

**COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING AND REGULAR COUNCIL SESSION
MONDAY, MAY 10, 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, May 10, 1993. The following Councilmembers were present: Mayor Kurt E. Anderson, Lyle M. Arends, Charles O. Miller, Dean L. Swanson and John R. Webster. Also present were were Paul Sandelin representing the City Attorney's Office and approximately 24 residents.

Mayor Anderson called this Public Hearing to order at 7:00 p.m. by saying that the Public Hearing to hear the appeal of the denial of the Conditional Use Permit for Chatham Park would be continued until the June 14, 1993 Council Meeting at the request of the attorney for Chatham Park.

The next item was for the approval of the Sexual Harassment Policy. MOTION NO. 5PH-01-93 WAS MADE BY J. WEBSTER AND SECONDED BY C. MILLER TO APPROVE THE SEXUAL HARASSMENT POLICY AS PRESENTED. Mr. Swanson said he would like to see a policy for hostile environment written. MOTION PASSED UNANIMOUSLY.

The next item for the public hearing was for purchasing policies. Mr. Webster stated that there was a correction on Section 4 for the Telephone Company; it should have stated to check Ordinance No. 15 for purchasing requirements. MOTION NO. 5PH-02-93 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPROVE ORDINANCE NO. 44, THIRD SERIES, RELATING TO PURCHASING/RENTAL POLICIES OF THE CITY. MOTION PASSED UNANIMOUSLY.

Requests for Council tapes was the last item on the Public Hearing agenda. Mayor Anderson read the policy. Mr. Webster stated that the policy does not state "listen to tape" and he feels that citizens should be able to listen to tapes. After a brief discussion it was the consensus of the Council that the cost would be less to make a copy than to listen to the tape at the attorney's office. The billing procedure was also discussed briefly. MOTION NO. 5PH-03-93 WAS MADE BY J. WEBSTER AND SECONDED BY D. SWANSON TO APPROVE THE POLICY THAT THE CITY ATTORNEY'S OFFICE WILL TRANSCRIBE THE TAPE FOR PERSONS REQUESTING A COPY OF A COUNCIL TAPE, THE CITY WILL BE BILLED BY THE ATTORNEY'S OFFICE AND THE CITY WILL THEN BILL THE INDIVIDUAL REQUESTING THE TAPE. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5PH-04-93 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS AT 7:17 P.M. TO CONTINUE THIS PUBLIC HEARING UNTIL JUNE 14, 1994. MOTION PASSED UNANIMOUSLY.

Mayor Anderson then called this regular council session to

order stating that the first item on the agenda would be the Consent Calendar. MOTION NO. 5R-01-93 WAS MADE BY L. ARENDS AND SECONDED BY J. WEBSTER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF APRIL 12, 1993 REGULAR SESSION; (2) MINUTES OF APRIL 26, 1993 SPECIAL COUNCIL SESSION; (3) MINUTES OF MAY 4, 1993 SPECIAL COUNCIL SESSION; (4) THE CLERK/TREASURER'S FINANCIAL REPORT FOR APRIL, 1993; (5) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR APRIL, 1993; AND (6) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR APRIL, 1993. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5H-02-93 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO PAY ALL BILLS INCLUDING: (1) BRAINERD/STAPLES TECHNICAL COLLEGE FOR FIREMENS TRAINING FOR \$592.00; (2) ALBANY MATERIAL FOR CRACK SEALER FOR \$601.73; (3) R AND O ELECTRIC FOR WORK AT CITY HALL AND THE COMMUNITY CENTER FOR \$669.00 AND THE LEAGUE OF MN CITIES FOR INSURANCE FOR \$21,370.00. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that she had received a letter from the State Demographer saying that the City population increased from 1145 in 1992 to 1169 in 1993.

Approval of the City audit was next on the agenda. Mayor Anderson stated that the City was basically in very good financial shape and that City taxes actually went down on taxpayers tax statements. The net increase in the Fund Balance for the City for 1992 was \$63,295.00. Mayor Anderson stated that he would like to know why all the ambulance costs are not with ambulance but listed as public safety expenses. D. Swanson read the three recommendations made by the Auditor regarding fund balances, inventory control and collateralized deposits. MOTION NO. 5H-03-93 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO APPROVE THE ANNUAL AUDIT WITH THE CONSIDERATION OF THE AUDITOR'S RECOMMENDATIONS. MOTION PASSED UNANIMOUSLY.

