls expresses its thanks and appreciation for said donation to be used to defray the cost of the artist fees for the *Taylors Falls Northern Pacific Engine #328 Public Mural* to be painted on the retaining wall at the Taylors Falls Memorial Community Center.

Adopted by the City Council on this 23rd of May, 2011

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer

**C.E.R.T.
Team**
(Community
Emergency
Response Team)

If there was a disaster in our city.....
What would you do?
Could you respond?

A CERT Team is forming in Taylors Falls. We need you. We need community members to learn what to do in an emergency before our emergency workers get to everyone.

Why?

- Just 1% of our population is trained to respond to disaster situations!
- We want to help our neighbors!
- We can help each other before emergency workers arrive!

CALL NOW TO BE A PART OF THE CERT Team!

.....

Training will begin soon. Come and be a part of our first training class as we train our community members in emergency response.

Please Contact Jo Everson or Larry Phillips at: 651-465-5133
-OR- Email at tfclerk@frontiernet.net

