

COUNCIL PROCEEDINGS  
CITY OF CROSSLAKE MINNESOTA  
PUBLIC HEARING AND REGULAR COUNCIL SESSION  
MONDAY MAY 11, 1992  
6:00 P.M. AT CITY HALL

The City Council for the City of Crosslake met in a Public Hearing and Regular Council Session on Monday, May 11, 1992 in the Council Chambers of City Hall. The following Council Members were present: Mayor Kurt E. Anderson, Lyle M. Arends, Roger A. Burshem, Charles O. Miller and Dean L. Swanson. Also present were City Department Heads, Will Hoyt and Bill Meyer from Landecker and Associates and approximately 55 residents.

Mayor Anderson called this Public Hearing to order stating that the first item on the agenda would be discussion on the feasibility of a sewer system sometime in Crosslake's future and then turned it over to Bill Meyer. Mr. Meyer showed some slides that outlined the process Crosslake should follow to determine needs. (A complete copy of Mr. Meyer's report is on file in the City Clerk's office.) Mr. Meyer outlines some of the problem areas within the City where a property owners well or their neighbors well is too close to where they have to locate their new septic system. Mr. Meyer stated that a facilities plan would be the next step for Crosslake.

Mr. Meyer reviewed costs of systems from some of the neighboring cities and possible costs for Crosslake residents. Mayor Anderson questioned whether the entire City residents or just the cluster areas would pay for their sewer. Mr. Meyer stated that funds would be available for borrowing.

Mayor Anderson informed the residents present of the Commission he was working on set up by the Pollution Control Agency dealing with unsewered areas within the State. Discussion ensued regarding the difference between non-conforming and polluting systems.

It was the consensus of the Council that they would like to have some input from Crosslake residents. MOTION NO. 5PH-01-92 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO SEND A LETTER TO CROSSLAKE RESIDENTS SEEKING INPUT ON CLUSTER SEWER SYSTEMS. MOTION PASSED UNANIMOUSLY.

The next item on the agenda was the Comprehensive Plan for the City of Crosslake. MOTION NO. 5PH-02-92 WAS MADE BY C. MILLER AND SECONDED BY R. BURSHAM TO APPROVE THE COMPREHENSIVE PLAN AS SUBMITTED. Mr. Swanson had some concerns on several items but after a brief discussion, it was the consensus of the Council that the Comprehensive Plan would be updated periodically and could be changed from time to time if necessary. MOTION PASSED

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UNANIMOUSLY.

MOTION NO. 5PH-03-92 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO APPROVE THE ZONING MAP AS PRESENTED BY THE PLANNING AND ZONING COMMISSION. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5PH-04-92 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO APPROVE ORDINANCE NO. 36, THIRD SERIES, ESTABLISHING A DRUG AND ALCOHOL PROTOCOL FOR CITY EMPLOYEES. MOTION PASSED UNANIMOUSLY.

