

June 2, 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.

Attorney Bender asked the May 5 minutes be amended to show one letter was sent to a fire member regarding attendance and training. Minutes reflected “letters”. **Motion by Z. Brix to approve the amended minutes of the May 5, 2016 regular council meeting and the May 9, 2016 continued meeting. Attorney Bender Second by Eisen. Motion carried unanimously.**

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

Fire Chief Report:

- No monthly report.

Water and Sewer Report:

- No open issues for the city sewer/water infrastructure.

Building Construction Activities:

- One garage permit.

Police Chief Report:

- Assistant Police Chief Pickar presented the written monthly report. The Cuyuna police department received a recognition plaque for participating in the Toward Zero Deaths (TZD) campaign in Crow Wing County. The program focuses on reducing deaths and injuries on the highways by enforcing seat belt laws, reducing distractive driving, and removing DUI drivers from the roads. The Cuyuna police department provided 18 hours of service towards these efforts. Other activities included verbal warnings and citations regarding vehicle speed and equipment violations. No action required from the council.

Engineer Report:

- Tim Houle, WSN Engineering, shared the University of MN would like to include Cuyuna in a ground water study and obtain a sample of its potable water pre and post treatment. There is no charge to the city. Mayor and council were fine with participating in the study and asked that the city water operator coordinate the sampling.

Attorney Report:

- City attorney shared information on the upcoming Legislation Update Conference on June 23. He would like to attend as the topics, such as zoning, are relative to the city.
- **Motion by Zontelli to pay the seminar fee of \$175 for the city attorney and up to \$60 for travel and food. Second by Eisen. Motion carried unanimously.**

- Reported pigs are not allowed in an area covered by the Shoreland Ordinance and zoned R-1. As it is not mentioned as allowable it is not allowed. If desired, the council could consider an amendment to the ordinance or a special use permit after a public hearing.
- Bryan Harvey, applicant to raise pigs in the Shoreland/R-1, questioned what the definition of agriculture was in the city ordinances. He stated his research with the state indicates agricultural means sale of agricultural items. He would not be selling the pigs.

Website Report:

- No report

Cuyuna Lakes Chamber:

- WCCO will be in the area the end of June; touring the Crosby/Cuyuna Lakes amenities.

Unfinished Business:

- Tim Houle stated the most likely scenario for the Cuyuna sanitary sewer project is to bid in the fall of 2016 and set construction for spring 2017. Rural Development may request a new Engineering Agreement.
- Crow Wing County highway personnel will be present at the July meeting to discuss improvements to the Powderhouse Road entry from CSAH#31.
- Council discussed the gravel pit application from Holmwig Excavating Inc. Council member Zontelli asked if the council needs more information on the property covenants and how they apply to the property. Attorney Bender shared that this use, a gravel pit, is not allowed in the R-1 residential district. Given the public input, he would not recommend approving the application. Brad Holmwig, Holmwig Excavating Inc, asked if he could remove the timber from the property. Attorney Bender stated if the council requested, he could review the request. Mayor Brix asked if the ordinance could be changed. Attorney Bender said there is a process to amend ordinances. Council member Zontelli shared that Dick Harrison, previous owner of the property in question, would release the covenants, but not sure if this would be allowed as the deed is recorded. Tom Rian, homeowner and an attendee at the public hearing meeting on this subject, stated he felt the council was working hard to approve the application when the majority of the people who attended the public hearing meeting were against it. Further, that the covenants prohibit the commercial use and the area is zoned residential.
- **Motion by Zontelli to deny the special use permit application for a gravel pit. Second by Eisen. Motion carried unanimously, with council member Z. Brix abstaining.**
- Council discussed changing city ordinances to allow for the raising of chickens. Council reviewed the Brainerd ordinance. Council member Eisen shared he thought there should be a minimum 2 acres for raising chickens. Council members Zontelli and Stockard thought there would not need to be a minimum acreage if people wishing to raise chicken obtained neighbors' approval, met certain minimum setbacks from neighboring buildings, and the city enforced cleaning the chicken coop and kept the area clean. Council then discussed the ordinance should include a yearly \$30 fee, roosters would not be allowed, up to 4 chickens allowed at any one time, the coop and cage area would need to be a minimum of 25 feet from property lines, chickens raised and eggs produced could only be used for consumption and not for sale, and all neighbors would need to provide written approval with the application. If complaints are received, applications would not be renewed the following year.
- **Motion by Zontelli to have the city attorney prepare a draft chicken ordinance and bring to the July meeting. Second by Z. Brix. Motion carried unanimously.**

- Council discussed permitting bee hives and cultivation within the city.
- **Motion by Stockard to have the city attorney prepare a draft bee cultivation ordinance, that includes obtaining abutting neighbors' approval and a one-year duration for the permit and bring to the July meeting. Second by Z. Brix. Motion carried unanimously.**
- Attorney Bender shared he will also review a Minneapolis city ordinance covering bees.
- Council tabled the Perry Lake Township inquiry for fire protection coverage.

New Business:

- Mayor Brix reported the pump track campground is ready for use.
- Council discussed maintenance of the buildings and mowing of the campground.
- **Motion by Zontelli to hire Lloyd Brix to maintain the supplies/cleaning of the pump track shower/bathroom as well as mowing the campground. Rate would be \$15/hour. Second by Eisen. Motion carried unanimously with Lloyd Brix abstaining.**
- Council member Zontelli reported Minnesota Energy Resources is conducting a survey to possibly expand natural gas service to the Agate Lake area. The company would come to the city should it determine it would expand the service.

Continuation of the meeting:

- **Motion by Eisen to continue the meeting to attend the 4Cuyuna Event on June 4, 2016. Second by Zontelli. Motion carried unanimously.**

William F Bedard
Clerk

Lloyd Brix
Mayor