

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING AND REGULAR COUNCIL MEETING
MONDAY, APRIL 12, 1993
7:00 P.M. AT CITY HALL

The Council for the City of Crosslake Minnesota met in the Council Chambers of City Hall on Monday, April 12, 1993. The following Councilmembers were present: Mayor Kurt E. Anderson, Lyle M. Arends, Charles D. Miller, Dean L. Swanson and John R. Webster. Also present were City Attorney Gammello and approximately 26 citizens.

Mayor Anderson called this Public Hearing to order at 7:00 p.m. stating that the first item on the agenda would be the approval of the final draft for the Cemetery Rules. There were no comments from the Council or Citizens on the proposed amendments. MOTION NO. 4PH-01-93 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO APPROVE THE CHANGES IN THE CEMETERY RULES AS PRESENTED. MOTION PASSED UNANIMOUSLY.

Mayor Anderson read a Resolution which was signed and sent to the County requesting that County State Aid Highway (CSAH) No. 6 be changed to CSAH #66 or Route 66. There were no comments made regarding the change. MOTION NO. 4PH-02-93 WAS MADE BY C. MILLER AND SECONDED BY J. WEBSTER TO APPROVE THE RESOLUTION CHANGING CSAH #6 TO CSAH #66 OR ROUTE 66. MOTION PASSED UNANIMOUSLY.

Discussion ensued regarding Ordinance No. 42, Third Series setting up a new personnel ordinance for City employees. Questions were asked as to why there was no affirmative action or sexual harassment in the policy and Mr. Gammello stated that affirmative action is a State law and all State laws apply and the sexual harassment will be a separate policy. Mr. Swanson noted some minor adjustments, mainly typographical errors, needed to be made to the policy. Mr. Gammello will check into a sexual harassment policy. Several comments were made that employees have not have a chance to completely review the policy. Mr. Swanson asked for clarification on Section 24, Subdivision 1, regarding employee and City Council Supervisor looking at the personnel file. Mr. Gammello said that the wording had been changed there to eliminate needing the approval of the City Attorney to review files. Mr. Gammello stated that his interpretation is that any Council Person has the right to review personnel files with the employee. MOTION NO. 4PH-03-93 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO APPROVE ORDINANCE NO. 42, THIRD SERIES ADOPTING THE A NEW PERSONNEL POLICY CONTINGENT THAT EMPLOYEES BE GIVEN TWO WEEKS IN WHICH TO REVIEW THE POLICY AND HAVE NO NEGATIVE COMMENTS. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4PH-04-93 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPROVE PUBLISHING A SHORT FORM OF ORDINANCE NO. 42, THIRD SERIES. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4PH-05-93 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO ADJOURN THIS PUBLIC HEARING AT 7:21 P.M. MOTION PASSED UNANIMOUSLY.

Mayor Anderson then called the regular council session to order stating that the first item on the agenda would be the Consent Calendar. MOTION NO. 4R-01-93 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF MARCH 08, 1993 REGULAR COUNCIL SESSION; (2) MINUTES OF MARCH 23, 1993 SPECIAL COUNCIL SESSION; (3) THE CLERK/TREASURER'S FINANCIAL REPORT FOR MARCH 1993; (4) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR MARCH 1993; AND (5) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR MARCH, 1993. A resident asked why the minutes of March 11, 1993 and March 25, 1993 were not included up the Consent Calendar. MOTION NO. 4R-02-93 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO INCLUDE THE MINUTES OF MARCH 11, 1993 AND MARCH 25, 1993 IN THE CONSENT CALENDAR. MOTION PASSED UNANIMOUSLY TO ADD THE MINUTES. MOTION TO APPROVE ALL ITEMS ALSO PASSED UNANIMOUSLY.

