

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
REGULAR COUNCIL SESSION
October 10, 1988
7:30 p.m. at City Hall

The City Council of Crosslake Minnesota met in a regular session on Monday, October 10, 1988 in the Council Chambers of City Hall. The following councilmembers were present: Mayor Oliver Courts, Lyle Arends, Diana Gallaway, Dean Swanson and Oliver Yates. There were approximately 30 citizens present.

Mayor Courts called this meeting to order at 7:30 and welcomed everyone present.

The first item on the agenda was the Consent Calendar. MOTION NO. 10R-01-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF THE SEPTEMBER 1, 1988 SPECIAL COUNCIL MEETING; (2) MINUTES OF THE SEPTEMBER 7, 1988 REGULAR COUNCIL MEETING; (3) MINUTES OF THE SEPTEMBER 8, 1988 SPECIAL COUNCIL MEETING; (5) THE CLERK/TREASURER'S FINANCIAL REPORT FOR SEPTEMBER, 1988; (6) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR SEPTEMBER, 1988; AND (7) THE CABLEVISION'S FINANCIAL REPORT FOR SEPTEMBER, 1988. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - Hospitalization insurance which had been tabled from the previous meeting was the first item. MOTION NO. 10R-02-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER SWANSON TO GO WITH THE \$100.00 DEDUCTIBLE HOSPITAL INSURANCE PLAN WITH THE LEAGUE OF MINNESOTA CITIES. MOTION PASSED UNANIMOUSLY.

The next item for consideration was the renewal of the Royal Air lease for office space in City Hall. MOTION NO. 10-R-04-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO RENEW THE LEASE WITH ROYAL AIR, INC. FOR AN ADDITIONAL TWO YEARS. MOTION PASSED UNANIMOUSLY.

A letter from North Star Risk Services, Inc. was discussed. The letter contained recommendations for loss control for all departments. North Star recommended that all employees attend a loss control seminar. MOTION NO. 10R-05-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER ARENDS TO TURN THE PARTS OF THE LETTER FROM NORTH STAR RISK SERVICES, INC. TO THE PROPER DEPARTMENT HEADS FOR RESPONSE BACK TO THE COUNCIL WITHIN THREE WEEKS FROM TODAY. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that the League of Minnesota Cities hospital insurance does not include any life insurance and the current carrier included \$25,000 in their package. MOTION NO. 10R-03-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER SWANSON TO OBTAIN THE LIFE INSURANCE AS PROVIDED BY MINNESOTA MUTUAL FOR \$10,000.00 ON EACH EMPLOYEE AT THE PREMIUM OF \$3.40 PER PERSON PER MONTH. MOTION PASSED UNANIMOUSLY.

Driver's license checks for all city employees as requested by North Star Risk was discussed briefly. The City Clerk will request driver's license numbers for all city employees and check on them through the State.

MOTION NO. 10R-06-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO RENEW THE CERTIFICATE OF DEPOSIT THROUGH THE 4-M FUNDS FOR 120 DAYS AT THE BEST RATE OF INTEREST POSSIBLE. MOTION PASSED UNANIMOUSLY.

Clerk Buchite introduced a letter from John Nelson and Associates asking if they could submit a proposal on our annual audit. MOTION NO 10R-07-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER SWANSON TO PUT THE ANNUAL AUDIT OUT FOR BIDS COMPLETE WITH MILEAGE, PER DIEM AND THE TIME LIMIT FOR COMPLETION. MOTION PASSED UNANIMOUSLY.

A letter from the Municipal Ordinance Codifiers that we change our code book so that a public hearing is not required for changing an ordinance, as is presently required in Ordinance No. 3.60, was discussed. According to Statute, the City must hold a public hearing on every plat or subdivision that is presented, but not for ordinance amendments. After a brief discussion, MOTION NO. 10R-08-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO CONTINUE TO HOLD PUBLIC HEARINGS FOR ORDINANCE CHANGES. MOTION PASSED UNANIMOUSLY.

A letter from the Governor's office calling for a statewide Celebrate Minnesota 1990 campaign was discussed. Mayor Courts said he would like to appoint Diana Gallaway because she did such a good job on the Celebrate Crosslake Week this year. MOTION NO. 10R-09-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER YATES TO HAVE DIANA GALLAWAY HEAD UP THE CELEBRATE MINNESOTA 1990 CAMPAIGN AND THAT SHE SHOULD ATTEND THE MEETING SEPTEMBER 27 IN ST. CLOUD WHICH IS A WORKSHOP SCHEDULED FOR THIS CAMPAIGN. MOTION PASSED UNANIMOUSLY.