Jeff and Erin Wurdemann appealed the Planning and Zoning Commission's denial of their Conditional Use Permit to operate a cabinet shop, to the City Council. Mr. Miller said that since two former zoning administrators are involved in the problem of issuing the permit for this storage shed/cabinet shop his feelings are that the Wurdemans acted according to the information they were given when they constructed a \$30,000 shop and should be allowed to operate it with conditions. MOTION NO. 5PH-05-92 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO OVERRULE THE DENIAL BY THE PLANNING AND ZONING COMMISSION AND GRANT A CONIDITONAL USE PERMIT FOR A CABINET SHOP IN A RESIDENTIAL AREA WITH THE FOLLOWING CONDITIONS: (1) SCREENING SATISFACTORY TO THE CITY IS TO BE PROVIDED ALONG THE SOUTH AND EAST PROPERTY LINES IN ORDER TO MADE THE BUILDING LESS VISABLE FROM NEARBY PROPERTIES; (2) THERE IS TO BE NO OUTSIDE STORAGE OF MATERIALS OR EQUIPMENT AND ALL PHASES OF CABINET CONSTRUCTION WORK ARE TO BE DONE ENTIRELY WITHIN THE CONFINES OF THE BUILDING; (3) THE BUSINESS IS TO BE OPERATED AS A CABINET SHOP ONLY FOR THE CONSTRUCTION OF VARIOUS TYPES OF CABINETS. NO RETAIL SHOWROOM OR RETAIL SALES OF ANY TYPE WILL BE PERMITTED ON THE PREMISIS; (4) NO ADVERTISING SIGNS EITHER ON SITE OR OFF SITE INDICATING A BUSINESS OPERATION WILL BE PERMITTED. ONE STANDARD RESIDENTIAL NAME SIGN WILL BE ALLOWED; (5) HOURS OF OPERATION WILL BE LIMITED BETWEEN 8:00 A.M. AND 5:00 P.M. MONDAY THROUGH SATURDAY. NO SUNDAY OPERATION TO BE PERMITTED. (6) THE BUSINESS IS NOT TO BE OPERATED WITHOUT THE OWNER MAINTAINING FULL TIME PERMANENT RESIDENCE ON THE SITE; (7) NO EMPLOYEES ARE TO BE ALLOWED OTHER THAN IMMEDIATE FAMILY MEMBERS OF THE OWNER WHO MAINTAIN PERMANENT RESIDENCE ON THE SITE; AND (8) THE PROPERTY, AS SET FORTH IN THE CONDITIONAL USE PERMIT APPLICATION OF THE OWNER, DESCRIBED AS OUTLOT 2, URBAN'S POINT, AND LOTS 1, 2 AND 3, BLOCK 4, OAKCREST, CONSISTING OF A TOTAL OF 7.9 ACRES MORE OR LESS, IS TO REMAIN AS ONE CONTIGUOUS UNIT FOR SO LONG AS THE CABINET SHOP BUSINESS EXISTS IN OPERATION. NO DIVISION OR SALE OF ANY PART OF SAID PROPERTY WILL BE ALLOWED UNTIL SUCH TIME AS SAID BUSINESS CEASES TO EXIST ON THE SITE. Discussion followed. Mr. Burshem said he felt that the Wurdemans should have known the zoning Ordinances because of their opposition to the Oakorest Plat and should have known that a conditional use permit would be required in a residential area. Mr. Miller said this is not a pole barn and is not an ugly building. Several neighbors were present and said they were not in favor of the building but understand why the property owner built the building after receiving the permit and

would not fight this business but would like to be assured that another business would not be allowed. Discussion ensued regarding "Home Occupation Permits". D. SWANSON OFFERED AN AMENDMENT TO THE MOTION ON THE FLOOR TO MAKE THE CONDITIONAL USE PERMIT ALSO FOLLOW THE HOME OCCUPATION CHAPTER 8.07, SUBDIVISION 4, OF THE CITY ORDINANCES. R. BURSHEM SECONDED THE AMENDMENT. R. BURSHEM AND D. SWANSON VOTED AYE TO THE AMENDMENT AND C. MILLER, L. ARENDS AND KURT ANDERSON VOTED NAY. AMENDMENT DID NOT PASS. Mayor Anderson asked for further discussion. Hearing none he called for a vote on the motion on the floor. L. ARENDS, C. MILLER AND KURT ANDERSON VOTED AYE. R. BURSHEM AND D. SWANSON VOTED NAY. MOTION PASSED.

A short recess was taken at 7:45 p.m. Mayor Anderson reconvened this meeting at 7:53 p.m.

First item on the agenda was the Consent Calendar. MOTION NO. 5R01-92 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF (1) MINUTES OF APRIL 13, 1992; (2) THE CLERK/TREASURER'S FINANCIAL REPORT FOR APRIL 1992, (3) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR APRIL 1992; (4) THE CABYLEVISION'S FINANCIAL REPORT FOR APRIL, 1992 AND (5) MINUTES OF THE BOARD OF REVIEW MEETING ON MAY 6, 1992 AND WITH A CLARIFICATION IN MOTION NO. 4R-16-92 STATEING ONLY THE POLICE CHIEF AND FIRE CHIEF BE ALLOWED TO APPROVE PURCHASES UP TO \$300 RATHER THAN THE CURRENT \$100 AND NOT ALL CITY DEPARTMENT HEADS. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - MOTION NO. 5R-02-92 WAS MADE BY L. ARENDS AND SECONDED BY R. BURSHEM TO PAY ALL BILLS INCLUDING: (1) LANDECKER AND ASSOCIATES FOR PRELIMINARY STUDY REPORT FOR WASTEWATER PLANNING FOR \$2,500; (2) CITY INSURANCE FOR \$21,346; (3) HOUSTON FORD FOR NEW PICK UP TRUCK FOR \$17,137; AND (4) COTTON CONSTRUCTION FOR NEW LECTERN FOR \$375. MOTION PASSED UNANIMOUSLY.

