

**SPECIAL COUNCIL MEETING  
CITY OF CROSSLAKE  
TUESDAY, MARCH 30, 2004  
1:00 P.M. - CITY HALL**

Pursuant to due notice and call, the Council for the City of Crosslake met in a Special Session on Tuesday, March 30, 2004 at 1:00 P.M. at City Hall. The following Councilmember's were present: Mayor Darrell Swanson, Dean Eggena, Irene Schultz and Dick Phillips. Also present was City Administrator Tom Swenson, City Engineer Dave Reese, City Attorney Paul Sandelin, Sewer Chairman Dean Swanson, Community Development Director Ken Anderson, General Manager Dennis Leaser, Operations Manager Jared Johnson and Clerk/Treasurer Darlene Roach. There were three individuals in the audience.

Mayor Swanson called the special meeting to order at 1:00 P.M. Mayor Swanson reported that he received a telephone call from Representative Howes earlier this date and was informed that legislation has been introduced to allow for an exemption for the City which would allow for two way snowmobile traffic along County Road 66. Senator Ruud has also introduced this legislation and sees no problem with the bill passing. Regarding the Lake O'Brien boat access, the Commissioner of the DNR has written a letter that the location for the access on School Trust Property has been approved and that the access will be built. Howes stated that the separate library bill will not get approved, however, of the \$3M larger bonding bill, \$1½ M has been dedicated for towns who do not have a library and wish to construct one attached to another public building. This criteria fits the Crosslake plan and if approved a decision will need to be made as to how much Crosslake should ask for.

1. General Manager Leaser and Operations Manager Johnson were present at the meeting to review the Commission's recommendation to replace the existing tower on the Crosslake Communication property with a larger capacity, industry approved tower. Johnson stated that the existing tower does not meet OSHA requirements and the decision was made that if it is replaced a larger capacity base should be installed. The proposed tower would be constructed of galvanized steel installed at the same height as the current tower, but 30' east of the current location. The tower currently houses 21 antennas, 17 which serve Crosslake Communications. Three companies currently lease space on the tower, which generates revenue for the Company. Other companies have expressed interest in leasing tower space. Revenues could account for approximately \$40,000 to \$50,000 per year. Councilmember Phillips asked if the replacement tower was budgeted, however he noted that if the tower doesn't meet OHSA standards, the City really doesn't have a choice. Councilmember Eggena supported the tower replacement and looked at it as a great investment for future revenue streams. City Administrator Swenson asked if the tower would be lit and General Manager Leaser stated it was not required since it was under 200' but the light serves as a means of direction for many boaters on the lake and a light will be installed. Regarding color it was agreed that whatever is practical from a maintenance standpoint would be considered. Community Development Director Ken Anderson will set the date for the public hearing to hear the CUP request for April 23<sup>rd</sup>. MOTION 03S2-01-04 WAS MADE BY

DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO AUTHORIZE THE UTILITIES COMMISSION TO GO FORWARD WITH THE REQUEST FOR A CONDITIONAL USE PERMIT TO REPLACE THE COMMUNICATIONS TOWER AT CROSSLAKE COMMUNICATIONS AT A PUBLIC HEARING TO BE HELD APRIL 23<sup>RD</sup> AND IF APPROVED TO ADVERTISE FOR BIDS. MOTION CARRIED WITH ALL AYES.

