

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, AUGUST 9, 2004
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, August 9, 2004 at 7:00 P.M. The following Councilmembers were present: Mayor Darrell Swanson, Dean Eggena, Bettie Miller, Irene Schultz and Dick Phillips. Also present was City Administrator Tom Swenson, 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, Clerk/Treasurer Darlene Roach and Lake Country Echo Reporter Betty Ryan. There were several individuals in the audience in addition to 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 8R-01-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO APPROVE THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.

B. CRITICAL ISSUES – None

C. CONSENT CALENDAR - MOTION 08R-02-04 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 PUBLIC HEARING OF JULY 12, 2004; (2.) MINUTES OF REGULAR COUNCIL MEETING OF JULY 12, 2004; (3.) MINUTES OF JOINT CITY COUNCIL/COMMUNICATIONS COMMISSION MEETING OF JULY 27, 2004; (4.) MINUTES OF SPECIAL COUNCIL MEETING OF JULY 27, 2004; (5.) SPECIAL JOINT MEETING OF CITY COUNCIL, PLANNING AND ZONING COMMISSION/BOARD OF ADJUSTMENT AND SEWER COMMITTEE OF AUGUST 3, 2004; (6.) CROSSLAKE COMMUNICATIONS TELEPHONE AND CABLEVISION COMPANY STATISTICAL REPORT DATED JUNE 30, 2004; (7.) CITY MONTH END REVENUE REPORT DATED JUNE, 2004; AND (8.) CITY MONTH END EXPENDITURE REPORT DATED JUNE, 2004. MOTION CARRIED WITH ALL AYES.

D. PUBLIC FORUM – None

E. MAYOR'S REPORT – Jolene Keller of the Whitefish Area Lions was present to recognize Councilmember Irene Schultz as the 2004 Whitefish Area Lions Woman of the Year. This award is given annually to a woman who resides in the area who has demonstrated her commitment to the community, possesses leadership qualities and enriches the lives of others. Gordie Reiler, President of the Crosslake/Ideal Lions Club, congratulated Irene on behalf of the men's club and noted that the old saying "when you rest, you rust" certainly doesn't apply to

Irene. Reiler stated that the award was well deserved since Irene is an asset to the community.

F. CITY ADMINISTRATOR REPORT --

1. Bills for Approval - MOTION 08R-03-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY DEAN EGGENA TO APPROVE THE BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNTS OF \$37,046.60 AND \$8,690.01. MOTION CARRIED WITH ALL AYES.
2. Resolution for the Appointment of Election Judges - MOTION 08R-04-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO APPROVE RESOLUTION NO. 04-28 FOR THE APPOINTMENT OF ELECTION JUDGES TO SERVE FOR THE 2004 PRIMARY ELECTION AND GENERAL ELECTION TO BE HELD SEPTEMBER 14, 2004 AND NOVEMBER 2, 2004 RESPECTIVELY. MOTION CARRIED WITH ALL AYES.
3. A memo dated August 5th from City Administrator Swenson requested that the Council set the date for the Truth in Taxation Hearing. The first and second Monday's of December are reserved for use by cities. MOTION 08R-05-04 WAS MADE BY BETTIE MILLER AND SECONDED BY IRENE SCHULTZ TO SET THE DATE OF DECEMBER 6TH AT 6:00 P.M. FOR THE TRUTH AND TAXATION HEARING WITH DECEMBER 13TH FOR A CONTINUATION HEARING IF NEEDED. MOTION CARRIED WITH ALL AYES.
4. A memo dated August 5th from City Administrator Swenson set the time and date for the budget meetings for August 18th and August 25th at 1:00 P.M. Additional meetings will be scheduled as necessary.
5. A memo dated August 5th from Clerk/Treasurer Roach requested Council approval to pay the City's monthly sewer bills prior to the monthly due date in order to avoid the 10% penalty the billing system charges for late payments. Depending on what day of the month the Council meeting falls, the sewer bill could be due prior to the Council approving the monthly bill. MOTION 08R-06-04 WAS MADE BY DEAN EGGENA AND SECONDED BY BETTIE MILLER TO AUTHORIZE THE CITY ADMINISTRATOR TO PAY THE SEWER BILLS ON A TIMELY MANNER EVEN IF PRIOR TO A COUNCIL MEETING. MOTION CARRIED WITH ALL AYES.
6. A memo from the Minnesota State Demographer estimated the April 1, 2003 Crosslake population at 1,981 and the household estimate at 955.
7. A letter from John Voelker, Assistant Area Supervisor for the DNR, informed the Council that the DNR has issued an Election to Purchase a parcel of land adjacent to the Cross/Duck Lake public water access. Site construction would begin in the summer of 2006.
8. A letter from Delta Dental informed the City of an increase in dental insurance with the new contract term commencing September 1, 2004. Single rates will go from \$31.50 to \$32.80 per month and family coverage will go from \$84.45 to \$87.95 per month.

