



CITY COUNCIL MEETING AGENDA TUESDAY, November 12, 2024 @ 6:00 PM

Mayor: Andrew Rudlang **City Clerk:** Krista Okerman
City Council: **City Attorney:** Brad Person
Jerimey Flategraff (Mayor Pro-Tem)
Roman Siltman
Ryan Barnett
Melissa Haff

City of Jenkins
33861 Cottage Avenue
Jenkins, MN 56474
(218) 568-4637

Join Zoom Meeting
<https://zoom.us/join>
Meeting ID: 353 029 2895
Password: 56474
Dial by location: (312) 626-6799 (US Chicago)

NOTE: Printed materials relating to agenda items are available for public inspection in a three-ring binder on table by Council Chamber entrance.

1. Call to Order – Pledge of Allegiance
2. Roll Call
3. Agenda Additions/Deletions
4. Consent Agenda
 - a. Agenda
 - b. Minutes of the October 15 and 22nd meetings
 - c. Financial Report through 10/31/24
 - d. Pre-written check #'s 24590-24609 and EFT's; **\$8,923.75**
 - e. Proposed check #'s 24610-24618 and EFT's **\$9,639.18**
TOTAL EXPENSES = \$18,562.93
5. Open Forum

Note: This is a time to address the City Council regarding items that are not on the agenda. Please wait for the Mayor to acknowledge you. State your name, address and topic you wish to discuss for the record. No response or action will be immediately taken to citizen request other than to refer the matter to City staff for further research and a written report back to the City Council.

PLEASE NOTE THAT PUBLIC COMMENT MAY BE LIMITED TO 3 MINUTES PER PERSON.
6. Unfinished Business
 - a. Engineering Proposals for Veterans Street – ROW Plat and Feasibility Study
7. New Business
 - a. Tree service bids
 - b. Resolution for variance
 - c. Canvass Election results
 - d. **Appraisal report – CLOSED SESSION**
8. Reports of Officers, Committees, Staff
 - a. Mayor's Report
 - b. Clerk's Report
 - c. Roads Committee Report
9. Miscellaneous/Communication
10. Adjournment

4/b.

COUNTY OF CROW WING
CITY OF JENKINS
DRAFTMINUTES OF THE REGULAR CITY COUNCIL MEETING**DRAFT**
OCTOBER 15, 2024

CALL TO ORDER: The regular City Council meeting was called to order at 6:00 PM by Acting Mayor Flategraff with all reciting the Pledge of Allegiance.

ROLL CALL: Present: Acting Mayor Flategraff; Council members Siltman, Haff and Barnett; Clerk Okerman; Engineers Reints and Reese. Absent: Mayor Rudlang.

AGENDA ADDNS: Okerman reported that Widseth had a proposal for a feasibility study and Right-Of-Way plat for Veterans Street to add if the Council was amenable.

CONSENT AGENDA: Siltman made motion; Haff seconded with all present voting aye to approve the Consent Agenda with the above addition as follows:
4a. Agenda with addition of Widseth Feasibility Study and ROW Plat proposal.
4b. Minutes of the September 24, 2024 meeting
4c. Financial Report through September 30, 2024
4d. Pre-written check #'s 24555-24570 & EFT's; \$15,166.64
4e. Proposed check #'s 24571-24581; \$11,072.74
TOTAL EXPENSES = \$26,239.38

OPEN FORUM: Steve McAllister, 3171 Pine Tree Street, was present for his rezone application. He said the only reason he wanted to do a lot reconfiguration was that Front Street was not going to be closed. He said he wanted to consolidation the two parcel he intended on keeping. He said he would like to postpone his application until the City had a plan for Front Street. Acting Mayor Flategraff said McAllister's concerns could be addressed under that agenda item. Rick McClary, 34310 Summer Avenue, stated he did not understand what was taking so long to fix the signage on Laura Rose Circle. He said there was supposed to be a stop sign at that location as well. He said he also wanted to address having members of one family on the City Council. He said he felt it was wrong to have nepotism. He said he and others felt strongly that Jenkins should not have family members on the same Council and felt there was nepotism.

UNFINISHED BUSINESS: Engineer Reints presented the Council with an updated Capital Improvement Plan. He said that the commercial road section had decreased from five inches to three and one-half inches. He noted the streets were categorized into reconstructs, overlays and chip sealing. Reese stated this was the first run at spacing projects out based on priority. He noted the costs were the costs and plan was looking out over 10 years. He said the city would need to determine what was affordable and what

projects to undertake over time. He said that doing projects on a pay as you go only allowed a certain number of project per year. He said bonding allowed cities and townships to accomplish larger projects. Flategraff said the document helped the Council with decision making and budgeting for the future. Reints provided the Council with a proposal for a feasibility study and right-of-way plat for Veterans Street.

Due to the documents being presented for the first time, Siltman made motion to table the agenda items to a future meeting to allow for further review. Barnett seconded the motion. All present voted aye.

NEW BUSINESS: *Planning and Zoning:* Okerman reported that Steve and Mitzie McAllister had submitted an application for a lot reconfiguration and subsequent rezones on some newly created/combined parcels. She said it was a complex application with all the applications contingent upon each other being approved. She said the lot reconfiguration did not have to be approved by Planning Commission or City Council, but she wanted the Council to be aware of it. She said the Planning Commission reviewed it and did not see any issues. Okerman said the lot reconfiguration made up seven lots reconfigured to five, which made the lots more conforming. She stated there was an existing easement that accessed one of the lots, which the applicants wanted to abandon. However, she said that could not be done at this time due to Front Street being unimproved. She noted that some of the parcels were being required to be consolidated. **Steve McAllister**, applicant, said he did not want to go through with the reconfiguration if his parcels had to be consolidated. Okerman explained they had to be consolidated due to existing nonconformities. She said the City could not approve something that would make the lots less conforming, which would be the lot width and impervious surface requirements. McAllister asked what impervious surface was. Okerman explained it was the building footprints, sidewalks and driveways. She said the minimum lot width was one hundred feet and neither lot met that standard. He asked who determined that. Okerman said it was the City Ordinance. The Council discussed Front Street. Okerman said it was unimproved public right-of-way so no lots could be accessed off Front Street at this time. Mitzie McAllister stated they were leaving for the winter and did not want to proceed with the applications until the City discussed and had a plan for Front Street. Okerman said Minnesota Statute required the application to be acted upon within 60-days. She said the applicants would need to sign a 60-day waiver. Mitzie McAllister said she would do it at that time and proceeded to write a 60-day waiver notice for the City and presented it to Okerman. The Council agreed to have the Roads Committee discuss Front Street over the winter while the McAllister's were out of town and revisit upon their return.
Siltman made motion, to table the following agenda items upon the request of the applicants the McAllister's:
7a. McAllister lot reconfiguration

