

**COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
REGULAR COUNCIL SESSION
JUNE 10, 1996**

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, June 10, 1996. The following Councilmembers were present: Mayor David M. Kolesar, Jane M. Michaud, Charles O. Miller, John (Jack) R. Webster and Raymond P. Smyth. Also present was City Clerk Arlene A. Buchite, City Attorney Paul Sandelin and Reporters Christine DuFour and Jean Paul Hudon. There were approximately 35 individuals in the audience.

Mayor Kolesar called the regular meeting to order at 7:00 P.M.

CRITICAL ISSUES - Mayor Kolesar read a letter from local area business owners regarding the flea market at the Game and Fish Club. Ten business owners expressed their opposition to transient merchants being allowed to compete with local business owners who pay high commercial taxes and struggle to operate in the seasonal environment. They also expressed concern over the traffic situation and the inability for customers to access their businesses.

Both the business owners and members of the Crosslake Game and Fish Club were allowed to address the Council and state their position on the issue.

Eileen Wiebke, owner of Eileen's, stated that over 200 signatures had been obtained in opposition to the location of the flea market.

Harry Head, President of the Game and Fish Club, said the club depends on the Flea Market for survival and that they provide a needed service to the Community.

Others commenting on the situation were Don Kline, Martyn Peterson, Cy DuBois, Holly Smith, Roy Schaefer and Allen Leslie.

Jane Michaud commented that when the permit was approved for 1996, the primary interest was in traffic control and safety and that it was not the authority of the Council to regulate free enterprise or competition. Chuck Miller agreed with this position but wondered why the Chamber has not pursued sidewalk sales to encourage flea market attendees to also support the business owners. He felt the two sides needed to get together to work out an equitable solution.

At 7:40 P.M. Mayor Kolesar thanked everyone for attending and expressing their comments and encouraged the merchants and the Game and Fish Club to get together and make decisions that are best for the entire community. The Mayor agreed to act as mediator if one was needed.

CONSENT CALENDAR -

MOTION 06R-01-96 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF

THE MAY 13, 1996 REGULAR COUNCIL SESSION WITH A CORRECTION TO MOTION 05R-10-96 TO STATE THAT NO TREES WILL BE REMOVED FOR THE PATH BY THE TELEPHONE COMPANY; (2) MINUTES OF MAY 22, 1996 SPECIAL COUNCIL SESSION; (3) CLERK/TREASURER'S FINANCIAL REPORT FOR MAY, 1996; (4) TELEPHONE COMPANY FINANCIAL REPORT FOR APRIL, 1996; AND (5) CABLEVISION COMPANY FINANCIAL REPORT FOR APRIL, 1996. MOTION CARRIED UNANIMOUSLY.

CLERK'S REPORT -

MOTION 06R-02-96 WAS MADE BY JACK WEBSTER AND SECONDED BY RAY SMYTH TO APPROVE ALL BILLS FOR PAYMENT CONSISTING OF: (1) EHLERS & ASSOCIATES FOR BONDS FOR COMMUNITY CENTER OF \$3,270.00; (2) GOPHER STATE CONTRACTORS FOR PAYMENT #5 ON COMMUNITY CENTER OF \$198,231.35; (3) CROSSLAKE SANITATION FOR RECYCLING OF \$950.00; (4) GAMMELLO & SANDELIN P.A. FOR ATTORNEY FEES OF \$1,950.00; (5) WANNEBO EXCAVATING FOR BALL PARK WORK OF \$10,000.00; (6) GREGG LARSON SPORTS FOR BASEBALL EQUIPMENT OF \$1,593.80; (7) STEPP MANUFACTURING FOR RENTAL FOR TAR KETTLE AND MATERIAL OF \$2,639.95; (8) MATHIAS JUSTIN C.P.A. FOR AUDIT OF \$3,825.00; (9) PORTAGE SAND AND GRAVEL FOR CLASS FIVE OF \$1,244.78; (10) BONESTROO ROSENE ANDERLIK & ASSOCIATES ON PAYMENT #4 OF \$586.46; AND (11) WIDSETH SMITH NOLTING FOR ENGINEERING SERVICES OF \$7,127.03. There was some discussion about whether it was required that the bills for payment be read aloud and the City Attorney said it was a policy established in the Ordinance.

