

**City of Crosby
Council Agenda
Monday, August 28, 2023
6:00 p.m. Regular Meeting**

Pursuant to due call and notice thereof, the Regular Meeting of the Crosby City Council was held on Monday, August 28, 2023 at 6:00 p.m.

Members Present: Acting Mayor Traylor, Council Members Heglund, Lewis and Jarvela.

Members Absent: Mayor Cash

Staff Present: Matthew Hill, Administrator Clerk Treasurer; Dianne Howard, Administrative Assistant; Joe Langel, City Attorney; Scott Sadusky, Building Inspector; Phil Martin, City Engineer

1. Call Regular Meeting to Order

Acting Mayor Traylor called the meeting of Crosby City Council to order at 6:00 p.m.

2. Pledge of Allegiance

Acting Mayor Traylor led with the Pledge of Allegiance

3. Approval of the Agenda

MOTION BY MEMBER HEGLUND AND SECONDED BY MEMBER JARVELA TO APPROVE THE AGENDA AS PRESENTED.

A VOICE VOTE: THOSE VOTING AYE: ACTING MAYOR TRAYLOR, MEMBERS HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY: NONE. MOTION CARRIED.

4. Consent Agenda

- A. Approval of Minutes from August 14, 2023, Regular Meeting
- B. Approval of Claims
- C. Approval of Temporary Liquor License for Green Lantern/Ducks Unlimited Banquet
- D. Approval of Special Event Application for Fall Festival/Trunk or Treat in City Park
- E. Approval of cemetery lot buyback from Debbie Nygard-Norwood

MOTION BY MEMBER LEWIS AND SECONDED BY MEMBER HEGLUND TO APPROVE THE CONSENT AGENDA.

A VOICE VOTE: THOSE VOTING AYE: ACTING MAYOR TRAYLOR, MEMBERS HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY: NONE. MOTION CARRIED.

5. Public Comments: None.
6. **Unfinished Business:** Local bus service update. Administrator Hill recapped that the State withdrew their funding to Crow Wing County, resulting in Crow Wing County withdrawing funding to the City of Brainerd. This reduction in funding resulted in reduced services across the County including Crosby. Administrator Hill reached out to Arrowhead and AEOA per Council request. They are currently providing services to Aitkin and McGregor. He also reached out to Melinda Nelson who then sent Administrator Hill to Sandy Wheeler who then sent him to the voice mail of the Program Manager. Administrator Hill will continue to follow up with Sandy to find out the feasibility of being added to the services of Aitkin and McGregor. He will keep the Council informed of any progress. County Administrator, Tim Houle, called Administrator Hill today regarding the processes that were involved in the decrease in transportation funding as well. Member Heglund thanked Administrator Hill for digging into this. Acting Mayor Traylor stated that he hopes we can find a solution soon.

Ms. Wynn thanked Administrator Hill for his research and asked if he had contacted any of the other transportation services. He stated that he is working his way down the list. Member Lewis said he understands Ms. Wynn being upset about the decrease in funds and services. Acting Mayor Traylor suggested getting a hold of her county representative as they have more power than we do and it may be beneficial to the process.

7. **New Business**

- A. Consider request to accept a donated dock to be used as a public dock system in the City Park—Erik Christenson & Paul Kirkman

Administrator Hill reported that Community partners including the Serpent Lake Lakeshore Association, Project Revive and various business owners would like permission from the City of Crosby to install some public docks on Serpent Lake. They would be funded solely by outside donations, with the Brainerd Lakes Area Economic Development Corporation serving as the fiduciary agent.

Administrator Hill explained that they did this in Nisswa with great success for their local businesses in that area. He believes it could also greatly benefit Crosby's downtown businesses. Member of the Serpent Lake Lakeshore

A VOICE VOTE: THOSE VOTING AYE: ACTING MAYOR TRAYLOR, MEMBERS LEWIS AND JARVELA. THOSE VOTING NAY: MEMBER HEGLUND. MOTION CARRIED.

- B. Consider approval of resignation from Planning and Zoning Commission from Adam Carry—Administrator Hill

Administrator Hill reported that Mr. Carry provided a written resignation on August 21, 2023, of the Planning and Zoning Commission effective the same day. Administrator Hill expressed gratitude from the City of Crosby for Adam Carry's service.

