

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, FEBRUARY 11, 2008
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, February 11, 2008. The following Council Members were present: Mayor Jay Andolshek, Steve Roe, Rusty Taubert, and Dean Swanson. Irene Schultz was absent. Also present were City Administrator Tom Swenson, Clerk/Treasurer Darlene Roach, Public Works Director Ted Strand, Park and Recreation Director Jon Henke, Police Sergeant Erik Lee, General Manager Paul Hoge, Community Development Director Ken Anderson, City Attorney Michael Couri, City Engineer Dave Reese, Chamber of Commerce Representative Ruth Ann Hanson, BLADC Representative Sheila Wasnie Haverkamp, Lynn Scharenbroich and Linda Ulland of the Paul Bunyan Scenic Byway Association, Northland Press Reporter Paul Boblett and Echo Publishing Reporter Betty Ryan. There were approximately thirty people in the audience.

A. CALL TO ORDER – Mayor Andolshek called the Regular Council Meeting to order at 7:03 P.M. A motion to accept the additions to the agenda was requested. MOTION 02R-01-08 WAS MADE BY DEAN SWANSON AND SECONDED BY STEVE ROE TO ACCEPT THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.

B. CRITICAL ISSUES –

1. Lynn Scharenbroich of the Paul Bunyan Scenic Byway Association appeared before the Council and handed out information regarding Byway sites in the Crosslake area, the value of the Byway to the community, how businesses and organizations can make a difference, Pod casts, projects currently in progress, future projects and request for future support. Ms. Scharenbroich noted that the popular Historic Mail Carrier presentation would take place again in 2008 and thanked the Council for its past support. Linda Ulland of the PBSBA addressed the Council and gave an update on a new brochure that they are working on. The brochure will address the question, “What’s in it for me?” A study will be done by the University of Minnesota to determine the impact the Byway has on local business and the results will be published in the brochure.
2. Ruth Ann Hanson of the Brainerd Lakes Chamber of Commerce appeared before the Council and gave an update on the St. Patrick’s Day celebration plans. The Blinkie Buttons are now on sale and include the purchase of a raffle ticket. The parade starts at noon this year and there is a new route. Information is available at area businesses.

C. CONSENT CALENDAR – MOTION 02R-02-08 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR: (1.) MINUTES OF THE REGULAR COUNCIL MEETING OF JANUARY 14, 2008; (2.) CROSSLAKE COMMUNICATIONS BALANCE SHEET AND INCOME STATEMENT/DETAIL OF RESERVE BALANCES DATED DECEMBER 31,

2007; (3.) CITY MONTH END REVENUE REPORT DATED DECEMBER 31, 2007; (4.) CITY MONTH END EXPENDITURE REPORT DATED DECEMBER 31, 2007; (5.) LAKES STATE BANK PLEDGE REPORT DATED JANUARY 2008; (6.) NORTHERN NATIONAL BANK PLEDGE REPORT DATED JANUARY 2008; (6.a.) LETTER DATED JANUARY 31, 2008 FROM NORTHERN NATIONAL BANK RE: CERTIFICATE OF ADOPTION OF DIRECTOR'S RESOLUTION; (7.) LAKEWOOD BANK PLEDGE REPORT DATED JANUARY 2008; AND (8.) FIRST FEDERAL SAVINGS BANK PLEDGE REPORT DATED JANUARY 2008. MOTION CARRIED WITH ALL AYES.

D. PUBLIC FORUM – None.

E. MAYOR'S REPORT – None

F. CITY ADMINISTRATOR REPORT –

1. City Bills for Approval – MOTION 02R-03-08 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO APPROVE THE BILLS FOR PAYMENT FOR FEBRUARY AS SUBMITTED IN THE AMOUNTS OF \$76,516.84 AND \$15,815.62. MOTION CARRIED WITH ALL AYES.
2. A memo dated January 29, 2008 from Darlene Roach regarding Tax Increment Financing reimbursement was included in the packet for Council review. Approval was requested to reimburse 90% of the incremental tax revenue received from Crosswoods Development TIF District 1-8 for the second half tax payment received in December 2007 and for the disbursement paid to the City from the County on January 25, 2008. MOTION 02R-04-08 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO APPROVE THE REIMBURSEMENT OF \$9,358.67 TO CROSSWOODS DEVELOPMENT FOR 90% OF TAX PAYMENTS RECEIVED BY THE CITY OF CROSSLAKE FOR TIF DISTRICT 1-8. MOTION CARRIED WITH ALL AYES.
3. Included in the packet for Council review was a memo dated February 5, 2008 from Darlene Roach regarding a request for a Wine License. Crosswoods Golf Course Inc. requested Council approval of a Wine License for the restaurant located at the golf course. Currently Crosswoods Golf Course Inc. has an On-Sale 3.2 Beer License. The Application for County/City On-Sale Wine License has been completed and all other documentation has been submitted to the City including liquor liability insurance, workers compensation insurance and payment of a pro-rated license fee of \$25.00 for the three-month period commencing April 1st and continuing through June 30th. A criminal history check has been conducted on all officers of the corporation and this check has resulted in satisfactory findings. MOTION 02R-05-08 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO APPROVE THE ISSUANCE OF A WINE LICENSE FOR THE RESTAURANT LOCATED AT CROSSWOODS GOLF COURSE. MOTION CARRIED WITH ALL AYES.
4. A memo dated February 5, 2008 from the City Administrator regarding a recommendation to approve a quote to install an automatic door opener on the City Hall front door was included in the packet for Council review. In January

2008 the City received final approval of a \$1,000 grant funded by the Help America Vote Act for the installation of an automatic door opener on the outside front door of City Hall. Attached to the memo were quotes from Gull Lake Glass and Brainerd Glass Company. MOTION 02R-06-08 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE THE INSTALLATION OF AN AUTOMATIC DOOR OPENER AT A COST OF \$2,200 BY GULL LAKE GLASS. MOTION CARRIED WITH ALL AYES.

5. A memo dated February 7, 2008 from the City Administrator and the Community Development Director regarding a recommendation to lease a copy machine was included in the packet for Council review. Attached to the memo was a quote from Marco for the purchase of a Sharp-MX M450UB Document System and a proposal to lease the system for 48 months or 60 months. This model is an upgrade of the current Sharp copier, which has been an excellent machine. With over 700,000 copies, the current machine is experiencing more frequent service calls. MOTION 02R-07-08 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO AUTHORIZE STAFF TO LEASE THE SHARP-MX M450UB DOCUMENT SYSTEM FOR 48 MONTHS FROM MARCO WITH FUNDS INCLUDED IN THE ADMINISTRATION AND PLANNING AND ZONING BUDGETS AND TO DECLARE THE SHARP AR-450 AS SURPLUS EQUIPMENT. MOTION CARRIED WITH ALL AYES.
6. Sheila Wasnie Haverkamp appeared before the Council and handed out the BLADC 2006-2007 Annual Report. Ms. Haverkamp thanked the Council for its past support and requested continued support for 2008. BLADC also requested that the City contribute to the 2020 Plan which incorporated strategic initiatives to proactively market Crow Wing County to targeted industries such as manufacturing, healthcare and professional operations. Steve Roe asked if BLADC is working with any companies from Crosslake. Ms. Haverkamp replied that she is currently working with a Crosslake company but no details were available. Dean Swanson asked if the EDA splits the cost of the agreement with the City. Tom Swenson replied that the EDA signs a separate agreement with BLADC. MOTION 02R-08-08 WAS MADE BY DEAN SWANSON AND SECONDED BY STEVE ROE TO APPROVE THE AGREEMENT FOR PROFESSIONAL SERVICES BY AND BETWEEN THE CITY OF CROSSLAKE AND THE BRAINERD LAKES AREA DEVELOPMENT CORPORATION FOR CALENDAR YEAR 2008 WITH A CONTRIBUTION OF \$2,100 AND TO APPROVE THE AGREEMENT TO SUPPORT ENHANCED ECONOMIC DEVELOPMENT MARKETING ENDEAVORS INCLUDING THE 2020 PROGRAM FOR CALENDAR YEAR 2008 WITH A CONTRIBUTION OF \$400. MOTION CARRIED WITH ALL AYES.
7. A request for a donation to the Pequot Lakes Grad Blast was included in the packet for Council review.
8. A request for a donation to the Pine River-Backus Grad Blast was included in the packet for Council review.

MOTION 02R-09-08 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO DONATE \$100 TO THE PEQUOT LAKES GRAD BLAST COMMITTEE AND \$100 TO THE PINE RIVER-BACKUS GRAD

BLAST COMMITTEE FOR 2008 GRADUATING SENIORS. MOTION CARRIED WITH ALL AYES.

9. Included in the packet for Council information was the contribution report from Crosslake – Ideal Lions for the period of 7/1/2007 to 12/31/2007.
10. A letter dated January 15, 2008 from the Crow Wing County Auditor regarding election dates and public meetings was included in the packet for Council information.

