

COUNCIL PROCEEDINGS  
CITY OF CROSSLAKE  
PUBLIC HEARING AND REGULAR SESSION  
June 8, 1987 at 7:30 p.m.  
Crosslake City Hall

The City Council of Crosslake Minnesota met in a Public hearing on Monday, June 8, 1987 at 7:30 p.m. 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 55 members of the community present.

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

Clerk Buchite read the proposed ORDINANCE NO 12, THIRD SERIES aloud. After the reading Mayor Courts said the main reason for the change was to further define what "time of sale" means because the local realtors were having problems with the ordinance. "Time of closing" was proposed.

A citizen asked if there was any way that an individual would not be allowed to sell if he could not get a certificate of compliance. Mr. Marlowe Kingstedt, Planning and Zoning Coordinator said there was always some system that would be allowed and the last resort would have to be a holding station. Mr. Kingsted also said the ordinance now contains a clause for commercial property which it did not contain before. With no further comments from the citizens present MOTION NO. 6PH-01-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE ORDINANCE NO. 12, THIRD SERIES WHICH CONTAINS PROVISIONS STATING TIME OF SALE MEANS TIME OF CLOSING FOR CERTIFICATE OF COMPLIANCE ON FILE WITH THE PLANNING AND ZONING COORDINATOR FOR SELLING OR LEASING OF REAL ESTATE. MOTION PASSED UNANIMOUSLY.

The next item for the public hearing was ORDINANCE NO. 13, THIRD SERIES dealing with an ordinance for campgrounds. Mayor Courts indicated that this ordinance is the same one that is used by Crow Wing County and asked Clerk Buchite to read the summary as prepared by City Attorney James Gammello. With no input from the citizens present MOTION NO. 6PH-02-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO ADOPT ORDINANCE NO. 13, THIRD SERIES AND TO APPROVE HAVING ONLY THE SUMMARY OF SAID ORDINANCE PRINTED IN THE LEGAL NEWSPAPER. MOTION PASSED UNANIMOUSLY.

MOTION NO 6PH-03-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO ADJOURN THIS PUBLIC HEARING AT 7:40 P.M. MOTION PASSED UNANIMOUSLY.

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Mayor Courts called this regular council session to order at 7:40 p.m. All council members remained present for this regular council session.

Mayor Courts indicated the first item on the agenda was the Consent Calendar. MOTION NO. 6R-01-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY

COUNCILMEMBER ANDOLSHEK TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) THE MINUTES OF THE PUBLIC GATHERING ON MAY 2, 1987; (2) THE MINUTES OF THE MAY 6, 1987 SPECIAL COUNCIL SESSION; (3) THE MINUTES OF THE MAY 11, 1987 REGULAR COUNCIL SESSION; (4) THE MINUTES OF THE MAY 14, 1987 SPECIAL COUNCIL SESSION; (5) THE MINUTES OF THE MAY 18, 1987 SPECIAL COUNCIL SESSION ; (6) THE MINUTES OF THE MAY 28, 1987 SPECIAL COUNCIL SESSION; (7) THE CLERK/TREASURER'S FINANCIAL REPORT FOR MAY, 1987; (8) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR MAY, 1987; AND (9) THE CABLEVISION'S FINANCIAL REPORT FOR MAY, 1987. Councilman Arends asked to have the minutes of the May 18, 1987 special council session removed from the Consent Calendar for discussion by request of a citizen. Mr. Wes Felber then said he would like to have citizen input regarding the purchase of the Unique Boutique before the Council makes the final decision on the counteroffer. Mayor Courts said he intended to do that. With no further comments MOTION NO. 6R-01-87 PASSED UNANIMOUSLY.

CLERK'S REPORT - Clerk Buchite said the street sign for Arrowhead Lane had been found in the city garage and was now in place as was requested by a citizen last month.

A request for a 3.2 beer license had been received by Clerk Buchite for the annual firemen's street dance on July 3, 1987. MOTION NO. 6R-02-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO APPROVE A 3.2 BEER LICENSE FOR THE FIRE DEPARTMENT FOR THEIR ANNUAL STREET DANCE ON JULY 3 AND INCLUDING JULY 4, 1987. MOTION PASSED UNANIMOUSLY.

