

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING AND REGULAR COUNCIL SESSION
JULY 09, 1990

The City Council for the City of Crosslake Minnesota met in a public hearing and regular council session on Monday, July 9, 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 Engineer Will Hoyt from Landecker and Associates, Inc., City Clerk Arlene Buchite, Park Director Patricia Felber, Road Supervisor Patrick Hoag, Planning and Zoning Coordinator Marlowe Kingstedt and approximately 17 members of the community.

Mayor Anderson called this Public Hearing to order stating that the purpose of this hearing was to amend the Road Policy to read that the City Council will not call a public hearing to upgrade a road from gravel to bituminous unless 70 percent of the affected property owners are in favor of the improvement. The benefitting property owners must pay 100 percent of the cost of such improvement.

Mayor Anderson said Robert Nelson, who owns 50 to 60 percent of the property along the Wilderness Park Road, was concerned that he would have to pay for the majority of the costs to upgrade the road. Mr. Nelson was informed that at present, the City typically would defer part of the assessments for large parcels of land until the land is subdivided or platted.

MOTION NO. 7PH-01-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER MILLER TO ADOPT NO. 18 OF THE ROAD POLICY WHICH READS "GENERALLY, FOR EXISTING UNPAVED CITY ROADS, THE CITY WILL REQUIRE 100 PERCENT OF THE COST OF ANY PAVING IMPROVEMENT TO BE SPECIALLY ASSESSED AGAINST THE BENEFITTING PROPERTIES. IN ADDITION, THE CITY WILL GENERALLY REQUIRE A PETITION SHOWING 70 PERCENT OF THE BENEFITTING PROPERTY OWNERS ARE IN FAVOR OF SUCH IMPROVEMENT PRIOR TO SCHEDULING A PRELIMINARY ASSESSMENT HEARING." MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

MOTION NO. 7PH-02-90 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO ADJOURN THIS PUBLIC HEARING AT 7:35 P.M. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Mayor Anderson then called the regular council session to order stating the first item was the Consent Calendar. Mayor Anderson stated that he had a correction to the June 11, 1990 minutes. On page 7 it should read Summit Avenue and not Cool Haven Lane. MOTION NO. 7R-01-90 WAS MADE BY MEMBER MILLER AND

SECONDED BY MEMBER ARENDS TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR WITH THE CORRECTION AS NOTED BY THE MAYOR AND INCLUDING: (1) THE MINUTES OF THE JUNE 11, 1990 REGULAR COUNCIL SESSION; (2) THE CLERK/TREASURER'S FINANCIAL REPORT FOR JUNE, 1990; (3) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR JUNE, 1990; AND (4) THE CABLEVISION'S FINANCIAL REPORT FOR JUNE, 1990. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

CLERK'S REPORT - MOTION NO. 7R-02-90 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER ARENDS TO PAY ALL BILLS INCLUDING: (1) LANGENBEAU EXCAVATING FOR CLASS #5 \$1,800.00; (2) HEARTLAND TRUCK SERVICE FOR DUMP TRUCK REPAIRS FOR \$1287.32; (3) TRI-CITY PAYING FOR THE BALANCE ON THE 1989 ROAD PROJECTS FOR \$1,610.00; AND (4) AMERICAN NATIONAL BANK FOR INTEREST ON THE 1986 ROAD IMPROVEMENT BONDS FOR \$9,933.75. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Clerk Buchite informed the Council that she had received a letter from the County Auditor requesting any items to be placed on the primary election ballots. No member of the Council had any items.

The next item was the Defined Contribution Plan from PERA for elected officials to participate in. It was the consensus of the Council that they did not make enough money to warrant joining DCP.

