

**TAYLORS FALLS CITY COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, AUGUST 13, 2012 - 7:00 P.M.**

MINUTES

The Agenda for this Meeting was posted Wednesday, August 9, 2012, 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, August 13, 2012 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.

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, Mary Jo Murphy

MEMBERS ABSENT: Larry Julik-Heine

OTHERS PRESENT: Jo Everson, Clerk-Treasurer, and Denise Martin from the Chisago County Press

ADOPTION OF AGENDA

MOTION BY MURPHY/RIVARD TO APPROVE THE AGENDA, AS PRESENTED, FOR THE AUGUST 13, 2012 COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF CONSENT AGENDA

MOTION BY TANGEN/RIVARD TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: MINUTES OF CITY COUNCIL MEETINGS HELD ON JULY 9 AND JULY 23, 2012; STAFF REPORTS; COMMISSION/BOARD OR COMMITTEE MINUTES/REPORTS; CONSIDER RESOLUTION 12-08-01 ACCEPTING A DONATION FROM FRIENDS OF TF PARKS & REC; CONSIDER PROCLAMATION RECOGNIZING MARGARET PETERSON DAY; CONSIDER RATIFYING 2012 PAY EQUITY REPORT; APPROVAL OF CLAIMS & PAYROLL; AND CORRESPONDENCE. MOTION CARRIED UNANIMOUSLY.

PUBLIC FORUM

None.

STAFF REPORTS & REQUESTS

ADMINISTRATIVE DEPARTMENT

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE JULY 2012 FINANCIAL REPORTS PRESENTED BY CLERK-TREASURER JO EVERSON.

PUBLIC WORKS DEPARTMENT

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE JULY 2012 PUBLIC WORKS DEPARTMENT REPORT PRESENTED BY SUPERINTENDENT MIKE KRIZ.

PLANNING & ZONING DEPARTMENT

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE JULY 2012 PLANNING & ZONING DEPARTMENT REPORT PRESENTED BY COORDINATOR-ZONING ADMINISTRATOR ADAM BERKLUND.

CHISAGO COUNTY SHERIFF'S DEPARTMENT

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA SERGEANT SHANE CARROLL'S JULY, 2012 CHISAGO COUNTY SHERIFF'S DEPARTMENT REPORTS.

CITY ATTORNEY

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE JULY 2012 BILLING STATEMENT FROM THE CITY ATTORNEY'S OFFICE OF KELLY AND LEMMONS, P.A.

FIRE DEPARTMENT

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE JUNE AND JULY 2012 FIRE DEPARTMENT REPORT PRESENTED BY FIRE CHIEF AL RIVARD.

COMMISSION, BOARD OR COMMITTEE MINUTES/REPORTS

LIBRARY BOARD

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE LIBRARY BOARD MEETING HELD ON JULY 25, 2012.

STAFF REQUESTS

PUBLIC WORKS: Training Request. MOTION BY TANGEN/RIVARD TO AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO ATTEND WASTEWATER SCHOOLING AT THE CITY OF NORTH BRANCH ON WEDNESDAY AUGUST 29, 2012. MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

None.

NEW BUSINESS

CONSIDER ONE-DAY TEMPORARY LIQUOR LICENSE

The Taylors Falls Historical Society intends to have a wine tasting fund-raising event at the Memorial Community Center on September 22nd. The Taylors Falls Lions Club is sponsoring the event and would be providing the liquor liability insurance for the event. Once approved by the Council, the application must be approved by the State. The Council was supportive of the event, however, questioned if a Deputy should be on-site just as it is required if alcohol were served there for any other event.

MOTION BY MURPHY/RIVARD TO AUTHORIZE A TEMPORARY ON-SALE LIQUOR LICENSE TO BE ISSUED TO THE TAYLORS FALLS HISTORICAL SOCIETY/TAYLORS FALLS LIONS CLUB, FOR A WINE-TASTING FUND-RAISER EVENT AT THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER ON SEPTEMBER 22, 2012, WITH THE CONDITION THAT A DEPUTY MUST REMAIN ON THE PREMISES DURING THE EVENT. MOTION CARRIED, WITH TANGEN ABSTAINING SINCE HE IS AN EMPLOYEE OF THE CHISAGO COUNTY SHERIFF'S DEPARTMENT WHO IS RESPONSIBLE FOR ENFORCEMENT.

