

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE
PUBLIC HEARING AND REGULAR COUNCIL SESSION
July 13, 1987
7:30 P.M. at City Hall

The City Council for Crosslake Minnesota met in a Public Hearing on Monday, July 13, 1987 at 7:30 p.m. in the Council Chambers of City Hall. The following members were present: Mayor Oliver Courts, Councilmembers Lyle Arends, Diana Gallaway and Olivier Yates. Absent was Councilmember Elizabeth Andolshek. There were approximately 18 members of the community present.

Mayor Courts called this Public Hearing to order at 7:30 p.m. and said the primary purpose of this Public Hearing was to act on Ordinance No. 14, Third Series dealing with charitable gambling. Mayor Courts said that at the last Council meeting a citizen informed the Council that the Charitable Gambling Newsletter said a City cannot ask that more than ten percent of the profit from a licensee be spent on or to defray expenditures of a city. Mayor Courts said he had City Attorney James Gammello check that out with the Gambling Board. Mr. Gammello informed Mayor Courts that a city can ask for more than that if that city does not increase its tax base or depend upon the revenue from charitable gambling as an additional source of revenue.

Clerk Arlene Buchite read the proposed ordinance aloud. Mayor Courts asked for comments from the Councilmembers or the citizens present.

Dean Eggena of the Crosslake-Ideals Lion's Club was present and said the Lion's Club is in favor of an ordinance. He said the membership requirements and spending a certain percentage of the profits within the City would not be a problem for the Lion's Club.

Mayor Courts indicated that at the last meeting it was mentioned to change the wording from "Crosslake community" to "Crosslake area" so as to include expenditures for the hockey association and school system. Because of the Crosslake students in hockey and in the school system it was the consensus of the Council that the contributions would be a benefit to some of the Crosslake residents no matter where it was used in this area.

Section 5 which deals with how many active members must reside in Crosslake and how many of the regular meetings must be held in Crosslake was discussed. MOTION NO. 7PH-01-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER YATES TO DELETE SECTION 5 OF THE PROPOSED CHARITABLE GAMBLING ORDINANCE. Discussion ensued with Councilmember Gallaway suggesting that the first part of Section 5 be left in the ordinance. MOTION NO. 7PH-02-87 WAS MADE BY COUNCILMEMBER ARENDS TO AMEND MOTION NO. 7PH-01-87 AND LEAVE "LAWFUL GAMBLING LICENSE IN THE CITY OF CROSSLAKE MAY ONLY BE GRANTED TO AN ORGANIZATION QUALIFIED UNDER MINNESOTA STATUTES, SECTIONS 349.11 TO 39.22" IN SECTION 5 OF ORDINANCE NO 14, THIRD SERIES DEALING WITH LICENSES FOR CHARITABLE GAMBLING. MOTION NO. 7PH-02-87 PASSED UNANIMOUSLY. MOTION NO. 7PH-01-87 PASSED UNANIMOUSLY.

Councilmember Gallaway asked to have Section 6 of the ordinance read again

for discussion. The proposed ordinance states that the reporting requirements are to have the licensee file a report within sixty days after the close of each annual licensing period with the City Clerk. It was the consensus of those present that filing a report after the close of each licensing period would be too late to refuse to issue a license for another year. Mr. Eggena suggested that the City could request copies of the reporting form which the licensees submit to the Charitable Gambling Board approximately two month prior to the renewal time. That way the City could review the expenditures and make their decision. There was some discussion of the City issuing a license along with the state license.

Mr. Eggena also asked if there was a reason why only "on sale" liquor establishments are granted licenses for paddlewheel, tipboard and pull-tabs pursuant to Chapter 3 of the Code of Ordinances. Chapter 3 of the Code book deals with planning and zoning and Chapter 4 deals with licensing. MOTION NO. 7PH-03-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO HAVE MAYOR COURTS MEET WITH CITY ATTORNEY JAMES GAMMELLO TO TAKE INTO CONSIDERATION ALL ITEMS DISCUSSED AT THIS PUBLIC HEARING DEALING WITH CHANGES IN THE PROPOSED ORDINANCE NO. 14, THIRD SERIES, CHARITABLE GAMBLING. MOTION PASSED UNANIMOUSLY. The Mayor will bring the revised Ordinance back to the Council for the August meeting.

MOTION NO. 7PH-03-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO ADJOURN THIS PUBLIC HEARING AT 8:15 P.M. MOTION PASSED UNANIMOUSLY.

Mayor Courts called this regular council session to order at 8:15 p.m. immediately following the Public Hearing. Those Councilmembers present were Oliver Courts, Mayor, Lyle Arends, Diana Gallaway and Oliver Yates. Absent was Councilmember Elizabeth Andolshek. Approximately 13 citizens remained for this regular session.

First item on the agenda was the Consent Calendar. MOTION NO. 7R-01-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER YATES TO APPROVE ALL ITEMS ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF THE JUNE 8, 1987 PUBLIC HEARING AND REGULAR COUNCIL SESSION; (2) MINUTES OF THE JUNE 24, 1987 SPECIAL COUNCIL SESSION; (3) THE CLERK/TREASURER'S FINANCIAL REPORT FOR JUNE, 1987; (4) THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR JUNE, 1987; AND (5) THE CABLEVISION'S FINANCIAL REPORT FOR JUNE 1987. MOTION PASSED UNANIMOUSLY.

CLERK'S REPORT - MOTION NO. 7R-02-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO PAY INVOICES CONSISTING OF: (1) LAMBERT WATER WELLS FOR \$10,399.00; (2) AMERICAN NATIONAL BANK FOR INTEREST ON THE IMPROVEMENT BONDS; AND (3) LEAGUE OF MINNESOTA CITIES FOR \$582.00 FOR DUES. MOTION PASSED UNANIMOUSLY.

