

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, APRIL 12, 2004  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, April 12, 2004 at 7:00 P.M. The following Councilmembers were present: Mayor Darrell Swanson, Dean Eggena, Irene Schultz and Dick Phillips. Also present was Community Development Director Ken Anderson, City Attorney Paul Sandelin, City Engineer Dave Reese, Public Works Director Ted Strand, Park and Recreation Director Jon Henke, Police Chief Bob Hartman, Operations Manager Jared Johnson, Clerk/Treasurer Darlene Roach and Lake Country Echo Reporter Betty Ryan. City Administrator Tom Swenson was absent. There were approximately twenty-five individuals in the audience not including Staff.

**A. CALL TO ORDER** – Mayor Swanson called the meeting to order at 7:00 P.M. and asked for a motion to accept the additions to the agenda. MOTION 4R-01-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO APPROVE THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.

**B. CRITICAL ISSUES** – Community Development Director Ken Anderson was sitting in for City Administrator Swenson who was absent from the meeting. Anderson read a memo from the Personnel Committee which contained a recommendation from the Personnel Committee that Bettie Miller be appointed to fill the unexpired term of her late husband, Chuck Miller. MOTION 04R-02-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN EGGENA TO APPOINT BETTIE MILLER TO FILL THE VACANT POSITION ON THE CITY COUNCIL. MOTION CARRIED WITH ALL AYES. Clerk Roach administered the oath of office to Bettie Miller after which she took a seat at the Council table.

**C. CONSENT CALENDAR** - MOTION 04R-03-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR CONSISTING OF: (1.) MINUTES OF SPECIAL COUNCIL MEETING OF FEBRUARY 10, 2004; (2.) MINUTES OF SPECIAL COUNCIL MEETING OF FEBRUARY 17, 2004; (3.) MINUTES OF SPECIAL COUNCIL MEETING OF FEBRUARY 24, 2004; (4.) MINUTES OF REGULAR COUNCIL MEETING OF MARCH 9, 2004; (5.) MINUTES OF SPECIAL COUNCIL MEETING OF MARCH 30, 2004; (6.) MINUTES OF SPECIAL COUNCIL MEETING OF APRIL 6, 2004; (7.) CROSSLAKE COMMUNICATIONS TELEPHONE AND CABLEVISION COMPANY STATISTICAL REPORT DATED FEBRUARY 29, 2004; (8.) CITY MONTH END REVENUE REPORT DATED FEBRUARY 29, 2004; AND (9.) CITY MONTH END EXPENDITURE REPORT DATED FEBRUARY 29, 2004. MOTION CARRIED WITH ALL AYES.

**D. PUBLIC FORUM** – Lance Braggstad addressed the Council and requested consideration of a revision to the City’s Ordinance pertaining to the need for Conditional Use Permits. Braggstad feels that regular necessity type businesses such as book stores, accounting offices and etc. should be exempt from needing to obtain a CUP. Community Development Director Anderson stated that Mr. Braggstad recently applied for a CUP for a flower shop in the Old City Hall Building and when a beauty shop was interested in space in the same building another CUP was required for this business. Mr. Braggstad stated that these typical uses should not require a CUP. Anderson stated that a meeting has been scheduled for April 23<sup>rd</sup> to discuss what businesses should be permitted uses and which should be conditional uses.

**E. MAYOR’S REPORT** – Nothing

**F. CITY ADMINISTRATOR REPORT** –

1. Bills for Approval - MOTION 04R-04-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN EGGENA TO APPROVE THE BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNTS OF \$68,762.48 AND \$25,706.45. MOTION CARRIED WITH ALL AYES.
2. A memo dated April 5<sup>th</sup> from Clerk Roach requested approval of a Transient Merchant Park Permit for Mission of the Cross Lutheran Church to hold flea markets on Church property for a total of six times between May 29<sup>th</sup> and September 4<sup>th</sup>. MOTION 04R-05-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO APPROVE A TRANSIENT MERCHANT PARK PERMIT FOR MISSION OF THE CROSS LUTHERAN CHURCH. MOTION CARRIED WITH ALL AYES.
3. A donation to Grad Blast from the Pequot Lakes School and Pine River Backus School was requested. MOTION 04R-06-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO APPROVE A DONATION OF \$100 TO THE PEQUOT LAKES GRAD BLAST AND PINE RIVER GRAD BLAST FOR 2004. MOTION CARRIED WITH ALL AYES.
4. Angela Villella addressed the Council and requested approval to paint the wall behind the Council table with the City’s logo in order to attain the Bronze Award for Junior Girl Scouts. MOTION 04R-07-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO APPROVE ANGELA VILLELLA PAINTING THE LOGO ON THE WALL IN THE COUNCIL CHAMBERS OF CITY HALL. MOTION CARRIED WITH ALL AYES.
5. A letter dated March 11, 2004 from County Auditor Roy Luukkonen informed the City of the cost and timeframe associated with checking parcels for payment of taxes. This information is in response to a request by the Council to check timely payment of property taxes within the TIF Districts. Attorney Brine, representing Brian Bittner of Daggett Brook Villas, addressed the Council and stated that TIF District 1-2 is a pay-as-you go district, with no risk to the City. If the taxes are not paid the developer is not reimbursed the 90% that he is eligible for under the TIF Agreement. Brine stated that Bittner has no control over the payment of taxes by persons having purchased the property. The one property owner who

