

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING AND REGULAR COUNCIL SESSION
FEBRUARY 12, 1996
7:00 P.M. AT CITY HALL

The Council for the City of Crosslake, Minnesota met in the Council Chambers of City Hall on Monday, February 12, 1996. The following Councilmembers were present: Mayor David M. Kolesar, Jane M. Michaud, Charles O. Miller, Raymond P. Smyth and John (Jack) R. Webster. Also present was City Clerk Arlene A. Buchite, Zoning Administrator Teri Hastings, City Attorney Paul Sandelin, City Engineer Darrell Schneider and approximately 67 residents.

Mayor Kolesar called the Public Hearing to order at 7:05 P.M. by stating that the purpose of the hearing was to determine whether an Interim Ordinance in the commercial district should be approved.

The Planning and Zoning Commission recommended to the Council the approval of a moratorium on building in the commercial district for an indeterminate period of time due to the need to rework the Ordinances. Zoning Administrator Teri Hastings explained the reasons why changes need to be made. She stated that some of the Ordinances have not been updated since 1972 and contain several inconsistencies. Some of the areas requiring rework are setbacks from the road, architectural control and landscaping standards.

Ms. Hastings also stated that The Long Range Planning Commission and the Planning and Zoning Commission held a joint informational meeting on January 31, 1996. It was the consensus of the audience that a moratorium would be detrimental to the economy and not needed. Based on the feedback of that meeting, three alternatives were recommended to the City Council. One would be a full moratorium for a period of six months as was presented at the informational meeting. The second would be a three month moratorium during which time the Commission would fast track to make amendments to the Ordinances beyond the moratorium. The third option would put in place a 45 day full moratorium followed by a three month limited moratorium. The limited moratorium would allow development if it adheres to the new performance standards that would be completed during the first month of the moratorium. The performance standards would address architecture, landscaping, signage and drainage. Applications for commercial development would be approved by the Planning and Zoning Commission during the moratorium under this option.

Letters were read into the record by Mayor Kolesar from various residents as follows: Ted and Terry Pederson of Shores and More Realty - against the moratorium; Chuck Ruzin - for the moratorium; Orval Nelson of C & C Boatworks - against the moratorium; and Crosslake Chamber of Commerce - against the moratorium.

Several individuals in the audience addressed the Council. Jay Andolshek expressed his opposition to the moratorium. Bob Souther commented that he had been hearing about the architectural plan and

the sewer surveys over and over for a number of years and wanted to know what assurances would be made that all these items could be accomplished in either three months or six months if we have not been able to do it in 20 years. Dean Eggena, a local contractor, was very much opposed to the moratorium. Leo Fraser felt if there was an overload in the Planning and Zoning Department maybe a resolution would be to cut down on the number of CUP's and etc. that need to come before the Commission. Chamber President John Zesbaugh reiterated the position of the members of the Chamber yet complemented the Commission for their positive desire. Ray Midlo felt the word "moratorium" was scaring the people.

MOTION 02PH-01-96 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER TO CLOSE PUBLIC INPUT INTO THE MEETING. MOTION CARRIED UNANIMOUSLY.

MOTION 02PH-02-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO HAVE NO MORATORIUM BUT TO FAST TRACK FOR THREE MONTHS TO GET EVERYTHING ACCOMPLISHED AS FAR AS ORDINANCES AND THE COMPREHENSIVE PLAN UPDATES AND TO CONTINUE TO MAKE AMENDMENTS TO THE ORDINANCES BEYOND THAT TIME. MOTION CARRIED WITH MAYOR KOLESAR AND JACK WEBSTER VOTING NAY.

MOTION 02PH-03-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO ADJOURN THIS PUBLIC HEARING AT 7:50 P.M. MOTION CARRIED UNANIMOUSLY.

A brief recess was held.

REGULAR MEETING -

Mayor Kolesar called the regular council meeting to order at 7:55 P.M.

CRITICAL ISSUES -

Kay Towne was present to request approval from the Council to operate a massage therapy center. She had received a conditional use permit from the Planning and Zoning Commission, however, was requesting a waiver from the requirements in Chapter 5 of the Ordinance pertaining to massage parlors. The Council agreed that the current Ordinance is obsolete in this area and that revisions would need to be made.

MOTION 02R-01-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO ALLOW KAY TOWNE TO OPERATE HER MASSAGE THERAPY CENTER ON A TEMPORARY BASIS BUT SHE MUST ADHERE TO CITY CODE BY JULY 1, 1996. MOTION CARRIED UNANIMOUSLY.

