

September 1, 2016

The regular meeting of the Cuyuna City Council was held at 7:00 pm in City Hall. Present were Mayor Brix and council members Z.Brix, Eisen, Stockard, and Zontelli. Mayor Brix led the Pledge of Allegiance.

Motion by Stockard to approve the minutes of the August 4 regular 2016 council meeting and the continued meetings from July held on August 3 and August 4. Second by Zontelli. Motion carried unanimously.

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

Fire Chief Report:

- Fire Chief Dirkes shared the monthly departmental report. There were no fires or first responder calls for the month.
- Advised the council that the county did not obtain the grant funding for its application for area departments' SCBA air pack requirements. Recommended the City still write its own application for FEMA grant funding as the department air packs are 20 years old and in need of replacement. Cost of the grant writing through WSN would be \$1500. Cost to replace is about \$4,000 per air pack plus the air bottles. About \$100,000 for the department.
- **Motion by Eisen to approve the grant writing expense using monies from the fire department's equipment fund. Second by Zontelli. Motion carried unanimously.**
- Chief Dirkes stated the department would like to go ahead with the fire truck purchase, but it may require a loan for 2-3 years as the fire department equipment fund cannot pay for the entire amount. No action taken by the council.
- A letter may need to be written to certain fire department members who are not attending the required meetings.

Water and Sewer Report:

- No issues reported for the SLSSD or the city water and sewer infrastructure.
- Mayor Brix and council member Zontelli discussed the SLSSD operations and that a review by Rural Water showed the rates needed to be raised to cover expenses. There will be a change in the fee structure used to bill the four cities. District would only charge for the water pumped and not by the reading from the flow meter for the sewage. There is not an additional cost to treat storm water infiltration into the system as it is clear water and evaporates from the treatment ponds.

Building Construction Activities:

- No new activity.

Police Chief Report:

- Deputy Chief Pat Pickar presented the monthly report to the Council. No action required. There were several warnings for excessive speed and various citations for possession of drug paraphernalia, driving after suspension, and inability to show proof of auto insurance.
- Spoke with the property owner who was running storm water onto neighboring property and advised the person it was illegal and needed to move the discharge pipe.

Engineer Report:

- Tim Houle, WSN Engineering, was present to report on the sanitary sewer project later in the meeting as an agenda item.

Attorney Report:

- Published the Bee Ordinance.

Website Report:

- No report

Cuyuna Lakes Chamber:

- Chamber active in upcoming events: 400 bike riders are signed up for Salsa Oremageddon bike event. Pink Frosting Breast Cancer fund raiser is in October as well as the annual Chamber dinner.

Unfinished Business:

- Tim Houle shared Rural Development is still reviewing Cuyuna's Sanitary Sewer Line project.
- He also looked at the Foothills road condition.
- Deb and Chuck Leonhardt were present to ask the status of the approach to Powderhouse Road coming off of the county road. They said it is very unsafe and needs to be corrected. Councilmember Stockard and Zontelli noted the road is private and is owned by developer Richard Harrison. While they agree the road approach is unsafe, the City does not have ownership of the road. Clerk reported the county has attempted several times to contact Mr. Harrison to arrange a meeting to discuss the cost sharing of the county's proposal to remedy the problem. Mr and Mrs Leonhardt said they had contacted the League of Minnesota Cities and were told that if the city had spent some monies to snow plow and maintain, then it is the city's obligation to take ownership and maintain. Attorney Bender noted that was generous of the city, but it does not obligate the city to further maintenance as it does not own the road. Council member Zontelli will contact Mr Harrison to expedite the meeting with the county.
- Greg Rider, developer and owner of the Foothills addition, was present and stated he would like to proceed with the blacktop project for the road at his own expense. He owns 31 lots and has only sold 5 over the last 13 years. He believes one of the reasons is the road is gravel and not blacktop. He has 3 potential lot buyers, but they each state they would like to have a blacktop road. He felt the city would benefit from this as the lots he owns would sell faster. Council expressed concern that this could set a precedent as there is at least one other development in need of black top. The city would need to insure the blacktop, thickness, and its application meets state and city requirements as the road maintenance will be the liability of the City. Mr. Rider shared information from 2003 that showed the road was constructed adequately. Council member Eisen felt that information was not current; 13 years old. Tim Houle, city engineer, had looked at the road. He felt the road base looked good. Does need to maintain the crown and roll down some. He and council member Z. Brix said there are some areas that need additional gravel placed down before any black top could be applied. Mr. Houle noted a written city/developer agreement would be advisable between Mr. Rider and the City to insure the blacktop meets state standards. Also, there should be a one year warrantee for any rework. Mr. Rider said he would like to start and finish the project this fall. Project would take 4-5 days. Mayor Brix said could schedule a special meeting or continue this meeting. Council asked for additional information.