Also discussed was the timing of the receipt of bills. The Council felt they didn't have time to review the bills when they come in as late as the day of the Council meeting.
MOTION CARRIED UNANIMOUSLY.

MOTION 06R-03-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO SEND A NOTICE TO ALL REGULAR VENDORS THAT ALL BILLS MUST BE IN THE CLERK'S OFFICE BY NOON OF THE FIRST MONDAY OF THE MONTH OR THEY WILL NOT BE HEARD UNTIL THE NEXT MONTHS COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

A letter from the League of Minnesota Cities regarding Joint Powers Agreements will be handled by the City Attorney.

The City Audit will be reviewed at a special meeting to be held on Monday, June 17th at 1:30 P.M.

Clerk Buchite reported on election tabulating machines and the Council decided to stay with the current method of tabulation.

MAYOR'S REPORT -

Mayor Kolesar reported a total of about 100 people attended the sewer information meetings held on June 6th and June 8th.

A property tax reform meeting will be held on Saturday, June 15th at 2:30 P.M. at the Emergency Services Center.

Water samples will be collected on Saturday, June 15th. Volunteers will assist in collecting the samples between 8:30 A.M. and 12:00 noon.

Two letters, which had been received from residents living behind the Exchange Club, were read. They complained of the refuse behind the Club and the starting of a fire when trash was burned which required the assistance of the Fire Department and Police Department to contain. The matter was referred to the Planning and Zoning Department.

COMMISSION REPORTS -

PLANNING AND ZONING -

Jack Webster reported that in May a total of 48 permits were issued for a valuation of \$1,276,770. Year-to-date permits have been issued totaling \$3,155,740.

The Planning and Zoning Commission, at a public hearing held on May 17, 1996, recommended approval of the rezoning of property owned by Dale and Sharon Hultgren as proposed.

MOTION 06R-04-96 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPROVE THE REZONING FOR DALE AND SHARON HULTGREN'S PROPERTY AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. MOTION CARRIED UNANIMOUSLY.

An amendment to Ordinance 77, Third Series, Section 8.37 would change the current setback of 15' on CSAH #66 to 35' within the Commercial Zoning District. After receiving feedback at a public hearing held on May 17, 1996, the Planning and Zoning Commission revised the amendment to reflect a setback amount from 50' to 35' and requested Council approval on this amendment. The Commission will be addressing another amendment which will address what is to be done in the setback area.

MOTION 06R-05-96 WAS MADE BY JANE MICHAUD AND SECONDED BY JACK WEBSTER TO APPROVE ORDINANCE NO. 77, THIRD SERIES, SECTION 8.37 TO CHANGE THE SETBACK OF 15' ON CSAH #66 TO 35' WITHIN THE COMMERCIAL ZONING DISTRICT AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. MOTION CARRIED UNANIMOUSLY.

An Amendment to Ordinance 79, Third Series, Sections 8.26, 8.27 and 8.29 would put a maximum size of 1200 square feet cumulative of accessory structures in the R1, R2, and R4 zoning districts. The Commission recommended approval of the amendment.

MOTION 06R-06-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE ORDINANCE NO. 79, THIRD SERIES, SECTIONS 8.26, 8.27 AND 8.29 TO PLACE A MAXIMUM SIZE OF 1200 SQUARE FEET CUMULATIVE OF ACCESSORY STRUCTURES IN THE R1, R2 AND R4 ZONING DISTRICTS AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. MOTION CARRIED UNANIMOUSLY.

An amendment to Ordinance 80, Third Series, Sections 8.35, 8.37 and 8.50 would prohibit off-site signs (otherwise known as billboards) in the City of Crosslake. After holding a public hearing on May 17, 1996, the Commission recommended Council approval.

MOTION 06R-07-96 WAS MADE BY JANE MICHAUD AND SECONDED BY RAY SMYTH TO APPROVE THE AMENDMENT TO ORDINANCE 80, THIRD SERIES, SECTIONS 8.35, 8.37 AND 8.50 TO PROHIBIT OFF SITE SIGNS (BILLBOARDS).

