

July 14, 2025

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, Stockard, and Workman. Also present were Cuyuna Police Chief Smith, Fire Department Officer Jake Kewatt, City Attorney Pearson, City Engineers Tim Houle and Nick Peterson, Cuyuna Zoning Administrator Justin Burslie, and Clerk-Treasurer Bedard. Mayor Brix led the pledge of allegiance.

Motion by Workman to approve the minutes for the June 9, 2025 council meeting. by Haag. Motion carried unanimously.

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

Fire Chief Report:

- Council reviewed the monthly fire department report. There was one fire callout for June in Rabbit Lake Township.
- July training will be for pumping exercises.

Water and Sewer Report:

- No reports of water or sewer issues for the city lines. The Serpent Lake Sanitary Sewer District has regular summer maintenance.

Planning and Zoning Activity Report:

- Justin Burslie, Cuyuna's Zoning Administrator through Sourcewell, shared there have been 2 single dwelling permits to date, and 3 septic sewer system permits. He also shared he received calls regarding zoning for the tax forfeited property up for sale on Rabbit Lake and Agate Lake.

Police Chief Report:

- Police Chief Smith provided the council with the June activity report. There were 26 traffic warnings of which 20 were for excess speed.
- Officers conducted extra patrols on Cotton Tail Drive, Snowshoe Lane, Getaway Circle, Powder House Road, Agate Shores Road, Fox Run Lane, Oak Lane, Maple Shores Road, Iron Hub Road, and Kennedy Drive.
- Officers aided pedestrians walking across Minnesota Avenue in the crosswalk during the Woodtick Races event.
- CPD provided support for medicals on Main Street and on Cottontail Drive.
- CPD received a house watch request for a residence in Cuyuna.
- CPD responded to a dog barking on Kruse Street and advised the owner to keep the dogs quiet.
- Received a report of people living in an RV on Kruse Street. Advised people of the Cuyuna Ordinance. People moved back into the house.
- Approved peddler licenses for the Woodtick Races.

- Officers conducted foot and vehicle patrols for the Woodtick Races. No issues during the event and a good turnout.
- CPD assistance to motorists with their vehicle hazard lights on CSAH#31 and Snowshoe Lane.
- CPD issued warnings to a group of people smoking marijuana in public in front of Gopher Tackle during the Woodtick Races.
- CPD assisted in warning campers for the Tornado Warning. Mayor opened the City Hall for Shelter.
- CPD advised an individual at the Cuyuna campground they needed to get their dog out of the hot vehicle.
- Officers removed branches from Cottontail Drive and Foley Street.
- CPD advised a construction company to clean up their pebble rock in the roadway on Fox Run Lane.
- CPD provided agency assists to Crosby PD for a 2-vehicle crash, DWI arrest, individual who threw a Molotov cocktail, verbal domestic, and a shooting complaint. CPD aided the Deerwood PD on a physical domestic call. Also, CPD aided CWCSO with a motorcycle vs car crash on CSAH31.
- Officers assisted escorting the C-I Highschool graduates around town with area law enforcement, fire departments, and ambulance.
- Officers assisted escorting the C-I Rangers Track Team who qualified for State around town with area law enforcement, fire departments, and ambulance.

Engineering Report:

- The City was successful in their application to get funding assistance from the MN Dept of Health (MDH) for Round 2 of the Lead Service Line Inventory. The contract is between MDH and Widseth, one of MDH's approved engineers, to help on this process. There is no direct outlay of money from the City for the services.
- Tim Houle, City Engineer through Widseth, presented a proposal to apply for grants to the Small Cities Development Program and IRRRB. The city could apply to the Small Cities for Housing Rehabilitation which could increase grant opportunities from \$600,000 to \$1,400,000. The proposal cost is \$8,000. Council will add it to the August agenda.
- Councilmember Workman asked the time frame for the project. Mr. Houle said it would take about 3 years to complete the study, design, finalize funding, bid, and then build. The City might consider some water tower maintenance prior to the project start.

