

CITY OF CROSSLAKE MINNESOTA  
COUNCIL PROCEEDINGS  
PUBLIC HEARING AND REGULAR SESSION  
December 11, 1989

The City Council for Crosslake Minnesota met in a Public Hearing and regular council session on Monday, December 11, 1989 in the Council Chambers of City Hall. The following Councilmembers were present: Mayor Kurt E. Anderson, Lyle M. Arends, Roger A. Burshem and Diana A. Gallaway. Councilmember Miller arrived at approximately 7:40 p.m. Also present were City Engineer Will Hoyt from Landecker and Associates, Inc., City Clerk Arlene A. Buchite and approximately 18 citizens.

Mayor Anderson called this Public Hearing to order at approximately 7:30 stating that this was an assessment hearing for the 1989 road work which was completed. Mayor Anderson then turned the meeting over to Mr. Hoyt.

Mr. Hoyt explained to the citizens present that this is the final assessment for the road project and that the preliminary hearing was held in the Spring of 1989. Mr. Hoyt explained to the Citizens present that they were notified of the amount due on their respective roads and also the date of the Public Hearing; and if the City Council chose to adopt the assessment role at this Public Hearing they would have 30 days in which to pay the assessment in full or it would be certified to the County and added to their property taxes in 1991 at 8.75 percent interest, payable in various terms according to the amount of the assessment owed. Mr. Hoyt stated that the purpose of this meeting was to hear comments from the affected property owners. Mr. Hoyt read 4 letters into the record which had been received. The letters were from Donald (Joe) Hauser on the West Shore Drive project, saying that he was being assessed for two lots when there was only one buildable lot; from George Wiessner on the West Shore Drive project saying he lives four-tenths of a mile off West Shore Drive and some of his neighbors were not being assessed; David Timm on the Daggett Pine project saying he never uses that road to gain access to his property, that 70 percent to 80 percent of the affected residents voted against the proposal, and four of his neighbors who use the road for trash service, mail and other services do not need to pay; and the last letter was from Arnold Blank on the Daggett Pine project saying this portion of road should have been done when the rest of Daggett Pine was done two or three years earlier. Mr. Hoyt recommended to the Council that one

of Mr. Hauser's assessments be removed. Mr. Hoyt also recommended to the Council that the other three assessments stand as written.

Mayor Anderson said he would like the Council to act on these recommendations from Mr. Hoyt before proceeding with citizen input. MOTION NO. 12PH-01-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO COMBINE THE TWO ASSESSMENTS ON THE DONALD HAUSER PROPERTY INTO ONE. Councilmember Burshem asked Mr. Hauser if one of the lots could be sold for a home to be built on it and Mr. Hauser said it could not. MOTION PASSED WITH COUNCILMEMBER ARENDS, BURSHAM, GALLAWAY AND MILLER VOTED AYE.

MOTION NO. 12PH-02-89 WAS MADE BY COUNCILMEMBER BURSHAM AND SECONDED BY COUNCILMEMBER MILLER TO ALLOW THE OTHER THREE ASSESSMENTS FOR DAVID TIMM, GEORGE WIESSNER AND ARNOLD BLANK STAND AS WRITTEN. David Timm was present to say that in addition to items in his letter he wanted the Council aware that he does not use that road and consequently is being assessed for something he does not use and he would like to see a report or study which showed the road needed work and he pays school taxes and the school buses use the road.

Mr. Arnold Blank was present to say that after the trucks were through hauling to Dream Island the road needed the work but did not prior to that time as far as he was concerned. Mayor Anderson said Daggett Pine was scheduled for work before the work was started on Dream Island.

Mr. Timm again asked for a report or study. Mr. Hoyt said that there was no study done on Daggett Pine but the City has a road study done to rank the condition and status of the roads for construction. Pat Hoag, City Road Supervisor, said that section of Daggett Pine road that was done this year has not had any resurfacing since prior to 1973. Mayor Anderson said that Daggett Pine and Dream Island were bid together in an effort to save money for the City and the residents. Mr. Timm asked if it was true that the majority of residents voted against having Daggett Pine resurfaced and Mr. Hoyt said yes that was true but the Council felt the road needed the work. Mr. Hoyt said the road reports are available for Mr. Timm to review in the office of the City Clerk.

