

COUNCIL PROCEEDINGS
Crosslake, Minnesota
REGULAR SESSION - August 8, 1983

The City of Crosslake, Minnesota met in a regular session on August 8, 1983 at 7:30 P.M. in the Council Room of the Municipal Building. The following members were present: Councilman Allen, Anderson, Arends, Nelson and Mayor Bieber. There was approximately 40 members of the community present.

Mayor Bieber called the meeting to order and opened the meeting by thanking the Park Department and the Fire Department for the fine job they did on the street dance. Article A of the Consent Calendar was presented for approval. MOTION NO. 8R-01-83 was introduced by Councilman Anderson that the minutes of July 11, 1983, regular session be accepted as presented. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

The Clerk-Treasurer report was introduced with an overview given by Ms. Diana Gallaway on the financial report for July and on each department's budget overview. The beacon on the City Pick-up truck purchased by Dondelinger was discussed as it had not been requested on the Purchase Order and was installed without authorization. Patrick Hoag, City Maintenance Man was called upon to detail out the situation as far as the light in the garage goes. So stated that such emergency light has been used as spare parts for the light on the dump truck and did so suggest that the pickup should have an emergency flasher. No further discussion continued in regards to the beacon. MOTION NO. 8R-02-83 was introduced by Councilman Nelson that the Treasurer report for July be approved as reported. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 8R-03-83 was introduced by Councilman Anderson that the Telephone Company financial report for July be accepted as presented. SECONDED BY Councilman Allen. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

NEW BUSINESS - Mayor Bieber presided over the formality of enacting the Oath of Office to Diana A. Gallaway, Clerk/Treasurer City of Crosslake, Crow Wing County, State of Minnesota and Ms. Gallaway did so swear to faithfully discharge the duties of the office of Clerk/Treasurer of the City of Crosslake to the best of her abilities.

The 1984 Budget was introduced with an agreement that a special meeting was to be set to handle the budget needs. MOTION NO. 8R-04-83 was introduced by Councilman Arends that a special meeting be established specifically for budgets. SECONDED BY Councilman Nelson. Discussion continued regarding having Conrad Bye, County Auditor for this special meeting but was the consensus that it should wait til out second budget meeting. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

CLERK'S REPORT - Ordinance 2.30 amendment in regards to the recording of all meetings was requested for approval. MOTION NO. 8R-05-83 was introduced by Councilman Nelson that the Ordinance 2.30 known as Concerning Boards and Commissions Generally be adopted as amended. SECONDED BY Councilman Arends.

Ordinance 2.30 MOTION NO. 8R-05-83 - continued:

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

A public reading of such ordinance was read by Diana Gallaway, Clerk and so announced that such ordinance would be printed in the legal newspaper.

Discussion was introduced in regard to the Transcient Merchant Ordinance. Was explained that this is still with our City Attorney, Randall Hanson, and that he is putting this together for our Ordinance System but that there is some difficulty with incorporating the Flea Market situation.

The Fire Hall remodeling expense transfer of funds was requested. MOTION NO. 8R-06-83 was introduced by Councilman Nelson that approval be given to the transfer of funds from the Revenue Sharing to cover the costs incurred on the Fire Hall remodeling. SECONDED BY Councilman Anderson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MAYOR'S REPORT - Mayor Bieber reiterated on the special meeting held at 3:00 this day in regards to the outcome of the Ox Lake Landing Road situation. Explained that the outcome of this meeting was to abandon the project therefore making the city liable for approximately \$14,000.00 in expenses from this project.