Campground Report:

- RV site reservations are full through August and filling up for September. Tent site reservations have increased but occur on shorter notice, weather dependent. Campground continues to receive compliments on the grounds, quiet atmosphere, and cleanliness of the bathrooms and showers.

Public Comments:

- No comments were received.

Unfinished Business:

- The city attorney shared the plea agreement conditions for the property being used as a residence in a commercial zone district has been accepted by the property owner.
- The city attorney updated the council on the unpermitted shed. He is working on an acceptable plea agreement with that person through the court process.
- Clerk-Treasurer Bedard confirmed the RV had been moved from its Cottontail Drive private property. The owner of the bus located on private property on Cottontail Drive did not accept the 3 attempted deliveries of certified mail by USPS. An additional letter was sent, but no response has been received to date.
- Zoning Administrator Justin Burslie shared current information on the nuisance ordinance violation on 22564 Foley Street. A site visit was performed by Justin and Councilmember Stockard on July 14, 2025. While the corner is much improved there were 4 outstanding items not completed to bring the property into compliance with zoning regulations.
- Attorney Pearson shared the property shows improvement, and the court process is still open from the previous cleanup so additional city costs can be added to it. He asked if some pictures could be taken of the property.
- Mayor Brix questioned who should define a messy yard versus unhealthy or unsafe. The county did not find those issues for the property.
- Council received comments that a fence around the property would eliminate people driving by having to look at the collection of items on the property but asked who would pay for it.
- Council discussed whether an effort could be made to find volunteers to help with the cleanup as was done the previous time. Chief Smith noted the property owner would need to agree to allow people onto his property for a cleanup.
- Mike Stagman, seasonal resident on Cottontail Drive, shared he did not understand the entire cleanup issue. He would be willing to volunteer to help the property owner.
- Councilmember Stockard volunteered to meet with the property owner and see if he would agree to a group of volunteers helping him clean up and dispose of the items to get the property back into compliance with the city ordinance.
- **Motion by Stockard to give the property owner at 22564 Foley Street 60 days, until September 12, 2025 to be compliant with the city ordinances. If not, the city will take further and final action. Second by Haag. Motion carried unanimously**
- The city attorney shared he is in discussion with the attorney of the property owner on Agate Lake who initiated the quiet title on property in a plat the city considers public.

New Business:

- The Woodtick Inn will be holding a Corn Feed in August. Property owner did not appear at the meeting. Clerk-Treasurer to follow up with the request.
- Tom Nystrom, Cottontail Drive Cuyuna resident, presented a petition to the council requesting the timely cleanup of the property located at 22564 Foley Street and removing any RVs, buses, or other unlicensed vehicles in Cuyuna consistent with Ordinance 805A. He shared that the petition received 70 signatures from residents in Cuyuna and Wolford Township. Duane Wermerskirchen, Wolford Township resident, also helped with the petition survey. Mr.

Nystrom stated people he approached were asking why it was taking so long. He also alleged that when he explained the petition some individuals grabbed the petition to sign. Duane Wermerskirchen shared while there was improvement for awhile it is now as bad as before and needs to be cleaned up now.