Mr. Blank said he feels that once the road is blacktopped the City should pay for the maintenance because taxes keep going up and it is unfair to the taxpayers. Mayor Anderson said once a road is blacktopped it is far more costly to maintain and the City only gets a small portion of the taxes that residents pay because the biggest share goes to the County and School District. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

MOTION NO. 12PH-03-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO APPROVE THE ASSESSMENT ROLE AS PRESENTED WITH THE EXCEPTION OF THE HAUSER PROPERTY WHICH WAS MADE BY MOTION. MOTION PASSED WITH COUNCILMEMBER ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

Councilmember Arends stated that he is not happy with the roads that have been sealcoated because on Happy Landing Road you can see where it did not spray. Councilmember Bursham asked Mr. Hoyt is there was something that could be done with Daggett Pine Road where Mr. Blank said it drops off drastically by the mail boxes and Mr. Hoyt said some filling was done in that area late in the Fall.

Mayor Anderson said the next item for this Public Hearing would be to change the Ordinance from mandatory to optional commissions. Mayor Anderson stated that the Funding and Future Development, Planning and Zoning, Utilities and Park Commissions have all been very good but there has been a problem with the Road and Public Safety Commissions in having a quorum present. Mayor Anderson said city employee Pat Hoag has come to many meetings at no cost to the City and could not hold a meeting because of no quorum present.

Councilmember Arends said he feels the City should continue to have commissions and leave the ordinance. Councilmembers Gallaway and Bursham agreed with Mr. Arends. Ms. Gallaway said that the Commission's input is an added bonus to the Council. Councilmember Miller said maybe the Council should consider a three member commission. Councilmember Gallaway said there is nothing in the ordinance that says commissions have to be five or seven persons. Dean Swanson said he has found that with a strong Chairman and a definite date set for a meeting it seems to work much better.

Mayor Anderson said three member commission would be fine as long as he gets a report every month. Andy Nelson, Park Commission Chairman, said he would like to have something in the ordinance that if they miss so many meetings within a given period of time they are no longer a commission member. MOTION NO. 12PH-04-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY THAT COMMISSIONS BE ALLOWED TO OPERATE WITH A THREE PERSON COMMISSION IF NECESSARY. MOTION PASSED WITH COUNCILMEMBER ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

MOTION NO. 12PH-05-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO ADJOURN THIS PUBLIC HEARING AT 8:19 P.M. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

Mayor Anderson called the regular meeting of the Council to order saying that the first item on the agenda was the

Consent Calendar. Councilmember Gallaway pointed out an error on page 4 paragraph 2 of the November 13, 1989 minutes which should be changed to, "Councilmember Burshem withdrew his second." MOTION NO. 12R-01-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER ARENDS TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR WHICH INCLUDES: (1) MINUTES OF THE NOVEMBER 13, 1989 REGULAR SESSION; (2) MINUTES OF THE NOVEMBER 14, 1989 SPECIAL COUNCIL SESSION; (3) MINUTES OF THE NOVEMBER 28, 1989 SPECIAL COUNCIL SESSION; (4) MINUTES OF THE DECEMBER 5, 1989 SPECIAL COUNCIL SESSION; (5) THE CLERK/TREASURER'S FINANCIAL REPORT FOR NOVEMBER, 1989; (6) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR NOVEMBER, 1989; AND (7) THE CABLEVISION COMPANY'S FINANCIAL REPORT FOR NOVEMBER, 1989 AND WITH THE CORRECTION AS NOTED. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

