

**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**

March 9, 2010

The Emily City Council met for a regular meeting on Tuesday, March 9, 2010, in the Council Chambers and it was called to order by Mayor George Pepek at 6:00 PM. Councilmembers Gerhart Hanson, Daniel Barrett, Bob Swanson, and Russ Gustafson were present. Also present was Jeff Ledin of S.E.H., City Attorney Steve Qualley, and City Clerk Patricia Kestner.

COUNCILMEMBER BARRETT MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED WITH THE CHANGE TO INCLUDE RESOLUTION 10-08. COUNCILMEMBER SWANSON SECONDED. MOTION CARRIED.

COUNCILMEMBER GUSTAFSON MADE A MOTION TO APPROVE THE CONSENT AGENDA WHICH INCLUDED THE MINUTES FROM THE FEBRUARY 9, 2010 REGULAR COUNCIL MEETING; THE FINANCIAL REPORT FROM FEBRUARY 2010, GENERAL SAVINGS \$323,709.03, SPECIAL SAVINGS \$321,046.11, INVESTMENTS \$483,946.40, TOTAL \$1,128,701.54; PAYMENT OF CITY BILLS: \$56,432.42 WITH TRANSFER OF FUNDS GENERAL SAVINGS \$40,000.00 AND SPECIAL SAVINGS \$5,000.00 FROM SEWER TO CHECKING. RESOLUTION 10-07 GAMBLING LICENSE APPLICATION FOR LIONS CLUB ON THE PREMISES OF GRANNY'S FOR THE CORN FEED, AND RESOLUTION 10-08 GAMBLING LICENSE APPLICATION FOR OUTING CHAMBER FOR EMILY DAY BINGO. COUNCILMEMBER HANSON SECONDED. MOTION CARRIED.

FIRE: Chief Troy Satchell requested approval for schooling. COUNCILMEMBER HANSON MADE A MOTION TO APPROVE ELEVEN EMILY FIREFIGHTERS ATTEND SCHOOL IN BRAINERD OR DULUTH AT THE COST OF \$100 PER PERSON PLUS MILEAGE, MEALS, AND HOTEL IN MARCH AND APRIL. COUNCILMEMBER GUSTAFSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE A MOTION TO APPROVE THE EMILY FIRE DEPARTMENT PARTICIPATE IN THE REGIONAL RADIO GRANT HOSTED BY BRAINERD FIRE DEPARTMENT WITH THE UNDERSTANDING OF A 20% MATCH AND A GRANT WRITER'S FEE OF \$100.00. COUNCILMEMBER GUSTAFSON SECONDED AND MOTION CARRIED.

1st RESPONSE: Dan Barrett reported there were five medical calls in February.

POLICE: Chief Bill Bernhjelm reported he will be attending the Minnesota Chiefs of Police Conference in St. Cloud from April 12-15, 2010 and will personally cover the expenses but will turn in his hours. Council did not feel the need to make a motion but agreed that would be hours worked.

ROADS: Gary Hanson and Jeff Ledin reported there was a road meeting before the Council meeting and there was no Council action needed at this time. The signage for parking in the Northern Lights Over Roosevelt area will be ordered. Road restrictions are now in force.

Sheriff Todd Dahl attended the Council meeting as his annual visit. Sheriff Dahl did a "Show and Tell" of narcotics and announced that Crow Wing County was no longer in the top 13 counties of accidents. The County is now number 23.

PUBLIC FORUM: No one spoke.

PLANNING & ZONING: John Bergstrom reported discussion of ordinance changes regarding camping and guest quarters will take place during the April 7th Planning & Zoning meeting.

SCHOOL: Russ Gustafson reported the school is losing their sponsor and Crosslake has not decided if they will take over.

CITY HALL: George Pepek reported he received a bid for new gutters. **COUNCILMEMBER BARRETT MADE A MOTION TO APPROVE THE BID RECEIVED FROM GREAT NORTHERN SEAMLESS GUTTER, INC. IN THE AMOUNT OF \$532.00 TO REPLACE THE EXISTING GUTTER SYSTEM ON THE CITY HALL. COUNCILMEMBER GUSTAFSON SECONDED AND MOTION CARRIED.** Councilmember Hanson reported the need to expand the Clerk's office and will start contact someone for drawings and then bids.

WASTEWATER: Russ Gustafson reported that grants are being investigated for expanding the system.