CONSENT CALENDAR -

MOTION 02R-02-96 WAS MADE BY JACK WEBSTER AND SECONDED BY RAY SMYTH TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF JANUARY 8, 1996 REGULAR COUNCIL MEETING; (2) MINUTES OF FEBRUARY 5, 1996 SPECIAL COUNCIL SESSION; (3) CLERK/TREASURER'S FINANCIAL REPORT FOR JANUARY 1996; (4) CABLEVISION FINANCIAL REPORT FOR DECEMBER, 1995; AND (5) TELEPHONE COMPANY FINANCIAL REPORT FOR DECEMBER, 1995. MOTION CARRIED UNANIMOUSLY.

CLERK'S REPORT -

MOTION 02R-03-96 WAS MADE BY RAY SMYTH AND SECONDED BY JANE MICHAUD TO APPROVE ALL BILLS FOR PAYMENT AS PRESENTED CONSISTING OF: (1) CROSSLAKE SANITATION FOR RECYCLING OF \$950.00; (2) GAMMELLO & SANDELIN, P.A. FOR ATTORNEY FEES OF \$1,408.00; (3) B PRODUCTS, INC. FOR SET UP OF SQUAD OF \$1,384.97; (4) ZIEGLER FOR GRADER REPAIRS OF \$12,875.63; (5) WIDSETH SMITH NOLTING & ASSOCIATES FOR MASTER PLAN OF PARK OF \$1,183.44; (6) GOPHER STATE CONTRACTING FOR PAYMENT #1 AT COMMUNITY CENTER OF \$50,660.00 AND PAYMENT #2 AT COMMUNITY CENTER FOR \$24,479.30; AND (7) CITY CONTRIBUTION TO FIREMEN'S RELIEF ASSOCIATION OF \$10,275.00. MOTION CARRIED UNANIMOUSLY.

There was some discussion as to when alternate financing or interim financing would be required for the Community Center and it was determined it would be shortly.

Sheila Wasnie Haverkamp of Brainerd Lakes Area Development Corporation thanked the Council for their previous support and requested \$1500.00 to renew the contract for 1996.

MOTION 02R-04-96 WAS MADE BY RAY SMYTH AND SECONDED BY JANE MICHAUD TO APPROVE THE CONTRACT FOR BLADC WITH A \$1,100 DONATION. MOTION CARRIED UNANIMOUSLY.

The Clerk's Conference will be held in Duluth in March and Arlene Buchite requested approval to attend.

MOTION 02R-05-96 WAS MADE BY JANE MICHAUD AND SECONDED BY JACK WEBSTER TO APPROVE THE CITY CLERK ATTENDING THE CLERK'S CONFERENCE IN DULUTH FROM MARCH 12 TO MARCH 15, 1996. MOTION CARRIED UNANIMOUSLY.

The Lions Club semi-annual report covering donations from July 1995 through December 1995 was read. A total of \$20,048 was distributed from gambling funds. Ray Smyth commended the Lion's Club for their support in the community.

MAYOR'S REPORT -

The Chamber of Commerce will again be sponsoring their annual St. Patrick's Day parade so everyone was reminded to get their floats ready.

A Community Clothes Closet will open Tuesday, February 13th in the basement of City Hall from 9:00 A.M. - 12:00 Noon. The Clothes Closet is open to the entire community offering both adult and children clothing. It is a community service project sponsored by the area churches to help people in emergency situations or in need. Mayor Kolesar commended the organizers of this project for their efforts.

MOTION 02R-06-96 WAS MADE BY JACK WEBSTER AND SECONDED BY RAY SMYTH TO APPROVE SANDY ELIASON TO REPLACE BOB BAKER ON THE LONG RANGE CAPITAL PLANNING COMMISSION. MOTION CARRIED UNANIMOUSLY

MOTION 02R-07-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE ROY DOLMAR AS A MEMBER OF THE PUBLIC WORKS COMMISSION.

MOTION CARRIED UNANIMOUSLY.

Mayor Kolesar had suggested that commission members terms be adjusted to reflect alternating end dates. A list of recommendations had been prepared and will be reviewed by each Commission for Council action at the March meeting.

PLANNING AND ZONING -

The Planning and Zoning Commission recommended Council approval on the rezoning of Lots 7 and 8 of Timber Trail for Carefree Cottages.
MOTION 02R-08-96 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPROVE REZONING A PORTION OF LOTS 7 AND 8, BLOCK 2 OF TIMBER TRAIL IN SECTION 9 FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-5 (MULTI-FAMILY RESIDENTIAL) FOR CAREFREE COTTAGES. MOTION CARRIED UNANIMOUSLY.

The Planning and Zoning Commission recommended approval of the final plat for D&M Addition with the stipulations identified in the Staff Report.

