

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING AND REGULAR COUNCIL SESSION
MONDAY, OCTOBER 14, 1991

The City Council for the City of Crosslake met in a Public Hearing and Regular Council Session on Monday, October 14, 1991 at 7:00 p.m. in the Council Chambers of City Hall. The following Councilmembers were present: Mayor Kurt E. Anderson, Roger A. Burshem, Charles O. Miller and Dean L. Swanson. Councilmember Lyle M. Arends arrived at 7:10 p.m. Also present were City Attorney James Gammello, City Engineer Will Hoyt, Public Works Supervisor Patrick Hoag, Park Director Patricia Felber, Planning and Zoning Coordinator Teri Daehn, Police Officer Mike Smith, Telephone Company Manager Anthony Mayer, Representatives from the Lion's Club, Representatives from the Chamber of Commerce, City Clerk Arlene Buchite and approximately 20 residents.

Mayor Anderson called this Public Hearing to order at 7:00 p.m. stating that the first item on the agenda would be to change the name of the Road Commission to Public Works Commission. MOTION NO. 10PH-01-91 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO CHANGE THE NAME OF THE ROAD DEPARTMENT TO PUBLIC WORKS DEPARTMENT. MOTION PASSED UNANIMOUSLY WITH MAYOR ANDERSON VOTING AYE.

MOTION NO. 10PH-02-91 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPROVE THE PROTOCOL AS OUTLINED BY CITY ATTORNEY GAMMELLO FOR PLANNING AND ZONING VIOLATIONS. MOTION PASSED UNANIMOUSLY WITH MAYOR ANDERSON VOTING AYE.

Councilmember Lyle Arends arrived at the meeting at this time.

The next item was a formal method of reprimanding employees when written complaints are received. Mr. Swanson said he would like to see this information included with the basic personnel policy to see how it would work together and he would like to see the annual employee review included as well as a policy on sexual harassment.

Mr. Gammello said that the purpose of the personnel policy is to set the general rules for employees, to set up a guide for handling complaints, who should investigate the complaints and what procedure should be followed.

Mayor Anderson said the policy will have to be upgraded from time to time but he feels that the Council should act on the information from Mr. Gammello which outlines the steps to be taken whenever disciplinary action is anticipated.

MOTION NO. 10PH-03-91 WAS MADE BY C. MILLER AND SECONDED BY R. BURSHEM TO APPROVE THE PROCEDURE AS OUTLINED BY CITY ATTORNEY GAMMELLO FOR HANDLING DISCIPLINARY ACTION AGAINST CITY EMPLOYEES AND TO INCLUDE IT AS WELL AS A SEXUAL HARASSMENT POLICY INTO THE CITY PERSONNEL ORDINANCE. MOTION PASSED UNANIMOUSLY.

MOTION NO. 10-PH-04-91 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO ADJOURN THIS PUBLIC HEARING AT 7:15 P.M. MOTION PASSED UNANIMOUSLY.

Mayor Anderson then called the regular council session to order stating that the first item on the agenda would be the Consent Calendar. MOTION NO. 10R-01-91 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) THE MINUTES OF SEPTEMBER 9, 1991 REGULAR COUNCIL SESSION; (2) THE MINUTES OF SEPTEMBER 16, 1991 SPECIAL COUNCIL SESSION; (3) THE MINUTES OF SEPTEMBER 23, 1991 SPECIAL COUNCIL SESSION; (4) THE MINUTES OF SEPTEMBER 30, 1991 SPECIAL COUNCIL SESSION; (5) THE CLERK/TREASURER'S FINANCIAL REPORT FOR SEPTEMBER 1991, (6) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR SEPTEMBER 1991; AND (7) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR SEPTEMBER 1991. MOTION PASSED UNANIMOUSLY.

The next item on the agenda was the Clerk's report and bills for payment. MOTION NO. 10R-02-91 WAS MADE BY L. ARENDS AND SECONDED BY R. BURSHEM TO PAY ALL BILLS INCLUDING; (1) PAYBACK POLICE PERA OF \$3,626.60; (2) LANGENBAU EXCAVATING FOR CLASS #5 FOR WILDWOOD DRIVE \$1,050.00; (3) FITZHARRIS ATHLETIC FOR T-SHIRTS FOR DAM RUN \$505.15; (4) CITY ATTORNEY JAMES GAMMELLO FOR QUIT CLAIM DEED FOR OX LAKE LANDING ROAD \$225.00; AND (5) CITY ATTORNEY GAMMELLO FOR ATTENDING SEPTEMBER 9 MEETING \$163.50. MOTION PASSED UNANIMOUSLY.

