

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, SEPTEMBER 13, 2004
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, September 13, 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 were 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, Deputy Clerk Charlene Nelson and Lake Country Echo Reporter Betty Ryan. Clerk/Treasurer Darlene Roach was absent. There were approximately sixteen individuals in the audience not including 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 09R-01-04 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO APPROVE THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.

B. CRITICAL ISSUES – None.

C. CONSENT CALENDAR - MOTION 09R-02-04 WAS MADE BY BETTIE MILLER AND SECONDED BY DICK PHILLIPS TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR CONSISTING OF: (1.) MINUTES OF REGULAR COUNCIL MEETING OF AUGUST 9, 2004; (2.) MINUTES OF SPECIAL COUNCIL MEETING OF AUGUST 17, 2004; (3.) MINUTES OF PUBLIC HEARING ON NONCONFORMING USES OF AUGUST 19, 2004; (4.) MINUTES OF ABC DRIVE FINAL ASSESSMENT HEARING OF AUGUST 19, 2004 (5.) MINUTES OF GREER LAKE ROAD FINAL ASSESSMENT HEARING OF AUGUST 19, 2004 (6.) MINUTES OF WILDWOOD DRIVE FINAL ASSESSMENT HEARING OF AUGUST 19, 2004 (7.) MINUTES OF SPECIAL COUNCIL MEETING OF AUGUST 25, 2004 (8.) CROSSLAKE COMMUNICATIONS TELEPHONE AND CABLEVISION COMPANY STATISTICAL REPORT DATED JULY 31, 2004; (9.) CITY MONTH END REVENUE REPORT DATED JULY 31, 2004; AND (10.) CITY MONTH END EXPENDITURE REPORT DATED JULY 31, 2004. MOTION CARRIED WITH ALL AYES.

D. PUBLIC FORUM – Darlene Roach appeared before the Council to remind everyone in the audience that the Primary Election was taking place on Tuesday, September 14, 2004 from 7:00 A.M. to 8:00 P.M. at City Hall and that everyone should get out and vote.

E. MAYOR'S REPORT – None.

F. CITY ADMINISTRATOR REPORT -

1. Bills for Approval - MOTION 09R-03-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO APPROVE THE BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNTS OF \$25,068.87 AND \$2,050.79. MOTION CARRIED WITH ALL AYES.
2. City Administrator stated that he has attended many special meetings in the last month along with the Council Members and the Department Heads to work on the 2005 Proposed Budget. The 2005 Proposed Revenue Budget is \$3,170,548 and the 2005 Proposed Expenditure Budget is \$3,170,548. The Proposed Spread Levy Increase on Existing Tax Base is 8.1%. MOTION 09R-04-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO APPROVE THE 2005 PROPOSED BUDGET AS PRESENTED. Dean Eggena stated that 8% is high, however, there is over one million dollars of debt to pay each year and this was the best the Council and staff could do this year. Dick Phillips thanked all the Department Heads for their hard work and cooperation during the budget process. MOTION CARRIED WITH ALL AYES.
3. Tom Swenson presented the Proposed 2004 Tax Levy Collectible in 2005 at a total levy of \$2,105,114. The Tax Levy was broken down into 11 different areas. MOTION 09R-05-04 WAS MADE BY DEAN EGGENA AND SECONDED BY BETTIE MILLER TO ADOPT RESOLUTION NO. 04-33 APPROVING PROPOSED 2004 TAX LEVY COLLECTIBLE IN 2005 AS PRESENTED. MOTION CARRIED WITH ALL AYES.
4. Monte Eastvold of Northland Securities appeared before the Council to discuss the EDA refunding of Public Revenue Bonds of 1994. The call date on this bond is 12-1-04, which allows payoffs or refinancing to take place between 9-1-04 and 12-1-04. Refinancing the loan at this time would create an overall savings of \$33,254.81 at an average interest rate of 3.59%. Mr. Eastvold added that the new call date on this loan will be 12-1-2011, at which time it could be paid off or refinanced. The Crosslake EDA had met on September 1, 2004 and approved a resolution to allow the refinancing of the 1994 Public Revenue Bonds. MOTION 09R-06-04 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION NO. 04-34 AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE WITH OPTION TO PURCHASE AGREEMENT AND ALLOCATING SMALL ISSUER REBATE EXCEPTION AUTHORITY. MOTION CARRIED WITH ALL AYES.
5. A memo dated September 9, 2004 from the Clerk /Treasurer regarding Bid Opening on items which were authorized for sale previously by the Council stated the highest bids as follows: Car - Teddy Strand - \$126.00, Tanks with Pumps - East Side Oil - \$510.00, Ditch Witch Trailer - Richard L. Dabill - \$1150.00. MOTION 09R-07-04 WAS MADE BY BETTIE MILLER AND SECONDED BY IRENE SCHULTZ TO ACCEPT THE HIGHEST BIDS AS PRESENTED.

Dean Eggena asked where the funds from this sale go. Tom Swenson stated that the funds go into the general fund. MOTION CARRIED WITH ALL AYES.

6. Crow Wing County Forfeited Tax Lands Public Auction flyer was included for Council information.
7. Lakes State Bank Pledge Update dated August 2004 was included for Council information.
8. Lakewood Bank Pledge Update dated August 2004 was included for Council information.
9. Northern National Bank Pledge Update dated August 31, 2004 was included for Council information.

G. COMMISSION REPORTS –

1. UTILITIES –

- a. Network Engineer Paul Davis and Operations Manager Jared Johnson presented the Highlights Report for August 2004. Crosslake Communications is proceeding with the replacement of their tower. The new tower is in place and the expected date to remove the old tower is October 15, 2004. The replacement was necessary because the old tower was overloaded and was not able to be upgraded. The new tower is the same height as the old tower.

Crosslake Communications continues to be on schedule for becoming their own Internet Service Provider. They still anticipate November 1st as the cut over date. Paul Davis stated the goal of the cut over is that the users will not notice any change to their service.

