

CITY OF CROSSLAKE MINNESOTA
COUNCIL PROCEEDINGS
PUBLIC HEARING AND REGULAR COUNCIL SESSION
MONDAY, DECEMBER 9, 1991
6:00 P.M. AT CITY HALL

The City Council for the City of Crosslake met in a Public Hearing and Regular Council Session on Monday, December 9, 1991 in the Council Chambers of City Hall. The following Councilmembers were present: Mayor Kurt E. Anderson, Lyle M. Arends, Roger A. Burshem, Charles O. Miller and Dean L. Swanson. Also present were Planning and Zoning Coordinator Teri Daehn, Police Chief John Backdahl, Police Officer Michael Smith, Fire Chief Michael Amsden, Public Works Supervisor Patrick Hoag, Utilities Company General Manager Anthony Mayer, City Clerk Arlene Buchite and Bill Meyer from Landecker and Associates. Also present were approximately 16 residents.

Mayor Anderson called this Public Hearing to order at 6:00 p.m. stating that the primary purpose of this public hearing was to adopt the proposed Planning and Zoning and DNR Shoreland Ordinances. Mayor Anderson said a lot of work was put into the ordinances by the Committee he appointed and by the Planning and Zoning Commission and he hoped this would be the last public hearing necessary. Mayor Anderson indicated that the City would still need DNR approval on the shoreland rules.

Mayor Anderson said he would like to have a little more time and research put into the Commercial Zoning and Industrial Zoning. MOTION NO. 12PH-01-91 WAS MADE BY C. MILLER AND SECONDED BY R. BURSHAM TO TAKE MORE TIME TO STUDY THE COMMERCIAL AND INDUSTRIAL ZONES BEFORE THEY ARE APPROVED. MOTION PASSED UNANIMOUSLY.

Mr Miller said he had received approximately 27 calls from people who were opposed to allowing boathouses because they feel that in 20 years there will be a boathouse every 100 feet along the shoreline. MOTION WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO ADOPT THE ORDINANCE WITHOUT ALLOWING ANY BOATHOUSES. Discussion ensued. Mr. Burshem said he feels the same way about boathouses but would like to have a provision added to allow one water oriented assessorary structure per lot. Mr. Swanson said he has had many favorable comments and he is very much in favor of allowing boathouses so as to eliminate some of the shore stations. Mr. Burshem stated that the Ordinance would not eliminate shore stations and too many of the boathouses would become guest quarters or strickly winter storage for boats. Mr. Miller stated that none of the neighboring Cities are approving boathouses.

Mayor Anderson stated that because of the inclement weather for the Public Hearing for the proposed ordinances on November 1,

1991, the Council would allow any letters received to be heard at this time. Ms. Daehn said she had received a call from Dorothy Allen regarding their property continuing to be classified as agricultural as it has been rather than changed to residential. A letter from Bill Terry regarding the sign ordinances was read. It was the consensus of the Council that Crosslake has a good sign ordinance. Ms. Daehn also read a letter from Bill Reed regarding the parking ratio for Commerical property. Discussion ensued regarding parking ratios. BECAUSE OF THE ISSUES INVOLVING BOATHOUSES, RECLASSIFYING PROPERTY AND THE SIGN ORDINANCE, MR. MILLER WITHDREW HIS PREVIOUS MOTION AND MR. ARENDS WITHDREW HIS SECOND.

MOTION NO. 12PH-02-91 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO NOT ALLOW BOATHOUSES IN THE NEW PLANNING AND ZONING ORDINANCES. MOTION PASSED WITH ANDERSON, ARENDS, BURSHAM AND MILLER VOTING AYE. SWANSON VOTED NAY.

Leo Fraser asked about tree cutting and Mayor Anderson said the Ordinance has not changed, that clear cutting is still not allowed.

MOTION NO. 12PH-03-91 WAS MADE BY D. SWANSON AND SECONDED BY C. MILLER TO LEAVE THE ALLEN FARM ZONED AGRICULTURE. MOTION PASSED UNANIMOUSLY. The Tony Marks property, which adjoins the Allen farm, will be zoned the way the Marks want it zoned at present as will the Kurt Anderson property.

