

**COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
SPECIAL AND REGULAR COUNCIL SESSION
JUNE 14, 1993
6:00 P.M. AT CITY HALL**

The Council for the City of Crosslake Minnesota met in the Council Chambers of City Hall on Monday, June 14, 1993. The following Councilmembers were present: Mayor Kurt Anderson, Lyle Arends, Charles Miller, Dean Swanson and John Webster. Also present were Paul Sandelin representing the City Attorney's Office and approximately 3 residents.

Mayor Anderson called this meeting to order at 6:00 p.m. stating that this special meeting was requested by the City Attorney's Office. Mr. Sandelin stated that he would like to have this meeting closed at this time to discuss pending litigation against the City with the members of the City Council. Hearing no objections Mayor Anderson requested that the Police Chief escort all residents from the Council Chambers.

MOTION NO. 6S-01-93 WAS MADE BY J. WEBSTER AND SECONDED BY D. SWANSON TO ADJOURN THIS CLOSED MEETING AT 6:40 P.M. MOTION PASSED UNANIMOUSLY.

At 7:30 p.m. Mayor Anderson called the Regular Council Session to order. All Councilmembers and Paul Sandelin were present as well as approximately 28 residents.

MOTION NO. 6R-01-93 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF (1) MINUTES OF MAY 10, 1993 REGULAR SESSION; (2) MINUTES OF MAY 25, 1993 BOARD OF REVIEW MEETING; (3) NO MINUTES FOR JUNE 8 AS MEETING WAS CANCELLED; (4) THE CLERK/TREASURER'S FINANCIAL REPORT FOR MAY 1993; (5) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR MAY, 1993; AND (6) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR MAY, 1993. MR. SWANSON INDICATED THAT MOTION NO. 5PH-02-93 SHOULD STATE "AS AMENDED". MOTION PASSED UNANIMOUSLY WITH CORRECTION AS NOTED.

CLERK'S REPORT - MOTION NO. 6R-02-93 WAS MADE BY C. MILER AND SECONDED BY L. ARENDS TO PAY ALL BILLS AS PRESENTED INCLUDING: (1) PEQUOT SAND AND GRAVEL FOR \$1,841.94; (2) BOONESTROO ROSENE ANDERLIK AND ASSOCIATES FOR \$10,893.48; (3) GREG LARSON SPORTS FOR BATS AND BALLS FOR \$1,745.58; (4) CITY ATTORNEY GAMMELLO'S BILL FOR \$1,705.00; (5) MATHIAS JUSTIN, CPA FOR 1992 AUDIT FOR \$3,775.00; (6) SERVICEMASTER FOR ONE WEED/FEED APPLICATION FOR \$831.16; AND (7) RON JOHNSON FOR PRINTER FOR RECEPTIONIST FOR \$335.48. MOTION PASSED UNANIMOUSLY.

MOTION NO. 6R-03-93 WAS MADE BY C. MILLER AND SECONDED BY J. WEBSTER TO APPROVE OF THE LOG CHURCH HOLDING AN OUTDOOR CONCERT

ON JULY 3, 1993 FROM 7:00 P.M. TO 8:30 P.M. MOTION PASSED UNANIMOUSLY.

MOTION NO. 6R-04-93 WAS MADE BY D. SWANSON AND SECONDED BY J. WEBSTER TO PAY \$500 CONTRACT TO BRAINERD LAKES AREA DEVELOPMENT CORP. MOTION PASSED WITH L. ARENDS VOTING NAY.

A letter was received from the County Assessor stating that effective in 1994 the City will no longer have to pay the assessment fee which is currently charged by Crow Wing County. There were no objections from the Council for this change.

MAYOR'S REPORT - Mayor Anderson read a letter from the Department of Natural Resources on Brian Bittner's project. The DNR requested that a deed restriction be placed on the property guaranteeing the development remain a commercial use. Mayor Anderson returned it back to Planning and Zoning for their input.