MOTION NO 7R-03-90 WAS MADE BY MEMBER BURSHEM AND SECONDED BY MEMBER GALLAWAY TO PAY THE ANNUAL DUES OF \$192.68 TO JOIN THE MINNESOTA ASSOCIATION OF SMALL CITIES. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

A resolution was received from the Goodrich-O'Brien Lakeshore Association to have Crosslake maintain the Fairfield Township Roads #80 and #85 (parts of McClintock Road and Palmer Road). It was the consensus of the Council that this resolution should be brought to the Fairfield Board and the Fairfield Board should petition Crosslake to maintain the roads. It was suggested that since Crosslake provides fire service the residents may want to be annexed to Crosslake. Mayor Anderson will check with Association President Amlaw and will bring a recommendation back to the next Council Meeting.

The next item was a list of donations made by the American Legion Post #500. It was the consensus of the Council that they would like to have a list from all of the gambling organizations. MOTION NO. 7R-04-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER ARENDS TO REQUEST A LIST OF DONATIONS FROM THE CHARITABLE GAMBLING ORGANIZATIONS EVERY SIX MONTHS. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Clerk Buchite gave the Council a copy of pledged collateral from Northern National Bank.

A letter from Daniel Zeddies, Attorney for Jim Woog regarding the parcel of land the City wants to purchase for the Cemetery was reviewed by the Council. Mr. Woog had counter-offered the City's offer of \$12,000.00 with a \$14,000.00 price. After a brief discussion, MOTION NO. 7R-05-90 WAS MADE BY MEMBER BURSHEM AND SECONDED BY MEMBER MILLER TO GO BACK TO THE ORIGINAL OFFER OF \$10,000.00 FOR THE 2.34 ACRES FOR THE CEMETERY. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

The Cooperative Purchasing Venture will be discussed next month when the police and fire chief's are available for input.

MOTION NO. 7R-06-90 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO PAY THE DEPUTY CLERK \$5.00 AN HOUR DURING THE WEEK THE CLERK WILL BE AT THE CLERK'S INSTITUTE AND SET THE HOURS FOR CITY HALL AS 9:00 A.M. TO 1:00 P.M. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

MOTION NO. 7R-07-90 WAS MADE BY MEMBER BURSHEM AND SECONDED BY MEMBER GALLAWAY TO APPROVE THE DANCE LICENSE FOR 1990-91 TO THE AMERICAN LEGION POST #500. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

MOTION NO. 7R-08-90 WAS MADE BY MEMBER BURSHEM AND SECONDED BY MEMBER GALLAWAY TO APPROVE THE REQUEST FOR A GAMBLING LICENSE FOR SUN'S RESTAURANT BY THE PEQUOT/CROSSLAKE YOUTH HOCKEY ASSOCIATION AND TO WRITE A LETTER WAIVING THE 60 DAY WAITING PERIOD. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

MOTION NO. 7R-09-90 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO APPROVE THE RENEWAL OF THE CHARITABLE GAMBLING LICENSES AT THE ECHO RIDGE SUPPER CLUB AND RIVERSIDE INN BY THE LION'S CLUB. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

MAYOR'S REPORT - Mayor Anderson said the Council had done everything necessary for the Floodplain Ordinance except for sending 3 certified copies to the Department of Natural Resources. Another public hearing will not be necessary.

Mayor Anderson said a person by the name of Kenny Dahlgren has volunteered to bicycle across the State for the Tram 250 bicycle extravaganza but would need some money for meals. MOTION NO. 7R-10-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER BURSHEM TO PAY UP TO \$100.00 EACH TO SPONSOR TWO BICYCLISTS TO RIDE IN THE CELEBRATE MINNESOTA TRAM 250 RIDE ACROSS MINNESOTA FROM ORTONVILLE TO STILLWATER ON JULY 29 THROUGH AUGUST 2. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Diane Williams was present to say she lives on Loon Lake and C & C Boatworks was giving private water ski lessons on Loon Lake. Ms. Williams said the lake is too small and it is all residential. Mayor Anderson said she would have to check with the County Sheriff. Jerry Boe, President of the Whitefish Property Owners Association, said he had also received a lot of calls regarding this. Mr. Boe suggested that the City get together with D.N.R. and the Sheriff's department to see who should control things like this. Mr. Boe said he thinks the City will have to come up with an ordinance. Mr. Boe said the water skiing was not only harassing to the property owners but was also harassing to the loons and water fowl. Mayor Anderson asked Member Gallaway and the Funding and Future Development Commission to check into various ordinances used by other cities. Mayor Anderson said the Council could work on this through the winter and see what they can come up with.

