

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, DECEMBER 10, 2001  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, December 10, 2001. The following Councilmembers were present: Mayor Darrell Swanson, Charles Miller, Sandy Eliason, Irene Schultz and Dean Swanson. Also present was City Administrator Thomas (Tom) Swenson, City Attorney Paul Sandelin, City Engineer Dave Reese, Community Development Director Paul Larson, Police Chief Bob Hartman, Park and Recreation Director Jon Henke, Public Works Director Ted Strand, General Manager Dennis Leaser, Clerk/Treasurer Darlene Roach and Lake Country Echo Reporter Betty Ryan. There were eleven individuals in the audience.

- A. **CALL TO ORDER** – Mayor Swanson called the Regular Meeting to order at 7:00 P.M.
  
- B. **CRITICAL ISSUES** – Community Development Director Paul Larson introduced Dan Frank of the Initiative Foundation. Mr. Frank addressed the Council and explained the Initiative Foundation’s grant funding and training program available to communities under the Healthy Community Partnership Program. The City has applied to the Initiative Foundation for a grant to provide funding to the City of Crosslake to update the City’s Comprehensive Plan. Volunteers from the Community will receive formal training from the Foundation to assist them in the program. A facilitator will be hired to assist with the program with the cost being paid from grant funds. Each training session will have between ten to fifteen volunteers who will receive the necessary training to update the Comprehensive Plan. Community Development Director Paul Larson will visit with various groups and organizations to solicit volunteers for the program.
  
- C. **CONSENT CALENDAR** – MOTION 012R-01-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF GALE LANE FINAL ASSESSMENT HEARING OF NOVEMBER 3, 2001; (2) MINUTES OF FIRST STREET, SECOND STREET, SECOND AVENUE FINAL ASSESSMENT HEARING OF NOVEMBER 3, 2001; (3) MINUTES OF PINEDALE STREET FINAL ASSESSMENT HEARING OF NOVEMBER 3, 2001; (4) MINUTES OF MANHATTAN DRIVE FINAL ASSESSMENT HEARING OF NOVEMBER 3, 2001; (5) MINUTES OF EAGLE STREET FINAL ASSESSMENT HEARING OF NOVEMBER 3, 2001; (6) MINUTES OF ANCHOR POINT TRAIL FINAL ASSESSMENT HEARING OF NOVEMBER 3, 2001; (7) MINUTES OF COOL HAVEN LANE FINAL ASSESSMENT HEARING OF NOVEMBER 3, 2001; (8) MINUTES OF GINSENG PATCH ROAD, TWIN BAY, ANCHOR POINT ROAD FINAL ASSESSMENT HEARING OF NOVEMBER 3, 2001; (9)

MINUTES OF REGULAR COUNCIL MEETING OF NOVEMBER 13, 2001; (10) MINUTES OF TRUTH IN TAXATION HEARING OF DECEMBER 3, 2001; (11) CROSSLAKE COMMUNICATIONS TELEPHONE COMPANY STATISTICAL REPORT DATED OCTOBER 31, 2001; (12) CROSSLAKE COMMUNICATIONS CABLEVISION COMPANY STATISTICAL REPORT DATED OCTOBER 31, 2001; (13) CITY MONTH END REVENUE REPORT DATED OCTOBER 31, 2001; (14) CITY MONTH END EXPENDITURE REPORT DATED OCTOBER 31, 2001. MOTION CARRIED WITH ALL AYES.

**D. MAYOR'S REPORT – Nothing**

**E. CITY ADMINISTRATOR REPORT –**

1. Approval of Bills – MOTION 012R-02-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNT OF \$25,486.29 AND \$47,959.70. MOTION CARRIED WITH ALL AYES.
2. Adopting 2002 Budget and 2001 Collectable 2002 Tax Levy – City Administrator Tom Swenson reviewed the budget process that took place in the City prior to this meeting where the levy and budget are being presented for adoption by the City Council. MOTION 012R-03-01 WAS MADE BY CHUCK MILLER AND SECONDED BY SANDY ELIASON TO APPROVE RESOLUTION 01-97 APPROVING THE 2001 TAX LEVY COLLECTABLE IN 2002 IN THE AMOUNT OF \$1,509,234. MOTION CARRIED WITH ALL AYES.