The next item on the clerk's report was a request by Frank Peterson to forgive an assessment on Lot 5, Block 1, Waterwood. Mayor Courts read the determination from the Hearing Officer regarding the proposed assessment aloud. The determination stated in part, "The City of Crosslake required him (Mr. Peterson) to put in his own private driveway called Waterwood Court. This was part of the platting requirements imposed by the City of Crosslake as a condition of approving the plat since the City did not want any of the lots in Waterwood to have access directly onto Tarrymor Road." MOTION NO. 6R-03-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO FOLLOW THE FINDINGS OF THE HEARING OFFICER IN REGARDS TO THE SPECIAL ASSESSMENTS FOR FRANK PETERSON ON WATERWOOD PLAT AND ELIMINATE ENTIRELY THE ASSESSMENT CHARGED AGAINST LOT 5 OF WATERWOOD. MOTION PASSED UNANIMOUSLY.

Clerk Buchite reported that the 4-M Investment Pool through the League of Minnesota Cities was paying 6.87 percent at present. Mayor Courts said that the Council will discuss the possibility of investing in these funds after the audit is reviewed.

Clerk Buchite said she had received a request for a charitable gambling license from the Firemen's Relief Association for the Ye Olde Wharf. Gambling Manager Tony Mayer said the firemen will hire someone to sell the pull-tabs according to the wishes of the manager and owner of Ye Olde Wharf. MOTION NO. 6R-04-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO GRANT A LICENSE TO THE FIREMEN'S RELIEF ASSOCIATION TO

CONDUCT CHARITABLE GAMBLING AT THE YE OLDE WHARF. MOTION PASSED UNANIMOUSLY.

MOTION NO. 6R-05-87 WAS MADE BY COUNCILMEMBER ANDOLSHEK AND SECONDED BY COUNCILMEMBER GALLAWAY TO PAY BILLS CONSISTING OF: DONALD H. ENGEN, CPA, FOR ANNUAL AUDIT \$2,800 AND CARLSEN GRIENER AND LAW, OUR CITY ATTORNEY, FOR \$355 FOR GENERAL ADMINISTRATION AND \$830 FROM PLANNING AND ZONING. MOTION PASSED UNANIMOUSLY.

PARK - Park Director Patti Felber said she has hired one CETA youth and is looking for another one to hire. The next park board meeting is June 18, 1987 at 7:00 p.m.

PLANNING AND ZONING - Nothing

CEMETERY - Liaison Andolshek said she received an estimate from Crosslake Lumber of \$408.94 for material for a split rail fence at the cemetery and the maintenance crew will install it soon. A sign with the name of the cemetery has been order from DuBois woodcarving Shoppe and the Mayor will paint it when it is completed.

PUBLIC SAFETY - Chairman Jim Gallaway said the Commission was recommending that the Council approve having the new jeep from DNR painted and to purchase a tank for it. Mayor Courts indicated to the Council that the truck which was given to the fire department by DNR was a heavy duty Jeep with 15,000 miles on it and it is well received by the City of Crosslake. Mayor Courts said a thank you will be sent to person at DNR who negotiated the truck. MOTION NO. 6R-06-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO UTILIZE DEDICATED FUNDS TO PAY FOR PAINT AND A NEW TANK FOR THE NEW FIRE TRUCK. MOTION PASSED UNANIMOUSLY.

Mr. Gallaway also said the Fire Chief requested to have contract monies placed into the dedicated fund account and the Commission was also recommending this to the Council. MOTION NO. 6R-07-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO TABLE THE REQUEST FOR THE CONTRACT MONIES TO BE PLACED INTO DEDICATED FUNDS UNTIL THE SPECIAL MEETING WITH THE AUDITOR. MOTION PASSED UNANIMOUSLY.

A crossroad sign for Wilderness and Daggett Pine Roads was discussed briefly and will be brought before the public safety commission for their recommendations.

TELEPHONE - Chairman Bob Turner reported that there was a good turnout for the annual telephone company meeting on May 30, 1987.

Mr. Turner also stated that there will be tariff changes in regards to seasonal rate customers. The seasonal rates will be eliminated and there will be a reconnect charge and disconnect charge to enable patrons to have their names in the phone book and to keep a credit card there.

ROADS - Road Supervisor Pat Hoag told the Council the road grader has been delivered. Mr. Hoag said that Ziegler Corp. will be in touch with the City Clerk regarding the best time for the annual payment. Councilmember Arends

made a motion and then withdrew the motion to have the annual payment set for October 1. Input regarding the best time for the payment will be asked of the Auditor. Mayor Courts informed the citizens present that the City voted to purchase a grader and postpone indefinitely the five-year road plan.