The annual Customer Appreciation Day was very successful and a lot of fun. They served over 500 root beer floats, took over 100 pictures and had drawings every half hour.

- b. The Crosslake Cablevision Digital TV Report was included in the packet for Council information.
- c. A memo dated September 13, 2004 from General Manager Dennis Leaser was reviewed by the Council regarding a proposal from Vantage Point to conduct an Engineering Study. MOTION 09R-08-04 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO ACCEPT THE DETAILED ENGINEERING PROPOSAL FROM VANTAGE POINT FOR PHASES 1, 2, 3, AND 4 WITH THE COST NOT TO EXCEED \$125,000 AND THE CONVENTIONAL RUS LOAN DESIGN

APPLICATION FOR A FLAT FEE OF \$29,000. Paul Davis stated that the study will identify possible problems such as communications or geography. Dean Eggena stated that the total scope of this project, to have fiber instead of copper lines to every house, is about 12 million dollars. This study will help in the planning process. MOTION CARRIED WITH ALL AYES.

2. PUBLIC WORKS –

- a. Dave Reese of WSN appeared before the Council to discuss accepting the road in the Silent Oaks Plat. Mr. Reese stated that the road is approximately 90% complete but there is still work to be done before the road is brought up to City standards. The developer is concerned that there may not be enough time to finish the remainder of the work before the snow comes. Dick Phillips asked Mr. Reese what his recommendation is. Mr. Reese replied that it is the City's ordinance that states a road must be 100% complete before the City will accept it for maintenance. Tom Swenson added that the Public Works Commission considered this matter at their meeting and denied the request because the Council had denied the acceptance of a road that was not 100% complete in another development a few months earlier. Silent Oaks Developer Larry Smith appeared before the Council to request acceptance of the road and reduction of his bond. He stated that top soil and seeding is the only thing left to do and that the weather has hindered the completion. Mr. Smith added that people are living in 3 of the homes already and 8 more have a closing date of December 1st and 9 are under construction. Heavy equipment in and out of the area is ruining the planting he has done. Mr. Smith estimates that there is only 5% of the road project that is not complete and doesn't think he can get it any closer this fall. One day the grass is growing, the next day it's washed out. Mr. Smith said that the City could retain 10% of the bond which would be approximately \$18,000 until he finished the seeding in the spring. Dick Phillips stated that the road looks good but was concerned whether it was structurally ok. Dave Reese replied that it is safe and that only a few washout areas need to be filled with class 5 and top soil. Darrell Swanson asked how much money is required to finish the road. Dave Reese replied that it would cost less than 10%. Attorney Sandelin stated that the contract allows City to retain 10% of the bond through the warranty period which is one year from the date of acceptance. MOTION 09R-09-04 WAS MADE BY DEAN EGGENA AND SECONDED BY BETTIE MILLER TO ACCEPT THE ROAD IN SILENT OAKS PLAT WITH THE UNDERSTANDING THAT LARRY SMITH WILL COMPLETE THE PROJECT IN THE SPRING WITH THE CITY RETAINING 10% OF THE BOND FOR ONE YEAR. Dick Phillips asked if the City was handling this road different that it has handled other roads. Tom Swenson replied that this is. Dean Eggena stated that the road that was denied a few months ago had more issues than just seeding and top soil and stated that these people will need snow plowing this winter, so it should be accepted. MOTION CARRIED WITH ALL AYES. Tom

Swenson verified with the attorney that a letter will be sent to Mr. Smith regarding the acceptance.

- b. Following receipt of a petition submitted to the City by residents of Hidden Lake for bridge improvements and direction by the City Council, WSN prepared a proposal to study the removal of the Melinda Shores Road Bridge and review the feasibility to extend Staley Lane to serve as the primary access to properties that currently use the Melinda Shores Road Bridge. The proposed scope of services for this two-part study would include: 1. Melinda Shores Road Bridge Removal and Channel Restoration and 2. Extension of Jason Lane. If the City wishes to assess the project in accordance with Chapter 429 Special Assessments for Local Improvements, then the estimated cost of assessment must be developed and discussed at a public hearing. WSN's fees are estimated to not exceed \$9,500 for the scope of work. WSN recommends that the City contract separately with a reputable geotechnical firm to complete soil borings. The estimated cost of obtaining the soil boring report is \$2,000-4,000 depending on accessibility to the site and equipment needed. Tom Swenson questioned if the removal of the bridge could be considered as an assessment because the residents benefit from the use of the channel. Attorney Sandelin replied that it is possible to assess a property even if it is not abutting the project area. Tom Swenson added that it will be difficult to determine how and who gets assessed. Dick Phillips asked what the condition of the bridge is today. Dave Reese replied that it is currently a functional bridge. Dean Eggena asked if this study will tell the Council how much the project will cost? Dave Reese replied that it would. Tom Swenson cautioned the Council that the City may have to pay for the entire project if it is not assessable. Darrell Swanson recalled problems with the last dredging process. Dave Reese replied that there were problems, mainly due to the fact that the bridge has a wood base, not a metal base. Dean Eggena suggested that the study be done without the soil borings if access to the property is not granted because the borings are not important at this point. MOTION 09R-11-04 WAS MADE BY BETTIE MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION NO. 04-34A ORDERING PREPARATION OF REPORT ON IMPROVEMENT OF STALEY LANE AND THAT WSN BE DIRECTED TO CONDUCT A TWO-PART STUDY INCLUDING THE MELINDA SHORES ROAD BRIDGE REMOVAL AND CHANNEL RESTORATION AND EXTENSION OF STALEY LANE AT A COST NOT TO EXCEED \$9,500.00 AND THAT SOIL BORINGS BE DONE WHERE POSSIBLE. MOTION CARRIED WITH ALL AYES.
- c. Dave Reese presented an update on the 2004 Road Projects. All the roads are paved. The contractor is currently working on top soil and seeding. Bad weather caused some problems on Daggett Pine Road and the contractor had to re-work the area. The project is on schedule and final completion is still anticipated for October 1, 2004.

