

SPECIAL COUNCIL MEETING
CITY OF CROSSLAKE
TUESDAY, JANUARY 13, 2004
1:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Tuesday, January 13, 2004 at 1:00 P.M. The following Councilmembers were present: Mayor Darrell Swanson, Irene Schultz, Dick Phillips and Dean Eggena. Also present were City Administrator Tom Swenson, Police Chief Bob Hartman, Crosslake Communications General Manager Dennis Leaser, Community Development Director Ken Anderson and Park & Recreation Director Jon Henke. There were two individuals in the audience. Mayor Swanson called the special meeting to order at 1:06 P.M. and turned the meeting over to City Administrator Tom Swenson.

Tom Swenson stated that at its meeting earlier today the Personnel Committee approved a motion to recommend to the City Council the hiring of Paul Davis as Network Engineer at Crosslake Communications. Dennis Leaser informed the Council that 3 candidates were interviewed and 2 of the 3 were very qualified for the position. Dennis Leaser, Tom Swenson, Debby Floerchinger, Jared Johnson and Vice Chair of the Utility Commission Gerry Brine were on the interview committee. Councilwoman Schultz questioned what his background was. Dennis Leaser stated that Paul Davis had previously worked for Consolidated Telephone and had set up their internet system 6 years ago. A MOTION WAS MADE BY DEAN EGGENA, SECONDED BY IRENE SCHULTZ TO APPROVE THE HIRING OF PAUL DAVIS AS NETWORK ENGINEER AT CROSSLAKE COMMUNICATIONS. Mayor Swanson questioned how long Mr. Davis would have to move to the area. Dennis Leaser replied that Paul Davis has 1 year to move to the area, which is the length of his probation. AYES: ALL.

Tom Swenson read a memo dated January 13, 2004 from the Personnel Committee recommending to the City Council that the Crosslake Police Department be allowed up to 2 part time officers, not to exceed the budgeted amount of \$15,000.00. A MOTION WAS MADE BY DEAN EGGENA, SECONDED BY IRENE SCHULTZ TO APPROVE THE HIRING OF UP TO 2 PART TIME POLICE OFFICERS, NOT TO EXCEED THE BUDGETED AMOUNT OF \$15,000. Councilman Eggena questioned why up to 2 part time officers were requested. Chief Hartman replied that he needs the ability and flexibility to call an extra officer in emergencies. Councilman Eggena stated that he would, if necessary, modify his motion to state that the Police Chief could hire as many officers as he needed, just as long as the cost remains under \$15,000. Tom Swenson stated that although it is not required, Chief Hartman will bring the applications to the Personnel Committee before hiring. AYES: ALL.

Ken Anderson began by stating that the goal today would be to finish discussing Planned Growth Areas 1 and 2 and start discussion on Area 3 in the Draft Comprehensive Plan. Mr. Anderson met with his staff earlier today to talk about the proposed buffer zone surrounding Area 1 and whether the zone should follow lot lines. Mr. Anderson handed out a copy of an email he received from Attorney Paul Sandelin in response to this

question. Mr. Sandelin stated that there is nothing in state law that would prohibit the City from adopting zoning district boundaries through a method other than property or parcel boundaries. Mayor Swanson pointed out that the attorney also said the City should be careful in describing the boundary and make sure accurate maps are drawn to scale. Ken Anderson also noted that Mr. Sandelin stated, "If future development of the property (platting) is not consistent with the boundary established by the City, the City at that time may need to revisit the location of the district boundary and rezone/relocate the boundaries." This statement confirms the changes Ken Anderson said would need to take place at a previous meeting. Mayor Swanson questioned when the City will establish the boundaries. Ken Anderson replied that the Council will determine the timing.

