

COUNCIL PROCEEDINGS
Crosslake, Minnesota
REGULAR SESSION - March 12, 1984

The City of Crosslake, Minnesota met in a regular session on March 12, 1984 at 7:30 p.m. in the Council Room of the Municipal Building. The following members were present: Councilman Allen, Anderson, Nelson, Arends and Mayor Bieber. There were approximately 20 members of the community present.

Mayor Bieber called the meeting to order.

MOTION NO. 3R-01-84 was introduced by Councilman Anderson that the Regular Session minutes of February 13, 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.

February financial report presented.
MOTION NO. 3R-02-84 was introduced by Councilman Nelson that we approve the January and February financial reports. SECONDED BY Councilman Arends.
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 presented the 1983 year end budget figures for each department: Administration under \$3,339.89; Police under \$18,520.66 - no third full time officer; Fire over \$1,452.13; Street over \$6,638.41 - costs expended on the Ox Lake Road Project; Planning & Zoning over \$2,309.96 - based against income they procured a profit; Park and Recreation under \$3,542.33. Breakdown available at the Clerk's office. The dedicated funds were presented as reported in the December, 1983 financial report and a joint fund for the Fire Department Equipment Fund NEW and the Fire Department Equipment Fund Replacement was requested. MOTION NO. 3R-03-84 was introduced by Councilman Anderson that the two Fire Department equipment accounts be combined totaling 1983 year end \$13,719.32. SECONDED BY Councilman Arends.
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 Telephone Company financial report for February was presented. MOTION NO. 3R-04-84 was introduced by Councilman Anderson that the February report be approved as submitted. SECONDED BY Councilman Nelson.
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 - The Crosslake/Ideal Lions Club presented their request for a Pull Tab license. Basic background information presented: The League of Minnesota Cities December issue regarding gambling devices; the Attorney General opinion of August 29, 1983 concerning MN. Statutes Sect. 329.26; and the City Attorney's letter of March 18, 1983 to the County Attorney. Councilman Anderson directed the Council toward issuing a Resolution of the intent to license and submit such to the County Attorney with the Crosslake/Ideal Lions Club submitting a letter of intent of fund usage. MOTION NO. 3R-05-84 was introduced by Councilman Anderson that a resolution be established for submission to the County Attorney stating the intent to allow the issuance of a Pull Tab license. SECONDED BY Councilman Arends.

Motion No: 3R-05-84 continued:

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

CLERK'S REPORT - Statements presented.

MOTION NO. 3R-06-84 was introduced by Councilman Anderson that we approve the payment of the statement submitted from D. Engen, City Auditor for payment at \$360. SECONDED BY Councilman Arends.

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. 3R-07-84 was introduced by Councilman Anderson that we pay the \$3,877.00 expense for Worker's Compensation Insurance to reimburse the Telephone Company. SECONDED BY Councilman Arends.

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 blanket Purchase Order was requested for the Fire Dept. for purchases at the Crosslake Lumber Yard. MOTION NO. 3R-08-84 was introduced by Councilman Nelson to approve the Blanket Purchase Order for purchases made at the Crosslake Lumber Co. by the Fire Dept. SECONDED BY Councilman Arends.

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

Park Fees were requested for transfer to dedicated funds. MOTION NO. 3R-09-84 was introduced by Councilman Nelson that the Park Fees of \$1,380.75 be transferred. 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 - The Police Department monthly report for February was introduced. Copy was requested for the Public Safty.

Letter regarding our application to the Small Cities Development Program for a road grant was read with an anticipated review process completion by May 1, 1984 and outcome of such review within 10 working days from date of award.

The Policy concerning review of Municipal Industrial Development Bond Requests per Council request that the Mayor draft such document for adoption was presented. MOTION NO. 3R-10-84 was introduced by Councilman Nelson that the Industrial Revenue Bonding Policy for the City of Crosslake be turned over to the City Attorney for consideration and valuation. SECONDED BY Councilma Arends.

