

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING AND REGULAR COUNCIL SESSION
APRIL 11, 1994
7:00 P.M. CITY HALL

The Council for the City of Crosslake Minnesota met in the Council Chambers of City Hall on Monday, April 11, 1994. The following Councilmembers were present: Mayor Kurt Anderson, Lyle Arends, Charles Miller, Dean Swanson, Jack Webster. Also present was City Attorney, Paul Sandelin and Reporter's Christine DuFour and Jean Paul Hudon. There were approximately 22 citizens in attendance.

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

The first item on the agenda was the Codification of the Personnel Ordinance.

MOTION 04PH-01-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO LEAVE THE COMPLETE PERSONNEL ORDINANCE OUT OF THE CODE BOOK AND TO REFER TO IT AS IS CURRENTLY DONE. MOTION PASSED WITH SWANSON VOTING NAY AND ANDERSON, ARENDS, MILLER AND WEBSTER VOTING AYE.

The second item on the agenda was the Ordinance change for Section 7.11 - Disorderly Conduct. A request was made to eliminate the restrictive language presently in place. The new language is parallel to the State Statute dealing with this same issue. Mayor Anderson read aloud the revised Ordinance.

MOTION 04PH-02-94 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE THE CHANGE IN SECTION 7.11 DEALING WITH DISORDERLY CONDUCT. MOTION PASSED UNANIMOUSLY.

The next item on the agenda was the Ordinance granting a non-exclusive franchise to NSP to erect a gas distributing system.

Mr. Jack Fontaine from NSP was present to answer questions or address concerns. NSP has agreed to provide service to all residents in the City in the years 1995, 1996 and 1997 who are not a part of the original plan for 1994. It was discussed that the same surcharge of \$6.00 would apply for those residents who sign up for natural gas in the subsequent years. All Planning and Zoning Ordinances must be adhered to when the City grants the permits for the lines. A one-line map is to be provided by NSP showing where the lines will run in the City. It was decided that a franchise fee would not be charged.

MOTION 04PH-03-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE THE ORDINANCE GRANTING NSP A NON-EXCLUSIVE FRANCHISE WITH THE STIPULATION THAT A MAP AND AN AGREEMENT BE RECEIVED SHOWING WHEN ALL RESIDENTS WILL RECEIVE NATURAL GAS. MOTION PASSED WITH WEBSTER VOTING NAY AND ANDERSON, ARENDS, MILLER AND SWANSON VOTING AYE.

Mayor Anderson read aloud a letter he had prepared for Chair Uppgaard and the County Commissioners supporting NSP for natural gas in the

City of Crosslake.

MOTION 04PH-04-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO ADJOURN THE PUBLIC HEARING AT 7:25 P.M. MOTION PASSED UNANIMOUSLY.

Mayor Anderson called the regular Council session to order.

The first item on the Agenda was the Consent Calendar.

MOTION 04R-01-94 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF (1) MINUTES OF MARCH 14, 1994 REGULAR COUNCIL SESSION; (2) MINUTES OF MARCH 23, 1994 PUBLIC HEARING; (3) THE CLERK/TREASURER'S FINANCIAL REPORT FOR MARCH, 1994; (4) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR FEBRUARY, 1994; (5) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR MARCH, 1994; (6) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR FEBRUARY, 1994 AND; (7) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR MARCH, 1994.

CLERK'S REPORT - MOTION 04R-02-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO PAY ALL BILLS CONSISTING OF: ZIEGLER FOR \$2,932.09 FOR ROAD GRADER REPAIRS; CROSSLAKE AUTO FOR \$629.72 FOR REPAIRS ON RAM CHARGER; WANNEBO EXCAVATING FOR \$8,120.00 FOR DEMOLITION OF COMMUNITY CENTER; CROSSLAKE SANITATION FOR \$600.00; BONESTROO, ROSENE, ANDERLIK & ASSOCIATES FOR \$3,732.42 AND; CITY ATTORNEY FOR \$1,461.70. MOTION PASSED UNANIMOUSLY.

The Board of Review will be held at City Hall on May 19th at 10:00 A.M. The County Assessor has requested that a quorum of the Council be present in order that any action can be taken if necessary.

A request for a two day wine and beer license had been received from Rob Larson, Director of Camp Knutson to raise money for the camp.

MOTION 04R-03-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE GRANTING A BEER AND WINE LICENSE TO CAMP KNUTSON FOR JULY 2 AND 3 AT A CHARGE OF \$20.00. MOTION PASSED UNANIMOUSLY.

Bait Box Marina, Inc. had received approval from the County for a boat liquor license. The City's endorsement was requested.

MOTION 04R-04-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE THE REQUEST FROM THE COUNTY FOR BAIT BOX MARINA TO OBTAIN A LIQUOR LICENSE FOR THEIR BOAT. MOTION PASSED UNANIMOUSLY.