MOTION 012R-04-01 WAS MADE BY CHUCK MILLER AND SECONDED BY SANDY ELIASON TO APPROVE THE 2002 REVENUE BUDGET TOTALING \$2,162,306 AND THE 2002 EXPENDITURE BUDGET TOTALING \$2,162,306. MOTION CARRIED WITH ALL AYES

3. Lakes State Bank Pledge Update dated November 30, 2001 was included for Council information.
4. Northern National Bank Pledge Update dated November 30, 2001 was included for Council information.
5. Lakewood Bank Pledge Update dated November 30, 2001 was included for Council information.
6. The Minutes of the Paul Bunyan Scenic Byway Association Annual Meeting of November 13, 2001 was included for Council information.
7. A letter dated November 28, 2001 from LMCIT regarding property/casualty and workers compensation rates and dividends was included for Council information.
8. A letter dated November 28, 2001 from LMCIT regarding coverage changes for 2002 was included for Council information.
9. Adoption of Liquor Ordinance – City Attorney Paul Sandelin reviewed the 10 major changes to the liquor ordinance which resulted from numerous

City Council work sessions over the past few months. MOTION 012R-05-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ADOPT ORDINANCE AMENDMENT NO. 152, THIRD SERIES, AMENDING CHAPTER 4 OF THE CROSSLAKE CITY CODE RELATING TO ALCOHOLIC BEVERAGES LICENSING AND REGULATION AND THAT A SUMMARY OF THE ORDINANCE BE PUBLISHED. MOTION CARRIED WITH ALL AYES. Mayor Swanson thanked the Council and everyone involved in working on the updated ordinance.

10. Set Special Year-End Council Meeting – MOTION 012R-06-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO SET A SPECIAL COUNCIL MEETING FOR DECEMBER 19<sup>TH</sup> FOR THE PURPOSE OF CONDUCTING YEAR-END BUSINESS. MOTION CARRIED WITH ALL AYES.

#### **F. COMMISSION REPORTS –**

1. UTILITIES – General Manager Dennis Leaser presented the Highlights Report for November 2001. He stated that the Subscriber Line Charge on the customer's statements will be going up effective January 1, 2002 due to a federal increase by the FCC raising the residential customer charge from \$3.50 per month to \$5.00 and the multi-line charge from \$6.00 to \$9.20 per month. There will be another residential increase in July of 2002 to \$6.00 and again on January 1, 2003 to \$6.50. This charge is a federally imposed charge for access to the long distance network. These increases were explained in a bill stuffer included with the telephone bills and in the quarterly newsletter, Crosstalk. Utility work on County Road #103 is 95% complete. The Accounting Software has been installed and Pam Strakka and Debby Floerchinger recently attended training in Mitchell, South Dakota. Digital Cable is going very well with 160 boxes installed at customer locations. Additional control boxes have been ordered and the employees are available on Saturdays for installations. On January 7, 2002 analog programming will be switched over to digital programming. New rates for Cable TV will go into effect on February 1, 2002. The building addition has been completed and a walk through has been done. DSL is going very well and new subscribers are being added monthly. The minutes of the November 27, 2001 Utilities Commission Meeting and the November 27, 2001 Investment Committee Meeting were included for Council information.
2. PUBLIC SAFETY – Chief Bob Hartman reported 148 incidents in Crosslake in November and 26 incidents in Mission Township. The Minnesota Board of Peace Officers Standards and Training (P.O.S.T.) has mandated an Impartial Policing Policy for all Departments. This policy will be incorporated into the Crosslake Police Department Manual. MOTION 012R-07-01 WAS MADE BY SANDY ELIASON AND SECONDED BY CHUCK MILLER TO ADOPT THE IMPARTIAL POLICING POLICY AS MANDATED BY P.O.S.T. MOTION

CARRIED WITH ALL AYES. Approval was requested to place on order the 2002 squad car for delivery in January. Quotes were received from Houston Ford (\$22,587.00) and Mills Motors (\$24,883.00) on a 2002, 4x4 Ford Explorer. Approval was requested to order the vehicle from Houston Ford. MOTION 012R-08-01 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE THE PURCHASE OF THE 2002 FORD EXPLORER 4 WHEEL DRIVE FROM HOUSTON FORD IN THE AMOUNT OF \$22,587.00 EXCLUDING TAX, LICENSE AND REGISTRATION. MOTION CARRIED WITH ALL AYES. City Administrator Tom Swenson noted that the Fire Department responded to six calls in November with three being medical emergencies and three being fire calls. North Ambulance reported 38 callouts in November.

3. **PARK AND RECREATION** – Park and Recreation Director Jon Henke requested approval on a donation of \$1,100 from the Whitefish Area Lions Club to be used towards the purchase of cameras for the weight room. The installation of these cameras will insure the safety of weight room users and resolve the number one safety concern of the Park and Recreation Department. MOTION 012R-09-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO ACCEPT WITH APPRECIATION THE DONATION OF \$1100 FROM THE WHITEFISH AREA LIONS CLUB FOR CAMERAS FOR THE WEIGHT ROOM. MOTION CARRIED WITH ALL AYES. Councilmember Schultz commented that the Whitefish Area Lions Club works very hard for this money and the donation is very much appreciated by the Council and Park and Recreation Department. The warm weather is causing difficulty in making ice at the skating rink. Water is being added on a daily basis which unfortunately is soaking into the ground because of the lack of frost. The Department is hoping to get enough ice for skaters during the holiday break in December. Another AAA senior driving class will be held at the Community Center on January 16<sup>th</sup> and 17<sup>th</sup>. The Park Advisory Commission is looking to fill two open positions. Applications are available at the Community Center for anyone interested in the position. A new session for the Senior Aerobics Class will start in April of 2002. Class attendance has declined since the start of the last session due to many of the members already heading south for the winter. The first session of morning aerobics for 2002 will start on Monday, January 7<sup>th</sup> and approval was requested to contract with Donna Keiffer for a four week session ending on February 1<sup>st</sup>. MOTION 012R-10-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO CONTRACT WITH DONNA KEIFFER TO PROVIDE AEROBIC INSTRUCTION FROM JANUARY 7<sup>TH</sup> TO FEBRUARY 1<sup>ST</sup> AT A COST OF \$352.64. MOTION CARRIED WITH ALL AYES. A rate increase for Kelli Thull from \$20.00 to \$22.04 per hour was requested. Kelli Thull has been providing evening aerobic instruction at the Community Center since January of 2000 without an increase.

