

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING AND REGULAR COUNCIL SESSION
JANUARY 10, 1994
7:00 P.M. CITY HALL

The Council for the City of Crosslake Minnesota met in session in the Council Chambers of City Hall on Monday, January 10, 1994. The following Councilmembers were present: Mayor Kurt Anderson, Lyle Arends, Charles Miller and Dean Swanson. Absent was Jack Webster. Also present was City Attorney Paul Sandelin, Reporter Jean Paul Hudon and approximately 20 citizens.

Mayor Anderson called the Public Hearing to order at 7:00 P.M.

The first item on the agenda was the Tax Increment Financing Proposal for Tom Mezzenga. Mayor Anderson stated that letters had been received from both the County and the School District waiving the 30 day notice for this project. Mr. Dave Maroney from Ehlers & Associates was present along with Mr. Mezzenga to answer any questions from the Council or the audience. The development district is the area previously known as the Total Rental property. One of the questions brought up was the number of years the TIF would run and what effect it would have on Local Government Aid (LGA). The new system on TIF projects could have an impact on the City's losing LGA on a percentage basis after the fourth year. An analysis was done by Ehlers & Associates for a ten year period which shows the City would still receive funding of about \$1845.00 after the tenth year. Any time after that period, the City could start losing monies. Mr. Maroney indicated that language could be put in the Developers Agreement whereas the City could stipulate that at such point the City begins to lose tax dollars the tax increment district would end. Mayor Anderson stated that the project should not cost the City any money and at such point it would become a minus he would not be in favor of supporting it.

MOTION 01PH-01-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE THE TAX INCREMENT PROJECT FOR TOM MEZZENGA WITH THE LIMITATION THAT IT NOT GO BEYOND 10 YEARS OR INTO A NEGATIVE TAX SITUATION FOR LOCAL GOVERNMENT AID. MOTION PASSED WITH LYLE ARENDS VOTING NAY.

There was some discussion from the audience as to what the benefits are for the City. The Mayor informed the audience on how TIF works and reminded everyone that the City was not putting up any money for this project. Mr. Arends read aloud from a document published by the Association of Minnesota Counties which stated that the County and the School District do lose money on TIF projects. Mayor Anderson stated that was the reason for requiring letters from both entities.

MOTION 01PH-02-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ADJOURN THE PUBLIC HEARING AT 7:20 P.M. MOTION PASSED UNANIMOUSLY.

Mayor Anderson called the regular session of the City Council to order. The first item on the agenda was the Consent Calendar. MOTION 01R-01-94 WAS MADE BY LYLE ARENDS AND SECONDED BY CHUCK MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF (1) MINUTES OF DECEMBER 13, 1993 REGULAR COUNCIL SESSION; (2) MINUTES OF DECEMBER 15, 1993 SPECIAL COUNCIL SESSION; (3) MINUTES OF DECEMBER 22, 1993 SPECIAL COUNCIL SESSION; (4) THE CLERK/TREASURER'S FINANCIAL REPORT FOR DECEMBER, 1993; (5) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR DECEMBER, 1993 AND; (6) THE CABLEVISION'S FINANCIAL REPORT FOR DECEMBER, 1993. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - MOTION 01R-02-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO PAY ALL BILLS INCLUDING THE CITY ATTORNEY FOR \$1,476.27; AMERICAN BANK FOR FINAL PAYMENT ON GOVERNMENT OBLIGATION BONDS OF \$82,760.00; CROW WING COUNTY FOR SALT AND SAND OF \$4,207.57; RELIABLE ELECTRIC OF \$210.00 FOR TEMPORARY SERVICE FOR NEW FIRE HALL; BRAINERD BUS LINES FOR CLUTCH IN 80 INTERNATIONAL DUMP TRUCK FOR \$542.90. MOTION PASSED UNANIMOUSLY.

MOTION 01R-03-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO PAY THE INSURANCE PREMIUM FOR THE COUNCIL AND COMMISSIONS THROUGH THE BREHM GROUP AT \$12.75 PER PERSON. MOTION PASSED UNANIMOUSLY.