7b. McAllister rezone

7c. Lyon Rezone

7d. Summary Ordinance for lot rezones

Haff seconded the motion. All present voted aye.

Special Event Permit: Okerman reported that Alex Drown and Abby Herubin made application for a Special Event Permit for a wedding to be held at Red Oak Farm the upcoming weekend. She said the City was in receipt of the required Certificate of Insurance. She said the applicants had an existing Conditional Use Permit. Siltman stated he had the background on the application. He said the biggest hold up on one of the conditions not being met was the fire suppression system. He said that a fire suppression system cost \$100K-\$200K. Siltman said Drown was only allowed to have six events per year and installing that system would not be cost effective. **John and Quandee Laufersweiler, 34773 Brown Blvd.** were present to address the agenda item. They stated they were on the east side of the Red Oak Farm property and had two issues with the Red Oak Farm clientele trespassing on their property. Quandee Laufersweiler said at one event they had in the past, there were nine campers on the property when three campers were agreed to and listed in the Conditional Use Permit (CUP). She said Drown and Herubin were at the Planning Commission meeting when that was decided and they agreed to it. She said they have not complied with the and they wanted the applicants to follow the rules. She said the applicants were the ones who set the number of events they wanted. Siltman said he had been looking into zoning issues and fire suppression system. John Laufersweiler said looking from the outside in, the applicants had pushed the limit from the beginning. Haff noted there was a requirement to have to special event permit submitted 30-days prior to an event. She said this was only a few days. She noted that wedding are scheduled out far in advance. Siltman said he encouraged the applicants to submit the permit in a timely manner. Flategraff said he did not want to ruin someone's wedding day. Barnett said the applicants had a CUP they weren't abiding by. The Council discussed what constituted an event. Okerman said that was not clearly defined. Siltman inquired about another wedding that was held on the Earle Jenkins Estates property. Okerman said she received an inquiry on that event but not a complaint. She said she was not aware of the event until after the fact, which was often the case. Quandee said the applicants were allowed to have family events at the property. Siltman said a wedding was a wedding regardless. Haff said if this was an event center there needed to be parameters. Quandee said it was the disrespect of trespassing and not following the rules. She said the applicants booked this wedding for their venue in advance, knowing they were not in compliance. Flategraff felt the applicants needed to take responsibility. The Council discussed conditions they would impose if the permit were approved such as no trespassing, limiting to three campers, putting up

property boundary signs and informing the Pequot Lakes Police Department. The Council encouraged the surrounding property owners to call the police if there were issues when they happened so it was documented. Siltman said those conditions aligned with CUP. He said the applicants and City were stuck with trying to come up with a work around. He said he was very pro having an event center but the property owners had to do their part. Siltman volunteered to monitor the decibel levels with his meter.

Siltman motion to approve the Special Event Permit for Alex Drown and Abby Herubin with the following conditions and contingencies:

- 1. Property boundary signs be installed and no trespassing be allowed on other properties.**
- 2. A maximum of three campers be allowed on the property.**
- 3. The Pequot Lakes Police Department be informed of the event.**
- 4. Decibel levels be adhered to as per Jenkins City Code.**
- 5. The applicants and City Council meet within 30-day time period to discuss how to further proceed.**

Haff seconded the motion. Siltman, Haff and Barnett voted aye. Flategraff vote nay. Motion carried.

Copier Contract: Okerman reported that he City had a photocopier contract with Metro Sales that was currently on a month to month basis. She said the copier was 8 years old. She stated the City could enter into a Minnesota State Cooperative Purchasing Venture rental agreement for a new copier that could make ledger size copies. She noted the current copier could not do that and the City often received site plans, cost estimate and other such documents in that size. Okerman said it would be a cost increase of approximately \$35 per year.

A motion was made by Barnett to approve the new 60-month rental agreement with Metro Sales under the State Cooperative Purchasing Venture in the amount of \$152.95 per month. Haff seconded the motion. All present voted aye.

REPORTS:

Clerk's Report: Okerman provided the Council with a list of outstanding/pending items. No action was taken.

Planning and Zoning: Okerman provided the Council with a list of permits that had been released and correspondence that office staff had out related to reimbursements requests and code enforcement.

Road Report: Okerman reported quotations for the reconstruction of a portion of Rosewood Street had been requested from the two major bituminous providers. She said they were not taking on anymore project for the Fall. She said the project could be re-quoted in the spring and the Small Cities Assistance Funds would still be available.

ADJOURNMENT: Siltman made motion to adjourn the regular City Council meeting at 7:22 PM; Barnett seconded with all present voting aye.

Approved this _____ day of _____, 2024.

Krista A. Okerman, City Clerk-Treasurer

Andrew J. Rudlang, Mayor

4d.