- d. MOTION 09R-12-04 WAS MADE BY DEAN EGGENA AND SECONDED BY BETTIE MILLER TO APPROVE PARTIAL PAYMENT ESTIMATE NO. 2 FROM ANDERSON BROTHERS CONSTRUCTION IN THE AMOUNT OF \$509,008 FOR WORK COMPLETED BETWEEN AUGUST 10, 2004 AND SEPTEMBER 3, 2004. MOTION CARRIED WITH ALL AYES.
- e. Jeff Miller of WSN appeared before the Council to update them on the West Shore Drive right-of-way plat and to receive direction from them as to what steps to take next. He handed out to the Council color coded maps of the entire length of West Shore Drive. The maps indicated where the right-of-way was, if any, and how wide it was at all points within Crosslake. Mr. Miller suggested that now that the research was completed, the City should now define the limits of the right-of-way and the bike path. Dick Phillips questioned what Ideal Township planned on doing with their portion of the road. Dean Eggena replied that Ideal was in favor of the road improvement but not the bike path. Ted Strand added that no one has talked with Ideal in over a year. Jeff Miller stated that the biggest item is to identify the areas that need to be acquired and determine how much right-of-way is necessary for both the widened road and bike path. Dean Eggena suggested that before the City does any more work on this project that a public hearing should be held to determine how many people want a bike path. Darrell Swanson replied that a public hearing was held at one time and the vote of those in attendance was almost 50-50, depending whether the bike path would be on their side of the road or not. Dean Eggena stated that notices should be mailed to the property owners on West Shore Drive, because if the neighborhood doesn't want a bike path, we shouldn't construct one. Tom Swenson suggested having more than one option available for the residents at the public hearing such as a detached bike path, an adjacent bike path or a widened road. Darrell Swanson urged that a public hearing take place before people leave for the winter. Dick Phillips would like to invite the whole town to the public hearing, not just the West Shore Drive neighborhood. Because there would be a lot of residents who will be gone this winter, it was the consensus of the Council to hold the public hearing in the spring.

3. SEWER –

- a. Ted Strand informed the Council that to date there are 97 sewer hookups, 33 of which are commercial. Dave Reese stated that the plant and collection system are complete. A punch list is being worked on by KHC and final payment is being requested by Hammerlund.
- b. Included in the packet for Council review was Baxter's development agreement that contains sections relating to City Engineer construction

observation of public improvements. It was the hope of Dave Reese that this information could assist the Council in establishing an application fee for property owners wishing review by the City to hook up to City sewer. Dick Phillips stated that he is not against anyone hooking up to the sewer who is not in the Phase 1 area as long as the developer pays the entire cost. Tom Swenson suggested that the Sewer Committee take a look at this agreement and make a recommendation to the Council. Paul Sandelin added that it would be a good idea to use this type of agreement for all individuals wishing to have the Phase 1 sewer area extend to their property. MOTION 09R-13-04 WAS MADE BY DICK PHILLIPS, SECONDED BY IRENE SCHULTZ TO DIRECT THE SEWER COMMITTEE TO FINALIZE AN AGREEMENT FORMAT FOR THE CITY OF CROSSLAKE FOR PROPERTY OWNERS WISHING REVIEW BY THE CITY TO HOOK UP TO CITY SEWER OUTSIDE PHASE I. AYES: ALL.

- c. Richard Carlson appeared before the Council to request a City sewer extension to his proposed development. Mr. Carlson presented the concept of his development to the Council approximately a month ago which would include 31 twin homes on 30 acres of land. MOTION 09R-14-04 WAS MADE BY IRENE SCHULTZ, SECONDED BY DEAN EGGENA TO ALLOW RICHARD CARLSON'S DEVELOPMENT TO HOOK UP TO THE CITY SEWER CONTINGENT ON EXECUTION OF THE AGREEMENT FOR DEVELOPMENT THAT THE SEWER COMMITTEE HAS BEEN DIRECTED TO DRAFT. Tom Swenson stated that sewer availability is still on a first come, first serve basis, up to 60 units. The motion made does not dedicate the availability, only allows connection if capacity is still available. Mayor Swanson added that the requests must be made from outside the Phase 1 area but also be adjacent to the Phase 1 area. MOTION CARRIED WITH ALL AYES.
- d. Tony Maucieri appeared before the Council to request that the City sewer be extended to his proposed restaurant on County Road 3, adjacent to Phase 1. MOTION 09R-15-04 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO ALLOW TONY MAUCIERI'S RESTAURANT TO HOOK UP TO THE CITY SEWER CONTINGENT ON EXECUTION OF THE AGREEMENT FOR DEVELOPMENT THAT THE SEWER COMMITTEE HAS BEEN DIRECTED TO DRAFT AND MPCA APPROVAL. Community Development Director Ken Anderson added that the Agreement for Development should be signed before a building permit is issued. Dave Reese stated that the MPCA has a Quick Track Sewer Extension Permit process that should take no more than 30 days to receive approval. Tony Maucieri wanted to know if he could present alternate septic plans to Planning and Zoning in case hook up to the City sewer is denied, so that he can begin construction immediately. Ken Anderson replied that he could begin construction if approved septic information is submitted with his building permit application.

THE COUNCIL TOOK A 5 MINUTE RECESS AT 8:55 P.M. IN ORDER TO CHANGE THE VIDEO TAPE AND WAS BACK IN SESSIION AT 9:00 P.M.

