

June 9, 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, and Clerk-Treasurer Bedard. City Attorney Pearson attended remotely. Mayor Brix led the pledge of allegiance.

Motion by Haag to approve the minutes for the May 12, 2025 council meeting. Second by Smith. Motion carried unanimously.

Motion by Workman 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 were 4 first responder callouts for May: 1 in Rabbit Lake Township, 1 in Wolford Township, 1 in Deerwood Township, and 1 in Cuyuna. There were 2 fire call outs: 1 in Cuyuna and 1 in Rabbit Lake Township.
- June training will be Propane Emergencies.
- Cuyuna Fire Department Officer Jake Kewatt requested funds from the fire equipment fund to purchase uniforms for the volunteer firefighters. It has been a number of years since the last uniforms were purchased. Cost is \$1299.00.
- **Motion by Workman to purchase the volunteer firefighters' uniforms for \$1299. Monies come from the fire equipment fund. Second by Smith. Motion carried unanimously.**

Water and Sewer Report:

- No reports of water or sewer issues for the city lines.

Planning and Zoning Activity Report:

- One land use permit was issued for a home and two for septic systems.

Police Chief Report:

- Police Chief Smith provided the council with the May activity report. There were 14 traffic warnings.
- 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.
- The Police Chief activated the Tornado siren during the recent event when a funnel cloud was spotted over part of Crosby. The City Hall was opened for shelter and the City Park campers were notified.
- CPD patrol observed a large amount of garbage dumped on Eagle Ridge Road and the Iron Hub Road. City was notified and the garbage cleaned up.

- CPD responded to a complaint regarding construction work on Cottontail Drive and leaving a slippery mess on the road. Officer contacted the company, and they will clean up.
- CPD received a couple of reports from area residents stating they thought the dump trucks traveling on Cottontail Drive for a construction project were overloaded and causing damage to the road. CPD took pictures of suspected damaged and sent to the City.
- CPD received a complaint about a damaged mailbox caused by a construction truck. The incident happened in the Wolford Township portion of Cottontail Drive, so information was given to the resident to contact the Sheriff's Office.
- CPD investigating a report of a stolen trailer from property on Fox Run Lane.
- Received reports of suspicious activity at Gopher Tackle, a burning complaint on Oak Lane, and lost keys at the Cuyuna Campground. Reports of dogs running loose on Roosevelt Ave and one on Main Street. Owners were found and advised of the City ordinances.
- CWSO responded to a shooting complaint incident on Getaway Circle. Investigated and determined to be unfounded.
- CPD received complaints of speeders on Getaway Circle and someone continuing to sequel their tires on CSAH#31 when leaving Getaway Circle.
- The department assisted the Deerwood and the Crow Wing County Sheriff's Office with calls.

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, who is one of MDH's approved engineers to help on this process. There is no direct outlay of money from the City for the services. As Clerk Bedard submitted the information to the MDH for Round 1. Widseth will need to work with the City on responding to MDH's Round 2 Inventory. No action by the City Council is needed at this time.
- As authorized at the May City Council meeting, Widseth submitted the online Water System Intended Use Plan (IUP) Applications to the State for possible funding assistance. Decisions on who is fundable and who is not are made later in the year. No action by the City Council is needed at this time.
- Widseth is working on responding to Rural Development's comments to the City's submitted Water System Preliminary Engineering Report (PER). No action by the City Council is needed at this time.

Campground Report:

- RV site reservations are active with weekends full June-August. In talking to the campers, a recommendation would be to widen the gravel pads to 14' or more to accommodate more level areas around the vehicles for chairs.

Public Comments:

- No comments were received.