Fund Name: All Funds

Date Range: 10/23/2024 To 11/07/2024

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
10/23/2024	Payroll Period Ending 10/19/2024	024590	10/6 - 10/19/2024 pay period	N	Clerk	100-41425-101-	\$ 795.03
	Total For Check	024590					\$ 795.03
10/23/2024	Payroll Period Ending 10/19/2024	024591	10/6 - 10/19/2024 pay period	N	Clerk	100-41425-101-	\$ 1,415.44
	Total For Check	024591					\$ 1,415.44
10/23/2024	Payroll Period Ending 10/19/2024	024592	10/6 - 10/19/2024 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 646.78
	Total For Check	024592					\$ 646.78
10/23/2024	Payroll Period Ending 10/19/2024	024593	10/6 - 10/19/2024 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 145.39
	Total For Check	024593					\$ 145.39
10/23/2024	Payroll Period Ending 10/19/2024	024594	10/6 - 10/19/2024 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 48.47
	Total For Check	024594					\$ 48.47
10/23/2024	Crow Wing Power	024595	9/8 to 10/8/24 electric service	N	Street Lighting	100-43160-381-	\$ 24.00
	Total For Check	024595					\$ 24.00
10/23/2024	Tri-County Septic Inspection	024596	Septic Design Rev-MC2 PID26220529 Earle Jenkins Dr./DCCconstruction PID26350501 Blaze Blvd	N	New Sewer Services	100-43254-310-	\$ 70.00
	Total For Check	024596					\$ 70.00
10/23/2024	William R. Ludenia	024597	Invoice Number 24097318 Appraisal Fee for 33762 Summer Ave.	N	Planning and Zoning	100-41910-310-	\$ 700.00
	Total For Check	024597					\$ 700.00
10/23/2024	State of IA	EFT2523005	CSE10/6 - 10/19/2024 pay period	N	Clerk	100-41425-175-	\$ 60.00
	Total For Check	EFT2523005					\$ 60.00
10/23/2024	PERA	EFT771826	10/6 - 10/19/2024 pay period	N	Clerk	100-41425-115-	\$ 120.76
		EFT771826				100-41425-115-	\$ 65.72
		EFT771826			Payroll Administration	100-41501-121-	\$ 273.42
		EFT771826			Public Works/Maintenance	100-43102-115-	\$ 50.48
	Total For Check	EFT771826					\$ 510.38

Fund Name: All Funds

Date Range: 10/23/2024 To 11/07/2024

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
11/05/2024	Payroll Period Ending 11/05/2024	024598	10/20 - 11/2/24 pay period	N	Council/Town Board	100-41110-106-	\$ 230.87
	Total For Check	024598					\$ 230.87
11/05/2024	Payroll Period Ending 11/05/2024	024599	10/20 - 11/2/24 pay period	N	Clerk	100-41425-101-	\$ 839.93
	Total For Check	024599					\$ 839.93
11/05/2024	Payroll Period Ending 11/05/2024	024600	10/20 - 11/2/24 pay period	N	Payroll Administration	100-41501-131-	\$ 333.33
	Total For Check	024600					\$ 333.33
11/05/2024	Payroll Period Ending 11/05/2024	024601	10/20 - 11/2/24 pay period	N	Council/Town Board	100-41110-106-	\$ 230.87
	Total For Check	024601					\$ 230.87
11/05/2024	Payroll Period Ending 11/05/2024	024602	10/20 - 11/2/24 pay period	N	Council/Town Board	100-41110-106-	\$ 230.87
	Total For Check	024602					\$ 230.87
11/05/2024	Payroll Period Ending 11/05/2024	024603	10/20 - 11/2/24 pay period	N	Clerk	100-41425-101-	\$ 1,218.55
	Total For Check	024603					\$ 1,218.55
11/05/2024	Payroll Period Ending 11/05/2024	024604	10/20 - 11/2/24 pay period	N	Payroll Administration	100-41501-131-	\$ 354.52
	Total For Check	024604					\$ 354.52
11/05/2024	Payroll Period Ending 11/05/2024	024605	10/20 - 11/2/24 pay period	N	Payroll Administration	100-41501-131-	\$ 180.93
	Total For Check	024605					\$ 180.93
11/05/2024	Payroll Period Ending 11/05/2024	024606	10/20 - 11/2/24 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 351.39
	Total For Check	024606					\$ 351.39
11/05/2024	Payroll Period Ending 11/05/2024	024607	10/20 - 11/2/24 pay period	N	Council/Town Board	100-41110-106-	\$ 277.05
	Total For Check	024607					\$ 277.05
11/05/2024	Payroll Period Ending 11/05/2024	024608	10/20 - 11/2/24 pay period	N	Public Works/Maintenance	100-43102-103-	\$ 29.08
	Total For Check	024608					\$ 29.08
11/05/2024	Payroll Period Ending 11/05/2024	024609	10/20 - 11/2/24 pay period	N	Council/Town Board	100-41110-106-	\$ 230.87
	Total For Check	024609					\$ 230.87
Total For Selected Checks							\$ 8,923.75

4e.

Date Range : 10/7/2024 To 11/7/2024

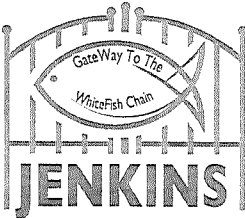
<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
10/24/2024	Tri-County Septic Inspection	Septic Inspection-Dan Hoefs 2936 Laura Rose Circle PID26270559	2560	\$200.00	100-43254-310-	New Sewer Services	<i>24610</i> \$200.00
10/28/2024	Metro Sales	Inv2630743 and Inv2634907 Contract 10/25-1/24-25 usage 7/25-10/24	2561	\$297.93	100-41425-209- 100-41425-209-	Clerk Clerk	<i>24611</i> \$65.81 \$232.12
10/29/2024	Widseth Smith Nolting & Assoc., Inc	Inv233997 quotes for Rosewood St impvmts \$1,232.50 Inv234229 Road Inventory and CIP \$1,630	2562	\$2,862.50	100-41910-303-	Planning and Zoning	<i>24612</i> \$2,862.50
10/31/2024	Sourcewell	SeptINV3588 ADU info, Zoom (EJD) McAllister/Lyon rezone PH, Anim Unit discuss/draft update	2563	\$288.75	100-41910-311-	Planning and Zoning	<i>24613</i> \$288.75
11/04/2024	Cascade Computers	Inv 43988-Cloud and backup storage \$44.90 Inv 44093-Cloud and backup storage \$44.90	2564	\$89.80	100-41425-209-	Clerk	<i>24614</i> \$89.80
11/04/2024	Pequot Lakes Sanitation	garbage service	2565	\$103.28	100-41940-384-	General Government Buildings and Plant	\$103.28
11/05/2024	Cassandra Delougherty	Mileage for Clerk's confernece	2566	\$68.78	100-41425-331-	Clerk	<i>24615</i> \$68.78
11/05/2024	City of Pequot Lakes	Police Contract Invoice #2408	2567	\$3,433.33	100-42110-315-	Police Administration	<i>24616</i> \$3,433.33