Councilmember Gallaway asked about 4-M Funds. Clerk Buchite indicated they are paying 6.74 percent interest at present. MOTION NO. 7R-02-87 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO HAVE CLERK BUCHITE CHECK WITH DON ENGEN'S OFFICE REGARDING INVESTMENT OF FUNDS

IN THE 4-M INVESTMENT POOL WITH THE LEAGUE OF MINNESOTA CITIES AND IF MR. ENGEN SUGGESTS WE SHOULD GO AHEAD, CLERK BUCHITE DO SO IMMEDIATELY. MOTION PASSED UNANIMOUSLY. Mayor Courts said that the 4-M Fund is not a replacement fund but it pays a much higher interest rate at present and saves time expended on searching for other investments.

PARK - Councilmember Gallaway said since they had just received copies of the park policy she would like to table any action on it until she has time to review it.

PLANNING AND ZONING - Marlowe Kingstedt, Planning and Zoning Coordinator, said that the Planning and Zoning Commission discussed the letter from a citizen regarding the City liability for his improperly connected sewer system. Motion No. 6-6-19 of the Planning and Zoning Commission was to recommend to the City Council that they do not feel there is any liability on the part of the City on this situation and it would be a plumbers concern to have made the connection to the house.

Councilman Arends said that he would like copies of the receipts for the Planning and Zoning office so when they are over budget they know how much money has been taken in. Clerk Buchite indicated that would be no problem as ~~soon as~~ the new computer is up and running.

CEMETERY - Mayor Courts indicated that the new fence is in and is very attractive. He also said the work "cemetery" is misspelled but will be corrected.

PUBLIC SAFETY - Councilmember Gallaway asked about the new storm warning siren and was informed that it is mounted but we are awaiting an electrician to wire it. Police Chief Backdahl said the Council should also put some thought into when the siren should be set off. The Public Safety Commission will discuss this at their next meeting.

The ad in the Sheriffs magazine was discussed and it was determined that the City should not use taxpayers money for such ads.

Councilmember Gallaway asked about ambulance insurance coverage and was informed by Clerk Buchite that there has been no response to the letter that was sent requesting copies of their insurance. Councilmember Arends said he felt that the State of Minnesota would see that ambulances have adequate coverage.

TELEPHONE AND CABLEVISION - The Council was informed there will be a special council meeting on July 22, 1987 at 7:00 p.m. to review and accept/reject bids for the fiber-optic link with Consolidated Telephone South of Crosslake and Emily-Outing Telephone Companies North of Crosslake.

ROADS - Street Superintendent Pat Hoag said he was out bright and early on the morning of July 11 to clean the roads of the falled trees from the windstorm. Chief Backdahl said offical word was that it was straight-line winds in excess of 70 miles per hour.

FUNDING AND FUTURE DEVELOPMENT - Mayor Courts said the information is in the hands of the City Attorney for the closing of the new city hall. Tentative plans for closing are around the 20th of the month.

PERSONNEL - Mayor Courts indicated the Pat Hoag had received a copy of the minutes from the Minnesota Street Superintendents Association stating that part-time employees with over 67 days must receive full-time benefits. Clerk Buchite will check this out with the League.

MAYOR'S REPORT - Mayor Courts thanked the North Wedge for donating the flowers in the planters in front of City Hall.

There will be an open-house at the Focus Unit and Grace Unit at St. Josephs' Medical Center in Brainerd on July 22 from 10:30 a.m. to 2:00 p.m. All Councilmembers are invited according to the invitation received by Mayor Courts.

Mayor Courts stated that a letter has been received from the Department of Natural Resources approving Crosslakes Flood Plain Ordinance. Crosslake is now eligible for flood insurance and for low interest disaster insurance if the need arises. Mayor Courts thanked Mr. Kingstedt for all his hard work on the ordinance.

NEW BUSINESS - Carter Kuehn, Solid Waste Officer for Crow Wing County was not on hand for his presentation on the proposed compost plant to be located between Brainerd and Crosby. Mayor Courts said he received information saying that the Fifty Lakes Dump will be closed sometime in 1988 or 1989.

OLD BUSINESS - Mayor Courts indicated that he wanted the Council to consider hiring a city assessor locally and with the possibility of combining the office with that of planning and zoning coordinator.

Councilmember Gallaway said she had talked with several people and most of them feel they would rather have a local assessor. That way the citizens could come in and talk to him whenever they wanted and would not only have a one time shot with the Board of Review. Ms. Gallaway also feels this would be another paycheck in the City of Crosslake.

Mayor Courts said we may have a little better control of the monies and the taxes locally. MOTION NO. 7R-04-87 WAS MADE BY COUNCILMEMBER YATES AND SECONDED BY MAYOR COURTS TO HAVE COUNCILMEMBER GALLAWAY CHECK INTO THE FEASIBILITY OF HIRING AN ASSESSOR FOR THE CITY OF CROSSLAKE AT THE LOCAL LEVEL. MOTION PASSED UNANIMOUSLY. Councilmember Gallaway will bring a report back to the Council at the August meeting.

PUBLIC FORUM - Doris Fraser said the Historic Society would be having a fair on Saturday and Sunday from 1:00 p.m. to 5:00 p.m. and they would like for everyone to come.

Councilmember Gallaway asked if the City has received anything back from the Urban Development Action Grants office as yet. Clerk Buchite indicated she has nothing new to report.

CROSSLAKE CITY COUNCIL MEETING
PUBLIC HEARING AND REGULAR SESSION

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MOTION NO. 7R-05-87 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY
COUNCILMEMBER GALLAWAY TO ADJOURN THIS REGULAR COUNCIL SESSION AT 8:53 P.M.
MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:



Arlene A. Buchite
City Clerk/Treasurer