CONSIDER DEER HUNT MANAGEMENT PROGRAM

Section 510.04(9) of the Taylors Falls Code of Ordinances allows for a Deer Herd Management Hunt within the City limits under certain conditions. Each year the Council must determine if the archery hunt is to occur. In the report from Coordinator-Zoning Administrator Adam Berklund, Sections 225 (north of 95) and 236 (south of 95) are two of the six areas included in the Minnesota Department of Natural Resources "Intensive Deer Areas", which allow hunters up to five total deer. Section 225 is in the East Central Minnesota Chronic Waste Disease surveillance. This surveillance is being conducted because the disease was found in close proximity to the Minnesota state line (Spooner WI).

Historical City Deer Hunt Data

Year	City Hunt Permits Issued	Deer Kills in the City
2011	13	4
2010	13	4
2009	11	5

2008	27	7
2007	13	5
2006	16	10
2005	7	2
2004	12	5
Averages	14	5.25

Mayor Buchite reported that it had been suggested that the improvements to the Lawrence Creek Substation may have changed the routes that the deer have historically taken, and are now finding different travel paths.

MOTION BY TANGEN/RIVARD TO AUTHORIZE A SPECIAL TAYLORS FALLS ARCHERY DEER HERD MANAGEMENT HUNT FROM SEPTEMBER 15, 2012 – DECEMBER 31, 2012. MOTION CARRIED UNANIMOUSLY.

CONSIDER POLICY FOR SIGN PLACEMENT AT HIGHWAY 8 & 95 ISLAND

In the past the Minnesota Department of Transportation allowed advertising signs placed at the Highway 8 and 95 intersection/island which is their right-of-way. They have since taken a stand that no signage is to be placed on the end of the island. This has been a cooperative effort between the State, the County, the Petro Plus Convenience Store, and the City. The large sign board co-owned by the Taylors Falls Fire Dept, the Taylors Falls Lions Club and the Chamber, has been moved several feet east on the island in order to comply with the new requirement. The issue at hand is the increasing use of the sign for more functions than those sponsored by one of these three groups, and for longer periods of time. It has become more and more difficult for Staff to comment on its usage when a member of one of these groups uses the sign just because he/she is a member of one of the groups. Mayor Buchite reported that he had received numerous phone calls regarding the sign use, (time, content, etc), and requested Council have discussion about these issues before MnDOT halts the placement of this sign from the island entirely.

Council was in agreement that there should be restrictions with regard to who can use the sign board, for what purpose, and for what time-frame. Since the letters for the sign are stored at City Hall, it would only be natural that Staff oversees its usage.

MOTION BY RIVARD/MURPHY TO AUTHORIZE THE USE OF THE SIGN BOARD FOR EVENTS IN TAYLORS FALLS ONLY, AND THOSE SPONSORED BY THE TAYLORS FALLS LIONS CLUB, THE TAYLORS FALLS FIRE DEPARTMENT, THE FALLS CHAMBER AND THE CITY OF TAYLORS FALLS. THE SIGN IS TO BE PLACED NO SOONER THAN THREE DAYS PRIOR TO THE EVENT, AND REMOVAL IS REQUIRED IMMEDIATELY FOLLOWING THE EVENT (NEXT DAY A.M.). MOTION CARRIED UNANIMOUSLY.

CONSIDER ORDINANCE 2012-08-01 AMENDING SECTION 320 – PEDDLERS

Mayor Buchite reported that he had been contacted by a local farmer who expressed interest in setting up a Farmer's Market uptown rather than at the former MnDOT lot owned by the City. To do this would require a Peddler's Permit, costing \$50.00 a day, or \$200/week. They would also be a \$50.00 background check fee. There was no other provision in the City's Ordinance that would allow this farmer to sell his garden crop. City Clerk-Treasurer Jo Everson reviewed several local Ordinances from Cities, and discovered that the City's current Ordinance is very wordy and complicated. Therefore, a simpler one was created which allows a farmer to sell his wares, as long as he sells it under the rules of "Minnesota Grown". This is an organization that believes in marketing LOCAL grown produce and livestock. The farmer must have an annual license to use the Minnesota Grown logo, and must sell 85% of their product as local grown. There would be no fee charged to the Seasonal Produce Permit. But that person must provide documentation that they are allowed to sell on private property. They cannot do so on City property without prior permission from the Council.

