

MINUTES OF THE REGULAR MONTHLY MEETING  
OF THE FIFTY LAKES CITY COUNCIL  
October 13, 2009

The Regular Monthly Meeting of the Fifty Lakes City Council was held on Tuesday, October 13, 2009 in the City Hall at 7:00 p.m. The following officers were present: Richard Schiller, Mayor; Duey Bendt, Ken Hersey, Greg Buchite & Bob Miller, Council Members; Karen Stern, Clerk-Treasurer; and approximately 13 residents.

Mayor Schiller called for approval of the Council Meeting Minutes. MOTION MADE BY MR. BENDT SECONDED BY MR. BUCHITE TO APPROVE THE MINUTES OF SEPTEMBER 8, 2009 MEETING. When polled: All Council Members voted aye. Motion passed.

Karen L. Stern presented the Treasurer's Report. MOTION MADE BY MR. HERSEY AND SECONDED BY MR. MILLER TO ACCEPT THE TREASURER'S REPORT AS READ. When polled: All Council members voted aye. Motion passed.

New Business: Gordy Reller informed Council of a request from Golden Eagle Golf Course regarding their testing procedures and the need of lysimeters testing. Paskvan Consulting Company has recommended discontinuing the testing program for the lysimeters based on the results having very little change over the years. Bruce McIntosh stated that the golf course will continue to do the soil and water testing, this would just be the removal of the lysimeters testing. Discussions followed. MOTION MADE BY MR. HERSEY AND SECONDED BY MR. BENDT TO SUSPEND THE LYSIMETER TESTING FOR GOLDEN EAGLE GOLF COURSE SUBJECT TO REINSTATEMENT UNTIL THE NEED BECOMES NECESSARY. When polled: All Council Members voted aye. Motion passed.

Mayor Schiller commented on the receipt of 17 bids received for the 1983 Chevy Suburban.

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| • \$5011.00 Dennis Jezierski    | • \$1088.00 Robert Rupe       |
| • \$3260.00 Peter Lund          | • \$1037.58 Nathan Koenings   |
| • \$2765.00 Peter Lund          | • \$ 907.00 Kai Allen         |
| • \$2279.00 Bill Moudlock       | • \$ 862.50 Dan & Beth Janish |
| • \$2263.00 Generation Builders | • \$ 850.00 Casey Reynolds    |
| • \$2150.00 Ben Gibbs           | • \$ 850.00 Kyle Klinksiek    |
| • \$2001.00 Ray Kuschel         | • \$ 532.00 Randy Johnson     |
| • \$1686.00 Clyde Brodt         | • \$ 299.00 Larry Bain        |
| • \$1127.59 Jason Cooley        |                               |

MOTION MADE BY MR. BUCHITE AND SECONDED BY MR. HERSEY TO ACCEPT THE BID FOR 1983 CHEVROLET SUBURBAN FROM DENNIS JEZIERSKI FOR \$5011.00, IF THE BIDDER IS NOT SUCCESSFUL THE OPTION WILL BE AWARDED TO THE NEXT HIGHEST BIDDER PETER LUND FOR \$3260, REQUIRING ALL LETTERING BE REMOVED WITHIN 30 DAYS OF PURCHASE. When polled: All Council Members voted aye. Motion passed.

Road Construction and Maintenance: Greg Buchite commented Eldon Lee is working on a turn around on Emerald Drive. Class V has been applied to Buchite Road and West Fox Lake Road.

Liquor: Toni presented the liquor reports. Toni informed Council of a MMBA meeting in Walker on October 21<sup>st</sup>. MOTION MADE BY MR. HERSEY AND SECONDED BY MR. BENDT TO APPROVE TONI AND ONE OTHER STAFF MEMBER TO ATTEND THE REGIONAL MMBA MEETING IN WALKER ON OCTOBER 21, 2009. When polled: All Council Members voted aye. Motion passed. Toni informed Council of a food shelf drive sponsored by the MMBA.

First Responders: Teri Potz no report.

Fire Department: Andy Hemphill reported a few calls for First Responders, no fire calls for the month. Andy commented on the interest to purchase a thermal imaging camera for \$4500 from the Emily Fire Department. Discussions followed. MOTION MADE BY MR. MILLER AND SECONDED BY MR. HERSEY TO APPROVE THE PURCHASE OF A THERMAL IMAGING CAMERA FROM THE EMILY FIRE DEPARTMENT FOR \$4500. When polled: All Council Members voted aye. Motion passed.

Andy informed Council of the need for 4 additional sets of turn out gear (boots, pants, jackets). MOTION MADE BY MR. HERSEY AND SECONDED BY MR. MILLER TO PURCHASE 4 SETS OF TURN OUT GEAR WITH ESTIMATED COSTS OF \$7000 to \$8000. When polled: All Council Members voted aye.

Mayor Schiller stated that the organization of the fire & rescue has been reviewed by the City Attorney and this topic is ready for public hearing. MOTION MADE BY MR. MILLER AND SECONDED BY MR. BUCHITE TO SCHEDULE A PUBLIC HEARING FOR NOVEMBER FOR THE PROPOSED FIRE & RESCUE ORDINANCE. When polled: All Council Members vote aye. Motion passed.