MOTION 012R-11-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY KELLI THULL TO INCREASE THE HOURLY PAY FOR KELLI THULL TO \$22.04 PER HOUR. MOTION CARRIED WITH ALL AYES. The first session of evening aerobics will start on January 8<sup>th</sup> and continue through February 21<sup>st</sup>. Approval was requested to contract with Kelli Thull for this session. MOTION 012R-12-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO CONTRACT WITH KELLI THULL FOR EVENING AEROBICS FROM JANUARY 8<sup>TH</sup> THROUGH FEBRUARY 21<sup>ST</sup> AT A COST OF \$308.56. MOTION CARRIED WITH ALL AYES. The Park Department is currently advertising for a part time Building Assistant and a Rink Attendant for the skating rink. It was noted that good responses have been received for both positions. Interviews will be held within the next few days. Anyone interested in walking at the Community Center can join the Morning Walkers and Talkers between 8:00 A.M. and 9:00 A.M. Approval was requested to name the road that leads to the recently acquired 81 acres of City parkland, Trail Head Lane. This name was chosen by Park Staff and the Crosslake Park Advisory Commission. A copy of the letter that was sent to the other property owner along the road was included for Council information. MOTION 012R-13-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO APPROVE ORDINANCE NO. 154 AMENDING THE MASTER ROAD NAME INDEX TO INCLUDE TRAIL HEAD LANE AS THE UNDESIGNATED ROAD COMMENCING NORTH FROM THE INTERSECTION OF DAGGETT PINE ROAD AND THE CROSSLAKE COMMUNITY CENTER. MOTION CARRIED WITH ALL AYES. The minutes of the November 26, 2001 Park Advisory Commission Meeting were included for Council information.

4. **PLANNING AND ZONING** – Community Development Director Paul Larson presented the Permit Summary for November 2001. A total of 44 permits were issued in November for a valuation of \$2,697,935. This brings the year-to-date total to 607 and a valuation of \$17,748,530. The minutes of the October 19, 2001 Public Hearing and Commission Meeting were included for Council information. The October monthly report from the Crow Wing County Planning and Zoning Department listed the number of zoning permits issued in Crow Wing County and was provided to the Council for information only. An update on the On-site Sewer Inspection Program was presented. Of the number of systems inspected in 1999 only 1 non-conforming system remains to be updated. Of the 321 total non-conforming systems inspected in 1999 and 2000, 58 have not yet been updated. City Staff is working with the Crow Wing County Surveyor's office regarding the E-911 signs. The County Safety Committee is meeting later this week to discuss details of this item. After this meeting is held, Mr. Sigety of the Surveyor's Office will draft an agreement that will be reviewed at the January 2002 Council meeting. At the October Council Meeting a rezoning from Open to Medium Density

