

COUNCIL PROCEEDINGS  
Crosslake, Minnesota  
REGULAR SESSION - February 13, 1984

The City of Crosslake, Minnesota met in a regular session on February 13, 1984 at 7:30 p.m. in the Council Room of the Municipal Building. The following members were present: Councilman Allen, Anderson and Mayor Bieber. There was approximately 15 members of the community present.

Mayor Bieber called the meeting to order by opening the agenda items of the Consent Calendar.

MOTION NO. 2R-01-84 was introduced by Councilman Anderson that the Regular Session minutes of January 9, 1984 be approved as presented. SECONDED BY Councilman Allen.  
Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 2R-02-84 was introduced by Councilman Allen that the Special Session minutes A & B be approved as presented. SECONDED BY Councilman Anderson.  
Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 2R-03-84 was introduced by Councilman Anderson that the City of Crosslake's financial report for January be tabled until the next meeting. SECONDED BY Councilman Allen.  
Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 2R-04-84 was introduced by Councilman Allen that the Telephone Companies financial report be approved as presented. SECONDED BY Councilman Anderson.  
Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

NEW BUSINESS - Nothing was reported.

CLERK'S REPORT - Statement from the County Assessor for 1983 assessment payable in 1984 was introduced. MOTION NO. 2R-05-84 was introduced by Councilman Anderson that we pay the County Assessor's statement of \$9,569.51. SECONDED BY Councilman Allen.  
Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

The Game and Fish Bingo application for licensing was presented with a request of waiver on the bond requirements. MOTION NO. 2R-06-84 was introduced by Councilman Anderson that we approve the licensing of bingo sessions for the Game and Fish and waive the bond requirements. SECONDED BY Councilman Allen.  
Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

A request for amendment of the City Code known as Section 1.02. Subd. 10. concerning definition of misdemeanor. Such amendment was read to the Council and public. MOTION NO. 2R-07-84 was introduced by Councilman Allen that the Code

Motion No. 2R-07-84 continued:

Book be amended according to Ordinance 84-1 presented. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 2R-08-84 was introduced by Councilman Allen that the other two readings of such Ordinance 84-1 amendment be waived. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

The Non-encroachment Agreement presented for the Crow Wing County Engineer's office for approval by the City of Crosslake Council was read in it's entirety to the Council and Public. MOTION NO. 2R-09-84 was introduced by Councilman Allen that we approve the Non-encroachment Agreement. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MAYOR'S REPORT - Mayor Bieber introduced the financial meeting the Crosslake Fire Department Relief Association members held with himself and City Clerk, D. Gallaway. The figures for the Relief Association determining the year end liabilities to the members were presented and the public were informed that such report would be on hand for public inspection at the City Clerk's office. MOTION NO. 2R-10-84 was introduced by Councilman Anderson that we accept the Crosslake Fire Department's Relief Association financial report as presented. SECONDED BY Councilman Allen.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

The Crosslake Firemen's Relief Association also presented By-Laws amendments at this meeting and requested presentation to the Council for approval of such amendments. The resolution drafting the changes for adoption by the Council were read to the Council and public. MOTION NO. 2R-11-84 was introduced by Councilman Allen that we approve the adoption of the resolution amending the by-laws of the Crosslake Fire Department's Relief Association. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Mayor Bieber continued his report by introducing the Police Department's Policy and Procedure Manual that the special Committee was instructed to produce. This manual along with short and long term range objectives for the Police Department were presented to the Council members present for there input to the Mayor in two weeks time via a telephone canvas of the Council. MOTION NO. 2R-12-84 was introduced by Councilman Allen that we have a Telephone Canvas two weeks from tonight regarding the Police Policies and Objectives. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MAYOR'S REPORT CONTINUED:

Mayor Bieber introduced the Commission members for 1984 by introducing the Telephone Commission and requesting the reinstatement of Augie Mezzenga for another three (3) year term.

