

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, APRIL 9, 2001
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, April 9, 2001. The following Councilmembers were present: Mayor Darrell Swanson, Sandy Eliason, Charles (Chuck) Miller, Irene Schultz and Dean Swanson. Also present was City Administrator Thomas (Tom) Swenson, City Attorney Paul Sandelin, City Engineer Dave Reese, Community Development Director Paul Larson, Police Chief Robert Hartman, Park and Recreation Director Jon Henke, Public Works Director Ted Strand, General Manager Kevin Larson, Clerk/Treasurer Darlene Roach and Lake Country Echo Reporter Betty Ryan. There were approximately fifteen individuals in the audience.

- A. **CALL TO ORDER** – Mayor Swanson called the Regular Meeting to order at 7:00 P.M.
- B. **CRITICAL ISSUES** – None
- C. **CONSENT CALENDAR** – MOTION 04R-01-01 WAS MADE BY CHUCK MILLER AND SECONDED BY SANDY ELIASON TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF MARCH 1, 2001 JOINT UTILITIES COMMISSION/COUNCIL MEETING; (2) MINUTES OF MARCH 12, 2001 REGULAR COUNCIL MEETING; (3) MINUTES OF APRIL 5, 2001 SPECIAL COUNCIL MEETING; (4) CROSSLAKE COMMUNICATIONS TELEPHONE FINANCIAL REPORT FOR FEBRUARY 28, 2001; (5) CROSSLAKE COMMUNICATIONS CABLEVISION FINANCIAL REPORT FOR FEBRUARY 28, 2001; (6) CITY MONTH END EXPENDITURE REPORT FOR FEBRUARY 28, 2001; AND (7) CITY MONTH END REVENUE REPORT FOR FEBRUARY 28, 2001. MOTION CARRIED WITH ALL AYES.
- D. **MAYOR'S REPORT** – Mayor Swanson read a Proclamation declaring Friday, May 11th and Saturday, May 12th as Poppy Days in the City of Crosslake. Citizens were urged to wear a memorial Poppy as a symbol of their deep appreciation for the services rendered by our nation's veterans. MOTION 04R-02-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON ADOPTING THE PROCLAMATION DECLARING MAY 11TH AND 12TH AS POPPY DAYS IN CROSSLAKE. Darlene Back of the American Legion Auxiliary presented the Mayor with a poppy which is the official memorial flower of the American Legion Auxiliary, Veterans of Foreign Wars and the Veterans of Foreign Wars Auxiliary. The American Poppy pays respectful tribute to those killed in war and benefits living veterans and their families. MOTION CARRIED WITH ALL AYES.
- E. **CITY ADMINISTRATOR REPORT** –
 - 1. Memo regarding Competition BBQ, Inc.'s Application for an On-Sale Beer License and On-Sale Wine License – Competition BBQ, Inc. submitted an application for an On-Sale Wine License and an On Sale

Beer License for Famous Dave's Restaurant effective June 1, 2001. All required documentation has been provided to the City and a criminal history check conducted on both officers of the Corporation came back clear. MOTION 04R-03-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE APPLICATION FOR AN ON-SALE WINE LICENSE AND AN ON SALE BEER LICENSE FOR COMPETITION BBQ, INC. FOR FAMOUS DAVE'S RESTAURANT. MOTION CARRIED WITH ALL AYES.

2. Relocation of Off-Sale Liquor License for Seeker's Cedar Chest Off Sale, Inc. – Michael Seeker, President of Seeker's Cedar Chest Off Sale, Inc., requested approval to relocate his current off-sale license to a new location. The new location is on property owned by Bill Reed. A letter from Jamie Reed states that Reed's Market is in the process of building a 4,224 square foot building with the intention of leasing to Seeker's Cedar Chest Off Sale Inc. upon completion. A copy of a site plan showing the proposed location of the building along with a copy of the zoning permit was included with the letter. MOTION 04R-04-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE RELOCATION OF THE OFF SALE LIQUOR LICENSE FOR SEEKER'S CEDAR CHEST OFF SALE, INC. City Attorney Paul Sandelin explained how the Ordinance permits the Council to authorize a transfer of a current license held by the current owner. Discussion ensued among the Council regarding this issue. Councilmember Miller stated that Moonlite Square's request to transfer an off sale liquor license to their location was denied by a previous Council. Councilmember Schultz asked if the situation with Moonlite Square was a transfer or a change of ownership. Councilmember Eliason asked if the Seeker's would be operating the business at the new location. City Attorney Sandelin stated that the Seeker's would be responsible for the operation of the liquor store if the transfer was approved by the Council. Councilmember Miller asked if approval would mean separating the licenses which are currently located at one site. City Attorney Sandelin stated that the licenses are already considered separate. Mike Seeker addressed the Council and stated that he had originally intended to build a liquor store on property owned by him next to the Cedar Chest, however, changes in zoning setbacks prevented him from constructing a building at this site. Mr. Seeker stated he would retain ownership and run the business. Councilmember Miller stated that his objection was not with the Seeker's or the Reeds' but with the fact that Moonlite Square was turned down on a similar request. Councilmember Miller stated that this was not an attempt to control the number of businesses in the City or anything personal against the owners. Councilmember Eliason inquired as to whose license Moonlite Square was obtaining and she was informed that it was the license currently held by The Exchange. Mike Wiebolt of Moonlite Square addressed the Council and stated that three to four years

