

**City of Crosby  
Council Meeting  
Monday, October 23, 2023  
6:00 p.m.**

Pursuant to due call and notice thereof, the Regular meeting of the Crosby City Council was held on Monday, October 23, 2023 at 6:00 p.m.

**Members Present:** Mayor Cash; Members Traylor, Heglund, Lewis and Jarvela

**Members Absent:** None.

**Staff Present:** Matthew Hill, Administrator Clerk Treasurer; Dianne Howard, Administrative Assistant; Joe Langel, City Attorney; City Engineer, Phil Martin; Planning and Zoning Administrator, Brittney Cotner; City Inspector, Scott Sadusky

- 1. Called Regular Meeting to order at 6:00 p.m.**
- 2. Pledge of Allegiance**
- 3. Approval of the Agenda: Member Heglund asked to pull down Consent Agenda (C.) Approval of Claims. Approval of Claims will be moved to New Business (I.)**

**MOTION BY MEMBER HEGLUND AND SECONDED BY MEMBER TRAYLOR TO APPROVE THE AGENDA WITH THE MOVE OF APPROVAL OF CLAIMS TO NEW BUSINESS (I.)**

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

- 4. Employee Recognition**
  - A. Kay Nephew – 25 years of service and Officer Steve Ringhand – 20 years of service.
  - B. Officer Alan Booth – promotion at Civil Air Patrol to Lead Commander
- 5. Consent Agenda**
  - A. Approval of Minutes from the October 9, 2023 Regular Meeting
  - B. Approval of Minutes from the October 12, 2023 Special Meeting
  - C. Approval of Claims
  - D. Accept resignation of Shellie Wynn from the Economic Development Committee
  - E. Approval of Fireworks Display Application from North Star Fireworks – Cuyuna Christmas

**6. Public Comments:**

Tom Griffith had a previous conversation with Matthew Hill about the hospital and taxation. Mr. Griffith stated that there is a misconceived belief that the City does not receive benefits from tax dollars from the hospital or the extended care facility. He feels that this is a missed opportunity for the City Council, and that they should be sharing this information explaining the benefits that the City does receive from the hospital.

**7. Public Improvement Hearing – Alley north of 1<sup>st</sup> Street S. between 3<sup>rd</sup> Avenue E. and 3<sup>rd</sup> Avenue W. and alley north of 2<sup>nd</sup> Street S. between 3<sup>rd</sup> Avenue E. and 3<sup>rd</sup> Avenue W**

**Engineer Martin went over the 2024 SE improvement project handout.**

**Background: original clay pipes or iron pipes carry a greater probability for lead and potential problems. Statute 429 process was discussed. Surface condition, storm sewer, water, and sanitary sewer were all addressed.**

**Project financing—assessment process—what cost would be for preliminary assessment. Final assessment would not be until the close or closer to the close of the project. City assessment policy was discussed. Alleys will still be assessed. City will be paying 75% of the project cost and homeowners will be paying 25%. Interest on assessment--1% over cost of financing.**

**PUBLIC INPUT:**

Tom Griffith, 102 1<sup>st</sup> Street SW shared three concerns:

- Continuous trespass of stormwater runoff.
- Continuous trespass of the alley onto his property.
- The City's growth is creating a parking safety issue.

Concrete curb and gutter for better storm water run-off and parking on street.

Mayor Cash stated that we are currently addressing alleys. Mr. Griffith asked to be notified with any pertinent updated information.

Tim Larsen 24 1<sup>st</sup> Street SW asked if there were plans to resurface the streets. He went on to state that it is inconvenient for homeowners to be assessed twice in the next few years. Is there a way to space it out a bit so we do not overburden homeowners?

Bonnie Boyd. 213 2<sup>nd</sup> Street SW Drainage issues. With no storm sewer, will it be fixed at this time? Regarding the use of the street, she said that there are many

commuters that are not homeowners. It is being used by a lot of general traffic. Can the number change?

Mary Gaviglio, 8 1<sup>st</sup> Street SW stated that a double assessment is going to be a difficult situation; very difficult when they do not know the extent of the entire project. She agrees that it is not the homeowners that are using the streets. She believes that it is heavily traveled by semis and construction trucks, etc.

Rae Zahn 215 2<sup>nd</sup> Street SE. She is in favor of replacing the old infrastructure but would appreciate not having the double assessment in a short period of time. She also inquired if replacing her water line could be coordinated with the City project. Engineer Martin clarified that the public project is what the crew will be working on but they may offer her a deal if they are already in the area. Engineer Martin said there may also be the possibility for grant dollars for the replacement of lead pipes.

