

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, DECEMBER 13, 2010  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, December 13, 2010. The following Council Members were present: Mayor Jay Andolshek, Steve Roe, John Moengen, Rusty Taubert and Dean Swanson. Also present were City Administrator Tom Swenson, Clerk/Treasurer Jenny Max, Community Development Director Ken Anderson, Park and Recreation Director Jon Henke, Police Chief Bob Hartman, General Manager Paul Hoge, City Attorney Mike Couri, WSN Engineer Mark Hallan, Northland Press Reporter Paul Boblett and Echo Publishing Reporter Katie Anderson. There were approximately ten people in the audience.

**A. CALL TO ORDER** – Mayor Andolshek called the Regular Council Meeting to order at 7:00 P.M. MOTION 12R-01-10 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY DEAN SWANSON TO ACCEPT THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.

**B. CRITICAL ISSUES –**

1. Ronda Hopkins of 37945 County Road 66 was present and presented Mayor Andolshek with 24 American Flags and poles to be hung on the City light poles. Ms. Hopkins thanked Mayor Andolshek for his six years of service and dedication to the City of Crosslake. Pat Netko was also present and stated that the American Legion Auxiliary is donating the American Flags and Ms. Hopkins is donating the flag poles. City Administrator Swenson noted that Ms. Hopkins did a lot of work in finding a flag and pole that weighs less than three pounds and is very sturdy. The flags were also approved by the light pole manufacturer and will be installed on all of the green light poles maintained by the City. Councilmember Roe thanked Ms. Hopkins for finding a solution and said they will be a nice addition to the City. MOTION 12R-02-10 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO ACCEPT THE 24 FLAGS FROM THE AMERICAN LEGION AUXILIARY AND 24 POLES FROM MS. HOPKINS. MOTION CARRIED WITH ALL AYES.
2. Jessica Eide and Ruth Ann Hanson were present as part of the Winterfest Committee to request an over-the-road banner to advertise the event. Ms. Eide noted Winterfest will be held on February 4<sup>th</sup> and 5<sup>th</sup> and they would like to install the banner from December 27<sup>th</sup> – February 6<sup>th</sup>. They are requesting to have the banner up for an extra week between Christmas and New Years in order to have more visibility with the holiday visitors that will be in town. Ms. Eide also noted that the banner will be donated by a vendor who will want their logo on the banner and requested to have the advertising condition waived as part of the approval. Ms. Hansen also noted the City and County will be named as additional insured's on the Certificate of Liability. MOTION 12R-03-10 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE THE COUNTY ROAD 3 SIGN/BANNER APPLICATION AS PRESENTED INCLUDING ALL CONDITIONS EXCEPT THE CONDITIONS THAT STATE

THE SIGN/BANNER SHALL BE AUTHORIZED FOR A MAXIMUM OF 30 DAYS AND SHALL NOT BE ALLOWED TO ADVERTISE PRIVATE PRODUCTS OR SERVICES. MOTION CARRIED WITH ALL AYES.

**C. CONSENT CALENDAR –** MOTION 12R-04-10 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY RUSTY TAUBERT TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR: (1.) REGULAR COUNCIL MEETING MINUTES OF NOVEMBER 8, 2010; (2.) SPECIAL COUNCIL MEETING MINUTES OF NOVEMBER 30, 2010; (3.) CROSSLAKE COMMUNICATIONS BALANCE SHEET AND INCOME STATEMENT/DETAIL OF RESERVE BALANCES DATED OCTOBER 31, 2010; (4.) CITY MONTH END REVENUE REPORT DATED OCTOBER 2010; (5.) CITY MONTH END EXPENDITURE REPORT DATED OCTOBER 2010; (6.) PLEDGED COLLATERAL REPORT DATED 12/7/10 FROM JENNIFER MAX; (7.) LAKES STATE BANK PLEDGE REPORT DATED NOVEMBER 2010; (8.) FRANSEN BANK & TRUST PLEDGE REPORT DATED NOVEMBER 2010; (9.) LAKEWOOD BANK PLEDGE REPORT DATED NOVEMBER 2010 AND (10.) RIVERWOOD BANK PLEDGE REPORT DATED NOVEMBER 2010. MOTION CARRIED WITH ALL AYES.

**D. PUBLIC FORUM –** None.

**E. MAYOR'S REPORT –** None.

**F. CITY ADMINISTRATOR'S REPORT –**

1. City Administrator Swenson stated that on December 6, 2010 the City held a Public Information Meeting regarding the Proposed 2011 Budget and Tax Levy. This meeting was posted in four locations as required by MN Statute and individual statements were mailed to property owners by Crow Wing County. In addition to all Councilmembers and Staff, two property owners attended the hearing. At the hearing, handouts were available detailing the proposed 2011 Budget and 2010/Collectible 2011 Tax Levy. No correspondence was received by the City and only one attendee addressed the Council with a concern in regards to tax increases. Mayor Andolshek asked if there were any comments by the Council or by the public. There being none, MOTION 12R-05-10 WAS MADE BY RUSTY TAUBERT AND SECONDED BY JAY ANDOLSHEK TO APPROVE RESOLUTION NO. 10-24 APPROVING THE 2010 TAX LEVY COLLECTIBLE IN 2011 IN THE AMOUNT OF \$2,787,699. MOTION CARRIED WITH ALL AYES. Approval of the revenue and expenditure budgets was requested. MOTION 12R-06-10 WAS MADE BY RUSTY TAUBERT AND SECONDED BY JAY ANDOLSHEK TO APPROVE THE 2011 REVENUE BUDGET IN THE AMOUNT OF \$3,920,817 AND THE 2011 EXPENDITURE BUDGET IN THE AMOUNT OF \$3,916,932. MOTION CARRIED WITH ALL AYES. Approval of the 2011 Crosslake Communications budget was requested. MOTION 12R-07-10 WAS MADE BY RUSTY TAUBERT AND SECONDED BY JAY ANDOLSHEK TO APPROVE THE

