

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, JULY 11, 2011  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, July 11, 2011. The following Council Members were present: Mayor Darrell Schneider, Rusty Taubert, John Moengen and Dean Swanson. Absent was Steve Roe. Also present were City Administrator Tom Swenson, Community Development Director Ken Anderson, Police Chief Bob Hartman, Public Works Director Ted Strand, Park and Recreation Director Jon Henke, General Manager Paul Hoge, City Attorney Mike Couri, City Engineer Dave Reese, PAL Foundation Member Alden Hardwick, Echo Publishing Reporter Katie Anderson, and Ruth Ann Hanson and Cyndi Myogeto from the Chamber of Commerce. There were approximately forty-seven people in the audience.

- A. **CALL TO ORDER** – Mayor Schneider called the Regular Council Meeting to order at 7:00 P.M. MOTION 07R-01-11 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO ACCEPT THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.
- B. **CRITICAL ISSUES** – None.
- C. **CONSENT CALENDAR** – MOTION 07R-02-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY DEAN SWANSON TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR: (1.) REGULAR COUNCIL MEETING MINUTES OF JUNE 13, 2011; (2.) SPECIAL JOINT CITY COUNCIL AND ZONING ISSUES AD-HOC COMMITTEE MEETING MINUTES OF JUNE 8, 2011; (3.) CROSSLAKE COMMUNICATIONS BALANCE SHEET AND INCOME STATEMENT/DETAIL OF RESERVE BALANCES DATED MAY 31, 2011; (4.) CITY MONTH END REVENUE REPORT DATED MAY 2011; (5.) CITY MONTH END EXPENDITURE REPORT DATED MAY 2011; (6.) PLEDGED COLLATERAL REPORT DATED 7/7/11 FROM JENNIFER MAX; (7.) LAKES STATE BANK PLEDGE REPORT DATED JUNE 2011; (8.) FRANSEN BANK & TRUST PLEDGE REPORT DATED JUNE 2011; (9.) LAKEWOOD BANK PLEDGE REPORT DATED JUNE 2011; AND (10.) RIVERWOOD BANK PLEDGE REPORT DATED JUNE 2011. MOTION CARRIED WITH ALL AYES.
- D. **MAYOR'S REPORT** – None.
- E. **PUBLIC FORUM** – Brad Nelson of C&C Boatworks addressed the Council regarding the creation of the Crosslake Business League. The group started with 6 people in March 2011 with the purpose of getting the voices and concerns of the business community heard. It rapidly grew to 25 members in April and 70 by May. Their main focus right now is for the City to reduce property taxes and the budget. Mr. Nelson explained that local businesses have recently gone through tough times and have had to make cuts. Although property values are going down, property taxes are going up. Mr. Nelson foresees the property values continuing

to decline over the next few years and believes the City needs to cut overall spending so that taxes go down. Mr. Nelson presented the Council with a petition signed by over 400 people, demanding that the City Council of the City of Crosslake reduce the amount of the total General Property Tax Levy as budgeted for the 2012 by not less than ten percent (10%) of that budgeted for the year 2011 and not approve any budget that would increase the mill rate assessed against real estate located within the City of Crosslake. It was noted that not all petitioners are voters in Crosslake, but they do own property in Crosslake.

**F. CITY ADMINISTRATOR'S REPORT –**

1. City Bills for Approval – MOTION 07R-03-11 WAS MADE BY RUSTY TAUBERT AND SECONDED BY JOHN MOENGEN TO APPROVE THE BILLS FOR PAYMENT FOR JULY AS SUBMITTED IN THE AMOUNTS OF \$331,719.27 AND \$19,031.69. MOTION CARRIED WITH ALL AYES.
2. A memo dated July 11, 2011 from Jenny Max requested approval to release 90% of the incremental tax revenue received from Crosswoods Development TIF District 1-8 for the first half tax payment paid to the City. MOTION 07R-04-11 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO APPROVE THE RELEASE OF \$10,753.46 IN TAX INCREMENT FINANCING REVENUE TO CROSSWOODS DEVELOPMENT TIF DISTRICT 1-8 FROM THE FIRST HALF TAX SETTLEMENT. MOTION CARRIED WITH ALL AYES.
3. A memo dated July 11, 2011 from Jenny Max requested approval to release 90% of the incremental tax revenue received from Midwest Properties Assisted Living Facility TIF District 1-9 for the first half tax payment paid to the City. MOTION 07R-05-11 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO APPROVE THE RELEASE OF \$7,089.92 IN TAX INCREMENT FINANCING REVENUE TO MIDWEST PROPERTIES ASSISTED LIVING FACILITY TIF DISTRICT 1-9 FROM THE FIRST HALF TAX SETTLEMENT. MOTION CARRIED WITH ALL AYES.
4. A memo dated July 11, 2011 from Jenny Max regarding Landscape Contractors/Excavators Licenses was included in the packet for Council review. MOTION 07R-06-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY RUSTY TAUBERT TO APPROVE ISSUANCE OF A LANDSCAPE CONTRACTORS/EXCAVATORS LICENSE TO LA LAWNCARE, INC. MOTION CARRIED WITH ALL AYES.
5. Included in the packet for Council information was a memo dated July 11, 2011 from Jenny Max regarding the 2011 approved landscape contractors/excavators.
6. A letter dated July 6, 2011 from Steve Roe regarding noise complaints from Manhattan Beach Lodge music venues was included in the packet for Council review. After attending a meeting with elected officials from Crosslake and Manhattan Beach and residents of Manhattan Point Blvd to discuss the noise complaints, Mr. Roe took sound meter readings on the evening of July 3<sup>rd</sup> when a concert was being held outside at Manhattan Beach Lodge. At 9:30 P.M. the readings were 68-73 dB and at 11:30 P.M. they went up to 83-85 dB. The City of Manhattan Beach is looking at modifying their current ordinance to address the issues.

