

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
THURSDAY, JUNE 27, 2013
6:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Thursday, June 27, 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, Public Works Director Ted Strand, Finance Director/Treasurer Mike Lyonais, Community Development Director Ken Anderson, Police Chief Bob Hartman, GIS Coordinator Bryan Hargrave, City Attorney Brad Person, Northland Press Reporter Paul Boblett, and Echo Publishing Reporter Kate Perkins. There were approximately twenty-four people in the audience.

A. CALL TO ORDER – Mayor Schneider called the Regular Council Meeting to order at 6:00 P.M. The Pledge of Allegiance was recited. MOTION 06R2-01-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY STEVE ROE TO APPROVE THE ADDITIONS TO THE AGENDA. MOTION CARRIED WITH ALL AYES.

B. CRITICAL ISSUES –

1. Mayor Schneider gave a recap of the Public Information Meeting that was held on June 11th at the Community Center. Approximately 45 were in attendance and approximately 10 people addressed the Council. The only comments received after the meeting were from WAPOA in a letter dated June 18, 2013. The letter contained more comments, observations and suggestions for the Council to consider. The Mayor read parts of the letter and some of the comments that were made on the 11th. Discussion ensued regarding whether or not the Comprehensive Plan should be redone before changes are made to the Land Use Ordinance. The Council felt that because the Comp Plan was adopted by the City Council 5 years ago, it did not need updating at this time. Mayor Schneider emphasized the importance to move forward with the County's Assessment and begin making changes. Mark Wessels stated that no Council Member wishes to get rid of Planning and Zoning and that it is important to get outside advice on how to handle complaints regarding the Planning and Zoning Department. Mr. Wessels wanted to proceed with adopting the 31 suggestions that the County listed in their Assessment. Steve Roe stated that a written plan should be developed before action is taken. A discussion ensued regarding whether a plan could be developed without first meeting with the County and obtaining more information. John Moengen stated that it was important to keep the public involved. Ken Anderson addressed the Council and stated he was disappointed that the Council has not communicated to him or his staff as to what issues the Council is trying to fix in the Planning and Zoning Department and why staff has not been included in discussions regarding potential changes. MOTION 06R2-02-13 WAS MADE BY MARK WESSELS AND SECONDED BY DARRELL SCHNEIDER TO AUTHORIZE ATTORNEY BRAD PERSON, CITY ADMINISTRATOR/CONSULTANT DAN VOGT AND TWO COUNCIL MEMBERS TO WORK WITH THE COUNTY TO EXPLORE THE IMPLEMENTATION PROCESS OF ADOPTING THE 31 SUGGESTIONS MADE BY THE COUNTY IN

THEIR ASSESSMENT OF THE CROSSLAKE PLANNING AND ZONING DEPARTMENT. Steve Roe suggested that a Planning and Zoning staff person be included in the meetings. Mark Wessels replied that staff is overworked and that staff can make comments when the plan is brought back to the Council. John Moengen addressed the elephant in the room of the fear that the Council wants to reduce Planning and Zoning staff and added that this possibility cannot be determined until talks with the County take place. Ken Anderson requested to be included in the discussions with the County. Mark Wessels did not change his motion. MOTION PASSED 3-2 WITH ROE AND MOENGEN OPPOSED.

MOTION 06R2-03-13 WAS MADE BY MARK WESSELS AND SECONDED BY DARRELL SCHNEIDER TO DIRECT MARK WESSELS, GARY HEACOX, BRAD PERSON AND DAN VOGT TO REPRESENT THE CITY AT THE MEETINGS WITH THE COUNTY. MOTION PASSED 3-2 WITH ROE AND MOENGEN OPPOSED.

Tom Watson of WAPOA addressed the Council and stated he was insulted that the Mayor only read the first paragraph of WAPOA's letter. WAPOA wants to collaborate with the City when making changes to the Land Use Ordinance. Mr. Watson noted that WAPOA was the only organization to respond to the County's Assessment and he would not be back to a meeting unless the Mayor invited him.

Patty Norgaard stated that she wanted the Council to include Ken Anderson and Planning and Zoning Commission Members in the discussions with the County.

2. Tristin Host of Virtual Management Group, LLC addressed the Council and requested approval to link the City's website to an Explore Crosslake Facebook Page that she maintains. Discussion ensued regarding the need and benefit for the City to be on Facebook. The Council did not give formal approval but noted that anyone could add a link to the website. Cindy Myogeto of the Brainerd Lakes Chamber of Commerce added that the Chamber is not affiliated with Ms. Host in any way.