CLERK'S REPORT - First item was bills for payment. MOTION NO. 12R-02-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO PAY ALL BILLS INCLUDING: (1) ZIEGLER FOR REPAIRS TO GRADER FOR \$1,713.71; (2) LANDECKER AND ASSOCIATES FOR FINAL ASSESSMENT ROLLS, NOTICES, HEARING REPRESENTATIONS AND CERTIFICATION ASSISTANCE FOR DAGGETT BAY AND MILINDA SHORES ROADS FOR \$1,130.75; (3) WIDSETH, SMITH, NOLTING AND ASSOCIATES FOR APPROVAL OF WHITE PINE SHORES ROADS FOR \$197.00; (4) BRIGGS AND MORGAN LAW OFFICES OF THE LAREVER PROPERTIES FOR \$673.40; AND (5) TRI-CITY PAVING FOR THE 1989 ROAD IMPROVEMENTS FOR \$2,650.05. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

The next item was correspondence. First was a letter from Weizenegger/Engle Insurance regarding a dividend the City should be receiving from the League of Minnesota Cities Insurance Trust Fund for \$4671.00.

Next was a letter from the Department of Health regarding Groundwater Protection Legislation on Local Governments. Clerk Buchite urged the Council to bring any of the correspondence back to the next meeting if need be.

A letter and Findings and Conclusions from City Attorney James Gammello regarding the John and Susan Jones variance was the next item. Councilmember Bursham reiterated the fact that there was to be a set of the new plans on file in the Planning and Zoning Office before any construction begins. Mr. Kingsted said he has not received any new set of plans to date. After a brief discussion, MOTION NO. 12R-03-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO APPROVE OF THE MAYOR AND CITY CLERK SIGNING THE FINDINGS AND CONCLUSIONS PRODUCED BY THE CITY ATTORNEY FOR THE VARIANCE GRANTED TO JOHN JONES AND THAT IT

BECOME A PERMANENT PART OF THE JONES' PLANNING AND ZONING FILE. MOTION PASSED WITH COUNCILMEMBER ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

Sheriff Frank Ball had requested a copy of the Police Department's budget from the Council. MOTION NO. 12R-04-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO SEND THE REQUESTED INFORMATION TO THE SHERIFF'S DEPARTMENT REGARDING THE POLICE DEPARTMENT BUDGET. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

Larson, Allen, Weishair and Company responded to the Clerk's letter saying they would try to get the audit here by the May, 1990 meeting which would be the same timing as last year. It was the consensus of the Council that if it is not received until May the City will advertise for bids next year.

A letter from Northern National Bank was reviewed by the Council regarding the amount pledged to the City.

Mayor Anderson read a letter complimenting the Police Department from a resident who requested police assistance to check his cabin so as to save him making a trip from the Cities to Crosslake.

A letter from the Department of Health regarding the drinking water was discussed briefly. The report states that the chemical results do not exceed the maximum contaminant levels established under the Safe Drinking Water Act. A copy of the report is to be placed by the source of the drinking water.

Clerk Buchite indicated that Mr. Ray Midlo had presented a six foot by eight foot flag to be flown at City Hall. The flag was given on behalf of Mrs. Barbara Berg and her sister Mrs. Grace Stemper in memory of their husbands. The flag was the graveside flag of Donald B. Berg. The Mayor requested that the City Clerk write a letter to the Midlo's thanking everyone involved in the flag donation.

The Lion's Club had submitted a renewal for a Charitable Gambling License at the Ox Lake Tavern. MOTION NO. 12R-05-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER BURSHAM TO RENEW THE CHARITABLE GAMBLING LICENSE FOR THE LION'S CLUB AT THE OX LAKE TAVERN. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM AND MILLER VOTING AYE. COUNCILMEMBER GALLAWAY ABSTAINED BECAUSE HER HUSBAND IS ON THE LION'S CLUB BOARD.

