

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, SEPTEMBER 14, 2009
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, September 14, 2009. The following Council Members were present: Mayor Jay Andolshek, Steve Roe, John Moengen, Dean Swanson and Rusty Taubert. Also present were City Administrator Tom Swenson, Clerk/Treasurer Darlene Roach, Community Development Director Ken Anderson, Police Chief Bob Hartman, Public Works Director Ted Strand, Park and Recreation Director Jon Henke, Fire Chief Keith Anderson, General Manager Paul Hoge, City Attorney Mike Couri, City Engineer Dave Reese, Public Works Commissioners Darrell Schneider Sr., Gary Olson and Carla Bulman, 11 Members of the Fire Department, and Echo Publishing Reporter Katie Anderson. There were approximately fifteen people in the audience.

A. CALL TO ORDER – Mayor Andolshek called the Regular Council Meeting to order at 7:00 P.M. MOTION 09R-01-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY RUSTY TAUBERT TO ACCEPT THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.

B. CRITICAL ISSUES –

1. Fire Chief Keith Anderson appeared before the Council to acknowledge three retired firefighters. Jeff Cripps, Ron Schmidt and Bill Floerchinger had a total of 65 years of service between the three of them. Chief Anderson stated that the retirees were very dedicated and their service was appreciated. Each retiree was presented a plaque. Mayor Andolshek thanked the retired firefighters for their many years of service.

Jenny Max, replacing Darlene Roach as Clerk/Treasurer on September 21, 2009, attended the meeting and introduced herself to the Council. Ms. Max stated that she and her husband moved to Crosslake seven years ago from California and that they have two children.

Mayor Andolshek and Tom Swenson presented Clerk/Treasurer Darlene Roach with a clock to commemorate her 16 plus years of service with the City of Crosslake. Both thanked her for her service to the public, Council and staff. Darlene Roach stated that she enjoyed her time with the City and is looking forward to retirement.

2. The City Council met in a closed session at 6:30 P.M. for the purpose of discussing pending litigation regarding the Shoutz Subdivision with the League of Minnesota Cities' attorney that is representing the City of Crosslake. A Resolution resulting from the closed session at 6:30 P.M. was given to the Council for review. Pursuant to its Ordinance regarding Park Dedication Fees, Minnesota Statutes 462.358, its Comprehensive Plan and Comprehensive Park and Recreation Plan, the City of Crosslake is reducing the cash in lieu of land for Park Dedication for Cary and Nikki Shoutz, Subdivision 2009-003 by \$782.47.

The amount held in escrow will be reduced to \$6,164.20. MOTION 09R-02-09 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO APPROVE RESOLUTION 09-14 REGARDING SHOUTZ SUBDIVISION 2009-003. MOTION CARRIED WITH ALL AYES.

3. Attorney Couri stated that the Planning and Zoning Commission met in a Special Session earlier in the day to consider whether Conditional Use Permit 2004-001, approved for Cynthia Holden, should be revoked, modified or remain unchanged, due to alleged violations of the conditions of approval. Ordinance No. 264 authorizes the Planning and Zoning Commission to recommend to the City Council whether the conditional use permit should be revoked, modified or remain unchanged. Attorney Couri reported that the Planning and Zoning Commission reviewed the matter at its meeting of August 28, 2009 and made a motion to revoke the permit, but failed to make a recommendation to the City Council for final action as required. At today's Special Planning and Zoning Commission Meeting, the Commission passed a motion to modify the existing Conditional Use Permit. The City Council made the following findings of fact: 1.) The existing conditions of the CUP should be modified to reflect a changed use of the building; 2.) Twelve parking spaces are adequate for the Property based on the current use; 3.) The parking lot is not properly striped, nor are the handicapped parking spaces properly marked; 4.) Landscaping needs to be installed; and 5.) Existing signage needs to be brought into compliance with City ordinance. MOTION 09R-03-09 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE RESOLUTION NO. 09-15 MODIFYING THE CONDITIONAL USE PERMIT FOR PID #120163400DB0889 AS FOLLOWS: 1.) TWELVE PARKING SPACES SHALL BE STRIPED, WITH PROPER STRIPING FOR HANDICAPPED PARKING AND PROPER DISABILITY SIGNAGE INSTALLED; 2.) THE OWNER SHALL ALLOW CITY PLANNING AND ZONING STAFF INTO THE BUILDING TO INSPECT THE INTERIOR OF THE BUILDING TO ENSURE THAT THE AREAS OF THE BUILDING BEING USED ARE CONSISTENT WITH THE 12 PARKING SPACES AS REPRESENTED BY THE OWNER; 3.) A TOTAL OF NO MORE THAN 150 SQUARE FEET OF ON-BUILDING SIGNAGE BE DISPLAYED ON THE BUILDING; 4.) ONE OF THE FREE-STANDING PYLON SIGNS BE REMOVED AND THE REMAINING ONE BE BROUGHT INTO COMPLIANCE WITH ALL APPLICABLE ORDINANCE REQUIREMENTS; 5.) THE OWNER SHALL SUBMIT A LANDSCAPING PLAN FOR REVIEW AND APPROVAL BY CITY STAFF, AND IMPLEMENTATION BY THE OWNER; 6.) THE OWNER COMPLY WITH ALL REQUIREMENTS OF THIS MODIFIED CUP AND THE REMAINING TERMS OF THE EXISTING CUP WITHIN 60 DAYS OF APPROVAL BY THE CITY COUNCIL; 7.) ALL TERMS IN THE ORIGINAL CUP THAT ARE NOT MODIFIED BY THIS AMENDMENT SHALL REMAIN EFFECTIVE; AND 8.) THIS MODIFICATION SHALL ONLY BE EFFECTIVE IF AGREED TO IN WRITING BY THE OWNER WITHIN 60 DAYS OF ITS APPROVAL BY THE CITY COUNCIL. Dean Eggena appeared before the Council and stated that he is representing Cynthia Holden in this matter. Mr. Eggena questioned the intent of the condition allowing the Planning and Zoning Staff to inspect the

building and stated he thought Staff only needed to check the building to see if it was compliant with the Accessibility Code. Attorney Couri stated that in addition to checking the building for accessibility, City Staff wanted to determine the use of the building so that they could confirm that 12 parking spaces are sufficient. Mayor Andolshek asked if there would be many vehicles parked on the street and whether vehicle repair would be performed there. Mr. Eggena stated that he did not expect there to be much parking on the street and that Brothers Motorsports would not be doing any type of repair work at this location. The 60 days to complete the modified conditions would begin as of today. MOTION CARRIED WITH ALL AYES.

C. CONSENT CALENDAR – MOTION 09R-04-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR: (1.) REGULAR COUNCIL MEETING MINUTES OF AUGUST 10, 2009; (2.) SPECIAL COUNCIL MEETING MINUTES OF AUGUST 19, 2009; (3.) SPECIAL COUNCIL MEETING MINUTES OF AUGUST 26, 2009; (4.) SPECIAL COUNCIL MEETING MINUTES OF SEPTEMBER 2, 2009 (5.) CROSSLAKE COMMUNICATIONS BALANCE SHEET AND INCOME STATEMENT/DETAIL OF RESERVE BALANCES DATED JULY 31, 2009; (6.) CITY MONTH END REVENUE REPORT DATED JULY 2009; (7.) CITY MONTH END EXPENDITURE REPORT DATED JULY 2009; (8.) PLEDGED COLLATERAL REPORT DATED 9/8/09 FROM DARLENE ROACH; (9.) LAKES STATE BANK PLEDGE REPORT DATED AUGUST 2009; (10.) NORTHERN NATIONAL BANK PLEDGE REPORT DATED AUGUST 2009; (11.) LAKEWOOD BANK PLEDGE REPORT DATED AUGUST 2009; AND (12.) RIVERWOOD BANK PLEDGE REPORT DATED AUGUST 2009. MOTION CARRIED WITH ALL AYES.

D. PUBLIC FORUM – Armond Gease of 11770 Cross Avenue appeared before the Council on behalf of his neighborhood to discuss their concerns that the Planning and Zoning Department has not complied with the written policy in enforcing the City Building Codes and Permits. Mr. Gease gave the Council a letter signed by the property owners and pictures of the property in their neighborhood that continues to be under various states of construction. Mr. Gease reported that the building at 33578 Lake street, owned by John Alexander, is still covered with tar paper and some windows on the lake side have only plastic film covering them. The side and front decks with concrete block foundations are unfinished, the back entry steps are unfinished, making it a hazard. A metal pipe stands on the lot line for future solar heat panels. There is fill in the unfinished yard that washes into the lots on the side and into the neighbors garden. Mr. Gease requested that the City Council take this matter under consideration and require an inspection of the property for possible violations. Ken Anderson noted that this matter was brought before the City Council several years ago and that the Council at that time determined that no violation occurred and that the City did not need to take any action. It was the consensus of the Council that the Planning and Zoning Department should investigate this complaint.

