

SPECIAL COUNCIL MEETING  
CITY OF CROSSLAKE  
TUESDAY, SEPTEMBER 24, 2013  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in a Special Session on Tuesday, September 24, 2013 for the purpose of discussing the Planning and Zoning Department. The following Council Members were present: Mayor Darrell Schneider, Steve Roe, Gary Heacox, John Moengen, and Mark Wessels. Also present were City Administrator/Consultant Dan Vogt, Labor Attorney Steve Fecker, City Attorney Brad Person, Finance Director/Treasurer Mike Lyonais, City Clerk Char Nelson, Public Works Director Ted Strand, Police Chief Bob Hartman, Community Development Director Ken Anderson, GIS Coordinator Bryan Hargrave, Fire Chief Chip Lohmiller, AFSCME Representative Ginger Thrasher, Northland Press Reporter Paul Boblett, and Echo Publishing Reporter Kate Perkins. There were approximately sixty-four people in the audience.

Mayor Schneider called the Special Council Meeting to order at 7:00 P.M. The Pledge of Allegiance was recited.

Mark Wessels gave a recap of how the City came to the point of proposing that Crow Wing County handle the Planning and Zoning services in Crosslake. Initial talks began in 2011. Mr. Wessels stated that the main goals for Crosslake Planning and Zoning should include: consistent rules, consistent enforcement, consistent administration, consistent environmental protection, consistent code interpretation, consistently high citizen approval ratings and significant cost savings. Mr. Wessels read the documents in the Council packet including a memorandum dated September 19, 2013 from Councilmembers Mark Wessels and Gary Heacox regarding the Planning and Zoning Department, a resolution authorizing the Mayor and City Clerk to execute the agreement with the County initiating the process to have the County assume administration of the Crosslake Planning Department, and a Memorandum of Understanding Between the County of Crow Wing and the City of Crosslake.

The Mayor asked for Council comments. Steve Roe stated that the Council is moving too fast and that the other Council Members and community members should have more time to discuss the issues. A discussion ensued regarding whether Mark Wessels and Gary Heacox had Council approval to contact the County Board to initiate this agreement. MOTION 09SP1-01-13 WAS MADE BY DARRELL SCHNEIDER AND SECONDED BY MARK WESSELS TO RATIFY THE WORK THAT THE WAS PRODUCED AND PRESENTED BY THE COMMITTEE WHICH WAS FORMED TO WORK WITH THE COUNTY TO EXPLORE THE IMPLEMENTATION PROCESS OF ADOPTING THE 31 SUGGESTIONS. MOTION CARRIED 4-1 WITH ROE OPPOSED.

Mayor Schneider opened the meeting for public comments. Community Development Director Ken Anderson read a prepared speech (attached) and directed several questions to the Council regarding their intentions to eliminate his and Bryan Hargrave's positions. A discussion ensued regarding the over one hundred unresolved enforcement issues and lack of progress in changing ordinances. Mr. Anderson argued that staff cannot initiate ordinance amendments and that direction must come from the Council. Regarding the 2014 Budget, Mr. Anderson stated that the

City was not comparing apples to apples and that the proposed equipment purchases were meant to be purchased in 2013. He ended by showing a picture of his daughter and telling the Council that they are affecting the lives of many people.

Bryan Hargrave addressed the Council and stated that his greatest frustration in working with the City was that there were no consequences for people who did not follow the rules. Mr. Hargrave stated that the Council chose not to take action against noncompliant property owners and staff received no direction from the Council. Representing Bryan Hargrave was Ginger Thrasher of AFSCME and she told the Council that she was disappointed the City did not inform her of the proposed changes and that the Union would be requesting documentation regarding the matter.

Several residents spoke in favor of the Crosslake Planning and Zoning Department and wanted the Council to consider keeping the current staff. Pete Abler of 34447 Duck Lane, Kathe Lemmerman of 36628 Harbor Trail, Darrell Swanson of 37084 Dream Island Road, Alden Hardwick of 37661 Bonnie Lakes Road, Virginia Merrill of 12340 Brookwood Circle, Dave Fischer of 36412 Rushmoor Boulevard, Pat Netko of 36084 County Road 66 were among the public speakers. Richard Novak of 33693 Anderson Court spoke in favor of the Council's proposal.