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

Letter from Brainerd Ambulance, Inc. dated March 7, 1984 was presented regarding the housing security within the City garage. Discussion was held regarding the problems described and was requested that action be taken to clean the place up, remove the building material, and make up a list of items stolen.

BUILDINGS - Councilman Nelson reported that the gutters had been installed.

Insurance quotes were submitted for approval from Weizenegger Insurance Marketing Associates with policies offered from Home Insurance at \$7,704.00 and the League of Minnesota Cities at \$7,001.00 but for which the Police Professional liability insurance was excluded as no coverage is available. MOTION NO. 3R-11-84 was introduced by Councilman Nelson that the insurance bid proposal of Weizenegger from the Home Insurance Co. for \$7,704.00 be accepted as presented. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

CEMETERY - No report.

FUNDING & FUTURE DEVELOPMENT

- No report.

PARK - Chairman Pruesser reported on the land lease with the Corp. of Engineers, the proposed coupon book for 1984, the sprinkler system project - with request to proceed with putting together a material bid and the placement of a experienced man for however many days required to complete the job. Was suggested that companies be invited in to give their recommendation regarding the job. The tennis court resurfacing was also introduced for this year and the funds available were introduced as those funds within the dedicated fund plus that which was budgeted for this year. Was suggested that three (3) proposals be received on the sprinkler system and the tennis court resurfacing.

PERSONNEL - The Clerk assistance was introduced for approval - was placed with the Personnel liaison Nelson.

PUBLIC SAFTY - Chairman Fraser reported regarding the Ambulance subsidy statements paid, the request from the Fire Department regarding the approval to purchase Bunker pants at \$85.00 per pants at a total cost for 6 at \$510.00. MOTION NO. 3R-12-84 was introduced by Councilman Nelson that the expenditure of \$510.00 for Bunker Pants be approved. 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.

PLANNING & ZONING - Zoning Coordinator Donaldson introduced Ordinance 84-3 for adoption. MOTION NO. 3R-13-84 was introduced by Councilman Allen that we accept the recommendation of the Planning & Zoning to adopt Ordinance 84-3 in regard to side-yard setbacks. SECONDED BY Councilman Nelson. 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 Dutch Treat establishment was presented for approval. MOTION NO. 3R-14-84 was introduced by Councilman Anderson that we approve the commercial zoning permit for a 20 X 30 addition to the Dutch Treat establishment. SECONDED BY Councilman Arends. 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 report continued:

A commercial zoning permit was introduced for a water slide for Council approval. MOTION NO. 3R-15-84 was introduced by Councilman Anderson that we approve the zoning permit on the commercial property designated for construction of a water slide per the Planning and Zoning recommendation. 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 fee schedule requested by Council for adjustment at the February regular session, was introduced per the Planning & Zoning motion of 3-2-17-84 of their regular session and requested Council approval. MOTION NO. 3r-16-84 was introduced by Councilman Allen that we accept the Planning & Zoning recommendation of the changes made in regards to the fees. SECONDED BY Councilman Anderson.

Upon roll call vote being taken Councilmen Nelson, Anderson and Allen voted in favor of such Motion and Councilman Arends voted NAY. Mayor Bieber declared the motion carried by a 4 to 1 vote.

Introduced also was the Handicapped State Building Code which will come into effect on May 1, 1984 and of which is not optional. Further reported was the waste problem over by the bridge on Little Pine Island - was reported that at this point the problem has not been located but a remedy to the situation is warranted.

ROADS - Vice Chairman Eggena reported and requested permission to advertise for bids on the Daggett-Pine road and that section of the Bon Repoz Road located from the Bon Repoz resort to the City boundry. MOTION NO. 3R-17-84 was introduced by Councilman Arends that we accept the Road Commission recommendation to advertise for bids on the Daggett-Pine Road and that section of the Bon Repoz Road with construction not to begin until June 1, 1984. SECONDED BY Councilman Nelson.

