

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
TUESDAY, NOVEMBER 12, 2002
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Tuesday, November 12, 2002. The following Councilmembers were present: Mayor Darrell Swanson, Charles Miller, Irene Schultz and Dean Swanson. Councilmember Eliason was absent. Also present was City Administrator Tom Swenson, Community Development Director Paul Larson, City Attorney Paul Sandelin, City Engineer's Dave Reese and Mark Hallan, Public Works Director Ted Strand, Police Chief Bob Hartman, General Manager Dennis Leaser, Clerk/Treasurer Darlene Roach and Lake Country Echo Reporter Betty Ryan. Councilmember's Elect Dean Eggena and Dick Phillips were also in attendance in addition to approximately thirty-six residents.

A. CALL TO ORDER – Mayor Swanson called the Regular Meeting to order at 7:00 P.M. and welcomed everyone in attendance. He stated that although Councilmember Eliason was out ill, a quorum of the Council was in attendance.

B. CRITICAL ISSUES – None

C. CONSENT CALENDAR – MOTION 11R-01-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF PUBLIC HEARING OF OCTOBER 14, 2002 FOR CUP APPEAL BY CHESTER MIRACLE; (2) MINUTES OF REGULAR COUNCIL MEETING OF OCTOBER 14, 2002; (3) CROSSLAKE COMMUNICATIONS TELEPHONE COMPANY STATISTICAL REPORT DATED SEPTEMBER 30, 2002; (4) CROSSLAKE COMMUNICATIONS CABLEVISION COMPANY STATISTICAL REPORT DATED SEPTEMBER 30, 2002; (5) CITY MONTH END REVENUE REPORT DATED SEPTEMBER 30, 2002; AND (6) CITY MONTH END EXPENDITURE REPORT DATED SEPTEMBER 30, 2002. MOTION CARRIED WITH ALL AYES.

D. MAYOR'S REPORT – Nothing

E. CITY ADMINISTRATOR REPORT –

1. Approval of Bills for Payment – City Administrator Tom Swenson requested that approval of the bill submitted by Mike Sedivy of Aardvark Artwork be paid contingent on Councilmember Chuck Miller, City Administrator Tom Swenson and Community Development Director Paul Larson agreeing that the project has been completed. MOTION 11R-02-02 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNTS OF \$93,977.85 AND \$11,791.07

WITH APPROVAL FOR THE PAYMENT OF THE SIGN TO AARDVARK ARTWORK CONTINGENT UPON REVIEW BY COUNCILMEMBER CHUCK MILLER, CITY ADMINISTRATOR TOM SWENSON AND COMMUNITY DEVELOPMENT DIRECTOR PAUL LARSON. MOTION CARRIED WITH ALL AYES.

2. Letter from George Riches regarding General Contractor's Draw Request – MOTION 11R-03-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE DRAW REQUEST #1 FOR CROSSLAKE CONSTRUCTION IN THE AMOUNT OF \$32,114.96 WHICH REPRESENTS A 10% RETAINAGE CONTINGENT ON THE CONTRACTOR PROVIDING A MECHANIC LIEN WAIVER. MOTION CARRIED WITH ALL AYES.
3. Canvass of election results from the General Election held on November 5, 2002 – A memo from Clerk Roach was read by City Administrator Tom Swenson which stated that under Minnesota Statute 205.185, the governing body of the City must canvass the results of the municipal election no later than November 12, 2002. The election results are as follows: Office of Mayor – Darrell E. Swanson - 671 votes and Jeffrey D. Kittlesen – 660 votes. Office of Council Member – Sandy M. Eliason – 593 votes, Dean Eggena – 695 votes, Dean L. Swanson – 567 votes and Dick Phillips – 610 votes. On the question, "Shall the city council be allowed to issue four (4) 'on-sale' licenses for the sale of intoxicating liquor at retail in excess of the number now permitted by law? – 738 votes yes and 523 votes no. MOTION 11R-04-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO CANVASS THE RESULTS OF THE ELECTION WITH DARRELL E. SWANSON, DEAN EGGENA AND DICK PHILLIPS RECEIVING THE MOST VOTES AND TO ALLOW THE CITY COUNCIL TO ISSUE FOUR ADDITIONAL 'ON-SALE' LICENSES FOR THE SALE OF INTOXICATING LIQUOR AT RETAIL. MOTION CARRIED WITH ALL AYES.
4. Ordinance Amendment increasing available on-sale liquor licenses – Following the referendum where the issuance of additional on-sale licenses was approved by the voters, an amendment to the Ordinance increasing the number from seven (7) to eleven (11) is required. MOTION 11R-05-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE ORDINANCE AMENDMENT NO. 167 AMENDING CHAPTER 4 OF THE CITY CODE INCREASING THE NUMBER OF ON-SALE LIQUOR LICENSES FROM SEVEN TO ELEVEN AND TO PUBLISH A SUMMARY OF SAID ORDINANCE AMENDMENT. MOTION CARRIED WITH ALL AYES. Councilmember Swanson inquired whether the stipulations for obtaining the license are already in the ordinance and City Attorney Paul Sandelin stated that the ordinance specifies that the primary purpose of the business is for a restaurant with the secondary use being the serving of alcohol.

