

Pursuant to due call and notice thereof, the Regular Meeting of the Crosby City Council was held on Monday, February 10, 2020 at 6:05 p.m. at City Hall.

Members Present: Mayor Novak, Council Members Prushek, Wolfe, Traylor and Cash

Members Absent: None

Staff Present: Lisa Sova, Administrator Clerk-Treasurer; Deb Marty, Deputy Clerk; Mike Davis, Police Officer; Steve Karels, Public Works Director; Abby Smith, Head Librarian; Phil Martin, City Engineer; Joe Langel, City Attorney

1. Call Regular Meeting to Order

Mayor Novak Called the Meeting of the Crosby City Council to order at 6:05 p.m.

2. Pledge of Allegiance

Mayor Novak led with the Pledge of Allegiance.

3. Approval of the Agenda

Mayor Novak requested a correction to the agenda changing item B under the Consent Agenda to state "Approval of Minutes from January 31, 2020 Special Meeting".

4. MOTION BY MEMBER PRUSHEK AND SECONDED BY MEMBER CASH TO APPROVE THE AGENDA CHANGING ITEM B UNDER THE CONSENT AGENDA TO STATE "APPROVAL OF MINUTES FROM JANUARY 31, 2020 SPECIAL MEETING".

A VOICE VOTE: THOSE VOTING AYE: MAYOR NOVAK, MEMBER PRUSHEK, MEMBER WOLFE, MEMBER TRAYLOR AND MEMBER CASH. THOSE VOTING NAY: NONE. MOTION CARRIED.

5. Consent Agenda

- A. Approval of Minutes from January 27, 2020 Regular Meeting
- B. Approval of Minutes from January 31, 2020 Special Meeting
- C. Approval of Claims in the amount of \$304,000.15
- D. Adopt Resolution 2020-06-0210 accepting January 2020 Donations
- E. Approve hiring Dustin McCaleb and Michael Bertram as Volunteer Firefighters
- F. Accept the resignation of Volunteer Firefighter Jim Goshey

MOTION BY MEMBER TRAYLOR AND SECONDED BY MEMBER WOLFE TO APPROVE THE CONSENT AGENDA AS PRESENTED.

A VOICE VOTE: THOSE VOTING AYE: MAYOR NOVAK, MEMBER PRUSHEK, MEMBER WOLFE, MEMBER TRAYLOR AND MEMBER CASH. THOSE VOTING NAY: NONE. MOTION CARRIED.

6. Public Comments

Kim Coughlin of Deerwood, MN shared an encounter she had with a group of out of town visitors that stated how much they enjoy visiting the Cuyuna Lakes area and how happy they are with the growth within the City of Crosby. Ms. Coughlin also shared her displeasure with the negativity and constant character assassination of City Administrator, Lisa Sova who continually strives to make Crosby one of the best places to live and visit. Ms. Coughlin requested that everyone embrace the positive changes, reflect on how far the City has come, be supportive and stop the dissention.

7. Unfinished Business

8. New Business

A. Consider renewing the contract with Range Disposal - Member Cash and Member Traylor

Member Traylor stated the Refuse Committee met on January 27, 2020 with Range Disposal and are recommending renewal of the three year contract with no changes.

Member Wolfe suggested the City review the administrative fee and the cost the City incurs to do the billing for garbage service on behalf of Range Disposal to be sure there is a cost savings that is passed on to the residents. City Attorney Joe Langel stated the administrative fee that is charged should cover the costs the City incurs by facilitating the contract adding the City should not be using taxpayer dollars to support a privately owned company. He added the collection of unpaid fees should be handled by the contractor and not the City which needs to be clarified in the contract.

Council discussion ensued regarding delinquent accounts, uncollected expenses, certification to taxes and the fact that the City pays Range Disposal even when charges continue to be unpaid.

Council consensus was to direct City Attorney Joe Langel to work with Range Disposal's attorney to make changes to the contract eliminating the City's responsibility of past due refuse fees when the bills are not paid.

MOTION BY MEMBER CASH AND SECONDED BY MEMBER PRUSHEK TO RENEW THE THREE YEAR CONTRACT WITH RANGE DISPOSAL

SUBJECT TO MODIFICATIONS TO THE CONTRACT MADE BY CITY ATTORNEY JOE LANGEL CLARIFYING PAST DUE REFUSE FEES DEBT BE THE RESPONSIBILITY OF RANGE DISPOSAL.

A VOICE VOTE: THOSE VOTING AYE: MAYOR NOVAK, MEMBER PRUSHEK, MEMBER TRAYLOR AND MEMBER CASH. THOSE VOTING NAY: MEMBER WOLFE. MOTION CARRIED.

- B. Consider the request to terminate a common breezeway agreement between Cuyuna Development Company and the City of Crosby – Bob Rocca, Chuck Waby and Mark Severson**

Chuck Waby of Graphic Packaging, Bob Rocca, current owner of 1061 1st Street SW (Parcel ID 11113109) and his attorney, Mark Severson, approached the Council regarding the termination of a common breezeway agreement between Cuyuna Development Company (former owner of 1061 1st Street SW) and the City of Crosby due to the pending sale of the property located at 1061 1st Street SW to Graphic Packaging. Mr. Severson stated a survey reflected Mr. Rocca owns 1.4 feet of the building that is owned by the City of Crosby at 1057 1st Street SW (Parcel ID 11113114) and Mr. Rocca is requesting this encroachment be addressed along with the termination of the common breezeway agreement.