E. MAYOR'S REPORT – None.

F. CITY ADMINISTRATOR'S REPORT --

1. City Bills for Approval -- MOTION 09R-05-09 WAS MADE BY DEAN SWANSON AND SECONDED BY JOHN MOENGEN TO APPROVE THE BILLS FOR PAYMENT FOR SEPTEMBER AS SUBMITTED IN THE AMOUNTS OF \$40,559.09 AND \$10,967.68. MOTION CARRIED WITH ALL AYES.
2. A memo dated September 3, 2009 from the City Administrator regarding the Proposed 2010 Budget, Preliminary 2009/Collectible 2010 Tax Levy and a Resolution increasing the monthly sewer user fees was included in the packet for Council review. Attached to the memo were the Proposed 2010 Expenditure Budget totaling \$4,021,780, the Proposed Revenue Budget totaling \$4,021,780, and the Preliminary 2009/Collectible 2010 Tax Levy totaling \$2,787,699 which would be necessary to fund the attached 2010 Expenditure Budget. Tom Swenson reported that the impact on the Levy to fund the proposed Budget is an increase of \$58,523 or 2.1% from 2009. The proposed levy of 2,787,699 includes 28,729 for the reduction in the state funded Market Value Homestead Credit Program. Whatever the levy amount is that the City certifies to the County Auditor, it will be reduced by 28,729 before the County remits the property tax receipts to the City in June and December of 2010. The State of Minnesota would normally then pay the 28,729 directly to the City. However, due to the State's budget problems, the State has informed the City that it will not pay the City for the value of the Market Value Homestead Credit. Therefore, in order to actually receive the revenues required to fund the proposed budget, the City needs to increase the levy by 28,729. This increase in the levy is revenue-neutral. The County will remit property tax receipts to the City in an amount 28,729 less than the amount of the City's final certified levy. Therefore, the amount of the levy and the percent of increase in the levy are overstated by 28,729. This brings the Proposed Spread Levy Increase to \$29,794 or 1.1%. Crow Wing County has provided the City with estimates of the increases in market value and tax capacity for new construction which will be included in next years property tax base. If the same tax rate were used in 2010 as payable 2009, the new construction would generate 27,834 in additional taxes. Using a conservative figure of 18,000 being generated by new construction, the impact of the proposed spread levy on the existing tax base would be an increase of \$11,794 or 0.43%. The City will hold a Public Meeting on December 7, 2009 at 6:00 P.M. to review and take public comments on the Proposed 2010 Budget and 2009/Collectible 2010 Tax Levy. MOTION 09R-06-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY DEAN SWANSON TO ADOPT THE PRELIMINARY 2010 BUDGET WITH REVENUES TOTALING \$4,021,780 AND EXPENDITURES TOTALING \$4,021,780. MOTION CARRIED WITH ALL AYES.

MOTION 09R-07-09 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO ADOPT RESOLUTION NO. 09-16 APPROVING PRELIMINARY 2009 TAX LEVY COLLECTIBLE IN 2010, TOTALING \$2,787,699. MOTION CARRIED WITH ALL AYES.

MOTION 09R-08-09 WAS MADE BY STEVE ROE AND SECONDED BY JOHN MOENGEN TO APPROVE RESOLUTION NO. 09-17 INCREASING MONTHLY SEWER USER FEES FROM \$33 TO: COMMERCIAL \$36.00 PER MONTH PER 8,000 GALLONS OF METERED USAGE AND RESIDENTIAL \$36.00 PER MONTH EFFECTIVE UPON THE JANUARY 2010 BILLING FOR DECEMBER 2009 USAGE. MOTION CARRIED WITH ALL AYES.

3. A memo dated September 8, 2009 from Darlene Roach regarding Landscape Contractors/Excavators Licenses was included in the packet for Council review. MOTION 09R-09-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY DEAN SWANSON TO APPROVE ISSUANCE OF LANDSCAPE CONTRACTORS/EXCAVATORS LICENSES TO WOOD SPIRIT GARDENS AND PINNACLE PROPERTY MANAGEMENT. MOTION CARRIED WITH ALL AYES.
4. Included in the packet for Council information was a memo dated September 8, 2009 from Darlene Roach regarding the 2009 approved landscape contractors/excavators.

G. COMMISSION/DEPARTMENT REPORTS –

1. PARK AND RECREATION/LIBRARY –

- b. Park Director Jon Henke reported that the Community Center offers aerobics on Mondays, Tuesdays and Thursdays, however, no classes will be held the week of September 21st. The third annual Links for the Library fundraising event will take place on Sunday, October 4th. Registration will be at 1:30 with tee off at 2:00. This annual event is held at Crosswoods Golf Course. The tournament will be in a scramble format with four person teams. Registration is \$30 per person. The Children's Story Hour Program will take place on Thursdays at 10:30 A.M. and is for children ages 2-6. The Kitchigami Mobile Library makes regular stops at the Community Center on the second and fourth Thursdays of every month from 12:45 to 2:45 P.M. The Crosslake Area Library will host a community visioning session for future plans of the Library at the end of September. The date of the event has not been finalized. This session is being held so the community can get up to date on the future possibilities for the Library, to collect ideas from patrons on how they would like to see the Library function in the future and decide whether the Library should become independent. Yoga is available at the Community Center on Monday nights from 5:15 to 6:45 P.M. and on Thursday mornings from 10:00 to 11:30 A.M. 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. Attendance for the Community Center for the month of August was 9,723 and for the Library was 4,754. The Crosslake Park and Recreation Department has created a program for local wood carvers to get together. The club meets the first and third Tuesday of the month at 1:30 P.M. The Chautauqua program on October 14th from 1:30 to 3:30 P.M. will feature the Turn In Poachers (TIP) Program: Who They Really Are; What They Really Do. Patsy Bernhjelm, the first woman ever to

head the Minnesota Turn In Poachers (TIP) Program, will be the presenter. She will explain the workings of the program and how citizens may become members. As part of the program, conservation officer Nikki Shoutz will present examples of poaching cases. The Community Center offers an array of fitness equipment. The Chess Club meets on Friday mornings at 10:00 A.M. The Fall/Winter and Spring hours for the Community Center will be from 8-8 Mondays – Thursdays, 8-5 Fridays, 10-4 Saturdays, and 1-5 Sundays. The Library regular hours will be from 10-4 Mondays, Wednesdays, Thursdays and Fridays, 10-8 Tuesdays, 10-1 Saturdays. The Community Center and Library both received donations in the month of August. MOTION 09R-10-09 WAS MADE BY JOHN MOENGEN AND SECONDED BY STEVE ROE TO ACCEPT A \$25 DONATION FROM THE ROBERT SOLTIS MEMORIAL FOR THE LIBRARY, A \$100 DONATION FROM CLARENCE AND JEAN HOSFORD FOR THE LIBRARY, A \$250 DONATION FROM THE WHITEFISH AREA LIONS FOR THE ANNUAL CHILDREN'S HALLOWEEN PARTY, A DONATION OF A LOAD OF RIP RAP FROM JEFF AND EVA KREITZ FOR USE ON THE WATER FEATURE ADJACENT TO THE LIBRARY, A DONATION OF WALL BUILDING ROCK FROM LAKESHORE CONSTRUCTION SERVICES, INC FOR USE IN THE CONSTRUCTION OF THE WATER FEATURE, A DONATION OF VARIOUS PLANTS AND A LARGE ROCK FROM DAVID AND KAREN KETTELSON FOR THE WATER FEATURE, A DONATION OF LUNCH FROM JIM AND SALLEE BIRKELO FOR THE VOLUNTEERS FOR TWO OF THE WORK DAYS OF THE WATER FEATURE, A DONATION OF ROCK FROM ANDERSON BROTHERS FOR THE WATER FEATURE, A \$200 DONATION FROM THE AMERICAN LEGION AUXILIARY FOR THE CHILDREN'S HALLOWEEN PARTY, A DONATION OF THE CHILDREN'S MURAL CREATED BY LOCAL ARTIST JIM STEVENSON FROM THE PAL FOUNDATION, AND A DONATION OF THE WATER FEATURE, INCLUDING THE HIRING OF THE CONTRACTOR, FROM THE PAL FOUNDATION. MOTION CARRIED WITH ALL AYES. Jon Henke showed pictures of the water feature project which is adjacent to the Library and thanked the PAL Foundation, Crosslake Area Garden Club, community volunteers and City Staff for their work on the project. The PAL Foundation hired the contractor and will reimburse the City for supplies needed for the project through an anonymous donation. Jon Henke acknowledged the Crosslake Area Garden Club for their donation of \$250 to the PAL Foundation for the water feature. The patio and water feature are open during the Library's regular hours of operation. The Community Center offers volleyball Wednesdays from 6:30 to 8:45 P.M. and the cost is \$15 for ten weeks or \$3 per day. AAA is sponsoring a senior driving 4-hour refresher class on October 8th from 9:00 A.M. to 1:00 P.M. The Whitefish Area Lions Club will host their annual craft and bake sale Saturday, September 26th at the Community Center.

