

REGULAR COUNCIL SESSION  
November 8, 1993

COUNCIL PROCEEDINGS  
CITY OF CROSSLAKE MINNESOTA  
REGULAR COUNCIL SESSION  
NOVEMBER 8, 1993  
7:30 P.M. AT CITY HALL

The Council for the City of Crosslake, Minnesota met in a regular session in the Council Chambers of City Hall on Monday, November 8, 1993. The following Councilmembers were present: Mayor Kurt Anderson, Lyle Arends, Charles Miller, Dean Swanson and Jack Webster. Also present were Paul Sandelin representing the City Attorney's Office and 22 citizens.

Mayor Anderson called this session to order at 7:30 P.M. The first item on the agenda would be the Consent Calendar.

MOTION NO. 11R-01-93 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF (1) THE MINUTES OF THE OCTOBER 11, 1993 REGULAR COUNCIL SESSION; (2) MINUTES OF THE OCTOBER 13, 1993 SPECIAL BUDGET SESSION; (3) MINUTES OF THE OCTOBER 18, 1993 SPECIAL COUNCIL SESSION; (4) THE CLERK/ TREASURER'S FINANCIAL REPORT FOR OCTOBER, 1993; (5) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR OCTOBER, 1993; (6) THE CABLEVISION'S FINANCIAL REPORT FOR OCTOBER, 1993. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - MOTION NO. 11R-02-93 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO PAY ALL BILLS INCLUDING: (1) JIM GAMMELLO CITY ATTORNEY BILL FOR 2 MONTHS INCLUDING RETAINER TOTALING \$4,694.25 AND; (2) LANGENBAU EXCAVATING FOR 1000 YARDS OF FILL FOR THE FIRE DEPARTMENT FOR \$3,000.00. MOTION PASSED UNANIMOUSLY.

Clerk Buchite stated that she had received the finalized developers agreements from Ehlers & Associates for the Reed and Bittner TIF projects. These agreements are ready for signature this week.

A general information letter had been received from Attorney Paul Sandelin regarding the taping of closed meetings. No action was taken.

The City Attorney's Office had prepared an Easement Agreement for the City and George Schroenghamer regarding the encroachment of the drainfield on the McLin Park Landing and the encroachment of Donald Boulevard right-of-way on Mr. Schroenghamer's property.

MOTION 11R-03-93 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO APPROVE THE EASEMENT BETWEEN THE CITY AND GEORGE SCHROENGHAMER. MOTION PASSED UNANIMOUSLY.

**MAYOR'S REPORT** - The revised job descriptions have been received and distributed to all employees. The ADA requirements will be included and become a part of the job descriptions. A meeting will be held

on November 30, to finalize these job descriptions with the employees.

A resolution for bids on footings for the Emergency Services Center had been received from Bonestroo, Rosene, Anderlik & Associates. MOTION 11R-04-93 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE THE RESOLUTION NO. 93-02-11 TO CALL FOR BIDS ON THE EMERGENCY SERVICES CENTER FOOTINGS. MOTION PASSED UNANIMOUSLY.

**PLANNING AND ZONING** - Amendments to Zoning Ordinance No. 8.03, Subdivision 2 and Zoning Ordinance No. 8.07, Subdivision 2 and Subdivision 3 were brought before the Council. These amendments will allow that mobile homes and manufactured housing developments need not be platted until at least one rental site has been sold.

MOTION 11R-05-93 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO APPROVE THE AMENDMENT TO ORDINANCE NO. 8.03, SUBDIVISION 2, REGARDING SUBDIVIDING REAL ESTATE. MOTION PASSED UNANIMOUSLY.

MOTION 11R-06-93 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPROVE THE AMENDMENT TO ORDINANCE NO. 8.07, SUBDIVISION 2 AND SUBDIVISION 3, SETTING PLATTING REQUIREMENTS. MOTION PASSED UNANIMOUSLY.

An amendment to rezone part of the NE 1/4 - NE 1/4 of Section 21 owned by Allen Bohall from commercial to low density residential (R-1) was heard. This would be consistent with the surrounding portions of the property.

MOTION 11R-07-93 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO APPROVE THE AMENDMENT TO THE ZONING MAP OF PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 21. MOTION PASSED UNANIMOUSLY.

A letter which had been received from Mr. Hal Neff announcing his resignation on the Planning and Zoning Commission was read. It was recommended by the Commission that Cynthia Thunell be approved to fill this position until a new term begins and that Dr. Richard Upton be approved as an alternate member. It was recommended that Cynthia Thunell's term begin January 31, 1994 so that she can complete two three-year terms.

