

**TAYLORS FALLS CITY COUNCIL MEETING
COUNCIL CHAMBERS
MONDAY, AUGUST 26, 2013 – 7:00 P.M.**

MINUTES

The Agenda for this Meeting was posted Wednesday, August 21, 2013 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 26, 2013 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, Larry Julik-Heine
MEMBERS ABSENT: None
OTHERS PRESENT: Clerk-Treasurer Jo Everson, Loren Caneday, Dave Pokorney, Konrad van Baalen, and Paul Ringnell from the Chisago County Press

ADOPTION OF AGENDA

The Agenda was amended to include New Business: **Consider Authorizing Payment of Hawkins, Inc. Invoice**; and **Consider Approving Payment of Check #25350-25367**.

MOTION BY JULIK-HEINE/RIVARD TO APPROVE THE AGENDA, AS AMENDED, FOR THE AUGUST 26, 2013 TAYLORS FALLS CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

ADOPTION OF CONSENT AGENDA

MOTION BY MURPHY/TANGEN TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: CONSIDER TEMPORARY WINE LICENSE FOR TF LIONS/TF HISTORICAL SOCIETY; CONSIDER APPROVAL OF EXCLUDED BINGO FOR FALLS CHAMBER OF COMMERCE; CONSIDER AUTHORIZING PAYMENT OF HAWKINS, INC. INVOICE; CONSIDER APPROVING PAYMENT OF CHECK #25350-25367; AND CORRESPONDENCE. MOTION CARRIED UNANIMOUSLY.

PUBLIC FORUM

None.

UNFINISHED BUSINESS

None

NEW BUSINESS

CONSIDER LETTER OF UNDERSTANDING FOR TF SENIOR COTTAGES

At the May 13, 2013 Meeting, the Council authorized Mayor Mike Buchite and Vice-Mayor Ross Rivard to negotiate the initial financing terms with The Community Asset Foundation for the proposed Taylors Falls Senior Cottages Project. The Foundation's mission is to develop, construct and renovate community assets in partnership with community operating entities. It operates as a nonprofit and works closely with local community groups and cities to develop quality projects that meet the needs of that particular community. In turn, The Foundation contracts with The Community Asset Development Group to oversee the development, marketing, contract negotiations and project construction. There have been four similar projects in other cities in Minnesota. The project proposed in Taylors Falls is a 24-unit Assisted Living Facility to be located on Mulberry Street on property

that was donated to the Good Samaritan Society by the Berg Family. The Society has completed a market study for the project indicating a six to eight mile geographic area demand for this type of facility. The Foundation will maintain overall control of the facility, but it will contract with the Good Samaritan Society (located in St. Croix Falls) to operate the facility for a fee. The Society will also have the right to assume the mortgage from the Foundation at any time.

The Dave Pokorney, one of the partners from the Group, explained that the preliminary financing estimates will consist of:

| | | |
|----------------|------------------------------|----------------------|
| \$2,088,640 | Tax Exempt Bond | 63% of project costs |
| 827,880 | TIF Bond | 25% of project costs |
| 120,000 | Land Donation | 4% of project costs |
| 145,000 | Developer Note | 4% of project costs |
| <u>130,000</u> | Contractor Note | 4% of project costs |
| \$3,311,519 | Estimated Total Project Cost | |

The specific financial details of the project costs may vary as the approval process moves forward. Therefore the proposed Letter of Understanding to be approved at this meeting should be considered more conceptual rather than definite.

The Council once again voiced their support of the project as a valuable asset to the community.

MOTION BY RIVARD/JULIK-HEINE TO CONCEPTUALLY APPROVE THE LETTER OF UNDERSTANDING BETWEEN THE CITY OF TAYLORS FALLS AND THE COMMUNITY ASSET FOUNDATION RELATIVE TO THE DEVELOPMENT OF THE TAYLORS FALLS SENIOR LIVING FACILITY. MOTION CARRIED UNANIMOUSLY. (attached)

CONSIDER DITCH WORK ON WEST STREET

The City received a complaint of the water drainage from Walnut Street down West Street to First Street. The volume of water runoff has eroded a driveway culvert and sections of the street. Six requests for proposals were sent, with only two responses. Public Works Superintendent Mike Kriz recommended Gustafson Excavating since they were the least expensive.

MOTION BY JULIK-HEINE/RIVARD TO ACCEPT THE PROPOSAL FROM GUSTAFSON EXCAVATING FROM NORTH BRANCH, MINNESOTA, IN THE AMOUNT OF \$6,400.00, TO BE PAID FROM THE STORM WATER UTILITY FUND (600). MOTION CARRIED UNANIMOUSLY.