FUNDING AND FUTURE DEVELOPMENT - Mayor Courts explained to the citizens present that at a meeting on May 18, 1987 the Council voted to offer \$124,193.56 for the purchase price of the Unique Boutique building because that is what monies the City had in Revenue Sharing Funds and in dedicated funds for City Hall. The offer was counteroffered by the owners of the Unique Boutique at \$128,900.00. Mayor Courts asked for a motion stating an acceptance, rejection, or counteroffer and said he would then open it up for discussion by the Council and citizens present. MOTION NO. 6R-08-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO MAKE A FINAL COUNTEROFFER ON THE UNIQUE BOUTIQUE PROPERTY PER THE PREVIOUS PURCHASE AGREEMENT WITH A CHANGE IN PURCHASE PRICE TO \$127,900.00 AND THAT SUCH OFFER BE ACCEPTED OR REJECTED WITHIN FIVE DAYS AND IF AT SUCH TIME SUCH OFFER IS REJECTED THAT WE IMMEDIATELY PROCEED WITH THE HIRING OF A LICENSED ENGINEER TO COME IN AND PUT TOGETHER PLANS FOR THE REMODELING OF CITY HALL AND THAT WE UTILIZE THE MAXIMUM DOLLARS AVAILABLE OF \$167,229.56 PLUS ANY EARNED INTEREST TO REMODEL, EXPAND AND FURNISH SUCH CITY HALL TO THE BEST OF OUR ABILITY TO THE EXISTING CITY HALL. Mayor Courts then asked for citizen comments or input. Mr. Wes Felber asked why the City would need a licensed architect to remodel and was informed that the Statues require it.

The cost of remodeling the Unique Boutique was discussed when a citizen said he read in the paper that it would cost \$30,000.00 to \$40,000.00 extra. Mayor Courts said that anyone can pull a figure out of the air and that is precisely what that was. Mayor Courts explained that the survey letter indicated that the purchase price and remodeling would be done for between \$135,000.00 and \$140,000.00. Councilman Arends said that having a sprinkler system installed would cost over \$20,000.00. Mayor Courts asked for an opinion from City Attorney James Gammello on the requirements of a sprinkler system. Mr. Gammello stated he was not aware of any requirements and since the Uniform Building Code is not implemented in Crosslake he was quite sure there was no requirement but he would check it out.

Parking spaces were discussed when a citizen asked about the ordinance which requires a given number of parking spaces per square foot of building. Mayor Courts stated that current ordinances require 80 parking spaces for a building that size but when the Unique Boutique was built it needed 40 spaces and it did meet the requirements with the parking behind the building.

Another citizen said he did not like to see the city building spread out so far. He felt City Hall should stay by the Telephone Company.

The cost of remodeling the present City Hall was discussed with Councilman Arends stating that in the minutes of the Funding and Future Development Committee they estimated remodeling costs at \$50,200.00. Another citizen said he felt the City should stay where they are because of the adequate parking.

Another citizen said he had asked before to have the survey forms checked out with the registered voters list to see if the voters response to the survey was for remodeling or purchasing the Unique Boutique. Councilmember Andolshek said she had been asked but had been too busy to check into it and she could not tell the City Clerk to do it and take her away from her other work. The citizen said he felt it should be checked out because the voters are who put the Council in office. Mayor Courts reiterated that the commission felt that all taxpayers should have input on the decision as it is taxpayer's dollars that are used. The citizen said he felt that a referendum should be held in about 30 days. Councilmember Andolshek said she heard a lot about having a referendum and she felt that is what the Council should have done. Mayor Courts said that there were 744 forms returned which is more than voted in the last election. He said he won mayor's seat by only seven votes which is not a mandate but it was the majority and that is what the city hall decision is also.

Mayor Courts stated that he, Councilmember Andolshek and Clerk Buchite had met with the 5 members of the post office committee to discuss the possibility of leasing the present city hall to the post office. Mayor Courts indicated that the committee would not make any commitments but there was more than adequate space here for the post office and they would pay between \$3.75 and \$4.00 per square foot for existing property if they decide to lease it. The post office would require approximately 1400 square feet with possible expansion for future growth and they will sign a ten year lease for the property they choose.

Mayor Courts requested that Councilmember Gallaway read her motion again so the Council could vote on it. MOTION PASSED WITH COUNCILMEMBER ARENDS VOTING NAY.

