

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, JULY 8, 2002  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, July 8, 2002. The following Councilmembers were present: Mayor Darrell Swanson, Sandy Eliason, Charles Miller, Irene Schultz and Dean Swanson. Also present was City Administrator Tom Swenson, Community Development Director Paul Larson, City Attorney Paul Larson, City Engineer Dave Reese, Park and Recreation Director Jon Henke, Public Works Director Ted Strand, Police Chief Robert Hartman, Clerk/Treasurer Darlene Roach and Lake Country Echo Reporter Betty Ryan.

- A. **CALL TO ORDER** – Mayor Swanson called the Regular Meeting to order at 7:00 P.M.
- B. **CRITICAL ISSUES** – A letter dated June 17, 2002 from Paula Karl requested approval to address the Council regarding litter in the byways of Crosslake. Ms. Karl was not present at the meeting.
- C. **CONSENT CALENDAR** – MOTION 07R-01-02 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF PUBLIC HEARING FOR REDEVELOPMENT PROJECT AREA AND PLAN OF JUNE 10, 2002; (2) MINUTES OF REGULAR COUNCIL MEETING OF JUNE 10, 2002; (3) MINUTES OF PUBLIC HEARING FOR WHITLEY VARIANCE APPEAL OF JUNE 11, 2002; (4) MINUTES OF CROSSLAKE LIBRARY COMMITTEE/JOINT CITY COUNCIL MEETING OF JUNE 11, 2002; (5) CROSSLAKE COMMUNICATIONS TELEPHONE COMPANY STATISTICAL REPORT DATED MAY 31, 2002; (6) CROSSLAKE COMMUNICATIONS CABLEVISION COMPANY STATISTICAL REPORT DATED MAY 31, 2002; (7) CITY MONTH END REVENUE REPORT DATED MAY 31, 2002; AND (8) CITY MONTH END EXPENDITURE REPORT DATED MAY 31, 2002. MOTION CARRIED WITH ALL AYES.
- D. **MAYOR'S REPORT** – Marge Bundgaard of the Whitefish Area Lions Club addressed the Council. She stated that this is the fourth year that the Whitefish Area Lions Club is sponsoring White Cane Days as a means of collecting donations for continued research and development at the Lions Eye Bank at the University of Minnesota. Mayor Swanson proclaimed Friday, July 26<sup>th</sup> and Saturday, July 27<sup>th</sup> as White Cane Days in Crosslake. MOTION 07R-02-02 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ADOPT A PROCLAMATION NAMING FRIDAY, JULY 26<sup>TH</sup> AND

SATURDAY, JULY 27<sup>TH</sup> AS WHITE CANE DAYS IN CROSSLAKE.  
MOTION CARRIED WITH ALL AYES.

**E. CITY ADMINISTRATOR REPORT -**

1. Approval of Bills for Payment -- MOTION 07R-03-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE THE BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNTS OF \$120,762.35 AND \$30,230.54. MOTION CARRIED WITH ALL AYES.
2. Memo dated June 27, 2002 from Clerk Roach requested Council approval for a two day temporary 3.2 beer license and a set-up license for the annual firemen's dance scheduled for Saturday, July 27<sup>th</sup> at the Emergency Services Center. The dance is sponsored by the Crosslake Firemen's Relief Association. MOTION 07R-04-02 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO APPROVE A 2 DAY TEMPORARY BEER AND SET UP LICENSE FOR THE CROSSLAKE FIREMEN'S RELIEF ASSOCIATION CONTINGENT ON RECEIPT OF A CERTIFICATE OF LIQUOR LIABILITY INSURANCE NAMING THE CITY OF CROSSLAKE AS AN ADDITIONAL INSURED. MOTION CARRIED WITH ALL AYES.
3. Memo dated July 1, 2002 from City Administrator Swenson requested that the City Council set the date for the Truth in Taxation Hearing - MOTION 07R-05-02 WAS MADE BY SANDY ELIASON AND SECONDED BY IRENE SCHULTZ TO SET THE DATE FOR THE TRUTH IN TAXATION HEARING FOR MONDAY, DECEMBER 2<sup>ND</sup> AT 6:00 P.M. AND MONDAY, DECEMBER 9<sup>TH</sup> AS THE CONTINUATION HEARING IF NEEDED. MOTION CARRIED WITH ALL AYES.
4. Memo dated July 2, 2002 from Clerk Roach requested Council approval to direct the City Attorney to draft an Ordinance Amendment changing the procedure for issuing Transient Merchant Permits within the City due to a change in State Statute, which removes a requirement for hawkers and peddlers to obtain a license from the County. MOTION 07R-06-02 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO DIRECT THE CITY ATTORNEY TO AMEND THE TRANSIENT MERCHANT PORTION OF THE CITY CODE. MOTION CARRIED WITH ALL AYES.
5. Ordinance Amendment - Chapter 6, Vacation of Streets - City Attorney Paul Sandelin stated that two Ordinance Amendments dealing with road vacations were before the Council for review. The first Ordinance Amendment would bring road vacation requests back to the City for consideration. Currently road vacations are handled in District Court upon petition from an applicant. The second amendment is an interim ordinance which would place a moratorium on road vacations. MOTION 07R-07-02 WAS MADE BY CHUCK MILLER AND SECONDED BY

