

CITY OF CROSSLAKE  
COUNCIL PROCEEDINGS  
REGULAR SESSION  
MAY 8, 1989  
7:30 p.m. at City Hall

The City Council for Crosslake Minnesota met in a regular session on Monday, May 8, 1989 in the Council Chambers of City Hall. The following councilmembers were present: Mayor Kurt Anderson, Councilmembers Lyle Arends, Roger Burshem, Diana Gallaway and Charles Miller. Also present were City Engineer Will Hoyt from Landecker and Associates, City Clerk Arlene Buchite and approximately 13 citizens.

Mayor Anderson called this regular meeting to order at 7:30 p.m. and said he was going to deviate from the agenda slightly to make an award. Mayor Anderson called Police Chief John Backdahl to the front of the room and said it was with great pleasure that he was presenting John with a plaque and a book of Les Kouba prints and history for John's 20 years of service to the City of Crosslake. The audience gave Mr. Backdahl a big round of applause.

First item on the agenda was the Consent Calendar. MOTION NO. 5R-02-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: 1. MINUTES OF THE APRIL 10, 1989 PUBLIC HEARING AND REGULAR COUNCIL SESSION; 2. MINUTES OF THE APRIL 28, 1989 PUBLIC HEARING; 3. THE CLERK/TREASURER'S FINANCIAL REPORT FOR APRIL, 1989; 4. THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR APRIL, 1989; AND 5. THE CABLEVISION'S FINANCIAL REPORT FOR APRIL, 1989. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - First item was bills for payment. MOTION NO. 5R-02-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE ALL BILLS FOR PAYMENT INCLUDING: RODE, LUCAS, SCHELLHAS AND GAMMELLO FOR \$943.50 AND THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST FOR \$18,930.00. MOTION PASSED UNANIMOUSLY.

The next item on the Clerk's Report was a request for sending out letters to all property owners with structures so as to compile a numerical and alphabetical listing of emergency numbers. Mayor Anderson requested that this item be placed in the Public Safety portion of the meeting.

A fee for a strong beer license was the next item on the agenda. Clerk Buchite informed the Council that a 3.2 beer license is \$75.00 for the year and an on-sale liquor license is \$900.00 and she needed to know how much to charge for just the strong beer. MOTION NO. 5R-03-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER BURSHEM TO SET THE FEE FOR A STRONG BEER ONLY LICENSE AT \$75.00 ANNUALLY. MOTION PASSED UNANIMOUSLY.

The copy machine for the City has been costing a lot for maintenance and producing dirty copies so Clerk Buchite requested approval to seek quotes on a new one. MOTION NO. 5R-04-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO SEEK QUOTES ON A NEW COPY MACHINE FOR CITY HALL. MOTION PASSED UNANIMOUSLY.

The Game and Fish Club applied to renew their annual transient merchant permit. MOTION NO. 5R-05-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE RENEWAL OF THE TRANSIENT MERCHANT PERMIT FOR THE GAME AND FISH CLUB. MOTION PASSED UNANIMOUSLY.

The next item on the Clerk's Report was for an ad to be placed in the June issue of the league magazine publicizing the City for the annual conference. No action was taken but discussion was to try to have an ad ready to place in the magazine next year.

Clerk Buchite indicated that Zorbaz and Moonlight Bay had been omitted from the list of approved beverage licenses for 1989-90 and she would like to have Council approval to renew them. MOTION NO. 5R-06-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE THE RENEWAL OF BEER AND WINE LICENSES FOR MOONLIGHT BAY AND ZORBAZ FOR 1989-90. MOTION PASSED UNANIMOUSLY.

The Whitefish Area Property Owners Association has written to request that the City write a letter to the Department of Natural Resources to request permission to dredge the channel between Whitefish and Trout Lakes as they have done in the past. MOTION NO. 5R-07-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO HAVE CITY CLERK BUCHITE WRITE A LETTER TO DNR REQUESTING APPROVAL TO DREDGE THE CHANNEL BETWEEN WHITEFISH AND TROUT LAKES. MOTION PASSED UNANIMOUSLY.

