

COUNCIL PROCEEDINGS  
Crosslake, Minnesota  
REGULAR SESSION - July 11, 1983

The City Council of Crosslake, Minnesota met in a regular session on July 11, 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 30 members of the community present.

Mayor Bieber called the meeting to order and opened with having the Consent Calendar presented for approval. MOTION NO. 7R-01-83 was introduced by Councilman Anderson that the minutes of the regular council session of June 13, 1983 be approved. SECONDED BY Councilman Nelson. Discussion followed this motion with Mayor Bieber requesting that the minutes of June 13, 1983, with regard to the Park Funds being directed into the General Fund, include that no one objected to this decision. MOTION NO. 7R-01-83 was restated from Councilman Anderson to read that the minutes of the regular council session of June 13, 1983 be approved with the addition, in regards to the Park Fee's being placed in the General Fund, that the minutes include no one objected. 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.

MOTION NO. 7R-02-83 was introduced by Councilman Nelson that the Clerk-Treasurer reports for May/June be approved. SECONDED BY Councilman Anderson. Discussion followed regarding the accounts and their standing. Deputy City Clerk went through each department's accounts and explained each. Was also noted at this time the error placed on the Monthly financial report that was so corrected prior to the meeting in regards to the disbursement figure. Was requested that a verbal report on the accounts be given at each 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.

MOTION NO. 7R-03-83 was introduced by Councilman Anderson that the financial report from the Telephone Company be approved. 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.

CLERK'S REPORT - Deputy City Clerk, Diana Gallaway, introduced the request to destroy past liquor licenses/applications with the rule of meeting all State Statute's and controls set in regards to the destruction of such City records. MOTION NO. 7R-04-83 was introduced by Councilman Arends that we accept the Resolution to authorize the disposal of liquor licenses/applications according to any statutes or controls that must be met. 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 request for the transfer of dedicated funds from the Revenue Sharing Account to Account 12901 - Fire Hall Remodeling in the sums of \$2,377.23 for micellaneous vendors owed and \$1,763.00 for Mr. Mike Amsden for the Cement Slab and Labor to be reimbursed to the General Fund for these expenses. MOTION NO. 7R-05-83 was introduced by Councilman Anderson that we make the transfer of funds in the sums of \$2,377.23 and \$1,763.00 from the Revenue Sharing Account to be reimbursed to the General Fund Checking Account.

MOTION NO. 7R-05-83 continued -  
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.

Request of the transfer of funds from the Cemetery checking fund to the General Fund checking for Cemetery maintenance expenditures and supplies. MOTION NO. 7R-06-83 was introduced by Councilman Arends that we transfer the Cemetery Funds of \$361.68 to the General Fund in reimbursement of Maintenance and Supply expenses. 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.

The right to traverse authorization over Govt. Lot 5, Sec. 10, Twp. 137, Rge. 27 was introduced and Councilman Anderson explained the plat parcel and it's location. Was introduced that this is a parcel used as a road and maintained as such with the request that the City show written authorization to traverse across such property. MOTION NO. 7R-07-83 was introduced by Councilman Nelson that we approve the recommendation of the use of this road as covered in the memorandum in regards to the City of Crosslake authorizing the public the right to traverse that property described as Govt. Lot 5, Sec. 10, Twp. 137, Rge. 27. 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.

Deputy City Clerk requested the Council to correct Motion No. 4R-09-83 to include the Channel House set-up license renewal as it was excluded and per Liquor Control did have a license issued 1982/3. MOTION NO. 7R-08-83 was introduced by Councilman Nelson that we correct the renewal list on liquor license renewals to include the Channel House set-up license. 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.

Direction was requested as to the placement of the \$950.68 received from the City of Manhattan Beach on our Fire Service Contract for 1983. Discussion followed in regards to where these funds were usually placed, which was the Fire Department Equipment fund, feelings were expressed towards the placement of these funds into the General Fund. MOTION NO. 7R-09-83 was introduced by Councilman Arends that we place the Fire Service Contract funds received from the Manhattan Beach City into the General Fund. SECONDED BY Councilman Nelson. Upon roll call vote being taken Councilman Arends, Allen, Nelson and Mayor Bieber voted AYE and Councilman Anderson voted NAY. Mayor Bieber declared the motion carried.

The bill from Conrad Bye's office on the County legal cost for 1983 Misdemeanor's for \$928.00 was introduced for payment. Discussion followed regarding this bill and it was recommendation of the council that Mayor Bieber speak with Conrad Bye regarding the \$928.00 and resolve why the cost with only the receipt of a portion of the settlements.

