

**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**

April 8, 2008

The Emily City Council met for a regular meeting on Tuesday, April 8, 2008, in the Council Chambers and was called to order by Mayor George Pepek at 7:00 PM. Council members Kent Rees, Joan Hite, Gary Hanson, and Dan Barrett were present. Also present was Charles Marohn of Community Growth Institute, Jeff Ledin of S.E.H., and Patricia Kestner, City Clerk.

COUNCILMEMBER BARRETT MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. COUNCILMEMBER HITE SECONDED. MOTION CARRIED.

COUNCILMEMBER HITE MADE A MOTION TO APPROVE THE MINUTES FROM THE MARCH 11, 2008 FIRE DEPARTMENT BIDS. COUNCILMEMBER REES SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE A MOTION TO APPROVE THE MINUTES FROM THE MARCH 11, 2008 REGULAR COUNCIL MEETING. COUNCILMEMBER REES SECONDED. MOTION CARRIED.

COUNCILMEMBER HANSON MADE A MOTION TO APPROVE THE MINUTES FROM THE MARCH 17, 2008 SPECIAL MEETING. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.

COUNCILMEMBER HITE MADE A MOTION TO APPROVE THE MARCH, 2008 FINANCIAL REPORTS, GENERAL SAVINGS \$118,785.06, SPECIAL SAVINGS \$289,090.27, INVESTMENTS \$482,625.94, TOTAL OF \$890,501.27. COUNCILMEMBER BARRETT SECONDED. MOTION CARRIED.

PLANNING AND ZONING: Charles Marohn reported the Developer of Roosevelt Shores will be meeting with P&Z Commissioners Bob Swanson and Bonnie Fairchild and Chuck.

COUNCILMEMBER REES MADE THE MOTION TO APPROVE ONE P&Z COMMISSIONER TO ATTEND THE BUILD SMART SUMMIT APRIL 30 AND MAY 1ST IN BRAINERD AT THE COST OF \$89.00 PLUS REIMBURSEMENT OF MILEAGE AND ANOTHER COMMISSIONER TO ATTEND THE DINNER FOR THE SUMMIT WITH REIMBURSEMENT OF DINNER COST AND MILEAGE. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED. Planning and Zoning Commissioners were directed to give the Council feedback on the summit.

COUNCILMEMBER REES MADE THE MOTION TO APPROVE ORDINANCE 906.1, AN INTERIM ORDINANCE PROHIBITING SUBDIVISION OF LAND BY PLAT. COUNCILMEMBER BARRETT SECONDED. Discussion included should this just be for Shoreland and/or Riparian. Rees stated density is an issue. Pepek stated the water issue made this moratorium surface. Hanson stated this was brought up because of current developments. This is a twelve month freeze but it could be shorten. There is no knowledge of anything new coming up regarding a subdivision. Marohn assured Hite this is for subdivisions not how you use land. **MOTION CARRIED.**

COUNCILMEMBER REES MADE THE MOTION TO ENCOURAGE THE PLANNING AND ZONING COMMISSION TO COMPLETE STUDY OF THE ORDINANCE BY AUGUST, 2008. THERE WAS NO SECOND AND MOTION DIED.

Mayor Pepek requested P&Z to include property addresses in Public Hearing notices printed in publication not just property ID numbers. Full Council agreed.

Elissa Rogers of CREDI/BLADC did not attend.

PUBLIC FORUM: No one to speak. As a resident, Kent Rees addressed the listening audience, reminding property owners that if they have a concern regarding their tax statement they should attend the Truth in Taxation meeting to be held in Brainerd on April 15 and 16th, 9 am to 3 pm. There is no local Board of Appeal.

FIRE DEPARTMENT: No report.

POLICE DEPARTMENT: Chief John Reed reported the new squad is in service and the Crown Vic squad is parked in a private garage.

1ST RESPONSE: Reported that some 1st Responders have moved out of town and it will be verified.

ATTORNEY: Still working on negotiations with Northern Lights over Roosevelt. There will be a special meeting later this month to discuss the EIS.

SCHOOL: Joan Hite reported the Tom Shinabargar, physical ed teacher, has set up student tree planting at the Emily Pine Ridge Cemetery the week of Arbor Day. The students will be planting 100 to 150 seedlings. The Council will put on a lunch for the students. **COUNCILMEMBER BARRETT MADE THE MOTION TO APPROVE SPENDING UP TO \$300.00 FOR FOOD. COUNCILMEMBER HANSON SECONDED AND MOTION CARRIED.**

CEMETERY: Joan Hite reported there was one burial, Lillian Goette. **COUNCILMEMBER HANSON MADE THE MOTION TO APPROVE THE PRICE FROM OBERG FENCE FOR THE FENCING FOR THE NEW SECTION OF THE PINE RIDGE CEMETERY, 980'- 42" HIGH FENCING WITH TWO OPENINGS, IN THE AMOUNT OF \$7,750.00. COUNCILMEMBER REES SECONDED.** The fencing will match the first section of the cemetery. Maintenance will need to stake where it should be installed. **MOTION CARRIED.**

CITY HALL: Gary Hanson reported the vinyl flooring for the bathrooms has been installed. **COUNCILMEMBER HITE MADE THE MOTION TO APPROVE CHARGING \$8.00 RENTAL FEE INSTEAD OF \$75.00 FOR CITY LOCATED BUSINESS HOLDING SAFETY TRAINING IN CITY HALL. COUNCILMEMBER REES SECONDED AND MOTION CARRIED.**

ROADS: Jeff Ledin reported the easement of Dahler Avenue, the triangle of land the road goes through, has been filed with Crow Wing County. As soon as the fees are paid by the City, we will have paperwork. There will be a meeting with the County regarding the drainage on County Road 1 on Friday, April 11th at 11:00, weather permitting.