CEMETERY: No report

PERSONNEL: George Pepek reported there was a personnel meeting last month. **COUNCILMEMBER SWANSON MADE THE MOTION TO APPROVE THE SPRING/SUMMER HOURS FOR THE PLANNING AND ZONING OFFICE AS OF APRIL 12, 2010, 8:30 A.M. TO 12:30 P.M. COUNCILMEMBER HANSON SECONDED AND MOTION CARRIED.**

COUNCILMEMBER HANSON MADE THE MOTION TO CONTINUE THE CLERK'S OFFICE HOURS AS IS MONDAY, TUESDAY, AND WEDNESDAY 8:00 A.M. TO 4:30 P.M. AND THURSDAY AND FRIDAY 8:00 A.M. TO 12:00 P.M. WITH APPOINTMENTS ACCEPTED UNTIL 4:30 P.M. ON FRIDAYS. COUNCILMEMBER GUSTAFSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER SWANSON MADE THE MOTION TO INCREASE THE EMILY FIRE CHIEFS YEARLY SALARY FROM \$900.00 TO \$1,200.00 AND THE EMILY ASSISTANT CHIEF FROM \$600.00 TO \$800.00. THE EMILY 1ST RESPONDER CHIEF WAS GIVEN A SALARY OF \$500.00 A YEAR AND THE ASSISTANT 1ST RESPONDER CHIEF A SALARY OF \$250.00 A YEAR. COUNCILMEMBER HANSON SECONDED AND MOTION CARRIED. This does not mean the Fire and 1st Responders are joining together as one group.

COUNCILMEMBER HANSON MADE THE MOTION TO AGAIN INCREASE THE PAY ON JANUARY 2011 AS FOLLOWS: FIRE CHIEF \$1,500.00, ASSISTANT FIRE CHIEF \$1,000.00, 1ST RESPONDER CHIEF \$1,000.00 AND ASSISTANT 1ST RESPONDER CHIEF \$500.00. COUNCILMEMBER BARRETT SECONDED. Discussion included waiting until budget time for any other increase. THE VOTE WAS TAKEN BARRETT AND HANSON AYE AND GUSTAFSON AND SWANSON NAY. MAYOR PEPEK BROKE THE TIE WITH A NAY VOTE. MOTION FAILED.

COUNCILMEMBER BARRETT MADE A MOTION TO SEND TONY STOCKARD, MAINTENANCE SUPERVISOR, AND BRIAN FOSTER, MAINTENANCE WORKER TO A TRAINING MEETING AT NORTHWOOD TURF & POWER ON MARCH 17, 2010 REGARDING CHAINSAW SAFETY AND AN EXHIBIT OF NEW WORKSITE PRODUCTS. COUNCILMEMBER GUSTAFSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER GUSTAFSON MADE A MOTION TO APPROVE TONY STOCKARD AND BRIAN FOSTER ATTEND A ONE DAY TRAINING IN ST. CLOUD ON APRIL 20, 2010 REGARDING EMERALD ASH BORER AND ROAD MAINTENANCE AT THE COST OF \$45.00 PER PERSON AND REIMBURSEMENT MEALS AND TIME. COUNCILMEMBER BARRETT SECONDED AND MOTION CARRIED.

MANGANESE: George Pepek reported there will be a Special Meeting on Thursday, March 11, 2010 at 6:00 p.m.

PARKS: George Pepek wanted direction regarding the bike path in the park and gave the Council a copy of the Park Committee report. The Park Commission will be allowed to get bids for the bike path which will be in the City Park, 6" high, 4" of base and 2" of asphalt 8' wide.

EDA: No report.

ATTORNEY: **COUNCILMEMBER SWANSON MADE A MOTION DIRECTING THE CITY ATTORNEY, STEVE QUALLEY, TO NOTIFY THE KOCH'S REGARDING THEIR VIOLATION; THE COUNCIL HAS APPROVED ALLOWING FOUR FEET OF FLOORING AND ONE YEAR OF MONITORING THE SPACE ABOVE THEIR GARAGE. COUNCILMEMBER GUSTAFSON SECONDED. Discussion included the monitoring and if a complaint is received after the one year period the City has the right to inspect. VOTE WAS TAKEN WITH SWANSON, GUSTAFSON, BARRETT AYE AND HANSON NAY. MOTION CARRIED BUT NOT UNANIMOUSLY.**

COUNCILMEMBER BARRETT MADE THE MOTION TO DIRECT CITY ATTORNEY, STEVE QUALLEY, NOTIFY THE NORTINS AND STENBERGS OF AN APPRAISAL OF ROUTE #2 FOR THE CARTWAY. THIS WILL GO STRAIGHT, NOT TOWARDS THE NORTIN RESIDENCE. COUNCILMEMBER HANSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE THE MOTION TO DIRECT CITY ATTORNEY, STEVE QUALLEY, CONTACT JAMES RUNBERG TO PERFORM THE APPRAISAL OF THE CARTWAY. COUNCILMEMBER HANSON SECONDED AND MOTION CARRIED.