MOTION BY MURPHY/TANGEN TO ADOPT ORDINANCE 2012-08-01 AMENDING THE TAYLORS FALLS CODE OF ORDINANCE RELATING TO PEDDLERS, AND AMENDING THE TAYLORS FALLS FEE SCHEDULE ACCORDINGLY. MOTION CARRIED UNANIMOUSLY. (attached)

CONSIDER RESOLUTION 12-08-01 ACCEPTING A DONATION FROM THE FRIENDS GROUP

The Friends of Taylors Falls Parks & Recreation donated \$852.50 from the Wannigan Days BINGO. They have requested it be used towards improvements to the Cherry Hill Park.

THE CITY COUNCIL ADOPTED BY CONSENT AGENDA RESOLUTION 12-08-01 ACCEPTING A DONATION FROM THE FRIENDS OF TAYLORS FALLS PARKS & RECREATION. (attached)

CONSIDER PROCLAMATION RECOGNIZING MARGARET PETERSON

THE CITY COUNCIL AUTHORIZED A CERTIFICATE TO BE PRESENTED TO MARGARET PETERSON IN RECOGNITION OF CELEBRATING 101 YEARS OF LIFE AS AN EXTRAORDINARY ACHIEVEMENT AND HEREBY PROCLAIMING THAT HER BIRTH DAY OF AUGUST 27, 2012 AS MARGARET PETERSON DAY. (attached)

CONSIDER RATIFYING 2012 PAY EQUITY REPORT

The 2012 Pay Equity Report was resubmitted (on July 24th) with the recommended changes from the State and the Council directive on July 9, 2012.

THE CITY COUNCIL RATIFIED BY CONSENT AGENDA THE APPROVAL TO SUBMIT THE 2012 PAY EQUITY REPORTS, WITH WAGES EFFECTIVE AUGUST 8, 2012.

APPROVAL OF CLAIMS & PAYROLL

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE PAYMENT OF CHECK NUMBERS 24725 - 24783 TOTALLING \$59,314.15, AND CHECK NUMBERS 6136 - 6148 TOTALLING \$12,385.58 FOR JULY PAYROLL.

LIAISON OR COUNCIL MEMBER REPORTS

John Tangen reported that he would be meeting with the Fire Chief this week to discuss budget needs.

Ross Rivard reported that the sewer lining of West Street should be completed next week. The paving of Maple Street should occur soon since there was a condition attached to the approval that the work must be completed prior to the start of school.

Mayor Mike Buchite reported that the heavy vehicle congestion is due to the Highway 8 improvements from Highway 95 to Center City. The Mayor reported his concerns to the Minnesota Department of Transportation for the need of improved signage allowing some of the detoured traffic to take the Shafer cut-off rather than travel the entire detour route down County Road 37/20 in Taylors Falls. Secondly, the timing of the semaphore needs to be changed to allow more traffic to exit onto Highway 8 so that the number of vehicles in town can be reduced somewhat. Members of the Council reported that the vehicles waiting on Highway 95 were lined up to the Mulberry Street/County Road 71 exit. Cars waiting in line on County Road 20/37 were lined up past City Hall.

The Mayor also reminded the Council and the audience that Tuesday, August 14th is the Primary Election.

CORRESPONDENCE

THE CITY COUNCIL ACKNOWLEDGED BY CONSENT AGENDA THE FOLLOWING CORRESPONDENCE PROVIDED IN THE AUGUST 13, 2012 CITY COUNCIL MEETING PACKET:

1. STAFF CORRESPONDENCE & EMAIL'S

ADJOURNMENT

MOTION BY MURPHY/TANGEN TO ADJOURN THE MEETING OF THE TAYLORS FALLS CITY COUNCIL HELD THIS AUGUST 13, 2012. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:41 p.m.