MOTION NO. 4R-03-93 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO APPROVE ALL BILLS FOR PAYMENT INCLUDING: (1) BONESTROO, ROSENE, ANDERLIK AND ASSOCIATES FOR 19 PERCENT COMPLETION OF ARCHITECTUAL WORK ON THE FIRE HALL FOR \$8027.50; (2) WORKER'S COMPENSATION FOR CITY EMPLOYEES FOR \$9812.00; (3) BRAINERD BUS LINES FOR CLUTCH IN DUMP TRUCK FOR \$854.74; AND (4) CITY ATTORNEY'S BILL FOR \$1286.50. MOTION PASSED UNANIMOUSLY.

MOTION NO 4R-04-93 WAS MADE BY J. WEBSTER AND SECONDED BY L. ARENDS TO APPROVE THE RESOLUTION TO RENEW EXISTING LIQUOR LICENSES AS PRESENTED. MOTION PASSED UNANIMOUSLY.

A policy to listen to Council Meeting tapes was discussed briefly. Mr. Gammello said a Policy should be written so that the City Clerk knows what to do if she receives such a request.

MOTION NO. 4R-05-93 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO RELEASE \$9,936.22 TO THE LAREVER PROPERTIES FOR TAX INCREMENT FINANCE REFUND. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4R-06-93 WAS MADE BY J. WEBSTER AND SECONDED BY L. ARENDS TO WAIVE THE MONETARY LIMITS ON TORT LIABILITY INSURANCE AS ESTABLISHED BY THE STATE OF MINNESOTA. MOTION PASSED UNANIMOUSLY.

MOTION NO 4R-07-93 WAS MADE BY J. WEBSTER AND SECONDED BY D. SWANSON TO TABLE THE AUDIT UNTIL THE NEXT COUNCIL MEETING. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4R-08-93 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO APPROVE THE TRANSIENT MERCHANT'S PERMIT FOR 1993 AS REQUESTED BY THE CROSSLAKE GAME AND FISH CLUB.

Discussion ensued regarding a proposal by the City Clerk to have items in writing and to the Clerk two weeks prior to a Council Meeting.

MAYOR'S REPORT - Mayor Anderson commented on the grievance filed by an employee against a Councilmember. Mr. Gammello said the Council has no power over an individual Councilmember because he is an elected official but the situation could be mediated or resolved by the Council by relieving the Councilmember's commission responsibilities.. Mr. Gammello stated that if a written complaint is filed with the City Clerk, according to the new personnel policy it should be responded to in writing within ten days.

Mayor Anderson stated that he would like to see signs put up creating a drug free zone around the Community Center whereby if an individual is caught with drugs in that area they will have to pay a tougher price for their illegal activity. MOTION NO. 4R-09-93 WAS MADE BY C. MILLER AND SECONDED BY J. WEBSTER TO PUT UP SIGNS DESIGNATING A DRUG FREE- WEAPON FREE ZONE AROUND THE COMMUNITY CENTER WHICH INCLUDES ANY PLATTED PARCELS WITHIN 300 FEET. MOTION PASSED UNANIMOUSLY. City Attorney Gammello stated that neighbors should be notified if weapons are going to be included.

Mayor Anderson stated that he received a request for information on Tax Increment Financing from Brian Bittner. Mr. Bittner will check with Carolyn Drude from Ehlers and Associates. Mr. Gammello stated that money would have to be set up with the City to pay expenses. Mr. Gammello also stated that no permit could have been issued at the time the financing is requested.

Mayor Anderson said he would like to see a policy established whereby the Mayor and one Councilperson attend the annual conference for the League of Minnesota Cities every year.

Authority of Commissioners was discussed. Mr. Gammello stated that no Commissioner has the right to hire or fire by himself. Mr. Burshem stated that he does not feel that any Commissioner has the expertise to run the day to day operations required of a department. MOTION NO. 4R-09-93 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO GIVE THE DEPARTMENTAL COMMISSIONER AUTHORITY TO SET THE SCHEDULE AND OTHER DIRECTIVES FOR A DEPARTMENT WITH PRIOR COUNCIL APPROVAL. MOTION PASSED UNANIMOUSLY.

Mayor Anderson read a proclamation which proclaimed May 2 through May 8 as Municipal Clerk's week.