A letter from the Municipal Ordinance Codifiers regarding Ordinance No. 17, THIRD SERIES, was discussed. This ordinance was tabled at the September meeting because of a possible problem with the cash deposit requirement for a plat or subdivision with the Telephone and Cablevision at the time of the preliminary plat. It was the consensus of the Council that the Ordinance No. 17, Third Series be left the way it is written and a public hearing be held on November 14 prior the the next regular council meeting. Clerk Buchite read the ordinance.

Clerk Buchite indicated that the Council had copies of the Findings of Fact from City Attorney Gammello regarding the Lonna Andolshek request for a 5-room Inn.

A letter from Minnesota Beer Wholesalers Association was discussed. The 1987 Legislature enacted legislation which allows combination 3.2/Wine on-sale license holders to sell strong beer with no additional license provided that 60 percent of their gross sales come from the sale of food. The Liquor Control has nothing to do with this as it is an option of the

local governing body. MOTION No. 10R-10-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER ARENDS TO PERMIT 3.2/WINE ON-SALE LICENSE HOLDERS TO SELL STRONG BEER PROVIDED THAT 60 PERCENT OF THEIR GROSS SALES COMES FROM THE SALE OF FOOD. Councilmember Gallaway said she felt this should be publicized before it was acted on. MOTION PASSED UNANIMOUSLY.

A letter from Daggett Bay Townhouses was reviewed. Since the Townhouses have paid for the easement over Outlot G by paving their driveway, and will be paying the assessment on Outlot G, and have saved the City the need to construct a turnaround by granting them an easement for the turn around on the Daggett Bay Townhouse property, the Townhouse Property Association requested that their assessments be based on the same ratio as the other property owners on Daggett Bay. Mr. Hoyt said that everything in the letter was correct, that the typical assessment should be 100 percent but the Townhouse is requesting less because of the costs they saved the City. MOTION NO. 10R-11-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER GALLAWAY TO ASSESS THE TOWNHOUSES 60/40 FOR THE ROAD WORK ON DAGGETT BAY BECAUSE OF THE MONEY THEY SAVED THE CITY BY NOT HAVING TO BUILD A TURN AROUND. MOTION PASSED UNANIMOUSLY.

Mr. Hoyt indicated that the Zilka's right-of-way for the Daggett Bay roadwork has not been resolved as yet. Wes Felber said he had talked to Zilkas and they wanted a letter from the City saying no trees would be taken down. Road Supervisor Pat Hoag said that occasionally trees have to be trimmed so as to not knock out the lights on the grader but he did not feel that any trees needed to be removed at this time. MOTION NO 10R-12-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER ARENDS TO HAVE THE CITY GIVE ZILKAS A LETTER REQUESTING A 33 FOOT RIGHT-OF-WAY AND STATING THAT NO TREES WILL BE CUT DOWN AND TO HAVE COUNCILMEMBER GALLAWAY MEET WITH ZILKAS THIS WEEKEND TO DISCUSS THE SITUATION. MOTION PASSED UNANIMOUSLY. Mr. Hoyt will draft the letter to Zilkas.

PARK COMMISSION - Park Liaison Arends said that the Commission had met and drew up general descriptions of the park and community center. Mayor Courts said he will contact Park Chairman Art Holth to set up a meeting and requested the Council to review changes as made by the Park Commission so they could be discussed at the meeting.

Mayor Courts asked if deadbolts had been installed as yet and was informed that they had not been. Mr. Chuck Miller, who was present in the audience said he did not want to go there unless everything could be accomplished in one trip because it did not pay him to keep running back there.

MOTION NO. 10R-13-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE APPOINTMENT OF SANDY LAGER TO THE PARK COMMISSION AS A REPRESENTATIVE OF THE HOCKEY ASSOCIATION. MOTION PASSED UNANIMOUSLY.

PLANNING AND ZONING - Zoning Coordinator Marlowe Kingstedt requested that the City continue to hold off on the codifying because of ordinance changes the Planning and Zoning Commission will be working on through the Winter. Mr. Kingstedt said he had been attending zoning meetings at the County level and is getting some ideas for Crosslake.

CEMETERY - Mr. Arends indicated that he had not spoken to Tom Woog about the purchase of land for the Cemetery.

PUBLIC SAFETY - Fire Chief David Schliek said he would like Council approval to attend the Fire Chiefs Conference at the cost of approximately \$350.00 Mr. Schliek indicated that he would be the only one attending this year. MOTION NO. 10R-14-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO LET FIRE CHIEF DAVID SCHLIEK ATTEND THE FIRE CHIEFS CONVENTION OCTOBER 19-22, 1988 IN ST. PAUL AT THE COST OF APPROXIMATELY \$350. MOTION PASSED UNANIMOUSLY.

Mr. Schliek requested approval to purchase 200 feet of 5 inch hose which was budgeted for. MOTION NO. 10R-15-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE PURCHASE OF 200 FEET OF 5 INCH HOSE. MOTION PASSED UNANIMOUSLY.