MOTION NO. 2R-13-84 was introduced by Councilman Anderson that A. Mezzenga be reinstated for another three (3) year term. SECONDED BY Councilman Allen.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Commission members and Chairmans were presented for PARK COMMISSION with D. Pruesser, Chairman; PUBLIC SAFTY with L. Fraser, Chairman; ROAD COMMISSION with W. Kocon, Chairman; PLANNING & ZONING COMMISSION with J. Gallati, Chairman and CITIZENS ADVISORY COMMITTEE with no chairman appointed at this time but members consist of R. Boe, C. Henneman, S. Johnson, I. Millard, R. Lauer, R. Neumann, J. Neumann, D. Sather, E. Tjosvold, G. Trombley, B. Turner, O. Wilski and Mr. Larry Wannebo who was determined to be dropped from this commission as he no longer resides within the City limits. MOTION NO. 2R-14-84 was introduced by Councilman Allen that the Commissions be accepted as presented. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Mayor Bieber voiced his concern regarding the City becoming involved with Industrial Revenue Bonding prior to establishing policies governing such within the City. The legal ramifications were questioned and was suggested that a policy be adopted before we get to the point of approving or becoming involved in an Industrial Revenue Bond. Mayor Bieber volunteered to put together a policy for the next meeting so that we would have a policy approved prior to entering into an Industrial Revenue Bond.

A letter from the Department of the Army regarding the lease covering the use of thirty (30) acres of Corps land on the south Bay for public park and recreational use was introduced as the lease expires on April 30, 1984. A lease renewal was requested. MOTION NO. 2R-15-84 was introduced by Councilman Anderson that the Corp. of Engineers receive a request for renewal on the lease covering the use of 30 acres of Corps land. SECONDED BY Councilman Allen.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

The monthly Police Department reports were given as follows: January had 37 calls with Police Chief Backdahl working 204.25; Coulter - 182; Leonard 96. Fuel consumption: 273.1 gallons and the February schedule is on file with the Mayor.

Mayor Bieber made miscellaneous announcements regarding seminars available for attendance. Also instructed Council that he would be attending the League of MN Cities 1984 Legislative Action Conference and that Clerk/Treasurer, D. Gallaway, would be attending Lg. of MN. Cities City Clerks Conference. No objections were stated regarding the attendance of such seminars.

Nothing was reported.

- No report.

COMMISSION REPORTS - Buildings -

Cemetery - No report.

Funding & Future Development

Park - No report.

Personnel - No report.

Public Safty - No report.

A resolution regarding the depository of records for the Fire Department was introduced and presented in full to the Council and public for adoption. MOTION NO. 2R-16-84 was introduced by Councilman Anderson that the resolution presented for the Fire Department depository of records be accepted as presented. SECONDED BY Councilman Allen.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Planning & Zoning - Coordinator

A. Donaldson presented the items requiring Council attention as: Zoning ordinance amendment to Section 8.25 Subd. 6 and Section 8.30 Subd. 6. Public hearing was held on January 20, 1984 and the Commission voted in favor of such amendment. Examples were presented to the Council and public regarding how such a system would work on a lot. The Commission requested legal council on the wording of such amendment and that after such Council presentation would take place at the March meeting for approval. There was discussion with the public present regarding this amendment to the ordinance.

Region 5 was reported as having completed the changes in wording of the ordinances from building permits to zoning permits.

The permit fees which have been presented to the Council were considered effective to the Commission and it was requested that the Council confirm this fee schedule. The fee schedule was overall looked as being sound except in the Commercial schedule. The Council requested the Commission to review the fee schedule and establish a fee schedule for the Commercial building within the community. Different ways of establishing this fee schedule were discussed for presentation to the Commission.

The Council was informed regarding the different seminars the Commission members were attending for further education regarding Planing and Zoning for the City of Crosslake.

