

COUNCIL PROCEEDINGS
Crosslake, Minnesota
REGULAR SESSION - April 9, 1984

The City of Crosslake, Minnesota met in a regular session on April 9, 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 50 members of the community present.

Mayor Bieber called the meeting to order.

MOTION NO. 4R-01-84 was introduced by Councilman Nelson that we approve the March 12, 1984 minutes 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.

MOTION NO. 4R-02-84 was introduced by Councilman Arends that we accept the March 26, 1984 Special Session B minutes 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. 4R-03-84 was introduced by Councilman Anderson that we approve the Clerk/Treasurer's financial report for March. 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 financial report for the Telephone Co. was introduced and was noted that the 1983 audit and the 1984 budget report had been received. A meeting was requested to discuss the budget versus expenditures before the audit be approved. MOTION NO. 4R-04-84 was introduced by Councilman Anderson that we accept the Telephone Co. financial report as presented. MOTION DIED FOR LACK OF A SECOND.

MOTION NO. 4R-05-84 was introduced by Councilman Arends that a special meeting of the Council be called to review the present financial structure and budget of the Telephone Co. 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 1983 City audit report was introduced, reviewed and Mayor Bieber made note that our revenues versus our expenditures, per the audit, showed a substantial surplus in cash for 1983. MOTION NO. 4R-06-84 was introduced by Councilman Nelson that the 1983 City audit be approved 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.

The audit letter by Engen regarding the fire call receipt from the State of Minnesota in the amount of \$460.00 which was deposited in 1983 to the Fire Department account directly was introduced as to how the City wished to settle this amount from our receivable record. The figures regarding the expense of one tanker for two hours \$200.00, one jeep for two hours \$150.00 and ten firemen at \$5.50 per hour for two hours \$110.00 were introduced and explained that past practices were to place such monies within the Fire Department account and use such

AUDIT REPORT CONTINUED:

monies to expend on equipment - no money was paid to the firemen. MOTION NO. 4R-07-84 was introduced by Councilman Nelson that the \$110.00 paid for the Firemen's services be left with the Fire Department but that the \$350.00 paid on the use of the equipment be reimbursed to the City. SECONDED BY Councilman Allen.

Discussion was placed on paying the whole of the amount back to the City and in turn paying the Fire Department their portion. Upon roll call vote being taken Councilmen Allen, Arends and Nelson voted AYE, Councilman Anderson voted NAY and Mayor Bieber voted AYE making the vote 4 to 1. Mayor Bieber declared the motion carried.

MOTION NO. 4R-08-84 was introduced by Councilman Arends that we accept the statement from Engen's firm for the 1983 audit of \$1,855.00 for payment. 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. 4R-09-84 was introduced by Councilman Anderson that we issue the On and Off Non-Intoxicating Liquor License to Skarry's Pizza Den. 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. 4R-10-84 was introduced by Councilman Anderson that we approve the transfer of Wm. Reeds of Reeds Market Off Sale Non-Intoxicating Liquor License to his new location. 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.

MOTION NO. 4R-11-84 was introduced by Councilman Nelson that we approve the transfer of the On and Off Sale Non-Intoxicating Liquor License of the Pizza House to Theodore and Marcella Gustafson. 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. 4R-12-84 was introduced by Cman Arends that the On and Off Sale Intoxicating Liquors License of Moonlight Bay be transferred to A. Andolshek but placed on hold until such time the establishment would reopen or transfer and all requirements of such licensing are met. 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. 4R-13-84 was introduced by Councilman Anderson that we approve the resolution for the renewal of the 1984/85 liquor licenses including the changes mentioned and the cancellation of the Pizza House Wine License and Moonlight Bay Dance License renewal. 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.

MAYOR'S REPORT - Mayor Bieber introduced the Industrial Revenue Bond Policy which the City Attorney sent a reply regarding and for which was read. Recommended that we adopt the Policy or reject. MOTION NO. 4R-14-84 was introduced by Councilman Nelson

MAYOR'S REPORT CONTINUED: Motion No. 4R-14-84 continued:

that we adopt the Industrial Revenue Bond Policy 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.