Introduced the liaison procedure that is now operational between Commissions. Mayor Bieber felt that we have some good commissions and that these commissions are capable of handling the affairs involved with their commissions. Mayor Bieber therefore recommended that we eliminate the council liaison person and let each commission chairman do their own reporting. MOTION NO. 8R-07-83 was introduced by Councilman Arends that we eliminate the liaison procedure of having a council person responsible and that the Commissions themselves be responsible for the administration of their commission. SECONDED BY Councilman Anderson. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Discussion followed regarding the purchase order approval system and the part that the liaison approves up to \$500.00. MOTION NO. 8R-08-83 was introduced by Councilman Nelson that we discontinue the liaison person Purchase Order approval and that such purchases up to \$500.00 carry the Commission Chairman's approval and that of the department's authorized signature. SECONDED BY Councilman Arends. Was determined further that the League of Minnesota Cities should be contacted in regards to a Commission Chairman expending city funds. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Mayor Bieber introduced a bill in regards to a 100 foot of 4 inch hose that was purchased by the Fire Department and is in need of approval by the Council as the costs incurred ran \$525.00. MOTION NO. 8R-09-83 was introduced by Councilman Arends that we approve the payment of the expenses incurred on the purchase of the hose. SECONDED BY Councilman Anderson. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Mayor Bieber introduced the Road Grant submitted with the help of Ms. Gallaway and Region 5 and that our request is in to the United States Government to help the City of Crosslake defray the expenses of repairing the roads with a cost estimate of \$1,430,490. Contact has been made with Mr. James Oberstar's office, Mr. Rudy Perpich and Mr. Dave Durenburger office with hope that they will be able to aide us in possibly receiving the grant funds.

The Pollution Control Agency has contacted the City of Crosslake in regards to placing a public notice on our bulletin board in regards to the application of the Army Corps of Engineers Wastewater Treatment Facility in Crosslake, Minnesota. Mayor requested that this be done.

Mayor Bieber reported on the Police Department's monthly reports for July with the three policement working 562.5 hours during the month of July. Police Chief Backdahl worked 200.5 hours, Officers Coulter 181.75 hours and Leonard 180.25 hours. Part-time volunteer officers put in 53.25 hours. There were 127 calls during the month of July.

The letter from the Chamber of Commerce Board of Directors was introduced where they requested they go on record as opposing the proposed zoning revisions reducing commercial frontage along the State Aid Highways. The Transcient Merchant vendor problem was given thought to in the letter with hope that the council would approve a city ordinance soon.

The League of Minnesota Cities is holding a regional meeting in Brainerd on September 22, at the American Legion Club, at 2:30 P.M. Mayor Bieber so stated that he would be attending and that City Clerk/Treasurer Diana Gallaway would also be in attendance. Opened it to the council if anyone was interested.

The misdemeanor statement submitted for payment was again introduced as well as a letter from Mr. Steven Rathke, County Attorney. Was requested that the costs of last years expenses be found as it had been so stated that this years expenses were increased 8% from 1982.

Region 5's 1982 Annual Report was introduced and suggested it be kept on file. It was the recommendation of the Mayor that a letter be sent to Ms. Kathy Gaalswyk, Executive Director of Region 5 thanking Region 5 for the services they rendered through this year with our Zoning problems and the application on the grant.

COMMISSIONS REPORTS- BUILDINGS: Councilman Nelson reported on the Community Center repairs and the painting contracted per the July mmeeting. Was reported that the repairs are complete and the painting is mostly complete. There were some problems in regards to the repairs done as some of the material used had knot holes, which have now been filled in, and are not near as noticeable. There was discussion between McCullough Construction representative, Brian McCullough and the council regarding the work accomplished. MOTION NO. 8R-10-83 was introduced by Councilman Nelson that we pay the bid for the repair of the Community Center. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 8R-11-83 was introduced by Councilman Nelson that we pay the painting bid per Motion of July meeting. SECONDED BY Councilman Anderson.

MOTIONNO. 8R-11-83 - continued:

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

PERSONNEL - Councilman Nelson reported on the meeting he had in regards to the salaries and wages of the employees and recommended a 4% salary increase. Reported that all agreed to the 4% except Mr. Hoag. This can be further covered at our special budget meeting.

Question regarding the call out of Maintenance Man, Patrick S. Hoag was introduced and to whom had the authority to do so. The Police Department in the past has called Mr. Hoag out when needed but question has been raised as to whether they need permission to do this. Mayor Bieber so stated that based on the meeting with the Road Commission Chairman Mr. Hoag should be able to go out where the situation would be warranted.