G. COMMISSION/DEPARTMENT REPORTS –

1. PARK AND RECREATION/LIBRARY –
 - a. Crosslake Park and Recreation/Library Commission Meeting Minutes of November 26, 2007 were included in the packet for Council information.
 - b. Fund Raising Committee Meeting Minutes of January 14, 2008 were included in the packet for Council information.
 - c. Park Director Jon Henke reported that the Community Center offers aerobics on Mondays, Tuesdays and Thursdays. AAA is sponsoring a senior driving 4-hour refresher class on February 14th from 9:00 A.M. to 1:00 P.M. The Community Center gym is reserved each weekday morning from 8:00 A.M. to 9:00 A.M. for walking. The Chautauqua program for February 13, 2008 at 1:30 P.M. will feature Jon Henke, Director of Parks and Recreation for the City of Crosslake and he will speak on the history of Parks and Recreation in the City of Crosslake and also explain what the Community Center has to offer. The Library started a Fathers Reading Program that is held on the first and third Tuesday of every month. The program is called Dad’s NFL (Night for Library) and will run from 6:30-7:45 P.M. The night will include story time, time to check out books and also gym time and snacks for both the dads and the kids. The program is free. The Community Center offers volleyball every Wednesday night from 6:30 until 8:45. The Crosslake Park Department is offering pond skating this winter. The pond is located directly behind the softball field. The snow will be cleared and the pond will be flooded on a daily basis or as needed. Signs are posted and parking space has been cleared next to the pond. There is also a second sheet of ice located next to the warming house. The warming house hours are from 4:15-8:15 P.M. Saturday and Sunday. The Park Department is offering an indoor soccer program Sunday afternoons from 3:30-4:30 P.M. for children in grades 6-9 and the cost is \$10.00. The Community Center will be open regular hours for President’s Day, February 18th. The AARP Tax Help program will start Tuesday, February 12th. Sessions are held Tuesday mornings from 8-12 through April 15th. Starting March 17th appointments will also be available from 8-12 on Mondays. Seniors who want to receive the Economic Stimulus Rebate will need to file a tax return. The AARP Tax Help program can answer questions and help fill out the necessary forms for that as well. The Crosslake Community Center received a donation of \$500 to go towards the purchase of a new refrigerator/freezer for the senior meal program. A thank you has been sent. \$800 is still needed to complete the purchase. MOTION 02R-10-08 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT

TO ACCEPT THE \$500 DONATION FROM CROW WING POWER COMMUNITY TRUST TO BE USED TOWARD THE PURCHASE OF A REFRIGERATOR/FREEZER FOR THE SENIOR MEAL PROGRAM. MOTION CARRIED WITH ALL AYES. Jon Henke requested acceptance of a donation from the Mille Lacs Band of Ojibwe. MOTION 02R-11-08 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO ACCEPT A \$1,000 DONATION FROM THE MILLE LACS BAND OF OJIBWE TO BE USED TOWARD THE PURCHASE OF BOOKS FOR THE LIBRARY. MOTION CARRIED WITH ALL AYES.

2. PUBLIC SAFETY –

- a. Sergeant Erik Lee reported 172 calls in Crosslake in January.
- b. A total of 36 calls were reported in Mission Township for January.
- c. MOTION 02R-12-08 WAS MADE BY STEVE ROE AND SECONDED BY DEAN SWANSON TO APPROVE RESOLUTION NO. 08-03 AUTHORIZING PARTICIPATION IN THE PERA POLICE AND FIRE PLAN FOR OFFICER JAY LORCH. MOTION CARRIED WITH ALL AYES.
- d. Included in the packet for Council information was a letter dated 2/11/08 from Breezy Point Police Chief Steve Rudek regarding recognition of Crosslake Police Officer Bobby Willard's assistance on January 19, 2008.
- e. The Crosslake Fire Department responded to 14 calls in Crosslake in January. Of those, 12 were medical calls and 2 were fire calls. Dean Swanson appreciated the year to date numbers included in the report.
- f. A memo dated February 5, 2008 from the City Administrator regarding 2008-2009 Fire Service contracts was included in the packet for Council review. The City of Manhattan Beach and the Township of Fairfield contract with the City of Crosslake for fire services. These contracts are reviewed and approved by the City Council each year and forwarded to the respective City and Township for renewal by April 1st. The cost of the contract is based on a percent of tax capacity for that portion of the City or Township covered by Crosslake. On August 23, 2007 the City Council approved an increase from 3% of tax capacity to 3-½% of tax capacity for the next renewal on April 1, 2008. In addition, for each fire call responded to by the Crosslake Fire Department, a charge of \$350 for the first hour and \$300 for each additional hour is billed to the City or Township. The amount is payable upon execution of the agreement between both municipalities. The amount due from Manhattan Beach for 2008 is \$11,440.49 and from Fairfield Township is \$19,556.22. MOTION 02R-13-08 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO APPROVE THE 2008-2009 FIRE SERVICE CONTRACTS AS PRESENTED FOR MANHATTAN BEACH AND FAIRFIELD TOWNSHIP. MOTION CARRIED WITH ALL AYES.

3. CROSSLAKE COMMUNICATIONS –

- a. Crosslake Communication's Bills for Approval – MOTION 02R-14-08 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY RUSTY TAUBERT

TO APPROVE THE DECEMBER 2007 BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNT OF \$252,569.21. MOTION CARRIED WITH ALL AYES.

- b. The Highlights Report for January was included in the packet for Council review. Paul Hoge reported that Crosslake Communications is now splicing on the ABC Drive project. The contract for the additional seven channels of digital programming and the additional four HD programs has been sent in. There is no price increase for the additional channels. Due to the high volume of traffic on Sunday mornings, the Advisory Board recommended that for safety reasons, the curbs on the Crosslake Communication's driveway be painted yellow and "no parking" signs be posted. MOTION 02R-15-08 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO DIRECT CROSSLAKE COMMUNICATIONS TO PAINT THE CURBS ON ITS DRIVEWAY YELLOW AND TO INSTALL NO PARKING SIGNS. MOTION CARRIED WITH ALL AYES. The CTC/Crosslake Telephone Directory will include an on-line directory this year. A link to the directory will be available from the Crosslake Communications web page. Because of the interest in the first meeting, another "Meet the Manager" meeting will be scheduled in April. The City Council set a Special Meeting on February 26, 2008 at 9:00 A.M. to review Crosslake Communications 2007 Audit.
 - c. Crosslake Communications Regular Meeting Minutes of January 29, 2008 were included in the packet for Council information.
 - d. The Customer Count Report was included in the packet for information only.
4. PERSONNEL COMMITTEE
- a. A memo dated February 7, 2008 from the Personnel Committee regarding a recommendation to remove a police officer from probationary status was included in the packet for Council review. At a meeting held on February 7, 2008, the Personnel Committee reviewed a memo from Chief Hartman regarding the removal of Police Officer Jake Maier from probationary status. A job performance evaluation was completed on Officer Maier and he has satisfactorily met the requirements of the job. In order to protect the health, safety, welfare and property of Crosslake residents, Ordinance No. 137 requires that employees of the City of Crosslake Police Department and Public Works Department shall reside in an area within reasonable proximity to the City. Tom Swenson stated that Officer Maier turned in documentation verifying his Crosslake address. MOTION 02R-16-08 WAS MADE BY RUSTY TAUBERT AND SECONDED BY DEAN SWANSON TO REMOVE JAKE MAIER FROM PROBATIONARY STATUS ON FEBRUARY 29, 2008. MOTION CARRIED WITH ALL AYES.
5. PUBLIC WORKS/CEMETERY/SEWER
- a. Public Works Commission Meeting Minutes of January 7, 2008 were included in the packet for Council information.
 - b. The January 2008 Wastewater Treatment Discharge Monitoring Report was included in the packet for Council information.