2011 CROSSLAKE COMMUNICATIONS BUDGET. MOTION CARRIED WITH ALL AYES.

2. City Bills for Approval – MOTION 12R-08-10 WAS MADE BY RUSTY TAUBERT AND SECONDED BY STEVE ROE TO APPROVE THE BILLS FOR PAYMENT FOR NOVEMBER AS SUBMITTED IN THE AMOUNTS OF \$56,943.45 AND \$11,859.68. MOTION CARRIED WITH ALL AYES.
3. A memo from City Administrator Swenson requested a special meeting for conducting year-end business. MOTION 12R-09-10 WAS MADE BY DEAN SWANSON AND SECONDED BY JOHN MOENGEN TO SET A SPECIAL COUNCIL MEETING FOR DECEMBER 22, 2010 AT 9:00 A.M. AT CITY HALL. MOTION CARRIED WITH ALL AYES.
4. A memo from Clerk Max requested approval to release 90% of the incremental tax revenue received from the County for Crosswoods Development. The amount to be released to the Developer is \$7,137.54. MOTION 12R-10-10 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO AUTHORIZE THE RELEASE OF \$7,137.54 IN TIF TO CROSSWOODS DEVELOPMENT FOR THE SECOND HALF TAX SETTLEMENT RECEIVED FROM CROW WING COUNTY. MOTION CARRIED WITH ALL AYES.
5. A memo from Clerk Max requested approval to release 90% of the incremental tax revenue received from the County for Golden Horizons. The amount to be released to the Developer is \$6,576.76. MOTION 12R-11-10 WAS MADE BY JOHN MOENGEN AND SECONDED BY DEAN SWANSON TO AUTHORIZE THE RELEASE OF \$6,576.76 IN TIF TO GOLDEN HORIZONS FOR THE SECOND HALF TAX SETTLEMENT RECEIVED FROM CROW WING COUNTY. MOTION CARRIED WITH ALL AYES.
6. An engagement letter dated November 19, 2010 from LarsonAllen regarding the audit of the 2010 financial statements was included in the packet for Council review. MOTION 12R-12-10 WAS MADE BY DEAN SWANSON AND SECONDED BY STEVE ROE TO APPROVE LARSON ALLEN AS THE CITY AUDITOR FOR THE AUDIT OF THE 2010 FINANCIAL STATEMENTS AT AN ESTIMATED COST OF \$26,000. MOTION CARRIED WITH ALL AYES. A memo from City Administrator Swenson requested direction from the Council regarding a proposal for legal services that was received from the Breen & Person Law Firm. Mr. Swenson noted the staff would like direction on whether the Council wishes to entertain proposals for any of the professional services. Councilmember Taubert stated that this was an unsolicited letter and that he believes the Council is satisfied with the City's current legal representation. City Attorney Couri noted that his firm works strictly with municipal law whereas Breen & Person work mostly with general law. Mayor-Elect Darrell Schneider stated he would like to sit down with both firms and review their qualifications as he feels it's important to look at using a local firm wherever possible. City Attorney Couri noted that appointing his firm in January doesn't tie the City into a contract for the whole year. It was the consensus of the Council to re-address this issue in 2011.
7. A memo dated December 13, 2010 from Clerk Max regarding an updated Application for Appointment to City Board or Commission was included in the

packet for Council review. Councilmember Roe stated he would like to see the question relating to a person's education or experience added to the new application. MOTION 12R-13-10 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO APPROVE THE APPLICATION FOR APPOINTMENT TO CITY BOARD OR COMMISSION WITH ONE MODIFICATION TO ADD LANGUAGE RELATING TO A PERSON'S EDUCATION OR EXPERIENCE. MOTION CARRIED WITH ALL AYES.

8. A memo from Clerk Max regarding a Resolution and Certification to Amend the City of Crosslake Cafeteria Plan for Health Care Reform Changes was included in the packet for Council review. City Administrator Swenson noted the amendments to the Plan are due to required changes as a result of Health Care Reform that was passed in 2010. The main changes are relating to over-the-counter medicines that are not allowed to be reimbursed for flex spending in 2011 and to change the dependent coverage age to 26 which are consistent with the new laws. MOTION 12R-14-10 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO APPROVE RESOLUTION NO. 10-25 RELATING TO THE CITY OF CROSSLAKE CAFETERIA PLAN AND TO AMEND THE CITY OF CROSSLAKE CAFETERIA PLAN AS PRESENTED. MOTION CARRIED WITH ALL AYES.

## **G. COMMISSION/DEPARTMENT REPORTS –**

1. PLANNING AND ZONING –
  - a. The Planning and Zoning Commission/Board of Adjustment Regular Meeting Minutes and Public Hearing of August 27, 2010 were included in the packet for Council information.
  - b. The Planning and Zoning Commission/Board of Adjustment Regular Meeting Minutes and Public Hearing of September 8, 2010 were included in the packet for Council information.
  - c. The Planning and Zoning Commission/Board of Adjustment Regular Meeting Minutes and Public Hearing of September 24, 2010 were included in the packet for Council information.
  - d. The November 2010 Permit Summary was included in the packet for Council information. The year-to-date valuation for 2010 is \$4,834,781, which is up from the same period in 2009.
  - e. A staff report dated December 13, 2010 from the Planning and Zoning Commission regarding the Planning and Zoning Commission Meeting Schedule for 2011 was included in the packet for Council review. MOTION 12R-15-10 WAS MADE BY JOHN MOENGEN AND SECONDED BY STEVE ROE TO APPROVE THE PLANNING AND ZONING COMMISSION MEETING SCHEDULE FOR 2011 AS PRESENTED. MOTION CARRIED WITH ALL AYES.
  - f. A memo dated December 13, 2010 from Lane Braaten and Ken Anderson regarding an Ordinance Amendment naming an unnamed road as Sundance Loop and adding the road name to the Master Road Name Index was included in the packet for Council review. Mr. Anderson noted this request is being submitted to allow E-911 addressing for each building and unit within the

Sundance Development project. County ordinance states that a road that has more than two driveways needs to have a name. The road will retain its designation as a private road and the City of Crosslake will not maintain Sundance Loop. A notice was mailed to all property owners abutting the subject road at least 14 days before the date of this meeting and no comments have been received back. MOTION 12R-16-10 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO APPROVE ORDINANCE AMENDMENT NO. 292 AMENDING CHAPTER 6, SECTION 6.04 NAMING AN UNNAMED ROAD AS SUNDANCE LOOP AND ADDING THE ROAD NAME TO THE MASTER ROAD NAME INDEX. MOTION CARRIED WITH ALL AYES.