2. Bills for Approval – MOTION 03S2-02-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN EGGENA TO APPROVE THE BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNT OF \$80,356.47. MOTION CARRIED WITH ALL AYES.
3. Renew 2004 Fire Service Contracts – The annual fire contracts with Manhattan Beach, Timothy Township and Fairfield Township are up for renewal and Council approval was requested on the proposed contracts. The cost of the contract is based on a percent of tax capacity for that portion of the City or township covered by the Crosslake. In addition, for each fire call responded to by Crosslake, a charge of \$350 for the first hour and \$300 for each additional hour is billed to the municipality. MOTION 03S2-03-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN EGGENA TO APPROVE THE FIRE SERVICE CONTRACTS FOR THE PERIOD OF APRIL 1, 2004 THROUGH MARCH 31, 2005 AS PROPOSED FOR MANHATTAN BEACH, TIMOTHY TOWNSHIP AND FAIRFIELD TOWNSHIP. MOTION CARRIED WITH ALL AYES.
4. Sewer Items – Chair Dean Swanson noted that the Sewer Committee met earlier this date and recommended two items for Council approval. The first item is a Community Sewer Start Up Notice including a sheet containing information on start-up, preparation for connection to City Sewer, Connection Fees and User Charges and Abandonment of Septage Tanks and Onsite Sewer Systems. City Engineer Dave Reese presented an update on the status of the construction process. Hammerlund Construction is waiting for the frost to come out of the ground and for road restrictions to be lifted. Some de-watering will be required prior to construction. Hammerlund Construction has requested a detour between Judy's House of Gifts to the junction of #3 and #66. They have given WSN a detour plan which has been reviewed with the County. WSN would like to meet with Hammerlund and the property owners prior to agreeing to the detour. If the detour is approved, traffic will be re-routed via Swann Drive for approximately one week. The plant construction is moving along well and everything should be ready for start-up. The MPCA has informed WSN that they have a candidate to fill the position in Brainerd and WSN is monitoring this hiring process closely. Start-up is scheduled for mid-May upon review by the MPCA with full start-up scheduled for June 1<sup>st</sup>. The MPCA will give the final approval for the City to start operations and this date will start the beginning of the one year period by which property owners in Phase I are required to hook up to the municipal system. Councilmember Phillips asked whether tank abandonment should be addressed in the newsletter and a bullet will be added addressing this issue. Councilmember Eggena questioned bullet number 4 dealing with connections being completed by on site sewer installers and it was recommended this option be deleted and wording revised to read that the sewer connections to City sewer shall be completed in accordance with the State Plumbing Code. Eggena noted that a sewer installer can be used, but a licensed master plumber must inspect the

connections. City Attorney Sandelin was directed to make the ordinance changes requiring that the sewer connection be completed by a licensed plumber and adding the requirement to abandon the on-site septic system simultaneously with connecting to City sewer. Councilmember Phillips asked if sump pumps should be included with bullet number 7 and it was agreed that they would be added. Councilmember Eggena asked if the permit should request the name of the licensed plumber and the Council agreed that it should be included. After some discussion regarding when the semi-annual connection charges would begin, the Council agreed to change the first semi-annual payment from July 1, 2004 to January 1, 2005. Changes to the newsletter will be made by staff and included in the Council packet for the April regular meeting along with the Ordinance Amendment which will be drafted by City Attorney Sandelin. City Engineer Dave Reese requested an amendment to the Engineering Agreement related to the Sewer Project which would provide for an additional \$20,000 for a number of unforeseen conditions which have arisen. Approximately \$40,000 remains of the budgeted amount needed to complete the project. City Administrator Swenson stated that the \$20,000 would come out of the \$380,000 contingency fund. With change orders that have been approved and others forthcoming, it was estimated that there is approximately \$250,000 to \$260,000 remaining in contingency funds. After some discussion, MOTION 03S2-04-04 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO APPROVE AN ADDITIONAL \$20,000 FOR WSN FOR SUPPLEMENTARY WORK REQUIRED TO COMPLETE THE SEWER PROJECT. MOTION CARRIED WITH ALL AYES.

5. Community Development Director Ken Anderson requested Council approval to set the public hearing for establishing a moratorium on PUD's for lakeshore properties. It was noted that an Ordinance Amendment needs to be adopted to establish the moratorium which was approved by the City Council at the Regular Council Meeting on March 9<sup>th</sup>. MOTION 03S2-05-04 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO SET THE DATE FOR THE PUBLIC HEARING ON PLACING A MORATORIUM ON PUD'S ON LAKESHORE PROPERTIES FOR APRIL 12<sup>TH</sup> AT 6:00 P.M. AT CITY HALL. MOTION CARRIED WITH ALL AYES.
6. A letter of resignation was received from Planner-Zoning Coordinator Maggie Leach and approval to advertise for the position was requested. MOTION 03S2-06-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO AUTHORIZE ADVERTISING FOR THE POSITION OF PLANNER-ZONING COORDINATOR. MOTION CARRIED WITH ALL AYES. It was noted that Carla Backstrom is out on maternity leave and could be called back as early as April 19<sup>th</sup>. This return from leave will be reviewed by the Personnel Committee at an upcoming meeting.
7. After a great deal of discussion, the Planning and Zoning Commission recommends to the City Council that the Ordinance be amended to allow existing single-family homes in the Commercial and Limited Commercial Districts as a permitted use. However, new homes will be a prohibited use in these districts. Regarding other types of uses which have come before Staff, the Planning and Zoning Commission wrestled with whether or not they should be permitted and recommended that the request come before the Council. Anderson stated that Staff has been working with two real estate firms regarding properties for sale in