5. Memo dated November 8, 2002 from Clerk Roach regarding Flex Reimbursement Plan – There are no changes in the plan from 2002 except for some language changes to family status as required by the IRS. MOTION 11R-06-02 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO ADOPT RESOLUTION NO. 02-65 APPROVING THE 2003 FLEX REIMBURSEMENT PLAN. MOTION CARRIED WITH ALL AYES.
6. A memo dated October 22, 2002 from League of Minnesota Cities Executive Director Jim Miller put the City on notice that there could be reductions or deferred payments to cities due to the state budget shortfall. City Administrator Tom Swenson noted that the City only receives \$1,779 in Local Government Aid due to the cities high tax base. Approximately two years ago the City lost \$155,000 in Homestead Credit Aid from the State so the City does not receive a large amount of funding from the State. The 2001 Tax Reform Legislation Act, however, transferred some of the homestead taxes, previously paid to the City from the County, to the State for reimbursement to cities. In the first half of 2002, the City received approximately \$35,000, however, the second half payment of \$35,000 could be deleted or deferred.
7. Letter dated October 29, 2002 from City Attorney Sandelin regarding DM Investments purchase agreement - The closing on the cemetery property has been scheduled for Friday, November 22nd at Crow Wing County Abstract in Crosslake. An Owners Title Insurance Policy will be provided to the City in lieu of an abstract.
8. A letter dated November 17, 2002 from Crow Wing Power notified the City that the cooperative's municipal meter relief program will continue for another year. Under this program the City currently has three meters that the cooperative is forgiving the normal monthly service fee. This amounted to \$360 in 2002 and a total of \$2,520 over the past seven years. In addition, the City receives a special lighting credit based on 1% of total gross revenues generated within the entire city. For 2002, the City received a credit of approximately \$18,000 toward the street lighting program.
9. A letter was received from Larry Nadeau, transit coordinator of the Crow Wing County Transit System, thanking the City for the use of a meeting room at City Hall on October 17th.
10. Lakes State Bank Pledge Update dated October 31, 2002 was included for Council information.
11. Lakewood Bank Pledge Update dated October 2002 was included for Council information.
12. Northern National Bank Pledge Update dated October 2002 was included for Council information.
13. Request to close City Offices on December 24th – Approval was requested to close City buildings on Tuesday, December 24th with employees taking vacation, compensatory time or a personal holiday. Employees without leave remaining, who wish to take the day off, will be required to take the

time off without pay. MOTION 11R-07-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE THE CLOSING OF CITY HALL ON TUESDAY, DECEMBER 24TH. MOTION CARRIED WITH ALL AYES.

14. Letter dated November 6th from Ruth Ann Hanson, Chamber of Commerce regarding Santa's Crosslake Kick-Off on December 7, 2002 – Ruth Ann Hanson addressed the Council and provided an update on the activities that the Chamber will be sponsoring on Saturday, December 7th. The festivities begin at 2:00 P.M. with a bonfire, pictures with Santa, and horse drawn hayrides.

F. COMMISSION REPORTS –

1. **PUBLIC SAFETY** – Police Chief Bob Hartman reported 138 incidents in Crosslake and 30 incidents in Mission Township in October. Councilmember Miller inquired about the legality of parking along non-major streets. Chief Hartman stated that the City follows State Statute, which allows for on street parking. If a vehicle presents a safety hazard for the public, the Police Department would attempt to contact the owner of the vehicle. If the owner is unavailable, the vehicle could be towed. Councilmember Miller's concern was with the City's ability to properly remove snow if cars are parked along the street. In the absence of Fire Chief Keith Anderson, City Administrator Tom Swenson gave the Fire Department report. In October, the Department responded to five medical calls and two fire calls. North Ambulance reported 39 callouts in October.
2. **LIBRARY** – Bob Mattson addressed the Council and presented an artist rendering which was prepared by Jim Stevenson showing the proposed library building attached to the Community Center. He stated that five individuals worked on this project including Alden Hardwick, George Riches, Jon Henke, Jim Stevenson and himself. Both the Park and Recreation Commission and Library Committee have approved the concept which would attach the proposed library to the East side of the Community Center building. The addition would be designed so that the building would look like a single building. One major advantage to this design is that meeting rooms and Staff could be shared. The drawing will be used as part of an informational package which will be going out within the next couple of months when the fundraising campaign begins. Councilmember Swanson asked if there would be a common entrance to both buildings and Mr. Mattson said there would be a common entrance but that the library could be locked off or closed if necessary.
3. **PARK AND RECREATION -**
 - a. The minutes of the Park and Recreation Commission meeting of October 28, 2002 were included for Council information.
 - b. Park and Recreation Director Jon Henke was attending the Minnesota Park and Recreation Conference in the Twin Cities, so Commission Liaison Irene Schultz presented the Staff Report for

