

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
REGULAR COUNCIL SESSION
MONDAY, NOVEMBER 9, 1992
7:30 P.M. AT CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, November 9, 1992. Present were Mayor Kurt E. Anderson, Lyle M. Arends, Charles O. Miller and Dean L. Swanson. Also present was City Attorney James Gammello, City Clerk Arlene Buchite and approximately 50 residents.

Mayor Anderson called this meeting to order at 7:30 p.m. stating that the first item on the agenda was the Consent Calendar. MOTION NO. 11R-01-92 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF OCTOBER 12, 1992 REGULAR COUNCIL MEETING; (2) MINUTES OF OCTOBER 20, 1992 SPECIAL COUNCIL MEETING; (3) THE CLERK/TREASURER'S FINANCIAL REPORT FOR OCTOBER, 1992; (4) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR OCTOBER, 1992; (5) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR OCTOBER; AND (6) MINUTES OF THE CANVASSING BOARD MEETING ON NOVEMBER 5, 1992. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - MOTION NO. 11R-02-92 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO PAY ALL BILLS INCLUDING: (1) EARL F. ANDERSON FOR STREET SIGNS \$707.99; (2) R AND O ELECTRIC FOR HOCKEY LIGHTS AT PARK \$1,920.00, CITY HALL FOR MOTION DETECTOR LIGHTS \$150.00 AND CITY GARAGE FOR WIRING \$293.50; (3) H & L MESABI FOR SNOW PLOWING BLADES \$1745.63; (4) CITY ATTORNEY GAMMELLO \$442.50; AND (5) DAM RUN EXPENSES, FITZHARRIS ATHLETIC FOR T-SHIRTS \$948.11, SPECTRUM SIGNS \$191.70 AND KOKESH FOR NUMBERS \$24.25. MOTION PASSED UNANIMOUSLY.

A letter from Heartland Animal Rescue Team (HART) was discussed briefly. The Council's opinion was that they do not want the Police Department to act as animal control officers but the City will pay the donation they offered. Residents can utilize the services offered by HART.

MOTION NO. 11R-03-92 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO APPROVE THE LION'S CLUB HAVING PULLTABS AT MERMAID BAIT IN CROSSLAKE. MOTION PASSED UNANIMOUSLY.

MOTION NO. 11R-04-92 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO APPROVE THE TRANSFER OF THE LIQUOR LICENSE FOR THE ECHO RIDGE SUPPER CLUB FROM ECHO ENTERPRISES, INC. TO JOAN AND TONY MAUCIERI WITH THE RECEIPT OF LIQUOR LIABILITY INSURANCE AND ANY OTHER LEGAL REQUIREMENTS. MOTION PASSED UNANIMOUSLY.

Clerk Buchite informed the Council that one of the parcels of

land that had a deferred assessment on it was having lots sold off of it and the owner wanted to only pay for assessment for two lots. It was the consensus of the Council that the wording on the deferred assessment form indicated that it should be paid in full when any portion of the parcel was sold. MOTION NO. 11R-05-92 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO REQUIRE THAT THE ENTIRE ASSESSMENT OF \$1,942.24 BE PAID IN FULL AT THIS TIME. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that the Council was given a copy of the pay equity report from the Department of Employee Relations.

MAYOR'S REPORT - Mayor Anderson read a proclamation declaring November 15 through Nov 21, 1992 as American Education Week.

Mayor Anderson appraised those present of the Unsewered Advisory Committee he was appointed to as a representative of the MN Association of Small Cities. Mayor Anderson said the City may be able to get a grant for 3 percent interest to loan to residents who need to update their septic system.

Mayor Anderson said he would like to have the newly elected Councilman take the vacant seat on the Council. MOTION NO. 11R-06-92 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO APPOINT JOHN R. WEBSTER TO FULLFILL THE TERM OF THE COUNCIL SEAT VACATED BY ROGER BURSHEM. MOTION PASSED UNANIMOUSLY. City Clerk Buchite administered the Oath of Office to Mr. Webster.

Discussion ensued regarding the proposal from James M. Gammello for a monthly retainer. MOTION NO. 11R-07-92 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO RETAIN THE CITY ATTORNEY JAMES GAMMELLO ON A MONTHLY RETAINER FEE OF \$500 A MONTH FOR THE SERVICES AS OUTLINED IN HIS PROPOSAL. MOTION PASSED UNANIMOUSLY.