- e. Included in the packet for Council information was a letter dated August 30, 2004 to Jim Anderson from WSN regarding Crosswoods sanitary sewer.
- f. The Council reviewed a letter dated August 24, 2004 from Terry and Candy Banbury regarding the cost estimate in the amount of \$1,960 to repair brick work that was reportedly damaged during the sewer collection construction. Tom Swenson stated that the Sewer Committee has not seen this letter and therefore has no recommendation for the Council at this time. MOTION 09R-16-04 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO SEND THE LETTER DATED AUGUST 24, 2004 FROM THE BANBURYS TO THE SEWER COMMITTEE SO THAT THE SEWER COMMITTEE CAN REVIEW THE COST ESTIMATE AND MAKE A RECOMMENDATION TO THE COUNCIL AT THE NEXT COUNCIL MEETING. MOTION CARRIED WITH ALL AYES.
- g. A letter dated August 24, 2004 from WSN included final pay request from Hammerlund Construction and contract change order #2. Dave Reese stated that Hammerlund has completed their punch list and this payment will close their account. MOTION 09R-17-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO APPROVE FINAL PAYMENT TO HAMMERLUND CONSTRUCTION IN THE AMOUNT OF \$74,780.49 WHICH INCLUDES ALL REMAINING RETAINAGE. Dean Eggena suggested that this payment be held until a settlement with the Banburys is reached. Attorney Sandelin stated that the City is named an additional insured on Hammerlund's insurance policy and that the Council needs to determine the City's involvement in this matter. Dean Eggena stated that City could use final payment as leverage to force Hammerlund to settle with the Banburys. Mayor Swanson suggested that the City retain partial payment until a settlement is reached. IRENE SCHULTZ AMENDED MOTION 09R-17-04 TO RETAIN \$5,000 FROM FINAL PAYMENT MAKING THE CURRENT PAYMENT AMOUNT \$69,780.49 TO HAMMERLUND CONSTRUCTION UNTIL THE BANBURY COMPLAINT IS RESOLVED. THIS AMENDMENT WAS SECONDED BY BETTIE MILLER AND THE MOTION PASSED WITH ALL AYES.
- h. The minutes of the July 9, 2004 Sewer Committee meeting were included for Council information.
- i. The minutes of the July 14, 2004 Sewer Committee meeting were included for Council information.

4. PUBLIC SAFETY –

- a. Included in the packet for Council information was the Crosslake Police Department Monthly Report for August 2004. There was a total of 247 calls. Chief Hartman stated that this number is up from last year.
- b. Included in the packet for Council information was the August 2004 Crosslake Police Department Monthly Report for Mission Township. There was a total of 77 calls.
- c. Chief Hartman presented a Safe & Sober resolution to the Council which would take place in conjunction with 10 area municipalities during the period from October 1, 2004 through September 30, 2005. The City has participated in the Safe & Sober program in years past. The Brainerd Police Department will be acting as the Lead Agency for this grant. MOTION 09R-18-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO APPROVE RESOLUTION NO. 04-35 AUTHORIZING EXECUTION OF AGREEMENT ON BEHALF OF THE CROSSLAKE POLICE DEPARTMENT TO ENTER INTO A GRANT AGREEMENT WITH THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY, OFFICE OF TRAFFIC SAFETY FOR THE PROJECT ENTITLED SAFE & SOBER COMMUNITIES DURING THE PERIOD FROM OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005. Chief Hartman added that the grant reimburses the City for all costs relating to this project and that it costs the City nothing to participate. MOTION CARRIED WITH ALL AYES.
- d. Included in the packet for Council information was the Crosslake Fire Department August 2004 Report. There was a total of 16 calls.
- e. Included in the packet for Council information was the North Ambulance August 2004 Run Report. There was a total of 50 calls.

5. PARK AND RECREATION –

- a. Park and Recreation Director Jon Henke appeared before the Council with Community Center updates. The morning walkers and talkers reserves the Community Center gym each weekday morning from 8:00 to 9:00 A.M. for walking. Jon Henke announced that Donna Keiffer is again offering an Aerobics Class. The class will be held on Monday, Tuesday and Thursday mornings from 9:00 A.M. to 10:00 A.M. The session will run from October 4th to November 12th. Cost for registration is \$39.00. MOTION 09R-19-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN EGGENA TO AUTHORIZE CONTRACTING WITH DONNA KEIFFER TO PROVIDE AN AEROBICS CLASS FROM OCTOBER 4TH TO NOVEMBER 12TH AT A COST OF \$396.72. MOTION CARRIED WITH

ALL AYES. AAA is sponsoring a senior driving class October 7th from 9:00 A.M. to 1:00 P.M. at the Community Center. This is a refresher class. There will also be an eight-hour course for first time participants on Wednesday and Thursday November 3rd and 4th from 12:30 to 4:30. Interested community members may call the center to receive the registration number for AAA. The Community Center offers Yoga on Wednesday mornings from 10:00 to 11:30. The Monday class will start again September 20th. The Community Center has a weight room that offers very low membership rates. Crosslake Parks offers a senior tennis mixer on Monday and Thursday afternoons starting at 4:00 P.M. The Community Center offers card clubs on Tuesdays, Wednesdays and Thursdays each week. The Crosslake Park Department would like to thank Crosslake Insurance Agency for a donation of \$75. The funds will be used for improvements at the Park. MOTION 09R-20-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO ACCEPT THE DONATION OF \$75 FROM CROSSLAKE INSURANCE AGENCY. MOTION CARRIED WITH ALL AYES. Jon Henke welcomed 16 kids to the soccer program this fall. Game schedules are being made with surrounding areas.

- b. The minutes of the July 26, 2004 Commission meeting were included for Council information.

