

Minutes and Proceedings of the City
Council of the City of Emily in the
County of Crow Wing, State of Minnesota
Including accounts audited by said Council

September 10, 2024

The Emily City Council met for a regular meeting on Tuesday, September 10, 2024 in the Council Chambers and was called to order by Mayor Tracy Jones at 6:00 p.m. Councilmembers Bryce Butcher, Gerhart Hanson, Andrew Hemphill, and Gregory Koch were present. Alex Voit, S.E.H., City Engineer, and Cari Johnson, City Clerk/Treasurer, were present.

The Pledge of Allegiance was recited.

Mayor Jones recessed the regular Council Meeting at 6:01 p.m. and opened a Public Hearing on a Landowner Petition for Vacation of Public Road Cartway from Dennis and Bridget Honsa to request vacation of the public road cartway established over PIDs 21090603 and 21090521. PID 21090521 is located in the Roosevelt's Sunset Hills plat in Emily. Mayor Jones requested public comment. No public comment was received. Mayor Jones closed the Public Hearing at 6:02 p.m.

COUNCILMEMBER BUTCHER MADE THE MOTION TO APPROVE THE AGENDA AS PRESENTED. COUNCILMEMBER KOCH SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

Mayor Jones requested a motion of approval of the Consent Agenda including meeting minutes of the May 14, 2024 Council Meeting and the Treasurer's Report from August 2024: Checking Beginning Balance \$1,587,586.56 and Ending Balance \$1,420,165.40; Receipts to General fund \$21,233.90, Sewer fund \$7,600.31, Total \$28,834.21; and Claims for Approval: \$125,064.07 including Pine River State Bank checks #61644 to #61727 and automatic withdrawals #330815 to #330822; Investments \$405,603.81; Total Checking/Investments \$1,825,769.21.
COUNCILMEMBER KOCH MADE THE MOTION TO APPROVE THE CONSENT AGENDA. COUNCILMEMBER HEMPHILL SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

PUBLIC FORUM: None.

SPEAKERS: Steve Hudson Cotariu, School Board Candidate, gave an introduction and briefly discussed his platform.

Dr. Jamie Skjeveland, Superintendent, and Mike Domin, School Board Member, Crosby-Ironton Schools, attended the meeting regarding the school district operating referendum on the ballot on November 5, 2024. Domin requested the public contact the School Board with any questions regarding the referendum.

Bob Eddy presented the second annual update on the Emily lake associations and lake improvement district (including Roosevelt, Ruth, Emily, and Mary Lakes) and the Emily Waters Committee. Eddy reported the lake associations/district work on aquatic invasive species (AIS) management, including education. Eddy reported the associations/district have water quality testing and lake level monitoring completed. Eddy reported a decontamination unit was deployed at the Roosevelt launch site, Youth Boating Training was conducted in July, and 12 months of Enbridge Water Testing were completed. Eddy reported there has been a significant expansion of Eurasian Watermilfoil over the last two years. Eddy reported no AIS treatment of Emily or Mary Lakes was completed last year, but 23.9 acres have been identified this year. Eddy reported 6.7 acres were treated for AIS on Ruth Lake last year and this year over 20 acres have been identified. Eddy reported 14 acres were treated on Roosevelt last year and this year 40 acres have been identified. Eddy reported the costs of AIS treatment are high. Eddy reported the lake associations have increased membership fees and received donations and the lake improvement district has increased their assessments, but the additional funds are not keeping up with the treatment costs for the expansion of AIS. Eddy requested an increase in annual financial support from the City from \$15,000

to \$30,000 in 2025 and any unspent budget funds be made available in 2024. Eddy reported on AIS management efforts. Eddy reported the associations/district do not have adequate funds to treat all the AIS this year, have had to take less effective measures, and were not able to treat some areas.

FIRE DEPARTMENT: Liaison Butcher reported the August Fire Department meeting was held with 14 members present and reported 3 fire calls. All equipment and SCBAs were checked. One member will attend school in September and a car rescue drill was held with the First Responders.

