

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE, MINNESOTA
REGULAR MONTHLY SESSION
MARCH 13, 1989
7:30 p.m. at City Hall

The City Council for Crosslake, Minnesota met in a regular session on Monday, March 13, 1989 in the Council Chambers of City Hall. The following members were present: Mayor Kurt Anderson and Councilmembers Lyle Arends, Roger Burshem, Diana Gallaway and Charles Miller. Also present were City Clerk Arlene Buchite and approximately 18 citizens.

Mayor Anderson called this meeting to order at 7:30 p.m.

First item on the agenda was the Consent Calendar. MOTION NO. 3R-01-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF THE FEBRUARY 13, 1989 REGULAR COUNCIL SESSION; (2) MINUTES OF THE FEBRUARY 15, 1989 SPECIAL COUNCIL SESSION; (3) THE CLERK/TREASURER'S FINANCIAL REPORT FOR FEBRUARY, 1989; (4) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR FEBRUARY, 1989; AND (5) THE CABLEVISION'S FINANCIAL REPORT FOR FEBRUARY, 1989. MOTION PASSED UNANIMOUSLY.

Mayor Anderson announced that there would be two changes in the printed agenda. They were: the blacktopping of Dream Island will be discussed at the March 18, 1989 Public Hearing and the post office discussion would be on March 25, 1989 along with the Tax Increment Financing Public Hearing. Mr. Anderson stated that the information from Brian Marshall of the U.S. Postal Service had only arrived earlier in the day and he did not have time to review it.

Another change in the agenda was to have Carter Kuehn, Solid Waste Office with Crow Wing County, next on the agenda rather than at the end of the meeting.

Mr. Kuehn thanked Mayor Anderson for allowing him to move up on the agenda. Mr. Kuehn's topic was "Beautification Blitz and Recycling". Mr. Kuehn said that Brainerd and Baxter have had free dumping on their annual clean up day while other cities have not. This year all cities can have free dumping if they inform the dump personnel that they are with the Beautification Blitz. Mr. Kuehn stated that on April 29 the County will sponsor dumping of tires, furniture and mattresses at the Crow Wing County Landfill and on May 5 and 6 there will be free dumping of white goods at Crow Wing Landfill, Kenwood Recycling and Crow Wing Recycling. This is not open to dealers just to citizens.

Mr. Kuehn said they have money available for schools to come down and view the landfill and/or for him to come and speak at the schools. The County has essay contests and tickets and buses to Valley Fair. Mr. Kuehn also invited the Council to attend a meeting at the Brainerd City Council Chambers from 8:00 a.m. to 10:00 a.m. on March 23rd.

Mr. Kuehn commented on the recycling the Boy Scouts are involved in at Crosslake and said he has heard many good comments. He said that there

will be state mandates very soon for recycling. There will be a meeting April 4 and anyone interested in recycling is invited. Mr. Kuehn suggested that the City send a representative or letter saying we are interested in recycling.

Mr. Kuehn said he would like to see all the cities in Crow Wing County work together with the County. Mr. Kuehn said when pesticides, chemicals, household hazardous wastes, motor oil, paint, etc. go into landfills it seeps into the ground water table when it rains and contaminates the water table and that is very expensive to cleanup. The state, according to Mr. Kuehn, has mandated some new solid waste rules which basically say we must dig a hole and line it with a synthetic liner to collect the pollutants then either treat them onsite or take them to a water treatment plant and treat them there. The cost is about 4 or 5 times greater than just burying it.

Mr. Kuehn stated that some people feel that the costs for composting and recycling should be paid for by tax dollars the same way that roads and schools are. The tipping fee at the landfills will be increased from \$3.75 to \$7.50 on July 1, 1989. The county needs about \$60.00 a ton. The County wants to split that between property taxes, service fee and tipping fee. They basically came up with 25 percent on levy, 25 percent on service fee, which will be approximately \$25.00 per year for businesses and homeowners, and the rest of it on tipping fee. The County is working on solutions to the waste problems and will hopefully have their investments make the long term solid waste system less expensive.

