

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
REGULAR COUNCIL SESSION
MONDAY, AUGUST 12, 1991

The City Council for Crosslake Minnesota met in a Regular Council Session on Monday, August 12, 1991 at 7:30 p.m. in the Council Chambers of City Hall. The following members were present: Mayor Kurt E. Anderson, Lyle M. Arends, Roger A. Bursheim, Charles O. Miller and Dean L. Swanson. Also present were City Engineer Will Hoyt, Utilities Company Manager Anthony Mayer, Police Chief John Backdahl, Planning and Zoning Coordinator Teri Daehn, Road Supervisor Patrick Hoag, City Clerk Arlene Buchite as well as approximately 19 citizens.

Mayor Anderson called this meeting to order at 7:30 p.m. and stated that the first item on the agenda was the Consent Calendar.

MOTION NO. SR-01-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF THE JULY 8, 1991 REGULAR COUNCIL SESSION; (2) MINUTES OF THE JULY 10, 1991 SPECIAL COUNCIL SESSION; (3) MINUTES OF THE JULY 25, 1991 SPECIAL COUNCIL SESSION; (4) THE CLERK/TREASURER'S FINANCIAL REPORT FOR JULY 1991; (5) THE THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR JULY, 1991; AND (6) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR JULY, 1991. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - MOTION NO. SR-02-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER ARENDS TO PAY ALL BILLS INCLUDING: (1) LANGENBAU EXCAVATING FOR \$2,188.00 AND (2) CITY ATTORNEY JAMES M. GAMMELLO FOR \$879.50. MOTION PASSED UNANIMOUSLY.

MOTION NO. SR-03-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER BURSHHEM TO APPROVE THE RENEWAL OF THE PEQUOT/CROSSLAKE YOUTH HOCKEY ASSOCIATION CHARITABLE GAMBLING LICENSE AT ANDY'S BAR AND RESTAURANT. MOTION PASSED UNANIMOUSLY.

Clerk Buchite informed the Council that the overpayment of fines by the County is almost all paid back so the City should be receiving their share of fines by next month.

Clerk Buchite presented the semi-annual report from the Lion's Club showing monies donated and to whom they were donated.

MAYOR'S REPORT - Mayor Anderson said that City Attorney James Gammello had sent a letter regarding protocol for complaints in the planning and zoning office. Mayor Anderson requested that

the Planning and Zoning Commission review the letter at their next meeting and the City Council adopt it at their next meeting.

Mayor Anderson stated that the 1991 total levy requested from the County was \$427,702.00 and he would like the proposed request for 1992 to be approximately \$472,344.00 or about a 9 percent increase. Mayor Anderson informed the Council that the amount certified to the County at this time cannot be increased but it can be decreased when the budgets are set. MOTION NO. SR-04-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER SWANSON TO CERTIFY THE SUM OF \$472,344.00 TO THE COUNTY AUDITOR AS OUR PROPOSED LEVY. MOTION PASSED UNANIMOUSLY. Mayor Anderson requested that all departments submit their budgets by next meeting. Mayor Anderson said he wanted to thank all departments for staying within their budgets for the first six months of 1991.

Mayor Anderson requested that the Council read a letter received from Senator Doug Johnson regarding State Aid.

Mayor Anderson thanked Jack Lindenberg for writing letters and handling the purchase of the Fire Hall property and said that he, Kurt Anderson, personally took care of the letters and papers on the Cemetery so there was no commission on either property.

Chapter 2 of the Ordinances states that the Planning and Zoning coordinator is appointed by the Commission and approved by the Council, according to Mayor Anderson, but the Ordinance will have to be changed because the position is no longer a contract position but is an employee of the City requiring that the Council do the hiring.

Mayor Anderson stated that in the June 21, 1991 minutes of the Planning and Zoning Commission it states that the Commission approved a request to divide a parcel of property and the Commission does not have that authority.

Mayor Anderson announced that he will maintain office hours at City Hall every Wednesday between 9 a.m. and 12:00 noon for complaints, criticism or compliments.

The Council discussed purchasing or repairing equipment locally and the majority felt that it should be done in Crosslake if at all possible. Member Swanson said he does not feel that a City employee on the payroll should sit and wait out of town while equipment is repaired. Mr. Arends said he has a problem with this procedure if the local cost greatly exceeds the cost from neighboring cities.

Mayor Anderson stated that he had received a letter that the Corps of Engineers wanted to buy an easement from the City of,

Crosslake. MOTION NO. 8R-05-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER SWANSON TO ACCEPT THE OFFER FROM THE CORPS OF ENGINEERS TO PURCHASE .008 ACRES OF LAND FOR \$300. MOTION PASSED UNANIMOUSLY.

