

CITY OF CROSSLAKE
COUNCIL PROCEEDINGS
PUBLIC HEARING AND REGULAR COUNCIL SESSION
APRIL 10, 1989
7:30 p.m. at City Hall

The City Council for Crosslake Minnesota met in a Public Hearing on Monday April 10, 1989 in the Council Chambers of City Hall. The following councilmembers were present: Mayor Kurt E. Anderson, Councilmembers Lyle Arends, Roger Burshem, Diana Gallaway and Charles Miller. Also present were Zoning Coordinator Marlowe Kingstedt, David Landecker from Landecker and Associates, Inc. Bruce Larson for La-Rever properties and City Clerk Arlene Buchite. Also present were approximately 40 citizens.

Mayor Anderson called this Public Hearing to order at 7:30 p.m. stating that the reason for this Public Hearing was in regard to the request from La-Rever properties to allow and approve the site plan for a multiple dwelling and to grant a Conditional Use Permit as recommended by the Planning and Zoning Commission. Mayor Anderson said it had been brought to his attention that the re-zoning request had not been on the agenda so the Council would act on that at the Public Hearing to be scheduled for later in the month.

Mr. Kingstedt said the Planning and Zoning Commission held the public hearing and as their minutes indicate, they are recommending it for Council consideration as a regular point of business and not a public hearing. The request is to rezone from R-1 residential to C-1 commercial. Mr. Kingstedt stated that this is not required as a public hearing for the Council because the Planning and Zoning Commission had it as a public hearing and with the statutory notices it would just be a point of new business under the Planning and Zoning report.

Mayor Anderson said he had two letters to read into the hearing. One was from Landecker and Associates and the other is from the Department of Natural Resources. (Copies of the two letters are attached as a permanent part of these minutes.)

Mayor Anderson asked for comments from the audience. After approximately one minute Mr. Kingstedt presented a plat which he stated was requested by the Planning and Zoning which shows alternate sites for the septic systems. Mr. Kingstedt said this would satisfy the Planning and Zoning commission as well as the Department of Health.

Councilmember Gallaway asked Mr. Kingstedt if this plat would meet the Flood Zone ordinances. Mr. Kingstedt said it is definitely not flood plain up to where the buildings are and according to the map it is almost free of any flood plain concerns as far as he can see.

Councilmember Gallaway said her second question was regarding if the 14 points for conditional use permits were gone through by the Planning and Zoning Commission. Mr. Kingstedt said that the Commission had gone through them and were satisfied the conditions were met. Mr. Kingstedt

indicated that the Planning and Zoning Commission were now recommending it to the Council for approval and rather than wait until later in the meeting Mr. Kingstedt requested that the Council act on the request for reclassification from R-1 residential to C-1 Commercial, also.

Mayor Anderson asked for any comments from anyone present. After a brief period Mayor Anderson requested that a motion be made. MOTION NO. 4PH-01-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMEBER BURSHAM TO APPROVE THE MULTIPLE DWELLING SITE PLAN AS PRESENTED, TO GRANT A CONDITIONAL USE PERMIT AND TO REZONE THE PROPERTY FROM R-1 RESIDENTIAL TO C-1 COMMERCIAL. MOTION WAS APPROVED BY COUNCILMEMBER ARENDS, BURSHAM, AND MILLER. COUNCILMEMBER GALLAWAY ABSTAINED DUE TO CONFLICT OF INTEREST.

Councilmember Miller said before the Public Hearing was adjourned he would like to remind the Council that some sort of record should be written by City Attorney Gammello concerning the Conditional Use Permit. It was the consensus of the Council that a motion should be made. MOTION NO. 4PH-02-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER ARENDS TO HAVE THE CITY ATTORNEY WRITE THE FINDINGS OF FACT ON THE CONDITIONAL USE PERMIT GRANTED TO LA-REVER PROPERTIES. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4PH-03-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER ARENDS TO ADJOURN THIS PUBLIC HEARING AT APPROXIMATELY 7:55 P.M. MOTION PASSED UNANIMOUSLY.

Mayor Anderson called the regular monthly session of the Council to order. He said he had one correction to the minutes of March 25, 1989 and that was on Page 3 in the second paragraph changing the words "City Hall" to "Post Office" MOTION NO. 4R-01-89 WAS MADE BY COUNCILMEMBER BURSHAM AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR WITH THE CORRECTION IN THE MINUTES OF MARCH 25, 1989 ON PAGE 3, SECOND PARAGRAPH FROM "CITY HALL" TO "POST OFFICE". MOTION PASSED UNANIMOUSLY.