MOTION 12R-17-10 WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO PUBLISH ORDINANCE AMENDMENT NO. 292 IN SUMMARY FORM IN THE LEGAL NEWSPAPER. MOTION CARRIED WITH ALL AYES.

- g. A staff report dated December 13, 2010 from the Planning and Zoning Commission regarding Zoning Map Amendment 2010-001 for Kari Lohmiller located at 36340 County Road 3 was included in the packet for Council review. Mr. Anderson noted Chip Lohmiller is present and can answer any questions the Council might have. The ZMA application was submitted after review of S2010-004 which is a metes and bounds application to subdivide a 10.01 acre parcel into two tracts of land with a gross size of 5.01 acres and 5.00 acres including the portion of the parcel located within the County Road 3 road right-of-way easement. The Ordinance specifies that the minimum lot size must be met excluding the road right-of-way; therefore, the lots as proposed do not meet the minimum lot size of 5 acres within the Rural Residential zoning district. Mr. Anderson reviewed the four options the Council has which are to table the application, deny the application, approve the application or do nothing at this time. Currently the parcel is described by metes and bounds which runs to the center line of County Road 3. Currently City Ordinance defines Lot Area as "The horizontal area of a lot bounded by the lot lines and the ordinary high water line if bounded by water." In a separate definition City Ordinance defines Lot Line as "The property lines bounding a lot except that where the description extends into a public right of way, the right of way line shall be considered the lot line." Both Councilmembers Roe and Moengen commented that the definition of Lot Line that considers the public right of way as the Lot Line should be excluded as it can have a significant impact on whether an individual is able to meet the minimum lot requirements and be able to subdivide property or not. Councilmember Swanson noted that an easement isn't a deed or transfer of fee ownership and that they should be treated differently when considering if a lot meets the minimum requirements. City Attorney Couri noted that this issue is a policy decision and the definition of Lot Line can be changed by the City Council at any point in time if they choose to do so. The Council engaged in a lengthy discussion regarding the definition of an easement and in what circumstances it is considered a right of way. MOTION 12R-18-10 WAS

MADE BY RUSTY TAUBERT AND SECONDED BY DEAN SWANSON TO APPROVE SUBDIVISION S2010-004 FOR KARI LOHMILLER AND TO DIRECT THE PLANNING AND ZONING COMMISSION TO CORRECT THE LANGUAGE RELATING TO THE CURRENT DEFINITION OF "LOT LINE." City Attorney Couri stated that this motion in effect does nothing as the Council has no authority at this point in time to approve the subdivision application and that the authority has been delegated to the Planning and Zoning Commission. Councilmember Roe questioned whether or not the Council still has the authority regardless of whether or not they delegated it to the Planning and Zoning Commission. Mr. Anderson stated the Council has delegated the authority to approve or deny metes and bounds subdivisions to the Planning and Zoning Commission with any appeal going directly to district court. The issue that has come before the Council is relating to the Zoning Map Amendment which Councilmember Swanson stated he is not in favor of as he considers that to be spot zoning. City Attorney Couri stated if the Council were to deny the Zoning Map Amendment then the subdivision application would go back to the Planning and Zoning Commission and more than likely the Commission would deny the subdivision application considering it does not meet City ordinance standards as they currently read. The Council may choose to initiate an ordinance amendment to change the definition of lot line and request the applicant's approval to extend the time in which the City has to review and approve their subdivision application. The Council asked Mr. Lohmiller if time was a factor for this application and Mr. Lohmiller stated time wasn't an issue for him. City Attorney Couri noted if the ordinance is changed then there is no need to re-zone the property. COUNCILMEMBER TAUBERT WITHDREW HIS PREVIOUS MOTION.

MOTION 12R-19-10 WAS MADE BY STEVE ROE AND SECONDED BY DEAN SWANSON TO DENY ZONING MAP AMENDMENT 2010-001 FOR KARI LOHMILLER BASED ON THE FINDINGS OF FACT AND RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION. MOTION CARRIED WITH ALL AYES.

MOTION 12R-20-10 WAS MADE BY DEAN SWANSON AND SECONDED BY JOHN MOENGEN TO INITIATE AN ORDINANCE AMENDMENT TO AMEND THE CITY CODE CHAPTER 8 SECTION 8.02 SUBD. 2 DEFINITION OF LOT LINE TO EXCLUDE THE LANGUAGE "...EXCEPT THAT WHERE THE DESCRIPTION EXTENDS INTO A PUBLIC RIGHT OF WAY, THE RIGHT OF WAY LINE SHALL BE CONSIDERED THE LOT LINE" AND TO INITIATE AN ORDINANCE AMENDMENT THAT WOULD ALLOW AN APPLICANT TO APPEAL A DECISION MADE BY THE PLANNING AND ZONING COMMISSION DIRECTLY TO THE CITY COUNCIL FOR A METES AND BOUNDS SUBDIVISION (CHAPTER 3, SECTION 3.11) INSTEAD OF APPEALING DIRECTLY TO DISTRICT COURT. MOTION CARRIED WITH ALL AYES.

- h. A staff report dated December 13, 2010 from the Planning and Zoning Commission regarding setting a public hearing date for Appeal 2010-003 regarding John Foy's appeal of the Planning and Zoning Commission's denial of C2010-010. Mr. Anderson suggested setting the public hearing date to be at 6:00 P.M. before the regular Council meeting on January 10, 2010. MOTION 12R-21-10 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO SET A PUBLIC HEARING DATE OF JANUARY 10, 2010 AT 6:00 P.M. FOR APPEAL 2010-003, AN APPEAL OF THE PLANNING AND ZONING COMMISSION'S DENIAL OF C2010-010 AS SUBMITTED BY JOHN FOY. MOTION CARRIED WITH ALL AYES.