- b. The Crosslake Park and Recreation/Library Commission Minutes of July 29, 2009 were included in the packet for Council information.

- c. The Fund Raising Meeting Minutes of August 17, 2009 were included in the packet for Council information.
2. PUBLIC WORKS/CEMETERY/SEWER –
- a. The Public Works Commission Meeting Minutes of August 3, 2009 were included in the packet for Council information.
 - b. A letter dated August 27, 2009 from WSN to Anderson Brothers regarding the punch list for the 2009 Crosslake Street Improvements was included in the packet for Council information.
 - c. A memo dated September 9, 2009 from the Public Works Commission regarding a recommendation on an engineering proposal for the 2010 Road/Trail Improvement Projects was included in the packet for Council review. Ted Strand stated that the project includes reclaiming and paving the east 4/10 mile of Harbor Lane to where it meets Ideal Township and the trail on CSAH 66/3 from the Daggett Channel to Sand Pointe Road will be milled with the millings salvaged and then repaved. MOTION 09R-11-09 WAS MADE BY JOHN MOENGEN AND SECONDED BY JAY ANDOLSHEK TO APPROVE THE SEPTEMBER 3, 2009 WSN PROPOSAL FOR ENGINEERING SERVICES, HARBOR LANE AND CSAH 66/3 RECONSTRUCTION, 2010 STREET AND TRAIL IMPROVEMENTS. Ted Strand stated that Ideal Township is considering improving their portion of Harbor Lane at the same time. MOTION CARRIED WITH ALL AYES.
 - d. A memo dated September 9, 2009 from the Public Works Commission regarding an engineering proposal for Manhattan Point Boulevard Road/Trail Improvements was included in the packet for Council review. Tom Swenson stated that a private party offered the City a substantial donation to construct a trail from Camp Knutson to Whitefish Avenue on the south side of Manhattan Point Boulevard. The City also looked into the possibility of using funding from Crow Wing Power's Lighting and Safety Program toward this project. Representatives from the City, WSN, Crosslake Communications and Crow Wing Power have reviewed the site for the proposed trail and its potential impact on utilities. Dave Reese appeared before the City Council at a recent Budget Meeting to further discuss the project. It was the recommendation of the engineers and staff that if the project were to take place, the design of both the road and trail should be done prior to the trail improvement in order to avoid any future conflict between the road and trail. At the Budget Meeting, the City Council agreed to increase the engineering budget an additional \$30,000 to be used toward the engineering of both the road and proposed trail. Tom Swenson reported that Doug Harren of Crow Wing Power felt the use of funds from the Lighting and Safety Program would be eligible for this project. Private donor Gerry Bilski agreed to donate \$100,000, with half being paid upfront and the other half when the bid is awarded to the contractor. Attorney Couri explained that the City cannot take money for a certain project because it goes into the General Fund and cannot be refunded if the project does not move forward. Tom Swenson stated that although only the trail on Manhattan Point Boulevard would be constructed in 2010, the engineers thought it was important to design both the road and the trail at the same time. The road is

currently scheduled to be updated in 2013. Mayor Andolshek stated that the total proposed fee for engineering services was \$75,000 and included survey, design, bid set plans/specifications, and construction observation. Gerry Bilski addressed the Council and stated that he has lived in Crosslake for 44 years. He decided that a trail was necessary a month ago when he saw a grandmother pushing a buggy and talking on the cell phone while walking down Manhattan Point Boulevard. He is afraid someone is going to get killed. MOTION 09R-12-09 WAS MADE BY STEVE ROE AND SECONDED BY DEAN SWANSON TO ACCEPT THE DONATION OF \$50,000 FROM GERALD BILSKI TO BE USED TOWARD THE CONSTRUCTION OF THE TRAIL ON MANHATTAN POINT BOULEVARD. MOTION CARRIED WITH ALL AYES.

MOTION 09R-13-09 WAS MADE BY DEAN SWANSON AND SECONDED BY JOHN MOENGEN TO APPROVE THE SEPTEMBER 3, 2009 WSN PROPOSAL FOR ENGINEERING AND LAND SURVEYING SERVICES, MANHATTAN POINT BOULEVARD ROADWAY AND TRAIL DESIGN/CONSTRUCTION. MOTION CARRIED WITH ALL AYES.

City Engineer Dave Reese presented three quotes for geo-technical services for soil borings related to the Manhattan Point Boulevard and Harbor Lane Projects. Quotes were received from Braun Intertec, ITT, and Northern Technologies. All proposals provided the scope that was requested and sufficient detail. Dave Reese recommended accepting the low quote from ITT and stated that WSN has worked with this company on other projects. MOTION 09R-14-09 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO ACCEPT THE LOW QUOTE FROM ITT IN THE AMOUNT OF \$1,480 FOR GEO-TECHNICAL SERVICES ON MANHATTAN POINT BOULEVARD AND HARBOR LANE. MOTION CARRIED WITH ALL AYES.

- e. A memo dated September 9, 2009 from the Public Works Commission regarding a recommendation for a Feasibility Study for Bio-Solids Treatment was included in the packet for Council review. Tom Swenson explained that reed beds are used in treating wastewater sludge by breaking down the bio-solids which can eventually be used as compost or soil. Mr. Swenson also discussed the City's vulnerability going into the future for the disposal of bio-solids using land application by Fyle's versus on-site bio-solids treatment utilizing reed beds. Public Works Commissioner Gary Olson addressed the Council and stated that the Commission considered the increasing cost to have Fyle's remove the sludge, the possibility of Mr. Fyle retiring in the near future, and the fact that the MPCA may no longer issue a permit to land apply the sludge. Steve Roe asked if the Commission considered the use of polishing ponds. Ted Strand replied that the effluent filters used at the plant do the same job as polishing ponds and that there is not enough land at the plant to install polishing ponds. Mayor Andolshek asked what Fyle's charges. Ted Strand replied that the cost in 2009 was \$12,000 which is double what he

expected. MOTION 09R-15-09 WAS MADE BY JOHN MOENGEN AND SECONDED BY DEAN SWANSON TO APPROVE THE JULY 29, 2009 WSN ENGINEERING PROPOSAL FOR FEASIBILITY STUDY – BIO-SOLIDS TREATMENT (REED BEDS) AT A COST NOT TO EXCEED \$3,500. MOTION CARRIED WITH ALL AYES.

- f. A memo dated September 9, 2009 from the Public Works Commission regarding a recommendation for a Feasibility Study for Sanitary Sewer Extension was included in the packet for Council review. The Public Works Commission reviewed its past investigation of various areas of the City potentially needing wastewater treatment along with how to serve those areas. Following the review, it was the conclusion of the Public Works Commission that the most feasible area for a sanitary sewer extension would be the Daggett Bay Road, Norway Trail, Brook Street, Kimball Road, and Kimball Court area. This extension would also continue wastewater treatment along the north shore of Daggett Lake heading toward the potential future problem area of Dream Island. It was the consensus of the Public Works Commission that the first step in the investigation of a sanitary sewer extension would be the completion of a Feasibility Study. Public Works Commissioner Carla Bulman displayed a map of the various areas in Crosslake where sanitary sewer could be beneficial. Tom Swenson noted that the plant has capacity to take on more users. Public Works Commissioner Darrell Schneider, Sr. appeared before the Council and stated that the Commission has been working on this project since the beginning of the year. Mr. Schneider stated that at this time, the Commission is not recommending extending the sewer to this area. A Feasibility Study for this area will give the City good cost estimates needed for future planning. Dream Island is approximately two miles from the proposed area. Gary Olson added that the Commission is not proposing that the project move forward at this time but that the City needs to learn the costs of extending the sewer. Dean Swanson asked for copies of the map that was developed by Carla Bulman and her daughter and stated that the City is a long ways off from implementing the project. MOTION 09R-16-09 WAS MADE BY JOHN MOENGEN AND SECONDED BY DEAN SWANSON TO APPROVE THE JULY 30, 2009 WSN ENGINEERING PROPOSAL FOR FEASIBILITY STUDY – DAGGETT BAY ROAD, NORWAY TRAIL, BROOK STREET, KIMBALL ROAD, AND KIMBALL COURT SANITARY SEWER EXTENSION AT A COST OF \$8,500. MOTION CARRIED WITH ALL AYES.