Discussion ensued regarding 4'x8'x3' water oriented storage lockers that would be set back 10 feet from the shoreline and one allowed per lot. MOTION NO. 12PH-04-91 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO APPROVE HAVING ONE 4'X8'X3' WATER ORIENTED STORAGE LOCKER PER LOT AND WITH A 10 FOOT SETBACK REQUIREMENT IN THE NEW ZONING ORDINANCE. MOTION PASSED WITH ANDERSON, ARENDS, BURSHAM AND MILLER VOTING AYE. SWANSON VOTED NAY.

MOTION NO. 12PH-05-91 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO ADOPT THE NEW PLANNING AND ZONING AND SHORELAND ORDINANCES WITH THE CHANGES AS NOTED ABOVE AND PRESENTED TO DNR FOR APPROVAL. MOTION PASSED WITH ANDERSON, ARENDS, BURSHAM AND MILLER VOTING AYE. SWANSON VOTED NAY.

MOTION NO. 12PH-06-91 WAS MADE BY C. MILLER AND SECONDED BY R. BURSHAM TO ADJOURN THIS PUBLIC HEARING AT 6:45 P.M. MOTION PASSED UNANIMOUSLY.

Mayor Anderson then called this Regular Council Session to order.

MOTION NO. 12R-01-91 WAS MADE BY D. SWANSON AND SECONDED BY R. BURSHAM TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING

OF: (1) MINUTES OF THE NOVEMBER 12, 1991 REGULAR COUNCIL SESSION; (2) MINUTES OF THE NOVEMBER 22, 1991 TRUTH IN TAXATION MEETING; (3) THE CLERK/TREASURER'S FINANCIAL REPORT FOR NOVEMBER, 1991; (4) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR NOVEMBER, 1991; AND (5) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR NOVEMBER, 1991. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - MOTION NO. 12R-02-91 WAS MADE BY R. BURSHEM AND SECONDED BY D. SWANSON TO PAY ALL BILLS INCLUDING: (1) H & L MESABI FOR BLADE EDGES FOR \$1,193.52 AND (2) LANDECKER AND ASSOCIATES, INC. FOR \$9,715.00. MOTION PASSED UNANIMOUSLY.

MOTION NO. 12R-03-91 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO APPROVE THE RELEASE OF A PLEDGE FROM FNMA AT THE NORTHERN NATIONAL BANK BECAUSE OUR ACCOUNT BALANCES ARE ADEQUATELY COVERED BY FDIC INSURANCE AND A \$100,000 PLEDGE FROM LIND LAKES. If additional collateral is needed from time to time the City Clerk will call and request a temporary pledge. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that she had given the Council copies of the comparable worth report from ROI. No action was taken.

A letter from Crow Wing County Auditor Roy Luukkonen regarding the Presidential Primary Election in April was discussed briefly. It was noted that the cost of conducting the election will primarily be the responsibility of the County or City with the State providing the paper ballots. MOTION NO. 12R-04-91 WAS MADE BY D. SWANSON AND SECONDED BY L. ARENDS TO WRITE A LETTER THAT THE CITY OPPOSES THE CURRENT PRESIDENTIAL PRIMARY ELECTION LAW. MOTION PASSED UNANIMOUSLY.

A request from Whispering Pines Good Samaritan Center for a donation was discussed briefly. It was the consensus of the Council that the City cannot give money to every organization that requests it.

Discussion ensued regarding paying the firemen \$10 per fire, drill and meeting. Clerk Buchite indicated that the raise was in the budget when approved but the Council never formally approved the raise. MOTION NO. 12R-05-91 WAS MADE BY R. BURSHEM AND SECONDED BY C. MILLER TO APPROVE RAISING THE FIREMEN'S PAY TO \$10 FOR ALL FIRES, DRILLS, MEETINGS AND SCHOOLS. MOTION PASSED UNANIMOUSLY.

