

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING AND REGULAR SESSION
November 14, 1988
7:30 p.m. at City Hall

The City Council of Crosslake Minnesota met in a public hearing and regular council session on Monday, November 14, 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 17 citizens present.

Mayor Courts called this Public Hearing to order at approximately 7:30 and welcomed everyone present.

Clerk Buchite read Ordinance No. 17, Third Series. MOTION NO. 11PH-01-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE ORDINANCE NO. 17, THIRD SERIES AS READ. MOTION PASSED UNANIMOUSLY.

MOTION NO. 11PH-02-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO ADJOURN THIS PUBLIC HEARING AT 7:40 P.M. MOTION PASSED UNANIMOUSLY.

Mayor Courts then called this regular council session to order.

MOTION NO. 11R-01-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF THE OCTOBER 10, 1988 REGULAR COUNCIL SESSION; (2) MINUTES OF THE OCTOBER 18, 1988 SPECIAL COUNCIL SESSION; (3) THE CLERK/TREASURER'S FINANCIAL REPORT FOR OCTOBER, 1988; (4) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR OCTOBER, 1988; AND (5) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR OCTOBER, 1988. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - Clerk Buchite read the bills for payment. MOTION NO. 11R-02-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO APPROVE ALL BILLS FOR PAYMENT INCLUDING: (1) ANDERSON BROTHERS PARTIAL PAYMENT ON DAGGETT BAY ROAD AND MILINDA SHORES ROAD FOR \$33,358.89; (2) DAROLD HOLZNAGEL FOR DREAM ISLAND BRIDGE FOR \$9,100.00; (3) LANDECKER AND ASSOCIATES FOR WORK ON DREAM ISLAND BRIDGE FOR \$600.00; (4) ENGLE MANUFACTURING FOR ONE THIRD DOW ON FIRE TRUCK FOR \$22,000.00; (5) STATE AID TO BE PAID INTO THE FIREMEN'S RELIEF FUND FOR \$5,540.00; AND (6) CARLSEN, GREINER AND LAW AS CITY ATTORNEY FOR \$2,478.44. MOTION PASSED UNANIMOUSLY.

A request for a beer license and wine license for Tom Hanson because of an impending purchase of the Pizza House was discussed briefly. Clerk Buchite indicated that Mr. Hanson would like to have strong beer on-sale if he qualifies under Motion No. 10R-10-88 which states that 60 percent of his gross sales must come from the sale of food. MOTION NO. 11R-03-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE A 3.2 BEER AND WINE LICENSE IF ALL REQUIREMENTS ARE MET AT THE PIZZA HOUSE. MOTION PASSED UNANIMOUSLY.

A statement from the Minnesota Association of Small Cities was discussed. Mr. Arends said he felt the association gives a lot of information and we

should pay the dues. MOTION NO. 11R-04-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO PAY THE DUES FOR THE MINNESOTA ASSOCIATION FOR SMALL CITIES AT APPROXIMATELY \$175.00 MOTION PASSED UNANIMOUSLY.

Next the Clerk presented a sheet showing the number of gallons of gas and diesel used by the city in 1987 and so far this year so the Council could decide whether or not to put the gasoline used by the City up for bids or what should be done. Pat Hoag, City road supervisor said that the fire department usually gets their gas from Ernie's because of the convenience of it and they are open longer hours than most stations. The fire department does use the City tank at the warehouse when Mr. Hoag is around but the fire department does not have a key to the tank. Nighttime usage and availability was discussed briefly. MOTION NO. 11R-05-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER ARENDS TO PUT THE GASOLINE AND DIESEL FUEL OUT FOR BIDS. MOTION PASSED UNANIMOUSLY. Fire Chief Schliek said they have had Ernie run his bulk tank out to the fire scene for gas on occasion and he is the only local dealer with a bulk delivery truck. Mr. Swanson suggested that Pat Hoag check into getting a tank installed on the pickup that could hold both diesel and gas.

A water fountain and coat rack for City Hall was discussed. MOTION NO. 11R-06-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER SWANSON TO TABLE THE REQUEST FOR THE WATER FOUNTAIN UNTIL THE PRICE FOR INSTALLATION AND COST ESTIMATE FOR A WALL HUNG FOUNTAIN HAS BEEN CHECKED INTO BUT TO PURCHASE A ONE-SIDED COST RACK FOR APPROXIMATELY \$139.00 MOTION PASSED UNANIMOUSLY. It was the consensus of the Council that the fountain should be handicapped accessible.