Mr. Schliek stated that only two bids had been received back of the five that had been sent out for the purchase of a new fire truck. Mr. Schliek said only one of the bids received met the specifications which were required for the pump and tank. The pump was to be the same make as two that are currently in use by the fire department so as not to confuse the firemen when they are working under emergency situations. The tank was to be round rather than cylinder type so as not to put added stress on seams when turning corners or stopping suddenly. Mr. Schliek said the warranty for the water tanks from both companys is for twenty years, the warranty on the chassis for both bids is the same but the Darley pump on the Engle bids has a lifetime warranty and the Hale pump on the Luverne bid is only a one year warranty. Mr. Schliek said the bid from Engle Fabricating is for \$126,984.00 and the bid from Luverne Fire Apparatus Co. Inc. is for \$123,134 with a credit of \$2,800.00 if the chassis is paid for when it is received by Luverne. Mr. Schliek said he felt that the warranty on the pump and the fact that Luverne did not meet the specifications on the pump and tank were reasons to reject the Luverne bid. Discussion ensued regarding the pump and the tank. Mayor Courts said the representative from Luverne had called him that afternoon and said they would put the Darley pump in that the City had requested. It was the consensus of the Council that the specifications should have been met prior to the bid being submitted. MOTION NO. 10R-16-88 WAS MADE BY COUNCILMEMBER YATES AND SECONDED BY COUNCILMEMBER SWANSON TO ACCEPT THE BID FROM ENGLE FABRICATING OF \$126,984.00 FOR THE NEW FIRE TRUCK BECAUSE THEIR BID MET THE SPECIFICATIONS ON THE TANK AND PUMP. MOTION PASSED WITH COUNCILMEMBER ARENDS VOTING NAY. Mr. Arends said he felt that most pumps are operated basically the same and a different pump should be no problem for the firemen.

Councilmember Gallaway left the meeting at this time due to illness.

MOTION NO. 10R-17-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER YATES TO ALLOW THE FIRE DEPARTMENT TO PURCHASE THE RADIO AND CONTROL BOX NEEDED FOR THE NEW FIRE TRUCK WHICH HAD BEEN PURPOSELY DELETED FROM THE SPECIFICATIONS. MOTION PASSED WITH COUNCILMEMBERS SWANSON AND YATES VOTING AYE AND COUNCILMEMBER ARENDS VOTING NAY. Fire Chief Schliek said the reason they were deleted from the specs was that the City could buy them cheaper themselves.

Chief Schliek stated that there would have to be \$22,000.00 down payment on the new fire truck and the chassis will have to be paid for in June or July when Engle Fabricating receives it. Mr. Schliek requested that the money to be recieved by the City of Crosslake for the fire truck use in Montana be set aside for future years fire equipment purchases. Mr. Arends said he felt the money should go towards this years truck purchase. MOTION NO. 10R-18-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER SWANSON TO BUY HOSE AT APPROXIMATELY \$11,000.00 FROM THE FUNDS OF THE U.S. FORESTRY SERVICE WHICH CROSSLAKE WILL RECEIVE FOR THE FIRE TRUCK WHICH WAS SENT TO THE MONTANA FIRES, AND TO HAVE THE BALANACE GO AS PAYMENT ON THE NEW FIRE TRUCK. MOTION PASSED UNANIMOUSLY.

Mr. Schliek requested that the \$50,000.00 be placed into dedicated funds for the truck purchase. MOTION NO. 10R-19-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER ARENDS TO PROCEED WITH THE FIRST STEP OF THE PLAN FOR FINANCING THE NEW FIRE TRUCK AND TAKE \$50,000.00 FROM UNRESERVED FUNDING AND PLACE IN DEDICATED FUNDS. MOTION PASSED UNANIMOUSLY.

Mr. Arends said he would like to have an engineering firm draw the specs up when another truck is to be purchased.

The Council took a five minute break at this point.

Mr. Schliek's request to be paid for meetings and drills in addition to his monthly compensation of \$100.00 was discussed briefly and tabled for a month or so. Mr. Courts requested that this be brought before the Public Safety commission for their recommendation.

UTILITIES COMMISSION - Mr. Dene Carney was present to answer questions but none were asked.

ROAD COMMISSION - Will Hoyt, City Engineer from Landecker and Associates was present but said he had nothing that needed council approval. An update on Dream Island Bridge was given and the road work for Daggett Bay and Milinda Shores Roads were on the work schedule for Anderson Brothers if the weather permitted.

Milinda Shores Bridge was discussed briefly. Pat Hoag, Road Supervisor, stated that the timbers were rotten and the County suggested closing one-half of the bridge to traffic. A new concrete bridge is being looked at.