C. CONSENT CALENDAR – MOTION 06R2-04-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY DARRELL SCHNEIDER TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR EXCLUDING ITEM #3 WHICH WAS REMOVED AT STEVE ROE'S REQUEST: (1.) REGULAR MEETING MINUTES OF JUNE 10, 2013; (2.) PUBLIC INFORMATION MEETING MINUTES OF JUNE 11, 2013; (3.) REMOVED; (4.) MAY 2013 WASTEWATER TREATMENT DISCHARGE MONITORING REPORT; (5.) BILLS FOR APPROVAL DATED 6/27/13; AND (6.) ADDITIONAL BILLS FOR APPROVAL. MOTION CARRIED WITH ALL AYES.

Steve Roe requested that Item (3.) Petition for Reconsideration of County Road 3 Upgrade Project to Crow Wing County and the Cities of Crosslake and Fifty Lakes be removed from the Consent Calendar and be open for discussion. Nancy Koch of 38881 County Road 3 addressed the Council and stated that she signed the petition because she was concerned about losing trees on her property. Ms. Koch stated that signers of the petition were in favor of maintaining the current road width of 66-feet and preserving the natural, scenic beauty of

the area. John Moengen expressed concern that the project is too far along in the planning stages to make major changes and that an overlay would not address safety issues. Changes to the project could reduce funding from other agencies. MOTION 06R2-05-13 WAS MADE BY DARRELL SCHNEIDER AND SECONDED BY STEVE ROE TO TABLE ACTION ON THE CSAH 3 UPGRADE PROJECT RECONSIDERATION PETITION UNTIL THE COUNTY WAS PRESENT TO ANSWER QUESTIONS. MOTION CARRIED WITH ALL AYES.

D. MAYOR'S REPORT

1. Mayor Schneider presented Ken Anderson with a Service Award for 10 Years of faithful and valuable service to the City.
2. The Mayor gave an update on the fundraising efforts for the fireworks display and noted that donations are still needed.

E. CITY ADMINISTRATOR'S REPORT

1. Dan Vogt reported that he has completed changes to the job descriptions of the Department Heads and will bring those to the Council for approval at the regular meeting in August.

The tennis courts received the second coat of blacktop and the project is on schedule. The Park Department received a quote from Anderson Brothers to sealcoat and stripe the parking lot. MOTION 06R2-06-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY GARY HEACOX TO AUTHORIZE THE SEALCOATING AND STRIPING OF THE COMMUNITY CENTER PARKING LOT AT AN AMOUNT NOT TO EXCEED \$5,500. MOTION CARRIED WITH ALL AYES. Mr. Vogt reported that the new fitness equipment for the weight room arrived today.

Dan Vogt stated that he wants to work with Ken Anderson on making a list of properties with unsightly storage of vehicles and junk. He will bring this list to the Council before taking action.

Mark Wessels asked for an update on the recouping of funds for the new sidewalk on Swann Drive. Brad Person stated that he, Dan Vogt, and the City Engineer have no solution at this point to recoup money from the property owner because the project has been completed. The City could ask the property owner for cooperation.

F. COMMISSION REPORTS

1. PUBLIC SAFETY

- a. MOTION 06R2-07-13 WAS MADE BY STEVE ROE AND SECONDED BY GARY HEACOX TO ACCEPT A DONATION TO THE CROSSLAKE POLICE DEPARTMENT OF \$100 FROM MARLENE ENGSTROM AS A THANK YOU TO SERGEANT ERIK LEE FOR HIS ASSISTANCE IN CHECKING ON HER HOME. MOTION CARRIED WITH ALL AYES.

Chief Hartman reported that a car accident with no injuries occurred at the Bourbon Room. Mark Wessels suggested that Chief Hartman discuss the safety issues with the County to find a solution to the ongoing parking problem.

2. CROSSLAKE COMMUNICATIONS

- a. MOTION 06R2-08-13 WAS MADE BY STEVE ROE AND SECONDED BY MARK WESSELS TO APPOINT THE FINANCE DIRECTOR/TREASURER OF THE CITY OF CROSSLAKE TO BE A SIGNATORY ON ALL CROSSLAKE COMMUNICATIONS FINANCIAL ACCOUNTS INCLUDING INVESTMENTS. MOTION CARRIED WITH ALL AYES.

3. PLANNING AND ZONING

- a. The Council reviewed a letter dated June 18, 2013 from the Minnesota DNR regarding a request for Implementation Flexibility and Revised Ordinance – City Code Chapter 26, Article I and Article II, Division 8. Attorney Person reported that Ken Anderson and he met with the DNR and worked together to fix technicalities on the City's Proposed Ordinance Amendment Related to Dwelling, Secondary Living Quarters in the R-3 Zoning District. If the Council is in agreement to the changes, the DNR will send a letter documenting final approval. MOTION 06R2-09-13 WAS MADE BY MARK WESSELS AND SECONDED BY JOHN MOENGEN TO APPROVE THE PROPOSED CHANGES TO THE ORDINANCE AMENDMENT RELATED TO DWELLING, SECONDARY LIVING QUARTERS IN THE R-3 ZONING DISTRICT. MOTION CARRIED WITH ALL AYES.