Residential for an island on Rush Lake owned by Jon Otterlei was denied by the City Council. At the November 13<sup>th</sup> City Council Meeting, it was the consensus of the Council that the rezoning request would be reheard by the Council. Christopher Hayhoe, Attorney for Mr. Otterlei, addressed the Council and summarized why the applicant felt the re-zoning request denial was improper. He stated that the property has been proven to be buildable, a site evaluation was completed and submitted with the archeological survey and that the Council decision was based primarily on public welfare which is addressed in the City's Ordinance. The Otterlei family feels that the public use of the island, which is how the island currently is being utilized, causes more risk of liability and damage to the island than would occur if the Otterlei's were allowed to build on the island. In 1973 when the island was purchased by the Otterlei's, the zoning did allow for the property to be built on. In 1999, the zoning of the islands were changed from R3 to Open without any knowledge of the zoning change by the applicant. Based on this, a reconsideration of the rezoning request was made. Mayor Swanson asked if the DNR had any interest in the islands and they have informed the City that they do not have any interest in the islands. Councilmember Schultz stated that if the City Ordinance protects the City against any liability for fire or medical service that would alleviate a huge concern. Park and Recreation Director Jon Henke was asked if the Park and Recreation Department had any interest in acquiring the islands and Mr. Henke stated they would have no interest in the islands. A review of the rezoning request by City Attorney Sandelin recommended to the Council that a rezoning to the previous zoning classification would be advisable. MOTION 12R-14-01 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE AN ORDINANCE AMENDMENT TO CHANGE THE ZONING MAP FOR THE RE-ZONING OF THE OTTERLEI ISLANDS FROM OPEN TO RURAL RESIDENTIAL (R-3). It was noted that while the City did follow the letter of the law when approving the rezoning in 1999, due to the fact that the affected property owners were not notified individually of the change, did allow for a reconsideration of the request. MOTION CARRIED WITH ALL AYES. Preliminary Plat 01-05, Cool Haven Shores, Ken Malecha – The applicant requests approval of a preliminary plat including approximately 3.3 acres, consisting of four residential lots and one outlot. The proposed subdivision plat meets all of the requirements in the City zoning and subdivision ordinances. The Staff recommends approval of Preliminary Plat 01-05 with conditions. MOTION 12R-15-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO APPROVE PRELIMINARY PLAT 01-05 WITH THE FOLLOWING CONDITIONS: (1.) ALL FEES INCLUDING PARK DEDICATION FEE OF \$17,450, CITY ENGINEER AND SURVEYOR REVIEW FEES AND CITY ATTORNEY REVIEW FEES BE PAID PRIOR TO SIGNING OF THE FINAL PLAT; (2) CITY ATTORNEY APPROVES THE TITLE

OPINION FOR THE PLAT; (3) BEST MANAGEMENT PRACTICES ARE USED DURING AND AFTER CONSTRUCTION TO PREVENT EROSION; (4) OUTLOT A SHALL NOT BE CONSIDERED A DEVELOPABLE LOT AND SHALL REMAIN ATTACHED TO LOT 1; (5) ALL SEWER SITE EVALUATIONS ARE SUBMITTED AND SHOW THAT WASTEWATER CAN BE TREATED ON SITE FOR EACH OF THE INDIVIDUAL LOTS; (6) THE ON-SITE SEWER SYSTEM ON PROPOSED LOT 1 IS UPGRADED TO MEET CURRENT STANDARDS; (7) ALL SPECIAL ASSESSMENTS ON THE PROPERTY ARE PAID PRIOR TO SIGNING AND RECORDING OF THE FINAL PLAT; (8) ALL LAND ALTERATION AND VEGETATION REMOVAL WITHIN THE SHORE IMPACT ZONE SHALL BE REVIEWED AND APPROVED BY THE PLANNING AND ZONING STAFF; (9) A 33 FEET WIDE ACCESS EASEMENT SHALL BE SHOWN ON THE PLAT OVER LOT 1 WHICH PROVIDES ACCESS TO LOT 2; (10) THE ROAD EASEMENT FOR COOL HAVEN LANE AND SOUTH LANDING SHALL BE IDENTIFIED AS A DRAINAGE, UTILITY AND ACCESS EASEMENT. MOTION CARRIED WITH ALL AYES. Ordinance Amendment 01-17, Park Dedication – Staff has done a lot of work researching other Cities' ordinances dealing with park dedication fees trying to create an equitable fee in a growing community such as Crosslake. The proposed Ordinance reflects recommended changes based on consistency with other cities and a need to make adjustments locally to reflect rising land values and a reasonable method for determining park dedication for new developments. The proposed ordinance sets a \$5000 cap per lot with a minimum fee per lot of \$500. The proposed ordinance was reviewed by both the Planning and Zoning Commission and the Park and Recreation Commissions who both agreed with the proposed ordinance with the exception of the item that sets a maximum cap per lot. After additional research, it was the opinion of Staff that anything beyond the \$5000 limit would not be considered reasonable and would be difficult to defended in court. MOTION 012R-16-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN SWANSON TO APPROVE ORDINANCE AMENDMENT NO. 153 AMENDING CHAPTER 3, SECTION 3.30 AND CHAPTER 8, SECTION 8.51 DEALING WITH PARK DEDICATION AND THAT A SUMMARY OF THE ORDINANCE BE PUBLISHED. MOTION CARRIED WITH ALL AYES. Metes and Bounds Subdivision 01-08, Park Dedication, Jacob Holdings – The City Council tabled the park dedication issue for this subdivision at the October 8, 2001 Council meeting until such time as an Ordinance Amendment could be adopted. Based on Ordinance Amendment No. 153, MOTION 012R-17-01 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE THE RECOMMENDATION OF THE PLANNING AND ZONING DEPARTMENT TO ACCEPT CASH IN THE AMOUNT OF \$15,000 IN LIEU OF LAND FOR PARK

