

CITY OF CROSSLAKE  
PUBLIC WORKS COMMISSION  
MEETING MINUTES  
MONDAY, JUNE 6, 2022  
4:00 P.M. – CITY HALL

Pursuant to due notice and call the Public Works Commission held its regular monthly meeting on Monday, June 6, 2022 in City Hall. The following Commission Members present: Tom Swenson, Mic Tchida, Gordon Wagner, Time Berg, and Bob Frey. Also in attendance were City Administrator Mike Lyonais, City Clerk Char Nelson, Council Liaison Dave Nevin, City Engineer Phil Martin, Council Members Dave Schrupp and John Andrews.

1. The meeting was called to order at 4:00 P.M. by Tom Swenson. Tom Swenson added an item to the agenda to be inserted after No. 4.
2. A MOTION WAS MADE BY GORDON WAGNER, SECONDED BY MIC TCHIDA TO APPROVE THE MAY 2, 2022 MEETING MINUTES. AYES: ALL.
3. The Commission reviewed a memo from the City Clerk regarding variance requests for unique headstones to be placed at Pinewood Cemetery. Pat Devaney requested permission to place a bench at the head of her and her husband's grave which meets all of the required dimensions except that it is 2" too wide. Cemetery rules and regulations do not permit seats. Bob Frey looked up the definition of a monument and felt a bench would fit into that category. MOTION WAS MADE BY BOB FREY TO APPROVE THE VARIANCE REQUEST FROM PAT DEVANEY AND TO MAKE A COMMITTEE OF STAFF MEMBERS TO REVIEW CEMETERY GUIDELINES. Motion failed for lack of a second. A MOTION WAS MADE BY TOM SWENSON AND SECONDED BY MIC TCHIDA TO TABLE THE REQUEST FROM PAT DEVANEY AND DIRECT STAFF TO UPDATE THE RULES AND REGULATIONS AND REPORT BACK TO THE COMMISSION. MOTION CARRIED 4-1 WITH FREY OPPOSED.

Tom Swenson stated that because the second request from Sue Mezzenga to place a boulder on a grave met all size requirements, no action should be taken and the boulder should be allowed. There are other boulders in the cemetery. The Commission agreed.

4. The Commission reviewed an update from Phil Martin on current projects. Phil Martin reported that the County Engineer will not allow a private sewer pipe running longitudinal with CSAH 66 within their right-of-way for a future sanitary sewer connection to the Bourbon Room. Bob Frey suggested that the City make it a public pipe but Phil Martin stated that the City would probably not want to pay for the infrastructure for one business to connect.

Bob Frey questioned the \$6,000 change order from Casper Construction for the additional local detour signage, which was requested by the City Council. Mr. Frey stated that the contractor should have included that in their bid and the City should not be charged extra for signage. Phil Martin stated that the City changed the route of the detour after the original signs were made, so the additional signs were above and beyond what was included in the contract.

Tom Swenson stated that the roads along the detour are in bad shape and asked if there was a plan to repair them when the detour was over. Phil Martin replied that the City would need to look at the conditions afterwards. Mic Tchida stated that he is worried about the safety of the construction workers with people driving through the construction zone. Dave Nevin stated that the police should issue tickets to those driving through the construction zone and on private property to deter others from doing the same.

5. A MOTION WAS MADE BY TOM SWENSON AND SECONDED BY GORDON WAGNER TO EXPRESS TO THE CITY COUNCIL, THE COMMISSION'S CONCERN WITH THE RECENT ACTION OF 3 COUNCIL MEMBERS THAT CHOSE TO IGNORE THE ADOPTED ASSESSMENT POLICY AND NOT ASSESS BENEFITING PROPERTIES ON THE COUNTY ROAD 66 SEWER EXTENSION PROJECT. WILL THE COUNCIL NOW ABATE AND REFUND THE SEWER ASSESSMENTS IMPOSED ON THE PROPERTIES THAT WERE ASSESSED FOR SEWER BENEFITS ON DAGGETT BAY ROAD AND WHAT WILL BE THE POLICY FOR THE PROPERTIES ALONG NORWAY TRAIL AND BROOK STREET THAT ARE INTERESTED IN CONNECTING TO CITY SEWER? OF EQUAL CONCERN IS THE PRECEDENT NOT FOLLOWING THE ASSESSMENT POLICY COULD HAVE ON ASSESSING BENEFITING PROPERTIES FOR ROAD IMPROVEMENTS. THE CITY IS RESPONSIBLE FOR MAINTAINING APPROXIMATELY 60 MILES OF ROADS AND WILL BE REQUIRED TO SPEND MASSIVE DOLLARS ON MAINTENANCE, OVERLAYS AND RECONSTRUCTION AS THESE ROADS REACH THE END OF THEIR USEFUL LIFE. ASSESSING PROPERTIES WHICH BENEFIT FROM PUBLIC IMPROVEMENTS IS A COMMON CITY PRACTICE AND HELPS REDUCE THE TAX BURDEN ON THE REST OF THE CITY TAXPAYERS.