9. An invitation from Region Five Development Commission to attend a Legislative Forum at T. Maxwell's in Staples was included for Council information.
10. Lakes State Bank Pledge Update dated July 2004 was included for Council information.
11. Lakewood Bank Pledge Update dated July 2004 was included for Council information.
12. Northern National Bank Pledge Update dated July 31, 2004 was included for Council information.
13. A thank you letter from Brainerd Lakes Area Chamber of Commerce for the donation to the fireworks was included for Council information.

G. COMMISSION REPORTS --

1. **PUBLIC SAFETY --** Chief Bob Hartman reported 295 calls in Crosslake and 36 calls in Mission Township in July. Councilmember Phillips asked how the part-time budget was holding up and Chief Hartman stated that he will be coming to the Council with a request for additional funding. The Fire Department responded to 16 medical calls and three fire calls for a total of 19 calls in July. Gary Pearson, Manager of the Regional Office for North Ambulance in Brainerd, addressed the Council and presented monthly reports of activity for 2004. He stated that North is providing advanced paramedic service (ALS) in Crosslake about ninety-nine percent of the time. A joint effort with an officer in the Breezy Point Police Department, who is a certified advanced life support paramedic, will provide ALS care to patients until the ambulance arrives. This is the first time a non-profit has joined forces with a municipality in providing patient care.

2. PUBLIC WORKS --

- a. A request to approve a contract with C.L. Reed Construction for a Wash Bay Addition at the Joint Public Works Facility was removed from the agenda per a request from Crow Wing County Highway Engineer Duane Blanck.
- b. City Engineer Dave Reese presented an update on the 2004 road projects. Currently Anderson Brothers is working on Daggett Pine Road and Edgewater Lane. The projected completion date is September 3rd. Since the annual Art Show is being held at the Community Center on April 13th and 14th, the contractor is working to minimize road construction by not removing the old blacktop until Monday, August 16th. The crew is working on the ditches, clearing/grubbing and performing utility relocation. Work in the area of Daggett Pine Road will include a bike path, an improved roadway and an additional parking lot at the Community Center. Public Works Director Ted Strand stated that the Council authorized obtaining quotes on the short-haul dirt removal from the site of the proposed parking lot at the Community Center. Quotes were obtained from Anderson Brothers for \$2.41 per yard and Wannebo Construction for \$2.50 per yard.
MOTION 08R-07-04 WAS MADE BY DICK PHILLIPS AND
SECONDED BY IRENE SCHULTZ TO AUTHORIZE ANDERSON

BROTHERS TO SHORT-HAUL THE DIRT FROM THE COMMUNITY CENTER PARKING LOT AT A COST OF \$2.41 PER CUBIC YARD. MOTION CARRIED WITH ALL AYES. It was suggested that Park and Recreation Director Henke install a sign noting "Future Parking Lot" in this area. Public Works Director Ted Strand commented that employees are shouldering, mowing and cleaning up for the open house which will be held on Saturday, August 28th from 11:00 A.M. – 2:00 P.M. at the site of the Public Works Facility and Sewer Treatment Plant.