MOTION 02R-09-96 WAS MADE BY JACK WEBSTER AND SECONDED BY RAY SMYTH TO APPROVE THE FINAL PLAT FOR D&M ADDITION WITH THE STIPULATIONS THAT THE SOIL AND WATER CONSERVATION DISTRICT VERIFY THE BOUNDARIES OF WETLANDS, THAT A DEVELOPMENT CONTRACT IS PREPARED AND SIGNED, THAT THE ROAD BE BLACKTOPPED AND BE OF NORMAL WIDTH FOR CITY STREETS, THAT A COPY OF THE CONSTRUCTION DEPOSIT FROM CROSSLAKE TELEPHONE/CABLE COMPANY BE OBTAINED, THAT A SATISFACTORY TITLE OPINION IS OBTAINED, THAT THE PARK DEDICATION FEE IS PAID AND A COPY OF THE PURCHASE AGREEMENT FOR THE PARK DEDICATION FEE BE ON FILE IN THE PLANNING AND ZONING OFFICE WITH APPROVAL CONTINGENT ON ONE OF THE STORAGE BUILDINGS BEING REMOVED UPON THE SALE OF LOT 2. MOTION CARRIED UNANIMOUSLY.

MOTION 02R-10-96 WAS MADE BY JACK WEBSTER AND SECONDED BY JANE MICHAUD TO CHANGE THE HOURS OF THE PLANNING AND ZONING OFFICE AND BE OPEN FROM 8:30 A.M. TO 12:30 P.M. MONDAY THROUGH THURSDAY AND ON FRIDAY 8:30 A.M. TO 4:30 P.M. MOTION CARRIED UNANIMOUSLY.

PUBLIC WORKS -

Dean Swanson was appointed Chairman of the Public Works Commission.

The Commission recommended that money be approved for the purchase of a new computer for Public Works.

It was recommended that the Road Inventory Proposal from Widseth Smith Nolting and Associates be adopted as per the certificate on page 3 of the proposal which shows a total of \$19,500 for a five year road improvement plan and \$5,875 for right-of-way research and documentation.

MOTION 02R-11-96 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE THE \$19,500 FOR THE ROAD INVENTORY PROPOSAL ONLY. MOTION CARRIED UNANIMOUSLY.

It was recommended that the Council proceed with the DNR for the right-of-way for Wolf Trail and Greer Lake Campground Road at a cost of

\$500 for the permit and \$6,300 for the survey.

A motion was made by Chuck Miller and seconded by Jane Michaud to approve the proposal to proceed with the DNR to obtain easements for Wolf Trail and Greer Lake Campground Road. MOTION 02R-12-96 WAS MADE BY RAY SMYTH AND SECONDED BY JANE MICHAUD TO TABLE THE MOTION TO PROCEED WITH THE DNR TO OBTAIN EASEMENTS FOR WOLF TRAIL AND GREER LAKE CAMPGROUND UNTIL NEXT MONTH. MOTION CARRIED UNANIMOUSLY.

UTILITIES -

MOTION 02R-13-96 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPOINT GILROY ARVIG AND DON ENGEN AS THE SIXTH AND SEVENTH MEMBERS OF THE UTILITIES COMMISSION. MOTION CARRIED UNANIMOUSLY.

MOTION 02R-14-96 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPROVE OF THREE PERSONS ATTENDING THE MTA CONFERENCE FROM MARCH 3RD THROUGH MARCH 6TH. MOTION CARRIED UNANIMOUSLY.

The Utilities Commission requested that approval be given to purchase equipment for system upgrades.

MOTION 02R-15-96 WAS MADE BY JACK WEBSTER AND SECONDED BY RAY SMYTH TO APPROVE THE EXPENDITURE OF \$106,210 FOR EQUIPMENT FOR SYSTEM UPGRADES FOR THE GOODRICH/O'BRIEN AND BASS LAKE AREAS FOR THE TELEPHONE COMPANY. MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY -

The Police Department reported 73 incidents in Crosslake and 13 in Mission Township in January.

The Fire Department responded to 2 medical emergencies and one trauma related emergency rescue.

Approval was requested to pursue fire contracts for 1996 for Timothy Township in the amount of \$4,044.36, for Fairfield Township in the amount of \$1,876.14 and City of Manhattan Beach in the amount of \$2,605.30 based on tax capacity.

MOTION 02R-16-96 WAS MADE BY JANE MICHAUD AND SECONDED BY JACK WEBSTER TO RENEW THE FIRE SERVICE CONTRACT FOR TIMOTHY, FAIRFIELD AND MANHATTAN BEACH. MOTION CARRIED UNANIMOUSLY.

