

**COUNCIL PROCEEDINGS  
CITY OF CROSSLAKE MINNESOTA  
REGULAR COUNCIL SESSION  
JANUARY 9, 1995  
7:00 P.M. CITY HALL**

The Council for the City of Crosslake, Minnesota met in the Council Chambers of City Hall on Monday, January 9, 1995. The following Councilmembers were present: Mayor David M. Kolesar, Charles O. Miller, Jane M. Michaud, Raymond P. Smyth and John (Jack) R. Webster. Also present was City Attorney Paul Sandelin, City Clerk Arlene Buchite and approximately 45 citizens.

Mayor Kolesar called the meeting to order at 7:00 P.M. and thanked everyone for their support during the election. He mentioned that council meetings will be broadcast on Channel 12 on the Tuesday and Thursday following the Council meeting at 12:00 noon and 6:00 P.M. each day. He stated that anyone wishing to address the Council must come to the podium and state their name and where they live before commenting on a subject.

The Economic Development Authority meeting was not called to order since there was no business to conduct.

MOTION 1R-01-95 WAS MADE BY RAY SMYTH AND SECONDED BY JACK WEBSTER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF DECEMBER 12, 1994 REGULAR COUNCIL MEETING; (2) MINUTES OF DECEMBER 14, 1994 SPECIAL COUNCIL SESSION; (3) MINUTES OF DECEMBER 16, 1994 SPECIAL COUNCIL SESSION; (4) MINUTES OF DECEMBER 21, 1994 SPECIAL COUNCIL SESSION AND; (5) THE CLERK/TREASURER'S FINANCIAL REPORT FOR DECEMBER, 1994. MOTION CARRIED UNANIMOUSLY.

There were no Telephone Company or Cablevision reports available for this meeting.

CLERK'S REPORT - MOTION 1R-02-95 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE THE BILLS FOR PAYMENT CONSISTING OF: (1) FIREMEN'S RELIEF ASSOCIATION OF \$9,937.50 FOR THE CITY'S CONTRIBUTION; (2) CROW WING COUNTY RECORDER FOR 1993 VARIANCES AND CUPS OF \$741.00; (3) CROSSLAKE SANITATION FOR \$600.00 AND; (4) GAMMELLO & SANDELIN, P.A. FOR \$866.25. MOTION CARRIED UNANIMOUSLY.

The next 55 Alive Class will be held at the Emergency Services Center on January 25th and 26th. The scheduling of this facility will continue to be handled by the City Clerk's office per the previously approved schedule of fees.

MOTION 1R-03-95 WAS MADE BY JACK WEBSTER AND SECONDED BY JANE MICHAUD TO APPROVE NEW COUNCILMEMBERS ATTENDING THE LEAGUE OF MN CITIES CONFERENCE FOR NEWLY ELECTED OFFICIALS. MOTION CARRIED UNANIMOUSLY.

The 4% cost of living increase previously considered under the 1995 budget for city hall employees was discussed. Union negotiations

will begin within the next 60 to 90 days and whether city employees should be given this increase prior to these negotiations was discussed.

MOTION 1R-04-95 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO GIVE THE 4 PERCENT COST OF LIVING INCREASE TO THE TWO CONFIDENTIAL EMPLOYEES ONLY AT THIS TIME. MOTION CARRIED UNANIMOUSLY.

*(Change to 4 Confidential employees)*  
2-13-95

A refund to the Riverwood Apartments project under Tax Increment Financing was discussed.

MOTION 1R-05-95 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO PAY \$12,062.86 TO TAX INCREMENT FINANCE DISTRICT #1, LAREVER PROPERTIES. MOTION CARRIED UNANIMOUSLY.

A local grant application request form had been received from the Minnesota Department of Natural Resources. Jane Michaud volunteered to attend the informational meeting being held February 15th at the Crow Wing County Service Building. This issue will be discussed again at the next council meeting.

#### MAYOR'S REPORT -

The Mayor recommended that Council meetings be held on the same day and time as before. The same format for the agenda will be followed except when a meeting requires audience participation, that issue will be placed at the beginning of the agenda. This will be titled Critical Issues and will appear before the Clerk and Mayor reports.

MOTION 1R-06-95 WAS MADE BY RAY SMYTH AND SECONDED BY JACK WEBSTER TO APPROVE HOLDING COUNCIL MEETINGS ON THE SECOND MONDAY OF EACH MONTH AND TO ADD "CRITICAL ISSUES" TO THE AGENDA. MOTION CARRIED UNANIMOUSLY.

