

COUNCIL PROCEEDINGS  
CITY OF CROSSLAKE MINNESOTA  
SPECIAL SESSION-September 24, 1987

The City Council of Crosslake Minnesota met in a special session on Thursday September 24, 1987 in the Council Chambers of City Hall. The following members were present: Mayor Oliver Courts, Councilpersons Elizabeth Andolshek, Lyle Arends, Diana Gallaway and Oliver Yates. There were approximately 11 members of the community present.

Mayor Courts called this special meeting to order at 8:00 a.m. and welcomed everyone in attendance. Mayor Courts stated that the first item on the agenda would be the recommendation from the Planning and Zoning Commission regarding the Conditional Use Permit by the American Legion Post #500. Mayor Courts called on Councilmember Arends as liaison to the Planning and Zoning Commission to speak first.

Councilman Arends said his feelings are that he believes the land in question is commercial and it was commercial until the last zoning maps were printed by Region V. Mr. Arends says he feels that there is no reason to deny this application.

Mayor Courts stated that since he has appointed members to the commissions to act on behalf of the City he feels that the Council should listen to their recommendations. Mayor Courts said he talked with the City Attorney on this subject and was informed that if they turned it down they could get a discrimination suit filed against the City. Mr. Courts said that when the City receives an application for a variance or a conditional use permit they should not consider who is applying for the permit but should get all the information they need to make a fair and honest decision. Mr. Courts said he has empathy for the bar owners but the Council cannot deny an application for a new business on that account. As far as an open club is concerned the City can stop that according to Mr. Courts. MOTION NO. 9S1-01-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO UPHOLD THE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND GRANT THE AMERICAN LEGION A CONDITIONAL USE PERMIT TO BUILD A CLUB ROOM AT THE INTERSECTION OF COUNTY ROAD #3 AND COUNTY ROAD #37. Mayor Courts said the Council would like to hear some discussion on their motion.

Marlowe Kingstedt, Planning and Zoning Coordinator said the Commission felt the Council should impose any restrictions on the CUP that they deemed necessary.

Harvey Lippert, Commander of the American Legion Club stated that the clubmembers agree that it should be a closed club with either a card or key entrance. Mr. Lippert also said he feels competition is good because it keeps business people on their toes and gives customers the best service.

Rudy Koksma said the Legion does not want a nightclub they want a post home so they can have a place to meet and can keep all their equipment in one place.

Councilmember Gallaway asked if the Legion was closed how they would be able to conduct bingo there and was informed that the way they have laid the building out the bar can be closed off from the meeting room. Councilmember Gallaway also asked about selling liquor to wedding parties or persons who rent the hall. Mr. Lippert said that it depended upon whether or not they got a liquor license or just a set up license.

Mr. Kingsted said he would like to have the Council request an earthtone building because of the close proximity to the water. MOTION NO. 9S1-02-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO HAVE THE BUILDING AN EARTHTONE COLOR AND TO HAVE THE LEGION A CLOSED CLUB FOR MEMBERS AND GUESTS ONLY. MOTION PASSED UNANIMOUSLY. FIRST MOTION PASSED UNANIMOUSLY WHEN CALLED FOR A VOTE BY MAYOR COURTS.

Clerk Arlene Buchite asked for Council approval to pay a three month bill from the City Attorney James Gammello for \$2145.78. MOTION NO. 9S1-03-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO PAY THE CITY ATTORNEY'S BILL FOR GENERAL ADMINISTRATION OF \$2097.28 AND PLANNING AND ZONING FOR \$57.50. MOTION PASSED UNANIMOUSLY.

Mayor Courts said the City of Champlin has a microphone, speaker and recorder system for sale that he would like the City to consider purchasing. After a brief discussion it was the consensus of the Council that a system such as that would be beneficial.

Councilmember Gallaway said she had spoken to Doris Palmer, Coordinator of the Community Education classes at Pequot Lakes and Ms. Palmer had informed her of a workshop for clerks and treasurer's regarding the new withholding laws. Ms. Gallaway said she would like to have the City Clerk attend as the fee is only \$5.00. Councilmember Arends asked to have this discussed at the next regular council session.

Mayor Courts informed the Council that he had held a personnel meeting with the City employees and a dental plan had been discussed. Mr. Courts said he felt the City employees should have dental coverage because the Telephone Company employees already had coverage and this was discrimination. There was a discussion as to why the City employees could not be included in the Telephone Company's policy. Clerk Buchite will check into this. Councilmember Gallaway suggested adding \$25.00 per employees into the departmental budgets.

Mayor Courts said he would like some discussion as to imposing a tax on Charitable Gambling in the City of Crosslake. He said he felt that is one way the City can balance their budget without taking anything more from the Departments. Discussion ensued with Councilmember Gallaway stating that she did not really like that approach. Clerk Buchite said she was informed it could be done two ways, one by imposing an investigation fee and the other is by taking a percentage of the profits. Some persons present said that if the Lion's are making upwards of \$80,000 a year they should be able to afford one percent and that this would not be raising taxes and taking food out of somebody's mouth. MOTION NO. 9S1-04-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO

IMPOSE A ONE PERCENT TAX ON ALL CHARITABLE GAMBLING PROCEEDS IN THE CITY OF CROSSLAKE. MOTION PASSED UNANIMOUSLY.

Discussion ensued as to where to get the remaining \$8,000 to balance the budget. After a review it was decided to cut \$5,000.00 from the Street Department Material and Maintenance Fund, \$953.00 from Park Capitol Outlay, \$600.00 from Planning and Zoning Supplies, Capitol Outlay and Miscellaneous Accounts, \$400.00 from City Hall Maintenance Fund, and \$400.00 from Police Capitol Outlay Account. MOTION NO. 9S1-05-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO APPROVE THE BUDGET AS BALANCED AT \$489,646.00 AND SUBMIT IT TO CONRAD BYE FOR ANY RECOMMENDATIONS HE MAY MAKE. MOTION PASSED UNANIMOUSLY.

MOTION NO. 9S1-06-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ANDOLSHEK TO ADJOURN THIS SPECIAL COUNCIL SESSION AT 9:53 A.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:

Arlene A. Buchite, City Clerk/Treasurer