Kista Brunkhorst, who leases the lodge, addressed the City Council and explained that the major complaints came after a concert on June 25<sup>th</sup> by an unusually loud band. She stated that all outdoor concerts only play from 7:30 P.M. until 10:00 P.M. As owner of Whitefish Lodge and Suites, she receives complaints from her guests regarding the outdoor music events held in Town Square on Saturday evenings. They tolerate the music from Town Square because the events draw people to the area and it is good for area businesses. Ms. Brunkhorst requested that before the Council makes any decisions in response to noise complaints, that a committee be formed to research the issues.

7. A memo dated June 24, 2011 from the Minnesota State Demographer regarding the 2010 Census counts showed an increase in the population for Crosslake to 2,141 as of April 1, 2010, an increase of 47 from 2009. The number of households is estimated at 1,027.
8. Included in the packet for Council information was a letter dated June 16, 2011 from the Initiative Foundation thanking the City for its charitable investment of \$1,000.

## **G. COMMISSION/DEPARTMENT REPORTS –**

### **1. PLANNING AND ZONING –**

- a. The Planning and Zoning Commission/Board of Adjustment Regular Meeting Minutes and Public Hearing of May 20, 2011 were included in the packet for Council information. Mayor Schneider commented on a portion of the minutes where Andy Holm addresses the Planning and Zoning Commission and states that he is “shocked by the proposal by the mayor to get rid of the Planning and Zoning Department and switch over to the County”. Mayor Schneider responded that it was never his intention to eliminate the Planning and Zoning Department and that staff is working to reduce the size of the City’s ordinance and considering the impacts of adopting the County ordinance. In order to promote the strengths of the Planning and Zoning Department, Alden Hardwick has volunteered to meet with the Mayor, the City Administrator and the Community Development Director on Wednesday at 10:00 A.M. and discuss marketing strategies. Mayor Schneider noted that these minutes did not indicate Andy Holm attended the meeting and that this paragraph seemed to be inserted in error.

Mayor Schneider also did not agree with a statement made in the minutes by Ken Anderson stating, “...the tax levy stayed the same, but the tax burden shifted from lakeshore properties to other properties and this was something that the City could not control”. The Mayor stated that the City could control this. Tom Swenson disagreed, stating that the City does not have control over the tax shift burden caused by changes in valuations.

Ken Anderson replied that Andy Holm was at the meeting in question, attending as a citizen, not as an alternate commissioner, therefore his name was not listed as being present. Dean Swanson replied that Mr. Holm had a right to voice his opinion, whether it was accurate or not.

- b. The Subdivision Advisory Committee and Public Works Commission Joint Meeting Minutes of June 6, 2011 were included in the packet for Council information.

- c. The June 2011 Permit Summary was included in the packet for Council information. The year-to-date valuation for 2011 is \$1,701,477. Last year at this time the valuation was \$2,621,991.
- d. A letter dated June 30, 2011 from the Federal Emergency Management Agency regarding Revised Preliminary Flood Insurance Study (FIS) Report for Crow Wing County, Minnesota and incorporated areas was included in the packet for Council information. Ken Anderson noted that this study will determine where flood insurance is needed within the City. These maps will be more accurate than before because the County used LIDAR for photographing the topography. Planning and Zoning staff is currently reviewing the maps and will take their findings to the Planning and Zoning Commission meeting in July. The Council will review the changes and comments to the maps by the Planning and Zoning staff and Commission at their regular August meeting.
- e. A memo dated July 11, 2011 from the Planning and Zoning Commission regarding a recommendation to deny Mr. Charles McCulloch's request to be reimbursed for additional costs incurred to obtain a zoning permit was included in the packet for Council review. Mr. McCulloch addressed the City Council during Public Forum at the June 13, 2011 City Council meeting and requested that the City Council approve the reimbursement of \$950 to him to cover additional expenses he incurred to revise his plans for a zoning permit to build a new home at 15428 Dream Island Circle. Mr. McCulloch indicated that he had received bad information from staff when he was told he could set one side yard setback at 8 feet which was 10% of the existing lot width. He prepared his septic and site plans and elevation drawings and discovered that staff would not issue the permit unless the setback was set at the 10 foot standard lot width minimum. Ken Anderson indicated to the City Council that the subject lot was actually over 100 feet wide when measured at the building line due to the adjacent lot having a small bay which lengthened the building line on the subject property. Staff requested that Mr. McCulloch provide bills or invoices itemizing his additional expenses by July 1, 2011 to document his additional expenses. Attached to this memo was a request from Charles McCulloch to be reimbursed, Invoice No. 0072 from JoAn Wannebo in the amount of \$300 for a revised septic design dated April 22, 2011 and Invoice No. 24251 from McCulloch Construction in the amount of \$650 for 2 men for 8 hours each to redesign, layout, and re-stake lot for new home dated June 30, 2011. At its meeting of June 24, 2011 the Planning and Zoning Commission unanimously recommended the City Council deny Mr. McCulloch's request for reimbursement of additional costs.

Charles McCulloch appeared before the Council and stated that he expects accurate information when he comes to the Planning and Zoning counter in City Hall. He also noted that this is not the first incident he has had with Planning and Zoning and that he feels he is being picked on by staff. Mayor Schneider stated that the Council has approved partial reimbursements for zoning permits to people who abandoned or never started their projects. The City Attorney stated that there is nothing in the Ordinance making the City liable for mistakes made by staff and that Minnesota courts have ruled in favor of cities in these matters, not the property owners. Ken Anderson replied that when Mr. McCulloch was in to obtain general information two

years prior to obtaining the zoning permit, he only had a drawing of the lot and not all of the pertinent information. John Moengen stated that mistakes do happen but that staff should refrain from answering questions if all the information is not available. Mr. McCulloch noted that the two Planning and Zoning employees that came to the job site were not helpful because they did not make him aware that setback reductions were available. MOTION 07R-07-11 WAS MADE BY DARRELL SCHNEIDER AND SECONDED BY JOHN MOENGEN TO REFUND 50% OF THE REQUESTED AMOUNT FOR CHARLES MCCULLOCH IN THE AMOUNT OF \$475 FOR EXPENSES INCURRED TO REVISE BUILDING PLANS. Rusty Taubert stated that he didn't think Mr. McCulloch would be happy with that amount but that he agreed with the motion. MOTION CARRIED 3-1 WITH SWANSON VOTING NAY.