Nick Zillmer, 32 West Main Street is in favor of this project. The current problems with the alleys came with the last reconstruction. The City of Crosby had to fix the problems of the construction process after the fact. He wants it done right the first time. Drainage and how it works needs special attention. He asked that we look at the whole picture.

Carol Harding 219 2<sup>nd</sup> Street SW asked for Engineer Martin to clarify water main reconstruction and what it is. Engineer Martin explained the process. She is in favor of the reconstruction as she has had trouble with hers and has discussed this with City Administrator Hill as well.

Nick Zillmer stated that the water out of water treatment plant is amazing. This is not about our plant, just about what is underground--the infrastructure.

Tim Larsen asked if the electrical service can be put underground. Engineer Martin stated that electrical service is not controlled by the City.

There was a 5-minute recess called for by Mayor Cash at 6:48 p.m. The meeting resumed at 6:53. There was general conversation until the Public Hearing on Improvements was closed.

## **8. Unfinished Business**

A. Red Raven private improvement on public property follow up—Julie McGinnis

Ms. McGinnis asked that the Council reconsider pavers as she believes that they are more affordable, and they could get them installed now. If the City requires the walkway to be concrete, they will ask that the City be responsible for this project.

Ms. McGinnis stated that it is a safety concern. Mayor Cash explained that new improvements are charged 100% to the business owner. Ms. McGinnis stated that solid pavers are what they were thinking. Mayor Cash asked if they had picked out a style and what size they would be. Ms. McGinnis did not know the details at this time. Member Traylor stated if this is going to be a sidewalk, he would like it to be concrete. Ms. McGinnis had not gotten any bids at this time. Member Lewis suggested she proceed to get the bids as concrete may be cheaper than what she thinks it would be; however, if pavers are done correctly, they should be o.k. No permits are required per Building Inspector Sadusky and Planning and Zoning Administrator Cotner. Ms. McGinnis would also like to see the City build a municipal parking lot as there is not enough parking in the City.

- B. Consider approval of Resolution No. 2023-21-1023 to reclassify the storm water land use classification for 829 8<sup>th</sup> Street N.E.

Josh Schiffler, the owner of the bus garage, requested and was approved by Council to change his land use classification for parcel ID: 11010506 (bus garage property). Council approved the following:

Bus garage area 4 acres at 2.0 RED (#4); open area 5 acres at 0.2 REF (#2); and the balance of the property is undeveloped at 0.0 RED (#1)

To formalize the decision by the Council, a resolution is required. The proposed resolution presented today fulfills that requirement.

**MOTION BY MEMBER TRAYLOR AND SECONDED BY MEMBER HEGLUND TO APPROVE RESOLUTION NO. 2023-21-1023 TO RECLASSIFY THE STORM WATER LAND USE CLASSIFICATION FOR 829 8<sup>TH</sup> STREET N.E.**

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

## **9. New Business**

- A. Consider approval of Conditional Use Permit application 23-9 to allow for the operation of multi-family housing within an existing facility—Brittany Cottner, Planning Administrator

The Planning Commission reviewed and recommended that the City Council approve Conditional Use Permit Application 23-9 requesting to allow for multi-family housing within an existing memory care community. No exterior construction or expansion of the current structure is proposed as part of the request.

Crosby Senior Services is proposing to use the existing structure as dormitory-type housing that would be for their employees. The proposed use would be for a multi-family housing structure that would have a maximum of 16 rooms. There will be common areas for cooking and relaxing. There is no intent to rent these rooms out to anyone outside of the CRMC staff. There will be security measures in place including but not limited to key card access to the structures.

Dr. Amy Hart, CEO of CRMC reported that she has contacted the folks who would do the restriping. She went onto explain that the individuals who will be living here will only be associated with CRMC--medical students or doctors. They will not be rented out to the public. The rooms will be single rooms with twin beds only. There will be available parking in the front and in the rear and there is also a garage. All the residents that were in this facility have been moved to Heartwood. Mayor Cash asked that the ordinance code requirement of 32 parking stalls be added to the motion.

**MOTION BY MEMBER JARVELA AND SECONDED BY MEMBER LEWIS TO APPROVE CONDITIONAL PERMIT APPLICATION 23-9 TO ALLOW FOR THE OPERATION OF MULTI-FAMILY HOUSING WITHIN AN EXISTING FACILITY MEETING THE ORDINANCE CODE REQUIREMENTS OF 32 PARKING STALLS. A VOICE VOTE: THOSE VOTING AYE: MAYOR CASH; MEMBERS TRAYLOR, HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY: NONE. MOTION CARRIED.**

- B. Consider approval of placement and storage of public dock provided by Serpent Lake Lakeshore Association—Matthew Hill

The Serpent Lake Association received City Council approval to place a public dock at the City Park on August 28, 2023. The City Council approved the request, but the location was yet to be identified. Approval was contingent on the City not owning, insuring, or having to put in or out the docks.