2. PUBLIC WORKS/CEMETERY/SEWER –

- a. The Public Works Commission Meeting Minutes of October 4, 2010 was included in the packet for Council information.
- b. The October 2010 Wastewater Treatment Discharge Monitoring Report was included in the packet for Council information.
- c. A letter dated November 15, 2010 from the Crow Wing County Highway Department to Property Owners adjacent to the Intersection of County Roads 3 and 66 in Crosslake regarding Parking Lot Maintenance was included in the packet for Council information.
- d. A memo dated December 7, 2010 from the Public Works Commission regarding a Recommendation Regarding 2011 Capital Projects was included in the packet for Council review. City Administrator Swenson noted that Commission reviewed the scheduled 2011 Improvement Projects. City Administrator Swenson stated there is available funding of \$258,000 which is included in the Proposed 2011 Operating Budget of the Public Works Department. Proposed Capital Expenditures totaled \$487,000 which included 1.) \$20,000 to remove and replace curb and gutter along CSAH 66 near Loon Lake for a future trail which would be done in conjunction with the County mil and overlay of CSAH 66. 2.) \$73,000 for a mil and overlay on Harbor Lane, 3.) \$256,000 for a mil and overlay on Daggett Pine Road, and 4.) \$138,000 estimated for the local share of the Sunrise Island Bridge Project. The memo recommended deleting the \$256,000 mil and overlay on Daggett Pine Road which would leave \$231,000 of Estimated Capital Expenditures and a \$27,000 balance in available funding to cover project costs following bidding of the projects. A lengthy discussion ensued regarding the merits of each of the projects. Ted Strand stated his concerns with deleting Daggett Pine Road based on the condition of the road. Mr. Swenson stated he did not feel the City Council would approve bonding at this time for Capital Outlay Road Projects and that he would be reluctant to recommend using approximately \$250,000 of City reserves to pay for road projects. Councilmember Moengen expressed his concerns with City expenditures during these tough economic times and that projects would have to be looked at carefully and prioritized. MOTION 12R-22-10 WAS MADE BY DEAN SWANSON AND SECONDED BY JOHN MOENGEN THAT THE DAGGETT PINE ROAD MIL AND OVERLAY PROJECT BE PUT ON HOLD WITH THE POSSIBILITY OF COMPLETING THE

ENGINEERING FOR THE PROJECT NEXT SUMMER FOLLOWING THE OPENING OF BIDS AND A REVIEW OF AVAILABLE FUNDING. City Administrator Swenson clarified that no engineering work would be done without first seeking Council approval. MOTION CARRIED WITH ALL AYES.

- e. A memo dated December 10, 2010 from City Engineer Dave Reese regarding Partial Payment Estimate No. 1 for SAP 18-597-07 Bypass Construction for Sunrise Island Bridge was included in the packet for Council review. Mr. Strand noted the bypass road was completed as of December 9<sup>th</sup> and is currently open to all traffic. Total costs to date are \$55,344.50 and the standard 5% retainage has been withheld in accordance with the Contract provisions. The amount recommended for payment at this time is \$52,577.27. MOTION 12R-23-10 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO APPROVE PARTIAL PAYMENT ESTIMATE NO. 1 FOR SAP 18-597-07 BYPASS CONSTRUCTION FOR SUNRISE ISLAND BRIDGE IN THE AMOUNT OF \$52,577.27. MOTION CARRIED WITH ALL AYES.

3. PUBLIC SAFETY –

- a. Chief Hartman reported 139 Police calls in Crosslake for November.
- b. Chief Hartman reported 57 Police calls in Mission Township for November.
- c. The November 2010 North Ambulance Run Report was included in the packet for Council information
- d. The Crosslake Fire Department responded to 18 calls in October. Of those, 15 were medical calls, 1 was a false alarm, 1 was an investigation and 1 was a rescue.

4. CROSSLAKE COMMUNICATIONS –

- a. Crosslake Communication's Bills for Approval – MOTION 12R-24-10 WAS MADE BY RUSTY TAUBERT AND SECONDED BY JOHN MOENGEN TO APPROVE THE OCTOBER 2010 BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNT OF \$642,267.63. MOTION CARRIED WITH ALL AYES.
- b. The Highlights Report for November was included in the packet for Council information. Paul Hoge reported that the electronics have been upgraded in the Father Foley area and those customers can now receive all channels as well as high definition. There will be a few channel changes in 2011 including adding TV Land, CMT, VH1 and MTV and removing Lakeland Plus. Mr. Hoge reported that Lakeland Plus will still be available through the antenna.
- c. The Crosslake Communications Advisory Board Meeting Minutes of November 30, 2010 were included in the packet for Council information.
- d. The Crosslake Communications Customer Counts Report was included in the packet for Council information.

At 8:55 P.M. Mayor Andolshek called a 5 minute recess to switch DVD's. Mayor Andolshek called the meeting back to order at 9:00 P.M.