A letter from Lansin Hamilton, Land Commission was introduced by Clerk Buchite regarding two parcels of land which are tax forfiet and State statute will not allow them to be sold because they abutt water. It was the consensus of the Council that they would like to contact either Kris Hasskamp or Don Samuelson to see if some legislation could be changed to allow parcels in platted areas to be sold. It was the consensus of the Council that real estate taxes are too high and all and any properties that can be sold should be to bring in more revenue.

It was the consensus of the Council to not sign the requests from Mr. Hamilton even though it may not keep the properties from going back to State or County land. MOTION NO. 4R-02-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER ARENDS THAT THE MAYOR SHOULD NOT SIGN THE RELEASES ON THE PARCELS OF LAND ON LAKE O'BRIEN AND ON CROSS LAKE UNTIL WE ARE ABLE TO OBTAIN BETTER INFORMATION AS TO OUR PEROGATIVES. MOTION PASSED UNANIMOUSLY.

A resolution to renew all existing liquor licenses for the 1989/90 license year was the next item on the agenda. MOTION NO. 4R-03-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO APPROVE THE RESOLUTION TO RENEW LIQUOR LICENSES FOR ALL ESTABLISHMENTS LICENSED IN 1988 AS PRESENTED. MOTION PASSED UNANIMOUSLY.

Next was the insurance quotes. Quotes were received from Mutual Service Insurance of Brainerd and our current carrier Weizenegger/Engle also of Brainerd. Two other companies sent letters saying they were unable to give quotes for this year. MOTION NO. 4R-04-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO ACCEPT THE QUOTES FROM WEIZENEGGER INSURANCE AND TO SEEK QUOTES EARLIER NEXT YEAR. MOTION PASSED UNANIMOUSLY. Mayor Anderson said he thinks the insurance companies will let us know in plenty of time next year if they are interested in bidding on the City insurances. Clerk Buchite indicated that John Weizenegger from Weizenegger/Engle insurance wanted to get together with a committee appointed by the Mayor to review the insurance policies of the City. Mayor Anderson appointed Jerry Boe, Chuck Miller, Dene Carney, Bill Reed and himself as the committee.

Clerk Buchite had received some information on a State energy audit whereby the State will pay 80 percent to a maximum of \$2,000 to check City buildings for heat loss. Councilmember Gallaway asked if we could get more of a definite price for the audit. Clerk Buchite will check with the Audit people. It was the discussion that the Fire Hall is probably the most inefficient.

The renewal of the Charitable Gambling license at the Exchange was next on the agenda. MOTION NO. 4R-05-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER BURSHEM TO RENEW THE CHARITABLE GAMBLING LICENSE FOR THE PRE-SCHOOL AT THE EXCHANGE. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4R-06-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO RENEW THE CHARITABLE GAMBLING LICENSE FOR THE HOCKEY ASSOCIATION AT THE CEDAR CHEST. MOTION PASSED UNANIMOUSLY.

The next item on the agenda was the annual fee for garbage haulers. Clerk Buchite said she had an inquiry from a potential new hauler in Crosslake so she called some nearby cities to see what their requirements were for rubbish haulers. Clerk Buchite also indicated that the City's insurance carrier wants certificates of insurance on file for all haulers doing business in Crosslake. Crosby has their own haulers but also licenses 2 other haulers for residents who do not want the City to haul their rubbish. Pine River has two haulers licensed so as to make it competitive and Breezy Point does not license haulers. Crosby and Pine River both charge \$25.00 per year. Mr. Arends said he feels that the \$5.00 fee as stated in our ordinances is fine. Mayor Anderson said he feel that the City does not license plumbers or carpenters or others in that type of work and he is not sure that rubbish haulers should be licensed either. Mayor Anderson said he feels the ordinance should be left as is but to have a five year fee of \$100.00. Clerk Buchite indicated she would like to have it kept annually because of the insurance purposes. Mr. Arends

said the insurance aspect was the reason for the \$5.00 fee to handle the administrative fees and he feels it should be left as is. Ms. Gallaway said it probably is not worth changing because of the cost of a public hearing to re-do it. Discussion ensued regarding the possibility of limiting the licenses and the Council agreed that that could not be done.

