

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING AND REGULAR COUNCIL SESSION
SEPTEMBER 12, 1994
7:00 P.M. CITY HALL

The Council for the City of Crosslake, Minnesota met in the Council Chambers of City Hall on Monday, September 12, 1994. The following Councilmembers were present: Mayor Kurt Anderson, Lyle Arends, Charles Miller, Dean Swanson and Jack Webster. Also present was City Attorney Paul Sandelin, City Clerk Arlene Buchite, Reporters Christine DuFour and Jean Paul Hudon and approximately 41 citizens.

Mayor Anderson called the Public Hearing to order at 7:02 P.M. The purpose of the hearing was to discuss amending Ordinance No. 62, Third Series dealing with salaries for Mayor and Councilmembers. Mayor Anderson read Ordinance #62. Additional payment for special meetings was discussed in addition to an increase in the monthly salaries to \$300.00 for Mayor and \$200.00 for each Councilmember.

MOTION 09PH-01-94 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE ORDINANCE NO. 62, THIRD SERIES DEALING WITH INCREASES IN SALARIES TO \$300.00 FOR THE MAYOR AND \$200.00 FOR COUNCILMEMBERS AND AN ADDITIONAL \$15.00 FOR ATTENDANCE AT EACH SPECIAL MEETING OR PUBLIC HEARING CALLED BY THE COUNCIL. MOTION PASSED WITH LYLE ARENDS VOTING NAY AND MAYOR ANDERSON VOTING AYE.

MOTION 09PH-02-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO ADJOURN THE PUBLIC HEARING AT 7:06 P.M. MOTION PASSED UNANIMOUSLY.

Mayor Anderson called the Regular Monthly Council Meeting to order.

MOTION 9R-01-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF AUGUST 8, 1994 REGULAR COUNCIL MEETING WITH AN ADDITION TO THE MINUTES ON PAGE 2, PARAGRAPH 2 TO INCLUDE THE STATEMENT "THAT THE MANAGED CARE PROVIDER PROGRAM BE REVIEWED AFTER ONE YEAR"; (2) MINUTES OF AUGUST 17, 1994 SPECIAL COUNCIL SESSION; (3) MINUTES OF SEPTEMBER 7, 1994 SPECIAL COUNCIL SESSION WITH A CORRECTION TO MOTION 09S-01-94 TO READ "TO SEND \$484,000 TO THE COUNTY AS THE "LEVY" AMOUNT FOR 1995" RATHER THAN THE BUDGET AMOUNT FOR 1995; (4) CLERK/TREASURER'S FINANCIAL REPORT FOR AUGUST, 1994; 5) TELEPHONE COMPANY'S FINANCIAL REPORT FOR AUGUST, 1994 AND; (6) CABLEVISION'S FINANCIAL REPORT FOR AUGUST 1994. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - MOTION 09R-02-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO RE-FINANCE THE BALANCE OF \$22,393.61 ON THE JOHN DEERE LOADER FOR 48 MONTHS. MOTION PASSED WITH JACK WEBSTER AND LYLE ARENDS VOTING NAY AND MAYOR ANDERSON, CHUCK MILLER AND DEAN SWANSON VOTING AYE.

MOTION 09R-03-94 WAS MADE BY LYLE ARENDS AND SECONDED BY JACK WEBSTER TO APPROVE ALL BILLS FOR PAYMENT CONSISTING OF: (1) LEAGUE OF MN CITIES DUES FOR \$737.00; (2) ANNUAL PAYMENT ON ROAD GRADER FOR \$6,252.48; (3) PORTAGE SAND AND GRAVEL FOR CLASS 5 ON SOUTH PARKING LOT OF EMERGENCY

SERVICES CENTER FOR \$1,083.21; (4) CITY ATTORNEY BILL FOR \$1,654.27 AND; (5) CROSSLAKE SANITATION BILL FOR \$600.00 FOR RECYCLING. MOTION PASSED UNANIMOUSLY.

Don Engen was unable to attend the meeting, however, he will be on the agenda for the next meeting to discuss alternative financing for the Community Center.

Martyn Peterson was present on behalf of the Game and Fish Club to obtain approval for the 1995 Transient Merchant Permit. He stated the Club has only three ways of obtaining revenue and the flea market represents their largest opportunity. Going off-site would be costly to the Club, would discourage vendors and would be a loss of revenue to other Crosslake business owners since it brings tourists to the city. The signs and the yellow painting on the curb did address some of the safety issues that previously existed. A letter had been received from the Historical Society requesting they be allowed to stay at the current location.

