

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, OCTOBER 13, 2003  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, October 13, 2003 at 7:00 P.M. The following Councilmembers were present: Mayor Darrell Swanson, Dean Eggena, Irene Schultz and Dick Phillips. Councilmember Chuck Miller was absent. Also present was City Administrator Tom Swenson, City Attorney Paul Sandelin, City Engineer Dave Reese, Public Works Director Ted Strand, Park and Recreation Director Jon Henke, Police Chief Bob Hartman, General Manager Dennis Leaser, Community Development Director Ken Anderson, Clerk/Treasurer Darlene Roach and Lake Country Echo Reporter Betty Ryan. Also in attendance was State Representative Larry Howes. There were approximately ten 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 10R-01-03 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO APPROVE THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.
- B. CRITICAL ISSUES** – State Representative Larry Howes addressed the Council and stated that he had no issues to discuss but wanted to introduce himself to the Community. Due to re-districting after the 2000 Census, Crosslake became a part of House District 4B. Howes noted that District 4B is home to the highest percentage of retired residents in the State, has the highest percentage of home ownerships, has the most golf courses and lakes than any other district and contains Crow Wing County which has the highest loon population and loon nests. Representative Howes stated that he and Senator Carrie Ruud met recently with representatives from Crosslake and Fairfield Township to discuss the possibility of using School Trust Land for construction of a public access by the DNR on Lake O'Brien.
- C. CONSENT CALENDAR** - MOTION 10R-02-03 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR CONSISTING OF: (1.) MINUTES OF SPECIAL COUNCIL MEETING OF SEPTEMBER 4, 2003; (2.) MINUTES OF PUBLIC HEARING FOR WHITE APPEAL OF SEPTEMBER 4, 2003; (3.) MINUTES OF REGULAR COUNCIL MEETING OF SEPTEMBER 8, 2003; (4.) MINUTES OF SPECIAL COUNCIL MEETING OF SEPTEMBER 9, 2003; (5.) MINUTES OF SPECIAL EMERGENCY COUNCIL MEETING OF SEPTEMBER 10, 2003; (6.) MINUTES OF SPECIAL EMERGENCY COUNCIL MEETING OF SEPTEMBER 11, 2003; (7.) MINUTES OF SPECIAL COUNCIL MEETING OF SEPTEMBER 17, 2003; (8.) MINUTES OF PUBLIC HEARING FOR

PUBLIC ACCESSES OF SEPTEMBER 17, 2003; (9.) MINUTES OF JOINT COUNCIL/UTILITIES MEETING OF SEPTEMBER 30, 2003; (10.) CROSSLAKE COMMUNICATIONS TELEPHONE AND CABLEVISION COMPANY STATISTICAL REPORT DATED AUGUST 31, 2003; (11.) CITY MONTH END REVENUE REPORT DATED AUGUST 31, 2003; AND (12.) CITY MONTH END EXPENDITURE REPORT DATED AUGUST 31, 2003. MOTION CARRIED WITH ALL AYES.

**D. PUBLIC FORUM – None**

**E. MAYOR'S REPORT - None**

**F. CITY ADMINISTRATOR REPORT –**

1. Bills for Approval – MOTION 10R-03-03 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO APPROVE THE BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNTS OF \$69,000.94 AND \$332.77. Councilmember Phillips inquired about the Holden Electric bill in the amount of \$7,227.70 and the Council was informed that the bill included labor and materials to remove the siren installed on the tower at the Telephone Company and re-install it in the Lake O'Brien area and to install a radio controlled siren, which was donated to the City, at the Telephone Company. MOTION CARRIED WITH ALL AYES.
2. Mayor Swanson and Councilmember Eggena attended a meeting with Representative Larry Howes and Senator Carrie Ruud and representatives of Fairfield Township regarding the need for a public access on Lake O'Brien. As a result of this meeting a resolution was prepared supporting development of a boat launch on O'Brien Lake. MOTION 10R-04-03 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION 03-34 SUPPORTING DEVELOPMENT OF A BOAT LAUNCH ON O'BRIEN LAKE. Mayor Swanson stated that earlier in the year, the Council authorized police protection at the former Lake O'Brien boat access for two weekends in the Spring and two weekends in the Fall. It was agreed that Chief Hartman would contact the Lake O'Brien Association and set the dates for the 2004 season and bring back to the Council at the November meeting. MOTION CARRIED WITH ALL AYES.
3. Approval of a resolution approving premises permit application for Crosslake/Ideal Lions was requested. MOTION 10R-05-03 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION NO. 03-35 APPROVING PREMISES PERMIT APPLICATION FOR CROSSLAKE/IDEAL LIONS CLUB. MOTION CARRIED WITH ALL AYES.

