

COUNCIL PROCEEDINGS  
CITY OF CROSSLAKE  
PUBLIC HEARING AND REGULAR SESSION  
May 11, 1987 at 7:30 p.m.  
City Hall

The City Council of Crosslake Minnesota met in a Public Hearing on Monday, May 11, 1987 at 7:30 p.m. in the Council Chambers of Cityhall. The following members were present: Mayor Oliver Courts and Councilmembers Elizabeth Andolshek, Lyle Arends, Diana Gallaway and Oliver Yates. There were approximately 41 citizens present.

Mayor Courts called this meeting to order at 7:30 p.m.

Marlowe Kingstedt, Planning and Zoning Coordinator stated that the purpose of the Public Hearing was to update the flood zone map and thereby offer the availability of flood insurance to residents without the usual red tape for flood insurance. Mr. Kingstedt stated that this ordinance must be in effect by July 2, 1987 to be eligible to participate in this program. If we do not participate the following items will apply: (1) Flood insurance will no longer be available in this area. No resident will be able to purchase a flood insurance policy; (2) No Federal grants or loans for buildings will be made in identified flood hazard areas and includes all Federal agencies such as HUD, EBA, Small Business Administration and HEW; (3) No Federal Disaster Assistance will be provided in identified flood hazard areas; (4) No Federal mortgage insurance may be provided in identified flood hazard areas and this includes FHA, Veterans Administration and Farmers Home Administration; (5) Recent legislative changes to the FVPA restriction for conventional loans in non-participating communities is replaced by the requirement that lenders must notify the buyer that the property is in a flood area and that the property is not eligible for federal disaster relief.

Mr. Kingstedt said government looks at 100 years of service. Mr. Kingstedt said that Washington, Chicago and St. Paul agencies are all saying that this had better be implemented. Mr. Kingstedt said the Planning and Zoning Commission were bypassed because of the time limits. Approval is needed from Chicago and Brainerd and time is essential for the July 2, 1987 deadline. Mr. Kingstedt stated that in order to comply a legally enforceable ordinance must be enacted, the ordinance must meet minimum standards and submitted to the Chicago office by June 2, 1987. Mr. Kingstedt indicated that the flood plain map is the same one that was received here two years ago. MOTION NO. 5PH-01-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO ADOPT THE MODEL ORDINANCE AS READ FOR THE FLOOD PLAIN MANAGEMENT PROGRAM. MOTION PASSED UNANIMOUSLY,

Mr. Kingstedt went on to say that Crosslake is considered to be quite controllable and is considered minimal chance for flooding.

MOTION NO. 5PH-02-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO ADJOURN THIS PUBLIC HEARING AT 8:00 p.m. MOTION

PASSED UNANIMOUSLY.

Mayor Courts declared the Public Hearing adjourned and called this regular council session at order at 8:00 p.m.

All Council members remained present for this regular council session.

MOTION NO. 5R-01-87 WAS MADE BY COUNCILMEMBER ANDOSLHEK AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) THE MINUTES OF THE SPECIAL COUNCIL MEETING OF APRIL 2, 1987; (2) THE MINUTES OF THE SPECIAL COUNCIL SESSION OF APRIL 9, 1987; (3) THE MINUTES OF THE REGULAR COUNCIL SESSION OF APRIL 13, 1987; (4) THE MINUTES OF THE APRIL 16, 1987 SPECIAL COUNCIL SESSION; (5) THE MINUTES OF THE SPECIAL COUNCIL SESSION OF APRIL 30, 1987; (6) THE CLERK TREASURER'S FINANCIAL REPORT FOR APRIL, 1987; (7) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR APRIL, 1987; AND (8) THE CABLEVISION'S FINANCIAL REPORT FOR APRIL, 1987. MOTION PASSED UNANIMOUSLY.

Mayor Courts said he was going to vary the next order of business in order to accomodate Mr. Duane Blanck from the Crow Wing County Highway Department who was going to give a presentation to the Council regarding the proposed work for County Road No. 3, South out of Crosslake.