4. PERSONNEL COMMITTEE

- a. The Council reviewed a recommendation from the Personnel Committee changing the membership to include the Mayor, a Council Member, the General Manager, and the Finance Director/Treasurer. The City Administrator/Consultant would be a non-voting member. Dan Vogt stated that an employee had concerns of Mike Lyonais becoming a member of the Personnel Committee because he was still on probation. MOTION 06R2-10-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY DARRELL SCHNEIDER TO TABLE ACTION UNTIL THE CITY ATTORNEY RESEARCHED MEMBERSHIP REQUIREMENTS AND REPORTED BACK TO THE COUNCIL. MOTION CARRIED WITH ALL AYES.
- b. MOTION 06R2-11-13 WAS MADE BY STEVE ROE AND SECONDED BY DARRELL SCHNEIDER TO REMOVE HEAVY EQUIPMENT/SEWER OPERATOR LEIGH MARTINEAU FROM PROBATIONARY STATUS AND PLACE HIM ON REGULAR FULL-TIME STATUS EFFECTIVE JUNE 12, 2013 AND APPROVE A STEP INCREASE FROM STEP 7 TO STEP 8 ON THE 2013 AFSCME SALARY SCHEDULE AT A RATE OF \$18.26 PER HOUR. MOTION CARRIED WITH ALL AYES.

G. ATTORNEY REPORT -

1. MOTION 06R2-12-13 WAS MADE BY STEVE ROE AND SECONDED BY MARK WESSELS TO APPROVE THE PINE VIEW CHILD CARE PARKING DEFERMENT AGREEMENT AS PRESENTED. MOTION CARRIED WITH ALL AYES.

2. Ken Anderson worked together with property owner Wayne Reinking of 12873 Red Oak Circle to relocate his patio from of the shore impact zone. The new location will be placed on the lot line of two adjoining properties that are both owned by Mr. Reinking. Attorney Person drafted an easement that will allow Mr. Reinking and the property with the home on it use of the patio should the adjacent lot ever sell. No variance is required. The easement will become part of the permanent title work. MOTION 06R2-13-13 WAS MADE BY MARK WESSELS AND SECONDED BY STEVE ROE TO APPROVE THE PERMANENT EASEMENT FOR A PATIO AT 12873 RED OAK CIRCLE AS DRAFTED BY THE CITY ATTORNEY. MOTION CARRIED WITH ALL AYES.
3. Attorney Person contacted the attorney of Dennis and Lynn Twitty regarding reconsideration by the Council of their request to apply for an after-the-fact variance for secondary living quarters constructed in their garage. The Twitty's have requested that the Council allow them up to one year to apply for the variance. MOTION 06R2-14-13 WAS MADE BY MARK WESSELS AND SECONDED BY STEVE ROE TO REQUIRE DENNIS AND LYNN TWITTY TO SUBMIT AN APPLICATION FOR AN AFTER-THE-FACT VARIANCE PERMIT OR SUBMIT A PLAN FOR BRINGING THEIR PROPERTY INTO COMPLIANCE BY SEPTEMBER 1, 2013 AND TO ALLOW THE TWITTY'S 6 MONTHS TO COMPLETE THE WORK. MOTION CARRIED WITH ALL AYES.

H. OLD BUSINESS

I. NEW BUSINESS

- J. **PUBLIC FORUM** – Mark LaFon of 13058 Happy Cove Road addressed the Council to express his dissatisfaction with the Planning and Zoning Department's lack of responsiveness to his complaints about his neighbors. Mr. LaFon filed his first complaint last July. To date no action has been taken and the problem persists. Mr. LaFon waited to bring this to the Council for fear of retaliation by the Planning and Zoning Department.

Tom Thompson of 16223 Pine Lure Drive addressed the Council to express his disappointment with the meeting and with the Council not listening to the people. Mr. Thompson stated that the Council already had their minds made up about things and the meetings were just a formality. Mr. Thompson stated that County Road 3 needs more work than just an overlay and that the City should not pay for the new sidewalks on Swann Drive.

