

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
AUGUST 11, 1997  
7:00 P.M. - CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, August 11, 1997. The following Councilmembers were present: Mayor Robert Scott, Donna Keiffer, Charles Miller, Raymond Smyth and Richard Upton. Also present was City Administrator Thomas Swenson, City Attorney Paul Sandelin, City Surveyor Don Coulter, Reporters Betty Ryan and Christine DuFour and Deputy Clerk Darlene Roach. There were approximately 31 individuals in the audience.

Mayor Scott called the regular meeting to order at 7:00 P.M. and welcomed everyone. Mayor Scott commented on the recent death of Reporter Jean Paul Hudon and reflected on his fairness in covering local activities. A moment of silence was observed in his honor.

**CRITICAL ISSUES -**

George and Barbara Hope were present to request Council approval on the naming of three ponds on their property. Two of the ponds lie North of Melinda Shores Road and West of Hidden Lake. The southernmost pond would be named "Alma's Pond" and the northern pond would be named "Joe's Pond". The third pond lies South of Hidden Lake and Melinda Shores Road and would be named "Tom's Pond". The naming of these ponds shall have no legal affect as far as appearing on future maps or drawings.

MOTION 08R-01-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE RESOLUTION 97-04 NAMING THE THREE PONDS ALMA'S POND, JOE'S POND AND TOM'S POND. MOTION CARRIED UNANIMOUSLY.

Dick Upton presented two local businesses with aesthetics awards for their efforts in 1996 in making outstanding improvements to the commercial/public environment of the City. Steve and Nikki Peterson were recognized for the new construction of Northern Lakes Nursery and Dave and Holly Smith were recognized for their remodeling efforts at Lakeland Home and Stove. The aesthetics award is presented annually based on the recommendations of the Planning and Zoning Commission and is intended to seek higher standards in the areas of design and construction of facilities.

Kathy Adams, Director of Development of the Central Minnesota Initiative Fund, was present to explain the mission and purpose of the organization and to request a monetary donation from the City for use in supporting community and economic development throughout the County. The money donated is currently matched by the McKnight Foundation dollar for dollar. Also present to address the Council was Manhattan Beach resident Larry Wannebo who is on the Board of Directors for the Central Minnesota Initiative Fund.

MOTION 08R-02-97 WAS MADE BY DICK UPTON AND SECONDED BY DONNA KEIFFER TO CONSIDER A CONTRIBUTION AT BUDGET TIME. MOTION CARRIED UNANIMOUSLY.

**CONSENT CALENDAR -**

MOTION 08R-03-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF JULY 14, 1997 REGULAR COUNCIL MEETING WITH A CORRECTION TO MOTION 7R-24-97 TO SPECIFY WHO HAS SIGNATURE AUTHORIZATION ON CHECKS AS BEING TWO OF THE FOLLOWING FOUR INDIVIDUALS: MAYOR, CITY ADMINISTRATOR, ACTING MAYOR AND DEPUTY CLERK AND A CORRECTION ON PAGE TWO ITEM #5 TO READ PUBLIC FUNDS "COULD" NOT BE DONATED TO INDIVIDUALS; (2) TELEPHONE COMPANY FINANCIAL REPORT FOR JUNE, 1997; AND (3) CABLE COMPANY FINANCIAL REPORT FOR JUNE, 1997. MOTION CARRIED UNANIMOUSLY.

**CITY ADMINISTRATOR REPORT -**

MOTION 08R-04-97 WAS MADE BY RAY SMYTH AND SECONDED BY DICK UPTON TO APPROVE ALL BILLS FOR PAYMENT AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

**CORRESPONDENCE -**

- a. A letter from American Signal Corporation regarding bids on the civil defense sirens had been responded to by the City Administrator.
- b. A letter from Joanne Woytke regarding the changing of colors on City Hall had been responded to by the City Administrator.
- c. A June 30, 1997 letter from Northern National Bank gave a recap of pledged collateral.
- d. A letter from the Crow Wing County Assessor's Office explained some new law changes affecting Board of Review Meetings. Cities can now transfer the handling of the Board of Review meetings to the County if so desired. City Administrator Tom Swenson will be attending one of two informational meetings being held by the County.

MOTION 08R-05-97 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER TO TABLE THE ISSUE PENDING A REPORT FROM CITY ADMINSTRATOR TOM SWENSON. MOTION CARRIED UNANIMOUSLY.

- e. A letter from the Minnesota Department of Revenue Property Tax Division showed no local government aid allocated to Crosslake in 1998. The City will receive \$87,234 in HACA payments from the State in 1998.
- f. A letter from Lakes Area Booster club requested an annual donation from the City to support youth programs.

MOTION 08R-06-97 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER TO REFER THE ISSUE TO THE PARK AND RECREATION COMMISSION. MOTION CARRIED UNANIMOUSLY.