- g. The August 2009 Wastewater Treatment Discharge Monitoring Report was included in the additions of the agenda for Council information. Dean Swanson thanked the Commission Members for their research into the various topics presented this evening.

3. PUBLIC SAFETY –

- a. Chief Hartman reported 267 calls in Crosslake for August.
- b. Chief Hartman reported 40 calls in Mission Township for August.
- c. The August 2009 North Ambulance Run Report was included in the packet for Council information.

- d. The Crosslake Fire Department responded to 23 calls in August. Of those, 20 were medical calls and 3 were fire calls.
- e. Fire Chief Keith Anderson reported that the Fire Department asked the Crosslake/Ideal Lions for a donation to purchase a thermal imaging camera. The Fire Department currently uses an 11-year old camera. Technology has improved the imaging over the years and the cost has dropped significantly. These cameras eliminate many accidents inside a fire. MOTION 09R-17-09 WAS MADE BY JOHN MOENGEN AND SECONDED BY RUSTY TAUBERT TO ACCEPT THE DONATION OF \$10,700 FROM THE CROSSLAKE/IDEAL LIONS TO BE USED TOWARD THE PURCHASE OF A THERMAL IMAGING CAMERA. MOTION CARRIED WITH ALL AYES.

4. PLANNING AND ZONING –

- a. The Planning and Zoning Commission/Board of Adjustment Regular Meeting Minutes and Public Hearing of June 26, 2009 were included in the packet for Council information.
- b. The August 2009 Permit Summary was included in the packet for Council information. The year-to-date valuation for 2009 is \$1,930,390. Last year at this time the valuation was \$7,393,290.
- c. A staff report dated September 14, 2009 from the Planning and Zoning Commission regarding a recommendation to approve an ordinance amendment relating to regulations and exemptions for land alteration permits was included in the packet for Council review. Ken Anderson reported that this amendment relates to updating the regulations that apply to land alteration permits for impervious surfaces within the shoreland and nonshoreland areas of the City. The existing ordinance includes contradictory provisions with both a requirement and an exemption for driveway permits. This amendment will eliminate the exemption and require a driveway permit for improving or adding to an existing driveway or sidewalk. MOTION 09R-18-09 WAS MADE BY RUSTY TAUBERT AND SECONDED BY JAY ANDOLSHEK TO APPROVE ORDINANCE AMENDMENT NO. 280 RELATING TO REGULATIONS AND EXEMPTIONS FOR LAND ALTERATION PERMITS. Dean Swanson stated that maintenance of a driveway or sidewalk would still be allowed without a permit. John Moengen asked if the installation of stepping-stones would require a permit. Ken Anderson replied that those would be considered impervious coverage and would require a permit. MOTION CARRIED WITH ALL AYES.

MOTION 09R-19-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO PUBLISH ORDINANCE AMENDMENT NO. 280 IN SUMMARY FORM IN THE LEGAL NEWSPAPER. MOTION CARRIED WITH ALL AYES.

- d. A staff report dated September 14, 2009 from the Planning and Zoning Commission regarding a recommendation to approve an ordinance amendment relating to Telecommunication/Other Tower standards and Wind Energy Conservation Systems (WECS) was included in the packet for Council

review. Ken Anderson reported that this amendment separates the WECS language by removing it from Subdivision 18, Telecommunication/Other Tower Standards and inserting it in a new Subdivision 20 of Section 8.50, Performance Standards – General. The WECS section has been expanded with new requirements related to the minimum lot size and setbacks. A WECS facility shall not be allowed on any lot less than five acres in size and shall not be located within a shoreland area (within 1,000 feet of a public water body), and shall not be located water ward of the OHW of any public water body within the City. Steve Roe stated that the Commission considered the fall down radius of the tower and noise of the tower when determining the lot line setback. Ken Anderson stated that a WECS facility must meet the same noise standards that are in the Nuisance Ordinance of the City Code. Ken Anderson reported that the Planning and Zoning Commission visited a WECS facility site in the Brainerd area before completing the amendment. John Moengen asked why a tower would need to be 1,000 feet away from the lake. Ken Anderson replied that this rule is part of the Minnesota DNR Shoreland Act. MOTION 09R-20-09 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO APPROVE ORDINANCE AMENDMENT NO. 281 RELATING TO TELECOMMUNICATION/OTHER TOWER STANDARDS AND WIND ENERGY CONVERSION SYSTEMS (WECS). MOTION CARRIED WITH ALL AYES.

MOTION 09R-21-09 WAS MADE BY DEAN SWANSON AND SECONDED BY JOHN MOENGEN TO PUBLISH ORDINANCE AMENDMENT NO. 281 IN SUMMARY FORM IN THE LEGAL NEWSPAPER. MOTION CARRIED WITH ALL AYES.

- e. A staff report dated September 14, 2009 from Ken Anderson regarding the appointment of Gary Heacox as Alternate Planning and Zoning Commissioner was included in the packet for Council review. Ken Anderson reported that after Pete Abler's resignation from the Planning and Zoning Commission, Alternate Commissioner Dave Schrupp was appointed to serve Abler's remaining term as a regular member of the Commission. An advertisement for commissioners was placed in the Northland Press and on Crosslake Communications Channel 12. One application was submitted by Gary Heacox. Mr. Heacox has been serving on the Subdivision Advisory Committee for over a year. The Committee is reviewing the Subdivision Ordinance and will be submitting recommended changes to the Commission for later adoption by the City Council. Section 2.30 of the City Code specifies that appointments shall be made by the Mayor and confirmed by the City Council. MOTION 09R-22-09 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE MAYOR ANDOLSHEK'S APPOINTMENT OF GARY HEACOX TO THE POSITION OF ALTERNATE COMMISSIONER ON THE PLANNING AND ZONING COMMISSION/BOARD OF ADJUSTMENT, EFFECTIVE IMMEDIATELY. MOTION CARRIED WITH ALL AYES.

Rusty Taubert expressed his concern over the unfinished house on Lake Street that was brought to the Council's attention during Public Forum and asked if there is a remedy to fix the problem. Ken Anderson replied that he would bring the matter before the Planning and Zoning Commission and have them make a recommendation to the City Council. Steve Roe stated that enforcement action should be taken. Attorney Couri stated that this matter is difficult to enforce because Crosslake does not have the Building Code and that the court may have a hard time determining whether the structure is complete or not. John Moengen stated that there are many buildings within the City in the same state. Attorney Couri stated that the City may be able to require completion of parts of the building that may be hazardous. Rusty Taubert asked how the Planning and Zoning Department deals with driveways that are out of compliance. Steve Roe stated that if the City can't do anything to enforce the rules, the ordinance should be changed. Attorney Couri stated that he will do research to see how the courts have reacted when a property owner claims he cannot afford to finish the project that was started.

5. **CROSSLAKE COMMUNICATIONS –**

- a. Crosslake Communication's Bills for Approval – MOTION 09R-23-09 WAS MADE BY JOHN MOENGEN AND SECONDED BY RUSTY TAUBERT TO APPROVE THE JULY 2009 BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNT OF \$325,383.12. MOTION CARRIED WITH ALL AYES.
- b. The Highlights Report for August was included in the packet for Council information. Paul Hoge reported that the E-5 equipment installation is going well and the west Daggett area is 65% cut over. Crosslake Communications started contacting customers in the Milinda Shores area to begin the Fiber to the Home Project. Crosslake Communications has prepared a Pandemic Plan in case the office is affected by the pandemic flu. Approximately 150 people attended the Customer Appreciation. 247 Customer Satisfaction Surveys were returned and have been reviewed. There was an increase in customer satisfaction in all services.
- c. The Crosslake Communications Meeting Minutes of August 25, 2009 were included in the packet for Council information.
- d. The Crosslake Communications Customer Counts Report was included in the packet for Council information.