Crosslake hauler Al Benson was present to say he has no problem with the insurance requirements but he resents paying the \$5.00 annual fee. He also questioned the fact that the City may be taking on some responsibility by requiring a copy of the haulers insurance. Mr. Benson also questioned why rubbish haulers should be required to furnish copies of insurance and not furniture haulers or other delivery trucks. Mr. Benson said the City should put some strong requirements on it or take it off the books.

Mr. Arends said he feels that we should just let it ride until we find out what the County is going to do. Clerk Buchite indicated that at this time the County charges a \$25.00 fee but does not require that a copy of the haulers insurance be filed with them according to the Auditor Roy Luukkonen. Mr. Benson said the County does not require copies of insurance because they do not want any responsibility. Mr. Arends said that if the haulers are licensed through the County the City should not have to license them also. Mr. Benson said he does not feel that his insurance is any business of the City's insurance carrier. Ms. Gallaway said the City should get a letter from our insurance company stating why they need a copy of the haulers insurance. Clerk Buchite will check with the County and write a letter to the insurance company.

MOTION NO. 4R-07-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO RENEW THE BINGO AND CHARITABLE GAMBLING LICENSE FOR THE AMERICAN LEGION POST 500 AND THE CHARITABLE GAMBLING LICENSE FOR THE PRE-SCHOOL AT THE BROTHERS LODGE. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that the Council had received a copy of the insurance from the Brainerd Ambulance Service for their information. No questions or comments were made.

The next item was a letter from Julie Dallas of Larson, Allen, Weishair and Company regarding cash receipts taken in by City employees. Clerk Buchite indicated she had been told many times by the City Auditors that any money handled by City employees while on duty should come to the City. A brief discussion followed. Mayor Anderson said it seems Mickey Mouse to him and he questioned the monies from the Firemen's Ball. Mayor Anderson said he feels all fee schedule monies should come to the City and all fund raisers should go to the Park Commission.

Mayor Anderson commented on the letter from the County Assessor regarding the Board of Review which will be held on May 18th at 10:00 a.m. Mayor Anderson informed the audience that this meeting is for 1990 taxes only and if anyone has questions or comments on taxes payable in 1989 they should go to the assessor's office in Brainerd.

The next item was the recertification of a 1986 Road Assessment for which a property has been split. Clerk Buchite indicated that she did not

receive the final figures from Widseth, Smith, Nolting and Associates but the Auditor's office wanted it so it could be on the 1989 tax season. Because the Council feels this is really just a formality it was the consensus of the Council to give the City Clerk the authority to recertify the assessment as received from Bruce Buxton's office. MOTION NO. 4R-08-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO ALLOW THE CITY CLERK TO PROCEED WITH SPEAKING WITH BRUCE BUXTON AND THE COUNTY AND TO WORK WITH THEM IN RECERTIFYING PARCEL NO. 120053400E00009 ACCORDING TO THEIR RECOMMENDATIONS FOR THE SPLIT OF THE ASSESSMENTS. MOTION PASSED UNANIMOUSLY.

The next item was a letter from Employees Benefit Administration regarding the coverage for City Councilmembers and Commission members on the Workman's Compensation policy. The letter from Jack P. Sovil states that the City has had an ordinance on the books since 12-1-82 (the letter says 1982 but it should read 1972) which brings elected officials and commission members under the provisions of the Minnesota Workers Compensation Law. After conversing with Mr. Sovil, Clerk Buchite said she was informed it would cost \$106 per council and commission member per year. We need to revise our ordinance to get this off the books. Mayor Anderson said the total cost would be approximately \$3,000 annually. It was the consensus of the Council that this ordinance be changed. Clerk Buchite will send it to City Attorney Gammello to re-write.

Clerk Buchite indicated that there is a Safety and Loss Control seminar coming up which is put on by the League of Minnesota Cities insurance risk management, North Star Risk Services, Inc. It has been requested that all City employees attend at least one of these seminars. MOTION NO. 4R-09-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO ALLOW ALL DEPARTMENT HEADS TO ATTEND THE SAFETY AND LOSS CONTROL SEMINAR IN EITHER BEMIDJI OR ST. CLOUD. MOTION PASSED UNANIMOUSLY.