Mayor introduced the last special meeting held in regards to the Telephone Company Cable Television bid placed with Wilde Construction and the letter written to Wilde Construction to be placed as an addendum to the contract. Informed the council of Wilde Construction acceptance of the letter except on the figure of sales tax of \$18,122. where they corrected it to be closer to \$17,096.38. Was recommended that this was a minor change and that the letter be signed at the time the contract is signed.

Police Department report was given for March as 46 calls with Chief Backdahl working 183.5 hours, Officer Coulter working 177.25 hours and Officer Leonard 98 hours. Gas \$269.00. Gal.

The Crosslake/Ideal Lions Club Pull Tab application was introduced and a letter from the County Attorney Rathke recommending not to issue such license. MOTION NO. 4R-15-84 was introduced by Councilman Allen that we back off the issue per the suggestion of the County Attorney. SECONDED BY Councilman Arends. Upon roll call vote being taken Councilmen Allen and Arends voted AYE, Councilmen Nelson and Anderson voted NAY and Mayor Bieber voted AYE. Mayor Bieber declared the motion carried on a three to two vote.

Discussion continued regarding the Pull Tab licensing and was requested that it be placed on the agenda for the May meeting.

Mayor Bieber brought up the situation of City Hall and that the Citizens Advisory Commission at present are at a stand still with the project and a Chairman is required. Volunteers for the Chairman of the Citizens Advisory Commission was requested.

COMMISSION REPORT - A change in venue was presented and accepted.

ROAD COMMISSION - Bids for the roads construction will be opened at the May meeting.

The agreement introduced on the Daggett Pine Road on the culvert proposed for installment was reintroduced and the Commission requested that the City Attorney Fitzpatrick review this agreement for and put his opinion on regarding such. Was noted that the Department of Natural Resources and the Corp of Engineers have informed the Commission that a culvert is not in need of placement where the proposed installation is being presented.

The Dream Island Bridge was introduced as in need of repairs. Costs to be incurred were introduced at \$2,500.00 for labor and \$2,500.00 for pilings, rock, etc. The only variable in cost would be the rock required for the repair. The applying for bridge grants was introduced for review. MOTION NO. 4R-16-84 was introduced by Councilman

COMMISSION REPORTS CONTINUED: ROADS - Motion No. 4R-16-84:

Anderson that the Council go on record as approving the recommendation of the Road Commission to repair the Dream Island Bridge with the costs not to exceed \$5,000.00. SECONDED BY Councilman Nelson.
Upon roll call vote Councilman Anderson, Allen, Nelson and Mayor Bieber voted AYE, Councilman Arends abstained. Mayor Bieber declared the motion carried on a 4 to 1 vote.

The Road Commission introduced a request presented to them from the Police Department in regards to Road Speed Zone signs. The need is for 28 signs at \$22.00 each. MOTION NO. 4R-17-84 was introduced by Councilman Anderson that \$625.00 be taken out of the Revenue Sharing funds to cover the cost of 28 road speed zone signs. Motion Died for Lack of a Second.

The Road Commission announced a change in their meeting date to the last Monday of the month.

BUILDINGS - No report.

CEMETERY - No report.

FUNDING & FUTURE DEVELOPMENT -

Mr. Thomas Herschback will be calling a meeting for the specific purpose of appointing a new chairman.

PARK - Chairman Pruesser reported on the sprinkler system to which nothing concrete has been established and should have more to report in May.

The Tennis Court Resurfacing project was introduced and the monies involved to cover such expense from the Dedicated funds, Capitol Outlay, Maintenance fund and the Park Fee fund. Anderson brothers came in with a proposed cost of \$3,168.00. and C & H Construction at \$3,700.00 verbally reported. MOTION NO. 4R-18-84 was introduced by Councilman Nelson that we follow the recommendation of the Commission to accept Anderson Bros. proposal of \$3,168.00 on the project which will be funded by the Dedicated fund account for Tennis Court Resurfacing, \$1,500.00 from the Park Maintenance Account and the remaining balance to be taken from the Dedicated Fee Schedule monies. 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 LAWCON Grant was introduced, discussed as to useage and determined that we apply under the useage of Parking area asphalted by the softball fields and landscaping be applied for at a \$30,000.00 grant at a 50/25 matching grant and the Cities responsibility of 25 percent be handled as in-kind labor, contributions or any combination thereof. MOTION NO. 4R-19-84 was introduced by Councilman Nelson that we go ahead and put our preliminary application in on the LAWCON Grant. 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.