A letter from Berkley Administrators stating any deficiencies noted when a represent came to the City was discussed briefly.

Mr. Constantin Margaritis was present to talk to the Council about having all the previous years minutes put on microfilm and have it stored away from City Hall. Mr. Margaritis stated the cost would not exceed \$300. MOTION NO. 5R-03-92 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO HAVE ALL THE PREVIOUS MINUTES FROM NORTH CROSSLAKE AND CROSSLAKE PUT ON MICROFILM FOR A COST NOT TO EXCEED \$300. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5R-04-92 WAS MADE BY D. SWANSON AND SECONDED BY L. ARENDS TO APPROVE THE 1991 AUDIT AS PRESENTED BY MATHIAS JUSTIN, C.P.A. AND TO PAY THE BILL OF \$3,675 FOR THE AUDIT. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5R-05-92 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO ALLOW THE SALE OF THE USED TIME CLOCK. MOTION PASSED

UNANIMOUSLY.

The deterioration of the brick on the front of City Hall was discussed briefly. Discussion included replacing the brick with some other material. MOTION NO. 5R-06-92 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO GET ESTIMATE FROM CONTRACTORS ON REPLACING AND/OR REMOVING BRICK FROM CITY HALL. MOTION PASSED UNANIMOUSLY.

Mayor Anderson read a letter from REA regarding a \$100,000.00 interest free loan they will give the City of Crosslake to build a new fire hall.

The Council briefly reviewed a letter from the State Demographer's Office stating the 1991 population estimate in Crosslake is 1,145 and the household estimate is 520.

MOTION NO. 5R-07-91 WAS MADE BY R. BURSHEM AND SECONDED BY C. MILLER TO ACKNOWLEDGE THE \$100.00 SCHOLARSHIP AND ALLOW THE CLERK TO ATTEND YEAR 3 OF THE CLERK'S INSTITUTE. MOTION PASSED UNANIMOUSLY.

MAYOR'S REPORT - Mayor Anderson spoke briefly regarding the Unsewered Advisory Committee he is presently serving on.

A meeting was set up by the Council for May 27, 1991 at 4:00 p.m. to meet with Sue Thurlow to discuss personnel issues. Mayor Anderson stated that if the City Attorney approved of closing the meeting, the Council would close it.

Mayor Anderson said he was waiting for a letter from the City Attorney regarding the burning of two buildings located near the shoreline of Cross Lake. Concerns regarding a nearby boat storage shed and the possibility of contaminated run off into the lake were voiced by residents.

PUBLIC WORKS - Mayor Anderson said he feels employees should be present at Commission Meetings when decisions are being made regarding their jobs.

MOTION NO. 5R-08-92 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO ACCEPT THE BID FROM PEQUOT SAND AND GRAVEL FOR CLASS #5 AT \$5.49 A YARD DELIVERED AS RECOMMENDED BY THE PUBLIC WORKS COMMISSION. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5R-09-92 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO APPROVE THE WINTER ROAD POLICY AS RECOMMENDED BY THE PUBLIC WORKS COMMISSION. MOTION PASSED UNANIMOUSLY.

FUNDING AND FUTURE DEVELOPMENT - It was the consensus of the Council that the Commission Meeting should be held at City Hall.

PERSONNEL - Nothing.

PARK AND RECREATION - No meeting.

RECYCLING - Council was informed that Crosslake ranks fourth out of fourteen communities who recycle as far as tonnage is concerned. Council was also informed that two members of the Crosslake Recycling Committee are members of the Solid Waste Action Team for Crow Wing County.

PLANNING AND ZONING - Crosslake's sign ordinance was discussed. It was the consensus of the Council to give the ordinance back to the Planning and Zoning Commission to make recommendations on enforcement. Real estate signs and arrows were also discussed.