Unfinished Business:

- The city attorney updated the council on the plea agreement conditions for the property zoned commercial being used as a residence. Council reviewed the plea agreement conditions in May and agreed to move forward with the court pretrial of June 26, 2025.
- The city attorney updated the council on the unpermitted shed. The next court date is August 5, 2025 and he will work on an acceptable plea agreement with that person through the court process.
- No improvements were visible to the property on Foley Street regarding the non-compliance with the city's Nuisance Ordinance. Council will review at the July meeting.
- Council discussed the quiet title that was initiated by a resident to obtain ownership of a piece of property next to his two lots. When the plat was created in 1946 a small parcel was left open south of the resident's 2 lots as shown on the plat. An area measuring about 44' on the road and 63' at the lake shore. Possibly for a walkway, access to the lake for the park which is on the plat.. However, a house and septic system were constructed on this open parcel back in 1997 as no survey was completed. A recent survey was completed, showing the house is fully on this open parcel. The current house owner initiated the quiet title to obtain ownership for the open parcel. Jackie Brix was present and stated the public property should not be given free to the person initiating a quiet title. She noted it does not meet setbacks from side properties and lake. Further, the septic system does not meet setbacks from adjacent properties. Jim Hakes, adjacent property owner asked if no one contests the quiet title, does the person initiating the quiet title get ownership of the public property? Attorney Pearson said yes. Council member Stockard asked if the city contested the action could it obtain the property in question as it is public? Attorney Pearson said, in his opinion, the city would not be able to obtain title as the property is not explicitly stated on the plat. Council discussed whether the house could be moved. Also, should the city proceed with contesting the quiet title and receive judgement, it would then need to decide how to address the non-compliance of a structure on its property. An adjacent property owner could contest the quiet title. Corey Brix expressed his frustration that this property could be taken from the public use by a quiet title action. The city attorney will continue discussion with the individual's attorney on a solution for the city on this property.

New Business:

- Council reviewed the request for the June 14, 2025 Woodtick Races event. Owner has provided the proper certificate of insurance for the event and Police Chief Smith reviewed the application and has no objections to the event. Cuyuna officers will be at the event as in previous years.
- **Motion by Haag to approve the Woodtick Race Event. Second by Smith. Motion carried unanimously.**
- Council discussed the asphalt wear on Cottontail Drive that occurred during the beginning of a recent home build. The subcontractor for the project ran into unexpected peat soil requiring up to 18' of peat to be removed and replaced with fill. Over 3 days just under 1400 yards of peat needed to be removed and 2200 yards of fill brought in for the home project. 257 14 yd truck loads in all.

The city received two letters of complaint, one from a Wolfard Township resident and one from a Cuyuna resident on Cottontail Drive. Both addressed concerns of damage to the asphalt pavement from so many loads. Council reviewed the history of Cottontail Drive, noting the asphalt road is 23 years old with continued "alligator" wearing of the surface and yearly crack

sealing and repairs. It is beyond its life span. Council reviewed information provided by the county highway department on legal load limits and asphalt life span. There is no limit to the number of truck loads running on a road other than the weight limit. The hauling firm did not overload their trucks and did confirm they instructed their drivers to use the drop tires after entering Cottontail and prior to lifting them at the construction site. Council member Stockard shared it is an old road, has seen a lot of wear, and this is typical wear for construction. Council member Haag and Workman agreed the asphalt surface has shown aging and wear more each year and the recent wear is not negligence on part of the hauler.

Mayor Brix will ask the city road subcontractor for a quote to fix certain areas of Cottontail.

- Council was informed the CSAH#31 bridge replacement is scheduled for 2026. The county road across the bridge will be closed for 12-16 weeks and traffic detoured to CSAH#30 and State Hwy #6.
- The City received a “clean” audit for 2024. Auditors noted the City’s records were in good order, organized, available, and complete for the audit. Two deficiencies were noted which are common for small cities: lack of segregation of duties and preparation of financial statements by GAAP.

Adjournment:

- **Motion by Haag to adjourn. Second by Smith. Motion carried unanimously. 7:05PM.**

William F Bedard
Clerk.

Lloyd Brix
Mayor