MOTION 09SP1-02-13 WAS MADE BY JOHN MONEGEN AND SECONDED BY MARK WESSELS TO CLOSE THE PUBLIC FORUM. MOTION CARRIED WITH ALL AYES.

Mark Wessels stated that his recommendation has not changed and would like the City to move forward with Option C. Steve Roe urged the Council to not make a hasty decision and suggested the Council make changes to the ordinances rather than the staff. Mr. Roe blamed the Council for poor communication. Gary Heacox stated that he saw too many inconsistencies with Planning and Zoning decisions and that Option C was the best option for the City. John Moengen stated that the Planning and Zoning Department needed change and that even though it was difficult to eliminate jobs, it was the best option for the City. Mayor Schneider concurred and stated that he thought this was the best option for the City. MOTION 09SP1-03-13 WAS MADE BY MARK WESSELS AND SECONDED BY GARY HEACOX TO ADOPT OPTION C OF MEMORANDUM DATED SEPTEMBER 19, 2013 FROM COUNCILMEMBERS MARK WESSLES AND GARY HEACOX; CITY OPTION C; CONTRACT WITH CROW WING COUNTY TO HANDLE P & Z SERVICES IN CROSSLAKE AT A COST OF \$190,000 WITH SERVICES DESCRIBED IN MEMORANDUM OF UNDERSTANDING; TO ADOPT RESOLUTION NO. 13-18 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT WITH THE COUNTY INITIATING THE PROCESS TO HAVE THE COUNTY ASSUME ADMINISTRATION OF THE CROSSLAKE PLANNING DEPARTMENT; AND TO ADOPT THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF CROW WING AND THE CITY OF CROSSLAKE. MOTION CARRIED 4-1 WITH ROE OPPOSED.

Labor Attorney Steve Fecker suggested that severance negotiations take place during the 30-day layoff period. MOTION 09SP1-04-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY DARRELL SCHNEIDER TO PLACE KEN ANDERSON AND BRYAN HARGRAVE ON 30-DAY ADMINISTRATIVE LEAVE. MOTION CARRIED 4-1 WITH ROE OPPOSED.

MOTION 09SP1-05-13 WAS MADE BY DARRELL SCHNEIDER AND SECONDED BY MARK WESSELS TO APPOINT THE LAND SERVICES SUPERVISOR (CURRENTLY CHRIS PENCE) AS CROSSLAKE ZONING ADMINISTRATOR. MOTION CARRIED 4-1 WITH ROE ABSTAINING.

There being no further business at 9:35 P.M., MOTION 09SP1-06-13 WAS MADE BY MARK WESSELS AND SECONDED BY GARY HEACOX TO ADJOURN THE MEETING. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,

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

Charlene Nelson  
City Clerk

Deputy Clerk/Minutes/9-24-13

**BUDGET COMPARISON (Based upon best available information – September 24, 2013)**

***Crow Wing County Proposal*** - Planning and Zoning Services to the City of Crosslake (in \$)

<u>Revenues (To County)</u>	<u>2013</u>	<u>2014</u>
Fees to be paid by Crosslake to Crow Wing County Land Services	47,500	190,000
 <b><u>Expenditures (by Crow Wing County)</u></b>		
Personnel Services	42,857	177,614
Services and Charges	1,563	7,600
Supplies and Materials	<u>250</u>	<u>1,000</u>
Subtotal	44,670	186,214
 The difference is net revenues <i>over</i> expenditures paid to County	 2,830	 3,786

***City of Crosslake Budgets Approved and Proposed***

<u>Revenues (to City)</u>	<u>2013</u>		<u>2014</u>
	<u>Budgeted</u>	<u>YTD Actual</u>	<u>Budgeted</u>
Permit fees/Reimb./Misc.	46,200	44,654	53,450
 <b><u>Expenditures (by City)</u></b>			
Personnel Services	228,886	(Three staff) (Two staff)	238,845 168,000 (est.)
Other	49,143		50,479
Capital Outlay	<u>2,000</u>		<u>0</u>
 TOTAL	 280,029	 (Three staff) (Two staff)	 289,324 218,479

***Approximate 2011/2012 Actual Expenditures for “Other” Category -- See attached list.***

2011 - \$35,000      2012 - \$48,000      Average - \$41,500

Average of \$41,500 less CWC Proposed Costs of \$8,600 equals difference of \$32,900.