ROAD COMMISSION - The Commission recommended to the Council that a power washer be purchased for the Road Department. It was the consensus of the Council that the washer be used inside the building so oils and diesel fuel that are washed off go into the oil pit. MOTION NO. 8-06-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER SWANSON TO APPROVE THE PURCHASE OF A USED PRESSURE WASHER FOR THE ROAD DEPARTMENT AT THE COST OF \$1,496 TOTAL. MOTION PASSED UNANIMOUSLY.

MOTION NO. 8R-07-91 WAS MADE BY MEMBER SWANSON AND SECONDED BY MEMBER MILLER TO APPROVE THE REPAIRS NEEDED ON THE CITY GARAGE DOOR OPENERS TO MEET STATE CODE AIMED AT REVERSING THE DOOR ON CONTACT. MOTION PASSED UNANIMOUSLY.

Road Supervisor Patrick Hoag had obtained quotes from several companies to purchase a new lawn tractor. Discussion ensued regarding the usage and requirements necessary for lawn mowing in the City. MOTION NO. 8R-08-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER BURSHEN TO HAVE THE ROAD SUPERVISOR EXPLORE THE COSTS OF REPAIRING THE PRESENT LAWN TRACTOR AND HAVE THE ROAD COMMISSION REVIEW THE OPTIONS BEFORE BRINGING IT BACK TO THE COUNCIL. Member Swanson said he is opposed to fixing the old mower because it is 13 years old and badly worn. MOTION PASSED WITH MEMBER SWANSON VOTING NAY.

The Commission recommended to change the name of the Department and Commission. MOTION NO. 8R-09-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER BURSHEN TO CHANGE THE NAME OF THE ROAD COMMISSION AND ROAD DEPARTMENT TO PUBLIC WORKS COMMISSION AND PUBLIC WORKS DEPARTMENT. MOTION PASSED UNANIMOUSLY.

The Commission requested that signs for new developments be paid for by the developer but the City will order them. Mayor Anderson said this should be brought to Planning and Zoning so it could be incorporated into the new ordinances.

The Commission requested that letters be written to the property owners on East Shore Road stating that trees planted on City property be removed. MOTION NO. 8R-10-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO HAVE THE CITY ATTORNEY WRITE LETTERS TO THE ABUTTING PROPERTY OWNERS STATING THAT THEY DO NOT OWN THE PUBLIC ACCESS PROPERTY ON EAST SHORE ROAD AND CANNOT PLANT TREES OR STOP SNOWMOBILES FROM CROSSING IT. Member Arends will get the names of the property owners for the City Attorney. MOTION PASSED UNANIMOUSLY.

Will Hoyt, City Engineer, was present to say that there are still some minor deficiencies present from last year's road

work but all items will be addressed before the final payment is made to the contractor.

FUNDING AND FUTURE DEVELOPMENT - Liaison Swanson stated that the Commission is working on getting a bicycle path completely around Cross Lake and also discussing waste water treatment. Mr. Swanson stated that the Commission recommended approval of \$2,500 to Landecker and Associates for preliminary work on waste water treatment so as no area is overlooked. Discussion ensued regarding the cost for the preliminary work. Mayor Anderson stated that he would like to have the Commission come up with a budget for next year and place items for preliminary work into the budget. The Council was invited to come to the next meeting of the Commission and take part in the discussion.

PERSONNEL - Member Swanson informed the Council that the Department Heads have not given the City Clerk a copy of their schedules as requested by Ordinance No. 32, Third Series.

PARK AND RECREATION - MOTION NO. 8R-11-91 WAS MADE BY MEMBER BURSHEM AND SECONDED BY MEMBER MILLER TO APPROVE OF A STREET DANCE PERMIT FOR THE LION'S CLUB AT THE COMMUNITY CENTER ON AUGUST 13, 1991 FROM 8:00 P.M. TO 1:00 A.M. MOTION PASSED UNANIMOUSLY.

MOTION NO. 8R-11-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO ADD THE RECYCLING COMMITTEE UNDER THE COMMISSION REPORTS HEADING ON THE MONTHLY COUNCIL AGENDA. MOTION PASSED UNANIMOUSLY.

Member Swanson reported that 26 bins were sold by the Recycling Committee.

PLANNING AND ZONING - Mr. Arends stated that a resident who had a fire over a year ago has not cleaned up the mess yet and neighbors are beginning to complain. MOTION NO. 8R-13-91 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER ARENDS TO HAVE THE PLANNING AND ZONING COORDINATOR START A FILE BY FOLLOWING THE RECENT GUIDELINES FROM THE CITY ATTORNEY AND HAVE THE CITY ATTORNEY SEND A LETTER TO JERRY YOUNG STATING THAT THE DEBRIS FROM HIS HOUSE FIRE MUST BE CLEANED UP IMMEDIATELY. MOTION PASSED UNANIMOUSLY.

