

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE, MINNESOTA
REGULAR SESSION - April 11, 1988
7:30 p.m. at City Hall

The City Council of Crosslake, Minnesota met in a regular session on Monday April 11, 1988 in the Council Chambers of City Hall. The following members were present: Mayor Oliver Courts, and Councilmembers Elizabeth Andolshek, Lyle Arends, Diana Gallaway and Oliver Yates. Also present was City Clerk Arlene Buchite and approximately 15 members of the community.

Mayor Courts called this meeting to order at 7:30 p.m. and welcomed everyone present.

The first item on the Agenda was the Consent Calendar. MOTION NO 4R-01-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF THE MARCH 14, 1988 REGULAR COUNCIL SESSION; (2) THE CLERK TREASURER'S FINANCIAL REPORT FOR MARCH, 1988; (3) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR MARCH, 1988; AND (4) THE CABLEVISION'S FINANCIAL REPORT FOR MARCH, 1988. MOTION PASSED WITH ALL COUNCILMEMBERS VOTING AYE.

CLERK'S REPORT - The first item was bills for payment. MOTION NO. 4R-02-88 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER ARENDS TO APPROVE THE FOLLOWING BILLS FOR PAYMENT: (1)LANDECKER AND ASSOCIATES, INC. FOR \$2,500.00; (2)NORTHLAND COMMUNICATIONS FOR NEW CAR SET-UP FOR \$693.52; (3)NORTH STAR RISK FOR BONDING FOR \$125.00; AND (4)LAKES TEXTILE DESIGNS FOR CITY SEALS FOR \$707.19. MOTION PASSED WITH ALL COUNCILMEMBERS VOTING AYE.

The next item was the response from the Pine River Library regarding a letter send by Clerk Buchite asking how much financial help the Library was seeking. MOTION NO. 4R-03-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO CONTRIBUTE \$100 TO THE PINE RIVER LIBRARY. Councilmember Andolshek said she did not feel that was enough money for all the people who utilize the Library from this area. MOTION DID NOT PASS WITH COUNCILMEMBERS GALLAWAY AND ANDOLSHEK VOTING NAY. MAYOR COURTS BROKE THE TIE VOTE BY VOTING NAY.

MOTION NO 4R-04-88 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER GALLAWAY TO DONATE \$200 TO THE PINE RIVERLIBRARY. MOTION PASSED WITH COUNCILMEMBER ARENDS VOTING NAY.

The Crosslake sign on Highway 371 North at C.S.A.H. 16 was the next topic for discussion. Mayor Courts explained to the Council that Doris Fraser and the Chamber have been working for approximately three years to get a sign placed on Highway 371 with an arrow pointing towards Crosslake. Mayor Courts said he felt it would greatly benefit all of Crosslake to have strangers to the area informed that Crosslake is only 12 miles from Highway 371 and he would like to see the City pay all or part of the fees for the sign. MOTION NO. 4R-05-88 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER YATES TO REIMBURSE THE CHAMBER FOR \$128.25 FOR THE SIGN WHICH WAS INSTALLED ON HIGHWAY 371 AND C.S.A.H. 16. MOTION PASSED WITH COUNCILMEMBER ARENDS VOTING NAY.

Mr. Bill Berglund was present to answer any questions from the Council regarding the transfer of the liquor license at the Ye Olde Wharf from Dean Cheever to William Berglund. MOTION NO. 4R-06-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO TRANSFER THE LIQUOR LICENSE FROM DEAN CHEEVER TO WILLIAM BERGLUND. MOTION PASSED UNANIMOUSLY.

The next item on the agenda was the renewal of all liquor licenses in the City of Crosslake. Councilmember Arends asked if someone checked to see if real estate taxes were paid before a license was issued and was informed that one of the requirements for renewal is a copy from the County Auditor's Office showing that there is no delinquency of taxes. MOTION NO. 4R-07-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO ADOPT THE RESOLUTION TO RENEW ALL LIQUOR LICENSES IN THE CITY OF CROSSLAKE FOR THE 1988-89 LICENSING YEAR. MOTION PASSED WITH COUNCILMEMBER ANDOLSHEK ABSTAINING.