Mayor Anderson stated that he had attended a meeting at Pollution Control with Bill Reed and Teri Hastings to review the application procedure for the on-site wastewater treatment system grant program. Mayor Anderson stated that chances of getting a grant are probably about 10 percent but he felt it was important to get the grant application in. Mayor Anderson read a resolution for Council approval. MOTION NO. 11R-08-92 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO APPROVE THE RESOLUTION NAMEING THE CITY OF CROSSLAKE AS THE RESPONSIBLE PARTY FOR THE FUNDING LIST PLACEMENT REQUEST FOR THE INDIVIDUAL ON-SITE WASTEWATER TREATMENT SYSTEMS GRANT PROGRAM. MOTION PASSED UNANIMOUSLY.

Mayor Anderson stated that according to an article published in the League of Minnesota Cities Bulletin, the State of Minnesota is requiring that the City license all rubbish haulers. Mayor Anderson said that since Crosslake already tried to establish an ordinance and found that the County licenses haulers the

City Clerk should check with the County and see if it is necessary for the City to license them also. Councilmember Swanson stated that 5.22 of the City Code Book licensed rubbish haulers.

Mayor Anderson stated that he would like to set November 16, 1992 at 1:00 p.m. for budget meetings with department heads

Mayor Anderson said he would like to schedule a Public Hearing on December 8, 1992 at 9:00 a.m. for the job descriptions, policy manual, commissioner form of government (to eliminate commissions except for Planning and Zoning and the Utility Commission) and Pay Equity. Mayor Anderson said he would also like to propose one policy manual for all employees.

Mayor Anderson said he has a problem with the ads in the paper that say the City is sponsoring trips to Casinos. The City charges liquor licensing fees to local businesses and should help promote business locally.

PLANNING AND ZONING - Coordinator Teri Hastings relayed to the Council the circumstances regarding two storage sheds and that the Commission recommended that the sheds be moved to meet setbacks by May 31, 1993 or else pay a penalty of \$100.00 a day each day that they continue to violate the ordinance. MOTION NO.11R-09-92 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO UPHOLD THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR FARKAS AND KEHLER TO MOVE THE SHEDS OR PAY A FINE AND TO OBTAIN AN AFTER THE FACT PERMIT IF ONE IS REQUIRED. MOTION PASSED UNANIMOUSLY.

The next item was a sauna violation. MOTION NO. 11R-10-92 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO UPHOLD THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION AND REQUIRE THAT THE CARLSON SAUNA BE MOVED TO MEET SETBACK REQUIRMENTS BY DECEMBER 15, 1992 OR A PENALTY OF \$100.00 A DAY BE IMPOSED AND THAT AN AFTER THE FACT PERMIT IS OBTAINED. MOTION PASSED UNANIMOUSLY.

Coordinator Hasting stated that she had received a preliminary plat of Ox Lake Crossing on Ox Lake. She was informed that in 1982 it was discovered that Ox Lake was classified as a General Development Lake and according to DNR it should have been classified as a Natural Environment Lake. Because the City had just received the Plat of Ox Lake Landing at that time, the classification was not changed. Ms. Hastings stated that in order to change the classification there would have to be a resolution from Crosslake, Fifty Lakes and Manhattan Beach. Patrick Murphy, Ox Lake resident, submitted a petition to rezone Ox Lake to require all subdivision lots subsequent to October 15, 1992 to be approved on the basis of "National Environment Lake" guidelines. C. Miller stated that if this request had come in prior to the newly proposed plat he would have no problem with the re-classification of the lake but this

new plat creates some problems. Discussion ensued. MOTION NO. 11R-11-92 WAS MADE BY C. MILLER AND SECONDED BY J. WEBSTER TO TABLE THE RECLASSIFICATION OF OX LAKE UNTIL THE DECEMBER 14, 1992 REGULAR COUNCIL SESSION TO GIVE THE CITY ATTORNEY TIME FOR LEGAL RESEARCH. MOTION PASSED UNANIMOUSLY.

Mr. Cliff Weibke had appealed the decision of the Planning and Zoning to not refund his \$115.00 for a Conditional Use Permit when a Conditional Use Permit was not really needed. MOTION NO. 11R-12-92 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO REFUND \$100.00 TO CLIFF WEIBKE FOR HIS CONDITIONAL USE PERMIT. MOTION PASSED WITH C. MILLER AND K. ANDERSON VOTING NAY.

PUBLIC SAFETY - Fire Chief Schliek informed the Council that the Department would be receiving a check for \$2450.00 for assisting with the forest fire north of Fifty Lakes and he would like to use some of the money for painting the new 4X4 truck. It was the consensus of the Council that an ad be put in the paper and quotes should be obtained for the painting.