The codifiers have notified Arlene that the Amendments to Chapter 4 need major revisions. This chapter deals with beer, wine and liquor licensing. The Council suggested that Arlene have the codifiers update this portion of the Code Book.

MOTION 04R-05-94 WAS MADE BY JACK WEBSTER AND SECONDED BY DEAN SWANSON TO APPROVE THE ADDITIONAL COLLATERAL THROUGH NORTHERN NATIONAL BANK. MOTION PASSED UNANIMOUSLY.

A request had been received from the Game and Fish Club to renew

their bingo license for 1994.

MOTION 04R-06-94 WAS MADE BY LYLE ARENDS AND SECONDED BY DEAN SWANSON TO RENEW THE 1994 BINGO LICENSE FOR THE GAME AND FISH CLUB. MOTION PASSED UNANIMOUSLY.

No response had been received to date from the CPA firm regarding the audit.

MOTION 04R-07-94 WAS MADE BY LYLE ARENDS AND SECONDED BY CHUCK MILLER TO APPROVE THE LIQUOR LICENSING RENEWALS FOR 1994-1995. MOTION PASSED UNANIMOUSLY.

Jack Webster requested that it go on record that after-hour violations by liquor establishments will be considered for the next renewal period. A letter will be sent to all bar owners by John Backdahl notifying them of this change.

A request for renewal of the Transient Merchant License for 1994 by the Game and Fish Club for holding flea markets was discussed. The traffic congestion caused by the lack of parking creates a hazard which needs to be addressed. Marty Peterson, President of the Game and Fish Club informed the Council that no other land was owned by the Club that could be used for the flea market.

MOTION 04R-08-94 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO OFFER THE USE OF THE COMMUNITY CENTER PROPERTY AT A NOMINAL FEE OF \$10.00 TO THE GAME AND FISH CLUB FOR THEIR FLEA MARKETS. MOTION PASSED UNANIMOUSLY.

The Game and Fish Club request for the Transient Merchant License will be put on the agenda for May for resolution.

MOTION 04R-09-94 WAS MADE BY LYLE ARENDS AND SECONDED BY CHUCK MILLER TO APPROVE THE CHARITABLE GAMBLING LICENSE FOR THE AMERICAN LEGION CLUB. MOTION PASSED UNANIMOUSLY.

It was suggested that a report of the monies spent be sent to City Hall within the next couple of weeks.

A request for a one day beer and setup license for Pine Peaks Restaurant for a Chamber of Commerce event was discussed.

MOTION 04R-10-94 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE A BEER AND SETUP LICENSE FOR A CHARGE OF \$20.00 FOR ONE DAY AT PINE PEAKS RESTAURANT FOR THE CHAMBER SANCTIFICATION OF THE SEASONS BANQUET. MOTION PASSED UNANIMOUSLY.

A request to record over old tapes was made by Arlene Buchite.

MOTION 04R-11-94 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO RE-RECORD OVER OLD TAPES AND KEEP ALL CITY MEETING TAPES FOR NO MORE THAN 90 DAYS BEFORE THEY CAN BE REUSED. MOTION PASSED UNANIMOUSLY.

A letter had been received from Appraisal Services in Maple Grove, Minnesota requesting that they be hired to appraise the City's property. No action was taken. There may be local firms available to perform this type of service if needed.

MAYOR'S REPORT - Mayor Anderson reported that the Interviewing Committee had met and interviewed the top three candidates for the General Manager position. Each committee member ranked the candidates on the interview. The top candidate will be called back for a second interview with the Committee to discuss benefits, salary, moving expenses and etc. A special meeting of the Council will be called to meet the candidate and to ask any questions. After this special meeting, the Council will vote on hiring the individual.

A meeting of the Economic Development Authority was held at City Hall at 11:22 A.M. on April 11th. All necessary resolutions were passed establishing the Emergency Service Center bonding. The EDA Committee agreed to a bond of \$450,000 with an interest rate of 4.75% in 1994 and escalating to 6.60% in the year 2011. Progress is being made on the construction of the facility. Some changes were made by the architect after it was discovered that the ambulance garage was not deep enough to remove the stretcher to disinfect the van after use. An additional 5 feet in depth was allowed by moving the bathrooms and making some other minor changes. Projected completion date is July.

On Thursday, April 21, a Volunteer Recognition Day is being held. Letters were sent to approximately 70 volunteers who have served the City since 1990 inviting them to the luncheon. Spouses and or guests of the volunteer are also invited at a charge of \$7.00.

Mayor Anderson honored Ron Schmidt, Crosslake Telephone Company Employee, with a service award and a framed print for his 20 years of service to the City.

PLANNING AND ZONING - Teri Hastings brought before the Council a recommendation from the Planning and Zoning Commission to approve Ordinance No. 55, Third Series, dealing with driveway permits.