- c. A memo dated February 5, 2008 from the Public Works Commission regarding a recommendation to award quote for installation of standby power equipment at City Hall/Emergency Services Center was included in the packet for Council review. Dave Reese reported that four quotations were received and the apparent low quote was Electrical Systems, Inc. of Brainerd, Minnesota in the amount of \$21,130 and that it would take them three weeks to complete the project. Dean Swanson asked where the generator would be located. Tom Swenson replied that it would be located outside, behind City Hall, in the first reserved Police parking stall. MOTION 02R-17-08 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO AWARD THE INSTALLATION OF STANDBY POWER EQUIPMENT AT CITY HALL/ESC BUILDING TO ELECTRICAL SYSTEMS, INC. OF BRAINERD, MN PER THEIR QUOTE OF \$21,130. MOTION CARRIED WITH ALL AYES.
- d. Included in the packet for Council information was a letter dated February 5, 2008 from the County Highway Engineer regarding the annual bridge inspections.
- d.1. A letter dated February 7, 2008 from the County Highway Engineer regarding bridge maintenance was included in the additions to the agenda for Council information.
- e. A letter dated February 5, 2008 from WSN regarding a Feasibility Study for Sunrise Island Bridge was included in the packet for Council review. Dave Reese stated that a Feasibility Study is essential to determine if the existing bridge should be rehabbed or replaced. Basic engineering services in the study would include 1.) provide field topographic survey and locate existing bridge and roadway within existing right of way, 2.) provide preliminary vertical and horizontal alignments, which meet state-aid requirements and determine if additional right of way is required, 3.) review meeting with City, 4.) review option for box culverts and approach fill in lake with DNR, 5.) provide bridge type options with construction cost estimates for City review including rehabbing option with City funds, 6.) fill out funding application forms for City, and 7.) meet with City to review study. Engineering services would be billed on an hourly basis in accordance with the fee schedule. The design work will be completed four weeks from approval of contract. Dave Reese added that the Sunrise Island Bridge would be a good candidate to receive funding and that Crosslake is on the County's list of priorities for bridge funding. Tom Swenson stated that once the plans are complete, the City could continue applying for grants. MOTION 02R-18-08 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO APPROVE THE CONTRACT WITH WSN TO COMPLETE A FEASIBILITY STUDY FOR SUNRISE ISLAND BRIDGE. MOTION CARRIED WITH ALL AYES.
- f. An email dated February 7, 2008 from Lynn Peterson of the League of MN Cities regarding a transportation resolution was included in the packet for Council review. The Governor is seeking support for his transportation-bonding proposal, which includes \$225 million for local bridges and \$30 million for local roads. Although the Governor's proposal addresses a piece

of the overall transportation funding needed in the state, it is not a long term and comprehensive solution for our state and local transportation infrastructure needs, according to Mr. Peterson. The League of MN Cities is offering a draft resolution as an alternative to the Governor's proposal. The League's resolution acknowledges and supports a more comprehensive approach to transportation funding, which includes, but is not limited to, bonding. MOTION 02R-19-08 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY DEAN SWANSON TO APPROVE RESOLUTION NO. 08-04 REQUESTING COMPREHENSIVE ROAD AND TRANSIT FUNDING. Dean Swanson stated that he is in favor of increased transportation funding. MOTION CARRIED WITH ALL AYES.

6. PLANNING AND ZONING –

- a. Planning and Zoning Commission/Board of Adjustment Regular Meeting Minutes of December 21, 2007 were included in the packet for Council information.
- b. The January 2008 Permit Summary was included in the packet for Council information.
- c. A staff report dated February 11, 2008 from the Planning and Zoning Commission regarding a recommendation for Subdivision 2008-001, Park Dedication for the City of Crosslake was included in the packet for Council review. Subdivision 2008-001 approves the request of applicants Cary and Nikki Shoutz to carry out a metes and bounds subdivision splitting one residential lot into three residential lots in the Rural Residential zoning district. The Planning and Zoning Commission and the Parks and Recreation Director are recommending that cash in lieu of land be collected for the Shoutz Subdivision. MOTION 02R-20-08 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE CASH IN LIEU OF LAND IN THE AMOUNT OF \$5,573 FOR PARK DEDICATION FEES BE COLLECTED FOR TWO NEWLY CREATED LOTS FOR THE SHOUTZ SUBDIVISION. MOTION CARRIED WITH ALL AYES.
- d. A memo dated February 11, 2008 from Ken Anderson regarding a Planning and Zoning Commission request for Council direction regarding Metes and Bounds Subdivisions was included in the packet for Council review. On February 5, 2008 the Planning and Zoning Commission considered comments from the City Staff, City Attorney and City Surveyor suggesting that Chapter 3 of the City Code related to Metes and Bounds Subdivisions should be revised. There were many people in the audience at the Planning and Zoning Commission meeting that spoke against establishing a moratorium and in favor of continuing to allow Metes and Bounds Subdivisions in the City of Crosslake. Dean Swanson stated that he is not in favor of a moratorium but that the City needs to address the issue. MOTION 02R-21-08 WAS MADE BY DEAN SWANSON AND SECONDED BY STEVE ROE TO DIRECT THE PLANNING AND ZONING COMMISSION TO INITIATE AN ORDINANCE AMENDMENT TO CHAPTER 3 SUBDIVISION REGULATIONS, CONDUCT A PUBLIC HEARING AND FORWARD A RECOMMENDATION TO THE CITY COUNCIL FOR CONSIDERATION.

Steve Roe stated that two things should be in place before the Subdivision Ordinance is revised – the City’s Comprehensive Plan and the Road Transportation Plan. Dean Swanson stated that this issue takes a high priority. Mark Wessels addressed the Council and stated that the opposition is not only to the moratorium but to changing any part of the Ordinance because there is nothing wrong with the way it is. Mr. Wessels stated that the public does not want 66-foot wide roads and suggested that the Planning and Zoning Commission should take classes to learn about easements. Jay Andolshek listed the areas of concern that the Commission and Staff have regarding Metes and Bounds Subdivisions: 1.) Reducing the number of lots that may be created by Metes and Bounds Subdivision, currently set at two new lots, the remnant parcel, and a lot for access/right-of-way, 2.) Increasing the minimum size of lots that may be created by Metes and Bounds Subdivision to, for instance, ten acres as suggested by the City Surveyor, 3.) The relatively brief two-year period of time that must elapse between subdivision applications affecting the same parcel(s), 4.) Different standards that have been applied to Metes and Bounds Subdivisions versus the Preliminary and Final Plat process related to utilities, infrastructure improvements, and access and/or right-of-way dedication to serve future development areas on adjacent properties, 5.) Lengthy legal descriptions often subject to error and/or omissions, 6.) Difficulty in coordinating park, road, trail, and utility systems within and between subdivisions to develop an efficient, coordinated, and cost-effective system within the City limits and beyond, 7.) Neighborhoods may be negatively impacted when existing platted properties are changed via the Metes and Bounds process resulting in altered plat configurations, revised legal descriptions, and changes to local neighborhoods by increasing densities without conducting a public hearing, 8.) There has been an emphasis on granting easements only for limited access and/or utility purposes that has created corresponding title concerns and questions, and 9.) Recent changes in state legislation as it relates to the calculation of park dedication fees should also be reviewed and incorporated into the local ordinance.

City Attorney Mike Couri listed his concerns with the current ordinance: 1.) The current provisions require prior approval of the City Council for dedication of road right of way parcels, but there is no clear provision for how or when the City Council is to give prior approval. Does the Planning Commission refer the issue to the City Council for a decision on the road issue, followed by consideration again by the Planning Commission after the Council’s decision on the road dedication issue? 2.) The current ordinance contains no guidance as to what standards should apply in determining whether a road should be private or public. 3.) Private roads are essentially private easements. They generally do not give adjacent property owners (who are not part of the lot split) the right to use these easements. If, for example, public road access is not extended to the property to the north of the property splitting via Metes and Bounds, the northern property will never be able to plat (which requires public dedication of roadways) because it will have no access to a public road over the southern property. This will seriously hamper

sound development and will ultimately lead to underdevelopment of properties within the City, future requests for the City to condemn private land for public road access, or both. 4.) Private access easements are not easements for utilities. Public roads also double as utility easements for City utilities and quasi-public utilities such as electric and gas. While the current ordinance requires that private accesses be retained in common ownership, it does not specify what form that common ownership must take. Without access to utilities, adjacent properties would essentially be undevelopable. 5.) The current ordinance allows for the creation of two new lots (in addition to the remainder lot) from a parcel every two years. Over a period of six years, one lot can split into seven lots. This raises the issue of what this provision is intended to accomplish. In the long run, multiple lots are best managed via the platting process as this process allows for better planning for the ultimate development of the lots in question and the abutting properties. While most subdivision ordinances contain some sort of administrative lot provision, many of them are limited to one lot split every five years, and most usually contain a provision under which the City can require the lot split be platted if the Planning Commission or Zoning Administrator believe that platting should be required. The current ordinance encourages development without regard to how the proposed development fits into existing and future development in the area. Providing for a single administrative-type lot split over a period of years can still provide flexibility to the property owner without compromising the development potential of surrounding properties. 6.) With the recent amendment of State law to apply the township cartway statutes to cities, any landowner with five acres of property who does not access to a public road at least 33-feet wide can petition the City Council to establish a cartway (a public road at least 33-feet in width) over the land of others. While the City can require the petitioner to post a bond covering the costs of establishing the cartway, the City must establish the cartway. The cartway establishment process is similar to a condemnation in that the City must pay damages to the property owner over whose land the cartway is established, and the whole proceeding can end up in a trial in District Court. It is much easier and cheaper to plan, acquire and develop roads at the plat approval stage than it is to come in years later and try to retro fit a public road into an existing development situation.

Mark Wessels stated that he never saw a situation where someone could take his neighbor's land for a cartway. Attorney Couri stated that it happens all the time. Mark Wessels replied that Crosslake doesn't have these types of issues. Teri Jo Flynn-Gammon addressed the Council and stated that she disagrees with the City Attorney and that the lots available in Silent Oaks, Dancing Bear and Eagle Pass subdivisions are not selling because there are 66-foot wide roads. Ms. Flynn-Gammon suggested that the Council and Commissioners attend classes to learn more about subdivisions. MOTION CARRIED WITH ALL AYES.