PERSONNEL - Mayor Courts said that at a special council meeting on May 28, 1987 Councilmember Arends requested that the City Clerk be instructed to write a letter to the Pollution Control Agency requesting information regarding the certification of Marlowe Kingstedt, Planning and Zoning Coordinator. Mayor Courts indicated that the letter was not necessary since he had before him a copy of the certification papers of Mr. Kingstedt. Councilman Arends said that Mr. Kingstedt did not have his certification papers in hand on the day that he made his request.

Mr. Kingstedt indicated that he has made 178 inspections and only 30 are required to get the certificate. Mr. Kingstedt also stated he has two categories which go beyond the requirements to obtain the certification and they are site evaluation and designing. Mr. Kingstedt said Councilmember Arends has said several times that he was going to be sued along with the City but would never give Mr. Kingstedt names of individuals who made those remarks. Mr. Kingstedt said if there is a problem Mr. Arends should bring the accusers forward so the problems can be met and dealt with headon. Mr. Kingstedt stated he wanted to get along with Councilmember Arends but with Mr. Arends on the Planning and Zoning Commission, as Council liaison to the Commission, as a City Council members and also a septic installer there were times when it was extremely difficult. Mayor Courts indicated that Mr. Kingstedt could bring written charges to

the Council regarding the subject matter as heard before this Council meeting if he wanted to and the Council would act on them.

MAYOR'S REPORT - Mayor Courts stated he will be calling a special meeting on June 24, 1987 to review the annual audit, review the charitable gambling ordinance from Mr. Gammello, and to begin the budgeting process.

Mayor Courts thanked the American Legion Auxillary for the new flag which is flying in front of City Hall.

Mayor Courts said he has not had any information on what the County is going to do regarding parking on the streets by Ernie's.

NEW BUSINESS - Mr. Kingstedt said he has been getting some flack from new property owners at Sandcrest regarding parking of trailers. He said that for the most part people are not coming in and getting their permits the way they are supposed to. Mayor Courts asked whether they were living up to their covenants and Mr. Kingstedt indicated he did not feel that they were. He said he felt some of the real estate people are giving the purchasers the wrong information. Mr. Kingstedt stated that there is an environmental worksheet on that particular piece of property because of an Indian burial ground there and he would like to have the Councils back up as far as obtaining permits is concerned.

A lady present indicated she had purchased a lot at Sandcrest and was not advised at the time of purchase that she would have to follow any rules and regulations from the City of Crosslake. She said she felt that she should be allowed to tent on her lot weekends if she wanted to because even in her home in Roseville she could pitch a tent in her back yard if she wanted to. Mr. Kingstedt indicated that was no problem but trailers left on the lots and lived in must have a temporary permit.

Mr. Costello who is a neighbor to the Sandcrest property said he would like to make a three or four minute statement as spokesman for himself and several other Sandcrest neighbors. He said they have watched the property grow from an airport to a large development. Mr. Costello said some of the neighborhood have a lot of money tied up in their homes and hope the City of Crosslake enforces all their planning and zoning rules and regulations so the neighborhood continues to flourish and not deteriorate. Mr. Costello indicated they feel that the area if classified as residential and not a campground so they would not like to see permanent trailer sites there.

Mayor Courts said he was told that there has not been a property owners meeting yet but they would have to live up to their covenants and the zoning code for the City of Crosslake. Mayor Courts said we are a City who likes to live and let live but we also will not allow for people's property values to decrease.

Councilmember Arends said he would like to have the City Council review a UDAG grant at the special meeting set for June 24, 1987. The grant is given to the City and the City loans it out to small businesses in the City. UDAG stands for Urban Development Action Grant.

CROSSLAKE CITY COUNCIL MEETING  
PUBLIC HEARING AND REGULAR SESSION

Page 7 of 7 pages  
June 8, 1987

Councilmember Gallaway asked about the zoning coordinator going onto someone's property without permission. Mayor Courts said he has a letter from City Attorney Jim Gammello which states every case has to be handled individually as privacy is the basis of our Fourth Amendment to the Constitution of the United States.

PUBLIC FORUM - A citizen said he lives next to a snowmobile trail which is being used as a pedestrian path, horse trail and now small cars are even using it and he would like to have it posted for snowmobiles only. Mayor Courts said he would see what the City could do about it.

With no further business MOTION NO. 6R-09-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO ADJOURN THIS REGULAR COUNCIL SESSION AT 9:24 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:



Arlene A. Buchite  
City Clerk/Treasurer