Pat Netko of 36084 County Road 66 stated that the Council needs to show respect to staff and citizens and questioned Council comments regarding the reduction of staff in the Planning and Zoning Department. Gary Heacox replied that he has been on the Planning and Zoning Commission for 5 years and that people are irritated because they don't understand what they can and cannot do. After meeting with the County, Mr. Heacox suggested that they may decide the City needs more employees in that department. John Moengen replied to Ms. Netko that respect is important and that it goes both ways. The Council is doing their best and a disruptive audience is not respectful. Mr. Moengen

stated that reducing staff in the Planning and Zoning Department has never been discussed by the Council but the public keeps mentioning it.

K. ADJOURN – MOTION 06R2-15-13 WAS MADE BY STEVE ROE AND SECONDED BY DARRELL SCHNEIDER TO ADJOURN THE MEETING AT 9:00 P.M. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,

A handwritten signature in cursive script that reads "Charlene Nelson".

Charlene Nelson
City Clerk

Deputy Clerk/Minutes/6-27-13

BILLS FOR APPROVAL
June 27, 2013

VENDORS	DEPT		AMOUNT
Ace Hardware, paint	Police	pd 6-24	154.92
Ace Hardware, connector	PW	pd 6-24	9.60
Ace Hardware, bolts	Police	pd 6-24	0.96
Ace Hardware, nozzle, hose	PW	pd 6-24	71.56
Ace Hardware, refridgerator	Police	pd 6-24	427.24
Ace Hardware, connector, hole saw, lazy susan	Police	pd 6-24	43.25
Ace Hardware, primer	Police	pd 6-24	38.45
Ace Hardware, primer, paint	Police	pd 6-24	51.28
Ace Hardware, cement joint	Police	pd 6-24	8.54
Advanced Diesel Service, repair antifreeze leak	PW		113.94
Arrow Global Asset, electronic recycling	ALL		66.42
Aspen Mills, uniforms	Fire		2,526.55
Aspen Mills, uniforms	Fire		178.50
AW Research, water testing	Sewer		356.40
Blakeman Pumping Service, pump and haul biosolids	Sewer		5,004.00
Brainerd Dispatch, tennis court bid, forfeited vehicle bid	P&R/Police		114.88
Cindy Kulzer, painting	Fire/Police		710.00
City of Brainerd, final 20% share of 800 mhz radio equipment	Fire		490.82
City of Menahga, fuel	Fire		169.49
Crosslake Demolition, demolition debris	P&R		76.95
Crow Wing County Attorney, 30% forfeiture proceeds	Police		1,162.50
Crow Wing County Sheriff, letg remote access, 5 mobiles	Police		3,395.00
Crow Wing County Treasurer, e911 address	Gov't		25.00
Crow Wing Power, electric services	ALL	pd 6-24	6,234.37
Culligan, water and cooler rental	PW/Gov't	pd 6-17	43.25
Dacotah Paper, janitorial supplies	P&R		410.51
Donna Keiffer, aerobics and silver sneakers	P&R		616.00
DJV Consulting, 4 weeks consulting	Gov't		2,850.00
Echo Publishing, subscription	Gov't		30.00
ESRI, arc gis for desktop	P&Z		405.50
Essentia, lab test	PW		25.00
Fastenal, parts	PW		38.99
GLS Promotions, service awards	PW/P&Z		94.00
Grand Forks Fire Equipment, boots	Fire		347.52
Guardian Pest Solutions, pest control	ALL		82.94
Hawkins, chemicals	Sewer		580.54
Hawkins, chemicals	Sewer		381.78
Holiday Station, fuel	P&R		8.79
Holiday Station, fuel	Fire		26.53
John Moengen, reimburse travel expenses	Council		378.65
Johnson, Killen & Seiler, labor attorney fees	Gov't		1,387.00
K&K Building, field markers	P&R		35.91
Linescape Linestriping, road/parking lot striping	ALL		6,843.00
Marco, copier lease	ALL		428.25
Mastercard, Fleet Farm, gas additives, oil, bearing protector	PW		109.35

ADDITIONAL BILLS FOR APPROVAL
June 27, 2013

VENDORS	DEPT	AMOUNT
Birchdale Fire & Security, 3rd quarter monitoring	PW	96.19
Crosslake Auto Body, towing ford f150	Police	73.48
Crosslake Communications, phone, fax, cable, internet	ALL	2,253.78
Houston Ford, repair suspension	Police	88.55
Menards, chalk board, cabinet	Police	50.91
Nelsons Out door Lighting & Sprinklers	Gov't	2,950.00
Northland Press, meeting notice of 6/28	P&Z	199.20
Simonson Lumber, ambulance addition	Gov't	214.29
The Office Shop, ink, binders	P&Z/Admin	115.15
Verizon, air card and ipad charges	P&Z/Police	165.11
Xcel Energy, gas utilities	PW	5.95
TOTAL		6,212.61