- e. A staff report dated February 11, 2008 from Ken Anderson regarding a recommendation to adopt Ordinance Amendment 2007-007 relating to

nonconforming uses and structures was included in the packet for Council review. Ken Anderson stated that the City Administrator has been the recipient of an email writing campaign from realtors opposing adoption of this ordinance amendment. Ken Anderson explained that the essence of the changes to this ordinance is to bring the City Code, Chapter 8, Land Use Regulations in compliance with the State Statutes dealing with nonconforming uses and structures. The State Statute allows reconstruction of the existing building, but does not permit an expansion of the nonconforming structure. The City ordinance allows expansion and reconstruction of an existing nonconforming structure provided the encroachment that makes the structure nonconforming is not brought any closer to the required setback than that of the existing building. For example, if an existing cabin is 50 feet from a General Development lake that requires a 75-foot lake setback, the current City ordinance allows that building to be demolished and expanded to any existing setback requirement without a variance. This ordinance amendment clarifies the definitions of certain phrases and brings the ordinance standards into compliance with State law. The building may be reconstructed at its same size, but it shall not be expanded horizontally or vertically without first obtaining approval of a variance. Dean Swanson questioned if the City could be stricter than the State Statute. Attorney Couri replied that the City could have a more lenient ordinance if the building is located outside of the lakeshore area, however, if the property is on a lake, the courts expect cities to comply with State law. Attorney Couri strongly recommended the approval of this ordinance amendment. Attorney Couri also suggested adding the word "legal" to this ordinance in Section A, Continued Use, so that the sentence would read, "Any legal use of a structure, land and/or Planned Unit Development..." Steve Roe stated that he is concerned that the Ordinance does not clarify the difference between permanent and temporary structures. Attorney Couri replied that the use of the building would be grand fathered-in, not the structure type. Mark Wessels questioned what would happen if the City does nothing, whether the State has contacted the City regarding the Ordinance and if the State would sue the City for not complying with the State Statute. Sue Coulter addressed the Council and stated that because her home is 55 feet from the lake, she would not be able to make any changes or additions to her property if this ordinance passed. Ken Anderson replied that this is not true. The ordinance amendment would allow her to rebuild no closer than she already is to the lake and to use the same footprint from the original building. Ms. Coulter stated that she misunderstood the issue. Ken Anderson further explained that boathouses could be rebuilt provided they are not in the OHW and use the same building footprint. Mark Wessels argued that a property owner should be able to maintain any building, whether it is legal or not. MOTION 02R-22-08 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO APPROVE ORDINANCE AMENDMENT NO. 251 RELATING TO NONCONFORMING USES WITH THE SUGGESTED ADDITION OF THE WORD "LEGAL" AS PRESENTED BY CITY ATTORNEY COURI. MOTION CARRIED WITH ALL AYES.

MOTION 02R-23-08 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE THE PUBLICATION OF ORDINANCE AMENDMENT NO. 251 IN SUMMARY FORM IN THE OFFICIAL NEWSPAPER. MOTION CARRIED WITH ALL AYES.

- f. Included in the packet for Council review was a Staff Report dated February 11, 2008 from Ken Anderson regarding a recommendation to adopt Ordinance Amendment 2007-008 relating to corner-side yard setbacks. The purpose of the amendment will be to allow construction of dwellings and accessory structures at 10 feet from the lot line common to a lake access right-of-way. Currently the setback is 35 feet. The ordinance will still require a 35-foot setback if the "garage or accessory structure" actually uses the adjacent lake access right-of-way for access. MOTION 02R-24-08 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO APPROVE ORDINANCE AMENDMENT NO. 252 RELATING TO THE CORNER-SIDE YARD SETBACK FROM LAKE ACCESS RIGHT OF WAYS WITH THE PROPOSED CHANGES FROM THE CITY ATTORNEY. MOTION CARRIED WITH ALL AYES.

MOTION 02R-25-08 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO APPROVE THE PUBLICATION OF ORDINANCE AMENDMENT NO. 252 IN SUMMARY FORM IN THE OFFICIAL NEWSPAPER. MOTION CARRIED WITH ALL AYES.

- g. A staff report dated February 11, 2008 from Ken Anderson regarding a recommendation to adopt Ordinance Amendment 2007-009 relating to the definition and the performance standards of patios and decks was included in the packet for Council review. The proposed amendment would alter the definition of patios and decks to state that a patio is any platform improvement with an at-grade elevation. A deck will be considered a platform constructed with independent supports that elevate the floor above an at-grade elevation. The Commission has recommended the ordinance allow patios over 250 square feet. The amended ordinance specifies no limitation to the size of a patio that meets all structure setbacks except for the impervious coverage maximum. The size of a patio can be increased from 250 square feet to 400 square feet if it is approved by a conditional use permit and is located between the structure setback and shore impact zone. Ken Anderson suggested that it would be appropriate for the Council to further limit a patio within the bluff impact zone, bluff setback area and wetland setback area. Additional language changes are also proposed in Subd. 7, Performance Standards, B. and C. and require railings to promote public safety, health and welfare for both decks and patios under the specified circumstances. The proposed amendment also includes minor changes to the Accessory Uses, Subd. 4 C., swimming pool section, by prohibiting aboveground pools in the bluff setback. MOTION 02R-26-08 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE ORDINANCE AMENDMENT NO. 253 RELATING TO THE DEFINITION AND THE PERFORMANCE STANDARDS OF PATIOS AND DECKS AND TO

INSERT THE FOLLOWING UNDER THE PROHIBITED USES SECTION OF THE ORDINANCE: "PATIOS, IF LOCATED WITHIN THE SHORE IMPACT ZONE, BLUFF IMPACT ZONE, BLUFF SETBACK AREA AND WETLAND SETBACK AREA." MOTION CARRIED WITH ALL AYES.

MOTION 02R-27-08 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO APPROVE THE PUBLICATION OF ORDINANCE AMENDMENT NO. 253 IN SUMMARY FORM IN THE OFFICIAL NEWSPAPER. MOTION CARRIED WITH ALL AYES.

- h. An email dated February 6, 2008 from Laurie and Robert Herje regarding Subdivision 2006-005 was included in the packet for Council review. The Herje's received a letter from the City stating that their Subdivision 2006-005 from March 2006 was null and void because the conditions were not completed within 90 days. The Herje's have requested an additional 60 days to get the matter completed and pay all fees required to fulfill the requirements of the application. Tom Swenson stated that the 90-day limit was added to subdivisions because people were taking years to record them and urged the Council to not make it normal practice to make exceptions, if they allow an exception in this case. Ken Anderson recommended approval of a 60-day extension. MOTION 02R-28-08 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE RESOLUTION NO. 08-05 EXTENDING THE APPLICATION FOR SUBDIVISION 2006-005 FOR 60 DAYS. MOTION CARRIED WITH ALL AYES.
- i. Included in the packet for Council review was a staff report dated February 11, 2008 from Ken Anderson regarding Abra True Value appeal of Planning and Zoning Commission denial of Appeal 2007-002 to remove an internally illuminated, freestanding sign. Ken Anderson reported that the violation of the erection of a sign and land alteration without a permit is what brought this matter to the attention of the Planning and Zoning Department in 2007. The City Council tabled action on this item at its regular meeting in August 2007. Since that time Staff has been working with Tom and Colleen Ledin to address the nonconforming sign and other compliance issues at the property. The parties agreed it would be appropriate to address the Ledin's most recent proposal of a lot line adjustment to the Planning and Zoning Commission and to make a recommendation for the City Council to consider as part of the deliberations regarding this matter. The 60-day rule has been extended by mutual agreement to this meeting. The Planning and Zoning Commission unanimously recommended approval of the proposed lot line adjustment as shown on the Certificate of Survey. The approval was conditional in that 1.) the gravel area labeled to be removed on the Certificate of Survey shall be removed, 2.) the land alterations around the existing pond shall be completed as shown, and 3.) subject to a determination if a variance is needed for the wooden canopy structure and electrical and well agreements are taken care of. The proposed adjustment is intended to change the existing lot lines to allow the lots to remain as separate lots of record, yet still meet the City requirements for impervious coverage and setbacks. The Zoning Permit issued for the Abra Garden Center building was conditioned upon the two lots

being consolidated. The Ledin's would prefer to keep the lots separate for future options to sell or convey the properties to their sons. Staff's opinion is that a variance would be necessary to establish the lot line between the wood canopy and the hardware store due to the canopy setback of 8.75 feet versus the required 10 feet. The existing "shed", which is a garage, also requires a 10-foot setback and is currently 0.3 feet from the lot line. There is an accessory structure that is used as a greenhouse and a green, canvas/plastic covered structure that have been erected without permits. Neither structure is shown on the survey. There is also a gazebo for sale along County Road 3 that is not shown on the survey. It appears that the gazebo is within the 35-foot road setback for ingress/egress, utilities and the well site. The easements cannot be granted from a property owner to the same property owner. Since the properties are both owned by the Ledin's, the easements cannot be prepared and recorded. An additional E-911 sign and address should be assigned if the lot line adjustment is approved. The existing sign for the hardware store is nonconforming and was erected without a permit. If the lot line adjustment is approved, the Abra True Value Hardware business may have its own freestanding sign, but it cannot be internally illuminated or exceed 128 square feet. It must also be more than 5 feet from the lot line. MOTION 02R-29-08 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO TABLE THE ABRA TRUE VALUE HARDWARE MATTER AND DIRECT THE CITY ATTORNEY TO DRAFT A DOCUMENT FOR THE LEDIN'S TO SIGN WHICH WOULD EXTEND COUNCIL ACTION FOR 90 DAYS. MOTION CARRIED WITH ALL AYES.