ago, Moonlite Square did approach the Council and request a transfer. This request was denied. Mr. Wiebolt stated that he was not aware that the Seeker's and Reed's were on the agenda for this evening's meeting to request a transfer and wished the applicants well, however, did feel that the Council would be setting a precedent if the transfer was approved. Councilmember Swanson did not feel it would be a bad precedent to set if someone wants to exercise their right to move their business to a new site. Councilmember Eliason asked how many licenses were inactive. City Administrator Swenson stated that would be difficult to determine since all but one off-sale license is within the premises of the on-sale licenses. City Attorney Sandelin stated that the City does have the option to combine licenses, however, the City has not chosen to do so. Councilmember Miller asked that the Council be consistent with their decision. MOTION WAS AMENDED TO INCLUDE "UPON COMPLETION OF THE BUILDING." MOTION PASSED WITH MAYOR SWANSON AND COUNCILMEMBERS SWANSON AND SCHULTZ VOTING AYE AND COUNCILMEMBERS ELIASON AND MILLER VOTING NAY.

3. Letter dated March 6, 2001 from Mike Wiebolt of Moonlite Square – A letter March 6th from Moonlite Square LLC informed the Council of their continued interest in obtaining an off-sale liquor license. The letter stated that if the City is considering granting additional off-sale licenses, or possible transfers, Moonlite Square is very interested in obtaining or transferring a license. Mr. Wiebolt addressed the Council and thanked Councilmember Miller for his support. Mr. Wiebolt stated that the Council, in their decision regarding the Seeker's transfer, showed him how to proceed.
4. Daggett Brook Villas Developer's Agreement – A letter dated April 9, 2001 from Dawn Bittner, President of Daggett Brook Rental, Inc. requested approval from the Council to add Lakes State Bank as a payee on their Tax Increment Financing check. This request was being made in order to use said check as collateral for a short-term note. City Attorney Paul Sandelin stated that he did speak with the Vice-President of Lakes States Bank and the TIF reimbursement check is being requested as collateral. There was discussion regarding the request having come from Daggett Brook Rental, Inc. Brian Bittner is the Developer who has the agreement with the City in regards to TIF at Daggett Brook Villas. MOTION 04R-05-01 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO TABLE THE ISSUE TO THE NEXT MEETING. MOTION CARRIED WITH ALL AYES.
5. Letter dated March 20, 2001 from Crow Wing Power – Crow Wing Power allocates a portion of the revenue generated in the City towards a light program. The letter dated March 20th indicates that \$37,477.50 is available in the City for the light program.
6. A pledge update from Lakes State Bank dated March 31, 2001 was included for Council information.

7. A pledge update from Lakewood Bank dated March 31, 2001 was included for Council information.
8. A pledge update from Northern National Bank dated March 31, 2001 was included for Council information.
9. Bills for Approval – MOTION 04R-06-01 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE THE PAYMENT OF BILLS AS SUBMITTED IN THE AMOUNT OF \$8,942.37. MOTION CARRIED WITH ALL AYES.

F. COMMISSION REPORTS –

1. Library- Alden Hardwick addressed the Council and stated that he and Mayor Swanson went to the State Capitol to address a House Committee to gain support on a \$250,000 library bonding bill. Crosslake was given fifteen minutes on the agenda to present their request. If approved, the \$250,000 would be subject to the Library Committee raising \$500,000 in donations. Representative Dale Walz was very supportive of the request. Marian Ridge of the Kitchigami Regional Library System was also present during the hearing and expressed concerns regarding why Crosslake was not approaching the Regional Library System. This position was expressed despite numerous attempts by the Library Committee to work with the Kitchigami Regional Library System. After the hearing, Marion Ridge asked if she could schedule a meeting with the Library Committee and the Council. It was agreed by the Council that such a meeting should be held and that Crow Wing County Commissioner Ed Larsen also be in attendance at the meeting. A list of potential foundations was provided to the Council and approval was requested to submit grant applications to these foundations. MOTION 04R-07-01 WAS MADE BY SANDY ELIASON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE REQUEST TO SUBMIT GRANT APPLICATIONS AS INDICATED. MOTION CARRIED WITH ALL AYES. Councilmember Eliason thanked Mayor Swanson and Alden Hardwick for their time and efforts in going before the Committee. Alden Hardwick stated that work will continue on the three means of obtaining financial support for a library which includes pledges, foundation support and possible State funds. A book sale will be held at the Community Center on May 18th and May 19th. Books can be dropped off on Thursday, May 17th. While the book sales do not generate a large amount of money, they are a good public relations event.
2. PUBLIC SAFETY – Chief Bob Hartman stated that 115 calls were reported in Crosslake and 32 calls in Mission Township in March. In the absence of Fire Chief Keith Anderson, City Administrator Tom Swenson noted that the Fire Department responded to five medicals in March. There were no fire calls.
3. PARK AND RECREATION – Park and Recreation Director Jon Henke reported that the Park and Recreation Department received donations from the Whitefish Area Lions, the Crosslake/Fifty Lakes American Legion