MOTION 09R-04-94 WAS MADE BY DEAN SWANSON AND SECONDED BY LYLE ARENDS TO GRANT A TRANSIENT MERCHANT PERMIT FOR 1995 TO THE GAME AND FISH CLUB PROVIDING PARKING IS RESTRICTED TO BEHIND THE YELLOW ZONE AND THAT VENDORS SET UP A REASONABLE DISTANCE BEHIND THE CURB TO ALLOW PEOPLE ROOM TO WALK. MOTION PASSED UNANIMOUSLY.

Jack Webster stated he would like to seek approval from the County to extend the 30 MPH speed zone to County Road 16. In addition, a request will be made of the County to set up a speed limit check.

MOTION 09R-05-94 WAS MADE BY DEAN SWANSON AND SECONDED BY LYLE ARENDS TO SET THE TRUTH IN TAXATION HEARING ON DECEMBER 14, 1994 AT 7:00 P.M. MOTION PASSED UNANIMOUSLY.

City Attorney Paul Sandelin stated that the City Clerk is usually the responsible party for data privacy. A resolution will be prepared and the issue will be discussed at the next meeting.

The Council had received invitations from the Cities of LaPrairie and Randall to attend the League of Minnesota's regional meetings. The Council will confirm their attendance with the City Clerk by Wednesday, September 14th.

A request had been received from Mary Moore and Nan Nicoski to name the body of water located at the intersection of West Shore Drive and Duck Lake Road on Outlot E, Sunrise Beach. This pond is located on private property owned by Mr. and Mrs. Nicoski.

MOTION 09R-06-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO APPROVE A RESOLUTION NAMING THE POND ON THE INTERSECTION OF WEST SHORE DRIVE AND DUCK LAKE ROAD ON OUTLOT E, SUNRISE BEACH AS BUD'S POND. MOTION PASSED UNANIMOUSLY.

A pledge update from Northern National Bank was included in the packets for Council review.

A letter from State Farm Insurance requested the City take a

depreciated amount on the claims submitted for the Community Center fire so that the \$100,000 policy limit is not exceeded. The Council was not in agreement with signing the release.

A request had been received from Libby Andolshek to install a street light on the corner of County Road #3 and County Road #66 in downtown Crosslake.

MOTION 09R-07-94 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO REQUEST A LIGHT BE INSTALLED BY CROW WING REA AT THE INTERSECTION OF CSAH #3 AND CSAH #66. MOTION PASSED WITH LYLE ARENDS VOTING NAY.

MOTION 09R-08-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO PAY THE ECONOMIC DEVELOPMENT AUTHORITY BILLS AS RECOMMENDED. MOTION PASSED UNANIMOUSLY.

The Council agreed that Mick Justin will be the CPA firm representing the City for 1994.

The Council discussed the letting of bids for city attorney.

MOTION 09R-09-94 WAS MADE BY DEAN SWANSON AND SECONDED BY JACK WEBSTER TO ADVERTISE FOR BIDS FOR CITY ATTORNEY FOR 1995 AND 1996 WITH BIDS TO BE RECEIVED BY DECEMBER 15, 1994. MOTION PASSED UNANIMOUSLY.

MAYOR'S REPORT - Mayor Anderson read a letter which had been received from *Reminisce* magazine regarding a request by the City of Crosslake to be selected as the City in Minnesota where the "Burma Shave" signs should be erected. No selection had yet been made as the responses were overwhelming.

Mayor Anderson read a letter from Weizenegger Engel Insurance in reply to a letter to Eloise Richardson from Adjusters International.

Mayor Anderson thanked the Telephone Company employees for their efforts in getting the phone systems back up and running after a recent power surge caused damage to equipment resulting in an outage.

Mayor Anderson read a letter of thanks from Mark Norman, organizer of the Beach Bike run, who had 250 bicylists participate in the event on August 20th. He commended the Police Department for their work in keeping the bikers safe through Crosslake.

Mayor Anderson read a letter from the Art Club thanking the City for their efforts in getting the Emergency Services Center ready for the art show.

Mayor Anderson had requested information about the Central Minnesota Initiative Fund from Sheila Haverkamp of Brainerd Lakes Area Development Corporation. After reviewing the packet, which contained different programs that organization is involved in, it did not appear any fit Crosslake, however, the information will be passed on to Don Engen who is heading up the finance portion of the Community Center project.

Dean Swanson had talked to Ron Johnson, Breezy Point City Councilman,

about fair share costs associated with housing North Ambulance in Crosslake for use in the surrounding area. This was brought before their Council and \$1,000 was budgeted for 1995. They requested that quarterly meetings be held to review the operation. Other than Fifty Lakes, who pays \$1,000 annually, no other community is assisting in this expense.

