

**REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
JULY 14, 1997
7:00 P.M. - CITY HALL**

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, July 14, 1997. The following Councilmembers were present: Mayor Robert Scott, Donna Keiffer, Charles Miller, Raymond Smyth and Richard Upton. Also present was City Administrator Tom Swenson, City Attorney Paul Sandelin, City Engineer Dave Reese, Reporter Jean Paul Hudon and Deputy Clerk Darlene Roach. There were approximately 22 individuals in the audience.

Mayor Scott called the regular Council meeting to order at 7:02 P.M. He welcomed everyone and thanked them for their support.

CRITICAL ISSUES -

Mayor Scott welcomed Tom Swenson who was attending his first regular Council meeting as City Administrator.

CONSENT CALENDAR -

MOTION 07R-01-97 WAS MADE BY RAY SMYTH AND SECONDED BY DICK UPTON TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF OF JUNE 9, 1997 REGULAR COUNCIL MEETING WITH A CORRECTION ON PAGE FIVE, PUBLIC SAFETY ITEM #1 TO READ "CONTACT CIVIL DEFENSE AGENCIES AND COME UP WITH A SET OF SPECIFICATIONS"; (2) MINUTES OF JUNE 23, 1997 SPECIAL COUNCIL MEETING; (3) MINUTES OF JULY 11, 1997 SPECIAL COUNCIL SESSION; (3) MINUTES OF JULY 11, 1997 SPECIAL COUNCIL SESSION; (4) FINANCIAL REPORT FOR MAY, 1997; (5) TELEPHONE COMPANY FINANCIAL REPORT FOR MAY, 1997; AND (6) CABLE COMPANY FINANCIAL REPORT FOR MAY, 1997. MOTION CARRIED UNANIMOUSLY.

CITY ADMINISTRATOR REPORT -

1. Bills for Payment -

MOTION 07R-02-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE ALL BILLS FOR PAYMENT WITH THE EXCEPTION OF THE BILL FROM TRAUT WELLS TO REPAIR THE PUMP UNTIL A CLARIFICATION CAN BE MADE. MOTION CARRIED UNANIMOUSLY.

2. The Crosslake Firemen's Relief Association requested approval for a two day temporary on sale beer and set up license for July 26th and July 27th for their annual dance.

MOTION 07R-03-97 WAS MADE BY RAY SMYTH AND SECONDED BY DONNA KEIFFER TO APPROVE THE FIREMEN RELIEF ASSOCIATIONS REQUEST FOR A TEMPORARY LICENSE FOR JULY 26TH AND JULY 27TH. MOTION CARRIED UNANIMOUSLY.

3. American Legion Post #500 requested approval for a one day temporary license to sell beer and set-ups at their "Kountry Fair" on July 26th.

MOTION 07R-04-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE A ONE DAY LICENSE FOR THE AMERICAN LEGION CLUB ON JULY 26TH. MOTION CARRIED UNANIMOUSLY.

4. People's Security Company has agreed to donate and install a security system for City Hall if the City agrees to pay a monitoring fee of \$24.95 per month. The system will include four panic buttons and motion detectors.

MOTION 07R-05-97 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER TO APPROVE THE INSTALLATION OF A SECURITY SYSTEM BY PEOPLE'S SECURITY SYSTEM. MOTION CARRIED UNANIMOUSLY.

5. A letter from Eugene Labo offered a cash payment for the house located on the Stanley property recently purchased by the City. A request had also been made by Habitat for Humanity for the City to donate the building to their organization. City Attorney Paul Sandelin stated that property acquired by public funds should not be donated to individuals or organizations. The Council agreed that a bidding process should be utilized to dispose of the house.

MOTION 07R-06-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO ADVERTISE FOR BIDS ON THE STANLEY HOUSE AND THAT THE CITY ADMINISTRATOR WORK WITH THE CITY ATTORNEY TO SET UP A REASONABLE SET OF SPECIFICATIONS GOVERNING THE PROPERTY. MOTION CARRIED UNANIMOUSLY.