- j. A memo dated February 11, 2008 from Ken Anderson regarding a Wetland Restoration Agreement for David Nevin was included in the packet for Council review. At the meeting of January 25, 2008 the Planning and Zoning Commission approved a Wetland Vegetation Restoration Plan prepared by Landecker and Associates for property located at 15024 Wilderness Trail. As part of the discussion, Mr. Nevin offered and the Commission agreed, that an agreement should be prepared requiring a \$15,000 financial guarantee be set aside for two years as well as allowing the City a temporary easement over the property to insure the restoration work is completed. The City Attorney has prepared the agreement that must be approved by the City Council and signed by the Mayor, City Clerk and David Nevin. Mr. Nevin was present at the meeting and stated that he is in agreement with the plan. MOTION 02R-30-08 WAS MADE BY RUSTY TAUBERT AND SECONDED BY STEVE ROE TO APPROVE THE WETLAND RESTORATION AGREEMENT AND AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE DOCUMENT. MOTION CARRIED WITH ALL AYES.

7. RECYCLING –

- a. Crosslake Roll-Off Recycling Report for January 2008 was included in the packet for Council information.
- b. The Waste Partners Recycling Report for December 2007 was included in the packet for Council information.

- c. A letter dated January 25, 2008 from Darlene Roach to the Solid Waste Coordinator requesting SCORE Funds was included in the packet for Council information.

8. ECONOMIC DEVELOPMENT AUTHORITY – None.

H. CITY ATTORNEY – Attorney Couri stated that his current projects include subdivision ordinances, the Koshiol appeal and catching up on other issues and reported that the findings of the Hummel Appeal were upheld at District Court. Steve Roe asked for the copy of the court report.

I. OLD BUSINESS – Mayor Andolshek stated that the Community Development Director and he met with Joe Oswald of the DNR and discussed pre-existing lots. Mr. Andolshek reported that Mr. Oswald would be agreeable to attend a future Council meeting to discuss the issue and explain why the DNR objects to the City Ordinance regarding pre-existing lots.

The Council took a short break from 9:57 to 10:00 P.M. while the City Attorney finished the agreement for the Ledin's to sign. MOTION 02R-31-08 WAS MADE BY STEVE ROE AND SECONDED BY DEAN SWANSON TO TABLE APPEAL 2007-004, ABRA TRUE VALUE FOR A MAXIMUM OF 90 DAYS. MOTION CARRIED WITH ALL AYES. The document was sign by Tom Ledin.

J. NEW BUSINESS – None

K. PUBLIC FORUM – None.

L. ADJOURN – MOTION 02R-32-08 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO ADJOURN THE REGULAR MEETING AT 10:15 P.M. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,



Charlene Nelson
Deputy Clerk

Deputy Clerk/ Minutes/2-11-08

BILLS FOR APPROVAL
11-Feb-08

VENDORS	DEPT		AMOUNT
Abra True Value, electrical tester	Fire		6.91
Ace Hardware, bonnets	PW		29.79
Ace Hardware, grill brush, paint rollers, water seal	PW		25.08
Ace Industrial, tape measures, power cord, safety triangle	PW		300.00
Ace Hardware, shelving supplies	Gov't		13.80
Ace Hardware, spray paint, sanddisc	P&R		7.22
Ace Hardware, hooks, fuses	P&R		12.75
Ace Hardware, oil filter, motor oil	P&R		21.23
Ace Hardware, hardware	P&R		1.52
Ace Hardware, conduit, toggle switch	PW		51.95
Ace Hardware, shelving, spring for gate	Gov't		81.01
Ace Hardware, fuel tank for pump	Fire		14.78
Ace Hardware, hardware, picture hanger	P&R		6.34
Ace Hardware, drill bits	P&R		6.38
American Welding Supplies, acetylene	OW		41.69
Applied Concepts, cast counting unit	Police		1,871.00
AW Research, water test	Sewer		104.40
AW Research, water test	Sewer		104.40
AW Research, water test	Sewer		104.40
AW Research, water test	Sewer		104.40
Batteries Plus, batteries	PW		101.18
Blue Lakes Disposal, trash removal	ALL		267.90
Bob Hartman, employee wellness program	P&R		40.00
Bob Hartman, reimburse for mileage	Police		190.89
Brainerd Medical Center, drug test	PW		20.39
Brainerd Overhead Door, thermaseal, door strut	PW		697.44
Brandanger Office Supply, attorney name plates	Gov't		34.54
Braun Intertec, drilling on ox lake road	PW		2,905.05
California Contractors, super wipes, pliers	PW		249.50
Char Nelson, employee wellness program	P&R		40.00
City of Crosslake, sewer utilities	PW/Gov't	pd 2-1	99.00
City of Nisswa, gas tank for pbt stimulator	Police		37.10
Council #65, union dues	ALL	pd 2-5	321.75
Crosslake Communications, phone, fax, dsl, cable	ALL	pd 1-15	1,404.87
Crosslake Communications, phone, fax, dsl, cable	ALL		1,575.74
Crosslake Portable Welding, weld bucket	PW		595.00
Crosslake Rolloff, recycling	Gov't		2,450.00
Crosslake Sheetmetal, repair capacitor	Gov't		127.57
Crow Wing County Auditor, reimburse tif funds	TIF		273.00
Crow Wing County Highway Dept, fuel	ALL		4,602.60
Crow Wing County Sanitary Landfill, trash disposal	P&R		16.15
Crow Wing County Treasurer, record notary commission	Admin		100.00
Crow Wing County Treasurer, 2007 audit confirmation	Gov't		30.00
Cuyuna Range FF Assn, annual dues	Fire		300.00
Deferred Comp	ALL		226.92

Delta Dental, dental insurance	ALL		1,242.05
Diamond Industrial Cleaning, clarity wash	PW		479.20
Donna Keiffer, aerobics session #2	P&R		264.48
Driver & Vehicle Services, copy of title	Police	pd 2-5	15.50
Echo Publishing, public hearing notice of 1-25-08	P&Z		28.80
Fire Relief Assn, reimburse for parts	Fire		28.88
Fisher Signs, reflective letters	PW		40.00
Fortis, disability	ALL		326.21
General Drivers Union Local #346, union dues	Police	pd 2-5	155.00
Grafix Shoppe, custom non-reflective kit for squad	Police		295.71
Holiday Station, diesel fuel	Fire		16.38
Houston Ford, oil change	Police		28.28
Houston Ford, oil change, filters	Police		76.92
Houston Ford, replace oil cooler line and hose, trans flush	Police		398.94
Jake Maier, reimburse for equipment	Police		300.00
Jay Andolshek, reimburse travel expenses	Council		32.25
Ken Anderson, reimburse travel expenses	P&Z		27.77
Law Enforcement Technology Group, in squad computer	Police		5,436.83
Mack Sales, repair spring	PW		1,722.68
Marsden, office cleaning	PW		596.40
Martin Communications, radio	PW		541.29
Martin Communications, radio	PW		601.99
Mastercard, Fleet Farm, radio, furnace filters, clock	PW		309.02
Mastercard, Highsmith.com, display case	Library		717.74
Mastercard, PC Connection, paper	P&Z		166.33
Mastercard, Riverside Inn, lunch with vista/literacy council	Library		34.96
Mastercard, Sportable Scoreboards, repair scoreboard	P&R		95.00
Mastercard, Target, needles, basketball nets	P&R		11.74
Mastercard, U of M, building officials course	P&Z	pd 1-23	170.00
MCFOA, 2008 conference registration	Admin	pd 1-23	200.00
MCFOA, membership dues	Admin		35.00
MCS Cleaning service, january cleaning	Gov't		772.13
Medica, health insurance	ALL		18,457.41
Menards, steel shelving	PW		141.07
Menards, steel shelving	PW		119.22
Menards, shelf, grinder, bulbs, cabinet	PW		145.97
Menards, frame, filters, hooks	P&R		52.08
Metro Fire, boots	Fire		132.42
Mike Amsden, reimburse for uniform, travel expense	PW		27.31
Mike Amsden, employee wellness program	P&R		20.00
Mills Motors, reinforcement for running boards	P&R		67.32
MN Benefits	Admin	pd 2-1	129.92
MN Chiefs of Police Assn, training registration	Police		150.00
MN DNR, license renewal	P&R		15.00
MN Fire Service Cert Board, firefighter 2 class	Fire		60.00
MN Life, life insurance	ALL		455.50
MN Rural Water Assn, conference registration	Sewer		300.00
MN Section CSWEA, conference registration	Sewer	pd 2-1	55.00
MPCA, wastewater training registration	Sewer		540.00
Napa Auto Parts, oil, fuses, terminals, side bars	PW		698.76
Napa Auto Parts, steps	PW		339.56

