

COUNCIL PROCEEDINGS
CROSSLAKE, MINNESOTA
REGULAR COUNCIL SESSION
April 13, 1987 at City Hall
7:30 p.m.

The City Council of Crosslake, Minnesota met in a regular session on April 13, 1987 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. There were approximately 45 members of the community present.

Mayor Courts called this regular council session to order at 7:30 p.m.

CONSENT CALENDAR consisting of the minutes of the regular council session on March 9, 1987; the minutes of the special council session on March 23, 1987; the minutes of the special council session on March 26, 1987; the Clerk/Treasurer's financial report for March; the Telephone Company's financial report for March; and the Cablevision's financial report for March. MOTION NO. 4-01-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR AS PRESENTED. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - MOTION NO. 4-02-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO RENEW THE CHARITABLE GAMBLING LICENSE FOR CROSSLAKE-PEQUOT LAKES YOUTH HOCKEY AT THE CEDAR CHEST. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4-03-87 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE RESOLUTION TO RENEW ALL EXISTING LIQUOR LICENSES IN THE CITY OF CROSSLAKE. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4-04-87 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER ARENDS TO PAY THE CITY ATTORNEY INVOICE FOR \$739.77. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated the Council had been given copies of a letter from Northern National Bank stating the current amount pledged to the City is \$785,000 in addition to the \$200,000 that is available through FDIC.

PARK - Park Liaison Andolshek read a proclamation which the Mayor signed proclaiming the week of April 26th through May 2nd as Crosslake Volunteer Week. Ms. Andolshek also stated that a luncheon will be held at noon on April 30th to honor the volunteers.

Vickey Leonard of the Park Commission reminded the Councilmembers of the joint meeting with the Park Commission which is set for Thursday, April 16, 1987 at 7:00 p.m.

Patricia Felber, Park Director said she would like to have Council approval to hire two CETA youths for the summer months at the Community Center. Mayor Courts told Ms. Felber that the Council would act on this at their joint meeting on Thursday evening.

Mayor Courts said he was going to deviate slightly from the agenda and open the quotes for the grading, ditching and culvert installation on Fawn Lake Road so that the Road Commission could go into the Clerk's office and meet and bring their recommendation back to the City Council for action this evening. Mayor Courts indicated that before he opened the quotes he wanted to discuss with the Council the possibility of putting a time limit on the completion of the project and also to have them meet with the Telephone General Manager. The two companies submitting the bids, Holmwig and Wannebo, were asked if a time limit of July 1, 1987 would make them want to change their quotes. Representatives from both companies declared it would not alter their bids. Culvert installation is included in the quotes but the purchase of a culvert is not included in either bid according to the information given to the Mayor. The quotes as opened and stated by Mayor Courts were: Wannebo Excavating, Inc. for \$13,000 and Jerald Holmwig for \$10,100. The Road Commission then took the quotes to the Clerk's office to hold a meeting.

PLANNING AND ZONING - Mr. John Alden from Taylor Investment was present along with Marlowe Kingstedt, Coordinator to say that the preliminary plat for Sun Shores was recommended for approval by the Planning and Zoning Commission and the City Surveyor, Don Coulter, subject to the condition that Lots 1 through 4, which appear to be wet lands that obviously collect and hold water during wet seasons, be left untouched with no site grading allowed so as not to interfere with present surface water runoff. Mr. Kingstedt indicated that the developers should have a complete understanding with the Planning and Zoning Commission as well as the Council subject to the above considerations. The Planning and Zoning Commission would recommend approval subject to the above considerations as well as culverts to be placed where needed on the advice of the Road Commission as to how many and where they should be placed. Mr. Alden indicated that they are working with the Road Commission and will get their recommendations before the road work will be completed. MOTION NO. 4-05-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO APPROVE THE PRELIMINARY PLAT OF SUN SHORES SUBJECT TO THE CONDITIONS AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. MOTION PASSED UNANIMOUSLY.

