

CITY OF MARINE ON ST. CROIX CITY COUNCIL MEETING
Thursday, September 12, 2024

The meeting was called to order by Mayor Nyenhuis at 7:00pm. Pardun, Anderson , Ward, Miller present.

Citizens: Glen Mills, Isiah Bubany, Lynn Bjorkman, Larry and Gwen Roden, Jackie Miller, Charlie Borden, Matt Anderson, Annie Minich, Dorothy Deetz, Mary Whitaker, Gayle Knutson, Rosie Peters, Roger Lyle, Pat Pardun, Molly Arnason, Hannah Bradahl, Annie Moore,

Approval of the Agenda – *Miller moved and Anderson seconded to accept the agenda as drafted. All in favor, motion passed.*

Citizens Considerations –

Marla – Lynn Bjorkman was in attendance on behalf of the Marine library association to update the Council that the AV projector and screen equipment has been funded by Marine resident donations and has been ordered.

Marine Village School – Mike Lammi and Sara Stivland were in attendance on behalf of the School to update the Council on the recent activities. Win Miller has resigned from the Board and Sarah Stivland has taken over that position and Mike Lammi has stepped in as the treasurer. The new school year has started and is fully staffed with Kindergarten through Fifth grade. The lease aid application is ready to be submitted for the upcoming school year. There are also discussions about what it would take to add a grade six to the school in the future.

Planning Commission – Commissioner Spisak was not in attendance, however submitted a written report that was included in the Council packet. There is an interim use request for Bill Ries at 491 Maple Street to park a class 6 commercial vehicle (school bus) on the property. Anderson believes this makes sense from a City point of view and any neighbor disputes should have no bearing on the outcome as long as the permit meets the stated requirements. Miller noted that it is the applicant’s responsibility to file the approved IUP with the County.

Anderson moved and Ward seconded to recommend approval for the Interim Use Permit for 491 Maple per the Planning Case 240827-01 to allow the parking of a Class 6 commercial vehicle. All in favor, motion passed.

Public Safety – Chief Mills reported there were twenty calls in the last month. One was a broken gas main, which a bill will be sent to the company responsible for the break. Marine Fire also won first place at the Taco Daze water ball tournament over the weekend.

Roads – Isiah Bubany reviewed the Engineering Report. Allied Blacktop has requested the first payment towards the crack fill and seal coat project in the amount of \$33,910.25. The County road three project is tentatively scheduled for 2030. MnDOT is performing a highway study on Highway 8. They will keep the Council updated as the process moves forward.

Pardun moved and Anderson seconded to approve payment number one to Allied Blacktop in the amount of \$33,910.25 for the crack fill and seal project. All in favor, motion passed.

Personnel – No report.

Parks & Rec – No report.

Cemetery – No report.

Water/Wastewater – Drain field work will begin at the end of September.

City Properties – Anderson reported that Vinco has performed soil samples and is working toward lease negotiations with cell companies but there is no construction timeline yet.

Community Events – No report.

EDA – No report.

Forest Advisory – Ward reported on the MnDOT landscape partnership project. The committee became aware that the cost of brush cutting would not be covered under the reimbursement and therefore the City will need to cover \$2660 for that cost. Ward noted that the planting work will occur this Saturday and invited and encouraged residents to show up and contribute their time and labor.