Mayor Anderson said he would like to attend League of Minnesota Policy meetings if the Council has no objection. No objections were stated. Dean Swanson said he may want to go to one of the Committee meetings also.

PLANNING AND ZONING - The first item for discussion was the Continued Hearing appealing the denial of a Conditional Use Permit for Chatham Park. Coordinator Teri Hastings informed the Council that Jim and Jeanne Winiiecki were present as was a Court Reporter hired by the Winiieckis'. Ms. Hastings gave the Council a suggested list of conditions for Chatham Park. Mr. Miller stated that the Planning and Zoning Commission had no choice but to deny the Conditional Use Permit and require the platting of the property for Chatham Park because the Ordinance requires it. MOTION NO. 6R-05-93 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO APPROVE THE CONDITIONAL USE PERMIT REQUEST TO EXPAND FROM CHATHAM PARK, SUBJECT TO THE LIST OF CONDITIONS AS PRESENTED AND SUBJECT TO THE CHANGE IN THE ORDINANCE TO ALLOW RENTAL OF MOBILE HOMES SITES WITHOUT BEING REQUIRED TO SUBDIVIDE THE PROPERTY. A copy of the list of conditions is attached to these minutes as a permanent part of the record. Discussion continued with Coordinator Hastings reading a portion of a letter from the Winiiecki's attorney stating that so long as the mobile home park was operated strictly as a rental park and so long as no residential lot was conveyed by deed or contract for deed, no platting would be required. Winiiecki's attorney further stated in the letter that the City could obtain a commitment not only from current management, but also from any subsequent purchaser that the property would be platted before it was conveyed. Mrs. Winiiecki asked several questions about the questions but neither Mr. or Mrs. Winiiecki voiced any objections to the conditions. MOTION PASSED UNANIMOUSLY.

Reclassification of Ox Lake was the next item. Ms. Hastings stated that the Commission was recommending to take the Southern

boundry of Ox Lake Crossing and go all the way around the South half of the lake, including Ox Lake Landing, and keep that portion as General Development because that was mostly developed at this point, and Ox Lake Crossing North and Murphys property going North, including the island, would be classified Natural Environment. MOTION NO. 6R-06-93 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO APPROVE THE RECLASSIFICATION OF OX LAKE AS PRESENTED AND TO HOLD A PUBLIC HEARING AFTER CONSULTATION WITH DNR AND FIFTY LAKES. MOTION PASSED UNANIMOUSLY.

MOTION NO. 6R-07-93 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO ACCEPT THE LOW BID OF \$145 PER SITE SUBMITTED BY RICHARD ADAMS FOR SITE EVALUATIONS AND SITE DESIGNS FOR THE MINNESOTA POLLUTION CONTROL GRANT FOR GOODRICH, O'BRIAN AND VELVET LAKES. MOTION PASSED UNANIMOUSLY. Mr. Miller stated that it was his understanding that the City will pay the Evaluator until the grant monies come in and then the City will be reimbursed. No Councilmember objected.

PARK AND RECREATION - Commissioner Swanson read his monthly report stating in part that the baseball program had to cut of registration because they could not handle anymore children. Mr. Swanson also thanked all the people who volunteered materials and labor to the baseball projects.

RECYCLING - The Committee is talking to Croselake Sanitation about upgrading the recycling program. Al Benson spoke briefly about curb side pickup.

PUBLIC SAFETY - A draft of an Ordinance regulating golf carts was discussed briefly. Police Chief Backdahl stated that he would like two things included in the Ordinance and that is to not allow under age 18 usage and to give the city the right to end the Ordinance if it becomes a problem or is abused. Discussion ensued regarding the definition of "golf carts". Mr. Backdahl stated that he would like the Council to consider the potential that the Ordinance can easily become abused.