- Clerk-Treasurer Bedard shared he received calls from residents who said they had been told during the petition survey their property would be devalued by the property at 22564 Foley Street if it is not cleaned up, that the city council had not acted on the issue, that the police chief had not acted, and individuals needed to sign the petition to get action. Councilmember Stockard shared he had received the same type of comments. Jake Kewatt commented his friend in the city shared the same comments about the petitioners.
- Tom Nystrom stated he never discussed the values of properties or said the council had done nothing when he asked for signatures.
- Tom Jacobson, friend of the property owner at 22564 Foley Street, expressed concern there seems to be a concerted effort to run the homeowner out of town by the petitioners.
- Councilmember Workman was not sure the petition had signatures from neighbors to the property in question. He also wants the property cleaned up, but needs to do so with some compassion, not bullying.
- Clerk-Treasurer Bedard shared information related to the property in question:
- Regarding the County's assessment process, he spoke to Sandra Brueland, Crow Wing County Property Assessor Supervisor. The County assessed valuation of a property is determined by "sales of like type properties-similar size homes" in the area. Neighboring property conditions such as unkempt or well-kept would have little if any impact on one's valuation.
- Regarding City action on the 22564 Foley Street nuisance. The nuisance complaint was initiated in November 2021 by Wolford Township resident Tom Nelson and subsequently Duane Wermerskirchen of Wolford Township. They also contacted the county, MPCA, and other entities.
- The MPCA found no environmental issues and closed their complaint case 2/23/22. No state or county action required.
- The Crow Wing County Community Services found no safety issues requiring county action.
- The City can only address a nuisance complaint through its Land Use Zoning Ordinance. How a person uses one's property is a sensitive issue whether a city or county deals with it. What is a hazardous definition vs unsightly, messy.
- The city addressed the issue at 22564 Foley Street publicly as an agenda item 29 times over the period of 2022-2025. Efforts resulted in improvements to the property, but then the property filled up with items again. The City moved forward with the court process and potential abatement, pausing the final action to see if the property would stay cleaned up. To date the City has spent \$14,365 on the cleanup process.
- The County has a \$108 million budget and a \$80,000 budget for property cleanups. The City only has a \$494,000 budget and to date has spent \$14,365 on one property cleanup. The City has a small budget compared to the county and unless an owner signs an agreement allowing the city to clean up one's property; it cannot act to remove nuisance violations on property without following the court process. Expenses incurred are paid by taxes collected from all Cuyuna property owners.
- Clerk-Treasurer shared information requested on abatements for area cities and the county.

- The City of Deerwood completed an abatement in 2014. The person bought back the property. Now the city is considering further abatement for one property with legal. Expensive to the city.
- The City of Crosby has not completed an abatement but currently reviewing with legal on a potential one. Current policy is to fine \$100 monthly and place outstanding amount on property taxes in November. The abatement process is expensive and last resort for action.
- The City of Ironton has no abatements but also is considering one with legal now.
- Crow Wing County has 3 methods to address nuisance issues:

Environmental issues: i.e., chemicals, oils on property. This type of issue is reviewed by the Environmental Services Department who can recommend to the Crow Wing County Board of Commissioners an enforcement action. If the Board approves, they can act on the property with no court requirements. The county can take enforcement action on environmental issues for any property in the county including within cities.

Safety issues: i.e., impacting broader community. This issue is reviewed by Community Services who can recommend to the Crow Wing County Board of Commissioners an enforcement action. If the Board approves, they can act on the property with no court requirements. The county can take enforcement action on safety issues for any property in the county including within cities.

Land Use issue: If the nuisance issue does not meet criteria to be addressed as an environmental or safety issue, the County can follow the process through their Land Use Zoning Ordinance. This requires a court process. The County currently has 2 processes working through their system from 2022-2023. It is more expensive and the same process as cities follow for abatement.

- Regarding placing abatement costs onto the property taxes and the county collecting the amount for the city, there have been federal and state changes in property laws according to Michelle Cronquist, Crow Wing County Assessing Services Supervisor.
 - If the property was tax forfeited prior to 2015, the county can collect the outstanding city special assessments at the time of sale of the property.
 - If the property was tax forfeited between 2016-2023 the county **cannot** collect outstanding city special assessments at the time of sale of the property with very few exceptions.
 - If the property was tax forfeited after 2023 and into the future, the county **cannot** collect outstanding city special assessments at the time of sale of the property. This would apply to the property at 22564 Foley Street should it go into tax forfeit status. The city would not collect the incurred abatement costs. The city could review with its attorney if the city can reassess and recertify against the new owner of the property.
- Regarding sale of tax forfeited property, the new laws in MN require a county to now sell tax forfeited property at a public auction and with a minimum bid stated. The property owner must be notified. The auction must take place within a set time period from the date of forfeiture.

- The City will be working with MN Rural Water/MDH evaluating and renewing the Cuyuna Well Head Protection Plan.

Adjournment:

- **Motion by Haag to adjourn. Second by Smith. Motion carried unanimously.**

William F Bedard
Clerk.

Lloyd Brix
Mayor

Approved