MAYOR'S REPORT - Mayor Bieber introduced the grant of land by Mr. Gordy Haglund regarding the piece of property North of the Fire Hall that Mr. Haglund granted the City of Crosslake for the express use as some medical facility. This grant expired July 1 and Mr. Haglund has agreed to extend this grant if we would meet with him and discuss this situation and put into writing exactly what should be done with this piece of property. Councilman Nelson and Allen were directed that they and Mr. Haglund should meet and discuss this situation, set the regulations on this piece and get the grant extended. the land parcel size is 200' X 600'.

The temporary appointment of Anthony V. Mayer as Interim City Clerk was presented that the Telephone Commission is requesting that this term end and that he proceed with the Telephone Company business. MOTION-NO. 7R-10-83 was introduced by Councilman Arends that we terminate Anthony V. Mayer as Interim City Clerk August 1, 1983 and place Diana A Gallaway as City Clerk/Treasurer. 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.

Statement received from Mr. Randall Hanson for legal services rendered first half of 1983 at a cost of \$1,137.00 was introduced for payment. Councilman Arends stated that the portion of that bill relating to Planning & Zoning should be placed under Planning & Zoning costs. MOTION NO. 7R-11-83 was introduced by Councilman Arends that we pay Mr. Randall Hanson, City Attorney, the \$1,137.50 for his services rendered the first half of 1983. 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.

Mayor Bieber introduced a letter received from Lyle and Marlys Wagner of Birdhaven Resort in regards to the Zoning changes being presented by the Planning and Zoning Commission. Mayor suggested that this letter be presented to Mr. Herschbach with the recommendation that all such letters received by this Commission be grouped and held on file in regard to the zoning changes and the Public Hearings on such.

A request for back wage pay on Police call out by Mr. Wayne Schwartz was introduced. Police Chief John Backdahl had explained to the Mayor that on specific dates of January 1 and January 24 Mr. Schwartz may be subject to pay but that a notice was posted and signed by the employees that no compensated pay would be given for call out's and Mr. Schwartz did so sign this statement and agreed to no call out pay. Was discussed that possibly the \$67.80 should be paid for January as the statement of eliminating call out pay was not enacted until February. Legal opinion was discussed. MOTION NO. 7R-12-83 was introduced by Councilman Anderson that we table this decision. 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.

A letter from Mr. Randall Hanson regarding the potential liability the City might have incurred from the Zoning changes was introduced. Was suggested that a copy be given over to the Future Funding and Development Commission and the Planning and Zoning Commission.

The Ox Lake Landing situation was again reviewed by Mayor Bieber. The Mayor informed the council that he has engaged the service of Mr. Charles LeFevre of Leftler and LeFevre, Attorneys at Law. Was also

Mayor's Report - Ox Lake Landing Update - continued:

reported that the City of Crosslake had two choices to consider before a meeting with Mr. LeFevre, Mr. Coffman and the Council should meet and they are--is the City going to turn Mr. Coffman down and not go ahead with the project, which would still put us liable for the costs incurred by the Engineer work done by Widseth Smith and Nolting Assoc. and the monies expended on this project in 1982. Or, go ahead with the project. Once we decide which way we want to go a meeting will be set up with the attorney and have him explain the outcome of our choice. It was further noted that Mr. Coffman would not renew his letter of credit in regard to the project. Discussion continued regarding the reimbursement of the funds expended in 1982, do we receive the copies of the engineers report if we pay the bill and whether we should proceed with Coffman as far as getting the 1/2 mile of road from Dagget Pine Road to the project. MOTION NO. 7R-13-83 was introduced by Councilman Nelson that we set up a special meeting with Mr. Charles LeFevre and do so on the basis of settling up this situation with the Ox Lake Landing Road Project. SECONDED BY Councilman Arends. Upon roll call vote being taken Councilmen Allen, Arends, Nelson and Mayor Bieber voted AYE and Councilman Anderson voted NAY. Mayor Bieber declared the motion carried.

