

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, SEPTEMBER 23, 2013
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, September 23, 2013. The following Council Members were present: Mayor Darrell Schneider, Steve Roe, Gary Heacox, John Moengen and Mark Wessels. Also present were City Administrator/Consultant Dan Vogt, City Clerk Char Nelson, Public Works Director Ted Strand, Park and Recreation Director Jon Henke, Finance Director/Treasurer Mike Lyonais, Community Development Director Ken Anderson, Police Chief Bob Hartman, City Attorney Brad Person, City Engineer Mark Hallan, Northland Press Reporter Paul Boblett, and Echo Publishing Reporter Kate Perkins. There were approximately thirty people in the audience.

A. CALL TO ORDER – Mayor Schneider called the Regular Council Meeting to order at 7:00 P.M. The Pledge of Allegiance was recited. MOTION 09R2-01-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY GARY HEACOX TO APPROVE THE ADDITIONS TO THE AGENDA. MOTION CARRIED WITH ALL AYES.

B. CRITICAL ISSUES – None.

C. CONSENT CALENDAR – MOTION 09R2-02-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY MARK WESSELS TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR: (1.) REGULAR MEETING MINUTES OF AUGUST 26, 2013; (2.) SPECIAL MEETING MINUTES OF AUGUST 29, 2013; (3.) REGULAR MEETING MINUTES OF SEPTEMBER 9, 2013; (4.) AUGUST 2013 WASTEWATER TREATMENT DISCHARGE MONITORING REPORT; (5.) NORTH AMBULANCE RUN REPORT – AUGUST 2013; (6.) WASTE PARTNERS RECYCLING REPORTS FOR JULY AND AUGUST 2013; (7.) LETTER DATED SEPTEMBER 6, 2013 FROM CROW WING POWER RE: ELECTRIC LINE REPLACEMENT; (8.) LETTER DATED SEPTEMBER 10, 2013 FROM CROW WING POWER RE: VEGETATION MANAGEMENT PROJECT; (9.) LETTER DATED SEPTEMBER 17, 2013 FROM COLLEEN SHEEHAN RE: ATV RESTRICTIONS; (10.) RESOLUTION REGARDING UNPAID SERVICE CHARGES; (11.) MEMO DATED SEPTEMBER 23, 2013 FROM MIKE LYONAIIS RE: RECOMMENDATION TO CLOSE FUND 415 – AMBULANCE PROJECT FUND; (12.) MEMO DATED SEPTEMBER 23, 2013 FROM MIKE LYONAIIS RE: UPDATE ON PURCHASE OF NEW PLOW TRUCK; (13.) BILLS FOR APPROVAL IN THE AMOUNT OF \$15,187.22; AND (14.) ADDITIONAL BILLS FOR APPROVAL IN THE AMOUNT OF \$5,570.72. MOTION CARRIED WITH ALL AYES.

D. MAYOR'S REPORT – Mayor Schneider reported that he recently attended a WAPOA presentation to the House Legacy Committee regarding planning for lake management and invasive species. The Mayor requested that citizens stay informed.

E. CITY ADMINISTRATOR'S REPORT

1. MOTION 09R2-03-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY GARY HEACOX TO APPROVE THE APPLICATION AND PERMIT FOR A ONE DAY TEMPORARY ON-SALE LIQUOR LICENSE FOR IMMACULATE HEART

CHURCH FOR A WILD GAME FEED DINNER TO BE HELD ON DECEMBER 7, 2013. MOTION CARRIED 4-1 WITH MAYOR SCHNEIDER ABSTAINING.

2. Dan Vogt reported that he met with department heads to discuss cell phone usage and reimbursement. It was determined that no changes were necessary to the Police Department and Public Works Department cell phone policy because they are on-call 24 hours a day. The remaining department heads agreed that a \$30 stipend per month for work related calls on their personal cell phones was adequate. MOTION 09R2-04-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY MARK WESSELS TO APPROVE A \$30 STIPEND PER MONTH TO DEPARTMENT HEADS USING THEIR PERSONAL CELL PHONES FOR WORK RELATED MATTERS EFFECTIVE 10/1/13. MOTION CARRIED WITH ALL AYES.

F. COMMISSION REPORTS

1. PARK AND RECREATION/LIBRARY

- a. Jon Henke gave the Council an update on the Community Center parking lot and sidewalk improvements. The estimate to add this project to the current 2013 Street Improvement project is approximately 10-20% higher than anticipated. If the City waits until the spring of 2014, that cost could decrease. It is too late in the year to complete the seal coating. MOTION 09R2-05-13 WAS MADE BY MARK WESSELS AND SECONDED BY GARY HEACOX TO POSTPONE THE COMMUNITY CENTER PARKING LOT AND SIDEWALK PROJECT UNTIL SPRING 2014. MOTION CARRIED WITH ALL AYES.