was in arrears with payment of property taxes has paid the amount in full, so currently there are no outstanding taxes owed on any of the units in Daggett Brook Villas. Attorney Brine felt that the procedure for checking payment of taxes at the County would be an additional cost to the City as well as take Staff time to complete. Councilmember Eggena asked Attorney Brine if he felt Eggena was wrong in his interpretation of the contract and Brine stated that the Court looks at intent and he feels the Court would determine that the developer would not be responsible for other individual's property taxes. Brine asked what the problem would be for the City since the City would not be dispersing funds if the taxes were not paid and Eggena stated that the Council is obligated to follow the contract. Councilmember Schultz agreed that the City would incur additional costs in checking tax payments for each parcel. Attorney Brine stated that it is the prerogative of the Council to enforce the Contract, but asked for an explanation of the paragraph dealing with default. City Attorney Sandelin commented that with most TIF Districts you don't have multiple parcels, however there could be an assignment to the new developer/owner which would give them the right to receive the increments. After discussion, it was agreed that Staff would send a fax three weeks after the tax payment deadlines of May 15<sup>th</sup> and October 15<sup>th</sup> requesting verification that the taxes have been paid. If there are any unpaid taxes, a letter will be sent to the Developer providing a thirty-day notice of default with an opportunity by the Developer to rectify the situation. Clerk Roach requested approval to release the outstanding increment since the outstanding taxes on two parcels have been paid. MOTION 04R-08-04 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO RELEASE \$478.59 IN TAX INCREMENT TO BRIAN BITTNER. MOTION CARRIED WITH ALL AYES.

Following the approval to release the funds, MOTION 04R-09-04 WAS MADE BY DEAN EGGENA AND SECONDED BY DARRELL SWANSON TO ENFORCE THE TIF CONTRACTS REGARDING TIMELY PAYMENT OF TAXES AND TO DIRECT THE CITY CLERK TO CONTACT THE AUDITOR'S OFFICE THREE WEEKS AFTER MAY 15<sup>TH</sup> AND OCTOBER 15<sup>TH</sup> TO FIND OUT IF TAXES ON ALL PARCELS HAVE BEEN PAID AND IF NOT, A LETTER WILL BE SENT TO THE TIF DEVELOPER ADVISING OF THE DEFAULT. MOTION CARRIED WITH MAYOR SWANSON, DEAN EGGENA, DICK PHILLIPS AND BETTIE MILLER VOTING AYE AND IRENE SCHULTZ VOTING NAY.

6. Community Development Director Ken Anderson read a letter from Crosslake Ideal Lions President Armond Gease advising the Council of their having relinquished the Crosslake Islands back to the previous owners, the Knudsen Family. Mayor Swanson asked if the Chamber fireworks display would still take place from Sand Island and he was informed that the Knudsen family would still allow the Chamber to use the Island for this event. Attorney Gerry Brine stated that he represented the Lions Club when the original deed was signed between the Knudsen Family and the Lions and it was stipulated at that time that if the Lions

ever decided to get rid of the islands, they would revert back to the Knudsen Family so they welcomed the return of the property to the family.

7. A letter dated April 9, 2004 from Mayor Swanson to Fairfield Township requests approval to open the access on Lake O'Brien on Bonnie Lakes Road on May 1<sup>st</sup> and May 29<sup>th</sup> from 8:00 A.M. to noon and on two Saturdays in the Fall. The City of Crosslake will provide a uniformed officer for traffic control purposes during the stated days and times. A copy of the letter will also be forwarded to Representative Larry Howes.
8. The Region 5 Development Commission Newsletter dated March, 2004 was included for Council information.
9. The Crow Wing County Historical Society Historian Winter issue was included for Council information.
10. Lakes State Bank Pledge Update dated March 2004 was included for Council information.
11. Lakewood Bank Pledge Update dated March 2004 was included for Council information.
12. Northern National Bank Pledge Update dated March 31, 2004 was included for Council information.

