

**TAYLORS FALLS CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
MONDAY, OCTOBER 14, 2013 – 6:30 P.M.**

**MINUTES**

The Agenda for this Meeting was posted Wednesday, October 9, 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 began its regular meeting on Monday, October 14, 2013 in closed session at 6:30 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 6:30 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, Mary Jo Murphy

MEMBERS ABSENT: None

OTHERS PRESENT: Mike Kriz, Public Works Superintendent

**ANNOUNCEMENT**

The Mayor stated the Council would enter closed session for the purpose of an annual performance review of Mike Kriz, Public Works Superintendent.

MOTION BY RIVARD/MURPHY TO APPOINT JOHN TANGEN AS SECRETARY FOR THE MEETING.

AYES: ALL. MOTION CARRIED UNANIMOUSLY.

MOTION BY JULIK-HEINE/MURPHY TO ENTER INTO CLOSED SESSION. AYES: ALL. MOTION CARRIED UNANIMOUSLY. The Council entered closed session at 6:31 p.m.

**RETURN TO OPEN MEETING**

The Mayor declared that the Council ended its closed meeting at 6:44 p.m.

MOTION BY MURPHY/JULIK-HEINE TO RETURN TO OPEN SESSION. AYES: ALL. MOTION CARRIED UNANIMOUSLY.

**PERSONS PRESENT AT RETURN TO OPEN MEETING**

MEMBERS PRESENT: Mike Buchite, Ross Rivard, John Tangen, Larry Julik-Heine, Mary Jo Murphy

MEMBERS ABSENT: None

OTHERS PRESENT: Jo Everson, Clerk-Treasurer, and Paul Ringnell from the Chisago County Press

**SUMMARY OF CLOSED MEETING**

The Mayor declared the Council evaluated the job performance of Mike Kriz, Public Works Superintendent in its closed meeting. The closed meeting tape was sealed by the Mayor and placed in the locked employee file cabinet.

**OPEN MEETING CALL TO ORDER**

The Taylors Falls City Council continued their regular meeting on Monday, October 14, 2013 at 6:47 p.m. in the Council Chambers at City Hall, 637 First Street, Taylors Falls, Minnesota.

**ADOPTION OF AGENDA**

MOTION BY TANGEN/RIVARD TO APPROVE THE AGENDA, AS PRESENTED, FOR THE OCTOBER 14, 2013 TAYLORS FALLS CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

**ADOPTION OF CONSENT AGENDA**

MOTION BY MURPHY/JULIK-HEINE TO APPROVE/ACCEPT THE FOLLOWING CONSENT AGENDA ITEMS: MINUTES OF CITY COUNCIL MEETING HELD ON SEPTEMBER 9, 2013; STAFF REPORTS; COMMISSION/BOARD OR COMMITTEE MINUTES/ REPORTS; CONSIDER DONATION TO LIGHTING FESTIVAL EVENT; CONSIDER PAYMENT OF ADDITIONAL LIBRARY REMODELING EXPENSES; RECONSIDER TEMPORARY WINE/BEER LICENSE FOR THE TF HISTORICAL SOCIETY/TF LIONS CLUB; CONSIDER AUTHORIZATION FOR FIRST LUTHERAN CHURCH TO SELL MAPLE SYRUP AS FUND RAISER IN THE MARMON PARKWAY; CONSIDER APPROVING EXCLUDED BINGO FOR LIONS CLUB TURKEY/HAM BINGO ON NOVEMBER 22<sup>ND</sup> AND LIONS CLUB SPONSORED LIGHTING FESTIVAL BINGO ON NOVEMBER 30<sup>TH</sup>; 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 SEPTEMBER 2013 FINANCIAL REPORTS PRESENTED BY CLERK-TREASURER JO EVERSON.

**PLANNING & ZONING DEPARTMENT**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE SEPTEMBER 2013 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 SEPTEMBER 2013 CHISAGO COUNTY SHERIFF'S DEPARTMENT REPORTS.

**FIRE DEPARTMENT**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA FIRE CHIEF AL RIVARD'S SEPTEMBER 2013 FIRE DEPARTMENT REPORT.

**PUBLIC WORKS DEPARTMENT**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA PUBLIC WORKS SUPERINTENDENT MIKE KRIZ'S SEPTEMBER 2013 PUBLIC WORKS REPORT.

**CITY ATTORNEY**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE SEPTEMBER 2013 BILLING STATEMENTS FROM THE CITY ATTORNEY'S OFFICE OF KELLY AND LEMMONS, P.A.