PARKS: George Pepek reported some of the old park equipment will be moved closer to the new equipment and the rest will be cleared from the area. Pam Roden will give the clerk information regarding new tennis nets. The Park Commission is looking at tables, BBQ grills and garbage cans. Black Diamond tree service will trim trees in the park again this year. Councilmember Rees feels the fence along Park Lane should be reinstalled to keep snowmobiles and ATV's out of the park.

WASTEWATER: Kent Rees reported S.E.H. is expanding an inventory sheet they had prepared. Also a structural leak was found when PeopleService started to transfer the wastewater from the primary pond to the secondary pond. Repairs need to be done.

PERSONNEL: Personnel will be discussed in a closed session at the end of this meeting.

EDA: George Pepek reported there is a Company looking at some land in the City of Emily

UNFINISHED BUSINESS:

St. Emily Church's Rectory driveway is on hold until ground is clear of snow. The fee schedule will be retyped with the suggested increases from Mayor Pepek and Councilmember Rees. The schedule will be discussed at the next regular Council meeting.

COUNCILMEMBER REES MADE THE MOTION TO APPROVE ORDINANCE 212A AMENDING THE EMILY CITY CODE AS IT RELATES TO MINIMUM HOUSING MAINTENANCE STANDARDS WITHIN THE CITY OF EMILY AS READ. COUNCILMEMBER BARRETT SECONDED. VOTE TAKEN AND ALL COUNCIL VOTED AYE. MOTION CARRIED.

NEW BUSINESS:

COUNCILMEMBER HITE MOVED TO APPROVE CLARKE MOSQUITO CONTROL PROPOSAL TO SPRAY ONE TIME BEFORE EMILY DAY AT THE COST OF \$649.00. COUNCILMEMBER REES SECONDED AND MOTION CARRIED.

COUNCILMEMBER HITE MOVED TO LOCK IN FOR TWO YEARS WITH CLARKE MOSQUITO CONTROL FOR AN INCREASE OF NO MORE THAN 5%. COUNCILMEMBER REES SECONDED AND MOTION CARRIED.

COUNCILMEMBER REES MADE THE MOTION TO PAY CHRISTA ANDREWS FUNERAL LEAVE FOR ONE DAY DUE TO THE DEATH OF A FAMILY MEMBER. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.

COUNCILMEMBER REES MADE THE MOTION TO ADVERTISE THE SALE OF OFFICE EQUIPMENT, OLD COPIER, FAX MACHINE, PRINTER, OLD COMPUTER, CORNER DESK, KEYBOARD TRAY AND PHONES, USING SEALED BIDS. BIDS ARE TO BE ACCEPTED UNTIL MAY 1, 2008 AND WILL BE OPENED AT THE COUNCIL MEETING ON MAY 13, 2008. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED. A Councilmember and/or employee may make a bid for a piece of the equipment but can not open or vote for the item.

COUNCILMEMBER HITE MADE THE MOTION TO APPROVE EXTENDING THE WARRANTY OF THE WATER METER READING EQUIPMENT AND PROGRAM. COUNCILMEMBER REES SECONDED AND MOTION CARRIED.

COUNCILMEMBER HITE MOVED TO APPROVE DONALD BRYCE TO COME BACK AS THE SEASONAL PART-TIME MAINTENANCE WORKER AFTER MAY 1, 2008 AND TO WORK LESS THEN 32 HOURS A WEEK. COUNCILMEMBER BARRETT SECONDED AND MOTION CARRIED.

Councilmember Rees suggested the City needs policies and procedures for the recycling bins. Both of the bins need to be full for pickup. Also who will check the amount in the bins, clean up around the bins and call for the pickup. Also the lighting needs to be installed. Councilmember Hanson stated he will check on the lighting and Mayor Pepek stated the personnel committee will speak to the maintenance department regarding the bins.

COUNCILMEMBER HITE MADE A MOTION TO APPROVE PAYMENT OF CITY BILLS IN THE AMOUNT OF \$47,680.23. THE TRANSFER OF FUNDS FROM GENERAL SAVINGS IN THE AMOUNT OF \$40,000.00 AND FROM SPECIAL SAVINGS IN THE AMOUNT OF \$4,263.81 (\$25.00 FROM RECYCLING, \$970.27 FROM SCHOOL LEASE AID, AND \$3,268.54 FROM SEWER) TO CHECKING. COUNCILMEMBER REES SECONDED AND MOTION CARRIED.

Correspondence included Initiative Foundation acknowledgment of 2008 payment, Crosslake Area Historical Society, LMC 2008 Annual Conference and Marketplace, and LMC Policy Committee Membership.

The Council recessed the meeting at 9:40 p.m. for a short break.

THE COUNCIL CLOSED THE MEETING FOR PERSONNEL AT 9:45 P.M.

The Council reconvened at 10:20 p.m. No motions or actions were taken during the closed personnel meeting.

COUNCILMEMBER HITE MADE THE MOTION TO ADJOURN THE REGULAR COUNCIL MEETING. COUNCILMEMBER REES SECONDED AND MOTION CARRIED.

Meeting adjourned at 10:25 P.M.

Respectfully submitted,

Patricia Kestner
City Clerk