MOTION 09R2-06-13 WAS MADE BY MARK WESSELS AND SECONDED BY JOHN MOENGEN TO RELEASE FINAL PAYMENT OF \$10,000 TO ANDERSON BROTHERS CONSTRUCTION FOR TENNIS COURT CONSTRUCTION. Jon Henke reported that Ted Strand and he conducted drainage tests and were satisfied that it met specifications. MOTION CARRIED WITH ALL AYES.

G. CITY ATTORNEY REPORT – None

H. OLD BUSINESS – None

- I. NEW BUSINESS** – Ken Anderson read a letter he wrote to the Council dated September 19, 2013 explaining the notification he received from Dan Vogt regarding the Council's consideration of contracting with Crow Wing County to handle Planning and Zoning services in Crosslake. Mr. Anderson reported that he had planned on vacationing this week and asked that the Council delay action on the matter until he and Bryan Hargrave had an opportunity to review the proposed action and be available to attend and participate in the discussion.

Mayor Schneider stated that he campaigned to have the Land Use Ordinances changed and was disappointed that no action has taken place yet. Steve Roe argued that the Council never directed Mr. Wessels and Mr. Heacox to take a proposal for Planning and Zoning services to the Crow Wing County Board. The committee was supposed to bring their findings back to the Council for discussion. Mark Wessels stated that the committee is bringing three options to the Council on Tuesday night for consideration. Mr. Wessels and Mr. Heacox are

recommending that the Council approve Option C which would contract with Crow Wing County to handle Planning and Zoning services in Crosslake and save the City \$147,000.

MOTION 09R2-07-13 WAS MADE BY DARRELL SCHNEIDER AND SECONDED BY MARK WESSELS TO ACCEPT THE LETTER FROM KEN ANDERSON DATED SEPTEMBER 19, 2013. MOTION CARRIED 4-1 WITH ROE OPPOSED.

STEVE ROE MADE A MOTION TO HAVE THE COUNCIL CONSIDER KEN ANDERSON'S LETTER, REQUESTING THAT THE COUNCIL POSTPONE ACTION, AT THE MEETING TOMORROW. MOTION FAILED FOR LACK OF A SECOND.

MOTION 09R2-08-13 WAS MADE BY STEVE ROE AND SECONDED BY DARRELL SCHNEIDER TO ALLOW PUBLIC FORUM AT TOMORROW'S MEETING. MOTION CARRIED WITH ALL AYES.

Several residents, including Virginia Merrill, Dick Dietz, Pat Netko and Dave Fischer, appeared before the Council to question the information provided by Gary Heacox and Mark Wessels and to support the current Planning and Zoning staff.

Dave Nevin appeared before the Council representing a woman on Big Pine Lake and asked for direction regarding the recent flooding and drainage issues. Mark Wessels suggested that the property owner work with the DNR and Crow Wing Soil and Water.

Planning and Zoning Commission Chair Dave Schrupp addressed the Council and stated that the Commission had asked for Council direction regarding changing the Ordinances and received none. Mr. Schrupp argued that the biggest issue facing Planning and Zoning staff is lack of communication from the Council.

J. PUBLIC FORUM – None.

K. ADJOURN – MOTION 09R2-09-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY MARK WESSELS TO ADJOURN THE MEETING AT 7:50 P.M. TO A SPECIAL MEETING OF THE CITY COUNCIL TO BE HELD ON TUESDAY, SEPTEMBER 24, 2013 AT 7:00 P.M. TO DISCUSS THE PLANNING AND ZONING DEPARTMENT. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,



Charlene Nelson
City Clerk

Deputy Clerk/Minutes/9-23-13

RESOLUTION NO. 13-17

**CITY OF CROSSLAKE
COUNTY OF CROW WING
STATE OF MINNESOTA**

RESOLUTION REGARDING UNPAID SERVICE CHARGES

WHEREAS, Minnesota Statutes, Chapter 366.012, authorizes a town board to certify to the County Auditor, on or before October 15 for each year, any unpaid service charges which shall then be collected together with property taxes levied against the property.

WHEREAS, Minnesota Statutes 415.01, Subd. 1, authorizes a city to exercise "within its limits any of the powers conferred by the chapters (365 to 368) upon towns."