DEDICATION FOR METES AND BOUNDS SUBDIVISION 01-07. MOTION CARRIED WITH ALL AYES. Metes and Bounds Subdivision 01-11, Park Dedication, Deb Halbleib – Based on recommendations from the Park and Recreation Department and the Planning and Zoning Commission, staff recommends that cash in lieu of land be collected in the amount equal to \$3,650 for Metes and Bounds Subdivision 01-11 which was approved by the Planning and Zoning Commission at their November 16, 2001 meeting. MOTION 012R-18-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO APPROVE PARK DEDICATION FEES IN LIEU OF LAND IN THE AMOUNT OF \$3,650 FOR METES AND BOUNDS SUBDIVISION 01-11 FOR DEB HALBLEIB. MOTION CARRIED WITH ALL AYES. Metes and Bounds Subdivision 01-12, Park Dedication, Larry Coulter – Based on recommendations from the Park and Recreation Department and the Planning and Zoning Commission, staff recommends that cash in lieu of land be collected in the amount of \$2,350 for Metes and Bounds Subdivision 01-12 which was approved by the Planning and Zoning Commission at their November 16, 2001 meeting. MOTION 012R-19-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN SWANSON TO APPROVE PARK DEDICATION FEES IN LIEU OF LAND IN THE AMOUNT OF \$2,350 FOR METES AND BOUNDS SUBDIVISION 01-12 FOR LARRY COULTER. MOTION CARRIED WITH ALL AYES. Metes and Bounds Subdivision 01-13, Park Dedication, John Chada – Based on recommendations from the Park and Recreation Department and the Planning and Zoning Commission, staff recommends that cash in lieu of land be collected in the amount of \$2,080 for Metes and Bounds Subdivision 01-13 which was approved by the Planning and Zoning Commission at their November 16, 2001 meeting. MOTION 012R-20-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN SWANSON TO APPROVE PARK DEDICATION FEES IN LIEU OF LAND IN THE AMOUNT OF \$2,080 FOR METES AND BOUNDS SUBDIVISION 01-13 FOR JOHN CHADA. MOTION CARRIED WITH ALL AYES. A letter dated November 14, 2001 from Attorney Gerald Brine appeals to the Board of Adjustment the decision of the Crosslake Planning and Zoning Commission regarding Conditional Use Permit 01-17 for Dean Reidt. The public hearing to hear the appeal was set for January 14<sup>th</sup> at 6:00 P.M. at City Hall. The proposed 2002 Zoning Fee Schedule was presented to the Council for review. Final approval will be requested at the January Council Meeting. Approval to proceed with legal enforcement action against Doug Junker for operating a commercial activity without an approved conditional use permit was requested. Three letters were sent to Mr. Junker informing him that a Conditional Use Permit was required in addition to a sign permit in order to operate his business in its current location. MOTION 012R-21-01 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO AUTHORIZE THE CITY

ADMINISTRATOR TO PURSUE ENFORCEMENT AND TAKE LEGAL ACTION AGAINST DOUG JUNKER OWNER OF RILAR MARINE. MOTION CARRIED WITH ALL AYES. City Attorney Sandelin stated that a cease and desist order could be imposed whereas he would be unable to conduct business.

5. SEWER COMMITTEE – Mr. John Chenevert has requested to be placed on the agenda in order to address the Council on a sewer easement. Mr. Chenevert contacted City Administrator Swenson prior to the meeting and informed him that he has retained Attorney Tom Fitzpatrick who will contact City Attorney Paul Sandelin in regards to the sewer easement. Approval of a resolution authorizing acceptance of an easement from the Army Corps of Engineers was requested. MOTION 012R-22-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION NO. 01-98 AUTHORIZING EASEMENT AGREEMENT FOR THE SEWER IMPROVEMENT PROJECT. MOTION CARRIED WITH ALL AYES. A letter dated November 27, 2001 from the Department of the Army St. Paul District, Corps of Engineers informed the City that proposals were being taken for infrastructure assistance for cities for year 2002 payable in 2003. The City of Crosslake was not successful in the past in obtaining assistance. A letter dated December 3, 2001 from the League of Minnesota Cities acknowledged receipt of the Notice of Appeal of Special Assessment filed in Crow Wing County District Court in the matter entitled “Golden Rule Estates Owners Association, Appellant, vs. City of Crosslake, Respondent and was included for Council information. LMCIT has notified the City that they will be unable to defend or indemnify the City in this matter.
6. LONG RANGE CAPITAL PLANNING COMMISSION – The minutes of the October 24, 2001 meeting were included for Council information.
7. PUBLIC WORKS COMMISSION – The minutes of the November 5, 2001 meeting were included for Council information. A memo from the Public Works Commission dated December 7, 2001 recommended that the City Council call for a hearing on proposed improvements to Fish Road. MOTION 012R-23-01 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION 01-99 RECEIVING REPORT AND CALLING FOR A HEARING ON IMPROVEMENT TO FISH ROAD FOR JANUARY 14, 2002 AT 6:30 P.M. AT CITY HALL. MOTION CARRIED WITH ALL AYES. Approval on the engineering proposal to prepare a Feasibility Study for Fish Road was also requested. MOTION 012R-24-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE THE ENGINEERING PROPOSAL FROM WSN TO PREPARE A FEASIBILITY STUDY FOR FISH ROAD AT A COST NOT TO EXCEED \$1400. MOTION CARRIED WITH ALL AYES. A motion was made at the Public Works Commission meeting to recommend to the City Council the appointment of Allen Eliason to the Public Works Commission. MOTION 012R-25-01 WAS MADE BY IRENE