Clerk Buchite reminded the Council that the Board of Review meets at City Hall on May 25, 1993 to review persons whose property taxes will be increased in 1994.

There was a brief discussion on codification. MOTION NO. 5R-04-93 WAS MADE BY D. SWANSON AND SECONDED BY J. WEBSTER TO PUT THE CODIFICATION OUT FOR BIDS. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that she had received a request from the American Legion Post #500 to serve drinks outside their building on May 29 or May 30 because they are having balloon rides one of those days. MOTION NO. 5R-05-93 WAS MADE BY L. ARENDS AND SECONDED BY J. WEBSTER TO GRANT A ONE DAY LICENSE TO THE AMERICAN LEGION TO SERVE DRINKS OUTSIDE UNTIL 9:00 P.M. IF THE CITY ATTORNEY DETERMINES THAT IT IS LEGAL. MOTION PASSED UNANIMOUSLY.

Mayor Anderson stated that the Historical Society requested that

the City take the old Cemetery sign back and place it somewhere on the cemetery property. It was the consensus of the Council that this would be a good idea.

MAYOR'S REPORT - Mayor Anderson stated that he wanted to go to one of the ADA workshops that would fit his schedule, if the Council has no objections. No objections were voiced.

Mayor Anderson read a Proclamation whereby he proclaimed May 14, 1993 as Poppy Day for the City of Crosslake.

PLANNING AND ZONING - Coordinator Teri Hastings brought three amendments to the Zoning Ordinance which had been approved at a Public Hearing of the Planning and Zoning Commission. Ms. Hastings explained to the Council that the purpose of Section 8.04, Subdivision 5 is to protect the City from liability if people overload their system. MOTION NO. 5R-06-93 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO APPROVE THE CHANGE IN SECTION 8.04, SUBDIVISION 5, THAT IF PEOPLE OVERLOAD THEIR SEPTIC SYSTEM THE CITY IS NOT LIABLE. MOTION PASSED UNANIMOUSLY.

Ms. Hastings stated that Section 8.05, Subdivision 7 dealing with permitted uses for medium density shoreline property will be going back to Planning and Zoning for more work.

The third amendment was also in Section 8.05, Subdivision 7 dealing with grading in bluff impact zones including ice ridges. Ms. Hastings informed the Council that she noted that the Ordinance was a little lenient by allowing the moving of 1,000 cubic yards of dirt in a shoreline area. Ms. Hastings stated that the Commission would like to have a permit required for basically everything except the handwork. Ms. Hastings stated that a Variance would be needed for anything over 1,000 cubic yards. MOTION NO. 5R-07-93 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO APPROVE THE CHANGE IN SECTION NO. 8.05 SUBDIVISION 7 BY REQUIRING A PERMIT FOR MOVING OF DIRT AMOUNTS GREATER THAN WHAT IS CONSIDERED HANDWORK AND REQUIRING A CONDITIONAL USE PERMIT FOR AMOUNTS GREATER THAN 1,000 CUBIC YARDS. MOTION PASSED UNANIMOUSLY.

Ms. Hastings stated that she had a wastewater treatment plan that required the Mayor's signature. MOTION NO. 5R-08-93 WAS MADE BY J. WEBSTER AND SECONDED BY L. ARENDS TO APPROVE HAVING THE MAYOR SIGN THE CERTIFICATION OF ADOPTION OF WASTEWATER TREATMENT PLAN FROM THE MINNESOTA POLLUTION CONTROL AGENCY. MOTION PASSED UNANIMOUSLY.

PERSONNEL - Liaison Miller stated that the persons who filed an application with the City for the Clerk/Receptionist were interviewed. Mayor Anderson stated that he would like to wait to hire someone. Mr. Swanson said he would like to hire someone on a part-time basis. MOTION NO. 5R-09-93 WAS MADE BY D. SWANSON AND SECONDED BY L. ARENDS TO HIRE THE PERSON RECOMMENDED

BY THE PERSONNEL LIAISON FOR THE PART TIME CLERK/ RECEPTIONIST JOB AT \$5.30 AN HOUR, NO MORE THAN 20 HOURS A WEEK FOR A 5 DAY WEEK. Discussion ensued as to responsibilities and it was the consensus of the Council that this person be utilized for both the Planning and Zoning office and the City Clerk's office. Mr. Miller will perfect the job description to incorporate the duties. MOTION PASSED WITH MAYOR ANDERSON VOTING NAY.