November. Approval was requested to accept the donation of \$1500 from Crow Wing Power Community Trust for the purchase of a recumbent bike for the Community Center. MOTION 11R-08-02 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO ACCEPT WITH APPRECIATION THE DONATION OF \$1500 FROM CROW WING POWER COMMUNITY TRUST TO BE USED TOWARDS THE PURCHASE OF A RECUMBENT BIKE FOR THE COMMUNITY CENTER. MOTION CARRIED WITH ALL AYES. The annual Halloween Party was held on Saturday, October 26th from 1:00 P.M. to 3:00 P.M. at the Community Center. Approximately 400 people participated in the event including two hundred children. The Staff wishes to thank all of the service organizations, businesses and volunteers who make this event a huge success. The Community Center will be closed on November 28th and 29th for the Thanksgiving Holiday. The book club will not be meeting in December, January or February.

4. PLANNING AND ZONING –

- a. The October 2002 Permit Summary showed a total of 81 permits issued in October for a valuation of \$2,622,960. This brings the year-to-date valuation to \$16,288,881 compared to \$15,802,890 for 2001. The Crow Wing County Summary of Permits issued for September 2002 was included for Council information.
- b. The minutes of the September 27, 2002 Commission Meeting were included for Council information.
- c. Staff Report dated November 12, 2002 regarding Final Plat Approval of Wild Wind 4 – The applicant, Steve Peterson, is requesting final plat approval for Wild Wind. The plat includes 14.5 acres, consisting of eleven residential lots and one outlot. The outlot is intended to protect the “Gordon Ancient Embankments” prehistoric mounds located on the property. The City Council approved the preliminary plat on August 13, 2002 with conditions which have all been met in the final plat. Final plat approval is recommended by the Planning and Zoning Commission including twenty-one conditions. MOTION 11R-09-02 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN SWANSON TO APPROVE FINAL PLAT 2002-017 FOR WILD WIND WITH THE FOLLOWING CONDITIONS: (1) ALL OF THE FOLLOWING FEES ARE PAID TO THE CITY PRIOR TO SIGNING OF THE FINAL PLAT INCLUDING PARK DEDICATION FEE OF \$5500; CITY ENGINEER AND SURVEYOR FEES ASSOCIATED WITH THE APPLICATION AND CITY ATTORNEY FEES ASSOCIATED WITH THE APPLICATION; (2) CITY

ATTORNEY APPROVES THE TITLE OPINION FOR THE PLAT; (3) CITY SURVEYOR APPROVES THE FINAL PLAT BASED ON CONFORMANCE WITH STATE PLATTING LAWS; (4) THE PROPOSED PUBLIC ROAD IS CONSTRUCTED TO CITY STANDARDS AND APPROVED BY THE PUBLIC WORKS COMMISSION WITH RECOMMENDATIONS FROM THE CITY ENGINEER; (5) ACCEPTANCE OF THE PUBLIC IMPROVEMENTS BY THE CITY SHALL BE CONTINGENT UPON RECEIPT OF WRITTEN CERTIFICATION BY THE DEVELOPER'S ENGINEER THAT THE CONSTRUCTION HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS AND SUBMITTAL OF CERTIFIED RECORD DRAWINGS; (6) THE DEVELOPER SHALL REIMBURSE THE CITY FOR ALL REASONABLE ADMINISTRATIVE COSTS INCLUDING ENGINEERING AND LEGAL SERVICES, ASSOCIATED WITH THE REVIEW OF PROJECT DOCUMENTS, MEETINGS AND OBSERVATION OF CRITICAL PHASES OF CONSTRUCTION; (7) THE DEVELOPER SHALL PROVIDE A COST ESTIMATE OF THE ROAD CONSTRUCTION AND POST A BOND OR SECURITY WITH THE CITY FOR 125% OF THE ESTIMATED COST OF THE IMPROVEMENTS, IN ACCORDANCE WITH THE CURRENT CITY ORDINANCE; (8) A DEVELOPMENT AGREEMENT SHALL BE PREAPPROVED THAT OUTLINES THE COSTS AND BONDING REQUIREMENTS FOR THE ROAD; (9) THE CITY ATTORNEY SHALL REVIEW AND APPROVE THE DEVELOPMENT AGREEMENT; (10) INSPECTION OF THE NEW STREET SHALL BE MADE BY THE CITY ENGINEER WITH THE COST OF SUCH INSPECTIONS PASSED ON TO THE DEVELOPER; (11) BEST MANAGEMENT PRACTICES ARE USED DURING AND AFTER CONSTRUCTION TO PREVENT EROSION; (12) NO CONSTRUCTION, TRAIL DEVELOPMENT, ROUTING OF UTILITY LINES OR OTHER GROUND-DISTURBING ACTIVITIES SHOULD OCCUR WITHIN AT LEAST 20 FEET OF THE BASE OF THE "GORDON ANCIENT EMBANKMENTS" (13) A PERMANENT FENCE SHALL BE INSTALLED AT A SETBACK OF 20 FEET FROM THE BASE OF THE MOUNDS; (14) A 20 FOOT BUFFER AROUND THE MOUNDS MUST BE FENCED DURING CONSTRUCTION WITH TEMPORARY FENCING TO PROVIDE A VISUAL AND PHYSICAL BARRIER TO INADVERTENT IMPACT DURING SITE DEVELOPMENT; (15) NO VEGETATION OR STUMP REMOVAL IS PERMITTED WITHIN THE