Getting hydro and geological investigations to see if there is any pollution which needs to be cleaned up will cost the County somewhere around \$100,000.00 according to Mr. Kuehn and that does not include any contamination. Expenses at the landfill are currently around \$140,000.00 a year.

Mr. Kuehn thanked the Council for their time and again invited them to attend the April 4, 1989 meeting at 2:00 p.m.

CLERK'S REPORT - The first item on the Clerk's Report was bills for payment. MOTION NO. 3R-02-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE ALL BILLS FOR PAYMENT INCLUDING: (1) CITY ATTORNEY GAMMELLO'S BILL FOR \$173.00; (2) LANDECKER AND ASSOCIATES FOR DREAM ISLAND WORK FOR \$500.00; AND (3) LEAGUE OF MINNESOTA CITIES INSURANCE TRUST FOR WORKMAN'S COMPENSATION INSURANCE FOR \$7408.00 MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that the underground storage tanks issue from the February agenda has not been dealt with. Mayor Anderson said he felt the tanks should all be removed because the Pollution Control Agency is going to survey all underground tanks and once the survey is made if there is ever any contamination in that immediate area the City is liable. Mayor Anderson said he understood that if the City removed the tanks now they would not be liable for any pollution. The Council discussed the fuel oil and gasoline storage tanks at the old city hall as well as the fuel oil tank at the fire hall. Filling the tanks with concrete was discussed very

briefly, MOTION NO. 3R-03-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER ARENDS TO REMOVE ALL UNDERGROUND CITY FUEL STORAGE TANKS. MOTION PASSED UNANIMOUSLY.

The next item was for Ms. Felber's overtime pay. Clerk Buchite indicated she had gone over the last two year's time cards with Ms. Felber to determine the amount of overtime due Ms. Felber according to the Fair Labor Standards Act. MOTION NO. 3R-04-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER THAT OVERTIME AND HOLIDAY BACKPAY FROM DECEMBER OF 1986 TO DECEMBER OF 1988 BE PAID TO PATRICIA FELBER. MOTION PASSED UNANIMOUSLY. Clerk Buchite stated that Ms. Felber agreed that the total amount due her was \$3,534.74 less deductions.

The Whitefish Area Property Owners Association had sent out a survey and one of the survey forms came back with a question which was given to City Hall for response. The question was, "Why was Crosslake allowed to fill in and pave over culvert between Crosslake and Daggett Lake with the Daggett Pine road?" Mayor Anderson said he is sure the person meant Little Pine Lake and not Crosslake, and the property owners feel that the culvert would help circulate the water in the channel so the weeds would clear out. Mr. Anderson stated that he would answer the letter saying that because of the threat of a lawsuit if the City crossed private property with equipment to dig the culvert out, it was just left there and paved over. The City could have obtained a permit to go in and dredge out the creek but they chose not to.

Jim and Jeanne Winiecki, Owners of Chatham Park had written a letter to the Council asking for approval of a plan to use the Community Center as an evacuation point for the mobile home park. MOTION NO. 3R-05-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE THE EVACUATION PLAN AS SUBMITTED BY THE JAMES WINIECKI'S FOR CHATHAM PARK. Councilmember Gallaway asked what they would do if the Community Center was closed and Ms. Felber told her that the Center is a civil defense shelter and all emergency personnel have keys to it. MOTION PASSED.

Clerk Buchite indicated to the Council that she had given them letters from City Attorney Gammello regarding the Bilzerian lawsuit for their information.

The next item was a letter from John Weizenegger of Weizenegger/Engel insurance regarding the duplication of coverage for the Police Professional Liability insurance. Mayor Anderson said he feels that if an insurance agent puts in writing that the City does not need a policy he is sure the City does not need a separate policy. The Council agreed.