Clerk Buchite received a request to transfer the liquor license for Andy's restaurant from Dick Andolshek to Sun Beavers. Clerk Buchite indicated she had received a call from Mr. Andolshek stating he was in favor of this transfer. MOTION NO. 4R-10-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE THE TRANSFER OF THE LIQUOR LICENSE AT ANDY'S AFTER ALL PAPER WORK IS DONE. MOTION PASSED UNANIMOUSLY.

The American Legion Post 500 had written to the City and requested approval for an open house on May 6 for all invited State County and Local officials. MOTION NO. 4R-11-89 WAS MADE BY COUNCILMEMBER BURSHEM AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE REQUEST BY THE AMERICAN LEGION POST 500 TO HAVE AN OPEN HOUSE ON MAY 6, 1989 FOR ALL STATE, COUNTY AND CITY OFFICIALS AND THEIR GUESTS. MOTION PASSED UNANIMOUSLY.

PARK - Joann Jernall, Chairman said she had nothing to report other than that they have gone many places requesting money for new tennis courts but have not heard back from any of them yet.

Councilmember Gallaway asked if a work schedule has been set up yet and Ms. Jernall said it had not. Mayor Anderson said Mr. Arends, Ms. Jernall, Ms. Felber, Mr. McFeters and he would work on the schedule.

Councilmember Gallaway asked Ms. Jernall if the Council could receive a copy of the calendar for each month and Ms. Jernall said she would see that they got one.

PLANNING AND ZONING - Marlowe Kingstedt, Coordinator presented the plat for River Bluffs stating that it has been approved by the Commission. Mr. Kingstedt had a letter from the telephone company stating that no deposit would be required and a letter from Donald Coulter, Surveyor, stating that he saw no reason to object to the plat. Mr. Kingstedt said the road will remain private. Mayor Anderson said he wants the land owners to know that the City will not take the road over unless it continues thru to CSAH #36. MOTION NO. 4R-12-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE THE PRELIMINARY PLAT OF RIVER BLUFFS AS PRESENTED. MOTION PASSED UNANIMOUSLY.

Mr. Kingstedt said the Commission was checking into ordinances at the last meeting and feels that violations are not specific. Mr. Kingstedt read Sec. 8.99 titled VIOLATION A MISDEMEANOR. The recommendation of the Planning and Zoning Commission is that if construction is started without a zoning permit, but all setbacks are in accordance with requirements, a permit may be issued at double the regular zoning fee with a \$50 minimum. The second recommendation is that if construction is started without a permit and an after the fact variance hearing is needed, a permit may be issued at triple the regular variance fee and zoning fee not to exceed the misdemeanor penalty at the time. Currently the misdemeanor penalty is \$700. Payments of penalties is to be within 30 days. Mr. Kingstedt stated these recommendations are based upon the county standards. Mr. Miller asked how much of the fee the zoning coordinator is entitled to and Mr. Kingstedt said it would only be the usual 70 percent of the single permit fee. Discussion ensued as to who should re-write the ordinance and it was the consensus of the Council that it should be the City Attorney. It was the consensus of the Council that the P & Z ordinances need some work. Mayor Anderson said he would like to see commercial permits come before the Council. Jim Gallaway said that he did not think that was necessary because the Council could not deny the permit if all conditions are met and if a commercial permit requires a variance that does have to come before the Council for approval. After a brief discussion, Mayor Anderson said anyone with problems in zoning ordinances should come to a P & Z meeting and have them discussed. There was a brief discussion on the color of buildings and what denotes earthtone.

Councilmember Gallaway asked Mr. Kingstedt if he had received a definition of substandard dimension and Mr. Kingstedt said he had not.

CEMETERY - Mayor Anderson said he has talked to Sam Dunbar and the purchase of the property is proceeding.

PUBLIC SAFETY - Mayor Anderson said that he and the City Clerk had met with Tom Mezzenga to go over the annual report. All Councilmembers were given

of the reports. There were no questions on the report from any member of the Council.