MOTION 11R-08-93 WAS MADE BY LYLE ARENDS AND SECONDED BY DEAN SWANSON TO ACCEPT THE RESIGNATION OF HAL NEFF FROM THE PLANNING AND ZONING COMMISSION. MOTION PASSED UNANIMOUSLY.

MOTION 11R-09-93 WAS MADE BY LYLE ARENDS AND SECONDED BY CHUCK MILLER TO APPROVE THE RECOMMENDATION OF CYNTHIA THUNELL TO THE PLANNING AND ZONING COMMISSION EFFECTIVE JANUARY 31, 1994 AND DR. RICHARD UPTON AS AN ALTERNATE TO THE PLANNING AND ZONING COMMISSION. MOTION PASSED UNANIMOUSLY.

A resolution was brought before the Council to approve a variance for Brian Bittner for Daggett Brook Villas. Mr. Bittner has applied to the State Fire Marshal for a variance from the Uniform Fire Code and has begun taking corrective/protective measures to comply with the applicable provisions of the code. Mr. Bittner requested the support of the City Council for this variance.

MOTION 11R-10-93 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE RESOLUTION NO. 93-01-11 SUPPORTING THE VARIANCE REQUEST TO THE STATE FIRE MARSHAL FROM BRIAN BITTNER. MOTION PASSED UNANIMOUSLY.

**LONG RANGE CAPITOL PLANNING** - Dean Swanson reported that he had attended a meeting by the Brainerd Lakes Area Development Corporation on October 28, at the Holiday Inn in Brainerd. Also, an invitation had been received to send two representatives to a Rural Development Administration Seminar sponsored by the Iron Range Resources and Rehabilitation Board on Tuesday, December 7, 1993 in Eveleth, Minnesota. Mr. Swanson and Mayor Anderson will attend this meeting.

**CEMETERY** - Nothing

**PERSONNEL** - Mr. Don Engen was present to discuss his views on the City Manager position. He feels that the 110% increase in profits at the Telephone Company between 1988 and 1993 along with the growth anticipated by the year 2000 reflects the need for a full time manager. Any loss of revenue at the Telephone Company would have a significant impact on the City. Mr. Engen revised a job description that had previously been in place and presented to the Council. In addition, he read three letters that had been received in support of the need for a full time general manager. These letters had been received from Mr. Dominic Henderson, REA, Mr. Thomas Farm, Olsen, Thielen & Co., Ltd., and Mr. Robert Reff, CPI Engineering Company. Mr. Engen feels that the City should hire a manager whose primary function would be to run the Telephone and Cable Company operation and as a secondary function assist the City with administrator duties. This could possibly be a 75/25 split but the primary responsibility would be to grow the Telephone Company into the year 2000.

Mayor Anderson told the audience that what the Council is looking for in qualifications is very close to what Mr. Engen is proposing for this position. Mayor Anderson stated that the meeting being held on November 30, at 10:00 A.M. will include the opening of the bids for the Fire Hall footings, a review of the employee job descriptions and will finalize the process for the hiring of a City Administrator - Manager. He feels that the key is that the City utilize the League of MN Cities to assist in the elimination process.

Mr. Miller reminded everyone that the Council is also interested in the growth of the Telephone Company but another area of concern is the State mandated pay equity issue.

Mr. Swanson thanked Mr. Engen for his input at these meetings relative to the City Administrator position. He also stated his position as being in agreement with a 75/25 split in management responsibility between the two entities. He emphasized the need to remain objective in this effort.

Mr. Tom Mezzenga asked the Council how important the comparable worth issue was in this process. The Council stated that it was a major

issue. Discussion ensued as to the current State laws regarding pay equity in municipalities.

Mayor Anderson read a letter that had been received from Mr. Dick Dietz who is a semi-permanent resident of Crosslake. He feels that the Telephone Company should not invest in technology for the sake of technology but only when there is a proven demand. His belief is that as Crosslake grows the residents will be interested in building, maintenance, plowing, police protection, health services, playgrounds more than telephone technology.

**PARK & RECREATION** - On Saturday, October 30 a Halloween Party was held at the Community Center. The American Legion Post and Auxiliary furnished prizes and snacks. Several volunteers assisted Katie Demcho, Erna Mae Loveland and Laurie Hoenig in making this a successful event. Mr. Swanson thanked all who participated.

A mite hockey program has been started under the direction of Max and Judy Maas. Mr. Swanson recommended that the Public Works Department be given the complete responsibility of maintaining the hockey and skating rinks for the coming season. Warming house attendants also need to be considered. T-shirts for the Dam Run participants were mailed out last week along with a letter of apology for being sent late.