Auxiliary and the Crosslake-Ideal Lions in the month of March for the Family Fun Day programs. MOTION 04R-08-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO ACCEPT WITH THANKS THE DONATION OF \$250 FROM THE WHITEFISH AREA LIONS; THE DONATION OF \$250 FROM THE CROSSLAKE/FIFTY LAKES AMERICAN LEGION AUXILIARY; AND THE DONATION OF \$1000 FROM THE CROSSLAKE-IDEAL LIONS CLUB. MOTION CARRIED WITH ALL AYES. The Parks Department is hosting the second Family Fun Day of 2001 on May 6th from 1:00 P.M. – 4:00 P.M. The Minnesota Zoo Mobile will be bringing a selection of animals for everyone to enjoy. The event will also include games, refreshments and prizes. The third session of morning aerobics started April 2nd. Classes will take place Monday, Tuesday, Thursday and Friday from 9:00 A.M. – 10:00 A.M. for seven weeks. Approval was requested to contract with Donna Keiffer at a cost of \$617.12. MOTION 04R-09-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO APPROVE CONTRACTING WITH DONNA KEIFFER TO PROVIDE AEROBIC INSTRUCTION FROM APRIL 2ND THROUGH MAY 17TH AT A COST OF \$617.12. MOTION CARRIED WITH ALL AYES. The third session of evening aerobics will begin on April 10th. Classes will take place on Tuesday and Thursday evenings from 5:30 P.M. – 6:30 P.M. for seven weeks. Approval was requested to contract with Kelli Thull at a cost of \$280. MOTION 04R-10-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO APPROVE CONTRACTING WITH KELLI THULL TO PROVIDE EVENING AEROBIC INSTRUCTION AT A COST OF \$280. MOTION CARRIED WITH ALL AYES. AARP tax help is being offered at the Community Center until Monday, April 16th. Appointments will be taken in half hour segments. Kelli Thull, who is a certified personal trainer, is interested in providing Personal Training instruction in the proper use of weight equipment and exercise plans at the Community Center. City Attorney Paul Sandelin and Insurance Agent John Weizenegger were contacted regarding this offering and it was agreed by them that the program could be offered in the same way the aerobics instruction is offered. The Park Commission reviewed the program and recommended several guidelines to be followed. These guidelines include: (1) that the Trainer be certified; (2) that the Trainer have a membership to the weight room; (3) that participants register and pay the fee at the Community Center desk; (4) that participants sign a separate waiver for Personal Training; (5) that participants have a membership or pay for a day pass for the weight room; and (6) any Personal Trainer that is certified is open to do instruction with approval of the Park Department and City Council. MOTION 04R-11-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN SWANSON TO APPROVE THE SERVICES OF KELLI THULL TO PROVIDE PERSONAL TRAINING AT THE COMMUNITY CENTER; THAT THE COST OF

THE TRAINING SESSION WILL BE \$25.00 PER HOUR WITH THE CITY RETAINING \$3.00 OF THE FEE; AND THAT THE RECOMMENDATIONS OF THE PARK AND RECREATION COMMISSION BE IMPLEMENTED. MOTION CARRIED WITH ALL AYES. The Girl Scouts have requested use of the Community Center for an overnight stay in April or May. They would arrive at the Center on a Friday night before closing and stay until the Center opens on Saturday morning. There would be nine to twelve girls in attendance with one adult for every six girls. The Scouts will contact the Crosslake Police Department to let them know of their presence in the building. The insurance policy for Girl Scouts requires that they always have a certified CPR and First Aid Person on every overnight outing. A reservation form and waiver would be required. MOTION 04R-12-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN SWANSON TO APPROVE THE GIRL SCOUTS USING THE COMMUNITY CENTER FOR AN OVERNIGHT STAY IN EITHER APRIL OR MAY. MOTION CARRIED WITH ALL AYES. Pastor Shawn McAlpine from the Crosslake Evangelical Church is organizing a Bible Camp for area youth July 16th-July 20th. Six area churches would like to utilize the Community Center for this program to be held from 1:00 P.M. – 3:30 P.M. A Certificate of Insurance has been received by the City. Applications are still being accepted for the summer baseball/softball program. Scheduling will begin on April 17th. Park Department Staff is working with Jack Stone on providing golf lessons at Crosswoods Golf Course. Mayor Swanson congratulated Jon Henke on having been selected to serve as a member of the first Park and Recreation County Wide Council.