***Average costs of \$32,900 in “Other” category to be absorbed by City of Crosslake or Crow Wing County?***

***Proposed \$190,000 plus \$32,900 in “Other” costs equals \$229,900 or \$4,421 higher than Crosslake budget with two staff (\$218,479)!***

## Reasons why this option proposed?

### Issues:

1. Where did the stated GOALS come from and who established them?
2. How have the goals not been met?
3. Strategies apply to working with other jurisdictions in the same way we do with sharing snow plowing duties over shared roads (Greer Lake Road, Silver Peak Raod, West Shore Drive, etc), road improvement projects such as CSAH 3 and CSAH 36 with the Highway Dept., Septic management program, Bourbon Room No Parking areas, the Joint Maintenance Facility, coordinating issuance of zoning permits and development applications, etc., assisting Breezy Point at their request with staffing their Planning Dept. (which the Council denied because we were too busy with three people on staff!), NOT TAKING OVER DEPARTMENTS.
4. Process started in Spring of 2011 with resolution submitted by Mayor Schneider and Council member Moengen. Rejected 3 to 2.
5. Pete Abler offered to a comparison of both ordinances – City and County and reported back to the City Council. No action was taken.
6. Alden Hardwick was requested to work with the Mayor to figure out what Planning and Zoning does “so it (PZ) could be sold to the community.” Over 80 hours of meetings were held between the CDD, City Administrator, Mayor and Mr. Hardwick. Nothing was completed and the Mayor dropped the effort in late 2011.
7. Mark Wessels as a citizen filed two complaints against the Department. One against Ken Anderson for divulging the name of a complainant which is private data and another against the 3 department employees and the City Administrator for surveying without a license. The City Council cleared Mr. Anderson of any wrongdoing in an open, public meeting and the State cleared ALL the staff of the allegation of surveying without a license. This cost the City and taxpayers over \$4,000 in legal fees to process these two frivolous and baseless complaints.
8. After the election of Mark Wessels and Gary Heacox to the City Council just this past January, the City initiated the Assessment process of the Planning and Zoning Department only and did not pursue any assessment of the services provided by any other Department, the City Council, or Advisory Commissions. Other cities hire professional firms to perform statistically valid, random surveys of residents to evaluate most departments. I viewed a newsletter from Coon Rapids that evaluated all departments except that Community Development, Building Inspections, and Planning were NOT listed. I wonder why?
9. The Crow Wing County Assessment was a bogus document that was not soliciting comment and feedback in any way close to meeting any scientific or statistically valid way and totally lacked integrity, i.e., peoples names were listed and submitted to County staff to interview, comments were submitted with many

false statements on events that occurred over 10 years ago and not between 2009 and 2012. Staff had one meeting with the author, a few phone calls, and submitted written information for review by the assessment author. No observation or participation occurred in the office or in the field to observe operating procedures of staff, the Commission, or the City Council. Staff was given no opportunity to correct the record or rebut bogus comments that were made in the document, nonetheless staff apparently has been condemned by its findings with a 78% positive assessment!

10. The report was as critical or more critical of the City Council as it was of any Planning and Zoning Department or Commission operations.
11. I want the public to know that the City of Crosslake was awarded the Lake Friendly Protection Strategy Award in 2012. READ. I will put this up against any National Award that was applied for to bolster the credentials of other departments!
12. We just found out this morning that this office will become a satellite office for Crow Wing County permitting. How will that interfere with the demand from County staff to perform permitting in other areas and sacrifice that time for Crosslake residents?? SHOW MAP .
13. The City Council has stated we need to change ordinances. The City staff cannot initiate ordinance amendments. SHOW ORDINANCE.
14. BUDGET - Show memo to Mike and Dan, page 2. Information used to inflate budget request and fabricate a bigger spread between the County budget and City budget. No cost savings if you compare apples to apples.

Conclusion: That this whole process has been an orchestrated assassination of the efforts of the Planning and Zoning staff and Commission to fully implement and fulfill the ordinances of this City Council and previous City Councils. Government of the United States is based upon LAW and ORDER. You can create laws within the confines of authority given to you by the State of Minnesota. This proposal is based upon misinformation and fabricated falsehoods designed to condemn this department and department staff. You are affecting the lives and livelihoods of people who have dedicated themselves to serve this City. PICTURE. Change the ordinances if you wish. Every night at a meeting we recite the Pledge of Allegiance. It ends “ .... With liberty and justice for all.” THERE IS NO JUSTICE IN THIS RECOMMENDATION FOR THE CITIZENS OF CROSSLAKE OR THE STAFF. NO JUSTICE.