Mayor Anderson updated the Council on the Fire Hall project by saying it is still on hold. Mayor Anderson said he would like to have the Council consider buying lots 2 and 3 from Roger Adain and to offer the existing fire hall to Arnie's Meats and use the money difference to buy the Adair lots. Mr. Webster stated that he would like to see some appraisal figures. MOTION NO. 6R-08-93 WAS MADE BY J. WEBSTER AND SECONDED BY C. MILLER TO OBTAIN APPRAISALS FOR THE FIRE HALL AND THE ADAIR PROPERTY. D. Swanson said he would like to have appraisals of all of Adair's lots. L. Arends stated that he would like to check with Gordy Haglund on the property he has for sale along Route 66. Discussion ensued regarding other properties that might be available. MOTION PASSED UNANIMOUSLY.

UTILITIES - MOTION NO. 6R-09-93 WAS MADE BY L. ARENDS AND SECONDED BY J. WEBSTER TO APPROVE THE REQUEST FROM THE UTILITIES

COMPANY TO UPGRADE THREE CHANNELS AT \$4,500 PER CHANNEL AND TO ADD STEREO TO HBO AT \$2,000. MOTION PASSED UNANIMOUSLY.

Commission Chairman Tom Towne stated that the City should not put the expected dividend into their revenue projections because there may not be a dividend in future years.

Mayor Anderson informed the audience that the portion of taxes the City of Crosslake gets is second to the lowest in the County with Manhattan Beach being the only City with less city taxes.

Commissioner Arends stated that the Telephone Company is not currently using the Dodge Ram which had been purchased for the General Manager and he feels the Planning and Zoning should purchase it since the old police car which is currently used is making oil.

A joint meeting between the Utilities Commission and the City Council was set for 7:30 a.m. on June 29, 1993 at City Hall. One of the topics to be discussed will be the General Manager's job description. Mayor Anderson gave a brief synopsis of three cities of like population who advertised to hire a city manager or administrator and each city received approximately 45 to 50 applications.

J. Webster said he would like to have 20 percent of the Telephone Company dividend put into the Capitol Improvement Fund each year.

PUBLIC WORKS - Commissioner Webster stated that some repairs are needed for the Sunrise Island Bridge. MOTION NO. 6R-10-93 WAS MADE BY J. WEBSTER AND SECONDED BY L. ARENDS TO PURCHASE 30 TIMBERS FOR THE BRIDGE AT SUNRISE ISLAND FOR A COST NOT TO EXCEED \$2,900. MOTION PASSED UNANIMOUSLY. It was mentioned that all 126 timbers need to be replaced but they will be done in sequence starting at one end.

Mr. Webster indicated that he had a petition to upgrade the connector road between Wolf Trail and Pine Bay Road but the property was on DNR property and is not a City road. A brief discussion ensued. It was the consensus of the Council that it was a private road and on DNR property. MOTION NO. 6R-11-93 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO NOTIFY THE PETITIONERS THAT THE COUNCIL FEELS THEY ARE NOT IN A POSITION TO GRANT THEIR REQUEST AND THE CITY WILL NOT TAKE CARE OF THE CONNECTOR ROAD. MOTION PASSED UNANIMOUSLY. Mr. Miller suggested that the petitioners contact DNR for assistance.

Mr. Webster indicated that he has requests from people in Wilderness Park to do something about that road also. It was the consensus of the Council that it is essentially an easement road and normal maintenance is all that will be done by the City. MOTION NO. 6R-12-93 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO CONTINUE WITH THE NORMAL MAINTENANCE AS HAS BEEN

DONE WITH WILDERNESS ROAD. MOTION PASSED UNANIMOUSLY.

CEMETERY - Mr. Webster indicated that the new Rules and Regulations Book will soon be printed and the new sign is being put up.

LONG RANGE CAPITOL PLANNING - Mr. Swanson read a thank you from the Food Shelf Committee for their new quarters in the basement of City Hall.

PERSONNEL - Discussion ensued regarding benefits for part-time employee Darlene Roach. MOTION NO. 6R-13-93 WAS MADE BY J. WEBSTER AND SECONDED BY D. SWANSON TO GIVE PRO-RATED BENEFITS TO DARLENE ROACH. MOTION PASSED UNANIMOUSLY.