Tim Berg stated that he was hurt by the Council's actions because the Commission spent so much time on developing the Assessment Policy and because of their actions he considered resigning from the Commission. Mr. Berg stated that he does not think the Council trusts the Commission and questions why all the Council members attend the Commission meetings. Mr. Berg stated that he lives on Harbor Lane and should not pay an assessment when the road is reconstructed.

Mic Tchida questioned why the City has a Public Works Commission and suggested that it be abolished if the Council did not want to consider their recommendations. Mic Tchida noted that options were provided to the Council and questioned how the City will pay for the entire project.

Gordon Wagner stated that he is tired of receiving calls from residents who are unhappy that they have to pay for the entire project.

Dave Nevin stated that the Assessment Policy was not fair for the Log Church and Dodo Fraser and he does not regret voting against the assessments. Mr. Nevin stated that the Council raised the connection charge fees and that he considers those assessments.

Tom Swenson stated that connection charges and assessment fees are not the same thing and that the Council could have considered reducing the assessments as proposed by Council Member Marcia Seibert-Volz. Mr. Swenson stated that he made this motion because he is worried about what the Council will decide to do with the assessments for the road projects.

MOTION CARRIED 4-1 WITH FREY OPPOSED.

6. The Commission reviewed the original permit application dated 10/11/2017 from Scott and Nicole Siemers' for a carwash and hookup to sanitary sewer. At that time, Planning & Zoning collected \$6,500 for a commercial sewer connection fee and noted on the application that if any outflow exceeded 8,000 in one month, an additional connection fee of \$6,500 would be required. There was no communication between Planning & Zoning (being contracted out to Crow Wing County at the time) and the sewer department, so no monitoring took place.

At a recent Council Meeting, Member Seibert-Volz asked how the Crosslake Carwash connection fee had been calculated, so staff pulled the paperwork and found the note regarding the monitoring of usage. Since the carwash hooked up in 2018, it has used more than 8,000 approximately 50% of the time.

A MOTION WAS MADE BY GORDON WAGNER AND SECONDED BY TIM BERG TO RECOMMEND THAT THE CITY COUNCIL COLLECT AN EXTRA CONNECTION FEE OF \$6,500 AS OUTLINED IN THE INFORMATION PROVIDED TO THE COMMISSION. AYES: ALL.

7. The Commission discussed the process for connecting to sanitary sewer. Property owners must pull a permit from Planning and Zoning and pay the connection fee first. City must be notified when connection takes place so that staff can witness and make drawing. Septic tanks must be crushed and abandoned. A MOTION WAS MADE BY TOM SWENSON AND SECONDED BY MIC TCHIDA TO RECOMMEND THAT THE CITY COUNCIL DIRECT THE CITY ENGINEER TO GIVE HIS BEST ESTIMATE OF CONNECTION CHARGE FOR MOONLITE BAY, MOONLITE SQUARE, AND MOONLITE CARWASH. THE BUSINESSES WILL PAY THAT ESTIMATE AT THE TIME OF HOOKUP AND THE CITY WILL REVISIT THE AMOUNT OF THE CONNECTION FEE AFTER THE BUSINESSES HAVE BEEN HOOKED UP FOR ONE YEAR AND WILL RECONCILE THE DIFFERENCE UP OR DOWN DEPENDING ON THE HIGHEST MONTH'S FLOW. AYES: ALL.
8. The Commission reviewed the cost estimate to complete the oxidation ditch enclosure building project at the sewer plant. Dave Nevin stated that nothing is in the building right now and questioned how it would be used in the future. Gordon Wagner suggested waiting to make a decision until the new Public Works Director started. A MOTION WAS MADE BY TIM BERG AND SECONDED BY GORDON WAGNER TO TABLE ACTION ON THE OXIDATION DITCH ENCLOSURE BUILDING PROJECT UNTIL THE END OF SEPTEMBER. AYES: ALL.
9. The Commission reviewed the estimate from Hytec Construction to replace the wash bay columns at the Joint Maintenance Facility. The County would pay 53% of the cost and the City would pay 47%. A MOTION WAS MADE BY MIC TCHIDA AND SECONDED BY GORDON WAGNER TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE ESTIMATE FROM HYTEC CONSTRUCTION TO FURNISH ALL LABOR AND MATERIALS FOR THE REPAIRS OF THE WASH BAY STEEL COLUMNS AND THE

ADD ON OPTION TO GALVANIZE THE BEAM AT AN ESTIMATED COST OF \$16,618. AYES: ALL.