4. PLANNING AND ZONING –

- a. Community Development Director Paul Larson stated that the Minutes of the February 16th Commission Meeting were included for Council information.
- b. The Planning and Zoning Department issued a total of 39 permits in March for a year-to-date permit total of 59. The valuation for March is \$1,352,860 bringing the year-to-date valuation to \$2,828,100. This compares to \$2,849,640 in 2000. Mayor Swanson commented that the census results indicate 1,893 residents in Crosslake. This reflects a 67% growth over the previous census of 1990. This number of residents is larger than the cities of Pine River and Pequot Lakes combined.
- c. Preliminary Plat 00-07 Albinson's Retreat - The applicant requests approval of a preliminary plat containing 26.7 +/- acres. The land area includes shoreline from both Loon Lake and Island Lake. Currently there are two homes on the site. There is also a small portion of the property that is used for a controlled access lot. This lot provides boat docking facilities for a neighboring five-unit cluster home development and one of the existing homes within the proposed subdivision. The Planning and

Zoning Commission approved a conditional use permit at their March 16, 2001 meeting allowing for the existing users to continue using the controlled access lot along with proposed Lot 6. Several agencies and City Departments were contacted for input. Park and Recreation Director Jon Henke stated that the Park Department has no plans for a park in the vicinity of this property and opts to take cash in lieu of land for this subdivision plat. Lee Daleiden, District Technician with Crow Wing County Soil and Water responded with concerns about wetland impacts and ensuring that methods are used to protect them during and after construction. The Planning and Zoning Commission reviewed the application at their March 16th meeting and recommends approval of the preliminary plat for "Albinson's Retreat". The Public Works Commission will review the details of the proposed road construction at their meeting on April 16th. The Staff recommends approval of the Preliminary Plat with several conditions: (1) that the proposed private road is constructed to City standards and approved by the Public Works Commission with recommendations from the City Engineer; (2) the drainage system is constructed according to the drainage plan submitted with the application; (3) Best Management Practices are used during and after construction to prevent erosion and minimize impacts on the wetlands and lake; (4) the road shall remain in private ownership and be privately maintained with no obligation to the City; (5) covenants and title opinion are approved by the City Attorney prior to signing of the final plat; and (6) all park dedication, City Attorney, City Engineer, and City Surveyor fees are paid prior to signing of the final plat. The Council expressed some concern with a letter dated February 14, 2001 from John B. Wartman, owner of the property North of lot number four. The proposed plat does not include ingress or egress or a utility easement to his property. Gerry Brine, Attorney for the applicant addressed the Council. He stated that the property has been in the family since 1952 after having been acquired through tax forfeit. The title opinion has been completed and a portion is Torrens and a portion is Abstract. Mayor Swanson inquired about the land-locked property owner. Mr. Brine stated that in conversations with the Albinson's, there is no easement by prescriptive use. It was agreed that City Attorney Sandelin would contact Mr. Wartman. MOTION 04R-13-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO APPROVE PRELIMINARY PLAT 00-07 FOR ALBINSON'S RETREAT WITH THE CONDITIONS RECOMMENDED BY THE PLANNING AND ZONING STAFF AND THAT THE CITY ATTORNEY

CONTACT MR. WARTMAN REGARDING AN EASEMENT.
MOTION CARRIED WITH ALL AYES.

- d. Downtown Area Sign Proposal – Mike Stone has requested two off-site signs for the Crosswoods Development Downtown Area. The signs would be located at both ends of Swann Drive and direct traffic for information purposes to the area. The ordinance prohibits off-site signs. The proposed sign does not advertise a use or business but directs to a neighborhood. The Ordinance does allow for one sign to be installed in a residential area to identify the neighborhood, however, the Ordinance does not address commercial neighborhoods. Signs placed by Federal, State, County, City or other governmental agencies are exempt from the sign ordinance. The City could potentially install a sign directing traffic to a commercial neighborhood and stay within the guidelines of the ordinance. An area sign for the downtown could be treated similar to the “Welcome to Crosslake” signs along highway corridors entering the City. These signs were installed by the Lions Club but direct travelers to the City and do not advertise a business. The Planning and Zoning Commission reviewed the concept at their March 16, 2001 meeting and agree with the concept of allowing an area sign to be placed at both ends of Swann Drive to identify the area. The Commission did not consider the sign to be an off-site sign since no specific business would be advertised. The Long Range Capital Planning Commission reviewed the sign concept and made a motion to support the sign concept with conditions that sign area and expansion of wording be limited and that no business names be placed on the sign. The Planning and Zoning Staff recommends that the City Council consider allowing the signs with conditions: (1) sign materials, lighting and dimensions must meet all requirements outlined in the City Code for Commercial freestanding signs; (2) no businesses shall be advertised on the signs; (3) specific sign locations must be approved by the Public Works Director and Police Chief to ensure that the signs do not obstruct safe sight distance for travelers within the public right-of-way or interfere with road maintenance; and (4) the sign shall be maintained by the downtown architectural review committee and not be the responsibility of the City. City Administrator Tom Swenson inquired whether the signs would be placed in the road right-of-way. Mike Stone indicated that they would be installed in the right-of-way. Councilmember Schultz suggested that the County be contacted regarding the placement of the signs. Councilmembers Miller and Swanson stated that they have no problem with the concept, but did not agree with the wording on the bottom part of the sign. (Shopping, Community Park and Eateries) Discussion ensued regarding whether the blue