- f. A memo dated July 11, 2011 from the Planning and Zoning Commission regarding a recommendation to approve an Ordinance Amendment related to variances was included in the packet for Council review. The Planning and Zoning Commission initiated this ordinance amendment after the Minnesota Legislature enacted legislation revising the state statutes related to variances that was signed by Governor Dayton and effective May 6, 2011. The new ordinance and statute will apply the "practical difficulties" standard to variance applications instead of using the stricter "undue hardship" standard in the past. MOTION 07R-08-11 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO APPROVE ORDINANCE NO. 300 AMENDING THE DEFINITION OF VARIANCE AND UPDATE VARIANCE STANDARDS. MOTION CARRIED WITH ALL AYES.

MOTION 07R-09-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY RUSTY TAUBERT TO PUBLISH ORDINANCE AMENDMENT NO. 300 IN SUMMARY FORM IN THE LEGAL NEWSPAPER. MOTION CARRIED WITH ALL AYES.

2. PARK AND RECREATION/LIBRARY –

- a. The Crosslake Park and Recreation/Library Commission Minutes of May 25, 2011 were included in the packet for Council information.
- b. Park Director Jon Henke reported that the Community Center offers aerobics on Mondays, Tuesdays and Thursdays at 9 A.M. The Library computers now have Windows 7 and Microsoft Office 2010 software. The patio furniture has been put out for the summer and wireless internet is available. A drop box for library books has been installed next to the flag pole in front of the Community Center. Help is needed in maintaining the patio garden. Call if you can lend a hand. Senior meals take place at the Community Center Monday through Friday at 11:30 A.M. Interested participants must call by 4:00 P.M. the day before to make a reservation. The Community Center offers an array of fitness equipment. MOTION 07R-10-11 WAS MADE BY RUSTY TAUBERT AND SECONDED BY JOHN MOENGEN TO ACCEPT A \$471.69 DONATION FROM THE PAL FOUNDATION FOR EXPENSES INCURRED DURING CONSTRUCTION OF THE COMMUNITY GARDEN. MOTION CARRIED WITH ALL AYES. Yoga is once again available at the Community Center on Monday nights from 6:00 to 7:15 P.M. and the instructor is

Amber Hunt. The Chautauqua program on July 13<sup>th</sup> from 1:30 to 3:30 P.M. will feature the Down in the Mine Presentation by Char Kinzer, Manager of Public Relations for Crow Wing Power and Cooperative Mineral Resources. She will explain the significance of manganese deposits near Emily, MN, how the project came to be and the potential benefits to the local community. A video of the actual mining project will be included. Attendance for the Community Center for the month of June was 6,448 and for the Library was 3,089. The second annual Crosslake Day in the Park was held Saturday, June 25<sup>th</sup>. More than 500 people attended the event. The "Raise the Nets" Committee raised approximately close to \$2,000 for the tennis court reconstruction project. The Fire Department gave rides in the fire trucks and three bands played music. AAA is sponsoring a senior driving 4-hour refresher class on July 14<sup>th</sup> from 9:00 A.M. to 1:00 P.M. An 8-hour class will be offered August 24<sup>th</sup> and 25<sup>th</sup> from 9:00 A.M. to 1:00 P.M. each day. The Disc Golf Course is open daily and discs are available to rent or purchase at the recreation desk. It is free to play and maps are available. Tennis lessons start on July 11<sup>th</sup> and run for three weeks. The Community Center is seeking a hobbyist with experience in DVD production and editing. This volunteer would help with the creation of DVD's from the Chautauqua Program. The DVD's would then be distributed to the public through the Crosslake Area Library. AAA presented the Community Center with an award for hosting the drivers training program. A plaque was presented to the staff and will be placed inside the Community Center lobby. The Community Center has been hosting the Drivers Training Program for more than 12 years. The Crosslake Area Art Club will host their 27<sup>th</sup> annual art show on August 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> from 10:00 A.M. to 5:00 P.M. daily. The Crosslake Area Library will host their annual book sale on August 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> from 9:00 A.M. to 4:00 P.M. daily.

- c. Alden Hardwick from the PAL Foundation showed the Council slides taken during Crosslake Day in the Park. The purpose of the event was to show off the facilities at the Community Center and to bring people to Crosslake. The Art Club, Garden Club and exercise groups had information booths there. A Frisbee golf tournament was held and there was a tennis court fundraiser. Also available were clowns, free popcorn, music, pottery, face painting, fire truck rides and trail rides. Ace Hardware donated a burner for the fundraising event. Kids from Camp Foley volunteered their time. The Mayor stated that it was a great community event.

3. PUBLIC WORKS/CEMETERY/SEWER –

- a. The May 2011 Wastewater Treatment Discharge Monitoring Report was included in the packet for Council information.
- b. The Public Works Commission Meeting Minutes of June 6, 2011 were included in the packet for Council information.
- c. A memo dated July 6, 2011 from the Public Works Commission recommending Council adoption of the Revised Road Standard Cross-Sections was included in the packet for Council review. The Public Works Commission reviewed the cross-sections of the City Road Standards at its meeting of July 5<sup>th</sup>. MOTION 07R-11-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY DARRELL SCHNEIDER TO ADOPT THE CROSS-SECTIONS DATED JUNE 2011 FOR CITY MAINTAINED ROADWAYS, ALTERNATIVE SECTIONS FOR

EXISTING CITY MAINTAINED LOW-VOLUME ROADWAYS, DEAD END TREATMENTS FOR CITY MAINTAINED ROADWAYS, URBAN COMMERCIAL STREET STANDARD, RURAL COMMERCIAL STREET STANDARD AND URBAN RESIDENTIAL STREET STANDARD. MOTION CARRIED WITH ALL AYES.