ADDITIONAL BILLS FOR APPROVAL
11-Feb-08

VENDOR	DEPT	AMOUNT
Ace Hardware, wall plate for thermostat	PW	2.12
Ace Hardware, paint	PW	9.04
Ace Hardware, charcoal, lighter fluid	PW	45.23
Ace Hardware, charcoal	PW	6.37
Alcohol Compliance Inspections	Police	280.00
Ameripride, mats	PW	118.14
AW Research, water test	Sewer	104.40
Cascade Computers, linksys switch, cables	Police	52.14
Crow Wing Power, electric service	ALL	8,016.09
Culligan, water and cooler rental	PW/Gov't	53.62
Grainger, reegulator	PW	109.61
Martin Communications, install mobile in silverado	PW	230.70
Martin Communications, repair radio in loader	PW	492.34
Mastercard, Amazon.com, books	Library	29.13
Mastercard, Barnes and Noble, books	Library	81.41
Menards, switch, electrical supply, wire stripper	P&R	11.78
Mills Motors, one ton trade in	PW	5,377.53
Northwood Turf and Power, drive shaft	P&R	438.70
Office Max, hanging folders, receipts	P&R	97.89
Triangle Oil, automatic nozzle	PW	89.46
Zee Medical Service, replenish 1st aid kit	PW	65.76
Ziegler, fuel filter	PW	4.47
Ziegler, filters	PW	99.69
		\$ 15,815.62

**CITY OF CROSSLAKE
RESOLUTION NO. 08-03**

**RESOLUTION AUTHORIZING PARTICIPATION IN THE
PERA POLICE AND FIRE PLAN**

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

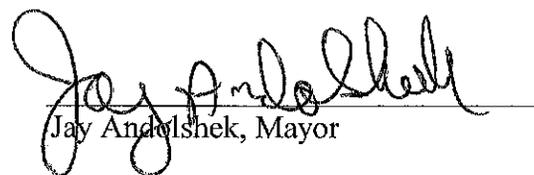
WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CROSSLAKE, MINNESOTA hereby declares that the position titled Part-Time Police Officer, currently held by Jay Lorch meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

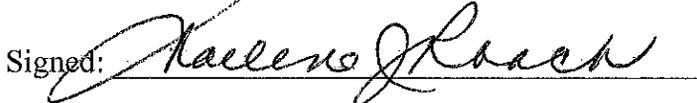
BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.


Thomas N. Swenson, City Administrator


Jay Andolshek, Mayor

STATE OF MINNESOTA
COUNTY OF CROW WING

I, Darlene J. Roach, Clerk of the City of Crosslake, Minnesota, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 11th day of February, 2008; the original of which is on file in this office. I further certify that four members voted in favor of this resolution and that four members were present and voting.

Signed: 

Date: 2/11/08

Crosslake Communications

Check Register - General Account

From December 1, 2007 through December 31, 2007

G.3.b.

Check #	Vendor Name	Date	Description	Amount
000763	INTERNAL REVENUE SERVICE	12/14/07	FED, FICA, MEDICARE	6,905.79
000764	PERA	12/14/07	PERA EE & ER	3,884.68
000765	MINNESOTA DEPT OF REVENUE	12/14/07	MN INCOME TAX WITHHELD	985.87
000766	GREAT WEST LIFE & ANNUITY INSU	12/14/07	DEFERRED COMP	7,994.32
000767	CITY OF CROSSLAKE (SEWER)	12/10/07	NOVEMBER SEWER	30.00
000768	INTERNAL REVENUE SERVICE	12/31/07	DECEMBER EXCISE TAX	1,731.76
000769	MINNESOTA DEPT OF REVENUE	12/31/07	DECEMBER SALES & USE TAX	9,178.00
000770	INTERNAL REVENUE SERVICE	12/28/07	FED, FICA, MEDICARE	6,828.03
000771	PERA	12/28/07	PERA EE & ER	3,250.00
000772	MINNESOTA DEPT OF REVENUE	12/28/07	MN INCOME TAX WITHHELD	1,171.29
000773	GREAT WEST LIFE & ANNUITY INSU	12/28/07	DEFERRED COMP	1,887.92
000774	CROW WING POWER	12/26/07	ELECTRIC SERVICE	3,226.51
022127	MN CHILD SUPPORT PAYMENT CTR	12/14/07	CHILD SUPPORT WITHHELD	49.83
022128	JC CHRISTENSEN & ASSOC INC	12/10/07	COLLECTIONS	66.24
022129	MINNESOTA DEPT OF COMMERCE	12/10/07	3RD QTR INDIR ASSESS & TRUEUP	1,392.91
022130	LARRY EVENSON	12/10/07	CAFE PLAN REIMB - BAL 17.36	727.28
022131	REED'S MARKET	12/10/07	DONUTS FOR CPNI TRAINING	17.38
022132	MINNESOTA TELECOM ALLIANCE	12/10/07	2008 DUES	5,159.00
022133	CROSSLAKE ROLLOFF	12/10/07	DEC/JAN DIRECTORY RECYCLE	110.00
022134	GOPHER STATE ONE CALL	12/10/07	LOCATES	169.65
022135	ONVOY, INC.	12/10/07	NETWORK SERVICES	5,283.40
022136	POWER & TELEPHONE SUPPLY	12/10/07	BRACKETS FOR PEDS-ABC DRIVE	473.32
022137	UNITED PARCEL SERVICE	12/10/07	WEEKLY SHIPPING & SHIPPING CHARGES	75.76
022138	CROSSLAKE COMMUNICATIONS	12/10/07	PHONE SERVICE & COMMUNITY CTR VOICE MAIL	778.09
022139	DEBORAH FLOERCHINGER	12/10/07	CAFE PLAN REIMB - BAL -0-	844.90
022140	CITY OF CROSSLAKE	12/10/07	OPERATING TRANS, LOT STRIPING, SPACE NEEDS STUDY	20,123.71
022141	QWEST COMMUNICATIONS	12/10/07	11/20 ACCESS CHGS MN-CSLK-20	131.72
022142	CITI LITES INC	12/10/07	LOCATES	993.13
022143	XCEL ENERGY	12/10/07	NOVEMBER NATURAL GAS	209.92
022144	BEVCOMM	12/10/07	NOV/DEC ANSWERING SERVICE	243.39
022145	AMERIPRIDE LINEN & APPAREL	12/10/07	RUG & TOWEL SERVICE	89.36
022146	BADGER COMMUNICATIONS CORP	12/10/07	EQUIP FOR CITY HALL & COMM CTR	924.87
022147	LYDIA SASSE	12/10/07	MILEAGE-MTAU TRAINING	72.75
022148	WHITEFISH AREA PROPERTY OWNERS	12/10/07	ANNUAL DUES	25.00
022149	MINNESOTA 9-1-1 PROGRAM	12/10/07	911, TAP & TACIP	1,775.17
022150	MN NCPERS LIFE INSURANCE	12/10/07	DEC LIFE PREMIUM #407202	64.00
022151	BRAINERD LAKES AREA CHAMBER	12/10/07	MEMBERSHIP DUES 3/08-3/09	555.00
022152	NATIONAL CABLE TELEVISION COOP	12/10/07	5 EA. S-VIDEO PATCH CORDS, SEM V8 ENCRYPTOR	7,287.25
022153	CENTRAL TRANSPORT GROUP LLC	12/10/07	4 EA DS1'S, 1 EA T3	3,708.32
022154	MERRILL LYNCH	12/10/07	FUND DEBT SERVICE RESERVE	38,769.75
022155	ASSURANT EMPLOYEE BENEFITS	12/10/07	DEC LONG TERM DISABILITY	232.70
022156	PINNACLE PUBLISHING, LLC	12/10/07	TELEPHONE DIRECTORY-4	2,374.63
022157	UNIVERSAL SERVICE ADMIN CO.	12/10/07	NOV FUSC CHARGES	1,913.37
022158	AMERICAN TELEVISION & COMM.	12/10/07	AFFILIATE PAYMENT	1,000.00
022159	FOX SPORTS NET NORTH	12/10/07	AFFILIATE PAYMENT	6,003.72
022160	MTV NETWORKS	12/10/07	AFFILIATE PAYMENT	7,144.54
022161	AZAR COMPUTER SOFTWARE	12/10/07	JAN-JUNE SOFTWARE SUPPORT	2,250.00
022162	TV GUIDE NETWORKS INC	12/10/07	AFFILIATE PAYMENT	664.71
022163	JOAN HARRELL	12/10/07	CAFE PLAN REIMB - BAL -0-	123.36
022164	MIKE'S ELECTRIC	12/10/07	GFI'S BY SINK	100.00
022165	D&H DISTRIBUTING CO.	12/10/07	ITEMS FOR RESALE, UPS FOR INTERNAL USE	846.73
022166	7SIGMA SYSTEMS, INC	12/10/07	CONSULTING SERVICES	5,220.00
022167	CORNERSTONE GROUP	12/10/07	DECEMBER NEWSLETTER	1,830.87
022168	CYNTHIA PERKINS	12/10/07	CAFE PLAN REIMB - BAL -0-	736.02
022169	ZONE TELECOM, INC.	12/10/07	NOVEMBER ACTIVITY	6,323.29
022170	CROSSLAKE ACE	12/10/07	MOUNT HDWR FOR SCREEN, BATTERIES, HITCHES, GLOV	244.22
022171	NATIONAL CABLE TEL COOP, INC	12/10/07	AFFILIATE PAYMENT	28,713.98
022172	EQUUS COMPUTER SYSTEMS, INC	12/10/07	PC'S FOR RESALE	4,410.25
022173	NATHANIEL J. PLANTE	12/10/07	CAFE PLAN REIMB - BAL -0-	63.28
022174	KARE 11 TV	12/10/07	AFFILIATE PAYMENT	187.40
022175	CBT, INC.	12/10/07	CABS POSTAGE	242.91
022176	WASTE PARTNERS, INC.	12/10/07	NOVEMBER TRASH REMOVAL	80.50
022177	DISCOVERY COMMUNICATIONS, INC.	12/10/07	AFFILIATE PAYMENT	218.30
022178	WEATHER CENTRAL	12/10/07	DEC DATA SERVICE - 6	125.00
022179	ROGER'S TWO WAY RADIO	12/10/07	PAGER	10.65
022180	IKON FINANCIAL SERVICES	12/10/07	COPIER LEASE-4	325.89