Clerk Buchite indicated that a check written to the Fire Department for \$540 had been lost. MOTION NO. 12R-06-91 WAS MADE BY R. BURSHEM AND SECONDED BY A. ARENDS TO PUT A STOP PAYMENT ON THE \$540 CHECK AND ISSUE A NEW ONE TO THE FIRE DEPARTMENT. MOTION PASSED UNANIMOUSLY.

A letter from the Prairie Island Tribal Council was discussed briefly. No action was taken.

MAYOR'S REPORT - Mayor Anderson read a letter from North Memorial Medical Center regarding an helicopter landing pad in Crosslake. The letter stated that the use of a pad would be very minimal because in most cases the response would be faster using the ambulance currently housed in Crosslake, and the Service would not issue a hold harmless clause such as was requested by the City's insurance carrier. It was the consensus of the Council to look at this more closely when the new fire hall is built.

Mayor Anderson stated he attended a League of Minnesota Cities Conference and Crosslake is in very good shape considering all the cuts other Cities are experiencing.

Shiela Wasnie and Donald Engen representing Brainerd Lakes Area Development Corporation were present to request a \$1,000 from the Council. Ms. Wasnie briefly explained to the Council the purpose of the Corporation which is primarily to assist companies and individuals with businesses thereby increasing job availabilities in the area. MOTION NO. 12R-07-91 WAS MADE BY C. MILLER AND SECONDED BY R. BURSHEN TO GRANT \$1,000 TO THE BRAINERD LAKES AREA DEVELOPMENT CORPORATION FOR 1992. MOTION PASSED UNANIMOUSLY. Ms. Wasnie said she will get a progress report to the Council every two months.

COMMISSION REPORTS - Recycling - Cynthia Thunnell and Caroline Webster were present to update the Council on recycling activities.

Planning and Zoning - Coordinator Teri Daehn was present to say that the fee schedule approved by the Council was also approved by the Commission.

Discussion ensued briefly regarding the deck on the Graves property and it was the consensus of the Council that this is a civil dispute between the two property owners.

Ms. Daehn stated that she had spoken to Ken Jarvis regarding the unfinished garage belonging to Ken Jarvis and he said he would complete it in the Spring. MOTION NO. 12R-08-91 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO GIVE MR. JARVIS UNTIL JUNE 15, 1992 TO CLEAN UP HIS LOT OR THE MATTER WILL BE TURNED OVER TO THE CITY ATTORNEY FOR PROSECUTION. MOTION PASSED UNANIMOUSLY.

Ms. Daehn stated that the Commission agreed with the Funding and Future Development Commission concept for a road behind Reed's Market. A discussion ensued. MOTION WAS MADE BY MR. SWANSON TO HAVE THE CITY ENGINEER PUT TOGETHER A PROPOSAL OR MAP, NOT TO EXCEED \$500, SHOWING A ROAD BEHIND REED'S AND HAVE IT ON RECORD IN THE P & Z OFFICE. Mayor Anderson said he feels the concept is fine but he would not want the City to invest any money in a plan at this time because the current property

owners may have a different idea of what they want to do with the property. Mr. Swanson said that with the traffic problem in downtown Crosslake he would like to have a future road designated even though it may never be built. MAYOR ANDERSON CALLED FOR A SECOND TO THE MOTION THREE TIMES. MOTION DIED FOR LACK OF A SECOND.

MOTION NO. 12R-09-91 WAS MADE BY C. MILLER AND SECONDED BY R. BURSHEM TO PREPARE A RESOLUTION SHOWING THE DESIRE OF THE CITY TO HAVE A ROAD LOCATED TO THE EAST OF CSAH #6. MOTION PASSED WITH D. SWANSON VOTING NAY.

CEMETERY - Nothing.