CONSIDER BIDS FOR SEWER LINING

Public Works Superintendent Mike Kriz reported that he had contacted four companies to give proposals for the City's sewer lining project this year, but only two responded. His recommendation was to award the project to Visu-Sewer since they were the least expensive.

MOTION BY RIVARD/TANGEN TO APPROVE THE PROPOSAL FROM VISU-SEWER, FOR APPROXIMATELY 1,411' OF SEWER LINING SERVICES FOR THE EAST SIDE OF WALNUT STREET TO WEST STREET FOR A TOTAL COST OF \$41,456.15, TO BE PAID FROM THE SEWER FUND (601) AND SEWER REPLACEMENT FUND (301). MOTION CARRIED UNANIMOUSLY.

CONSIDER TEMPORARY WINE LICENSE FOR THE TF HISTORICAL SOCIETY/TF LIONS CLUB

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA A TEMPORARY ON-SALE WINE LICENSE TO BE ISSUED TO THE TAYLORS FALLS HISTORICAL SOCIETY/TAYLORS FALLS LION'S CLUB, FOR A WINE TASTING FUND RAISER EVENT AT THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER ON OCTOBER 5, 2013, WITH THE CONDITION THAT A DEPUTY MUST REMAIN ON THE PREMISES DURING THE EVENT.

CONSIDER BINGO APPLICATION FROM FALLS CHAMBER OF COMMERCE

THE CITY COUNCIL APPROVED BY CONSENT THE REQUEST FROM THE FALLS CHAMBER OF

COMMERCE TO CONDUCT EXCLUDED BINGO AT THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER AT 312 GOVERNMENT STREET ON OCTOBER 19, 2013.

CONSIDER AUTHORIZING PAYMENT OF HAWKINS, INC. INVOICE

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA PAYMENT OF \$1,267.25 TO HAWKINS, INC. FOR A NEW FLOURIDE PUMP AT WELL #4, TO BE PAID FROM THE WATER FUND (601).

CONSIDER APPROVING PAYMENT OF CHECK #25350-25367

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA THE PAYMENT OF CHECK NUMBERS 25350 – 25367 TOTALLING \$14,331.34.

LIAISON OR COUNCIL MEMBER REPORTS

Ross Rivard reported that the Public Works Department is still hopeful to have Government and Ravine Streets paved within the next few weeks.

Larry Julik-Heine reported that the MnDOT Highway 95 repaving project is nearly complete. There still remains a few unresolved issues.

CORRESPONDENCE

THE CITY COUNCIL ACKNOWLEDGED BY CONSENT AGENDA THE FOLLOWING CORRESPONDENCE PROVIDED IN THE AUGUST 26, 2013 CITY COUNCIL MEETING PACKET:

1. STAFF CORRESPONDENCE & EMAIL'S

ADJOURNMENT

MOTION BY MURPHY/JULIK-HEINE TO ADJOURN THE MEETING OF THE TAYLORS FALLS CITY COUNCIL HELD THIS AUGUST 26, 2013. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:55 p.m.

Michael D. Buchite, Mayor

Jo Everson, Clerk-Treasurer

APPROVED: SEPTEMBER 9, 2013

RESOLUTION 13-08-01

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

A RESOLUTION AUTHORIZING THE SALE OF TAX FORFEIT PROPERTIES

WHEREAS the Taylors Falls City Council was notified by Dennis J. Freed, Chisago County Auditor of a non-conservation parcel in the City of Taylors Falls that has been forfeited to the State of Minnesota for non-payment of property taxes; and

WHEREAS under Minnesota Statute 282.01, the City must approve the parcels for public auction or auction to adjacent landowners or acquire the property to be used for public purposes; and

SO THEREFORE BE IT RESOLVED by the Taylors Falls City Council that it would be in the City's best interests to approve the tax forfeited parcel R20.0031.00 for public auction.

BE IT FURTHER RESOLVED that the proceeds received from said sale shall be deposited in the Park Fund (403) to be used to pay for improvements to the Park system within the City of Taylors Falls.