5. PARK AND RECREATION/LIBRARY –

- a. Park Director Jon Henke reported that the Community Center offers aerobics on Mondays, Tuesdays and Thursdays at 9:00 A.M. There is a new low-impact aerobics class available to Seniors on Tuesdays and Thursdays at 10:15 A.M. The popular Children's Story Hour takes place on Thursday mornings at 10:30 A.M. for preschool aged children. Mr. Henke would like to pass on a reminder to all of the Library patrons to remember to bring in your Library cards each time you visit the Library. This will be required from now on to be able to use the Library facilities and computers. Starting in January the Library will once again be charging for Library cards to all patrons who have not received a card before. The charge will be \$3.00 for new patrons, \$1.00 for students under 18 and \$5.00 for the issuance of a replacement card. As part of the MN History Players program John Beargrease will visit the Crosslake Area Library during the month of January. John Beargrease was an Ojibwa mail carrier along the North Shore between Two Harbors and Grand Marais and his many years of service in delivering mail in all kinds of weather conditions lead to the legend of John Beargrease. More details will be available at the January Council meeting. Senior meals take place at the Community Center Monday through Friday at 11:30 A.M. Interested participants must call by 4:00 P.M. the day before to make a reservation. Meals on Wheels are also available for those residents who are home bound. The Community Center offers an array of fitness equipment and is open seven days a week. Day passes and memberships are available. The PAL Foundation is currently selling Jim Stevenson greeting cards at the Community Center. New series are now available. Cost for the cards is \$6.00 for four cards. AAA Senior Driving refresher course is being offered on January 13, 2011 from 9:00 – 1:00 p.m. The Community Center is pleased to announce the return of Yoga with instructor Amber Hunt. Classes are scheduled to begin January 3<sup>rd</sup> and will continue through March 2011. Classes will be offered Monday evenings from 6:00-7:15 P.M. and Saturday mornings from 10:00-11:15 A.M. The cost is \$10.00 for a day pass or \$66.00 for 8 classes. The Parks Department is recommending the inclusion of the Fire Department to the City of Crosslake Employee Wellness Program. This plan would only be offered to current, active Fire Department Members and does not include spouses or children. The program would require the member to pay \$20 up front for a membership to the fitness room at the Community Center. As long as the member utilizes the fitness room eight times a month the membership will be continued at no charge for the following month. As long as the member continues to make the required number of visits each month there will be no charge for utilizing the fitness room. MOTION 12R-25-10 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE THE FIRE DEPARTMENT WELLNESS PROGRAM AS PRESENTED EFFECTIVE DECEMBER 14<sup>TH</sup>. MOTION CARRIED WITH ALL AYES. The Park Department received one donation in November totaling \$2,379.85 from the PAL Foundation for reimbursement for the rain garden expenses. The Library also received various donations

totaling \$125.00 from the year-end Fund Drive. MOTION 12R-26-10 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO ACCEPT ONE DONATION FOR THE PARK DEPARTMENT FOR \$2,379.85 FOR THE MONTH OF NOVEMBER AND VARIOUS DONATIONS TOTALING \$125.00 FOR THE LIBRARY FROM THE YEAR-END FUND DRIVE. MOTION CARRIED WITH ALL AYES.

The LSS Senior Nutrition Program Site Use Agreement for 2011 was included in the packet for Council review. Mr. Henke noted the Agreement states \$291.00 will be reimbursed by the Nutrition Program for utility expenses for the calendar year 2011. MOTION 12R-27-10 WAS MADE BY JOHN MOENGEN AND SECONDED BY DEAN SWANSON TO APPROVE THE LSS SENIOR NUTRITION PROGRAM USE SITE AGREEMENT FOR 2011 AS PRESENTED. MOTION CARRIED WITH ALL AYES.

6. RECYCLING –
  - a. The Crosslake Roll-Off Recycling Report for November 2010 was included in the packet for Council information.
7. ECONOMIC DEVELOPMENT AUTHORITY – None.
8. PERSONNEL – None.

**H. CITY ATTORNEY REPORT –**

1. The City Attorney Report dated December 9, 2010 was included in the packet for Council information.

**I. OLD BUSINESS – None.**

**J. NEW BUSINESS –**

1. Ted Strand addressed the Council and stated the students at Crosslake Community School took the time to make decorations and trim the Christmas tree in the hallway outside of the Council chambers.

**K. PUBLIC FORUM – None.**

**L. ADJOURN – MOTION 12R-28-10 WAS MADE BY RUSTY TAUBERT AND SECONDED BY STEVE ROE TO ADJOURN THIS REGULAR MEETING AT 9:07 P.M. MOTION CARRIED WITH ALL AYES.**

Respectfully submitted by,



Jennifer Max  
Clerk/Treasurer

Deputy Clerk/Minutes/12-13-10.doc

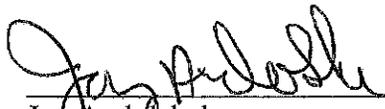
RESOLUTION NO. 10-24  
RESOLUTION APPROVING 2010 TAX LEVY  
COLLECTIBLE IN 2011

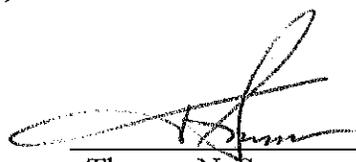
Be it resolved by the Council of the City of Crosslake, County of Crow Wing, Minnesota, that the following sums of money be levied for the current year, collectible in 2011, upon taxable property in the City of Crosslake, for the following purposes:

General Property Tax Levy	2,077,297
Debt Service Tax Levy	46,067
Emergency Services Center	47,208
2001 Series A	28,555
2002 Series A	20,800
2003 Joint Facility Levy	108,580
2003 Series A Disposal	219,500
2004 Series A	107,946
2006 Series B	<u>131,746</u>
Total Levy	2,787,699

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 13, 2010.