#### **G. COMMISSION REPORTS –**

1. **LIBRARY –** Chair Alden Hardwick presented an update on the Library Project. Representative Larry Howes has informed Mayor Swanson that the \$250,000 bill introduced in the House will not be approved, however the Library Construction bill for \$1½ million has a good chance of being approved. There are restrictions on being eligible for this funding including the community not currently having a library and any proposed library must be attached to a current public building. If the Library Bill is approved, the Library Committee will apply for this funding once it is implemented. Hardwick stated that the City has received approximately \$80,100 in donations and pledges, so there is a long way to go. The Committee is ready to engage in a major fundraising drive and will need to count on major contributors to come forward. Mayor Swanson asked if there was any possibility of obtaining funding from Representative Oberstar and Alden stated that the City will know if they are being considered, but won't know if Crosslake will get funding. Hardwick was complimentary of Marion Ridge's support at the Capitol. The minutes of the March 15, 2004 Library Committee Meeting were included for Council information.
2. **PLANNING AND ZONING –**
  - a. The minutes of the February 20, 2004 and February 27, 2004 Planning and Zoning Commission/Board of Adjustment Meeting were included for Council information.
  - b. The March 2004 Permit Summary reflects a total of 63 permits issued in March with a valuation of \$2,610,030 bringing the year-to-date number of permits to 93 with a valuation of \$3,449,962. For permits issued in Crow Wing County, Crosslake ranks the highest in number of permits issued.

- c. Memo from Ken Anderson regarding access to Cool Haven Lane Property – Community Development Director Ken Anderson stated that a house has been constructed on Lot 4, Block 1 of Cool Haven Shores and is listed for sale by Brandt and Lori Elson. A driveway has been constructed from the property to access Cool Haven Lane. Mr. And Mrs. Doug Peterson are objecting to the driveway accessing Cool Haven Lane because it crosses approximately 12 feet of their property. In 1990, the city received 40 feet wide easements for roadway and utility purposes from the property owners on both sides of the existing road before the City accepted maintenance responsibilities for the road. The Peterson's do not agree that this allows the Elson's and the owners of Lot 3 ingress/egress rights to cross their property to get to the bituminous road surface. Attorney Bruce Bundgaard was present to represent the Peterson's and Attorney Gerry Brine was present to represent the Elsin's. City Attorney Sandelin stated that upon his review of the easement, the City has the authority to maintain the road. The issue came to the surface when the Elsin's requested a driveway permit. A dispute has arisen between the property owners regarding access to Cool Haven. According to the City, the property owners purchased property with an easement in place. So from the City's perspective, there is an easement for utility and road purposes. Attorney Bruce Bundgaard addressed the Council and presented a handout which highlighted the strip of property in dispute. Attorney Bundgaard stated that the problem he sees with the easement is that it is written in such a way that no reference is made to anyone else having access across the property. He further stated that State Statute reads that an easement needs to be specifically described so a reference to a 40' easement across someone's property doesn't tell anyone where the property is located. Bundgaard stated that a proposal was submitted to the City previously where the Peterson's would donate the property to the City in exchange for a tax deduction along with approximately \$10,000 for repayment of expenses which would be paid by various property owners. Bundgaard requested Council action consistent with the Peterson's proposal in order to avoid legal action. Attorney Brine addressed the Council on behalf of the Elsin's. Brine stated that the Elsin's would like to resolve the dispute short of any litigation. Attorney Brine stated that deeds are interpreted the same as contracts and case law shows rulings in favor of property owners in similar situations. Mrs. Elsin was in attendance along with Attorney Brine to present their view of the situation for consideration by the Council. Mayor Swanson stated that what is currently before the Council is no different from what the Council reviewed in December. Mayor Swanson did not feel that the City's position would be any different now than it was in December. Councilmember Eggena stated he would be opposed to any acceptance of land from the Peterson's with a \$67,500 tax deduction since that would equate to \$919,000 an acre for land which he feels is unreasonable for un-buildable land. Mayor Swanson stated that the City Attorney has reviewed the easement and feels that the easement the City has is a valid easement. Councilmember Eggena stated that the

City approved the plat so the City has the responsibility for allowing legal access to property. Councilmember Phillips felt this a repeat of the situation reviewed by the Council in December.

- d. Memo dated April 9, 2004 from Ken Anderson regarding recommendation for Park Dedication – The Planning and Zoning Commission has approved the Metes and Bounds Subdivision S2004-001 submitted by applicants Harry and Lois Steffen and recommend cash in lieu of land for Park Dedication Fees in the amount of \$1,030. The Park and Recreation Director also recommends that cash in lieu of land be collected. MOTION 04R-10-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO ACCEPT \$1,030 FOR PARK DEDICATION FEES FOR SUBDIVISION 2004-001 FOR HARRY AND LOIS STEFFEN. MOTION CARRIED WITH ALL AYES.
- e. Community Development Director Ken Anderson mentioned that earlier this evening, a public hearing was held and the Council passed a motion that upon publication of a summary, the City would impose a moratorium to study PUD's for lakeshore property.
- f. Anderson stated that he is not comfortable at this time setting dates to continue review of the Comprehensive Plan due to the shortage of Staff in the Planning and Zoning Department.