County signs would also be put up by each business. Mike Stone stated that this sign was an alternative in lieu of the blue County signs. He stated that this could be addressed in the Association documents. He stated that eventually the bottom of the sign would be used to advertise special events. MOTION 04R-14-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO APPROVE THE TOWN SQUARE SIGN CONCEPT WITH THE CONDITIONS LISTED ON THE STAFF REPORT; THAT THE BOTTOM PART OF THE SIGN BE CHANGED TO SHOW AN ARROW AND THE WORD SHOPPING AND THAT THE ASSOCIATION BYLAWS STATE THAT NO BLUE COUNTY SIGNS WOULD BE ALLOWED. MOTION DID NOT CARRY WITH COUNCILMEMBERS SCHULTZ AND ELIASON VOTING AYE AND MAYOR SWANSON AND COUNCILMEMBERS MILLER AND SWANSON VOTING NAY.

MOTION 04R-15-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE THE TOWN SQUARE SIGN CONCEPT WITH THE CONDITIONS RECOMMENDED BY THE STAFF INCLUDING ONLY AN ARROW ON THE BOTTOM OF THE SIGN AND WITH THE ELIMINATION OF THE BLUE COUNTY SIGNS BY WAY OF THE ASSOCIATION BY-LAWS. MOTION PASSED WITH MAYOR SWANSON AND COUNCILMEMBERS ELIASON, MILLER, AND SWANSON VOTING AYE AND COUNCILMEMBER SCHULTZ VOTING NAY. It was agreed that once the new signs are erected, the current sign will be removed. Mike Stone asked about event signs and he was informed that the Ordinance does address these types of signs since they are free-standing signs.

- e. Digital Permit System contract with Pro-West & Associates – A contract for a Digital Permitting System for the City has been drafted by Pro-West & Associates. This contract is a result of Staff working with the company to develop a long range plan for developing an efficient and up-to-date permit and mapping system. Pro-West and Staff worked out a phased approach for accomplishing the goal of putting the system in place. There are five phases in all. The Staff felt it would be best to focus on Phase I for this budget year and tackle subsequent phases in the coming year or years. The Council approved up to \$10,000 previously for this system. The Staff requests approval to sign the contract at a cost not to exceed \$8,000. This will leave \$2,000 available should the City require additional assistance from Pro-West staff. MOTION 04R-16-01 WAS MADE BY

IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO AUTHORIZE PAUL LARSON TO SIGN THE CONTRACT WITH PRO-WEST & ASSOCIATES TO COMPLETE PHASE I OF THE OVERALL DIGITAL PERMIT AND MAPPING SYSTEM AT A COST NOT TO EXCEED \$8,000. MOTION CARRIED WITH ALL AYES.

- f. Ordinance Amendment 01-03, Use of Pre-Existing Lots – Due to the large number of riparian and non-riparian shoreland lots within the City that were platted prior to local shoreland standards, this section of the ordinance is referenced numerous times. In an effort to clarify the ordinance and reduce the number of variance applications for lots that may not necessarily require this process, the Planning and Zoning Commission recommends approval of the Ordinance Amendment. MOTION 04R-17-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO APPROVE ORDINANCE AMENDMENT 140 USE OF PRE-EXISTING LOTS AND TO PUBLISH A SUMMARY OF THE ORDINANCE. MOTION CARRIED WITH ALL AYES.
- g. Ordinance Amendment 01-04, Grading and Vegetation Removal – This section of the ordinance has not been updated for several years. Due to the number of complaints that appear to be violations of grading and vegetation removal, the Staff felt it necessary to amend the Ordinance to protect and maintain existing vegetation and control the amount of grading within the City, specifically within the shore impact zone, bluff impact zone and on steep slopes. The proposed amendment includes grading and vegetation removal standards for the entire City, including the shoreland areas. The DNR and Soil and Water Conservation District have reviewed the proposed language and their recommendations have been incorporated into the proposed amendment. MOTION 04R-18-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN SWANSON TO APPROVE ORDINANCE AMENDMENT 141 GRADING AND VEGETATION REMOVAL AND TO PUBLISH A SUMMARY OF THE ORDINANCE. MOTION CARRIED WITH ALL AYES.
- h. A letter dated March 12, 2001 from Lois and Phil Fuller regarding Variance 00-38, Steve and Chris Sands was included for Council information.