PERSONNEL - Clerk's change in hours were stated.

COMMISSION REPORTS CONTINUED:

PUBLIC SAFETY - Secretary Mezzenga reported regarding the Water Patrol Session to be held May 7 at 4:00 p.m. for all interested. The numerous projects the Police Department is involved in at present such as Child Watch, Senior Watch, etc. The Crow Wing County Sheriff Dept. contacted the Crosslake Police Department and has placed a request for assistance with the Manhattan Beach problem. The Commission is looking into this and the situation. The dry fire hydrants the Corp of Engineer and the Fire Department are installing was introduced as being placed on the bridge at County Road 16 and the bridge on Co. Rd 6 by the Bait Box. The ambulance service was reviewed and Mission Township has agreed to the subsidy. The new Ambulance driver who will be in attendance of the Ambulance six days a week was introduced as Greg Mezzenga.

PLANNING & ZONING - Chairman Gallati introduced the items for council approval. MOTION NO. 4R-20-84 was introduced by Councilman Arends that we accept Ordinance No. 84-4 as presented. SECONDED BY Councilman Anderson. Ordinance No. 84-4 was read in its entirety to the public.

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 White Island Beach Plat was presented for preliminary approval. Mr. Roger Ulstaad was present and concerned citizens, including Mr. & Mrs. Turner were present and concerns were expressed regarding the plat. MOTION NO. 4R-21-84 was introduced by Councilman Arends that we approve the preliminary plat of White Island Beach. SECONDED BY Councilman Anderson.

Discussion was held regarding the road going to the project and all of these items required and needed to be known would be placed on the final plat. At present it was determined that only the preliminary plat of the White Island area was up for preliminary approval.

Upon roll call vote being taken Councilmen Anderson, Arends, Allen and Nelson voted AYE and Mayor Bieber abstained. Mayor Bieber declared the motion carried on a four to one vote.

MOTION NO. 4R-22-84 was introduced by Councilman Arends that we approve the Commission recommendation that Judy Lingwall be allowed to rent space within the Unique Boutique for light assembly operations. 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.

MOTION NO. 4R-23-84 was introduced by Councilman Arends that we accept the issuance of a permit to the Ye Olde Wharf as presented by the Commission. 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. 4R-24-84 was introduced by Councilman Nelson that we except the recommendation of the Planning Commission with regard to the issuance of a permit to the proposed three-wheel ride spot except that the Conditional Use be deleted and a permit be granted. SECONDED BY Councilman Anderson.

Upon roll call vote being taken Councilmen Nelson and Anderson voted AYE, Councilmen Arends and Allen abstained and Mayor Bieber voted AYE. Mayor Bieber declared the motion carried on a three to two vote.

COMMISSION REPORTS CONTINUED: Planning and Zoning:

The addition of a 22' X 32' to Tom Mezzenga's business was introduced and noted that this addition at present has not been submitted to the Planning & Zoning Commission. MOTION NO. 4R-25-84 was introduced by Councilman Arends that we approve the commercial zoning permit of T. Mezzenga per the Planning & Zoning Commission approval. 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.

TELEPHONE - Was requested that all items be postponed except item 1 until the special meeting of April 17th, Tuesday, at 4:00 p.m.

MOTION NO. 4R-26-84 was introduced by Councilman Nelson that we approve the filing for the cellular radio permit. 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.

POLICE COMMITTEE - No report.

CITIZENS ADVISORY - No report.

OLD BUSINESS - Mr. D. C. Kompelien was present and introduced his concern regarding the lack of acceptance of the low bid of the Class 5 gravel submitted by his firm. The minutes of February 13, 1984 were presented and reasons were presented to Mr. Kompelien. No action was felt to be required regarding this and the complaint was noted.

PUBLIC FORUM - Auditor Engen was present and was present for questions regarding the audit. None was given only the Cash Flow Chart was questioned.

