

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING AND REGULAR COUNCIL SESSION
JUNE 12, 1995
6:30 P.M. CITY HALL

The Council for the City of Crosslake, Minnesota met in the Chambers of City Hall on Monday, June 12, 1995. The following Councilmembers were present: Mayor David M. Kolesar, Jane M. Michaud, Charles O. Miller, Raymond P. Smyth and John R. (Jack) Webster. Also present were City Clerk Arlene A. Buchite, City Attorney Paul Sandelin, Reporters Jean Paul Hudon and Christine DuFour and City Engineer Darrell Schneider. There were approximately 34 residents present.

Mayor Kolesar called the Public Hearing to order at 6:30 P.M. stating that the purpose of the hearing was to increase the liquor license fees for local establishments due to increases in administrative and police costs.

Several of the liquor establishment owners were present to express their concern over the proposed increase.

MOTION 06PH-01-95 WAS MADE BY JANE MICHAUD AND SECONDED BY RAY SMYTH TO INCREASE THE ON-SALE LIQUOR LICENSE FEE TO \$1,000, TO INCREASE THE SUNDAY FEE TO \$200 AND TO INCREASE THE WINE LICENSE TO \$100 AND TO ELIMINATE THE DANCE LICENSE. MOTION CARRIED WITH CHUCK MILLER VOTING NAY.

MOTION 06PH-02-95 WAS MADE BY RAY SMYTH AND SECONDED BY JACK WEBSTER TO ADJOURN THIS PUBLIC HEARING AT 6:52 P.M. MOTION CARRIED UNANIMOUSLY.

Mayor Kolesar called the regular council session to order at 7:00 P.M.

CRITICAL ISSUES - None

MOTION 06R-01-95 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF MAY 8, 1995 REGULAR COUNCIL MEETING; (2) MINUTES OF MAY 18, 1995 BOARD OF REVIEW MEETING; (3) MINUTES OF MAY 23, 1995 SPECIAL COUNCIL SESSION; (4) CLERK/TREASURER'S FINANCIAL REPORT FOR MAY, 1995 AND; (5) THE TELEPHONE AND CABLEVISION FINANCIAL REPORTS FOR JANUARY, FEBRUARY AND MARCH, 1995. MOTION CARRIED UNANIMOUSLY.

CLERK'S REPORT - MOTION 06R-02-95 WAS MADE BY RAY SMYTH AND SECONDED BY JANE MICHAUD TO APPROVE ALL BILLS AS PRESENTED CONSISTING OF (1) BONESTROO, ROSENE, ANDERLIK & ASSOCIATES FOR \$2,274.36; (2) GOPHER STATE CONTRACTORS, INC. FINAL PAYMENT AT ESC FOR \$22,910.63; (3) CROSSLAKE SANITATION FOR RECYCLING OF \$950.00; (4) BLADC SEMI-ANNUAL PAYMENT OF \$500.00; (5) MUNICIPAL ORDINANCE CODIFIERS FOR \$3,040.00; (6) CYBERSTAR FOR ANNUAL CONTRACT ON COPIER FOR \$985.15; (7) JOHN DEERE ANNUAL PAYMENT ON MOWER OF \$6,104.57; (8) GAMMELLO AND SANDELIN, P.A. FOR \$1,778.25 AND; (9) \$7,000.00 FOR PURCHASE OF LOT 6, BLOCK 2,

OLD LOG HEADQUARTERS. MOTION CARRIED UNANIMOUSLY.

Membership in the Minnesota Association of Small Cities was up for renewal.

MOTION 06R-03-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO PAY \$276.56 FOR THE MEMBERSHIP FEES FOR THE MN ASSOCIATION OF SMALL CITIES. MOTION CARRIED UNANIMOUSLY.

A note from a property owner in Manhattan Beach requested a review of any ordinances or regulations on use of public access beaches specifically for permanent parking of unattended watercraft. Teri Hastings and Paul Sandelin will prepare a response for the property owner and review at the next Council meeting.

An amended General Obligation Equipment Certification had been prepared which changed the payments from nine annual installments to nine semi-annual installments on the dump truck.

MOTION 06R-04-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO APPROVE THE AMENDED CERTIFICATE FOR THE PURCHASE OF THE DUMP TRUCK. MOTION CARRIED UNANIMOUSLY.

A gambling report submitted by the American Legion was read by the City Clerk. A total of \$26,337.00 has been distributed throughout Crosslake and neighboring communities.

A clean up tipping fee policy had been received from the County which allows disposal of waste at no charge by organizations performing clean-up projects.

MAYOR'S REPORT -

The Mayor requested approval for the purchase of audio/video equipment for taping council meetings.