4. A letter dated September 8, 2003 from City Attorney Paul Sandelin included a copy of the Court's Order vacating Ferndale Beach Road and was included for Council information.
5. A letter dated September 8, 2003 from Crosslake Town Square Association advised the Council of a change of address due to a change in ownership for Crosswoods Development.
6. The September 2003 Region 5 Development Commission Newsletter was included for Council information.
7. Lakes State Bank Pledge Update dated September 30, 2003 was included for Council information.
8. Lakewood Bank Pledge Update dated September 30, 2003 was included for Council information.
9. Northern National Bank Pledge Update dated September 30, 2003 was included for Council information.
10. A letter dated October 8, 2003 from City Attorney Sandelin included a copy of a letter from State Auditor Patricia Awada to Representative Steve Smith regarding administrative fines and penalties for certain traffic violations and was included for Council information. Some cities are adopting policies where the City collects fines for minor violations and circumventing the State's portion of the fine. The State Auditor is questioning whether cities have the authority to do this. The Legislature will be addressing this issue in the next session.

#### **G. COMMISSION REPORTS –**

1. **LIBRARY** – Co-Chair Alden Hardwick stated that the Library Committee has met a couple of times to discuss their next fund raising activity which will be held on October 24<sup>th</sup> at 7:00 P.M. at the fellowship hall at Crosslake Lutheran. The theme of the event will be "For the Love of Books" and will be a social event including music, food and a request for pledges. Eighty tickets have already been sold with hopes of selling two hundred tickets. Tickets are available at City Hall, Community Center and from Library Committee members.
2. **PUBLIC SAFETY** – Chief Bob Hartman reported 116 incidents in Crosslake and 16 incidents in Mission Township in September. Approval was requested to order the 2004 squad car since delivery will be out 60 to 90 days after the order is placed. The State bid price with options is \$20,549.19. MOTION 10R-06-03 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO APPROVE THE PURCHASE OF A 2004 CROWN VICTORIA INTERCEPTOR FROM MILLS GM AT THE STATE BID PRICE QUOTE OF \$20,549.19. MOTION CARRIED WITH ALL AYES. Chief Hartman also requested approval to purchase

squad accessories in order to take advantage of 2003 pricing. Available 2003 funds will be used until 2004 funds are available. MOTION 10R-07-03 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO AUTHORIZE THE POLICE CHIEF'S USE OF 2004 BUDGETED FUNDS WITH 2003 RESERVE FUNDS PROVIDED 2003 FUNDS ARE REIMBURSED WHEN 2004 FUNDS ARE RECEIVED. MOTION CARRIED WITH ALL AYES. City Administrator Swenson reported that the Fire Department responded to 8 medical and 2 fire calls in September.

