

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
REGULAR COUNCIL SESSION
AUGUST 13, 1990

The City Council for the City of Crosslake Minnesota met in the regular council session on August 13, 1990 in the Council Chambers of City Hall. The following Councilmembers were present: Mayor Kurt E. Anderson, Lyle M. Arends, Roger A. Burshem, Diana A. Gallaway, and Charles o. Miller. Also present were City Engineer Will Hoyt, Planning and Zoning Coordinator Marlowe Kingstedt, Road Supervisor Patrick Hoag, Park Director Patricia Felber, City Clerk Arlene Buchite as well as approximately 24 residents.

Mayor Anderson called this regular session to order at approximately 7:30 p.m. and stated that the first item on the agenda would be the Consent Calendar. MOTION NO. 8R-01-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) THE MINUTES OF THE JULY 9, 1990 REGULAR COUNCIL SESSION; (2) THE MINUTES OF THE JULY 25, 1990 PUBLIC HEARING; (3) THE CLERK/TREASURER'S FINANCIAL REPORT FOR JULY, 1990; (4) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR JULY, 1990; AND (5) THE CABLEVISION'S FINANCIAL REPORT FOR JULY, 1990. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - First item was bills for payment. MOTION NO. 8R-02-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER BURSHAM TO APPROVE ALL BILLS FOR PAYMENT INCLUDING; (1) UNEMPLOYMENT COMPENSATION FOR BILL BRIGHT FOR \$311.60; (2) THE BILL FOR 30% OF THE 78 ROAD SIGNS PLACED IN THE CITY BY THE COUNTY FOR \$1,531.23; (3) LANDECKER AND ASSOCIATES FOR THE FINAL PAYMENT ON THE 1989 ROAD PROJECTS FOR \$1,867.50; AND (4) LANDECKER AND ASSOCIATES FOR A PARTIAL PAYMENT ON THE 1990 ROAD PROJECTS FOR \$4,215.50 BUT TO CHECK INTO WHY THE ASSESSOR'S FEES FOR 1989 ARE ALMOST \$3,000.00 HIGHER THAN THE PREVIOUS YEAR BEFORE WE PAY IT. MOTION PASSED UNANIMOUSLY.

The next item on the Clerk's Report was a request from Leonard Kirscht, Economic Development Planner from Region 5, to address the Council regarding recapitalization of the Region 5 Revolving Loan Fund. Mr. Kirscht explained to the Council that the loan fund was capitalized in 1986 partly with a \$350,000 grant from the U.S. Department of Commerce and partly with pledges of \$175,000 from local units of government located in Region 5. Mr. Kirscht stated that in

January of 1989 the entire sum of \$525,000 had been loaned out and the agency has been loaning out money now with repayments and interest as they are received in. Mr. Kirscht said his job is to approach City Councils to try to recapitalize the loan fund. Mr. Kirscht said the Federal Department of Commerce will match dollar for dollar what is raised locally. Any money pledged by the City of Crosslake will be used within the City only for small businesses that meet the criteria. There will not be a transfer of money from the City to the fund until such time as there is a project which the City approves of loaning money to. Mr. Kirscht stated that with matching funds from the Federal Government the amount available for an economic development loan in Crosslake will be double that which the City invests but the City will not get the money back when it is repaid, it will stay in the revolving loan fund but may be used time and again by Crosslake businesses. MOTION NO. 8R-03-90 WAS MADE BY MEMBER MILLER TO PLEDGE \$10,000 TO THE REGION 5 REVOLVING LONE FUND AS LONG AS THE CITY COUNCIL HAS THE FINAL APPROVAL AS TO WHERE AND WHEN THE MONEY IS LOANED. Member Arends said he feels that the Council is acting too fast and the City should not be involved in loaning money. Mr. Kirscht said that Region 5 is not a primary lender and that recipients must have private or bank financing for a portion of the money. Member Gallaway said she would like to have the Funding and Future Development Commission review the entire process and to give the Council their input before she voted on it. MEMBERS BURSHAM AND MILLER VOTING AYE AND ARENDS AND GALLAWAY VOTED NAY. MOTION PASSED WITH MAYOR ANDERSON VOTING AYE.

The next item was a proposal from Crosslake Sheetmetal to repair the existing furnace for \$1,800 or to install a new furnace for \$2,400. MOTION NO. 8R-04-90 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER GALLAWAY TO INSTALL A NEW HEAT PUMP IN CITY HALL AT THE COST OF \$2,400. MOTION PASSED UNANIMOUSLY.

Clerk Buchite gave a brief report on Year One of the Clerk's institute and shared many items of discussion with the Council.

Clerk Buchite read a resolution appointing election judges. MOTION NO. 85-05-90 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER ARENDS TO APPROVE THE RESOLUTION APPOINTING ELECTION JUDGES FOR THE CITY OF CROSSLAKE FOR THE PRIMARY AND GENERAL ELECTIONS IN 1990. MOTION PASSED UNANIMOUSLY.