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

**PLANNING COMMISSION**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS PLANNING COMMISSION MEETINGS HELD ON SEPTEMBER 3, 2013.

**LIBRARY BOARD**

THE CITY COUNCIL ACCEPTED BY CONSENT AGENDA THE MINUTES OF THE TAYLORS FALLS PUBLIC LIBRARY BOARD MEETING HELD ON SEPTEMBER 25, 2013.

## **UNFINISHED BUSINESS**

### **RECONSIDER PAVING RAVINE & GOVERNMENT STREET**

At the May 13, 2013 Meeting, the City Council accepted a bid from Valley Paving, Incorporated to pave Ravine and Government Streets, from First Street to Bench Street, at a cost of \$18,500.00, which was considerably less than the normal bid for this type of project. This was due in part because Valley Paving had been awarded the MnDOT Highway 95 improvement this year and had agreed to include this section in the overall project. However, spring brought several lengthy rain delays which set the project a month behind schedule, and when the highway was asphalted there was not enough time to complete the City streets. When Valley Paving was approached at the conclusion of the entire project questioning when the streets would be paved, they indicated that the price would be increased and they would not provide a warranty for the work. City Engineer Steve Heth did not recommend proceeding without the warranty. For this reason Public Works Superintendent Mike Kriz solicited three new quotes from other companies to do the same work.

Vice-Mayor and Public Works Council Liaison Ross Rivard explained that he had contacted the City Engineer and he recommended the City reject the bids. He explained that despite the fact asphalt plants generally do not close until November 15<sup>th</sup>, by the time a contractor was able to complete the project there would not be enough warm weather to pack the asphalt sufficiently. It was his recommendation that the City not pave Government and Ravine Street this year.

MOTION BY RIVARD/TANGEN TO RESCIND THE COUNCIL ACTION TAKEN ON MAY 13, 2013 TO PAVE RAVINE AND GOVERNMENT STREETS AND FURTHER TO REJECT ALL NEW BIDS FOR SAID PROJECT. MOTION CARRIED UNANIMOUSLY.

### **RECONSIDER BIDS FOR SEWER LINING**

At the August 26, 2013 Meeting, the City Council approved the proposal from Visu-Sewer to line the sewer main on the east side of Walnut Street to West Street. Prior to the installation of the lining a camera is lowered to view the main for any potential problems. The company discovered that a section of the street had already been lined, so the project area was changed. The new section is shorter than the other which will allow that money to be spent in lining the walls and bench of two manholes on River Street.

MOTION BY TANGEN/RIVARD TO RECONSIDER THE PREVIOUS ACTION TAKEN BY THE CITY COUNCIL ON AUGUST 26, 2013 TO APPROVE THE LINING OF WALNUT STREET TO WEST STREET; AND

FURTHER MOVE TO APPROVE THE PROPOSAL FROM VISU-SEWER TO LINE APPROXIMATELY 648' OF SEWER MAIN FROM THE CORNER OF WALNUT STREET AT WEST STREET GOING EAST TO THE END OF WALNUT STREET, AT A COST OF \$28,886.95; AND

FURTHER MOVE TO APPROVE THE RELINING OF THE WALLS AND BENCH OF TWO MANHOLES ON RIVER STREET AT COST OF \$5,150.00; AND

PROJECT TO BE PAID IN THE FOLLOWING MANNER: \$30,000 THE SEWER REPLACEMENT FUND (301) AND THE REMAINING COST TO BE PAID FROM THE SEWER FUND (602).

MOTIONS CARRIED UNANIMOUSLY.

## **NEW BUSINESS**

### **CONSIDER 3.2 BEER LICENSE FOR SCHOONY'S MALT SHOP & PIZZERIA**

MOTION BY RIVARD/JULIK-HEINE TO APPROVE THE ISSUANCE OF A 3.2 BEER LICENSE TO SCHOONY'S MALT SHOP & PIZZERIA, AT 384 BENCH STREET, OWNED BY JAMES SCHOONMAKER, FOR THE LICENSING PERIOD OF OCTOBER 15, 2013 TO DECEMBER 31, 2013. MOTION CARRIED WITH TANGEN ABSTAINING SINCE HE IS AN EMPLOYEE OF THE CHISAGO COUNTY SHERIFF'S DEPARTMENT WHO IS RESPONSIBLE FOR ENFORCEMENT IN TAYLORS FALLS.