Renewal of fire contracts was discussed. Because of the new assessed valuation the formula needs to be changed and Fire Chief Dave Schliek and the Firemen's Board worked on the formula. They suggested a formula of 1.3 percent of the assessed valuation for all contracts. Mr. Schliek said that they, and the City Clerk would like to have all contracts renewable at the same time, preferably around the 15th of April. Mr. Schliek said contract cities are not paying their fair share of the fire department budget and they will be looking at it more closely next year. MOTION NO. 4R-13-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO ACCEPT THE FORMULA AS SUGGESTED FOR THIS YEARS FIRE CONTRACTS FOR MANHATTAN BEACH, FAIRFIELD AND TIMOTHY TOWNSHIP AND THAT TO APPROVE THE APRIL 15TH DATE FOR RENEWAL OF ALL CONTRACTS BY PRORATING SOME CONTRACTS FOR THIS YEAR'S CONTRACTS. MOTION PASSED UNANIMOUSLY.

Mayor Anderson asked if this would be a hardship for Manhattan Beach since the levy is so low and they only have one liquor establishment. It was the consensus that they would not have to pay the full amount at one time if it is a hardship.

Mr. Schliek asked to have \$25,000 transferred from the general fund to be used for the payment on the chassis of the new fire truck. Mr. Schliek stated that with the \$50,000 set aside from last year they will have enough for the chassis payment. The Yellowstone money was spent on the down payment of the truck as well as hose and equipment. Mr. Schliek said the City has paid \$22,000 on the new truck to date. MOTION NO. 4R-14-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO RESERVE \$25,000 FROM THE GENERAL FUND AS PART OF THE DOWN PAYMENT ON THE NEW FIRE TRUCK CHASSIS. MOTION PASSED UNANIMOUSLY.

Councilmember Gallaway said she was concerned because the siren was not working and it is coming into the tornado season. Telephone Manager Tony Mayer said it does work but they are waiting for a part for the control box. Discussion ensued as to who is responsible for the maintenance of the siren and it was the consensus of the Council that it should be the responsibility of Public Safety but will come out of administration's budget.

UTILITIES COMMISSION - Dene Carney, Chairman said the Council had received copies of the minutes and if they had no questions he would go on to his next item. Mr. Carney said the Council had received in the mail a copy of a memorandum dated April 4, 1989 dealing with the legal opinion on the deferred compensation plan for telephone manager Tony Mayer. Mr. Carney stated that the legal opinion is that the deferred compensation plan is not subject to the legal requirements of Section 89 and the legal people are preparing a plan to implement the 2½ percent deferred compensation plan for the telephone manager.

Mr. Carney said the Commission needed action on four additions to the guidelines which govern the Commission. The four items are updates and they deal with attendance at commission meetings by members, an interim management policy, indoctrination policy for commission members and a

company vehicle replacement policy. MOTION NO. 4R-15-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE THE CHANGES IN THE UTILITIES COMMISSION BUILDBOOK DEALING WITH MEETING ATTENDANCE, AN INTERIUM MANAGEMENT POLICY, AN INDOCTRINATION POLICY FOR NEW MEMBERS AND A COMPANY VEHICLE REPLACEMENT POLICY. MOTION PASSED UNANIMOUSLY.

ROAD COMMISSION - Mr. Will Hoyt from Landecker and Associates, Inc. was present and reminded the Council that there had been a petition to blacktop Dream Island and the first survey showed that the majority of people on the island did not want to have it done. An new survey was done and it showed 22 people in favor of the blacktopping, 7 against it and 2 did not comment. Mr. Hoyt indicated a public hearing would be necessary to do the blacktopping. MOTION NO. 4R-16-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER BURSHEM TO HOLD A PUBLIC HEARING ON APRIL 28, 1989 AT 7:00 P.M. AT CITY HALL. MOTION PASSED UNANIMOUSLY.

Mr. Hoyt said he would like permission to proceed with the bidding for the road improvements at his discretion as he may wait for the Dream Island outcome before he bids them. MOTION NO. 4R-17-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO ALLOW LANDECKER AND ASSOCIATES, INC. TO ADVERTISE FOR BIDS FOR THE UPCOMING SEASON'S ROAD IMPROVEMENTS PROJECTS AT THEIR DESCRETION. MOTION PASSED UNANIMOUSLY. Pat Hoag, Public Works Supervisor said he would like to see the plans before they are bid.

Councilmember Burshem asked if Mayor Anderson had gotten a letter from Zilka's for the road work and the Mayor said he was working on it.

