

SPECIAL COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, JULY 14, 2003  
6:00 P.M. - CITY HALL

Pursuant to due notice and call, the Council for the City of Crosslake met on Monday, July 14, 2003 at 6:00 P.M. at City Hall. The following Councilmembers were present: Mayor Darrell Swanson, Dean Eggena, Chuck Miller, Dick Phillips and Irene Schultz. Also present was City Administrator Tom Swenson, City Attorney Paul Sandelin, Attorney Paul Ruevers of Iverson Reuvers, LLC., Community Development Director Ken Anderson, Planner-Zoning Coordinator Nancy Vernon, Clerk/Treasurer Darlene Roach, Attorney John Erickson, Matthew and Kathryn Johnson and Lake Country Echo Reporter Betty Ryan.

Mayor Swanson called the Special Meeting to order at 6:00 P.M. and stated that the purpose of the meeting is to discuss attorney/client information related to the Matthew and Kathryn Johnson Variance denial appeal. MOTION 07S2-01-03 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO CLOSE THE SPECIAL MEETING. MOTION CARRIED WITH ALL AYES. All attendees with the exception of the City Council, City Staff and Attorney Ruevers and Attorney Sandelin left the meeting.

It was noted that a mediation session had recently taken place between City Administrator Swenson, Attorney Paul Ruevers, Matthew and Kathryn Johnson, Attorney John Erickson and a Court Appointed Mediator. This mediation session resulted in a proposed settlement offer for review by the Council.

Discussion ensued regarding the timeframe leading up to the violation, what options were available, what corrected action could be taken to prevent this type of situation from occurring again and whether the proposed settlement would be acceptable to the Council.

MOTION 07S2-02-03 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO OPEN THE CLOSED SESSION AT 6:50 P.M. MOTION CARRIED WITH ALL AYES.

The open portion of the meeting reconvened and Mayor Swanson called for a motion. MOTION 07S2-03-03 WAS MADE BY DEAN EGGENA AND SECONDED BY CHUCK MILLER TO ACCEPT THE SETTLEMENT OFFER THAT WAS PROPOSED IN THE MEDIATION SETTLEMENT AGREEMENT INCLUDING A REQUIREMENT FOR A LANDSCAPING PLAN. Attorney Erickson addressed the Council and thanked them for their motion. He stated that the Johnson's were desirous to bring this issue to conclusion and would be agreeable to the landscaping plan proposed by Planning and Zoning. MOTION CARRIED 4-0 WITH COUNCILMEMBER PHILLIPS VOTING NAY.

Councilmember Eggena suggested that a remedy be put in place to prevent these types of situations from occurring in the future. He stated that the structure was fully built when it was discovered that the setbacks were not correct. MOTION 07S2-04-03 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO INSTRUCT THE

PLANNING AND ZONING COMMISSION TO REVIEW THE CURRENT SYSTEM AND THEN ESTABLISH A SYSTEM FOR VERIFYING SETBACKS WHERE THE CITY MEASURES TO THE FORMS FOR THE FOUNDATION. Councilmember Miller stated that he would support this review and felt it could eliminate many of these situations. He also stated that the City Attorney has advised the City Council, however, that the ultimate responsibility for correct setbacks is on the applicant. MOTION CARRIED WITH ALL AYES.

MOTION 07S2-05-03 WAS MADE BY CHUCK MILLER AND SECONDED BY DICK PHILLIPS TO ADJOURN THIS SPECIAL COUNCIL MEETING AT 6:55 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,

A handwritten signature in cursive script that reads "Darlene J. Roach". The signature is written in black ink and is positioned above the printed name and title.

Darlene J. Roach  
Clerk/Treasurer

Shared/SPECIAL COUNCIL MEETING – July14,2003