

June 12, 2023

The regular meeting of the Cuyuna City Council was held at 6:00 pm at the Cuyuna Fire Hall. Present were Mayor Brix and Council Members Haag, Smith, and Workman. Also present were Cuyuna Fire Chief Hasskamp, Cuyuna Police Chief Smith, Attorney Tom Pearson, and Clerk-Treasurer Bedard.

Jake Stockard was sworn in as the newly appointed council member.

Mayor Brix led the pledge of allegiance.

Motion by Workman to approve the minutes for the May 8, 2023, public hearings and regular council meeting. Second by Haag. Motion carried unanimously.

Motion by Workman to approve payment of the invoices and forthcoming regular monthly invoices. Second by Smith. Motion carried unanimously.

Fire Chief Report:

- The council received the monthly fire department report presented by Chief Hasskamp.
- There was one first responder callout during May in Rabbit Lake Township. No fire callouts for May.
- Training in June will be a Live Burn/Car Fire Simulation presented by FIRE Inc.

Water and Sewer Report:

- No reports of water or sewer issues.

Planning and Zoning Activity Report:

- The council received the monthly planning and zoning report from Justin Burslie of Sourcewell. No new applications, but the administrator is reviewing an unpermitted driveway entrance. Mr. Burslie is also in correspondence with a property owner regarding the subdivision of his property and a property owner regarding a potential shoreland alteration. Mr. Burslie also resent to the county the city resolution to monitor all subdivisions. The city previously approved the resolution April 7, 2016, and it was recorded at the county on April 25, 2016.

Police Chief Report:

- Police Chief Jesse Smith provided the council with the May activity report. During the month, the department issued 10 traffic warnings and 1 citation. The department provided agency assists to the Crosby and Deerwood Police Departments, responded to a fight at a liquor establishment, disturbance at CRMC, and medical assistance at a gas station. Among additional monthly activities, officers provided predatory compliance checks, responded to domestic disturbances, helped with locating a missing child, addressed several calls on a North Street property, contacted the owner of a property requiring cleanup, participated in an arrest of an individual for felony harassment against a judicial officer in Crow Wing County, had a vehicle

parked on a sidewalk removed, investigated nuisance complaints for a property and garbage build up on another property, and advised a property owner to remove vehicles and equipment blocking an alley.

- Chief Smith shared the department received a \$200 donation and a \$500 donation from 2 individuals to support departmental needs.

Engineering Report:

- Provided information in the Unfinished and New Business sections of the agenda.

Campground Report:

- The campground RV sites are almost completely full for the weekends through mid-September with tent sites now being reserved with the good weather outlook. The city continues to receive compliments on the cleanliness of the campground bathrooms and showers, along with compliments for the upkeep of the grounds.

Public Comments:

- Tom Nelson, Wolford Township resident, stated he continues to be disappointed the cleanup of the nuisance property on Foley Street is taking so long; noting the process is going on close to two years.

Unfinished Business:

- Tim Houle, city engineer, informed the council the developer of Kennedy Estates 2nd Addition reported the roads have been improved as required by adding Class 5 and regrading. The roads previously did not meet the city requirements for depth of Class 5 and aggregate composition. Per the Developer Agreement, the roads should be retested now. Mr. Houle recommended the city hire Braun Intertec, which provided the first testing, to validate the roads now meet the required city specifications for the road surface. The cost for this testing will be paid by the developer per the Developer Agreement.
- **Motion by Haag to hire Braun Intertec for the retesting of the Kennedy Estates 2nd Addition roads. Second by Workman. Motion carried unanimously.**
- The council discussed the nuisance complaint for 22564 Foley Street. Tom Pearson, the city attorney, recommended he and Mayor Brix, and Police Chief Smith visit the property. The court previously ordered the property cleaned up by the end of May. As the property is not cleaned up, the city can now decide how to move forward with cleaning the property. The city may need to engage a vendor to remove items from the property and possibly store if required to do so.
- The council discussed an unpermitted storage shed at 22575 Kruse Street for which the Zoning Administrator previously notified the owner they needed an application completed and a fee paid.
- **Motion by Haag to have the city attorney send a letter to the property owner at 22575 Kruse Street to address the non-compliance. Second by Smith. Motion carried unanimously.**
- The council discussed the zoning violation for a commercially zoned property at 24927 Minnesota Avenue. There are people residing in the building which is not permitted for

commercially zoned property for which the business has been closed. The property owner was previously sent a letter to cease use as a residence.