# Memorandum

To: Crosslake Elected Officials *MW* *GH*  
From: Councilmembers Mark Wessels and Gary Heacox  
Date: September 19, 2013

Subject: Planning and Zoning Department

The GOALS for Crosslake Planning & Zoning (P & Z) should ultimately include: Consistency and Cost Savings: Consistent Rules, Consistent Enforcement, Consistent Administration, Consistent Environmental Protection, Consistent Code Interpretation, Consistently High Citizen Approval Ratings, and Significant Cost Savings.

The Comprehensive Plan for the City contains the stated goals: *Support a strong, ongoing working relationship between Crosslake, Crow Wing County, and the adjacent Townships in all matters related to planning and the provision of public services. (pg. 40)*

## Strategies

1. Recognize the legitimate issues and concerns regarding jurisdictional issues by working and cooperating with surrounding communities through this planning process and outside this process.
2. Continue active participation with the planning activities of Crow Wing County, surrounding cities and townships as they consider issues important to the greater community. Continue to strive for balanced growth to the area and recognize the need for cooperation between jurisdictions.
3. Consider working with surrounding jurisdictions on shared planning services or joint-planning models.
4. Continue to have the Crosslake City Council work closely with the Crow Wing County Commissioners and meet with them at least twice annually.

Toward this end, Crow Wing County Land Services provided the City of Crosslake with an assessment of our Planning & Zoning Department earlier this year. Crow Wing Land Services was and is very willing to help the communities within the County provide excellent service to the residents and assist us in many ways.

The Committee established by Crosslake City Council June 27<sup>th</sup> 2013, that included the two of us along with the City Attorney and the City Administrator/Consultant, held two meetings with officials from Crow Wing County to discuss their assessment of the Crosslake Planning & Zoning Department. Included in the meetings from the County were the County Administrator, the Land Services Department Supervisor, the director of the County Land Services Department (attended the first meeting) as well as Commissioner Paul Thiede.

We discussed contracting with the County just to do septic inspections as Breezy Point has done. We talked about contracting with them to assist in developing a new Shore Land – Land Use Ordinance to bring Crosslake up to speed with the new State rules that five adjacent counties have already adopted all or parts of. (Our ordinance dates back to 1972.) We discussed contracting with them to administer our Planning Department We discussed various options.

Here are the main options for the P & Z Department:

City Option A: Change nothing. We currently have 2 employees with a 2013 budget of just over \$280,000. General Public Hours were limited this past summer to mornings Monday through Thursday and 8:00 a.m. to 4:30 on Fridays. According to the Assessment document, 78% agreed or strongly agreed that their overall experience with our P & Z Department was satisfactory. Note that County staff received a 97% approval rating using the same survey as used in Crosslake survey.

City Option B: Adopt Department Head proposal for 2014 of more than \$327,000. Adds a 3<sup>rd</sup> employee and includes almost \$42,500 in capital purchases including a new vehicle budgeted at \$31,000 and the purchase of a new GPS and metal detector for locating survey stakes (Council has directed P & Z not to provide this service) budgeted at almost \$8,700.

City Option C: Contract with Crow Wing County to handle P & Z services in Crosslake at a cost of \$190,000. Under this proposal, the County will furnish adequate staff to provide P & Z services to the City and will include 2 county employees to be located at City Hall, at least one of which will be available to the public Monday thru Friday during normal business hours. Note that the Contract has a 120 day notice clause for either party to terminate the agreement. If the city is not satisfied with the job and doesn't like how it's working, or, if the County no longer wants to provide the service, the contract is canceled. Attached is a copy of the proposal from the County along with a more detailed explanation of what is expected of the City and County in the relationship.

Additional benefits include Supervisory help from the National award winning staff at the County level. Crosslake staff may contact Crow Wing staff for help including Sue Maske for Enforcement Help & Questions, Advice from Tim Houle County Administrator, Help with new Wetland Conservation Act, Help converting Shoreland Rules to newer State/County Rules, Some Human Resources function, Help with new Comprehensive Water Plan, etc., etc., etc.