### 3. SEWER –

- a. City Engineer Dave Reese updated the Council on the Sewer Project. He stated that startup on the collection system construction is expected to be April 26<sup>th</sup> with some dewatering starting prior to that date. The blacktopping schedule is on schedule with the startup of the bituminous plant. The MPCA has a review engineer on Staff who will meet with WSN and City Staff on Thursday, April 15<sup>th</sup>.
- b. A copy of a letter dated April 6, 2004 to the US Army Corps of Engineers from City Attorney Sandelin established a deadline of April 12<sup>th</sup> for a decision by the Corps as to whether they intend to connect to the Wastewater Treatment System. Attorney Sandelin stated that their decision to not hook up to the City's system was relayed back to him.
- c. A letter dated April 9, 2004 from WSN included Pay Request # 13 from KHC Construction. This pay request in the amount of \$172,129.00 has been reviewed, certified and recommended for payment by WSN. MOTION 04R-11-04 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO APPROVE PAY REQUEST NO. 13 FOR KHC CONSTRUCTION IN THE AMOUNT OF \$172,129.00. MOTION CARRIED WITH ALL AYES. Councilmember Phillips asked if there was an up front fee paid by the Corps of Engineers and Community Development Director Ken Anderson stated that the only fee that is required is the connection fee which was calculated as being \$165,000 for the Corps. The Council discussed that a memo be prepared that shows how the \$165,000 will be made up. Councilmember Eggena commented that the City will have 60 more hook-ups that can be used by the taxpayers of

Crosslake so he feels this is a good thing for the City. It was agreed that City Administrator Swenson would address this issue at the May meeting.

- d. An email from City Attorney Sandelin dated April 9<sup>th</sup> addressed what type of license is required of a contractor in order to work within the City connecting property owners to the sewer system. Either a licensed plumber or a septic installer could install the pipe from the residence to the stub and make the connection to the sanitary sewer provided it is done pursuant to the requirements of the State Plumbing Code. Based on this information which was received from the Department of Health, the newsletter, being sent to all property owners within the Sewer Area, and the Sewer Ordinance will be updated to reflect this change. City Attorney Sandelin reviewed the various changes being made to the ordinance. These include the addition of "sump pumps" as being prohibited from being connected to the sewer system; that the private on-site tanks be abandoned simultaneously with the connection to City sewer; that the connections be made pursuant to the State Plumbing Code; that the permit application include name, address, phone number, State license number and insurance and bonding information. Discussion continued regarding whether the City should require a licensed plumber or whether septic installers could perform the work provided they followed the State Plumbing Code. Councilmember Schultz asked how the City would know if the installer is going to meet the State Code if they are not a plumber and it was determined that many of the installers already have the appropriate license needed to do the work. MOTION 04R-12-04 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO APPROVE ORDINANCE AMENDMENT NO. 192 AMENDING CHAPTER 11 OF THE CITY CODE RELATING TO WASTEWATER REGULATIONS AND PUBLISHING OF A SUMMARY OF SAID ORDINANCE AMENDMENT. MOTION CARRIED WITH ALL AYES. Lee Johnson of Zorbaz inquired as to whether there would be a spec sheet the property owners can give the contractor. It was noted that a newsletter will be sent to all property owners. Frank Lindholm, property owner on Sand Point Drive stated that an association has been formed consisting of twelve property owners who have retained a contractor to do the work in their area. He stated that in making up the bid package, they did include a requirement for bonding and insurance and etc. and felt that the protection for the consumer is necessary. There was some discussion regarding who is responsible for the proper connection and City Engineer Dave Reese stated that within the right-of-way, the MPCA is responsible, however outside the right-of-way, it falls under the jurisdiction of the Department of Health. It was noted that the requirements that the Council adopted apply to private property. Public Works Director Ted Strand will make the connection to the City Sewer. City Engineer Dave Reese stated that all of the lines will be tested to the right-of-way line. Mayor Swanson stated that as a clarification, the Council made a decision that property owners do not need a master plumber to do the work. It was noted that the appropriate changes will also be made to the newsletter being sent out to affected property owners.

MOTION 04R-13-04 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO CHANGE THE PUBLIC NOTICE TO CONFORM TO THE APPROVED ORDINANCE AMENDMENT. MOTION CARRIED WITH ALL AYES.

- e. Specifications for Quotations for Sewer Connections for City Buildings – MOTION 04R-14-04 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO ADVERTISE FOR SEALED BIDS TO PERFORM THE WORK OF CONNECTING ALL CITY OWNED BUILDINGS TO THE SEWER SYSTEM AND ASSOCIATED TANK ABANDONMENTS. Clerk Roach asked if the Council in fact wishes to go with sealed bids and they indicated that they did want bids. MOTION CARRIED WITH ALL AYES.