Mill Site Committee – The committee has presented a power point presentation addressing the points requested by Council last month which were needed prior to sending to Planning Commission for review. Curt Moe and Julie Warren were in attendance to review the presentation. Mr. Moe stated there were two public engagement sessions held at the Village Hall in which over forty people attended. The three primary themes presented were a Heritage or Interpretive center, Multiple Use building and public restrooms. Ward stated there are three regulatory considerations, which are the Watershed District, MN DNR and State Historic Preservation Office. Any project will need review and approval by all three agencies. Pardun questioned if SHPO will send a letter to the City regarding their findings. Nyenhuis noted that SHPO has given a quick once over and had no issues, however there will be a formal review and process when that time comes. Discussion was held around the timeline for this process and the MN Historical Society believes this could be done by the end of the 2025 Legislative session. The committee believes this purchase fits within the Comprehensive Plan by making the Village Center more inviting and useful to citizens and provide space and support for public facilities and services within the Village Center. The committee would like to have this proposal presented to the Planning Commission at the September 24th meeting with the hope that the review could be complete by the October meeting. Julie Warren stated that should the parcel be acquired; all current agreements would remain the same. Public Works would continue to mow and the City would continue to receive the \$5,100 grant for continued maintenance. There would be a cost involved for filing and attorney review. Council consensus was to move this forward to the Planning Commission for review.

Multi-Generational Education – Miller reported the cost proposal was received from HKGI and the committee will be meeting next week to review.

Consent Calendar –Nyenhuis moved and Anderson seconded to approve the Minutes of 8/8/24, 8/26/24, Treasurer’s Report of 8/24, List of Bills for 9/12/24, Public Works Maintenance Report, Planning Commission Minutes. All in favor, motion passed.

Old/New Business –

2025 Maximum Levy – The budget meeting was held on August 26th and the maximum levy outcome was \$1,145,822.56.

Nyenhuis moved and Ward seconded to adopt the maximum 2025 levy at \$1,145,822,.56 which represents a 9.46% increase over 2024. All in favor, motion passed.

William O’Brien Stand Request – William O’Brien is requesting an exemption from the 5 ft stand requirement for their November shotgun special hunt.

Nyenhuis moved and Anderson seconded to approve the 5 ft stand exemption for the William O’Brien 2024 special hunt. All in favor, motion passed.

City Attorney Meeting Attendance – Anderson believes that given the recent and past sensitive issues that have been presented to the City and also to help with best practices and guidance between Council members, he is requesting the City Attorney be present at upcoming meetings moving forward. He believes this would not necessarily need to be a long term request and can be revisited down the road. After further discussion, the Council agreed this would be a good idea. Council will revisit this issue in six months.

Brookside Demand for Data Practices Request – There are two data practices requests made on behalf of the Brookside. This request is being handled as time and resources permit by the City staff.

Brookside Encroachment Agreement – Dave Snyder, City Attorney, noted that the City has offered an encroachment agreement to the Brookside however he does not believe that the mechanics of what gets built and timeline has been discussed. Nyenhuis and Miller will re-engage with the Brookside, however Miller would like to engage Council prior to moving forward. Anderson questioned how this is affected with the ongoing lawsuit pending. Snyder stated that since the City has offered the encroachment agreement unconditionally, he does not believe there is any issue moving forward on those discussions.

Mayor Notes/Clerk’s Report – Mayor Nyenhuis made the citizens and Council aware that Xcel Energy has been going around town and doing an inventory of all power poles and doing any necessary repairs and life span.

Miller moved and Anderson seconded to close the regular meeting and enter into executive session at 8:05pm pursuant to MN State Statute 13D.05 Sub. 3B to review the lawsuit by the Brookside Hospitality Co. LLC vs. the City of Marine on St. Croix. All in favor, motion passed.

Mayor Nyenhuis moved and Miller seconded to re-open the regular City Council meeting at 9:18pm. All in favor, motion passed.

Mayor Nyenhuis re-opened the regular Council meeting at 9:19pm. City Attorney, Dave Snyder, stated that the City has just concluded a meeting in executive session pursuant to MN Statute 13D.05 Sub 3B to discuss litigation captioned Brookside Hospitality Co. LLC vs. the City of Marine on St. Croix. Present was the entire City Council, City Clerk, Assistant City Clerk, City Attorney Dave Snyder and Paul Reuvers, League of MN Cities Attorney. No action was taken.

Adjournment – *Miller moved and Ward seconded to adjourn at 9:20pm. All in favor, motion passed.*

Minutes taken by Lynette Peterson, City Clerk