**CONSIDER RESOLUTION 13-10-01 AUTHORIZING THE SALE OF A TAX FORFEIT PROPERTY**

Last month the Council adopted a Resolution to authorize a tax forfeited parcel to be sold at public auction. A second parcel was inadvertently omitted in that Resolution. This property includes Lots 1, 2 & 3 in Block 87, owned by the National Real Estate Company. In 1996 the City vacated a section of unimproved Linden Street (between Lot 24, Block 87 and Lot 13, Block 86) and then traded it for Lot 18 in Block 86 with John Gustafson to be used for a utility and drainage ROW. The property cannot be accessed via Linden Street, but would have access via Folsom Street, although this area is nearly all wetlands. Both the City's Zoning Administrator and Public Works Superintendent believe there would be little value to anyone other than the adjoining property owner, therefore, it is their recommendation to designate it as unbuildable and recommend its sale to the adjoining property owner.

MOTION BY MURPHY/JULIK-HEINE TO ADOPT RESOLUTION 13-10-01, AUTHORIZING THE SALE OF A TAX FORFEIT PROPERTY WITH PID R20.00437.00. MOTION CARRIED UNANIMOUSLY. (attached)

**RECONSIDER AUTHORIZATION FOR HPC TO PURSUE A MN LEGACY GRANT TO UPDATE THE NATIONAL REGISTRY OF ANGEL HILL**

The Council reviewed a report from Adam Berklund, City Coordinator-Zoning Administrator, which explained that on September 9, 2013, the Council authorized the submission a Minnesota Legacy grant to update the National Registry Nomination of Angel Hill, with a deadline of October 11, 2013. After having further discussion it was agreed that additional time was needed to define and refine the project. The next deadline is January 10, 2014. Also discussed was the Council's project cost limitation of \$5,000.00. Although writing the grant should not exceed that amount, there are other parts to the project that could be included that may exceed the limit. Extras include: binding copies for residents/ property owners in Angel Hill, house plaques, and signage are just a few.

MOTION BY MURPHY/RIVARD TO AUTHORIZE COORDINATOR-ZONING ADMINISTRATOR ADAM BERKLUND AND THE TAYLORS FALLS HISTORIC PRESERVATION COMMISSION TO POSTPONE SUBMISSION OF THE APPLICATION FOR A MINNESOTA HISTORICAL SOCIETY LEGACY GRANT TO UPDATE THE NATIONAL REGISTRY OF ANGEL HILL FROM THE OCTOBER 11, 2013 DEADLINE TO A JANUARY 10, 2014 DEADLINE.

IT WAS FURTHER MOVED TO APPROVE THE REQUEST TO INCREASE PROJECT COST LIMITATIONS FROM \$5,000.00 TO \$10,000.00, WITH FINAL APPLICATION TO BE PRESENTED AT THE LAST COUNCIL MEETING OF 2013 IN DECEMBER.

MOTIONS CARRIED UNANIMOUSLY.

**CONSIDER EDC REQUEST TO AUTHORIZE A SURVEY FOR PHASE II OF RIVERWALK PROJECT**

Council Member Larry Julik-Heine reported that in 2010 the Council appointed members from both the Park and Recreation Commission and the Economic Development Commission to form a River Walk Subcommittee to work on Phase II of the River Walk Trail project. Numerous meetings were held to develop a plan, and a component of that plan was to hold a River Walk Phase II Public Meeting.

The notice for the meeting was published in local newspapers and invites were sent out to the entire City. From over 400 invites only ten individuals attended. At the meeting the Subcommittee reiterated that the River Walk project was listed as a high priority in the City's Strategic Guide, Comprehensive Plan and Parks and Trails Master Plan. Discussion continued as to what the next step would be for the trail project. It was clear at the meeting that the residents who live on River Street, particularly the northern end of River Street were opposed to the trail for various reasons. As a result the trail was shortened in order to accommodate these concerns. Another meeting was scheduled at which there were no attendees.

The River Walk Subcommittee's next priority was to locate funding for its design. On May 13, 2013 the Council approved a \$6,000.00 contract with reGEN Land Design, who will provide draft build ready plans of the trail extension. The City received a \$5,000.00 Initiative Foundation grant, which will be used to defray the majority of the contract fees, leaving \$1,000 remaining to be paid from budgeted money from the Riverwalk Trail Fund (345).