Andy requested Council consider approval to purchase winter jackets for all fire & rescue personnel. Andy stated he had received a verbal quote from Crosslake Sales of \$110.00 each. Discussion followed regarding embroidery costs. MOTION MADE BY MR. MILLER AND SECONDED BY MR. BENDT TO PURCHASE

OUTERWEAR FOR \$1760 FOR 16 FIRE & RESCUE MEMBERS. When polled: Mr. Bendt, Mr. Buchite, Mr. Miller, and Mr. Hersey voted aye. Mayor Schiller abstained. Motion Passed.

Andy announced the retirement of Bill Bright will be retiring from the fire department with 23 years of service. Council agreed to present a certificate and a letter recognizing years of service.

Parks: Bob Miller commented the parks committee is on a stand still at this time and Bob is still looking for anyone interested in joining the committee. Ken Hersey stated all benches and picnic tables were stained by the County Corrections Department. Council requested sending a letter of Thank You for a job well done.

Planning & Zoning: Gordy Reller commented on two after the fact variances both were denied. Gordy informed Council of the receipt of a letter from JMR Addition, regarding zoning of the subdivision. Council agreed to respond to the letter requesting clarification.

Metes & Bounds submitted by Eagle Properties LLC has met all conditions approved by the Planning Commission. Discussions followed. MOTION MADE BY MR. MILLER AND SECONDED BY MR. BUCHITE TO APPROVE THE METES AND BOUNDS MB-01-09 PRESENTED BY EAGLE PROPERTIES LLC RE: 220-144-202-A00-009 WITH THE CONDITIONS AS PRESENTED. When polled: All Council Members voted aye. Motion passed.

Gordy informed Council the County is considering not funding the Department of Soil & Water.

Gordy presented a request to Council for Edgewild to allow a blanket variance application for the duplex lots. Council agreed to respond to Pete Nelson, Edgewild owner that we would consider a proposal.

Gordy reviewed with Council proposed changes to ordinances 3.07, 3.025 and 6.06. Discussions followed. Karen Stern commented the consideration of changing the recording limit on 3.07.07 to 45 days rather than 30 days. MOTION MADE BY MR. MILLER AND SECONDED BY MR. HERSEY TO SCHEDULE A PUBLIC HEARING FOR NOVEMBER TO REVISE ORDINANCES 3.07, 3.025 AND 6.06 AS PROPOSED. When polled: All Council Members voted aye. Motion passed.

Gordy requested Council to allow him to permit for rip rap. Discussions followed. Council agreed to have Planning Commission research the topic of rip rap and create the process and bring back to the Council for review.

Gordy presented a draft of a definition of temporary structure. Discussions followed. Planning & Zoning Committee will continue working on it.

Mayor's Report: Council reviewed the proposed budget for 2010. No action taken. Council reviewed the proposed city audit from Mathias C Justin Ltd. 2009 - \$5300; 2010 - \$5700; 2011 - \$5700. Discussions followed regarding obtaining additional bids. MOTION MADE BY MR. HERSEY AND SECONDED BY MR. BUCHITE TO ACCEPT THE CITY ANNUAL AUDIT PROPOSAL FROM MATHIAS C JUSTIN LTD FOR THE YEARS 2009 THRU 2011. When polled: All Council Members voted aye. Motion passed.

Greg Buchite will discuss with Eldon Lee to attend the Crow Wing County Highway Department meeting on October 26<sup>th</sup> at 7:00PM regarding signage.

Mayor Schiller commented on the personnel policy and several topics that need to be reviewed prior to approval: Conduct of City of Employees; Access of City Property; Testing and Examinations; Background Checks; Returning to work after Medical Absence; Military Leave; Drug Free Work Environment. The Personnel Committee shall get together to review and bring back to Council next month.

Unfinished Business: Council discussed a donation to the Over the Hill Gang, a motion made in September pending legal advice. Discussions followed. MOTION MADE BY MR. BUCHITE AND SECONDED BY MR. MILLER TO HIRE THE OVER THE HILL GANG FOR \$100 TO INSTALL THE TWO ATV SIGNS. When polled: All Council Members voted nay. Motion Failed. Council agreed a donation for Over the Hill Gang is not a lawful expenditure based on information received from the League of MN Cities and the State Auditor.

Citizen's Forum: None

MOTION MADE BY MR. HERSEY AND SECONDED BY MR. MILLER TO APPROVE PAYMENT OF THE FOLLOWING CHECK SERIES #30626 THROUGH #30723 FOR \$124,221.62. When polled: All Council Members voted aye. Motion passed.

MOTION MADE BY MR BUCHITE AND SECONDED BY MR. BENDT TO ADJOURN. When polled: All Council Members voted aye. Motion passed.

Meeting adjourned at 9:46 P.M.

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Karen L. Stern, Clerk-Treasurer