

COUNCIL PROCEEDINGS  
Crosslake, Minnesota  
REGULAR SESSION - June 13, 1983

The City Council of Crosslake, Minnesota met in a regular session on June 13, 1983 at 7:33 P.M. in the Council Room of the Municipal Building. The following members were present: Councilman Allen, Anderson, Arends, Nelson and Mayor Bieber. There was approximately 30 members of the community present.

Mayor Bieber called the meeting to order and presented the Consent Callendar Article A for approval. MOTION NO. 6R-01-83 was introduced by Councilman Anderson that the minutes of May 9, 1983 and Special Session minutes of June 2, 1983 be approved as presented. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Due to a lack of study time of the May financial report the following motion was made. MOTION NO. 6R-02-83 was introduced by Councilman Nelson that the Clerk-Treasurer May financial report action be tabled until the next meeting. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 6R-03-83 was introduced by Councilman Anderson that the Council approve the Telephone Company financial report for May. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

NEW BUSINESS - NONE

CLERK'S REPORT - was introduced by Deputy City Clerk Diana Gallaway that Ordinance 2.30, Boards and Commissions Generally, be amended per resolution and that Motion No. 5R-05-83 be rescinded. Councilman Nelson hereby rescinded Motion 5R-05-83 which read "that the City of Crosslake will not tape any meeting including the Council meeting." Councilman Arends rescinded his second. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 6R-04-83 was introduced by Councilman Anderson that the City of Crosslake adopt the amending of Ordinance 2.30 as presented in the Resolution. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

The adoption of a Transient Merchant Ordinance per the proposed resolution was discussed at length with main concerns centered on the license fee, flee markets, and the zoning in which to allow a Transient Merchant to set up business. MOTION NO. 6R-05-83 was introduced by Councilman Anderson that we adopt the Resolution of an Ordinance Governing Transient Merchants Rules and Regulations with the following recommended changes to be included: That the land to be used be zoned Commercial; that the license fee be \$50.00 for the season and that special licenses be given to non-profit and civic organizations at no charge. SECONDED BY Councilman Nelson.

MOTION NO. 6R-05-83 continued -

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 6R-06-83 was introduced by Councilman Allen that the request by the Firemen/Community Center for a Non-Intoxicating Malt Liquor License for August 6 be approved. SECONDED BY Councilman Nelson. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

The \$180.00 refunded to the City of Crosslake from the Crow Wing County Attorney for the false alarm fire call expense was declared general fund money and should so be placed.

The Emergency Preparedness Plan was presented to the Council for their approval and explained that this is basically a formality for the Council so that Crosslake may coordinate it's plan established in 1974 with the County and surrounding areas. MOTION NO. 6R-07-83 was introduced by Councilman Arends that the Council go on record as approving the Emergency Preparedness Plan. SECONDED BY Councilman Nelson. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MAYOR'S REPORT - Mayor Bieber introduced items to be taken up under Commission Reports and were presented as: The Coffman Realty Company situation under Roads; Public Safty to be reported by the Mayor for Chairman Leo Fraser; 1984 budget - forms to guide department heads establish their budget are ready for distribution; Police liability insurance under Police Committee report; bank accounts - awaiting Mr. Hanson's opinion regarding the combining of accounts on a card catalouge specifically established for dedicated funds; briefed council regarding letter sent to Mr. Oberstar regarding the need for funds to do roads within this area and that government aide, if possible is requested.