SCHULTZ AND SECONDED BY CHUCK MILLER TO APPOINT ALLEN ELIASON TO THE PUBLIC WORKS COMMISSION TO FILL THE VACANT POSITION. MOTION CARRIED WITH ALL AYES.

City Administrator Tom Swenson informed the Council that a petition was received from property owners adjacent to the property where the Public Works facility is proposed to be built. The property owners strongly recommend that an alternative site be found on the property farthest away from the residential properties. Community Development Director Paul Larson will bring the issue to the Planning and Zoning Commission for a change in re-zoning of public property to a separate public zoning district. In regards to the site for the facility, a public hearing will be held prior to approval of the site plan.

8. LIBRARY COMMITTEE – Library Chair Ray Smyth presented a recommendation to the Council to hire a professional fund raiser to assist the Library Committee in raising funds. The cost for a facility is expected to be \$1,000,000 with the goal of the Library Committee to raise as much funding as possible through donations. The Committee met with Senator Don Samuelson earlier this date and were encouraged to submit a request in the bonding bill to the House and the Senate for \$500,000 for the Library. Names of the respective chairs were obtained and letters will be sent. In regards to a fund raiser, three consultants were interviewed and it was the recommendation of the Library Committee that Boris Frank Associates be hired as a consultant. Mr. Frank is considerably less expensive than the other two firms who are full service firms who would manage the campaign. Their cost would be in the \$90,000 range versus a charge of \$8,500 including expenses from Mr. Frank. It was felt that Mr. Frank would fit well with the community, is likeable yet businesslike, and has a lot of experience in capital fund raising services. It was the consensus of the Council that they would be willing to accept the recommendation from the Committee and that a separate meeting with Mr. Frank was not required. MOTION 012R-26-01 WAS MADE BY SANDY ELIASON AND SECONDED BY CHUCK MILLER TO APPROVE THE HIRING OF BORIS FRANK ASSOCIATES TO WORK WITH THE LIBRARY COMMITTEE TO DO FUND RAISING CONTINGENT UPON SATISFACTORY REFERENCE CHECKS AT A COST NOT TO EXCEED \$8500. MOTION CARRIED WITH ALL AYES. The minutes of the November 19, 2001 Library Committee Meeting were included for Council information.
9. PERSONNEL COMMITTEE – At a meeting held on December 5, 2001, the Personnel Committee recommended approval of various personnel items. MOTION 012R-27-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE MOVING JAY LORCH FROM STEP 2 TO STEP 3 ON THE SALARY SCHEDULE BASED ON HIS MEETING RESIDENCY REQUIREMENTS. MOTION CARRIED WITH ALL AYES.

MOTION 012R-28-01 WAS MADE BY SANDY ELIASON AND SECONDED BY CHUCK MILLER TO APPROVE REMOVING AMY ROQUETTE FROM PROBATIONARY STATUS AND PLACED ON REGULAR FULL-TIME STATUS EFFECTIVE DECEMBER 3, 2001 WITH A STEP INCREASE FROM STEP 4 TO STEP 5 OF THE UNION SALARY SCHEDULE AND TO RECEIVE MONETARY PAYMENT IN LIEU OF VACATION FOR 2.5 DAYS ACCRUED IN 2001. MOTION CARRIED WITH ALL AYES.

MOTION 012R-29-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE REMOVING NANCY JOSLIN FROM PROBATIONARY STATUS AND GRANTED REGULAR FULL TIME STATUS EFFECTIVE NOVEMBER 21, 2001. MOTION CARRIED WITH ALL AYES.

10. CHARTER SCHOOL – Councilmember Schultz stated that the Charter School, in conjunction with the Chamber of Commerce, will be welcoming Santa to Crosslake. Sleigh rides, pictures with Santa and other activities will be held at the school and at the Information Center. On December 18<sup>th</sup>, a winter program will be held at the Charter School starting at 7:00 P.M.
11. RECYCLING – Councilmember Miller reported that a total of 11.60 tons were collected in November.