- d. A letter dated July 7, 2011 from WSN regarding Partial Payment Estimate No. 3 for construction work completed by Dallco, Inc. through June 30, 2011 on Sunrise Island Bridge was included in the packet for Council review. The standard 5% retainage was withheld in accordance with the Contract provisions. MOTION 07R-12-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY RUSTY TAUBERT TO APPROVE PARTIAL PAYMENT ESTIMATE NO. 3 IN THE AMOUNT OF \$80,568.11 TO DALLCO INC. FOR WORK COMPLETED ON SUNRISE ISLAND BRIDGE THROUGH JUNE 30, 2011. MOTION CARRIED WITH ALL AYES.
- e. A letter dated July 7, 2011 from WSN regarding Final Payment Estimate No. 2 for completion of all work required for the bridge bypass construction project completed by Pratt's Affordable Excavating, Inc. for Sunrise Island Bridge was included in the packet for Council review. This payment releases all retainage held in accordance with the Contract. MOTION 07R-13-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY RUSTY TAUBERT TO APPROVE FINAL PAYMENT ESTIMATE NO. 2 IN THE AMOUNT OF \$2,767.23 TO PRATT'S AFFORDABLE EXCAVATING INC. FOR WORK COMPLETED ON THE BRIDGE BYPASS FOR SUNRISE ISLAND BRIDGE. MOTION CARRIED WITH ALL AYES.

4. PUBLIC SAFETY –

- a. Chief Hartman reported 213 calls in Crosslake for June.
- b. Chief Hartman reported 64 calls in Mission Township for June.
- c. The June 2011 North Ambulance Run Report was included in the packet for Council information.
- d. The Crosslake Fire Department responded to 22 calls in June. Of those, 16 were medical calls and 6 were fire calls.
- e. Included in the packet for Council information was a memo dated June 20, 2011 from the Brainerd Fire Department Chief regarding the Regional Radio Grant.
- f. A memo dated July 11, 2011 from Fire Chief Anderson regarding a \$200 donation received from the Crosslake Area Game and Fish Club was included in the packet. MOTION 07R-14-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY RUSTY TAUBERT TO ACCEPT THE \$200 DONATION FROM THE CROSSLAKE AREA GAME AND FISH CLUB TO BE USED TOWARDS THE PURCHASE OF EQUIPMENT FOR THE FIRE DEPARTMENT. MOTION CARRIED WITH ALL AYES.

5. CROSSLAKE COMMUNICATIONS –

- a. Crosslake Communication's Bills for Approval – MOTION 07R-15-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY RUSTY TAUBERT TO APPROVE THE MAY 2011 BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNT OF \$359,519.30. MOTION CARRIED WITH ALL AYES.

- b. The Highlights Report for June was included in the packet for Council review. Paul Hoge reported that Crosslake Communications was experiencing trouble with the air conditioner for the Cable TV area. The Advisory Board reviewed the matter and recommended the purchase of a new air conditioner from Thelen Heating in the amount of \$20,250 with money taken from the building reserve fund. Mr. Hoge stated that they had been saving for new carpet but this was a priority because the equipment would fail without the proper cooling system. MOTION 07R-16-11 WAS MADE JOHN MOENGEN AND SECONDED BY DEAN SWANSON TO APPROVE THE PURCHASE OF A NEW AIR CONDITIONER IN THE AMOUNT OF \$20,250 FROM THELEN HEATING AND TO USE THE BUILDING RESERVE FUNDS. MOTION CARRIED WITH ALL AYES. The Advisory Board gave a recommendation to the Council regarding new 20 meg High Speed Internet rates. MOTION 07R-17-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY DEAN SWANSON TO APPROVE THE RATE FOR THE NEW 20 MEG HIGH SPEED INTERNET SERVICE AT \$99.95 FOR RESIDENTIAL AND \$149.95 FOR BUSINESS CUSTOMERS AND THAT CUSTOMERS WITH NO OTHER SERVICE BE CHARGED \$124.95 FOR RESIDENTIAL AND \$199.95 FOR BUSINESS. MOTION CARRIED WITH ALL AYES. The Advisory Board gave a recommendation to the Council to increase the Seasonal Reconnect Rate. MOTION 07R-18-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY DEAN SWANSON TO INCREASE THE SEASONAL RECONNECT RATE FROM \$8 TO \$10 EACH FOR THE RECONNECTION OF HIGH SPEED INTERNET AND CABLE TV SERVICE. MOTION CARRIED WITH ALL AYES. Mr. Hoge reported that the accounting software conversion will go live in July and the billing will go live in October. The Annual Customer Appreciation will be held on Wednesday, August 17<sup>th</sup>. Crosslake Communications is still experiencing problems with the channels received from Charter. A chirping noise can be heard on some channels. Charter has not been able to fix the problem and told Crosslake Communications the problem was on their end. Because there has been no response from Charter, the contract with them can be broken and Crosslake Communications is looking for a new company to partner with. New contracts for Fox Sports North were received and their fees are increasing 7.7% per year through 2016. That is why Crosslake Communications continues to raise its rates.
- c. The Crosslake Communications Meeting Minutes of June 28, 2011 were included in the packet for Council information.
- d. The Crosslake Communications Customer Counts Report was included in the packet for Council information.
6. RECYCLING –
- a. The Crosslake Roll-Off Recycling Report for June 2011 was included in the packet for Council information. Mayor Schneider noted the increase of recycling during the summer months.
7. ECONOMIC DEVELOPMENT AUTHORITY – None.
8. PERSONNEL COMMITTEE – None.