One item not on the agenda due to an error was introduced requesting Councils approval to issue a zoning permit to L. Jensen to build over a capped off basement behind the laundry building consisting of a 16' X 32' structure. There intent is to open a carry-out sandwich shop. MOTION NO. 2R-17-84 was introduced by Councilman Anderson that approval be given for a zoning permit per

Motion No. 2R-17-84 continued:

the Planning & Zoning Commission recommendation, to L. Jensen. SECONDED BY COUNCILMAN Allen.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

The addition to the beauty shop of 8' X 11' on the back side was introduced favorably by the Planning & Zoning Commission for approval of a zoning permit by the Council. MOTION NO. 2R-18-84 was introduced by Councilman Allen that approval be given to D. Cable's zoning permit for an 8' X 11' addition. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

ROAD COMMISSION - Only agenda item was the opening of bids on the 2000 plus Class 5 advertised for. The following bids were opened and read by the Clerk.

Guy Wannebo Excavator	\$5.75 per yard
D. C. Kompelien Const.	\$5.08 per yard

Discussion was held regarding the readily availability of the low bidder as he hires in his loader and trucks and does not own his own. Discussion was placed on the importance of having the supplies when needed. Commission Co-Chairman Eggena recommended Wannebo's bid because of the availability on an on-call basis. MOTION NO. 2R-19-84 was introduced by Councilman Allen that we accept Guy Wannebo Excavator's bid at \$5.75 per yard. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Councilman Anderson introduced further information regarding the street signs for the roads within Crosslake. At present they have 50 names assigned to various streets and would like authority to go ahead and order signs per the monies allocated for the signs. A plan regarding the naming of the streets was questioned and was determined that the names were all old standard names with only two roads not named at present. Was determined there was no objections to proceed.

TELEPHONE COMPANY - Telephone Manager, A. Mayer introduced bids regarding the tower required for cable television and recommended that Dietz Bros. at \$44,822.00, of who was low bidder, be given the job. MOTION NO. 2R-20-84 was introduced by Councilman Anderson that we accept the recommendation of the Telephone Commission to accept the low bid of Dietz Bros. of \$44,822.00. SECONDED BY Councilman Allen.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Police Chief Backdahl reported on the pre-school children for which they had in, per the written consent and request of the parents to finger print the children. All prints were turned over for the parents records and only the permission slips were kept on file. Backdahl opened this to all parents interested in having their children finger printed.

POLICE REPORT CONTINUED:

Backdahl further reported on the annual disaster plan to be held sometime in March and will involve the Civil Defense, Police, Fire Department and any other areas that would benefit. A update would be presented to the Council when there is more complete details.

CITIZENS ADVISORY - Mayor Bieber informed the Council that there is a recommendation on the City Hall but a Chairman is in need before presentation of such recommendation is made.

OLD BUSINESS - Nothing was reported.

PUBLIC FORUM - Nothing was presented.

MOTION NO. 2R-21-84 was introduced by Councilman Allen that this regular session of the Council adjourn.

SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

RESPECTFULLY  
SUBMITTED...

  
Diana A. Gallaway, City Clerk

UNITED STATES DEPARTMENT OF AGRICULTURE  
RURAL ELECTRIFICATION ADMINISTRATION  
WASHINGTON, D.C. 20250

June 22, 1983

SUBJECT: Minn 622 Crosslake

TO: Mr. Anthony V. Mayer, Manager  
Crosslake Telephone Company  
Crosslake, Minnesota 56442

*Sealed*  
*Certified*  
*Copy of Minutes*  
*given to Tony*  
*on 7/9/84*

Dear Mr. Mayer,

This letter responds to your request for a written statement of REA requirements concerning the providing of CATV service by telephone borrowers. REA does not have loan funds available for CATV. For use of general funds for CATV, please refer to the REA Administrator's letter of 12/13/82 proposing revisions to REA Bulletin 300-5, "General Funds". It proposes that general funds used for telecommunication projects can be excluded in computing the ratio of general funds to total telephone plant to the extent of the allowable distribution of capital. Crosslake Telephone Company, being municipally owned, the funds allowable would be calculated in accordance with Section 4.06 of the bond Resolution executed by the City of Crosslake for the loan from REA.