Clerk Buchite reported that the dividend on the insurance trust from the League of Minnesota Cities had been received in the amount of \$5,844.00.

MOTION 01R-04-93 WAS MADE BY LYLE ARENDS AND SECONDED BY DEAN SWANSON TO CONTINUE THE CONTRACT ON THE COPIER WITH CYBERSTAR. MOTION PASSED UNANIMOUSLY.

The subject of changing local and long distance carriers from the current company Polaris was discussed.

MOTION 01R-05-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO CHANGE ALL CITY PHONES TO U.S. WEST AND AT&T. MOTION PASSED UNANIMOUSLY.

A request had been received from Dave Schliek for the annual payment for the Firemen's Relief Association.

MOTION 01R-06-94 WAS MADE BY DEAN SWANSON AND SECONDED BY LYLE ARENDS TO PAY THE FIREMEN'S RELIEF ASSOCIATION THE SAME AMOUNT OF MONEY AS LAST YEAR TIMES THE NUMBER OF FIREMEN. MOTION PASSED UNANIMOUSLY.

Clerk Buchite requested approval to attend the Clerk's conference. MOTION 01R-07-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE THE CLERK ATTENDING THE CLERK'S CONFERENCE IN ST. CLOUD MARCH 15TH THROUGH MARCH 18TH. MOTION PASSED UNANIMOUSLY.

MAYOR'S REPORT - The following appointments were recommended by the Mayor for 1994: Public Works Commissioner, Kurt Anderson; Park Commissioner, Dean Swanson; P&Z Liaison, Chuck Miller; Telephone & Cable Liaison, Kurt Anderson; Public Safety Commissioner, Jack

Webster; Personnel Liaison, Chuck Miller; Future Funding, Lyle Arends; Deputy Mayor, Lyle Arends; Recycling, Lyle Arends; City Attorney, James Gammello; City Auditor, Mick Justin; Clerk/Treasurer, Arlene Buchite; Police Chief, John Backdahl; Fire Chief, David Schliek; Assistant Fire Chief, Jeff Cripps; Civil Defense Director, Robert Garin; Assistant Civil Defense Director, John Backdahl; Health Officer, Pine & Lake Clinic; Assistant Health Officer, Joan Baker; City Surveyor, Don Coulter; Weed Inspector, Pat Hoag; Assistant Weed Inspector, Kurt Anderson; Official Newspaper, Brainerd Dispatch; Depository A, Brainerd National Bank; Depository B, Northern National Bank; Depository C, 4M Fund.

MOTION 01R-08-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE THE LIST OF APPOINTMENTS AS PRESENTED BY MAYOR ANDERSON. MOTION PASSED UNANIMOUSLY.

MOTION 01R-09-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO APPROVE THE FOLLOWING AS MEMBERS OF THE PLANNING AND ZONING COMMISSION: ROY DOLMAR, GEORGE RICHES, BILL ABELSON, CYNTHIA THUNELL, NANCY KOCH AND CHUCK MILLER. MOTION PASSED UNANIMOUSLY.

MOTION 01R-10-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE THE FOLLOWING AS MEMBERS OF THE UTILITIES COMMISSION: AL PULL, TOM MEZZENGA, DOROTHY ALLEN AND JOE GRIES. MOTION PASSED UNANIMOUSLY.

PLANNING AND ZONING - A recommendation was brought before the Council by Teri Hastings on behalf of the Planning and Zoning Commission to approve the preliminary plat for White Pine Estates for Developer, Roger Adair. Three items require completion before the final plat is signed. These items are as follows: a certified copy of the easement for the road, payment of the park dedication fee, and rezoning of the property to medium-density residential.

MOTION 01R-11-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO APPROVE THE PRELIMINARY PLAT OF WHITE PINE ESTATES WITH THE THREE CONDITIONS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. MOTION PASSED UNANIMOUSLY.

The Planning and Zoning Commission also recommended a change to Ordinance No. 54, Third Series amending Ox Lake classification since it reflects a change in the City's goals on development for this lake.