MOTION 4R-12-94 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE ORDINANCE NO. 55, THIRD SERIES WHICH REQUIRES A DRIVEWAY PERMIT AT A CHARGE OF \$15.00. MOTION PASSED WITH ARENDS VOTING NAY AND ANDERSON, MILLER, SWANSON AND WEBSTER VOTING AYE.

MOTION 04R-13-94 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO PASS THE RESOLUTION REQUESTING CROW WING COUNTY SOIL AND WATER CONSERVATION DISTRICT ADMINISTER THE WETLAND CONSERVATION ACT OF 1991. MOTION PASSED UNANIMOUSLY.

Jack Webster noted that the City can still file their own comments relative to this issue and that not all responsibility is being delegated.

Mayor Anderson read the Resolution aloud dealing with the Administration of the Minnesota Wetlands Conservation Act of 1991.

PUBLIC SAFETY - The February Fire Department report showed that 2

emergency calls and 1 fire call were responded to while the March report showed that there were 7 emergency calls. The losses year-to-date amount to \$350,350.00.

The Police Department responded to 88 calls for the month of March. Chief John Backdahl reported that several of the recent theft and vandalism cases were solved in March.

Doug Nelson, Treasurer of the Firemen's Relief Association presented the amended By-Laws to the Council for approval. These had not been revised since 1985 and upon recommendation of the State Auditor's Office, revisions were made.

MOTION 04R-14-94 WAS MADE BY JACK WEBSTER AND SECONDED BY DEAN SWANSON TO APPROVE THE BY-LAWS OF THE FIREMEN'S RELIEF ASSOCIATION AS AMENDED FEBRUARY, 1994. MOTION PASSED UNANIMOUSLY.

The firemen's physicals will be held on April 27th at a charge of \$48.00 per fireman.

UTILITIES - At the regular Utilities Commission Meeting on March 29th, bids from Houston Ford were accepted to purchase two pickup trucks.

MOTION 04R-15-94 WAS MADE BY CHUCK MILLER TO APPROVE THE PURCHASE OF TWO PICKUP TRUCKS AS RECOMMENDED BY THE UTILITIES COMMISSION. MOTION PASSED UNANIMOUSLY.

The Utilities Commission recommended the hiring of two installer/repairman for the outside plant due to the activities of NSP.

MOTION 04R-16-94 WAS MADE BY CHUCK MILLER TO APPROVE THE UTILITIES COMPANY HIRING TWO INSTALLER/REPAIRMAN RATHER THAN EXTRA OFFICE HELP THIS YEAR. MOTION PASSED UNANIMOUSLY.

A dividend was paid to the City from the Utilities Company in the amount of \$160,549.24 with a portion of that coming from monthly user fees.

The cable company is looking at different ways to receive the FOX channel for better reception. The microwave equipment purchased earlier this year will help in this.

Joe Gries was elected Vice Chairman at the Utilities Meeting.

PUBLIC WORKS - The bids received for Class 5 for 1994-1995 were opened by Mayor Anderson, Pat Hoag and Arlene Buchite and a recommendation made to the Council. Bids were submitted by: Portage Sand and Gravel - \$5.75 per cubic yard, tax included and delivered; Pequot Sand and Gravel - \$5.85 per cubic yard, tax included and delivered; Guy Wannebo - \$6.00 per cubic yard, delivered. A bid was received from Hengel for making our own Class #5 if the City had a pit.

MOTION 04R-17-94 WAS MADE BY JACK WEBSTER AND SECONDED BY DEAN SWANSON TO ACCEPT THE BID FROM PORTAGE SAND AND GRAVEL OF \$5.75 PER CUBIC YARD DELIVERED TO CROSSLAKE FOR 1994-1995. MOTION PASSED

UNANIMOUSLY.

A proposal to re-roof the old fire hall roof was received.

MOTION 04R-18-94 WAS MADE BY LYLE ARENDS AND SECONDED BY DEAN SWANSON TO ACCEPT THE PROPOSAL FROM THELEN ROOFING TO REDO THE OLD FIRE HALL ROOF AT A COST OF APPROXIMATELY \$13,350.00. MOTION PASSED UNANIMOUSLY.

LONG RANGE CAPITAL PLANNING - Nothing

CEMETERY - A water system is being installed.

PERSONNEL - All of the job descriptions have been updated. One copy will go to the employee and another copy will be placed in the personnel file.

