

TAYLORS FALLS CITY COUNCIL MEETING MINUTES
City Hall, Council Chambers
Monday February 13, 2023

The Agenda for this Meeting was posted February 9, 2023 at City Hall, 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, Tim Grote, Larry Julik-Heine, Vice Mayor Lee Samuelson, Troy Aanonsen, Legal Counsel Knaak

Others Present: Clerk/Treasurer Tomnitz, Sandra Berg, Brian Berg, Geri Aanonsen, JoAnn Kuntemeier, Barbara Nelson, Jake Guzik, Jenni Faulkner, Steve Gall, Diana, Gall, Diane Dedon, Becky Caneday, Carol Schumann, Kevin Schumann, Darrel Caneday, Sheryl Grote, Molly Irish

Mayor Weiberg welcomed new Legal Counsel F. Knaak.

ADOPTION OF AGENDA

Council Member Aanonsen added to the agenda under New Business: #6: Schedule closed meetings with each full time employee; and #7: Approve January 23, 2023 Consent Agenda

There was no motion to adopt the agenda.

APPROVAL OF CONSENT AGENDA

Packets included Library Board minutes, staff reports.

Council Member Aanonsen had questions about checks being paid now that were the responsibility of the previous Council. He wonders why this Council is approving those. Council Member Grote commented that due to A/P cycles when there is a change in administration, there will be some overlap.

Moved by Council Member Aanonsen, second by Council Member Julik-Heine, to approve the January 23, 2023 Consent Agenda with the exception of claims Check #32524 for \$2,436.50 to Bitworks and cash payment of \$46,387.72 until more information. Motion passed unanimously.

Moved by Vice Mayor Samuelson, second by Council Member Julik-Heine, to approve the February 13, 2023 Consent Agenda. Aye - Mayor Weiberg, Vice Mayor Samuelson, Council Member Julik-Heine, Council Member Grote; Nay - Council Member Aanonsen.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

There were no minutes of the previous meeting.

OLD BUSINESS

1. Motel Property

Mayor Weiberg began by saying the prospective buyer dealt with the previous Council, and hasn't been able to buy the property, and it's time to move on. Council Member Julik-Heine felt there were three options: 1) give the buyer an extension; 2) take no action; 3) go through with default proceedings. He suggested Legal Counsel send a letter, notifying buyer she is in default and she has 30 days to come up with the money or Council can spend the earnest money. Council Member Grote stated the original agreement was effective September 15, 2021 with a closing date of April 1, 2022. Council Member Julik-Heine said the last extension expired December 31, 2022. Mayor Weiberg

proposed having Legal Counsel send a letter stating she is in default and has 30 days in which to act, or the City keeps the earnest money.

Moved by Mayor Weiberg, second by Council Member Grote, to send a letter to the buyer giving her 30 days to respond. Motion passed unanimously.

2. Review Positions for Temporary Employees

Julik-Heine wrote a brief summary for the packets relating to Lynn Longnecker's temporary position for Zoning: he assists with zoning questions and assists the Clerk/Treasurer. He is paid \$25/hr, 24 hr/wk max until full time position is filled. Temporary Molly Nelson to assist Clerk/Treasurer until she is caught up. Molly is \$25/hr based on her availability, and as we have need. Both positions continue as we speak. No projected date as to when office will be up to speed.

Council Member Grote and Clerk/Treasurer Tomnitz met with Express Temp Services to bring on board, as directed by Council, temporary staff at 20 hrs/wk. Recommended signing contract with Express Temp Services; Legal has reviewed the contract. Mayor Weiberg signed the contract. Of 5 potential candidates, will be interviewing two. The agency said pay should be in range of \$18 - \$22/hr. The firm adds 1.5% to the hourly rate to cover all payroll expenses and their profit. Council Member Grote assumes City will need the temp help for 3 months, but play by ear.

3. Update on Vacant Positions

Posted on League of Minnesota Cities' web site, in Chisago County Press and the weekly circular. There is some interest. Two qualified candidates for the Public Works Supervisor position and nothing for the other. Other ideas for posting included LinkedIn, Express Temp Services, social media, Minnesota Rural Water.

Council Member Grote suggested Mayor Weiberg, Council Member Julik-Heine, Lynn Longnecker and Clerk/Treasurer Tomnitz as the interview team, as well as someone from Planning Commission. A recommendation would come before the full Council for approval.