24617

Date Range : 10/7/2024 To 11/7/2024

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
11/07/2024	Crow Wing County	E-911 addresses (Mc2 Invest, DC Constr.)	2568	\$50.00	100-43102-226-	Public Works/Maintenance	24618 \$50.00
11/07/2024	PERA	10/20 - 11/2/2024 pay period	2569	\$427.32	100-41425-115- 100-43102-115- 100-41501-121- 100-41425-115-	Clerk Public Works/Maintenance Payroll Administration Clerk	EFT \$69.33 \$26.61 \$228.92 \$102.46
11/07/2024	State of IA	CSE10/20 - 11/2/2024 pay period	2570	\$60.00	100-41425-175-	Clerk	EFT \$60.00
11/07/2024	Internal Revenue Service	October 941 4th quarter 2024	2571	\$1,757.49	100-41501-122- 100-41501-135- 100-41501-170-	Payroll Administration Payroll Administration Payroll Administration	EFT \$1,207.95 \$282.50 \$267.04
Total For Selected Claims				\$9,639.18			\$9,639.18

Date



AGENDA ITEM #

6a.

REPORT TO CITY COUNCIL

Prepared by: Krista Okerman

Date: November 7, 2024

Subject: Engineering Proposals

Report: Attached please find and Engineering proposal from Widseth to complete right-of-way platting and a feasibility study for Veterans Street. The Roads Committee has deemed Veterans Street as a priority project. The ROW plat and Feasibility Study are the first steps in the process. Since Veterans Street is a collector street that serves the broader community, it *may* qualify for the Sourcewell's Third Party Reimbursement. To date, we have secured \$11,070.00 in Third Party Reimbursement. The maximum request is \$20K per year, leaving \$8,930.00 available yet to request. The ROW plat portion of the proposal is \$8,000.00 so we *may* be able to get that reimbursed and still have \$930.00 left for other expenses such as Professional Development.

Budget Impact: \$18,000 (or \$10,000 if the ROW plat qualifies for reimbursement.)

Council Action Requested: Motion to approve Widseth Engineering proposal up to \$18,000.

October 15, 2024

Honorable Mayor and City Council
City of Jenkins
33861 Cottage Avenue
Jenkins, MN 56474

Brainerd/Baxter

7804 Industrial Park Road
Baxter MN 56425

218.829.5117
Baxter@Widseth.com
Widseth.com

**RE: Proposal for Right of Way Platting Services and Civil Engineering Services for a Feasibility Report on the 2025 Veterans Street Improvements
Jenkins, MN**

Dear Mayor and Council Members:

In response to your request, we are pleased to present our proposal regarding Right of Way surveying needs and a feasibility report for the 2025 Veterans Street Improvements project. Our proposed services for Right of Way surveying will include the field and office Land Survey services necessary to determine the limits of the existing right of way easements and platted right of way over the course of the project. The feasibility report will include the reconstruction of Veterans Street with provisions for the addition of a trail and/or extended shoulders. Our proposed schedule, fees, and detailed scope of services necessary for your project are as follows:

RIGHT OF WAY PLATTING SERVICES

\$8,000.00

Preliminary research and base mapping

- Utilize existing surveys, plats certified section corners as the basis for our work.
- Prepare a base map of the project route identifying the parcels that will need title research.
- Identify areas of platted right of way.
- Utilize the Crow Wing County On Line records research system to determine the extents of existing ownership, easements and right of way

Field survey services

- Recover and verify the section corners, plat corners and property boundary corners necessary to establish the property boundaries and road rights of way along the project route .
- Stake preliminary right of way locations.
- Upon completion of the right of way plat, establish new iron pipe monuments marked with white wood stakes at the final right of way corners

Right of way Plat Drawing

- Compile the field data collected and prepare the preliminary right of way plat drawing to include:
 - Property boundary corners and lines
 - Areas of existing or prescriptive right of way
 - Proposed Right of Way line and easement areas to be acquired.
- Make necessary revisions to the right of way lines based on the results of the discussions that will be held between the City and the Landowners
- Prepare final Right of Way Plat identifying the right of way and easement areas to be acquired.
- Obtain mylar copies suitable for recording.

Our scope of services does not include City Attorney or acquisition costs associated with completing the Final Plat and recording with Crow Wing County.



AGENDA ITEM # 7a.

REPORT TO CITY COUNCIL

Prepared by: Krista Okerman
Date: November 7, 2024
Subject: Tree Service Bids

Report: Attached please 2 bids for removing dead trees at Veterans Park for your consideration. Mike's Tree Service is the lower bid by \$107.97

Budget Impact: \$2,415.94

Council Action Requested: Motion to approve Mike's Tree Service proposal in the amount of \$2,415.94.



Mike's Tree Company, LLC
 218-825-8207
 5906 Pine Beach Road
 Brainerd, MN 56401

PROPOSAL



A Local Company You Can Trust

City of Jenkins 20241014

Tuesday, October 15, 2024

Customer
City of Jenkins Cassandra Delougherty 33861 Cottage Ave Jenkins, MN 56474

Salesperson
Chris Biermaier (218) 821 - 5699 chris@mikestreecompany.com

Work Site
Veterans Memorial Park 3244 3rd St Jenkins, MN 56456

Phone: 218-568-4637
 Phone:



#	Item	Description	Qty	Cost
1		Remove double stem oak and two single stem oak trees in the park. Prune large branch on oak tree growing over the pavilion on the SE corner. **Haul all wood, branches, and debris from tree removal away.	0	\$1,800.00
2		Grind three stumps from removals on the East side of the park. **Haul excess grindings away and leave the hole level.	0	\$450.00
<p>**DISCLAIMER** Client is responsible for marking any private underground lines (irrigation, private utility lines, dog fence, low voltage, etc.) Mike's Tree Company is not responsible for damaged irrigation lines, sprinkler heads, private utility lines, etc. if they are not marked by the client. Mike's Tree Company is responsible for issuing a public underground utility locate with Gopher State One Call. STUMP GRINDING DOES NOT TAKE PLACE THE SAME DAY AS REMOVALS AND IS INVOICED SEPARATELY.</p>				

Subtotal:	\$2,250.00
Tax:	\$165.94
Total:	\$2,415.94

Signature _____ Date _____
 By signing this proposal I am accepting the work as described above along with the terms and conditions.