Mr. Kingstedt proceeded to explain to the Council the reasons for the resolution determining exception to the platting code by Boe, Swanson, and Isaacson to have a portion of White Island Beach property transferred by metes and bounds. (The City Code allows only two parcels to be divided in any twelve month period of time). Mr. Kingstedt read a letter from City Surveyor, Don Coulter, recommending approval and execution of the resolution as presented by Mr. William Corrick, Attorney for Boe, Swanson and Isaacson. MOTION NO. 4-06-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE RESOLUTION DETERMINING EXCEPTION TO THE PLATTING CODE, PART OF WHITE-ISLAND BEACH ADDITION FOR BOE, SWANSON AND ISAACSON. MOTION PASSED UNANIMOUSLY.

Mayor Courts indicated the next item was the appeal of a denied variance for Dale and Connie Erickson. MOTION NO. 4-07-87 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER YATES TO OVERRULE THE DENIAL FOR A VARIANCE BY THE PLANNING AND ZONING COMMISSION FOR DALE AND CONNIE ERICKSON. A lengthy discussion followed. When asked his opinion, Mr. Kingstedt said

his personal opinion was that it was good use of the land but there was no proof of hardship which should exist for a variance to be granted. He said he felt Mr. and Mrs. Erickson did a beautiful job on the building that was already built.

Mayor Courts said he felt that since the first variance was granted, it set a precedent and this encouraged the Ericksons to believe that they could build a second two family dwelling next door to it. Therefore he felt it is wrong not to overrule the denial as set forth by the Planning and Zoning Commission.

Councilman Arends said there was no opposition to the first variance but that there was to this application for a second variance.

Mr. Don Bogdonovick stated that he owned land adjacent to the subject lot and that he had come 1,200 from Texas to oppose this variance. He said he would have probably opposed the first one but he had only received three days notice of it. He said he does not feel that two wrongs make a right. He said he feels that four families, four docks and four garages on 40,000 square feet is just too congested. He said he has been a taxpayer here for fifteen years and plans to retire and since Mr. Erickson is a builder he will probably just be selling these building and does not care how crowded it will be. He said he feels the Council should uphold the decision of the Planning and Zoning Commission and deny the variance.

Ms. Bonnie Gries said she felt the denial should be overturned because a single family dwelling the same size could be built on that lot and they might have twelve children.

Mr. Erickson said there was no opposition the first time when they requested a variance so they assumed it would be alright to go ahead with plans for the second one. Mr. Erickson stated that Breezy Point only requires 20,000 square feet for a double house.

Mr. Ed Popp said he owns Lots 2 and 3 of Rushmore Estates and he was not notified about the first variance and he would have objected if he had been notified. He said he purchased two lots so as to have some privacy and enough room for a nicehouse and felt that the double houses would distract from the property value. He said that because one mistake was made by granting the first variance that does not mean that variance should be granted all around the lake. He as far as a family of twelve children is concerned, if this variance is granted that would mean that there could be 48 children on the 40,000 square feet with 12 in each residence if the variance is granted. He said he feels that the bay where their lots are located is a sensitive area and because of the possible pollution the Council should look to the future and uphold the ordinances the way they are. He said they were told when they purchased the land that the Council would uphold the building ordinances for the benefit of everyone.

Councilmember Galloway asked Mr. Kingstedt about the time element for the mailing of notices. Mr. Kingstedt said he has a time schedule which he adheres to completely for mailing to property owners within 350 feet of the proposed variance. The lists for the property owners are submitted by the

person seeking the variance. Mr. Kingstedt indicated that none of the letters were returned so he assumes they were received. Mr. Kingstedt showed the council the list of names who received the first and second variance notice.

Councilmember Arends said state statutes says only that it must be published in the legal newspaper but we go one step farther and notify property owners also.

Mr. John Novotny said Crosslake should stick to their rules. If the lot was only short by a foot or so that would be no problem but the lot the Erickson's are seeking approval for is 10,000 square feet to small.

Councilmember Andolshek said she was on the Council when Chatham Park was being considered and people were afraid of the "trash" it would bring in. She indicated that there has been no problem and it is not trashy. She stated that she felt it does not have to be a big expensive house to have good law abiding people.

Mayor Courts said he could not understand why people should be opposed to a double dwelling but not to a single house of the same size. He said he felt that Planning and Zoning set a precedent.

Mr. Bogdonvick asked the Council to vote what they felt because there were people present who would give them support in that direction.