Before reGEN can begin their work, a survey is needed to determine if there is even room for the trail along the proposed route, the City's right-of-way, any constraints, and finally it will locate the property lines of the City's two parcels that may be potentially river viewing rest areas. Unfortunately, there are no remaining monies in the budget to pay for this necessary survey.

The Council was supportive of the project moving forward and agreed that the survey was a essential expense to continue the process.

MOTION BY JULIK-HEINE/MURPHY TO ORDER THE SURVEY OF THE PROPOSED RIVERWALK TRAIL ALONG RIVER STREET NORTH TO LINDEN STREET, BY POLK COUNTY LAND SURVEYING COMPANY, AT A COST NOT TO EXCEED \$3,000.00, TO BE PAID FROM THE COUNCIL CONTINGENCY BUDGET ACCOUNT (101-41110-490). MOTION CARRIED UNANIMOUSLY.

**CONSIDER INSTALLATION OF ELECTRIC SERVICE TO THE BUSINESS PARK**

Vice-Mayor Ross Rivard explained that there was an issue with the lift station at the new Business Park. When the contractor went to test it for the first time it was discovered the motor would not start due to corrosion. This was caused by condensation created by not having heat and electricity in the pit which houses the lift station. The contractor was willing to replace the motor under warranty, but would not a second time without the installation of the electric service to eliminate the problem.

Xcel Energy provided two options for this installation, one to complete the entire installation of the electric service, and one to install only the pole and then the City would need to hire a private contractor to install the mechanics of the service. The Council review the two quotes from private contractors who could provide this work.

MOTION BY JULIK-HEINE/RIVARD TO APPROVE OPTIION #1 OF XCEL ENERGY'S QUOTE TO INSTALL AN ELECTRICAL POLE ON THE PROPERTY LINE AT THE BUSINESS PARK ON COUNTY ROAD 37, AT A COST OF \$457.29, TO BE PAID FROM THE BUSINESS PARK FUND (558); AND

FURTHER MOVED TO APPROVE THE QUOTE FROM TED'S SERVICES FROM LINDSTROM, MINNESOTA, TO PROVIDE AND INSTALL ELECTRICITY TO THE ELECTRIC POLE INSTALLED BY XCEL ENERGY AT THE BUSINESS PARK ON COUNTY ROAD 37, AT A COST OF \$1,250.00, TO BE PAID FROM THE BUSINESS PARK FUND (558).

MOTIONS CARRIED UNANIMOUSLY.

**CONSIDER DONATION TO LIGHTING FESTIVAL EVENTS**

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA A CONTRIBUTION OF \$800.00 TO THE LIGHTING FESTIVAL COMMITTEE FOR EXPENSES RELATED TO THE 2013 TAYLORS FALLS LIGHTING FESTIVAL BEGINNING NOVEMBER 29, 2013; AND

FURTHER MOVED TO AUTHORIZE THE USE OF THE CITY'S COMMERCIAL LOT NORTH OF TOWN FOR A PARKING AREA DURING THE 2013 LIGHTING FESTIVAL.

**CONSIDER PAYMENT OF ADDITIONAL LIBRARY REMODELING EXPENSES**

The Library Restoration Project is nearly completed, which required additional expenses to repair, paint, and refinish. The Library Board has recommended approval of these expenses.

THE CITY COUNCIL AUTHORIZED BY CONSENT AGENDA FINAL PAYMENTS OF \$2,739.46 TO KEVIN HAYS; \$4,400.00 TO BRENT HALEY & RUSSELL KRAUJALIS; \$780.26 TO, MENARDS; AND \$118.96 TO CLAYTON'S HARDWARE; TO BE PAID FROM THE LIBRARY BUILDING FUND (215).

To celebrate the completion of this project there will be an open house Saturday, October 26<sup>th</sup>, from 10 am-12 noon at the Library.

**RECONSIDER TEMPORARY WINE/BEER LICENSE FOR THE TF HISTORICAL SOCIETY'S EVENT**

On August 26, 2013 the Council approved a temporary wine license for the TF Historical Society in order to host their wine tasting event on Saturday, October 5<sup>th</sup>, but the applicant inadvertently

neglected to request a temporary beer license as well. Temporary licenses are issued by the City and can administratively be corrected. The City Clerk recommended the Council approve the correction so that the minutes reflect what the actual licenses were.