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

Reported also was the problem with the snow plow equipment problems for which they are working at solving, the Public Hearing held on February 22 regarding the amendment of Ordinance 84-2 regarding grades. Requested approval and adoption of such. MOTION NO. 3R-18-84 was introduced by Councilman Allen that we accept Ordinance 84-2 regarding road grades per the recommendation of the Road Commission.

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

TELEPHONE - The Cable Television (CATV) bids were introduced with much discussion directed at the rejecting of such bids. Discussion was held with Wilde Construction, Inc. representatives, Spalj Construction Co. and the Council with Telephone Commission representatives. MOTION NO. 3R-19-84 was introduced by Councilman Arends that we table the bids and hold any action until the special meeting to be set March 17, 1984 at 9:30 a.m. with the Telephone Commission. SECONDED BY Councilman Nelson.

Telephone Commission report continued - Motion No. 3R-19-84 conclusion:

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 1984 Telephone Co. budget was introduced. MOTION NO. 3R-20-84 was introduced by Councilman Anderson that the budget be approved. 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. 3R-21-84 was introduced by Councilman Anderson that the Telephone Co. continue to look for a trailer to haul the Ditch Witch trencher but in the meantime should use the Street Department trailer. 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 Department - Police Chief Backdahl reported on the Operation Child Watch, Officer Friendly project, the Elderly Operation Watch, home education against burglars procedures to deter such, etc., reported on the Disaster meeting to be held and would like the participation of the Police Department, Ambulance, Fire Department, Telephone, etc. and requested Council members and Public Safty members interested to be present.

Mayor Bieber further reported and introduced the Police Department Policy distributed in February to the Council and recommended approval. Discussion was directed toward changes within the Policy. MOTION NO. 3R-22-84 was introduced by Councilman Anderson that we accept the Police Department Policy manual as prepared and presented. SECONDED BY Councilman Allen. Upon roll call vote being taken Councilman Allen, Anderson, and Nelson voted in favor and Councilman Arends abstained. Mayor Bieber declared the motion carried.

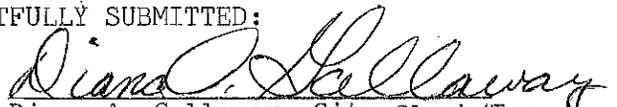
Citizen Advisory - No report.

Public Forum - No person presented any input.

MOTION NO. 3R-23-84 was introduced by Councilman Nelson that this session be adjourned. 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.

RESPECTFULLY SUBMITTED:


Diana A. Gallaway, City Clerk/Treasurer

-RESOLUTION-

CITY OF CROSSLAKE
March 12, 1984

ON THE INTENT TO ALLOW
THE ISSUANCE OF A PULL TAB LICENSE

WHEREAS, it is proposed the City of Crosslake can find no justification to deny the issuance of a Pull Tab License to the Crosslake/Ideal Lion's Club and;

WHEREAS, the City of Crosslake is interested in taking action in granting such license; and

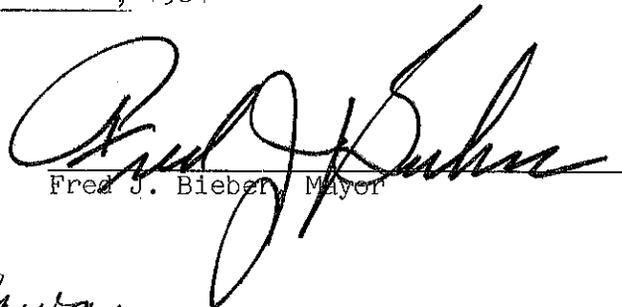
WHEREFORE, we are interested in any legal ramifications upon taking this action of granting such license; and

THEREFORE, submit to the County Attorney our resolution on the intent to allow the issuance of a Pull Tab License and request his legal recommendation regarding this action.

BE IT RESOLVED, That the City of Crosslake will take no action regarding this license until such time that the County Attorney has reviewed this resolution of intent.

BE IT FURTHER RESOLVED, that the County Attorney be urged to review this matter in as expeditiously as the information is received unto him.