Mr. Arends requested checking into hiring a private cleaning person to clean City Hall so as to free the City maintenance assistant up for other outside work. City Hall is currently cleaned about once a week and takes approximately 2 hours a week. Mr. Arends said he would like to have a couple of estimates to see what it would cost for an hourly rate. Discussion was that the maintenance assistant makes \$5.90 per hour.

Will Hoyt, Engineer from Landecker and Associates had sent a letter to the City Clerk requesting that all but \$625.00 of the Old Log Landing bond should be released to Metro Inc. Mr. Hoyt felt that since the seeding was done so late in the year, part or all of it may need to be reseeded in the Spring. MOTION NO. 11R-07-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER GALLAWAY TO RELEASE ALL BUT \$625.00 TO METRO INC. FOR THE OLD LOG LANDING ROADS BOND. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated she had taken a water test to A & W research in Brainerd and the results had come back with a higher rate of nitrate in the water than is normal but they stated that the water was safe for human consumption. Councilmember Gallaway said she had a problem with her home water and would like to have Clerk Buchite check into this a little more.

Clerk Buchite gave the Council a copy of a letter from the League of

Minnesota Cities saying that the LMCIT would be giving the Cities dividends again this year larger than the ones last year.

Clerk Buchite said she had received a call from the City Clerk at Fifty Lakes informing her that they would only pay \$85.00 on the ambulance subsidy in 1989 rather than the \$125.00 they were currently paying because the ambulance is not privately owned any longer but owned by a large city hospital. Nothing is paid by Manhattan Beach, Breezy Point, Ideal Corners or Mission but they are serviced by the ambulance. MOTION NO. 11R-08-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER SWANSON TO HAVE THE PUBLIC SAFETY COMMISSION CHECK INTO THIS, AND TO INVITE SOMEONE FROM NORTH MEMORIAL MEDICAL TRANSPORTATION SERVICES TO A MEETING AND HAVE THEM CONTACT SOMEONE FROM THE SURROUNDING CITIES THAT ARE ASSISTED BY THE CROSSLAKE AMBULANCE. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that the Certificate of Deposit had been renewed for 181 days instead of the 120 days as was approved earlier. Interest was 8.75 compared to 8 percent as was stated also. MOTION 11R-09-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE CERTIFICATE OF DEPOSIT THROUGH THE 4-M FUNDS FOR 181 DAYS. MOTION PASSED UNANIMOUSLY.

The next item was the approval of a Certificate of Deposit through Northern National Bank at 7.35 percent for 3 months. MOTION NO. 11R-10-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO APPROVE THE RENEWAL OF THE \$100,000.00 CERTIFICATE OF DEPOSIT THROUGH THE NORTHERN NATIONAL BANK AT 7.35 PERCENT. MOTION PASSED UNANIMOUSLY.

A letter from Mr. Tom Fitzpatrick requesting information on the Andolshek conditional use permit was given to the Council for information only.

PARK AND RECREATION - Mr. Arends said a new furnace was needed for the warming house at approximately \$1500.00. MOTION NO. 11R-11-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO ALLOW THE PARK COMMISSION TO GET TWO QUOTES AND TO TAKE THE LOWEST QUOTE TO PURCHASE A FURNACE FOR THE WARMING HOUSE. MOTION PASSED UNANIMOUSLY.

Kurt Anderson, Commission member was present and said they would like to meet with the Council to go over the policies the Commission had worked on. Mr. Anderson said the Park Commission had purchased a used typewriter for \$450.00 and the Park Commission wanted approval from the Council to sell the old typewriter to pay back some of the funds. Mayor Courts said the Police Department needed a good typewriter and was informed that this was a good typewriter but Park Director Felber wanted a typewriter with a wide carriage that would accommodate legal paper. Mr. Swanson said he felt that the old typewriter officially belongs to the City and the Council should say what happens to it. MOTION NO. 11R-12-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER YATES TO GIVE THE OLD PARK DEPARTMENT TYPEWRITER TO THE POLICE DEPARTMENT. MOTION PASSED UNANIMOUSLY.