Council Member Grote suggested the interview team consist of himself as Public Works and Personnel liaison, Vice Mayor Samuelson as Public Works liaison, Paul Stenger and Clerk/Treasurer Tomnitz, as well as possibly someone from a Commission.

Moved by Council Member Grote, and second by Council Member Julik-Heine, to define the interview team for the City Coordinator/Zoning Administrator position to include Council Member Julik-Heine, Mayor Weiberg, Lynn Longnecker, Clerk/Treasurer Tomnitz, and Commission members at their discretion and as necessary and beneficial. Motion passed unanimously.

Moved by Council Member Grote, second by Council Member Aanonsen, to define interview team for the Public Works Supervisor to consist of Council Member Grote, Vice Mayor Samuelson, staff member Paul Stenger, Clerk/Treasurer Tomnitz and others as the team sees fit. Motion passed unanimously.

4. Update on Law Enforcement Request

a. Zoning Ordinances on Website

Council Member Aanonsen reported Sergeant Kyle Jones requested the zoning ordinances be available on City's web site so they can be accessed from the patrol car.

Clerk/Treasurer Tomnitz said she isn't sure where the full ordinances are. Lynn Longnecker has been looking for them, to ensure they are the most up-to-date.

Discussion centered on providing .pdf copies of the pertinent ordinances.

Mayor Weiberg suggested setting a goal date of March 1 for getting contact information on the web site, and April 1st for having ordinances on the web site.

Clerk/Treasurer Tomnitz felt the contact information and agenda packets can be on the web site prior to March 1. Council Member Grote recommended creating a project team consisting of a Council member as lead, establish tests and milestones.

Council Member Aanonsen suggested the City hire someone who can build the web site and get it done.

Legal Counsel Knaak said the City can use a service contract to hire someone to work on the web site.

Mayor Weiberg will put something together for next agenda. Will contact League of Minnesota Cities and have Mary figure out how to share with local residents.

Legal Counsel Knaak said the League does have a list of preferred vendors.

Clerk/Treasurer Tomnitz said the web site is built, but trying to get the information out there, and find information that is there. There will be a lot of scanning involved.

- b. Keys to Access Chisago County Sheriff's Office Located at City Hall
Thirty keys were given to the Sheriff's department.

NEW BUSINESS

1. Sale of TIF District 1-2

Tim Nolde, owner, stated the TIF District 1-2 will expire as of December 31, 2023. Put in contract by Ehlers 25 yrs ago that if he sold the property during those years he would have needed the City's permission. He has abided by all the rules. He put in water at his expense and asked City for some assistance in form of tax increment financing. Council Member Aanonsen said the City missed filing deadline for filing TIF Districts and County withheld disbursement of the monies. Clerk/Treasurer Tomnitz said the money was never withheld, and Ehlers worked with her on the paperwork.

Attorney Knaak said the property owner is requesting City approval which is required under the TIF agreement. His request is not unreasonable. Must have in writing from the developer that any other obligations have been met. There were two development agreements related to the property and developer asked City to sign off on them. He would like to see verification by a city engineer or consultant that the conditions in the agreements were fulfilled. And then the city could sign off. If a condition was not met, the developer would be responsible for correcting it. City needs verification from developer that obligations have been met. The developer is to provide the certification "that any and all conditions required of him in these two development agreements have been met and he holds the City free and clear of any potential liability" or words to that effect. He said the City can agree to release the developer from the agreement.

Resolution 2023-02-01 has been drafted by City staff and will be completed upon proper notification from the buyer.

Moved by Council Member Aanonsen, second by Council Member Grote, to approve the sale of the property with the condition that the verification letter is received. Motion passed unanimously.

2. Bolton Menk - Jack Guzik

Jake said Bolton and Menk has been the Taylors Falls City Engineer since 2010. He explained some of the services the company has provided to the City, and mentioned other services they can provide, such as web site development and organization.

The City's last contract with Bolton and Menk was 2010.

Council Member Aanonsen asked about the cost for zoning ordinances rewrite and web site development. Ms.

Faulkner responded that it all depends on the extent of work required. There can be separate contracts for the various needs. As consultants, they can take on the roll of staff (such as a City Planner), or assist as their expertise is needed.