  
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Jay Andolshek  
Mayor

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

**BILLS FOR APPROVAL**  
December 13, 2010

VENDORS	DEPT		AMOUNT
Ace Hardware, butts and bolts	PW		2.99
Ace Hardware, drill bit, screwdriving set	P&R		21.35
Ace Hardware, cordless drill	P&R		106.86
Ace Hardware, hardware	P&R		2.57
Ace Hardware, mouse trap	P&R		2.14
Animal Control Enforcement, clear scene of animal accident	Police		85.00
Bobby Willard, reimburse for uniform expense	Police	pd 12-1	52.66
Chief Supply, battery	Police		47.99
City of Crosslake, sewer utilities	PW/Govt		72.00
Council #65, union dues	ALL		517.00
Crosslake Communications, phone, fax, cable, internet	ALL		1,615.50
Crosslake Communications, 2 computers	Police		1,636.26
Crosslake Demolition, trash removal	Fire		30.78
Crosslake Portable Welding, hitch repair, lock boxes	PW		167.50
Crosslake Rolloff, recycling	Gov't		2,695.00
Crosslake Sheetmetal, service call	PW		485.29
Crow Wing County Attorney, forfeiture fees	Police		396.60
Crow Wing County Treasurer, e911 addresses	Gov't		75.00
Culligan, water and cooler rental	PW/Govt		51.25
Deatons Mailing Systems, ink for meter	P&Z/Admin		102.55
Deferred Comp	ALL		226.92
Delta Dental, dental insurance	ALL		1,553.30
Diamond Industrial Cleaning, scrub free wash, valve, soap	PW		671.75
Digital Ally, squad camera	Police		5,075.00
Donna Keiffer, aerobics session #12	P&R		242.44
Donna Keiffer, low impact aerobics	P&R		115.71
Echo Publishing, sunrise island bridge restrictions	PW		40.80
Fortis, disability	ALL		499.10
General Drivers Union Local #346, union dues	Police	pd 12-7	171.00
Holiday Station, propane	Cemetery		20.30
Houston Ford, swap tires, oil change	Police		73.09
Houston Ford, swap tires, oil change	Police		61.09
Houston Ford, oil change	Police		24.49
Jon Henke, reimburse petty cash	P&R		29.82
Keepers, uniform	Police		80.88
League of MN Cities, leadership Conference	Council		570.00
Marsden, office cleaning	PW	pd 12-9	628.43
Mastercard, Hewlett Packard, printer	Sewer		1,046.31
Mastercard, Office Max, stamp pad, calendar	Library		11.04
Mastercard, Office Max, receipts, key tags, paper	P&R		104.27
Mastercard, Office Max, receipts	P&R		11.36
MCS Janitorial, december cleaning	Gov't		774.84
Medica, health insurance	ALL		29,382.75
Menards, wedges, dry wipes, sanitizer, wet floor sign, lumber	P&R		173.83
MN Benefits	Admin	pd 12-1	176.42



**ADDITIONAL BILLS FOR APPROVAL**  
**December 13, 2010**

VENDOR	DEPT	AMOUNT
Ace Hardware, extension cord	Library	5.34
Ace Hardware, bolts	P&R	12.44
Ace Hardware, tape measure	P&Z	24.57
Ace Hardware, hardware	P&R	2.69
Ace Hardware, drill bits	P&R	17.93
Ace Hardware, water, tarp, bolts	P&R	10.01
Couri MacArthur Ruppe, legal fees	ALL	1,722.50
Crosslake Communications, set up new computers	Police	262.50
Crosslake Communications, set up printer	Sewer	37.50
Crow Wing Power, electric service	ALL	6,767.43
Dacotah Paper, mop, tissue, paper towels, soap	P&R	445.17
Hawkins, aqua hawk, ferric chloride	Sewer	643.11
Jenny Max, reimburse mileage	Admin	89.00
Keepers, uniform	Police	188.69
Marco, copier staples	P&Z/Admin	74.01
Mastercard, Sportsonline, basketball supplies	P&R	247.55
Mastercard, Tiger Direct, monitor	Admin	138.56
Menards, snow fence for bridge	PW	444.64
Northland Press, meeting notice of 12/17	P&Z	118.80
Simonson Lumber, screws	P&R	7.25
Ziegler Cat, oil change, fuel system repair	PW	599.99
		11,859.68

CITY OF CROSSLAKE

RESOLUTION NO. 10-25

RESOLUTION RELATING TO THE CITY OF CROSSLAKE CAFETERIA PLAN

The undersigned City Administrator of the city of Crosslake (the Employer) hereby certifies that the following resolutions were duly adopted by the Employer on December 13, 2010, and that such resolutions have not been modified or rescinded as of the date hereof:

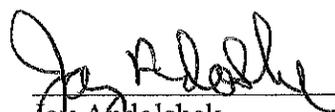
RESOLVED, that the form of amended Cafeteria Plan including a Dependent Care Flexible Spending Account and Health Flexible Spending Account effective January 1, 2011, presented to this meeting is hereby approved and adopted and that the duly authorized agents of the Employer are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

RESOLVED, that the Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

RESOLVED, that the duly authorized agents of the Employer shall act as soon as possible to notify the employees of the Employer of the adoption of the Cafeteria Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved.

The undersigned further certifies that attached hereto as Exhibits A and B, respectively, are true copies of City of Crosslake Cafeteria Plan as amended and restated and the Summary Plan Description approved and adopted in the foregoing resolutions.

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

  
\_\_\_\_\_  
Jay Andolshek  
Mayor

Crosslake Telephone Company

Check Register - General Account and Investment Account (4M)