~~Clerk Buchite reviewed correspondence which was copied to the Council for their information.~~

MAYOR'S REPORT - Mayor Anderson reported briefly on the Board of County Commissioner's meeting which he, Mr. Arends and Ms. Gallaway had attended regarding the raising of the bridge on CSAH #16 by Ye Olde Wharf. Mayor Anderson said he had to put blame on the County Engineer for not bringing the proposal to tear the deck off the bridge to the Council last year so the Council would have had more time to look into it. The Commissioner's voted unanimously not to raise the height of the bridge. Mayor Anderson said Engineer Blanck said by raising the bridge it would add at least one and possibly two years to the project.

Member Gallaway said her concern was that when the County changed the original plans and decided to redo the bridge decking about a year and a half ago the plans should have been resubmitted to the City for review but they were not.

Member Miller said he objects because the Council was not notified at the time they should have been and also because the County Assessor comes in and tells the Council that they have increased the valuation of Crosslake by \$20,000,000 but the City will not benefit from it because of the levy limits.

MOTION NO. 8R-06-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER MILLER TO RESCIND MOTION NO. 7PH-04-90 TO RAISE THE BRIDGE ON CSAH #16 BY YE OLDE WHARF BY ONE FOOT. MOTION PASSED UNANIMOUSLY.

MOTION NO. 8R-07-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER MILLER TO ACCEPT THE PHASE IV PLANS AS PRESENTED FOR CSAH #16. MEMBERS ARENDS AND GALLAWAY VOTED AYE. MEMBERS BURSHAM AND MILLER VOTED NAY. MAYOR ANDERSON VOTING AYE AND DECLARED THE MOTION PASSED.

MOTION NO. 8R-08-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER MILLER TO HAVE MEMBER GALLAWAY WRITE A LETTER TO THE COUNTY COMMISSIONERS STATING THAT THE CITY RECEIVE IMMEDIATE NOTIFICATION WHEN PLANS FOR PROJECTS WITHIN THE CITY ARE CHANGED. MOTION PASSED UNANIMOUSLY.

Mayor Anderson said he would like to have the Council approve the balance of capitol outlay funds placed into a dedicated funds account. Mayor Anderson said he is concerned that the City may lose some of their levy if they have too much money as undesignated funds.

MOTION NO. 8R-09-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER MILLER TO CERTIFY THE MAXIMUM LEVY

TO THE COUNTY AUDITOR OR THE TOTAL OF THE BUDGETS AS PRESENTED BY THE INDIVIDUAL DEPARTMENTS BY THE DEADLINE DATE WITH A POSSIBLE REDUCTION AT A LATER DATE. MOTION PASSED ANANIMOUSLY.

MOTION NO. 8R-10-90 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER ARENDS TO SET AUGUST 29, 1990 AT 7:00 P.M. FOR A PUBLIC HEARING DATE TO REVIEW PROPOSED BUDGETS. MOTION PASSED UNANIMOUSLY.

PARK AND RECREATION - Park Director Felber said she has received a quote from North Star Well Drilling for \$1,942 and Fletcher will be getting her a quote shortly. Ms. Felber requested that she be given permission to proceed with the well with the lowest quote. MOTION NO. 8R-11-90 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER GALLAWAY TO ALLOW THE PARK DIRECTOR TO PROCEED WITH THE WELL AT THE WARMING HOUSE WITH THE LOWEST QUOTE RECEIVED. MOTION PASSED UNANIMOUSLY.

Ms. Felber said the new tennis court is nearly completed and is running a little under budget because of the work done by the City crew.

PLANNING AND ZONING - Surveyor Donald Coulter addressed the Council with the final plat of Staley Shores. Mr. Coulter stated that the plat had been reduced to 9 lots and 1 outlot and everything conformed. Mr. Coulter asked the Council to approve the plat subject to receiving a deed for the 33 foot that Mrs. Wallace is giving to the City for Silver Peak Road. Mr. Coulter said that the roads are just about complete in the plat and Pat Hoag agreed that they were. Mr. Coulter indicated that there is still a slight title problem and he suggested that the plat be approved subject to Mr. Kingstedt receiving a satisfactory title opinion. Mr. Coulter said the Planning and Zoning and Council both requested that this plat be approved for single family dwellings only and Mr. Coulter said he does not feel his client should have to make that a covenant on the plat but would rather just have a copy of the minutes so stating that on file with the plat. Ms. Gallaway said that it is sometimes difficult to handle when a piece of property is sold if it is not in the covenants. Mrs. Wallace agreed to have this requirement placed in the covenants. MOTION NO. 8R-12-90 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER ARENDS TO APPROVE THE FINAL PLAT OF STALEY SHORES AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION WITH THE CONDITIONS THAT A SATISFACTORY TITLE OPINION IS RECEIVED, THE CITY HAS FINAL APPROVAL OF THE ROADS, MRS. WALLACE SIGNS THE 33 FOOT DEED FOR SILVER PEAK ROAD AND IT IS STATED IN THE COVENANTS THAT

THE PROPERTY IS FOR SINGLE FAMILY DWELLINGS ONLY. Discussion ensued regarding the City requiring a bond to be posted on the roads and Mr. Coulter said the road is built to City specifications and he would object to his client having to post a bond. It was the consensus of those present that a major problem with the road would require the developer or contractor to fix it. MOTION PASSED UNANIMOUSLY.