North Ambulance had a total of 19 callouts in January.

MOTION 02R-16-96 WAS MADE BY JANE MICHAUD AND SECONDED BY JACK WEBSTER TO SEND THANK YOU LETTERS TO THE CROW WING COUNTY SHERIFF'S OFFICE FOR THEIR EFFORTS IN DISTRIBUTING SIGNS REGARDING NO SNOWMOBILING IN THE CHANNELS AND TO STEVE SANDS FOR HIS DONATION OF THE SNOWMOBILE BEING USED BY THE POLICE DEPARTMENT. MOTION CARRIED UNANIMOUSLY.

The next meeting of the Public Safety Commission will be April 4th.

LONG RANGE CAPITAL PLANNING -

The LRPC Commission is working on bike paths along with members of the Park and Recreation Department and other volunteers.

The Central Business District Road is still being worked.

An addition to the Emergency Services Center to house City Hall is under discussion. The current City Hall building and the Old Fire Hall would be sold to finance the addition. A special council session will be held within the next two weeks to discuss this issue.

The sewer feasibility study is underway and Bob Becker of the Whitefish Property Owners Association has volunteered his services to assist Widseth Smith Nolting in looking at the water quality.

Rich Weyhrauch presented the recommendations of the Enhanced 911 Committee to the Council.

MOTION 02R-18-96 WAS MADE BY JACK WEBSTER AND SECONDED BY RAY SMYTH TO FORWARD THE 911 ENHANCED INFORMATION TO CROW WING COUNTY. MOTION CARRIED UNANIMOUSLY.

PERSONNEL -

A tentative agreement has been reached between the City and the employees on the Union contract with two minor issues requiring revision. The Mayor requested Council approval for the City Clerk to calculate the retroactive pay owed the employees and the amount of insurance owed the City by the employees. A 4% retroactive raise will be paid the employees for 1995. The newly adopted contract will be for 1996 and 1997. The contract with the Police Department is still being negotiated.

MOTION 02R-19-96 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO SIGN AND PROCEED WITH THE CALCULATING OF PAY AND BENEFITS BUT WILL NOT PAY ANY MONEY UNTIL THE CONTRACT IS SIGNED. MOTION CARRIED UNANIMOUSLY.

Thirty six individuals submitted applications for the position of Park and Recreation Director. Twelve individuals were selected for oral interviews and an offer has been extended to one individual.

Chief Backdahl requested that Bob Hartman be removed from probationary status.

MOTION 02R-19-96 WAS MADE BY JANE MICHAUD AND SECONDED BY JACK WEBSTER TO TAKE ROBERT HARTMAN OFF PROBATION AND RETAIN HIM AS A FULL TIME OFFICER OF THE POLICE DEPARTMENT. MOTION CARRIED UNANIMOUSLY.

PARK AND RECREATION -

Ray Smyth thanked Laurie Hoenig, Max Maas, Lloyd Olson, Brainerd Park and Recreation Director Bruce Erickson and Mayor Kolesar for their efforts in reviewing applications and assisting in the interview process for the Park and Recreation Director.

The Commission is considering their comprehensive study of the park

site with a special priority being given to a second ball site.

A letter of resignation was received from Leo Fraser from the Community Center Planning Committee.

A fireplace, which is being donated by Northern States Power, has been selected for the Community Center.

RECYCLING -

The drop off facility is up and running and being monitored by Crosslake Sanitation. A SCORE grant of \$11,400 for fiscal year 1996 has been received. A total of 5.78 tons were recycled in January.

ECONOMIC DEVELOPMENT AUTHORITY - Nothing

EDUCATION COMMITTEE -

The Committee had met with the Superintendent of Schools and identified three areas where the Committee can be used. One is to more effectively communicate between the School District and the resident, the second is in the area of technology to provide an area in Crosslake where students can work on a computer in the afternoons or evenings and, thirdly, in the selection of a future site for an elementary school.

NEW BUSINESS -

Chuck Miller commented that job descriptions should be changed to include attendance at Council meetings by department heads and possibly be given compensatory time for their attendance.

MOTION 02R-21-96 WAS MADE BY JANE MICHAUD AND SECONDED BY CHUCK MILLER TO CONTRIBUTE \$100 TO PEQUOT LAKES GRAD BLAST. MOTION CARRIED UNANIMOUSLY.

OLD BUSINESS -

Mayor Kolesar thanked all the members of the various Commissions for all their help and dedication this past year.

PUBLIC FORUM -

Larry Bolton commented on what he thought were unsightly stakes at the cemetery. City Clerk Arlene Buchite mentioned that the stakes are placed there in the winter to identify grave sites.

MOTION 02R-21-96 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/Treas