MAYOR'S REPORT - Mayor Anderson turned the meeting over to Joan Burnett, Section 8 Programs Manager for the Brainerd Housing and Redevelopment Authority. Ms. Burnett indicated

that the HRA had received a request from a low income family to receive rent assistance in Crosslake and a resolution would have to be passed by the City Council before they could assist the family. Councilmember Arends said he would like to wait a month to act on the resolution because it had not been on the agenda. Ms. Burnett apologized for not having time to be placed on the agenda and explained that the family needed housing right away. Mayor Anderson read the resolution aloud. MOTION NO. 12R-06-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER BURSHAM TO PASS THE RESOLUTION WHICH ALLOWS FOR THE HOUSING AND REDEVELOPMENT AUTHORITY IN BRAINERD TO ASSIST WITH RENT FOR LOW INCOME ELDERLY AND FAMILIES. Ms. Burnett said that after the family moves in there is an annual check to make sure the landlord is taking care of the property and also that the renters are taking care of the property. Ms. Burnett assured the Council that the Housing Authority would be responsible for unpaid rent or damage, that the City is not liable. MOTION PASSED WITH COUNCILMEMBERS BURSHAM, GALLAWAY AND MILLER VOTING AYE. COUNCILMEMBER ARENDS VOTED NAY.

Mayor Anderson indicated he had received a copy of a Shoreline Management Training Workshop which was sponsored by the Department of Natural Resources but they do not want more than three people from one community at any one workshop because of the great demand for this workshop. Mayor Anderson stated that the workshop were two day sessions and they will be held in Shoreview, Minneapolis, Bemidji, Brainerd and St. Cloud. There will be no cost for the workshop, DNR is paying for three meals so the only cost would be lodging. Mayor Anderson said he would like everyone on the Council and Planning and Zoning attend one of the workshops.

Mayor Anderson read a brochure from the Annual Planning Institute on all day sessions for conditional use permits, variances, case studies and basic planning tools which he wanted to attend. Councilmember Arends said Mr. Kingstedt was a contract employee and he does not think that the City should pay his expenses for attending seminars. Mayor Anderson said anyone interested in the seminars should contact him. The cost is \$50 per course plus \$11 for a book titled "The Job of the Planning Commissioner." Councilmember Bursham said although he agrees with Mr. Arends he would like to have City employees as educated as possible because it benefits the City. MOTION NO. 12R-07-89 WAS MADE BY COUNCILMEMBER BURSHAM AND SECONDED BY COUNCILMEMBER GALLAWAY TO PAY EXPENSES FOR ZONING COORDINATOR MARLOWE KINGSTEDT TO ATTEND SOME SEMINARS AT THE COST OF THE CITY. Mayor Anderson said there is no incentive for Mr. Kingstedt to go if it is for the benefit of the City and he has to pay expenses out of

his pocket. COUNCILMEMBERS BURSHAM AND GALLAWAY VOTED AYE AND COUNCILMEMBERS ARENDS AND MILLER VOTED NAY. MOTION PASSED WITH MAYOR ANDERSON VOTING AYE.

Mayor Anderson said he wanted all Councilmembers to read the model flood plain ordinance from the Department of Natural Resources because he wanted to hold a public hearing at the January council meeting.

PARK AND RECREATION - Liaison Arends said the Park Commission recommended hiring Jason Amsden and Jason Huesman as warming house attendants for \$4.00 and \$3.85 respectively. Mr. Arends said they will each work 20 hours a week. MOTION NO. 12R-08-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO HIRE THE TWO YOUTHS AT THE SALARY STATED. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

Councilmember Arends said he was going to bring it up to the Park Commission to have five instead of seven members.

Andy Nelson, Chairman, said the Commission would be recommending new security lights next year because it is so dark in the parking lots. It was the consensus of the Council that it should be done now. MOTION NO. 12R-09-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO PROCEED WITH THE PURCHASE OF TWO SECURITY LIGHTS AT THE COMMUNITY CENTER AT THE COST OF \$50 PER POLE AND APPROXIMATELY \$200 FOR THE PER FOOT CHARGE FOR THE TRANSFORMER AND \$6 PER MONTH PER LIGHT. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

Mr. Nelson said the Hockey Program people will be repairing the gate and cleaning the rink after practices this year.

Mr. Nelson said the Park Director is taking her compensatory time off this month and the Park Auxillary bought new card tables with the \$182 they earned at their craft sale.

PLANNING AND ZONING - Mr. Kingstedt said he had submitted his tenure list for commission members. Mayor Anderson said he would be making his appointments at the January council meeting.