Mayor Courts called for a vote. MOTION WAS DENIED WITH COUNCILMAN ANDOLSHEK VOTING AYE AND COUNCILMEMBERS ARENDS, GALLAWAY AND YATES VOTING NAY. Variance denial was upheld by the Council.

Mr. Kingstedt indicated he has been working toward flood plain plans and would bring it to the Planning and Zoning Commission and will bring it back to the City Council and for a public hearing at the next City Council meeting. This would allow Crosslake residents to obtain flood insurance without going through the normal red tape. We will also receive new flood zone maps. This must be approved by the Council and submitted by July of 1987. Planning and Zoning will address the issue at their meeting on Friday.

CEMETERY - Nothing

PUBLIC SAFETY - Mayor Courts indicated he had met with the Civil Defense people, Robert Garin, John Backdahl, Jim Gallaway, Diana Gallaway and Judy Cotton and a need was discussed for a public safety director. Mayor Courts said he wanted to appoint John Backdahl as Public Safety Director. MOTION NO. 4-08-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO APPROVE THE APPOINTMENT OF JOHN BACKDAHL AS THE CIVIL DEFENSE PUBLIC SAFETY DIRECTOR. MOTION PASSED UNANIMOUSLY.

Mayor Courts indicated the next item was the new well for the Fire Department. Mayor Courts stated the quote from North Star Well Drilling was for \$9,699.70 and the quote from Lambert Water Wells was \$8,734.60. That total includes a four inch test well, a complete eight inch well and plumbing into the fire hall. MOTION NO. 4-09-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO GRANT LAMBERT WATER WELLS THE BID FOR THE WELL AT

THE FIRE DEPARTMENT. Mayor Courts asked Mr. Lambert if he was quite sure he could get at least 250 gallons a minute with a ten horsepower pump. Mr. Lambert said there should be no problem and it should stay that way with the new stainless steel screens of today. Mr. Lambert said a ten horsepower pump would probably be big enough but the bid was for a fifteen horsepower and that is what will be used. MOTION PASSED UNANIMOUSLY.

Bob Garin reported that the siren is ready to be picked up at Rush City and they hope to get it sometime next week.

ROADS - The Road Commission returned to the Council meeting with their recommendation for Fawn Lake Road which was to accept the quote from J.M. Holmwig and Sons for \$10,100.00. Holmwig was requested to furnish a certificate of insurance. The quote includes 4 inches of loose Class 5, grading, ditching and culvert installation with excess dirt to be placed in two low areas on the road. Mission Township and the City of Crosslake will pay for the culverts, those in Crosslake by Crosslake, those in Mission by Mission Township and those going across the road the cost will be split 50/50. Mission Township and Crosslake will split the cost of the road work. The project is to be completed by July 1, 1987 and the Road Commissions for both Mission Township and Crosslake will inspect the road before approval for payment. MOTION NO. 4-10-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO ACCEPT THE RECOMMENDATION FROM THE ROAD COMMISSION TO ACCEPT THE QUOTE FROM JERALD HOLMVIC AND SONS AT THE QUOTE OF \$10,100.00 FOR THE PROPOSED ROAD WORK ON FAWN LAKE ROAD WHICH INCLUDES INSTALLATION OF NECESSARY CULVERTS. MOTION CARRIED WITH COUNCILMEMBER GALLAWAY ABSTAINING.

TELEPHONE - General Manager Anthony Mayer asked the Council to approve the recommendation of the Telephone Commission to approve the supplemental loan proposal to construct a Fiber Optics Network involving Emily Cooperative Telephone Company and Consolidated Telephone Company. If Crosslake does not install the fiber optics the other two companies can then make plans to construct through or bypass the Crosslake exchange which would jeopardize Crosslake's future toll revenues and greatly reduce Crosslake's profits. MOTION NO. 4-11-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO APPROVE THE SUPPLEMENTAL LOAN PROPOSAL AS RECOMMENDED BY THE TELEPHONE COMMISSION. MOTION PASSED WITH COUNCILMEMBER ARENDS VOTING NAY. Mr. Mayer said that if the road project proposed for this year does not go through it will save close to a million dollars.