MOTION NO. 8R-13-90 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER GALLAWAY TO HAVE THE CITY ATTORNEY PREPARE THE DEED FOR THE SILVER PEAK EASEMENT FOR MRS. WALLACE'S SIGNATURE. MOTION PASSED UNANIMOUSLY.

Mr. Will Hoyt was present to say thank you to Mrs. Wallace for granting this easement to the City for the roadway.

Mr. Kingstedt stated that a proper petition was received to request an Environmental Assessment Worksheet on the Oakcrest plat and this would be coming up before the Planning and Zoning Commission at their next regular meeting.

CEMETERY - Mayor Anderson said he had not heard from Mr. Woog as far as purchasing the additional property for the Cemetery.

PUBLIC SAFETY - Fire Chief Mike Amsden said he had talked to DNR and they were in the process of setting up strike teams to fight fires out West. MOTION NO. 8R-14-90 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER BURSHAM TO APPROVE HAVING THE MAYOR SIGN THE CONTRACT WITH DNR TO ALLOW THE CITY FIRE TRUCK TO GO OUT WEST TO FIGHT FIRES IF THEY ARE CALLED. MOTION PASSED UNANIMOUSLY.

Member Bursham said he had a proposal from a resident regarding an area by Brookwood where he feels a closed throttle sign should be posted. According to Mr. Bursham it is a bay and visibility is not always good and water skiers do use the area. This resident has gone to the Sheriff's office and they told him it was the City's jurisdiction. Discussion ensued and Member Gallaway said that the Funding and Future Development Commission is working on it already. Gerry Boe said the Whitefish Property Owners Association and the Yacht Club are also concerned about these issues. Mayor Anderson said in 1981 the City was told that they had no jurisdiction on the water.

ROADS - Will Hoyt, Landecker and Associates was present to say the road work for 1990 has begun. Mr. Hoyt said

there will be a catch basin on Rushmore and he does not feel it should be a problem.

Pat Hoag, Road Supervisor, said he would like Council input on replacing fire numbers. MOTION NO. 8R-15-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER BURSHAM THAT HOMEOWNERS PAY FOR REPLACEMENT OF FIRE SIGNS AND/OR POSTS AND THE SIGNS MUST BE PURCHASED THROUGH THE CITY FOR CONFORMITY. MOTION PASSED UNANIMOUSLY.

Mayor Anderson said Perkins Road easement probably would not be received this year but Cool Haven Lane was still a possibility. Mayor Anderson said he had received a letter which all the property owners on Cool Haven Lane have signed stating they will grant an easement to the City for a road. MOTION NO. 8R-16-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER MILLER TO HAVE THE CITY ATTORNEY PREPARE THE NECESSARY DOCUMENTS TO OBTAIN EASEMENTS THAT CAN BE RECORDED FOR COOL HAVEN LANE. MOTION PASSED UNANIMOUSLY. Clerk Buchite indicated that she did not have any of this information or documents. Mayor Anderson said he will take care of this through the City Attorney.

FUNDING AND FUTURE DEVELOPMENT - Chairman Dean Swanson stated that the stumps have been removed on the Nature Trails and they are to the point now of turning it back to the Park Department.

NEW BUSINESS - Nothing.

OLD BUSINESS - MOTION NO. 8R-17-90 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO INCREASE THE MAYOR'S MONTHLY SALARY TO \$250 AND THE COUNCILMEMBERS TO \$150 EFFECTIVE JANUARY 1, 1990 WITH NOTHING EXTRA FOR SPECIAL MEETINGS. MOTION PASSED WITH MEMBER GALLAWAY VOTING NAY.

PUBLIC FORUM - Neighbors of the Oakcrest project were present to seek Council answers to some of their concerns regarding Oakcrest. Mayor Anderson explained to them that any rezoning and plat approval will come to the Council after it has passed the Planning and Zoning Commission so they should go to the Commission meeting and express their concerns.

MOTION NO. 8R-18-90 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER ARENDS TO ADJOURN THIS REGULAR COUNCIL MEETING AT 9:48 P.M. MOTION PASSED UNANIMOUSLY.

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

Arlene A. Buchite