The next item was a meeting of the Minnesota Clerk's and Finance Officers Association in Walker on May 17, 1989 and Clerk Buchite requested permission to go if her schedule would allow it. MOTION NO. 5R-08-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO ALLOW THE CITY CLERK TO ATTEND THE MN CLERK'S AND FINANCE OFFICERS MEETING IN WALKER. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that the bill received for fuel oil and gasoline was considerably higher per gallon than other competitors were charging. MOTION NO. 5R-08-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER BURSHEM TO SEEK QUOTES ON GASOLINE AND FUEL OIL FOR THE CITY. MOTION PASSED UNANIMOUSLY.

Correspondence received by the City Clerk was the next item on the agenda. Included in the correspondence were copies of letters from Crow Wing County Land Commissioner Lansin Hamilton, a letter from Governor Perpich, a letter from the State Demographers and a letter from the MN Association of Small Cities regarding tax relief. There was no discussion on any of these letters.

MOTION NO. 5R-10-89 WAS MADE BY COUNCILMEMBER BURSHEM AND SECONDED BY COUNCILMEMBER MILLER TO APPROVE THE RENEWAL OF THE \$100,000.00 CERTIFICATE OF DEPOSIT THROUGH 4-M FUNDS FOR THREE MONTHS AT APPROXIMATELY 10.3 PERCENT INTEREST. MOTION PASSED UNANIMOUSLY.

Councilmember Gallaway said she would like to go back to the correspondence and discuss the letter from the MN Association of Small Cities regarding

property tax relief. Ms. Gallaway said she would like to see letters sent to our local legislators from each of the Councilmembers opposing tax increases. MOTION NO. 5R-111-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO SEND THE LETTERS ON PROPERTY TAX RELIEF TO OUR LEGISLATORS AND TO ALSO SEND A COPY OF THE LETTERS TO THE CHAMBER SO THEY CAN INITIATE SOME LETTERS. MOTION PASSED UNANIMOUSLY.

PARK AND RECREATION - Park Commission Chairman JoAnn Jernell said that when the park policy was approved a couple months ago the date was inadvertently omitted so she supplied the Council with a new cover sheet. Ms. Jernell also had a correction under the Personnel heading of the policy and the new sheet should be inserted. The correction was in the second paragraph and should read "Any problem, complaint or compliment shall be submitted to the Commission Chair in writing." MOTION NO 5R-12-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE CHANGES IN THE PARK POLICY AS PRESENTED. MOTION PASSED UNANIMOUSLY. Councilmember Gallaway asked if anyone had checked out the Data Privacy Act to see if the Commission or Council should be handling this type of information.

Mayor Anderson said he feels the chain of command is a hard thing to determine and he has had some verbal complaints again about the Community Center and whether the complaints are justified or not he has tried to make a specific point that he would not do anything about verbal complaints. He felt one individuals complaints through the City Clerk required investigation and it proved to be totally groundless. Mayor Anderson said yet another complaint had come in this evening before the Council meeting. Mayor Anderson said he is getting tired of second and third party complaints. Councilmember Gallaway said she felt the complaints should be checked out. Mayor Anderson said he will get an opinion from the League as to the Data Privacy Act and chain of command. Mayor Anderson said if a complaint comes in it is to go to the Chairman of the Park Commission. The Park Chairman should look into it quietly and if it warrants further investigation then it should be relaid to the Liaison and the Liaison should do whatever he feels is necessary, and if it requires further action it should then come to the Council. Councilmember Gallaway said that is why she would like to see a policy manual for the Council to follow.

Ms. Jernall said she would like to have approval of the fee schedule as presented but it was the consensus of the Council that they would like time to review it until the next meeting. Councilmember Burshem asked if everyone who uses the Center was charged a fee and Ms. Jernell said that if some users are non-profit they do not pay. Ms. Jernell said there is a clause in the Policy that reads that if a group feels they cannot pay they can come to the Commission and the Commission will determine if they should pay or not. Ms. Gallaway said the Commission should be sure to show in their minutes the justification for their decision.

Ms. Jernell said on May 2 there was an insurance meeting which showed some of the various park facilities that were well planned and

Crosslake Community Center was one layout that was shown. Ms. Jernell stated that the next Park Commission meeting would be at 1:30 p.m. to allow the members to tour the nature trails and all Councilmembers were invited.