Scott Gallaway, Chairman, said the Road Commission recommended that Pat Hoag should be paid for meetings he has to attend outside of the regular working hours. Mr. Arends said he felt Mr. Hoag was a supervisor and should attend them without extra pay. Pat said the worst part of not being paid for the meetings is that if a quorum is not present another meeting has to be scheduled. It was the consensus of the Council to look into this when new job descriptions are done.

The Road Commission will bring their recommendation on re-bidding the loader back to the Council.

FUNDING AND FUTURE DEVELOPMENT - Dean Swanson said the Funding and Future Development Commission had met during the week and had discussed the location of the new post office and getting a deputy registrar for Crosslake. Bill Thompson will try to go over the head of the person we have been dealing with for a deputy registrar. Paul Thiede did follow through also but did not get any farther than the Commission did.

Bill Reed was present to present the Chamber of Commerce poll on the location of the post office. Mr. Reed said he had talked to Brian Marshall of the U.S. Postal Service and was told that he would not deal with an individual and that he should come to the City Council and the Council should send a letter saying they do not favor the Old Log Landing site. The people would have to find another site. The Chamber did survey 109 people, or approximately one-tenth of the population. Out of the 109 people called, 90 were opposed, 2 in favor and 17 had no opinion. Mr. Reed requested that the Council send the Post Office a letter saying that the Council is not in favor of the Old Log Landing site and maybe another site should be sought. MOTION NO. 10R-20-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER YATES TO HAVE THE CLERK WRITE A LETTER TO THE POSTAL SERVICE EXPRESSING THE VIEWS OF THE CHAMBER OF COMMERCE AND THE OPINION OF THE PEOPLE IN CROSSLAKE THAT THIS IS NOT THE CHOICE SITE. THE MOTION PASSED WITH COUNCILMEMBERS SWANSON AND YATES VOTING AYE AND COUNCILMEMBER ARENDS VOTING NAY. Councilmember Arends said he feels the City should expand and that is the way to go.

MAYOR'S REPORT - Mayor Courts explained that the City budgets were approximately \$30,000 short of balancing so he and the City Clerk went down the meet with the County Auditor to see what could be done. The Auditor said our ambulance subsidy and hospital insurance were two items which could be figured outside the levy limit which brought us into balancing. The total levy for the 1989 General Fund is \$286,108.00. MOTION NO. 10R-21-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER YATES TO APPROVE THE 1989 GENERAL FUND BUDGET OF \$433,289.00 WITH A LEVY OF \$286,108.00. MOTION PASSED UNANIMOUSLY.

MOTION NO. 10R-22-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER SWANSON TO APPROVE THE GOVERNMENT OBLIGATION FUNDS BUDGET OF \$96,150.00 MOTION PASSED UNANIMOUSLY

MOTION NO. 10R-23-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO APPROVE THE CAPITOL IMPROVEMENTS FUNDS BUDGET FOR 1989. MOTION PASSED UNANIMOUSLY.

Mayor Courts signed a proclamation declaring October as Domestic Violence Awareness Month.

OLD BUSINESS - Councilmember Swanson said he would like to attend the Personnel Conference in the Cities at \$475.00 cost. MOTION NO 10R-24-88 WAS MADE BY COUNCILMEMBER YATES AND SECONDED BY COUNCILMEMBER SWANSON TO APPROVE SWANSON ATTENDING THE PERSONNEL LAW UPDATE SEMINAR IN MINNEAPOLIS ON NOVEMBER 15-16, 1988 AT THE COST OF APPROXIMATELY \$475.00 PLUS EXPENSES. MOTION PASSED WITH COUNCILMEMBERS YATES AND SWANSON VOTING AYE AND ARENDS VOTING NAY.

Mayor Courts said he wanted to publicly thank the firemen and fire department for responding to the call for volunteers to fight the wild fires in Montana.

Manhattan Beach encroachment was discussed. Mayor Courts said the accesses are public but it is not public property for anyone to put anything on. Anybody can use them but they cannot be built on. The property does not belong to the City and the City has no right to issue permits for any type of construction. Complaints will be turned over to the Police Department but the land has never been deeded over to the City so any action will have to be taken by private individuals. Mayor Courts said he would check into the complaint of cutting into the bank.

The purchasing of gasoline was discussed briefly. Councilmember Swanson said he knows there are three or four people selling petroleum products in the City and only one is being patronized. Fire Chief Schliek said they buy all their gas from Ernie's because he lives there and can open the station whenever they need it. The City Clerk was requested to compile a list of the amount of gas purchased by the City.

PUBLIC FORUM - Nothing

MOTION NO. 10R-25-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO ADJOURN THIS REGULAR COUNCIL SESSION AT 10:40 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:



Arlene A. Buchite
City Clerk/Treasurer