Mayor introduced the January/February audit on past Clerk's termination records. MOTION NO. 6R-08-83 was introduced by Councilman Anderson that we approve the January/February audit, 1983 as presented by the auditing firm of Donald Engen, Certified Public Accountants. SECONDED BY Councilman Arends.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

COMMISSION REPORTS - BUILDINGS - Councilman Nelson reported on the repair requirements for the Community Center as: West wall paneling will require replacing with an approximate cost to be expended of \$1600. on paneling. Bids of painting, oil staining and latex, should be requested. Recommended that gutters be installed. MOTION NO. 6R-09-83 was introduced by Councilman Nelson that we advertise for bids on the residing of the West side of the Community Center and put rain gutters where needed. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Councilman Nelson introduced the repairs needed at the City Hall. MOTION NO. 6R-10-83 was introduced by Councilman Arends that Councilman Nelson be given permission to use the \$8,000. appropriated in Revenue Sharing Funds for City Hall remodeling to whatever way needed to improve the conditions of City Hall and not to exceed the appropriated

MOTION NO. 6R-10-83 continued -

funds. SECONDED BY Councilman Allen.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

CEMETERY - Councilman Arends noted that there was nothing to report.

FUNDING & FUTURE DEVELOPMENT - Mr. Tom Herschback reported on the Comprehensive report and the Zoning Ordinance corrections made due to the Public Hearing of May 7, 1983. Stated that all corrections and others found were corrected and the plans were submitted to the Department of Natural Resources to which they too approved the plans as changed. It is the recommendation of the Future Funding and Development and the Planning and Zoning Commission that the Council approve the Comprehensive Plan and the Zoning Ordinance changes as corrected. Discussion followed in regards to some other items meeting Council concern in regards to the roads and the established requirements set. Mayor Bieber suggested that the Council read these plans, become acquainted with the Ordinance changes and table this until the next meeting.

Mr. Herschback continued in regards to the Zoning changes to take place in the City of Crosslake and the letter to the taxpayer that is to be distributed in regards to a new Public Hearing to be set for June 25 at 1:00 p.m. at the City Hall if Council would so approve. Was explained that these notices are being sent out as a courtesy to the public and Mayor Bieber requested that the following be placed on record that the Future Funding and Development Commission would be going over their budget with an amount being expended of \$750.00 due to the sending of these notices. Mr. Herschback briefed the Council on the Zoning changes and also the zoning changes made due to the May 7, 1983 Public Hearing. Mr. Gordy Haglund also came forward with input in regards to the rezoning and that the changes made per the Public Hearing of May 7 were actually bent toward stricter regulation of Commercial properties. Discussion continued in regards to the commercial land and it's proposed changes and the effects on the City of Crosslake's citizens. MOTION NO. 6R-11-83 was introduced by Councilman Allen that the Planning and Zoning Commission in joint effort with the Future Funding and Development Commission hold a public hearing on the rezoning to be held at the City Hall, Saturday afternoon, 1:00 p.m., on June 25, 1983. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

PARKS - Councilman Anderson presented the Keeping Up schedule distributed out in the Crosslake Area regarding the programs scheduled.

Councilman Anderson submitted prices received from Ms. Felber, Park Director, on folding tables needed for the Park. Several other vendors were suggested in regards to better pricing and was suggested that they be checked into. MOTION NO. 6R-12-83 was introduced by Councilman Arends that the Council give Councilman Anderson permission to go out and procure two (2) other bids on the folding tables and purchase 20 folding tables with carts for the Community Center with the cost not to exceed \$1,552. as the figure already presented. SECONDED BY Councilman Nelson.

MOTION NO. 6R-12-83 continued -

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Councilman Anderson introduced a letter from the Park and Recreation Board regarding the fee schedule and their feeling on where the monies received should be distributed. This money is received to off set some of the expenses the City incurs in the up keep of the Community Center. Mayor Bieber stated his opinion being that this income should be placed in the general fund as funds distributed for repairs and upkeep come from the Cities general fund in the first place. Donations are the only funds that should be kept seperated and earmarked specifically as to their purpose. Discussion continued regarding these monies and how the Park Board could take care of the purchasing of required items for the Park. When the Park Budget is established it was so stated that it should show their needs and it is the City of Crosslake that must meet these needs and therefore should be completely spelled out. It was the concensus that it is between the Council and the Park Board to keep the Park going. No one objected.

