

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE MINNESOTA
PUBLIC HEARING
APRIL 11, 1994
11:00 A.M. AT CITY HALL

The Council for the City of Crosslake Minnesota met in the Council Chambers of City Hall on Monday, April 11, 1994. The following Councilmembers were present: Mayor Kurt Anderson, Lyle Arends, Dean Swanson and Jack Webster. Absent was Charles Miller. Also present was Tom Truszinski from Juran and Moody and Reporter Jean-Paul Hudon. There were no resident present.

Mayor Anderson called this Public Hearing to order at 11:00 a.m. saying that the only item on the Agenda would be the Economic Development items dealing with the new Emergency Services Center building.

Councilmember Webster stated he would like to have all documents state that the Clerk/Treasurer is not acting but is in fact the Clerk/Treasurer.

Mayor Anderson turned the meeting over to Tom Truzinski from the firm of Juran and Moody. Mr. Truszinski explained to the Council the two resolutions that needed to be passed; Resolution number one would be to adopt the Redevelopment Plan and if everything meets the Councils satisfaction then they would need to pass the Resolution Authorizing The Execution And Delivery Of A Quit Claim Deed And Lease With Option To Purchase Agreement.

Mr. Truszinski asked about and was informed that the Planning and Zoning Commission passed the Resolution stating that the Redevelopment Plan is consistent with the Comprehensive Plan for the City of Crosslake.

Mr. Truszinski explained that the reason the City needs a redevelopment plan is because the City will be financing the Emergency Services Center through the Housing and Redevelopment Authority aspects of an Economic Development Authority. Mr. Truszinski went on to explain that Minnesota Law says that an EDA utilizing its HRA powers can only issue bonds when there is a Redevelopment Plan. Mr. Truszinski stated that the context of the Redevelopment Plan is threefold: Number one reason is the redevelopment plan says that this Emergency Services Building is consistent with the Comprehensive Plan; Number two says that the building complies with the building codes in the City of Crosslake; Number three is that once this building is up, the appearance of the City will be different than it was before this building was created. Mr. Truszinski stated that with those three things satisfied the redevelopment plan is appropriate and that is why the Public Hearing was called today

to answer any concerns from the Public.

No concerns were voiced from the Public.

MOTION NO. 4PH1-01-94 WAS MADE BY D. SWANSON AND SECONDED BY J. WEBSTER TO APPROVE THE CITY COUNCIL RESOLUTION AS PRESENTED. (A COPY IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES.) MOTION PASSED UNANIMOUSLY.

Mr. Truszinski explained to the Council about the quit claim deed and the lease that would exist between the City and the Economic Development Authority on the Emergency Services Building. MOTION NO. 4PH1-02-94 WAS MADE BY DEAN SWANSON AND SECONDED BY J. WEBSTER TO ADOPT THE RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A QUIT CLAIM DEED AND LEASE WITH OPTION TO PURCHASE AGREEMENT. (A COPY IS ATTACHED AND BECOMES A PERMANENT PART OF THESE MINUTES.) Council requested that the word "Acting" be removed from Acting Clerk/Treasurer and that all references in the document be changed from "fire hall" to Emergency Services Center. MOTION PASSED UNANIMOUSLY.

MOTION NO. 4PH1-03-94 WAS MADE BY L. ARENDS AND SECONDED BY D. SWANSON TO ADJOURN THIS PUBLIC HEARING AT 11:22 A.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:

Arlene A. Buchite, City Clerk/Treasurer



CITY COUNCIL RESOLUTION

At a meeting of the City Council of the City of Crosslake, Minnesota, which meeting was duly called and held on the 11th day of April, 1994, at 11:00 o'clock A.M., the following Councilmembers were present:

Mayor Anderson and Councilmembers ~~Mittler~~ ^{ARENDS}, Swanson, and Webster

The following Councilmembers were absent:

Councilmember ~~Arands~~ ^{MILLER}

The following Resolution was offered by Councilmember Swanson who duly moved for its adoption:

WHEREAS, the Economic Development Authority of the City of Crosslake (the "Authority"), pursuant to a Resolution dated April 11, 1994 approved the Redevelopment Plan for Crosslake Emergency Services Center Project dated April 11, 1994 proposed by the Economic Development Authority of the City of Crosslake (the "Plan"); and

WHEREAS, the Authority has transmitted the Plan and, by resolution, has applied to the City Council of the City of Crosslake, Minnesota (the "City"), for approval of the Plan; and

WHEREAS, it is desireable and in the public interest that the Authority undertake and carry out the Plan pursuant to Minnesota Statutes, Section 469.001 to 469.047, and Sections 469.124 to 469.134, encompassing the area which is indicated on Exhibit A attached hereto and made a part hereof, (which area is herein called the "Redevelopment Area" or the "Project"); and

WHEREAS, the City on the date hereof, after having published a notice of public hearing in the official newspaper of the City, conducted a public hearing on the Plan and received public comments on the same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Crosslake, Minnesota, as follows:

Section 1. That the area described as the Redevelopment Area in said Plan is a Redevelopment Project within the meaning of Minnesota Statutes, Section 469.002, Subd. 14.

Section 2. That said Plan and Project will carry out the purpose and policy of Minnesota Statutes, Chapter 469.

Section 3. That the land in the Project area would not be made available for redevelopment without the financial aid to be sought.

Section 4. That the Redevelopment Plan for the Project area will afford maximum opportunity, consistent with sound needs of the city as a whole, for the redevelopment of the such area by private enterprise.