Member Arends said a resident did not follow the plan submitted for a septic system and is too close to the side yard lines and should be required to come in the office and get an after-the-fact variance. Member Arends stated that the system is a conforming system. MOTION NO. 8R-14-91 WAS MADE BY MEMBER SWANSON AND SECONDED BY MEMBER MILLER TO HAVE THE PLANNING AND ZONING COORDINATOR WRITE A LETTER TO THE PROPERTY OWNER AND REQUEST THAT HE APPLY FOR AN AFTER-THE-FACT VARIANCE. MOTION PASSED UNANIMOUSLY.

MOTION NO. 8R-15-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO ACCEPT THE RESIGNATION OF JIM STEVENSON FROM THE PLANNING AND ZONING COMMISSION. MOTION PASSED UNANIMOUSLY.

MOTION NO. 8R-16-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO HAVE SHANNA HOLKER AS A MEMBER OF THE PLANNING AND ZONING COMMISSION TO REPLACE JIM STEVENSON. MOTION PASSED UNANIMOUSLY.

MOTION NO. 8R-17-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO HAVE DON COULTER AS AN ALTERNATE FOR THE PLANNING AND ZONING COMMISSION. MOTION PASSED UNANIMOUSLY.

Discussion ensued regarding work that is being done by Little Yukon without a permit. Teri Daehn stated that it was her impression that DNR will probably fine him.

A house on Dew Drop Lake that is too close to the lake was discussed briefly. MOTION NO. 8R-18-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO HAVE THE CITY ATTORNEY WRITE A LETTER TO THE PROPERTY OWNER STATING THAT HE HAS 60 DAYS IN WHICH TO COMPLY WITH THE REQUEST TO MOVE HIS HOUSE BACK FROM THE LAKE. MOTION PASSED UNANIMOUSLY.

Member Burshem read a letter from the League of MN Cities and copied to the City Attorney, regarding a meeting which Planning and Zoning had adjourned and then reconvened after some of the members had left the building. It was the opinion of the a League staff member that it was an illegal meeting. Member Swanson said he feels the Chairman of the Commission should be terminated for calling an illegal meeting at which action was taken to name a Chairman. Mr. Swanson said that he will follow the procedure on page 208, Section 8.70 of the City Ordinances. MOTION NO. 8R-19-91 WAS MADE BY MEMBER SWANSON AND SECONDED BY MEMBER MILLER TO HAVE COUNCILMEMBER SWANSON FILE WRITTEN CHARGES TO THE COUNCIL THAT THE PLANNING AND ZONING CHAIRMAN HELD AN ILLEGAL MEETING AND REQUEST A PUBLIC HEARING AT THE NEXT COUNCIL MEETING TO ADDRESS THE ISSUE. It was the consensus of the Planning and Zoning Commission Members present that the Chairman should be elected in January when members are replaced. Mayor Anderson said it is in the ordinance that they are elected at the June meeting and if the Commission wants the time changed they should bring the request to the Council for a public hearing. MOTION PASSED WITH MEMBER ARENDS ABSTAINING.

CEMETERY - Councilmember Arends said he would like to have the City get quotes on lawn mowing for the City. Public Works Chairman Jack Webster will place it on their next agenda.

PUBLIC SAFETY - Liaison Swanson stated that the Commission recommended that the City purchase bullet proof vests for the two new officers even though they are not a budgeted item because the old vests have outdated their shelf life. MOTION

NO. 8R-20-91 WAS MADE BY MEMBER SWANSON AND SECONDED BY MEMBER ARENDS TO PURCHASE TWO BULLET PROOF VESTS AT THE COST OF APPROXIMATELY \$550 EACH. MOTION PASSED UNANIMOUSLY.

Police Chief John Backdahl said that he and Jim Stevenson are checking with FFA officials on the possibility of getting a heliport for the ambulance helicopter to land on.

Liaison Swanson stated that the Police Department report showed 95 incidents in July. Mr. Miller said he would like to see some newspaper reports on some of these incidents rather than the constant condemning of the Council.

UTILITIES - Nothing.

NEW BUSINESS - Nothing.

OLD BUSINESS - Mayor Anderson read the petition from the persons opposed to the Rest Stop/Information Booth being located at Big Pine Lake. Discussion ensued regarding having the booth closer to town or at the Big Pine Lake site. The need for public toilet facilities in town were a big concern, according to the residents present. Mayor Anderson said he would like a report from the Citizens present at the October Council Meeting of a site available that is closer to town.

PUBLIC FORUM - Nothing.

MOTION NO. 8R-21-91 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO ADJOURN THIS REGULAR COUNCIL SESSION AT 10:30 P.M. MOTION PASSED UNANIMOUSLY.

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

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