- g. A letter from the County Auditor stated that no public meetings could be scheduled for November 4, 1997 between 6:00 P.M. and 8:00 P.M. due to school elections.
- h. The wording on the ballot for the October 7, 1997 referendum required Council approval.

MOTION 08R-07-97 WAS MADE BY CHUCK MILLER AND SECONDED BY DICK UPTON TO APPROVE THE WORDING ON THE BALLOT PREPARED BY THE CITY ATTORNEY ON THE BOND ISSUE. MOTION CARRIED UNANIMOUSLY.

- i. A bid/estimate was received from Chuck Back for the application of one coat of paint/stain to the exterior portions of City Hall in the amount of \$350.00.

- j. The City paid life insurance policy for employees was up for renewal. Several companies had been contacted for quotes, however, the current company, Minnesota Mutual, provided the best rates.

MOTION 08R-08-97 WAS MADE BY RAY SMYTH AND SECONDED BY DONNA KEIFFER TO CONTINUE WITH MINNESOTA MUTUAL INSURANCE COMPANY FOR CITY PAID LIFE INSURANCE. MOTION CARRIED UNANIMOUSLY.

- k. A copy of a letter to Brothers Motorsports from City Administrator Tom Swenson stipulated that the residing of the former fire hall needed to be completed within sixty days. A letter from City Attorney Paul Sandelin detailed what action the City could take should the work not be completed within the specified time frame.

MOTION 08R-09-97 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER TO AUTHORIZE THE CITY ATTORNEY TO PROCEED WITH NOTICE OF LIS PENDENS IF AT THE END OF THE SIXTY DAYS THE REMODELING HAS NOT BEEN COMPLETED. MOTION CARRIED UNANIMOUSLY.

- l. Clarification of previous motion authorizing signatures on City/Telephone checks - This request was clarified above in the correction to the July 14, 1997 minutes.

m. A letter from City Administrator Tom Swenson to Paul McCulloch regarding Egret Road stated that several items needed to be corrected before the City Engineer would recommend acceptance of the road by the City.

n. A letter from Brainerd Lakes Area Development Corporation (BLADC) requested financial support consideration for 1998.

MOTION 08R-10-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO TABLE THE FUNDING REQUEST FOR BLADC TO THE BUDGET MEETING. MOTION CARRIED UNANIMOUSLY.

o. A recap of 1996 and 1997 work items by the City Engineer was included in the Council packet as an information item only.

p. A letter from the City Attorney proposed amending Chapter 1, Section 1.03 of the City Code relating to violations. Approval of this amendment would allow the city to ask for reimbursement of expenses incurred in enforcing the City Code.

MOTION 08R-11-97 WAS MADE BY RAY SMYTH AND SECONDED BY DICK UPTON TO APPROVE THE AMENDMENT TO CHAPTER 1, SECTION 1.03 OF THE ORDINANCE DEALING WITH VIOLATIONS AND TO PUBLISH A SUMMARY OF THE ORDINANCE. MOTION CARRIED UNANIMOUSLY.

q. A two month status report from BLADC was included for the Council's information.

r. A letter from Marilyn Pavlovich regarding future growth and development in Crosslake and a response from City Administrator Tom Swenson was included for Council information.

s. A letter from the State Gambling Control Board stated that the lions Club was discontinuing pull tabs at Mermaid Bait effective June 13, 1997.

t. A meeting was requested by the City Administrator to clarify concerns and responsibilities.

MOTION 08R-12-97 WAS MADE BY RAY SMYTH AND SECONDED BY DONNA KEIFFER TO SCHEDULE A SPECIAL COUNCIL MEETING ON AUGUST 18, 1997 AT 1:00 P.M. FOR THE PURPOSE OF CLARIFYING THE RELATIONSHIP BETWEEN THE CITY COUNCIL AND THE CITY ADMINISTRATOR. MOTION CARRIED UNANIMOUSLY.

u. A thank you letter was received from the Pequot Lakes High School Graduating Class for the Cities' donation to the Grad Blast.

v. A letter from the County Auditor dated August 5, 1997 outlined the process of choosing dates for the Truth in Taxation Hearing and the Continuation Hearing.  
MOTION 08R-13-97 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER TO HOLD THE TRUTH IN TAXATION HEARING TUESDAY, DECEMBER 2, 1997 AT 7:00 P.M. WITH THE CONTINUATION HEARING, IF NECESSARY, ON THURSDAY, DECEMBER 4, 1997 AT 7:00 P.M. MOTION CARRIED UNANIMOUSLY.

MOTION 08R-14-97 WAS MADE BY DICK UPTON AND SECONDED BY RAY SMYTH TO SCHEDULE A BUDGET WORKSHOP FOR TUESDAY, AUGUST 26, 1997 AT 1:00 P.M. MOTION CARRIED UNANIMOUSLY.