- **Motion by Haag to have the city attorney send a letter to the property owner at 24927 Minnesota Avenue to cease and desist using the property as a residence.**
- The council was informed a manufactured home was moved from 22543 North Street mainly onto a neighbor's property, Zachary Smith's, without his permission. Zachary Smith made many calls to the city police department, city clerk, and county personnel asking each to have the home removed from his property. The owner of the home was out of the country and not available for contact. Mr. Smith was advised by the city, county sheriff's office, and the county attorney it is a civil matter. Mr. Smith stated he was surprised there is not an ordinance to address the issue. Police Chief Jesse Smith and City Attorney Pearson restated it is a civil matter. Mr. Smith shared he informed the homeowner upon his return to the area that he has until June 15th to remove the structure from his property. No council action was required.
- Police Chief Smith informed the council of the actions to address the public complaints and zoning violations at 22633 North Street which included blocking of the city alley right-of-way, unlicensed vehicles, and garbage accumulation. The property owner obtained an order for eviction of the people at the address and said he will finish the cleanup for the property. A sheriff's eviction notice was posted on the door.
- The council reviewed an unpermitted driveway installation at 22525 East Lane. The city Zoning Administrator provided the property owner with two options; remove the driveway installation and restore vegetation or apply for an after-the-fact permit for council approval. The property owner's contractor, Zachary Smith, decided to remove the installation of the driveway. The city engineer visited the site prior to the evening's council meeting and shared his opinion that a culvert is not required. A 6-inch dip off the street pavement though should be made back into the right-of-way toward the property for a future driveway installation to direct drainage of water away from the city street. As the driveway installation is removed there is no non-compliance at this moment. Should the property owner decide to install a driveway in the future he would need to complete the required land use permit and sign as the owner. No council action was required.
- Tim Houle, city engineer provided the council with a summary of the preliminary engineering report (PER) and environment engineering report (ER) for the potential water project. He noted the Cuyuna water system is over 100 years old. The report gathers information on the water tower, distribution system, pumphouse, and water meters. Mr. Houle shared the distribution lines are undersized and dead end in places. The proposed project would increase the diameter of lines, loop the lines, provide two wells, new meters, and potential for a new water tower or storage facility. A water treatment plant would probably not be an option; rather continue with the water treatment from a pumphouse. The report looks at city options such as leaving the system as is and repair on an as needed basis, which could be expensive over the years; consider private wells for individual connections; consider a regional supply of water which might not be possible due to the distance Cuyuna is from other cities. The potential water project could cost \$4 million. The next step is to submit the reports to the United States Department of Agriculture Rural Development for their review. After their review, the next step would be for the city to seek funding for the project, like the process used successfully obtaining funding for

the city's sewer project. Once the level of funding is determined, the city can further review moving forward with the water project.

New Business:

- Chief Smith discussed the Court Data Services Subscriber Agreement Amendment to the CJDN Subscriber Agreement between the State of Minnesota's Department of Public Safety, the Bureau of Criminal Apprehension, and Cuyuna.
- **Motion by Workman to enter into the Court Data Services Subscriber Agreement Amendment to the CJDN Subscriber Agreement. Second by Haag. Motion carried unanimously.**
- Chief Smith requested council approval a resolution approving the State of Minnesota Joint Powers Agreements with the City of Cuyuna on behalf to its City Attorney and Police Department to use systems and tools available over the State's criminal justice data communications network.
- **Motion by Smith to approve a resolution approving the State of Minnesota Joint Powers Agreements with the City of Cuyuna on behalf to its City Attorney and Police Department to use systems and tools available over the State's criminal justice data communications network. Second by Haag. Motion carried unanimously.**
- Tim Houle, city engineer, discussed the new Lead and Copper Rule Revisions (LCRR) from the Minnesota Department of Health (MDH) which will require cities to take inventory of lead and copper water lines. These lines would need to be replaced within a certain timeframe. Widespread is approved by the state as one of the select businesses to provide the services to help cities take inventory of their city and private owners' lateral water lines. The inventory must be completed by October 2024. More information will be forthcoming from the Minnesota Department of Health and there could be additional funding sources for assisting homeowners with this new replacement requirement.
- The council discussed the benefits of its membership in the 4M Fund which is managed by the League of Minnesota Cities. The city can take advantage of its financial services such as checking and saving account options. There is no cost for membership.
- **Motion to renew the City of Cuyuna's membership with the 4M Fund and utilize its financial services for city funds. Second by Haag. Motion carried unanimously.**
- The council reviewed the quote for dust control services for the gravel roads. The city will receive the same Crow Wing County negotiated cost/ gallon from the vendor for the chemical.
- **Motion by Smith to approve the dust control services from Corbin Excavating in the amount of \$6,381.50. Second by Haag. Motion carried unanimously.**
- May website saw 1,129 unique visitors, 2,284 page views, with an 8.49% change in monthly year on year activity.

Adjournment:

- **Motion by Haag to adjourn at 7:15 pm. Second by Smith. Motion carried unanimously.**

William F Bedard
Clerk

Lloyd Brix
Mayor