County Engineer Duane Blanck was present to seek approval to finish the project on CSAH #16. This would be shoulder widening and resurfacing of the present road from West Shore Drive to Moonlight Bay. Mr. Blanck said the project would also include removing the deck from the bridge and widening and replacement of the super structure.

Mr. Blanck said he has heard questions and comments about raising the bridge but their plans do not include that at present. Mr. Blanck said there is 9.3 feet of clearance. Mr. Blanck said the bridge on CSAH #6 is slightly lower than the one on #16. Mr. Blanck said he talked to one dealer and he did not indicate there is a problem. Mr. Boe said he has received about a dozen calls from pontoon owners who would like to have it raised. Member Gallaway said she witnessed many boats over the 4th of July that had problems getting under the bridge.

Mr. Blanck said even though the County would be widening the bridge it would be far more costly to raise the bridge because the roadway for possibly 500 feet would have to be raised. The top of the piers would also have to be raised. Member Miller said he feels that with the increase in taxes the resident should have a bridge they can get under on #16. Mr. Burshem said he feels the City has an obligation to the boat owners to try to get the bridge raised.

Mayor Anderson said there will always be boats that cannot get under that bridge.

A resident asked if there is a standard height for bridges and Mr. Blanck said he did not believe there is.

A Public Hearing was set for Wednesday, July 25, 1990 at 7:00 p.m. at which time Mr. Blanck will have some costs figured for raising the bridge.

Councilmember Gallaway said she thought that Crosslake was to have gotten some special concessions for bike paths. Mr. Blanck said that fund has been depleted and it has been the attitude of the County Board not to provide paved shoulders unless the local unit of government will participate. The reason for that is it is better to have someone's road fixed than to have paved shoulders for an area. Mr. Blanck said their will be two additional feet on each side paved along the CSAH #16 project.

Speed limits along CSAH #16 were discussed briefly. Mr. Blanck said the County Board could request a traffic investigation by the Department of Transportation. Mr. Blanck said the study will not necessarily reduce speed limits. Mayor Anderson requested that speed limits be discussed at the July 25, 1990 public hearing.

PARK AND RECREATION - There was no monthly meeting. Chairman Andy Nelson informed the Council that the Lion's Club has generously donated \$4,500.00, the Jenkin's VFW donated \$500.00 and the Park Auxillary has \$1,300.00 to make a total of \$6,300.00 which was the amount needed to receive the matching funds from the City for a new Court. The Park Commission has received a quote from Anderson Brothers for \$12,600.00 to install the court with the City and Park Commission doing some of the work to prepare the land. Mr. Nelson said construction will begin approximately July 23, 1990. MOTION NO. 7R-11-90 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER ARENDS TO APPROVE PROCEEDING WITH CONSTRUCTION OF A THIRD TENNIS COURT AT THE COST OF \$12,600.00. MOTION PASSED WITH MEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE. Mr. Bursham said Patricia Felber and the Commission should be congratulated for their diligent efforts in raising the money for the new court and suggested that Ms. Felber write letters of thanks on behalf of the City.