SANDY ELIASON TO APPROVE ORDINANCE AMENDMENT NO. 162 AMENDING CHAPTER 6 OF THE CITY CODE DEALING WITH ROAD VACATIONS AND TO PUBLISH A SUMMARY OF SAID ORDINANCE AMENDMENT. Councilmember Dean Swanson stated that he is thoroughly against bringing road vacations back to the City Council. He feels that handling these requests in District Court takes various personalities out of the decision. He doesn't feel anything would be gained by bringing the decision back to the City. He did agree that the Park and Recreation Commission should look at the public accesses for possible uses by the City. Councilmember Miller stated that he supplied the Council with information that indicates that the DNR objects to public accesses being given away. He also stated that he does not feel that someone in Brainerd at the District Court is in a position to make decisions for Crosslake. Councilmember Eliason asked why the approval process was turned over to District Court and Councilmember Swanson stated that it was done to take personalities out of the decision. Councilmember Miller stated that he disagrees with Councilmember Swanson and feels the Council can make good decisions. Mayor Swanson stated that the law allows for local jurisdictions to have a say in the matter and feels that is why the Court comes back to the City for a recommendation. Mayor Swanson felt establishing criteria for road vacations would eliminate approvals based on personalities and would, therefore, support the Ordinance Amendment to move the decision making back to the local jurisdiction. Councilmember Miller again stated that the issue should be reviewed during the Comprehensive Plan meetings to establish criteria for approval. MOTION CARRIED ON A VOTE OF 4 TO 1 WITH COUNCILMEMBER SWANSON VOTING NAY.

6. MOTION 07R-08-02 WAS MADE BY CHUCK MILLER AND SECONDED BY SANDY ELIASON TO APPROVE ORDINANCE AMENDMENT NO. 163 AN INTERIM ORDINANCE REGULATING OR RESTRICTING THE VACATION OF STREETS, ALLEYS, PUBLIC GROUNDS, AND PUBLIC WAYS WITHIN THE CITY OF CROSSLAKE. With Council consent, Attorney Gerry Brine addressed the Council and requested that the Council not include all streets and roadways in the moratorium, but only include property considered lakeshore or abutting the lake. He stated that he has two clients who have situations that would be affected by approval of the ordinance amendment as it relates to all public streets, alleys or public grounds. One application for vacation was held up in order that the applicant could participate in the discussion regarding vacation and another client would be faced with a real hardship situation with a setback. Councilmember Miller stated that his intent for the motion was only in reference to those public roadways that end at the lake. Steve Rowe, property owner on Whitefish Avenue addressed the Council and asked if the Council was also giving up their right to enforcement on the public property. City Attorney Paul Sandelin

stated that many of these public roadways are in plats where the property has been dedicated to the public and are being held in trust by the City. Community Development Director Paul Larson stated that his department has been notified of situations where stairs and platforms have been installed on the public property, however enforcement is difficult since the City Staff doesn't know who is using the property in this matter. MOTION WAS AMENDED TO INCLUDE THOSE STREETS THAT PROVIDE ACCESS TO OR ABOUT THE LAKE. MOTION CARRIED 4 TO 1 WITH COUNCILMEMBER SWANSON OPPOSED.