Mr. Blanck said the proposed road work would include widening the shoulders and resurfacing the road from the new bridge to Beavers Corners. Bid letting will take place on June 23 and construction is scheduled to begin in July. Mr. Blanck said the section of the road from the bridge to Highway No. 103 will include a bike and jogging path. According to Mr. Blanck the plans have already been approved by St. Paul. From County Road 36 south to County Road 11 there will be an eight foot wide shoulder but only two feet width of it will be paved. Mr. Blanck indicated that the road work from the Corps of Engineers campground south to the new bridge will also be completed at that time. Mr. Blanck said as far as he knows all the funding for this road work will come from County funds.

Councilmember Gallaway asked about traffic and if there were to be any detours. Mr. Blanck said there may be delays but there would be no detours the road would remain open. Councilmember Arends asked about right-hand turn lanes. Mr. Blanck stated that as far as he knew the only right hand turn lanes would be at the intersection of County Road 3 and County Road 11 both in the northbound and southbound lanes. Mr. Blanck said the blacktop would extend 8 feet into driveways.

When asked about County Road 103 Mr. Blanck said the County road department hopes to shave and level it off when the weather gets hot. Mr. Blank said County Road 16 is scheduled to be completed in three phases with the first one scheduled from Peoria Store to Ideal Town Hall in 1987. Phase two and three will take place in 1988.

Mr. Blanck also indicated that County Road 3 north of Crosslake is scheduled for resurfacing this year from County Road 37 north the first two and one-half miles and County Road 36 east to O'Brien.

Mr. Blanck said that when the road work is completed on County State Aid Highway No. 3 the load limit will be nine ton year around. Mr. Blanck also said the Highway Department would try to fix the hole in the roadway in front of Reed's Market.

MOTION NO. 5R-02-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO APPROVE THE RESOLUTION FOR PROJECT NO. S.P. 18-603-06 FOR THE ROAD WORK SCHEDULED BY THE COUNTY HIGHWAY DEPARTMENT ON COUNTY STATE AID HIGHWAY NO. 3 SOUTH OF CROSSLAKE. MOTION PASSED UNANIMOUSLY.

Police Sargeant Coulter asked about the speed study on County Road No. 6 North of County Road 16 and Mr. Blanck indicated one had been done prior to construction of the new road but not since the construction was completed.

Mr. Blanck gave the Clerk a copy of the proposed five year road plan for the County Highway Department and said if the Council had any questions they could contact his office.

CLERK'S REPORT - MOTION NO. 5R-03-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO APPROVE THE INSURANCE PACKAGE AS PROVIDED BY WEIZNEGGER INSURANCE AGENCY FOR 1987-88. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated she had contacted the League of Minnesota Cities regarding the 4-M Fund and the current rate of interest they are paying is 6.56 percent with the average for the past seven days at 6.55 percent. The Council did not wish to consider investing funds until the audit is complete.

The next item on the Clerk's Report was publication of resolutions which cost an average of \$10 per item. MOTION NO 5R-04-87 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER ARENDS TO APPROVE HAVING RESOLUTIONS PUBLISHED IN THE APPROVED MOTIONS IN THE NEWSPAPER AND NOT IN THEIR ENTIRETY. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5R-05-87 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER GALLAWAY TO PAY BILLS CONSISTING OF: CITY ATTORNEY'S BILL FOR \$1,368.60; LEAGUE OF MINNESOTA CITIES INSURANCE TRUST FOR \$17,901.00; NORTH STAR RISK BOND FOR \$125.00; EXTENDED REPORTING ENDORSEMENT NO. 1 FOR \$564.00; AND AMERICAN NATIONAL BANK FOR ADMINISTRATION FEES AND INTEREST ON IMPROVEMENT BONDS SERIES 1986A FOR \$254.62. MOTION PASSED UNANIMOUSLY.

PARK REPORT - Park Liaison Andolshek stated that the Park Board held their regular meeting on April 27 and at that meeting they discussed fee schedules and changes. Mr. Avery Hoff went over the changes in the fee schedules for the Council. He said emphasis will be place on collecting damage deposits for groups using the Community Center; Boy Scouts and Girl Scouts will be exempt from paying fees; organizational meetings such as craft clubs or groups of twenty-five people or less will

be charged \$5.00 per meeting and groups of 25 people or more will be charged \$10.00 per meeting; charges for youth ball programs, swimming lessons, adult hockey and broomball will be eliminated; adult ball programs will be changed from \$10.00 per season per player to \$15.00 per season per team; tennis reservations will be \$2.00 per hour or \$25.00 per family per season and \$15.00 per senior citizen and student per season; youth hockey will be \$5.00 per season per player; and to change the "Park Facilities" to "Recreation and Athletic Programs". The Park Board also voted to leave the consumption of alcoholic beverages as it is which prohibits the use of alcoholic beverages within the Park. Park hours were established as 8:00 a.m. to 8:00 p.m. All tennis and other fees collected are to be given to the City Clerk each day or left in the night depository at the Telephone Company Building.