PARK AND RECREATION - Ms. Felber requested permission to attend the Minnesota Recreation and Park Association state conference in Rochester on April 19 through April 21, 1989. The conference registration fee is \$135 plus \$104.00 plus tax for the motel. MOTION NO. 3R-06-89 WAS MADE BY COUNCILMEMBER BURSHEM AND SECONDED BY COUNCILMEMBER ARENDS TO ALLOW MS. FELBER TO ATTEND THE MN RECREATION AND PARK ASSOCIATION CONFERENCE APRIL 19-21, 1989 IN ROCHESTER, MINNESOTA. MOTION PASSED UNANIMOUSLY.

Ms. Felber stated that she is still seeking funding or grants for a new tennis court but the resurfacing of the existing courts is a major priority. The resurfacing would cost approximately \$4,200.00 and it is not in the budget but it should be done even if no new courts are built.

Mr. Burshem said he feels that additional courts would be beneficial but would like to see some matching grants or funds. Councilmember Miller said he felt it should be tabled until next month.

PLANNING AND ZONING - Nothing.

CEMETERY - Mayor Anderson said he had spoken to Sam Dunbar about selling land for the Cemetery. Mr. Dunbar indicated he would be willing to sell one acre of land fronting CSAH #36 for \$5,000.00. The strip of land would be the depth of the cemetery times the frontage to equal one acre. Clerk Buchite indicated that the Cemetery was two acres deep. Mayor Anderson said the City will pay surveying costs. MOTION NO. 3R-07-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO APPROVE THE PURCHASE OF ONE ACRE OF LAND FRONTING CSAH #36 ADJOINING THE EXISTING CEMETERY, FROM SAM DUNBAR FOR \$5,000.00. MOTION PASSED UNANIMOUSLY. Dean Eggena said he did not understand why the City is paying \$5,000.00 for one acre of ground. Councilmember Miller said it was because there was no cheaper land adjoining the Cemetery. Mayor Anderson said he would get the purchase agreement ready and signed.

PUBLIC SAFETY - No meeting this month. Fire Chief Dave Schliek informed the Council that the City received the check from the Yellowstone fire. The total amount received including the check in January was \$33,875.00. Mr. Schliek informed the Council that the previous Council had earmarked some of that money for new hoses and equipment and the balance was to be for the purchase of the new fire truck.

Mr. Schliek stated that the fire department was having plaques made for department members with 5, 10, 15 and 20 years of service and also one for retired members and they would like to hang it in City Hall.

The tanker is in need of new tires which were budgeted for, according to Mr. Schliek and he requested approval to order them through the state bid. MOTION NO. 3R-08-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE PURCHASE OF TWO TIRES, TUBES, BALANCING AND MOUNTING FOR \$350.00 FROM HEARTLAND TIRE IN BRAINERD FOR THE FIRE DEPARTMENT TANKER. MOTION PASSED UNANIMOUSLY.

Mr. Schliek stated that two doors are falling apart at the fire hall. The money was budgeted for their replacement, according to Mr. Schliek, and the cost will be approximately \$300 for the metal service door and \$850 for the garage door. MOTION NO. 3R-09-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO HAVE THE SERVICE DOOR AND GARAGE DOOR INSTALLED AT THE FIRE HALL FOR APPROXIMATELY \$1,150.00. MOTION PASSED UNANIMOUSLY.

Mr. Schliek announced that he was one of six selected from Minnesota to attend the National Fire Academy in Emmetsburg, Maryland. The total cost to the City will be \$78 for a meal ticket but Mr. Schliek asked for approval to have the City pay for his plane ticket which would be reimbursed. MOTION NO. 3R-10-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE THE PURCHASE OF A PLANE TICKET, WHICH WILL BE REIMBURSED, AND \$78 FOR MEAL TICKETS FOR FIRE CHIEF DAVE SHCLIEK TO ATTEND THE NATIONAL FIRE ACADEMY IN MARYLAND. MOTION PASSED UNANIMOUSLY.