COUNCILMEMBER KOCH MADE THE MOTION TO APPROVE THE FIRE ENGINE #1 LEASE PAYMENT OF \$34,664.96 TO SANTANDER LEASING. COUNCILMEMBER HEMPHILL SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

COUNCILMEMBER KOCH MADE THE MOTION TO APPROVE THE FIRE ENGINE #2 LEASE PAYMENT OF \$44,900 TO COMMUNITY LEASING PARTNERS. COUNCILMEMBER HEMPHILL SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

MAYOR JONES MADE THE MOTION TO ADOPT RESOLUTION 24-43 ACCEPTING DONATION TO THE CITY OF \$10,000 FROM THE EMILY FIREMEN'S RELIEF ASSOCIATION TO THE FIREMEN'S EQUIPMENT FUND. COUNCILMEMBER HEMPHILL SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

COUNCILMEMBER HEMPHILL MADE THE MOTION TO APPROVE BLAIR MILESKI TO ATTEND THE MSFDA CONFERENCE AND FIRE SCHOOL SEPTEMBER 20 AND 21, 2024 IN MANKATO FOR \$275, 2 NIGHTS IN HOTEL UP TO \$300 TOTAL, PLUS REIMBURSEMENT OF MILEAGE AND MEALS. COUNCILMEMBER KOCH SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

FIRST RESPONSE UNIT: Liaison Hemphill reported the September First Response Unit meeting was held with 10 members present and reported 14 calls in August.

MAYOR JONES MADE THE MOTION TO ADOPT RESOLUTION 24-39 ACCEPTING DONATION TO THE CITY OF \$520.40 FROM THE EMILY FIREMEN'S RELIEF ASSOCIATION TO THE FIRST RESPONSE UNIT EQUIPMENT FUND. COUNCILMEMBER HEMPHILL SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

MAYOR JONES MADE THE MOTION TO ADOPT RESOLUTION 24-42 ACCEPTING DONATION TO THE CITY OF \$1,000 FROM AN ANONYMOUS DONOR TO THE FIRST RESPONSE UNIT EQUIPMENT FUND. COUNCILMEMBER BUTCHER SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

LAW ENFORCEMENT: The Northern Outpost for the Sheriff's Office is operational. Internet service has been installed and monthly costs will be paid for by the City, the door locks have been repaired, and a couch was provided on loan until the City's couch is delivered. The City will be receiving a quote for additional security measures for the Northern Outpost. The ribbon cutting event for the Northern Outpost and the new outdoor pickleball courts went well.

WASTEWATER: Lee Bundy, Wastewater Operator, and Brian Foster, Maintenance Supervisor, will be working on repairing the rapid infiltration basin distribution lines.

PLANNING & ZONING: Liaison Koch reported the Planning Commission has been working on a proposed ordinance regarding cannabis businesses. The Planning Commission will be holding a Public Hearing on the proposed ordinance at their October meeting.

ATTORNEY: Pennie Plesnicar accepted the City's offer to purchase parcels 21340552 and 21340553 for \$3,000 per lot plus closing and attorney costs. One of the property owners passed away, so the resolution to purchase the parcels was amended. **MAYOR JONES MADE THE MOTION TO ADOPT RESOLUTION 24-35, AMENDED, APPROVING THE PURCHASE OF PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF EMILY AS AMENDED TO ONE PROPERTY OWNER TO PURCHASE PARCELS 21340552 AND 21340553 FROM PENNIE PLESNICAR FOR \$3,000 EACH USING FUTURE CITY DEVELOPMENT FUNDS, PENDING CITY ATTORNEY**

REVIEW. COUNCILMEMBER BUTCHER SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

No information was provided regarding the modified conditional use permit conditions for the Northern Lights Over Roosevelt Homeowner's Association.