Mayor Bieber briefed the council on his study into a grant and information by Mr. Jim Oberstar regarding the government appropriated \$100,000,000.00 for underemployed areas for which we are considered. The Council was informed that discussions with Mr. Oberstar regarding our Road situation and the project, as described, was in order considering our unemployment rates. Mayor Bieber requested permission from the Council to grant him permission to pursue the grant and that the Council should consider which direction to go to match the funds granted, per pre-application being accepted. Mayor Bieber also recommended that we put in the grant the cost of updating our City Hall. MOTION NO. 7R-14-83 was introduced by Councilman Arends that Mayor Bieber go ahead with the pre-application to the Department of Commerce for a grant to help subsidize our road program and include in this grant the updating of City Hall. 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 also touched on the subject of budgets for 1984 and stated that these will be reviewed at the August 8, 1983 regular council session. Departments were advised to get their budget data into the Clerk's office. It was further stated that department's be advised to leave the salary area for Councilman Nelson, Personnel Liaison, recommendation and also that Mr. Conrad Bye, County officer, would look at our budget figures before final action is taken by the Council and make sure we are meeting our needs.

The Cable T.V. situation was reviewed as to the Council's decision to go ahead with the project. Now we have to make a report out to be submitted to the REA and the Communication Board for a franchise but we also need to make a commitment as to where the funds for this project will come from and at what interest rate. Reported that on a \$400,000. expenditure at 8% interest the Telephone Company would not be able to break even. At 6% interest rate the Telephone Company, after the second year, should realize a profit on the operation--these figures are based on starting off with a 400 subscriber list and going to 600 subscribers over five years. Based on using the 6% interest rate on \$400,000. it was figured that it would take 8 to 10 years to pay the money back. Figures are based on a \$10.00 customer charge on the regular cable operation and a \$10.00 customer charge on the movie

MAYOR'S REPORT - Cable T.V. - continued:

channel with 400 subscribers on the basic and 400 subscribers on the movie channel. Seasonal rates were discussed and the basic thought to that would be the same set up as the seasonal telephone rates. Investment returns were discussed and the connection of Cable T.V. with the Telephone Company were discussed. MOTION NO. 7R-15-83 was introduced by Councilman Allen that the funds be furnished from the Telephone Company funds, but not to exceed \$450,000., at an annual interest rate of 6% to cover the cost of the installation of Cable T.V. SECONDED BY Councilman Anderson.

Upon roll call vote being taken Councilman Allen, Anderson, Nelson and Mayor Bieber voted AYE and Councilman Arends voted NAY. Mayor Bieber declared the motion carried.

Mayor Bieber touched briefly on the subject of Personnel and turned it over to Councilman Nelson in regards to the budget and their salaries to be introduced at the next meeting. Would like to have an idea of what our compensation structure would be fore the year 1984 for the City Employee for budget input. Announced a Personnel meeting for Tuesday, July 19 for which salary figures will be discussed.

Mayor Bieber introduced at this time the Police Department's monthly report of hours worked by each employee and also that time given by the volunteer officers. Gas consumption was reported and the July schedule was introduced. These reports are open to the Council and Mr. Fraser, Public Safty Chairman.

The report from Mr. Randall Hanson, City Attorney, in regard to the Fire Service Contract on mutual aid was introduced as having incorporated everything except that he recommended we receive input as to which cities and townships are bound by this agreement.

Mayor introduced a letter from Mr. Randall Hanson, City Attorney, to a Mr. James Metcalf regarding Howe/City of Crosslake. Councilman Anderson reviewed the situation regarding the piece of property on Velvet Lake which when the County and the City of Crosslake vacated a road it inturn left a piece of property landlocked. It is now something that needs to be settled between Mr. Rockford and Mr. Howe and apparently Mr. Rockford is agreeable to allowing an easement to this piece of property. It is not a situation that the City of Crosslake should place themselves into an that the situation should be settled between Mr. Howe and Mr. Rockford.

Mayor briefly noted the receipt of notices from the County Planning Commission in regards to the Boyd Lodge. Also noted was the letter to Mr. Ken Montour regarding the trailers camping on his property sent by the Planning and Zoning Commission. Mayor Bieber continued with a brief note in regards to the use of City employees and City equipment being used for mowing the airport--explained that this was a one time situation and at no other time should City employee's or equipment be used for private property.

COMMISSION REPORTS - BUILDINGS - Councilman Nelson introduced the bids on the repair and painting needed at the Community Center opened at 6:30 P.M. prior to this regular session council meeting. Present were McCulloch Construction representative, F. A. Peterson Construction representative and Build-All Construction representative. Bids were read as follows:

McCulloch Construction  
Bid 1: \$1,431.00

F. A. Petersen Construction  
Bid 1: \$2,100.00  
Alt. : \$ 100.00

Build-All Construction  
Bid 1: \$2,270.45

COMMUNITY CENTER BIDS - continued

Bid 1 included the exterior repair of the Community Center per specifications. The alternate included the use of OSI adhesive or 2 1/2" trim head screws where there is insufficient backing for the siding.