UTILITIES COMMISSION - Nothing.

ROAD COMMISSION - Scott Gallaway, Chairman, told the Council that the radios had been received and there were many applicants for the maintenance assistant position.

Mr. Will Hoyt, Engineer from Landecker and Associates, Inc. was present to remind the Council of the Public Hearing scheduled for March 18, 1989 at 10:00 a.m. at City Hall to hear the plans for the proposed road work for 1989 and to hear feedback from residents. The final assessment for each project will not be known until the project is completed. Approximate costs for overlay will be from \$420 to \$443 per lot and for seal coating between \$55 and \$175 per lot.

Mr. Hoyt said he would like the Council to consider some policy decisions for Saturday's hearing. The first one is to consider these as six separate projects or to group them together and average the assessments for each lot in the overlayment project. Mr. Hoyt said that under the new policy, each road may have a different assessment. Current policy says the split should be 60 percent paid by the City and 40 percent paid by property owners who are benefitted by the road. For large tracts of land Landecker and Associates figure how many lots could be there and typically only one assessment is paid and the rest are deferred until sold or subdivided or a second building permit is taken out. The City General Fund will pay the deferred cost until they are received in.

Mr. Hoyt said that the people on Dream Island would benefit from having Dagget Pine Road done and should be assessed but they may get their road blacktopped sometime in the future. The people on the end of Happy Landing Road benefit from the road and will be assessed. Marada Drive will be assessed for West Shore Drive but Sunrise Drive, Arrowhead Lane and Sunrise Boulevard were assessed in 1986 and will not be assessed now. These are all recommendations from Mr. Hoyt for the Council to act on on March 18, 1989.

Mr. Andy Nelson said he lives on West Shore Drive but had not received an assessment notice. Mr. Hoyt said he got his records from the County Auditors office and he would see that Mr. Nelson was taken care of.

Councilmember Burshem asked about the triangle of land on Dream Island that belongs to the City and Mr. Hoyt said that since that is not a buildable lot it typically would not be assessed.

FUNDING AND FUTURE DEVELOPMENT COMMISSION - Councilmember Gallaway said they had a meeting and discussed many items. Ms. Gallaway asked to have the Council consider Bill Thompson and Dorothy Allen as regular members of the Commission and Tom Woog as an alternate. MOTION NO. 3R-11-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER ARENDS TO APPROVE BILL THOMPSON AND DOROTHY ALLEN AS MEMBERS AND TOM WOOG AS AN ALTERNATE OF THE FUNDING AND FUTURE DEVELOPMENT COMMISSION. MOTION PASSED UNANIMOUSLY.

PERSONNEL - Nothing.

MAYOR'S REPORT - Mayor Anderson read a letter from the Historical Society requesting a grant of \$6,000 for their reconstruction program. Mayor Anderson said the City Clerk will write a letter saying that the Council approves of the program but does not have funds budgeted to give them anything.

NEW BUSINESS - Nothing.

OLD BUSINESS - Councilmember Gallaway asked about the status of the letter the Mayor was to write to Zilka's regarding the easement for the Dagget Pine Road project and Mayor Anderson said he will do it soon.

PUBLIC FORUM - Doris Fraser informed the Council that the annual St. Patrick's day parade will take place on Friday, March 17, regardless of the weather.

Mayor Anderson informed Ms. Fraser that she is automatically in charge of the Beautification Blitz in Crosslake because of all her good work in the past with the Crosslake clean up day.

Councilmember Miller said the Road Commission is agonizing over the purchase of a front end loader and there were not enough members at the last meeting for a quorum. Mr. Miller said he feels the City should consider buying a new one on the five-year buy back program. Mr. Miller requested that the other Councilmembers give it some thought. Mr. Arends said he does not feel that Crosslake has enough use for a big loader.

MOTION NO. 3R-12-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO ADJOURN THIS REGULAR COUNCIL SESSION AT 9:17 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:



Arlene A. Buchite
City Clerk/Treasurer