

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
REGULAR COUNCIL SESSION
MONDAY, FEBRUARY 11, 1991

The City Council for the City of Crosslake Minnesota met in a Regular Council Session on Monday, February 11, 1991 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 was absent. Also present were Will Hoyt, Engineer from Landecker and Associates, Patricia Dechaine and Martyn Schmidt from the County Assessor's Office, Police Chief John Backdahl, Road Supervisor Patrick Hoag, Telephone Company General Manager Anthony Mayer, City Clerk Arlene Buchite as well as 19 residents.

Mayor Anderson called this meeting to order at 7:30 p.m.

CONSENT CALENDAR - MOTION NO. 2R-01-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER SWANSON TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF THE JANUARY 14, 1991 PUBLIC HEARING AND REGULAR COUNCIL SESSION; (2) THE CLERK/TREASURER'S FINANCIAL REPORT FOR JANUARY, 1991; (3) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR JANUARY, 1991; AND (4) THE CABLEVISION'S FINANCIAL REPORT FOR JANUARY, 1991. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - First item was bills for payment. MOTION NO. 2R-02-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER BURSHAM TO PAY ALL BILLS INCLUDING: (1) MARTIN COMMUNICATIONS FOR RADIO EQUIPMENT IN FORD POLICE CAR \$950.00; (2) DONALD COULTER FOR CHECKING OAK CREST PLAT \$416.25; (3) DONALD COULTER FOR CEMETERY SURVEY \$682.50; (4) A & W RESEARCH FOR TESTS ON THE NEW WELL AT THE WARMING HOUSE \$614.05; (5) MARTIN COMMUNICATIONS TO INSTALL NEW LIGHT BAR ON POLICE CAR \$1,170.00; AND (6) CITY ATTORNEY JAMES GAMMELLO'S BILL FOR FIRE HALL PROPERTY \$95.50, ENVIRONMENTAL ASSESSMENT WORKSHEET ON OAK CREST \$1,151.25, CEMETERY \$148.50, ZONING MATTERS \$271.75, GENERAL/MISC \$260.00. MOTION PASSED UNANIMOUSLY.

CORRESPONDENCE - A letter was received from the State Department of Natural Resources regarding the bridge deck on CSAH #16. No action was taken.

Ms. Pat Dechaine and Mr. Martyn Schmidt, representatives from the County Assessor's office were present to go over procedures for handling the Board of Review Meeting and to answer questions from Councilmembers. Ms. Dechaine stated that the only persons that will be heard at the Board of Review Meetings are those who received cards stating that their taxes will be raised for the coming year. Ms. Dechaine

stated that by State Law, Market Value is supposed to be 100 percent of the selling price. All sales in a Sale Study should be 90 percent to 110 percent of market value or the State can give a blanket increase, according to Ms. Dechaine.

MOTION NO. 2R-03-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER BURSHAM TO ALLOW THE CLERK TO ATTEND THE CLERK'S CONFERENCE IN ST. CLOUD IN MARCH. MOTION PASSED UNANIMOUSLY.

Other correspondence reviewed by the Council included: (1) Pledge update from Brainerd National Bank; (2) a letter from Etta Steffen regarding the Minnesota Association of Small Cities; (3) a letter from Don Samuelson regarding proposed cuts in State Aid; (4) a letter from Region 5 regarding overall economic development plans (given to Funding and Future Development for response); and (5) a letter from Nanoy Larson of Minnesota Association of Small Cities regarding recent aid cuts.

MAYOR'S REPORT - MOTION NO. 2R-04-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER BURSHAM TO APPROVE JACK WEBSTER, CLIFF WIEBKE, ROBERT NELSON, DON HENDERSON AND RICHARD FUSSY AS MEMBERS OF THE ROAD COMMISSION AS RECOMMENDED BY MAYOR ANDERSON. MOTION PASSED UNANIMOUSLY. The Commission will meet on the third Wednesday of each month at 7:30 p.m. The first meeting will be March 20, 1991 at City Hall.

MOTION NO. 2R-05-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER SWANSON TO APPROVE TOM MEZZENGA AS A MEMBER OF THE UTILITIES COMMISSION. MOTION PASSED UNANIMOUSLY.

Mayor Anderson said a letter and diagram has been sent to the flag company and he should have prices by the next meeting.

Mayor Anderson requested one nights lodging, mileage and food to attend the Legislative meeting in St. Paul on February 20th. MOTION NO. 2R-06-91 WAS MADE BY MEMBER SWANSON AND SECONDED BY MEMBER MILLER TO ALLOW THE MAYOR TO ATTEND A LEAGUE OF MINNESOTA CITIES MEETING ON FEBRUARY 20, 1991. MOTION PASSED UNANIMOUSLY.

Mayor Anderson spoke regarding the Chamber of Commerce booth and the proposed D.N.R. properties where the booth may be located. Mayor Anderson will bring more information to the next Council Meeting.