3. PARK AND RECREATION –

- a. Park and Recreation Director Jon Henke presented his highlights report for July. The walkers and talkers were reminded that the gym is open each morning from 8:00 – 9:00 A.M. for walking. The next session of aerobics is scheduled to start on Monday, August 16th and end on September 30th. Cost for this seven-week membership is \$42.00. Council approval to contract with Donna Keiffer for this session was requested. MOTION 08R-08-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO CONTRACT WITH DONNA KEIFFER TO CONDUCT AEROBICS FROM AUGUST 16TH TO SEPTEMBER 30TH AT A COST OF \$440.80 FOR THE SEVEN WEEK SESSION. MOTION CARRIED WITH ALL AYES. AAA is sponsoring two senior driving refresher courses on September 9th and October 7th from 9:00 A.M. – 1:00 P.M. An eight-hour course for first time participants will be held on November 3rd and 4th from 12:30 P.M. – 4:30 P.M. Interested parties should contact AAA to enroll. Yoga is being offered on Wednesday mornings from 10:00 to 11:30 A.M. The Monday class will resume on September 20th. The weight room offers low membership rates and residents were invited to stop in and check out what is available. A senior tennis mixer is held on Monday and Thursday afternoons starting at 4:00 P.M. Card clubs meet on Tuesday, Wednesday and Friday each week and interested parties should contact the Center for more information. A donation was received from Jim and Sallee Birkelelo and Council acceptance of the donation was requested. MOTION 08R-09-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO ACCEPT WITH APPRECIATION THE DONATION OF \$258 FROM JIM AND SALLEE BIRKELO. MOTION CARRIED WITH ALL AYES. The funds will be used to purchase seed for the nature trails. The annual art show will be held on August 12th – 14th at the Community Center. A book sale will be held in conjunction with the art show at the picnic shelter. Books can be dropped off at the picnic shelter August 9th through 12th. The DNR has completed a Woodland Stewardship Plan for the Crosslake Park which was approved by the Commission at their July 26th meeting. City Council approval on this Plan was requested along with a \$25.00 donation to the DNR to provide for future updates to the plan and to provide financial assistance to other forest stewards as they look to enhance their wilderness areas. There has been no cost to the City for the development of this plan. Henke thanked Forester Gary Anderson for

putting the plan together. Gary is a retired forester from the area and does consulting work for the DNR. MOTION 08R-10-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO APPROVE THE WOODLAND STEWARDSHIP PLAN FOR THE CROSSLAKE PARK PUT TOGETHER BY THE DNR. Councilmember Eggena asked if there were any restrictions on how the land can be used and Henke stated that the land will be used for recreational purposes and that the Plan only serves as a guide for the City. A harvest plan is included for future consideration but Henke stated that it will be some time before the City will need to begin harvesting timber. Mayor Swanson asked if the 3000 trees referenced on page 9 of the plan is a part of the budgeting for the Park and Jon Henke stated that last year \$2000 was allocated in the budget in 2004 and additional funding will be allocated for this 80-acre parcel. MOTION CARRIED WITH ALL AYES. Regarding the donation, MOTION 08R-11-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO AUTHORIZE A \$25.00 DONATION TO THE DNR FOR THE WOODLAND STEWARDSHIP PLAN. MOTION CARRIED WITH ALL AYES.