**H. CITY ATTORNEY REPORT** – A memo dated July 7, 2011 from Attorney Couri regarding the attorney updates was included in the packet for Council review. Mike Couri reported that he is working with Lonnie Thomas on the Ox Lake Tavern agreement. Mr. Couri walked the Council through the outstanding enforcement issues and noted which cases were ready for action. Mr. Couri thought that the Alexander issue of the unfinished exterior of the home could be successfully enforced because the owner had recently purchased more land in Crosslake and therefore it would seem that he has the funds to finish the house. The enforcement of the Dalbec property’s non-compliant rip rap, retaining wall, fire pit and sand blanket could also be successful. Mr. Couri stated that the remaining list of outstanding issues were either not ready to proceed with enforcement or were in the process of compliance. The Baxley property was complex and the property owner was working with the City so far. The City does not have enough evidence to enforce the issues on the King property and Mr. Couri suggested that this matter be dropped. The Maas’s should be given more time to finish the work on their parking lot and landscaping. The Whiteis and Mahoney properties are in bankruptcy and may lead to foreclosure so Mr. Couri suggested waiting to see who owns them in another month. Staff needs to contact the septic designer that worked at the Miller property to determine if the system was installed. No action can be taken on the Travis property until the property owner can be located. The Wegler property is now in compliance. The Windschittle property owner claims that his non-compliant patio was built because of disabilities. Mr. Couri believes they will be able to work with the property owner to resolve the issue and the matter may fall under the Americans With Disabilities Act. MOTION 07R-19-11 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO PROCEED WITH LEGAL ACTION AGAINST ALEXANDER AND DALBEC FOR NON-COMPLIANCE WITH THE CITY ORDINANCE. MOTION CARRIED WITH ALL AYES.

Attorney Couri explained to the Council that the Planning and Zoning issues that staff is facing with Charles McCulloch are not unique to Crosslake. It is common for most cities to struggle with customer service issues occasionally. Many construction workers want to know if a project is possible before they spend time and money on it, so complete information may not be available at the research stage.

**I. OLD BUSINESS** – None.

**J. NEW BUSINESS** – None.

**K. PUBLIC FORUM** – Ruth Ann Hanson of the Chamber addressed the Council and thanked everyone involved with the Fourth of July celebration. She also informed the Council that Big Fun Tuesdays are taking place every Tuesday in Town Square from 1-3 in the afternoon through August 16<sup>th</sup> and the Crosslake in Bloom luncheon and garden tour was coming up on July 21<sup>st</sup>. She encourages the public to visit [www.crosslake.com](http://www.crosslake.com) to get updates on community events.

Brad Nelson asked Tom Swenson what term has replaced “mill rate”. Tom Swenson replied that the term “mill rate” has not been used in approximately 15 years and that tax rates are

used by the City, County, school districts, and State. He also explained that there was no guarantee that tax rates would decrease if the City lowered the tax levy because the tax burden could shift from lakeshore properties to commercial properties and off lake properties depending on valuation changes on lakeshore properties.

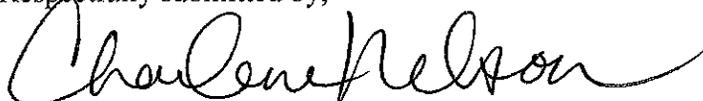
Brad Nelson asked Paul Hoge if Crosslake Communications received more than one quote for the new air conditioner. Mr. Hoge replied that only one quote was obtained because of past service problems with the local company and Thelen Heating has been dependable and responsive.

Mayor Schneider noted that he plans to obtain estimated tax information from the County Assessor before the budget process begins.

Kista Brunkhorst addressed the Council and asked if she would be able to obtain a liquor license for Whitefish Lodge and Suites so that alcohol could be served at wedding events. Attorney Couri stated that he did not believe the State allowed pure liquor licenses without the sale of food from a full kitchen. Establishments that have pure liquor licenses have been grandfathered in by the State and the State no longer issues them. Mr. Couri would double check the State Statute and would get an answer for Ms. Brunkhorst this week.

**L. ADJOURN – MOTION 07R-20-11 WAS MADE BY JOHN MOENGEN AND SECONDED BY RUSTY TAUBERT TO ADJOURN THIS REGULAR MEETING AT 9:21 P.M. MOTION CARRIED WITH ALL AYES.**

Respectfully submitted by,



Charlene Nelson  
Deputy Clerk

Deputy Clerk/Minutes/7-11-11

**BILLS FOR APPROVAL**  
**July 11, 2011**

VENDORS	DEPT		AMOUNT
Ace Hardware, bolts	PW		25.29
Ace Hardware, teflon paste, cap, trailer lite	PW		56.81
Ace Hardware, supplies for garden	P&R		43.94
Ace Hardware, supplies for garden	P&R		11.62
Ace Hardware, supplies for garden	P&R		8.05
Ace Hardware, supplies for garden	P&R		10.99
Ace Hardware, cement for drop box	Library		8.00
Ace Hardware, motor oil	P&R		6.41
Ace Hardware, paint rollers	P&R		22.40
Ace Hardware, keys	P&R		2.13
Ace Hardware, keys	P&R		2.13
Ace Hardware, acrylic 24x36x.100	P&R		22.43
Ace Hardware, drill bit	P&R		5.87
Ace Hardware, extension cord	P&R		29.91
Ace Hardware, paint rollers	P&R		9.92
Ace Hardware, bolts	PW		19.11
Ace Hardware, pliers, screwdriver, therm merchfree	PW		69.44
Ameripride, mats	PW		105.53
AW Research, water test	Sewer		131.40
AW Research, water test	Sewer		131.40
AW Research, water test	Sewer		131.40
AW Research, water test	Sewer		131.40
Bob Hartman, reimburse mileage	Police		55.50
Bob Wrobel, animal rescue presentation	Library		150.00
Bond Trust Services, 2004a improvement bond payment	Gov't		8,892.50
Bond Trust Services, agent service fees	Gov't		450.00
Braun Intertec, testing and observation	PW		220.50
Bryan Hargrave, reimburse mileage	P&Z		103.53
Business Forms, payroll checks	Admin		111.52
City of Crosslake, sewer utilities	PW/Govt		72.00
Council #65, union dues	ALL		550.00
Couri MacArthur Ruppe, legal fees	ALL		1,138.75
Crosslake Communications, phone, fax, dsl, cable	ALL		1,595.73
Crow Wing County Attorney, may fines	Police		327.39
Darrell Schneider, reimburse travel expenses	Council		505.07
Deferred Comp	ALL		226.92
Delta Dental, dental insurance	ALL		1,610.40
Diamond Industrial Cleaning, repair pressure washer	PW		110.00
Echo Publishing, subscription	Gov't	pd 7-5	29.00
Echo Publishing, tennis instructor ad	P&R		63.64
Fastenal, ratchet binder, screws, bolts, washers	PW		125.87
Fire Instruction and Rescue, principals of emergency mgmt	Fire		500.00
Fire Instruction and Rescue, hybrid cars safety	Fire		400.00
Fortis, disability	ALL		499.10
General Drivers Union Local #346, union dues	Police	pd 7-5	178.00