7. Letter dated June 14, 2002 from John O'Leary, Headwaters Operations Manager regarding the Upper Mississippi River Headwaters Reservoir Operations Plan was included for Council information.
8. A memo dated June 14, 2002 from Robert Hutton, Region 5, regarding proposed FY03 Region 5 budget and levy was included for Council information.
9. A Region 5 Development Commission Newsletter Update dated May, June 2002 was included for Council information.
10. Lakes State Bank Pledge Update dated June 30, 2002 was included for Council information.
11. Lakewood Bank Pledge Update dated June, 2002 was included for Council information.
12. Northern National Bank Pledge Update dated June, 2002 was included for Council information.
13. Letter dated July 5, 2002 from Paul Bunyan Scenic Byway Association included a thank you for the City's donation and was included for Council information.
14. A letter dated July 5, 2002 from the Chamber of Commerce regarding Celebrate Crosslake Days – Crosslake Director Ruth Ann Hanson addressed the Council and informed everyone of activities that will take place during Crosslake Days which will be celebrated August 3<sup>rd</sup> through August 11<sup>th</sup>.
15. A letter dated July 1, 2002 from Crow Wing County Public Transit stated that bus service will commence in the Crosslake area on July 1, 2002. A route schedule was included for Council information.

**F. COMMISSION REPORTS –**

1. PUBLIC SAFETY – Chief Bob Hartman reported 172 incidents in Crosslake and 29 incidents in Mission Township in June. Chief Hartman stated that an amendment to Chapter 7 of the City Code dealing with firearms was prepared which adds restrictions on the use of bows and arrows. MOTION 07R-09-02 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO ADOPT AN ORDINANCE AMENDMENT TO CHAPTER 7 RELATING TO DISCHARGE OF FIREARMS AND TO PUBLISH A SUMMARY. Councilmember Miller questioned whether a permit for operation of a range should be under the control of the Police Department or Planning and Zoning. City Administrator Tom Swenson asked if ranges were covered in Chapter 8 of the Zoning Ordinance and Community Development Director Paul Larson stated that they would require at a minimum a conditional use permit. Discussion also ensued regarding item number c. dealing with target practice. It was the consensus of the Council that the motion be withdrawn and the issue carried over to the next meeting of the City Council. In the absence of Fire Chief Keith Anderson, City Administrator Tom Swenson reported that the Fire Department responded to 10 medical calls and 4 fire calls in June for a total of 14 calls. North Ambulance reported 45 callouts in June.
2. LIBRARY – Alden Hardwick addressed the Council and stated that the Committee has reorganized due to the resignation of Chairman Ray Smyth. Sandy Eliason and Alden Hardwick have agreed to co-chair the Committee. A building sub committee has been formed consisting of George Riches, Bob Mattson and Jim Stevenson. They are working on a “bubble diagram” which will allow for discussion prior to putting any lines on paper. This diagram will be presented on Tuesday, July 9<sup>th</sup>. The next step is the design stage and Jim Stevenson will do an artist rendition. Sandy Eliason is chairing a group who will be working on brochures. It is hoped that a rough sketch of the library and the brochure will be done before Boris Frank meets with the Committee at the end of August. A book sale will be held at the Community Center on July 26<sup>th</sup> and July 27<sup>th</sup>. Books may be dropped off on July 25<sup>th</sup> or brought to the Presbyterian Church prior to the sale.
3. PARK AND RECREATION –
  - a. The minutes of the Park and Recreation Commission meeting of June 20, 2002 were included for Council information.
  - b. Park and Recreation Director Jon Henke informed everyone of an upcoming AAA Senior Driving Refresher Program that will be held at the Community Center on July 17<sup>th</sup> from 8:30 A.M. – 12:30 P.M. Anyone interested in attending should call the Community Center for AAA’s telephone number. Approval was requested to contract with Donna Keiffer for a seven week session of morning aerobics to begin on August 5<sup>th</sup>. The cost of

this program is \$418.76. MOTION 07R-10-02 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO AUTHORIZE CONTRACTING WITH DONNA KEIFFER TO PROVIDE AEROBICS FROM AUGUST 5<sup>TH</sup> TO SEPTEMBER 17<sup>TH</sup> AT A COST OF \$418.76. MOTION CARRIED WITH ALL AYES. The Park Department will be sponsoring their annual Tennis Tournament August 1<sup>st</sup> through August 4<sup>th</sup>. Cost for the tournament is \$15.00. Registrations forms have been mailed to last year's participants and are available at the Community Center for any other interested parties. The registration deadline is 7:00 P.M. on July 17<sup>th</sup>. A Twins trip is planned for Monday, August 5<sup>th</sup>. Thirty individuals have already signed up and there is room for an additional twenty-five people. The cost for the trip is \$15.00 and includes transportation, ticket to the game, a hot dog and pop and a Minnesota Twins Pennant. The Youth Conservation Corps program will start in August. This program is limited to the first fifteen children between the ages of 9 and 13 that register. The program will include field trips, tours, hands-on experience with different conservation tactics, arts, crafts and guest speakers. The tennis courts are being resurfaced within the next few days and signs will be posted around the courts notifying the public of the resurfacing.