The Sprinkler system was reported on that the \$3,250. established by the Council will be met and they are now going to be using 3M plans and purchasing material elsewhere.

PUBLIC SAFTY - Mayor Bieber presented this report for Chairman Leo Fraser. Assessments to be charged to the surrounding areas benefiting from the City of Crosslake's Ambulance Service was discussed and decided that one-half of the City's Subsidy could be paid for by these communities. The Safty Commission requests to set a meeting with the Mayor's of these surrounding communitis and so requests approval of such by the Council. MOTION NO. 6R-13-83 was introduced by Councilman Nelson that the Council approve the request of the Public Safty Commission to establish a meeting with surrounding communities using the services of Crosslake's Ambulance for the express purpose of establishing a fee to offset the Ambulance Subsidy being paid by the City of Crosslake. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Mayor Bieber made mention of the Public Safty Day being planned that would involve the Police Department, Fire Department and the Ambulance.

Councilman Nelson reported on the progress of the car repairs requested at the last regular session. Reported that the first car repairs are done and within the alloted amount but that a tune up and such brought costs over the amount set. The other car is now in for repairs and an approximate cost of \$415. is determined.

PLANNING & ZONING - Councilman Arends reported on the set of plans Mr. Rural Boe has submitted and requests preliminary approval from the Council. MOTION NO. 6R-14-83 was introduced by Councilman Arends that the Council go on record of giving preliminary approval to Mr. Rural Boe for the 30 dependent sites, a 46 X 26 shower and laundry facility and associated septic systems to meet City codes. SECONDED BY Councilman Allen.

MOTION NO. 6R-14-83 continued -

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Discussion followed regarding a Public Hearing in regards to the preliminary approval given on Mr. Rural Boe's plans. Was question as to whether or not it was necessary and if it so stated in the Code book. Councilman Arends referred to the Code book at this time as the Council proceeded with the next Commission's report.

ROADS - Chairman Walt Kocon presented the results of their monthly meeting as: The commission came up with three alternatives to the funding of the road construction needed and were: 1) a bond issue; 2) property owner assessment and 3) maintain the roads under the yearly road allotment. The Road Commission also requests that a Public Hearing be scheduled for public input and that consideration also be given to a referendum ballot on the funding. Much concern was expressed regarding the priorities given on the roads.

Concern was also expressed, at this time, about the amount of traffic directed onto West Shore Drive and that possibly a load limit be set off setting the large capacity trucks from using West Shore Drive as an alternate route. MOTION NO. 6R-15-83 was introduced by Councilman Anderson that load limit signs be set on West Shore Drive limiting the traffic to five (5) ton per axle. SECONDED BY Councilman Arends.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Discussion continued in regards to the guidelines established for Roads. Question's were raised in regards to the usage of bond money for resurfacing. The Public Hearing was addressed once more and was the consensus that more input on the work to be done on each road would and should be done before a public hearing be set. A specific plan must be laid out showing where and what exactly things are going to be done and the cost to be incurred. This should be a single plan with no other options. Then at that time should it be presented to the public. Much discussion continued in regards to the funding of the road construction.

The Council agreed that the Road Commission is to be instructed that they should begin with a game plan showing exactly the work to be done and the costs that would be incurred and let the City Council come up with the funding for the roads. Mayor Bieber requested that Mr. Kocon come back at the next meeting with a plan showing the steps to be taken by the Road Commission to get the roads fixed and the costs they feel will be incurred.