McCulloch Construction  
Bid 2: \$3,377.00

F. A. Petersen Construction  
Bid 2: \$1,850.00

Build-All Construction  
Bid 2: \$2,150.75

Bid 2 included the exterior painting of the Community Center according to specifications.

It was further discussed that the alternate included under F. A. Petersen Construction was to be used in addition to the specifications on Bid 1. Discussion followed regarding McCulloch Const. as to his inclusion of the alternate and at what cost he would propose, was determined that \$150.00 extra cost was acceptable to McCulloch Const. MOTION NO. 7R-16-83 was introduced by Councilman Nelson that we accept McCulloch Construction bid of ~~\$1,431.00 plus the alternate cost of \$150.00 for the~~ repair contract at the Community Center. 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.

MOTION NO. 7R-17-83 was introduced by Councilman Nelson that F. A. Petersen Construction Bid 2 for the painting of the Community Center according to specifications with a bid of \$1,850.00 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.

The remodeling of the City Hall was discussed and noted that it would require a licensed engineer to administer the remodeling needs to include those needs of the handicapped. The \$8,000. in Revenue Sharing dedicated for this purpose will not suffice. Talk went towards the idea of selling the City Hall building and move to the Community Center. Was an idea to look into and the cost of an addition on the Community Center was discussed. The situation of the City Hall remodeling was tabled at this time.

CEMETERY - Councilman Arends reported that there were three burials this past month.

FUTURE FUNDING & DEVELOPMENT - Mr. Tom Herschback addressed the Council in regards to the Zoning changes and the public input still being received. The basic concerns were the grandfathered in commercial properties now being rezoned residential and the rezoning of commercial property with both highway and lake frontage.

It was the recommendation of the Future Funding and Development Commission and the Planning and Zoning Commission that the Council approve the Zoning Ordinance, the Comprehensive Plan and the Rezoning proposed for the City of Crosslake. It was decided that these items be tabled until the next meeting and that they be placed on the agenda for final decision.

PARK - Councilman Anderson reported on coupon books being distributed around town that offer discounts from area stores. Proceeds to be placed towards play ground equipment.

PARK REPORT - continued:

Councilman Anderson continued by announcing the co-sponsored street dance of the Fire Department and Park Department scheduled for August 6 from 8:00 p.m. to 1:00 a.m.

Councilman Nelson reported on the part-time help that he authorized for the Park working approx. 12 hrs. each week.

PUBLIC SAFTY - Mr. Fraser reported on the Public Service day to be held in conjunction with Crazy Days and will have exhibits, possibly open houses, etc. and would be handled by the Police Chief and our Fire/Ambulance Chief.

Announced the meeting with other municipalities in regards to the Ambulance was set for August 10, at 7:30 p.m. It was noted that the subsidy that the surrounding communities would contribute would affect our Tax Levy and reduce our taxes.

In regards to the concern expressed regarding the people parking on the sidewalk in front of Al's Marine and the Pizza House--Mr. Dayne Blanck will be painting No Parking Signs to eliminate this problem.

PLANNING & ZONING - No Report.

ROADS - Chairman Walt Kocon reported in regards to the Road Plan Objective they presented. Expressed that with the monies available in the budget and those dedicated that the City of Crosslake use these monies toward the construction of road 10-1 and 10-2 known as Daggett-Pine Road.

Also introduced at this time was the repair work needed on the Dream Island bridge. Discussions were introduced with Mr. Duane Blanck regarding the availability of money for bridge work.

The requirements of the road and the bridge work was discussed and a request to have Section 3 of the Code Book amended in regards to the minimum road standard. It was further recommended to the Council that City employees and City equipment not be used on private property to mow, road grade or snow plow. Such services to be done only in cases of an emergency.