Mr. Miller indicated that D. Swanson found an objection to the guidelines for Commissioners and had Sue Thurlow reword the policy. MOTION NO. 6R-14-93 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO APPROVE THE CHANGE IN THE BOUNDRIES OF THE COMMISSIONERS POLICY AS SUBMITTED BY THE ATTORNEY'S OFFICE. MOTION PASSED UNANIMOUSLY.

NEW BUSINESS - Mayor Anderson stated that he spoke with Councilmembers of neighboring cities and they indicated that they would be willing to pay their fair share of the ambulance fees.

OLD BUSINESS - Mr. Swanson stated that he feels the League Conference was very beneficial to the City.

Mr. Webster asked about job discriptions and if they have been updated for Americans With Disabilities Act requirements. Attorney Sandel will check with Sue Thurlow.

PUBLIC FORUM - A resident asked if Fairfield Township returned their signed Fire Contract and was informed that they have not.

This same resident requested that the City send thank yous to the volunteers who served on committees or volunteered time to the City.

MOTION NO. 6R-15-93 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO ADJOURN THIS REGULAR COUNCIL SESSION AT 9:45 P.M. MOTION PASSED UNANIMOUSLY.

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



E
1
a

The Crosslake City Council, acting as a Board of Appeals, on June 14, 1993, held a public hearing regarding the appeal of James and Jeannie Winieke for a conditional use permit for the construction of 34 additional mobile home lots in Chatham Park.

It was hereby moved by MILLER and seconded by AREND to allow the addition of 34 mobile home lots which have at least 10,000 square feet and a gross density of least 20,000 (gross density includes green space) as required by the ordinance.

Said additional 34 lots are included in the mobile home lots shown in the comprehensive plan provided by the developer and located in the NE 1/4 SE 1/4, Section 9, Township 137, Range 27.

Approval shall be subject to an amendment to the Crosslake Planning and Zoning Ordinance, Chapter 8, to allow the rental of mobile home sites without being required to formally subdivide the property.

It is understood that said development may be phased in over a ten year period.

CONDITIONS TO BE PLACED ON CHATHAM PARK DEVELOPMENT

1. ^{BEA - / 100 each site} 200 amp services for each additional site developed as of the date of this Conditional Use Permit approval.
2. Outside lighting-as stated in applicant proposal.
3. Road width and base requirements- 66 feet wide and 4 inches of class five base and in compliance with other road standards.
4. Each lot to be limited to one outside storage shed and no other outside storage allowed. *→ allow garages ←*
5. Each site shall have parking for two cars and no parking shall be allowed on the street.
6. Setbacks- 10 feet from side and back lot line and 20 feet from the street. No home closer than 40 feet from the development boundary.
7. Mobile homes must be less than 5 years old and all dwellings must meet minimum standards of Minnesota Statute 327 and Federal Housing Standards.
8. Appurtenant structures to be completed within 90 days of onset of construction.
9. Designated green space, as depicted on the applicant's

proposal shall be preserved by prohibiting construction of additional building on that designated green space. It is understood and agreed by the City of Crosslake that the Corps of Engineers has agreed that the developers may use the overflow property adjacent to the development as a part of the required green space. The letter from the Corps of Engineers, dated May 19, 1993, is attached hereto.

10. Vegetation and topographic alterations in green space, other than routine maintenance shall be prohibited.

11. The ten percent park dedication requirement (Crosslake Ordinance- Section 8.07, Subd. 1, paragraph 3) must be met.

12. Dwellings may only be manufactured homes or mobile homes, due to lot size.

13. Upon contract for sale of any portion of the land described as NE 1/4 SE 1/4, Section 9, Township 137, Range 27, the entire development shall be platted into residential lots of at least 40,000 square feet and in every case.

14. Centralized water and sewer requirements shall be waived subject to implementation of the plans submitted by the developers.

17) if sell entire parcel - as Chatham PK -
then do not need to plat -
18) → agree -

70424.002\cup