Hiring a part-time person for the Park was discussed briefly as well as a job description for that position. It was the consensus of the Council that

this would be discussed at the joint Park Commission and Council meeting. The date of the meeting was decided as November 22 at 7:00 at City Hall.

PLANNING AND ZONING - Mr. Marlowe Kingstedt gave a report on the number of permits issued in Crosslake since he has been coordinator. Mr. Kingstedt said he has the plat file completed and has been attending many meetings with DNR and the County to keep abreast of changes locally. Mr. Kingstedt said he would like to have his contract ratified for two years. Mayor Courts read the contract. Mr. Arends said the contract is for the first of the year and should go before the Planning and Zoning Commission first. MOTION NO. 11R-13-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER GALLWAY TO APPROVE THE COORDINATOR'S CONTRACT AS PRESENTED FOR 1989 AND 1990. Mr. Swanson and Mr. Courts said that from their observations Mr. Kingstedt has done a good job for the City. MOTION PASSED WITH COUNCILMEMBER ARENDS ABSTAINING BECAUSE HE SAID HE FELT THIS SHOULD HAVE COME TO THE PLANNING AND ZONING COMMISSION FIRST AND THEY SHOULD IN TURN RECOMMEND IT TO THE COUNCIL.

CEMETERY - Mr. Arends, Liaison to the Cemetery said there had been one burial and two lots sold this month. Councilmember Gallaway asked about the land purchase and Mr. Arends said he had not been able to contact Tom Woog because his brother had been quite ill. Kurt Anderson said he knows that Sam Dunbar wants to sell his land directly North of the cemetery and he feels it is prime area for cemetery.

PUBLIC SAFETY - The Fire Chief's compensation was discussed. The Council reviewed copies from the League book for compensation received by the fire chief from surrounding cities. The Public Safety commission had not discussed this as was requested at the last Council meeting because there was not a meeting of the commission. David Schliek, Fire Chief said that both Pine River and Pequot Lakes fire chiefs get paid for meetings and drills in addition to their monthly salary. Mr. Schliek is asking for \$5.00 for drills, meetings and training sessions and \$10.00 per fire in addition to his \$100.00 a month salary. Mr. Schliek agreed that the salary was originally intended to cover meeting, drills and fires but with the amount of extra meetings and work he is required to attend he feels he should get more money. MOTION NO 11R-14-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO LEAVE THE COMPENSATION THE SAME UNTIL THE FIRE CHIEF COMES UP WITH BETTER STATISTICS. Mr. Schliek said he attends at least two to three extra meetings a month that the other firemen do not. Councilmember Gallaway said she felt that he should be compensated for the extra meetings. MOTION DID NOT PASS AS ALL COUNCILMEMBERS VOTED NAY.

MOTION NO. 11R-15-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER GALLWAY TO GIVE THE FIRE CHIEF \$5.00 A MEETING FOR ALL MEETINGS HE ATTENDS WHICH THE OTHER FIREMEN DO NOT. Mr. Swanson requested that this be reported monthly. MOTION PASSED WITH COUNCILMEMBER ARENDS VOTING NAY.

Clerk Buchite said she would like to have the way the firemen have been getting paid changed slightly because of PERA requirements. Anyone earning

\$425.00 in any one month must pay into PERA and the City's share would amount to 12 percent of the wages. MOTION NO. 11R-16-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER SWANSON TO PAY THE VOLUNTEER FIREMEN FOR THE FIRST SIX MONTHS OF THE YEAR IN NOVEMBER AND FOR THE SECOND SIX MONTHS OF THE YEAR IN DECEMBER. MOTION PASSED UNANIMOUSLY. Mr. Schliek said the firemen liked to get their checks around Christmas time.

UTILITIES COMMISSION - Nothing.

Clerk Buchite left the meeting at this time to attend the Personnel Law Update meeting in Minneapolis at the request of Mayor Courts and Councilmembers Gallaway and Swanson since the conference was already paid for and none of the other Council people could attend. The remainder of these minutes are summarized from the tape recorder.