PARK AND RECREATION - Liaison Bursham informed the Council of the request for the security system at the Community Center. MOTION NO. 2R-07-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER BURSHAM TO APPROVE THE PURCHASE OF A SECURITY SYSTEM AT THE COMMUNITY CENTER AT THE COST OF \$1,980.00. Member Swanson said he would like to receive more information on the system because he does not feel that the Center needs one that expensive. MOTION PASSED WITH MEMBER SWANSON VOTING NAY.

Member Burshem informed the Council that the City has received a grant for \$4247 for recycling. The recycling will take place at the Community Center the third Saturday of each month from 9:00 a.m. to 12:00 noon.

PLANNING AND ZONING - Chairman Jean-Paul Hudon stated that the final plat for Oak Crest is the same as the preliminary plat. Mr. Hudon stated that the Planning and Zoning Commission requested that the developers enclose the Indian mounds on Outlot G with a split rail fence and the road easement will be 66 feet as required by ordinance but the road bed will only be 40 feet to keep from having the freeway look in the development. Road Supervisor Pat Hoag said that until the Ordinance is changed the 66 feet should be cleared. Mr. Swanson said it was discussed so that it does not look clear cut. Mayor Anderson said he is against the 66 feet but snow plowing and storage has to be considered and 40 feet is probably not enough. Mr. Hoag said if the City allows one developer to put in a 40 foot road, all new developments are going to follow suit. The Council discussed camping and tenting on the lots and felt that the Zoning Ordinances should restrict that from happening. MOTION NO. 2R-08-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER BURSHEM TO APPROVE THE FINAL PLAT OF OAK CREST SUBJECT TO COMPLIANCE WITH THE ORDINANCES FOR SETBACK REQUIREMENTS, COMPLIANCE TO EXISTING ROAD CONSTRUCTION ORDINANCES, THE DEPOSIT BE MADE WITH THE UTILITIES COMPANY AS REQUIRED AND A BOND BE FILED WITH THE CITY CLERK FOR ROADWAY CONSTRUCTION. MOTION PASSED UNANIMOUSLY.

The next item on the agenda was a Conditional Use Permit for operating a "demolition-industrial waste facility" requested by Dean Eggna. Mr. Mike Dimsdorf from Minnesota Pollution Control Agency was present to answer questions from the Council. Mayor Anderson stated that the Council had not received the requested information until this evening and he would like to be able to read the information before he makes a decision on it. Mr. Dimsdorf stated that all materials from remodeling projects with the exception of some carpets, asphalt shingles or pollutants would be allowed in the landfill. Mr. Dimsdorf said the State classifies new material as hazardous waste. Mayor Anderson said the two concerns he has are that if someone should dump something that Mr. Eggna is not aware of and it pollutes the ground he wants to make sure the City is not liable for the clean-up and he would like to have it in writing. Mr. Dimsdorf said the site would be inspected twice a year if it is approved, the inspections will be unannounced, there must be a licensed operator on duty, a log must be maintained as to the volume of material put in the site and the site must be fenced.

Member Miller said he would like time to review the material and check with the City Attorney regarding the City's

liability. Mr. Eggena read from an article from the State which said that demolition debris is "Solid waste resulting from the demolition of buildings, roads and other man made structures, including concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock and plastic building parts." "Demolition debris does not include asbestos waste." Mr. Eggena said he would like approval for the items stated in that paragraph as demolition materials as well as the same items for new material and that would be all that would be allowed at the site. Treated wood would not be allowed. MOTION NO. 2R-09-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER BURSHEM TO SEND THE CONDITIONAL USE PERMIT REQUEST FOR A DEMOLITION-WASTE SITE BACK TO PLANNING AND ZONING COMMISSION FOR SOME CONDITIONS INCLUDING THE TYPE OF NEW AND OLD MATERIALS THAT WILL BE ALLOWED, THE HEIGHT AND TYPE OF FENCING, ONLY ONE ENTRANCE AND ANY OTHER CONDITIONS THAT ARE DEEMED NECESSARY. Mr. Dinsdorf said that although the State labels new material scraps as "Hazardous materials" the City can allow new materials scraps as one of the conditions without labeling it as "Hazardous materials." MOTION PASSED UNANIMOUSLY.

Mr. Will Hoyt from Landecker and Associates was present to seek Council approval for a City Zoning Map which was discussed in April of 1990. Mr. Hoyt stated that it would be useful for the Road Department, Zoning, Police and Funding and Future Development. The cost would be between \$3000 and \$4500. Mayor Anderson stated that there are some funds from the DNR grant available to help pay for the map. MOTION NO 2R-10-91 WAS MADE BY MEMBER SWANSON AND SECONDED BY MEMBER BURSHEM TO GIVE AUTHORIZATION TO LANDECKER AND ASSOCIATES TO PROCEED WITH THE NEW CITY MAP AT A COST NOT TO EXCEED \$4500. Discussion ensued with the Telephone Company General Manager to make sure there is not duplication of effort in setting up the maps. Manger Mayer said that they need their system computerized because of the rapid changes they have. They can make copies for the City if it would be helpful but it is not really the same type of map. MOTION PASSED UNANIMOUSLY.