Motion by Eisen that Mike Bender, Tim Houle, Council member Eisen, and Greg Rider meet to discuss and prepare an agreement between Mr. Rider and the City for the project. Second by Zontelli. Motion carried unanimously.

Motion by Z Brix to continue the Foothill Addition road blacktop discussion to September 15 at 7 pm in City Hall. Second by Stockard. Motion carried unanimously.

Council discussed the Stangl special use application to allow farm animals and constructing an animal shed on her property in a residential riparian district.

Motion by Stockard to deny the Stangl application noting the finding of fact of opposition from the public hearing, issues with noise, smell, and animal waste and disposal and the request conflicts with the ordinance. Second by Z. Brix. Motion carried unanimously.

Motion by Stockard to contact the city building inspector/zoning officer and confirm whether the construction/remodel of a pole building on the Stangl property has a valid permit. If not, send a letter from the city attorney to stop construction. Second by Z. Brix. Motion carried unanimously.

Council heard the Cuyuna Lakes Mountain Bike Trail Crew's report regarding work on the pumptrack and additional recommendations for improvements.

Motion by Stockard to hire Sheppard Construction to provide several loads of tailings to be used on the pumptrack. Second by Zontelli. Motion carried unanimously. Mayor Brix will contact the bike trail crew.

Received one estimate to run power and provide electrical amp pedestal service to the pump track campground RV sites. Council member Stockard will request additional quotes.

Council member Z. Brix shared that it would take 4-5 loads of tailings to fix Shady Oak Road. He said could wait to spring for the major repairs and the city could plan into the 2017 budget.

New Business:

- Council discussed the request from the Cuyuna Fire Department to raise the City's yearly lump sum contribution to the fire fighters retirement plan. Request was to raise the yearly contribution from \$1,100 per member per year to \$1,200 per member per year. The City would incur about \$11,000 initially in additional yearly costs. Fire Chief Dirkes pointed out that the Cuyuna Fire Department is a true volunteer department. Members do not get paid any wage for attending meetings, training, or fighting fires.

Council member Stockard said he could not support the increase request as there is considerable expense that comes with the fire department. Upcoming new truck expense, increase in retirement contributions, SCBA air packs. He believes a fire district would reduce cost for tax payers as there are 4 departments within 5-7 miles of each other. Fire Chief Dirkes shared that if the departments combined into a fire district the retirement cost would increase for Cuyuna because the district would use the highest contribution rate which is currently Crosby's at \$2,600 per member per year. The City would also lose income from townships it provides fire protection coverage. Council member Stockard said he understands the fire fighters put in a lot of time and know they do well, but they are a volunteer fire department. He asked how many calls/month does the department receive and where are the calls coming from as he hears a lot of public comments regarding the number of departments and costs. His position is that we should watch closely how we spend taxpayers' money. Mayor Brix and council member Z. Brix stated that the

Fireman's Relief Association contributes considerable monies to local and area groups and that would disappear if Cuyuna was part of a fire district. The fire department recently donated \$10,000. Council member Stockard stated the taxpayers are paying for the retirement fund and is concerned how the City could justify the raise. Council member Zontelli discussed that the department expenses are offset with the income from the township fire protection contracts and reimbursements from the state for training and the yearly state fire aid given to cities.

Motion by Eisen to increase the City's yearly contribution/member from \$1,100 to \$1,200. Second by Mayor Brix. Eisen, L. Brix, Zontelli voted in favor, Stockard voted against, and Z. Brix abstained. Motion carried.

Council member Z. Brix asked how many lots can be subdivided out and sold from a property over a 5 year period. Council member Zontelli said 3 lots could be subdivided and sold. Council member Z. Brix noted more than that has been subdivided and sold from a property owned by Richard Harrison and believes Mr. Harrison should be responsible to make the road access to City specifications.

Council reviewed in detail the 2016 year to date expenses and projected year end expenses and income. Additionally, the council reviewed 2017 projected expenses and income to determine the 2017 budget and 2017 levies. Council heard from Deputy Police Chief Pickar that the department vehicle should be replaced and is investigating options for a new vehicle. Council discussed what type of vehicle and associated expenses for such a purchase.

Motion by Z. Brix to set the 2017 Budget at \$233,000. Second by Eisen. Motion carried unanimously.

Motion by Stockard to set the 2017 General Levy at \$152,600, the Fire Equipment Levy at \$5,000, and the Police Equipment Levy at \$10,000. Second by Zontelli. Motion carried unanimously.

Adjournment:

- **Motion by Stockard to continue the meeting to September 15 at 7pm. Second by Z. Brix. Motion carried unanimously.**

William F Bedard
Clerk

Lloyd Brix
Mayor.