3. SEWER COMMITTEE – City Engineer Dave Reese updated the Council on the progress being made on the Collection System. He stated that the base coarse has been put on County Road 66 and work is being done in the area of Echo Drive, Margaret Lane and Edgewater Lane. After work in this area has been completed, work will begin in the area of Reed's Market. The Treatment Plant building is progressing well with masonry work currently underway. A second wear coarse will be added to County Road 66 in the spring when the secondary roads are paved. A portion of Riverwood Trail was blacktopped this year in order to improve snow plow operations. The minutes of the September 10, 2003 Sewer Committee Meeting were included for Council information. A pay request in the amount of \$143,264 was submitted for Contract No.1 by KHC Construction. WSN has reviewed and certified this pay request and recommend approval. MOTION 10R-08-03 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO APPROVE PAY REQUEST NUMBER 7 FOR KHC CONSTRUCTION IN THE AMOUNT OF \$143,264. MOTION CARRIED WITH ALL AYES. A pay request in the amount of \$621,676.31 was submitted for Contract No. 2 by Hammerlund Construction. WSN has reviewed and certified this pay request and recommend approval for payment. MOTION 10R-09-03 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN EGGENA TO APPROVE PAY REQUEST NO. 4 FOR HAMMERLUND CONSTRUCTION IN THE AMOUNT OF \$621,676.31. MOTION CARRIED WITH ALL AYES. Councilmember Phillips inquired about Change Order No. 1 in the amount of \$168,224.50 that was included on the Contractor's Application for Payment. City Engineer Reese stated that this was the Change Order previously approved by the Council for additional work on the extension in the downtown area and adjacent to City Hall. The work has not been completed but will be done at a later date and included in a future request for payment.
4. PUBLIC WORKS – Public Works Director Ted Strand informed the Council that the acceleration and deceleration lanes have been added on County Road 3 in the area of the Joint Public Works Facility. The painters are currently working inside the building. The County, along with City personnel, will be mixing salt and sand next week. Occupancy of the building is expected to be November 15<sup>th</sup>. The minutes of the July 21, 2003 and August 18, 2003 Commission Meeting Minutes were included for Council information. City Administrator Swenson asked Ted Strand for an update on the 2003 road projects. Strand stated that all of the roads have been blacktopped and a meeting is scheduled for October 17<sup>th</sup> with Tri-City

Paving, City Engineer Reese and himself to drive the roads to generate a punch list of outstanding items. City Administrator Swenson stated that the City has not received a pay request from the contractor so costs for the project cannot be compiled and final assessment hearings cannot be scheduled. If the costs are not certified to the County by November 30<sup>th</sup>, the assessments will not be included on the 2004 tax statements. This being the case, the City would not issue bonds until 2004 to reimburse itself for the project costs and under the 20% assessment rule, Daggett Pine Road could be included in the bonding request if the Council determines this road should be improved in 2004. Mayor Swanson asked if the lack of timely completion by the contractor could prevent them from bidding on future projects and City Attorney Sandelin stated that the City could make a determination that they may not be the most responsible bidder. Mayor Swanson stated that he would like to see documentation from the City Engineer regarding the outstanding items and if these items are not rectified on a timely basis, this be documented for future bidding consideration.

5. **PARK AND RECREATION** - Park and Recreation Director Jon Henke presented his Staff Report for October. The volleyball league got underway September 17<sup>th</sup>. Play starts at 6:30 P.M. and continues until 8:45 P.M. Memberships are available for \$15.00 with day passes costing \$3.00. Yoga is being offered at the Community Center on Wednesday mornings from 10:00 A.M. to 11:30 A.M. Gail VanBrunt handles all registrations for this class. The annual Halloween Party will be held on Saturday, November 1<sup>st</sup> from 1:00 P.M. – 3:00 P.M. at the Crosslake Community Center. There will be games, prizes, drawings and snacks for all that attend. Volunteers are needed for this Family Fun Day event and residents were encouraged to contact the Community Center if they would like to assist with this event. The Whitefish Area Lions will be hosting their Kountry Kitchen Craft and Bake Sale on Saturday, October 18<sup>th</sup> from 9:00 A.M. to 3:00 P.M. at the Community Center. The Lions will provide a free Glaucoma and Diabetes Clinic from 10:00 A.M. to 2:00 P.M. the same day at the Community Center. The Community Center will be closed on Tuesday, November 11<sup>th</sup> for Veterans Day and November 27<sup>th</sup> and 28<sup>th</sup> for the Thanksgiving Holiday. The minutes of the September 22<sup>nd</sup> Commission Meeting were included for Council information.
6. **UTILITIES** – General Manger Dennis Leaser presented the highlights report for September, 2003. The Utilities Commission Policy was revised by the Commission and approved by the City Council at a Joint Meeting of the Utilities Commission and Council held on September 30<sup>th</sup>. The joint meeting was very informative with good speakers who presented valuable information on long term goals as to where the Company should go with the outside plant. Randy Young of Minnesota Association of Rural Telephone spoke about what is going on in the legislature with rural telephone companies. The annual survey is being compiled by staff and the results should be available at the next Utilities Meeting. There was some discussion regarding sports programming in 2004. Victory Sports, which is owned by Carl Pohlrad of the Minnesota Twins, will be charging \$63,000 to allow Crosslake Communications to carry the Twins games. This cost would result in an additional