To obtain REA approval for the use of general funds for a CATV system for the Crosslake area, the following items should be submitted to REA:

- ✓ 1. A five-year Feasibility Study for the proposed CATV project (revenue and expense forecast).
- ✓ 2. A five-year Cash Flow Statement for the telephone operation and a five-year Cash Flow Statement for the CATV operation.
- ✓ 3. Engineering study for proposed CATV system (plant design and cost).
- HT 4. Opinion of Counsel, addressed to the Administrator of REA, which concludes the use of general funds is consistent with policies of the City of Crosslake and is in compliance with municipal and other laws and regulations. Opinion must state if cross-ownership waiver is not required.
- OT 5. Computation of allowable distribution in accordance with Section 4.06 of Bond Resolution and REA Bulletin 402-1
6. Certified copy of City Council resolution authorizing use of general funds for CATV, and authorizing separate books of account for the CATV project.
- ✓ 7. Copies of franchises, public body approvals (Minnesota Cable Communications Board), cross-ownership waiver if applicable, and FCC permits and licenses.

If you wish to discuss these requirements further, I will be glad to meet with you.

Sincerely yours,

John R. Baxter, General Field Representative  
REA - Telephone

R E S O L U T I O N  
ON DEPOSITORY OF RECORDS  
FOR THE FIRE DEPARTMENT

WHEREAS, the City of Crosslake is interested in the Crosslake Fire Department's record keeping of their personnel training sessions, relief association and other pertinent personnel information relating to the members of the Crosslake Fire Department; and

WHEREAS, it is for the benefit of these members that these records be kept secured for future reference; and

WHEREAS, the Fire Department has thus accomplished this act in the past and has carried their records on their members with updated information procured accordingly;

THEREFORE, BE IT RESOLVED that the City of Crosslake has placed the Depository of the Crosslake Fire Department personnel records to be kept safely and securely at the Crosslake Fire Hall. That the update of these records be placed in the hands of the Fire Chief, Assistant Fire Chief or the Fire Departments Secretary. That the Fire Department take all steps to insure the safety of these records and place such records within a fire proof area by February, 1985.

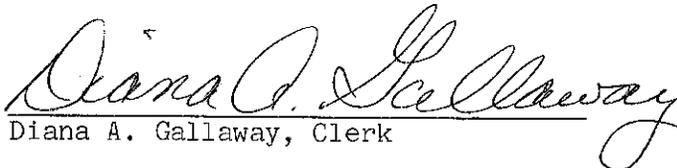
This resolution shall be in full force and effect from and after its execution and approval by the City Council.

Passed by the City Council of Crosslake on this 13th day of Feb., 1984.

  
Mayor, Fred J. Bieber

SEAL

ATTEST:

  
Diana A. Gallaway, Clerk

- RESOLUTION -

CROSSLAKE FIREMEN'S RELIEF ASSOCIATION  
BY-LAWS AMENDMENTS

WHEREFORE, The City of Crosslake Firemen's Relief Association hereby resolves that the By-Laws require amendment;

AND WHEREAS, the City of Crosslake Council must approve such amendments, the following amendments are thus presented:

SECTION I

That Article I, Section 3 "Retired Member", subd. (b) which reads "who has had an active period or periods of service in such fire department of 20 years or more, although such service need not be continuous."

That Article I, Section 3 "Retired Member", subd (b) be amended to read: "...in such fire department of 10 years or more, although..."

That Article II, Section 3 "Term" which reads "Each officer and each general trustee elected at the organization meeting of the members shall hold office until the date of the first annual meeting of the association and until his successor has been elected and has qualified. Thereafter each office and each general trustee shall hold office for the term of one year or until his successor has been elected and has qualified."

That Article II, Section 3 "Term" be amended to read:

At the first election following adoption of amendments of November 16, 1983, the President, Secretary and one (1) Trustee shall be elected for a two-(2) year term of office. The Vice President, Treasurer, and one (1) Trustee shall be elected to a one year term of office. Thereafter each officer and trustee shall hold office for the term of two years or until his successor has been elected and has qualified.

That Article VI, Section 1, Subd (d) which reads: "Members who retire at age 50 or older, may leave their benefits on deposit with the association and draw bank passbook interest rates on them until withdrawal. Interest rate to be as in effect on December 1st each year."