**G. OLD BUSINESS – None**

**H. NEW BUSINESS – None**

**I. PUBLIC FORUM – None**

**J. ADJOURN – MOTION 012R-30-01 WAS MADE BY CHUCK MILLER AND SECONDED BY SANDY ELIASON TO ADJOURN THIS REGULAR COUNCIL MEETING AT 9:17 P.M. MOTION CARRIED WITH ALL AYES.**

Recorded and transcribed by,



Darlene J. Roach  
Clerk/Treasurer

**BILLS FOR APPROVAL**  
**10-Dec-01**

VENDORS	DEPT	AMOUNT
PERA	All	N/A
STATE & FEDERAL TAXES	All	N/A
DEFERRED COMP	All	N/A
MN LIFE	All	243.60
MN BENEFITS	All	216.68
NCPERS-LIFE INSURANCE	All	96.00
COUNCIL # 65, UNION DUES	All	138.75
MEDICA, HEALTH INSURANCE	All	N/A
DELTA DENTAL, DENTAL INSURANCE	All	N/A
FORTIS- DISABILITY	All	177.20
Ace Hardware - lights for City Hall	Govt	33.00
Ace Hardware - supplies for roof heater	Govt	46.72
Ace Hardware - anchors & screws for City Hall	PW	0.30
Ace Hardware - anchors for City Hall	Govt	1.11
Ace Hardware- fastners for bleachers	P & R	2.86
Ace Hardware - fluor red paint	PW	9.35
Ace Hardware - hardware	P & R	3.39
Ace Hardware - hardware fastners for bleachers	P & R	16.50
Ace Hardware - key stock for drive shaft	PW	1.47
Ace Hardware - sponge, placemat, video tape, countersaver	Govt	37.97
Ace Hardware- supplies for repairing outlets at City Hall	Govt	24.81
Ace Hardware- fastners for drive shaft	PW	2.77
Ace Hardware - 3/8 clev grab	PW	29.37
Anderson Brothers Construction - hot mix base	PW	103.36
Anoka-Hennepin Tech. College (tuitions fall)	Fire	1,188.00
BCA Training (Mn Dept of Public Safety) for E. Lee (narcoticS)	Police	180.00
BLADC	Gov't	750.00
Bobby Willard, black cartridge	Police	30.88
Brandanger Office Supply, report covers	Admin	61.34
Cascade Computers, on site service	P & Z	513.44
Cellular One, cell phone	PW	19.79
Cellular One, cell phone	Police	118.86
County Recorder, variance order filing fee	P & Z	19.50
Cross Tech Mfg. Repair plow equipment	PW	580.00
Crosslake Auto, batteries & repair work	Fire	828.47
Crosslake Rolloff, recycling	Recycle	1,950.00
Crosslake Communications - phone/internet/dsl	All	\$1,087.55
Crow Wing County Recorder - record cup's	P&Z	\$60.00
Crow Wing Power, electric	Cabin	10.65
Crow Wing Power, electric	P & R	11.00
Crow Wing Power, electric	P & R	248.55
Crow Wing Power, electric	Warehouse	64.38
Crow Wing Power, electric	Street lights	59.11
Crow Wing Power, electric	Warming	19.01
Crow Wing Power, electric	Govt	499.00
Culligan, bottled water	Govt	25.56

Dacotah Paper Co., wet mop, towel roll	P&R	147.45
Darlene Roach - reimburse expenses of OSHA class	Adm	\$13.80
Echo Publishing, legal	Roads	44.63
Echo Publishing, legal	Roads	44.63
Echo Publishing, legal	Roads	44.63
Echo Publishing, legal	Roads	44.63
Echo Publishing, legal	Roads	51.00
Echo Publishing, legal	Roads	51.00
Echo Publishing, legal	Roads	51.00
Echo Publishing, legal	Roads	44.63
Echo Publishing, legal	Roads	44.63
Echo Publishing, legal	P & Z	35.75
Echo Publishing - Truth in Taxation Hearing Notice	Admin	\$53.50
Echo Publishing - Park & Rec ad's	Park	\$32.80
Echo Publishing - Sign Bid Ad	Gov't	\$48.15
Gammello Sandelin Qualley - legal fees	Legal	\$5,683.47
Gull Lake Glass, repair broken door	P & R	350.00
Holiday - squad gasoline	Police/Fire	\$308.98
Inspections Plus, bleacher safety inspection	P & R	125.00
International Association of Fire Chiefs dues 2002	Fire	145.00
Jay Lorch, mileage to officer survival class	Police	99.02
Eric Swanson - reimburse uniform allowance	Police	13.08
Lakeside Glass - replace windshield	Police	\$861.45
Little Falls Machine Inc - new part for wing plow	PW	274.00
Mastercard - Till Exchange, Amsden uniforms+A23	PW	39.97
Mastercard, clothes & gloves, uniform allowance JU	P&R	197.67
Mastercard, Comfort Suites, BH lodging for training	Police	77.98
Mastercard, Fleet Farm - M. Amsden Uniforms	PW	95.55
Mastercard, Mills Fleet farm, extension cords	Govt	33.74
Mastercard, Mills Fleet farm, Shane's uniforms	PW	90.98
Mastercard, Mills Fleet Farm, snow fence & post	PW	92.78
Mastercard, WalMart, Mikes uniforms	PW	109.06
MN Chiefs of Police Association, renewal dues	Police	75.00
MN State Fire Dept Association dues for 2002	Fire	75.00
Moonlite Square, gas	P & Z	17.53
Moonlite Square, gas	Fire	10.02
Moonlite Square, gas	P & Z	17.53
Moonlite Square, gas	Police	218.57
MTI, PTO assembly for leaf blower	PW	742.48
North Memorial EMS Education, ES, JL, RW	Police	240.00
Peoples Security (Annual Monitor)	P & R	254.96
Pequot Auto Parts, mirror & tripod bell bracket for grader	PW	206.48
Pequot Auto Parts, 97 Crown Vic battery	P&Z	106.71
Pequot Auto Parts, all PW vehicles	PW	29.14
Pequot Auto Parts, filter dump truck	PW	13.10
Pine River Oil, diesel	PW	592.50
Pine River Oil, gas	PW	271.44
Pitney Bowes - postage machine rental	P&Z/Adm	\$124.61
Simonson Lumber, lumber for bleachers	P & R	9.89
Superior Lamp - fluorescent bulbs	PW	\$832.70
The Office Shop, fasteners, green paper	P & Z	58.31