Councilman Arends requested that Motion 6R-14-83 be rescinded - Councilman Allen rescinded his second on the preliminary approval of the Rural Boe plans. MOTION NO. 6R-16-83 was introduced by Councilman Arends that final approval be given to Mr. Rural Boe for the 30 dependant sites, a 46 X 24 shower and laundry facility and associated septic systems to meet City codes. SECONDED BY Councilman Allen. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

ROADS COMMISSION REPORT continued-

Mayor Bieber briefed the Council on the Ox Lake Landing situation and his discussion with several attorneys in the Minneapolis area. Mayor Bieber stated that he feels we may get out of this but that the money expended on the engineering expenses of \$11,410.47 and the \$1,579.07 paid in 1982 would still be the responsibility of the City. Was also stated that there is no signed agreement between the Coffman Realty and the City of Crosslake and that a meeting should be set up with Coffman Realty, the City Council and Mayor and the special attorney so hired to specifically handle this situation. The Mayor also stated that on the final set of plans it shows the following Mayor and Council as approving and the Mayor requested that it go on record that his name is to be stricken from the plans. MOTION NO. 6R-17-83 was introduced by Councilman Nelson that a specific meeting be set by the Mayor with Mr. Coffman from Coffman Realty, the Council and the attorney hired specifically for this cause. SECONDED BY Councilman Arends.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

TELEPHONE COMMISSION - Councilman Allen requested permission of the Council to raise the Manager's buying power from \$2,000. to \$5,000. Was stated that this was specifically for the purchase of cable and telephone equipment purchases. Much discussion continued regarding the necessity of this raise and included the maintenance of the cable now in the ground. The costs incurred was discussed regarding the purchase of cable. MOTION NO. 6R-18-83 was introduced by Councilman Allen that the Telephone Manager be given permission to buy cable supplies as needed without approval. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Telephone Manager, Anthony V. Mayer presented the Cable T.V. plan and introduced the information sent out to the Council. Mr. Mayer presented the survey results with 83.2% being in favor and 17.8% not. The Telephone Commission would like a statement from the Council of being in favor of the game plan presented in the setting up of Cable T.V. in the City of Crosslake. Much discussion followed regarding the lay out of the facts and figures and the need for more detail especially in the expenses that are to be incurred with this undertaking. MOTION NO. 6R-19-83 was introduced by Councilman Nelson that Council give the Telephone Manager, A. Mayer, approval to proceed with all necessary steps to install Cable T.V. in the City of Crosslake to be owned and operated by the City of Crosslake Telephone Company. SECONDED BY Councilman Anderson. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried. Mayor Bieber abstained.

COMMITTEES - CITIZENS ADVISORY - Ms. Libby Andolshek reported on their last meeting with Brainerd Ambulance and Crosslake Ambulance and the concensus from such meeting was that we are in need of more personnel on the Crosslake Ambulance or we will loose the ambulance due to State Rules and Regulations governing the ambulance.

POLICE - Mayor Bieber reported on the hours worked by Police Chief Backdahl, and Officers Coulter and Leonard and their schedule of hours in June.

COMMITTEE REPORTS (POLICE) continued -

The liability insurance was discussed regarding the Police and their going outside of the community. Mayor read a letter written to Police Chief John Backdahl reiterating the findings on the liability by the City Attorney, Randall Hanson and that only should the Police of the City of Crosslake leave this area upon specific instructions from the Sheriff's Department.

The liability insurance coverage was discussed regarding the Fire Department at this time and that there is a Firemen Professional Liability Insurance that can be purchased but at a large expense.

MOTION NO. 6R-20-83 was introduced by Councilman Allen that the City Council adjourn at 11:20 p.m. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

RESPECTFULLY SUBMITTED:

  
Diana A. Gallaway  
Deputy City Clerk

R E S O L U T I O N

TO AMEND ORDINANCE SECTION 2.30

BOARDS AND COMMISSIONS GENERALLY

WHEREAS, The City of Crosslake, does hereby resolve to amend the Ordinance of the City Code Book known as Section 2.30. BOARDS AND COMMISSIONS GENERALLY that part of Section 2.30. governing the taping of all City meetings and reads as follows:

"All meetings shall be recorded on a tape recorder and the tapes stored at the City Clerk-Treasurer's office, except Telephone Company tapes be stored at the Telephone Company until additional fire-proof space is available at the City Hall. Except as otherwise provided, this Section shall apply to all boards and commissions."