- b. A copy of the minutes of the June 28th Park Commission Meeting were included for Council information.
 - c. A letter to the League of Minnesota Cities Insurance Trust from City Attorney Sandelin addressed the liability issues associated with parking on the bike path along Daggett Pine Road on the Crosslake Presbyterian Church property. Sandelin stated that there is an indemnification provision in the deed for purposes of protecting the City's interest. This letter was included for Council information. Councilmember Phillips asked the status of the gym floor and Jon Henke stated that two new products were looked at this past week and a recommendation will be coming to the Council shortly.
4. **LIBRARY** – Committee Chairman Alden Hardwick stated that a book sale will be held in conjunction with the Art Show on August 13th and 14th. A large volume of books has already been donated. Books may be dropped off at the picnic shelter on August 12th. The Committee has mailed out 2000 pledge letters and will be sending out an additional 1000 letters this coming week. Donations and pledges now total \$88,500. A letter from Congressman Oberstar was not encouraging in regards to funding. The minutes of the July 19th meeting were included for Council information.
5. **UTILITIES** – General Manager Leaser presented the highlights report. A joint meeting of the Council and Utility Commission was held on July 27th to review a plan to future proof Crosslake Communications. The next joint meeting will be held on August 31st at 8:45 A.M. The replacement of the tower is proceeding. The annual Customer Appreciation open house will be held on Saturday, August 14th from 9:00 A.M. until 1:00 P.M. during Celebrate Crosslake Days. Dennis Leaser reported that the company's web site was hacked at 2:00 P.M. along with Consolidated Telephone and Emily Cooperative. Crosslake's web site was up and

operating by 3:30 P.M. The Cable Tracking Report was included for Council information.

6. SEWER –

- a. Public Works Director Ted Strand stated that 60 – 65 hookups have been made as of this date. The plant is processing between 8500 to 9500 gallons per day. City Engineer Dave Reese stated that the collection system is being worked on by Hammerlund Construction in the area of Cross Lake Avenue which should conclude work on the collection system.
- b. An amendment to the Sewer Ordinance was presented for Council approval which would omit “60 days” from the statement “Any bill not paid in full 60 days after the due date will be considered delinquent.” This change is a housekeeping item which was omitted during a recent ordinance amendment. MOTION 08R-12-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO APPROVE ORDINANCE AMENDMENT NO. 199 RELATING TO WASTEWATER REGULATIONS. MOTION CARRIED WITH ALL AYES. City Administrator Swenson complimented Char Nelson and Darlene Roach on getting the information into the Sewer program and getting the first sewer billing out to those connected to the system.
- c. City Attorney Paul Sandelin informed the Council that Golden Rule has filed a Notice of Appeal to the Court of Appeals to review the decision of the District Court. A briefing schedule and oral argument date will be set by the Court.

7. RECYCLING – Councilmember Phillips reported that the numbers are down for recycling with only 2.63 tons collected in July. This brings the year-to-date number of recyclables collected at 109 tons.

8. PLANNING AND ZONING –

- a. A memo from Community Development Director Ken Anderson requested that the Council set a date to hear an appeal of Variance 2004-010A, submitted by Joseph and Therese Galatowitsch. MOTION 08R-13-04 WAS MADE BY BETTIE MILLER AND SECONDED BY DICK PHILLIPS TO SET THE DATE FOR THE PUBLIC HEARING TO HEAR THE APPEAL OF VARIANCE 2004-010A FOR SEPTEMBER 13TH AT 6:00 P.M. MOTION CARRIED WITH ALL AYES. The Council requested that an information packet containing the details of the variance application be submitted to the Councilmembers one week prior to the public hearing.
- b. A memo dated August 6th from Community Development Director Ken Anderson informed the Council that Jack Huber has resigned his position on the Planning and Zoning Commission. At their last meeting, the Commission recommended that the most senior alternate be appointed to fill the position. Since both Roger Lynn and Peter Abler were appointed alternates at the same time, and both are interested in serving on the Commission, the selection was made by the toss of a coin. Since Mr. Abler

won the coin toss, it is the recommendation of the Planning and Zoning Commission to appoint Peter Abler as a regular member of the Planning and Zoning Commission for the term expiring January 31, 2006. MOTION 08R-14-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY DEAN EGGENA TO APPOINT PETER ABLER TO THE PLANNING AND ZONING COMMISSION FOR THE TERM EXPIRING JANUARY 31, 2006. MOTION CARRIED WITH ALL AYES.