Ms. Jernell stated that at the last Commission meeting there was a motion made to request that the time clock be removed from the Community Center or one be put in every department. MOTION NO. 5R-13-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO TAKE THE TIME CLOCK OUT OF THE COMMUNITY CENTER. Councilmember Gallaway said she did not read that in their minutes and Ms. Jernell said there had been a special meeting and the minutes were not ready yet. Councilmember Arends said he had received a letter from Ms. Jernell but he would not share it with the other Councilmembers yet because there was some other stuff in it. MOTION PASSED WITH COUNCILMEMBER GALLAWAY VOTING NAY.

Ms. Jernell said that Spring clean-up day was May 6th and although there were not too many people who participated, she would like the Council to thank those who did. MOTION NO. 5R-14-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO PUT AN AD IN THE SHOPPER THANKING ALL INDIVIDUALS WHO HELPED WITH CROSSLAKE CLEAN-UP DAY. MOTION PASSED UNANIMOUSLY.

Ms. Jernell said there will be a compliance meeting for community education on May 15 at 3:30 p.m. for anyone who could attend.

Mayor Anderson said he had had a meeting with JoAnn Jernell, Patricia Felber and Lyle Arends to discuss the forming of a Park Auxillary. The Park Auxillary will be the fund raising arm of the Park Commission and the Park employees will no longer have to handle any fund raising monies at all.

Mayor Anderson said one of the complaints received stated that a local person who had a rummage sale, put the money under the door of the Director's office and it disappeared. Mayor Anderson said he was not going to accuse anyone of taking the money. Another complaint said there was a craft sale where \$168 was taken in and never turned in. Mayor Anderson said it was turned in to the Park Commission. Mayor Anderson said he had another complaint about \$50 that was paid by a band. That money was to pay for pop. Mayor Anderson said someone had turned in a bill that evening showing that the pop had not been paid for as yet. Mayor Anderson said he was sick and tired of someone trying to cause problems. Mayor Anderson said the new Auxillary will eliminate a lot of problems by eliminating the need for Park employees to collect money. The employees will be responsible for fees that are taken in for the use of the building and tennis courts. The Park Auxillary will put on all fund raisers and pay a fee for the use of the building

Discussion ensued regarding a craft show which was put on in November. Mr. Arends said that the complaint says there were 24 tables at \$7 per table but that there were only 21 displays and there was two that were free tables and with the advertising the receipts were \$102.00. Mayor

Anderson said the dollar amount is not important it is whom is accusing whom and with an auxillary all the problems will be eliminated. Clerk Buchite indicated that she did not have official word that the Craft Show was put on by any organization other than the City so she is expecting the money to be turned over to the City and a motion should be made if it is not to be turned in.

PLANNING AND ZONING - Coordinator Marlowe Kingstedt said the Commission was recommending final approval of the River Bluffs Plat to the Council. Mr. Kingstedt referred to a letter from City Surveyor Don Coulter stating that he finds the plat to be in substantial agreement with Minnesota Platting statutes. Mr. Kingstedt indicated that Wilderness Trail on the Plat will be removed and called an outlot instead of a street because it is only a 16½ foot easement to CSAH #36 and not a through street. MOTION NO. 5R-19-89 WAS MADE BY COUNCILMEMBER ARENDS AND, SECONDED BY COUNCILMEMBER MILLER TO GIVE FINAL APPROVAL OF THE RIVER BLUFFS PLAT AS SUBMITTED AND RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. Councilmember Gallaway asked if the Wilderness Trail was being eliminated and Mr. Kingstedt said it was not but would be called an Outlot. MOTION PASSED UNANIMOUSLY.