From October 1 through October 31, 2010

Check #	Vendor ID / Name	Date	Description	Amount
001213	INTERNAL REVENUE SERVICE	10/1/2010	FED, FICA, MEDICARE	6,195.50
001214	PERA	10/1/2010	PERA EE & ER	3,628.16
001215	MINNESOTA DEPT OF REVENUE	10/1/2010	MN INCOME TAX WITHHELD	1,050.88
001216	ING-DEFERRED COMP	10/1/2010	DEFERRED COMP	2,266.92
001219	CITY OF CROSSLAKE (SEWER)	10/12/2010	SEPTEMBER SEWER	36.00
001220	INTERNAL REVENUE SERVICE	10/15/2010	FED, FICA, MEDICARE	6,869.21
001221	PERA	10/15/2010	PERA EE & ER	3,642.64
001222	MINNESOTA DEPT OF REVENUE	10/15/2010	MN INCOME TAX WITHHELD	1,177.75
001223	ING-DEFERRED COMP	10/15/2010	DEFERRED COMP	2,266.92
001224	INTERNAL REVENUE SERVICE	10/29/2010	OCTOBER EXCISE TAX	1,755.28
001225	INTERNAL REVENUE SERVICE	10/29/2010	FED, FICA, MEDICARE	7,416.98
001226	PERA	10/29/2010	PERA EE & ER	3,739.73
001227	MINNESOTA DEPT OF REVENUE	10/29/2010	MN INCOME TAX WITHHELD	1,299.13
001228	ING-DEFERRED COMP	10/29/2010	DEFERRED COMP	2,266.92
001229	CROW WING POWER	10/26/2010	ELECTRIC SERVICE	4,444.83
001230	MINNESOTA DEPT OF REVENUE	10/29/2010	SALES & USE TAX	12,220.00
025602	CHERI E. AYD	10/25/2010	Void Check Batch	(689.34)
025609	NMN INC	10/11/2010	VIPER BUDGET PENS	427.50
025610	ECHO PUBLISHING & PRINTING INC	10/11/2010	FALL SPORTS	104.00
025611	CROSSLAKE ROLLOFF	10/11/2010	DIRECTORY RECYCLE	110.00
025612	CULLIGAN	10/11/2010	SERVICE FOR 22 DAYS	62.11
025613	GOPHER STATE ONE CALL	10/11/2010	LOCATES	184.16
025614	ONVOY VOICE SERVICES	10/11/2010	SS7 SERVICEOPERATOR SERVICES,SS7,LAKES LD,0264 & 6264 PROG	11,806.73
025615	OLSEN THIELEN CO LTD	10/11/2010	3RD QTR NECA & LINE CT DATA	895.00
025616	POWER & TELEPHONE SUPPLY	10/11/2010	INDOOR CAT 5	1,250.02
025617	UNITED PARCEL SERVICE	10/11/2010	WEEKLY SERVICE & MISC SHIPPING	125.18
025618	CROSSLAKE COMMUNICATIONS	10/11/2010	PHONE SERVICE, COMM CTR VOICE MAIL	1,033.09
025619	CITY OF CROSSLAKE	10/11/2010	OCTOBER OPERATING TRANSFER	21,250.00
025620	CROSSLAKE SHEETMETAL	10/11/2010	REG & GRILLS FOR NY MINT	45.75
025621	QWEST COMMUNICATIONS	10/11/2010	8/2 PARS MN CSLK-1	91.90
025622	XCEL ENERGY	10/11/2010	METER CHGS SUNRISE & 16. SEPT NAT'L GAS	98.45
025623	SOLIX	10/11/2010	B&C STATEMENT	15.74
025624	IKON OFFICE SOLUTIONS	10/11/2010	COPIER MAINT 9/23 - 10/22	167.13
025625	AMERIPRIDE LINEN & APPAREL	10/11/2010	RUG & TOWEL SERVICE	97.94
025626	MINNESOTA 9-1-1 PROGRAM	10/11/2010	911, TAP & TAM	2,017.26
025627	NATIONAL CABLE TELEVISION COOP	10/11/2010	6' HDMI TO HDMI CABLES, .750 CABLE, SPLITTERS	3,188.36
025628	CENTRAL TRANSPORT GROUP LLC	10/11/2010	4 EA DS1'S, 1 T3	3,708.32
025629	PINNACLE PUBLISHING, LLC	10/11/2010	TELEPHONE DIRECTORY -2	1,323.26
025630	AVID COMMUNICATION CONST., INC	10/11/2010	MILINDA SHORES PROJECT	22,655.03
025631	ROVI GUIDES	10/11/2010	AFFILIATE PAYMENT	263.00
025632	SHOWTIME NETWORKS INC	10/11/2010	AFFILIATE PAYMENT	281.60
025633	FOX SPORTS NET NORTH	10/11/2010	AFFILIATE PAYMENT	6,930.86
025634	TOWER DISTRIBUTION COMPANY	10/11/2010	AFFILIATE PAYMENT	344.59
025635	MTV NETWORKS	10/11/2010	AFFILIATE PAYMENT	9,624.90
025636	LIFETIME	10/11/2010	AFFILIATE PAYMENT	990.52
025637	TV GUIDE NETWORKS INC	10/11/2010	AFFILIATE PAYMENT	488.67
025638	DIGITRACE	10/11/2010	FCC SEMI ANNUAL TESTING	4,095.00
025639	PAUL DAVIS	10/11/2010	CAFE PLAN REIMB - BAL 80.74	103.49
025640	D&H DISTRIBUTING CO.	10/11/2010	MODEMS FOR RESALE	60.04
025641	AT&T - DALLAS TX	10/11/2010	PARS 10/1 BAN 1499	553.64
025642	7SIGMA SYSTEMS, INC	10/11/2010	SEPTEMBER CONSULTING	2,000.00
025643	CYNTHIA PERKINS	10/11/2010	CAFE PLAN REIMB - BAL 51.98	13.28
025644	CROSSLAKE ACE	10/11/2010	DRILL BIT, BOX KNIFE, PVC, BATTERIES	84.93
025645	NATIONAL CABLE TEL COOP, INC	10/11/2010	AFFILIATE PAYMENT	31,907.01
025646	EQUUS COMPUTER SYSTEMS, INC	10/11/2010	PC & LAPTOP FOR RESALE	2,043.43
025647	NATHANIEL J. PLANTE	10/11/2010	CAFE PLAN REIMB - BAL 0	19.74
025648	KARE 11 TV	10/11/2010	AFFILIATE PAYMENT	852.75
025649	PAUL HOGE	10/11/2010	ER ROOM REIMBURSEMENT	60.00
025650	WASTE PARTNERS, INC.	10/11/2010	SEPTEMBER TRASH REMOVAL	71.95
025651	DISCOVERY COMMUNICATIONS, INC.	10/11/2010	AFFILIATE PAYMENT	202.87
025652	WEATHER CENTRAL	10/11/2010	PMT 5 FINAL YR - OCT DATA	195.00
025653	IKON FINANCIAL SERVICES	10/11/2010	COPIER LEASE 8 OF 60	362.03
025654	NATIONAL GEOGRAPHIC CHANNEL HD	10/11/2010	AFFILIATE PAYMENT	9.65
025655	AMBASSADOR COMPANY	10/11/2010	WAY TO GO PROGRAM	270.00
025656	ZAYO BANDWIDTH	10/11/2010	BANDWIDTH BILLING	2,277.00
025657	CHARTER COMMUNICATIONS	10/11/2010	LOCAL CHANNEL TRANSPORT	1,850.00