Ken Anderson handed out to the Council a map of Area 1 with the changes requested at the last meeting. A discussion ensued regarding possible scenarios involving building before the zoning maps are changed or building a structure that is located partially in both the Limited Commercial and General Commercial zones. Councilman Eggena stated that anytime a building falls within the Limited Commercial zone, the Council would have to approve a Conditional Use Permit. A discussion ensued regarding the permit policy that the City uses today. Councilman Eggena stated that he recently purchased a property in the City with Cindy Holden that meets all the Commercial requirements, but they cannot begin construction for 2 months because of the meeting schedule and until a Conditional Use Permit is approved by the Planning and Zoning Commission. Councilman Eggena added that the requirement for every business to obtain a Conditional Use permit is not practical. Mayor Swanson summarized that the Council wanted to change the residential land use to a commercial land use in Area 1 and that as soon as the Comprehensive Plan is adopted, the zoning ordinances would be changed. Councilman Eggena suggested that the Zoning Maps and the Future Land Use Maps of the Comprehensive Plan be the same so that there is less confusion. Councilman Eggena questioned if the zoning in Area 1 could be all Commercial and have the Ordinance read that there is a 200 foot buffer that requires a Conditional Use Permit. Ken Anderson replied that he thinks it would be cleaner this way than having separate zoning districts. A discussion ensued regarding the correct language needed in the Ordinance. Terry Curtis, a member of the audience, stated that he worked on the HCP Committee and it was their thought that wherever two different zoning districts met, the property could be zoned with either district using Conditional Use Permits. Ken Anderson stated that he needs to study this 200 foot proposal and noted that other cities he has worked in have had problems in these type of mixed zoning areas. He also stated performance standards can be included in the ordinance requiring greater setbacks or more screening where commercial and residential districts meet. Councilman Eggena stated that it only is a problem if the City allows it to be a problem.

The discussion moved to the west side of Area 1, where a section of residential zoning sits among commercial zoning. In the future land use map, the Vangen residential use is shown with one lot residential and one lot commercial. Consensus was to designate both lots residential to correspond to the existing residential land use. There is also a lot designated as Parks/Open Space which currently has Zilka's business, Larson Electric, on the lot. The lot could be designated commercial which would create "spot zoning." The

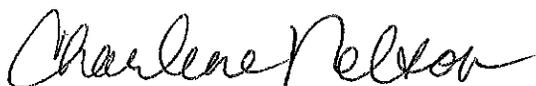
adjacent property is either urban residential or public use. Ken Anderson warned that if the City changes the land use to all commercial, the City may have to purchase that land if it becomes available. Councilman Phillips was not in favor of having to purchase land. Mayor Swanson suggested that the Council change the land use in the Comprehensive Plan to public and then discuss it further when the ordinance gets changed. Everyone was in favor of this.

The proposed land use of Area 2 on the Future Land Use Maps in the Draft Comprehensive Plan is Urban Residential, which currently allows the minimum lot size to be 20,000 square feet. Resident Larry Smith would like his property in this area to be zoned and have Rural Residential land use so that he could have 5 acres with animals. It was the consensus of the Council to have Area 2 be zoned Rural Residential. Councilman Eggena noted that on County Road 3 from downtown to Fifty Lakes the land is mostly undeveloped and that this would be a good place in the City to keep the hobby farm concept. Mayor Swanson noted that all the land beyond Area 2 is the Game Refuge. Mayor Swanson asked Ken Anderson to bring a copy of Area 2 to the next meeting that is enlarged so that the Council can decide where the zoning break should be, keeping the multi-family or urban residential land use available towards town and the golf course.

Ken Anderson stated that after talking to his staff this morning, they reminded him that the reason these four particular growth areas are being considered as growth areas is because they are in a good location to extend the City sewer system. He also said that the Town Square area was developed to limit the spread of commercial zones in the City. Councilman Eggena stated that in the 1980's there was one special interest group that tried to eliminate and monopolize commercial growth and he will not go along with that.

Another area that Ken Anderson wanted to address today was the area south of Manhattan Beach. Mr. Anderson handed out a current parcel map that showed the location of the current parking lot of the Manhattan Beach Lodge in Crosslake and explained that the parcel identification number is in Manhattan Beach. Mr. Anderson said that he would work with Manhattan Beach officials and the City Attorney to clarify this matter.

The next special meeting to review the Comprehensive Plan will be held on Tuesday, January 27, 2004 from 1:00 P.M. to 3:00 P.M. in City Hall. Mayor Swanson thanked Ken Anderson for his hard work and the good job he has done on the Comprehensive Plan. There being no further business at 3:00 P.M., A MOTION WAS MADE BY IRENE SCHULTZ, SECONDED BY DEAN EGGENA TO ADJOURN THE MEETING.
AYES: ALL.



Charlene Nelson
Deputy Clerk