6. **RECYCLING –**

- a. The Crosslake Roll-Off Recycling Report for August 2009 was included in the packet for Council information.

7. **PERSONNEL COMMITTEE – None.**

8. **ECONOMIC DEVELOPMENT AUTHORITY – None.**

H. CITY ATTORNEY REPORT – A memo dated September 9, 2009 from Attorney Couri regarding the attorney updates was included in the packet for Council information.

I. OLD BUSINESS – None.

J. NEW BUSINESS – None.

K. PUBLIC FORUM – None.

L. ADJOURN – MOTION 09R-24-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY JOHN MOENGEN TO ADJOURN THIS REGULAR MEETING AT 9:13 P.M. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "Charlene Nelson".

Charlene Nelson
Deputy Clerk

Deputy Clerk/Minutes/9-14-09

**CITY OF CROSSLAKE
RESOLUTION NO. 09-14**

A RESOLUTION REGARDING SHOUTZ SUBDIVISION 2009-003

WHEREAS, Cary and Nikki Shoutz submitted an application for a metes and bounds subdivision of one residential lot into three residential lots on property located on the north side of County Road 36 and generally west of Pine Creek Trail;

WHEREAS, the City Code (Chapter 3, Section 3.30, Subd. 1.F.2) requires:

the developer of a subdivision shall dedicate 10% of his usable land to the public for park purposes, or at the option of the City Council, shall pay the City an amount equal to 10% of the current estimated market value of the land prior to development with a minimum fee of \$500 and a maximum fee of \$5,000 per lot/unit.

WHEREAS, on March 27, 2009, the Crosslake Planning & Zoning Commission/Board of Adjustment held a public hearing to discuss the Shoutz subdivision;

WHEREAS, the estimated market value ("EMV"), as determined by Crow Wing County, for the subject land on March 27, 2009 was \$136,000.00;

WHEREAS, using the March 27, 2009 EMV and Chapter 3, Section 3.30, Subd. 1.F.2, City Staff determined the Park Dedication Fee should be \$9,066.66;

WHEREAS, on March 27, 2009, the Crosslake Planning & Zoning Commission/Board of Adjustment passed a Motion to Recommend that the City Council approve Resolution PZ-2009-005 with the following conditions of approval:

1. The Subdivision shall be completed in full accordance with the plans submitted with the Subdivision Application and the revisions and conditions of approval by the Commission.
2. The Applicants shall provide the required soil boring information (two soil borings per lot) by June 1, 2009. A Winter Window Agreement was signed by the Applicant to this effect.
3. Upon approval by the City Council, the Applicant shall pay the City \$6,000 cash in lieu of land for park dedication within 90 days of Subdivision approval, and prior to the signing of deeds for the proposed parcels.
4. The City of Crosslake shall be reimbursed for all fees resulting from services provided by the City Attorney, City Engineer, and City Surveyor within 90 days of Subdivision approval and prior to signing of deeds for the proposed parcels.
5. Failure to pay the fees and record a signed deed(s) within 90 days (of Subdivision approval) shall void the approval of this metes and bounds Subdivision unless such time is extended by resolution of the City Council.

6. The Applicants shall provide the City with a 10-foot drainage, utility, and public use trail easement along County Road 36. This easement shall be shown on a revised certificate of survey.
7. All future development must comply with City ordinance requirements.
8. The Applicant shall describe and record a 66 ft. wide ingress, egress and utility easement benefiting Parcel A and burdening Parcel B to provide access for Parcel A to County Road 36.
9. The Applicant shall provide an updated title opinion or title insurance commitment of the property for approval by the City Attorney prior to signing of deeds for the proposed parcels.

WHEREAS, on April 3, 2009, the Crosslake Park and Recreation/Library Commission met to discuss the Shoutz Subdivision;

WHEREAS, the Crosslake Park and Recreation/Library Commission voted unanimously to recommend to the City Council that cash in lieu of land be collected for Subdivision 2009-003;

WHEREAS, on April 13, 2009, the Crosslake City Council was presented with a request for Council approval of Park Dedication Fees in lieu of land for a metes and bounds Subdivision 2009-003 for Cary and Nikki Shoutz;

WHEREAS, the Crosslake City Council heard a presentation by staff, by the Applicant and the Applicant's Attorney regarding the calculation of Park Dedication fees. The City Council was also presented with a letter from the Crow Wing County Assessor's office indicating the County was changing the EMV of the subject property from \$136,000 to \$104,200. This change in EMV would reduce the Park Dedication Fees from \$9,066 to \$6,946.67;

WHEREAS, the Crosslake City Council decided to table the Park Dedication Fee issue provided a proper escrow agreement be put in place for the \$9,066.66 payment with the City's best interest in mind;

WHEREAS, on May 11, 2009, the Crosslake City Council again reviewed the Park Dedication Fee for a metes and bounds Subdivision 2009-003 for Cary and Nikki Shoutz;

WHEREAS, four options were given to the City Council to consider:

1. Approve the Park Dedication Fee as presented in the April 13th staff report and as the current ordinance formula calculated in the amount of \$9,066.66.
2. Approve the Park Dedication Fee as presented as recommended by the Planning and Zoning Commission in the amount of \$6,000 and as requested by the Applicant's attorney.
3. Approve the cash in lieu of land for park dedication in the revised amount of \$6,946.67 using the new, reduced EMV of \$104,200 and the current ordinance language.
4. Approve a reduction in the amount to be held in escrow to \$6,946.67, defer action on approving a park dedication amount for S2009-003, and direct the Planning

and Zoning Commission and the Park and Recreation Commission to review the park dedication language in the City Code and determine if any changes to the ordinances are recommended.

WHEREAS, the City Council passed a Motion to approve the Cash in Lieu of Land for Park Dedication in the revised amount of \$6,946.67 using the new, reduced EMV of \$104,200 and the current ordinance language. The amount held in escrow shall be reduced to \$6,946.67;

WHEREAS, since the May 11, 2009, Crosslake City Council meeting, the City and its counsel have continued to review the City's ordinance regarding Park Dedication Fees, Minnesota Statutes § 462.358, its Comprehensive Plan and Comprehensive Park and Recreation Plan;

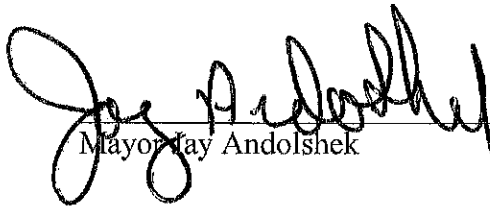
WHEREAS, the City finds it has the authority to require, as recommended by the Crosslake Planning and Zoning Commission, a 10-foot drainage, utility and public use trail easement along County Road 36;

WHEREAS, the City has viewed the acreage of the trail easement and finds it is 10 feet wide and 1,316.20 feet long or .302 acres. Using the EMV of \$104,200, the City finds the trail easement has a fee title value of \$782.47;

THEREFORE, BE IT RESOLVED, the City of Crosslake, pursuant to its ordinance regarding Park Dedication Fees, Minnesota Statutes § 462.358, its Comprehensive Plan and Comprehensive Park and Recreation Plan, is reducing the cash in lieu of land for Park Dedication by \$782.47. The amount held in escrow should be reduced to \$6,164.20.

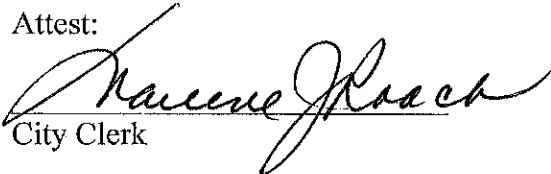
Adopted by the City of Crosslake City Council this 14th day of September, 2009.