MOTION BY MEMBER HEGLUND AND SECONDED BY MEMBER LEWIS TO APPROVE RESIGNATION OF ADAM CARRY FROM THE PLANNING AND ZONING COMMISSION.

A VOICE VOTE: THOSE VOTING AYE: ACTING MAYOR TRAYLOR, MEMBERS HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY: NONE. MOTION CARRIED.

- C. Consider approval to fill the vacancy on the Planning and Zoning Commission—Administrator Hill

Administrator Hill requested that the council allows us to advertise and accept applications for the Planning and Zoning Commission. The commission needs to fill two seats—one with the recent resignation of Adam Carry and one for the seat that has been open for a year.

MOTION BY ACTING MAYOR TRAYLOR AND SECONDED BY MEMBER LEWIS TO APPROVE FILLING THE VACANCY ON THE PLANNING AND ZONING COMMISSION.

A VOICE VOTE: THOSE VOTING AYE: ACTING MAYOR TRAYLOR, MEMBERS HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY: NONE. MOTION CARRIED.

- D. Consider approval of Resolution No. 2023-15-0828 supporting the Community Wayfinding signing with MnDOT—Administrator Hill

Administrator Hill reported that the City of Crosby, the Bike Safety Committee and himself are currently working toward bike safety signage and wayfinding signs with the Minnesota Department of Transportation. To place signs along the state highway and Main Street, MnDOT guidelines and standards will have to be followed. Acting Mayor Traylor asked if there were drawings in the Council packet. Administrator Hill clarified that yes there are, as a display was

Association, Mr. Christenson, stated that he believes with our year-long recreation offerings, Serpent Lake is basically a year-round lake. He went on to explain that boats are a favorable secondary transportation option if there is an option for them to drive up, dock, eat, shop, etc. Mr. Christenson believes the new docks would be well used. He stated that there will be no cost to the City's taxpayers as the docks would be owned and insured by the Serpent Lake Lakeshore Association. Member Heglund said that he does not approve of this plan stating that we already have two public accesses. Mr. Christenson stated that those accesses are very busy with long waits. Mr. Christenson said that the new docks would not take up any prime real estate such as the swimming beach and would not upset the serenity of the lake. The docks would be located at least 100 yards away from the swimming beach. Project Revive is behind this project as it is a very good economic driver and has a solid value for our downtown vendors. The location of the new docks is still to be determined. In addition, funding has not yet received final approval; all they are asking for currently is permission to plan for this project. Ultimately, they would like to add 10 slips; however, if the DNR regulates the number of slips that can be added, 3 slips would still have a huge, positive impact. Member Heglund said that he thinks it will make the lake too busy and that the taxpayers are very much against this project. Member Lewis believes everyone will benefit from a project like this one. Member Heglund thinks it will plug everything up. Member Lewis said the DNR will more than likely put limits on the number of slips allowed. Johanna Johnson stated that this conversation has been going on for 20 years. Mr. Christenson interjected that technically nobody owns the lake. Member Lewis wants to be guaranteed that the City will never own the docks. Mr. Christenson confirmed that the Serpent Lake Association will solely own them and will also carry the insurance liability. He believes this is a win/win for everybody. Member Heglund said that he believes that Nisswa has been fighting with the DNR ever since they added the new boat slips. Member Jarvela said that he backs this idea of adding the boat slips in Crosby. Member Heglund stated that he thinks it looks like a marina. Mr. Christenson clarified that it would not be a marina, just some well-placed slips to bring the boating community into town. Acting Mayor Traylor feels as long as it does not interfere with the swimming beach or the fishing pier, it would be a good addition. Mr. Christenson said that there will be no overnight parking/docking of boats. Ms. Johnson reported that Project Revive has done so many good things over the years for the City of Crosby and that they have always done their research. Acting Mayor Traylor said that placement of potential additional docks can be discussed at a later date.

MOTION BY MEMBER LEWIS AND SECONDED BY MEMBER JARVELA TO APPROVE REQUEST FOR A DONATED DOCK TO BE USED AS A PUBLIC DOCK SYSTEM IN THE CITY PARK.

needed for a local vendor to submit a quote. These renderings help to give us a better idea of how tall the signs will be and how big the lettering is. Acting Mayor Traylor asked if it would be possible to add our new logo on these signs. Administrator Hill said, yes, it is.