Please email your acceptance or sign and return to the office.



Mike's Tree Company, LLC
218-825-8207
5906 Pine Beach Road
Brainerd, MN 56401

PROPOSAL



Terms and Conditions

It is agreed by and between Mike's Tree Company LLC and the authorizing party (customer and/or customer's agent) that the following provisions are made as part of this contract:

Completion of Contract: Mike's Tree Company LLC agrees to do its best to meet any agreed upon performance dates but shall not be liable in damages or otherwise for delays because of inclement weather, labor, or any other cause beyond its control; nor shall the customer be relieved of completion for delays.

Insurance by Contractor: Mike's Tree Company LLC warrants that it is insured for liability resulting from injury to person(s) or property and that all employees are covered by Workers' Compensation as required by law.

Tree Ownership: The authorizing party warrants that all trees listed are located on the customer's property, and, if not, that the authorizing party has received full permission from the owner to allow Mike's Tree Company to perform the specified work. Should any tree be mistakenly identified as to ownership, the customer agrees to indemnify Mike's Tree Company LLC for any damages or costs incurred from the result thereof. Any permits needed to do the specified work are the authorizing party's responsibility.

Stump Removal: Unless specified in the proposal, stump removal is not included in the price quoted. Stump removal will not occur on the same date/time as tree removal unless specified in the proposal. Stumps from winter removals will be ground in the spring after the snow melt. Client is responsible for marking any underground irrigation or private utility lines. Mike's Tree Company is not responsible for damaged irrigation lines, sprinkler heads, or private utility lines if they are not marked by the client. Mike's Tree Company is responsible for issuing a public underground utility locate with Gopher State One Call.

Lawn Repair: Mike's Tree Company LLC will attempt to minimize all disturbances to the customer's lawn and make every effort to clean the entire area affected by the specified work unless specified in the proposal not to do so (leave all).

Terms of Payments: Unless otherwise noted in this proposal, the customer agrees to pay upon receipt of their invoice. Finance charges will be assessed after 30 days.

Returned Check Fee: There will be a \$30.00 fee charged for all checks returned to our office for non-sufficient funds.

Expiration: This proposal is valid for 30 days from the day it was sent.

MTC Process

1. The scope of work is determined by the authorizing party and a Mike's Tree Company Project Manager.
2. Proposal is built and sent by authorizing party.
3. Once the proposal is accepted it is submitted to Mike's Tree Company's Operations Manager for scheduling.
4. Mike's Tree Company office will call or text the day before we are coming to do the work to give the authorizing party a notice.
5. Mike's Tree Company crew will show up and provide the specified work, cleanup, mark any stumps, for underground locates and leave.
6. Once the work order is stamped by the Project Manager, it is turned into the office for invoicing and stump locating.
7. Invoicing goes out and invoices are due upon receipt to the authorizing party. Finance charges will be assessed after 30 days. Stump locates will be performed within 48 hours of being called in and scheduled for grinding within 10-14 days for stump grinding.
8. After stump grinding is performed and stamped completed, the stump grinding portion will then be invoiced and due upon receipt. Finance charges will be assessed after 30 days of receipt.



Mike's Tree Company, LLC
218-825-8207
5906 Pine Beach Road
Brainerd, MN 56401

PROPOSAL



Recent Developments in Tree Health in Brainerd

In January of 2024, the insect called emerald ash borer was confirmed to be present in trees within the Brainerd city limits, following confirmation in Cass and Morrison Counties in late 2023. Emerald ash borer is an invasive insect that kills every species of ash tree, usually within two to four years. While panic is never advised, the entire eastern United States can testify that this threat to tree health cannot be ignored. It has already killed over 100 million ash trees, with some areas losing up to 100 percent of their ash population.

What is EAB?

Emerald Ash Borer (*Agrilus planipennis*) is an invasive insect, it attacks every species of ash, and predictably kills each tree it attacks. It is here, and our ash trees will require attention. More information about this insect can be found on the [University of Minnesota's website](#).

What action can you take?

Ash treatments involve hiring a certified pesticide applicator to inject the insecticide (emamectin benzoate) into the trunk of your ash tree. This is done near the base, and the insecticide is carried to all live and healthy parts of the tree. When EAB attacks, the insecticide kills the damaging larvae and protects your tree until the injection is repeated two years later.

What if you decide not to treat?

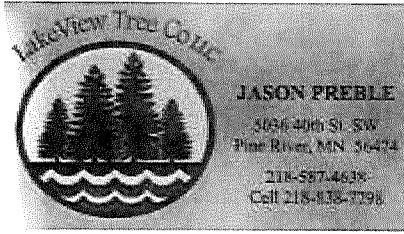
Unfortunately, EAB will attack. Homeowners and municipalities around the country can attest to what happened after they decided to forego treatments. The result is dead trees that eventually must be dealt with. Ash trees killed by EAB will fail, and they usually come down in large, heavy pieces – it is not uncommon for them to break off at ground level. Of course, not every ash can or should be treated. “Valuable” means it has value to someone. You can decide if your ash trees hold value. But this has and will eliminate millions of our trees. If an ash remains untreated, we (and now, you) know the result. Treatment or removal – unfortunately, there is no third option.

What is your best course of action?