PARK AND RECREATION - Ray Smyth, Chairman of the Planning Committee for the rebuilding of the Community Center, addressed the Council. He said the Committee feels there is a tremendous potential to improve the life style of the residents of the area with activities provided through a Community Center. And that the opportunity exists to increase the economic development of the area. Events that might be sponsored by the Center will bring people into the Community that will be using gas stations, restaurants and etc. To realize this potential, the Committee feels there are two things that are crucial. First, the need to have a facility that meets the needs of the residents of the Community and, secondly, that a physical facility will be no better than the professional management staff that operates it. They want to work with the Council, get their input, and do it right. Ray commended the Committee for their hard work. Some of the things the Committee is engaging in is: obtaining input from all former users of the former Community Center, contacting future users of the Center, distributed a mailing to all property owners in Crosslake, distributing surveys in local church bulletins, conducting random phone surveys to get additional information as a result of the written surveys, and contacting the Chamber of Commerce for ideas of business leaders. Other Community Centers are being visited and meeting room availability in the area is being assessed. The Committee is in contact with the Pequot Lakes School Committee who are currently assessing future needs at the school. They are looking at partnerships with private enterprise such as in the joint use of a swimming pool. They have scheduled a public hearing for Friday, April 22nd at 8:00 P.M. Some of the factors the Committee is suggesting be looked at for the new facility are program needs, energy savings, operational costs, supervision friendly, revenue generation, membership fees and or rental charges, financing through EDA, and overall financing. The Committee is looking at completing their work within the next three months. Ray said he would be keeping the Council informed as to what the Committee was doing.

The Mayor commented that information he is receiving from the public indicates that the Center be rebuilt similar to what it was before but without a gymnasium and using the insurance money. Then,

later, when funding is in place and the taxpayers have agreed to fund all the other things, the initial building could become a satellite building and a new building built on the 40 acres of land owned by the City. This initial building could be built and operational by the end of August to solve the immediate needs. Then a study can be done taking anywhere from six months to a year to develop plans for a future building. Chuck Miller commented that he hears "needs" of the Community used over and over and doesn't see needs but sees "desires" and "wants" and somebody has to pay for these. A comment on the survey was made that everybody wants these things but does everyone want to subsidize these things. Ray Smyth said the Committee has not asked the Council for anything at this point except for time to assess what is needed. No recommendation has been made to the Council and he feels there is no one on the Committee that believes that everyone of those activities on the survey could possibly come to fruition. A comment was made by Carl Skog in the audience who supported the Committee's taking time to research what is needed and that a building should not be put up just for the sake of putting up a building. Dean asked that the Council give the Committee time to do the necessary research and come up with recommendations. Ray stated that the Committee does not want to get into an adversarial relationship with the Council. He stated he is approaching this study with an open mind and feels every member of the Committee has an open mind. Another member of the audience felt that a timeframe should be established for the Committee to get back to the Council.

Whether a charge should be set for the rental of chairs and tables leaving the premises was discussed by the Council.

MOTION 04R-19-94 WAS MADE BY DEAN SWANSON AND SECONDED BY KURT ANDERSON TO CHARGE RENT OF \$7.50 A DAY PER TABLE PLUS \$1.25 EACH ADDITIONAL DAY .70 CENTS PER DAY PER CHAIR PLUS .20 CENTS FOR EACH ADDITIONAL DAY. MOTION PASSED WITH LYLE ARENDS AND CHUCK MILLER VOTING NAY AND JACK WEBSTER, DEAN SWANSON AND KURT ANDERSON VOTING AYE.

RECYCLING - Lyle Arends reported that 7,190 pounds of recyclable material was collected in March.

NEW BUSINESS - None

OLD BUSINESS - George Schroenghamer who had requested to be on the agenda was not present at the meeting, however, the Council agreed they would not take any action to vacate any property owned by the City. Mr. Schroenghamer turned down the easement which had been offered previously by the City for his drainfield.

The number of years the City receives local government aid in tax increment financing districts was discussed among the Council. That portion of the Mezzenga Developer's Agreement was read aloud by the Mayor. Once the loss of local government aid exceeds the ten percent the City receives under the agreement, the tax district is dissolved.

MOTION 04R-20-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE THE MEZZENGA DEVELOPER'S AGREEMENT FOR TAX INCREMENT FINANCE DISTRICT 1-4. MOTION PASSED WITH ARENDS VOTING NAY AND ANDERSON, MILLER, SWANSON AND WEBSTER VOTING AYE.

PUBLIC FORUM - Colleen Jentsch from Brainerd Lakes Area Development Corporation stated they are in the process of updating the community profile for Crosslake.

Marty Peterson spoke to the Council regarding the easement dispute between Little Yukon and the Game and Fish Club. He was requesting the City Attorney review the documents received from the two attorneys. The Mayor told him that it was a civil issue and the City of Crosslake is not involved, therefore, no review of the documents will be conducted by City Attorney, Paul Sandelin.

MOTION 04R-21-94 WAS MADE BY LYLE ARENDS AND SECONDED BY CHUCK MILLER TO ADJOURN THE MEETING AT 9:50 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and edited by:
Arlene A. Buchite, City Clerk/Treasurer

Arlene A. Buchite