#### 4. UTILITIES

- a. General Manager Dennis Leaser presented the June Highlights Report. A joint meeting of the Commission and City Council was held on June 25<sup>th</sup>. At this meeting, the vision and mission statements of the Company were reviewed and approved by the City Council. The statement "a municipally owned company" was added to the two statements. Funding was also discussed and the Investment Committee will meet to discuss the true-up after Pat Powers of Olsen & Thielen provides information from the audit as it relates to transferring funds to the City. A joint Commission and Council meeting will be held on Tuesday, August 27<sup>th</sup> to discuss the results of this meeting. A review of the 2002 budget also took place at the joint meeting for both the telephone and cable companies. On June 13<sup>th</sup> the 100<sup>th</sup> DSL was installed. Digital Cable is on track with 309 households taking digital service. The annual Open House is scheduled for Saturday, August 10<sup>th</sup>. The theme will be E-Commerce and the City will be presented a plaque from Jim Wroblewski, Northeast Regional Representative for the Department of Trade and Economic Development designating the City of Crosslake E-

Commerce ready. Crosslake is the twenty-first city in Minnesota to achieve this certification.

- b. Crosslake Communications Telephone 2002 Budget Analysis as of May 31, 2002 was included for Council information.
- c. Crosslake Communications Cable 2002 Budget Analysis as of May 31, 2002 was included for Council information.

5. ECONOMIC DEVELOPMENT AUTHORITY -

- a. A memo dated July 3, 2002 from the Economic Development Authority requested Council approval for the Auditor to write off the remaining principal balance on the Studio in the Sticks loan during the 2002 audit. A Chapter 7 Bankruptcy was filed by Mary Beth Brooks on February 26, 2002. Lakes State Bank did take control of the inventory and equipment which was eventually sold for a net amount of \$12,097.18 and divided equally between the City and Lakes State Bank. The outstanding principal balance owed the City on the loan is \$15,109.48. MOTION 07R-11-02 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO DIRECT THE CITY AUDITOR TO WRITE OFF THE REMAINING PRINCIPAL BALANCE OF \$15,109.48 ON THE STUDIO IN THE STICKS LOAN IN THE 2002 AUDIT. MOTION CARRIED WITH ALL AYES.

6. PUBLIC WORKS COMMISSION -

- a. Memo dated June 27, 2002 from Public Works Commission regarding Resolution Ordering Preparation of Report on Improvement of Greer Lake Road - MOTION 07R-12-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION NO. 02-37 ORDERING PREPARATION OF REPORT ON IMPROVEMENT OF GREER LAKE ROAD FROM THE EAST BOUNDARY OF SECTION 36 TO THE END OF THE ROAD ABUTTING LOT 18, GREER LAKE HOMESITES PLAT. MOTION CARRIED WITH ALL AYES.
- b. Memo dated June 27, 2002 from Public Works Commission regarding Resolution Declaring Adequacy of Petition and Ordering Preparation of Report for Improvements to Wildwood Drive and White Birch Lane - MOTION 07R-13-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION 02-38 DECLARING ADEQUACY OF PETITION AND ORDERING PREPARATION OF REPORT TO WILDWOOD DRIVE AND WHITE BIRCH LANE. MOTION CARRIED WITH ALL AYES.

- c. Letter dated July 1, 2002 from WSN regarding Engineering Proposal for Feasibility Study of Road Improvements for Wildwood Drive and Greer Lake Road – MOTION 07R-14-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE PREPARATION OF A FEASIBILITY STUDY AS PRESENTED BY WSN FOR WILDWOOD DRIVE AT A COST NOT TO EXCEED \$2000 AND FOR GREER LAKE ROAD AT A COST NOT TO EXCEED \$2000. MOTION CARRIED WITH ALL AYES.
- d. Memo dated July 2, 2002 regarding recommendation to purchase land for expansion of Cemetery – A memo dated July 2, 2002 from the Public Works Commission recommended that the City Council move forward on the acquisition of Lots 3 and 4, Block 3 of M&D Addition for future expansion of Pinewood Cemetery. A letter dated July 5, 2002 from City Administrator Tom Swenson outlined the details of the pending purchase. The owners are willing to sell the lots on a Contract for Deed for \$50,000 over a period of four years with \$10,000 due at time of closing, an interest rate of 7% on the outstanding balance with either annual or semi-annual payments and no construction of permanent structures until the contract is paid in full or lien waivers are provided by the City. City Administrator Swenson also suggested that the City include a no penalty, prepayment clause. MOTION 07R-15-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A PURCHASE AGREEMENT FOR LOTS 3 AND 4 OF M&D ADDITION TO BE DRAFTED BY THE CITY ATTORNEY BASED ON THE ABOVE STATED TERMS WITH ANNUAL PAYMENTS DUE JULY 1<sup>ST</sup> OF EACH YEAR. MOTION CARRIED WITH ALL AYES.
- e. An email dated July 2, 2002 from Richard Upton regarding County Road 103 was included for Council information.
- f. An Agreement for Concrete Pavement Removal on Bay Shores Road would allow Anderson Brothers Construction Company to remove and dispose offsite, existing concrete driveway pavement within the platted cul de sac of Bay Shores Road to the concrete apron slab of the garage on said property, and additional concrete driveway pavements as marked and delineated by Kent Johnston that is not within the platted cul de sac of Bay Shores Road. This Agreement would be between the property owner of Lot 1, Block 1 of Bay Shores, the City of Crosslake and Anderson Brothers. Kent Johnston agrees to pay \$5.10 per square yard which shall include mobilization, labor, tax and profit as proposed by Anderson Brothers Construction Company. MOTION 07R-16-02 WAS MADE BY CHUCK MILLER AND SECONDED BY