Vickey Leonard stated that the Coupon books are now ready for sale and gave the City Clerk the first five off the press for the Council to purchase. Councilmember Andolshek said the next Park Board meeting will be May 21 at 4:00 p.m. instead of 7:00 p.m. because of a scheduling conflict.

Councilmember Gallaway asked about the policy manual the Park Board was working on and was told they hoped to have it at the next Council meeting.

PLANNING AND ZONING - The Council was informed that Sun Shores final plat approval was cancelled for this meeting.

CEMETERY - Fees for cremation burials were discussed briefly. MOTION NO. 5R-06-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO SET FEES FOR CREMATIONS AT \$25.00 MOTION PASSED UNANIMOUSLY.

Cemetery Liaison Andolshek stated that quotes were going to be obtained from the two local lumber yards for a split rail fence at the cemetery and reminded the Council that Memorial Day services would be May 25, 1987.

PUBLIC SAFETY - Mr. James Gallaway, Public Safety Chairman, said the Commission recommended that Chapter 169 of the Traffic Laws be adopted by Crosslake which pertains to three and four wheel all terrain vehicles. This would require drivers to be at least 16 years of age and would require the vehicle to have a Department of Natural Resources sticker on it. MOTION NO 5R-07-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO ADOPT THE RESOLUTION ACCEPTING CHAPTER 169 OF THE TRAFFIC LAWS THAT APPLIES TO THREE AND FOUR WHEEL ALL TERRAIN VEHICLES FOR THE CITY OF CROSSLAKE. MOTION PASSED UNANIMOUSLY.

Mayor Courts said he has been approached by several citizens regarding the parking of vehicles on the sidewalks at Ernie's station and store. It was suggested that the Mayor talk to the Crow Wing County Highway Department to see if they will paint the sidewalks yellow or do something so people will not park on them.

Mr. Vern Lambert was present to discuss the need for pressuring the new well at the Fire Department. Mr. Lambert said that if the well is not

pressurized one of the firemen could turn the valve off before another fireman throws the switch on the pump and it would take the plumbing right out of the firehall. Mr. Lambert said it is something that has to be done and it would be cheaper to do it now than later. Mr. Lambert said the well is drilled now but that they struck clay at 97 feet and with permission from the Mayor they drove the well deeper but had to eventually pull back to 57 feet and put double screening down. Because the well is shallower than what was originally bid a ten horsepower pump will be used instead of a fifteen horsepower that was bid. The extra cost of the double screening will be offset by the smaller pump and shallower well according to Mr. Lambert. Money to pay for the pressuring was discussed. MOTION NO. 5R-08-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE PRESSURING OF THE NEW WELL AT THE FIRE DEPARTMENT AT THE COST OF \$1,706.50 WITH MONEY TO BE USED FROM THE FIRE DEPARTMENT DEDICATED FUNDS. MOTION PASSED UNANIMOUSLY.

A letter from residents of Wilderness Trailer Park Road was read which requested that 30 mile per hour speed limit signs be placed on the road because of the bikers and joggers who use the road. MOTION NO. 5R-09-87 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER ARENDS TO ASK THE ROAD COMMISSION AND POLICE CHIEF JOHN BACKDAHL TO STUDY THE PROBLEM WITH THE SPEED LIMIT ON WILDERNESS TRAILER PARK ROAD AND BRING THEIR RECOMMENDATION BACK TO THE CITY COUNCIL. MOTION PASSED UNANIMOUSLY.

TELEPHONE - Mr. Dene Carney, Telephone Commission member, stated that the annual meeting of the Telephone Company is scheduled for Saturday, May 30, 1987 at 10:00 a.m. at the new warehouse building behind the Telephone Company. Mr. Carney also said the Council had copies of the annual audit for the Telephone Company and the 1987 budget for approval. Mr. Carney stated that the Commission anticipates the dividend to the City this year will be \$60,000.00 MOTION NO 5R-10-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO ACCEPT THE 1987 TELEPHONE COMPANY BUDGET AND TO APPROVE THE AUDIT REPORTS BY OLSEN, THIELEN AND COMPANY, LTD. FOR 1986 FOR THE TELEPHONE COMPANY AND CABLEVISION COMPANY. MOTION PASSED UNANIMOUSLY.