ROADS: COUNCILMEMBER KOCH MADE THE MOTION TO ADOPT RESOLUTION 24-44 VACATING A PUBLIC ROAD CARTWAY TO VACATE A CARTWAY ESTABLISHED OVER PIDS 21090603 AND 21090521 AS REQUESTED BY DENNIS AND BRIDGET HONSA. COUNCILMEMBER HEMPHILL SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

The Council discussed preparation for a proposed joint 2025 City road resurfacing project with Crow Wing County (CWC) Highway Department's planned 2025 west County Road 1 rehabilitation project. The City needs to inform CWC of the roads to be included in the project by December 2024. A cost sharing agreement would be needed in the future. Alex Voit, S.E.H., City Engineer, provided a proposed 2025 Street Project Proposal for Design and Construction for the City's portion of the proposed project including preparation of plans and specifications, construction administration and observation, project management, meeting with the Road Committee, coordination with CWC staff, presentation of plans and bid results, and project closeout on a fee hourly basis estimated at a total of \$20,000 including expenses and equipment. The City is estimated to receive \$54,923 in Small Cities Assistance for Streets in 2025 and the City received \$37,510 in Small Cities Assistance for Streets in 2024. The City saved \$65,000 from 2024 for streets. With anticipated annual budgeted funds, the City was estimated to have \$200,000 available for a road improvement project in 2025. Voit reported the estimated cost to mill and overlay one quarter of a mile of road is \$100,000. The Council discussed including Par West in the proposed project. If CWC were to do the road project design instead of the City's Engineer, CWC would charge 8% of the City's construction amount. If CWC were to do the inspection, they would charge 7% of the construction amount. CWC would charge 3% of the construction amount for having CWC bid the City's project with their project. The City could apply for Sourcewell Professional Services Reimbursement of up to \$20,000 for S.E.H.'s costs to work on the proposed road improvement project. The reimbursement program is on a first come, first served basis until Sourcewell's reimbursement funds are expended. A Road Committee Meeting is planned for Tuesday, September 17 at 9 a.m. to review City street pavement conditions. The 2025 Preliminary Budget needs to be set by the end of September, so the proposed project was tabled.

The Council discussed charging the property owners for damage to Blue Lane East pavement by contractors. There was a discussion regarding addition to the land use permitting process of taking before and after pictures of road conditions near properties when permits are approved for construction projects. The Road Committee will inspect the damage. The issue was tabled.

MAINTENANCE: Maintenance Supervisor Brian Foster reported mowing ditches, cutting trees, dump clean up, sewer pond work, picking up garbage from bears, and general maintenance. Foster requested the City purchase 1,000 yards of Class 5 gravel while the crusher is at Emily Sand and Gravel's pit. The City's current Class 5 stockpile is estimated to be 1,500 yards and 1,500 yards have been used this summer. MAYOR JONES MADE THE MOTION TO PURCHASE 1,000 YARDS OF CLASS 5 FROM EMILY SAND AND GRAVEL FOR AN ESTIMATED \$10,000. COUNCILMEMBER KOCH SECONDED THE MOTION. ROLL CALL VOTE – JONES, HANSON, HEMPHILL, AND KOCH VOTED AYE. BUTCHER ABSTAINED. THE MOTION PASSED.

The Maintenance Department was thanked for adding sod around the new pickleball courts and moving picnic tables for use near the courts.

CITY HALL: Tremolo will be working on updating the audio/visual equipment in the Council Chambers.

CEMETERY: Liaison Hanson reported one monument staking and four cremation burials: Betty LaBorde, Patrick LaBorde, Susan LaBorde, and Curtis LaBorde.