Eugene Labo addressed the Council and offered another proposal which included demolition and removal of the garage from the property, movement of the house and decks and cleaning out of the basement until an excavator could fill in the basement.

The utilities will be disconnected as soon as possible and no trespassing signs will be placed on the property.

6. Zorbaz's Restaurant requested an on sale liquor license. City Attorney Paul Sandelin commented that because the City already has seven on sale

licenses allowed under State Statute, the only means of adding licenses would be by means of a referendum or by approving a restricted license where the licensee would have to show that 60% of their proceeds comes from the sale of food. Both options were at the discretion of the City Council.

MOTION 07R-07-97 WAS MADE BY CHUCK MILLER AND SECONDED BY DICK UPTON TO DENY THE LIQUOR LICENSE REQUEST FOR ZORBAZ RESTAURANT. Tom Hanson, President of Zorbaz's, addressed the Council and stated that he would be in favor of a restricted license since approximately 70-75% of his sales would come from food. He would like to be able to serve tequilas with the Mexican line of food they are now serving. **MOTION CARRIED UNANIMOUSLY.**

7. A letter from Brothers Motorsports requested a twelve month extension on refacing the Old Fire Hall. As part of the purchase agreement, the work was to be completed within one year. At this time, no one was present at the meeting to comment on the issue so the item was tabled until later in the meeting.
8. A letter from Northern National Bank listed pledged collateral and was included in the Council packet as an information item.
9. Kathy Adams, Director of Development for Central Minnesota Initiative Fund, was unable to attend the meeting, due to a prior commitment, and had requested approval to attend the August meeting.

MOTION 07R-08-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO TABLE THE REQUEST FROM CENTRAL MINNESOTA INITIATIVE FUND TO THE AUGUST MEETING. MOTION CARRIED UNANIMOUSLY.

MAYOR'S REPORT -

Mayor Scott complimented the Chamber of Commerce on their spectacular fireworks.

The Lions Club submitted their semi-annual gambling report which was read by City Administrator Tom Swenson.

MOTION 07R-09-97 WAS MADE BY DICK UPTON AND SECONDED BY RAY SMYTH TO RECEIVE THE REPORT FROM THE LIONS CLUB WITH THANKS FOR THEIR GENEROUS DONATIONS. MOTION CARRIED UNANIMOUSLY.

COMMISSION REPORTS -

1. Planning and Zoning -

Dick Upton announced the birth of a baby girl to Zoning Administrator Teri Hastings and her husband Pat.

The Planning and Zoning Commission recommended final approval of the plat for M&D Addition.

MOTION 07R-10-97 WAS MADE BY DICK UPTON AND SECONDED BY RAY SMYTH TO GIVE FINAL APPROVAL ON THE PLAT FOR M&D ADDITION. MOTION CARRIED UNANIMOUSLY.

The Planning and Zoning Commission recommended approval on the preliminary plat for Storck's Addition to Pine Bay.

MOTION 07R-11-97 WAS MADE BY DICK UPTON AND SECONDED BY DONNA KEIFFER TO GIVE PRELIMINARY APPROVAL OF THE PLAT FOR STORCK'S ADDITION WITH THE CONDITION THAT NO ACCESSORY STRUCTURES BE BUILT PRIOR TO THE PRINCIPAL STRUCTURE. MOTION CARRIED UNANIMOUSLY.

ORDINANCE 74 - SOUTHER APPEAL -

The Planning and Zoning Commission had previously been directed by the Council to work with the City Engineer on the issue involving the 156' setback. City Engineer Dave Reese gave a progress report on the work their firm has done and stated they were prepared to present the information at a Special Meeting as requested by the Planning and Zoning Commission.