Our Plant Health Care department is here to offer advice and solutions. We will help identify your ash trees (no one expects you to be the expert) and honestly help determine if insecticide treatment is right for your trees. Treatment is more affordable than many homeowners think, and it is far more affordable than removal and disposal! These trees belong to you, and the decision is yours. [Mike's Tree Company](#) arborists are here to inform your decision and to provide whichever solution you prefer. A free consultation can be set up by calling us at 218-825-8207.

LakeView Tree Company

ESTIMATE
EST0264



Jason preble
 Business Number 218-838-7798
 P.O box 307
 pine river, mn
 56474
 1-218-838-7798
 lakeviewtreeco.com
 jpreb@lakeviewtreeco.com

DATE
10/25/2024

TOTAL
USD \$2,523.31

TO

City of Jenkins

☐ (218) 568-4637
 cassandra.delougherty@cityofjenkins.com

DESCRIPTION	RATE	QTY	AMOUNT
Removal of 3 dead Oak trees in city park	\$2,350.00	1	\$2,350.00
Removal of limb half going over pavilion			
Chip brush, haul wood, grind stumps.			
SUBTOTAL			\$2,350.00
TAX (7.375%)			\$173.31
TOTAL			USD \$2,523.31

7b.

PARCEL INFORMATION

Address: 33361 Jenkins Ave, Jenkins MN 56456
Applicant: Mark Miller
Property Owner: TW Miller Corporation

APPLICATION

The applicant is requesting an after-the-fact variance for an existing 40' x 80' (3,200 sq. ft.) pole building. The building is 9.7' away from the North property line, where 20' is required. The property is located at 33361 Jenkins Avenue. It is zoned I-1 Light Industrial District.



BACKGROUND INFORMATION

The subject property is just over 1 acre at 43, 712 sq. ft. an additional 30' x 40' (3,200 sq. ft.) building meeting all setbacks. The impervious surface coverage of the subject property is 38.8% where 50% is allowed.

SETBACK REQUIREMENTS FROM:

Front yard minimum: 30 feet

Side yard minimum: 20 feet

PROPERTY PHOTOS FROM STAFF SITE VISIT:





PERTINENT ORDINANCE ARTICLES:

§ 150.034 LIGHT INDUSTRIAL DISTRICT (I-1).

(A) *Purpose and intent.* This district is established to provide suitable locations for commercial storage and wholesaling uses, light manufacturing, and related activities which can maintain high standards in appearance and limit external nuisance effects such as noise, odors, smoke, and vibration.

(B) *Lot, use, and density requirements.*

Building height maximum	45 feet****
Front yard minimum	30 feet*
Landscaping	Landscaping is required in front yards and around the perimeter of the building not less than 20 feet in width
Lot area minimum	One acre (43,560 square feet)
Lot width minimum feet	100 feet
Maximum lot coverage (impervious surface)	50%
Rear yard minimum	30 feet***
Side yard minimum	20 feet**

Notes to table:

* Where the industrial property abuts a residential district, there shall be a front yard of not less than 50 feet.

** Where the industrial property abuts a residential district, the side yard setback shall be not less than 50 feet and shall contain a solid fence or vegetative screening.

*** Where the industrial property abuts a residential district, the rear yard setback shall be not less than 50 feet and shall contain a solid fence or vegetative screening.

**** Cooling towers, elevator penthouses, domes which do not contain usable space, water towers, and smoke stacks or other similar structures not intended for human occupancy may be of any height which does not conflict with airport regulations.

§ 150.285 VARIANCES.

(A) Variances shall not create a use not provided for in a zoning district.

(B) Variances shall be issued to the property and are not transferable.

(C) Variances shall be issued to the property for structures or other specified uses only after a public hearing and approval by the Board of Adjustment. All applications for a variance shall be submitted to the Zoning Administrator 30 days ahead of the hearing date, accompanied by a certificate of survey (unless waived by the Zoning Administrator) showing the details of the proposal and an accurate legal description, along with the appropriate fee. The fee or contract owner of the property shall sign the application. The Zoning Administrator shall notify all property owners within a minimum of 350 feet by regular mail and shall advertise the hearing once in the legal section of the official newspaper at least ten days ahead of the public hearing. The Zoning Administrator shall send the same notice ten days in advance of this hearing to the

DNR if the proposed is in shoreland. At the applicant's option, the applicant may request a sketch plan review with no action by the Planning Commission and with no fee by giving 14 days' notice thereof to the Zoning Administrator, meeting time permitted.

(D) The applicant shall complete the variance application approved by the City Council. The application shall contain submittal requirements, criteria for approval, procedure for consideration, and city contact information. The city shall not accept applications where the applicant has past due fees or charges due to the city until the account is made current.

(E) Variances shall be decided within the required time frame with consideration for the following:

(1) The applicant establishes that there are practical difficulties, as defined in this chapter, in complying with the official control;

(2) The deviation from this chapter with any attached conditions will still be in harmony with the general purposes and intent of this chapter and the Comprehensive Plan; and

(3) The variance will not create a land use not permitted in the zone.

(F) The Board of Adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

(G) When costs to the city involved in processing and reviewing an application exceeds the original application fees, the applicant shall reimburse the city for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees, and other professional services the city may need to retain in reviewing permits.

(H) Failure by the owner to act within six months on a variance unless extended by the Board of Adjustment shall void the variance. A second extension shall require a new public hearing. This provision shall apply to any variance outstanding at the time of this chapter's adoption.

(I) Appeals from the action of the City Council shall be filed with the District Court within 30 days after Council action.

(J) The variance shall be filed with the County Recorder within 45 days.

Board of Adjustment Direction: The Planning Commission has approved the variance application for TW Miller with the following findings of fact and conditions.

STAFF FINDINGS OF FACT The subject property is located at 33361 Jenkins Ave, Jenkins MN 56456 (PIN 26340537).

1. This request is for an after-the-fact variance for a 40' x 80' (3,200 sq. ft.) Pole Building that was constructed on or around November 2021 within the side yard setback requirement of the Light Industrial District.