Motion by: Dean Swanson
Seconded by: Rusty Taubert



Mayor Jay Andolshek

Attest:



City Clerk

RESOLUTION 09-15

**CITY OF CROSSLAKE
CITY COUNCIL**

**FINDINGS OF FACT AND MODIFICATION OF CONDITIONAL USE
PERMIT 2004-001
36044 County Road 66**

| |
|---|
| Parcel ID Number(s): 120163400DB0889 |
| Case Number: Conditional Use Permit 2004-001 |
| Property Owner: Cynthia L. Holden |
| Legal Description: (See attached Exhibit A) |

WHEREAS, the City approved Conditional Use Permit 2004-001 (“CUP”) to Cynthia L. Holden (“Holden”) on February 27, 2004, for property located at 36052 County Road 66, City of Crosslake (“Property”) subject to several conditions; and

WHEREAS, on July 13, 2006, the City’s Community Development Director sent a letter to Holden notifying Holden that the Property was not in compliance with the terms of the CUP and requesting that Holden bring the Property into compliance with the terms of the CUP; and

WHEREAS, On July 8, 2009, the City’s Community Development Director sent a letter to Holden notifying Holden that the Property was not in compliance with the terms of the CUP and requesting that Holden bring the Property into compliance with the terms of the CUP; and

WHEREAS, On August 10, 2009, the Crosslake City Council authorized the Planning and Zoning Commission to consider revoking the CUP; and

WHEREAS, On August 28, 2009 and September 14, 2009, the Planning and Zoning Commission held a public hearing to consider the revocation of the CUP and hear evidence from all interested parties regarding the status of the Property’s compliance with the terms of the CUP;

WHEREAS, On September 14, 2009, the Crosslake City Council considered whether to revoke, modify or leave unchanged the CUP; and

WHEREAS, the owner of the Property has represented that the current uses of the building require only 12 parking spaces and has asked the Planning and Zoning Commission to modify the CUP.

NOW, THEREFORE, the Crosslake City Council makes the following findings of fact:

FINDINGS OF FACT:

1. The existing conditions of the CUP should be modified to reflect a changed use of the building.
2. Twelve parking spaces are adequate for the Property based on the current use.
3. The parking lot is not properly striped, nor are the handicapped parking spaces properly marked.
4. Landscaping needs to be installed.
5. Existing signage needs to be brought into compliance with City ordinance.

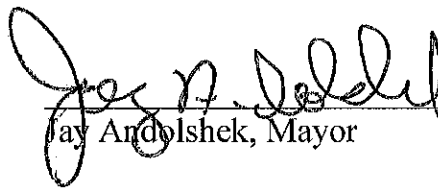
MODIFICATION OF CUP:

The Conditional Use Permit is modified as follows:

1. Twelve parking spaces shall be striped, with proper striping for handicapped parking and proper disability signage installed.
2. The owner shall allow City planning and zoning staff into the building to inspect the interior of the building to ensure that the areas of the building being used are consistent with the 12 parking spaces as represented by the owner.
3. A total of no more than 150 square feet of on-building signage be displayed on the building.

4. One of the free-standing pylon signs be removed and the remaining one be brought into compliance with all applicable ordinance requirements.
5. The owner shall submit a landscaping plan for review and approval by City staff, and implementation by the owner.
6. The owner comply with all requirements of this modified CUP and the remaining terms of the existing CUP within 60 days of approval by the City Council.
7. All terms in the original CUP that are not modified by this amendment shall remain effective.
8. This modification shall only be effective if agreed to in writing by the owner within 60 days of its approval by the City Council.

Dated: 9-14, 2009


Jay Andolshek, Mayor

ATTEST:

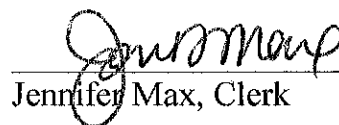

Jennifer Max, Clerk

Exhibit A

The south 100 ft of the north 200 ft of the south 424.67 ft of the west 257.8 ft of the SE ¼ of SW ¼ Section 16, Township 137N, Range 27W, City of Crosslake, MN

BILLS FOR APPROVAL

14-Sep-09

| VENDORS | DEPT | | AMOUNT |
|--|-----------|--------|------------------|
| Al's Marine, battery | P&R | | 102.95 |
| Batteries Plus, batteries | PW | | 22.94 |
| Blue Lakes Disposal, trash removal | ALL | | 266.64 |
| Brainerd License Office, license/sales tax on tanker | PW | pd 9-4 | 1,335.00 |
| Council #65, union dues | ALL | pd 9-1 | 386.61 |
| Crosslake Communications, phone, kax, internet, cable | ALL | | 1,907.72 |
| Crosslake Rolloff, recycling | Gov't | | 2,695.00 |
| Crow Wing County Sanitary Landfill, trash removal | PW | | 24.23 |
| Crow Wing County Treasurer, e911 address | Gov't | | 25.00 |
| Culligan, water and cooler rental | PW/Gov't | | 50.65 |
| D&D Plumbing and Heating, urinal part | P&R | | 6.20 |
| Deferred Comp | ALL | | 226.92 |
| Delta Dental, dental insurance | ALL | | 1,403.20 |
| Fastenal, towels, lights, gloves | PW | | 506.54 |
| Fortis, disability | ALL | | 408.58 |
| General Drivers Union Local #346, union dues | Police | pd 9-1 | 165.00 |
| Holiday Station, propane, fuel | Fire | | 120.50 |
| Houston Ford, oil change | Police | | 21.31 |
| Lake Country Journal, subscription | Library | | 19.95 |
| League of MN Cities, membership dues | Gov't | | 1,900.00 |
| League of MN Cities, mayors assn dues | Council | | 20.00 |
| Marsden, office cleaning | PW | | 628.43 |
| Mastercard, Barnes and Noble, books | Library | | 225.57 |
| Mastercard, Batteries Plus, battery for meter reader | Sewer | | 75.15 |
| Mastercard, Menards, wood clamps, soap | Library | | 36.32 |
| Mastercard, Menards, batteries | P&R | | 38.61 |
| Mastercard, MN Cty Atty Assn, dwi and traffic safety webinar | Police | | 20.00 |
| Mastercard, Office Max, receipts, fax, warranty, paper | P&R | | 586.11 |
| Mastercard, Office Max, sticky notes, trimmer, ink | Library | | 97.66 |
| Medica, health insurance | ALL | | 23,567.70 |
| Midwest Radar & Equipment, radar certifications | Police | | 150.00 |
| MN Benefits | Admin | pd 9-1 | 176.42 |
| MN Dept of Labor and Industry, air compressor checks | ALL | | 40.00 |
| MN Life, life insurance | ALL | | 429.00 |
| Napa Auto Parts, belt, oil | PW | | 79.47 |
| NCPERS-Life Insurance | ALL | | 192.00 |
| North Ambulance, subsidy | Ambulance | pd 9-1 | 1,103.00 |
| PERA | ALL | | N/A |
| Planning and Zoning Commissioners, 2nd quarter meetings | P&Z | | 375.00 |
| State and Federal Taxes | ALL | | N/A |
| Streichers, uniform | Police | | 63.34 |
| The Office Shop, label tape | P&Z/Admin | | 20.30 |
| The Office Shop, sticky notes, ink, pens, clips, staplers | P&Z/Admin | | 69.78 |
| Tom Swenson, vehicle expense | Admin | pd 9-1 | 400.00 |
| Verizon, cell phone charges | PW/Police | | 570.29 |
| | | | |
| TOTAL | | | 40,559.09 |

1. $\text{H}_2\text{O} + \text{CO}_2 \rightarrow \text{H}_2\text{CO}_3$

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040


RESOLUTION NO. 09-16
RESOLUTION APPROVING PRELIMINARY 2009 TAX LEVY
COLLECTIBLE IN 2010

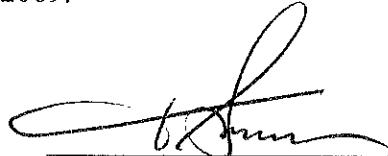
Be it resolved by the Council of the City of Crosslake, County of Crow Wing, Minnesota, that the following sums of money be levied for the current year, collectible in 2010, upon taxable property in the City of Crosslake, for the following purposes:

| | |
|----------------------------|---------------|
| General Property Tax Levy | 1,982,409 |
| Debt Service Tax Levy | 24,157 |
| Community Center Levy 2002 | 60,100 |
| Emergency Services Center | 43,244 |
| 2001 Series A | 31,755 |
| 2002 Series A | 22,700 |
| 2003 Joint Facility Levy | 108,342 |
| 2003 Series A Disposal | 218,200 |
| 2004 Series A | 112,046 |
| 2006 Series B | 130,746 |
| 2006 Series C | <u>54,000</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 September 14, 2009.