Council Member Grote asked if there is a recommended frequency when comprehensive plans should be reviewed or revised. Ms. Faulkner's response was there is no magic number. City growth, new Councils, for example, can trigger a review of the comp plan.

Attorney Knaak asked if Bolton and Menk would look at development agreements and their requirements, and advise the City on whether the agreement is written correctly, and advise on releasing any monies held in escrow.

Development agreement requires developer to pay for the City Planner's services in reviewing the contract; no City funds are used.

Council Member Aanonsen asked how it is possible that Bolton and Menk don't know about the City's TIF Districts. Ms. Faulkner explained it is the City Administrator's responsibility to inform consultants. Typically the company's role has been project management.

3. DNR - Eric Garner

Paul Stenger, Public Works, has the ability to handle this issue, so Council does not need to discuss it.

4. Update on Shafer Fire Contract Negotiations

Council Member Aanonsen said the Shafer Board of Supervisors rejected the fire contract and asked him to rework the numbers. He will be meeting with the Fire Chief. The Shafer-Franconia contract was accepted. The Amador-Almelund contract was accepted. Council Member Aanonsen used the formula of the League of Minnesota Cities, and is not sure if that formula is working for the City any longer. The formula is based on estimated value of taxable and tax exempt structures. The Taylors Falls contract was \$10,000 over the others. Other communities send their Fire Chief, but Taylors Falls is the only one sending a Council Member. Troy was invited back to Shafer Township in March.

Council Member Grote asked how revenues for this are accounted for in the budget. Clerk/Treasurer Tomnitz didn't have an answer. He also asked about expenses related to capital equipment. He's used to seeing a depreciation schedule as part of the ongoing operational expense.

5. Taylors Falls Fire Department Report

Needs: Go out for Bids for Cutting a Doorway in a Concrete Wall

Mayor Weiberg said the Fire Chief has asked the Council for approval to get bids to cut a doorway in a cement wall. Fire Chief said he could do it, or even the liaisons. As Fire Department liaison, Council Member Aanonsen said he was comfortable with the Fire Chief getting three bids.

Moved by Council Member Aanonsen, second by Council Member Julik-Heine, to authorize the Fire Chief to get bids to cut a doorway in a small concrete wall to allow access to the large apparatus .

6. Schedule Closed Meetings with Each Full Time Employee

Attorney Knaak stated Council can schedule performance reviews. Unless the employee requests otherwise, the meeting is presumed to be private.

Council Member Grote asked the Attorney's opinion on "serial meetings." Attorney Knaak said it is a violation of open meeting laws if the purpose of the serial calls is to influence the outcome of a meeting. Council Members can independently introduce themselves to new staff without being in violation.

7. Approve January 23, 2023 Consent Agenda

Council Member Aanonsen requested pulling the check register until his questions are answered. 1) Three checks to the IRS dated Dec. 22, 2022; 2) Check for \$10,203 paid to Kelly and Lemons and dated December 30, 2022; 3) A check from Ehlers; 4) Check #32533 dated January 9, 2023 and who signed that? Member of old Council or of the new Council? *(Mary said these were signed prior to the swearing in of the new Council.)* 5) Check to Bitworks for \$2,436.50. New computer, who was it for? Wondered if there is a threshold for office expenditures. Saw no approval for the payment. Concerned about an investigation going on and a new computer being purchased without accounting for the old one, or what it replaced. 6) Cash \$46,387.72 under Labor Distribution. Where did it go? Who was paid? Appears the money was disbursed in a range of checks but doesn't know where the money went.

Why is it responsibility of this new Council to approve checks signed by the previous Council?

Council Member Aanonsen requested Ch # 32524 for \$2,436.50 to Bitworks, and total cash of \$46,387.72 until given more information be added to the February agenda. *(Mary: the \$46,000 is under general fund is payroll liabilities that get transferred to general fund. Final payroll for fire department, Council and normal payroll for City employees. And was included in list of bill from Jan 23 meeting*

ADJOURNMENT

Moved by Council Member Julik-Heine, second by Council Member Grote, to adjourn the meeting of the Taylors Falls City Council at 9:15 pm held this Monday, February 13, 2023. Motion passed unanimously.



Brandon Weiberg, Mayor



Fay Caneday, Secretary Pro Tem

APPROVED
May 8, 2023