6. LIBRARY -

- a. Alden Hardwick appeared before the Council to update the Council on the Library project. Mr. Hardwick reported that the book sale was a success. Over \$900 worth of books were sold and 3 donations totaling \$650 were received. 3000 pledge request letters have been mailed. To date, over \$99,000 has been pledged or donated. The question before the Committee now is what the next step is. A suggestion was made to the Committee that the old Crosslake Lutheran Church building, which is now in Deerwood, may be available. The Committee discussed the idea of moving this building to a site in the woods east of the Community Center and perhaps reconstructing it to look a New England style structure and using it for a library. The Committee would also like to investigate other potential possibilities for a lower cost library building. The Committee plans to present the possibilities to the Council at a future meeting. Councilmember Eggena stated that he was opposed to the City supporting a library when he ran for office two years ago and is still against the idea. He would like to find out if the people of Crosslake are in favor of building a library by putting the question on a referendum at this year's election. Mr. Eggena stated that if the majority of the people wanted a library, he would say ok. A discussion ensued regarding the time frame to get a question on the ballot and the language required by law for a referendum question. Mayor Swanson suggested that the Council wait for the Library Committee to make

a recommendation at the next meeting before taking any action. A debate ensued regarding the operating costs, the building cost, the hours of operation, etc. versus the cost of a special election should there not be enough time to put a question on this year's ballot. Dick Phillips stated that he would like to bring this project to a head and would not be in favor of the library operating out of a shack. Mayor Swanson urged the Council to be respectful to the Library Committee and the citizens involved with the library and be assured that the library building would not be a shack. Irene Schultz stated that the Library Committee has worked hard and that it wouldn't be fair to them to just stop the project. Dean Eggena stated that the pace of the project is too slow. MOTION 09R-21-04 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO PUT A QUESTION ON THE NOVEMBER 2004 ELECTION BALLOT ASKING THE PUBLIC IF THEY WANT A LIBRARY OR NOT. THE MOTION FAILED WITH COUNCILMEMBERS EGGENA AND PHILLIPS VOTING AYE AND MAYOR SWANSON AND COUCNILMEMBERS SCHULTZ AND MILLER VOTING NAY. Community Development Director Ken Anderson reported that he had spoken with Clerk/Treasurer Darlene Roach and she stated that the cut off date for putting a referendum question on the November 2004 ballot was September 9, 2004.

- b. The minutes of the August 16, 2004 Library Committee Meeting were included for Council information.

7. RECYCLING -

- a. A total of 24.76 tons of recyclables were collected in August bringing the year-to-date total to 132.3 tons.

8. PLANNING AND ZONING --

- a. A proposed ordinance amending Chapter 8 of the City Code relating to nonconforming uses and structures was presented to the Council by Community Development Director Ken Anderson. Mr. Anderson reminded the Council that a 4/5 vote is required to pass an ordinance amendment. Paul Sandelin walked the Council through the proposed changes. The Council had discussed the ordinance amendment previously at a public hearing that was held on August 19, 2004. MOTION 09R-22-04 WAS MADE BY BETTIE MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE ORDINANCE NO. 200 AMENDING CHAPTER 8 OF THE CITY CODE RELATING TO NONCONFORMING USES AND STRUCTURES AS PRESENTED. MOTION CARRIED WITH ALL AYES.
- b. A request to rezone a second tier lot located at 36089 Echo Drive from R-3 (40,000 sq. ft. minimum lot size) to R-4 (20,000 sq. ft. lot size) was

reviewed by the Council. The rezoning would allow the property owners to split the lot into two parcels. The Planning and Zoning Commission met on August 27, 2004 and recommended the City Council deny the request. According to Planning and Zoning Commissioner Dietz, the basis for the denial from P&Z was that the City Council stated in the previous Lobo properties request to rezone that these types of rezoning applications should wait until after the Comprehensive Plan update is completed. Dean Eggena stated that the Lobo property rezoning application was denied because of lot size, not because of the Comprehensive Plan. A letter from the property owners with more detailed background information was included in the packet. In April of 1979 the property owner had the parcel surveyed and divided into two lots. The Crosslake City Council approved the final plan on November 12, 1979. But the lot split was never recorded at Crow Wing County. Community Development Director Ken Anderson recommends denial of the request because 1.) the representations of the City to the public stating the character of the City will not change as a result of the municipal sewer system project, 2.) this will create a spot zoning situation, 3.) the 1996 Comprehensive Plan shows this area guided for medium density residential zoning (R-3), and 4.) the Shoreland Management Act specifies the second tier lots require a minimum lot size of 40,000 sq. ft. Dave Reese stated that the property owner would be responsible to pay for the sewer extension to their property. Mayor Swanson stated that he believes that it was the intent of 1979 Surveyor Don Coulter that this lot split took place and it was the intent of the City Council to approve the lot split and that the only problem was that it was not recorded at the County. MOTION 09R-23-04 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO APPROVE THE REZONING REQUEST FROM TIM AND CYNTHIA BRAY AT THE PROPERTY AT 36089 ECHO DRIVE OF A SECOND TIER LOT FROM R-3 TO R-4 ALLOWING THE MINIMUM LOT SIZE TO 20,000 SQUARE FEET INSTEAD OF 40,000 SQUARE FEET. MOTION CARRIED WITH ALL AYES. Dean Eggena added that he would like the Council to look at all second tier lots in the whole area and determine if the zoning classification is effective.

- c. A request to rezone the existing Immaculate Heart Catholic Church property from Limited Commercial to Downtown Commercial was reviewed by the Council. The rezoning would allow the property to be marketed to a prospective buyer with the potential of having 80% impervious coverage versus the maximum of 50% currently allowed in the Limited Commercial District. The Planning and Zoning Commission met on August 27, 2004 and recommended the City Council approve the request. MOTION 09R-24-04 WAS MADE BY DEAN EGGENA AND SECONDED BY BETTIE MILLER TO APPROVE THE REZONING OF THE EXISTING IMMACULATE HEART CATHOLIC CHURCH PROPERTY ADJACENT TO SWANN DRIVE AND COUNTY ROAD 66 FROM

LIMITED COMMERCIAL TO DOWNTOWN COMMERCIAL.
MOTION CARRIED WITH ALL AYES.