MOTION BY MEMBER JARVELA AND SECONDED BY MEMBER LEWIS TO APPROVE RESOLUTION NO. 2023-15-0828 SUPPORTING THE COMMUNITY WAYFINDING SIGNING WITH MNDOT.

A VOICE VOTE: THOSE VOTING AYE: ACTING MAYOR TRAYLOR, MEMBERS HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY: NONE. MOTION CARRIED.

- E. Consider approval of listing agreement with Anthony Koop of Coldwell Banker to sell three city-owned parcels on 2nd Street S.W.—Administrator Hill

Administrator Hill reported that on August 10, 2020, City Council approved Resolution #2020-20-0810 authorizing the marketing and sale of parcels 11112973, 11112974 and 11112975 but they were never sold. These are the three City owned, connected parcels along 2nd Street SW that are unbuildable due to the flood zone and proximity of Serpent Creek. Prior to Council approval in 2020, it was reviewed and recommended by the Planning and Zoning Commission to sell the properties to the City of Crosby. Administrator Hill has offered to work on behalf of the City to sell the parcels and to work with Mr. Koop to set a value on the properties based on the current market. Current County values show the three parcels combined value of \$4,700.00. There will be a payment of \$325.00 for administrative commission and 6% broker's compensation upon closing. This was reviewed by the City Attorney and deemed consistent with the current market. Administrator Hill stated that the objective is to get these lots off from our books and back in the tax rolls. The last listing agreement timed out. He is asking the City Council to agree to enter into a listing agreement with Anthony Koop of Coldwell Banker.

Member Lewis wanted to know why these parcels are unbuildable. Administrator Hill explained that Planning and Zoning Administrator, Brittany Cotner deemed them unbuildable. Member Lewis wondered if we could make them buildable with special rules. He asked if there was any way that we could give these parcels more value, which would allow us to sell them for a better purchase price. Acting Mayor, Traylor stated it is both a floodplain and wetland issue and it has been that for a while.

MOTION BY ACTING MAYOR TRAYLOR AND SECONDED BY MEMBER JARVELA TO APPROVE THE LISTING AGREEMENT WITH

ANTHONY KOOP OF COLDWELL BANKER TO SELL THREE CITY-OWNED PARCELS ON 2ND STREET S.W.

A VOICE VOTE: THOSE VOTING AYE: ACTING MAYOR TRAYLOR, MEMBERS HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY: NONE. MOTION CARRIED.

- F. Consider approval of request from Gifts Galore to replace a bush that was removed during the 1st Street S.W. project—Administrator Hill

Administrator Hill stated that Linda Peeples asked him to investigate the removal of a bush along 1st Street during the construction. Administrator Hill brought it to the attention of our City engineering team and C & L Construction at the construction meeting. Bolton and Menk provided an image of the area prior to construction showing that the bush was in the right-of-way based on the survey and sidewalk location. Administrator Hill denied Ms. Peeples request based on the location of the bush and the property survey. When Administrator Hill notified her of the findings, she requested that Gifts Galore be put on the agenda to discuss this issue with the Council.

Acting Mayor Traylor asked if there had been a survey. Ms. Peeples stated that she is not disputing that it was in the right of way, but instead asking for assistance in replacing the bush. She has concerns that this area will erode without vegetation in place. Ms. Peeples wants the City to buy the replacement bushes, otherwise she said all of the water will go down the sewer. Engineer Martin stated that there is not a retaining wall behind this area just grading and seeding. Member Lewis asked if it was stated in the contract that the contractor is responsible for controlling erosion. Engineer Martin said the contractor has seeded the area but walked away after that and so there ended up being a lot of weeds. Acting Mayor Traylor wants to be sure that there is no erosion. Member Lewis said that he believed the bush was an obstruction when driving and difficult to see around. Engineer Martin does not believe that the corner is going to be a problem. Member Lewis wants us to wait until the project is done. Engineer Martin stated that with Ms. Peeples' permission they can do some extra grading in that area too, which should be beneficial. Road building will start this week. They will start to seed in September until it freezes. Engineer Martin said that we will keep an eye on this area until we are sure how to proceed. Administrator Hill summarized that there will be no action at this time and we will continue to track this situation.