MOTION 07R-12-97 WAS MADE BY DICK UPTON AND SECONDED BY RAY SMYTH TO PUT THE ISSUE ON THE AGENDA FOR THE MEETING ON JULY 22ND. Chuck Miller suggested that the meeting be advertised and that all property owners involved be sent a notice of the meeting. MOTION CARRIED UNANIMOUSLY.

SEPTIC SYSTEM VIOLATION -

MOTION 07R-13-97 WAS MADE BY DICK UPTON AND SECONDED BY CHUCK MILLER THAT THE CITY ATTORNEY BEGIN LEGAL PROCEEDINGS TO CORRECT THE FAILING SEPTIC SYSTEM AS IT IS A THREAT TO PUBLIC SAFETY AND THE HEALTH OF THE COMMUNITY. The City Attorney suggested that the City Code be updated to recover the costs involved in this type of action. MOTION CARRIED UNANIMOUSLY.

ADDITIONAL OFFICE HELP -

MOTION 07R-14-97 WAS MADE BY DICK UPTON AND SECONDED BY CHUCK MILLER TO OFFER PART TIME EMPLOYMENT TO JANE MICHAUD FOR 20

HOURS A WEEK AT \$10.00 AN HOUR FOR THE DURATION OF MS. HASTING'S MATERNITY LEAVE. MOTION CARRIED UNANIMOUSLY.

LONG RANGE CAPITAL PLANNING -

The Commission is still working on identifying two sites for a possible sewer pond. A meeting with the grant writer will be scheduled in the near future.

PARK AND RECREATION -

MOTION 07R-15-97 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER TO APPROVE THE AEROBICS CONTRACT WITH DONNA KEIFFER TO PROVIDE AEROBIC INSTRUCTION AT A COST OF \$360.00. MOTION CARRIED WITH DONNA KEIFFER ABSTAINING.

Ray Smyth gave a report on the progress being made at the ballfield. The fencing has all been completed with the total cost slightly under \$15,000 of which \$7,000 was donated by the Lions and \$8,000 by the American Legion. The irrigation system has also been completed with a lot of the work being done by the Telephone Company employees. The budget was \$8,000 and completed for \$4,500. Currently seeding of the entire field is underway.

The acoustical panels are now installed in the gymnasium and they are visually appealing and correct the problem with the excess reverberation.

PUBLIC SAFETY -

Donna Keiffer commended Police Chief John Backdahl for the time he spent in searching for the missing person.

MOTION 07R-16-97 WAS MADE BY DONNA KEIFFER AND SECONDED BY CHUCK MILLER TO APPROVE PARTICIPATION IN THE SAFE AND SOBER PROGRAM DURING THE PERIOD OCTOBER 1, 1997 THROUGH SEPTEMBER 30, 1998. MOTION CARRIED UNANIMOUSLY.

A request was made for the purchase of a new squad car. The car will not be purchased until the status of hiring an additional officer under the Universal Grant Program is known.

MOTION 07R-17-97 WAS MADE BY DONNA KEIFFER AND SECONDED BY CHUCK MILLER TO APPROVE THE PURCHASE OF A NEW SQUAD CAR. MOTION CARRIED UNANIMOUSLY.

The City had advertised for bids on the purchase of four warning sirens. One bid was received from Federal Warning Systems. John Backdahl urged the Council to consider purchasing the radio activation device in case the

telephone system goes out. Financing is available under a lease/purchase agreement.

MOTION 07R-19-97 WAS MADE BY DONNA KEIFFER AND SECONDED BY DICK UPTON TO APPROVE THE PURCHASE OF FOUR SIRENS INCLUDING THE RECEIVER/TIMER DECODERS AT A COST OF \$1,495 EACH PLUS \$34,032.20 AND THAT LEASE/PURCHASE FINANCING BE EXPLORED. MOTION CARRIED UNANIMOUSLY.

John Backdahl reported on the efforts of twenty one agencies who participated in the search for the missing person. Those participating were members of fire departments, police departments, canine units, State Patrol, Minnesota Search and Rescue Dog Teams, Civil Air Patrol, North Ambulance, Mounted Patrol, dive teams, County Water Patrol and private citizens.