Grand Forks Fire Equipment, bracket	Fire		39.81
Guardian Pest Solutions, pest control	ALL		85.50
Hawkins, chemicals	Sewer		809.51
K&K Building, lime	P&R		17.96
Lakes Area Rental, dyna pac roller repair, blade sharpening	PW		404.92
Linescape Linestripping, parking lot and road striping	ALL		7,425.00
Magnum Fitness, belts	P&R		303.00
Marco, copier lease	ALL	pd 6-21	416.89
Marsden, office cleaning	PW		647.66
Mastercard, Amazon.com, magazine subscription	Library		12.00
Mastercard, Downtown Art & Frame, day in the park supplies	P&R		30.24
Mastercard, Fleet Farm, grass kits, paper towels, pvc pipe	PW		137.26
Mastercard, Holiday Station, premium fuel	PW		24.86
Mastercard, Milaca Unclaimed Freight, crowbars	PW	pd 6-29	46.98
Mastercard, MN GTS, planning commission member training	P&Z		60.00
Mastercard, Moonlite Square, diesel fuel	PW		32.78
Mastercard, Mr. Tire, oil change	PW		29.81
Mastercard, Office Max, ink cartridges	P&R		91.78
Mastercard, Postal Products, drop box	Library	pd 6-29	840.00
Mastercard, Raffertys, planning and zoning meeting of 6/24	P&Z		48.06
Mastercard, Rifles, travel expense	Police	pd 6-29	30.00
Mastercard, Target, day in the park supplies	P&R		54.71
Mastercard, Walmart, tennis balls, day in the park supplies	P&R		91.67
Medica, health insurance	ALL		29,378.11
Mike Mann, storytelling	Library		300.00
MMUA, 3rd quarter safety program	Gov't		3,100.00
MN Benefits	Admin	pd 7-1	176.42
MN Life, life insurance	ALL		472.00
Moonlite Square, fuel	Fire		21.88
NCPERS-Life Insurance	ALL		160.00
North Ambulance, subsidy	Ambulance	pd 7-1	1,103.00
Northland Press, meeting notice of 6/24	P&Z		132.00
Northland Press, ordinance 299	P&Z		56.00
Northland Trust Services, 2006 improvement bond payment	Gov't		146,963.13
Northwood Turf and Power, rack	P&R		20.62
Northwood Turf and Power, adjust brake switch	P&R		140.68
Parts City, touch up paint	Police		7.47
Parts City, fuel filters	PW		12.13
Parts City, bolt/nut	PW		2.13
Parts City, batteries	PW		95.90
Parts City, batteries	PW		94.11
PERA	ALL		N/A
Postmaster, postage meter refill	P&Z/Admin		800.00
Roachs Lawn & Marine, replace bar and chain	PW		99.47
Roachs Lawn & Marine, air filter, remove and sharpen chains	PW		199.00
Robert & Lynn Halbrook, world of wonders presentation	Library		400.00
Simonson Lumber, screws	P&R		8.07
Sirchie Finger Print Lab, evidence boxes	Police		180.63
Squad Pro, windshield seal	Police		16.57
State and Federal Taxes	ALL		N/A
Superior Golf Cars, servicing kit	P&R		19.24



**ADDITIONAL BILLS FOR APPROVAL**  
**July 11, 2011**

VENDOR	DEPT	AMOUNT
Ace Hardware, galv nipple	P&R	3.21
Ace Hardware, pipe, drain	P&R	22.96
AICPA, membership dues	Admin	290.00
BCA, background check	P&R	15.00
Batteries Plus, batteries	Gov't	21.46
Batteries Plus, batteries	PW	68.71
Clean Team, july cleaning	Gov't	756.14
Crow Wing Auditor-Treasurer, e911 address	Gov't	25.00
Crow Wing County Highway Department, fuel	ALL	5,329.98
Crow Wing Power, electric service	ALL	5,631.43
Culligan, water and cooler rental	PW/Gov't	95.45
DG Towing, towing of vehicle	Police	160.88
Digital Ally, battery pack	Police	37.50
Donna Keiffer, aerobics	P&R	242.44
Follett Software, infocentre support renewal	Library	501.81
Grand Forks Fire Equipment, brass rewind gear	Fire	51.53
Hawkins, aqua hawk	Sewer	254.52
Holiday Station, propane	PW	70.49
Mastercard, Fleet Farm, trailer jack, herbicide, harness	PW	176.99
Mastercard, MJ Sports, tennis balls	P&R	23.94
Mike McCulgan, juggling	Library	150.00
Neopost, postage meter rental	P&Z/Admin	300.67
North Central Lawn Care, pump parts	P&R	1,077.78
Northland Press, tennis instructor ad	P&R	37.50
Northwood Turf and Power, bush hog	PW	2,452.78
P&Z Commission Members, 2nd quarter meetings	P&Z	400.00
Parts City, light	PW	4.26
Roach's Lawn & Marine, fuel tank	PW	257.55
Synergy Graphics, receipt books	Admin	125.21
The Office Shop, clips, post its	P&Z/Admin	37.28
Valley Pools & Spas, sodium bicarbonate	Sewer	409.22
		19,031.69

# Crosslake Telephone Company

## Check Register - General Account and Investment Account (4M)

From May 1, 2011 through May 31, 2011

1 of 2  
G.5.a.