PLANNING AND ZONING - Marlowe Kingstedt stated that the Commission recommended that Jim Stevenson be named as an alternate on the Planning and Zoning Commission. MOTION NO. 7R-12-90 WAS MADE BY MEMBER MILLER AND SECONDED BY MEMBER ARENDS TO APPROVE JIM STEVENSON AS AN ALTERNATE ON THE PLANNING AND ZONING COMMISSION. Mayor Anderson stated that this recommendation was made realizing that if a Road Commission is named Mr. Stevenson will be on that Commission. MOTION PASSED WITH MEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

Mayor Anderson read a letter in protest of Oakcrest on Cross Lake stating that the wildlife habitat and Indian burial grounds will be disturbed. Mr. Kingstedt said that letter will be a part of the Public Hearing on July 20, 1990.

CEMETERY - Liaison Arends said he had received a couple complaints that the flowers individuals placed on the graves had been thrown about.

UTILITIES COMMISSION - Chairman Dene Carney, said the the Cablevision Company had conducted a survey on the ESPN channel and results came back 5 to 1 to get rid of it if an additional fee would be charged to use it. The Commission is concerned about what might happen to the Minnesota Sports Channel and the twins games in the next year or two. Mr. Carney said the Company had received a notice that the charges for ESPN will be doubled so an additional service will need to be charged.

PUBLIC SAFETY - Nothing.

ROADS - Mayor Anderson said he, Liaison Miller and Supervisor Pat Hoag had been out twice to review Cool Haven Lane because one of the property owners will soon be moving up permanently. Mr. Anderson said the City plans to grade and widen the road but the City will need easements and one of the property owners will obtain the easements before the work begins.

Will Hoyt from Landeekers and Associates, Inc. was present to request that the Council set July 25, 1990 at 10:00 a.m. as bid opening date for Lakeshore Drive, Riverwood, Rushmore Boulevard and Silver Peak Roads. MOTION NO. 7R-13-90 WAS MADE BY MEMBER GALLAWAY AND SECONDED BY MEMBER MILLER TO AUTHORIZE BID OPENING FOR THE 1990 ROAD PROJECTS FOR JULY 25, 1990 AT 10:00 A.M. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

FUNDING AND FUTURE DEVELOPMENT - Dean Swanson, Chairman was present to say that they had a representative from the State Demographers Office at their last meeting to discuss Crosslake's growth. Mr. Swanson said the Commission will put together some ideas on future development.

Mayor Anderson said he would like to have the Funding and Future Development Commission check into grants that might be available to put up a building on the Old City Hall property for the Chamber and other non-profit organizations.

PERSONNEL - Nothing.

OLD BUSINESS - Mayor Anderson said he wanted to wait until the next meeting to discuss raising the Mayor's and Councilmembers salaries. MOTION NO 7R-14-90 WASMADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO DISCUSS RAISING THE MAYOR'S AND COUNCILMEMBER'S SALARIES AT THE AUGUST COUNCIL MEETING. MOTION PASSED WITH MEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Mayor Anderson read a letter which Police Chief Backdahl had written to him stating that the American Legion entry system, requiring a card to enter, is in place and functional. Clerk

Buchite was instructed to write a letter to the bar owner who was protesting the open door policy and let them know of Chief Backdahl's findings.

PUBLIC FORUM - Member Miller said there are 14 sites being used as camp sites at Old Log Landing and if it is to be a R.V. site they should apply for a special use permit. Mr. Kingstedt said it is an R-2 area so mobile homes are permitted and the Ordinances also say that two ninety-day permits can be issued. Mr. Miller said he would like to have some changes in the Ordinance requiring a septic system or some way to control it better. Ms. Gallaway suggested that requiring a building permit at the same time a R.V. permit is issued may be the solution. Mayor Anderson said it might also be conceivable to allow a camping trailer only in conjunction with a house on a lot after the two ninety day permits expire.

MOTION NO. 7R-15-90 WAS MADE BY MEMBER ARENDS AND SECONDED BY MEMBER MILLER TO ADJOURN THIS REGULAR COUNCIL SESSION AT 10:09 P.M. MOTION PASSED WITH MEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

Recorded and transcribed by:

Arlene A. Buchite
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City Clerk/Treasurer