Mr. Kingstedt said the Planning and Zoning Commission had discussed changing the zoning along CSAH #3 south to the City limits from the current Residential - R1 to Commercial. Mr. Kingstedt said the Commission was recommending this be done by Motion No. 4-5-89. The Commercial zoning would include 800 feet along either side of the highway. This change in zoning would need a public hearing. Councilmember Miller said he questioned the need for 800 feet as commercial and was informed that all the Commercial land abutting the highway is 800 feet in depth and it was done for uniformity. MOTION NO. 5R-16-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER BURSHEM TO HOLD A PUBLIC HEARING TO CONSIDER THE EXTENTION OF THE COMMERCIAL ZONING TO THE CITY LIMITS SOUTH ON CSAH # 3 FROM CSAH # 103. Councilmember Miller said he wondered if the Council should consider extending the Commercial North to the City limits also. City Surveyor Coulter said there is a lot of commercial to the North already. COUNCILMEMBER MILLER AMENDED HIS MOTION TO INCLUDE EXTENDING THE COMMERCIAL ZONING TO THE NORTH AND SOUTH CITY LIMITS AND COUNCILMEMBER BURSHEM SECONDED THE AMENDMENT. MOTION PASSED UNANIMOUSLY.

Councilmember Burshem said he would like to have someone from the Department of Natural Resources come and address the Council or the Planning and Zoning Commission. Discussion ensued as to who had the jurisdiction over land on the water. Mr. Kingstedt said that DNR has jurisdiction 1000 feet away from the ordinary high water mark but they turn it over to the City for decisions if the permit does not include anything that is in the water. Mr. Kingstedt said the shoreline management act will be changing.

Councilmember Gallaway asked about the Findings of Fact on the La-Rever property and Mayor Anderson said it is being worked on. Mayor Anderson asked if there was any word on the Andolshek Bed and Breakfast and Mr. Kingstedt said he has not heard anything to date.

CEMETERY - Mayor Anderson said he will be asking City Surveyor Coulter to survey the Dunbar property within a week.

PUBLIC SAFETY - Mayor Anderson said there has been no meeting. Mayor Anderson said he laid out a program on his computer with a post card reply to mail to property owners in Crosslake to set up an emergency file system. Mayor Anderson said he would need approval for stamps on the card that is send out and on the return card. Mayor Anderson said he will meet with Fire Chief Schliek and Clerk Buchite to get the system implemented. MOTION NO. 5R17-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO APPROVE THE EXPENDITURE OF APPROXIMATELY \$800 TO IMPLEMENT A FIRE NUMBER AND ALPHABETICAL LISTING SYSTEM. MOTION PASSED UNANIMOUSLY.

UTILITIES COMMISSION - Chairman Dene Carney stated that the Council had copies of the commission minutes and if there were any questions he would answer them. Mr. Carney said the Annual Meeting would be Saturday, May 20, 1989 at 10:00 a.m. at the Telephone Company Building. Mr. Carney also stated that the Council had copies of the annual reports for both the Telephone and Cablevision companies.

ROAD COMMISSION - Mayor Anderson stated that the bid opening for a new loader was scheduled for earlier in the day but he chose not to open the bids because there were only two bids and three complaints that the specifications were too restrictive because of the total cost bidding and bucket size. Mayor Anderson indicated that the bids were returned unopened to the bidders and the City will seek new bids next month.

Will Hoyt from Landecker and Associates was present to report on road construction. Mr. Hoyt stated that road from last Fall will be done yet this Spring with Daggett Bay and Milinda Shores scheduled for May 22. The bids for the roadwork for this year will be opened on May 25 at 10:00 a.m. and will be presented to the Road Commission that evening. Mr. Hoyt indicated that he has not received a letter from Zilka's to allow us to blacktop the portion of Daggett Bay that is on their property. Mayor Anderson said he will call them again to get the letter.

Mr. Wes Felber said he was concerned about two areas of Daggett Bay Road where water stands on the road and a culvert may be needed. Mr. Hoyt said he is familiar with the area but we have limited right of ways. Mr. Hoyt said that because of the sandy soil in Crosslake the ditches can be allowed to hold water.

FUNDING AND FUTURE DEVELOPMENT - Chairman Dean Swanson said the Commission will be meeting on the Thursday's following Council meetings.

PERSONNEL - Nothing.

Ms. Julie Dallas, Certified Public Accountant from Larson, Allen, Weishair and Company was present to go over the City's annual audit. Ms. Dallas explained the separate funds which are the General Fund, Capitol Improvements Fund and the Government Obligations Fund. Ms. Dallas stated that the Accounts Receivable was large because of the anticipated revenues from

the Yellowstone fire for which the City had sent out a fire truck. Ms. Dallas recommended that the market value of pledged collateral be checked semiannually.