IRENE SCHULTZ TO APPROVE THE AGREEMENT FOR CONTRACTOR SERVICES DATED JULY 8, 2002 BETWEEN KENT JOHNSTON, ANDERSON BROTHERS AND THE CITY OF CROSSLAKE. MOTION CARRIED WITH ALL AYES.

7. PLANNING AND ZONING –

- a. The June 2002 Permit Summary showed that a total of 59 permits were issued in June for a valuation of \$1,725,330. This brings the year-to-date valuation to \$6,752,430. This compares with a valuation of \$7,818,790 through June 2001.
- b. The minutes of the May 24, 2002 Planning and Zoning Commission Meeting and Public Hearing were included for Council information.
- c. Set Public Hearing Date for Charlie McCulloch Metes and Bounds Appeal – The hearing was set for July 22<sup>nd</sup> at 6:00 P.M. at City Hall.
- d. Staff Report regarding proposed Ordinance correction to Ordinance No. 141 – During the course of preparing a brochure, which incorporates the latest shoreland alteration changes, it was discovered that the definitions adopted by the City Council on April 9, 2001 were not the definitions reflected in Chapter 8 which was to include all amendments through May 14, 2001. The Planning and Zoning Staff recommended that the corrected Ordinance Amendment be approved. MOTION 07R-17-02 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO APPROVE ORDINANCE AMENDMENT 141A TO CORRECT TYPOS IN ORDINANCE AMENDMENT 141. MOTION CARRIED WITH ALL AYES. City Attorney Paul Sandelin noted that the City is not required to publish a summary of this Ordinance Amendment.
- e. Staff Report regarding John and Kathi Dee Violation of Failing Septic System – Approval was requested to authorize the City Attorney to proceed with enforcement of the City Code as it pertains to the upgrading of a non-conforming septic system. Numerous letters have been sent to the property owner with no response. MOTION 07R-18-02 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO AUTHORIZE THE PLANNING AND ZONING DEPARTMENT TO FORWARD A VIOLATION OF CITY CODE PERTAINING TO A FAILING SEPTIC SYSTEM FOR PROPERTY OWNERS JOHN AND KATHI DEE TO THE CITY ATTORNEY FOR ENFORCEMENT OF THE ORDINANCE. A letter was received on July 5, 2002 from Louis

"Ben" Boldt, a neighbor of John and Kathi Dee, who expressed his concern with the failing system.