Mr. Mayer indicated his next item was a request for approval of a resolution from the City Council to approve the use of additional funds from the \$528,250.00 that was approved by Motion No. 8R-16-84 to \$629,772.42 which was actually expended. MOTION NO. 4-12-87 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE RESOLUTION STATING \$629,772.42 IS CABLE TELEVISION EXPENDITURES INSTEAD OF \$528,250.00 AS APPROVED BY THE CITY COUNCIL FOR EXPENDITURES IN AUGUST OF 1984, FOR THE REA LOAN APPLICATION. MOTION PASSED WITH COUNCILMEMBER ARENDS VOTING NAY.

FUNDING AND FUTURE DEVELOPMENT - Leo Fraser, Chairman of the Funding and Future Development Commission stated that the Commission was asking for approval to mail out a letter to all tax-payers in Crosslake for their vote on (1) remodel the present City Hall, (2) build a new City Hall at the present location, and (3) buy the Unique Boutique Building for City Hall. Councilmember Arends

said he objected to the meeting being set for May 2, 1987 and also that the Council had not received copies of the minutes of the Funding and Future Development meetings. Mr. Fraser indicated that the Commission wanted approval of the letter that could be mailed out in April and the responses back and tabulated by the May Council meeting. MOTION NO. 4-13-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO APPROVE THE LETTER AS SUBMITTED BY THE FUNDING AND FUTURE DEVELOPMENT COMMISSION TO BE MAILED TO THE PROPERTY OWNERS IN CROSSLAKE REGARDING REMODELING, BUILDING NEW OR BUYING THE UNIQUE BOUTIQUE BUILDING AND FOR SETTING THE PUBLIC HEARING FOR MAY 2, 1987. MOTION PASSED UNANIMOUSLY. Councilmember Gallaway requested that the Council receive minutes of the Funding and Future Development Commission minutes before the May 2 meeting.

PERSONNEL - Mayor Courts stated that the Council, city employees and City Attorney James Gammello, met in a special session on April 9, 1987 and wrote and approved a personnel ordinance for City employees. A model personnel ordinance from the League of Minnesota Cities was followed.

Mayor Courts stated that the special Council and Planning and Zoning Commission meeting that was scheduled for April 17th was being cancelled because the City Attorney will be out of town that day. This meeting has been tentatively set for May 6, 1987. All local realtors will be notified of the meeting.

Mayor Courts also said the City is looking at computers but no action has been taken and probably will not be until we get our audit back.

NEW BUSINESS - Councilmember Andolshek said she has been asked by some residents about a dog leash law. Mr. Gallaway said they had discussed this at some of their Public Safety meetings and he thinks there is a Minnesota Statute which covers it.

Ms. Andolshek asked again about the road sign for the road behind the Exchange. Mayor Courts suggested that this be brought before the Road Commission and a recommendation brought to the Council.

Councilmember Arends said the Planning and Zoning Commission wants to go back to a 9:30 a.m. meeting instead of the 1:00 p.m. meeting as requested by the Council. Mr. Kingstedt does not feel that the morning meeting is a problem. Mr. Arends said that if a number of people are waiting to obtain permits, the Planning and Zoning Commission just adjourns the meeting for a few minutes until Mr. Kingstedt returns.

PUBLIC FORUM - Harold Johnson requested that the Council consider purchasing microphones or a small public address system. Councilmember Gallaway said she hoped that would happen when we remodel, build or move.

Doris Fraser asked about the time and temperature on the telephone system. Manager Mayer said it is expensive and no one has come forward to want to pay for it. Cost is around \$250 to \$300 a month.

MOTION NO. 4-14-87 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER GALLAWAY TO ADJOURN THIS REGULAR COUNCIL SESSION AT 9:24 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:
Arlene A. Buchite, City Clerk/Treasurer

Arlene A. Buchite



Crosslake Telephone and Cablevision Company

CITY OF CROSSLAKE
Route 1 - Box 1A
Crosslake, Minnesota 56442
Phone 218-692-2777

RESOLUTION

REA SUPPLEMENTAL LOAN PROPOSAL

BE IT RESOLVED, that the City Council of the City of Crosslake, Minnesota go on record to submit for approval a Supplemental Loan Proposal to Rural Electrification Administration for the amount of \$2,369,993.00 at the Council Session of April 13, 1987.