- d. Community Development Director Ken Anderson presented a recommendation from the Planning and Zoning Commission for park dedication on a metes and bounds subdivision for Larry and Kathy Allen for property fronting on County Road 3 and adjacent to and south of Waterfront Services. The City requires dedication of park land or cash in lieu of land for all subdivisions. The developer of a subdivision shall dedicate 10% of his usable land to the public for park purposes or shall pay the City an amount equal to 10% of the current assessed market value of the land prior to development. The land area of the subject properties is a total of 29.6 acres. According to the Crow Wing County Auditors estimate, the land value of the subject properties is \$86,300. 10% of this amount is \$8,630. MOTION 09R-25-04 WAS MADE BY BETTIE MILLER AND SECONDED BY IRENE SCHULTZ TO ACCEPT CASH IN LIEU OF LAND IN THE AMOUNT OF \$8,630 FOR PARK DEDICATION PURPOSES FOR THE METES AND BOUNDS SUBDIVISION 2004-008 SUBMITTED BY LARRY AND KATHY ALLEN. Dean Eggena stated that the property owners are not developing the entire 29.6 acres and would like to hear from the property owner. Larry Allen appeared before the Council and stated that he disagrees with the recommendation and wants to pay park dedication for only one lot split. Mr. Allen added that he actually doesn't feel he should have to pay anything because the project will beautify the City. A discussion ensued regarding how the City has handled park dedications in the past. Jon Henke noted that there may be a clause in the ordinance that allows parcels over 20 acres not obligated to pay park dedication fees on all the land. MOTION 09R-26-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO TABLE MOTION 09R-25-04 UNTIL THE CITY ATTORNEY AND COMMUNITY DEVELOPMENT DIRECTOR CAN DETERMINE THE INTENT OF THE ORDINANCE REGARDING PARK DEDICATION FEES ON PARCELS LARGER THAN 20 ACRES. MOTION CARRIED WITH ALL AYES.
- e. The minutes of the June 28, 2004 Planning and Zoning Commission/Board of Adjustment Special Meeting and Public Hearing were included for Council Information.
- f. The minutes of the July 23, 2004 Planning and Zoning Commission/Board of Adjustment Regular Meeting and Public Hearing were included for Council Information.

9. ECONOMIC DEVELOPMENT AUTHORITY –

a. The minutes of the July 7, 2004 meeting were included for Council information.

10. CHARTER SCHOOL – Councilmember Schultz stated that 89 pupils are currently enrolled at the Charter School. Hot lunch this year is being provided by Ye Olde Wharf.

11. LONG RANGE CAPITAL PLANNING – None.

12. PERSONNEL COMMITTEE – None.

H. OLD BUSINESS – None.

I. NEW BUSINESS – Tom Swenson stated that he will be out of town at the Annual League of Minnesota Cities Conference in Duluth during the next Regular Council Meeting, so Community Development Director Ken Anderson would be filling in for him.

J. PUBLIC FORUM – None.

K. ADJOURN – MOTION 09R-27-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO ADJOURN THIS REGULAR MEETING AT 10:29 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Charlene Nelson
Deputy Clerk

BILLS FOR APPROVAL
13-Sep-04

VENDORS	DEPT	AMOUNT
Ace Hardware, concrete mix, blade	P&R	34.63
Ace Hardware, concrete mix	P&R	4.25
Ace Hardware, concrete sealer, batteries, roller	PW	82.25
A W Research, water tests	Sewer	304.00
Brainerd Dispatch, open house, employment ad	PW/Sewer	175.34
Council #65, union dues	ALL	165.96
County Surveyor, e911 addresses	Gov't	150.00
Culligan, water, cooler rental	Gov't	29.57
Deferred Comp	ALL	491.66
Delta Dental, dental insurance	ALL	1,086.45
Echo Publishing, open house	PW	57.50
Echo Publishing, sealed bids	Gov't	21.75
Echo Publishing, employment ads	PW	89.30
Echo Publishing, business cards	P&Z	42.98
Fortis, disability	ALL	236.42
Heartland Tire, tires	PW	168.33
Holiday Station, fuel	Fire	27.01
League of MN Cities, membership dues	Admin	1,566.00
Marco, staples for copier	Admin/P&Z	41.86
Medica, health insurance	ALL	10,929.62
MN Benefits	Admin	100.92
MN Life, life insurance	ALL	255.60
MN State Fire Chiefs Assn, 2004 annual conference	Fire	135.00
Moonlite Square, fuel	Fire	31.03
NCPERS-Life Insurance	ALL	128.00
North Ambulance, subsidy	Ambulance	1,103.00
PERA	ALL	N/A
Quill, employee records, audio cassettes	Admin/P&Z	80.33
Quill, custom rubber stamp	Admin	15.33
Sandelin Law Office, legal fees	ALL	5,499.20
State and Federal Taxes	ALL	N/A
Tom Swenson, vehicle allowance	Admin	400.00
Tri-City Paving, sand, upm mix	PW	606.25
Tri-City Paving, upm mix	PW	702.90
USA Bluebook, electrode with cable	Sewer	158.02
Viking Coca Cola, pop	Gov't	23.16
Whitefish Auto, test brakes	P&R	67.77
Whitefish Auto, check oil leak, brakes, oil change	PW	57.48
TOTAL		25,068.87

ADDITIONAL BILLS FOR APPROVAL
13-Sep-04

VENDOR	DEPT	AMOUNT
Ace Hardware, batteries	Police	9.24
Ace Hardware, nails	PW	1.79
Ace Industrial Supply, cargo ratch	PW	288.65
Anderson Brothers, class 5 and class 1	PW	972.54
Blue Lakes Disposal, trash removal	ALL	149.18
Darlene Roach, reimburse mileage	Election	30.00
Mastercard, Fleet Farm, furnace filters, blades	PW	70.04
MN Petroleum Services, replaced breakaway	PW	478.61
USA Bluebook, wash down nozzle	Sewer	50.74
TOTAL		2,050.79

RESOLUTION NO. 04-33
RESOLUTION APPROVING PROPOSED 2004 TAX LEVY
COLLECTIBLE IN 2005

Be it resolved by the Council of the City of Crosslake, County of Crow Wing, Minnesota, that the following sums of money be levied for the current year, collectible in 2005, upon taxable property in the City of Crosslake, for the following purposes:

Debt Service Tax Levy	26,915
General Property Tax Levy	1,432,333
Community Center Levy 2002	63,700
Emergency Services Center	47,376
1999 Series A	96,000
1999 Series B	16,900
2001 Series A	28,655
2002 Series A	24,000
2003 Joint Facility Levy	108,135
2003 Series A Disposal	211,100
2004 Road Projects	<u>50,000</u>
Total Levy	2,105,114

The City Administrator is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Crow Wing County, Minnesota.