cost to the subscriber of \$2.00 per month. The packages, which were recently put in place, are being received well and it is felt these will be very successful. The construction season is starting to wind down due to the colder weather. Mayor Swanson asked if sports channels could be put on a pay tier and Leaser stated that some channels such as FOX Sports Network do not allow this.

7. **PLANNING AND ZONING** – Community Development Director Ken Anderson presented the Permit Summary for August. A total of 83 permits were issued for a valuation of \$2,485,145. This brings the year-to-date number of permits to 472 with a valuation of \$13,799,106. This is up from year-to-date 2002 when 416 permits for a valuation of \$12,070,819 were issued. The minutes of the June 28<sup>th</sup>, July 25<sup>th</sup>, August 22<sup>nd</sup> and September 5<sup>th</sup> Commission Meetings were included for Council information. A staff report dated October 1, 2003 requested approval for cash in lieu of land for park dedication fees for a metes and bounds subdivision for William and Wendy Erie. The Planning and Zoning Commission approved the metes and bounds subdivision at its meeting of September 26, 2003 and recommend Council approval of the park dedication fees. The Park and Recreation Department also concurs with the cash payment in lieu of land. The property consists of 24.6 acres of land area valued at \$62,400. Ten percent of this value is \$6,240. MOTION 10R-10-03 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO APPROVE PAYMENT OF CASH IN LIEU OF LAND IN THE AMOUNT OF \$6,240 FOR A METES AND BOUNDS SUBDIVISION FOR WILLIAM AND WENDY ERIE. MOTION CARRIED WITH ALL AYES. A staff report dated October 1, 2003 requested approval for cash in lieu of land for park dedication fees for a metes and bounds subdivision for Scott Cordahl which was approved by the Planning and Zoning Commission at its meeting of September 26, 2003. The property consists of 4.23 acres and is valued at \$14,800. Ten percent of this value is \$1,480, however the minimum fee for park dedication is \$500 per lot. Both the Planning and Zoning Commission and Park and Recreation Department recommend cash in lieu of land. MOTION 10R-11-03 WAS MADE BY DEAN EGGENA AND SECONDED BY IRENE SCHULTZ TO ACCEPT CASH IN THE AMOUNT OF \$1500 IN LIEU OF LAND FOR A METES AND BOUNDS SUBDIVISION FOR SCOTT CORDAHL. MOTION CARRIED WITH ALL AYES. Mr. Cordahl submitted a letter dated October 7<sup>th</sup> requesting consideration of a change in access for the north lot from Johnnie Street to West Shore Drive. MOTION 10R-12-03 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO REFER THE REQUEST BACK TO THE PLANNING AND ZONING COMMISSION TO REVIEW THE ACCESS. MOTION CARRIED WITH ALL AYES. A memo dated October 8, 2003 from Community Development Director Ken Anderson included a proposed timeframe for review of the Comprehensive Plan. Some proposed considerations for inclusion in the plan will be addressed at the first scheduled meeting. Following that meeting, the Plan will be submitted to adjacent local government jurisdictions, the State and appropriate Commissions and Committees for recommendations and a 45 day review and comment period. In the February/March timeframe, the Council will review any recommended changes submitted by other groups and, if appropriate, include in the

plan prior to presentation to the public in March, 2004. The Council will then adopt the Plan at the April 2004 Council meeting. The Council set the date for the first Comprehensive Plan meeting for November 5<sup>th</sup> at 10:00 A.M. at City Hall.