UNFINISHED BUSINESS:

NEW BUSINESS: **COUNCILMEMBER BARRETT MADE THE MOTION TO SEND PAT KESTNER, BARB HUBBARD, CHRISTA ANDREWS, TONY STOCKARD AND BRIAN FOSTER TO THE LMC 2010 SAFETY & LOSS CONTROL WORKSHOP \$20 PER PERSON PLUS MILEAGE IN ST. CLOUD APRIL 27, 2010. COUNCILMEMBER GUSTAFSON SECONDED. VOTE WAS TAKEN WITH BARRETT, GUSTAFSON, HANSON VOTING AYE AND SWANSON VOTING NAY. MOTION CARRIED BUT NOT UNANIMOUSLY.**

COUNCILMEMBER BARRETT MADE A MOTION TO APPROVE FIRE & EMS CONTRACTS WITH FAIRFIELD TOWNSHIP AND LITTLE PINE TOWNSHIP REMAIN AT A TOTAL OF 2% OF THEIR TAX CAPACITY. COUNCILMEMBER HANSON SECONDED AND MOTION CARRIED. The Clerk was directed to correspond with Ross Lake Township regarding a new contract at 2% of their tax capacity and Fairfield for the remainder of their sections.

After discussion there will be not change in the primary newspaper for the City of Emily.

COUNCILMEMBER BARRETT MADE THE MOTION TO APPROVE THE AMENDED WASTEWATER OPERATOR AGREEMENT WITH PEOPLESERVICE WITH A MONTHLY SAVINGS OF \$510.00. THE OPERATOR WILL BE IN THE CITY FOR TESTING ONCE PER WEEK, THE CITY MAINTENANCE DEPARTMENT WILL PLOW AROUND THE LIFT STATIONS AND CONTINUE MARKING FOR GOPHER STATE ONE. COUNCILMEMBER GUSTAFSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER HANSON MADE A MOTION TO WAIVE THE METER FEE OF \$30.00 FOR ST. EMILY CATHOLIC CHURCH SINCE THIS WOULD BE THE THIRD METER REPLACED. COUNCILMEMBER GUSTAFSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE THE MOTION TO ADOPT THE COMPUTER POLICY WITH CHANGING CITY CLERK TO CITY CLERK/COUNCIL. COUNCILMEMBER GUSTAFSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER GUSTAFSON MADE A MOTION TO APPROVE THE REQUEST FROM CROW WING COUNTY LAND SERVICES DEPARTMENT TO SALE A TAX FORFIETTED PARCEL, 210222102NE0009, PER THE ALTERNATE SALE PROCEDURE PURSUANT TO MS 282.01, SUBD 7A. THIS PROPERTY WILL BE SOLD TO AN ADJACENT PROPERTY OWNER. COUNCILMEMBER SWANSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE A MOTION TO RECESS TO AN EDA MEETING AT 8:10 P.M. COUNCILMEMBER HANSON SECONDED AND MOTION CARRIED.

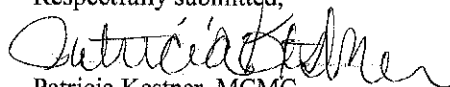
COUNCILMEMBER GUSTAFSON MADE A MOTION TO CLOSE THE EDA MEETING AND RECONVIENE THE REGULAR COUNCIL MEETING AT 8:20 P.M. COUNCILMEMBER BARRETT SECONDED AND MOTION CARRIED.

COUNCILMEMBER SWANSON MADE THE MOTION TO REDUCE THE INVOICED AMOUNT DUE TO THE CITY OF EMILY FROM THE MORITZ TIF BY \$2,500.00 AND THE BALANCE OF THE INVOICES NEEDS TO BE PAID WITHIN 60 DAYS. COUNCILMEMBER GUSTAFSON SECONDED AND MOTION CARRIED. THE GENERAL FUND WILL COVER THE \$2,500.00.

COUNCILMEMBER BARRETT MADE THE MOTION TO ADJOURN AND COUNCILMEMBER HANSON SECONDED. MOTION CARRIED.

Meeting adjourned at 8:24 P.M.

Respectfully submitted,



Patricia Kestner, MCMC
City Clerk