MOTION 01R-12-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE ORDINANCE NO. 54, THIRD SERIES AMENDING THE OX LAKE CLASSIFICATION TO LEAVE THE LOWER PORTION OF THE LAKE GENERAL DEVELOPMENT AND TO RECLASSIFY THE UPPER PORTION TO NATURAL ENVIRONMENT AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. MOTION PASSED UNANIMOUSLY.

A letter from Attorney Paul Sandelin had been copied for the Council regarding the George Schroenghmer Easement. It was the recommendation of Mr. Sandelin that any action regarding the vacating of this property be initiated by Mr. Schroenghmer. No action will be taken by the City on Park Landing.

A letter had been received from the League of Minnesota Cities regarding the enforcement of the State Building Code. It was decided that the City would not enforce the building code on residential construction, however, on commercial construction the State Fire Marshal, the State Building Inspector or Health Department will be notified of such construction.

The next item was a request to publish only a summary of Ordinance 52, Third Series rather than the publishing of the entire Ordinance. MOTION 01R-13-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE PUBLISHING THE SUMMARY OF ORDINANCE NO. 52, THIRD SERIES. MOTION PASSED UNANIMOUSLY.

Teri Hastings requested approval from the Council to attend 15 hours of training to maintain her State Certification for on-site septic inspections. MOTION 01R-14-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE THE P&Z COORDINATOR ATTENDING THE STATE CERTIFICATION SCHOOL IN ST. CLOUD MARCH 9TH THRU MARCH 11TH. MOTION PASSED UNANIMOUSLY.

Mayor Anderson informed the Council that while prices had been requested for legal services for 1994, he did not feel that it was appropriate to look at other alternatives in December and January. The request for prices will be held off until Fall for 1995. Mr. Sandelin had sent a letter to the City with some alternate type of billing charges for the City. The letter had not been opened prior to the Council Meeting. Mayor Anderson will review the letter and give a summary of what the new proposals are at the next Council meeting.

PERSONNEL - Nothing

PARK AND RECREATION - Mr. Swanson informed everyone that the skating rinks are in service and used extensively. The new hockey goals are in use. The receptionist desk at City Hall is maintaining the Community Center calendar. The repair work at the Community Center is in progress and should be completed by the end of the week. The applicants for part time custodian were interviewed by Chuck Miller and Dean Swanson and a recommendation was brought to the Council to hire Brian Maher effective January 10, 1994.

MOTION 01R-15-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO HIRE BRIAN MAHER AS CUSTODIAN AT THE COMMUNITY CENTER AT \$5.50 PER HOUR WITH A 6 MONTH PROBATION PERIOD AND A CAP OF 20 HOURS PER WEEK. MOTION PASSED UNANIMOUSLY.

RECYCLING - Mr. Swanson reported on the 1993 recycling program. The breakdown in tons was as follows: newspapers - 14.14; aluminum cans - .99; tin cans - 2.36; green glass - 3.08; brown glass - .89; clear glass - 6.78; misc metal - 5.65; misc demo - 2.50. The total number of pounds was 72,776 or 36.39 tons. The number of curbside users was 214 with 1199 using the drop site.

PUBLIC SAFETY - The Fire Department responded to five medical calls

and 2 fire calls for the month.

The Police Department responded to 105 calls in December. A letter was read aloud by Mayor Anderson from Gary Jenson of Ye Olde Wharf commending Steve Schaar for his foresight and concern to warn those patrons who may not have been aware of a pending ice storm that night. Steve stopped by his establishment to warn everyone of the possibility of hazardous road conditions.

Mayor Anderson presented new purchasing policies for the Fire Department for 1994.

MOTION 01R-16-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO APPROVE THE PURCHASING POLICIES FOR THE FIRE DEPARTMENT TO REQUIRE THE APPROVAL OF 2 OFFICERS FOR PURCHASES OF \$0 - \$100; THE APPROVAL OF 2 OFFICERS AND THE LIAISON FOR PURCHASES OF \$100.00 - \$500.00; THE APPROVAL OF 2 OFFICERS, THE LIAISON AND THE CITY COUNCIL FOR PURCHASES OF \$500.00 - \$5,000.00 AND THE REQUIREMENT TO BID ON PURCHASES OF \$5,000.00 AND UP. MOTION PASSED UNANIMOUSLY.