Clerk Buchite informed the Council that they had a letter from the County Auditor, which was being sent to all residents, showing that the proposed City Budget reflects a 5.2 percent increase. A notice from the County regarding a meeting to discuss revocation of certain roads was also received.

The next item was a letter from Mick Justin proposing that the cost of the 1991 audit would be \$3675, which is \$175 more than the 1990 audit. MOTION NO. 10R-03-91 WAS MADE BY L. ARENDS AND SECONDED BY R. BURSHEM TO ACCEPT THE PROPOSAL FROM MICK JUSTIN, CERTIFIED PUBLIC ACCOUNTANT, TO DO THE CITY AUDIT FOR 1991 FOR THE PRICE OF \$3675 AND WITH COMPLETION OF THE AUDIT SCHEDULED FOR MARCH OR EARLY APRIL. MOTION PASSED UNANIMOUSLY.

Clerk Buchite informed the Council that the November Council Session was scheduled for November 11th, Veteran's Day, which is a City employees Holiday. MOTION NO. 10R-04-91 WAS MADE BY

L. ARENDS AND SECONDED BY C. MILLER TO CHANGE THE DATE OF THE NOVEMBER COUNCIL MEETING TO TUESDAY, NOVEMBER 12, 1991. MOTION PASSED UNANIMOUSLY.

A letter from Alden Smith requesting \$260.00 for 13 hours work on the fire hall was discussed briefly. Mr. Swanson said he would like to refer this back to the Public Safety to see if there had been any drawings made or any work done. There were no objections from the other councilmembers in referring it.

Clerk Buchite stated that the Fire State Aid had been received and the Firemen's Relief Association was also requesting the balance of last years City Contribution of \$844.16. MOTION NO. 10R-05-91 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO PAY THE FIREMEN'S RELIEF FUND \$7,623.00 STATE AID PLUS \$844.16 FROM LAST YEARS CITY CONTRIBUTION. MOTION PASSED UNANIMOUSLY.

MOTION NO. 10R-06-91 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO REFUND DEEP WOODS, INC. \$840 FOR THE BALANCE OF THE CASH ROAD BOND WHICH WAS POSTED FOR THE ROADS IN WHITE PINE TERRACE. \$335.00 will be retained by the City for road signs and stop signs. MOTION PASSED UNANIMOUSLY.

Clerk Buchite stated that she had received a request from Four Season's Realty to release the bond for the roads in Oak Crest. Mr. Arends said he is not happy with the roads in Oak Crest as there are several soft spots in them. Mayor Anderson said the bond would not be released until probably next spring because of the letter from Will Hoyt that some work remains to be done.

MOTION NO. 10R-07-91 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO APPOINT GEORGE SCHROENHAMMER TO THE PUBLIC WORKS COMMISSION. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that she had spoken to two different companies about doing the comparable worth for the City of Crosslake. ROI Associates had quoted a price of approximately \$500 and would be able to start it around the first of November and Ernst and Young would cost between \$4,000 and \$5,000 and could start it right away. Both companies indicated it should take between a few hours and three days. MOTION NO. 10R-08-91 WAS MADE BY D. SWANSON AND SECONDED BY L. ARENDS TO HIRE ROI AND ASSOCIATES TO DO THE COMPARABLE WORTH REPORT FOR THE CITY AND UTILITY COMPANY EMPLOYEES. MOTION PASSED UNANIMOUSLY.

MAYOR'S REPORT - Mayor Anderson stated that he had met with Shiela Wasnie of Brainerd Lakes Area Development Corporation and had submitted grant applications for wastewater treatment, nature trails, the rest stop and fire hall.

Mayor Anderson indicated that he had gone to the City of Hopkins to look at light fixtures for the hockey rinks. He

stated he then polled the Council and they indicated they would approve of his purchasing the 22 fixtures at \$75 each but he had not heard back if Hopkins had accepted the bid.