DESIGNATED MOUND AREA; (16) THE MOUNDS SHALL BE MAPPED AND ADDED TO THE PARCEL'S PLAT, REFERENCED IN ANY DEEDS OR ABSTRACTS FOR THE PROPERTY WITH REFERENCE TO THEIR PROTECTION UNDER PROVISIONS OF MS 307.08 OR SUBSEQUENT REVISIONS; (17) THE DEVELOPMENT MUST MEET ALL CONDITIONS OUTLINED IN THE STATE ARCHEOLOGIST MEMO TO THE DEVELOPER DATED JUNE 25, 2001; (18) A CONSTRUCTION DEPOSIT IS PAID TO CROSSLAKE COMMUNICATIONS FOR CABLE TV AND TELEPHONE UTILITIES PRIOR TO CONSTRUCTION OF ANY SUCH UTILITIES WITHIN THE DEVELOPMENT; (19) A VEGETATION BUFFER CONSISTING OF NATIVE AND/OR ORNAMENTAL PLANTINGS MUST BE RETAINED TO ACT AS SCREENING BETWEEN EAST SHORE ROAD TO THE NORTH AND DEVELOPMENT ON PROPOSED LOT 1, BLOCK 3; (20) NO HORSES ARE ALLOWED ON THE PROPOSED DEVELOPMENT; AND (21) PROTECTIVE COVENANTS MUST BE FILED WITH THE CROW WING COUNTY RECORDER THAT SPECIFY WHICH LOT OWNERS HAVE AN OWNERSHIP INTEREST IN THE PROPOSED OUTLOT AND WHAT ACTIVITIES ARE ALLOWED ON SUCH OUTLOT. MOTION CARRIED WITH ALL AYES.

- d. Memo dated October 24, 2002 from Clerk Roach regarding Public Hearing Appeal – At the Regular Council Meeting of October 14th, the Council directed the Clerk to review the tape of the McCulloch Public Hearing Appeal of September 4, 2002 as it related to the motion approving the subdivision request and the payment of attorney fees. The tape was listened to by Clerk Roach and Community Development Director Larson and the motion is correct as noted in the Minutes of the Public Hearing dated September 4, 2002 which states “City Attorney review fees”. It was the recommendation that all attorney bills with the exception of the review fee billings be reimbursed to Mr. McCulloch. MOTION 11R-10-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO REFUND \$634.83 TO CHARLIE MCCULLOCH FOR ATTORNEY FEES PREVIOUSLY PAID BY HIM. MOTION CARRIED WITH ALL AYES.
- e. Letter dated October 21, 2002 from Goodrich/O'Brien Lakeshore Association regarding request for approval of the construction of a boat launch off Red Pine Road to serve Lake O'Brien – A former access to Lake O'Brien in Fairfield Township was closed due to safety concerns and the residents of the lake are looking for another property to serve as a public access to the lake. Due

to this the Goodrich/O'Brien Lakeshore Association sent a request to the City for approval of the construction of a boat launch off Red Pine Road in the approximate location opposite of 35917 Red Pine Road and is on the street right of way. The Lakeshore Association agrees to provide all labor, materials and funds necessary to construct the launch and provide for maintenance of the launch and adjacent area including upkeep of the ramp, trash pickup and similar activities. The DNR was contacted for input on this location and while they agree that there are not a lot of options, they are looking at an alternate location off of Shamrock Road. Information on this location will not be known until Spring. A letter was received from Mary Jo and Don Menden of 35949 Red Pine Road opposed to the proposed location due to their having purchased the property recently for use by them and their handicapped son. A boat access in this area would be a safety concern for their son who suffers from Down Syndrome. The Planning and Zoning Staff has worked with the property owners to provide information to assist them in their effort to locate a property for use as a public access to the lake and have proposed a number of recommendations for consideration by the Council. Mayor Swanson asked the City Attorney for direction on how to proceed with this type of request for approval. City Attorney Sandelin stated that a public hearing is required and could be held by the Council or the Planning and Zoning Commission. Although the City has set up a policy on public accesses, this type of request would be an exception to the policy. With the consensus of the Council, the public was allowed to address the Council. Mike Flynn, resident near the proposed access on Red Pine Road was opposed to the former access being closed due to safety concerns when no reported incidents occurred in the forty years it was open. Another resident stated that he obtained a petition with over 60 signatures, which he took to the Township Board requesting that the ramp be reopened, however, no action was taken by the Board. Mayor Swanson asked if one of the options is to work with Fairfield Township to reopen the previous ramp. Sharon Nuffer of 36310 Shamrock Road stated that the Association had a lawyer present during discussions with the Township Board but they were not agreeable to reopening the closed access. She stated that four residents got together and looked at 35 available lots along the lake as possibilities for an access. She stated that many of the lots were in trust, contained structures or had septic systems installed on them. Of the 35 lots, only two lots were feasible for use as an access with one being the property on Red Pine Road. Bob Mattson, of 36120 Tamarack Road, stated that the reason Fairfield Township closed

