

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, APRIL 22, 2013  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, April 22, 2013. The following Council Members were present: Mayor Darrell Schneider, Steve Roe, Gary Heacox, John Moengen and Mark Wessels. Also present were City Administrator/Consultant Dan Vogt, City Clerk Char Nelson, Community Development Director Ken Anderson, Public Works Director Ted Strand, Park and Recreation Director Jon Henke, City Attorney Brad Person, and Echo Publishing Reporter Kate Perkins. There were approximately sixteen people in the audience.

**A. CALL TO ORDER** – Mayor Schneider called the Regular Council Meeting to order at 7:00 P.M. MOTION 04R2-01-13 WAS MADE JOHN MOENGEN AND SECONDED BY GARY HEACOX TO ACCEPT THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.

**B. CRITICAL ISSUES** –

1. The Council continued discussion of a matter tabled at the April 8<sup>th</sup> meeting related to the request from Crosswoods Golf Course to obtain an On-Sale Liquor License. Attorney Person stated that the State of Minnesota does not limit the number of On-Sale Liquor Licenses that are issued to restaurants. A discussion ensued regarding the requirement in the City Code for On-Sale and Off-Sale Liquor License holders to be open 48 weeks per year. MOTION 04R2-02-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY GARY HEACOX TO APPROVE ORDINANCE AMENDMENT NO. 313 REPEALING SECTION 4-27 OF THE CITY CODE WHICH REQUIRED ON-SALE AND OFF-SALE LIQUOR LICENSE HOLDERS TO BE OPEN 48 WEEKS PER YEAR. MOTION CARRIED WITH ALL AYES.
2. Melissa Barrick of the Crow Wing Soil and Water Conservation District updated the Council on various programs available to the public. You Tube videos are available to watch online regarding shoreline restoration.

**C. CONSENT CALENDAR** – MOTION 04R2-03-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY STEVE ROE TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR: (1.) REGULAR MEETING MINUTES OF APRIL 8, 2013; (2.) MARCH 2013 WASTEWATER TREATMENT DISCHARGE MONITORING REPORT; (3.) CROW WING COUNTY SHERIFF'S OFFICE COMMUNITY UPDATE; (4.) WASTE PARTNERS RECYCLING REPORT OF MARCH 2013; (5.) BILLS FOR APPROVAL IN THE AMOUNT OF \$22,944.11; AND (6.) MEMO DATED 4/22/13 FROM CHIEF HARTMAN RE: EVIDENCE ROOM PROGRESS. MOTION CARRIED WITH ALL AYES.

#### **D. MAYOR'S REPORT**

1. Mayor Schneider reported that the Corps of Engineers Campground is in need of volunteers to help with Spring Clean-Up but a date has not been set due to winter weather.
2. At the City Council Meeting of January 31, 2013, the Council discussed their personal goals and objectives for the City for 2013. The Council discussed some of the objectives that are currently in progress and what they would still like to see completed. Mayor Schneider would like to create a visual display of the City's finances in relation to the pay-off of bonds and the proposed City improvements. John Moengen would like to have an employee review process implemented. Mark Wessels wants the Planning and Zoning enforcement issues resolved. Attorney Person stated that he has met with Ken Anderson and they plan to take the unresolved violations to the Planning and Zoning Commission to be prioritized and categorized with recommendations sent to the Council for action. It was the consensus of the Council to direct Attorney Person to research the outstanding violations that were sent to the City Attorney in prior years but remain unresolved. Steve Roe questioned whether the Council should spend money in court fighting the violations. Attorney Person replied that the Council will have the choice to take the property owners to court or change the ordinances so the violation no longer exists. Gary Heacox would like the Council to request that purchases for City supplies remain in town if the same product is available. Ted Strand addressed the Council and stated that he brings water samples to Brainerd every week and sometimes purchases supplies there, however, a special trip is not made. Some items are much more expensive in Crosslake.