025658	TIGER DIRECT	10/11/2010	HD, RAM & PRINTERS FOR RESALE, ROUTERS	2,600.22
025659	KSTP-TV, LLC	10/11/2010	AFFILIATE PAYMENT	495.00
025660	4M FUND F.B.O. 35373-101	10/11/2010	TO FUND DEBT SERVICE RESERVE	37,489.00
025661	ONLINE INFORMATION SERVICES	10/11/2010	7 EXCHANGE REPORTS	48.90
025662	DHJV COMPANY LLC	10/11/2010	AFFILIATE PAYMENT	27.82
025663	MAILFINANCE	10/11/2010	POSTAGE METER LEASE 10/27-1/26	233.83
025664	BIG 10	10/11/2010	AFFILIATE PAYMENT	1,774.45
025665	TIME COMMUNICATIONS	10/11/2010	ANSWERING SERVICE	129.86
025666	VERIZON WIRELESS	10/11/2010	CELL PHONES	343.41
025667	CROW WING COUNTY HIGHWAY DEPT.	10/11/2010	AUG DIESEL & UNLEAD FUEL	842.08
025668	JON MILLER	10/11/2010	PERM DISCONNECT	14.74
025669	NORTHLAND PRESS	10/11/2010	CROSSLAKE DAYS ADS	144.00
025670	BENNETT & JILL GIBBS	10/11/2010	PERM DISCONNECT	12.42
025671	TERESA BERGLIN	10/11/2010	PERM DISCONNECT	20.40
025672	TOM & MERIKAY SHERIDAN	10/11/2010	PERM DISCONNECT	7.95
025674	LEONARD H BIEGERT	10/11/2010	PERM DISCONNECT	45.32
025675	PATRICK FARLEY	10/11/2010	PERM DISCONNECT	19.15
025676	TOM AHLGRIM	10/11/2010	PERM DISCONNECT	54.20
025677	WAYNE VAUGHAN	10/11/2010	PERM DISCONNECT	17.79
025678	RICHARD & MARY NELSON	10/11/2010	PERM DISCONNECT	14.24
025679	DAN KLEMP	10/11/2010	PERM DISCONNECT	42.71
025680	TRACY HANSON	10/11/2010	PERM DISCONNECT	22.49
025681	MICHAEL WESTIN	10/11/2010	PERM DISCONNECT	104.26
025682	IBEW LOCAL UNION 949	10/29/2010	UNION DUES	416.46
025683	BRAINERD DAILY DISPATCH	10/25/2010	1 YR SUBSCRIPTION - RENEWAL	156.00
025684	MINNESOTA DEPT OF COMMERCE	10/25/2010	2010 UNCLAIMED PROPERTY	152.20
025685	LARRY EVENSON	10/25/2010	CAFE PLAN REIMBURSEMENT	95.37
025686	OLSEN THIELEN CO LTD.	10/25/2010	2008 CPR REVIEW, PRI PRICING, 911 TARIFF	2,485.00
025687	CITY OF CROSSLAKE	10/25/2010	4TH QTR SAFETY PROGRAM	1,023.00
025688	QWEST COMMUNICATIONS	10/25/2010	10/20 ACCESS MN CSLK-20	9.05
025689	CITI LITES INC	10/25/2010	LOCATES	2,026.20
025690	THE OFFICE SHOP, INC.	10/25/2010	STENO BOOKS	36.46
025691	XCEL ENERGY	10/25/2010	METER CHGS SUNRISE & 16	46.50
025692	DELTA DENTAL PLAN OF MINNESOTA	10/25/2010	NOVEMBER DENTAL PREMIUM	1,001.80
025693	MEDICA	10/25/2010	NOV MEDICAL PREMIUM	19,165.76
025694	BADGER COMMUNICATIONS CORP	10/25/2010	WIRELESS HEADSET	150.99
025695	BRAINERD LAKES AREA CHAMBER	10/25/2010	LAKES AREA GUIDE	770.00
025696	NATIONAL CABLE TELEVISION COOP	10/25/2010	SURGE SUPPRESSORS	106.35
025697	NEUSTAR INC.	10/25/2010	SOW & LNP CHARGES	160.21
025698	PAUL BUNYAN SCENIC BYWAY ASSOC	10/25/2010	2011 TEAR OFF MAP	100.00
025699	MERRILL LYNCH	10/25/2010	SEPT VISA CHARGES	605.50
025700	ASSURANT EMPLOYEE BENEFITS	10/25/2010	NOV LONG TERM DISABILITY	378.44
025701	MINNESOTA LIFE INSURANCE CO	10/25/2010	NOVEMBER LIFE PREMIUM	188.00
025702	UNIVERSAL SERVICE ADMIN CO.	10/25/2010	OCTOBER FUSC	2,090.52
025703	VANTAGE POINT	10/25/2010	SEPTEMBER TTP SERVICE	300.00
025704	D&H DISTRIBUTING CO.	10/25/2010	2 EA USB HD'S FOR RESALE	264.33
025705	CORNERSTONE PUBL GROUP, INC.	10/25/2010	OCTOBER NEWSLETTER	1,805.07
025706	CYNTHIA PERKINS	10/25/2010	CAFE PLAN REIMB - BAL 16.98	35.00
025707	T-MOBILE USA, INC.	10/25/2010	RECIP COMP 9/1 - 9/30/10	32.65
025708	STELLAR BILLING, LLC	10/25/2010	OCTOBER BILLING	6,212.53
025709	TIGER DIRECT	10/25/2010	CREDIT FOR HD'S RETURNED	2,472.17
025710	CHERI E. AYD	10/25/2010	SEPTEMBER & OCTOBER OFFICE CLEANING	1,378.68
025711	TOTALFUNDS BY HASLER	10/25/2010	POSTAGE	500.00
025712	COOPERATIVE NETWORK SERV, LLC	10/25/2010	BANDWIDTH BILLING 35 MBPS	1,750.00
025713	LAKES AREA WATER	10/25/2010	SALT FOR WATER SOFTENER	51.54
025714	CROW WING COUNTY HIGHWAY DEPT.	10/25/2010	UNLEADED & DIESEL FUEL SEPT	617.64
025715	JOYCE BOLDT	10/25/2010	PERM DISCONNECT	53.34
			<b>TOTAL FOR GENERAL ACCOUNT</b>	<b>287,331.38</b>
001231	NORTHLAND TRUST SERVICES, INC.	10/26/2010	BOND PAYMENT	354,936.25
			<b>TOTAL FOR INVESTMENT ACCOUNT</b>	<b>642,267.63</b>