After careful consideration of the options, it is recommended that the City Council take action to accept Option C as it is the most cost effective efficient way to handle planning and zoning for the City.

We are recommending that the Council adjourn the meeting on Monday, September 23<sup>rd</sup> to a special meeting to be held on Tuesday, September 24<sup>th</sup> to take action on this proposal which we recommend to take effect as soon as possible.

Thank you for your consideration.

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT WITH THE COUNTY INITIATING THE PROCESS TO HAVE THE COUNTY ASSUME ADMINISTRATION OF THE CROSSLAKE PLANNING DEPARTMENT.**

**WHEREAS**, the County has presented a Memorandum of Understanding setting forth the terms by which they would administer the City of Crosslake Zoning and Subdivision Ordinances and assume other duties now handled by the City planning department; and

**WHEREAS**, the City desires more consistent shoreland rules along the Whitefish chain so that our rules are similar to neighboring jurisdictions; and

**WHEREAS**, partnering with the County would save money for the City; and

**WHEREAS**, the council has reached consensus that many city ordinances need to change and that the County has the resources to complete this process in a timely manner; and

**WHEREAS**, partnering with the County would solve our current staffing needs since they can provide two full time employees to serve our city but then also have numerous other staff members to supplement this staff when needed or during the summer when our staffing needs are more severe.

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

That the Mayor and City Clerk are hereby authorized to execute said memorandum of understanding attached hereto.

This resolution is duly adopted by the Crosslake City Council this \_\_\_ day of September, 2013.

\_\_\_\_\_  
Mayor Darrell Schneider

ATTEST:

\_\_\_\_\_  
City Clerk

**CROSSLAKE PLANNING ZONING  
2013 - 2014 BUDGET**

	<u>2013</u>	<u>2014</u>
<b><u>Revenues</u></b>		
Fee	(47,500)	(190,000)
<hr/>		
<b><u>Expenditure</u></b>		
Personnel Services	42,857	177,614
Services & Charges	1,563	7,600
Supplies & Materials	250	1,000
Subtotal	<u>44,670</u>	<u>186,214</u>
Net	<u>(2,830)</u>	<u>(3,786)</u>

Memorandum of Understanding  
Between the County of Crow Wing  
And the  
City of Crosslake

**WHEREAS**, Minnesota Statutes, Section 394.32 provides that the governing body of any municipality may contract with the County Board for planning and zoning services to be provided by the County, and the contract may provide that the municipality shall pay such fees as agreed for the services performed; and

**WHEREAS**, the County of Crow Wing ("County") and the City of Crosslake ("City") recognize the importance of cooperating on land use issues in order to: promote and protect public health, safety and welfare; promote and provide for the orderly development of the county; and provide official controls to implement the goals and policies included in the respective comprehensive plans of the respective units of government; and

**WHEREAS**, the County and City desire to enter into a Memorandum of Understanding in order to cooperate in administering the City Zoning Ordinance within the City for the purpose of ensuring better consistency in land use regulations and in the implementation of those regulations; and

**WHEREAS**, the County and City desire to enter into a Memorandum of Understanding to ensure mutual understanding of each party to this Memorandum of their respective duties and responsibilities related to land use issues; and

**NOW THEREFORE IT IS AGREED**, by the County of Crow Wing and the City of Crosslake that Crow Wing County will enforce the Zoning Ordinance of the City of Crosslake within the incorporated area of the City of Crosslake; and

**It IS FURTHER AGREED**, by the County of Crow Wing and the City of Crosslake to cooperate in administering the City of Crosslake Zoning Ordinance in the City of Crosslake as set out in the attached exhibit of this Memorandum of Understanding.