- f. Final Plat S2002-009, Cool Haven Shores, Kenneth Malecha – The Planning and Zoning Commission recommended final plat approval for Kenneth Malecha for Cool Haven Shores with conditions as recommended by City Staff. MOTION 07R-19-02 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO APPROVE THE FINAL PLAT S2002-009 FOR KENNETH MALECHA FOR COOL HAVEN SHORES WITH THE FOLLOWING CONDITIONS: (1) ALL OF THE FEES ARE PAID TO THE CITY PRIOR TO SIGNING OF THE FINAL PLAT. THESE INCLUDE PARK DEDICATION FEES, CITY ENGINEER AND SURVEYOR REVIEW FEES AND CITY ATTORNEY REVIEW FEES; (2) CITY ATTORNEY APPROVES THE TITLE OPINION FOR THE PLAT; (3) BEST MANAGEMENT PRACTICES ARE USED DURING AND AFTER CONSTRUCTION TO PREVENT EROSION; (4) OUTLOT A SHALL NOT BE CONSIDERED A DEVELOPABLE LOT AND SHALL REMAIN ATTACHED TO LOT 1; (5) THE ON-SITE SEWER SYSTEM ON PROPOSED LOT 1 IS UPGRADED TO MEET CURRENT STANDARDS; (6) ALL SPECIAL ASSESSMENTS ON THE PROPERTY ARE PAID PRIOR TO SIGNING AND RECORDING OF THE FINAL PLAT; (7) ALL LAND ALTERATION AND VEGETATION REMOVAL WITHIN THE SHORE IMPACT ZONE SHALL BE REVIEWED AND APPROVED BY THE PLANNING AND ZONING STAFF; (8) A 33 FOOT WIDE ACCESS EASEMENT SHALL BE SHOWN ON THE PLAT OVER LOT 1, WHICH PROVIDES ACCESS TO LOT 2; AND (9) THE ROAD EASEMENT FOR COOL HAVEN LANE AND SOUTH LANDING SHALL BE IDENTIFIED AS A DRAINAGE, UTILITY AND ACCESS EASEMENT. Although the easement has not yet been obtained, it will be provided to the City prior to signing of the hard shell document. MOTION CARRIED WITH ALL AYES
- g. Road Vacation of Arthur Avenue/Walter Avenue – At a meeting held on June 17, 2002, the Public Works Commission reviewed a request to vacate a 33 foot strip of Arthur Avenue from Robert Street to Cross Lake and a 33 foot strip of Walter Avenue from Robert Street to Cross Lake. After considerable review, the Commission made a motion to recommend denial of the requested vacations and retain the property for public use. At a meeting on June 28, 2002, the Planning and Zoning Commission reviewed the same request and voted in opposition to vacate the

right-of-way. Both Commissions felt that there was a public use for the land. MOTION 07R-20-02 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO DENY A REQUEST FOR VACATION OF ARTHUR AVENUE AND WALTER AVENUE. MOTION CARRIED WITH ALL AYES. City Attorney Sandelin will send a letter expressing the City of Crosslake's opposition.

- h. Community Development Director Paul Larson requested approval to use after the fact variance fees to mail a Shoreland Alteration Brochure that has been prepared by the Planning and Zoning Staff. A copy of the brochure was provided to the Council for their review along with a memo detailing various quotes which were received. MOTION 07R-21-02 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO APPROVE THE USE OF FINE MONEY FROM AFTER THE FACT VARIANCES TO MAIL THE LAND ALTERATION BROCHURE NOT TO EXCEED A COST OF \$1200. MOTION CARRIED WITH ALL AYES.
- i. A total of 47 individuals were in attendance at the June 27<sup>th</sup> Comprehensive Plan meeting. The next meeting is scheduled for July 25<sup>th</sup> at 7:00 P.M. at the Community Center. Government, transportation and law enforcement issues will be the topic of discussion. Additional meetings have been scheduled for August 22<sup>nd</sup> and September 26<sup>th</sup>. No meetings have been scheduled during the winter months.

#### 8. SEWER COMMITTEE -

- a. The minutes of the May 23, 2002 Meeting were included for Council information.
- b. A letter dated June 21, 2002 from the Minnesota Pollution Control Agency informed the City that they have approved the Findings of Fact, Conclusions of Law and Order for a Negative Declaration on the need for an Environmental Impact Statement on the proposed City of Crosslake Wastewater Collection and Treatment Facility. The project can now proceed to permitting.
- c. Ordinance Amendment – Chapter 11, Sanitary Sewer – After some discussion, it was the consensus of the Council that no action would be taken on the Ordinance Amendment until the next meeting.

#### 9. PERSONNEL COMMITTEE -

- a. Approval was requested to accept a labor relations proposal for the upcoming Union negotiations from Attorney Steven Fecker of the firm of Johnson, Killen & Seiler, P.A. MOTION 07R-22-02 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE HIRING STEVEN FECKER FOR THE UPCOMING UNION NEGOTIATIONS PER HIS LETTER DATED JUNE 20, 2002. MOTION CARRIED WITH ALL AYES.
- b. A letter dated June 19, 2002 from AFSCME Local 689 requested a Step 3 meeting with the City Council in accordance with the grievance procedure of the Collective Bargaining Agreement. This grievance relates to a 5-day suspension of Shayne Pankratz. MOTION 07R-23-02 WAS MADE BY DEAN SWANSON AND SECONDED BY CHUCK MILLER TO SCHEDULE A HEARING FOR JULY 22, 2002 AT 7:00 P.M. AT CITY HALL. MOTION CARRIED WITH ALL AYES.