Ms. Dallas stated that the City is in very good shape financially. Ms. Dallas commented that the computer is working out very well. Ms. Dallas requested that all transfers between funds be approved by the Council. Mayor Anderson asked about getting the Audit earlier and Ms. Dallas said it is difficult because the audit has to encompass the Telephone and Cablevision audits as well as the Firemen's Relief report. Mayor Anderson said he would like to have monthly reports as to where each department is in terms of their budget. Clerk Buchite said she can give the Council approximate reports but they may change somewhat after the annual audit come back. MOTION NO 5R-18-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER ARENDS TO ACCEPT THE ANNUAL AUDIT FOR 1988 AS PRESENTED BY JULE DALLAS FROM LARSON, ALLEN WEISHAIR AND COMPANY. MOTION PASSED UNANIMOUSLY.

MAYOR'S REPORT - Mayor Anderson read a proclamation proclaiming May 12, 1989 as Poppy Day in Crosslake.

Mayor Anderson asked for volunteers to sit on the Board of Review. Mr. Jerry Boe, Mayor Anderson and Councilmember Arends volunteered and Clerk Buchite will also be there to take minutes.

Mayor Anderson read a letter from Brian Marshall of the U.S. Postal Service whereby he stated the Post Office would only pay \$9,500 for the Old City Hall property but Mayor Anderson said he got a verbal commitment from Mr. Marshall that they would pay \$10,000.00. Councilmember Arends said he would like to offer the post office 85 feet and give them a variance to build so the City can keep the old city hall building. Mr. Arends said the City will lose \$35,000 to \$40,000 by selling the property because they will have to tear down the building and move the road. Mayor Anderson said the City will not be putting any money into the General Fund but he feels this is what the majority of residents of Crosslake want. Councilmember Miller said the original idea was not to make money for the City but to keep the post office in the downtown area. MOTION NO. 5R-19-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER BURSHEM TO SELL 100 FEET OF THE OLD CITY HALL PROPERTY TO THE POST OFFICE FOR \$10,000 AS A FINAL OFFER. MOTION PASSED WITH COUNCILMEMBER BURSHEM AND MILLER AND MAYOR ANDERSON VOTING AYE. COUNCILMEMBERS GALLAWAY AND ARENDS VOTED NAY.

NEW BUSINESS - Nothing.

OLD BUSINESS - Councilmember Gallaway asked about insurance meeting and was informed it was set up for the following Monday. She also asked about the Energy Audit and was informed there was no new information.

Councilmember Burshem asked if the Green Thumb employee was still working for the City and Mayor Anderson said he was working for the Street Department. Mayor Anderson said it is not clear if he was working only

for the Park Department or the entire City. Mayor Anderson said he has a meeting scheduled for Wednesday to talk to the Green Thumb person and he will inform the Council of his decision at that point. Mayor Anderson said he talked to the Green Thumb supervisors and all he has to do is to write a letter and they will transfer the Green Thumb worker out of the City employment. Mayor Anderson said that Street Supervisor Pat Hoag is very satisfied with the work he is receiving from the Green Thumb employee.

PUBLIC FORUM - Ms. Jernell asked Councilmember Gallaway if she had received the work schedule and calendar of events that she had requested from the Park and Ms. Gallaway said she had only received the calendar of events.

Mr. Dene Carney asked if anyone could review the annual audit and was informed that they could and he was welcome to take it home to review.

Councilmember Gallaway informed those present that the Blood Mobile would be at the Community Center the next day for anyone who cared to donate and this blood drive was sponsored by the Lioness Club.

Councilmember Miller said he thought maybe the Council should notify the Legislature that the Brainerd Regional Human Services Center was needed. After a brief discussion it was the consensus of the Council that there is not a problem there at this time.

MOTION NO. 5R-20-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO ADJOURN THIS REGULAR COUNCIL MEETING AT 9:25 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by;



Arlene A. Buchite  
City Clerk/Treasurer