Community Development Director Paul Larson stated that normally the Planning and Zoning Office is open eight hours a day, however due to the resignation of Dave Markgraf and the leave of absence being taken by Carla Backstrom due to the birth of a baby, a reduction in hours has become necessary. It was the

consensus of the Council that the Planning and Zoning Office be open from 8:00 – Noon on Monday through Thursdays and from 8:00 A.M. – 4:00 P.M. on Fridays.

5. SEWER/WATER COMMITTEE – City Attorney Paul Sandelin stated that the title work has been received and his office is in the process of sending out the deeds. A letter was sent to Lonna Andolshek regarding obtaining an easement from her but no response has been received. The Council needs to make a decision as to how they want to proceed. Councilmember Swanson stated that two meetings were held where a letter was sent to Ms. Andolshek outlining the proposal with no response received. MOTION 04R-19-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO PROCEED WITH CONDEMNATION PROCEEDINGS ON THE EAST SIDE OF THE ANDOLSHEK PROPERTY LINE AND THAT THE BUILDING ON THE PROPERTY BE APPRAISED. It was noted that the building on the property is currently used as a garage. City Attorney Sandelin was directed to have the appraisal of the building completed and the City Engineer was directed to draw up a legal description for the property that will be utilized for the sewer line. MOTION CARRIED WITH ALL AYES. A public information meeting will be held on Saturday, April 21st at 9:30 A.M. at the Community Center in regards to the sewer project.
6. PUBLIC WORKS COMMISSION –
 - a. Woodland Drive Road Vacation – A letter dated March 28, 2001 from City Attorney Sandelin to Antoinette Wetzel; a March 26, 2001 Memo from the Public Works Commission; a April 3, 2001 letter from City Attorney Sandelin to City Engineer Dave Reese; a April 4, 2001 letter from Benjamin Miller regarding opposition to the road vacation; and an April 6, 2001 letter to Benjamin Miller were provided to the Council for review. At its meeting of March 19, 2001 the Public Works Commission, reviewed the proposed vacation of Woodland Avenue and approved a motion to recommend to the City Council that the Public Works Commission has no objection to the proposed vacation provided a 30 foot utility/drainage easement is retained by the City. MOTION 04R-20-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO DIRECT THE CITY ATTORNEY TO INFORM THE DISTRICT COURT THAT THE CITY HAS NO OBJECTION TO THE WOODLAND DRIVE VACATION PROVIDES A 30' UTILITY/DRAINAGE EASEMENT IS RETAINED BY THE CITY. MOTION CARRIED WITH ALL AYES.
 - b. Backdahl Road/Tall Timber Trail Connection – Several letters regarding the Wisemiller condemnation were included for Council consideration. They include: (1) March 21, 2001 Letter from City Attorney Paul Sandelin to Wisemiller's attorney regarding the appraisal; (2) Letter dated April 3, 2001 from City

Attorney Sandelin to the City including a March 30, 2001 letter from Wisemiller's attorney questioning appraisal calculations; (3) A letter dated April 3, 2001 from City Attorney Sandelin including attached explanation of appraisal from Aho Appraisals; (4) A letter dated April 4, 2001 from City Attorney Sandelin summarizing progress to date and schedule for condemnation proceedings in District Court; and (5) Letter from WSN dated April 5, 2001 regarding completion of Backdahl Road/Tall Timber Trail connection during 2001 road projects. The expressed concerns of the Wisemiller's are in regard to the appraised value of the property and the calculations used in determining the amount. City Attorney Steve Qualley is trying to reach Mr. Aho for further explanation. City Engineer Dave Reese stated in a letter to the City that two options are available regarding the proposed road work. The project could be included as an alternate in the bid process or it could be addressed as a change order item. The hearing on the condemnation proceedings is scheduled for May 31st with a decision by the Court by July 9th. Due to this timeline, it was the recommendation of City Engineer Dave Reese that the project be added as an alternate in the bid process. MOTION 04R-21-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO DIRECT THE CITY ENGINEER TO INCLUDE BACKDAHL/TALL TIMBERS TRAIL ROAD PROJECT WITH THE BID DOCUMENTS WITH A SUBSTANTIAL COMPLETION DATE OF AUGUST 31, 2001. MOTION CARRIED WITH ALL AYES.

- c. A letter dated March 28, 2001 from Crow Wing County Highway Department regarding approval of a Resolution for CSAH 16 Project – MOTION 04R-22-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON APPROVING RESOLUTION NO. 01-22 SUPPORTING THE SHOULDERING OF CSAH 16 WITHIN THE LIMITS OF CROSSLAKE. MOTION CARRIED WITH ALL AYES.
- d. A letter dated March 19, 2001 to the St. Paul District Corps of Engineers regarding damage to West Shore Drive due to repair of the dikes was included for Council information.