Ray Smyth complimented the City Administrator on the work he has done and on his correspondence and Mayor Scott and Chuck Miller echoed those compliments.

#### MAYOR'S REPORT -

Mayor Scott reported briefly on the Small Cities Conference he had attended in St. Cloud.

It was noted that a deed is needed from Jack Stone before the City can close on the Church property.

#### PLANNING AND ZONING -

MOTION 08R-15-97 WAS MADE BY DICK UPTON AND SECONDED BY CHUCK MILLER TO APPROVE THE FINAL PLAT OF STORCK'S ADDITION TO PINE BAY PROVIDED THE PROFESSIONAL FEES ARE PAID. MOTION CARRIED UNANIMOUSLY.

#### LONG RANGE CAPITAL PLANNING -

Rick Weyhrauch presented a recommendation from the Long Range Planning Commission to increase the price of lots in Gendreau Addition to \$14,800 to reflect a price closer to market value and to offer a 10% realtor commission on the sale of the lots.

MOTION 08R-16-97 WAS MADE BY DICK UPTON AND SECONDED BY RAY SMYTH THAT THE PRICE ON THE GENDREAU ADDITION BUSINESS LOTS BE AMENDED TO \$14,800 AND THAT A REALTOR COMMISSION BE NEGOTIATED NOT TO EXCEED 10%. MOTION CARRIED UNANIMOUSLY.

The City Administrator will contact the three local realtors.

A second request from the Commission was to make the central business district road a priority in order to complete closing on the right of way, clear and grub the road during

the Fall and Winter of 1997 and be ready for construction in the Spring of 1998. The Council felt it was already a priority.

**PARK AND RECREATION -**

Rob Larson gave an update on the activities at the Park and Community Center. He stated that 115 children participated in the baseball program with the Crosslake Bronco's taking the championship in the Lakes Area Summer Baseball League, 60 individuals participated in tennis lessons this summer, participation in Crosslake Days just concluded with 50 participants in the tennis tournament, the 55 + team, the Silver Eagles, defeated the Ageless Wonders of Brainerd, the Crosslake Art Club recently held their art show at the Center and were very pleased with the facility including the acoustics. An update on the bus trip to the Fair in St. Paul on August 25<sup>th</sup> was discussed. Rob stated that day was Senior Citizen Day at the fair and felt it was a worthwhile activity for seniors at a cost of \$18.50 round trip. The liability issue has been researched with the Cities' insurance agent and it was felt that the City would not be in any unusual risk. The only requirement was that a reputable bus service be utilized.

Rob Larson stated that the Lions recently donated \$7,000 to help purchase the fencing for the ballfield, the Lioness donated a new informational sign board and St. Joseph's Foundation in Brainerd donated \$6,300 to purchase exercise equipment for use in a rehabilitation program at the Center.

MOTION 08R-17-97 WAS MADE BY RAY SMYTH AND SECONDED BY DICK UPTON TO ACCEPT THE THREE GIFTS TO THE PARK AND RECREATION DEPARTMENT WITH A LETTER OF THANKS TO THE THREE DONORS. MOTION CARRIED UNANIMOUSLY.

Rob Larson requested that Joe Ulschmid be removed from probation since he has completed the required 1,040 hours.

MOTION 08R-18-97 WAS MADE BY RAY SMYTH AND SECONDED BY DONNA KEIFFER TO REMOVE JOSEPH ULSCHMID FROM PROBATION STATUS EFFECTIVE JULY 22, 1997. MOTION CARRIED UNANIMOUSLY.

Ray Smyth reported that Rob Larson has been receiving requests for various uses of the Center that may fall in the gray area, therefore, the Park and Recreation Commission has been asked to develop guidelines for use of the building. Dick Upton requested that priorities be looked at in addition to who can use the building.

**PUBLIC SAFETY -**

Tom Swenson reported that on Tuesday, August 5<sup>th</sup>, John Backdahl, Kevin Larson, employees of Crow Wing Coop, personnel from Federal Warning Systems, Bob Garin and himself looked at several locations throughout the City to place the four warning sirens.

Doug Harren of Crow Wing Coop addressed the Council and donated the poles to the City as a part of the installation. It was decided that the existing siren will be left on the tower at the Telephone Company and the other sirens will be placed in more populated areas. City Administrator Tom Swenson has sent letters to the various property owners where the sirens will be installed explaining the City's intent and requesting permission.

MOTION 08R-19-97 WAS MADE BY CHUCK MILLER AND SECONDED BY DONNA KEIFFER TO APPROVE OF RESOLUTION 97-01 REGARDING THE LEASE PURCHASE AGREEMENT FOR THE PURPOSE OF FINANCING WARNING SIRENS BETWEEN THE CITY AND CONSOLIDATED FINANCIAL RESOURCES, INC. MOTION CARRIED UNANIMOUSLY.