4. PUBLIC WORKS –

- a. The minutes of the January 25, 2004 Public Works Commission meeting were included for Council information.
- b. A letter dated February 3<sup>rd</sup> from County Highway Engineer Duane Blanck presented the annual bridge inspection report in accordance with Minnesota Law Chapter 165 and was included for Council information.
- c. A memo dated April 2<sup>nd</sup> from Councilmember Eggena and City Administrator Swenson regarding sale of Public Works Garage – It is the recommendation that the City Council declare the building surplus property and authorize its sale by utilizing local realtors at a 6% commission with the sale price established at \$157,000. Beginning June 1, 2004 and on the 1<sup>st</sup> of each month thereafter, the price will be reduced by \$5,000 to a minimum sale price of \$125,000. After some discussion regarding other options available, MOTION 04R-15-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY DEAN EGGENA TO ACCEPT THE PROPOSAL FROM COUNCILMEMBER EGGENA AND CITY ADMINISTRATOR SWENSON TO SELL THE PUBLIC WORKS GARAGE. Councilmember Schultz asked if the sale of the property would include connection to City sewer and it was agreed that this was a good point, but that the sale would be as is. MOTION CARRIED WITH ALL AYES.
- d. Letter dated April 1, 2004 from Dave Reese regarding request for proposal for surveying/engineering services for City Hall and Fire Hall parking – Public Works Director Ted Strand stated once the municipal building is connected to City sewer, the parking lot at City Hall can be expanded. Strand contacted Anderson Brothers to provide a quote for 16 additional parking spaces. Upon review of the plan with Councilmember Eggena, it was agreed that a quote be obtained to connect the parking lot to the road behind City Hall. Based on this, WSN provided the City with an estimate which included a grading and drainage plan, layout, topographic survey and site mapping. Councilmember Eggena thanked City Engineer Reese for the proposal but stated his intent was only to expand the parking lot area to the road and did not include drainage or future building designs. Ted Strand stated that he thought a drainage plan was required and City Engineer Dave Reese confirmed this is based on more than one acre being disturbed. The

rough estimate from Anderson Brothers was \$6,800 to add fifteen parking spaces straight east. The Council directed Ted Strand to get an estimate from Anderson Brothers to connect this area to the road. The cost could be included with the bonding for the 2003 and 2004 road projects. Ted Strand was directed to bring this back to the Council at the May meeting.

- e. A memo dated April 7, 2004 from Ted Strand requested approval to accept a quote for seal coating from Seal Tech as the lowest bidder. The quote includes use of approximately 5000 pounds of seal coating material that the City has on hand. After some discussion regarding who submitted the lowest quote based on using City material, MOTION 04R-16-04 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLPS TO APPROVE THE LOW BIDDER FOR THE CRACK SEALING PROJECT. MOTION CARRIED WITH ALL AYES.
- f. Memo dated April 8<sup>th</sup> from Ted Strand regarding purchase of one ton truck – Approval was requested to purchase a 2004 one ton 4x4 dump truck from Mills Ford. Three quotes were received and the F-350 truck from Mills Motors was the lowest quote. The plow, sander and dump box will be purchased separately from the truck. Mayor Swanson asked Ted Strand if he feels he will stay within the \$50,000 budgeted amount when purchasing the additional items and Ted Strand stated that he would stay within the budgeted amount. MOTION 04R-17-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN EGGENA TO APPROVE THE PURCHASE OF A 2004 ONE TON 4X4 DUMP TRUCK FROM MILLS MOTORS AT A COST OF \$22,704. Councilmember Phillips asked if a one-ton truck was large enough and Strand stated that it would be large enough. MOTION CARRIED WITH ALL AYES.
- g. Memo dated April 12<sup>th</sup> from Ted Strand regarding Cemetery Clean-Up – The intent of the Public Works Department is to clean the cemetery on Wednesday, May 12<sup>th</sup> and residents were reminded to remove any items that they wish to keep no later than May 11<sup>th</sup>. An ad will be placed in the Lake Country Echo and on Channel 12 announcing the clean-up. Discussion ensued regarding the current Cemetery Guidelines and lack of enforcement and Council direction was requested. MOTION 04R-18-04 WAS MADE BY DEAN EGGENA AND SECONDED BY BETTIE MILLER TO AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO DO A MODIFIED CLEAN-UP AND TO PLACE AN AD IN THE LAKE COUNTRY ECHO AS A MEANS OF NOTIFICATION OF CLEAN-UP. MOTION CARRIED WITH ALL AYES.