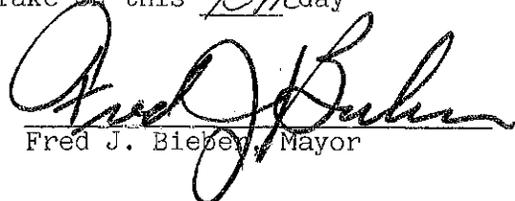
That Article VI, Section 1, Subd (d) be amended to read:

Members who retire at age 50 or older, may leave their benefits on deposit with the association and draw 5% (five percent) interest rates on them until withdrawal.

SECTION II

Effective date - the amendments shall be in full force and effect from and after its execution.

Passed by the City Council of Crosslake on this 13<sup>th</sup> day of February, 1984.

  
Fred J. Bieber, Mayor

(SEAL)

  
Diana A. Gallaway, City Clerk

At a duly authorized meeting of the City of Cross Lake,  
County of Crow Wing, State of Minnesota, the following resolu-  
tion was moved and adopted.

RESOLUTION

BE IT RESOLVED, that the City of Cross Lake as a  
condition of the receipt by the County of Crow Wing of  
Federal funds for the construction, reconstruction or improvement of any  
State Aid Highway within the City enter into an agreement with the County,  
a copy of which is attached hereto and made a part hereof:

BE IT FURTHER RESOLVED, that the Mayor and Clerk be and they  
hereby are authorized to execute said Agreement for and on behalf of the  
City.

CERTIFICATION

I HEREBY CERTIFY that the foregoing Resolution is a true and  
correct copy of a resolution presented to and adopted by the City of  
Cross Lake, County of Crow Wing, State of Minn-  
esota, at a duly authorized meeting thereof held in the City of  
Cross Lake, Minnesota on the 13th day of February  
19 84, as disclosed by the records of said City on file and of record  
in the office.

*Diana A. Hallway*  
Clerk

(SEAL)

This is a true and correct copy of the resolution accepting the Nonencroachment  
agreement between the City of Crosslake and the County of Crow Wing.

AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY CODE BOOK KNOWN AS SECTION 1.02. Subd. 10. CONCERNING DEFINITION OF MISDEMEANOR.

The City Council for the City of Crosslake ordains:

SECTION I.

That Section 1.02. Subd. 10. of the Crosslake City Code book which governs the definition of Misdemeanor presently reads as follows:

Misdemeanor - The crime for which a sentence of not more than ninety (90) days or a fine of not more than \$500.00, or both, may be imposed.

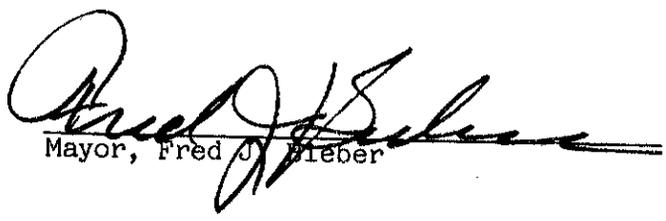
The above mentioned portion of 1.02. Subd. 10 is hereby amended to read as follows:

"Misdemeanor" - The crime for which a sentence of not more than ninety (90) days or a fine of not more than \$700.00, or both may be imposed.

SECTION II.

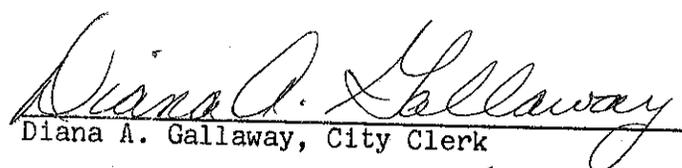
Effective Date - This ordinance shall be in full force and effect from and after its execution and publication.

Passed by the City Council of Crosslake on this 13th day of February, 1984,

  
Mayor, Fred J. Dieber

ATTEST:

SEAL

  
Diana A. Gallaway, City Clerk

Published in the Country Echo on February 23, 1984

This is a true and correct copy of the original Ordinance amendment.