THE CITY COUNCIL AMENDED BY CONSENT AGENDA THE AUTHORIZATION GRANTED BY THE CITY COUNCIL ON AUGUST 26, 2013 TO NOT ONLY ISSUE A TEMPORARY ON-SALE WINE LICENSE, BUT ALSO A TEMPORARY ON-SALE BEER LICENSE TO BE ISSUED TO THE TAYLORS FALLS HISTORICAL SOCIETY/TAYLORS FALLS LIONS CLUB, RETROACTIVELY, FOR A WINE AND BEER TASTING FUNDRAISER EVENT AT THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER HELD ON OCTOBER 5, 2013.

**CONSIDER AUTHORIZATION FOR FIRST LUTHERAN CHURCH TO SELL MAPLE SYRUP**

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE REQUEST FROM THE FIRST LUTHERAN CHURCH TO USE TWO PARKING STALLS IN THE MARMON PARKWAY (BENCH STREET PARKING LOT) TO SELL MAPLE SYRUP AS A YOUTH GROUP FUND RAISER DURING THE LEAF FESTIVAL WEEKENDS.

**CONSIDER APPROVING EXCLUDED BINGO FOR TF LIONS CLUB**

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE APPLICATION FOR THE TAYLORS FALLS LIONS CLUB TO HOST EXCLUDED BINGO ON TWO OCCASIONS AT THE TAYLORS FALLS MEMORIAL COMMUNITY CENTER: ON FRIDAY, NOVEMBER 22, 2013 FOR THE LIONS CLUB ANNUAL TURKEY/HAM BINGO; AND ON SATURDAY, NOVEMBER 30, 2013 FOR THE ANNUAL LIGHTING FESTIVAL BINGO

**APPROVAL OF CLAIMS & PAYROLL**

THE CITY COUNCIL APPROVED BY CONSENT AGENDA THE PAYMENT OF CHECK NUMBERS 25407 - 25449 TOTTALLING \$39,822.30 IN EXPENDITURES, AND CHECK NUMBERS 6367 - 6377 TOTTALLING \$11,449.93 FOR SEPTEMBER PAYROLL.

**LIAISON OR COUNCIL MEMBER REPORTS**

**Mary Murphy** reported that two of the signs for the River Walk Trail are ready to be installed.

**John Tangen** reported the Fire Department continues to research grants to purchase turn-out gear.

**Ross Rivard** reported that Planning Commission continues to review the Zoning Ordinances, which allows the new members (and old) to become familiar with them.

**Mayor Mike Buchite** reported that the St. Croix Valley - Taylors Falls had been awarded a plaque from WCCO TV as the 2013 "Best in Fall Colors".

**CORRESPONDENCE**

THE CITY COUNCIL ACKNOWLEDGED BY CONSENT AGENDA THE FOLLOWING CORRESPONDENCE PROVIDED IN THE OCTOBER 14, 2013 CITY COUNCIL MEETING PACKET:

1. CORRESPONDENCE FROM COLLEEN HERMES, BOOKKEEPER FROM KELLY & LEMMONS
2. ELECTION NOTICE FROM CHISAGO LAKES SCHOOL
3. NOTICE FROM MN DEPT OF REVENUE
4. MEETING NOTICE FROM MNDOT
5. STAFF CORRESPONDENCE & EMAIL'S

**ADJOURNMENT**

MOTION BY MURPHY/JULIK-HEINE TO ADJOURN THE MEETING OF THE TAYLORS FALLS CITY COUNCIL HELD THIS OCTOBER 14, 2013. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Council, the Meeting adjourned at 7:22 p.m.

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Michael D. Buchite, Mayor

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Jo Everson, Clerk-Treasurer

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John Tangen, Acting Secretary

**APPROVED:** NOVEMBER 12, 2013

**RESOLUTION 13-10-01**

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

**A RESOLUTION AUTHORIZING THE SALE OF A TAX FORFEIT PROPERTY**

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 parcel for public auction or auction to adjacent landowners or acquire the property to be used for public purposes; and

WHEREAS the parcel in question is surrounded by wetlands, and access to the parcel would be difficult due to the wetlands, therefore the property would have little value to anyone other than the adjoining property owner.

SO THEREFORE BE IT RESOLVED by the Taylors Falls City Council that it hereby designates parcel R20.00437.00 as unbuildable, and authorizes the sale of said tax forfeited property to the adjoining property owner identified as John Gustafson.

BE IT FURTHER RESOLVED that any 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 October 14, 2013

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Michael D. Buchite, Mayor

ATTEST:

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Jo Everson, Clerk-Treasurer