Discussion ensued regarding the purchase of a new loader. Councilmember Miller said there had been a good deal of discussion on new or used. He said the loader they were seeking should have a 2½ yard bucket, a material handling arm and a blank hook. Public Works supervisor Pat Hoag gave the Council a list of some of the things the loader could be used for. Mr. Miller said he heard that in 1980 it was stated that a new loader should be purchased in 1987. Mayor Anderson said he saw a list from 1982 Or 1983 that shows a loader should be purchsed between 1986 and 1988. Mr. Arends said the old loader has been completely overhauled and he thinks the City should rent a big loader when they need one rather than buy one. Mayor Anderson said with the buy back plan it would be cheaper to buy than to rent one and the loader would always be available when needed. Mr. Hoag said the estimated cost is \$70,000 with all the attachments required.

Mike Hayes from Zigeler was present to say if Zigeler is the successful bidder the interest rate would be 7½ to 8 percent interest, with a contract for 60 months with a balloon at the end of the contract. Zigeler will rewrite the contract at that time according to Mr. Hayes but that cannot be put in the contract. With \$20,000 down and \$50,000 at 8 percent interest the annual payment would be \$12,300 and the machine will be paid for in 5 years according to Mr. Hayes. The life expectancy of the loader is 25 years.

Councilmember Burshem said he wondered if the County might not want to contract for the use of the machine from time to time. Mr. Burshem said he is in favor of purchasing the machine but would like to see as much work lined up for it as can be arranged maybe even the telephone company might have use for it from time to time.

Councilmember Arends said he is against it and would like to see some more facts about how much money will be saved before he votes on the machine. He said he feels that sometimes hiring a machine is cheaper than owning one.

Mr. Hayes said their machine would have a five-year warranty and the only things not covered are glass, seat cushions and 50 percent on the tires. Mr. Arends asked about negligence and Mr. Hayes said it is covered for 5 years. MOTION NO. 4R-18-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER BURSHEM TO ADVERTISE FOR A NEW LOADER FOR THE CITY. MOTION PASSED UNANIMOUSLY.

Mr. Miller stated that the Road Commission is short by two members. Mayor Anderson said he would like to recommend Malcolm Perkins as a member. MOTION NO. 4R-19-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE MALCOLM PERKINS AS A MEMBER OF THE ROAD COMMISSION. MOTION PASSED UNANIMOUSLY.

FUNDING AND FUTURE DEVELOPMENT - Liaison Gallaway said they had had a meeting and elected Rick Koch as Chairman and Dean Swanson as Vice Chairman. The Commission was coming up with some good ideas and would be meeting with the Chamber of Commerce.

PERSONNEL - Councilmember Gallaway said she had heard some rumors about not having our green thumb worker work for the City any longer and she wondered why the Council had not been informed. Mayor Anderson said the gentleman involved had come to his house and told him he was quitting but would like to finish the pay period out with Pat Hoag. Mayor Anderson said no one from Green Thumb had called him. Mr. Burshem asked if the contract was with the Park or with the City. Mayor Anderson said he understood it was with the Park. Councilmember Gallaway read a portion of the minutes of December 8, 1986 where Motion No. 12-06-86 stated, "...to approve the use of a Green Thumb worker for maintenance and custodial work for City Hall, the Community Center, the City garage and the Fire Hall" or where ever he was needed. Mr. Arends said the contract specifically states the Community Center. Mayor Anderson said the problem is a personality clash. Ms. Gallaway said she felt the City would be losing the opportunity to have another Green Thumb worker.

MAYOR'S REPORT - Mayor Anderson read a proclamation declaring April as Parkinson's Disease Awareness Month. He stated there would be a Walk-A-Thon on April 16th in Crosslake.

Mayor Anderson also proclaimed May as Arbor Month and April 29th as Arbor Day.

Mayor Anderson announced that there will be a meet the candidates night for School Board candidates on April 25, 1989 at 7:30 p.m.

NEW BUSINESS - Nothing.

OLD BUSINESS - Mayor Anderson said he had talked to Brian Marshall of the Postal Service and Mr. Marshall was looking at some comparable sales of real estate in justifying the purchase of the old City Hall property for \$125 a front foot. Mr. Anderson said the Post Office is also requesting 100 feet instead of 87 feet frontage if the old City Hall is to be torn down. Resident Agnes Beavers asked why the property did not go back to the original owners since it was not being used for what it was given for. Mayor Anderson said it has not been used as a school for many years and that is what it was originally given for and the previous owners should have exercised their options when it was turned into a City Hall or when portions of it were rented out to other businesses. MOTION NO. 4R-20-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE SELLING 100 FEET OF FRONTAGE INSTEAD OF 87 FEET OF THE OLD CITY HALL PROPERTY AS STATED IN A PREVIOUS MOTION, TO THE POSTAL SERVICE FOR A NEW BUILDING. MOTION PASSED UNANIMOUSLY. Councilmember Gallaway asked if the Postal Service was receptive to the figure of \$125 a front foot and Mayor Anderson said yes.