2. A permit to construct the building in a conforming location was granted by the City on November 17, 2021.
3. The property owner obtained a survey for the property in September 2024 to apply for a new building; they then learned of the setback encroachment for this existing building.
4. The subject property is just over 1 acre and 43,712 sq. ft., and it is zoned Light industrial district (I-1).
5. The impervious surface coverage is 38.8% when 50% is allowed on this property.
6. Is the variance request in harmony with the purposes and intent of the land use ordinance?
 - a. Yes, pole buildings/storage buildings are a “permitted use” in the Light Industrial District. The location of the building (although within the 20’ side yard setback requirement) still provides an adequate buffer between it and the adjacent property.
7. Is the property owner proposing to use the property in a reasonable manner not permitted by the land use ordinance?
 - a. Yes, the proposed use of the property is for storage buildings, which is a “permitted” use in the Light Industrial District. The property owner proposes to use the property in a reasonable manner.
8. Is the need for a variance due to circumstances unique to the property and not created by the property owner?
 - a. Yes, the buildable area on the subject property is limited due to the width and size of the subject property in relation to the proposed number of buildings.
9. Will the issuance of a variance maintain the essential character of the locality?
 - a. Yes, the proposed size, location, and design of the Pole Building is consistent with other properties in the vicinity of the subject property.
10. Does the need for a variance involve more than economic considerations?
 - a. Yes, the variance request has not been made based on economic considerations.

Conditions:

- 1) Gutters shall be installed on the north side of the building. Downspouts shall be installed on west and/or east sides of the building and stormwater shall be directed to swales. Stormwater runoff from the building shall not be drained towards the adjacent property.
- 2) A landscaping plan shall be provided to the City and completed no later than June 30, 2025. The landscaping shall be **required in the front yard of the building not less than 20 feet in width.**”

The variance is required to be recorded at the County. Attached please find an approval resolution.

Action Requested: Motion to approve Resolution #24-11-298 adopting findings of fact and reasons for TW Miller LLC for variance application of setbacks at 33361 Jenkins Avenue, Jenkins, MN 56472

RESOLUTION NO. 24-11-298

A RESOLUTION ADOPTING FINDINGS OF FACT AND REASONS FOR TW MILLER LLC FOR VARIANCE APPLICATION OF SETBACKS AT 33361 JENKINS AVENUE, JENKINS, MN 56472

FACTS

1. TW Miller LLC is the owner of a parcel of land located at 33361 Jenkins Avenue, Jenkins, MN 56474 (PIN 26340537); and,
2. The subject property is legally described as Lot 9, Block 1, Jenkins Business Park; and,
3. This request is for an after-the-fact variance for a 40' x 80' (3,200 sq. ft.) Pole Building that was constructed on or around November 2021 within the side yard setback requirement of the Light Industrial District (See Exhibit A)
4. A permit to construct the building in a conforming location was granted by the City on November 17, 2021.
5. The property owner obtained a survey for the property in September 2024 to apply for a new building; they then learned of the setback encroachment for this existing building.
6. The subject property is just over 1 acre and 43,712 sq. ft., and it is zoned Light industrial district (I-1).
7. The impervious surface coverage is 38.8% when 50% is allowed on this property.

APPLICABLE LAW

1. Minnesota Statute Section 462.357, subd. 6 provides:
 - a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.
 - b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.
2. City Ordinance allows variances if:
 - a. The applicant establishes that there are practical difficulties, as defined in chapter 150.05 PRACTICAL DIFFICULTIES definition, in complying with the official control;
 - b. The deviation from chapter 150.034(B) with any attached conditions will still be in harmony with the general purposes and intent of this chapter and the Comprehensive Plan; and

- c. The variance will not create a land use not permitted in the zone.
3. Following a public hearing on the application, the Jenkins Planning Commission has recommended approval of the variance on November 4, 2024.
4. The City Council of the City of Jenkins reviewed the requested variance at its Meeting of November 12, 2024.

CONCLUSIONS OF LAW

1. Is the variance request in harmony with the purposes and intent of the land use ordinance?
 - a. Yes, pole buildings/storage buildings are a “permitted use” in the Light Industrial District. The location of the building (although within the 20’ side yard setback requirement) still provides an adequate buffer between it and the adjacent property.
2. Is the property owner proposing to use the property in a reasonable manner not permitted by the land use ordinance?
 - a. Yes, the proposed use of the property is for storage buildings, which is a “permitted” use in the Light Industrial District. The property owner proposes to use the property in a reasonable manner.
3. Is the need for a variance due to circumstances unique to the property and not created by the property owner?
 - a. Yes, the buildable area on the subject property is limited due to the width and size of the subject property in relation to the proposed number of buildings.
4. Will the issuance of a variance maintain the essential character of the locality?
 - a. Yes, the proposed size, location, and design of the Pole Building is consistent with other properties in the vicinity of the subject property.
5. Does the need for a variance involve more than economic considerations?
 - a. Yes, the variance request has not been made based on economic considerations.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JENKINS, MINNESOTA AS FOLLOWS:

The application to issue a variance to allow TW Miller to build a 40’X80’ pole shed so as to deviate from the 20’ side yard minimum setback is hereby granted with the following conditions.

1. Gutters shall be installed on the north side of the building. Downspouts shall be installed on west and/or east sides of the building and stormwater shall be directed to swales. Stormwater runoff from the building shall not be drained towards the adjacent property.
2. A landscaping plan shall be provided to the City and completed no later than June 30, 2025. The landscaping shall be required in the front yard of the building not less than 20 feet in width.