Jay Andolshek
Mayor


Thomas N. Swenson
City Administrator

**RESOLUTION INCREASING MONTHLY SEWER USER FEES
CITY OF CROSSLAKE
COUNTY OF CROW WING
STATE OF MINNESOTA**

RESOLUTION NO. 09-17

WHEREAS, as part of the City of Crosslake Wastewater Project, the City has adopted an Ordinance (City Code Chapter 11) establishing procedures and regulations for the operation of the wastewater system; and

WHEREAS, the Ordinance provides that the City maintain a current fee schedule reflecting the current amount for connection and user charges as well as any changes thereto; and

WHEREAS, the City Council has determined that pursuant to the Ordinance, effective with the January 2010 billing for December 2009 usage the commercial and residential user charges shall be increased;

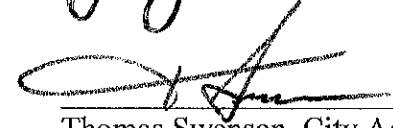
NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Crosslake hereby establishes the following fee schedule for the Crosslake Wastewater System (the "Wastewater System"):

Effective upon the January 2010 billing for December 2009 usage, commercial and residential connection charges shall be as follows:

- Commercial \$36.00 per month per 8,000 gallons of metered usage
- Residential \$36.00 per month

Passed by the City Council this 14th day of September 2009, by a 5/5ths vote of said City Council.


Jay Andolshek, Mayor


Thomas Swenson, City Administrator

Crosslake Telephone Company

Check Register - General Account

From July 1, 2009 through July 31, 2009

| Check # | Vendor Name | Date | Description | Amount |
|---------|--------------------------------|-----------|---|-----------|
| 001017 | INTERNAL REVENUE SERVICE | 7/10/2009 | FED, FICA, MEDICARE | 6,007.26 |
| 001018 | PERA | 7/10/2009 | PERA EE & ER | 3,517.74 |
| 001019 | MINNESOTA DEPT OF REVENUE | 7/10/2009 | MN INCOME TAX WITHHELD | 1,045.38 |
| 001020 | ING-DEFERRED COMP | 7/10/2009 | DEFERRED COMP | 1,951.42 |
| 001021 | CITY OF CROSSLAKE (SEWER) | 7/10/2009 | JUNE SEWER | 33.00 |
| 001022 | INTERNAL REVENUE SERVICE | 7/7/2009 | JULY EXCISE TAX | 1,904.04 |
| 001023 | INTERNAL REVENUE SERVICE | 7/24/2009 | FED, FICA, MEDICARE | 6,844.63 |
| 001024 | PERA | 7/24/2009 | PERA EE & ER | 3,599.78 |
| 001025 | MINNESOTA DEPT OF REVENUE | 7/24/2009 | MN INCOME TAX WITHHELD | 1,208.53 |
| 001026 | ING-DEFERRED COMP | 7/24/2009 | DEFERRED COMP | 1,951.42 |
| 001027 | CROW WING POWER | 7/26/2009 | ELECTRIC SERVICE | 4,874.81 |
| 001028 | MINNESOTA DEPT OF REVENUE | 7/31/2009 | JULY SALES & USE TAX | 12,462.00 |
| 024068 | MN CHILD SUPPORT PAYMENT CTR | 7/10/2009 | CHILD SUPPORT WITHHELD | 53.06 |
| 024069 | LAKES PRINTING | 7/10/2009 | NOTE PADS FOR SEMINARS | 215.24 |
| 024070 | LARRY EVENSON | 7/10/2009 | CAFE PLAN REIMB-BAL 1661.02 | 377.28 |
| 024071 | ECHO PUBLISHING & PRINTING INC | 7/10/2009 | GRADUATION AD | 40.00 |
| 024072 | CULLIGAN | 7/10/2009 | JULY/AUG SERVICE | 166.15 |
| 024073 | GOPHER STATE ONE CALL | 7/10/2009 | LOCATES | 243.60 |
| 024074 | LOCATORS & SUPPLIES | 7/10/2009 | COUPLERS | 196.16 |
| 024075 | ONVOY, INC. | 7/10/2009 | OPR SERV, 0264 & 6264 PROG, LAKES LD | 13,806.02 |
| 024076 | OLSEN THIELEN CO LTD | 7/10/2009 | 1ST QTR 499Q,ADVICE RE: TARIFF,BUNDLES,2009 CAFE PLAN | 3,599.00 |
| 024077 | POWER & TELEPHONE SUPPLY | 7/10/2009 | RJ45, RJ11 CONNECTORS, BOXES,PWR SUPPLIES, JUMPERS | 2,400.07 |
| 024078 | UNITED PARCEL SERVICE | 7/10/2009 | WKLY SCV & MISC SHIPPING | 128.64 |
| 024079 | CROSSLAKE COMMUNICATIONS | 7/10/2009 | PHONE SERVICE & COMM VOICE MAIL | 933.69 |
| 024080 | CITY OF CROSSLAKE | 7/10/2009 | JULY OPERATING TRANSFER | 20,980.93 |
| 024081 | QWEST COMMUNICATIONS | 7/10/2009 | 5/2 PARS MN CSLK-1 | 48.02 |
| 024082 | NECA TRS | 7/10/2009 | 2009 NECA INTERSTATE TRS | 2,774.28 |
| 024083 | CITI LITES INC | 7/10/2009 | LOCATES | 845.85 |
| 024084 | XCEL ENERGY | 7/10/2009 | METER CHGS -SUNRISE & 16 | 102.48 |
| 024085 | BEVCOMM | 7/10/2009 | ANSWERING SERVICE | 147.57 |
| 024086 | IKON OFFICE SOLUTIONS | 7/10/2009 | COPIER MAINT. 3/20-6/19 | 334.46 |
| 024087 | BADGER COMMUNICATIONS CORP | 7/10/2009 | NY MINT PARTNER SYSTEM | 2,025.44 |
| 024088 | WILLIAM GORDON | 7/10/2009 | CAFE PLAN REIMB - BAL 718.30 | 866.70 |
| 024089 | MINNESOTA 9-1-1 PROGRAM | 7/10/2009 | 911. TAP, TACIP | 1,958.55 |
| 024090 | MN NCPERS LIFE INSURANCE | 7/10/2009 | JULY LIFE PREMIUM | 48.00 |
| 024091 | ELECTRIC SCIENTIFIC CO INC | 7/10/2009 | FIRE SYSTEM MODIFICATIONS | 4,275.00 |
| 024092 | NATIONAL CABLE TELEVISION COOP | 7/10/2009 | 6' OPTICAL CABLES | 41.19 |
| 024093 | CENTRAL TRANSPORT GROUP LLC | 7/10/2009 | 4 EA DS'1'S, 1 T3 | 3,708.32 |
| 024094 | ASSURANT EMPLOYEE BENEFITS | 7/10/2009 | JULY LONG TERM DISABILITY | 266.62 |
| 024095 | PINNACLE PUBLISHING, LLC | 7/10/2009 | TELEPHONE DIRECTORY-11 | 1,938.08 |
| 024096 | AVID COMMUNICATION CONST., INC | 7/10/2009 | CONTRACT FLOWS | 3,516.20 |
| 024097 | UNIVERSAL SERVICE ADMIN CO. | 7/10/2009 | JUNE FUSC | 2,032.58 |
| 024098 | GEMSTAR TV GUIDE INTERACTIVE | 7/10/2009 | AFFILIATE PAYMENT | 300.23 |
| 024099 | FOX SPORTS NET NORTH | 7/10/2009 | AFFILIATE PAYMENT | 7,771.00 |
| 024100 | MTV NETWORKS | 7/10/2009 | AFFILIATE PAYMENT | 9,059.04 |
| 024101 | LIFETIME | 7/10/2009 | AFFILIATE PAYMENT | 989.50 |
| 024102 | AT&T - DALLAS TX | 7/10/2009 | PARS 7/1 BAN 1499 | 759.44 |
| 024103 | 7SIGMA SYSTEMS, INC | 7/10/2009 | JUNE CONSULTING | 2,000.00 |
| 024104 | CORNERSTONE GROUP | 7/10/2009 | SUMMER WEBSITE COMPASS | 388.62 |
| 024105 | CROSSLAKE ACE | 7/10/2009 | HOSES, CONNECTORS,PVC,LADDER,BATTERIES | 224.74 |
| 024106 | NATIONAL CABLE TEL COOP, INC | 7/10/2009 | AFFILIATE PAYMENT | 26,953.20 |
| 024107 | EQUUS COMPUTER SYSTEMS, INC | 7/10/2009 | LAPTOP & ITEMS FOR RESALE TO CITI LITES | 1,270.65 |
| 024108 | KARE 11 TV | 7/10/2009 | AFFILIATE PAYMENT | 842.00 |
| 024109 | PAUL HOGE | 7/10/2009 | CAFE PLAN REIMBURSEMENT | 382.22 |
| 024110 | WASTE PARTNERS, INC. | 7/10/2009 | JUNE TRASH REMOVAL | 80.50 |
| 024111 | DISCOVERY COMMUNICATIONS, INC. | 7/10/2009 | AFFILIATE PAYMENT | 229.32 |
| 024112 | WEATHER CENTRAL | 7/10/2009 | JULY DATA SERVICE-2 | 195.00 |
| 024113 | IKON FINANCIAL SERVICES | 7/10/2009 | COPIER LEASE-23 | 327.04 |
| 024114 | NATIONAL GEOGRAPHIC CHANNEL HD | 7/10/2009 | AFFILIATE PAYMENT | 9.23 |
| 024115 | T-MOBILE USA, INC. | 7/10/2009 | RECIP COMP 5/1 - 5/31/09 | 56.12 |
| 024116 | ZAYO BANDWIDTH | 7/10/2009 | DEDICATED FACILITIES | 2,745.00 |
| 024117 | CHARTER COMMUNICATIONS | 7/10/2009 | LOCAL CHANNEL TRANSPORT | 1,850.00 |
| 024118 | TIGER DIRECT | 7/10/2009 | WIRELESS MODEM/ROUTERS | 1,379.10 |
| 024119 | KSTP-TV, LLC | 7/10/2009 | AFFILIATE PAYMENT | 538.75 |
| 024120 | 4M FUND F.B.O. 35373-101 | 7/10/2009 | TO FUND DEBT SERVICE RESERVE | 37,531.00 |
| 024121 | ONLINE INFORMATION SERVICES | 7/10/2009 | 16 EXCHANGE REPORTS | 73.20 |