No action taken at this time.

8. Reports

A. City Engineer Report. Engineer Martin reported on 1st Street; they have the utilities in and they will be working on the last services this week and then they will go into road building, curb and gutter, sidewalk, and finally the turf. They have also started on 4th Street with the hope of having all of the utilities in within the week. They have to be done with all of these projects by early October. SE improvement preliminary engineer's report and draft and will be available at the Public Works Workshop that will be on held on September 14th at 6:00 p.m. The City has hired Nelson Sanitation to do the cleaning and televising for Crosby. Engineer Martin continued to explain that they developed about 5,400 feet of televising that they think should be done due to their last review. Input was also received by Administrator Hill and PW Foreman Lueck. MnDOT should have Hwy. 210 storm sewer done in September. They have hired Anderson Bros. to do the work. Engineer Martin also spoke of the alley north of 3rd Street that they jet on almost a weekly basis. The first step is to survey that alley to see what type of space that they have to work with and where the sewer location is. The sewer runs along the southerly part of the remaining alley. Engineer Martin believes that we should replace that line and also should clean up the alley. 2024 would be the earliest attainable goal for this project if we want to take it on. Acting Mayor Traylor asked if this line has been televised. Engineer Martin explained that they had tried to televise it in the past and they were able to get partially through it but not to the end because of the structure and a bend in the line that does not allow the camera to navigate all the way to the back. Acting Mayor Traylor asked if there is an option for relining this and then working the back side. Engineer Martin said that the backside cannot be lined as this sanitary line is too small, non-standard and cobbled. Administrator Hill stated this will give us time to work with the property owners to make sure that we are where we need to be legally with lot lines and to get the notifications out to all the utilities and then move this forward. Engineer Martin stated that we can also send notifications out to the contractors to invite them to quote on this project. Member Heglund wants the homeowner to run more water through the property, as he does not think there is enough pressure there. He would like us to give a water credit to the taxpayer at this location so they can push the additional water through for a couple of weeks to see if it makes a difference. He thinks the homeowner into the sewer is the problem. Acting Mayor Traylor stated that it is the main line that we would be working on. Member Heglund believes it is the homeowner that has the issue, not the main. Member Lewis asked if we ever determined if this was a vacated alley. Engineer Martin said yes, it was vacated 5 feet on the westerly side and 3 feet on the easterly side, so part of it has been vacated. Member Lewis asked if we have access without having to go onto neighboring properties. Engineer Martin said that we should talk to the people to the north about getting 5 more feet so we can put a road in there. Acting Mayor Traylor stated that it looks like we may have to if we are going to work on this. Member Heglund reiterated that he thinks we should just flush that line for two weeks. Engineer Martin does not believe that flushing it is going to fix this problem as it is a poorly laid out line and he would encourage us to do it right and fix it. Member Lewis agreed that we have to quit putting a band-aid on it. Member Heglund said that

there are many lines like this one in the City. Engineer Martin agreed but stated that we are trying to get rid of them.

B. City Planner report

The applicant was not in attendance at the regularly scheduled Planning Commission meeting, so the conditional use permit was tabled. They also discussed adding a line to the Land Use Category Chart for adding service-based businesses that are not currently listed.

C. City Inspector report

Inspector Sadusky stated that he will entertain questions and that things are going well. The final is coming on both school projects soon and Dollar Tree is complete.

D. Mayor/Committee reports

Acting Mayor Traylor mentioned that the budget workshop is coming up on Thursday, August 31st at 6:00 p.m. Administrator Hill stated that there will also be a Finance Committee meeting tomorrow at 10:00. Budget talks will continue until the end of the month. We have until the end of September to finalize the preliminary budget.

9. Adjournment

**MOTION BY MEMBER JARVELA AND SECONDED BY MEMBER LEWIS
TO ADJOURN AT 7:01 P.M.**

**A VOICE VOTE: THOSE VOTING AYE: ACTING MAYOR TRAYLOR,
MEMBERS HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY:
NONE. MOTION CARRIED.**



Jim Traylor, Acting Mayor



Dianne Howard, Administrative Assistant