COUNTY OF CROW WING

BY \_\_\_\_\_  
Chairman, Crow Wing County Board of Commissioners

DATE \_\_\_\_\_

ATTEST \_\_\_\_\_  
Administrator, Crow Wing County

CITY OF Crosslake

BY \_\_\_\_\_  
Mayor, City of Crosslake

DATE \_\_\_\_\_

ATTEST \_\_\_\_\_  
Administrator, City of Crosslake

EXHIBIT

A. Administrative Provisions

1. The County shall be responsible to review and approve all planning and zoning permit requests within the City.
2. Permit fees for review, approval, inspection and enforcement of SSTs shall be according to the most recent fee schedule approved by the City Council and remitted to the City.
3. Upon approval of this agreement, the City shall make payment to the County on a monthly basis in the amount of \$15,834 for the remainder of 2013 and all of 2014. Funding required for subsequent years shall follow ~~B-7~~ <sup>B-6</sup> of this agreement.
4. The County shall hire adequate staff to provide planning and zoning services to the City and said staff shall be located at the Crosslake City Hall.
5. The County shall conduct a minimum of one site inspection prior to issuing a permit.
6. The County shall manage the public hearing process for the City related to variances, plats, conditional use permits and zoning map amendments according to the City Zoning Ordinance and Minnesota Statutes 462.
7. The County shall enforce the City Zoning Ordinance within the City. The County will take appropriate action to bring parcels into compliance with the City Zoning Ordinance.
8. The City shall be responsible for pursuing any civil or criminal violations.

B. Respective Duties and Responsibilities

1. The City shall provide the County copies of all existing permits, variances, conditional use permits, interim use permits and any other permits upon request of the County.
2. The County shall provide the City with copies of approved permits within the City within ten days of completion in an electronic format.
3. { 3. The County shall notify the City no less than 120 days to terminate this memorandum of understanding.
4. The City shall notify the County no less than 120 days to terminate this memorandum of understanding.
- 4/5. If the County terminates the agreement, the County shall be responsible for associated costs such as unemployment insurance.
- 5/6. If the City terminates the agreement, the City shall be responsible for associated costs such as unemployment insurance.
- 6/7. This MOU is contingent upon the County and City agreeing upon a budget for subsequent year(s) of services to be provided by the County for the City. If a budget is not agreed upon by September 30 for the following year of service, this MOU becomes null and void.

### Chris Pence 2013 KPI's

- Issue permits within 10 business days after submittal of a complete application.
- Approve minor subdivisions within 10 business days after submittal of a complete application.
- Respond to call for service within 7 business days.
- Complaint site visit within 7 days.
- 75% closure enforcement rate
- Achieve 65% positive feedback on Employee Satisfaction Survey
- Achieve 90% customer feedback based on a customer service surveys
- Respond to customer inquiries within 24 hours.
- Zero lost time accidents.

**RESOLUTION NO. 13-18**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE  
THE AGREEMENT WITH THE COUNTY INITIATING THE PROCESS TO  
HAVE THE COUNTY ASSUME ADMINISTRATION OF THE CROSSLAKE  
PLANNING DEPARTMENT.**

**WHEREAS** the County has presented a Memorandum of Understanding setting forth the terms by which they would administer the City of Crosslake Zoning and Subdivision Ordinances and assume other duties now handled by the City planning department; and

**WHEREAS**, the City desires more consistent shoreland rules along the Whitefish chain so that our rules are similar to neighboring jurisdictions; and

**WHEREAS**, partnering with the County would save money for the City; and

**WHEREAS**, the council has reached consensus that many city ordinances need to change and that the County has the resources to complete this process in a timely manner; and

**WHEREAS**, partnering with the County would solve our current staffing needs since they can provide two full time employees to serve our city but then also have numerous other staff members to supplement this staff when needed or during the summer when our staffing needs are more severe.

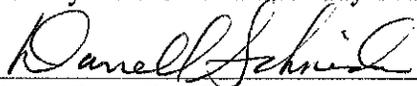
**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Crosslake, Minnesota as follows:

That the Mayor and City Clerk are hereby authorized to execute said memorandum of understanding attached hereto.

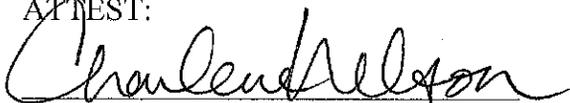
That as of the effective date of this Resolution the positions of City of Crosslake Community Development Director and Planner-GIS Coordinator are eliminated and the incumbents in the positions shall be given notice of layoff. The Community Development Director, and the Planner-GIS Coordinator unless he bumps pursuant to the collective bargaining agreement, shall be placed on paid administrative leave during the layoff notification period, the length of which shall be as prescribed by the City Employee Handbook and the AFSCME collective bargaining agreement.

That the City's labor relations attorney, in consultation with the Personnel Committee, is authorized to meet with AFSCME Local 689 to discuss the effects of the pending layoff of the bargaining unit employee.