MOTION 06R-05-95 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE THE PURCHASE OF CAMERA RECORDING EQUIPMENT FOR APPROXIMATELY \$1,230.80. MOTION CARRIED UNANIMOUSLY.

COMMISSION REPORTS

PLANNING AND ZONING - There were 55 zoning permits issued in May for a year-to-date total of 136.

Ron Prouty was present to appeal Variance 95-08 which had been denied at the May 19, 1995 meeting of the Planning and Zoning Commission. The Commission felt that the setback from the lake could be met if an alternate floor plan for the addition was used. Tom Sipper, a contractor hired by Mr. Prouty was present to address the Council along with Mr. Prouty. A letter had been received from Mr. Ron Morreim of the DNR supporting the denial of the variance. Mr. Sipper felt approval would be in keeping with neighboring properties since the addition would be 60 feet from the lake at the closest point and that it would be a hardship if the proposed design could not be utilized since any other design would prevent access to the addition from the existing home. Mr. Prouty felt the unique shape of the

property prevented them from adding on in any other direction. It was noted that the Planning and Zoning Commission did not have a diagram of the internal floor plan at the time of the Planning and Zoning Meeting.

MOTION 06R-06-95 WAS MADE BY JANE MICHAUD AND SECONDED BY RAY SMYTH TO REVERSE THE DENIAL OF VARIANCE NO. 95-08. JANE AMENDED HER MOTION, WHICH WAS SECONDED BY CHUCK MILLER, TO HAVE THE ORIGINAL DESIGN SET BACK TO MATCH THE OTHER WING OF THE HOUSE. MOTION CARRIED UNANIMOUSLY.

A letter from the Codifiers requested that Ordinance #71, Section 8.05, Subd 1. be changed to reflect that a public hearing be held prior to the zoning of annexed land. The Planning and Zoning Commission held a public hearing on May 19th to discuss this change and recommended approval by the City Council.

MOTION 06R-07-95 WAS MADE BY JACK WEBSTER AND SECONDED BY JANE MICHAUD TO APPROVE ORDINANCE NO. 71, THIRD SERIES TO HOLD A PUBLIC HEARING PRIOR TO THE ANNEXING OF LAND. MOTION CARRIED UNANIMOUSLY.

MOTION 06R-08-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE THE ZONING ADMINISTRATOR PUBLISHING A SUMMARY OF ORDINANCE NO. 71. MOTION CARRIED UNANIMOUSLY.

The Planning and Zoning Commission recommended approval of the final plat for Curry's Addition to Crosslake since the developer has paid all park dedication fees, professional fees and obtained a title opinion.

MOTION 06R-09-95 WAS MADE BY JACK WEBSTER AND SECONDED BY RAY SMYTH TO APPROVE THE FINAL PLAT OF CURRY'S ADDITION TO CROSSLAKE. MOTION CARRIED UNANIMOUSLY.

Resolution 95-12 was read by Teri Hastings which mutually allows the City of Crosslake and the City of Breezy Point to have their respective certified on-site sewer inspectors available to the other City in case of emergency.

MOTION 06R-10-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE THE RESOLUTION FOR EMERGENCY SEPTIC INSTALLATIONS WITH THE CITY OF BREEZY POINT. MOTION CARRIED UNANIMOUSLY.

The Planning and Zoning Commission recommended Council approval for a fee increase for zoning permits.

MOTION 06R-11-95 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPROVE THE ZONING FEE INCREASES AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION TO BE EFFECTIVE JULY 1, 1995. MOTION CARRIED UNANIMOUSLY. A copy of the increased fees are attached to these minutes.

A request to upgrade the computer in the Planning and Zoning Office was discussed. The recommended system would eventually network with the County Auditor's Office database and allow access to property owner and tax information by real estate ID number. The P&Z Office would be able to reorganize files along the lines of the County's mapping system. Currently, property is filed under property owner name versus real estate identification number.

MOTION 06R-12-95 WAS MADE BY JACK WEBSTER AND SECONDED BY JANE MICHAUD TO APPROVE THE PURCHASE OF A NEW COMPUTER AND SOFTWARE AND IMPLEMENTATION OF SAME FOR THE ZONING OFFICE NOT TO EXCEED \$2,860.00. MOTION CARRIED UNANIMOUSLY.

One of the members of the Planning and Zoning Commission had suggested recognizing commercial businesses for aesthetics. This recognition would be in the form of a printed and framed certificate to be awarded annually by the Mayor upon secret ballot of the Planning and Zoning Commission.