022181	ESPN	12/10/07	AFFILIATE PAYMENT	1.00
022182	PROPERTY 3, COLDWELL BANKER	12/10/07	TELEPHONE SYSTEM PURCHASE	1,100.00
022183	CROW WING COUNTY HIGHWAY DEPT.	12/10/07	OCT UNLEAD & DIESEL FUEL	846.69
022184	LOVELAND LLC	12/10/07	TREE PLANTING AT HUT	3,000.00
022185	RED LINE TECHNOLOGIES, LLC	12/10/07	FIBER SPLICING - TOWN SQUARE	1,224.00
022186	UNICEL	12/10/07	RECIP COMP 9/16-10/15/07	48.15
022187	IBEW LOCAL UNION 949	12/28/07	UNION DUES WITHHELD	375.14
022188	MN CHILD SUPPORT PAYMENT CTR	12/28/07	CHILD SUPPORT WITHHELD	49.83
022189	LAKES PRINTING	12/26/07	CPNI MAILING	1,913.67
022190	ONVOY, INC.	12/26/07	6264 PROGRAM, 0264 PROGRAM	46.55
022191	CITY OF CROSSLAKE	12/26/07	NEEDS ASSESSMENT	140.71
022192	PITNEY BOWES GLOBAL FINANCIAL	12/26/07	PRINTER CARTRIDGES	397.17
022193	CITI LITES INC	12/26/07	LOCATES	218.95
022194	THE OFFICE SHOP	12/26/07	COPY PAPER & CALC RIBB, PRINTER CART, STORAGE BX	292.78
022195	DELTA DENTAL PLAN OF MINNESOTA	12/26/07	JAN DENTAL PREMIUM	969.65
022196	MEDICA	12/26/07	JAN MEDICAL PREMIUM	14,853.35
022197	MN NCPERS LIFE INSURANCE	12/26/07	JANUARY LIFE PREMIUM #407202	64.00
022198	NATIONAL CABLE TELEVISION COOP	12/26/07	2 EA SA D9850 DIGITAL RECEIVER	1,818.52
022199	NEUSTAR INC.	12/26/07	SOW INVOICE M-10317087	123.92
022200	ASSURANT EMPLOYEE BENEFITS	12/26/07	JANUARY LONG TERM DISABILITY	232.70
022201	MINNESOTA LIFE INSURANCE CO	12/26/07	JANUARY LIFE PREMIUM	315.50
022202	NORCON BORING INC	12/26/07	CONTRACT PLOWS	309.37
022203	MART	12/26/07	2008 DUES	2,084.30
022204	UNIVERSAL SERVICE ADMIN CO.	12/26/07	DECEMBER FUSC CHARGES	1,913.37
022205	PLAYBOY ENTERTAINMENT GROUP	12/26/07	AFFILIATE PAYMENT	10.36
022206	PROSTAFF	12/26/07	CUST SERV TEMP HELP	285.12
022207	AT&T - DALLAS TX	12/26/07	PARS 12/1/07 - BAN 1499	773.20
022208	EQUUS COMPUTER SYSTEMS, INC	12/26/07	LAPTOP DRIVE FOR PAUL D, MONITOR & PC'S FOR RESALE	2,084.38
022209	GENSOFT SYSTEMS, INC	12/26/07	DECEMBER BILLING	7,047.48
022210	CBT, INC.	12/26/07	12/1 CABS POSTAGE	23.29
022211	MARSDEN BLDG MAINTENANCE LLC	12/26/07	DECEMBER CLEANING SERVICE	733.79
022212	DORSEY & WHITNEY, LLP	12/26/07	RE: ARVIG ISSUES	228.00
022213	SUITE SPACES, LLC.	12/26/07	PROJECTION SCREEN & BRACKETS	271.58
022214	LAKES PRINTING	12/26/07	CPNI MAILING	191.10
	TOTAL FOR GENERAL ACCOUNT			252,569.21
	COMPANY TOTAL			252,569.21

**CITY OF CROSSLAKE
RESOLUTION 08-04**

**RESOLUTION REQUESTING
COMPREHENSIVE ROAD AND TRANSIT FUNDING**

WHEREAS, all Minnesota communities benefit from a sound, efficient and adequately funded transportation system that offers diverse modes of travel; and

WHEREAS, the integrity of Minnesota's transportation infrastructure is dependent upon long-term planning and ongoing maintenance, both of which require dedicated and sustainable revenue sources; and

WHEREAS, Minnesota leaders have not increased dedicated funding levels for roads, bridges and transit systems to keep pace with growing costs and changing needs; and

WHEREAS, transportation analysts in consultation with the Minnesota Department of Transportation (MnDOT) estimate Minnesota will have to invest an additional \$1.5 billion per year in transportation infrastructure for the next ten years in order to meet identified needs on Minnesota's state highways and bridges, county roads, city streets, metro and rural transit systems and local bridges; and

WHEREAS, Minnesota's transportation system is failing to meet the capacity needs necessary to sustain population growth and promote economic development; and

WHEREAS, congestion, inefficient transportation systems and lack of transportation choices lead to greater dependence on foreign oil, increased environmental degradation, and economic disadvantages for Minnesota's businesses and residents; and

WHEREAS, many rural roads are not built to modern safety standards and are not meeting the needs of industries that depend on the ability to transport heavy loads; and

WHEREAS, local cost participation requirements for trunk highway and county projects are onerous and are contributing to strains on city budgets; and

WHEREAS, transportation infrastructure maintenance and improvement costs significantly contribute to rising property taxes; and

WHEREAS, insufficient state funding has delayed regionally significant road construction and reconstruction projects across Minnesota; and

WHEREAS, current funding for roads, bridges and transit systems across all government levels in Minnesota is inadequate, and this under-investment diminishes quality of life for Minnesota residents and hinders Minnesota's progress as a national business, economic and civic leader.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CROSSLAKE that this Council requests that the Minnesota Legislature pass a

comprehensive and balanced transportation funding package that permanently increases dedicated funding for transportation; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF CROSSLAKE that this Council requests that Governor Tim Pawlenty allow a comprehensive and balanced transportation funding package that permanently increases dedicated funding for transportation that is passed by the Legislature to become law; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF CROSSLAKE that this Council requests that a comprehensive and balanced transportation funding package be based upon multiple revenue sources, which may include but not be limited to general obligation and trunk highway bonds; and

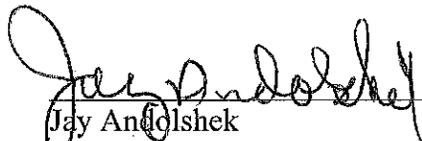
BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF CROSSLAKE that this Council supports funding options including, but not limited to, the following:

- An increase in the gas tax;
- Indexing of the gas tax, provided there is a limit on how much the tax can be increased for inflation in a given amount of time;
- Increases in vehicle registration taxes (a.k.a. license tab fees);
- Trunk highway bonding, provided the Legislature implements reasonable restrictions on the amount of debt service the state will incur and provided the Legislature appropriates funding to assist with local costs related to projects funded with trunk highway bonds;
- General obligation bonding for local roads and bridges, particularly for roads of regional significance and to assist with local cost participation requirements pertaining to trunk highway projects;
- Sales tax exemptions for state and local transportation construction projects; and
- New local funding tools, such as local option sales tax authority or authority to establish street improvement districts; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF CROSSLAKE that this Council defines a comprehensive and balanced transportation funding package as an initiative that permanently increases dedicated funding for state and local road and transit systems in Greater Minnesota and the Metropolitan Area.