Mayor Anderson stated that he talked to County Engineer Duane Blanck and Mr. Blanck said that there are grant monies available to get a bike/pedestrian path on County road #103. Mr. Anderson read the Resolution. MOTION NO. 4R-10-93 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO APPROVE THE RESOLUTION TO GET A BIKE PATH ON COUNTY ROAD #103. MOTION PASSED UNANIMOUSLY.

PLANNING AND ZONING - Coordinator Teri Hastings stated that the Planning Commission approved the final plat of Ox Lake Crossing with several conditions. MOTION NO. 4R-11-93 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPROVE THE FINAL PLAT OF OX LAKE CROSSING WITH THE SIX CONDITIONS SET FORTH BY THE PLANNING COMMISSION. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4R-12-93 WAS MADE BY C. MILLER AND SECONDED BY J. WEBSTER TO APPROVE BEA GUNELSON AND CYNTHIA THUNNEL AS ALTERNATES TO THE PLANNING COMMISSION AS RECOMMENDED BY THE PLANNING COMMISSION. MOTION PASSED UNANIMOUSLY.

It was the consensus of the Council and Planning Commission members to hold a joint meeting on Tuesday May 4th at 10:00 a.m.

Ms. Hastings stated that DNR appealed the decision of the Planning Commission to approve a Conditional Use Permit for Brian Bittner to build condominiums. She also stated that Jim and Jean Weineke appealed their denial of a Conditional Use Permit for expanding their mobile home park.

Mayor Anderson informed the Council that the City of Crosslake has received a grant for \$97,500 to fund 50 percent of a home owners septic system in the Goodrich, O'Brian and Velvet Lakes area. There will be a public meeting on April 26 at 7:00 p.m. to inform the home owners and Ms. Hastings will also sent out notices to the affected properties.

CEMETERY - Nothing.

PERSONNEL - C. Miller nominated Mayor Anderson for Personnel Liaison. There was no second to the nomination. MOTION NO. 4R-13-93 WAS MADE BY J. WEBSTER AND SECONDED BY D. SWANSON TO APPOINT C. MILLER AS PERSONNEL COMMISSIONER. MOTION PASSED UNANIMOUSLY.

Mayor Anderson informed those present that the City received notificiation that they were not in compliance with the comparable worth requirements.

PARK AND RECREATION - Liaison Swanson stated that he met with the baseball group and a pitching machine was donated but a batting cage is required and the cost will be approximately \$1,291 plus shipping. Mr. Swanson said the the group will be meeting with the Lion's Club to obtain funding. Mr. Swanson said the purchase should come out of the capitol outlay. MOTION NO. 4R-14-93 WAS MADE BY D. SWANSON AND SECONDED BY L. ARENDS TO

PURCHASE A BATTING MACHINE FOR \$1,291 PLUS FREIGHT, MOTION PASSED UNANIMOUSLY.

Mr. Swanson stated that Brian Bittner has volunteered to be the key man for the dugouts and there is money in the Auxillary fund for it. Mr. Webster stated that the rough cost of fencing is \$1,000 to \$1,200.

Mr. Swanson stated that some of the money set aside for the baseball program was for coaching and he would like to have it handled the same as for the warming house attendants. Mr. Swanson said he would like permission to hire up to two part time coaches not to exceed \$7 per hour. Mayor Anderson said he would like to give the money to the baseball association and let them pay the coaches. No decision was made. Insurance on participants was discussed briefly and Mayor Anderson asked the City Attorney to check on the way to handle it.

MOTION NO. 4R-15-93 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO PAY \$240 TO GREEN THUMB FOR WORKER'S COMPENSATION INSURANCE. MOTION PASSED UNANIMOUSLY.