Mayoral appointments were reviewed as follows: Public Works and Cemetery - Chuck Miller; Park and Recreation - Ray Smyth; Planning and Zoning - Jack Webster; Utilities - Jack Webster; Public Safety - Jane Michaud; Personnel - Dave Kolesar; Planning and Future Development - Dave Kolesar; Deputy Mayor - Jane Michaud; Recycling - Chuck Miller; City Attorney - open due to bid selection; City Auditor - open due to bid selection; Clerk-Treasurer - Arlene Buchite; Police Chief - John Backdahl; Fire Chief - Jeff Cripps; Assistant Fire Chief - Don Henderson; Civil Defense Director, Assistant Civil Defense Director, Health Officer and Assistant Health Officer are unnamed; City Surveyor - Don Coulter; City Engineer - open for selection; Weed Inspector - Dave Kolesar; Assistant Weed Inspector - Pat Hoag; Official Newspaper - Country Echo; Depository A - Brainerd National Bank; Depository B - Northern National Bank; Depository C - 4M Funds.

There was discussion regarding having a city engineer as a full time appointment. The Mayor stated that in talking to the city employees they had expressed an interest in having someone official to contact for questions they themselves could not answer. There would be no cost to the city for this service.

MOTION 1R-07-95 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO DEFER APPOINTING A CITY ENGINEER FOR 30 DAYS TO ALLOW TIME TO CONTACT 4 OR 5 FIRMS FOR RESUMES. MOTION CARRIED UNANIMOUSLY.

MOTION 1R-08-95 WAS MADE BY RAY SMYTH AND SECONDED BY JANE MICHAUD TO ACCEPT ALL APPOINTMENTS AS RECOMMENDED BY THE MAYOR WITH THE EXCEPTION OF THE CITY ENGINEER. MOTION CARRIED WITH CHUCK MILLER VOTING NAY.

The appointment of two council members and three residents to the Economic Development Authority (EDA) in 1995 was discussed. Chuck Miller recommended the appointment of Ray Smyth and Jane Michaud volunteered to be a member. The remainder of the EDA members will be appointed from the community. Appointments to the commissions and to the EDA will be made by the Council. Requests will be made via the newsletter for individuals to serve on the various commissions and the EDA.

MOTION 1R-09-95 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPOINT RAY SMYTH AND JANE MICHAUD TO THE ECONOMIC DEVELOPMENT AUTHORITY COMMISSION FOR 1995. MOTION CARRIED UNANIMOUSLY.

Interviews for City Attorney will be held within the next two weeks with Chuck Miller and Dave Kolesar and the firms who have submitted bids. A recommendation will be brought to the next council meeting.

The need for an education committee was discussed which would be made up of one councilmember and other members of the community. This committee would look into the feasibility of having a school in Crosslake, busing and other school related issues. The public was reminded that the Superintendent meets with interested citizens at Pine Peaks Restaurant from 7:30 A.M. - 9:00 A.M. the second Friday of every month.

MOTION 01R-10-95 WAS MADE BY RAY SMYTH AND SECONDED BY JANE MICHAUD TO ESTABLISH AN EDUCATION COMMITTEE WITH RAY SMYTH AS THE LIAISON AND THE OTHER MEMBERS MADE UP OF PEOPLE FROM THE COMMUNITY. MOTION CARRIED UNANIMOUSLY.

The need to bring back commissions was discussed and it was agreed they were necessary with the exception of public safety. This issue will be tabled until the next meeting to allow time to investigate the need in more detail. A recommendation will be brought to the next meeting by Jane Michaud, Public Safety Liaison.

MOTION 01R-11-95 WAS MADE BY RAY SMYTH AND SECONDED BY JACK WEBSTER TO KEEP THE PLANNING AND ZONING AND UTILITIES COMMISSION IN PLACE AND APPOINT A PARK AND RECREATION COMMISSION, A PUBLIC WORKS AND CEMETERY COMMISSION AND A LONG RANGE CAPITAL PLANNING COMMISSION WITH THE APPOINTMENTS MADE AS LIAISON'S FOR THOSE COMMISSIONS AND THAT THE CITY ADVERTISES FOR VOLUNTEERS TO FILL THESE COMMISSIONS. MOTION CARRIED UNANIMOUSLY.

A request for money had been received from Heartland Animal Rescue Team (H.A.R.T.). They are a public service organization who are recommended by the local police department in matters of animal control.

MOTION 01R-12-95 WAS MADE BY JACK WEBSTER AND SECONDED BY RAY SMYTH TO GIVE \$500 AS A FEE FOR SERVICE TO H.A.R.T. MOTION CARRIED UNANIMOUSLY.