COUNCIL VOTING IN FAVOR:

3

AYE

Councilman Yates
Councilman Andolshek
Councilman Gallaway

COUNCIL VOTING AGAINST:

1

NAY

Councilman Arends

Arlene Buchite
Arlene Buchite, CLERK-TREASURER

Oliver K. Courts
Oliver Courts, MAYOR



Crosslake Telephone and Cablevision Company

CITY OF CROSSLAKE
Route 1 - Box 1A
Crosslake, Minnesota 56442
Phone 218-692-2777

RESOLUTION

GENERAL FUNDS FOR CATV USE

BE IT RESOLVED, that the City Council of the City of Crosslake, Minnesota go on record to submit for approval the use of General Funds from the Crosslake Telephone Company in the format of an interest-bearing loan of \$629,772.41 to be used for CATV Construction and Maintenance at the Council Session of April 13, 1987.

COUNCIL VOTING IN FAVOR:

3 AYE

Councilman Yates
Councilman Andolshek
Councilman Gallaway

COUNCIL VOTING AGAINST:

1 NAY

Councilman Arends


Arlene Buchite, CLERK-TREASURER


Oliver Courts, MAYOR

RESOLUTION DETERMINING EXCEPTION TO THE
PLATTING CODE, PART OF WHITE-ISLAND BEACH
ADDITION (BOE, SWANSON, ISAACSON)

BE IT RESOLVED by the Council of the City of Crosslake,
Minnesota:

1. The proposal of the grantees named in the three deeds attached as Exhibits A, B & C to divide the parcels described therein from Outlots B & C, White-Island Beach Addition, Crow Wing County, Minnesota has been reviewed and approved by the Planning Commission as an exception to the requirements of the Platting Code of the City under Sub-section C of 3.02, Section 20 of the said code.

2. This Council hereby finds and determines that the divisions reflected by the copies of deeds attached hereto as Exhibits A, B & C are in fact an exception to the Platting Code under 3.02, Section 20 (C), and the metes and bounds descriptions in Exhibits A, B & C are hereby approved.

Dated this 13th day of APRIL, 1987.

Clarence K. Covert
Mayor

Attest:

Arlene A. Buchite
City Clerk

RESOLUTION
TO ADOPT FOR RENEWAL
EXISTING LIQUOR LICENSE ESTABLISHMENTS FOR 1987/88

WHEREAS, the City of Crosslake does hereby resolve to adopt the Liquor License Renewals of establishments licensed in 1986 for the year 1987/88.

WHEREAS, the City of Crosslake hereby approved the following establishments for renewal for the period of July 1, 1987 to June 30, 1988.

ON SALE (INTOXICATING) - \$1,250.00

Andy's Cafe
Cedar Chest
Exchange
Echo Ridge
Riverside
Ye Olde Wharf

OFF SALE (INTOXICATING) - \$100.00

Andy's Cafe
Cedar Chest
Exchange
Channel Liquors
Riverside

SUNDAY (INTOXICATING) - \$150.00

Andy's Cafe
Cedar Chest
Echo Ridge
Exchange
Riverside
Ye Olde Wharf

DANCE LICENSE - \$50.00

Echo Ridge
Exchange

ON SALE (NON-INTOXICATING) - \$75.00

Crosslake Cafe
Ox Lake Tavern

OFF SALE (NON-INTOXICATING) - \$25.00

Bait Box
Crosslake IGA
Ox Lake Tavern
Reed's Country Market
Ye Olde Wharf

SET UP LICENSE

Ox Lake Tavern

WINE

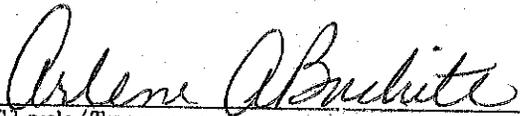
Ox Lake Tavern

CONSUMPTION AND DISPLAY - State Liquor License
Ox Lake Tavern

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 13, 1987.

COUNCIL VOTING IN FAVOR: 4

COUNCIL VOTING AGAINST : 0


Clerk/Treasurer


Mayor