The Survey from Region 5 Regional Development Commission was discussed very briefly. Clerk Buchite will fill out the survey.

The next item was a letter from Governor Perpich regarding a detailed energy audit. No action was taken.

There were two quotes received on the City insurance for the coming year. The cost of insurance through Weizenegger Insurance which is insurance through the League of Minnesota Cities was \$21,771.00 and through Lakeland Agency was \$24,942.82. MOTION NO. 4R-08-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO ACCEPT THE INSURANCE QUOTE FROM WEIZENEGGER INSURANCE THROUGH THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST FOR THE NEXT YEAR IN THE AMOUNT OF \$18,663.00 PLUS \$808.00 FOR FIVE ENDORSEMENTS FROM 1987. MOTION PASSED WITH ALL COUNCILMEMBERS VOTING AYE. The difference in the amount quoted and the amount approved is for the Law Enforcement Liability which will be approved when it is renewed.

Clerk Buchite said she had received a response from the League of Minnesota Cities regarding the letter she had written requesting information on withholding building permits if an individual does not have his real estate property taxes paid. The letter stated that it was alright to withhold licenses if taxes are not paid but real estate taxes go with the property and it is not clear if this type of withholding would be upheld by the Courts if tested. Councilmember Arends said he felt that the Mayor should get a ruling from the City Attorney regarding the legality of placing such a stipulation in our ordinances. Mr. Kingstedt, Planning and Zoning Coordinator, said it may create a slight problem with the issuance of building permits if someone had to run down to Brainerd to pick up a receipt that their taxes were paid.

Clerk Buchite indicated she had received a letter from Larson, Allen, Weishair and Company stating that the State Auditor was requiring more information on Fire Department Relief Associations so our audit will not be ready until that information is obtained.

The Pre-school organization which meets down at the Community Center twice a week requested a Charitable Gambling License to have pull-tabs at the Exchange in Crosslake. Pre-school has been in existence for six years and meets all the criteria necessary to be licensed. Park Director Felber said that with the Charitable Gambling the Pre-school hopes to purchase some needed items as well as offer a scholarship. MOTION NO. 4R-09-88 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE PRE-SCHOOL APPLICATION FOR A GAMBLING LICENSE TO CONDUCT CHARITABLE GAMBLING AT THE EXCHANGE IN CROSSLAKE. MOTION PASSED UNANIMOUSLY.

There were three bids received for the sale of the 1985 police Car. Mayor Courts open the bids. They were (1) Crosslake Auto for \$711.00; (2) Dave Scott for \$1135.00; and (3) Patrick Hoag for \$1,152.00. The bids from Hoag and Scott were received just before this Council session began at 7:30 p.m. MOTION NO. 4R-10-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOSLHEK TO ACCEPT THE BID OF \$1152.00 FROM PATRICK HOAG FOR THE 1985 FORD POLICE CAR. MOTION PASSED UNANIMOUSLY.

PARK AND RECREATION - Patricia Felber, Director, informed the Council that the Lion's Club would be sponsoring and running T-ball and the softball leagues this summer. They will hire and pay the coaches and the Lion's insurance will cover the program. The Park Department will back them up with any needed support.

Ms. Felber requested permission to use the City pick-up for City-wide clean up day on May 7, 1988. MOTION NO. 4R-11-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO ALLOW PATRICIA FELBER TO USE THE CITY PICK UP TRUCK FOR CITY CLEAN UP DAY ON MAY 7, 1988. MOTION PASSED UNANIMOUSLY.

Ms. Felber indicated that the Dam Run will be on May 21st and will be sponsored by Mutual Service Insurance.

PLANNING AND ZONING - Mr. Kingstedt said that the Planning and Zoning Commission had approved the concept of having an off-site sign with several non-profit organization on the one sign welcoming people to Crosslake as they enter the City. The sign will conform to ordinances but it will be closer than 300 feet to the nearest sign. MOTION NO. 4R-12-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION REGARDING THE CHARITABLE ORGANIZATION SIGN CONCEPT. MOTION PASSED UNANIMOUSLY.