PARKS: Liaison Koch reported construction of the outdoor pickleball courts is complete and the courts are in use. COUNCILMEMBER HEMPHILL MADE THE MOTION TO PURCHASE TWO SIGNS FROM ECONO SIGNS FOR THE PICKLEBALL COURT WITH RULES FOR COURT USAGE AND ONE SIGN FROM ECONO SIGNS WITH COURT SPONSORS FOR A TOTAL OF \$177 PLUS SHIPPING AND ONE PICKLEBALL PADDLE RACK ROTATION SYSTEM FROM NEXTUP PEACEKEEPER FOR \$421.94 WITH SHIPPING USING FUND 404 PARK

DEDICATION FUNDS PER THE RECOMMENDATION OF THE PARK COMMISSION. COUNCILMEMBER BUTCHER SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

COUNCILMEMBER KOCH MADE THE MOTION TO ADOPT RESOLUTION 24-40 ACCEPTING DONATION TO THE CITY OF \$2,200 FROM EMILY OUTING FIFTY LAKES AREA LIONS TO THE PARK FUND – PICKLEBALL FUND. COUNCILMEMBER HEMPHILL SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

COUNCILMEMBER KOCH MADE THE MOTION TO ADOPT RESOLUTION 24-41 ACCEPTING DONATION TO THE CITY OF \$300 FROM GERHART HANSON, JR. TO THE PARK FUND – PICKLEBALL FUND. COUNCILMEMBER BUTCHER SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

MAYOR JONES MADE THE MOTION TO APPOINT KAREN TRENN TO THE PARK COMMISSION FOR A 2 YEAR TERM OF SEPTEMBER 11, 2024 TO DECEMBER 31, 2025 PER THE RECOMMENDATION OF THE PARK COMMISSION. COUNCILMEMBER BUTCHER SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

LIBRARY: Liaison Koch reported the Library Board approved a proposed 2025 Preliminary Library Budget.

PERSONNEL: No report.

EMILY WATERS: No report.

ECONOMIC DEVELOPMENT: No report.

CODIFICATION: The Council discussed possible revision of ordinances, including animals for removal of animal licensing and public safety to remove the City’s Police Department and provide for law enforcement coverage by the Sheriff’s Office. The Council gave approval for working with the City Attorney on ordinance revisions.

The adopted ordinances to date will be sent to American Legal Publishing after additional ordinance updates are complete.

UNFINISHED BUSINESS: Rick Sandri, North Star Manganese (NSM), provided a report. Sandri reported the focus of NSM was to complete the metallurgical testing and analysis of drilled samples being evaluated at Kemetco Research laboratory. The final flow sheet is still in optimization. Sandri reported the current Kemetco work is expected to be completed by this September. Sandri reported environmental visits associated with site reclamation (regrowth in disturbed areas) have continued and as of August over 80% of the plant growth and revegetation is complete. Sandri reported in association with the recent heavy rainfall, a limited number of the reclaimed areas show minor erosional disturbance requiring some repair (recontouring in the areas of ‘gully washes’). The visits and the corresponding reclamation activities are in the planned activities by NSM and conducted by Barr Engineering and Moritz Excavation as approved by the DNR. NSM continued its discussions with the DNR on its mineral lease applications on certain State mineral lands in the Emily area. This activity will be ongoing in 2024.

Meet the Candidate Night is planned for Monday, September 30 at 6 p.m. in the City Hall Gymnasium with local elected candidates only.

The City Slogan Contest has been open for one year and many slogan entries were received, but the Council did not feel any of the entries were a great fit. The Council closed the City Slogan Contest.

CWC Highway Department notified the City that Crow Wing Power City accounts for streetlights on County roads may be eligible to be transferred to CWC. CWC reviewed the City’s streetlight accounts and made the determination that two streetlights are eligible to be transferred, one at the intersection of State Highway 6 and County Road 1 and one at the intersection of County Road 136 and Wood Lake Boulevard.

NEW BUSINESS: The Council tabled the two propane pricing vendor options to request additional quotes.