WHEREAS, The City of Crosslake resolves that this portion of Section 2.30 of the City Code Ordinance Book be changed to read:

"All meetings shall be recorded by a secretary appointed by the Boards and Commissions of the City and minutes covering all meetings of the City of Crosslake will be on file at the City Clerk-Treasurer's office. Minutes as well as a tape recording will be only required of City Council Regular and Special Sessions.

BE IT RESOLVED, that the City Council of the City of Crosslake, Minnesota go on record as agreeing to the amendment of Section 2.30. that part governing the record keeping of minutes of City Council, Boards and Commissions.

COUNCIL VOTING IN FAVOR:                    5    AYE

COUNCIL VOTING AGAINST:                    0    NAY

This is a true and correct signed Resolution passed by the Crosslake City Council at their Regular Meeting on June 13, 1983 at 7:30 P.M.

Anthony V. Mayer  
Anthony V. Mayer, Interim City Clerk

Fred Bieber  
Fred Bieber, Mayor

R E S O L U T I O N  
ADOPTION OF ORDINANCE GOVERNING  
TRANSIENT MERCHANTS RULES AND REGULATIONS

WHEREAS, The City of Crosslake, does hereby resolve to adopt an Ordinance governing Transient Merchants within the City of Crosslake under Chapter 5 of the City Code Book entitled "OTHER BUSINESS REGULATION AND LICENSING".

WHEREAS, The City of Crosslake, resolves that this Ordinance will incorporate the following rules and regulations and to be enacted by the City Attorney, Randall Hanson with a reading of such to follow at the proceeding council meeting.

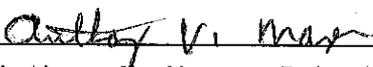
- That Transient Merchants be licensed by the State of Minnesota and show proof of such licensing to the Clerk-Treasurer, City of Crosslake before filing of application.
- That written permission be received from a landowner and that such land to be used be zoned commercial, and that such written permission so state that, name of merchant is allowed to sell his wares and so signed by said land owner and that such written permission be held on file at the Clerk's office of the City of Crosslake.
- That a General Corporate license be issued to such vendor stating specifically items being sold with a license fee of \$50.00 and a termination date of December 31, 12:00 Midnight to be applied on all licenses. Special General Corporate Licenses will be issued to non-profit and civic organizations at no charge.
- That licensee show proof of Workers Compensation if outside employee's are to be hired or written statement stating only a family operation.
- That no Transient Merchant may operate on any street or sidewalk within the City of Crosslake due to safety reasons.
- That licensee have sufficient refuse containers and will be responsible for refuse littered on such premises.
- That no more than five (5) merchants will be allowed on one specific piece of land, except where Special Corporate License is being issued.

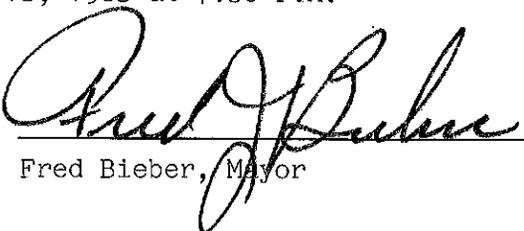
BE IT RESOLVED, that the City Council of the City of Crosslake, Minnesota go on record as agreeing to the adoption of such an Ordinance to be placed under Chapter 5 of the City Code Book and to be drafted and enacted by the City Attorney, Randall Hanson.

COUNCIL VOTING IN FAVOR:                    5 AYE

COUNCIL VOTING AGAINST:                    0 NAY

This is a true and originally signed Resolution passed by the Crosslake City Council at their Regular Session on June 13, 1983 at 7:30 P.M.

  
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Anthony V. Mayer, Interim City Clerk

  
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Fred Bieber, Mayor