8. **ECONOMIC DEVELOPMENT AUTHORITY** – The minutes of the September 3, 2003 meeting were included for Council information.
9. **LONG RANGE CAPITAL PLANNING COMMISSION** – The minutes of the August 27, 2003 meeting were included for Council information. Community Development Director Ken Anderson commented that the Commission looked at a possible city wide wastewater management plan at the last meeting and Mr. Ken Olson, from the Minnesota Extension Service, has been invited to a meeting that has been tentatively scheduled for October 22<sup>nd</sup> at 1:00 P.M. to discuss this issue.
10. **RECYCLING** – Councilmember Phillips reported that year-to-date an additional ten tons of recyclables has been collected over the previous year. Through September, a total of 176.08 tons have been collected.
11. **PERSONNEL COMMITTEE** – The deadline for submitting applications for the Planner-Zoning Coordinator position and HEO/Sewer Operator position has passed and the Interview Committee consisting of Councilmember Phillips, City Administrator Swenson and the Department Head will conduct interviews on October 21<sup>st</sup>. On October 23<sup>rd</sup> and 24<sup>th</sup>, meetings will be held with the Bureau of Mediation, AFSCME and IBEW Union Representatives, police department representative, Park and Recreation Director Jon Henke, Councilmember Dick Phillips, General Manager Leaser and City Administrator Swenson in regards to health insurance issues.
12. **CHARTER SCHOOL** – Councilmember Schultz reported that the students have moved into the new school with only a few odds and ends remaining to be done. A total of 91 students are enrolled at the school. The Board is still searching for a new director for the school. An open house to show the new school will be held at a later date. The Initiative Foundation is funding a group to look into an early childhood development program at the school. Anyone with ideas or suggestions regarding this program can contact Councilmember Schultz.

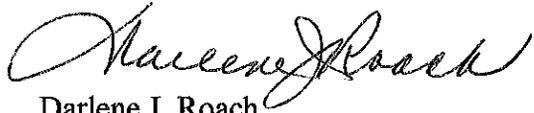
**H. OLD BUSINESS** – None

**I. NEW BUSINESS** – None

**J. PUBLIC FORUM** - None

**K. ADJOURN – MOTION 10R-13-03 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO ADJOURN THIS REGULAR MEETING AT 8:18 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 – October 13, 2003 doc

**BILLS FOR APPROVAL  
13-Oct-03**

VENDORS	DEPT	AMOUNT
Ace Hardware, 9v battery	PW	7.66
Ace Hardware, coupling, elbow, pipe	PW	23.78
Ace Hardware, bushing, coupling	PW	3.28
Ace Hardware, pvc conductor	PW	68.12
ATD - American Co, law vest	Police	122.97
Banyon Data Systems, windows conversion	Admin	300.00
Banyon Data Systems, 1 day training	Admin	400.00
Best Western Edgewater, lodging for class ck# 34625	Fire	402.28
Blue Lakes Disposal, trash removal	ALL	122.25
Brainerd Dispatch, employment ad	P&Z/Sewer	223.22
Cascade Computers, back up tapes	P&Z/Admin	126.17
Complete Title Services, owner and encumbrance report	Sewer	75.00
Complete Title Services, owner and encumbrance report	Sewer	75.00
Crow Wing County Treasurer, e911 addresses	Gov't	175.00
Culligan, cooler rental and water	PW	22.65
Culligan, cooler rental and water	Gov't	38.91
Darlene Roach, replenish petty cash	Admin	129.82
Echo Publishing, letterhead	P&Z/Admin	118.96
Echo Publishing, envelopes	P&Z/Admin	52.64
Echo Publishing, employment ads	P&Z/Sewer	84.00
Engle Fabrication, scenelight, bracket, red bulb	Fire	170.87
First Supply, o ring	P&R	10.10
George Riches, city hall master planning	Gov't	437.50
Holden Electric, install 2 sirens	Gov't	7,227.70
Holiday Gas Station, fuel	Police	137.83
Mastercard, Menards, halloween decorations	P&R	33.45
Mastercard, Walmart, halloween decorations	P&R	42.82
Mastercard, Fleet Farm, jump start, washer fluid	PW	69.92
Molly's Cleaning Service, september cleaning	Gov't	745.50
Moonlite Square, fuel	Police	15.00
Moonlite Square, fuel	Fire	245.86
Moonlite Square, fuel	P&Z	18.00
MR Sign, address signs and street signs	PW	208.97
Piccadilly Pizza, pizza	Fire	49.27
Postmaster, postage for newsletters ck#34619	Gov't	204.60
Reed's Market, coffee	P&R	10.82
Rohffing, paper products	P&R	23.16
Sandelin Law Office, legal fees	ALL	9,218.36
Spielman Repair Center, fuel pump and installation	PW	412.99
Streicher's, gloves	Police	31.90
The Office Shop, time cards, copy paper	P&Z/Admin	40.63
The Office Shop, ink cartridges	P&Z	114.98
Triangle Oil, diesel fuel	PW	136.79
Triangle Oil, unleaded gasoline	PW	452.37
U S Bank, administrative fees	Gov't	158.13
Viking Coca Cola, pop	Gov't	24.28

