

TAYLORS FALLS CITY COUNCIL MEETING MINUTES  
City Hall, Council Chambers  
Monday, March 27, 2023

The Agenda for this Meeting was posted March 23, 2023 at City Hall and the Post Office. Copies were emailed to residents requesting such, and the Press was notified.

**CALL TO ORDER**

The Meeting was called to order at 7:00 pm by Mayor Brandon Weiberg.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the United States flag was recited.

**ROLL CALL**

Members present: Mayor Brandon Weiberg, Larry Julik-Heine, Troy Aanonsen, Vice-Mayor Lee Samuelson,

Legal Counsel Knaak

Members absent: Tim Grote

Others Present: Sandra Berg, Geri Aanonsen, Jeanine Hansen, Ted Hansen, Deb Julik-Heine, Lynn Longnecker, JoAnn Kuntemeier, Laurie Blank, Diane Dedon, Kevin Schumann, Carol Schumann, Fay Caneday, Roger Boleman, Joan Boleman, Tana Havumaki, Diana Gall, Steve Gall, Jon Stignani, Kevin Gruber, Darrel Caneday, Debra Scott, Rich Smith, Lacey Wulsnik, Peter Smothers, Jackie Smothers, Mark Vollrath, Lonn Lineker, Jane Goedel, Amy Dill, Harry Davis, Scott Swanson, Kelli Swanson, Kevin Gruber

**ADOPTION OF AGENDA**

The agenda was not adopted.

**APPROVAL OF CONSENT AGENDA**

*Moved by Council Member Julik-Heine, second by Council Member Aanonsen, to approve the previous Consent Agenda from March 13, 2023.*

*The March 27, 2023 Consent Agenda was not adopted until Clerk/Treasurer Tomnitz can answer questions.*

Public Works staff report was included in the packet. Mayor Weiberg reported Clerk/Treasurer Tomnitz requests PTO time in April.

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

*Moved by Council Member Aanonsen, second by Council Member Julik-Heine, to approve the minutes of the March 13, 2023 Council meeting. Motion unanimously approved.*

**PUBLIC FORUM**

Diane Nelson - Asked questions as to why the City ponds have safety concerns now when a Community Garden wants to go in there, but didn't have safety concerns before? (Mayor Weiberg will get the MPCA guidelines.)

Geri Aanonsen - reported there is an invoice for street lights dated 4/29/2022 and costing \$18,951 that she believes has already been paid. She stated there was a request for two light poles in May for \$12,000. (Mayor Weiberg will work with Clerk/Treasurer Tomnitz to investigate.)

## **OLD BUSINESS**

### 1. 2022 Audit Update

Mayor Weiberg reported this item is on the agenda because some findings of the audit have been corrected. But another negative finding was added. The audit report has been sent to the State.

### 2. Shafer Fire Contract Update

Council Member Aanonsen reported the Shafer Township is looking over the contract. It came in about \$6,000 lower than originally calculated. He is waiting to hear back from them as to accepting the contract or asking to meet again.

### 3. City Coordinator/Zoning Administrator Update

Only one application has been received and that person is not qualified. There is one week left for ad to run. City will probably need to revamp the ad.

### 4. Hotel Contract Update - Amy Dill

Buyer Amy Dill and Mayor Weiberg met with Attorney Knaak. She is unable to build on the downtown site. Ms. Dill asked Council to refund the \$10,000 earnest money, and in exchange she will share what she's done on the land (Council Member Samuelson requested soil boring reports).

Attorney Knaak's letter to Ms. Dill demanded the contract be ended and the earnest money be forfeited.

Council Member Aanonsen referenced the last audit and City's financial situation and felt the City should keep the earnest money. The other Council members stated they believed the earnest money should be refunded.

***Moved by Council Member Aanonsen, second by Council Member Julik-Heine, to discuss and vote either returning money or denying the request. When the vote was taken, Council Member Aanonsen vote to not return the money. Mayor Weiberg, Vice-Mayor Samuelson and Council Member Julik-Heine voted to return the earnest money.***

### 5. Website Update

Mayor Weiberg reported he has two bids now and expects two more. All but one will build on the current site. Local web site designer, Becky Caneday and Well Optimized Web Services LLC will do the project for \$3,900 or less. Mondale (Twin Cities company), and Bolton & Menk (TF City engineers) will submit bids. The goal is to make a decision at first April meeting.