Check #	Vendor ID / Name	Date	Description	Amount
<b>GENERAL ACCOUNT</b>				
001314	INTERNAL REVENUE SERVICE	5/13/2011	FED, FICA, MEDICARE	6,525.99
001315	PERA	5/13/2011	PERA EE & ER	3,875.32
001316	MINNESOTA DEPT OF REVENUE	5/13/2011	MN INCOME TAX WITHHELD	1,198.82
001317	ING-DEFERRED COMP	5/13/2011	DEFERRED COMP	3,063.20
001318	CITY OF CROSSLAKE (SEWER)	5/10/2011	APRIL SEWER	36.00
001319	INTERNAL REVENUE SERVICE	5/31/2011	MAY EXCISE TAX	1,747.49
001320	INTERNAL REVENUE SERVICE	5/27/2011	FED, FICA, MEDICARE	7,326.83
001321	PERA	5/27/2011	PERA EE & ER	3,886.97
001322	MINNESOTA DEPT OF REVENUE	5/27/2011	MN INCOME TAX WITHHELD	1,357.65
001323	ING-DEFERRED COMP	5/27/2011	DEFERRED COMP	3,063.20
001324	CROW WING POWER	5/26/2011	ELECTRIC SERVICE	4,394.29
001325	MINNESOTA DEPT OF REVENUE	5/31/2011	MAY SALES & USE TAX	11,470.00
026276	ECHO PUBLISHING & PRINTING INC	5/10/2011	SPRING SPORTS AD	44.00
026277	GOPHER STATE ONE CALL	5/10/2011	LOCATES	97.15
026278	ONVOY VOICE SERVICES	5/10/2011	6264 & 0264 PROG, LAKES LD, OPR SERV	9,670.17
026279	UNITED PARCEL SERVICE	5/10/2011	WKLY SERVICE & MISC. SHIPPING	93.22
026280	CROSSLAKE COMMUNICATIONS	5/10/2011	PHONE SERVICE	938.73
026281	CITY OF CROSSLAKE	5/10/2011	MAY OPERATING TRANSFER	21,666.67
026282	QWEST COMMUNICATIONS	5/10/2011	PARS MN CSLK-1	11.50
026283	CITI LITES INC	5/10/2011	LOCATES	375.05
026284	XCEL ENERGY	5/10/2011	METER CHGS - SUNRISE & 16	266.91
026285	IKON OFFICE SOLUTIONS	5/10/2011	COPIER MAINT 4/23 - 5/22	132.56
026286	LYDIA SASSE	5/10/2011	CAFE PLAN REIMB. BAL 237	63.00
026287	MINNESOTA 9-1-1 PROGRAM	5/10/2011	911, TAP & TAM	1,965.39
026288	MN NCPERS LIFE INSURANCE	5/10/2011	MAY LIFE PREMIUM	48.00
026289	HILLYARD / HUTCHINSON	5/10/2011	WATERLESS HAND CLEANER	128.28
026290	WHITEFISH AUTOMOTIVE	5/10/2011	REPAIR TIRE ON SPARE TRUCK	15.00
026291	CENTRAL TRANSPORT GROUP LLC	5/10/2011	4 EA DS1'S, 1 T1	3,708.32
026292	ASSURANT EMPLOYEE BENEFITS	5/10/2011	MAY LONG TERM DISABILITY	378.44
026293	PINNACLE PUBLISHING, LLC	5/10/2011	TELEPHONE DIRECTORY-9	1,323.26
026294	KRAUSE LOCK & KEY	5/10/2011	REPAIR DOOR LOCK	159.95
026295	UNIVERSAL SERVICE ADMIN CO.	5/10/2011	APRIL FUSC	2,411.77
026296	SHOWTIME NETWORKS INC	5/10/2011	AFFILIATE PAYMENT	276.00
026297	FOX SPORTS NET NORTH	5/10/2011	AFFILIATE PAYMENT	7,309.02
026298	TOWER DISTRIBUTION COMPANY	5/10/2011	AFFILIATE PAYMENT	295.76
026299	LIFETIME	5/10/2011	AFFILIATE PAYMENT	683.68
026300	TV GUIDE NETWORKS INC	5/10/2011	AFFILIATE PAYMENT	488.67
026301	JOAN HARRELL	5/10/2011	CAFE PLAN REIMBURSE	75.00
026302	DEPARTMENT OF LABOR & INDUSTRY	5/10/2011	LIC RENEWAL-RON SCHMIDT	20.00
026303	PAUL DAVIS	5/10/2011	CAFE PLAN REIMB. BAL 556.72	49.00
026304	AT&T - DALLAS TX	5/10/2011	PARS 5/1 BAN 1499	351.79
026305	7SIGMA SYSTEMS, INC	5/10/2011	APRIL CONSULTING	2,000.00
026306	CORNERSTONE PUBL GROUP, INC.	5/10/2011	MAY NEWSLETTER	1,809.54
026307	CROSSLAKE ACE	5/10/2011	TAPE, SHOVEL, DRILL BITS, GREASE	105.44
026308	NATIONAL CABLE TEL COOP, INC	5/10/2011	AFFILIATE PAYMENT	24,874.52
026309	NATHANIEL J. PLANTE	5/10/2011	CAFE PLAN REIMBURSE BAL 337.86	162.14
026310	KARE 11 TV	5/10/2011	AFFILIATE PAYMENT	750.50
026311	HUGHES TECHNOLOGIES, INC.	5/10/2011	E-WASTE	48.00
026312	PAUL HOGE	5/10/2011	CAFE PLAN REIMB BAL 1133.54	106.60
026313	WASTE PARTNERS, INC.	5/10/2011	APRIL TRASH REMOVAL	75.06
026314	DISCOVERY COMMUNICATIONS, INC.	5/10/2011	AFFILIATE PAYMENT	128.69
026315	WEATHER CENTRAL	5/10/2011	MAY DATA	4,643.56
026316	IKON FINANCIAL SERVICES	5/10/2011	COPIER LEASE 15 OF 60	362.03
026317	CHARTER COMMUNICATIONS	5/10/2011	LOCAL CHANNEL TRANSPORT	1,850.00
026318	TIGER DIRECT	5/10/2011	25 MODEMS W/ WIRELESS ROUTERS, FIREWALL, ETC	2,685.11