10. CHARTER SCHOOL – Nothing

11. LONG RANGE CAPITAL PLANNING – Nothing

12. RECYCLING – Councilmember Miller reported that 25.44 tons of recyclables were collected in June.


**G. OLD BUSINESS – Nothing**

**H. NEW BUSINESS** – Councilmember Eliason commented that people using Big Sand Island on Cross Lake have left bags of garbage and beer containers on the island. She inquired as to who owns the island and who is responsible for cleanup. The Lions and the DNR will be contacted.

**I. PUBLIC FORUM** – Gene Cournyea addressed the Council regarding the City's decision to deny the road name change based on the petitioner not having obtained 75% of the required signatures. City Attorney Paul Sandelin stated that the City has a procedure in place that they are required to follow for road name changes.

**J. ADJOURN** – MOTION 07R-24-202 WAS MADE BY CHUCK MILLER AND SECONDED BY SANDY ELIASON TO ADJOURN THIS REGULAR COUNCIL MEETING AT 9:05 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach  
Clerk/Treasurer

REGULAR COUNCIL MEETING – July 8, 2002

# BILLS FOR APPROVAL

8-Jul-02

VENDORS	DEPT	AMOUNT
Aardvark Artwork, downpayment on sign	Gov't	14,000.00
Ace Hardware, strap and tee hinges	PW	57.31
Ace Hardware, blade, caulk, spade	Cemetery	78.91
Ace Hardware, hardware	Cemetery	5.30
Ace Hardware, poly sprayer	PW	39.39
Ace Hardware, bits and links	Cemetery	26.40
Andy Anderson, 2nd quarter meetings	P&Z	75.00
Brandanger Office Supply, mini cassettes	Police	5.85
Brandanger Office Supply, name plates	Adm/P&Z	26.59
Cellular One, phone charges	Police	116.28
Council #65, union dues	ALL	172.00
Crosslake Communications, rea loan payment	Gov't	925.93
Crosslake Communications, phone, cable, internet	ALL	1,215.61
Crosslake Rolloff, recycling	Gov't	2,450.00
Crow Wing County Highway Dept., street sweeping	PW	74.39
Crow Wing Power, electric service	PW	68.05
Crow Wing Power, electric service	P&R	320.91
Crow Wing Power, electric service, street lights	PW	135.79
Crow Wing Power, electric service	Gov't	515.00
Dean Brodin, 2nd quarter meetings	P&Z	75.00
Deferred Comp	ALL	2,180.76
Delta Dental, dental insurance	ALL	1,272.80
Echo Publishing, resolution 02-36	PW	23.62
Firstar Bank, bond series 1999b	Gov't	15,090.00
Fortis, disability	ALL	175.72
Holiday Station, fuel	Police	299.96
Houston Ford, repair tire	Police	29.99
Houston Ford, oil change	Police	22.41
Jack Huber, 2nd quarter meetings	P&Z	50.00
James Trautmann, 2nd quarter meetings	P&Z	75.00
J-Craft, oil filters	PW	46.51
Lakes State Bank, g.o. improvement bonds	Gov't	5,880.00
Lakewood Bank, bond series 1999a	Gov't	3,307.50
League of MN Cities Trust, audit adjustment	ALL	2,338.00
Martin Communications, battery door and case	Fire	28.70
Mastercard, Holiday Inn, lodging tom swenson	Admin	326.66
Mastercard, Fleet Farm, trans fluid and oil	PW	51.44
Mastercard, Downtown Art and Frame, laminated map	Cemetery	120.45
Medica, health insurance	ALL	10,155.57
MN Benefits	Admin	100.98
MN Life, life insurance	ALL	286.80
MN Social Services, child support	PW	206.00
Moonlite Square, fuel	Police	366.61
MPCA, application fee check #32718	Sewer	240.00
Nancy Koch, 2nd quarter meetings	P&Z	25.00