The cost of the proposed road was estimated at \$32,000. per mile. MOTION NO. 7R-18-83 was introduced by Councilman Arends that the City of Crosslake advertise for bids on the cost estimate of one and one-half mile of road. Motion died for lack of a second. Discussion continued in regards to the fact that payment should be specified for after December 1, 1983. Also discussion followed in regards to the specifications on the road. Was determined to just have them come in and look at the road, state specifically what they plan to do and the cost that will be incurred. The bridge should be kept seperate from the road work. Discussion further continued in regards to the proposed Ordinance changes but was felt that these should be handled at the Road Commission meetings. MOTION NO. 7R-19-83 was introduced by Councilman Allen that the Road Commission be authorized to draw up a set of specs, get the easements necessary, and advertise for bids on doing the 8,625 feet of road known as 10-1 and 10-2 (Dagget-Pine

MOTION NO. 7R-19-83 - continued:

Road) with a fifty foot width clearing, 3 to 1 slope ditching and 2 feet depth where possible; culverts where needed and a driving surface of twenty feet wide with a 2" compacted bituminous surface and a 2' width gravel shoulder. 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.

TELEPHONE - No Report.

COMMITTEE REPORTS - POLICE - The monthly report already reported under the Mayor's report and the subject regarding the littering signs was directed and it was decided: MOTION NO. 7R-20-83 was introduced by Councilman Arends that we drop the issue of littering signs. 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.

PUBLIC FORUM - the subject of raw sewage being dumped on open fields was discussed. Discussion followed in regards to the County making up some instructions as to where raw sewage may be dumped. Was decided that Mr. Alec Donaldson, Planning & Zoning Coordinator should look into this situation as to who is dropping, how frequently and how many gallons with exactly what they are dumping.

MOTION NO. 7R-21-83 was introduced by Councilman Nelson that we adjourn. 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.

RESPECTFULLY SUBMITTED





R E S O L U T I O N

TO AUTHORIZE THE DESTRUCTION OF FILES  
PAST LIQUOR LICENSES/APPLICATIONS

WHEREFORE, The City of Crosslake, does hereby resolve that there is a need to dissolve past liquor licenses, of which have been found within the licensee's file's and past applications of such licensee's and bring each liquor licensee file up-to-date.

WHEREAS, the City of Crosslake, does hereby resolve that past liquor licenses and applications hereby held on file in the City of Crosslake Clerk-Treasurer's office should, with meeting of all State Statute's regarding the meeting of such statutes and controls hereby set in regards to the destruction of such City files, proceed with the destruction or liquidation of past liquor licenses and applications.

BE IT RESOLVED, that the City Council of the City of Crosslake, Minnesota go on record as agreeing to the dissolution of past liquor licensee's licenses and applications according to Minnesota State statutes and controls being met by the Clerk-Treasurer's office of the City of Crosslake.

COUNCIL MOTION NO. 7R-04-83

COUNCIL VOTING IN FAVOR: 5 AYE

COUNCIL VOTING AGAINST: 0 NAY

DATED: July 11, 1983

Anthony V. Mayer  
Anthony V. Mayer, Interim City Clerk

Fred Bieber  
Fred Bieber, Mayor

*City of Crosslake*  
ROUTE 1, BOX 1  
CROW WING COUNTY  
CROSSLAKE, MINNESOTA 56442

MEMORANDUM

TO WHOM IT MAY CONCERN:

The City of Crosslake hereby grants the public the right to traverse that property described as:

"All that part of Government Lot 5, Sec. 10, Twp. 137, Rge. 27, described as follows: Commencing at the northeast corner of said Government Lot 5 and running thence South 88 degrees 34 minutes west along the north line of said Government Lot 5 a distance of 294.51 feet to a point; running thence south 14 degrees 34 minutes 38 seconds west a distance of 65.35 feet to a point on the south right of way line of the public road, the point of beginning of the premises to be conveyed herein; thence continuing south 14 degrees 34 minutes 38 seconds west 110.41 feet to a point; thence running south 43 degrees 50 minutes 29 seconds west a distance of 269.55 feet to a point; running thence north 51 degrees 37 minutes 38 seconds west a distance of 100 feet to a point; running thence north 43 degrees 50 minutes 29 seconds West a distance of 100 feet to a point; running thence South 51 degrees 37 minutes 38 seconds East a distance of 33.70 feet to a point; running thence north 43 degrees 50 minutes 29 seconds east a distance of 158.64 feet to a point; running thence north 14 degrees 34 minutes 38 seconds east a distance of 65 feet, more or less, to the said south line of the right of way of the public road, running thence easterly 68.5 feet, more or less, to the point of beginning.

Subject to mineral reservations and County Ordinance regulations of record.

for the purpose of access to the contiguous land parcels.

Anthony V. Mayer  
Anthony V. Mayer, Interim City Clerk

Fred Bieber  
Fred Bieber, Mayor

DATED: 7-25-83

DATED: 7/30/83