MOTION NO. 4R-27-84 was introduced by Councilman Nelson that this Session of the City Council adjourn. (10:15p.m.) 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, Clerk

RESOLUTION
TO ADOPT FOR RENEWAL

EXISTING LIQUOR LICENSE ESTABLISHMENTS FOR 1984/85

WHEREAS, the City of Crosslake, does hereby resolve to adopt the Liquor License Renewals of establishments licensed in 1983 for 1984.

WHEREAS, the City of Crosslake hereby approves the following establishments for renewal for the period of July, 1, 1984 to June 30, 1985:

ON-SALE (INTOXICATING) - \$1,000.00

Cedar Chest
Riverside
Exchange
Andy's Cafe
Echo Ridge
Moonlight Bay

SUNDAY (INTOXICATING) - \$125.00

Cedar Chest
Riverside
Exchange
Echo Ridge
Moonlight Bay

ON-SALE (NON-INTOX. MALT) - \$40.00

Ox Lake Tavern
Ye Olde Wharf
Channel House
Pizza House
Skarry's Pizza Den

SET-UP - \$50.00

Ox Lake Tavern
Ye Olde Wharf
Channel House

CONSUMPTION & DISPLAY - State Liquor License

Ye Olde Wharf Channel House
Ox Lake Tavern

OFF-SALE (INTOXICATING) - \$100.00

Cedar Chest
Riverside
Exchange
Andy's Cafe
Channel Liquor
Moonlight Bay

DANCE - \$50.00

Exchange
Echo Ridge
Moonlight Bay (Hold-Not for renewal)

OFF-SALE (NON-INTOX MALT) - \$15.00

Pizza House
Crosslake Store
Channel House
Reed's Country Market
Bait Box
Ox Lake Tavern
Ye Olde Wharf
Skarry's Pizza Den

WINE - \$50.00

Ye Olde Wharf
Pizza House (License Canceled as not transfer

BE IT RESOLVED, that the City Council of the City of Crosslake, Minnesota go on record as agreeing to renew the above establishments for liquor license renewals at the Council Session of April 9, 1984.

COUNCIL VOTING IN FAVOR: 5 AYE

COUNCIL VOTING AGAINST: 0 NAY

Diana A. Gallaway
Clerk/Treasurer

Paul J. Baker
Mayor

AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY CODE BOOK KNOWN AS CHAPTER 8 LAND USE REGULATION (ZONING)

The City Council for the City of Crosslake ordains:

SECTION I.

That Chapter 8, Land Use Regulation (Zoning), of the Crosslake City Code book, Sec. 8.10, Subd. 4.A.; Sec. 8.35, Subd. 8.B.; Sec. 8.45, Subd. 8; Sec. 8.65, Source;; Sec. 8.70, Subd. 7 and Subd. 9; Sec. 8.80. which presently reads:

...building permits...

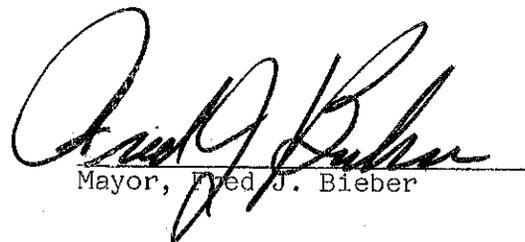
That the above mentioned areas of Chapter 8 is hereby amended to read:

...zoning permits...

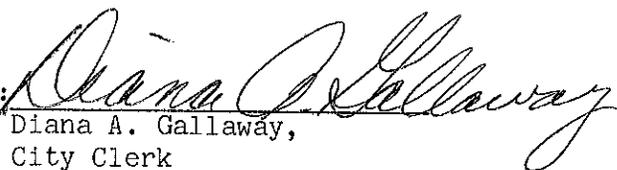
SECTION II.

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 9th day of April, 1984.


Mayor, Fred J. Bieber

(Seal)

ATTEST: 
Diana A. Gallaway,
City Clerk

Public Hearing held on the 16th day of March, 1984
Published in the Country Echo, legal newspaper, the 19th day of April, 1984.