ROAD COMMISSION - Mr. Will Hoyt was present to give a brief update on the progress of the overlayment projects on Daggett Bay and Milinda Shores Road. Mr. Hoyt said the construction has stopped for the year and will resume in May of 1989 after the road restrictions are lifted. Mr. Hoyt indicated that there was one bad place on Daggett Bay where the road appears to be rubbery and may have to be dug out in the spring. Mayor Courts indicated he had seen several spots where water appeared to sit and Mr. Hoyt said they would check it out before it is overlayed. Mr. Hoyt said the City has not received an easement from Zilka's yet. There was some discussion that Zilka's did not feel that the City tried to communicate with them but threatened condemnation. Mayor Court's said he would be happy to meet with them as would any member of the Council. Mr. Swanson indicated that Councilmember Gallaway had met with them at least twice. Mr. Hoyt said that before condemnation the City should again try to meet with them and get an easement because condemnation would be expensive for the City. Mr. Arends said the Zilkas will not agree to an easement until the new Council takes over.

Mr. Arends said he would like to know what happened to the top soil that was removed at Velvet Lake. Pat Hoag said it was given to anybody along the road that wanted it because it was cheaper to give it away than to haul it someplace and that this was a decision of the Road Commission. Mr. Arends indicated that he felt any top soil should go to the Park or to the Cemetery. Councilmember Gallaway said this should be noted and put into the minutes for the future jobs.

Scott Gallaway, Chairman said the Commission recommended that Pat Hoag be allowed to attend the Minnesota Public Works Association fall conference. MOTION NO. 11R-17-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER SWANSON TO ALLOW PAT HOAG TO ATTEND THE MN PUBLIC WORKS ASSOCIATION FALL CONFERENCE NOVEMBER 16, 17 AND 18, 1988 AT BROOKLYN PARK AT THE COST OF \$90.00 MOTION PASSED UNANIMOUSLY.

Mr. Gallaway said that Twin City Testing had tested the concrete abutments on Milinda Shores Bridge and they had tested fine. The cost for the test was \$600.00.

Mr. Hoyt said that he would like to have the Council set up public hearings on the petition to blacktop Dream Island in February or March of 1989 so as to let the bid no later than May. Mr Hoyt said there is another portion of that road which is currently blacktop which should be bid at the same time but it would not be 100 percent assessment like the dirt road is. Mayor Courts asked Mr. Hoyt to bring more information on this to the December Council Meeting.

Mr. Hoag stated that the November Road Commission meeting would be on November 30, 1988 because Thanksgiving falls on their regular meeting day.

FUNDING AND FUTURE DEVELOPMENT - Nothing

PERSONNEL - Nothing

MAYOR'S REPORT - Mayor Courts read letters of commendation for Pat Hoag and Richard Cable. MOTION NO. 11R-18-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER GALLAWAY TO PLACE THESE LETTERS IN THE RESPECTIVE EMPLOYEES PERSONNEL FILE. MOTION PASSED UNANIMOUSLY.

NEW BUSINESS - Mayor Courts said he had received a request from a Citizen to place an advertising sign in front of City Hall stating when the meetings are. Mayor Courts asked Mr. Swanson to check into this for the next meeting.

MOTION NO. 11R-19-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER GALLAWAY TO HAVE MARLOWE KINGSTEDT GET NAME PLATES FOR THE NEW CITY COUNCIL AND CITY CLERK. MOTION PASSED UNANIMOUSLY.

OLD BUSINESS - A letter from Duane Blanck regarding the speed limit on CSAH # 3 was discussed. Mr. Blanck said that after monitoring current travel speeds by radar in late August and on-site evaluations were made it was his determination that no change in the current speed zoning is recommended and none will be made at this time.

Ms. Marvel Bacon, resident of CSAH #3 was present and said she would continue to try to get the speed limit lowered because of the bikers and walkers along the road. Mayor Courts said he would try to arrange for a meeting with Mr. Blanck and the Minnesota Department of Transportation.

Councilmember Gallaway read a letter from Mr. Blank acknowledging Clerk Buchite's letter regarding the soft shoulders on CSAH #3. Mr. Blanck said they were anticipating the necessity to add other types of soil to help stabilize and promote a good vegetative growth.

Councilmember Gallaway said she would like to have #R-88 in the letter from the North Star Risk people answered by the Police and Fire Chiefs and answers sent to them.

MOTION NO. 11R-20-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO ADJOURN THIS REGULAR MEETING. MOTION PASSED UNANIMOUSLY.

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

Arlene A. Buchite