the boat ramp was because their engineer sent a letter to the Township Board stating that the boat ramp was dangerous. Sharon Waskey of Red Pine Road stated that the proposed location for the boat ramp would affect her property value. She stated that she already has problems with fisherman who are already using this area. Barb Flynn, of 35905 Red Pine Road, addressed the Council on behalf of Mary Jo and Dan Menden and stated that the Menden's 20 year old son, who has Down's Syndrome, would become comfortable around the neighbors but would not be comfortable around all the strangers using the ramp. Paul Hecker, of 35759 Red Pine Road, felt the access would improve property values since it would give access to the lake. He stated that currently people are using private land to get on the lake. Dean Eggena stated that the City has closed accesses because they don't want the liability. He suggested that the City offer the property to the DNR and let them have the responsibility. Councilmember Miller stated that he would like to see someone verify whether the Township had the authority to close the ramp when they upgraded the road. City Attorney Paul Sandelin stated that the Attorney General's Office could get involved if necessary. It was the consensus of the Council that the Planning and Zoning Commission will hold a public hearing at their December 20th meeting.

- f. The schedule for application deadlines for the 2003 Planning and Zoning Commission Meetings were included for Council information. The meetings are held the fourth Friday of each month.
- g. A thank you letter was sent to Deanna Engen for providing a summary of Crosslake history for the City's Comprehensive Plan and a copy was included for Council information.

5. SEWER COMMITTEE –

- a. The minutes of the September 17, 2002 meeting were included for Council information.
- b. Sewer Project Timeline and Update in MPCA Plan Review - City Engineer Mark Hallan addressed the Council and stated that the MPCA approvals are being finalized and bidding for the project can begin. He stated that it would be advantageous to bid the Wastewater Treatment Facility and Collection Facilities at the same time. He stated that the project is running about six months behind schedule due to the time it has taken the MPCA to review and approve the plans. Bidding in December is advantageous to the City since it allows the contractors to lock in current equipment and material prices from supply companies at 2002 prices. If authorized by the Council, the advertisement for bids would be advertised in the Lake Country Echo one week and in the Construction Bulletin for three weeks. A Project

Schedule showing the timeframes for project completion was included for Council information. In order to proceed with the bidding process, a Resolution Ordering Advertisement for Bids requires Council approval. MOTION 11R-11-02 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO APPROVE RESOLUTION NO. 02-66 ORDERING ADVERTISEMENT FOR BIDS FOR THE WASTEWATER TREATMENT COLLECTION SYSTEM AND WASTEWATER TREATMENT PLANT WITH THE ADVERTISEMENT BEING PUBLISHED WITH AT LEAST THREE WEEKS BETWEEN THE FIRST PUBLICATION AND THE OPENING OF THE BIDS, THAT BIDS WILL BE RECEIVED BY THE CITY CLERK UNTIL DECEMBER 18, 2002 AND WILL BE CONSIDERED BY THE COUNCIL AT A SPECIAL COUNCIL MEETING SCHEDULED FOR 1:00 P.M. ON DECEMBER 27, 2002. MOTION CARRIED WITH ALL AYES.

6. PUBLIC WORKS –

- a. Letter dated November 1, 2002 from City Engineer Dave Reese regarding Release of Retainage - MOTION 11R-12-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RELEASING \$21,868.44 TO ANDERSON BROTHERS FOR THE 2002 ROAD PROJECTS WITH THE CITY RETAINING \$1000. MOTION CARRIED WITH ALL AYES.
- b. Cooperative Construction Agreement for City/County Joint Public Works Facility – An agreement has been prepared by the County to handle the construction phase of the Joint Public Works Facility project. The Agreement was reviewed by City Attorney Paul Sandelin who recommends that certain items be clarified prior to approval by the Council. The agreement will be revised by the County and reviewed by the Council at the November 20th meeting.
- c. Purchase Agreement with Crow Wing Power to purchase land for Substation – Doug Harren of Crow Wing Power addressed the Council and stated that Crow Wing Power has expressed an interest in purchasing property from the City in order to locate a substation in Crosslake on the site of the proposed Joint Public Works Facility. This property is an excellent location for a substation since it is close to the transmission line which will be of great benefit to the City. Great River Energy has obtained an easement South of the City property which will give access to the substation property. The property consists of 235' x 225' or approximately 1- 1/3 acre. The City paid \$115,000 for the 40-acre parcel and will receive \$20,000 from Crow Wing Power for the 1-1/3 acre parcel. City Attorney Paul Sandelin prepared a

letter of intent in the form of an agreement for Crow Wing Power and the City to sign in order to enter into an agreement for purchase of the property. MOTION 11R-13-02 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO PROCEED WITH THE SALE OF PROPERTY TO CROW WING POWER FOR THE INSTALLATION OF A SUBSTATION WITH THE MAYOR AND CITY ADMINISTRATOR AUTHORIZED TO SIGN THE AGREEMENT ON BEHALF OF THE CITY. MOTION CARRIED WITH ALL AYES.

7. ECONOMIC DEVELOPMENT AUTHORITY – Nothing

8. UTILITIES –

- a. The minutes of the October 29, 2002 meeting were included for Council information.
- b. General Manager Dennis Leaser presented the Highlights Report for October – All phases of the new central office switch are coming along nicely. Conduit and a vault were installed in the back parking lot to run future cables to the central office. The back parking lot was paved by Anderson Brothers at a cost of \$13,800. Onvoy held its Regional Shareholders Meeting in St. Cloud recently and attendees were informed that the company has been moving ahead and recovering from its financial problems. There has been a decrease in the number of cable users due to seasonal people going south. It was noted that there is a 10% penetration by satellite users but some of these users are cable users also. Staff is reviewing adding two additional channels to the basic cable package. These channels are KSTC Channel 45 and WB23. The Minnesota Wild Hockey has already been added. Rate increases of about 11% are coming in from cable programmers. Union negotiations have begun and it is hoped they will be completed shortly.

9. PERSONNEL COMMITTEE – Nothing

10. CHARTER SCHOOL – Councilmember Schultz reported that the school is doing well. Staff from the Department of Children Families & Learning made an on-site visit to the school and were impressed with several of the new ideas being implemented at the school. A savings fund has been set up and the school is financially sound. A Holiday Expo will be held on December 7th from 12:00 – 3:00 P.M.

11. LONG RANGE CAPITAL PLANNING COMMISSION – Nothing

12. RECYCLING - Councilmember Miller reported that a total of 22.23 tons of recyclables were collected in October.

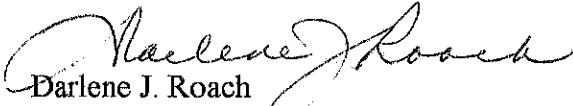
G. **OLD BUSINESS** – None

H. **NEW BUSINESS** – None

I. **PUBLIC FORUM** – Nothing

MOTION 11R-14-02 WAS MADE BY CHUCK MILLER AND SECONDED BY
DEAN SWANSON TO ADJOURN THIS REGULAR COUNCIL MEETING AT 8:56
P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,


Darlene J. Roach
City Clerk/Treasurer

Shared - REGULAR COUNCIL MEETING – November 12, 2002

BILLS FOR APPROVAL

12-Nov-02

VENDORS	DEPT	AMOUNT
Ace Hardware, screws	P&R	4.13
Ace Hardware, hardware	P&R	3.80
Ace Hardware, rodent bait and caulk	PW	13.06
Ace Hardware, keys	P&R	7.03
Ace Hardware, pink and white marking spray	PW	16.57
Ace Hardware, flagging tape	PW	4.76
Ace Hardware, hardware	PW	4.47
Ace Hardware, wood boring bit	PW	2.33
Ace Hardware, hologen clamp light	Gov't	40.02
Ace Hardware, chain and bulbs	Gov't	11.62
Acorn Nursery, excavate for pw building	PW	600.00
Ann Swenson, election judge hours	Election	78.75
Anoka Hennepin Technical College, liveburn course	Fire	400.00
Blue Lakes Disposal, trash removal	ALL	95.41
Brainerd Medical Center, lab test fee	PW	20.29
Briggs and Morgan, 2002 professional services	Gov't	7,300.00
Build All Lumber, bdl #2 lath	PW	42.33
Cascade Computers, repair carla's computer	P&Z	235.00
Cellular One, cell phone charges	PW	27.02
Cellular One, cell phone charges	Police	120.85
Charlene Nelson, reimburse travel expense	Gov't	36.50
Cindy Larson, election judge hours	Election	63.75
Complete Title Services, cemetery property	Gov't	75.00
Complete Title Services, owner and encumbrance	Gov't	75.00
Crosslake Communications, phone, fax, cable, internet	ALL	1,240.53
Crosslake Construction, washed sand	PW	1,194.93
Crosslake Construction, washed sand	PW	62.62
Crosslake Construction, adjust brakes	PW	70.99
Crosslake Rolloff, recycling	Gov't	2,450.00
Cross Tech Manufacturing, target stands	Police	160.00
Crow Wing County Health Services, hepatitis b immunizations	Fire	1,064.00
Crow Wing County Recorder, filing fees	P&Z	260.00
Crow Wing County Treasurer, computer labels	PW	15.46
Crow Wing County Treasurer, e911 addresses	Gov't	200.00
Crow Wing Power, electric bills	ALL	1,146.64
Darlene Roach, reimburse petty cash	Admin	74.94
Deferred Comp	ALL	2,180.76
Delta Dental, dental insurance	ALL	1,272.80
D G Towing, 4 tires	P&Z	263.39
Discount Stump Grinding, remove two stumps	Gov't	42.60
Doris Fraser, reimburse mileage for training	Election	19.50
Dorothy Allen, election judge hours and training hours	Election	140.69
Echo Publishing, public hearing 10-25	P&Z	74.25
Echo Publishing, public hearing lake trail	PW	81.00
Echo Publishing, public hearing bay shores road	PW	81.00

Echo Publishing, public hearing happy cove road	PW	87.75
Echo Publishing, public hearing sandra road	PW	81.00
Echo Publishing, public hearing pine point road	PW	81.00
Echo Publishing, meeting date change	Gov't	29.00
Echo Publishing, shafer road assessment hearing	PW	87.75
Echo Publishing, woodland assessment hearing	PW	84.38
Echo Publishing, willwood assessment hearing	PW	84.38
Echo Publishing, wolf trail assessment hearing	PW	84.38
Eric Swanson, reimburse travel expense	Police	137.46
Fortis, disability	ALL	175.72
Gammello Sandelin Qualley, legal fees	ALL	5,963.59
Geraldine Sawatzke, election judge hours	Election	63.75
Holiday Station, ice scraper	P&Z	7.65
Holiday Station, fuel	P&Z	25.24
Holiday Station, fuel	Police	362.63
Holiday Station, fuel	Fire	62.54
Houston Ford, oil change	Police	22.73
Ideal Contractor Supply, survey vests	PW	134.91
Ikon, ricoh fax toner	P&R	109.37
Initiative Foundation, grant writing workshop	CompPlan	60.00
Jean Erickson, election judge hours	Election	88.13
Jeanne Stromberg, election judge hours	Election	63.75
Johnson Candy, candy for halloween party	P&R	118.60
Johnson Killen & Seiler, 2003 union negotiations	Gov't	1,875.95
Judy Cotten, election judge hours	Election	105.00
Kent Peterson, refund variance application fee	P&Z	250.00
Lakes Area Rental, saw chains	P&R	18.05
Lakes Printing, fall newsletters	Gov't	233.34
Marie Strand, election judge hours	Election	82.50
Martin Communications, repair volume knob	Fire	60.06
Martin Communications, replace battery	Fire	162.34
Martin Communications, federal outdoor siren controllers	Gov't	3,663.09
Mary Corrick, election judge hours	Election	86.25
Mastercard, Collegiate Pacific, big league field drag	P&R	292.67
Mastercard, Country Inn & Suites, loding for class	Fire	352.36
Mastercard, Fleet Farm, shovel, pails, chain, peak	Adm/PW	104.82
Mastercard, Fleet Farm, posts	PW	26.84
Mastercard, Fleet Farm, uniform	PW	167.91
Mastercard, Fleet Farm, culvert	PW	176.77
Mastercard, Four Points Sheraton, lodging and meals for class	Police	629.71
Mastercard, Inn on Lake Superior, loding for class	Police	84.75
Mastercard, Jo Ann Fabrics, material	P&R	21.23
Mastercard, Kmart, uniform	PW	21.49
Mastercard, Menards, batteries, party supplies	P&R	55.17
Mastercard, Power Music, cd for aerobics	P&R	31.90
Mastercard, Timberlodge Steakhouse, meal while traveling	Police	19.54
Medica, health insurance	ALL	10,155.57
Medica, refund damage deposit	P&R	50.00
MN Benefits	Admin	100.98
MN Life, life insurance	ALL	286.80
MN Social Services, child support	PW	206.00

MN Telephone Assn, safety training	Gov't	1,327.50
Moonlite Square, fuel	Fire	205.07
Moonlite Square, fuel	Police	329.70
Morton Salt, road salt	PW	1,993.24
NCPERS-Life Insurance	ALL	96.00
North Ambulance, subsidy	Ambulance	1,103.00
Ordell Buntje, election judge hours	Election	88.13
People's Security Co., annual lease	Gov't	331.64
Pequot Auto Parts, auto supplies	PW	66.75
Pequot Auto Parts, filters	PW	12.75
Pequot Auto Parts, halogen beam	PW	38.68
Pequot Auto Parts, impact wrench	PW	228.96
Pequot Auto Parts, filters	PW	25.85
PERA	ALL	N/A
Pine River Oil Company, diesel fuel	PW	505.30
Pine River Oil Company, unleaded fuel	PW	692.37
Postmaster, refill postage meter	Adm/P&Z	1,000.00
Public Safety Center, cassettes, barricade tape, gloves	Police	90.15
Reeds Market, halloween supplies	P&R	15.05
Reeds Market, napkins, utensils, cups, bowls	Election	31.68
Roach's Lawn and Marine, fuel pump	Fire	28.70
Rohlfing, cups, plates, forks, knives	P&R	40.28
Ruth Hoag, election judge hours	Election	88.13
Simonson Lumber, 2x8 btr hem fir/spf	PW	13.82
Simonson Lumber, 4x8 osb	P&R	7.98
Simonson Lumber, wood	PW	22.77
Simonson Lumber, plywood	Fire	34.61
State and Federal Taxes	ALL	N/A
Streichers, targets	Police	44.62
The Office Shop, cartridge, trays, lead	Adm/P&Z	58.09
Tom Swenson, vehicle allowance	Admin	400.00
Top Job Cleaning, october cleaning	Gov't	692.25
U S Bank, eda series 1994	Gov't	31,925.00
Viking Coca Cola, pop	P&R	36.74
Viking Coca Cola, pop	Gov't	16.68
Viking Coca Cola, pop	P&R	36.74
Walmart, halloween supplies	P&R	168.59
Whitefish Auto, oil change	Police	23.60
Widseth Smith Nolting, engineering fees	ALL	3,089.50
Xcel Energy, gas utilities	ALL	357.34
TOTAL		93,977.85

ADDITIONAL BILLS FOR APPROVAL
12-Nov-02

VENDOR	DEPT	AMOUNT
Ace Hardware, weedblock fabric	PW	15.43
Ace Hardware, no hunting signs	P&R	25.33
American Welding & Steel, gloves, safety glasses	PW	182.01
American Welding & Steel, eliminator	PW	8.43
Blue Lakes Disposal, trash removal	ALL	91.81
Bob Hartman, uniform	Police	125.98
Business Forms Plus, checks	Admin	258.18
Culligan, water and cooler rental	PW	23.43
Culligan, water and cooler rental	Gov't	40.47
Darlene Roach, reimburse petty cash	Admin	45.51
Johnson Killen & Seiler, 2003 negotiations	Admin	210.00
Lake Side Glass, repair glass	PW	129.46
L & M Steel and Fabrication	PW	104.37
MedTox, drug test	PW	61.50
Mike Sedivy of Aadvark Artwork, final payment on sign	Gov't	9,580.00
Samaritan Tire, new tire	P&Z	56.18
Simonson Lumber, 1/4" ac syp	P&R	20.54
Triangle Oil Company, curb pump hose	PW	25.51
Triangle Oil Company, farm hose	PW	25.51
Triangle Oil Company, torque fluid	PW	289.95
U.S. Postmaster, postage meter refill	Adm/P&Z	200.00
Ziegler Cat, filters	PW	271.47
TOTAL		11,791.07

ADOPTING RESOLUTION

02-65

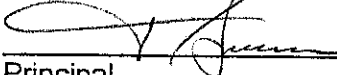
The undersigned Principal of City of Crosslake (the Employer) hereby certifies that the following resolutions were duly adopted by the Employer on November 12, 2002, and that such resolutions have not been modified or rescinded as of the date hereof:

RESOLVED, that the form of amended Cafeteria Plan including a Dependent Care Assistance Program and Health Care Reimbursement Plan effective January 1, 2002, presented to this meeting is hereby approved and adopted and that the duly authorized agents of the Employer are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

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

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

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


Principal

Date: 11/12/02

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

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND
ORDERING ADVERTISEMENT FOR BIDS**

RESOLUTION NO. 02-66

WHEREAS, pursuant to authorization of the City Council the City Engineer, Widseth, Smith, Nolting has prepared plans and specifications for the a wastewater treatment collection system and wastewater treatment plant and has submitted those plans for approval by the Minnesota Pollution Control Agency; and

WHEREAS, the City Council has previously approved the plans and specifications for the Wastewater Treatment Collection System and Wastewater Treatment Plant; and


WHEREAS, the City has adopted an Ordinance implementing sanitary sewer regulations, including a connection and user charge system pursuant to Minn. Stat. Section 444.075; and


WHEREAS, the City Engineer pursuant to a letter, attached hereto and dated November 11, 2002, to the City Council has provided to the City a recommendation for advertisement for bids for the wastewater collection system and wastewater treatment plant commencing December 2002.

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

1. That the financial plans and specifications for the wastewater treatment plant (Contract One) and wastewater treatment collection system (Contract Two) are approved, said plans being previously approved by the City.
2. That pursuant to the recommendation of the City Engineer shall advertise for bids for the wastewater treatment plant (Contract One) and wastewater treatment collection system (Contract Two) pursuant to the November 11, 2002 letter from the City Engineer attached hereto.
3. The City Administrator shall prepare and cause to be inserted in the official paper and other bulletins described in the letter from the City Engineer an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published in the official newspaper and construction bulletin with at least three weeks between the first publication and the opening of the bids, shall specify the work to be done, shall state that bids will be received by the City Clerk until 1:00 p.m. on December 18, 2002, at which time they will

be publicly opened in the Council Chambers of the City Hall by the City Administrator and Engineer, will then be tabulated, and will be considered by the Council at 1:00 p.m., on December 27, 2002, at City Hall. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, a bid bond or certified check payable to the Clerk for five (5) percent of the amount of such bid.



Mayor

City Administrator