The Council discussed renewal of LMCIT Workers’ Compensation Plan options. **MAYOR JONES MADE THE MOTION TO EXCLUDE ELECTED AND APPOINTED OFFICIALS OF THE CITY AND BOARD MEMBERS OF**

SEPARATE ADMINISTRATIVE BOARDS AND COMMISSIONS FROM THE WORKERS' COMPENSATION PLAN. COUNCILMEMBER KOCH SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

The Council reviewed the vehicles and properties included on the LMCIT Property/Casualty Insurance renewal application. The Council made the decision not to include coverage for the Economic Development Authority and decided to include coverage for fireworks for the Emily 125th Anniversary. **MAYOR JONES MADE THE MOTION TO APPROVE NOT WAIVING THE MONETARY LIMITS ON MUNICIPAL TORT LIABILITY FOR THE CITY'S LMCIT PROPERTY/CASUALTY INSURANCE COVERAGE. COUNCILMEMBER KOCH SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.**

Mayor Jones and Councilmember Butcher volunteered to be Council Liaisons for the Emily 125th Anniversary Committee. The Council approved advertising/posting for eight volunteer members for the Emily 125th Anniversary Committee. The Emily 125th Anniversary Committee members would meet with the current Celebrate Emily Day Committee members to plan the event.

Standard and Poor's completed a ratings review of Emily and reported there are no significant changes since their last publication. Rebecca Kurtz, Ehlers, was very helpful and assisted with the ratings review interview.

CWC reported the State passed new legislation in 2024 that affects the sale and management of tax forfeited properties in CWC. CWC will no longer remit any outstanding balances on special assessments that have been levied against properties forfeited between 2016 and 2023 at the time of sale. Proceeds from the sale will be sent to the State. CWC reported that properties that forfeit in 2024 and future years will have all taxes and special assessments cancelled at the time of forfeiture. If the City wants to collect special assessments due on properties forfeited in 2024 or future years, the City must recertify within 90 days of forfeiture. All properties forfeited in 2024 and future years will be taken to sale within six months of their forfeiture date, which typically occurs in late September. CWC provided a list of properties that forfeited from 2016 to 2023. Two of the properties listed are roads. Parcel ID 21160501 is a portion of Anna Drive and Parcel ID 21040516 is a private road in a development that is not maintained by the City. The listed portion of Anna Drive is a prescriptive easement and the property is not owned by the City. CWC reported in the past when plats were drawn up the developers did not account for roads correctly. Anna Drive was mistakenly designated as a parcel with a property owner. CWC made note that Anna Drive and Roosevelt Ridge are both roads. CWC is working with the County Attorney on options for how to sell a tax forfeited road. The Council approved consulting the City Attorney on the tax forfeited portion of Anna Drive.

The 2025 Preliminary Budget and Preliminary City Tax Levy are due September 30, 2024.

Sourcewell programs available for local governments were reviewed.

CORRESPONDENCE: Discussion included Liberty Tree Society regarding an offer for a William Bradford Memorial for the City. The Council did not approve the offer.

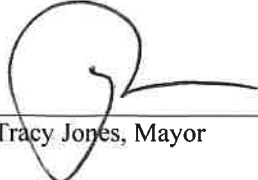
SCHEDULED UPCOMING MEETINGS: 2025 Preliminary Budget meetings were scheduled for Tuesday, September 17, 2024 at 6 p.m. and Wednesday, September 25, 2024 at 6 p.m. The General Election will be held on Tuesday, November 5, 2024. The Truth in Taxation Public Hearing will be held on Tuesday, December 10, 2024 at 6 p.m.

COUNCILMEMBER BUTCHER MADE THE MOTION TO ADJOURN THE MEETING AT 8:09 P.M. COUNCILMEMBER HEMPHILL SECONDED THE MOTION. ROLL CALL VOTE – JONES, BUTCHER, HANSON, HEMPHILL, AND KOCH VOTED AYE. THE MOTION CARRIED.

Respectfully submitted,

Attest:


Cari Johnson, MCMC, City Clerk/Treasurer


Tracy Jones, Mayor