COUNCIL MOTION NO. 3R-05-84
COUNCIL VOTING IN FAVOR: 5 AYE
COUNCIL VOTING AGAINST: 0 NAY
DATED: March 12, 1984


Fred J. Bieber, Mayor

ATTEST:

Diana A. Gallaway, City Clerk

ORDINANCE NO. 84-3

AN ORDINANCE AMENDING ORDINANCE
SECTIONS 8.25, SUBD. 6, ENTITLED
"MINIMUM LOT AREA, LOT WIDTH AND
YARD REQUIREMENTS AND SETBACK", AND
8.30, SUBD. 6, ENTITLED "LOT AREA,
LOT WIDTH AND YARD REQUIREMENTS MINIMUM".

The City Council for the City of Crosslake ordains:

SECTION I.

That Sections 8.25, Subd. 6 and 8.30, Subd. 6 of the Crosslake City Code Book governing minimum lot area, lot width and yard requirements and setback are hereby expanded to include the following provision:

An alternative means for establishing the minimum side yard setback for any lot which was of record prior to October 1, 1983, and which is less than 100 feet in width, shall be as follows:

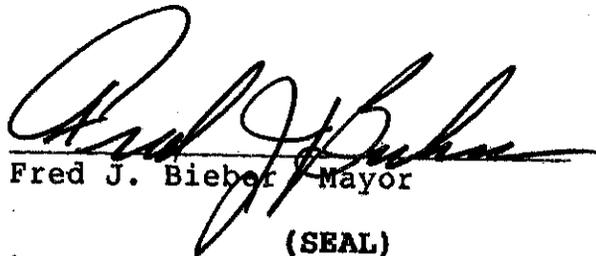
The sum of the right and left side yard setbacks shall at a minimum equal twenty (20) feet, with neither side yard setback being less than ten (10%) percent of the lot width at the proposed building front line.

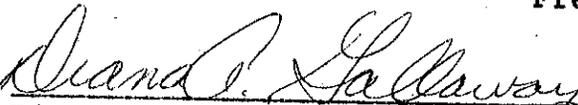
This side yard setback alternative method does not apply to septic system setbacks.

SECTION II.

Effective Date - This ordinance shall be in full force and effect from and after such public hearing, execution and publication.

Passed by the City Council of Crosslake on this 12th day of March, 1984.


Fred J. Bieber Mayor
(SEAL)

ATTEST: 
Diana A. Gallaway, City Clerk

Public hearing held on the 17th day of February, 1984.
Published in the Country Echo, legal newspaper, the 22nd day of March, 1984.

ORDINANCE NO. 84-2

AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY CODE BOOK KNOWN AS SECTION 3.20, Subd. 3, ROAD SYSTEM, B.

The City Council for the City of Crosslake ordains:

SECTION I.

That Section 3.20, Subd. 3. Road Systems, B. of the Crosslake City Code book which governs road grades which presently reads as follows:

Roads shall be logically related to the topography so as to produce usable lots and reasonable grades.

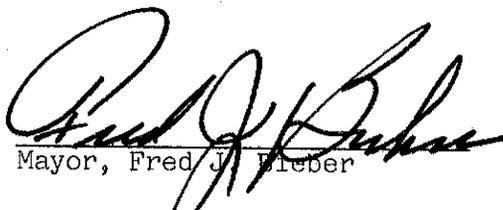
The above mentioned portion of Section 3.20 is hereby expanded to include:

Roads shall be logically related to the topography so as to produce usable lots and resonable grades except, where upon the recommendation of the City Road Commission finds that the topography warrants a greater minimum, the grades in all roads, service roads, marginal access roads and alleys shall not be greater than seven percent.

SECTION II.

Effective Date - This ordinance shall be in full force and effect from and after such public hearing, execution and publication.

Passed by the City Council of Crosslake on this 12th day of March, 1984.


Mayor, Fred J. Fleber
(Seal)

ATTEST: Diana A. Gallaway
Diana A. Gallaway, Clerk

Public Hearing held on the 22nd day of February, 1984.

Published in the Country Echo, legal newspaper, the 22nd day of March, 1984.