ADOPTED by the Crosslake City Council on February 11, 2008.


Thomas N. Swenson
City Administrator


Jay Andolshek
Mayor

**CITY OF CROSSLAKE
CITY COUNCIL
RESOLUTION NO. 08 – 05
AUTHORIZING AN EXTENSION OF 60 DAYS FOR METES AND
BOUNDS SUBDIVISION 2006-005 FOR ROBERT HERJE**

Parcel ID Number(s): 1419400090AA009/120302300B00009

Legal Description: Part of Outlot A, West View Estates, along with part of the SW ¼ of the NW ¼, Section 30, Township 137 North, Range 27 West, Crosslake, Crow Wing County, Minnesota.

WHEREAS, a regular meeting and public hearing of the Planning and Zoning Commission/Board of Zoning Adjustment of the City of Crosslake, Minnesota, was held on the 24th day of March, 2006. Commissioners Peter Abler, Dale Melberg, Dave Andersen, Nancy Addington and Irene Schultz were present, and

WHEREAS, Nancy Addington introduced the attached Resolution PZ-2006-010, and moved its adoption, said resolution was seconded by Irene Schultz and was subsequently approved by a unanimous vote, and

WHEREAS, applicant Robert Herje *failed* to meet all requirements of PZ – Resolution 2006-010, including, but not limited to:

- 1) Making payment of \$5,000.00 cash in lieu of land for park dedication purposes,
- 2) Preparing and recording deeds establishing the parcels created by said metes and bounds subdivision number 2006-005 within 90 days of approval,
- 3) Reimbursing the City for all consultant fees within 90 days of subdivision approval,
- 4) Submitting to the City proposed easements described for roadway, drainage and utility purposes, with descriptions and document numbers shown and submitted on the final survey (prior to signing of deeds for the proposed parcels),
- 5) Submitting to the City staff and County Surveyor the proposed road name for the driveway accessing the proposed lots from Duck Lane,
- 6) Submitting an updated final survey to show 30-foot rear yard setbacks on Tracts B and C, and 20-foot side yard setbacks on Tract C, and
- 7) Submitting the Title Opinion to be approved by the City Attorney prior to signing of deeds for the proposed parcels.

WHEREAS, the applicant Robert Herje, has requested in writing that the Crosslake City Council approve an extension of 60 days to allow additional time to meet all required conditions in said PZ - Resolution 2006-010 in which the Planning and Zoning Commission approved Metes and Bounds Subdivision 2006-005, and

WHEREAS, the City Council is authorized to extend the time for payment of fees and submittal of legal descriptions as found in Chapter 3, Section 3.11, Subd. 2, Procedure, F, of the Crosslake City Code, which reads: "*F. Upon approval of the subdivision, the subdivider shall pay the required park dedication fee to the City and present a signed and notarized deed incorporating the legal description(s) from the Certificate of Survey. Failure to pay the park dedication fee and record a signed deed(s) within ninety (90) days shall void approval of the Metes and Bounds Subdivision unless such time is extended by resolution of the City Council.*"

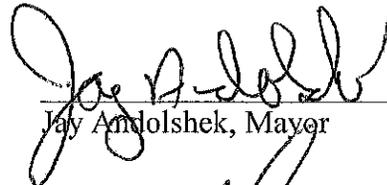
NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Crosslake authorizes an extension of 60 days (from February 11, 2008) to the Planning and Zoning Commission's approval of Metes and Bounds Subdivision 2006-005, for Robert Herje, provided all conditions of said approval by the Commission have been met on or before April 9, 2008.

The motion for adoption of the foregoing Resolution was made by Council Member Steve Roe and duly seconded by Council Member Rusty Taubert, and upon vote being taken thereon, the following voted in favor thereof: Jay Andoshek, Steve Roe, Dean Swanson, and Rusty Taubert.

The following voted against: None.

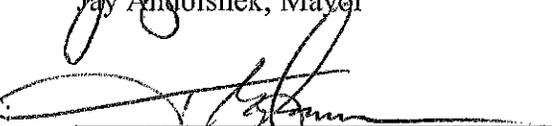
The following abstained from the vote: None.

APPROVED and adopted by the Mayor and City Council of the City of Crosslake this 11th day of February, 2008 by a 4/5ths vote.



Jay Andoshek, Mayor

ATTEST:



Thomas N. Swenson
City Administrator

Attachments

**CITY OF CROSSLAKE
PLANNING AND ZONING COMMISSION/BOARD OF ZONING
ADJUSTMENT
RESOLUTION NO. PZ-2006-010**

Parcel ID Number(s): 1419400090AA009/120302300B00009
Case Number: Subdivision 2006-005
Property Owner: Robert Herje
Legal Description: The property is described as part of Outlot A, West View Estates, along with part of the SW ¼ of the NW ¼, Section 30, Township 137 North, Range 27 West, Crosslake, Crow Wing County, MN.

Pursuant to due call and notice thereof, a regular meeting and public hearing of the Planning and Zoning Commission/Board of Zoning Adjustment of the City of Crosslake, Minnesota, was held on the 24th day of March, 2006. Commissioners Peter Abler, Dale Melberg, Dave Andersen, Nancy Addington and Irene Schultz were present.

Nancy Addington introduced the following Resolution PZ-2006-010, and moved its adoption:

WHEREAS, the applicant Robert Herje, is requesting approval of a metes and bounds subdivision to split two (2) lots into three (3) lots in both the R-3, Medium Density Residential and R-1, Low Density Residential zoning districts, and

WHEREAS, Tracts A and B of the proposed metes and bounds subdivision are partially located within the R-3, Medium Density Residential Zoning district, with proposed Tract C partially located within the R-1, Low Density Residential zoning district, and

WHEREAS, the proposed metes and bounds subdivision meets all minimum requirements of the R-3, Medium Density Residential and R-1, Low Density Residential zoning districts, along with the provisions of the Shoreland Management Act, and

WHEREAS, a copy of the proposed metes and bounds subdivision is attached hereto as EXHIBIT A, and

WHEREAS, the public hearing notice was published and mailed per ordinance requirements and said notice was forwarded to the Minnesota Department of Natural Resources and no comments were received from the agency.

NOW, THEREFORE BE IT RESOLVED, the Planning and Zoning Commission moves to APPROVE Metes and Bounds Subdivision 2006-005, for Robert Herje, due to the fact that the proposed subdivision meets all requirements of both City Ordinance and the Shoreland Management Act.

BE IT FURTHER RESOLVED, approval of the proposed metes and bounds subdivision is subject to the following conditions:

1. The subdivision shall be completed in full accordance with the plans submitted for the subdivision application.
2. The applicant shall pay the City \$5,000 cash in lieu of land for Park Dedication within 90 days of subdivision approval, and prior to the signing of deeds for the proposed parcels.
3. Deeds must be executed for all parcels, sold or unsold, within 90 days of subdivision approval.
4. The City of Crosslake shall be reimbursed for all fees coming as a result of services provided by the City Attorney, City Engineer, and City Surveyor within 90 days of subdivision approval and prior to the signing of deeds for the proposed parcels.
5. All future development must comply with City ordinance requirements.
6. The applicant shall have all proposed easements described for roadway, drainage and utility purposes, with descriptions and document numbers shown on the final survey prior to signing of deeds for the proposed parcels.
7. The proposed driveway from Duck Lane must be named due to the fact that it will serve more than two residential structures and shown on the final survey. The road name must be approved by the Crow Wing County Surveyor's Office prior to signing of deeds for the proposed parcels.
8. The improved surface of all driveways must be set back a minimum of ten (10) feet from property lines with the exception of the cross driveway between Tract A and C.
9. The final survey shall be updated to show 30-foot rear yard setbacks on Tracts B and C, and 20-foot side yard setbacks on Tract C.
10. The Title Opinion shall be approved by the City Attorney prior to signing of deeds for the proposed parcels.

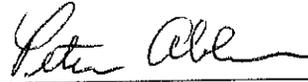
The motion for adoption of the foregoing Resolution was duly seconded by Irene Schultz and upon vote being taken thereon, the following voted in favor thereof: Abler, Schultz, Addington, Andersen and Melberg.

The following voted against: None.

The following abstained from the vote: None.

Approved and adopted by the Planning and Zoning Commission of the City of Crosslake
this 24th day of March, 2006 by a 5/5ths vote.

Attachments: Exhibit A



Peter Abler, Chair



ATTEST:

Kenneth R. Anderson
Community Development Director