Mr. Swanson stated that he would like to have purchase orders on file before an item is ordered. MOTION NO 4R-16-93 WAS MADE BY D. SWANSON AND SECONDED BY L. ARENDS TO HAVE A PURCHASE ORDER ON FILE IN THE CITY CLERK'S OFFICE BEFORE ANY ITEM IS ORDERED AND TO HAVE VENDORS INCLUDE THE PURCHASE ORDER NUMBER ON ALL ORDERS. An employee asked if that meant a purchase order for every quart of paint and every package of screws that were needed. Mr. Swanson said that an open purchase order could be used for places like the lumber yards, etc. MOTION PASSED UNANIMOUSLY.

Mr. Swanson reviewed a packet containing schedules, operating rules, log for telephone calls and other directives he wanted to implement. No action was taken. Mr. Swanson stated that he went over the security system for the community center with a representative from People's Security and John Backdahl.

RECYCLING - Mr. Swanson advised the Council that the City has received a grant and that the recycling is doing great with the able assistance of Cynthia Thunell and Caroline Webster.

PUBLIC SAFETY - MOTION NO. 4R-17-93 WAS MADE BY K. ANDERSON AND SECONDED BY J. WEBSTER TO HAVE THE POLICE DEPARTMENT COMPUTERS NET-WORKED AT APPROXIMATELY \$600.00. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4R-18-93 WAS MADE BY K. ANDERSON AND SECONDED BY C. MILLER TO APPROVE OF GETTING A POLICE INTERN FOR APPROXIMATELY 15 HOURS A WEEK AT NO COST TO THE CITY WITH THE EXCEPTION OF MINIMAL DOLLARS FOR UNIFORMS. MOTION PASSED UNANIMOUSLY.

Mayor Anderson stated that Mission was requesting coverage by the Police Department and he felt that until we have 24 hour police protection in Crosslake we should not contract out.

MOTION NO. 4R-19-93 WAS MADE BY K. ANDERSON AND SECONDED BY L. ARENDS TO NOT CONTRACT WITH A NEIGHBORING CITY FOR POLICE PROTECTION. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4R-20-93 WAS MADE BY K. ANDERSON AND SECONDED BY L. ARENDS TO END THE PROBATIONARY PERIOD FOR SERGEANT STEVE SCHAAR AND PLACE HIM ON PERMANENT STATUS. MOTION PASSED UNANIMOUSLY.

Mayor Anderson stated that the meetings to review plans for the Fire Hall would now consist of two Councilmembers, two members of the Fire Department and the Architect. Roger Burshem, former Councilmember stated that he had a complaint that there was not a Notice of Special Meeting filed for the meetings to review plans for the Fire Hall. Mayor Anderson said that it was not intended to be a council meeting since no decisions were to be made, it was to review plans only. Mr. Burshem said he would like to have the public notified when the upcoming meetings are to be held. Mr. Burshem also asked the expected cost of the proposed fire hall and was informed that it is estimated to be between \$550,000 and \$600,000.

MOTION NO. 4R-21-93 WAS MADE BY K. ANDERSON AND SECONDED BY C. MILLER TO APPROVE THE PURCHASE OF TWO MOBILE RADIOS FOR THE FIRE DEPARTMENT AT APPROXIMATELY \$1,144.00. MOTION PASSED UNANIMOUSLY.

Chief David Schliek wrote a letter to the Council requesting permission to bid the items necessary to put the 1986 4X4 truck into service as soon as it is received from the Telephone Company. MOTION NO. 4R-22-93 WAS MADE BY K. ANDERSON AND SECONDED BY J. WEBSTER TO APPROVE ADVERTISING FOR BIDS TO PAINT AND PURCHASE EQUIPMENT FOR THE 1986 GMC 4X4. MOTION PASSED UNANIMOUSLY.

UTILITIES COMMISSION - Chairman Tom Towne stated that the Commission is following Policy guidelines and holding meetings to discuss plans of operation because of the resignation of the General Manager. Mr. Towne stated that Marty Heino will be assisting with the inside work and Ron Schmidt will be assisting with outside or plant work.