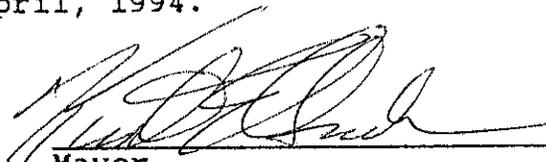
Section 5. That it is hereby found and determined that the Redevelopment Plan for the Project area set forth in the Plan booklet conforms to the general plan for the development of the City as a whole.

Section 6. That, subject to the Planning Commission's recommendation for approval of the Plan by resolution on April 15, 1994, the City Council of the City of Crosslake, Minnesota, does hereby approve the Plan as presented in the booklet entitled "Redevelopment Plan for Crosslake Emergency Services Center Project", dated April 11, 1994.

Said Resolution was duly seconded by Councilmember _____
Webster and put to a vote. Voting in favor
thereof were Councilmembers
unanimous

Voting against said Resolution:
none

Approved this 11th day of April, 1994.



Mayor

ATTEST:



City Clerk-Treasurer

EXTRACT OF MINUTES OF A MEETING OF THE
CITY COUNCIL OF THE CITY OF CROSSLAKE, MINNESOTA

HELD: April 11, 1994

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Crosslake, Minnesota was duly called and held at the City Hall in said City on the 11th day of April, 1994 at 11:00 o'clock A.M.

The following members were present:

Mayor Anderson, and
Councilmembers Arends, Swanson and Webster

and the following were absent:

Councilmember Miller

Member Swanson introduced the following resolution and moved its adoption:

RESOLUTION AUTHORIZING
THE EXECUTION AND DELIVERY OF A
QUIT CLAIM DEED AND LEASE WITH OPTION
TO PURCHASE AGREEMENT

The motion for the adoption of the foregoing resolution was duly seconded by member Webster, and upon vote being taken thereon the following voted in favor thereof:

unanimous

and the following voted against the same:

none

whereupon said resolution was declared duly passed and adopted.

RESOLUTION AUTHORIZING
THE EXECUTION AND DELIVERY OF A
QUIT CLAIM DEED AND LEASE WITH OPTION
TO PURCHASE AGREEMENT

BE IT RESOLVED by the Council of the City of Crosslake, Minnesota (the "City"), as follows:

1. Authority. The City is authorized pursuant to Minnesota Statutes, Section 465.71, to enter into a Lease With Option to Purchase Agreement with the Economic Development Authority of the City of Crosslake, Minnesota (the "Authority"), a public body corporate and politic and a political subdivision duly organized and existing under the laws of the State of Minnesota, to construct an emergency services center in the City (the "Project").

2. Authorization of Bonds; Documents Presented. The Authority proposes to issue its \$450,000 Public Project Revenue Bonds, Series 1994 (City of Crosslake Lease With Option to Purchase Project) (the "Bonds") payable from rental payments to be made under the Lease. Forms of the following documents relating to the Bonds and the Project have been submitted to the City Council and are now on file in the office of the Clerk-Treasurer:

(a) a Quit Claim Deed dated as of the date of delivery (the "Quit Claim Deed") executed by the City pursuant to which the City transfers the premises on which the Project is to be constructed to the Authority;

(b) a Lease With Option to Purchase Agreement dated as of May 1, 1994 (the "Lease"), between the Authority and the City which, among other things, provides for the construction and installation of the Project and pursuant to which the City is required to pay rental payments sufficient to pay the principal and interest on the Bonds when due; and

(c) a Revenue Bond Resolution to be adopted by the Authority (the "Resolution"), setting forth the form and details of the Bonds and their issuance, and pledging the rental payments derived from the Lease to the payment of the Bonds.

3. Approval and Execution of Quit Claim Deed and Lease With Option to Purchase Agreement. The Mayor and the Clerk-Treasurer are hereby authorized and directed to execute, and deliver the Quit Claim Deed and Lease in substantially the forms on file with the Clerk-Treasurer. All of the provisions of the Quit Claim Deed and Lease when executed and delivered as authorized herein shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated herein and shall be in full force and effect from the date of execution and delivery thereof.

4. Approval of Revenue Bond Resolution. The City hereby approves the form of the Resolution and the terms of the Bonds described therein.

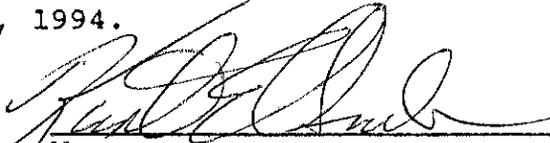
5. Authorized to Execute. The Mayor and Clerk-Treasurer are hereby designated and authorized to act on behalf of the City to execute the Lease, the Quit Claim Deed or other documents relating thereto.

6. Furnishing of Certificates and Proceedings. The Mayor and Clerk-Treasurer and other officers of the City are authorized and directed to prepare and furnish to the Purchaser and Bond Counsel, certified copies of all proceedings and records of the City relating to the Bonds, and such other affidavits and certificates as may be required to show the facts relating to the legality of the Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

7. Modifications to Documents. The approval hereby given to the various documents referred to above includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City Attorney and the City officials authorized herein to execute said documents. Said City officials are hereby authorized to approve said changes on behalf of the City. The execution of any instrument by the appropriate officer or officers of the City herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof. In the absence of the Mayor or Clerk-Treasurer, any of the documents authorized by this

resolution to be executed may be executed by the Acting Mayor or the Acting Clerk-Treasurer respectively.

Passed: April 11, 1994.



Mayor

Attest: Arlene A. Berchite
Clerk-Treasurer