The situation of the Clerk/Treasurer hours with her son Matthew going to school and coordinating the time working in the office with such was requested and that she be allowed to change accordingly. Was suggested that this be worked out between Councilman Nelson.

CEMETERY: Nothing was reported.

FUNDING & FUTURE DEVELOPMENT: The Ordinance Changes were introduced for approval with the request from the Road Commission that there version of Section 3.30 on Minimum Road Standards be adopted. MOTION NO. 8R-12-83 was introduced by Councilman Arends that the Road Commission Section 3.30, page 38 of the Code Book, on Minimum Road Standards be accepted. SECONDED BY Councilman Anderson. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 8R-13-83 was introduced by Councilman Anderson that we accept the Zoning Ordinances as amended in regards to Section 3.30 and the changes incurred at the last meeting regarding the "grand-fathered" commercial business in a residential zone. SECONDED BY Councilman Arends. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 8R-14-83 was introduced by Councilman Arends that the Comprehensive Plan presented by the Funding & Future Development Commission be accepted. SECONDED BY Councilman Anderson. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Chairman Tom herschback presented the Rezoning changes for acceptance. MOTION NO. 8R-15-83 was introduced by Councilman Anderson that we eliminate all commercial zoning except that portion from County Road 3, City line south of town right straight up County Road 6 through to the North end of Crosslake. MOTION DIED FOR LACK OF A SECOND.

Discussion continued on the placement of our commercial property. MOTION NO. 8R-16-83 was introduced by Councilman Allen that our commercial property be from County Road 3 and County Road 36 to juncton County Road 3 and County Road 6 and extend up County Road 6 to the north section of Section 8 and to include the area between County Road 3 and County Road 6 in section 21, basically identified as Swann Property with other small tracts. SECONDED BY Councilman Nelson.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

Chairman Herschback addressed the Council in regards to the Commission and he expressed surprise with the Chamber of Commerce and the people of Crosslake and their action against the rezoning with all the time and planning spent on this project by the Funding & Future Development Commission. Mr. Herschback requested that his resignation be accepted from the Commission and that the Council should consider placing a local business man on the Commission. Mayor Bieber informed Mr. Herschback that his resignation from the Commission would be unacceptable as the Mayor feels that the Commission has done a good job and has accomplished a considerable amount. Requested to meet with Mr. Herschback regarding such.

PARK: Councilman Anderson reported on the Street Dance held in joint with the Fire Department and it's success.

Requested for Ms. Felber, Park Director, that she be allowed to attend a Marketing for Recreation and Leisure Services Symposium to be held August 15, 16 and 17 at the University of Minnesota. Requested \$50.00 registration fee, two nights lodging and mileage. MOTION NO. 8R-17-83 was introduced by Councilman Anderson that we allow the Park Director, Ms. Felber, to attend the Marketing for Recreation and Leisure Services Symposium for \$50.00 registration fee, two nights lodging and mileage. SECONDED BY Councilman Allen. Discussion continued regarding what the City would be benefiting from their employees attending such symposiums. Was felt that a policy should be made and was turned over to the Personnel Liaison Councilman Nelson. Upon roll call vote being taken Councilman Anderson, Allen and Nelson voted in favor and Councilman Arends and Mayor Bieber voted against.

PUBLIC SAFETY: Chairman Fraser, having not attended the last meeting turned his report over to Mayor Bieber. Mayor Bieber reported that the meeting in regards to the Ambulance Subsidy from other townships is set.

PLANNING & ZONING: Chairman Arends introduced two plats for approval. MOTION NO. 8R-18-83 was introduced by Councilman Arends that we accept the West Wood final plat and the roads as presented. SECONDED BY Councilman Anderson. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

MOTION NO. 8R-19-83 was introduced by Councilman Arends that we accept the Rushwood plat. Was explained that the outlot is a common driveway. SECONDED BY Councilman Nelson. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

A problem regarding the Timberline property was introduced in regards to the road alignment. Planning & Zoning Coordinator Mr. Alec Donaldson introduced the original plat as accepted by the City. Explained the existing road deviates from the plated road. The conditions of the plat developer are being asked to comply as accpeted. This road was not accepted by the City, therefore, the City has no jurisdiction over this road. Question was raised as to when a plat is accepted, isn't it a contract between the City and the Developer? Is the Developer bound to the plat as this was the accepted plat of the City? Was suggested that this be checked out with Mr. Randall Hanson, City Attorney. Placed with the City Clerk for further research.