A dividend was received from the League of Minnesota Cities in the amount of \$6,405.00. This is left over insurance money, which when not used, is divided out among the member cities.

Pequot Lakes Mayor Ed Larsen has challenged Crosslake to a snow sculpture contest as part of the Ice Fest festival being held January 19th - 22nd. Anyone interested in accepting this challenge was encouraged to call City Hall.

The Mayor will be keeping office hours at City Hall from 9:00 A.M. - 12:00 P.M. each day for the next three to four months.

#### PLANNING AND ZONING -

Chuck Miller recommended some type of stipend be given to the members of the Planning and Zoning Commission. These individuals go out monthly looking at various sites, take measurements and spend considerable time prior to each meeting collecting information.

MOTION 01R-13-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO PAY PLANNING AND ZONING COMMISSION MEMBERS \$25.00 PER MEETING. MOTION CARRIED UNANIMOUSLY.

Ray Midlo asked why commission members could not go out in a group to visit these sites versus going out individually at varying times. The attorney informed him this would violate the open meeting law and he did not recommend their doing so.

In 1994, 499 zoning permits were issued by this department.

#### UTILITIES -

Crosslake Cablevision sent a survey to all users requesting information on current and future programming. They have received over 800 survey forms back. Many of those responding showed an interest in Internet. The results will be discussed at the next commission meeting which will be held on January 31, 1995. The Commission is looking at contracting for local commercials on network programming. The cable company would receive a fee based on frequency and number of customers.

An insurance claim has been submitted to the insurance company for the damage incurred as a result of the August electrical storm. Estimated costs for repair is between \$35,000 and \$40,000.

The evaluation of the six month performance of the General Manager has begun.

The State Telephone Conference is scheduled for March and will be attended by a number of the Commission members and telephone employees.

**PUBLIC WORKS - Nothing.**

**PUBLIC SAFETY -** There were no fire calls in December, however, seven

medical calls were responded to. Year-to-date there were 16 fire calls and 88 medical calls.

The Police Department reported 92 calls in December with 1225 calls year-to-date for a 14% increase over 1993.

The Police Department and Fire Department worked with the Sheriff Department to install a snow fence around the open water at the Cross/Rush Channel.

Work is still pending at the Emergency Services Center and should be completed within the next thirty days.

North Ambulance is still looking for emergency medical technician volunteers. Initially, there was to be a charge of \$396 for this training. North Ambulance has now agreed to waive the fee so, hopefully, another training program can be implemented.

**LONG RANGE CAPITAL PLANNING** - This will be changed to Long Range Capital Commission for 1995.

**CEMETERY** - Nothing

**PERSONNEL** - A review system will be set up which will review all employees every six months in written form. It will be based on the employees job descriptions and will show what needs to be improved on as well as what the employees strengths are. Department heads will be reviewed by the department liaison and the mayor and all other employees will be reviewed by the department head.

Union negotiations will begin soon. One council member and the Mayor will meet with the Union representative and an alternate will be selected for times when the regular designee cannot attend.

MOTION 01R-14-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO APPOINT DAVE KOLESAR AND RAY SMYTH AS UNION NEGOTIATORS AND JACK WEBSTER AS ALTERNATE. MOTION CARRIED UNANIMOUSLY.

**PARK AND RECREATION** - Beth Anderson, ice rink and warming house attendant, had prepared a report on the use of the hockey and open skating rinks. Attendance has been good despite the warm weather. The mite hockey program started on January 5th with 16 young skaters attending. The church groups have been reserving the rink on an on-going basis and it was suggested that the City Attorney draft a waiver protecting the City against liability in case of an accident. A bulletin board will be installed for various notices and a pop machine will be checked on for year round use.

Ray Smyth commented on the delays in the signing of the contract between Bonestroo, Rosene, Anderlik and Associates and the City in regards to the Community Center. One of the issues the Community Center Planning Committee is facing, as a result of the delay, is how far the architect is authorized to proceed with the planning. The intention has been that bids would be taken with more than one alternate. Ray had prepared a memo for the Councilmembers to

review which showed the basis for the architect fees. These fees were broken down into five phases with a percentage associated with each phase and a description of what each phase involved. The five phases are schematic design, design development, contract documents, bidding and construction. The fee is paid after completion of each phase for a total negotiated fee of 7 1/2 percent. Ray requested Council clarification or authorization to allow the architect to proceed with design development and contract development in preparation for taking bids later this winter for the entire building and, secondly, to apply for an REA grant loan for up to \$400,000 if Crosslake Telephone Company will put up 20% or \$80,000. This becomes a grant/loan since it does not need to be repaid to REA but becomes a permanently revolving fund for financing the community center project or other permanent capital improvements. It does have to be prepaid to the revolving fund but not to REA. Due to the length of time it would take to get approval, he felt it would be advantageous to submit the application as soon as possible.