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| 024122 | DHJV COMPANY LLC | 7/10/2009 | AFFILIATE PAYMENT | 31.50 |
| 024123 | CROW WING COUNTY HIGHWAY DEPT. | 7/10/2009 | MAY UNLEADED & DIESEL FUEL | 543.95 |
| 024124 | NORTHLAND PRESS | 7/10/2009 | HI DEF AD | 64.00 |
| 024125 | CROSSLAKE READY MIX | 7/10/2009 | REIMB FOR LTRHEAD & BUS CARDS | 237.98 |
| 024126 | RICHARD VAVRINA | 7/10/2009 | PERM DISCONNECT | 8.35 |
| 024127 | PAUL H SCHULZ | 7/10/2009 | PERM DISCONNECT | 34.57 |
| 024128 | STEVEN & JOANNE PETERSON | 7/10/2009 | PERM DISCONNECT | 22.21 |
| 024129 | NORTH COUNTRY BLDG OF CROSSLAK | 7/10/2009 | PERM DISCONNECT | 19.28 |
| 024130 | KEN & DEB PRIEBE | 7/10/2009 | PERM DISCONNECT | 26.44 |
| 024131 | STEPHANIE & TRAVIS DAVIS | 7/10/2009 | PERM DISCONNECT | 20.62 |
| 024132 | MARK SMIEJA | 7/10/2009 | PERM DISCONNECT | 47.54 |
| 024133 | JACOB HOLDING | 7/10/2009 | PERM DISCONNECT | 89.68 |
| 024134 | JANET R YERKS | 7/10/2009 | PERM DISCONNECT | 42.35 |
| 024135 | GULLS AWAY | 7/10/2009 | PERM DISCONNECT | 29.66 |
| 024136 | BRUCE SCHMITT | 7/10/2009 | PERM DISCONNECT | 12.31 |
| 024137 | CROW WING COUNTY RECORDER | 7/17/2009 | TO RECORD EASEMENTS | 138.00 |
| 024138 | BRAINERD HYDRAULICS | 7/21/2009 | HYDRAULIC MOTOR FOR MAXI SNEEK | 130.61 |
| 024139 | IBEW LOCAL UNION 949 | 7/24/2009 | UNION DUES WITHHELD | 404.67 |
| 024140 | MN CHILD SUPPORT PAYMENT CTR | 7/24/2009 | CHILD SUPPORT WITHHELD | 53.06 |
| 024141 | NORTH PINE RIVER TIRE | 7/24/2009 | FIX TIRE ON MAXI SNEEKER | 59.16 |
| 024142 | LAKES PRINTING | 7/24/2009 | 2009 CUSTOMER SURVEYS | 273.75 |
| 024143 | POWER & TELEPHONE SUPPLY | 7/24/2009 | FOR NY MINT INSTALL | 722.85 |
| 024144 | QWEST COMMUNICATIONS | 7/24/2009 | 6/2 PARS MN CLSK-1 | 251.02 |
| 024145 | CITI LITES INC | 7/24/2009 | LOCATES | 749.50 |
| 024146 | THE OFFICE SHOP | 7/24/2009 | INK CARTRIDGES | 53.18 |
| 024147 | DELTA DENTAL PLAN OF MINNESOTA | 7/24/2009 | AUGUST DENTAL PREMIUM | 1,001.80 |
| 024148 | MEDICA | 7/24/2009 | AUGUST MEDICAL PREMIUM | 18,576.06 |
| 024149 | AMERIPRIDE LINEN & APPAREL | 7/24/2009 | RUG & TOWEL SERVICE | 87.30 |
| 024150 | BADGER COMMUNICATIONS CORP | 7/24/2009 | HEADSETS FOR NY MINT | 839.96 |
| 024151 | WHITEFISH AUTOMOTIVE | 7/24/2009 | BATTERY FOR EQUIPMENT | 317.58 |
| 024152 | NATIONAL CABLE TELEVISION COOP | 7/24/2009 | HDMI,AUDIO,DIGITAL,ETC CABLES | 482.89 |
| 024153 | TRENCHERS PLUS | 7/24/2009 | HYDRAULIC OIL | 79.85 |
| 024154 | NEUSTAR INC. | 7/24/2009 | SOW & LNP CHARGES | 119.41 |
| 024155 | MERRILL LYNCH | 7/24/2009 | JUNE VISA CHARGES | 1,128.20 |
| 024156 | MINNESOTA LIFE INSURANCE CO | 7/24/2009 | AUGUST LIFE PREMIUM | 180.70 |
| 024157 | AVID COMMUNICATION CONST., INC | 7/24/2009 | CONTRACT PLOWS | 4,280.67 |
| 024158 | TURNER NETWORK SALES, INC. | 7/24/2009 | REV 6/1 INV - PAID THRU NCTC | 0.00 |
| 024159 | TV GUIDE NETWORKS INC | 7/24/2009 | AFFILIATE PAYMENT | 465.48 |
| 024160 | VANTAGE POINT | 7/24/2009 | JUNE TTP SERVICE | 300.00 |
| 024161 | JOHNSON, KILLEN & SEILER, PA | 7/24/2009 | IBEW NEGOTIATIONS | 1,946.50 |
| 024162 | DIETZ BROS. INC. | 7/24/2009 | TOWER ADDITION | 27,602.20 |
| 024163 | CYNTHIA PERKINS | 7/24/2009 | CAFE PLAN REIMBURSEMENT | 105.31 |
| 024164 | SPRINT | 7/24/2009 | CELL PHONES | 173.17 |
| 024165 | EQUUS COMPUTER SYSTEMS, INC | 7/24/2009 | 2 LAPTOPS, 1 PC, & REPAIR OF CUST COMPUTER | 4,135.98 |
| 024166 | NATHANIEL J. PLANTE | 7/24/2009 | CAFE PLAN - BAL 420.00 | 160.00 |
| 024167 | CALIX NETWORKS, INC | 7/24/2009 | E5 EQUIPMENT | 38,612.91 |
| 024168 | BLACK BEAR AUTO REPAIR | 7/24/2009 | OIL CHANGE-FRITZ'S TRUCK | 36.40 |
| 024169 | T-MOBILE USA, INC. | 7/24/2009 | RECIP COMP 6/1 - 6/30/09 | 52.44 |
| 024170 | STELLAR BILLING, LLC | 7/24/2009 | JULY BILLING | 7,574.34 |
| 024171 | TIGER DIRECT | 7/24/2009 | LAPTOP, 2 EA DSL MODEMS AND OTHER ITEMS FOR RESALE | 2,702.88 |
| 024172 | CHERI E. AYD | 7/24/2009 | JULY CLEANING | 689.34 |
| 024173 | BROADBAND INTEGRATED RESOURCE | 7/24/2009 | REPAIR SATELLITE RECEIVER | 241.42 |
| | TOTAL FOR GENERAL ACCOUNT | | | 325,383.12 |