CEMETERY - Nothing.

PUBLIC SAFETY - Fire Chief Mike Amsden told the Council about an informational meeting at the Brainerd Technical College on February 27, 1991. Mr. Swanson said he would be attending the meeting.

Chief Amsden also requested that there be a charge of \$300 for the Jaws of Life when it is used outside of Crosslake. MOTION NO. 2R-11-91 WAS MADE BY MEMBER SWANSON AND SECONDED BY MEMBER MILLER TO APPROVE A \$300 CHARGE FOR THE USE OF THE JAWS OF LIFE OUTSIDE OF THE CITY OF CROSSLAKE. MOTION PASSED UNANIMOUSLY.

Chief Amsden said he is getting prices on a new fire hall.

Member Swanson said he is checking on the emergency easement by C & C Boatworks because it takes to long to get to the new development behind C & C if you have to go by way of Pine Bay Road. Mayor Anderson said he will check with Mr. Nelson to see what his feelings are.

The Public Safety Commission made a motion that they would like to have the Commission review all future plats submitted to the City to determine public safety hazards and emergency vehicle access. No Council action was taken.

Mayor Anderson read a letter of resignation from Police Officer Jay Broch effective February 27, 1991. Police Chief Backdahl said he would like to hire a new officer by April 1, 1991. MOTION NO. 2R-12-91 WAS MADE BY MEMBER SWANSON AND SECONDED BY MEMBER BURSHAM TO ALLOW POLICE CHIEF JOHN BACKDAHL TO PROCEED WITH HIRING A NEW FULL TIME OFFICER AND TO BRING HIS RECOMMENDATIONS BACK TO THE PUBLIC SAFETY COMMISSION. MOTION PASSED UNANIMOUSLY.

Mayor Anderson read a letter from the Crosslake Firemen's Relief Association thanking the City for the \$8,000 donation received in December. Mr. Mezzenga, Treasurer, stated that the Firemen feel they should get an additional \$844.16 using the same formula that was used previously. Mayor Anderson said he would like to wait until the end of the year to pay the \$844.16. MOTION NO. 2R-13-91 WAS MADE BY MEMBER BURSHAM AND SECONDED BY MEMBER MILLER TO HAVE MAYOR ANDERSON FIND SOME WAY WITHIN THE NEXT TWO MONTHS TO COME UP WITH THE \$844.16 TO PAY THE FIREMEN'S RELIEF ASSOCIATION. MOTION PASSED UNANIMOUSLY.

MOTION NO. 2R-14-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER SWANSON TO APPROVE OF THE CLERK SIGNING THE GAMBLING REQUEST BY THE FIREMEN TO HAVE A "RED HOT DINNER". MOTION PASSED UNANIMOUSLY.

UTILITIES COMMISSION - Chairman Dene Carney said the Telephone Company needed approval to invest in the Minnesota Equal Access Network Services Inc. (MEANS). Mr. Carney stated that the purpose of this network was to group together the toll traffic from all the Independents in the State and get it to one central location. The cost would be approximately \$55,700 and could have a delayed rate of return. MOTION NO. 2R-15-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER SWANSON TO ALLOW THE PHONE COMPANY TO PARTICIPATE IN THE MINNESOTA EQUAL ACCESS NETWORK SERVICES, INC. NETWORK. MOTION PASSED UNANIMOUSLY.

ROADS - Nothing.

FUNDING AND FUTURE DEVELOPMENT - Acting Chairman Bill Reed was present to say that the Commission would like to know if the

Council wants the Commission to be an Ad-Hoc Committee or a Commission with a directive to formulate priorities for the future planning of Crosslake. Mayor Anderson said in his opinion it is a Commission that would come though with various ideas on future growth and expansion and find funding for different projects. Discussion ensued regarding the reasons for the Commission.

PERSONNEL - Nothing.

NEW BUSINESS - MOTION NO. 2R-16-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER SWANSON TO HAVE THE CITY CLERK GET QUOTES ON HIRING A CLEANING PERSON FOR CITY HALL. MOTION PASSED UNANIMOUSLY.

MOTION NO. 2R-17-91 WAS MADE BY MEMBER SWANSON AND SECONDED BY MEMBER BURSHEN TO CHECK INTO A PODIUM FOR CITY HALL. MOTION PASSED UNIMOUSLY.

OLD BUSINESS - Nothing.

PUBLIC FORUM - Nothing.

MOTION NO. 2R-18-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER BURSHEN TO ADJOURN THIS REGULAR COUNCIL SESSION AT 10:50 P.M. MOTION PASSED UNANIMOUSLY.

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

Arlene A. Buchite