MOTION 01R-15-95 WAS MADE BY RAY SMYTH AND SECONDED BY JACK WEBSTER TO APPROVE THAT THE COMMUNITY CENTER PLANNING COMMITTEE BE AUTHORIZED, IN ITS WORK WITH THE ARCHITECT, TO PROCEED WITH ALL FOUR OF THE FIRST PHASES IDENTIFIED IN THE OUTLINE PRESENTED IN ORDER TO TAKE BIDS LATER THIS WINTER. MOTION CARRIED WITH CHUCK MILLER VOTING NAY.

Chuck Miller felt it imperative that we look at where we're going with this project. He doesn't know if the taxpayers are ready to put out \$80,000 of Telephone Company funds to initiate a revolving fund. Jack Webster commented that the Telephone Company would need to be paid back with interest. Of the \$57,000 total projected costs for architect services and fees about \$15,200 would not be paid out until construction began and would be based on whatever the Council agreed should be built. Jack Webster and Dave Kolesar both agreed that a complete plan for the building was essential. Chuck Miller felt if the Council approved the complete plan then spend the \$57,000, otherwise, pay architect fees for only what is being built.

The contract will be reviewed by the City Attorney prior to signing.

MOTION 01R-16-95 WAS MADE BY RAY SMYTH AND SECONDED BY JANE MICHAUD TO PROCEED WITH THE REA LOAN APPLICATION AND TO PRESENT IT TO THE TELEPHONE COMMISSION FOR THEIR REVIEW PRIOR TO SUBMISSION. MOTION CARRIED UNANIMOUSLY.

Dennis Palm of the Finance Committee will prepare the application and forward to Jack Webster, Utilities Liaison.

**RECYCLING** - There were 61 participants using the drop-off site in December and 178 residents utilized curbside service.

**NEW BUSINESS -**

The Mayor asked for opinions on whether the Attorney be required to attend the Council meetings.

MOTION 01R-17-95 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER

TO HAVE THE CITY ATTORNEY ATTEND ALL REGULAR COUNCIL MEETINGS,  
AND TO ATTEND SPECIAL MEETINGS AND P&Z MEETINGS WHEN REQUESTED.  
MOTION CARRIED UNANIMOUSLY.

Jack Webster suggested a meeting be set up to explore ways where cities and townships can work together with services and equipment. It was suggested that a meeting be set up with these representatives sometime in mid February and held thereafter on a quarterly basis.

**OLD BUSINESS -**

The placement of the "Reminisce" signs came under discussion. A motion was made by Chuck Miller and seconded by Ray Smyth to approve these signs, however, it did not pass with Ray Smyth, Jane Michaud and Dave Kolesar voting nay.

Gerry Boe commented on the signs in the City announcing Crosslake as being spelled as two words rather than the correct spelling as one word.

A written summary had been prepared for publication based on the December approval of the changes to Ordinance #65, Third Series. It had been held in the City Clerk's Office for a period of two weeks to allow time for the public to review the Ordinance changes.

MOTION 01R-18-95 WAS MADE BY JANE MICHAUD AND SECONDED BY RAY SMYTH  
TO PUBLISH THE SUMMARY OF ORDINANCE #65, THIRD SERIES, AMENDING  
CHAPTER 4 ENTITLED "BEER, WINE AND LIQUOR LICENSING AND REGULATION".  
MOTION CARRIED UNANIMOUSLY.

**PUBLIC FORUM -**

Ray Midlo expressed his concern with the speed snowmobiles are traveling in Crosslake and how it relates to the Ordinance.

Bob Wiebke inquired as to whether the Emergency Services Center could be used for walkers in cold weather.

Lorraine Storck and Andy Nelson expressed their thoughts on hunting within the City.

MOTION 01R-19-95 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH  
TO HAVE THE PUBLIC SAFETY LIAISON, PLANNING AND ZONING LIAISON AND  
PLANNING AND ZONING COORDINATOR WORK ON A CITY SHOOTING ORDINANCE.  
MOTION CARRIED UNANIMOUSLY.

MOTION 01R-20-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE  
MICHAUD TO ADJOURN THIS REGULAR COUNCIL MEETING AT 9:24 P.M.

Recorded and transcribed by:



Arlene A. Buchite  
City Clerk/Treasurer