PUBLIC WORKS -

MOTION 07R-20-97 WAS MADE BY CHUCK MILLER AND SECONDED BY DONNA KEIFFER TO INCLUDE WILDERNESS TRAIL ON THE AGENDA FOR THE JULY 22ND MEETING. MOTION CARRIED UNANIMOUSLY.

A letter was received from June Wallace regarding Silver Peak Road.

MOTION 07R-21-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH THAT THE JUNE WALLACE ITEM BE TABLED TO THE AUGUST MEETING SO PUBLIC WORKS CAN REVIEW THE SITUATION. MOTION CARRIED UNANIMOUSLY.

Chuck Miller reported on the Chuck Shrock property purchase. The seller is interested in a three year contract for deed at an interest rate of 7%.

MOTION 07R-22-97 WAS MADE BY CHUCK MILLER TO PURSUE A CONTRACT FOR DEED ON THE SHROCK PROPERTY AND REVIEW IT AT THE AUGUST MEETING. MOTION CARRIED UNANIMOUSLY.

UTILITIES -

Telephone Company Manager Kevin Larson reported on the lightning strike that occurred at the Telephone Company on Sunday, July 13th. The employees worked throughout the night restoring marginal service and at about 10:30 a.m. full service was restored. It was a joint effort with TDS in Pequot Lakes, Consolidated Telephone in Brainerd and Emily Telephone Company. Kevin had also prepared a list of highlights which he reported on.

PERSONNEL - Nothing

RECYCLING - There was a total of 16.45 tons of materials recycled in June for a year-to-date total of 64.22 tons.

ECONOMIC DEVELOPMENT AUTHORITY - A letter was received from Pat Kolstad announcing her resignation as secretary of the EDA.

EDUCATION - Nothing

OLD BUSINESS - Chuck Miller asked the status of the painting and roof repair at City Hall. Donna Keiffer reported that the roof repair will start next week but a painter was still being pursued.

BROTHERS MOTORSPORTS - This item, which had been postponed earlier in the meeting awaiting a representative from the business, was heard. The Council discussed the owners request for a twelve month extension.

MOTION 07R-23-97 WAS MADE BY RAY SMYTH AND SECONDED BY DICK UPTON THAT THE CITY ADMINISTRATOR ADVISE THE OWNERS OF A 60 DAY NOTICE TO COMPLY WITH THE TERMS OF THE PURCHASE AGREEMENT OR THE CITY WILL PROCEED WITH LEGAL ACTION IF NOT COMPLETED BY THAT TIME. MOTION CARRIED UNANIMOUSLY.

MOTION 07R-24-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO HAVE FOUR SIGNATURES FOR CITY CHECKS. MOTION CARRIED UNANIMOUSLY.

PUBLIC FORUM - Dean Swanson commented on the speed problem on County Road #36. He stated that the County has put up signs. Tom Swenson will send a letter to the County acknowledging the signs.

MOTION 07R-25-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO ADJOURN THIS REGULAR MEETING AT 9:15 P.M. MOTION CARRIED UNANIMOUSLY.

Recorded and transcribed by:



**Darlene J. Roach
Deputy Clerk**

JULY BILLS FOR PAYMENT		
VENDOR	AMOUNT	
Business Records Corp - Liq Licenses/Cemetery deeds	\$26.33	
Gary McMullen - Repair blackflow preventer on 3" main	\$320.46	
Gary McMullen - Repair stuck flush valve in men's room	\$45.00	
Gammello & Sandelin, Attys - Retainer	\$500.00	
Gammello & Sandelin, Attys - June billing	\$1,594.39	
Gammello & Sandelin, Attys - July billing	\$1,002.25	
Teri Hastings - Reimburse sewer school expenses 6/09 - 6/11	\$209.59	
Starkka Oil - Police & Fire Department Gas & Oil	\$188.96	
Traut Wells - Repair ESC well	\$1,575.51	
Pumpco - Irrigation Syst CC - Motion 4R-16-97	\$4,365.56	
Simonson Lumber - Park & Rec	\$118.44	
Simonson Lumber - Public Works	\$36.00	
Crosslake Telephone Company - Telephone Svc	\$1,253.54	
Brandanger Office Supply - Name plate	\$29.45	
Pine River Oil	\$234.95	
Brainerd Dispatch - P&Z legal notice	\$35.84	
Office Shop - Supplies all departments	\$661.67	
Cellular 2000 - '92 Chevy (night car)	\$43.83	
Pine Motors - Repair '94 Chev	\$54.46	
Heartland Tire - Alignment '96 Ford	\$90.61	
Blue Lakes Disposal - City Hall April	\$42.94	
Blue Lakes Disposal - City Hall May	\$29.03	
Blue Lakes Disposal - Garage	\$14.21	
Blue Lakes Disposal - Community Center	\$50.66	
REA Loan -	\$925.93	
Crow Wing Coop - Street Lights	\$29.71	
Crow Wing Coop - Warming House	\$22.49	
Crow Wing Coop - Park	\$189.27	
Crow Wing Coop - Warehouse	\$57.46	
Crow Wing Coop - ESC	\$284.00	
Echo Publishing	\$148.07	
Crosslake Auto - Service '95 Ford	\$30.39	
Xerox Corp - Service contract PD copier	\$57.00	
Kack Drug - Fan & Film	\$69.65	
Portage Sand & Gravel -	\$1,113.03	
Anderson Brothers - Ballfield Aggregate 5R-18-97	\$13,500.00	
Uniforms Unlimited - Badges, shirt etc.	\$81.63	
Heartland Tire - Tires and balancing	\$140.23	
Crow Wing Cty Auditor - Property owner list - P&Z	\$40.65	
NSP - Comm Ctr	\$45.76	
NSP - ESC	\$26.00	
NSP - Garage	\$29.61	
NSP - Warming House	\$21.30	
Crosslake Rolloff - Recycling	\$1,500.00	
Frontline Plus - Hose	\$166.74	
Dacotah Paper - floor cleaner, towels, misc	\$80.52	
Anderson Brothers - CC rental equip	\$162.50	

Fire Protection Equip - Fire Dept - Air tanks misc		\$164.00
Mermaid Enterprises - Fire Dept Gas		\$53.73
Moonlite Square - PD Gas		\$66.26
Ace Hardware - Park & Rec - sprinkler/weed & grass		\$29.98
Greg Larson Sports - Baseball supplies		\$689.41
Armcon Distributing - Accoustical Tile Motion 4R-17-97		\$4,981.73
Town & Country Fence - Ballfield fence -5R-17-97		\$15,470.22
Walmart - CC - Trimmer/cutter, oil		\$171.26
Walmart - CC - Program Supplies		\$31.91
Honeywagon - Satellite		\$96.24
Simonson Lumber - Padlock		\$6.19
Dacotah Paper - Toilet Tissue, hand soap		\$79.36
Reeds - pizza, pop, bowl cleaner		\$53.31
Mudek's - Primer, cement, keys, extension cord		\$31.79
Rose Stimac - Expenses		\$18.90
Culligan - Bottled water		\$24.00
Northwoods Equipment - Service 855 tractor		\$387.97
Uniforms Unlimited - Mike Smith uniforms		\$75.00
Cellular One - '95 and '96 Fords		\$73.88
Reed's - Gasoline - PD		\$375.95
Starkka Oil - Gasoline, service '94 squad *		\$116.66
Crosslake Holiday - Gasoline		\$81.89
C&C Consultants - grant expense		\$994.69
Widseth Smith Nolting		\$1,485.96
Reed's Market - Fire Dept.		\$40.73