10. Bob Frey sent an email to Mayor Nevin and Mike Lyonais regarding new state grant programs. Mike Lyonais noted that the City has no proposed project at this time and the deadline for the grants is September 15, 2022. Bob Frey stated that this is just one source of funding and that there are many more sources available.
11. Dave Nevin stated that Serenity Lane is part of a new subdivision and is a dead-end road off of Pine Bay Road. The developer was told that it needs to be built as a 9-ton road and asked how the engineer determined that. Phil Martin replied that Planning and Zoning asked that he and Ted Strand review the road plans because the developer wanted the City to take it over as a City-maintained road when complete. Mr. Martin asked that soil borings be done. From the samples taken, the developer's geotechnical engineer suggested the road consist of 3.5" of bituminous and 8" of Class 5 which is comparable to a 9-ton road.

Dave Nevin stated that most of the City roads are 5-ton roads and that it seemed odd that this little cul-de-sac road would be required to be a 9-ton road. Mr. Nevin stated that a 9-ton road puts a burden on the developer. Phil Martin replied that it should, and Tom Swenson agreed, because the City is committing to maintain this road for perpetuity. Phil Martin stated that he highly recommends taking over a 9-ton road so that the City doesn't have to worry about it in the future. Dave Nevin asked if that was the only reason for requiring a 9-ton road and stated that WSN previously approved the plans and now requirements are being changed. Tom Swenson stated that the developer's geotechnical engineer is recommending more gravel and that it would be in the City's best interest to follow it.

Mark Holmen approached the Commission and stated that he was sorry about the assessments and didn't think the assessment policy was bad. Mr. Holmen stated that the community saw the project as Phase 2 of a two-phase project and the City set a precedent in Phase 1 by not assessing property owners. Mr. Holmen suggested that the City consider looking at how churches are treated in regards to assessments. Mr. Holmen stated that the Commission should not look at this as a failure, rather as a learning experience.

Mr. Holmen stated that he is developing two acre lots off of Pine Bay Road because he knows there is a great need in the community for these. Mr. Holmen hired Vanvickle and Anderson Brothers to do the road. Phil Martin was not satisfied with the subgrading and Mr. Holmen had Vanvickle come back out to complete the project to satisfy the engineer. Mr. Holmen stated that he was here today because Anderson Brothers is ready to go and he just found out that the road needs to be 9-ton standards. Mr. Holmen stated that Phil Martin is trying to make it sound like Mr. Holmen knew about the requirement, but he didn't. Anderson Brothers now wants to charge him \$16,000 more for the upgraded road. Mr. Holmen stated that Phil Martin has never built a cul-de-sac on sand in this community and that Phil Martin has never done a virgin road in this community. Mr. Holmen stated that Anderson Brothers does not understand why the road has to be 9-ton, but they have to do whatever Phil Martin says. Mr. Holmen stated that he reached out to Ted Strand and Mr. Strand stated that the decision is Mr. Martin's.

Gordon Wagner stated that the Commission has to look out for tax payer dollars and that if the City takes over this road, they don't want to have to replace it in the future.

Phil Martin stated that he and Ted Strand walked the road site on November 8, 2021 and that he wrote an email the next day to Mark Holmen with Ted Strand and Mike Lyonais copied and the geotechnical letter attached and pointed out to Mr. Holmen that the suggestion from his geotechnical engineer was that the road be built to 9-ton standards. The geotechnical letter to Mr. Holmen was dated 10/29/21. Mr. Martin stated that soils determine what road standards should be. Mr. Martin stated that these requirements protect the City and suggested that Mr. Holmen could build the road to lesser standards and keep the road private.

Dave Nevin asked if 9-ton was the new policy. Phil Martin stated that there was no written policy that he was aware of. Mr. Nevin stated that this establishes past practice now. Mark Holmen stated that he should have known upfront that the policy was for a 9-ton road. No action was taken by the Commission.

A MOTION WAS MADE BY GORDON WAGNER AND SECONDED BY MIC TCHIDA TO DIRECT STAFF TO POST PUBLIC WORKS MEETING MINUTES ON THE CITY'S WEBSITE. AYES: ALL.

Tom Swenson asked if a flashing crosswalk sign would be installed at the intersection of CSAH 66 and Daggett Pine Road. Phil Martin replied that the County Engineer will only allow those in areas where the speed limit is 35mph or less.

Tom Swenson asked staff to find out if there were funds in the Crow Wing Power Operation Roundup Fund to be used towards community projects.

12. A MOTION WAS MADE BY GORDON WAGNER, SECONDED BY MIC TCHIDA TO ADJOURN THE MEETING AT 6:10 P.M. AYES: ALL.



Charlene Nelson  
City Clerk