City Attorney Joe Langel suggested Mr. Rocca deed the 1.4 foot encroachment to the City of Crosby or include language in an encroachment agreement that protects the City if the building located at 1057 1st Street SW should be sold in the future. Council consensus was to terminate the common breezeway agreement between the City of Crosby and Cuyuna Development Company and direct Joe Langel and Mark Severson to work together on the addition of an encroachment agreement between the City of Crosby (owner of 1057 1st Street SW) and Bob Rocca (owner of 1061 1st Street SW).

MOTION BY MEMBER CASH AND SECONDED BY MEMBER WOLFE TO TERMINATE THE COMMON BREEZEWAY AGREEMENT BETWEEN THE CITY OF CROSBY AND CUYUNA DEVELOPMENT COMPANY TO INCLUDE A MUTUALLY AGREEABLE ENCROACHMENT RESOLUTION BETWEEN THE CITY OF CROSBY 1057 1ST STREET SW AND BOB ROCCA CURRENT OWNER OF 1061 1ST STREET SW CONTINGENT UPON REVIEW AND APPROVAL OF THE CITY ATTORNEY.

A VOICE VOTE: THOSE VOTING AYE: MAYOR NOVAK, MEMBER PRUSHEK, MEMBER WOLFE, MEMBER TRAYLOR AND MEMBER CASH. THOSE VOTING NAY: NONE. MOTION CARRIED.

**C. Consider approving the purchase of Toughbook computers –
Administrator Sova**

Administrator Sova explained Chief Andrew Rooney is requesting permission to purchase three Toughbook laptop computers as replacements of outdated computers. This is a budgeted expenditure.

MOTION BY MEMBER PRUSHEK AND SECONDED BY MEMBER WOLFE APPROVING THE PURCHASE OF THREE TOUGHBOOK COMPUTERS FROM SHI INTERNATIONAL CORPORATION AT A COST OF \$6,300. A VOICE VOTE: THOSE VOTING AYE: MAYOR NOVAK, MEMBER PRUSHEK, MEMBER WOLFE, MEMBER TRAYLOR AND MEMBER CASH. THOSE VOTING NAY: NONE. MOTION CARRIED.

**D. Consider approving the quote from Lakes Area Moving & Storage –
Administrator Sova**

Administrator Sova explained the first quote of \$10,450 is for the packing and moving of books and supplies to the temporary storage facility in Brainerd and the second quote of \$6,250 is to move the boxes from the temporary storage facility back to the library once the repairs to the library are complete.

MOTION BY MEMBER CASH AND SECONDED BY MEMBER PRUSHEK TO APPROVE THE QUOTES FROM LAKES AREA MOVING AND STORAGE NOT TO EXCEED \$16,700 TO BOX AND MOVE BOOKS AND SUPPLIES FROM THE LIBRARY TO THE TEMPORARY STORAGE FACILITY AND THEN MOVE THE BOXES BACK TO THE LIBRARY ONCE REPAIRS ARE COMPLETE. A VOICE VOTE: THOSE VOTING AYE: MAYOR NOVAK, MEMBER PRUSHEK, MEMBER WOLFE, MEMBER TRAYLOR AND MEMBER CASH. THOSE VOTING NAY: NONE. MOTION CARRIED.

**E. Consider contracting for Human Resources Attorney services –
Administrator Sova**

Administrator Sova requested this item be removed from the agenda at this time for further research.

9. Reports

A. Engineer's Report

Report was submitted.

B. Police Chief's Report

Report was submitted.

C. Fire Chief's Report

Report was submitted.

D. Hallett Center Report

Report was submitted

E. Library Report

Report was submitted.

F. Public Works Report

Report was submitted.

G. Attorney's Report

Mayor Novak inquired if the letter to Serpent Lake Sanitary Sewer District had been drafted. Attorney Langel stated he had drafted the letter and will be forwarding it to Administrator Sova for review.

H. Administrator's Report

Report was submitted.

Administrator Sova mentioned the Police Department call volume has remained approximately the same with more of a focus on traffic calls. The audit was completed on schedule and the search for a new human resources attorney is nearing the conclusion with a recommendation forthcoming.

I. Mayor/Committee Reports

Mayor Novak stated the Crosby City Council and Staff have been under a constant barrage of false accusations, ridicule and untrue statements that have been published in local newspapers. He shared his disappointment in a recent publication submitted by a fellow Council Member undermining the City Council decisions and the City Administrator's financial management ability through accusations and insinuation. Mayor Novak would like to assure the citizens of the City of Crosby that they benefit every day from the knowledge, skills and professionalism of the City Administrator where financial management is concerned adding the City of Crosby is on rock solid financial footing thanks to her knowledge and guidance of the City Council.

At the request of Mayor Novak, Administrator Sova provided a summary of the surplus for 2019 including a breakdown of revenue and expenses. Administrator Sova also provided a list of funds that she has brought into the City by applying for grants. Savings resulting from cost avoidance was presented. Long term investments were reviewed. As a result of prudent financial management, the City has been able to internally fund projects and avoid bonding (loans) thus avoiding significant costs that result from borrowing money.

10. Adjournment

Member Cash commented that she was unclear on certain policies and doesn't feel she gets a clear response to her questions. Administrator Sova offered to help her understand these policies. Member Cash stated the article she wrote was not intended to criticize Administrator Sova's accounting abilities adding she feels the Council is run by Mayor Novak, Member Wolfe and Administrator Sova and the rest of them might as well just take a nap.

MOTION BY MEMBER WOLFE AND SECONDED BY MEMBER PRUSHEK TO ADJOURN AT 7:45 P.M.

A VOICE VOTE: THOSE VOTING AYE: MAYOR NOVAK, MEMBER PRUSHEK, MEMBER WOLFE, MEMBER TRAYLOR AND MEMBER CASH. THOSE VOTING NAY: NONE. MOTION CARRIED.



Bob Novak, Mayor



Deb Marty, Deputy Clerk