National Crime Prevention Council, coloring books	Police	124.25
NCPERS, life insurance	ALL	96.00
North Ambulance, subsidy	Ambulance	1,103.00
Northern National Bank, wilderness trail bond	Gov't	2,229.05
Northern National Bank, improvement bond series 1999	Gov't	2,937.50
PERA	ALL	N/A
Reed's Market, sentence to serve	PW	64.78
Richard Dietz, 2nd quarter meetings	P&Z	50.00
Simonson Lumber, wood	Cemetery	51.84
State and Federal Taxes	ALL	N/A
The Brehm Group, personal accident policy	ALL	599.25
The Office Shop, staples and paper towels	Gov't	33.09
Tom Swenson, vehicle allowance	Admin	400.00
Triangle Oil, hg fluid 55 gallons	PW	269.45
U S Bank, bond series 2001	Gov't	12,072.50
U S Bank, bond series 1999B	Gov't	15,090.00
Viking Coca Cola, pop	P&R	37.86
Wells Fargo, community center bonds	Gov't	13,288.75
Xcel Energy, utilities	ALL	114.03
Zee Medical, first aid kit refill	PW	90.54
Zee Medical, first aid kit refill	Fire	39.94
Zee Medical, first aid kit refill	P&R	19.60
Ziegler, loader payment	PW	8,966.73
<b>TOTAL</b>		<b>120,762.35</b>

# **ADDITIONAL BILLS FOR APPROVAL**

**8-Jul-02**

VENDOR	DEPT	AMOUNT
Ace Hardware, bug repellent	P&R	5.21
Anoka Hennepin Tech College, incident command class	Fire	75.00
Baldwin Cooke, monthly planners	Adm/P&Z	30.69
Chief Supply, batteries and suspenders	Fire	127.97
Culligan, water and rental	Adm/PW	57.51
Cy's Uniforms, raincoat	Police	104.95
Dahlgren Shardlow and Uban, comp plan update	CompPlan	11,900.77
Echo Publishing, public hearing	P&Z	23.62
Election Systems, traffic complaint book	Police	147.01
Gammello Sandelin and Qualley, legal services	ALL	5,143.69
Lakes Area Rental, cut off saw and blade wear	PW	111.82
Lakes Printing, summer newsletter	Gov't	234.25
Martin Communications, monitor case	Fire	50.32
TEAM, paint, wax, crack filler	PW	1,195.19
U.S. Tennis Association, membership renewal	P&R	25.00
Viking Coca Cola, pop	P&R	111.29
Widseth Smith Nolting, engineering services	ALL	10,886.25
<b>TOTAL</b>		<b>30,230.54</b>

RESOLUTION 02-37

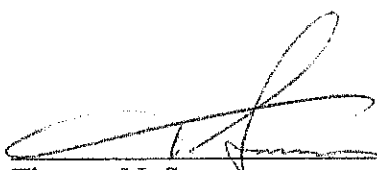
RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT

WHEREAS, it is proposed to improve Greer Lake Road from the east boundary of section 36 to the end of the road abutting lot 18, Greer Lake Homesites Plat (that portion of road currently maintained by the City of Crosslake), by constructing road and drainage improvements, pursuant to Minnesota Statutes, Chapter 429, and;

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

That the proposed improvement be referred to Dave Reese of Widseth Smith Nolting for study and that he is instructed to report to the City Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted by the Council this 8<sup>th</sup> day of July 2002.

  
\_\_\_\_\_  
Darrell E. Swanson  
Mayor  
\_\_\_\_\_  
Thomas N. Swenson  
City Administrator



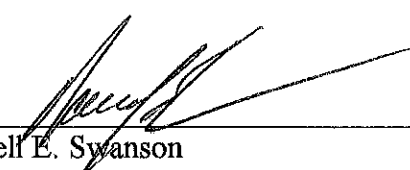
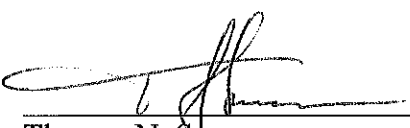
RESOLUTION 02-38

RESOLUTION DECLARING ADEQUACY OF PETITION  
AND  
ORDERING PREPARATION OF REPORT

BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA

1. A certain petition requesting the improvement of Wildwood Drive from the intersection of C.S.A.H. 3 to the end of the road (Block One, Lot 19), Whitebirch Lane from the intersection of Wildwood Drive (Block One, Lot 7) to the intersection of Wildwood Drive (Block One, Lot 18) and Wildwood Trail from the intersection of Wildwood Drive to the end of the road (Block Four, Lot 9), filed with the Council on June 17, 2002 is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to Minnesota Statutes, Section 429.035.
2. The petition is hereby referred to Dave Reese of Widseth Smith Nolting and that person is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible and as to whether it should best be made as proposed or in connection with some other improvement, and estimated cost of the improvement as recommended.

Adopted by the Council this 8<sup>th</sup> day of July 2002.

  
\_\_\_\_\_  
Darrell E. Swanson  
Mayor  
\_\_\_\_\_  
Thomas N. Swenson  
City Administrator