Widseth Smith Nolting, engineering fees	ALL	46,187.43
<b>TOTAL</b>		<b>69,000.94</b>

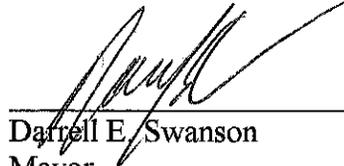
**ADDITIONAL BILLS FOR APPROVAL**  
**13-Oct-03**

<b>VENDOR</b>	<b>DEPT</b>	<b>AMOUNT</b>
Ace Hardware, adapter, bushing, tape	P&R	4.12
Chief Supply, battery, tape, gloves, microcassettes	Police	105.89
Echo Publishing, ordinance 184	Gov't	23.63
Houston Ford, oil change	Police	24.16
Johnson Killen & Seiler, general personnel matters	Gov't	140.00
Mastercard, Menards, torque wrench, trigger, drive	Police	34.97
<b>TOTAL</b>		<b>332.77</b>

RESOLUTION 03-34  
RESOLUTION SUPPORTING DEVELOPMENT OF A  
BOAT LAUNCH ON O'BRIEN LAKE

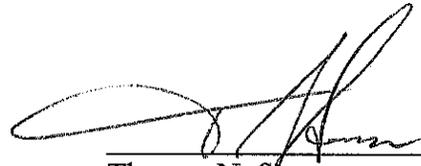
BE IT RESOLVED, that the City Council of the City of Crosslake recognizes the need for a boat launch to serve O'Brien Lake and urges the State of Minnesota to take the appropriate action to locate and develop a boat launch site on public property which could include the use of School Trust Land.

Adopted this 13<sup>th</sup> day of October 2003.



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Darrell E. Swanson  
Mayor



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Thomas N. Swenson  
City Administrator

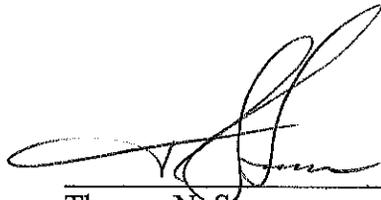
RESOLUTION NO. 03-35  
CITY OF CROSSLAKE  
COUNTY OF CROW WING  
STATE OF MINNESOTA

RESOLUTION APPROVING PREMISES PERMIT APPLICATION  
FOR CROSSLAKE/IDEAL LIONS CLUB

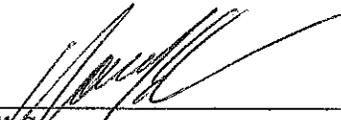
On October 13, 2003 the Crosslake City Council approved the Crosslake/Lions Club request for Renewal of Premises Permit Applications for the following:

Moonlite Bay  
Riverside Inn  
Ox Lake Tavern  
Ye Olde Wharf

Adopted by the Council this 13<sup>th</sup> day of October, 2003.



Thomas N. Swenson  
City Administrator



Darrell Swanson  
Mayor