Mr. Towne stated that the Commission recommended a raise for Plant Manager Marty Heino. MOTION NO. 4R-23-93 WAS MADE BY L. ARENDS AND SECONDED BY J. WEBSTER TO GRANT MARTY HEINO A 6 PERCENT WAGE INCREASE RETROACTIVIE TO JANUARY 1, 1993. MOTION PASSED UNANIMOUSLY.

Plant Manger Marty Heino briefed the Council on the Central Office Equipment update. The total cost is anticipated at \$278,000.00 plus approximately \$30,000.00 for financing. MOTION NO. 4R-24-93 WAS MADE BY C. SWANSON AND SECONDED BY C. MILLER TO PAY \$278,455.31 UP FRONT, RATHER THAN FINANCING, FOR THE CENTRAL OFFICE EQUIPMENT. MOTION PASSED UNANIMOUSLY.

There was a brief discussion on hiring a City Manager rather than a General Manager for the telephone company. Mr. Towne stated that the Commission feels strongly that a strong manager is needed for the telephone company. The Commission will work on a new job description for the manager.

PUBLIC WORKS - MOTION NO. 4R-25-93 WAS MADE BY J. WEBSTER AND SECONDED BY L. ARENDS TO INCREASE THE GRADER OPERATOR'S PAY BY 4 PERCENT RETROACTIVE TO JANUARY 1, 1993. MOTION PASSED UNANIMOUSLY.

Mr. Webster mentioned a thank you in the paper for the good ice at the Community Center this year and also that the food shelf is now located in the lower level of City Hall.

Mr. Webster indicated that 6 bids had been received for the ad to sell the International tractor, John Deere garden tractor and tri-axle trailer. The bids were from: Northern Lakes Nursery for \$3,500 for all items; Bill Erie for the International tractor for \$1,200; Geraldine Arends for the John Deere for \$475; Duane Roach for the International tractor for \$1,601; Robert Billman for the International tractor for \$2,375; and Harvey Buchite for \$5,005 for all items. MOTION NO. 4R-26-93 WAS MADE BY J. WEBSTER AND SECONDED BY C. MILLER TO ACCEPT THE BID FROM HARVEY BUCHITE FOR \$5,005 FOR THE INTERNATIONAL TRACTOR, JOHN DEERE GARDEN TRACTOR AND TRI-AXLE TRACTOR. MOTION PASSED UNANIMOUSLY.

A brief discussion ensued regarding work planned for the summer which includes Wolf Trail, Urban Point, Harbor Lane and Sunrise Island bridge.

Mr. Webster read a prepared statement as to increased responsibilities for the City maintenance crew and the need for upgraded equipment. A MOTION WAS MADE BY J. WEBSTER AND SECONDED BY D. SWANSON TO PURCHASE A MODEL #855 JOHN DEERE TRACTOR WITH 3 YEAR LEASE TO BUY OPTION. MOTION DID NOT PASS WITH K. ANDERSON, L. ARENDS AND C. MILLER VOTING NAY.

MOTION NO. 4R-27-93 WAS MADE BY D. SWANSON AND SECONDED BY L. ARENDS TO ADVERTISE FOR BIDS FOR A TRACTOR FOR THE PUBLIC WORKS DEPARTMENT. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4R-28-93 WAS MADE BY J. WEBSTER AND SECONDED BY D. SWANSON TO APPROVE HAVING PAT HOAG AND JACK WEBSTER ATTEND THE SPRING PUBLIC WORKS CONFERENCE AT GRAND VIEW LODGE MAY 13 AND 14, 1993 WITH REGISTRATION FEE OF \$90.00 EACH. MOTION PASSED UNANIMOUSLY.

FUNDING AND FUTURE DEVELOPMENT - Nothing.

NEW BUSINESS - Nothing.

OLD BUSINESS - Nothing.

PUBLIC FORUM - Nothing.

MOTION NO. 4R-29-93 WAS MADE BY L. ARENDS AND SECONDED BY C.
MILLER TO ADJOURN THIS REGULAR COUNCIL SESSION AT 10:12 P.M.
MOTION PASSED UNANIMOUSLY.

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

Arlene A Buchite