Adopted by the City Council on September 13, 2004.



Darrell E. Swanson
Mayor



Thomas N. Swenson
City Administrator

EXTRACT OF MINUTES OF A MEETING OF THE
CITY COUNCIL OF THE CITY OF CROSSLAKE, MINNESOTA

HELD: September 13, 2004

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Crosslake, Minnesota was duly held at the City Hall on September 13, 2004 at 7 o'clock P.M.

The following members were present: Mayor Darrell Swanson and Councilmembers Irene Schultz, Bettie Miller, Dick Phillips and Dean Eggena.

and the following were absent: None.

Member Dean Eggena introduced the following resolution and moved its adoption:

RESOLUTION NO. 04-34

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE
WITH OPTION TO PURCHASE AGREEMENT AND ALLOCATING SMALL ISSUER
REBATE EXCEPTION AUTHORITY

A. WHEREAS, unless an exception is available, bonds which are tax-exempt are subject to the federal arbitrage requirement of rebating earnings in excess of the bond yield on certain investments and ordinarily bonds are subject to rebate if issued by a governmental unit that lacks general taxing powers, such as the Economic Development Authority of the City of Crosslake, Minnesota (the "Authority"); and

B. WHEREAS, if the Authority issues bonds on behalf of a governmental unit with general taxing powers, such as the City of Crosslake, Minnesota (the "City"), it will be treated as having general taxing powers if the bonds do not exceed the lesser of \$5,000,000 or such amount of the \$5,000,000 small issuer limitation as a governmental unit with general taxing powers may allocate to the Authority; and

C. WHEREAS, the City is a governmental unit with general taxing powers.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Crosslake, Minnesota, as follows:

1. Authority. The City is authorized pursuant to Minnesota Statutes, Section 465.71, to enter into a Lease With Option to Purchase Agreement with the Authority (the "Lease"), to refinance bonds issued originally to construct an emergency services center in the City (the "Project").

2. Authorization of Bonds; Documents Presented. The Authority proposes to issue its \$325,000 Public Project Revenue Refunding Bonds of 2004 (City of Crosslake, Minnesota, Lease with Option to Purchase Project) (the "Bonds") payable from rental payments to be made

under the Lease. Forms of the following documents relating to the Bonds and the Project have been submitted to the City Council and are now on file in the office of the Clerk-Treasurer:

(a) a Lease with Option to Purchase Agreement dated as of October 1, 2004 (the "Lease"), between the Authority and the City, pursuant to which, among other things, the City is required to pay rental payments sufficient to pay the principal and interest on the Bonds when due;

(b) a Revenue Bond Resolution to be adopted by the Authority (the "Revenue Bond Resolution"), setting forth the form and details of the Bonds and their issuance, and pledging the rental payments derived from the Lease to the payment of the Bonds.

3. Approval and Execution of Lease. The Mayor and the Clerk-Treasurer are hereby authorized and directed to execute, and deliver the Lease, in substantially the form on file with the Clerk-Treasurer. All of the provisions of the Lease when executed and delivered as authorized herein shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated herein and shall be in full force and effect from the date of execution and delivery thereof.

4. Approval of Revenue Bond Resolution. The City hereby approves the form of the Revenue Bond Resolution and the terms of the Bonds described therein.

5. Furnishing of Certificates and Proceedings. The Mayor and Clerk-Treasurer and other officers of the City are authorized and directed to act on behalf of the City and to execute any documents relating to the financing and to prepare and furnish to the Purchaser and Bond Counsel, certified copies of all proceedings and records of the City relating to the Bonds, and such other affidavits and certificates as may be required to show the facts relating to the legality of the Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

6. Modifications to Documents. The approval hereby given to the various documents referred to above includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City Attorney and the City officials authorized herein to execute the documents. The City officials are hereby authorized to approve changes on behalf of the City. The execution of any instrument by the appropriate officer or officers of the City herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof. In the absence of the Mayor or Clerk-Treasurer, any of the documents authorized by this resolution to be executed may be executed by the Acting Mayor or the Acting Clerk-Treasurer respectively.

7. Finding. The City hereby finds, determines and declares that (1) the Authority is issuing its Bonds on behalf of the City within the meaning of Section 148(f)(4)(C)(iv) of the federal Internal Revenue Code of 1986, as amended (the "Code"), (2) the Authority is therefore treated as a subordinate entity of the City for purposes of such Section, and (3) the aggregate face

amount of the Bonds does not exceed the lesser of \$5,000,000 or the amount which, when added to the aggregate amount of other issues issued by the Authority in 2004, is allocated to the Authority in paragraph 9 of this resolution.

8. Allocation. The City hereby allocates to the Authority a \$325,000 portion of the City's \$5,000,000 limitation under Section 148(f)(4)(C)(i)(IV) of the Code on the aggregate face amount of tax-exempt bonds (other than private activity bonds) issued by the City during the calendar year 2004. Such allocation is made solely with respect to the Bonds, is irrevocable and is made before the issuance of the Bonds. Said \$325,000 allocated to the Authority bears a reasonable relationship to the benefits received by the City from the Bonds issued by the Authority, because the Bonds are refinancing bonds originally issued to finance the Project which is located in, leased to and used by the City. The Authority shall accept this allocation by issuing its Bonds and making a statement in its Nonarbitrage Certificate relating to the Bonds.

9. Aggregation. The City and Authority will be aggregated and treated as one issuer for purposes of said \$5,000,000 limitation, and together will not issue in 2004 more than \$5,000,000 aggregate face amount of all tax-exempt bonds (other than private activity bonds).