Jacob Frie, Area Hydrologist, DNR, says that the DNR has no issues with the dock system at the park.

The Association feels that the best location would be just west of the fishing docks and east of the skateboard park, in front of the Police Department where there is a gap in the trees, just to the west of the existing fishing pier that the City maintains.

Mr. Hartle said financing was approved to maintain them.

Member Heglund stated that the taxpayers are not interested in this option. He wants us to be very careful to make sure that we are not liable for this dock moving forward. He said that this should possibly be placed on the ballot next year for the taxpayers to vote on. He does not like the idea at all. Member Traylor spoke with the neighbors, and they were o.k. with it but he would like it further to the west, maybe 20 feet. Planning and Zoning Administrator Cotner asked if this dock meets the marina definition. Administrator Hill clarified that it does not as there is no renting or service provided. Member Lewis does not want the City responsible for the dock either and he would like the beach to be better defined with additional buoys and/or rope on the east side of the swimming area. Member Traylor does not want the new dock to interfere with the existing dock.

**MOTION BY MEMBER TRAYLOR AND SECONDED BY MEMBER LEWIS TO APPROVE PLACEMENT OF NEW DOCK AN ADDITIONAL 20 FEET TO THE WEST, WITH STORAGE OF THE PUBLIC DOCK PROVIDED BY SERPENT LAKE LAKESHORE ASSOCIATION. ADDITIONALLY, BUOYS AND ROPES ARE BEING REQUESTED TO BETTER DEFINE THE SWIMMING BEACH ON THE EAST SIDE OF THE SWIMMING AREA.**

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

C. Consider approval of pay request from Crow Wing County for Roundabout Project—Matthew Hill

The City of Crosby, Crow Wing County, and MNDOT have partnered together to provide a roundabout at the intersection of Highway 210 and County Road 31. The work is complete, and the City has been issued an invoice for the City’s portion of the project. The City will pay the invoice and request the Grant allocation from IRRR and invoice Miner’s for the balance.

The City has a development agreement with Miner’s Inc. in which they will incur the City’s costs of the project, with the City providing IRRR grant assistance on their behalf. Administrator Hill applied for and was approved for \$150,000.00 of funding for the project. The balance will be invoice to Miner’s Inc. as directed in the Development Agreement.

Invoice amount from CWC	\$264,762.34
IRRR coverage	\$150,000.00
Balance to be billed to Miner’s	\$114,762.34

**MOTION BY MEMBER LEWIS AND SECONDED BY MEMBER JARVELA TO APPROVE PAY REQUEST FROM CROW WING COUNTY IN THE AMOUNT OF \$264,762.34 FOR THE ROUNDABOUT PROJECT. A VOICE VOTE: THOSE VOTING AYE: MAYOR CASH; MEMBERS TRAYLOR, HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY: NONE. MOTION CARRIED.**

- D. Consider acceptance of resignation of Christine Elliott from the Hallett Library—Matthew Hill.

Ms. Elliott resigned on Thursday, October 12<sup>th</sup> with her last day being Friday, October 27<sup>th</sup>

**MOTION BY MEMBER TRAYLOR AND SECONDED BY MEMBER HEGLUND TO APPROVE ACCEPTANCE OF RESIGNATION OF CHRISTINE ELLIOTT FROM THE HALLETT LIBRARY. A VOICE VOTE: THOSE VOTING AYE: MAYOR CASH; MEMBERS TRAYLOR, HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY: NONE. MOTION CARRIED.**

- E. Consider approval to post the Library Aide position—Matthew Hill

**MOTION BY MEMBER LEWIS AND SECONDED BY MEMBER HEGLUND TO APPROVE THE POSTING OF THE LIBRARY AIDE POSITION. A VOICE VOTE: THOSE VOTING AYE: MAYOR CASH; MEMBERS TRAYLOR, HEGLUND, LEWIS AND JARVELA. THOSE VOTING NAY: NONE. MOTION CARRIED.**

- F. Consider accepting resignation of Clarence Laffin from the Public Works Department—Matthew Hill

Mr. Laffin submitted his resignation on Thursday, October 12<sup>th</sup>. His last day will be Thursday, October 26<sup>th</sup>.

Member Heglund thinks that Clarence is the glue that holds Public Works together. He wants to offer him something so that he will stay. He wants us to try to hold onto him. Member Heglund thinks that if Mr. Laffin does not want to stay that we should not approve the Driver position. He would like to see the City go in another direction.