Zoning Coordinator Teri Daehn informed the Council of amendments to Section 8.04, Subdivision 4, dealing with non-conforming septic systems. MOTION NO. 5R-10-92 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO APPROVE THE CHANGES IN SECTION 8.04, SUBDIVISION 4, AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. MOTION PASSED WITH L. ARENDS VOTING NAY.

Zoning Coordinator Daehn stated that a portion of Section 8.05, Subdivision 6, was inadvertently omitted from the Ordinance and the Planning and Zoning Commission recommended that it be included. MOTION NO. 5R-11-92 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO APPROVE THE CHANGE IN SECTION 8.05, SUBDIVISION 6, AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. MOTION PASSED UNANIMOUSLY.

Changes were also recommended in Section 8.05, Subdivision 12, to add single family homes under conditional uses and delete single family home under prohibited uses in commercial zoning. Some Council Members were not comfortable eliminating single family homes in Commercial zoning. Mr. Miller said he would like to have single homes as non-conforming uses. Discussion ensued. Ms. Daehn will take this back to Planning and Zoning and check with the City Attorney to see what can be worked out.

Ms. Daehn stated that the Planning and Zoning Commission was recommending to the Council that Section 3.30, Paragraph F., dealing with park dedications be deleted wherever it is found in the Ordinances. Mayor Anderson asked what the reasoning was and was informed that there were many persons present at the Planning and Zoning meeting who wanted it deleted and they were not all realtors. Mr. Burshem stated that if it is to be deleted in the Ordinances it should also be deleted in the Comprehensive Plan. MOTION WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO REMOVE SECTION 3.30, PARAGRAPH F, FROM THE ORDINANCES AND COMPREHENSIVE PLAN. MOTION DID NOT PASS WITH C. MILLER AND D. SWANSON VOTING AYE. R. BURSHEM, L. ARENDS AND KURT ANDERSON VOTING NAY. Ms. Daehn informed the Council that the Park Commission was present at their meeting and agreed with the Commission about eliminating it. Discussion continued.

PUBLIC SAFETY - MOTION NO. 5R-12-92 WAS MADE BY L. ARENDS AND

SECONDED BY R. BURSHEM TO PURCHASE TWO SECTIONS OF 5" FIREHOSE AT \$585.00 PER SECTION AND 8 SECTIONS OF 1 3/4" HOSE AT \$123.00 PER SECTION AS A BUDGETED ITEM. MOTION PASSED UNANIMOUSLY.

MOTION NO. 5R-13-92 WAS MADE BY R. BURSHEM AND SECONDED BY L. ARENDS TO APPROVE THE NON-BUDGETED PURCHASE OF 4 ADDITIONAL SECTIONS OF 1 3/4" HOSE AT \$123.00 A SECTION AND 2 SECTIONS OF 2 1/2" HOSE AT \$160.00 A SECTION FROM MONIES RECEIVABLE FROM D.N.R. MOTION PASSED UNANIMOUSLY.

Chief Schliek stated that he had talked to the City's insurance agent and was informed the insurance on the hovercrafts would be \$15.00 per unit for liability and \$8.00 per thousand for value. MOTION NO. 5R-14-92 WAS MADE BY D. SWANSON AND SECONDED BY R. BURSHEM TO APPROVE OF THE FIRE DEPARTMENT ACCEPTING A DONATION OF TWO HOVERCRAFTS TO BE USED FOR RESCUES. MOTION PASSED WITH C. MILLER VOTING NAY.

MOTION NO. 5R-15-92 WAS MADE BY L. ARENDS AND SECONDED BY R. BURSHEM TO APPROVE THE DISASTER PREPAREDNESS PLAN AS PRESENTED. MOTION PASSED UNANIMOUSLY.

UTILITIES COMMISSION - Nothing.

NEW BUSINESS - Nothing.

OLD BUSINESS - Nothing.

PUBLIC FORUM - A Crosslake resident was present to ask about ordinances and variances. A brief discussion ensued.

MOTION NO. 5R-16-92 WAS MADE BY R. BURSHEM AND SECONDED BY D. SWANSON TO ADJOURN THIS REGULAR COUNCIL SESSION AT 10:11 P.M. MOTION PASSED UNANIMOUSLY.

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

*Arlene A. Buchite*