#### PUBLIC WORKS -

Dean Swanson explained the circumstances involving Staley Shores and a request from June Wallace for monetary consideration or a deed from the City for property she felt was taken by the City for right-of-way unnecessarily. This request was reviewed by the Public Works Commission and a recommendation made to deny the request.

MOTION 08R-20-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO DENY THE REQUEST FROM JUNE WALLACE. MOTION CARRIED UNANIMOUSLY.

Dick Upton agreed to meet with June Wallace to explain the City's position on her request.

The appraisal on the Srock property was completed at a price of \$70,000. Mr. Srock had requested purchase of the property by means of a contract for deed with 25% down and three annual payments with an interest rate of 7 ½%.

MOTION 08R-21-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE THE CONTRACT FOR DEED FOR THE SROCK PROPERTY. MOTION CARRIED UNANIMOUSLY.

Widseth Smith Nolting submitted a proposal for the engineering design for improvements to Wilderness Trail and the construction of the downtown road. The total amount should be \$18,000 versus the \$18,500 indicated.

MOTION 08R-22-97 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE THE EXPENDITURE OF MONIES FOR THE ENGINEERING DESIGN PROPOSAL FROM WIDSETH SMITH NOLTING. MOTION CARRIED UNANIMOUSLY.

Mr. John Leidig requested partial reimbursement for the cost of repairing his property at the end of Ox Lake Landing due to excessive water runoff due to improper design of the road.

MOTION 08R-23-97 WAS MADE BY CHUCK MILLER AND SECONDED BY DICK UPTON TO REIMBURSE MR. LEIDIG FOR MATERIALS IN THE AMOUNT OF \$1119 EXCLUDING THE CULVERT. MOTION CARRIED UNANIMOUSLY.

Discussion ensued regarding roads being built by developers in platted areas.  
UTILITIES -

Kevin Larson reported on the highlights at the Telephone and Cable Company in July. There was some discussion on the lightning hit and the amount of damage which occurred. The damage is expected to be covered by insurance in its entirety less the deductible. A rate increase is being considered by the Commission and the City Attorney will determine whether a motion is needed to raise the rates for cable television.

RECYCLING -

A total of 19.31 tons of material was recycled in July for a year-to-date total of 83.53 tons.

ECONOMIC DEVELOPMENT AUTHORITY -

City Administrator Tom Swenson requested that funds in the amount of \$5,151.84 currently residing in an EDA account be used to pay for a portion of the cost of the roof repairs for the Emergency Services Center Building. The balance of the repairs will be paid for by the City.

MOTION 08R-24-97 WAS MADE BY RAY SMYTH AND SECONDED BY DICK UPTON TO RECOMMEND TO THE EDA THAT THE BALANCE IN THE EDA ACCOUNT BE USED TO PAY FOR THE COSTS OF THE ROOF REPAIR. MOTION CARRIED UNANIMOUSLY.

City Administrator Tom Swenson will contact Miles Johnson regarding the EDA's release of the funds.

OLD BUSINESS - Nothing

NEW BUSINESS - Nothing

PUBLIC FORUM - Nothing



Regular Council Meeting  
August 11, 1997

Page 9 of 9

MOTION 08R-25-97 WAS MADE BY RAY SMYTH AND SECONDED BY DICK  
UPTON TO ADJOURN THIS REGULAR MEETING AT 10:14 P.M. MOTION  
CARRIED UNANIMOUSLY.

Recorded and transcribed by:

A handwritten signature in cursive script, reading "Darlene J. Roach". The signature is written in dark ink and is positioned above the printed name and title.

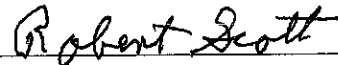
Darlene J. Roach  
Deputy Clerk

RESOLUTION NO. 97-04

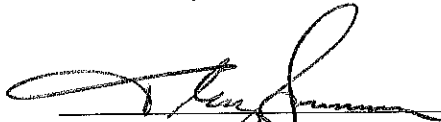
**BE IT HEREBY RESOLVED**, that henceforth the ponds, located on property owned by George and Barbara Hope, be known as Alma's Pond, Joe's Pond and Tom's Pond.

Two of the ponds lie North of Melinda Shores Road and West of Hidden Lake. The Southernmost pond is named "Alma's Pond" and the Northern pond is named Joe's Pond. The third pond south of Hidden Lake and Melinda Shores Road is named Tom's Pond. The naming of these ponds shall have no legal affect as far as appearing on future maps or drawings.

Approved by the Crosslake City Council this 11<sup>th</sup> day of August, 1997.

  
Robert Scott  
Mayor

Attested by:

  
Thomas N. Swenson  
City Administrator

(City Seal)

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