WHEREAS, the Code of Ordinances of the City of Crosslake, MN, Appendix A, City Fee Schedule, provides: "CERTIFICATION OF UNPAID CHARGES – Nothing in this section shall be held or construed as in any way stopping or interfering with the City's right to certify as unpaid service charges or assessments against any premises affected, any past due and/or delinquent fees, including interest and late fees. Each and every unpaid fee is hereby made a lien upon the lot, land, or premises served, and such charges that are past due and/or delinquent on October 15th of each year shall be certified to the Crow Wing County Auditor. The charges shall be collected and the collection thereof enforced in the same manner as county and state taxes, subject to like penalties, costs and interest charges. Upon certification to the County Auditor, any past due and/or delinquent fees shall be due and payable to the office of the County Auditor."

WHEREAS, a Settlement Agreement to Install a Septic System (hereafter "Agreement") was approved by the Crosslake City Council on November 14, 2011, and signed by Jere Miller and dated December 7, 2011, property owner of the property at 36039 Bonnie Lakes Road, Crosslake, MN.

WHEREAS, said Agreement allows the City to assess the costs and Mr. Miller agreed to not contest said assessment and waived his right to appeal said special assessment for installing the septic tank and drainfield, including the legal costs to draft the Agreement.


WHEREAS, the septic system was installed on July 19, 2013, for a cost of \$3,420.00 and the legal costs to draft the Agreement were \$181.25 with both costs paid in full by the City of Crosslake.

WHEREAS, as of September 15, 2013, the above listed legal and service fees were due and payable per said Agreement to the City of Crosslake, Minnesota:


<u>TAX PAYER NAME</u>	<u>REAL ESTATE CODE</u>	<u>AMOUNT</u>
Jere M. Miller	141770000280009	\$ 3,601.25

NOW, THEREFORE, BE IT RESOLVED that the City of Crosslake City Council hereby certifies as delinquent the above listed legal and service fees as of September 23, 2013, as taxes or assessments on the real estate identified above.

Adopted by the Crosslake City Council this 23rd day of September, 2013.



Darrell Schneider
Mayor



Charlene Nelson
City Clerk

BILLS FOR APPROVAL
September 23, 2013

VENDORS	DEPT	AMOUNT
Anderson Brothers, color coat tennis courts	P&R	675.00
Anderson Brothers, sunset island bridge patch	PW	253.45
AW Research, water testing	Sewer	131.40
Baker & Taylor, books	Library	285.69
BSN Sports, volleyball net, paint	P&R	270.38
Build All Lumber, nails	P&R	8.98
California Contractors, super wipes	PW	621.60
Crosslake Demolition, debris removal	P&R	646.38
Crow Wing Power, electric service	ALL	6,747.86
Fyle's, portable restrooms	P&R	256.50
Guardian Pest Solutions, pest control	ALL	82.94
Herculift, annual inspection	PW	146.42
Johnson, Killen & Seiler, labor attorney fees	Gov't	722.50
Linescape Linestripping, bonnie lakes road and dagget pine	PW	1,610.00
Mastercard, Amazon.com, vacuum	P&R	382.00
Mastercard, Fleet Farm, salt block	P&R	131.04
Mastercard, Soccer.com, uniforms	P&R	240.39
Mastercard, Spa Partners, gym equipment wipes	P&R	234.58
Mastercard, Whitefish Auto, maintenance	P&R	197.97
Mid American Research, dispensers	P&R	92.84
Napa Auto Parts, bulb	PW	43.39
North Central Lawn Care, large turf rotor	P&R	150.00
Northern Lakes Embroidery, silver sneakers tshirts	P&R	43.00
Northern Lakes Embroidery, soccer uniforms	P&R	238.00
Northland Fire Protection, recharge extinguisher	PW	54.93
Northwood Turf and Power, plug	PW	10.94
Oriental Trading, halloween party supplies	P&R	154.59
Randy Herrlich, soccer ref	P&R	32.00
Reed's Market, coffee	Gov't	50.81
The Office Shop, flash drives	P&Z	51.28
The Office Shop, folders, ink cartridges, paper	P&Z/Admin	114.69
Ziegler, couplings	PW	505.67
TOTAL		15,187.22

ADDITIONAL BILLS FOR APPROVAL
September 23, 2013

VENDORS	DEPT		AMOUNT
AW Research, water testing	Sewer		131.40
Fastenal, cable ties, vests	PW		356.17
Holiday Station, premium fuel	PW		49.63
Marco, copier lease	ALL		428.25
Napa, battery	PW		91.31
Northland Press, ordinance 316, meeting notice of 9/20	P&Z		195.05
Northland Press, meeting notice of 9/27	P&Z		157.70
The Office Shop, binder clips	P&Z/Admin		14.58
The Office Shop, dvd cases	P&Z/Admin		19.23
WSN, engineering fees	ALL		4,127.40
TOTAL			5,570.72