Mr. Don Coulter, Surveyor, presented Island Cove explaining it was a two lot plat on Melinda Shores. MOTION NO. 4R-13-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO APROVE THE PRELIMINARY PLAT OF ISLAND COVE AS PRESENTED. MOTION PASSED UNANIMOUSLY.

CEMETERY - Nothing'

PUBLIC SAFETY - Fire Chief David Schlick was present to request that the Council approve the resolution for joint powers purchasing with St. Paul

and Ramsey County enabling the Fire Department to save money when purchasing fire equipment. MOTION NO. 4R-14-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO APPROVE THE RESOLUTION FOR JOINT POWERS BUYING AS PRESENTED. MOTION PASSED UNANIMOUSLY.

UTILITIES COMMISSION - Manager Anthony Mayer was present to invite everyone to the Telephone Company's Annual Meeting on May 7, 1988 at 10:00 a.m.

ROAD COMMISSION - The assessment policy which was presented by the Road Commission was discussed. Councilmember Arends said he felt that seal-coating should be added to the list of items to be assessed to residents because it basically is the same thing as blacktopping. Councilmember Gallaway said the City can add any item they want because it then gives the City the option of assessing if they want to. MOTION NO. 4R-15-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO ACCEPT THE ROAD AND BRIDGE ASSESSMENT POLICY AS RECOMMENDED BY THE ROAD COMMISSION, WITH THE ADDITION OF SEAL COATING IN THE ITEMS WHICH CAN BE ASSESSED TO PROPERTY OWNERS. MOTION PASSED UNANIMOUSLY.

Scott Gallaway, Chairman of the Road Commission said the Road Commission was recommending that Landecker and Associates, Inc. be hired as the City Engineer for 1988. Mayor Courts said he felt it would be a good idea to hire them only for this year because if the City has a new administration next year they may want to appoint someone else. MOTION NO. 4R-16-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO HIRE LANDECKER AND ASSOCIATES, INC. AS CITY ENGINEERS FOR THE 1988 ROAD WORK. MOTION PASSED UNANIMOUSLY.

The next item Mr. Gallaway brought up was the Feasibility Report for bridge replacements on Melinda Shores Bridge and Dream Island Bridge. The possibility of receiving State Aid was discussed for Melinda Shores Bridge because the work needed on the bridge does not have to be done immediately. According to Will Hoyt from Landecker, the chances of receiving any state aid are not very good. MOTION NO. 4R-17-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO SUBMIT THE RESOLUTION ALONG WITH THE FEASIBILITY STUDY ON MELINDA SHORES BRIDGE TO THE COUNTY FOR POSSIBLY RECEIVING STATE AID. MOTION PASSED UNANIMOUSLY.

The next item was the alternatives for repairing Dream Island Bridge. The Road Commission recommended a 16 foot wide road, rehabilitation of the bridge at the cost of approximately \$9,800.00. MOTION NO. 4R-18-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO HAVE THE ROAD COMMISSION REQUEST LANDECKER AND ASSOCIATES, INC. PREPARE BIDS FOR THE 16 FOOT WIDE ROAD, REHABILITATION OF DREAM ISLAND BRIDGE AND THAT THE COUNCIL REVIEW THE PACKAGE BEFORE IT IS BID. MOTION PASSED UNANIMOUSLY. Mr. Arends said he would like to have Bob Zilke given a chance to bid the beams for the bridge. His name will be given to the bidders. Mr. Gallaway said that the Road Commission asked Mr. Hoyt to look at the City roads and do some preliminary cost studies on some of our problem roads and a copy was given to the Council. The Road Commission wanted to be given the authority to decide which roads would be done with the money

that is available which is approximately \$105,000.00

Mayor Courts asked about priority and was informed that Sleepy Valley Road would be one of the first roads to be done and it needs to be widened, ditched and have Class 5 added.