The situation of the Earl Anderson garage, where a four foot variance was given and then rescinded, was presented by Mr. Anderson with an appeal to this decision. Mr. Anderson passed out background information in regards to the situation and the basic consensus was that it was mainly a misunderstanding of the situation and should be placed back with Planning & Zoning for resolution.

ROADS: A resolution requested by the Road Commission in regards to City employees and City equipment being used on private property was requested for approval that an Ordinance be adopted governing City Policies. MOTION NO. 8R-20-83 was introduced by Councilman Nelson that we approve the adoption of an Ordinance governing the City Policies with respect to the use of City employees and equipment on private lands. SECONDED BY Councilman Arens.

Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

A request was made that the Road Commission be allowed to advertise for bids on the Pine-Daggett Road improvements. MOTION NO. 8R-21-83 was introduced by Councilman Nelson that the Road Commission go ahead and advertise for bids per their specifications on the Daggett-Pine Road. SECONDED BY Councilman Allen.

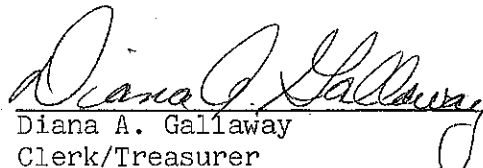
Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

TELEPHONE: Was reported that the City Attorney, Mr. Randall Hanson met with regards to the legal work for drafting the application for Cable T.V. and that basically we are ahead of schedule on this project. The anticipated overall expenses are still between \$400,000. to \$450,000. Question was raised regarding the services as to their extension to the Mission Township area. Was thought that this would be something to be considered latter.

OLD BUSINESS: Councilman Nelson reported in regards to the meeting with Mr. Gordon Haglund and the property discussed at the July meeting, The grant ends January 1, 1984 and Councilman Nelson proposed that we hold off on this discussion til our September meeting. Councilman Nelson did explain though that this piece of property could be sold for some purpose that Metro Inc. would approve of. It could be used for various items but requests that discussion wait till September.

MOTION NO. 8R-22-83 was introduced by Councilman Nelson that we adjourn. SECONDED BY Councilman Arens. Upon roll call vote being taken all members of the council voted in favor of said motion and Mayor Bieber declared the motion carried.

RESPECTFULLY SUBMITTED


Diana A. Gallaway
Clerk/Treasurer

R E S O L U T I O N

ADOPTION OF AN ORDINANCE GOVERNING
CITY POLICIES

WHEREAS, The City of Crosslake, does hereby resolve to adopt an Ordinance governing City Policies over City equipment, their use, and City employee's. Chapter and Section to be at the recommendation of the City Attorney, Mr. Randall Hanson, Hanson and Gustafson.

WHEREAS, The City of Crosslake, resolves that this Ordinance will incorporate the following rules and regulations to be enacted by the City Attorney, Mr. Randall Hanson, with a reading of such to follow at the proceeding council meeting.

-That City employees and City equipment are not to be used on private property to mow, road grade, or snow plow. Such services to be done only in case of emergency.

BE IT RESOLVED, that the City Council of the City of Crosslake, Minnesota go on record as agreeing to the adoption of such an Ordinance to be placed in the City Code book, per City Attorney recommendation with the City Attorney to make a legal draft and enactment of such Ordinance.

COUNCIL VOTING IN FAVOR:

5 AYE

COUNCIL VOTING AGAINST:

0 NAY

COUNCIL MOTION NO. 8R-20-83

DATED: Aug. 8, 1983

Diana A. Gallaway x Fred Bieber
Diana A. Gallaway, City Clerk Fred Bieber, Mayor