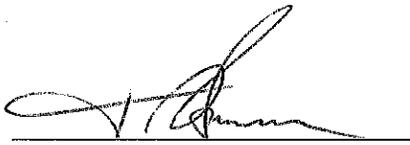
10. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

11. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

The motion for the adoption of the foregoing resolution was duly seconded by member Irene Schultz, and upon vote being taken thereon the following voted in favor thereof: Mayor Darrell Swanson and Councilmembers Irene Schultz, Bettie Miller, Dick Phillips and Dean Eggena,

and the following voted against the same: None

whereupon the resolution was declared duly passed and adopted.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

STATE OF MINNESOTA)
COUNTY OF CROW WING) SS
CITY OF CROSSLAKE)

I, the undersigned, being the duly qualified and acting Clerk-Treasurer of the City of Crosslake, Minnesota, hereby certify that I have carefully compared and attached the foregoing extract of minutes of a meeting of the City Council held September 13, 2004, with the original thereof on file and of record in my office and the same is a full, true and complete transcript therefrom insofar as the same relates to the execution of a Lease with Option to Purchase Agreement and allocating small issuer rebate exception authority.

WITNESS my hand on September 13, 2004.

Clerk-Treasurer

RESOLUTION 04-34A

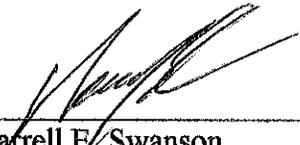
RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT

WHEREAS, it is proposed to improve Staley Lane from the end of the road (Block One, Lot 1, Staley Shores) approximately 500 feet to a connection point at the end of Melinda Shores Road, by constructing road and drainage improvements and evaluating the Melinda Shores Bridge for possible removal and channel restoration, pursuant to Minnesota Statutes, Chapter 429, and;

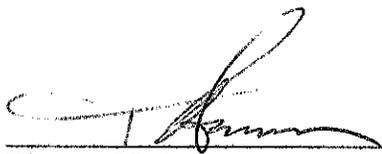
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA:

That the proposed improvement be referred to Dave Reese of Widseth Smith Nolting for study at a cost not to exceed \$9,500 and that soil borings be done if possible and that he is instructed to report to the City Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted by the Council this 13th day of September 2004.



Darrell E. Swanson
Mayor



Thomas N. Swenson
City Administrator

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that the Crosslake Police Department enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled SAFE & SOBER COMMUNITIES during the period from October 1, 2004 through September 30, 2005.

The Chief of the Crosslake Police Department is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Crosslake Police Department.

Be it further resolved that the Chief of the Brainerd Police Department is hereby authorized to be the fiscal agent and administer this grant on behalf of the Crosslake Police Department.

(The following is an example of a signature block – other formats for certifying a resolution has been adopted are permitted. In addition, you could instead provide a copy of official minutes of council meeting at which the resolution was considered.)

I certify that the above resolution was adopted by the City Council of Crosslake, Minnesota on 13 Sept., 2004.

SIGNED: [Signature] City Administrator/Other Authorized Person 9/14/04

WITNESSETH: [Signature] City Clerk/Other Authorized Person 9/14/04

SAFE & SOBER RESOLUTIONS

It's best if you don't wait to hear if your application is approved for funding before beginning the process of obtaining authorization to participate in the program.

Requirements:

Before OTS can begin the paperwork necessary to implement a *Safe & Sober* grant, each agency mentioned in an application as one that will receive this federal funding must have provided the OTS with a resolution from the appropriate city council or county board authorizing its participation in the program. At a later date, a representative from each agency must also sign the grant agreement OTS will write between Public Safety and the agency(ies).

Instructions:

Two sample resolutions are attached. In addition to the actual resolution, each sample has a place for two officials to sign certifying that the resolution was adopted. Several other methods of certifying that a resolution was adopted are also acceptable; all involve ink signatures and some also require imprints of city/county seals.

We strongly urge that you use the appropriate sample as the exact model for your resolution. Using the exact format provided will ensure acceptability by DPS and quicker processing of awarded grants. **Never deviate from the grant dates** on these sample forms; all grants must start October 1, 2004 and end September 30, 2005. **Including a grant dollar amount in the resolution will cause problems** if the amount awarded is different than the amount requested. If your council or board requires a specific amount, have the words "or a lesser amount as awarded by the Department of Public Safety, Office of Traffic Safety" added after the amount is specified. **Including the proper name of an authorized official**, rather than just a title, **will cause problems** if the person in that position or office changes. If your council or board requires a specific name as well as title, have the words "and (his or her) successor (on staff or in office)" added after the name is specified. Changing the grant dates, and including specific dollar amounts and/or names without the suggested added phrases may mean the entire resolution will need to be redone.

The first paragraph in each sample states the name of the agency authorized to participate in *Safe & Sober* (your agency or one of your partners), the agency providing the grant (DPS), the name of grant program (*Safe & Sober*), and the beginning and ending dates of the grant.

The second paragraph in each example states the title of the person authorized to sign the grant and implement its provisions for the agency passing the resolution. This should be the CLEO at each agency.

There may or may not be a third paragraph. For partner agencies in cooperative grants there is a third paragraph that names the official (usually the CLEO) from the lead agency who is authorized to be the fiscal agent and administer the grant. See below for further explanation and don't hesitate to call OTS if you have any questions.

Single Agency or Lead in Multiple-Agency Grant

Example 1 is a resolution for the Ots Police Department from its' city council that allows the Chief of the Ots P. D. to sign and implement a *Safe & Sober* grant with the Department of Public Safety. Ots P. D. could be applying either for itself alone or as the lead agency of a multiple-agency grant. Only two paragraphs/sentences are needed for either of those situations.

Partner other than Lead in Multiple Agency Grant

Example 2 is a resolution for the Research County Sheriff's Department. In this example, the Research County Sheriff's Department is a partner with the Ots Police Department under one grant. Ots P.D. is the lead agency that will be responsible for submitting plans, reports and invoices summarizing information from Ots and Research County. This situation calls for a third paragraph/sentence. Notice the official authorized to execute (sign) the agreement in the second paragraph is from the partner agency (Research S.D.) and the official authorized to be the fiscal agent and administer the grant in the third paragraph is from the lead agency (Ots P.D.).