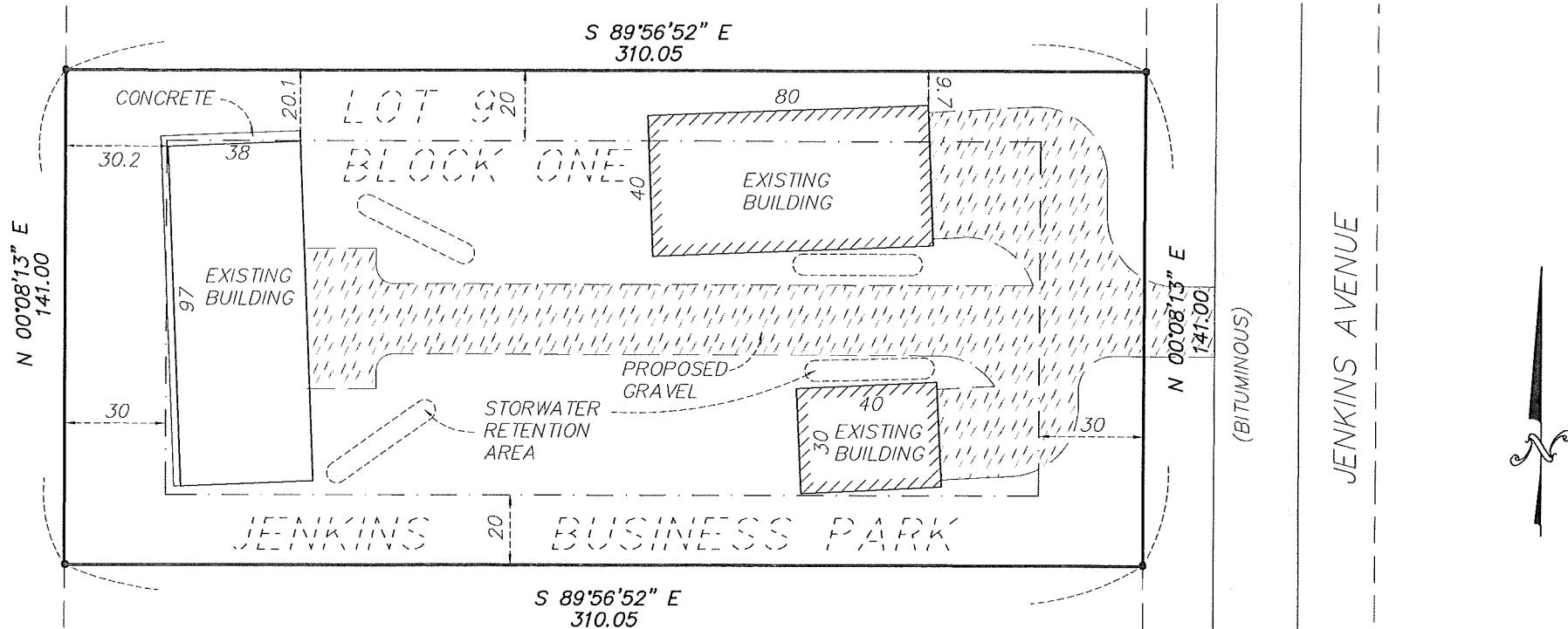
Passed by the City Council of Jenkins, Minnesota this 12th day of November, 2024.

Andrew J. Rudlang, Mayor

Attested:

City Clerk

CERTIFICATE OF SURVEY



LEGAL DESCRIPTION PER DOCUMENT NO. 0712294

Lot 9, Block 1, Jenkins Business Park.

LEGEND

● Denotes iron monument found

Bearings based on assumed datum.

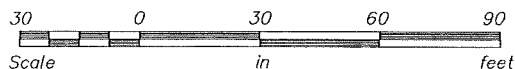
I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul Herkenhoff 11-4-24

Paul Herkenhoff, R.L.S. Date
License No. 45875

GENERAL NOTES

- No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
- Bearings shown are based upon the Crow Wing County Coordinate System.
- Subject property is subject to drainage and utility easements per the record plat of Jenkins Business Park.
- Area of the subject property is 43,712 sq. ft.
- Proposed Impervious Coverage = 17,002 sq. ft. (gravel = 8602 sf, buildings = 8400 sf) (38.8% of the overall property)



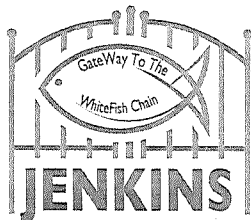
REQUESTED BY: **MJ BUILDERS**

Lakes Area
SURVEYING
LLC.

24314 SMILEY ROAD, SUITE C
NISSWA, MN 56468
OFFICE (218) 961-0090

LAS

Drawn by: PDH Date: 9/18/24 Job No: 21-342



AGENDA ITEM #

7c.

REPORT TO CITY COUNCIL

Prepared by: Krista Okerman
Date: November 7, 2024
Subject: Canvassing Board

Report: Election results are not official until they have been reviewed and certified by a canvassing board. Each municipality has its own canvassing board to certify results in municipal races. The City Council serves as the canvassing board for the City. Attached is a Resolution certifying the City of Jenkins 2024 General Election results.

Council Action Requested: Motion to approve Resolution #24-11-299 Canvassing the November 5, 2024 Municipal Election Returns and Declaring Results.

**RESOLUTION # 24-11-299
CANVASSING THE NOVEMBER 5, 2024 MUNICIPAL ELECTION RETURNS
AND DECLARING RESULTS**

WHEREAS, the City of Jenkins held a mail ballot municipal election on November 5, 2024; and

WHEREAS, the City Clerk has prepared a summary of the returns of the forenamed election; and

WHEREAS, the City Council must canvass the municipal election returns and declare the results after the election.

NOW, THEREFORE BE IT RESOLVED by the City Council of Jenkins, Minnesota that the following returns are hereby canvassed and declared the official results of the November 5, 2024 municipal election.

<u>Mayor</u>	<u>Votes</u>
<i>Andrew J. Rudlang</i>	173
Debbie Siltman	80
Write-ins	1
<u>Council Member (4-year term)</u>	<u>Votes</u>
<i>Roman Siltman</i>	164
<i>Ryan Barnett</i>	138
Victor Prociuk	65
Write-ins	2
<u>Council Member Special Election (2-year term)</u>	<u>Votes</u>
<i>Jory Carlson</i>	124
Melissa Haff	117
Write Ins	0

Adopted by the Jenkins City Council this 12th day of November, 2024.

Andrew J. Rudlang, Mayor

ATTEST:

Krista A. Okerman, City Clerk-Treasurer