026319	KSTP-TV, LLC	5/10/2011	AFFILIATE PAYMENT	2 of 2 323.00
026320	4M FUND F.B.O. 35373-101	5/10/2011	FUND DEBT SERVICE RESERVE	37,807.75
026321	ONLINE INFORMATION SERVICES	5/10/2011	6 EXCHANGE REPORTS	46.20
026322	HUB TELEVISION NETWORKS LLC	5/10/2011	AFFILIATE PAYMENT	24.03
026323	BIG 10	5/10/2011	AFFILIATE PAYMENT	1,738.80
026324	TIME COMMUNICATIONS	5/10/2011	ANSWERING SERVICE	133.95
026325	VERIZON WIRELESS	5/10/2011	CELL PHONES	258.85
026326	AQUARIUS WATER CONDITIONING, I	5/10/2011	MAY SOFTENER RENTAL	44.89
026327	NTCA GROUP HEALTH PLAN	5/10/2011	MAY HEALTH INSURANCE	12,342.40
026328	GARY BERG	5/10/2011	EMPLOYEE TRAINING	960.00
026329	JOHN MOENGEN	5/10/2011	MTA HOTEL, PARKING & MILEAGE	296.96
026330	NORTHLAND PRESS	5/10/2011	APRIL ADS	106.20
026331	MARIAN DOERR	5/10/2011	PERM DISCONNECT	35.68
026332	STEPHEN SALVATO	5/10/2011	PERM DISCONNECT	29.89
026333	GREAT NORTHERN DOOR CO.	5/10/2011	PERM DISCONNECT	38.27
026334	SETH LANDON	5/10/2011	PERM DISCONNECT	104.60
026335	DAVID MATZEK	5/10/2011	PERM DISCONNECT	72.93
026336	MITCH SCHLAPKOHL	5/10/2011	PERM DISCONNECT	16.33
026337	JOHN CHADA	5/10/2011	PERM DISCONNECT	58.55
026338	JOHN & BARB KINSEY	5/10/2011	PERM DISCONNECT	21.84
026339	SUSAN MEZZENGA	5/10/2011	PERM DISCONNECT	29.23
026340	STANLEY & DANA MCHANN	5/10/2011	PERM DISCONNECT	25.98
026341	IBEW LOCAL UNION 949	5/27/2011	UNION DUES	430.09
026342	OLSEN THIELEN CO LTD	5/25/2011	ADVISE LNP, TARIFF, BUNDLES	5,027.00
026343	CITY OF CROSSLAKE	5/25/2011	"TOP HEALTH" ADD'L DUE THRU 4/2012	23.39
026344	QWEST COMMUNICATIONS	5/25/2011	3/20 ACCESS MN CSLK-20	7.40
026345	CITI LITES INC	5/25/2011	LOCATES	553.70
026346	THE OFFICE SHOP, INC.	5/25/2011	TAPE,STAPLES,FILE POCKETS,SHEET PROTECT.	78.53
026347	DELTA DENTAL PLAN OF MINNESOTA	5/25/2011	JUNE DENTAL PREMIUM	1,001.80
026348	SOLIX	5/25/2011	B&C STATEMENT	17.76
026349	AMERIPRIDE LINEN & APPAREL	5/25/2011	RUG & TOWEL SERVICE	103.71
026350	NORTHWOOD TURF & POWER	5/25/2011	SERVICE COMPRESSOR	82.07
026351	CROSSLAKE AREA HISTORICAL SOC	5/25/2011	ANNUAL MEMBERSHIP	50.00
026352	NATIONAL CABLE TELEVISION COOP	5/25/2011	15 EA DCH6416 DVR'S,VINYL TAPE, LNB FOR DISH	6,896.86
026353	NEUSTAR INC.	5/25/2011	SOW & LNP CHARGES	139.21
026354	MERRILL LYNCH	5/25/2011	APRIL VISA CHARGES	2,572.07
026355	MINNESOTA LIFE INSURANCE CO	5/25/2011	JUNE LIFE PREMIUM	188.00
026356	UNIVERSAL SERVICE ADMIN CO.	5/25/2011	MAY FUSC	2,410.57
026357	FOX SPORTS NET NORTH	5/25/2011	ADD'L DUE FOR JAN & FEB	555.88
026358	VANTAGE POINT	5/25/2011	APRIL TTP SERVICE	300.00
026359	THELEN HEATING & ROOFING, INC.	5/25/2011	SEMI ANNUAL MAINTENANCE	342.00
026360	CYNTHIA PERKINS	5/25/2011	CAFE PLAN REIMBURSEMENT	25.00
026361	CALIX NETWORKS, INC	5/25/2011	5 EA E5 UNITS	25,970.25
026362	T-MOBILE USA, INC.	5/25/2011	RECIP COMP 4/1-4/30	32.17
026363	SOURCEONE SOLUTIONS, LLC	5/25/2011	MAY BILLING	6,014.69
026364	ZAYO BANDWIDTH	5/25/2011	BANDWIDTH BILLING	2,949.00
026365	TIGER DIRECT	5/25/2011	POWER SUPPLY & PCI EXP CARD FOR RESALE	124.33
026366	CHERI E. AYD	5/25/2011	MAY OFFICE CLEANING	689.34
026367	DEATON'S MAILING SYS., INC.	5/25/2011	INK CARTRIDGE FOR POSTAGE MTR	149.63
026368	TIME COMMUNICATIONS	5/25/2011	ANSWERING SERVICE	218.66
026369	COOPERATIVE NETWORK SERV, LLC	5/25/2011	APRIL BANDWIDTH - 55 MBPS	1,925.00
026370	NTCA GROUP HEALTH PLAN	5/25/2011	JUNE HEALTH INSURANCE	12,342.40
026371	IP NETWORKS, INC.	5/25/2011	PROCERA MAINT 6/30/11-6/29/12	3,600.00
026372	ROVI GUIDES	5/25/2011	AFFILIATE PAYMENT	242.97
			<b>TOTAL FOR GENERAL ACCOUNT</b>	<b>270,173.05</b>
<b>INVESTMENT ACCOUNT</b>				
001232	NORTHLAND TRUST SERVICES, INC.	5/10/2011	INTEREST DUE ON BOND	89,346.25
			<b>TOTAL FOR INVESTMENT ACCOUNT</b>	<b>89,346.25</b>
			<b>TOTAL DISBURSEMENTS</b>	<b>359,519.30</b>