Mr. Carney also stated that the NBC network out of Duluth would be replaced with a NBC network station out of Atlanta.

ROADS - Mayor Courts declared that he had set a meeting ofr May 14, 1987 , to make a decision on purchasing a road grader for the City and whether the City should go ahead wiht the proposed five year road plan.

Mayor Courts also indicated that Mission Township approved the road work scheduled for Fawn Lake Road and Jerry Holmwig as contractor. A copy of Mr. Holmwig's insurance is on file with the City Clerk as requested.

FUNDING AND FUTURE DEVELOPMENT - Leo Fraser, Chairman, told the Council that the Commission had tabulated the survey returns which had been sent to all Crosslake taxpayers. There were a total of 744 forms returned to the City out of approximately 2,000 which were sent out.

The returns were:

OPTIONS	FIRST CHOICE	SECOND CHOICE	THIRD CHOICE
Remodel Present City Hall	330	253	42
Build New	24	66	360
Purchase Unique Boutique Bldg.	388	139	47

Mr. Fraser said that because of the tabulation of the survey forms, the Funding and Future Development Commission was recommending to the Council to proceed with the purchase of the Unique Boutique building.

Mr. Arends said he did not feel that the Council should buy that building because of the water table there. He indicated he had set up a transit to check out the grade and conduct a soil test. MOTION NO. 5R-11-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO REMODEL THE PRESENT CITY HALL. Discussion ensued. Mayor Courts stated that there had been a public gathering on Saturday, May 2, 1987 for the purpose of citizens asking questions and when the group was asked how the Council should vote the group indicated the Council should vote according to the survey results.

Councilmember Andolshek stated that she wanted to go on record as being in favor of remodeling the present City Hall but would vote the way the survey indicated.

Mr. Arends said he felt the survey form which was sent to the citizens was misleading when it stated that the present City Hall has historical value and because of the letter some people felt the building was too old to warrant remodeling.

Ms. Gallaway said she had gone to inspect the Unique Boutique building with a very negative attitude but after viewing the water line, and finding absolutely no trace of water in the basement level of the building she has no qualms about voting for the Unique Boutique.

Mayor Courts said he had received a letter from the postal service indicating that they were looking for a building in the City of Crosslake to lease for a new postal facility with a ten year lease.

COUNCILMEMBER ARENDS SAID HE WOULD LIKE TO WITHDRAW HIS MOTION AS THERE WERE THINGS HE WANTED TO CHECK ON. COUNCILMEMBER ANDOLSHEK WITHDREW HER SECOND.

Councilmember Gallaway said she would like to read a motion for the Council to consider. MOTION NO. 5R-12-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK THAT THE COUNCIL ACCEPT THE CONSENSUS POLL OF THE TAXPAYERS OF CROSSLAKE AND PURSUE THE PURCHASE OF THE UNIQUE BOUTIQUE BUILDING UNDER THE STIPULATION THAT NO PURCHASE AGREEMENT BE ENTERED INTO EXCEPT BY MAJORITY AGREEMENT OF THE CITY COUNCIL, THAT SUCH BUILDING HAVE A LAND SURVEY COMPLETED AND THAT SUCH SURVEY SHOWS THAT THE BUILDING IS SET ON THE LAND LEGALLY AND THERE PROVES TO BE NO ENCROACHMENT OF OTHER PROPERTIES AND THAT CLEAR TITLE IS OBTAINED BY THE CITY ATTORNEY

AND THAT SUCH REGULATIONS DEEMED BY LAW ON A STATUTORY CITY FOR THE PURCHASE OF A BUILDING PER THE STATE OF MINNESOTA BE MET. MOTION PASSED WITH COUNCILMEMBER ARENDS VOTING NAY.

It was the consensus of the Council that the City Attorney negotiate on behalf of the City for the purchase of the Unique Boutique and see if there are any legal reasons why the City should not buy this building. Mayor Courts said he would see if the post office would extend their deadline for submitting a proposed site for a post office. The Council felt it would be a good idea to lease the property to the post office and thereby retain it if the City should ever need it for expansion.