#### 5. PARK AND RECREATION –

- a. Park and Recreation Director Jon Henke requested Council approval to appoint Earl Angell, who is currently an alternate member, as a regular member of the Park and Recreation Commission to fill the vacancy left by Mary Miller. MOTION 04R-19-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO APPOINT EARL ANGELL TO THE PARK AND RECREATION COMMISSION FILLING THE

TERM LEFT VACANT BY MARY MILLER. MOTION CARRIED WITH ALL AYES. The Park Commission is also recommending that Barbara Dawson and Chad Ekeberg be added to the Commission as alternate members. MOTION 04R-20-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO APPOINT BARBARA DAWSON AND CHAD EKEBERG AS ALTERNATE MEMBERS OF THE PARK AND RECREATION COMMISSION. MOTION CARRIED WITH ALL AYES. Approval of a \$250 donation from the Whitefish Area Lions for the Family Fun Day programming was requested. MOTION 04R-21-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO ACCEPT WITH APPRECIATION THE DONATION OF \$250 FROM THE WHITEFISH AREA LIONS FOR FAMILY FUN DAY PROGRAMMING. MOTION CARRIED WITH ALL AYES. A letter from Katie Demcho requested use of the Community Center by the Girl Scouts for an annual overnight stay and requires Council approval. MOTION 04R-22-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO ALLOW THE GIRL SCOUTS TO USE THE COMMUNITY CENTER FOR AN OVERNIGHT STAY ON FRIDAY, MAY 14<sup>TH</sup>. MOTION CARRIED WITH ALL AYES. Park Department Employee Joe Ulschmid has submitted his resignation effective March 31, 2004 after seven years of dedicated service to the Park Department. Applications for this position will be accepted until April 21<sup>st</sup> at 4:00 P.M. The morning Walkers and Talkers meet in the gym each weekday morning from 8:00 – 9:00 a.m. for walking. A Senior Driving Program will be sponsored by AAA on Wednesday, May 5<sup>th</sup> from 9:00 to 12:45 P.M. This is a four hour refresher course. Youth baseball registrations have been mailed out. Cost per player is \$35.00. The registration deadline is April 10<sup>th</sup>. Registrations received after the deadline are subject to late fees and waiting lists. No registrations will be accepted after May 22<sup>nd</sup>. Donna Keiffer is again offering a Senior Fitness Class. This is a gentle exercise program involving stretching, weights and fitness bands. It targets seniors and people of all ages who have range of motion issues. The session runs April 5<sup>th</sup> to April 26<sup>th</sup>. Cost for registration is \$11.00. MOTION 04R-23-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO AUTHORIZE CONTRACTING WITH DONNA KEIFFER TO PROVIDE A SENIOR FITNESS CLASS FROM APRIL 5<sup>TH</sup> TO APRIL 26<sup>TH</sup> AT A COST OF \$88.00. MOTION CARRIED WITH ALL AYES. Family Fun Day is scheduled for April 24<sup>th</sup> from 1:00 – 3:00 P.M. The highlight of the day will be the Teddy Bear Band which is a popular children's group. Children are encouraged to bring their own teddy bear to this interactive event. The Whitefish Area Lions and Knights of Columbus will sponsor the kinderprint program and will be doing the fingerprinting which should be included with a current picture of the child. This is a free event through the cooperation of local service groups. The Crow Wing County Parks Department is hosting a public input meeting April 20<sup>th</sup> at Mississippi Horizons School in Brainerd from 7:00 – 9:00 P.M.

The Parks Department needs citizen input for future recreational offerings in Crow Wing County. The minutes of the March 22, 2004 Commission meeting were included for Council information.

6. UTILITIES - Operations Manager Jared Johnson presented the Highlights Report for March 2004 in the absence of General Manager Dennis Leaser. At a recent meeting, the City Council approved the replacement of the existing tower on Crosslake Communications property. Bid packages have been sent out and a recommendation will be brought to the Council from the Utilities Commission at an upcoming meeting. Local citizens have expressed support and appreciation for being able to view the Twins Games on local programming from Victory Sports. Crosslake Communications is the only company carrying the games in this area. Pay-per-view has been dropped effective April 1<sup>st</sup> since the Company is losing \$31.00 per movie. Leaser, Johnson and Bill Gordon attended the NCCTA show in March and Staff is researching additional programming opportunities. General Manager Leaser recently made a trip to the State Capitol to visit with representatives. As a result of the meeting, the Telephone Managers were able to persuade the State Senators that not all the telecom bills are good for rural Minnesota. The management staff attended the MTA recently where a lot of good information on new technologies was presented. After a four-month search, a heavy duty flat bed has been located. It is a 1995 Ford with new brakes and clutch. The International Truck will be taken in on trade and the cost including trade-in will be \$22,400. Councilmember Phillips asked about the tape delays and Johnson stated that these are bugs that need to be worked out by the Sports Channel. The minutes of the February 23<sup>rd</sup> and March 30<sup>th</sup> Commission Meetings were included for Council information. Two articles from the Brainerd Dispatch regarding Twins programming were included for Council information.
7. PUBLIC SAFETY - The Police Department reported 78 calls in Crosslake and 22 calls in Mission Township in March. City Attorney Sandelin stated that he has not received a response to his March 11<sup>th</sup> letter to Ellen Longfellow at the League of Minnesota Cities regarding two amendments to the Crosslake Police Department Policy Manual. This will be reviewed again at the May Regular Council Meeting. A letter dated March 23<sup>rd</sup> from Joyce Mueller of the Crow Wing County Health Department, regarding the illegal drug lab located on property situated at 11746 Manhattan Point Boulevard, was included for Council information. Councilmember Schultz stated that a meeting will be held on April 19<sup>th</sup> at Central Lakes Community College dealing with meth labs. The Fire Department responded to six medical calls, one meth lab standby, and one fire call for a total of nine calls in March.
8. ECONOMIC DEVELOPMENT AUTHORITY – The minutes of the March 3, 2004 meeting were included for Council information.
9. RECYCLING – A total of 11.8 tons of recyclables were collected in March bringing the year-to-date total to 30.95 tons.