Public Works Director Ted Strand commented that in conversations he has held with County Engineer Duane Blanck, County Road 103, which was on priority process and design, may be delayed for another year due to health reasons within the County Department. Mayor Swanson directed City Administrator Tom Swenson and Public Works Director to work with the County to see what can be done.

- e. West Shore Drive Bike/Pedestrian Path – Public Works Director Ted Strand read a memo from the Public Works Commission in regards to their review of three alternates for the bike/pedestrian path along West Shore Drive. Originally the Commission was looking at a bike path from CSAH 16 to CSAH 103 entirely on the West side of West Shore Drive. A second alternative was looked at which would reroute the path along Johnie Street and Robert Street and connect with West Shore Drive and be incorporated into a blacktopping project in 2002. Three proposed methods of acquiring easements for the Bike Path were also reviewed extensively. Upon review, the Public Works Commission approved a motion to recommend to the City Council alternate #3, which would utilize the preparation of a Right-of-Way plat. A Right-of-Way plat would allow an area to put the bike path in. WSN prepared an estimate of the cost for preparation of a Right-of-Way plat not to exceed \$58,000. Engineering Design and Bidding Assistance is estimated not to exceed \$34,000 and Construction Staking and Observation is estimated at \$36,500. Councilmember Swanson asked if these costs included the portion in Ideal Township and City Engineer Dave Reese stated that it did. City Administrator Tom Swenson directed Public Works Director Ted Strand to talk to Ideal Township’s Maintenance Supervisor to request his attendance at the next Public Works Meeting.
- f. Memo dated March 26, 2001 from Public Works Commission regarding Swann Drive Storm Water Treatment Alternative – Mike Stone appeared before the Public Works Commission Meeting on March 19, 2001 to request consideration for use of a pre-cast concrete stormceptor which would allow the development to utilize a smaller sedimentation pond prior to discharge of storm water into wetland areas. Following a lengthy discussion, a motion was approved by the Public Works Commission to recommend to the appropriate City body (City Council or Planning and Zoning) to accept the City Engineers recommendation that the proposed stormceptor meets the intent of the City Ordinance to maintain flows from a five year storm event, with the understanding that the developer will maintain both the sedimentation basin and stormceptor to a level which will protect the downstream wetland area from degradation due to storm water. Community Development Director Paul Larson informed the Council that the issue was on the April Planning and Zoning Commission agenda for determination as to whether a variance is required. Also discussed was whether the City was required to accept easements. City Engineer Dave Reese stated that easements may help preserve the area so they are not filled in the future. Councilmember Swanson stated his concern was in

the maintenance. Discussion ensued as to why the City would want to take on the storm treatment. Mike Stone stated that the Master Plan originally had three options for storm water. He stated that they have now determined that it is not financially economical to use a large area to accommodate storm water. The Council questioned whether the stormceptor was the best solution or whether it was equal to the alternative treatment. Further discussions will be held by the Planning and Zoning and Public Works Commissions.

7. LONG RANGE CAPITAL PLANNING –

1. Community Development Director Paul Larson stated that the minutes of the February 28, 2001 meeting were included for Council information.
2. Approval was requested to appoint Bart Taylor to serve a three year term beginning April 9, 2001 and expiring January 31, 2004. MOTION 04R-23-01 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPOINT BART TAYLOR TO SERVE A THREE YEAR TERM ON THE LONG RANGE CAPITAL PLANNING COMMISSION BEGINNING APRIL 9, 2001 AND EXPIRING JANUARY 31, 2004. MOTION CARRIED WITH ALL AYES.

8. CHARTER SCHOOL –

1. Mike Stone updated the Council on a meeting held earlier this date. He stated that things are going along well at the school. Fund raising activities are planned to assist in the shortfall of funds. A silent auction will be held on April 21st from 10:00 A.M. – 1:30 P.M. at the Old Fire Hall. Manhattan Beach Lodge will donate 50% of the proceeds of a special dinner planned for April 26th at the Lodge. Busing is now being replaced by voluntary transportation. Plans have been completed to change the location of the school for the 2001-2002 season to the Old Fire Hall.

9. PERSONNEL –

1. Community Development Director Paul Larson stated that the Council previously approved a planning intern position. He has determined that this position may not work for the Department or the intern due to the shortage of personnel in the department. Approval was requested to utilize the current part-time person Shelly Jay for a longer period of time. MOTION 04R-24-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO AUTHORIZE THE CITY ADMINISTRATOR AND SHELLY JAY TO SIGN A CONSULTING AGREEMENT TO WORK ON A PART TIME BASIS IN THE PLANNING AND ZONING DEPARTMENT NOT TO EXCEED 20 HOURS PER WEEK AT \$15.00 PER HOUR UNTIL SEPTEMBER 24, 2001. MOTION CARRIED WITH ALL AYES.