- c. Community Development Director Anderson reported that interviews were conducted for the position of GIS-Planner Coordinator and a recommendation would be coming to the Council soon. The Preliminary Plat for Anderson Estates was approved by the Planning and Zoning Commission and the Council will be acting on recommendations from the various commissions in regards to park dedication fees at the next meeting. The developer of Town Square is constructing an 8200 square foot building North of Rustica in addition to the recently constructed clock tower and band shell.

9. **ECONOMIC DEVELOPMENT AUTHORITY** – The July meeting of the EDA was cancelled.

10. **CHARTER SCHOOL** – Councilmember Schultz reported that school will open September 1st with 94 students enrolled. A teacher's conference with parents will be held on September 24th.

11. **LONG RANGE CAPITAL PLANNING** – Nothing

12. **PERSONNEL COMMITTEE** – Nothing

H. OLD BUSINESS - None

I. NEW BUSINESS – Mayor Swanson noted that this is an election year and filing for the position of Mayor and two Councilmembers opens on August 24th and continues through September 7th at 5:00 P.M.

Chief Hartman introduced Officer Jay Lorch who explained a program that he became involved in through the Federal Government whereby the Department was able to obtain, at no charge, a Thermo Imager Camera which allows officers to detect missing persons through heat patterns detected by the camera. Officer Lorch participated in a training program in Boston and, as a result, is a certified thermographer.

J. PUBLIC FORUM - Ruth Ann Hanson invited everyone to participate in Crosslake Days which runs from August 7th through August 14th. Several events are planned throughout the City culminating with the Chili Cookoff on Saturday, August 14th.

**K. ADJOURN -- MOTION 08R-16-04 WAS MADE BY DICK PHILLIPS AND
SECONDED BY IRENE SCHULTZ TO ADJOURN THIS REGULAR MEETING AT
8:20 P.M. MOTION CARRIED WITH ALL AYES.**

Recorded and transcribed by,

A handwritten signature in cursive script, appearing to read "Darlene J. Roach".

Darlene J. Roach
Clerk/Treasurer

Shared/REGULAR COUNCIL MEETING -- August 9, 2004

BILLS FOR APPROVAL
9-Aug-04

VENDORS	DEPT	AMOUNT
Ace Hardware, car bulb	Police	10.64
Ace Hardware, padlock, hasp	P&R	17.42
Ace Hardware, paintbrush	P&R	3.04
Ace Hardware, bushings	P&R	2.85
Ace Hardware, keys	P&R	7.03
American Water Works Assn, membership dues	Sewer	10.00
Anderson Brothers, parking lot	Gov't	12,751.00
Anderson Brothers, grading, class 5, bituminous	PW	4,836.29
Arbormeister, tree transplanting	PW	519.00
A W Research, water test	Sewer	132.00
A W Research, water test	Sewer	40.00
City of Crosslake, sewer utility bill	PW/Gov't	120.00
Council #65, union dues	ALL	115.12
Crosslake Polaris, spark plug, blade sharpening	PW	46.34
Crosslake Polaris, trimmer head	PW	34.03
Crosslake Polaris, fuel hose	PW	56.56
Crosslake Polaris, engine oil	P&R	8.88
Crosslake Rolloff, august recycling	Gov't	2,450.00
Culligan, water and cooler rental	Gov't	29.57
Dacotah Paper, can liners	Gov't	49.10
Darlene Roach, reimburse petty cash	Gov't	106.98
Deferred Comp	ALL	491.66
Delta Dental, dental insurance	ALL	1,086.45
Echo Publishing, annual disclosure of taxes	Gov't	56.25
Fortis, disability	ALL	236.42
Holiday Station, tire foam	Fire	9.56
Martin Communications, install radio in one ton truck	PW	367.43
Medica, health insurance	ALL	10,929.62
MN Benefits	Admin	100.92
MN Life, life insurance	ALL	255.60
Moonlite Square, fuel	Fire	28.00
NCPERS-Life Insurance	ALL	128.00
North Ambulance, subsidy	Ambulance	1,103.00
PERA	ALL	N/A
Pine River Backus Schools, baseball tournament	P&R	31.00
Postmaster, stamps	Library	370.00
State and Federal Taxes	ALL	N/A
Tom Swenson, vehicle allowance	Admin	400.00
Viking Coca Cola, pop	Gov't	43.40
Viking Coca Cola, pop	P&R	63.44
TOTAL		37,046.60