Councilmember Gallaway asked if there had been any work done on the full-time Planning and Zoning Coordinator. Mr. Kingstedt said he usually works six days a week during the Summer and would be more than willing to assist in the transition of a new coordinator when his contract is up. Mayor Anderson said the Council will be comfortable with the ordinances before a job description is set up.

CEMETERY - Nothing.

PUBLIC SAFETY - No meeting. Police Chief Backdahl had no comments or complaints. Fire Chief Schliek requested approval of the Council to purchase a deluge gun capable of pumping 1,000 gallons a minute. Mr. Schliek said it would be used for liquid propane gas tank fires or for the commercial district of Crosslake. MOTION NO. 12R-10-89 WAS MADE BY COUNCILMEMBER BURSHAM AND SECONDED BY COUNCILMEMBER MILLER TO ALLOW THE FIRE DEPARTMENT TO PURCHASE A 1,000 GALLON A MINUTE DELUGE GUN. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE. Councilmember Bursham asked Mr. Schliek when the residents fire ratings would go down for cheaper fire insurance. Mr. Schliek said the Mayor will have to request a review for the ratings to change. Mayor Anderson said the problem last time this was done was the lack of repetition for the firemen. Mayor Anderson requested Mr. Schliek to write a letter for his signature.

UTILITIES COMMISSION - Mr. Dene Carney, Chairman was present but said there was nothing new to report.

ROAD COMMISSION - Liaison Miller said there was no meeting because of the lack of a quorum. Mr. Miller said an ad was run to request members and no calls were received. The Council was informed there will be no Road Commission meeting in December.

Councilmember Gallaway asked if any information had been received regarding the easements for Cool Haven Lane and Perkins Road.

FUNDING AND FUTURE DEVELOPMENT - Mr. Dean Swanson, Chairman was present. Mr. Swanson said the Commission is working on the Nature Trails and trying to get something done without it costing a lot of money. Mr. Swanson suggested establishing it as a memorial park and maybe have the Boy Scouts, American Legion or Lion's club donate time or money. Mayor Anderson said the easement problem was not the right of way going into the nature trails but the road going to the right of way. It is a City street but has no width to turn around or anything.

Mayor Anderson said he did not meet with Mr. Schwartz, who owns property adjoining the above mentioned City street, this summer as he had said he would but hopefully he will in the Spring. Mayor Anderson said he would like to have an agreement drawn up with Mr. Schwartz so that Mr. Schwartz would give the City the necessary land to widen the road and the City would sign a stiputation that Mr. Schwartz would not be assessed if that road was ever upgraded.

Mayor Anderson said he would like to see the Nature Trails turned over the the Funding and Future Development

Commission to see if they can raise some funds. Park Director Felber said the Park Commission would like any help they can get because if something is not done soon the City will lost it. The Park Commission will bring any recommendations regarding the nature trails back to the Council next month.

PERSONNEL - Nothing.

NEW BUSINESS - Councilmember Gallaway said she had received a call from Ellen Starkka about the heat at the ambulance garage. Mr. Hoag said the furnaces are being installed at the present time. Mayor Anderson said he does not feel that the City should pay for housing the ambulance personnel.

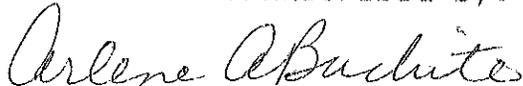
OLD BUSINESS - Mr. Hoag spoke briefly about the back up heat for City Hall. It will be discussed more completely at the December 19, 1989 special meeting.

Councilmember Gallaway asked about the complaint against the resident across from the Legion Club with the mess in his yard. It was the consensus of the Council to give him time to get his steel building up and clean it up.

PUBLIC FORUM - Councilmember Arends said he feels that all City roads should be plowed since the City now has so much equipment and if they pay taxes they should get benefits. It was the consensus of the Council that only City roads get plowed and maintained.

MOTION NO. 12R-11-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO ADJOURN THIS REGULAR COUNCIL MEETING AT 10:18 P.M. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Recorded and transcribed by:



Arlene A. Buchite, City Clerk/Treasurer