This resolution is duly adopted by the Crosslake City Council this 24th day of September, 2013.

  
\_\_\_\_\_  
Mayor Darrell Schneider

ATTEST:

  
\_\_\_\_\_  
City Clerk

Memorandum of Understanding  
Between the County of Crow Wing  
And the  
City of Crosslake

**WHEREAS**, Minnesota Statutes, Section 394.32 provides that the governing body of any municipality may contract with the County Board for planning and zoning services to be provided by the County, and the contract may provide that the municipality shall pay such fees as agreed for the services performed; and

**WHEREAS**, the County of Crow Wing ("County") and the City of Crosslake ("City") recognize the importance of cooperating on land use issues in order to: promote and protect public health, safety and welfare; promote and provide for the orderly development of the county; and provide official controls to implement the goals and policies included in the respective comprehensive plans of the respective units of government; and

**WHEREAS**, the County and City desire to enter into a Memorandum of Understanding in order to cooperate in administering the City Zoning Ordinance within the City for the purpose of ensuring better consistency in land use regulations and in the implementation of those regulations; and

**WHEREAS**, the County and City desire to enter into a Memorandum of Understanding to ensure mutual understanding of each party to this Memorandum of their respective duties and responsibilities related to land use issues;

**NOW THEREFORE IT IS AGREED**, by the County of Crow Wing and the City of Crosslake that Crow Wing County will enforce the Zoning Ordinance of the City of Crosslake within the incorporated area of the City of Crosslake; and

**IT IS FURTHER AGREED**, by the County of Crow Wing and the City of Crosslake to cooperate in administering the City of Crosslake Zoning Ordinance in the City of Crosslake as set out in the attached Exhibit 1 of this Memorandum of Understanding.

## EXHIBIT 1

### A. Administrative Provisions

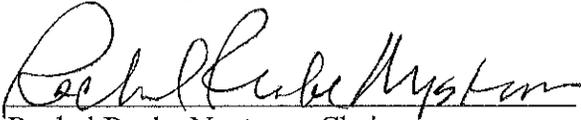
1. The County shall be responsible to review and approve all planning and zoning permit requests within the City.
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6. The County shall manage the public hearing process for the City related to variances, plats, conditional use permits and zoning map amendments according to the City Zoning Ordinance and Minnesota Statutes 462.
7. The County shall enforce the City Zoning Ordinance within the City. The County will take appropriate action to bring parcels into compliance with the City Zoning Ordinance.
8. The City shall be responsible for pursuing any civil or criminal violations.

### B. Respective Duties and Responsibilities

1. The City shall provide the County copies of all existing permits, variances, conditional use permits, interim use permits and any other permits upon request of the County.
2. The County shall provide the City with copies of approved permits within the City within ten days of completion in an electronic format.
3. Either party may terminate this MOU, with or without cause, upon 120 days notice to the other party.
4. If the County terminates the agreement, the County shall be responsible for associated costs such as unemployment insurance.
5. If the City terminates the agreement, the City shall be responsible for associated costs such as unemployment insurance.
6. This MOU is contingent upon the County and City agreeing upon a budget for subsequent year(s) of services to be provided by the County for the City. If a budget is not agreed upon by September 30 for the following year of service, this MOU becomes null and void.

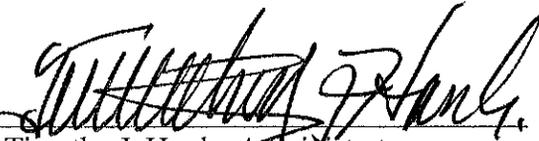
**County Board of Commissioners:**

Crow Wing County, State of Minnesota

By:   
Rachel Reabe Nystrom, Chair

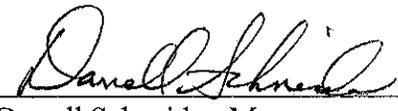
**SEP 24 2013**

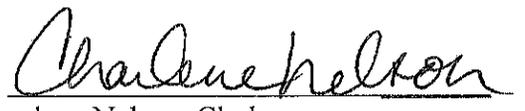
[CORPORATE SEAL]

Attest:   
Timothy J. Houle, Administrator  
Crow Wing County

**City Council:**

City of Crosslake, State of Minnesota

By:   
Darrell Schneider, Mayor

Attest:   
Charlene Nelson, Clerk  
City of Crosslake