#### **E. CITY ADMINISTRATOR'S REPORT**

1. MOTION 04R2-04-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY STEVE ROE TO APPROVE THE PURCHASE OF A BULLETIN BOARD TO BE HUNG IN THE HALLWAY OF CITY HALL FOR THE PURPOSE OF DISPLAYING COMMUNITY ACTIVITIES AND NOTICES. MOTION CARRIED WITH ALL AYES.
2. Dan Vogt updated the Council on proposed changes to the Council Meeting agendas. Commission reports will be on the agenda for the first meeting of the month only. The Consent Calendar will include all informational items and routine approvals. In order to give residents access to information, Administration is working to put Council packets on the webpage. Public Forum will be allowed one time during meetings, toward the end of the agenda. The Pledge of Allegiance will be recited at the beginning of the Council Meetings. Council Meeting minutes will have less detail and be more concise. The Council was favorable to these changes.
3. Ted Strand gave an update on the Rock Dam on Big Pine Trail. The dam recently let go and needs to be repaired. Dan Vogt and Ted Strand met with the County to discuss road restrictions and the weight of the trucks carrying materials to repair the dam. The County plans to haul small loads over Big Pine Trail, however, that will require more travel on the road. The project will begin as soon as the snow melts.
4. Dan Vogt reported that he has reviewed the job descriptions for the department heads and has determined that they are extremely detailed. Mr. Vogt will condense the job duties. A question that all department heads had was, "Who do I report to?" Mr. Vogt stated that the Council will need to answer that question soon.

5. Dan Vogt reported that the City received ten applications for the Finance Director/Treasurer position. Two individuals are highly qualified and will be interviewed by the Personnel Committee.
6. Dan Vogt reported that the Personnel Committee met with AFSCME Council 65 to negotiate a contract. A tentative agreement was reached and the bargaining unit now needs to vote on the agreement. Mr. Vogt contacted the NJPA Coop to obtain quotes for health insurance with comparable coverage.
7. Jon Henke appeared before the Council to discuss the need and process for obtaining specifications for the Tennis Court Project. The League of MN Cities suggested that he avoid using vendor specifications. Mr. Henke requested specifications from the MN Recreation & Park Association and the Pequot Lakes School District but had not heard back from either party. Dan Vogt stated that because the City received a \$36,000 grant from USTA for the project, certain guidelines must be followed. Mark Wessels suggested asking USTA for specifications. MOTION 04R2-05-13 WAS MADE BY MARK WESSELS AND SECONDED BY STEVE ROE TO AUTHORIZE JON HENKE TO OBTAIN TENNIS COURT SPECIFICATIONS FOR THE TENNIS COURT PROJECT. MOTION CARRIED WITH ALL AYES.

#### **F. OLD BUSINESS**

1. Ken Anderson reported that the City received a letter dated April 18, 2013 from the Minnesota DNR regarding the noncompliance of Ordinance 312 with statewide minimum shoreland standards. The letter specified three items in the ordinance that did not comply with State rules and stated that within one year of receiving the notice, the City must enact changes that bring its zoning ordinance into substantial compliance with statewide minimum standards or achieve approval from the DNR for implementation flexibility for alternate standards that increase resource protection. If the City does not take either action within one year, the DNR will adopt an ordinance for the City. Mark Wessels suggested that the removal of Item d. regarding water oriented accessory structures on page 6 of the ordinance could eliminate most of the problem. Dan Miller addressed the Council and stated that the City of Lakeshore is permitting these types of structures and the City of Crosslake could consider adopting a similar ordinance to Lakeshores. Steve Roe was surprised at how quickly the DNR responded to the City's ordinance. Dave Nevin addressed the Council and questioned what authority the DNR had regarding structures that are above the OHW. MOTION 04R2-06-13 WAS MADE BY MARK WESSELS AND SECONDED BY DARRELL SCHNEIDER TO 1.) REMOVE SECTION D. PERTAINING TO WATER ORIENTED ACCESSORY STRUCTURES ON PAGE 6 OF ORDINANCE NO. 312; 2.) NOTIFY THE DNR THAT THE CITY WILL COMPLY WITH #2 ON THE DNR LETTER DATED OCTOBER 22, 2012 "APPROVAL FOR DROPPING DUPLEX LOT SIZE REQUIREMENTS IS POSSIBLE IF IMPERVIOUS SURFACE COVERAGE DOES NOT EXCEED 25%, SETBACKS ARE MAINTAINED AND SHORE IMPACT ZONE PROTECTION IS ADDRESSED"; AND 3.) NOTIFY THE DNR THAT THE CITY WILL COMPLY WITH PART OF #3 ON THE DNR LETTER DATED OCTOBER 22, 2012 "THE GUEST QUARTER CONCEPT CAN BE APPROVED IF THE MAXIMUM 25' STRUCTURE HEIGHT IS NOT EXCEEDED, SEWER CAPABILITIES EXIST, AND ONLY ONE GUEST COTTAGE OR GUEST QUARTERS CAN BE APPROVED PER LOT, NOT BOTH.