Mr. Swanson has been attending meetings of the Sports Booster Club. They are forming an alliance between the cities that are participating in this program. They will meet on a quarterly basis and Mr. Swanson will report back to the Council the details as they are worked out.

Mr. Webster reported that some repairs are needed at the Community Center. Insulation needs to be added in the ceiling. The overhangs need to be extended to get more air movement to the roof line to reduce the ice buildup and prevent structural damage. Two bids have been received for this project. One from Darryl Hankel for \$3,050 and the other from Dave Steffen for \$3,090. Part of the cost of materials had been approved previously. The painting and cleanup would be done by the Public Works Department.

MOTION 11R-11-93 MADE BY JACK WEBSTER AND SECONDED BY DEAN SWANSON TO ACCEPT THE BID FROM DARRYL HANKEL OF \$3,050 FOR ADDING ON TO THE ROOF LINE AND REPAIRING THE BATHROOM AT THE COMMUNITY CENTER. MOTION PASSED UNANIMOUSLY.

MOTION 11R-12-93 MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPROVE THE BID FROM SIMONSON LUMBER OF \$2244 FOR MATERIALS AT THE COMMUNITY CENTER. MOTION PASSED UNANIMOUSLY.

**RECYCLING** - Mr. Swanson reported that there were 75 participants at the October drop off site for a total tonnage of 4,320 pounds.

**PUBLIC SAFETY** - The Police Department responded to 60 calls for the month of October.

A letter was received from REA approving the new site for the fire hall without any further environmental studies being required. The Fire Department handled four emergency calls with 2 fatalities for the month. No fire calls were reported.

Mr. Dave Schliek, Fire Chief was present to discuss a new program that is being implemented in conjunction with Channel 12. CPR training will be made available on the cable channel for the classroom portion of the training and further testing will be available onsite at the Fire Station or at the Community Center. This will be made available sometime after the first of the year and possibly again in the summer when the seasonal residents return.

**UTILITIES** - Channel 11 will be available at the end of the month.

The sound system for City Hall will be installed prior to the next Council meeting. Mr. Mezzenga stated that the Utilities Commission was unanimous in their position that the Telephone and Cable Company should have a full time manager.

Mr. Don Haines was present to address the Council regarding what he feels is mismanagement and theft at the Telephone Company. He had received a letter recently from Mr. Sandelin, City Attorney stating that his allegations had not been based on any facts and, therefore, would not be investigated based on verbal accusations. Mr. Haines handled the Attorney a packet that he said would give proof that would be needed for an investigation.

**PUBLIC WORKS** - A letter received from Mr. Dale Draves, Chief Engineer at Erickson Engineering regarding Sunrise Island Bridge was read by Mr. Webster.

MOTION 11R-13-93 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO HIRE ERICKSON ENGINEERING TO GIVE A DETAILED INSPECTION AND PROVIDE AN ACCURATE REPORT FOR SUNRISE ISLAND BRIDGE NOT TO EXCEED \$1,500.00. MOTION PASSED UNANIMOUSLY.

Pat Hoag has requested approval to attend the Public Works Fall Conference in Bloomington from November 17 to November 19. The registration fee is \$220.00 which includes 2 nights lodging and food.  
MOTION 11R-14-93 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE THE PUBLIC WORKS FOREMAN ATTENDING THE FALL PUBLIC WORKS CONFERENCE. MOTION PASSED UNANIMOUSLY.

Mr. Webster requested that the Council consider advertising for bids on the approximately 14,000 gallons of gas used annually.  
MOTION 11R-15-93 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO PUT THE GAS AND DIESEL PURCHASES OUT FOR BIDS. MOTION PASSED UNANIMOUSLY.

Mr. Webster read a congratulatory letter from the Telephone Company for the work Tim McFeters had done in painting the exterior of the building.

A letter from Portage Sand and Gravel had been received requesting

the City's 1994 business. No further action was taken by the Council.

**NEW BUSINESS - None**

**OLD BUSINESS** - A letter from Mr. Sandelin indicated that the abstract for the Game and Fish Club would be coming from the Crow Wing County Abstract Office. Once the abstract is received the Attorney's Office will provide the final title opinion.

Mr. Webster read a letter from Mr. Sandelin regarding Anchor Point. The Attorney's review of the plat shows that Kent Road, which is a platted street in the City of Crosslake, does not extend through Lots 9, 10, and 11 on Anchor Point but ends at Lot 9. His recommendation is to not take any action against Mr. Callahan regarding the construction of the fence since it is an issue between private land owners.

MOTION 11R-16-93 BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO  
ADJOURN THIS REGULAR COUNCIL SESSION AT 9:27 P.M. MOTION PASSED  
UNANIMOUSLY.

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