Chuck Miller felt it would be a mistake to prohibit signs in a tourist community. There was some discussion about the size of the signs. Teri Hastings noted that directional signs, which are smaller in size than off-site signs, could still be erected, however, approval of this amendment would prohibit the billboard type signs which currently can contain 128 square feet. Ray Smyth felt uneasy about approving the amendment without speaking to the commercial establishments. Ray and Chuck both felt the Chamber should have been notified.

AMENDMENT TO MOTION 06R-07-96 WAS MADE BY RAY SMYTH AND SECONDED BY JANE MICHAUD TO TABLE THE MOTION TO APPROVE ORDINANCE NO. 80, THIRD SERIES DEALING WITH OFF-SITE SIGNS. MOTION CARRIED WITH JACK WEBSTER VOTING NAY.

Teri Hastings requested approval to hire a summer intern for the Planning and Zoning Office.

MOTION 06R-08-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO APPROVE HIRING KARIN LAGAARD AT \$5.50 PER HOUR FOR 20 HOURS A WEEK DURING THE SUMMER AS AN INTERN FOR PLANNING AND ZONING. MOTION CARRIED UNANIMOUSLY.

Teri Hastings read a resolution for applying for an IRRRB grant.

MOTION 06R-09-96 WAS MADE BY JACK WEBSTER AND SECONDED BY RAY SMYTH TO APPROVE THE RESOLUTION PRESENTED BY PLANNING AND ZONING TO OBTAIN A GRANT FOR FUNDING THE INTERN. MOTION CARRIED UNANIMOUSLY.

Mayor Kolesar asked Teri Hastings what the plans were for responding to the letter regarding the Exchange Club. Teri stated that she would notify the property owner by letter that this has been a re-occurring problem and request that he build a fence to provide screening for the residences in the rear of the property.

A grant in the amount of \$1,000 has been approved from Central Lakes Initiative Fund for work on the Comprehensive Plan. Jack Webster commended Teri Hastings for her work on the grant.

PARK AND RECREATION -

Virginia Dolmar, on behalf of the Crosslake Garden Club, had requested the erection of a peace pole at the Community Center. Upon review, the Park and Recreation Commission recommended approval.

MOTION 06R-10-96 WAS MADE BY RAY SMYTH AND SECONDED BY CHUCK MILLER TO ACCEPT THE PEACE POLE TO BE PLACED IN THE AREA OF THE COMMUNITY CENTER. MOTION CARRIED UNANIMOUSLY.

PUBLIC WORKS -

The Public Works Commission suggested that the City negotiate with Thelma Vaux regarding her property across from Riverside Inn upon which a City road crosses.

MOTION 06R-11-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO HAVE THE CITY ATTORNEY TALK TO THELMA VAUX ABOUT HER PROPERTY AND ARRANGE A PRICE TO BE BROUGHT TO THE NEXT COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.

PUBLIC SAFETY -

Jane Michaud will speak to Marty Heino regarding installing a modulator on Cable TV which allows programming to be interrupted for emergency weather announcements.

The Police Department reported 47 incidents in Crosslake in May and 37 in Mission Township.

North Ambulance had a total of 58 callouts for March, April and May.

The Fire Department had 17 calls in May with eleven being emergency medicals and six being fire calls.

Mike Amsden addressed the purchase of a new fire truck. On April 17th, two bids were opened. One from Custom Fire Apparatus for \$200,412 and the other from Forstner Fire Apparatus for \$188,280. The Fire Truck Committee, of which Mike was a member, had reviewed the specs contained in the bids in great detail and felt that Custom Fire Apparatus, while not being the lowest bid, would be the one to select since the pump would be compatible with current equipment, the body is all bolted versus partially bolted, they come highly recommended by other fire departments and have two chassis in stock for delivery in 180 days.

Mike Amsden has been actively researching financing for the truck and requested approval from the Council to buy the new truck if financing can be arranged.

MOTION 06R-12-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO APPROVE THE PURCHASE OF THE NEW FIRE TRUCK FROM CUSTOM FIRE APPARATUS FOR \$200,412. MOTION CARRIED UNANIMOUSLY.