### 6. Streaming of Council Meetings Update

Vice-Mayor Samuelson reported the current equipment is 20+ yrs old, and needs updating. Music Connection in Forest Lake quoted an approximate price for equip and video with Mayor Weiberg and Vice-Mayor Samuelson volunteering their time to install. This will keep cost under \$5,000. There was another bid for \$13,000. Previous council had talked about using Midco to stream meetings onto public access that citizens pay for in their cable bill. Vice Mayor Samuelson said only three [cities] are using their service, though it's still a possibility. The City still procures its own equipment. Mayor Weiberg said Council should probably have Midco come in to review their agreement.

### 7. Community Garden

At the March 13 Council meeting, public members requested a community garden site at the City brush drop off site, which is near the water treatment ponds. Mayor Weiberg reported the Minnesota Pollution Control Agency does not allow the public near or around the City water treatment ponds, and that

gardens attract varmints which are detrimental to the integrity of water treatment ponds. The business park is not viable because businesses coming in would limit garden expansion. Vice-Mayor Samuelson suggested the possibility of using a long stretch of land belonging to Xcel Energy.

### **NEW BUSINESS**

#### **1. Zoning & Ordinances & Planning Services - Proposal from Bolton and Menk**

Lynn Longnecker, acting Zoning & Planning Administrator, recommended separating the zoning from planning as an alternative to hiring an administrator. He suggested hiring Bolton and Menk to work with planning. Mr. Harry Davis, Bolton and Menk, explained responsibilities of his staff in helping Taylors Falls with planning projects. He said his staff can attend Planning Commission meetings, if asked. Costs quoted were hourly, and billed as itemized lines.

Lynn Longnecker said there are issues coming up that could be contentious, and he would really like to see Bolton & Menk hired to help with those. A contract has yet to be worked out, providing services as issues arise, and at the quoted rates.

***Moved by Council Member Mayor Weiberg, second by Council Member Julik-Heine, to hire Bolton and Menk to provide planning services. Motion passed unanimously.***

Lynn Longnecker then spoke about reviewing City zoning codes. He recommended using Bolton and Menk. The Planning Commission interviewed Jenny Faulkner and Harry Davis of that firm. Mr. Davis said his firm can help Planning Commission get started on updating codes, providing four workshops from April/May 2023 through January/February 2024 at a cost of \$22,950. The codes would be a Word document so Taylors Falls can amend them as needed. Also, the codes would be web site ready. 2014 was last update to zoning codes.

Attorney Knaack asked what is Bolton and Menk's experience with Municode? (Harry has used Municode most of his career.) Municode is one of several municipal codification services out there. He cited some smaller cities in Minnesota who are using this service: Caledonia, Deer River, Ada. Mayor Weiberg said the Planning Commission asked for a 2nd quote. League of Minnesota Cities (LMC) provides customized codes, or we send them our codes and they go through them. Cities with population of 2,000 or less, cost is \$880. No price was quoted if LMC updates our existing codes. Mayor Weiberg expressed his desire that the Council find the money to go forward with Bolton and Menk.

***Motion by Council Member Aanonsen, second by Council Member Julik-Heine, to postpone a decision on hiring Bolton and Menk until a definite period of time, the April 10, 2023 meeting. Motion passed unanimously.***

Lynn Longnecker then said City ordinances/codes need to be reviewed and digitized, but first the Council will have to go through them. Troy said there are other services than can help with this.

#### **2. Secretary Pro tem Timeline**

Mayor Weiberg reported he is thinking of getting staff to take minutes at Council meetings. Michelle Hansen is willing to try taking minutes beginning with the April Council meeting.

#### **3. Community Center Use —Concerned Citizens**

Sandra Berg said there is a community gathering planned for the Community Center on April 13. There will be booths with information, as the community garden, information on all city committees, applications, etc. It will be 6:30 pm to whenever. It's a come-and-go kind of event. Also, on May 20 there will be a downtown clean-up day. The group hopes to have the Fire Department and Public Works helping.