Michael D. Buchite, Mayor

Jo Everson, Clerk-Treasurer

APPROVED: SEPTEMBER 10, 2011

ORDINANCE 2012-08-01

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

**AN ORDINANCE AMENDING THE TAYLORS FALLS
CODE OF ORDINANCE RELATING TO PEDDLERS**

THE CITY COUNCIL OF THE CITY OF TAYLORS FALLS, MINNESOTA HEREBY ORDAINS THAT SECTION 320 OF THE TAYLORS FALLS CODE OF ORDINANCES SHALL HEREBY BE REPLACED WITH THE FOLLOWING SECTION ENTITLED PEDDLERS INTO CHAPTER 3, MUNICIPAL AND LICENSING CITY CODE.

320.01 Definitions. When used in this Section, certain works and terms are defined as follows:

Peddler means any person, firm or corporation who goes from dwelling to dwelling, business to business, place to place, or from street to street, carrying or transporting goods, wares of merchandise and offering or exposing them for sale.

Solicitor means any person, firm or corporation who goes from dwelling to dwelling business to business, place to place, or from street to street, soliciting donations or attempts to take orders for any goods, wares or merchandise for future delivery.

Transient Merchant means any person, firm or corporation who engages temporarily in the business of selling and delivering goods, wares or merchandise with the City, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, vacant lot, parking lot, motor vehicle or trailer.

Religious Groups mean any person, firm or organization who goes from dwelling to dwelling, business to business, place to place or from street to street, carrying or distributing literature regarding religion or religious beliefs.

320.02 Registration/Permit Required. It is unlawful for any peddler, solicitor, and transient merchant or religious group to engage in any such activity within the City of Taylors Falls without first registering with the City Clerk's office in compliance with the provisions of this Ordinance. Registration does not exempt compliance with all applicable local, state and federal laws.

A. Registration. Persons registering under this ordinance shall file a sworn statement with the City Clerk's office on a form to be furnished by the City. The sworn statement shall provide:

1. Name and driver's license number or other acceptable photo identification of the person registering;
2. The permanent home address of the applicant and the address of the place of business or the firm or corporation which the applicant represents;
3. A description of the nature of the business and the goods to be sold;
4. The length of time for which the right to do business is required.

ADOPTED BY THE CITY COUNCIL ON AUGUST 13, 2012
PUBLISHED ON

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer

RESOLUTION 12-08-01

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

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

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 \$852.50 from the Friends of Taylors Falls Parks & Recreation, who have requested that said donation be used towards expenses relating to the Cherry Hill Park.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TAYLORS FALLS, MINNESOTA that it hereby acknowledges and accepts the \$852.50 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 Cherry Hill Park Improvement Fund (402).

Adopted on August 13, 2012

Michael D. Buchite, Mayor

ATTEST:

Jo Everson, Clerk-Treasurer

Proclamation

City of Taylors Falls, Minnesota

MARGARET (HAUGO) PETERSON RECOGNITION DAY

WHEREAS, Margaret (Haugo) Peterson will be honored by friends and family on the occasion of her 101st birthday on Monday, August 27, 2012; and

WHEREAS, Margaret was born in Shelley, Minnesota, and moved to the Wild Rice Orphanage Home in Twin Valley, Minnesota at the very young age of 5 years old when her mother died of pneumonia; and

WHEREAS, Margaret and her first husband Ruben Redland, moved to Taylors Falls in 1943 during World War II, and purchased the property at 491 West Street in 1945. To that union five children were born. There, she and her second husband Kermit Peterson, raised the children who all graduated from the Taylors Falls High School; and

WHEREAS, during Margaret's long and productive lifetime, she has earned the respect and affection of all those with whom she has come into contact, because of her knowledge, experience, wisdom and spirit.

NOW THEREFORE, I, Michael D. Buchite, by virtue of the authority vested in me as Mayor of the City of Taylors Falls, do hereby proclaim this day, Monday, August 27, 2012 as Margaret (Haugo) Peterson Day in Taylors Falls, Minnesota.

FURTHERMORE, I, along with the entire City Council, congratulate Margaret on her 101st Birthday and wish her continued happiness for many years to come.

Issued: This 13th day of August, 2012

Michael D. Buchite
Mayor