The bids were opened for the 1983 Chevrolet. The first was from Bob Westlund for \$400.00, the second from John Magnan for \$360.00 and the third from Pat Hoag for \$362.00.

MOTION 09R-10-94 WAS MADE BY LYLE ARENDS AND SECONDED BY JACK WEBSTER TO ACCEPT THE BID OF \$400.00 FROM BOB WESTLUND ON THE 1983 CHEVROLET TRUCK. MOTION PASSED UNANIMOUSLY.

PUBLIC SAFETY - The Police Department reported 169 incidents for the month of August.

The Fire Department responded to 10 medical emergencies and 2 fires in August. A request was made to purchase a high pressure ventilation fan enabling firefighters to enter structures with better vision and to get to flames quicker and more efficiently.

MOTION 09R-11-94 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO PURCHASE A HIGH POWERED VENTILATION FAN FOR THE FIRE DEPARTMENT FOR APPROXIMATELY \$1,118.25 PLUS TAX. MOTION PASSED UNANIMOUSLY.

A proposal to contract for fire services had been received from Fairfield Township.

MOTION 09R-12-94 WAS MADE BY JACK WEBSTER AND SECONDED BY CHUCK MILLER TO ACCEPT THE PROPOSAL FROM FAIRFIELD TOWNSHIP FOR FIRE SERVICE WHICH INCLUDES A RETAINER OF \$500.00 AND AN HOURLY RATE OF \$350.00 PER HOUR FOR THE FIRST HOUR AND \$300.00 PER HOUR FOR EACH ADDITIONAL HOUR. MOTION PASSED UNANIMOUSLY.

A request for a golf cart license was received from Paul McCulloch.

MOTION 09R-13-94 WAS MADE BY JACK WEBSTER AND SECONDED BY LYLE ARENDS TO APPROVE A GOLF CART PERMIT FOR PAUL MCCULLOCH TO TRAVEL ON OLD HIGHWAY 8 ACROSS CSAH #66 TO THE GOLF COURSE. MOTION PASSED UNANIMOUSLY.

UTILITIES - Dick Hubbard also thanked Ron and Marty for all their work in restoring the phone service the day of the outage.

He reported that 438 people, not including children, attended the Utilities Company open house on Saturday, August 13th.

The problem with cut lines as a result of the gas line installation continues. A meeting with NSP and Mueller Pipeline is scheduled for this week. Claims are being filed for labor and materials for these cuts.

Other cable channels are being looked into such as CNBC, Trinity, C-Span and Pay-Per-View.

A request was made to expand warehouse space and to increase the size

of the fence behind the Telephone Company building.

MOTION 09R-14-94 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE OF THE TELEPHONE COMPANY INCREASING THE SIZE OF THE CHAIN LINK FENCE BEHIND THE TELEPHONE COMPANY AT A COST OF \$3,650.00 PLUS TAX. MOTION PASSED UNANIMOUSLY.

PUBLIC WORKS - Mayor Anderson read a letter sent to the Council from Pat Hoag expressing his concerns on the removal of the road restrictions for Sunrise Island Bridge. He feels there is more decay to the bents than was indicated in the report from the University of Minnesota and Erickson Engineering.

MOTION 09R-15-94 WAS MADE BY LYLE ARENDS AND SECONDED BY JACK WEBSTER TO APPROVE THE PURCHASE OF GRADER BLADES AND CUTTING EDGES BY THE PUBLIC WORKS DEPARTMENT FOR APPROXIMATELY \$1,730.00. MOTION PASSED UNANIMOUSLY.

PLANNING AND ZONING - The Planning and Zoning Commission recommended approval of Ordinance #59, Third Series which was omitted in error when the Ordinance was updated in 1991.

MOTION 09R-16-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO APPROVE ORDINANCE #59, THIRD SERIES, SECTION 8.07, SUBDIVISION 1, OF THE CITY CODE BOOK REQUIRING PLANNED UNIT DEVELOPMENTS TO OBTAIN TELEPHONE AND CABLE CONSTRUCTION CERTIFICATES. MOTION PASSED UNANIMOUSLY.

An amendment to Ordinance #60, Third Series was recommended for approval by the Planning and Zoning Commission. This Ordinance allows for permitted and conditional uses in the commercial district.