Mr. Hoyt indicated there will not be a need for bonding if the City will be staying within the limits of the money available. Mr. Hoyt also said that enough preliminary work will be done so as to get firm estimates for the assessments. The Road Commission Chairman indicated they would plan on doing the bituminous roads that did not get done in the 1986 project. MOTION NO. 4R-19-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO ALLOW THE ROAD COMMISSION TO PROCEED WITH THE ENGINEER AND THE CITY ATTORNEY TO START THE BIDDING PROCESS AND THE ASSESSMENT PROCESS ON THE ESTABLISHED PRIORITY ROADS AND TO THE EXTENT THE MONEY WILL GO. MOTION PASSED UNANIMOUSLY. Councilmember Andolshek asked about Daggett Bay Road and was informed that it is number one on the list for overlayment.

Councilmember Arends said he would like to see the Road Commission meetings held at 7:00 p.m. rather than 5:00 p.m. Chairman Gallaway said that the 5:00 p.m. time was more suitable to the commission members.

Chairman Gallaway said the Road Commission wanted to have an ordinance pertaining to new roads. Recommendation by the Road Commission is "Roads should be built to City Specifications prior to Commission's preliminary inspection. City approved fire numbers and street signs must be installed at the developer's expense. If preliminary inspection by the Commission is satisfactory, a one year trial period goes into effect. During this one year, the developer would maintain all roads and signs. This would allow the City to verify that roads would perform to specs during four seasons of weather conditions. At the end of this one year trial, the Commission would make a final inspection and if satisfactory, Commission would give final approval." Councilmember Arends said he felt the Telephone Company should be considered in this ordinance also. MOTION NO. 4R-20-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO ACCEPT THE RECOMMENDATION OF THE ROAD COMMISSION REGARDING THE ORDINANCE AND SEND IT TO THE CITY ATTORNEY TO FIND HIS VIEW AS FAR AS THE LEGALITIES BEHIND IT. Don Coulter, Surveyor was present to say that he had never heard of an ordinance anywhere that put a one year's condition on it and that it would be an imposition for all developers.

Discussion ensued regarding the possibility of hiring an engineer to oversee the jobs. Mr. Hoyt said that typically the road is inspected after construction to see if it meets specifications. Mr. Kingsted said he felt the issue was addressed in our current ordinance in Section 3.30. Pat Hoag, Street Department Supervisor, said he would like to see some kind of restriction for one year to save the City money on repairs. Performance Bonds were discussed briefly. UPON CALL FOR A VOTE ON THE MOTION COUNCILMEMBERS ANDOLSHEK, ARENDS AND GALLAWAY VOTED NAY. MOTION DID NOT PASS.

Telephone Manager Anthony Mayer said the City could hire an engineer to inspect the road three or four times or whatever is necessary and change it

back to the developers. It was the consensus of the Council that this item should be sent back to the Road Commission for further study. Also to be studied is who should pay for the road signs.

FUNDING AND FUTURE DEVELOPMENT - Mr. Dean Swanson, Chairman, said the Commission has been looking into the feasibility of having a deputy registrar in Crosslake. MOTION NO. 4R-21-88 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER ARENDS TO HAVE THE CITY CLERK WRITE A LETTER SAYING THE CITY OF CROSSLAKE WOULD LIKE TO HAVE A DEPUTY REGISTRAR IN CROSSLAKE. MOTION PASSED. Mr. Swanson said that Pine River had 12,000 transactions last year.

The next item Mr. Swanson discussed was the quarter section maps. The County Surveyor is working on updating maps and have purchased a computer which will help greatly. MOTION NO. 4R-22-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO PURCHASE FIVE COPIES OF EACH QUARTER SECTION MAP THAT HAS BEEN UPDATED BY THE COUNTY SURVEYOR AT A COST OF \$2.00 EACH. MOTION PASSED UNANIMOUSLY.