The bids for the alternatives for the Emergency Services Center were discussed. It was felt that Alternate #1 contained items that could be completed at a later date if costs came in as expected. The total cost of the base bid including Alternate #2 and Alternate #3 is \$432,106.60.

MOTION 01R-17-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE ALTERNATES #2 AND #3 FOR THE NEW EMERGENCY SERVICES CENTER. MOTION PASSED UNANIMOUSLY.

Mr. Swanson asked Dave Schliek what the current requirements are for becoming a first responder. Currently one must be a member of the fire department before being considered as a first responder. It was decided that this requirement be looked at for possible changes.

UTILITIES - Tom Mezzenga requested Council approval on a management letter which had been requested by the auditor. This issue will be brought up at the next Council meeting.

It was suggested that all correspondence from the Telephone Company be delivered to City Hall for distribution rather than being mailed to the individual homes.

The Utilities Commission Meeting for January is being changed from January 25th to January 21st at 7:30 A.M. Future meetings will continue to be held on the last Tuesday of the month.

Union negotiations have been completed.

The General Manager/City Administrator advertisements have been published in the trade magazines. Two members of the Council, two members of the Utilities Commission and two residents, Dene Carney and Don Engen will be doing the interviewing for this position. The application deadline date is February 18, 1994.

PUBLIC WORKS - Pat Hoag has been having mechanical problems with the

dump truck.

Pat Hoag checked with four contractors for prices on hauling fill for the Emergency Services Center. Clyde Brodt was the least expensive. His charges are \$32.00 per hour for a 12 yard truck and \$40.00 per hour for a 15 yard truck. The City will provide all of the fill which will be taken from behind the Community Center. The Public Works Department will be hauling fill with the dump truck in addition to that being hauled by Mr. Brodt. Mr. Bill Reed told the Council that he may have fill available for City use from his site. Mayor Anderson asked Pat Hoag to coordinate this with Bill Reed.

One Class 5 bid had been received by the City Clerk's Office. Pat Hoag requested that this be put off for another month to allow other companies an opportunity to bid.

There was nothing to discuss at this meeting regarding the Wilderness Road easement. It will be brought up at a later date.

LONG RANGE CAPITOL PLANNING - Nothing

CEMETERY - Nothing

NEW BUSINESS - Nothing

OLD BUSINESS - Bill Reed was present to discuss the new roadway connecting CSAH #37 and CSAH #66. A letter in support of this project had been received from the Chamber of Commerce. There is currently a 60 foot easement which Swan's will donate to the City of Crosslake to put the road in. Mr. Reed feels that when completed this road will be a value to the City of Crosslake in addition to being an asset to those individuals developing businesses in this area. He also feels that it will be a safety factor for the City in emergency situations where a portion of the existing road, for what ever reason, may have to be closed as it did when Reed's Market burned. This fire required the closing of CSAH #66 for a period of 5 hours.

MOTION 01R-18-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE THE CONCEPT OF A NEW ROAD JOINING CSAH #37 AND CSAH #66 BUT TO LEAVE GETTING THE DONATED PROPERTY TO BILL REED. MOTION PASSED WITH LYLE ARENDS VOTING NAY.

Mr. Jean Paul Hudon, Reporter requested that the Mayor read aloud the letter received from Mr. Peter Anderson, General Manager of the Country Echo regarding the City's intent to change the legal newspaper from the Country Echo to the Brainerd Dispatch. There was some discussion regarding this change and where legal notices will be published from individuals in the audience.

MOTION 01R-19-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO ADJOURN THE REGULAR COUNCIL SESSION AT 8:40 P.M. AND TO HOLD A CLOSED MEETING IMMEDIATELY AFTERWARDS AS REQUESTED BY CITY ATTORNEY PAUL SANDELIN UNDER THE CLIENT/ATTORNEY PRIVILEGE. MOTION PASSED UNANIMOUSLY.

Recorded and edited by:

Arlene A. Buchite, City Clerk/Treasurer