10. **CHARTER SCHOOL** – Councilmember Schultz stated that the dedication of the Science Lab will be held on April 22<sup>nd</sup> at 6:00 P.M. This will take place in conjunction with the Science Fair.
11. **LONG RANGE CAPITAL PLANNING** – The minutes of the January 28<sup>th</sup> and February 25<sup>th</sup> Commission Meetings were included for Council information. A memo dated April 9<sup>th</sup> from the Commission and Community Development Director Ken Anderson recommends to the Council that all necessary actions be taken to establish a wastewater management district that will encompass all property within the City of Crosslake. These districts were discussed and promoted in a presentation by Ken Olson of the University of Minnesota Extension Service in September 2003. Mayor Swanson, Councilmember Eggena, Sewer Committee Chair Dean Swanson and Community Development Director Anderson attended the meeting. Councilmember Eggena supports this approach to wastewater management and stated that property owners can be either a passive or active member. If they choose to be passive, the City takes care of everything and bills the property owner a fee for services performed. If the property owner wishes to be active, they submit the results to the City. Eggena feels the average cost to the property owner would be in the area of approximately \$200 per year. Mayor Swanson is also supportive of this type of approach and feels that it goes hand in hand with what the City did with the inspections on the Whitefish Chain. Mayor Swanson stated that both the municipal system and wastewater management system are needed in the City. The Council agreed that the Long Range Planning Commission has done their work and the next step is to go to the Sewer Committee. Councilmember Phillips supported the plan as did Councilmember Schultz. Mayor Swanson commented that the Sewer Committee may become part of the Public Works Commission or a Sewer Utility Commission needs to be put in place. Eggena stated that Ottertail has a population of about 1400 properties and operates at a cost of \$100 per property. Ottertail has one full time employee and one part time employee with a budget of \$140,000. The City would form a district so there's no tax revenue involved with the district being supported through user fees. This would allow the district to move outside the local municipality. MOTION 04R-24-04 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO AUTHORIZE THE SEWER COMMITTEE TO LOOK INTO THE FEASIBILITY OF ESTABLISHING A WASTEWATER MANAGEMENT DISTRICT. MOTION CARRIED WITH ALL AYES. The Long Range Capital Planning Commission received a resignation of an alternate member and residents were encouraged to apply for the position.
12. **PERSONNEL COMMITTEE** – A notice of resignation was received from Carla Backstrom and acceptance of the resignation was requested. MOTION 04R-25-04 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO ACCEPT THE RESIGNATION OF CARLA BACKSTROM AND TO AUTHORIZE FILLING THE VACANCY FROM THE CURRENT POOL OF CANDIDATES AND AUTHORIZING PART TIME ASSISTANCE IN THE DEPARTMENT IF NECESSARY. It was noted that nine applicants have been sent

applications for the Planner-Zoning position. The deadline for applications closes today at 4:30 P.M. MOTION CARRIED WITH ALL AYES.

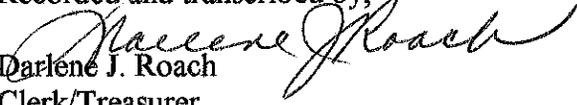
**H. OLD BUSINESS** – The County Board is scheduled to meet on Tuesday, April 13<sup>th</sup> and Fawn Lake Road will be on the agenda. Approval to send Councilmember Eggena to the meeting was requested. MOTION 04R-26-04 WAS MADE BY BETTIE MILLER AND SECONDED BY IRENE SCHULTZ TO AUTHORIZE DEAN EGGENA TO ATTEND THE COUNTY BOARD MEETING ON TUESDAY, APRIL 13<sup>TH</sup> ON BEHALF OF THE CITY. MOTION CARRIED WITH ALL AYES.