Discussion ensued regarding disposal of the old City Hall. It was the consensus of the Council that Motion No. 3PH2-02-89 to eliminate the old City Hall will stand but the building will not be torn down until we are sure the post office will utilize the land. Mayor Anderson said he had a suggestion to build restrooms on the property for tourists but it was the consensus of the Council that that would be too costly. Maintenance costs and insurance costs for the old City Hall was discussed briefly. Mayor Anderson said a lease agreement to let the Chamber of Commerce use the building was never drawn up or signed.

Mayor Anderson said he talked with the Lion's Club about a sign in front and the Lion's Club said they would build it for \$2,500. Mayor Anderson said he is not interested if there is any cost to the City but he will talk with them again.

PUBLIC FORUM - Libby Andolshek said former Orena Fogelberg is in the hospital. Mayor Anderson requested that the City Clerk send flowers and a card.

MOTION NO. 4R-21-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO ADJOURN THIS REGULAR COUNCIL SESSION AT 10:15 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:



Arlene A. Buchite
City Clerk/Treasurer



LANDECKER & ASSOCIATES, INC.

Engineering

Planning

Surveying

Box 120, Pequot Lakes, Minnesota 56472

(218) 668-4940

April 7, 1989

Bruce Larson
Shores & More
Crosslake, MN. 56442

Re: La-Rever Apartments

Dear Bruce:

I recently phoned the Minnesota Department of Health to inquire about the status of our March 17, 1989 letter asking for determinations as to any approvals from their department for this project.

According to Gerald Smith, Mn. Health Department plan reviewer, review is required for the well or water supply as it would not be considered a public water supply. The wells would need to be constructed in accordance with the State well code but no plan review or approval is required.

He also stated that their plan review and approval would be required prior to construction of the sewage system and building plumbing.

If you have any questions, please contact us.

Sincerely,

LANDECKER & ASSOCIATES, INC.

Will

Will Hoyt

WAH:dr

cc: Joe Re
Marlowe Kingstedt, Crosslake Zoning Adm.

File #88001-1



STATE OF
MINNESOTA
DEPARTMENT OF NATURAL RESOURCES



PHONE NO. DIVISION OF WATERS, 1601 MINNESOTA DRIVE, BRAINERD, MN 56401 FILE NO.
Telephone 218/828-2605

April 6, 1989

Curt Anderson, Mayor
City of Crosslake
City Hall
Crosslake, MN 56442

Dear Mayor Anderson:

LA-REVER APARTMENTS CONDITIONAL USE, PINE RIVER, CROW WING COUNTY

I have reviewed the proposed LA-REVER APARTMENTS plan, dated December 2, 1988, and would like to present comments for your review. These comments have not been presented previously to the Planning Commission since I received no notice of the conditional use application prior to that meeting. Such notice is required by the State Shoreland Management Regulations and is also a requirement of the City's ordinance.

It is my understanding that the project would be utilized on a rental basis only and that there would be no subdivision of land or individual sales of property. Therefore, under current shoreland standards, the project would not be considered as a planned unit development and no individual approval would be required from the Department of Natural Resources.

The City and the developer should be aware, however, that according to the revised shoreland regulations which will be adopted by the Department in the near future, the project would be considered a PUD. Therefore, if the project does not receive final approval by the City prior to the date the new shoreland rules are effective, it would be subject to the requirements of these rules. Also, if the units are converted to individual ownership or subdivision in the future, the new rules would apply.

As a conditional use, the Department has no objections to the proposal, provided adequate screening is maintained between the structures and the river. Also, since a portion of the property is located within a flood hazard area, the requirements of the City's flood plain ordinance must be complied with.

Yours very truly,

Ronald J. Morreim
Area Hydrologist

RLM:jd

- cc: Marlow Kingstedt, Zoning Administrator, City of Crosslake
Chairman, Planning Commission, City of Crosslake
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