MOTION 06R-13-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO AMEND MOTION 06R-12-96 TO APPROVE THE PURCHASE OF THE NEW FIRE TRUCK FROM CUSTOM FIRE APPARATUS FOR \$200,412 CONTINGENT UPON ADEQUATE FINANCING BY JUNE 25TH. MOTION CARRIED UNANIMOUSLY.

The financing will be discussed at a special meeting scheduled for 1:30 P.M. June 17th at City Hall.

UTILITIES -

William Gordon will begin work on June 17th as a head-end technician.

MOTION 06R-14-96 WAS MADE BY JACK WEBSTER AND SECONDED BY JANE MICHAUD TO APPROVE THE 1996 BUDGET FOR THE UTILITIES COMPANY OF \$986,164. MOTION CARRIED UNANIMOUSLY.

PERSONNEL -

George Riches is working as a volunteer architect for the City Hall addition. Because he is retired he carries no liability insurance.

MOTION 06R-15-96 WAS MADE BY CHUCK MILLER AND SECONDED BY JANE MICHAUD TO HIRE GEORGE RICHES AS AN UNCOMPENSATED PART-TIME EMPLOYEE SO THE CITY'S LIABILITY INSURANCE WILL COVER HIM DURING THE BUILDING OF THE NEW CITY HALL. MOTION CARRIED UNANIMOUSLY.

Mayor Kolesar, Ray Smyth and Rob Larson met to review the hours the Public Works Department spent in 1995 working for the Park and Recreation Department. The group felt that the 675 hours spent in Park and Recreation warranted hiring a part-time permanent employee. This person would be responsible for building cleanup, set-up, janitorial services, landscaping, painting, rink flooding and snow shoveling.

MOTION 06R-16-96 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO APPROVE HIRING A PERMANENT PART-TIME EMPLOYEE FOR THE PARK AND RECREATION DEPARTMENT. MOTION CARRIED UNANIMOUSLY.

LONG RANGE CAPITAL PLANNING -

The seven lots in Gendreau Addition which were up for sale as tax forfeit land by the County, and withdrawn by the City for possible acquisition, have been appraised by the County at a cost of \$34,365.40.

MOTION 06R-17-96 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO APPROVE THE TRANSFER OF \$18,000 FROM THE PLANNING AND ZONING BUDGET AND \$17,000 FROM THE TELEPHONE DIVIDEND INTO THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF SEVEN TAX FORFEIT LOTS IN GENDREAU ADDITION TO CROSSLAKE AT A COST OF \$34,265.40. MOTION CARRIED UNANIMOUSLY

RECYCLE -

Through May, 48.52 tons of recyclables have been collected.

ECONOMIC DEVELOPMENT AUTHORITY - Nothing

EDUCATION COMMITTEE - Nothing

NEW BUSINESS - Nothing

OLD BUSINESS -

Dean Swanson reported on the progress of the Community Center. The contractors feel they will meet the completion date of July 6th.

Jack Webster asked the status of the push button switch for pedestrian crossing at the junction of Cty #3 and Cty #66 which had been approved in May, 1995 by the Council. Jane Michaud reported that the Public Safety Commission had contacted the County and were told by Duane Blanck that the cost of installing the switch could not be justified based on the amount of traffic at that junction.

PUBLIC FORUM -

Roy Schaefer commented that the Food Shelf volunteers have been working very hard to find a place to relocate. He asked why the letter from the Evangelical Lutheran Church had not been read at the meeting and he was informed that the Council had all received copies of the letter earlier.

Jean Paul Hudon will place an article in the Lake County Echo this week

appealing for help in finding a new location for the Food Shelf.

Jean Paul Hudon asked the status of the petition on annexation signed by the residents of Bonnie Lakes Farm Road. He indicated that the road is in dangerously poor condition and in need of repair. The Council informed him that the petition has never been received by the City.

MOTION 06R-18-96 WAS MADE BY CHUCK MILLER AND SECONDED BY RAY SMYTH TO
ADJOURN THE REGULAR COUNCIL SESSION AT 9:10 P.M. MOTION CARRIED
UNANIMOUSLY.

Recorded and edited by:



Arlene A. Buchite
City Clerk/Treasurer

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