Mayor Anderson read a letter from Orval Nelson of C & C Boatworks regarding contaminated soil which according to the Minnesota Pollution Control Agency must be spread in the County where it originated. MOTION NO. 10R-09-91 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO ALLOW C & C BOATWORKS TO SPREAD GASOLINE CONTAMINATED SOIL OUT FOR AERATION LOCALLY WITH A PERMIT FROM MINNESOTA POLLUTION CONTROL AGENCY. A brief discussion followed. Mr. Swanson asked if any of the abutting property owners had objected to the project. City Attorney Mr. Gammello said he felt the City should make sure it cannot be held liable. Mr. Miller stated that there is a maximum depth that it can be spread to make sure it aerates properly. MOTION PASSED UNANIMOUSLY.

Mayor Anderson read a letter from the Lion's Club Secretary saying that the Lion's Club was withdrawing support for the rest stop/information booth until such time that a location for the site was definitely established and could be approved by them. Discussion ensued. Chamber of Commerce President Ron Foss was present and said the Board of Directors are completely in favor of the rest stop and they would prefer the downtown location but will work towards locating it in either area. Mayor Anderson said he does not want the City to be in the middle of this problem and he would like to see the Lion's Club and Chamber get together to decide on a location. Mr. Arends said he does not want to have City tax payers money used for the rest stop. MOTION NO. 10R-10-91 WAS MADE BY R. BURSHEM AND SECONDED BY C. MILLER TO SUPPORT AND FINANCIALLY BACK THE REST STOP/INFORMATION BOOTH WHEN A SITE IS LOCATED. MOTION PASSED WITH ANDERSON, BURSHEM AND MILLER VOTING AYE. ARENDS AND SWANSON VOTED NAY. Mr. Swanson said he will not support anything until he knows what he is supporting.

City Attorney Gammello left the meeting at this point.

PERSONNEL - Nothing.

PARK AND RECREATION - Nothing.

RECYCLING - Liaison Swanson read a letter from the Committee stating that they are cutting back on the recycling pick up to once a month on the third Saturday of the month.

PLANNING AND ZONING - Coordinator Teri Daehn stated that she investigated a complaint regarding property owned by Ken Jarvis which had hundreds of cement blocks scattered around. Mr. Jarvis stated that he was not going to have time to build a garage this fall but Ms. Daehn said the files show that Mr. Jarvis has been renewing permits and stalling since 1976. MOTION NO. 10R-11-91 WAS MADE BY C. MILLER AND SECONDED BY L.

ARENDS TO HAVE CITY ATTORNEY GAMMELLO SEND A LETTER, AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION, TO MR. JARVIS TO CLEAN UP HIS PROPERTY. MOTION PASSED UNANIMOUSLY.

Ms. Daehn stated that the Planning and Zoning Commission would be meeting only once a month on the third Friday for the winter season.

The Council was informed that the Public Hearing for the revised Planning and Zoning Ordinances is set for Friday, November 1, 1991 at 7:00 p.m.

MOTION NO. 10R-12-91 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPOINT NANCY KOCH AS AN ALTERNATE TO THE PLANNING AND ZONING COMMISSION AS RECOMMENDED BY THE COMMISSION. MOTION PASSED UNANIMOUSLY.

Coordinator Daehn stated that she investigated the complaint received at last month's Council Meeting and according to the file, Duane Peterson had received a notice of the Variance 88-28 which was granted. She sent the information as requested to Mr. Peterson but has not heard back from him.

CUP-91-2 to do grading and filling towards the shoreline was denied by the Planning and Zoning Commission because of the possibility of creating runoff into the lake. MOTION NO. 10R-13-91 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO UPHOLD THE PLANNING AND ZONING COMMISSION'S DENIAL OF CUP-91-2. MOTION PASSED UNANIMOUSLY.

CUP-91-3 to do filling in a shoreland area was approved by the Planning and Zoning Commission as submitted because it would improve the lot and general area but no more than two feet of fill should be used. MOTION NO. 10R-14-91 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO UPHOLD THE PLANNING AND ZONING COMMISSION'S APPROVAL OF CUP-91-3. MOTION PASSED UNANIMOUSLY.

CUP-91-4 for a boardwalk was approved by the Planning and Zoning Commission as it had prior approval from DNR and would enhance the proposed project and area. MOTION NO. 10R-15-91 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO UPHOLD THE PLANNING AND ZONING COMMISSION'S APPROVAL OF CUP-91-4. MOTION PASSED UNANIMOUSLY.