ADDITIONAL BILLS FOR APPROVAL

9-Aug-04

VENDOR	DEPT	AMOUNT
Ace Hardware, tools, supplies	Fire	33.74
Anderson Brothers, class 5	PW	806.78
Black Diamond Tree Services, tree removal	Sewer	266.25
Blue Lakes Disposal, trash removal	ALL	178.43
California Contractors, spray paint	PW	191.76
City of Pequot Lakes, halloween bags	Police	153.08
Crow Wing County Landfill, trash removal	PW	64.61
Crow Wing County Treasurer, new alarm registration	P&R	20.00
Greg Larson Sports, aerosol paint	P&R	58.56
Lakes Printing, printed napkins	PW	101.07
League of MN Cities, 2004 regional meeting	Admin	35.00
Mastercard, Radisson, lodging for class	PW	233.91
Mike's Electric, install outlets	Fire	172.50
Quill, pens	PW	153.36
Quill, laminate, cash tray, pens, markers	Admin	84.67
Sandelin Law Office, legal fees	ALL	5,972.65
Simonson Lumber, tapcon screws	PW	14.91
Ted Strand, reimburse mileage to class	PW	121.13
Viking Coca Cola, pop	PW	61.34
TOTAL		8,690.01

RESOLUTION 04-28
FOR THE APPOINTMENT
OF ELECTION JUDGES TO SERVE FOR THE 2004
PRIMARY ELECTION AND GENERAL ELECTION TO
BE HELD SEPTEMBER 14, 2004 AND NOVEMBER 2, 2004 RESPECTIVELY

WHEREAS, the City of Crosslake does hereby resolve to appoint election judges for the 2004 Primary Election to be held on the 14th day of September, 2004 and for the 2004 General Election to be held on the 2nd day of November, 2004 in City Hall in the City of Crosslake:

AND WHEREAS, the City of Crosslake does hereby appoint the following persons to serve as election judges according to Minnesota State Statute 204B.19:

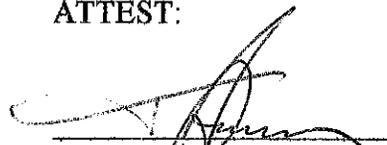
Kathy Allen 14306 Cty Rd 36, P.O. Box 660, 218-692-3156
Ginny Arvig 36599 ABC Drive 218-543-6111
Ordell Buntje P O Box 412 218-692-2068
Judy Cotten 35062 County Road 37 218-692-4037
Arlene Courneya 12109 County Road 103 692-3210
Allen Eliason 35424 Maroda Drive 218-692-3709
Jean Erickson 36109 West Shore Drive 218-692-4598
Doris Fraser 37670 County Road 66 218-692-4056 (Alternate)
Ruth Hoag 35067 West Shore Drive 218-692-3403
Cindy Larson 12886 County Road 16 218-692-4024
Charlene Nelson 13941 Mary Lane 218-692-4909
Darlene Roach 31427 County Road 3 218-765-3321
Geri Sawatzke 36639 County Road 66 218-692-4745
Marie Strand 14565 Whitebirch Lane 218-692-1570
James Stevenson 13483 Island View Road 218-692-4520
Ann Swenson 36036 West Shore Drive 218-692-4330

BE IT RESOLVED, that the City Council of the City of Crosslake, Minnesota go on record as appointing the above named persons as Election Judges to handle the 2004 Primary and General Elections at the Council Meeting held on August 9, 2004.

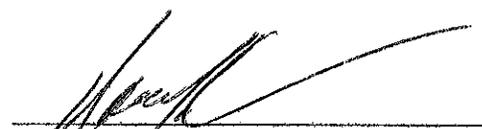
COUNCIL VOTING AYE - 5

COUNCIL VOTING NAY - 0

ATTEST:



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor