

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, MAY 11, 2009
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, May 11, 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, Dave Schliek of the Cuyuna Range Fire Chiefs' Association, Ruth Ann Hanson from the Chamber of Commerce, Northland Press Reporter Paul Boblett and Echo Publishing Reporter Ken Korczak. There were approximately twenty-five people in the audience.

A. CALL TO ORDER – Mayor Andolshek called the Regular Council Meeting to order at 7:00 P.M. MOTION 05R-01-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO ACCEPT THE ADDITIONS TO THE AGENDA AS PRESENTED. MOTION CARRIED WITH ALL AYES.

B. CRITICAL ISSUES – None.

C. CONSENT CALENDAR – MOTION 05R-02-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY JOHN MOENGEN TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR: (1.) REGULAR COUNCIL MEETING MINUTES OF APRIL 13, 2009; (2.) LOCAL BOARD OF APPEAL AND EQUALIZATION MEETING MINUTES OF APRIL 21, 2009; (3.) CROSSLAKE COMMUNICATIONS BALANCE SHEET AND INCOME STATEMENT/DETAIL OF RESERVE BALANCES DATED MARCH 31, 2009; (4.) CITY MONTH END REVENUE REPORT DATED MARCH 2009; (5.) CITY MONTH END EXPENDITURE REPORT DATED MARCH 2009; (6.) PLEDGED COLLATERAL REPORT DATED 5/4/09 FROM DARLENE ROACH; (7.) LAKES STATE BANK PLEDGE REPORT DATED APRIL 2009; (8.) NORTHERN NATIONAL BANK PLEDGE REPORT DATED APRIL 2009; (9.) LAKEWOOD BANK PLEDGE REPORT DATED APRIL 2009; AND (10.) RIVERWOOD BANK PLEDGE REPORT DATED APRIL 2009. MOTION CARRIED WITH ALL AYES.

D. PUBLIC FORUM – None.

E. MAYOR'S REPORT – A letter dated April 20, 2009 from Dick Dietz regarding the tax preparation season in Crosslake sponsored by AARP was included in the packet for Council information. Mayor Andolshek thanked Dick Dietz, Jeff Benson and Gary Shaffer for their work in making this program a success.

A letter dated May 5, 2009 from the Army Corps of Engineers thanking the City of Crosslake Public Works Department for the assistance in personnel and equipment to

complete the Spring Leaf Cleanup and Removal Project on April 28 and 29 was included in the packet for Council information. Mayor Andolshek thanked Crosslake Recreation Area Manager Ray Nelson for everything he does for the City.

F. CITY ADMINISTRATOR'S REPORT –

1. City Bills for Approval – MOTION 05R-03-09 WAS MADE BY DEAN SWANSON AND SECONDED BY JOHN MOENGEN TO APPROVE THE BILLS FOR PAYMENT FOR MAY AS SUBMITTED IN THE AMOUNTS OF \$191,947.35 AND \$11,961.78. MOTION CARRIED WITH ALL AYES.
2. A memo dated May 6, 2009 from Darlene Roach regarding the renewal of On Sale Liquor License for “The Exchange” was included in the packet for Council review. Tom Swenson stated that in December 2008 The Exchange owner Patrick Murphy notified the City of his intent to rebuild the business within the next 12 months after a fire destroyed the building in July 2008. City Ordinance states that the liquor licensee would have the balance of the license year after the loss, in addition to one renewal term, within which to reopen the business. In any given case the City Council, upon written request of the licensee, would have the discretion to extend the deadline for good cause shown by the licensee. In a letter dated April 28, 2009, Mr. Murphy requested that the City Council consider waiving the fee of the liquor license fee and holding a liquor license for The Exchange until it is reopened. MOTION 05R-04-09 WAS MADE BY DEAN SWANSON AND SECONDED BY JOHN MOENGEN TO RESERVE THE ON SALE LIQUOR LICENSE FOR THE EXCHANGE FOR A PERIOD OF ONE YEAR FROM 7/1/09 – 6/30/10 WITHOUT PAYMENT OF THE \$1500 FEE, HOWEVER, IF THE BUILDING IS NOT CONSTRUCTED AT THE END OF THIS 12 MONTH PERIOD, THE LICENSE WILL BE FORFEITED TO THE CITY. WHEN THE BUILDING IS ALMOST COMPLETE AND READY FOR OCCUPANCY, ALL LICENSING REQUIREMENTS, ALONG WITH PAYMENT OF THE PRO-RATED LICENSE FEE, WILL NEED TO BE PROVIDED TO THE CITY PRIOR TO THE LICENSE BEING ISSUED. Dean Swanson noted that the owner could request an extension after the 12-month period. MOTION CARRIED WITH ALL AYES.
3. Included in the packet for Council review was a memo dated May 6, 2009 from Darlene Roach regarding a Resolution to Adopt for Renewal Existing Liquor License Establishments. Council approval was requested for the renewal of existing liquor licenses for establishments that have submitted the required documentation and fees for the period of July 1, 2009 – June 30, 2010. MOTION 05R-05-09 WAS MADE BY DEAN SWANSON AND SECONDED BY STEVE ROE TO APPROVE RESOLUTION NO. 09-07 TO ADOPT FOR RENEWAL EXISTING LIQUOR LICENSE ESTABLISHMENTS FOR 2009-2010 CONTINGENT UPON SATISFACTORY CHECKS BY THE POLICE DEPARTMENT AND SUBMISSION OF CERTIFICATES OF LIQUOR LIABILITY INSURANCE BY THREE ESTABLISHMENTS. MOTION CARRIED WITH ALL AYES.
4. A memo dated May 4, 2009 from the City Administrator regarding the adoption of an Identity Theft Program was included in the packet for Council review. Attached to the memo was information provided by the Minnesota Municipal

Utilities Association entitled "Identity Theft and Municipal Utilities" which provides information pertaining to Identity Theft and the Red Flags Rule. All creditor's and financial institutions are required to establish an Identity Theft Prevention Program. With the City billing for sanitary sewer service, an Identity Theft Prevention Program Policy needs to be established which outlines the City's policies and procedures to prevent identity theft. Tom Swenson noted that Crosslake Communications has adopted a similar program for their utility billing. MOTION 05R-06-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY DEAN SWANSON TO ADOPT THE IDENTITY THEFT PREVENTION PROGRAM DATED MAY 1, 2009 AS PRESENTED. MOTION CARRIED WITH ALL AYES.

5. A memo dated May 7, 2009 from Darlene Roach regarding a Transient Merchant Park Permit was included in the packet for Council review. Tom Swenson stated that the Town Square Merchants requested approval for a Transient Merchant Park Permit to hold a farmer's market in Town Square on Wednesdays from 9:00 A.M. to 1:00 P.M. beginning the week after Memorial Day and continuing on through September. The permit fee of \$20 has been paid to the City. MOTION 05R-07-09 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE THE TRANSIENT MERCHANT PARK PERMIT FOR THE TOWN SQUARE MERCHANTS FOR 2009. MOTION CARRIED WITH ALL AYES.
6. A memo dated May 6, 2009 from Darlene Roach regarding Landscape Contractors/Excavators Licenses was included in the packet for Council review. MOTION 05R-08-09 WAS MADE BY STEVE ROE AND SECONDED BY RUSTY TAUBERT TO APPROVE ISSUANCE OF LANDSCAPE CONTRACTORS/EXCAVATORS LICENSES TO OUTDOOR RENOVATIONS LANDSCAPE & NURSERY, D&N LANDWORKS, LAKES AREA LAWN CARE, SWENSON EXCAVATING & LANDSCAPING, ANDERSON BROTHERS CONSTRUCTION AND C.J.'S SOD AND LANDSCAPING. MOTION CARRIED WITH ALL AYES.
7. Included in the packet for Council information was a memo dated May 6, 2009 from Darlene Roach regarding the 2009 approved landscape contractors/excavators.
8. Included in the additions to the agenda for Council review was information regarding an outdoor event at Moonlite Bay. Moonlite Bay owner Jessica Eide appeared before the Council and stated that they planned on holding a concert on July 18th from 5PM to 10PM in the parking lot of Moonlite Bay. Ms. Eide submitted an outline for the planning of the event and a map of the property. The concert will end at 10PM and security will be hired for crowd control. They will be offering free off-site parking and free transportation from the parking areas to the event. They will request the County Highway Department to approve no parking on the west side of CSAH 66. They have talked to their closest neighbors to inform them of the plans and to take their suggestions into consideration. The owners of Moonlite Bay would like to meet with Planning and Zoning, Public Works, the Police Department and the County Highway Department to cover all planning requirements. Fire Chief Keith Anderson suggested that pedestrian traffic be addressed. MOTION 05R-09-09 WAS MADE BY JOHN MOENGEN

AND SECONDED BY STEVE ROE TO APPROVE THE PRELIMINARY PLANS FOR AN OUTDOOR CONCERT AT MOONLITE BAY ON JULY 18, 2009 FROM 5PM TO 10PM. MOTION CARRIED WITH ALL AYES.

9. A thank you letter from the Pine River/Backus Grad Blast Committee was included in the additions to the agenda for Council information.

G. COMMISSION/DEPARTMENT REPORTS –

1. PUBLIC SAFETY –

- a. Chief Hartman reported 116 calls in Crosslake for April.
- b. Chief Hartman reported 34 calls in Mission Township for April.
- c. Chief Hartman presented a resolution to the Council authorizing the execution of a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled SAFE & SOBER COMMUNITIES and explained that participation is allowed if the agreement is renewed by the City Council each year. MOTION 05R-10-09 WAS MADE BY DEAN SWANSON AND SECONDED BY JOHN MOENGEN TO APPROVE RESOLUTION 09-08 AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE CROSSLAKE POLICE DEPARTMENT AND THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY FOR THE PROJECT ENTITLED SAFE & SOBER COMMUNITIES DURING THE PERIOD FROM OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2012. MOTION CARRIED WITH ALL AYES.
- d. MOTION 05R-11-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO APPROVE RESOLUTION NO. 09-09 AUTHORIZING PARTICIPATION IN THE PERA POLICE AND FIRE PLAN FOR OFFICER SHERILYN LEE FYLE. MOTION CARRIED WITH ALL AYES.
- e. MOTION 05R-12-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO APPROVE RESOLUTION NO. 09-10 AUTHORIZING PARTICIPATION IN THE PERA POLICE AND FIRE PLAN FOR OFFICER SCOTT MALLOY. MOTION CARRIED WITH ALL AYES.
- f. MOTION 05R-13-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO APPROVE RESOLUTION NO. 09-11 AUTHORIZING PARTICIPATION IN THE PERA POLICE AND FIRE PLAN FOR OFFICER ANDREW STANWOOD. MOTION CARRIED WITH ALL AYES.

Chief Hartman reported that a TRIAD Meeting would take place on June 3rd from 1PM to 3PM at the Community Center for the purpose of informing the public of identity theft scams. Everyone is invited and they hope to have a good turnout.

- g. The April 2009 North Ambulance Run Report was included in the packet for Council information.

- h. Fire Chief Keith Anderson reported that the Fire Department responded to 17 calls in April. Of those, 13 were medical calls and 4 were fire calls. More detailed reports were included in the packet for Council information.
 - i. Dave Schliek of the Cuyuna Range Fire Chiefs' Association appeared before the Council to discuss the receipt of a FEMA Grant and to request the City of Crosslake to act as the host community for the grant. Mr. Schliek reported that 30 fire departments in the five county area belong to the Cuyuna Range Fire Chiefs' Association and that the FEMA Grant would provide money for the training of firefighters. Mr. Schliek met with City Administrator Swenson and Clerk/Treasurer Roach prior to the Council meeting and stated that they were concerned with the amount of work involved with reporting grant funds. The money from the grant would arrive in late fall and would be closed out after one year. Mr. Schliek offered to do all the reporting for the grant. The City would be responsible to cut checks for training expenses. MOTION 05R-14-09 WAS MADE BY JOHN MOENGEN AND SECONDED BY DEAN SWANSON TO ALLOW THE CITY OF CROSSLAKE TO ACT AS THE RECIPIENT HOST FOR THE FEMA GRANT ON BEHALF OF THE CUYUNA RANGE FIRE CHIEFS' ASSOCIATION. MOTION CARRIED WITH ALL AYES. Tom Swenson asked if there was an application that needed to be signed. Mr. Schliek replied that the Mayor's signature is required on the application and that he will forward the application to the City when completed.
2. PARK AND RECREATION/LIBRARY —
- a. The Crosslake Park and Recreation/Library Commission Minutes of April 3, 2009 were included in the packet for Council information.
 - b. Park Director Jon Henke reported that the Community Center is offering aerobics on Mondays, Tuesdays and Thursdays. AAA is sponsoring a senior driving 8-hour class for new participants on June 3rd and 4th from 9:00 A.M. to 1:00 P.M. The Community Center gym is reserved each weekday morning from 8:00 to 9:00 A.M. for walking. The Library offers the Children's Story Hour which takes place on Thursday's at 10:30 A.M. The Summer Reading Club will start July 9th and run every Thursday through August 13th. All participants receive free t-shirts and prizes. Each week there will be a special performer or guest including a storyteller and magician, a wild critter, horses and trains. The cost is \$5.00 and times vary depending on age. The Kitchigami Mobile Library makes its regular stops at the Community Center from 12:45 to 2:45 P.M. the second and fourth Thursday of every month. The Library Operation Team is recommending that the Library stay open two additional hours on Thursdays during the summer months. This addition to the operating hours would start Thursday, June 4th and end Thursday, September 3rd. Normal hours for Thursdays are currently from 10 A.M. to 4 P.M. The proposed summer hours for Thursdays would be from 10 A.M. to 6 P.M. This change has been requested by patrons. The new hours will be reviewed at the end of the summer. MOTION 05R-15-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY JOHN MOENGEN TO APPROVE EXTENDED HOURS AT THE LIBRARY ON THURSDAYS

FROM 10 A.M. TO 6 P.M. DURING THE SUMMER MONTHS. MOTION CARRIED WITH ALL AYES. To provide a safe environment, the Library Operation Team recommends that laptop computers and other electronic devices be connected in the library only in the following locations: 1) the chair immediately to the right of the fireplace, 2) the chair next to the patio exit door, and 3) the patio itself. Computers and other devices may also be connected in the Community Center lobby and in meeting rooms. This recommendation addresses the hazard that is caused when cords for electronic devices are stretched across aisles in the library. MOTION 05R-16-09 WAS MADE BY JOHN MOENGEN AND SECONDED BY DEAN SWANSON TO APPROVE THE LAPTOP POLICY FOR THE LIBRARY AND PATIO AREAS AS PRESENTED. Steve Roe asked why the Council had to make this decision. Jon Henke replied that the volunteers at the Library prefer referencing City Policy when enforcing rules. MOTION CARRIED WITH ALL AYES. 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 April was 4,853 and 2,034 for the Library. The Crosslake Park and Recreation Department has formed a club for local residents who have an interest in the art of woodcarving. The club meets the second Tuesday of the month at 2:00 P.M. The Chautauqua program on May 13th from 1:30 P.M. to 3:30 P.M. will provide information about Elderhostel. Crosslake residents who have attended an Elderhostel will explain the variety, costs and benefits of the Elderhostel program. The June presentation will feature Dr. Rick Roberts who will speak on Tick-Borne diseases. The fitness room at the Community Center is open seven days a week and offers an array of fitness equipment. The Chess Club meets on Friday mornings at 10:00 A.M. The Crosslake Parks and Recreation Department will offer GPS and Geocaching training classes on May 13th, May 27th, June 11th and June 18th. The classes will take place at 10:00 A.M. at the Crosslake Community Center. The class will provide training using a Garmin eTrex Legend GPS which will be provided by the Park Department. The class is limited to 15 participants. Students will learn how to mark a waypoint, create coordinates to a specific location and use the GPS provided in the class to find hidden objects in the wilderness called caches. Proceeds from the class will be utilized for outdoor education and to enhance the Park Forestry Program. Classes for the general public will be \$20 per person. The Community Center will be closed on Sundays for the summer starting Memorial Day weekend. The Youth Boat Safety Class, sponsored by C&C Boat Works, Zorbaz and Crow Wing County Sheriff's Department will be held at the Community Center June 10th and June 22nd at 8:30 A.M. Included in the packet for Council review was a new fee schedule for the Community Center. MOTION 05R-17-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY RUSTY TAUBERT TO APPROVE THE 2009 COMMUNITY CENTER FEE SCHEDULE AS

PRESENTED. MOTION CARRIED WITH ALL AYES. Jon Henke thanked Dick Dietz, Jeff Benson and Gary Shaffer for their work with the AARP Tax Program.

3. PLANNING AND ZONING –

- a. Planning and Zoning Commission/Board of Adjustment Regular Meeting Minutes of March 27, 2009 were included in the packet for Council information.
- b. The April 2009 Permit Summary was included in the packet for Council information.
- c. A staff report dated May 11, 2009 from Ken Anderson regarding a recommendation to adopt an ordinance amendment regulating lighting was included in the packet for Council review. The City Council tabled consideration of this ordinance amendment at its last meeting and requested that staff seek input from Crow Wing Power and some local electrical contractors. Staff contacted Doug Harren, Operations Manager, Crow Wing Power; Steve Zilka, Larson Electric; Mike Mygeto, Mike's Electric; and Terry Fountain, Holden Electric. Mr. Fountain indicated there may be some problems getting the zoning permit applicant to know they need some electrical information at the onset. He also said there may be negative feedback about floodlighting restrictions and from businesses regarding the change out of sign lighting required by December 2010. Doug Harren indicated that Crow Wing Power will probably discontinue installation of area-wide yard lighting on private property. No comments were received from Larson Electric or Mike's Electric. The intent of this ordinance is to limit flood lighting unless it is directed downward and shielded or screened so the source of illumination is not visible unless you are positioned directly below the fixture. The ordinance clarifies what type of fixtures and lighting are permitted and prohibited for residential and commercial riparian and nonriparian lots. Ken Anderson noted that Immaculate Heart Church installed lighting that would be a good example of permitted fixtures. Ken Anderson added that this ordinance does not change the lighting related to the sign ordinance. MOTION 05R-18-09 WAS MADE BY STEVE ROE AND SECONDED BY JOHN MOENGEN TO APPROVE ORDINANCE AMENDMENT NO. 277 REGULATING LIGHTING. MOTION CARRIED WITH ALL AYES.

MOTION 05R-19-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO APPROVE THE PUBLICATION OF ORDINANCE NO. 277 IN SUMMARY FORM IN THE OFFICIAL NEWSPAPER. MOTION CARRIED WITH ALL AYES.

- d. A staff report dated May 11, 2009 from Ken Anderson regarding the addition of an audio system for the Crosslake Town Square Monument Sign was included in the packet for Council review. In January the City Council approved a new monument sign to replace the existing off-premise monument sign at the intersection of Swann Drive and County Road 66. The sign is intended to direct the public to the Town Square development and was

approved with a fountain and landscaping amenities. A letter was received on April 29, 2009 from Kuepers, Inc. requesting approval to add an audio system that will play natural sounds, music and advertising for the Crosslake Town Square. The sounds are intended to be audible about 15 feet from the monument sign and may be programmed to turn on and off at different times. A lengthy discussion ensued regarding the effects the noise would have on surrounding businesses and the campground. Mayor Andolshek thought that approval of an audio sign would lead to requests from many business owners to install audio signs. Ken Anderson stated that as long as the sound does not exceed the permitted decibel range, the City could not prohibit a business from playing music. John Moengen stated that he would like to hear an example of how loud the volume would be and that approval should be contingent on the volume. Steve Roe suggested that approval be subject to certain times of day and times of year. Attorney Couri suggested that Council approval be subject to the ability for the Council to make changes as necessary to the volume, hours, and days. MOTION 05R-20-09 WAS MADE BY STEVE ROE AND SECONDED BY JOHN MOENGEN TO APPROVE THE ADDITION OF AN AUDIO SYSTEM TO THE APPROVED MONUMENT SIGN FOR TOWN SQUARE AT THE INTERSECTION OF SWANN DRIVE AND COUNTY ROAD 66 WITH THE CONDITION THAT THE CITY OF CROSSLAKE CAN REGULATE THE VOLUME, DATES AND TIMES. MOTION CARRIED 3-2 WITH TAUBERT AND ANDOLSHEK VOTING NAY.

- e. Gerry Brine, attorney representing Bruce Larson and Jim Anderson, appeared before the Council to discuss the recording of plats for Crosswoods Development and Town Square. Mr. Brine presented three documents to the Council for signature: 1) Specific Implementation Plan/PDD for Crosswoods Common Interest Community #1034, A Planned Community Crosswoods First Amended CIC Plat, 2) Specific Implementation Plan/PDD for Crosswoods, Second Amended CIC Plat, and 3) City of Crosslake Amendment to Development Agreement for Public/Private Improvements in Crosswoods Development/Ostlund Ave. Mr. Brine informed the Council that there are five easements that need to be signed and that four of those will be presented to the City, along with all associated fees, on Wednesday, May 13, 2009. The fifth easement regarding the need to move fiber optic lines is not complete at this time. Mr. Brine stated that the City was responsible for excessive costs to the developer and time delays in completing this project. The amount of fees were not disclosed up front and the City spent money freely without regard to the developer. Mr. Brine asked that the Council consider changing the fee schedule so it is a set price for each development.

Bruce Larson appeared before the Council and stated that he was concerned about the expenses that the City accumulated over the past two years and that after 28 months, the plats for the development still are not signed by the City. Mr. Larson stated that there were no controls on the City's spending and that the City could ask any question of the attorney or engineer, and he had to pay the bill.

MOTION 05R-21-09 WAS MADE BY DEAN SWANSON AND SECONDED BY STEVE ROE TO APPROVE THE EXECUTION OF THE FOLLOWING DOCUMENTS: 1) SPECIFIC IMPLEMENTATION PLAN/PDD FOR CROSSWOODS COMMON INTEREST COMMUNITY #1034, A PLANNED COMMUNITY CROSSWOODS FIRST AMENDED CIC PLAT, 2) SPECIFIC IMPLEMENTATION PLAN/PDD FOR CROSSWOODS, SECOND AMENDED CIC PLAT, AND 3) CITY OF CROSSLAKE AMENDMENT TO DEVELOPMENT AGREEMENT FOR PUBLIC/PRIVATE IMPROVEMENTS IN CROSSWOODS DEVELOPMENT/OSTLUND AVE. MOTION CARRIED WITH ALL AYES.

MOTION 05R-22-09 WAS MADE BY STEVE ROE AND SECONDED BY DEAN SWANSON TO APPROVE THE 5TH EASEMENT AGREEMENT RELATING TO FIBER OPTIC LINES CONTINGENT ON CITY ATTORNEY REVIEW OF THE DOCUMENT. Attorney Couri stated that the fiber optic is currently in a bad location and that if it needed to be moved, the cost would be split equally between the City and Crosswoods Development. MOTION CARRIED WITH ALL AYES.

- f. A staff report dated May 11, 2009 from Ken Anderson regarding park dedication for a Metes and Bounds Subdivision for Cary and Nikki Shoutz was included in the packet for Council review. The City Council tabled discussion on this matter at the regular meeting of April 13, 2009. An escrow agreement was approved by the City Attorney and signed by the parties on April 23, 2009. The escrow agreement established the terms for setting aside monies for park dedication purposes in the amount of \$9,066.66 as permitted by state law. The Crow Wing County Assessor sent a letter reducing the estimated market value (EMV) of the subject property for "land only" from \$136,000 to \$104,200, effective "on your 2009 estimated market value for taxes payable in 2010..." The amount of the cash in lieu of land contribution for park dedication will be \$6,946.67 based on the new EMV and using the existing formula in the subdivision ordinance. Four options were given to the Council for consideration: 1) Approve the park dedication fee as presented in the April 13th staff report and as the current ordinance formula calculates in the amount of \$9,066.66. Approving this amount may lead to a further legal challenge based upon correspondence sent from the applicant/counsel. 2) Approve the park dedication fee as recommended by the Planning and Zoning Commission in the amount of \$6,000.00 and as requested by the applicant's attorney. The amount held in escrow (\$9,066.66) shall be reduced to \$6,000.00. This amount is not based upon the current ordinance formula and may be arbitrary. Furthermore, the ordinance does not specify any authority to alter this park dedication fee unless it is a City assisted project. 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. The amount held in escrow shall be reduced to \$6,946.67. 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 ordinance are recommended.

Attorney Joe Christensen, representing Cary and Nikki Shoutz, appeared before the Council to protest the park dedication fees and encourage the Council to review the park dedication language in the City Code before establishing a park dedication fee for his clients. Mr. Christensen stated that the City Ordinance relating to park dedication fees violates State Statute on multiple levels, including how the City defines "reasonable" amount of land, the lack of a park dedication budget, lack of separate accounts for expenses, and lack of nexus between development cost and park dedication fee. Attorney Christensen argued that the charges for professional fees is built for abuse and that the City has no concern for what the client has to reimburse to the City. A similar subdivision done last year cost Mr. Shoutz \$250 for professional fees. The professional fees for the current subdivision are 10 times that amount so far and the project is not done yet. Attorney Christensen questioned what type of message the City is giving to the community and urged the Council to direct staff to review the fees. Attorney Christensen disagreed with the City Attorney on the matter of Mr. Shoutz being required to pay the City's court expenses if the Council's decision was challenged.

City Attorney Mike Couri disagreed with Attorney Christensen's interpretation of State Law and stated that the City Code applies to all subdivisions. Both attorneys agreed that parts of the State Statute are vague and leave room for a court's interpretation. Attorney Couri asked if there was a dollar amount that the Shoutz's would be willing to pay for park dedication. Attorney Christensen replied that there was no amount that his clients would agree to at this time. A discussion ensued regarding whether or not the subdivision has been officially approved by the Council and whether the 60-day appeal time had started. Mayor Andolshek stated that he preferred Option 3, which would establish the park dedication fee at \$6,946.67. John Moengen asked if Option 4 would prohibit other subdivisions from proceeding with park dedication fees. Attorney Couri replied that if Option 4 was approved, any new subdivisions would be reviewed under the current ordinance. MOTION 05R-23-09 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY RUSTY TAUBERT TO APPROVE OPTION 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. THE AMOUNT HELD IN ESCROW SHALL BE REDUCED TO \$6,946.67. Attorney Christensen questioned whether the Council realized that they were establishing the park dedication fee at this time, which would start the 60-day appeal time and stated he was surprised the Council made this decision. MOTION CARRIED 4-1 WITH MOENGEN VOTING NAY. Steve Roe

stated that he thought the City should review the park dedication formula at a later time.

- g. A staff report dated May 11, 2009 from Ken Anderson regarding the need to set a public hearing date to consider a petition to vacate a 20-foot road extending from Tamarack Road along lots 44-48, Goodrich and O'Brien Lake Shore Plat was included in the packet for Council review. A copy of the petition, an aerial photo of the site, and a plat map showing the road alignment were included with the staff report. MOTION 05R-24-09 WAS MADE BY DEAN SWANSON AND SECONDED BY STEVE ROE TO HOLD A PUBLIC HEARING ON JUNE 8, 2009 AT 6:00 P.M. FOR THE PURPOSE OF CONSIDERING A ROAD VACATION REQUEST OF A 20-FOOT ROAD EXTENDING FROM TAMARACK ROAD ALONG LOTS 44-48. MOTION CARRIED WITH ALL AYES.

4. **CROSSLAKE COMMUNICATIONS –**

- a. Crosslake Communication's Bills for Approval – MOTION 05R-25-09 WAS MADE BY RUSTY TAUBERT AND SECONDED BY JOHN MOENGEN TO APPROVE THE MARCH 2009 BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNT OF \$243,401.67. MOTION CARRIED WITH ALL AYES.
- b. The Highlights Report for April was included in the packet for Council information. Paul Hoge reported that Larry Evenson was presented an award for 20 years of service at the Board Meeting. The Meet the General Manager on April 16th at the Community Center was very well attended. Approval from the FAA on the tower expansion was received. Crosslake Communications has contacted Dietz Brothers to schedule the expansion and are nearing completion on the AT&T contract. The City of Crosslake and Crosslake Communications were recognized by the MTA Safety Program for their participation. The next negotiation meeting with the Union is scheduled for June 9th. The Management Staff is working on a long-range plan for the next 5 years.
- c. The Crosslake Communications Meeting Minutes of April 28, 2009 were included in the packet for Council information.
- d. The Crosslake Communications Customer Counts Report was included in the packet for Council information.

5. **PUBLIC WORKS/CEMETERY/SEWER –**

- a. The Public Works Commission Meeting Minutes of March 2, 2009 were included in the packet for Council information.
- b. A notice stating that the City of Crosslake will be cleaning Pinewood Cemetery the week of May 17th was included in the packet for Council information.
- c. A memo dated May 5, 2009 from the Public Works Commission regarding a recommendation to insulate the Oxidation Ditch Building was included in the packet for Council review. Ted Strand reported that at its meeting of May 4th, the Public Works Commission reviewed quotes for insulating the Oxidation Ditch Building with 3-inch sprayed foam. Three quotes were received from

Build All Lumber, Reliable Insulation and Minnesota Spray Foam Insulation. Minnesota Spray Foam Insulation was the low quotation at \$9,775. Ted Strand stated that he received two favorable references for Minnesota Spray Foam Insulation and that the money for the project was included in the Oxidation Ditch Building budget. MOTION 05R-26-09 WAS MADE BY JOHN MOENGEN AND SECONDED BY RUSTY TAUBERT TO ACCEPT THE LOW QUOTATION FROM MINNESOTA SPRAY FOAM INSULATION AT A COST OF \$9,775. MOTION CARRIED WITH ALL AYES.

- d. The April 2009 Wastewater Treatment Discharge Monitoring Report was included in the packet for Council information. Ted Strand reported that everything is working well.
6. RECYCLING –
- a. The Crosslake Roll-Off Recycling Report for April 2009 was included in the packet for Council information.
7. PERSONNEL COMMITTEE – None.
8. ECONOMIC DEVELOPMENT AUTHORITY –
- a. The EDA Meeting Minutes of January 20, 2009 were included in the packet for Council information.
 - b. A memo dated May 7, 2009 from the EDA regarding the sale of the City's interest in Manhattan Beach, LLC Note Payable to the City was included in the packet for Council review. City Attorney Mike Couri gave a brief update regarding the background on the matter. Manhattan Beach LLC has the following mortgages on the property: 1st position – Northern National Bank approximately \$1,400,000; 2nd and 3rd positions – SBA Loans approximately \$830,000; 4th position – City of Crosslake – approximately \$77,000. Rick Born, owner of Manhattan Beach LLC requested that the City of Crosslake accept a discount on the loan so that it could be paid off. The original loan from the City was \$100,000. To date Manhattan Beach LLC has paid \$22,882.98 on the principal and \$30,204.60 in interest. H2 Enterprises offered to pay \$23,000 to pay off the loan. The City counter-offered \$34,500. H2 Enterprises then offered \$30,000 and the City replied that they would consider \$32,000. City Attorney Couri asked the Council to keep in mind that the City is currently in a 4th position on the mortgage and that no payments have been made since December 2008, so there is little incentive for Manhattan Beach, LLC to pay the City loan. If the property goes into foreclosure, the City would probably get nothing. Rusty Taubert was in favor of accepting the deal. The current offer is approximately 40% of the outstanding principal, leaving approximately \$15,000 unpaid when taking into account what has been paid on principal and interest. Attorney Couri stated that he does not know the motivation of the offer by H2 Enterprises and that the personal guarantees from the previous owners, Richard and Bhunnee Jurek, should stay with the City so that no one could go after them for more money. Tom Swenson stated that the City did assume that the Jurek's were

no longer involved in the business when Rick Born purchased Manhattan Beach Lodge from them. MOTION 05R-27-09 WAS MADE BY DEAN SWANSON AND SECONDED BY RUSTY TAUBERT TO ASSIGN ALL OF THE CITY'S RIGHT, TITLE AND INTEREST IN THE PROMISSORY NOTE OWED TO THE CITY BY MANHATTAN BEACH, LLC FOR THE SUM OF \$32,000 TO H2 ENTERPRISES, LLC AND THAT THE COUNCIL WOULD EXECUTE A LETTER OF UNDERSTANDING AT ITS JUNE MEETING. MOTION CARRIED WITH ALL AYES. Attorney Couri stated that this motion commits the City to enter into the agreement.

H. CITY ATTORNEY REPORT – A memo dated May 6, 2009 from Mike Couri regarding the attorney report was included in the packet for Council information. No action was required.


I. OLD BUSINESS – None.

J. NEW BUSINESS – None.

K. PUBLIC FORUM – None.

L. ADJOURN – MOTION 05R-28-09 WAS MADE BY DEAN SWANSON AND SECONDED BY JOHN MOENGEN TO ADJOURN THIS REGULAR MEETING AT 10:02 P.M. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,



Charlene Nelson
Deputy Clerk

Deputy Clerk/Minutes/5-11-09

BILLS FOR APPROVAL

11-May-09

VENDORS	DEPT	AMOUNT
Abra, hd boilers	Cemetery	13.40
Ace Hardware, hardware	PW	20.76
Ace Hardware, tape, splice, tubing	PW	31.39
Ace Hardware, batteries, nipples, couples	PW	50.92
Ace Hardware, spray paint	PW	4.78
Ace Hardware, keys	Fire	12.94
Ace Hardware, alarm, elbow, couple	PW	46.46
Ace Hardware, fuse kit	Police	7.44
Ace Hardware, bulbs, bleach, soap, chrome ball	PW	52.49
Ace Hardware, hardware	PW	1.69
Ace Hardware, snap bolts	P&R	4.25
Ace Hardware, nylon rope	P&R	8.51
Ace Hardware, spray paint, fuse kits, bulbs	PW	63.80
Ace Hardware, head lights	Police	21.28
Ace Hardware, korky flapper	Gov't	7.98
Aitkin Implement, tractor repair	PW	2,072.37
Ameripride, mats	PW	121.32
AW Research, water test	Sewer	121.05
AW Research, water test	Sewer	121.05
AW Research, water test	Sewer	27.90
AW Research, water test	Sewer	121.05
AW Research, water test	Sewer	121.05
B&B Products, replace park neutral module	Police	112.07
Banyon Data Systems, utility billing support	Sewer	780.01
Bjergas Feed Stores, seed	P&R	89.00
BLADC, 40% of jobz fee	Gov't	200.00
Blue Lakes Disposal, trash removal	ALL	264.13
Bob Hartman, reimburse mileage	Police	217.08
Business Forms and Accounting, utility bill forms	Sewer	224.93
Chemsearch, blue beast, texite	PW	1,025.93
City of Crosslake, sewer utilities	PW/Govt	198.00
Colleen Edblad, refund tball registration	P&R	30.00
Council #65, union dues	ALL	386.79
Crosslake Communications, phone, fax, dsl, cable	ALL	1,458.85
Crosslake Rolloff, recycling	Gov't	2,695.00
Crow Wing County Auditor, 20% jobz fee	Gov't	100.00
Crow Wing County Highway Dept, cutting edges	PW	522.28
Crow Wing County Highway Dept, fuel	ALL	2,467.17
Crow Wing County Treasurer, tif administration	Gov't	200.00
Culligan, water and cooler rental	PW/Govt	50.56
Dacotah Paper, paper towel dispenser	P&R	26.63
Darlene Roach, reimburse petty cash	ALL	92.49
Deferred Comp	ALL	226.92
Delta Dental, dental insurance	ALL	1,403.20
DG Towing, swap tires	Police	62.00

DG Towing, tires	Police		485.32
DG Towing, tires	Police		424.95
DG Towing, alternator	Police		535.40
Donna Keiffer, aerobics session #5	P&R		220.40
East Side Oil, oil recycling	PW		50.00
Electrical Systems, outlet for brine	PW		268.54
Fire Instruction and Rescue, 30 hour rit	Fire		500.00
Fortis, disability	ALL		408.58
General Drivers Union Local #346, union dues	Police		165.00
Hawkins, ferric chloride, aqua hawk	Sewer		1,226.18
Houston Ford, fix blower, charging system, brakes, oil change	Police		242.91
Houston Ford, oil change	Police		22.70
Initiative Foundation, city contribution	Gov't		1,000.00
Jim Ritter, reimburse for uniform	PW	pd 4-24	85.88
Lakes Area Rental, repair fuel system, carb kit	PW		90.25
Law Enforcement Targets, targets	Police		52.35
League Direct, baseballs, scorebooks	P&R		154.03
League of MN Cities, directory of mn city officials	Admin		52.19
League of MN Cities Insurance, property insurance	ALL		82,565.00
League of MN Cities, 2009 annual conference	Admin		350.00
Marco, copier lease	ALL	pd 5-4	379.56
Marsden, office cleaning	PW		626.22
Mastercard, 4Inkjets, ink	PW	pd 4-24	71.99
Mastercard, Barnes and Noble, books	Library		270.19
Mastercard, Bartley Sales, fire extinguisher cabinet doors	P&R	pd 4-24	47.93
Mastercard, Best Buy, gps units	P&R		1,604.84
Mastercard, Childs World, books	Library		18.95
Mastercard, Country Inn, lodging for course	P&R		177.18
Mastercard, Game Time, wood fiber	P&R		1,956.27
Mastercard, Neopost, postage meter rate change	P&Z/Admin		90.53
Mastercard, Perkins, travel expense for loss control wkshp	ALL		40.34
Mastercard, Select Safety Sales, bloodborne pathogen kits	P&R		55.84
Mastercard, U of MN, spring maintenance training expo	PW	pd 4-24	70.00
Mastercard, Watt Automotive, fuel module, filter	PW	pd 4-24	677.47
Medica, health insurance	ALL		24,527.82
Menards, bulbs, entrance alarm	PW		49.87
Menards, cable ties	P&R		21.18
Menards, welded wire, rebar	P&R		649.93
Menards, silt fence, padded tiedown	PW/P&R		81.23
Metro Fire, gloves, charger	Fire		884.39
Mills Motors, brace for running board	P&R		67.32
Minnesota T's, caps	P&R		204.48
MN Assn of Small Cities, membership dues	Gov't		1,123.40
MN Benefits	Admin	pd 5-4	176.42
MN Life, life insurance	ALL		420.20
MN Literacy Council, vista cost share	Library		500.00
MN Revenue, mpca wq annual permit fee	Sewer		1,450.00
MN Wastewater Operators Assn, membership dues	Sewer		25.00
Moonlite Square, fuel	Fire		4.87
MR Sign, address signs	PW		215.03
NCPERS-Life Insurance	ALL		192.00

North Ambulance, subsidy	Ambulance	pd 5-4	1,103.00
North Central Lawn Care, fertilizer, herbicide	P&R		1,554.37
North Central Lawn Care, fertilizer	ALL		750.83
Northland Press, ordinance 276	P&Z		54.00
Northland Press, business cards	Police		183.01
Northland Press, meeting notice of 4/24	P&Z		72.00
Northland Press, cemetery cleanup ad	Gov't		28.80
Northland Trust Services, 2004 refunding bonds	Gov't		3,661.25
Northwood Turf and Power, louver	P&R		21.67
Northwood Turf and Power, aerator	P&R		499.00
Northwood Turf and Power, wedges	PW		23.43
Office Max, copy paper, binders	P&R		55.49
Office Max, name badges, ink, paper	Library		206.15
PERA	ALL		N/A
Planning and Zoning Commissioners, 1st quarter meetings	P&Z		350.00
Pro West & Associates, arcview licenses	P&Z		2,556.00
Public Safety Center, batteries, bulb	Fire		160.97
Reed's Market, sentence to serve	P&R		25.91
Reed's Market, sentence to serve	PW		51.09
Region 5 Development, 20% jobz fee	Gov't		100.00
Roach's Lawn and Marine, oil	PW		22.89
Simonson Lumber, trim	Gov't		7.34
State and Federal Taxes	ALL		N/A
The Office Shop, copy paper	P&Z/Admin		140.58
The Office Shop, lead, card stock, cd's	Admin		53.74
The Office Shop, folders	P&Z/Admin		17.02
The Office Shop, ink	P&Z		242.75
Tom Swenson, vehicle expense	Admin	pd 5-4	400.00
Trana Masonry, cement slab	Sewer		400.00
Uniforms Unlimited, uniform	Police		84.50
USA Bluebook, replacement strainer for baskets	Sewer		475.36
Verizon, cell phone charges	Police		514.74
Verizon, cell phone charges	PW		201.78
Viking Coca Cola, pop	Gov't		53.36
Waterfront Services, 4 foot braces	P&R		79.88
Weight Room Users, insurance reimbursements	P&R		440.00
Widseth Smith Nolting, engineering fees	ALL		1,892.50
Xcel Energy, gas utilities	ALL		1,107.69
Zee Medical Service, 1st aid kit supplies	PW		134.45
Ziegler, final payment on rosco sweeppro broom	PW		31,417.50
Ziegler, preventative maintenance service	PW		1,337.25
TOTAL			191,947.35

ADDITIONAL BILLS FOR APPROVAL
11-May-09

VENDOR	DEPT	AMOUNT
Abra, grass seed	Sewer	115.00
Abra, pipe	Fire	3.21
Abra, hex bush, nipple, plug	Fire	23.06
Abra, hex bush, nipple	Fire	7.72
Anderson Brothers, washed rock	PW	87.60
Crow Wing Power, electric service	ALL	5,787.59
Elite Fence & Deck, reinstall chain link fence	PW/Phone	1,330.00
Lakes Printing, cross country ski trail maps	P&R	99.79
Lane Braaten, reimburse travel expense	P&Z	10.66
Martin Communications, battery pack	Fire	29.82
Martin Communications, belt clip	Fire	11.72
Mastercard, Element, anti-virus	Library	26.99
MCS Janitorial Services, may office cleaning	Gov't	772.13
MTA safety program	Gov't	1,940.00
North Central Lawn Care & Irrigation, grass seed	ALL	639.00
Streichers, uniform	Police	262.61
Streichers, uniform	Police	139.98
Terminal Supply Co, grommet kit, heat sealing nylon	PW	475.10
Uniforms Unlimites, uniform	Police	199.80
		11,961.78

RESOLUTION 09-07
TO ADOPT FOR RENEWAL EXISTING LIQUOR LICENSE
ESTABLISHMENTS FOR 2009-2010

WHEREAS, the City of Crosslake does hereby resolve to adopt the Liquor License Renewals of establishments licensed in 2009-2010 for the licensing year 2009-2010:

ON SALE (INTOXICATING) - \$1500

Andy's
Maucieri's
Moonlite Bay
Riverside Inn
The Cedar Chest
The Wharf
Zorbaz

SUNDAY (INTOXICATING) - \$200

Andy's
Maucieri's
Moonlite Bay
Riverside Inn
The Cedar Chest
The Wharf
Zorbaz

OFF SALE (NON-INTOX) \$25

Bait Box Marina
Moonlite Square
Ox Lake Tavern

OFF-SALE (INTOXICATING) - \$100

Andy's
Barstock Liquors
Channel Liquors
Moonlite Square
Riverside Inn

WINE LICENSE - \$100

Crosswoods Golf Course
Ox Lake Tavern

SET-UP - \$50

CONSUMPTION & DISPLAY

Crosswoods Golf Course
Ox Lake Tavern

CLUB

American Legion On-Sale \$300
American Legion Sunday \$200

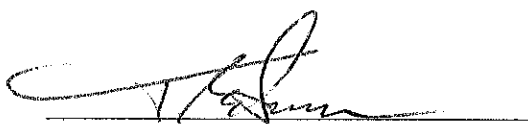
ON-SALE (NON-INTOX) \$75

Crosswoods Golf Course
Ox Lake Tavern
Rafferty's

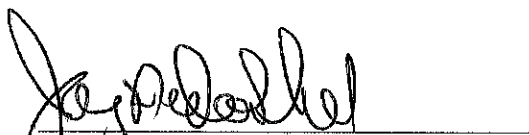
BE IT RESOLVED, that the City Council for the City of Crosslake, Minnesota go on record as renewing the above establishments for liquor/wine/beer licensing for the period of July 1, 2009 – June 30, 2010, at a Regular Council Meeting on the 11th day of May, 2009, after all licensing requirements are met both under local Ordinance and under MN State Statutes Chapter 340A, and approval is granted by the Minnesota Department of Public Safety Alcohol and Gambling Enforcement Division.

COUNCIL IN FAVOR – 5

COUNCIL AGAINST - 0



Thomas N. Swenson
City Administrator


Jay Andolshek
Mayor

RESOLUTION 09-08

AUTHORIZING EXECUTION OF AGREEMENT

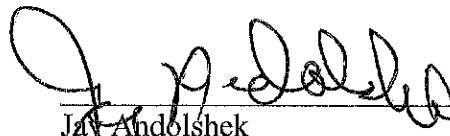
BE IT RESOLVED that the Crosslake Police Department enter into grant agreements with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled SAFE & SOBER COMMUNITIES during the period from October 1, 2009 through September 30, 2012.

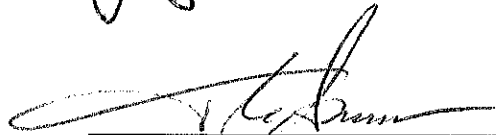
The Chief of the Crosslake Police Department is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Crosslake Police Department.

BE IT FURTHER RESOLVED the Chief of the Brainerd Police Department is hereby authorized to execute the grant, be the fiscal agent and administer this grant on behalf of the Crosslake Police Department.

Adopted by the Crosslake City Council this 11th day of May, 2009.

CITY OF CROSSLAKE



Jay Andolshek
Mayor

Thomas Swenson
City Administrator

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

**RESOLUTION AUTHORIZING PARTICIPATION IN THE
PERA POLICE AND FIRE PLAN**

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

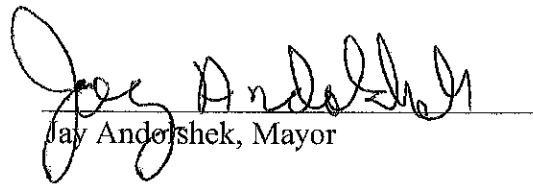
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CROSSLAKE, MINNESOTA hereby declares that the position titles Part-Time Police Officer, currently held by Sherilyn Lee Fyle meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.



Thomas N. Swenson, City Administrator

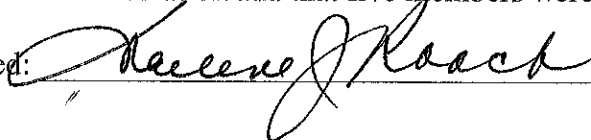


Jay Andorshek, Mayor

STATE OF MINNESOTA
COUNTY OF CROW WING

I, Darlene J. Roach, Clerk of the City of Crosslake, Minnesota, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 11th day of May, 2009; the original of which is on file in this office. I further certify that five members voted in favor of this resolution and that five members were present and voting.

Signed:



Date:

5/11/09

**CITY OF CROSSLAKE
RESOLUTION NO. 09-10**

**RESOLUTION AUTHORIZING PARTICIPATION IN THE
PERA POLICE AND FIRE PLAN**


WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

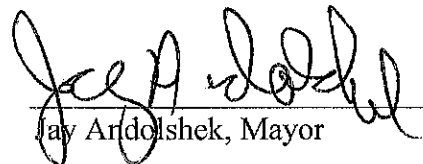
WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CROSSLAKE, MINNESOTA hereby declares that the position titles Part-Time Police Officer, currently held by Scott Malloy meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.


Thomas N. Swenson, City Administrator


Jay Ardolshek, Mayor

STATE OF MINNESOTA
COUNTY OF CROW WING

I, Darlene J. Roach, Clerk of the City of Crosslake, Minnesota, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 11th day of May, 2009; the original of which is on file in this office. I further certify that five members voted in favor of this resolution and that five members were present and voting.

Signed:  Date: 5/11/09

**CITY OF CROSSLAKE
RESOLUTION NO. 09-11**

**RESOLUTION AUTHORIZING PARTICIPATION IN THE
PERA POLICE AND FIRE PLAN**

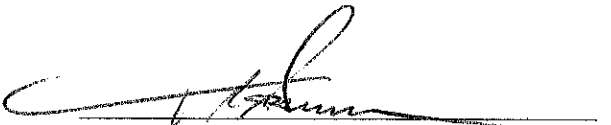
WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

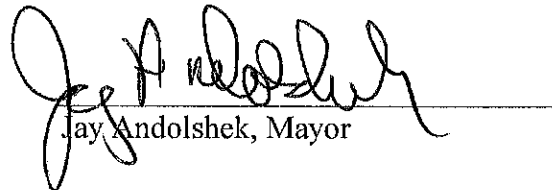
WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CROSSLAKE, MINNESOTA hereby declares that the position titles Part-Time Police Officer, currently held by Andrew Stanwood meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.

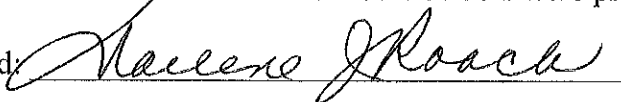

Thomas N. Swenson, City Administrator


Jay Andolshek, Mayor

STATE OF MINNESOTA
COUNTY OF CROW WING

I, Darlene J. Roach, Clerk of the City of Crosslake, Minnesota, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 11th day of May, 2009; the original of which is on file in this office. I further certify that five members voted in favor of this resolution and that five members were present and voting.

Signed:



Date:

5/11/09

Crosslake Telephone Company

Check Register - General Account

From March 1, 2009 through March 31, 2009

G.4.a.

Check #	Vendor ID / Name	Date	Description	Amount
000964	INTERNAL REVENUE SERVICE	3/6/2009	FED, FICA, MEDICARE	6,392.60
000965	PERA	3/6/2009	PERA EE & ER	3,508.34
000966	MINNESOTA DEPT OF REVENUE	3/6/2009	MN INCOME TAX WITHHELD	1,046.45
000967	GREAT WEST LIFE & ANNUITY INSU	3/6/2009	DEFERRED COMP	1,951.42
000968	CITY OF CROSSLAKE (SEWER)	3/10/2009	FEBRUARY SEWER	33.00
000969	INTERNAL REVENUE SERVICE	3/31/2009	MARCH EXCISE TAX	1,684.78
000970	MINNESOTA DEPT OF REVENUE	3/31/2009	MARCH SALES & USE TAX	8,302.00
000971	INTERNAL REVENUE SERVICE	3/20/2009	FED, FICA, MEDICARE	6,793.19
000972	PERA	3/20/2009	PERA EE & ER	3,574.85
000973	MINNESOTA DEPT OF REVENUE	3/20/2009	MN INCOME TAX WITHHELD	1,199.47
000974	GREAT WEST LIFE & ANNUITY INSU	3/20/2009	DEFERRED COMP	1,951.42
000975	CROW WING POWER	3/26/2009	MARCH ELEC SERVICE	4,409.04
023687	MN CHILD SUPPORT PAYMENT CTR	3/6/2009	CHILD SUPPORT WITHHELD	49.83
023688	JC CHRISTENSEN & ASSOC INC	3/10/2009	COLLECTIONS	764.72
023689	EMILY COOPERATIVE TELEPHONE	3/10/2009	FIBER AGREEMENT	2,841.96
023690	REED'S MARKET	3/10/2009	WATER FOR BATTERIES	17.25
023691	ECHO PUBLISHING & PRINTING INC	3/10/2009	2000 CARBONLESS RECEIPTS	135.73
023692	CULLIGAN	3/10/2009	MAR/APR SERVICE	166.15
023693	GOPHER STATE ONE CALL	3/10/2009	LOCATES	4.35
023694	ONVOY, INC.	3/10/2009	0264 & 6264 PROGRAMS, LONG DIST, OPR SERV,SS7	8,904.92
023695	OLSEN THIELEN CO LTD	3/10/2009	INTERIM BILLING-AUDIT	7,931.00
023697	UNITED PARCEL SERVICE	3/10/2009	WKLY SERVICE & MIISC SHIPPING	92.82
023698	CROSSLAKE COMMUNICATIONS	3/10/2009	PHONE SERVICE, COMM CTR VOICE MAIL	904.08
023699	CITY OF CROSSLAKE	3/10/2009	OPERATING TRANSFER	20,897.33
023700	CONSOLIDATED TELEPHONE	3/10/2009	FIBER AGREEMENT	14,248.00
023701	XCEL ENERGY	3/10/2009	FEBRUARY NATURAL GAS	553.78
023702	BEVCOMM	3/10/2009	ANSWERING SERVICE	105.00
023703	LAKES UTILITY COOR. COMMITTEE	3/10/2009	2009 MEMBERSHIP DUES	250.00
023704	SOLIX	3/10/2009	B&C STATEMENT	114.03
023705	BUILD ALL LUMBER	3/10/2009	REFUND CREDIT BALANCE	8.93
023706	AMERIPRIDE LINEN & APPAREL	3/10/2009	RUG & TOWEL SERVICE	89.77
023707	BADGER COMMUNICATIONS CORP	3/10/2009	PHONES FOR L THOMAS & EDINA	203.20
023708	MINNESOTA 9-1-1 PROGRAM	3/10/2009	911, TAP, TACIP	1,781.63
023709	MN NCPERS LIFE INSURANCE	3/10/2009	MARCH LIFE PREMIUM	48.00
023710	CROW WING COUNTY SHERIFF'S OFC	3/10/2009	2009 BUSINESS ALARM RENEWAL	20.00
023711	CDW DIRECT, LLC	3/10/2009	MAC ADDITIONS	591.92
023712	CENTRAL TRANSPORT GROUP LLC	3/10/2009	4 EA DS-1'S, 1 T3	3,708.32
023713	MERRILL LYNCH	3/10/2009	DEBT SERV & NEW TECH RESERVE, FEB VISA	43,809.40
023714	PINNACLE PUBLISHING, LLC	3/10/2009	TELEPHONE DIRECTORY-7	1,938.08
023715	FOX SPORTS NET NORTH	3/10/2009	AFFILIATE PAYMENT	4,765.15
023716	TURNER NETWORK SALES, INC.	3/10/2009	AFFILIATE PAYMENT	3,022.20
023717	LIFETIME	3/10/2009	AFFILIATE PAYMENT	1,342.06
023718	TV GUIDE NETWORKS INC	3/10/2009	AFFILIATE PAYMENT	673.66
023719	JOHNSON, KILLEN & SEILER, PA	3/10/2009	IBEW NEGOTIATIONS	1,732.50
023720	AT&T - DALLAS TX	3/10/2009	PARS 3/1 BAN 1499	482.12
023721	7SIGMA SYSTEMS, INC	3/10/2009	REFUND CREDIT BALANCE	2,300.00
023722	SEGUE SERVICES, INC	3/10/2009	LTR TO PLANNING & ZONING-TOWER	51.53
023723	CORNERSTONE GROUP	3/10/2009	PROM PLANNER MAR 09 - FEB '10	2,561.76
023724	CYNTHIA PERKINS	3/10/2009	CAFE PLAN REIMBURSEMENT	75.64
023725	EDINA REALTY	3/10/2009	REFUND CREDIT BALANCE	24.71
023726	CROSSLAKE ACE	3/10/2009	FUNNEL, ANTIFREEZE, START FUEL SHOVEL, ETC	150.54
023727	NATIONAL CABLE TEL COOP, INC	3/10/2009	AFFILIATE PAYMENT	17,527.11
023728	SPRINT	3/10/2009	CELL PHONES	221.56
023729	EQUUS COMPUTER SYSTEMS, INC	3/10/2009	MONITOR AND PC FOR RESALE	754.87
023730	CINNAMON MUELLER	3/10/2009	RE: KSAX CARRIAGE	97.50
023731	KARE 11 TV	3/10/2009	AFFILIATE PAYMENT	524.00
023732	WASTE PARTNERS, INC.	3/10/2009	FEBRUARY TRASH REMOVAL	80.50
023733	DISCOVERY COMMUNICATIONS, INC.	3/10/2009	AFFILIATE PAYMENT	209.07
023734	WEATHER CENTRAL	3/10/2009	MAR DATA SERVICE - 10	146.00
023735	ROGER'S TWO WAY RADIO	3/10/2009	PAGER	10.65
023736	IKON FINANCIAL SERVICES	3/10/2009	COPIER LEASE-19	325.89
023737	NATIONAL GEOGRAPHIC CHANNEL HD	3/10/2009	AFFILIATE PAYMENT	7.71

023738	T-MOBILE USA, INC.	3/10/2009	RECIP COMP 12/1-12/31/08	46.52
023739	STELLAR BILLING, LLC	3/10/2009	MARCH BILLING	6,910.73
023740	ZAYO BANDWIDTH	3/10/2009	DEDICATED FACILITIES, BANDWIDTH BILLING	3,077.00
023741	C-I COMMUNICATIONS	3/10/2009	FIBER AGREEMENT	732.70
023742	CHARTER COMMUNICATIONS	3/10/2009	LOCAL CHANNEL TRANSPORT	1,850.00
023743	TIGER DIRECT	3/10/2009	NATES PC	1,305.58
023744	CHERI E. AYD	3/10/2009	MARCH CLEANING	686.92
023745	KSTP-TV, LLC	3/10/2009	AFFILIATE PAYMENT	325.75
023746	BROADBAND INTEGRATED RESOURCE	3/10/2009	REPAIR CHASIS, LINE EXTENDERS	426.15
023747	NORTHWOOD FLORAL & GIFTS	3/10/2009	FLOWERS-ANDOLSHK	88.40
023748	CROW WING COUNTY HIGHWAY DEPT.	3/10/2009	JAN UNLEAD & DIESEL FUEL	390.29
023749	NORTHLAND PRESS	3/10/2009	AD FOR BIDS ON EQUIPMENT	40.00
023750	DALE CROSBY	3/10/2009	PERM DISCONNECT	27.35
023751	MARK BRADLEY	3/10/2009	PERM DISCONNECT	35.85
023752	MINNESOTA DEPT OF COMMERCE	3/10/2009	4TH QTR INDIR ASSESSMENT	654.98
023753	SPRINT NORTH SUPPLY	3/10/2009	VOID INV- WRONG VENDOR ENTERED	0.00
023754	IBEW LOCAL UNION 949	3/20/2009	UNION DUES	404.67
023755	MN CHILD SUPPORT PAYMENT CTR	3/20/2009	CHILD SUPPORT WITHHELD	49.83
023756	HOUSTON FORD	3/25/2009	BRAKES, OIL CHG, ALIGNMENT	369.09
023757	LARRY EVENSON	3/25/2009	CAFE PLAN REIMB - BAL 2038.30	134.68
023758	POWER & TELEPHONE SUPPLY	3/25/2009	3000 BUTT CONNECTORS	345.17
023759	QWEST COMMUNICATIONS	3/25/2009	3/20 ACCESS CHGS MN CSLK-20	96.84
023760	CITI LITES INC	3/25/2009	LOCATES	94.80
023761	THE OFFICE SHOP	3/25/2009	INK CARTRIDGE, STORAGE BXS, CAN LINERS	135.64
023762	DELTA DENTAL PLAN OF MINNESOTA	3/25/2009	APRIL DENTAL PREMIUM	866.40
023763	MEDICA	3/25/2009	APRIL MEDICAL PREMIUM	18,322.21
023764	NEUSTAR INC.	3/25/2009	SOW & LNP CHARGES	122.13
023765	MINNESOTA LIFE INSURANCE CO	3/25/2009	APRIL LIFE PREMIUM	180.70
023766	UNIVERSAL SERVICE ADMIN CO.	3/25/2009	MARCH FUSC	1,752.50
023767	MTV NETWORKS	3/25/2009	AFFILIATE PAYMENT	5,845.48
023768	MTA	3/25/2009	1ST QTR SAFETY TRAINING	1,365.00
023769	VANTAGE POINT	3/25/2009	FEB TTB SERVICE	300.00
023770	JOHNSON, KILLEN & SEILER, PA	3/25/2009	IBEW NEGOTIATIONS	2,388.00
023771	D&H DISTRIBUTING CO.	3/25/2009	TWO OPTICAL MICE, CD-R'S, OTHER MISC FOR RESALE	612.95
023772	SPRINT	3/25/2009	CELL PHONES	226.70
023773	CALIX NETWORKS, INC	3/25/2009	REPAIR 16 EA ONT'S	4,014.00
023774	MTA OFFICE MANAGERS	3/25/2009	APRIL OFFICE MANAGERS MEETING	155.00
023775	TIGER DIRECT	3/25/2009	REFIRB LAPTOP & MOUSE FOR RESALE	531.48
023776	D.G. TOWING & REPAIR	3/25/2009	2 TIRES - 99 FORD 902-156	330.39
023777	JERRY ANDERSON	3/25/2009	REFUND CHARGE FOR WORK DONE ON COMPUTER	46.30
TOTAL FOR GENERAL ACCOUNT				<u>243,401.67</u>