**I. NEW BUSINESS** – None

**J. PUBLIC FORUM** - None

**K. ADJOURN** – MOTION 04R-27-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO ADJOURN THIS REGULAR MEETING AT 10:35 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,

  
Darlene J. Roach  
Clerk/Treasurer

Shared/REGULAR COUNCIL MEETING – April 12, 2004

**BILLS FOR APPROVAL  
12-Apr-04**

<b>VENDORS</b>	<b>DEPT</b>	<b>AMOUNT</b>
Ace Hardware, plumbing and heating	PW	12.35
Ace Hardware, connector car end	PW	8.83
Ace Hardware, clamp, couple	PW	6.95
Arlene Courneya, refund permit fee	P&Z	250.00
Banyon Data Systems, utility billing software	Sewer	5,140.40
Blue Lakes Disposal, trash removal	ALL	149.18
Bob Castle, mounting bracket	PW	460.00
Cascade Computers, anti-virus	PW	261.74
Cascade Computers, backup drive and tapes	ALL	866.19
City of Niswaga, pbt simulator	Police	57.70
County Recorder, filing fees	P&Z	80.00
Council #65, union dues	ALL	142.11
Crosslake Rolloff, recycling	Gov't	2,450.00
Crow Wing County, lakes area drug investigation annual fee	Police	1,500.00
Crow Wing County Highway Dept., fuel	ALL	1,673.56
Crow Wing County Treasurer, property taxes	ALL	219.48
Crow Wing County Treasurer, e911 addresses	Gov't	100.00
Culligan, water and cooler rental	PW/Admin	70.05
Deferred Comp	ALL	491.66
Delta Dental, dental insurance	ALL	1,086.45
Echo Publishing, fire department ad	Fire	18.00
Echo Publishing, assessment notice	Gov't	46.00
Echo Publishing, council vacancy ad	Gov't	80.50
Echo Publishing fire department ad	Fire	23.20
Echo Publishing, fire department ad	Fire	18.00
Echo Publishing, employment ad	P&Z	36.00
Echo Publishing, employment ad	P&Z	58.00
Eric Johnson, contract for deed	P&R	19,066.95
Eric Swanson, reimburse uniform	Police	29.58
Fortis, disability	ALL	236.42
Holiday Station, fuel	Fire	28.97
Independent Testing Technologies, auger borings	PW	870.00
Lakes Area Rental, work platform	PW	159.75
M R Sign, brackets	PW	470.62
Martin Communications, repair radio	Fire	124.58
Martin Communications, repair pager	Fire	129.83
Martin Communications, new radio	PW	485.64
Mastercard, Office Max, pencil sharpener, mark erase set	PW	22.01
Mastercard, Perkins, meal for class	ALL	24.45
Medica, health insurance	ALL	10,929.62
Mills Motors, repair blower motor	Police	74.55
MN Benefits	Admin	100.92
MN Life, life insurance	ALL	255.60
Moonlite Square, fuel	Fire	37.51
NCPERS-Life Insurance	ALL	128.00

North Ambulance, subsidy	Ambulance	1,103.00
Northern Water Works Supply, meters	Sewer	932.92
Northland Fire Protection, maintain fire extinguishers	PW/Fire	286.08
PERA	ALL	N/A
Petty Cash	ALL	134.00
Reed's Market, sentence to serve	PW	81.17
Richard Allen Productions, band for family fun day	P&R	300.00
State and Federal Taxes	ALL	N/A
Tom Swenson, vehicle allowance	Admin	400.00
Whitefish Automotive, install trailer harness plug	PW	67.77
Widseth Smith Nolting, engineering fees	ALL	16,976.19
<b>TOTAL</b>		<b>68,762.48</b>

**ADDITIONAL BILLS FOR APPROVAL**  
**12-Apr-04**

<b>VENDOR</b>	<b>DEPT</b>	<b>AMOUNT</b>
Ace Hardware, adapter, connector, cleaners	PW	25.51
Ace Hardware, marking spray	P&R	23.39
Brainerd Medical Center, lab test	PW	20.29
Crow Wing County Recorder, filing fees	P&Z	20.00
Echo Publishing, public hearing notice 4-12	P&Z	62.50
Isco, testing equipment	Sewer	8,900.00
M R Sign, address signs	PW	412.45
Nortrax, repair clutch	PW	890.82
Samaritan Tire, tires	Police	228.98
Sandelin Law Office, legal fees	ALL	6,662.85
Streicher's, uniform	Police	149.90
Viking Coca Cola, pop	Gov't	16.72
University of MN, spring maintenance expo	PW	135.00
USA Bluebook, sewer equipment	Sewer	8,158.04
<b>TOTAL</b>		<b>25,706.45</b>