AT NO TIME CAN GUEST QUARTERS BE APPROVED FOR WATER ORIENTED STRUCTURES.” (CITY ELIMINATED “THE CONSIDERATION IS LIMITED TO STRUCTURES EXISTING PRIOR TO THE DATE OF FLEXIBILITY BEING APPROVED”. Attorney Person stated that he would work with Ken Anderson and hand-deliver the revised ordinance to Michael Duval and explain the willingness of the City to comply with DNR rules. MOTION CARRIES WITH ALL AYES.

2. Ken Anderson requested that the City Council consider the proposed Downtown Commercial District bituminous trail and concrete sidewalk improvements be included in the 2013 improvement project. The bid documents include improving a five foot sidewalk between the Pine Peaks Hotel and the existing, improved concrete sidewalk near the Town Square fountain pond. The bituminous trail improvements consist of an extended shoulder between the Larson Group real estate office and the existing bituminous trail at County Road 3. The improvement would be located where Swann Drive is currently a rural section and would be located on the south side of the road only. MOTION 04R2-07-13 WAS MADE BY STEVE ROE AND SECONDED BY GARY HEACOX TO INCLUDE THE DOWNTOWN COMMERCIAL DISTRICT SIDEWALK AND TRAIL IMPROVEMENTS WITH THE 2013 STREET IMPROVEMENT PROJECT. MOTION CARRIED WITH ALL AYES.

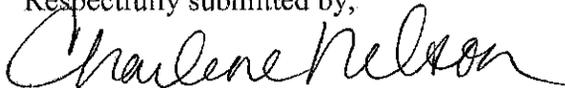
#### **G. NEW BUSINESS**

#### **H. PUBLIC FORUM –**

Pet Netko appeared before the Council to remind residents of upcoming events: Day of Caring May 9<sup>th</sup>, Retail Tour May 14<sup>th</sup>, and Join Hands Day May 18<sup>th</sup>. Ms. Netko also reported that due to weather, the roadside cleanup date has changed from April 27<sup>th</sup> to May 4<sup>th</sup>.

- I. **ADJOURN –** MOTION 04R2-08-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY DARRELL SCHNEIDER TO ADJOURN THE MEETING AT 9:04 P.M. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,



Charlene Nelson  
Deputy Clerk

Deputy Clerk/Minutes/4-22-13

**BILLS FOR APPROVAL**  
**April 22, 2013**

<b>VENDORS</b>	<b>DEPT</b>	<b>AMOUNT</b>
AW Research, water testing	Sewer	225.00
Batteries Plus, batteries	Gov't	30.22
Bob Hartman, reimburse for shop vac	Police	48.31
Brian Thull, reimburse for lp gas	PW	262.35
Crosslake Portable Welding, dishwasher repair	P&R	285.00
Crow Wing County Atty, 50% 1st quarter fines	Police	1,075.30
Crow Wing Power, electric services	ALL	8,366.02
Dept of Employment, unemployment benefits	Police	421.57
Diamond Industrial Cleaning, pressure washer repair	PW	106.81
Engineering America, sensor assy, lamp holder	Sewer	2,648.20
Fastenal, earmuff, gloves	PW	37.35
Guardian Pest Solutions, pest control	ALL	82.94
Hawkins, chemicals	Sewer	985.09
Heartland Tire, tire repair	PW	19.45
Holiday Station, wipers	Police	19.22
Johnson Killen & Seiler, personnel matters	Gov't	407.00
League of MN Cities, mayors conference	Council	85.00
Marco, copier lease	ALL	428.25
Mastercard, Fleet Farm, filters, thermometer, nuvi 50lm	PW	240.90
Mastercard, Menards, evidence room	Police	821.05
Mastercard, Siegel, brochure holders	EDA	211.56
MCFOA, regional meeting	Admin	15.00
Menards, water heater, water pump, parts	P&R/PW	846.58
Menards, evidence room	Police	1,714.69
Meyer Midwest, cutting edges	PW	363.64
North Central Lawn Care, fertilizer	P&R	1,389.38
Northland Press, business cards, envelopes	EDA/Govt	254.40
Northland Press, ordinance 312, assessment notice	P&Z/Govt	112.05
Reed's Market, kitchen supplies, pop for machine	Gov't	83.60
The Office Shop, copy paper, folders	P&Z/Admin	173.08
USA Bluebook, eye/face wash system	P&R	716.40
Viking Electric, lighting supplies	Gov't	296.17
Whitefish Auto, rotate tires, fix window control	Police	172.53
<b>TOTAL</b>		<b>22,944.11</b>