MOTION 06R-13-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO APPROVE THE AESTHETICS AWARD AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY - There were 7 medical emergencies, one water rescue, one mutual aid structure fire and one down power line in May for the Fire Department. Payment had been received from Fairfield Township for the fire contract. The Chief and Assistant Chief had visited Timothy Township and presented an overview of the equipment available at the Fire Department.

A request to purchase fire turnout gear storage systems for the Fire Department was discussed. These storage units would allow the firemen, after return from a fire, to hang their gear on special aerator type hangers in a wire cage type closet for proper drying to prevent mildew and deterioration. There are five units per portable system. A bid had been received for \$125.00 - \$150.00 per firefighter. Other suppliers are being contacted as well as possibly having someone build them at a lesser cost.

MOTION 06R-14-95 WAS MADE BY JANE MICHAUD AND SECONDED BY RAY SMYTH TO APPROVE THE PURCHASE OF 25 LOCKERS FOR THE FIREMEN. MOTION CARRIED UNANIMOUSLY.

Beginning May 1st the Police Department began police coverage for Mission Township and during the month, 44 incidents were responded to.

During May, 146 incidents were reported in Crosslake.

During May, the Police Department participated in Operation Aware which is a program involving middle school children and the justice system. Children are taken by officers to the law enforcement center where they are taken through an arrest scenario, shown the booking facility, jail, dispatch center, court system, probation system and have the opportunity to meet one-on-one with police officers, judges, probation officers and other law enforcement personnel.

No report was available from North Ambulance due to their computers being down.

A request to place a North Ambulance decal on the entry door to the ambulance garage was approved.

A request to install an air conditioner in the ambulance garage was discussed. North Ambulance agreed to pay for the purchase of the

unit if the City approved the installation. Public Works felt it would require a lot of work to install a unit in the wall and agreed to look at the compressor system first.

Bob Scott and Dean Swanson attended the Enhanced 911 meeting at the County and will be assisting them with this project.

MOTION 06R-15-95 WAS MADE BY JANE MICHAUD AND SECONDED BY JACK WEBSTER TO ACCEPT THE PUBLIC SAFETY RECOMMENDATION FOR ENHANCED 911. MOTION CARRIED UNANIMOUSLY.

The Public Safety Commission recommended a change in the speed limits recently imposed by MNDOT. Numerous calls had been received by the Councilmembers both for and against lowering the speed limit.

MOTION 06R-16-95 WAS MADE BY JANE MICHAUD AND SECONDED BY RAY SMYTH TO APPROVE THE RECOMMENDATION OF THE PUBLIC SAFETY COMMISSION TO LOWER THE SPEED LIMIT ON ROUTE 66 FROM THE WATER SLIDE TO COUNTY ROAD 16 TO THE BOARD OF COMMISSIONERS. MOTION PASSED WITH CHUCK MILLER VOTING NAY.

UTILITIES -

The next meeting of the Utilities Commission will be held Tuesday, June 27, 1995 at 7:30 A.M.

PUBLIC WORKS -

Mark Pearson volunteered to serve as an alternate on the Public Works Commission.

MOTION 06R-17-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO HAVE MARK PEARSON AS AN ALTERNATE MEMBER OF THE PUBLIC WORKS COMMISSION. MOTION CARRIED UNANIMOUSLY.

The Public Works Commission has reviewed the East Shore Road petition request for blacktopping. There will be a public hearing at the July Council meeting for this project.

A cleaning person for City Hall and other city buildings is still being pursued.

Three quotes had been received for a new furnace for the warming house. Glen Miller quoted \$2,350 for an 80,000 BTU furnace; Paul Willmus quoted \$2,050 for a 80,000 BTU furnace with 10 year warranty on parts and labor; and Crosslake Sheet Metal quoted \$1,845 for an 80,000 BTU furnace with 5 year warranty on parts and labor installed.

MOTION 06R-18-95 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO ACCEPT THE BID OF \$2,050 FROM WILLMUS HEATING TO INSTALL A 92% EFFICIENT GAS FURNACE AT THE WARMING HOUSE. MOTION CARRIED UNANIMOUSLY.

Bids for the dump truck were due in City Hall by noon on Friday, June 9th and two were received.

MOTION 06R-19-95 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO REJECT THE TWO BIDS RECEIVED FOR THE DUMP TRUCK AND REBID IT FOR AUGUST. MOTION CARRIED UNANIMOUSLY.

Letters had been sent to the property owners along Bay Shores Road regarding the need to make improvements to the road. These improvements would allow easier access by emergency and other City vehicles. Three individuals were present and addressed the Council in opposition to the widening of the road or the installing of a cul-de-sac. Property owners were encouraged to attend the next Public Works Commission Meeting which will be held Thursday, June 22nd at 8:00 P.M. at City Hall.