Liaison Miller indicated that a Resolution had just been received from the Attorney's office on Commissioner guidelines and he felt that action should be taken on it. MOTION NO. 5R-1093 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPROVE THE RESOLUTION SUGGESTING GUIDELINES FOR COMMISSIONERS IN CITY GOVERNMENT IF THERE IF NO ADVERSE COMMENTS WITHIN THE NEXT TWO WEEKS. MOTION PASSED UNANIMOUSLY.

PARK AND RECREATION - Commissioner Swanson updated the Council on the progress being made with the baseball program and other programs for the summer. MOTION NO. 5R-11-93 WAS MADE BY D. SWANSON AND SECONDED BY L. ARENDS TO PURCHASE THE 8 FOOT HIGH FENCING FOR THE DUGOUTS FROM OBERG FENCING OF DEERWOOD FOR \$715.48. Mr. swanson indicated that the Park Auxillary would be donating the money for the fencing to the City. MOTION PASSED UNANIMOUSLY.

Mr. Swanson stated that the dugouts will not cost the City anything because of donated materials and labor.

RECYCLING - Commission Swanson said that there were 109 participants for the last recycling Saturday.

PUBLIC SAFETY - Mayor Anderson read a letter from the Corps of Engineers thanking John Backdahl and the Police Department for their assistance throughout the year.

MOTION NO. 5R-12-93 WAS MADE BY C. MILLER AND SECONDED BY J. WEBSTER TO APPROVE THE PURCHASE OF 300 FOOT OF 5" HOSE FOR THE FIRE DEPARTMENT AT THE COST OF APPROXIMATELY \$1,650 PLUS TAX. MOTION PASSED UNANIMOUSLY.

Mayor Anderson indicated that two quotes had been received for refinishing the 4x4 truck the fire department received from the Telephone Company. One quote was from Rudy's for \$1,261.00 and one from Circle D Auto Body for \$750.00. MOTION NO. 5R-13-93 WAS MADE BY K. ANDERSON AND SECONDED BY J. WEBSTER TO APPROVE HAVING THE NEWLY RECEIVED FIRE DEPARTMENTS 4 BY 4 PAINTED AT THE CIRCLE D AUTO BODY FOR APPROXIMATELY \$750.00. MOTION PASSED UNANIMOUSLY.

Fire Chief Schliek informed the Council that the First Responders are striving to get the Vile of Life going again by encouraging residents to fill out the information requested on the form and taping it to the inside of their refrigerator.

Police Chief John Backdahl stated that he has had requests to allow golf carts to travel on certain streets in the City. A brief discussion ensued. MOTION NO. 5R-14-93 WAS MADE BY D. MILLER AND SECONDED BY D. SWANSON TO ALLOW GOLF CARTS TO BE USED FOR TRANSPORTATION ON ROUTES ESTABLISHED BY AND ADMINISTERED BY THE POLICE CHIEF. MOTION PASSED UNANIMOUSLY.

Mayor Anderson explained to the residents present that the plans for the new fire hall have been put on hold while the Council is contemplating changing the location so that all city buildings could be placed on the same lot.

UTILITIES - Tom Mezzenga, Commission member, indicated that the Telephone Company had received two quotes on a printer, one from Quitrex for \$1,999 and one from Comptex for \$1,759 plus set up etc. Mr. Mezzenga stated that the Commission was recommending the one from Quintex. MOTION NO. 5R-15-93 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO APPROVE THE PURCHASE OF A PRINTER FROM QUINTEX FOR \$1,999 PLUS TAX. MOTION PASSED UNANIMOUSLY.

Mr. Mezzenga explained briefly the emergency alert system that the Commission recommended be bought. The system would be connected to the Crow Wing County Emergency Service Center and could override all channels for a verbal announcement for impending bad weather. MOTION NO. 5R-16-93 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPROVE OF THE TELEPHONE COMPANY PURCHASING AN EMERGENCY ALERT SYSTEM FROM IDEA/ONICS FOR \$3,795.00 PLUS TAX. MOTION PASSED UNANIMOUSLY.

Mr. Mezzenga stated that the Commission was recommending an interium pay increase of \$100.00 for Marty Heino and \$50 for Ron Schmidt because of their added duties during the time that there is not a general manager at the phone company. Mayor Anderson read a letter from Sue Thurlow regarding certain employees who are above their salary scale. MOTION NO. 5R-17-93 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO TABLE THE REQUEST FOR SALARY INCREASES UNTIL THE COUNCIL HAS MORE TIME TO REVIEW MS. THURLOW'S LETTER. Mr. Mezzenga explained to the Council that industry norms should be looked at and good people should be compensated. MOTION PASSED WITH J. WEBSTER VOTING NAY.