PUBLIC SAFETY - Fire Chief Amsden said he had talked to ISO about testing the Crosslake Fire Department so the fire rating for home owners could be changed to Class #8 rather than Class #9 and was informed that they would only come here when another City in the area requested the test. Mayor Anderson requested that he call the office and find out how much it would cost to have them come up right away.

Chief Amsden said the First Responders were under going training right now with 5 new trainees at \$150 each plus \$30 for books and 3 responders to be recertified at \$50 each. MOTION NO. 12R-10-91 WAS MADE BY D. SWANSON AND SECONDED BY R. BURSHEM TO APPROVE THE COST OF \$1050 TO HAVE FIVE NEW FIRST RESPONDERS TRAINED AND THREE RE-CERTIFIED. MOTION PASSED UNANIMOUSLY.

Chief Amsden stated that the price of turn out gear has gone up \$70 a set since it was ordered. MOTION NO. 12R-11-91 WAS MADE BY D. SWANSON AND SECONDED BY R. BURSHEM TO PAY THE ADDITIONAL COST OF \$70 PER SET FOR TURN OUT GEAR. MOTION PASSED UNANIMOUSLY.

UTILITIES COMMISSION - Chairman Tom Towne presented the Project North Phase One plan to the Council. This growth plan means that a Remote Line Switch to handle 180 lines would be placed at the Moonlite Bay Area and a Remote Line Group to handle 90 lines would be placed at the Wilderness Park Area. MOTION NO 12R-12-91 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPROVE PHASE ONE OF PROJECT NORTH FOR CONTINUED GROWTH OF THE TELEPHONE COMPANY. MOTION PASSED UNANIMOUSLY.

Mr. Miller stated that he had discussed the possibility of an interest free loan from REA with the telephone company General Manger. MOTION NO. 12R-13-91 WAS MADE BY C. MILLER AND SECONDED BY L. ARENDS TO PREPARE A RESOLUTION TO APPLY FOR AN INTEREST FREE LOAN FROM REA TO BUILD A NEW FIRE HALL. MOTION PASSED UNANIMOUSLY.

PUBLIC WORKS - Nothing.

FUNDING AND FUTURE DEVELOPMENT - Harlan Johnson said the Commission still would like direction and needs a statement of purpose.

MOTION NO. 12R-14-91 WAS MADE BY R. BURSHAM AND SECONDED BY L. ARENDS TO HAVE THE FUNDING AND FUTURE DEVELOPMENT PROCEED WITH THE NECESSARY FORMS FROM MPCA FOR A WASTEWATER TREATMENT STUDY LOAN AND TO SEEK ASSISTANCE FROM BILL MEYER OF LANDECKER AND ASSOCIATES, IF NECESSARY, IN COMPLETEING THE FORMS. Discussion ensued as to whether the Commission could fill out the forms. Mayor Anderson said he would like to see a needs assessment done before authorizing a \$250,000 study. Bill Meyer said that is one of the reasons they have had one of their office people updating the computer records for Crosslake's P & Z office so as to ascertain a need. Mr. Bursham said he would like to at least get on the list for financial assistance because the Council can always turn it down or say no. MOTION PASSED UNANIMOUSLY.

PERSONNEL - Mayor Anderson said as far as he reads the Comparable Worth Study it looks like Crosslake is in good shape.

PARK AND RECREATION - Liaison Bursham said the skating rinks would be opening on the following Saturday.

NEW BUSINESS - Nothing.

OLD BUSINESS - Mayor Anderson stated that the levy increase for 1991 will be 2.66 percent and the actual budget increase over last year will be 8.70 percent.

PUBLIC FORUM - Fire Chief Mike Amsden was given a vote of thanks for serving two years as Fire Chief.

Clerk Buchite requested clarification of the compensation for the new Fire Chief and was informed that the Chief will receive \$100 a month and the Assistant Chief will receive \$50 a month plus \$10 for meetings, drills and runs.

MOTION NO. 12R-14-91 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO ADJOURN THIS REGULAR MEETING AT 8:45 P.M. MOTION PASSED UNANIMOUSLY.

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

Arlene A. Buchite