Lynn Longnecker interjected the need for clarification if the group gets free use of the Community Center. City staff needs to know if they are on the fee-exempt list.

***Moved by Council Member Aanonsen, second by Vice-Mayor Samuelson, to add the Taylors Falls Concerned Citizens to the Community Center exempt list. Voting aye were Mayor Weiberg, Vice-Mayor Samuelson, Council Member Aanonsen. Voting nay was Council Member Julik-Heine.***

4. Kevin Gruber—New Superintendent of Public Works

Mr. Gruber introduced himself. He's been on the job one week.

Council Member Julik-Heine asked if Mr. Gruber has been monitoring the possibility of high water on the St. Croix River. Mr. Gruber responded he has received email from MN Department of Natural Resources and they will keep him informed. He is hoping for slow warm-up. The Council welcomed him.

5. Summer Temp Public Works

Mr. Gruber reported two people have reached out to him for possible employment this summer.

6. Feeding Deer. Section 530

Vice-Mayor reported the City has an ordinance against feeding deer. Section 530.01 through 530.06. Also, the MN Department of Natural Resources has a rule against feeding deer. If there are questions, call the DNR.

Mayor Weiberg will add deer hunting in town to the May agenda.

7. Deer Crossing Signs

This agenda item is a follow up to public forum request from the March 13, 2023, Council meeting. The City reached out to the Department of Transportation and Chisago County. Neither organization issues deer crossing signs, as evidence shows the signs do not reduce deer-car crashes.

8. Fee Schedule—Updated with Chicken Permit—Adopt

The Fee Schedule adopted at the January 9, 2023, did not include the chicken permit.

***Moved by Council Member Aanonsen, second by Council Member Julik-Heine, to add the \$25 application fee for chickens to the Fee Schedule. Motion passed unanimously.***

9. Temp Office Assistant—More Hours

Michelle Hansen started with 20 hrs but has been working more hours. Mayor Weiberg wants permission to increase her hours up to 30 hours per week.

***Moved by Council Member Aanonsen, second by Vice-Mayor Samuelson, to approve additional hours not to exceed 30 hours per week. Motion passed unanimously.***

10. Healthcare Freedom of Choice—Resolution 2023-03-02

Mayor Weiberg, who submitted the resolution, stated the point is to give everyone a freedom of choice. Discussion began with community comments. Six residents in attendance urged Council to not pass the resolution. Five residents in attendance urged Council to pass the resolution. Three non-residents supported the resolution. Council Member Julik-Heine read emails from two residents who urged him to not vote for the resolution.

Council members then spoke their reasons for supporting or opposing the resolution.

Attorney Knaak stated he found nothing in the resolution for which the City could be sued. He believed passing the resolution is nothing more than stating a position. He believes that hypothetically the State would ignore the resolution if vaccine or mask mandates were in place.

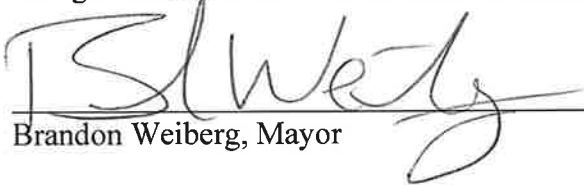
***Moved by Council Member Julik-Heine, second by Council Member Aanonsen, to discuss and vote on Resolution 2023-03-02 regarding Healthcare Freedom of Choice. Voting aye - Council Member Aanonsen, Vice-Mayor Samuelson, and Mayor Weiberg; Voting nay - Council Member Julik-Heine.***

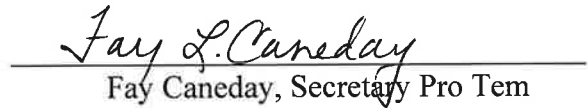
Resolution 2023-03-02 is attached.

**ADJOURNMENT**

***Moved by Council Member Julik-Heine, second by Council Member Aanonsen, to adjourn the meeting of the Taylors Falls City Council held this Monday, March 27, 2023. Motion passed unanimously.***

Being there was no further business to come before the Council, the meeting adjourned at 9:44 pm.

  
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Brandon Weiberg, Mayor

  
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Fay Caneday, Secretary Pro Tem

APPROVED  
April 10, 2023