Marty Heino informed the Council that they were recommending that Brent Hagen, a graduate from Wadena Technical School be hired as a temporary installer because of his technical ability to do complete jobs thereby relieving other installers for other areas. MOTION NO. 5R-18-93 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO HIRE BRENT HAGEN AS RECOMMENDED. MOTION PASSED WITH D. SWANSON VOTING NAY.

MOTION NO. 5R-19-93 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO APPROVE THE TELEPHONE AND CABLEVISION AUDITS. MOTION PASSED UNANIMOUSLY.

PUBLIC WORKS - Commissioner Webster indicated that three bids

had been received for a John Deere 855 tractor and the lowest bid was from Northwood Equipment, Inc. in Aitkin. MOTION NO. 5R-20-93 WAS MADE BY J. WEBSTER AND SECONDED BY L. ARENDS TO PURCHASE AN 855 JOHN DEERE TRACTOR FROM NORTHWOOD EQUIPMENT FOR THE LOW BID OF \$16,872.98 PAYABLE IN THREE ANNUAL INSTALLMENTS. MOTION PASSED WITH K. ANDERSON AND C. MILLER VOTING NAY.

MOTION NO. 5R-21-93 WAS MADE BY J. WEBSTER AND SECONDED BY D. SWANSON TO ACCEPT THE LOW BID OF \$5.49 A YARD DELIVERED FROM PEQUOT SAND AND GRAVEL. MOTION PASSED UNANIMOUSLY.

Mr. Webster reviewed a contract for four applications from Service Master Lawn Care with the Council. MOTION NO. 5R-22-93 WAS MADE BY J. WEBSTER AND SECONDED BY L. ARENDS TO APPROVE THE CONTRACT WITH SERVICE MASTER LAWN CARE FOR THE 1993 SEASON FOR A TOTAL COST OF \$2,959.14 LESS 15 PERCENT DISCOUNT. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5R-23-93 WAS MADE BY J. WEBSTER AND SECONDED BY D. SWANSON TO REPLACE THE LANDSCAPING TIMBERS AT CITY HALL FOR A COST ESTIMATED AT \$1,100 WITH THE STIPULATION THAT REPAIRS NOT BE MADE IF CITY HALL IS TO BE SOLD OR TRADED. MOTION PASSED UNANIMOUSLY.

Mr. Webster updated the Council on the Public Works proposed activities. He read a petition from property owners on and around the former DNR lakeshore lots on Daggett Lake requesting that the connector road between Wolf Trail and Pine Bay Road be upgraded and maintained. Discussion ensued regarding whether or not the road is a City road and should be maintained. Mayor Anderson said he would go along with grading but not spending tax payers money to improve the road.

MOTION NO. 5R-24-93 WAS MADE BY D. SWANSON AND SECONDED BY L. ARENDS TO PROCEED WITH THE WORK ON SUNRISE ISLAND BRIDGE. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5R-25-93 WAS MADE BY D. SWANSON AND SECONDED BY J. WEBSTER TO PROCEED WITH URBANS POINT ROAD THE SAME AS THE OTHERS. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5R-26-93 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO DO THE WOLF TRAIL AND DEER TRAIL TRIANGLE. Pat Hoag stated that this is the road behind Bob Garin's and Tom Douglas' old house and is not the connector road. MOTION PASSED UNANIMOUSLY.

FUNDING AND FUTURE DEVELOPMENT - MOTION NO. 5R-27-93 WAS MADE BY D. SWANSON AND SECONDED BY K. ANDERSON TO CHANGE THE NAME FROM FUNDING AND FUTURE DEVELOPMENT TO LONG RANGE CAPITOL PLANNING. MOTION PASSED UNANIMOUSLY.

CEMETERY - Commissioner Webster stated that some evergreens will be trimmed and a fence obtained for the new part of the Cemetery.

CROSSLAKE CITY COUNCIL MEETING
MAY 10, 1993

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NEW BUSINESS - Nothing.

OLD BUSINESS - Nothing.

PUBLIC FORUM - Nothing

MOTION NO. 5R-28-93 WAS MADE BY L. ARENDS AND SECONDED BY C.
MILLER TO ADJOURN THIS REGULAR COUNCIL SESSION AT 9:34 P.M.
MOTION PASSED UNANIMOUSLY.

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

Arlene A Buchite