Member Traylor asked if we should hold off on accepting Mr. Laffin's resignation at this time to give us an opportunity to try to talk to him. Member Lewis stated

that he spoke with Mr. Laffin earlier and that he believes that he does not want to stay under the employment of the City.

Member Traylor wants us to follow Member Lewis's judgement since he is on the Public Works Committee.

**MOTION BY MEMBER TRAYLOR AND SECONDED BY MEMBER LEWIS TO APPROVE THE ACCEPTANCE OF THE RESIGNATION OF CLARENCE LAFFIN WITH REGRETS FROM THE PUBLIC WORKS DEPARTMENT.**

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

G. Consider approval to post the Driver position—Matthew Hill

Administrator Hill stated that the council will have to consider posting the Driver position. Mayor Cash stated that the position will have to be posted internally first. Member Heglund does not want to post the Driver position. Administrator Hill said procedurally we must adhere to union rules. We will advertise internally first. Interested candidates will have to be qualified. City Administrator Hill stated if we do not get any interested internal prospects, we will have to utilize external advertising thereafter. There was additional council discussion.

**MOTION BY MEMBER TRAYLOR AND SECONDED BY MEMBER LEWIS TO APPROVE THE INTERNAL POSTING OF THE DRIVER POSITION FOR THE 10-DAY PERIOD.**

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

H. Consider approval of request from Economic Development to dedicate \$1,000 from the ED Fund toward the MN Design Team visit in Spring 2024—Matthew Hill

Cuyuna Range Economic Development Inc. (CREDI) hosted the first of many planning meetings for a visit from the Minnesota Design Team.

The Cuyuna Range Cities had a visit from the MN Design Team in 2010 and there were many positive outcomes that were started because of their recommendations including: murals, Plaza Park, gateway signs, regional paved trail connections, and downtown revitalization.



CREDI, along with many volunteers including our Economic Development Committee, are working toward creating a new vision for the Cuyuna Range, focused on multi-generational growth and sustainability utilizing the professionals at the MN Design Team to provide an updated road map to achieve success.

The Economic Development Committee is making the recommendation to the City Council to approve an allotment of \$1,000 to go toward the \$7,000 cost of having the MN Design Team do their site visit. CREDI has agreed to provide \$3,500. Administrator Hill will be reaching out to the other local communities as well.

**MOTION BY MAYOR CASH AND SECONDED BY MEMBER LEWIS TO APPROVE THE REQUEST FROM ECONOMIC DEVELOPMENT TO DEDICATE \$1,000 FROM THE ED FUND TOWARD THE MN DESIGN TEAM VISIT IN SPRING 2024.**

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

I. Approval of Claims. Member Heglund wanted to know why we were purchasing another broom for \$1,000. Administrator Hill stated the invoice covered the \$500 broom plus additional parts. Member Heglund thinks we are going through way too many brooms and asked Administrator Hill to look into this further. Member Heglund also inquired about the high Ziegler invoice. Administrator Hill explained that it covered the inspection of the loader and the repairs that needed to be completed because of the inspection.

**MOTION BY MEMBER TRAYLOR AND SECONDED BY MEMBER JARVELA TO APPROVE THE APPROVAL OF CLAIMS.**

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

## **10. Reports**

### **A. City Engineer**

Update 1<sup>st</sup> and 4<sup>th</sup> Street, paving is planned for this week. Bolton & Menk have been encouraging them to speed it up. Engineer Martin thought it would be moving a little quicker than it is. October 1<sup>st</sup> was their deadline. There is a potential penalty of \$1620/day for every calendar day over that deadline.

### **B. Planning and Zoning**

No anticipated applications coming up.

C. City Inspector

Things are wrapping up for the year. Mayor Cash asked Inspector Sadusky about the status of the nuisance violations. Inspector Sadusky clarified that those are handled by Jeff Miller. Administrator Hill stated that the nuisance violations will be coming to the next council meeting.


D. Mayor/Council Reports

Member Heglund wanted to talk about the Christmas tree. Who is going to pay for it, who is going to do it. Administrator Hill said that this has already been reviewed and City Council approved the partnership between the City and the Chamber. Administrator Hill went onto explain that Economic Development did not want to provide the leadership on this. There will be a Christmas tree. Jody Stengel and Paster Anderson will be helping with some of the homeschooled groups etc. The Cuyuna Youth Center will also be helping. Pastor Anderson is helping organize the caroling.

**11. Adjournment.**

**MOTION BY MEMBER JARVELA AND SECONDED BY MEMBER LEWIS  
TO ADJOURN AT 8:09 P.M.**

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



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Diane Cash, Mayor



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Dianne Howard, Administrative Assistant