Adopted by the City Council on August 12, 2013

Michael D. Buchite, Mayor

ATTEST:

Adam Berklund, Coordinator-Zoning Administrator

RESOLUTION 13-08-02

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

A RESOLUTION WAIVING THE IMMEDIATE CONNECTION TO CITY SEWER

WHEREAS the City Council ordered the installation of sewer stubs to those properties on First Street who were not connected to City sewer services at the time; and

WHEREAS the installations were completed by Shafer Contracting in 2004 and the City Council therein adopted an assessment role for the thirteen properties where these installations occurred; and

WHEREAS the City Council adopted Resolution 04-11-04 deferring said assessment on 1291 First Street, owned by Arnold V. Johnson, one of the said properties; and

WHEREAS said Resolution stated that the Council approved the Deferment of the Assessment due to the fact the assessment would be a hardship on the property owner as a disabled senior citizen, with the following restriction: *“the Deferment shall be terminated in the event of: 1) the death of the owner, provided that the spouse is otherwise not eligible for the benefit; b) the sale, transfer or subdivision of the property or any part of the property; c) if the property should for any reason lose its homestead status; or d) if for any reason the City determines that there would be no hardship to require immediate or partial payment of the assessment.”*; and

WHEREAS the property was sold on December 7, 2012 to Jeffrey Hanson, who paid the assessment in full and agreed in writing to connect to City sewer by June 1, 2013; and

WHEREAS the property owner did hire Croix Valley Contracting to make the necessary connection, however could not locate said stub that had been installed in 2004; and

WHEREAS the City believes it will be necessary for the property owner to hire a different contractor with larger equipment to locate the stub, at a greater cost; and

WHEREAS since the new property owner has considerable health issues, it would seem in the best interests to delay the immediate connection to City sewer;

SO THEREFORE BE IT RESOLVED by the Taylors Falls City Council that it hereby agrees to delay/waive the immediate connection to the City’s sewer system for the property owned by Jeffrey Hanson, located at 1291 First Street for one year, that being August 1, 2014;

BE IT FURTHER RESOLVED that the same conditions apply to this waiver as those that applied to the original assessment deferment: *“the [waiver] shall be terminated in the event of: 1) the death of the owner, provided that the spouse is otherwise not eligible for the benefit; b) the sale, transfer or subdivision of the property or any part of the property; c) if the property should for any reason lose its homestead status; or d) if for any reason the City determines that there would be no hardship to require immediate [connection to the City’s sewer system].*

Adopted by the City Council on August 12, 2013

Michael D. Buchite, Mayor

ATTEST:

Adam Berklund, Coordinator-Zoning Administrator

RESOLUTION 13-08-02

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

**A RESOLUTION AFFIRMING TAYLORS FALLS' COMMITMENT TO THE
SWEDISH IMMIGRANT TRAIL IN TAYLORS FALLS**

WHEREAS, Chisago County has met with City officials and others, including Interstate Park Officials and interested Citizen Advocates, regarding the possible routing of the Swedish Immigrant Trail into the City of Taylors Falls; and

WHEREAS, one of the goals established in the Taylors Falls Parks & Trails Master Plan, adopted by the City in 2006, states [to] "Develop a trail system for bicycles and pedestrians that links parks, neighborhoods, schools, natural features and historic elements of the community, Interstate State Park, and downtown"; and

WHEREAS, the proposed Swedish Immigrant Trail segment under consideration would support a larger vision connecting cities in an east west alignment through Chisago County; and

WHEREAS, funding has been earmarked for the Swedish Immigrant Trail project in the recent legacy bill, however the Minnesota Department of Natural Resources' Grant Administrators have indicated that the legacy bill did not specifically spell out that the funding was earmarked for Chisago County's use in the development of the trail, and that the funds may need to be accessed through a competitive grants process.

WHEREAS, the City recognizes that there are a very limited number of entities that would have interest in building a trail through multiple jurisdictions, and it may be probable that Taylors Falls would be the only other likely government unit that might entertain pursuing a project of this scale; and

WHEREAS, in 2010 Taylors Falls entered into a Memorandum of Understanding to work with and support the Minnesota Department of Natural Resources and Chisago County's vision of the Swedish Immigrant Trail, which includes work both in and outside the Taylors Falls City limits;

WHEREAS, Taylors Falls has no plans for trail development outside the City limits, nor does it plan to pursue the funding that was earmarked for the Swedish Immigrant Trail.

NOW, THEREFORE, BE IT RESOLVED, by the Taylors Falls City Council that it hereby affirms once more the City's commitment to cooperate with Chisago County regarding the establishment of the Swedish Immigrant Trail in Taylors Falls. The City will also continue to support the Memorandum of Understanding by and between the City of Taylors Falls, the Minnesota Department of Natural Resources, and Chisago County in their quest to secure funding for the Trail's development.

Adopted by the City Council on August 12, 2013

Michael D. Buchite, Mayor

ATTEST:

Adam Berklund, Coordinator-Zoning Administrator

RESOLUTION 13-08-04

**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 \$780.40 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 \$780.40 donation from the Friends of Taylors Falls Parks & Recreation.

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 12, 2013

Michael D. Buchite, Mayor

ATTEST:

Adam Berklund, Coordinator-Zoning Administrator