Mr. Swanson said some members of the Commission had met with Sam Dunbar about purchasing one acre of land North of the Cemetery which Mr. Dunbar owns. Mr. Swanson said the City presently owns three acres but are using only two and the Commission was recommending that the area be brushed out and a fence put around the perimeter. Mayor Courts said he would like to have Mr. Arends and Mr. Yates meet with Sam Dunbar. MOTION NO. 4R-23-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO APPROVE HAVING COUNCILMEN ARENDS AND YATES CONTACT SAM DUNBAR AND NEGOTIATE A PRICE FOR THE ONE ACRE OF LAND NORTH OF THE CEMETERY AND BRING THEIR RECOMMENDATION BACK TO THE COUNCIL FOR ACTION. MOTION PASSED.

Mr. Swanson said the last item that the Commission has been working on is to find some suitable sites for the Postal Department personnal to look at. Mr. Swanson said he will meet with them later this month. He stated he has written them a letter saying that the old city hall is no longer available.

PERSONNEL - Nothing

MAYOR'S REPORT - Mayor Courts said that the Chamber of Commerce people had asked about having a lease so that they would know where they are as far as buying carpet or fixing up old city hall. Discussion ensued regarding which part the Chamber would need. Councilmember Arends said that other organizations would want to use the building for no fee also and that some have already mentioned rummage sales. The possibility of fixing up the kitchen was discussed briefly. MOTION NO. 4R-24-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO DRAW UP A RESOLUTION TO ALLOW THE CHAMBER OF COMMERCE TO USE THE FORMER POLICE DEPARTMENT ROOM IN THE OLD CITY HALL FOR A PERIOD OF FIVE YEARS. MOTION PASSED.

Mayor Courts said he would be calling a special meeting on Monday, May 2, 1988 with the Public Safety Commission at 1:00 p.m. to discuss the proposed dog ordinance. He asked the Council to study it good.

Mayor Courts said he had spoken to Robert Schoenberg about painting the new City Hall and Mr. Schoenberg gave him an estimate of \$700.00 for one coat of paint on the building and to scrape, prime and paint the windows and doors. Mr. Schoenberg said he would rather use a solid stain than a transparent stain as it holds up much better in this part of the country and we will not have the deterioration of the siding. Mayor Courts asked how much additional cost would be incurred for two coats of paint on the building also. Mr. Schoenberg said it would be another \$550.00. MOTION NO. 4R-25-88 WAS MADE BY COUNCILMEMBER YATES AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO APPROVE HAVING COUNCILMEMBERS ANDOLSHEK AND GALLAWAY AND CLERK BUCHITE DECIDE ON THE COLOR AND KIND OF STAIN AND TO HIRE ROBERT SCHOENBERG TO PAINT THE NEW CITY HALL WITH TWO COATS FOR \$1,250.00. MOTION PASSED WITH COUNCILMEMBER ARENDS ABSTAINING.

The quote from Crosslake TV was discussed briefly. There were no complaints for this particular Council meeting regarding the hearing but there have been many complaints previously. MOTION NO 4R-26-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO PURCHASE THE SOUND SYSTEM FOR CITY HALL FROM CROSSLAKE TV FOR A TOTAL COST OF \$3,066.00. COUNCILMEMBER ARENDS VOTED NAY AND COUNCILMEMBER ANDOLSHEK ABSTAINED. MOTION PASSED. This system will consist of six microphones on the Council table, a microphone on a speaker stand, 4 speakers, and a recording system.

OLD BUSINESS - Nothing

NEW BUSINESS - Mr. Kingstedt asked about getting name plates for the Planning and Zoning commission members and the Councilmembers. Mr. Kingstedt will check on the price and get back to the Council.

PUBLIC FORUM - Councilmember Gallaway spoke briefly regarding the plans for Cities Week. There will be a Photo Contest, Essay Contest and a History Hunt in addition to open house scheduled for most of the City offices and civic organizations. City Hall will have open house on Saturday, May 7, 1988 from 2:00 to 4:00 p.m. The Police Department is also giving away a used bike. Councilmember Gallaway says there has been good cooperation, good participation and good advertisement.

MOTION NO. 4R-27-88 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO ADJOURN THIS REGULAR COUNCIL SESSION AT 10:15 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:

Arlene A. Buchite

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City Clerk/Treasurer