A newly revised fee schedule was discussed briefly. MOTION NO. 10R-16-91 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPROVE THE NEW FEE SCHEDULE AS PROPOSED BY THE PLANNING AND ZONING COMMISSION. MOTION PASSED UNANIMOUSLY.

The three day waiting period to pick up permits was discussed briefly and was determined that this should be in the revised planning and zoning ordinances.

CEMETERY - Nothing.

PUBLIC SAFETY - Liaison Dean Swanson stated that the Commission has invited County Engineer Duane Blanck to their next meeting to discuss the bicycle path or berm. It was the consensus of the Council that horses should not be allowed on the path. Mr. Swanson said that the snowmobiles were a problem in the winter but the rest of the Council feels that the snowmobiles are safer there than on the streets or lakes. Mr. Swanson will inform the Council in November what Mr. Blanck has to say.

The request to pursue the purchase of a police car in 1992 was tabled until the November Council Meeting.

UTILITIES - Nothing.

PUBLIC WORKS - Mayor Anderson informed the Council that Shamrock Road is done except for Class #5.

Mayor Anderson stated that the City will proceed with upgrading the road from Daggett Pine to where Ox Lake Landing begins next Spring after the four outstanding deeds are signed and received.

A letter from the Oak Crest Developers was discussed briefly and it was the recommendation of the City Engineer Will Hoyt not to release the road bond until the Commission has a chance to meet and discuss it.

Mr. Arends said he received a request for a road sign on Fawn Lake Road and it was determined that Mr. Hoag should order one. Discussion ensued regarding speed limit signs and it was the consensus of the Council that according to procedure the population on that road does not warrant a speed sign.

FUNDING AND FUTURE DEVELOPMENT - Liaison Swanson informed the Council of a form from the Trade and Economic Development Agency titled "Community Needs Assessment Program". Mr. Swanson stated that 24 rural communities will be selected for funds. MOTION NO. 10R-17-91 WAS MADE BY R.BURSHAM AND SECONDED BY C. MILLER TO COMPLETE THE FORM FOR THE DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT AND BRING IT BACK TO THE NOVEMBER COUNCIL MEETING FOR APPROVAL. MOTION PASSED UNANIMOUSLY.

Mr. Swanson also addressed a proposed plan from the Funding and Future Development Commission for the new fire hall. Mr. Swanson stated that this plan will be discussed at the next Public Safety Commission also. Mayor Anderson said that with the purchase of additional land by the fire hall he feels that the Council commitment has been made to build by the existing hall. Discussion followed.

NEW BUSINESS - A Crosslake resident asked about "Meals on Wheels" or communal dining and was informed that Crosslake does not have this service.

OLD BUSINESS - Ray Stevenson stated that he and John Backdahl are still working on plans for a landing site for the helicopter ambulance.

Dean Eggena was present to request that the fence height around his demolition site be lowered. Mr. Eggena stated that MPCA said that their primary concern is blowing debris and a four foot high fence without barb wire is adequate. It was the consensus of the Council that the only reason Mr. Eggena was requested to put up a 8 foot high fence with 3 strands of barb wire was to keep people from throwing articles over the fence. Mr. Eggena stated that if this happens he would be more than happy to dispose of the debris. MOTION NO. 10R-18-91 WAS MADE BY R. BURSHAM AND SECONDED BY D. SWANSON TO CHANGE THE REQUIREMENT FROM AN 8 FOOT HIGH FENCE TO A 6 FOOT, OR MORE, HIGH FENCE, WITH OR WITHOUT BARB WIRE AROUND MR. EGGENA'S PROPOSED DEMOLITION SITE. MOTION PASSED WITH MAYOR ANDERSON, R. BURSHAM AND D. SWANSON VOTING AYE. C. MILLER VOTED NAY AND L. ARENDS ABSTAINED UNTIL HE HAS MORE INFORMATION.

PUBLIC FORUM - The Council set October 22, 1991 at 9:00 a.m. to meet with each department to review budgets.

MOTION NO. 10R-19-91 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO ADJOURN THIS REGULAR COUNCIL SESSION AT 9:50 P.M. MOTION PASSED UNANIMOUSLY.

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

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