MOTION 09R-17-94 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE ORDINANCE #60, THIRD SERIES, IN SECTION 8.05, SUBDIVISION 12 OF THE CITY CODE BOOK WITH THE ADDITION THAT RESIDENTIAL P.U.D.'S, SEMI PUBLIC USES AND MULTIFAMILY DWELLINGS USED FOR RESIDENCES WHETHER OWNED, RENTED OR LEASED BE MOVED FROM PARAGRAPH E TO PARAGRAPH C. MOTION PASSED UNANIMOUSLY.

Also recommended for approval was Ordinance #61, Third Series, Section 8.06, Subdivision 8 dealing with the requirement that residences and businesses contract for solid waste disposal or have an approved alternative for solid waste as required by State law. After some discussion, it was decided the Ordinance needs to be more specific in addressing seasonal residents and what guidelines individuals accepting solid waste must adhere to.

MOTION 09R-18-94 WAS MADE BY JACK WEBSTER AND SECONDED BY DEAN SWANSON TO REFER ORDINANCE #61 BACK TO PLANNING AND ZONING TO ADDRESS SEASONAL RESIDENTS AND WHAT PARAMETERS NEED TO BE ADHERED TO BY THOSE ACCEPTING SOLID WASTE. MOTION PASSED UNANIMOUSLY.

The Planning and Zoning Commission recommended to the Council approval for the rezoning of the rear part of preliminary plat of Johnstons' Oak Bluffs in Government Lot 3, Section 33. This rezoning would continue the R-3 district which runs 200' back from Big Pine Lake. A public hearing had been held to hear this request.

MOTION 09R-19-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS

TO APPROVE THE REZONING OF PART OF JOHNSTONS' OAK BLUFFS LOCATED IN GOVERNMENT LOT 3, SECTION 33 TO R3 WITH THE CRITERIA THAT THE REZONING WOULD BE CONSISTENT WITH THE OTHER LOTS, THAT THE SAME TYPES OF USES ARE ALLOWED, THAT THE TOPOGRAPHIC AND VEGETATIVE COVER WOULD BE ACCEPTABLE FOR A RESIDENTIAL DEVELOPMENT, THAT THERE IS NO CONFLICT WITH COMMERCIAL USES OR HIGHER DENSITY USES IN THE AREA AND THAT THE REZONING WOULD NOT BE CONSIDERED SPOT ZONING AND DOES CONFORM WITH THE CITY'S COMPREHENSIVE PLAN. MOTION PASSED UNANIMOUSLY.

The preliminary plat for Johnstons' Oak Bluffs was recommended for approval by the Planning and Zoning Commission. A previously approved plat, Sun Shores, shows 2' contours and differs from some of the contours on the Johnstons' Oak Bluffs plat. The surveyor will determine which plat is accurate before final approval is given. Issues regarding covenants will be completed prior to final approval and a deposit made on the telephone and cable agreement. The maximum grade of the road and the road bond will be finalized as well as payment of the park dedication fee. Also, the covenants will be defined in greater detail.

MOTION 09R-20-94 WAS MADE BY CHUCK MILLER AND SECONDED BY JACK WEBSTER TO APPROVE THE PRELIMINARY PLAT OF JOHNSTONS' OAK BLUFFS WITH THE RECOMMENDATIONS ON THE STAFF REPORT AND THAT THE ROAD BE MOVED 8' TO THE SOUTH. MOTION PASSED UNANIMOUSLY.

There was some discussion about the 10% park dedication fee charged to developers for planned unit developments. This issue will be re-examined.

PARK AND RECREATION - Nothing

RECYCLING - There were 125 participants at the drop-site in August. Year-to-date a total of 49.77 tons has been collected from curbside pick up and the drop-site. Ordering additional recycle bins was discussed.

MOTION 09R-21-94 WAS MADE BY CHUCK MILLER AND SECONDED BY LYLE ARENDS TO PURCHASE ADDITIONAL RECYCLING BINS NOT TO EXCEED \$1800.00. MOTION PASSED UNANIMOUSLY.

CEMETERY - Nothing

NEW BUSINESS - Nothing

OLD BUSINESS - The City Attorney brought up the parking issue as it pertains to the Ordinance. The Ordinance states parking cannot exceed a period of three hours. The Council now has six months to resolve the issue since the camping season is over.

PUBLIC FORUM - Nothing

MOTION 09R-22-94 WAS MADE BY LYLE ARENDS AND SECONDED BY CHUCK MILLER TO ADJOURN THE REGULAR COUNCIL SESSION AT 9:18 P.M. MOTION PASSED UNANIMOUSLY.

Recorded and edited by:
Arlene A. Buchite