Councilmember Arends left the Council Chambers at this time.

PERSONNEL - Mayor Courts indicated that he would like the Council to approve publication of the summary of the personnel ordinance rather than the entire ordinance and that this would need a four/fifth vote of the Council but to publish the summary would save the City a lot of money. Clerk Buchite read the summary of the ordinance as prepared by the City Attorney. MOTION NO. 5R-13-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO APPROVE THE PRINTING OF THE OFFICIAL SUMMARY OF THE PERSONNEL ORDINANCE IN THE LEGAL NEWSPAPER AND TO WAIVE ANY FURTHER READINGS OF SUCH ORDINANCE. COUNCILMEMBERS ANSOLSHEK, GALLAWAY AND YATES VOTED AYE. COUNCILMEMBER ARENDS SAID HE DID NOT WISH TO VOTE AS HE HAD JUST RETURNED TO THE COUNCIL CHAMBERS AND DID NOT HEAR THE MOTION. MAYOR COURTS STEPPED DOWN FROM THE MAYOR'S SEAT AND HANDED THE GAVEL TO ACTING MAYOR ANDOSLHEK. MAYOR COURTS THEN VOTED AYE. ACTING MAYOR ANDOLSHEK THEN DECLARED THE MOTION CARRIED WITH FOUR/FIFTHS VOTE.

MAYOR'S REPORT - Mayor Courts read a letter he had received from Mr. Gerry Boe, president of the Whitefish Property Owner's Association, requesting a meeting with the Council, Lions Club, Chamber of Commerce and any other organization that is interested in promoting tourism. Mayor Courts stated that he had set this meeting up on May 18, 1987.

Mayor Courts signed a proclamation declaring May 17, 1987 as "International Museum Day" and inviting the Crosslake citizens to an open house on May 17 between 2:00 to 4:00 p.m. at the Old Town Hall Museum.

OLD BUSINESS - Councilmember Gallaway asked about insurance for the ambulance company serving Crosslake and Clerk Buchite indicated that she had requested it but had not received it as yet.

PUBLIC FORUM - Ms. Doris Fraser told the Council that there will be a program at the museum on Tuesday, May 19 that will feature Archeologist Doug Birk as speaker and everyone is invited.

Councilmember Andolshek said she has received several inquiries regarding the burned out structure across from the Cedar Chest. The Council agreed to have the City Clerk write a letter asking that they do something to remove the unsightly mess.

Several citizens present stated their reasons for not wanting to purchase the Unique Boutique building. Mr. Wesley Felber said that by adding up the number of votes for each option on the survey, more people voted on having something done with the present City Hall than for the Unique Boutique and he felt that that is the way the Council should go and that more voters wanted the present City Hall and it was summer residents who voted for the Unique Boutique. Questions were asked about who counted the survey forms and where they were kept and who had access to them. Mayor Courts said this was a survey and that anyone who wished to may see any or all of the forms which were returned because they are in the Clerk's office.

Mr. Courts said we received more survey forms back than there were voters who voted in the last election. Mr. William Thompson said he felt the Council should put the issue as a referendum before the voters.

Mayor Courts said the Funding and Future Development Commission consisted of five good men who worked hard on the letter and survey form and he felt they did an excellent job.

With no further comments from the citizens present MOTION NO. 5R-14-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO ADJOURN THIS REGULAR COUNCIL SESSION AT 10:38 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:



Arlene A. Buchite  
City Clerk/Treasurer

RESOLUTION

WHEREAS, plans for Project No. S.P. 18-603-06

showing proposed alignment, profiles, grades and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway No. 3 within the limits of the City as a (Federal) (State) Aid Project have been prepared and presented to the City.

NOW, THEREFORE, BE IT RESOLVED: That said plans be in all things approved.

Dated this 11<sup>th</sup>, day of May, 19 87.

CERTIFICATION

State of Minnesota

County of Crow Wing

City of Cross Lake

I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the City Council of Cross Lake at a meeting thereof held in the City of Cross Lake, Minnesota, on the 11<sup>th</sup> day of May, 19 87, as disclosed by the records of said City in my possession.

Clarence K. Jacobs  
MAYOR

(Seal)

Arlene A. Buchheit  
City Clerk/Treasurer