10. UTILITIES – City Administrator Tom Swenson stated that Kevin Larson has submitted a letter of resignation from Crosslake Communications effective June 1, 2001 to accept the General Manager position at Consolidated Telephone Company. General Manager Larson read a prepared statement regarding his resignation and thanked various individuals for their assistance over the past few years. Dennis Leaser was approved by the Council to act as interim manager until a replacement is found.

General Manger Larson presented his Highlights report for the month of March. The Optional Extended Local Calling Plan was successfully implemented and has over 260 customers as of April 1st. Plans and specifications for the building expansion are close to completion and the bidding process will follow immediately. Construction is expected to be completed by mid-July. Karl Skog has resigned from the Utilities Commission and a search committee has been organized to review applicants. The Staff has been working on additional programming that will be offered early this summer. Optional seasonal packages for telephone, cable, Internet and DSL are now available and the public should call the office for more details. The company continues to grow in its service offerings with increased numbers in all categories between 2000 and 2001. The bidding process was competed on April 9, 2001 for the 2001 CATV upgrade construction project. The successful bidder was Rice Cable of Rice, Minnesota for a total dollar value of \$94,518. (The budged amount was \$122,036.) Approval of the contract was requested. MOTION 04R-25-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE RICE CABLE FOR THE 2001 CATV UPGRADE CONSTRUCTION PROJECT AT A COST OF \$94,518. MOTION CARRIED WITH ALL AYES.

11. RECYCLING – Councilmember Miller reported that a total of 7.71 tons of recyclables was collected in March. This brings the year-to-date total to 35.69 tons.
12. ECONOMIC DEVELOPMENT AUTHORITY – No meeting was held due to lack of a quorum.

G. OLD BUSINESS – None

H. NEW BUSINESS - Councilmember Miller suggested that a committee be established to review the current Liquor Ordinance. Further details will be discussed at the May Regular meeting.

I. PUBLIC FORUM – Nothing

MOTION 04R-26-01 WAS MADE BY DEAN SWANSON AND SECONDED BY
IRENE SCHULTZ TO ADJOURN THIS REGULAR COUNCIL MEETING AT
11:04 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,


Darlene J. Roach
Clerk/Treasurer

BILLS FOR PAYMENT				
09-Apr-01				
VENDOR	DEPT	CHECK #	AMOUNT	
Gammello, Sandelin, Qualley - legal fees	Legal		\$3,150.45	
The Office Shop - rubber bands, liftoff	Adm		\$5.92	
Echo Publishing - public hearing notice	P&Z		\$71.50	
Team Electronics - road patch	PW		\$385.11	
Whitefish Automotive - oil, filter, lube	PD		\$21.60	
3M - 3-5 gal, 10-5 gal pails wetting agent	FD		\$505.44	
Culligan - bottled water dispenser	Gov't		\$14.91	
Culligan - bottled water dispenser	PW		\$23.30	
Ace Hardware - VCR tapes	Sewer		\$12.02	
Postmaster - postage	All		\$500.00	
Paul Larson - travel expenses	P&Z		\$31.74	
Ace Hardware - stapler, wire, tape, staples	PW		\$54.04	
Ace Hardware - pail	PW		\$4.25	
Fleet Farm - gloves	PD		\$14.99	
Johnson, Killer & Seiler - legal fees	Legal		\$388.00	
MN Fire Svc Certification Board - testing	FD		\$210.00	
Echo Publishing - employment ad	P&Z		\$23.28	
Echo Publishing - truck ad	PD		\$59.85	
Echo Publishing - employment ad	P&Z		\$14.35	
Brainerd Dispatch - truck ad	PD		\$84.66	
CW Cty Attorney's Office - 1/2 truck proceeds	PD		\$3,167.98	
Martin Comm - belt clip	FD		\$21.83	
Cimarron - newsletter printing	Adm		\$170.00	
Reed's - soap, airwicks, gloves	Park		\$7.15	
		TOTAL	\$8,942.37	

CITY OF CROSSLAKE

RESOLUTION NO. 01 – 22

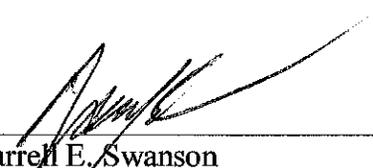
**RESOLUTION APPROVING COUNTY PROJECT WITHIN MUNICIPAL
CORPORATE LIMITS**

WHEREAS, plans for Project No. S.P. 18-616-15 showing bituminous surfacing of existing gravel shoulders of County State-Aid Highway No.16 within the limits of Crosslake as a Federal Aid Project have been prepared.

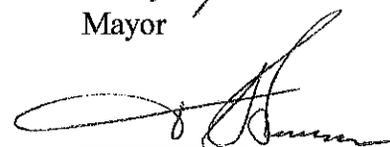
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
CROSSLAKE, MINNESOTA:

1. That said plans be in all things approved.

Adopted this 9th day of April, 2001.



Darrell E. Swanson
Mayor



Thomas N. Swenson
City Administrator