the commercial district where the intentions of the business owners require the proposed business be located in the industrial zoning district. Based on these requests, it is recommended that a special meeting be held to review possible changes to the ordinance. Based on the recommendation from the Planning and Zoning Commission regarding single-family homes, MOTION 03S2-07-04 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO APPROVE AN ORDINANCE AMENDMENT WHICH WOULD ALLOW SINGLE FAMILY HOMES IN THE COMMERCIAL AND LIMITED COMMERCIAL DISTRICTS AS A PERMITTED USE AND TO INCLUDE PUBLISHING OF A SUMMARY OF SAID ORDINANCE. MOTION CARRIED WITH ALL AYES. Community Development Director Anderson stated that he does not anticipate having time to revise land use maps and etc. so the continuance of holding Comp Plan Meetings may need to be put on hold for a period of time. The Council agreed that Anderson will not have time to participate in meetings until at least one staff person is available, however the Council felt they could schedule work sessions to discuss what are allowable uses without CUP's and how non-conforming structures will be treated. A meeting was set for April 6<sup>th</sup> at 10:00 A.M. to discuss these two items. MOTION 03S2-08-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO ADJOURN THIS SPECIAL SESSION AT 3:17 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach  
Clerk/Treasurer

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**BILLS FOR APPROVAL**  
**30-Mar-04**

VENDOR	DEPT	AMOUNT
Ace Hardware, plunger	PW	6.91
Ace Hardware, box, cover	PW	2.74
Ace Hardware, batteries, trash bags	PW	22.42
Ace Hardware, ball, mount, hitch	PW	43.63
Ace Hardware, vhs cleaner	PW	9.57
Ace Hardware, tape	Fire	10.63
Ace Hardware, keys	Police	19.38
Ameripride, mats, dispenser	PW	97.55
Applied Concepts, video cameras	Police	15,436.00
Blue Lakes Disposal, trash removal	ALL	149.18
Bob Castle, stainless steel dumpster	Sewer	2,010.00
Bob Hartman, reimburse uniform	Police	106.15
Bruce Perkins Marine, hovver craft parts	Fire	49.98
Campion, Barrow & Assoc., public safety test	Police	375.00
Career Clothes, uniform	Police	50.60
Cascade Computers, evaqluate backup program	Admin/P&Z	295.00
Cellular One, cell phone charges	PW	28.06
Cellular One, cell phone charges	Police	269.67
Chief Supply, gloves, supplies	Fire	385.79
County Recorder, filing fees	P&Z	100.00
Crosslake Communications, phone, fax, cable, internet	ALL	866.90
Crow Wing County, fuel	ALL	534.88
Crow Wing County Highway Department, fuel	ALL	1,009.28
Crow Wing County Recorder, filing fees	P&Z	160.00
Crow Wing County Recorder, filing fees	P&Z	120.00
Crow Wing County Recorder, filing fees	P&Z	20.00
Crow Wing Power, electric utilities	ALL	3,388.52
Culligan, water and cooler rental	PW	22.65
Cuyuna Range Firefighter's Assn, 2004 dues	Fire	300.00
Dave Demcho, reimburse for travel and classroom expense	Fire	239.00
Door Service, Inc., deductible for replacement of doors	PW	250.00
Echo Publishing, envelopes	Police	48.02
Echo Publishing, public hearing 3-26	P&Z	81.25
Echo Publishing, employment ad	Fire	23.20
Echo Publishing, ordinance 189	P&Z	28.13
Echo Publishing, public hearing 3-30	P&Z	28.13
Election Systems & Software, city receipt book	Admin	58.87
Evergreen Electric, wiring to refeed treadmill and new cord	P&R	277.50
Fastenal, safety supplies	PW	126.27
Fitness Wholesale, dyna band roll	P&R	49.00
Honey Wagon, pump tank	PW	80.00
Ken Anderson, reimburse travel expenses	P&Z	148.39
League of MN Cities, workers comp	ALL	25,749.00
Little Falls Machine, key, spinner	PW	112.03
M R Sign, no parking signs	PW	196.92
Martin Communications, repair radio	PW	146.46
Martin Communications, repair microphone	Fire	77.21
Martin Communications, replaced knob on radio	Fire	40.06
Martin Communications, replaced reset switch	Fire	46.28