UTILITIES - Nothing.

PUBLIC WORKS - MOTION NO. 11R-13-92 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO REJECT THE TWO QUOTES SUBMITTED FOR THE INTERNATIONAL TRACTOR, JOHN DEERE GARDEN TRACTOR AND THE TRI-AXLE TRAILER. MOTION PASSED WITH J. WEBSTER ABSTAINING.

MOTION NO. 11R-14-92 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO PUT AN AD IN THE PAPER TO SELL THE INTERNATIONAL TRACTOR, JOHN DEERE GARDEN TRACTOR AND THE TRI AXLE TRAILER. MOTION PASSED UNANIMOUSLY.

MOTION NO. 11R-15-92 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO APPROVE THE PURCHASE OF PADS FOR THE GRADER AT APPROXIMATELY \$2,000.00. MOTION PASSED UNANIMOUSLY.

MOTION NO. 11R-16-92 WAS MADE BY C. MILLER AND SECONDED BY J. WEBSTER TO SENT PAT HOAG TO THE PUBLIC WORKS CONFERENCE NOVEMBER 18 THROUGH NOVEMBER 20, 1992. MOTION PASSED UNANIMOUSLY.

J. Webster stated that the Council had received copies of the maintenance agreements with neighboring cities and he wondered if the Council wanted to approve them. MOTION NO. 11R-17-92 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO SIGN THE ROAD MAINTENANCE AGREEMENT WITH OUR NEIGHBORING CITIES IF THE CITY ATTORNEY APPROVES OF THE AGREEMENT. MOTION PASSED WITH J. WEBSTER ABSTAINING.

CEMETERY - Mayor Anderson stated that he had a couple of proposed changes from the Cemetery Committee Chairman. MOTION NO. 11R-18-92 WAS MADE BY D. SWANSON AND SECONDED BY J. WEBSTER TO ADD 40 INCHES MAXIMUM FOR LENGTH ON RULE NO. 21 AND TO INCREASE THE AMOUNT FOR OPENINGS TO \$150 IN THE SUMMER AND \$300

IN THE WINTER. MOTION PASSED WITH L. ARENDS AND C. MILLER VOTING NAY.

PERSONNEL - Nothing.

PARK AND RECREATION - Discussion ensued regarding funding for Little League Baseball. Mayor Anderson said he understands that the leaders have requested funding for several years but it has not come to the Council for approval before. Motion was made by C. Miller to fund up to \$4374 the first year and \$3000 a year thereafter. Mayor Anderson called for a second to the motion three times. Motion was declared dead for lack of a second.

MOTION NO. 11R-19-92 WAS MADE BY J. WEBSTER AND SECONDED BY D. SWANSON TO PAY UP TO \$4374 TO ESTABLISH LITTLE LEAGUE TEAMS AT THE COMMUNITY CENTER FOR 1993. Discussion continued regarding paid coaching and other expenses. Council suggested that the Lion's Club be approached for donations. Betty Knutson said they would not even want it started unless they were sure that it would be continued year after year. MOTION PASSED WITH L. ARENDS VOTING NAY. Mayor Anderson said the the possibility existed of getting support from local businessmen.

MOTION NO. 11R-20-92 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO ALLOW THE PARK DIRECTOR TO ATTEND THE MN RECREATION AND PARK ASSOCIATION ANNUAL CONFERENCE IN ROCHESTER NOVEMBER 18 THROUGH 22, 1993 FOR APPROXIMATELY \$414.00 AND TO REQUEST A WRITTEN REPORT AFTER THE CONFERENCE. MOTION PASSED UNANIMOUSLY.

MOTION NO. 11R-21-92 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO ADVERTISE TO HIRE WARMING HOUSE ATTENDANTS FOR THE 1992-93 SKATING SEASON WITH THE COUNCILS APPROVAL. MOTION PASSED WITH J. WEBSTER VOTING NAY.

The rental charge for Pre-school and the balance due from playground equipment was tabled until later.

A letter from the Art Club was discussed briefly. Mayor Anderson said he gave a response to the Art Club President over the phone so no further response was necessary.

RECYCLING - Liaison Swanson reported on the October usage.

NEW BUSINESS - Nothing.

OLD BUSINESS - Mr. Swanson reported that he attended a meeting in Grand Rapids on assessing real estate.

PUBLIC FORUM - Nothing.

MOTION NO. 11R-22-92 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO ADJOURN THIS REGULAR COUNCIL SESSION AT 10:00 P.M.

MOTION PASSED UNANIMOUSLY.

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

Arlene A. Buchite