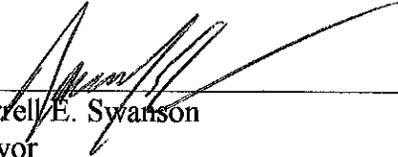
RESOLUTION NO. 01-97  
RESOLUTION APPROVING 2001 TAX LEVY  
COLLECTIBLE IN 2002

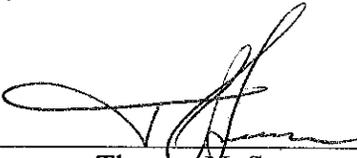
Be it resolved by the Council of the City of Crosslake, County of Crow Wing, Minnesota, that the following sums of money be levied for the current year, collectible in 2002, upon taxable property in the City of Crosslake, for the following purposes:

1,240,061	General Levy
10,185	REA Loan
46,043	EDA- Emergency Services Center
96,000	G.O. - 1999 Series A
16,900	G.O. - 1999 Series B
68,800	Community Center Bonds 1996
<u>31,245</u>	G.O. - 2001 Series A
1,509,234	Total Levy

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 December 10, 2001.

  
\_\_\_\_\_  
Darrell E. Swanson  
Mayor

  
\_\_\_\_\_  
Thomas N. Swenson  
City Administrator

**RESOLUTION AUTHORIZING EASEMENT AGREEMENT  
CITY OF CROSSLAKE  
COUNTY OF CROW WING  
STATE OF MINNESOTA**

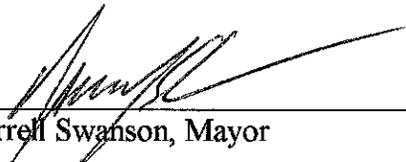
**RESOLUTION NO. 01-98**

WHEREAS, as part of the City of Crosslake sewer improvement project, the City has requested an easement from the Army Corps of Engineers for the location of a sewer collection line, and

WHEREAS, the City of Crosslake has determined that it will accept the Easement Agreement, dated November 1, 2001, provided by the Army Corps of Engineers entitled Easement for Pipeline Right of Way located on Mississippi River in the Headwaters Project-Pine River Dam, Crow Wing County, Minnesota.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Crosslake hereby authorizes execution of the Easement Agreement.

Passed by the City Council this 10<sup>th</sup> day of December 2001, by a 5/5ths vote of said City Council.

  
\_\_\_\_\_  
Darrell Swanson, Mayor

  
\_\_\_\_\_  
Thomas N. Swenson, City Administrator

**RESOLUTION 01-99**

**RESOLUTION RECEIVING REPORT  
AND  
CALLING HEARING ON IMPROVEMENT**

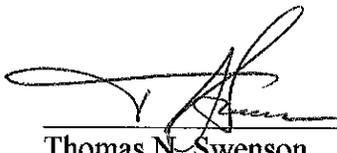
WHEREAS, pursuant to Resolution of the Council adopted November 13, 2001 a report has been prepared by Widseth, Smith & Nolting with reference to the improvement of Fish Road from the intersection of C.S.A.H. No. 3 to the end of the road, by constructing road and drainage improvements, and this report was received by the Council on December 10, 2001.

WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effective, and feasible,

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

1. The Council will consider the improvement of such street in accordance with the report and the assessment of abutting and/or benefiting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$12,675.
2. A Public Hearing shall be held on such proposed improvement on the 14th day of January, 2002 in the Council Chambers in City Hall at 6:30 P.M. and the Administrator shall give mailed and published notice of such hearing and improvement as required by law.

Adopted by the Council this 10<sup>th</sup> day of December, 2001.



Thomas N. Swenson  
City Administrator



Darrell E. Swanson  
Mayor