MOTION 06R-20-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO SET JULY 10, 1995 AT 6:30 P.M. AS THE PUBLIC HEARING DATE FOR THE EAST SHORE ROAD PROJECT. MOTION CARRIED UNANIMOUSLY.

LONG RANGE CAPITAL PLANNING -

The Commission is working on several possibilities for the City such as moving City Hall to the Emergency Services Center Building and putting the current building back on the tax rolls.

They are looking at an expansion of the downtown business district along County Road #3 as well as a business park district South of town.

The old fire hall building is still being looked at for possible sale or lease.

PERSONNEL -

Mayor Kolesar and Ray Smyth have met with the Union over salary and benefits, and due to an impasse, a State mediator will be brought in for a meeting sometime in July.

City employees requested approval to take vacation time and close City Hall on Monday, July 3rd.

MOTION 06R-21-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO OFFICIALLY CLOSE CITY HALL ON MONDAY, JULY 3, 1995. MOTION CARRIED UNANIMOUSLY.

There was a request for clarification on Marty Heino's position at the Utilities Company. The next issue of Crosstalk will include a paragraph stating that Marty is "acting" general manager.

PARK AND RECREATION -

Ray Smyth reviewed a series of activities that have taken place from the time the Community Center was destroyed in January of 1994 up to the present time. These activities included planning by various members of an ad hoc committee, advisory committee, finance committee, and architectural firm up through the submission of the REA loan in April. In order to proceed with the August 29th referendum, the Council needed to make a decision whether the ballot should contain a single question or be a series of questions, what amount of bonding authority would be requested, during what hours the election would be

held, who would serve as election judges and adopt a resolution to allow the sale of General Obligation Bonds for a new Community Center. MOTION 06R-22-95 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER THAT THE AMOUNT OF GENERAL OBLIGATION BONDS NOT EXCEED \$640,000, THAT THE PAYBACK BE FOR A PERIOD OF 15 YEARS, THAT A SINGLE QUESTION BE ON THE BALLOT, THAT THE POLLS BE OPEN FROM 10:00 A.M. TO 8:00 P.M. AND THAT THE JUDGES FROM THE LAST ELECTION BE APPROVED. MOTION CARRIED UNANIMOUSLY.

A citizen committee has been formed for the purpose of informing the public of the referendum. The first meeting will be held at City Hall on Monday, June 19th at 3:30 P.M.

MOTION 06R-23-95 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER TO AUTHORIZE THE CITY CLERK TO MOVE AHEAD WITH THE REFERENDUM. MOTION CARRIED UNANIMOUSLY.

The Park and Recreation Commission is looking for a possible site for a second ballfield.

Kate Dale has been employed by the City as a part-time Park and Recreation Coordinator for the summer at a cost not to exceed \$2,000.

The revenues and expenditures for the baseball program has been reviewed and an increase to that department's budget was discussed. MOTION 06R-24-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO INCREASE THE BUDGET FROM \$2500 TO \$3200 FOR THE BASEBALL PROGRAM. MOTION CARRIED UNANIMOUSLY.

A request had been received in March from the Pequot Lakes Booster Club for a donation.

MOTION 06R-25-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO CONTRIBUTE \$1000 TO THE PEQUOT LAKES BOOSTER CLUB. MOTION CARRIED UNANIMOUSLY.

RECYCLING -

A total of 8.27 tons of material was recycled in May from the 75 participants of the drop-site and the 185 residents participating in the curbside service.

ECONOMIC DEVELOPMENT AUTHORITY -

The EDA members met on June 9th to discuss funding alternatives for the Community Center and the upcoming election.

EDUCATION COMMITTEE -

The education committee members have expressed an interest in participating in the school district building project which will begin in the Fall.

NEW BUSINESS -

The Art Club has changed the pictures hanging in City Hall with work by other local area artists. The new artwork will be on display for three months.

NEW BUSINESS -

City Attorney Paul Sandelin has prepared a draft policy on donations using city funds. The Council will review the policy prior to the July meeting.

PUBLIC FORUM - Chuck Miller emphasized that as liaisons, Councilmembers are not managers and cannot tell any employee of a department what to do.

Dennis Palm commended the City Council on the decision made at this meeting regarding the Community Center and stated if the grant is approved there is flexibility in the dollar amount of the bonds issued.

MOTION 06R-26-95 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO ADJOURN THIS REGULAR COUNCIL SESSION AT 9:25 P.M. MOTION CARRIED UNANIMOUSLY.

Recorded and edited by:



Arlene A. Buchite
City Clerk/Treasurer