

REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, MAY 14, 2001
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, May 14, 2001. The following Councilmembers were present: Mayor Darrell Swanson, Sandy Eliason, Charles (Chuck) Miller, Irene Schultz and Dean Swanson. Also present was City Administrator Thomas (Tom) Swenson, City Attorney Paul Sandelin, City Engineer Dave Reese, Community Development Director Paul Larson, Police Chief Robert Hartman, Park and Recreation Director Jon Henke, Public Works Director Ted Strand, Operations Manager Dennis Leaser, Fire Chief Keith Anderson, Clerk/Treasurer Darlene Roach and Lake Country Echo Reporter Betty Ryan. There were approximately ten individuals in the audience.

- A. **CALL TO ORDER** – Mayor Swanson called the Regular Meeting to order at 7:00 P.M. He stated that the temperature was 76 degrees Fahrenheit and the sky is clear.
- B. **CRITICAL ISSUES** – None
- C. **CONSENT CALENDAR** – MOTION 05R-01-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF APRIL 9, 2001 REGULAR COUNCIL MEETING; (2) CROSSLAKE COMMUNICATIONS TELEPHONE FINANCIAL REPORT FOR MARCH 31, 2001; (3) CROSSLAKE COMMUNICATIONS CABLEVISION FINANCIAL REPORT FOR MARCH 31, 2001; (4) CITY MONTH END EXPENDITURE REPORT FOR MARCH 31, 2001; AND (5) CITY MONTH END REVENUE REPORT FOR MARCH 31, 2001. MOTION CARRIED WITH ALL AYES.
- D. **MAYOR'S REPORT** – Nothing
- E. **CITY ADMINISTRATOR REPORT** –
 - 1. Letter from Gammello Sandelin & Qualley, P.A. regarding Bittner TIF – A letter dated April 10, 2001 from City Attorney Paul Sandelin stated that the TIF Development Agreement on file in the City is between the City and Brian Bittner and unless an amendment to the Development Agreement is approved, TIF checks should be issued only to Brian Bittner.
 - 2. A letter from Dawn Bittner dated May 8, 2001 rescinded a request of April 9, 2001 to have Lakes State Bank listed as a payee on the TIF check.
 - 3. Authorization to allow Interim General Manager Dennis Leaser to sign Crosslake Communications checks was requested. MOTION 05R-02-01 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE DENNIS LEASER AS A SIGNATORY ON CROSSLAKE COMMUNICATIONS CHECKS. MOTION CARRIED WITH ALL AYES.

4. BLADC Project Activity Report for December, 2000 and January and February 2001 was included for Council information.
5. A letter dated April 12, 2001 from Kevin Larson informed the Council of his intent to remain on the BLADC Board of Directors to represent the Crosslake area.
6. A letter dated March 29, 2001 from Crow Wing Soil and Water Conservation District was included for Council information.
7. A letter dated April 16, 2001 from Dick Dietz provided the results of the income tax preparation by AARP at the Crosslake Community Center and was provided for Council information.
8. Crosslake Celebrate America Dance – A letter dated May 4, 2001 from Ruth Ann Hanson, Crosslake Director for the Brainerd Lakes Area Chamber of Commerce, requested approval for a two day 3.2 temporary on sale beer license, approval to use the Emergency Services Center for the street dance on Saturday, June 30th and permission to use the yellow portable sign in front of the Emergency Services Center the week prior to the Street Dance. MOTION 05R-03-01 WAS MADE BY SANDY ELIASON AND SECONDED BY CHUCK MILLER TO APPROVE THE CHAMBER OF COMMERCE USE OF THE EMERGENCY SERVICES CENTER FOR THE CELEBRATE AMERICA STREET DANCE ON JUNE 30TH, APPROVAL OF A TWO DAY TEMPORARY 3.2 ON SALE BEER LICENSE CONTINGENT ON RECEIPT OF LIQUOR LIABILITY INSURANCE AND USE OF THE PORTABLE YELLOW SIGN IN FRONT OF THE EMERGENCY SERVICES CENTER THE WEEK PRIOR TO THE STREET DANCE. MOTION CARRIED WITH ALL AYES.
9. A thank you letter from the Pine River/Backus Grad Blast Committee for the City's donation was included for Council information.
10. A Pledge Update from Lakes State Bank dated April 30, 2001 was included for Council information.
11. A Pledge Update from Northern National Bank dated April 30, 2001 was included for Council information.
12. A Pledge Update from Lakewood Bank dated April 30, 2001 was included for Council information.
13. Bills for Approval – MOTION 05R-04-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE PAYMENT OF BILLS AS SUBMITTED IN THE AMOUNT OF \$55,320.42. MOTION CARRIED WITH ALL AYES.

F. COMMISSION REPORTS –

1. ECONOMIC DEVELOPMENT AUTHORITY –
 - a. The Minutes of the March 7, 2001 meeting were included for Council information.

- b. Councilmember Dean Swanson commented that the EDA will become more active if the County Board approves participating in the construction of a Joint Maintenance Facility.
- 2. CHARTER SCHOOL – Councilmember Schultz reported that the school’s fund raisers were a huge success. The School Board is hoping to obtain a new facility for the next school year.
- 3. LIBRARY –
 - a. The Minutes of the April 16, 2001 Meeting were included for Council information.
 - b. Alden Hardwick reported that a Book Sale will be held on Friday, May 18th and Saturday, May 19th at the Community Center. Books may be dropped off on Thursday, May 17th from 12:00 Noon – 5:00 P.M.
 - c. After the joint meeting between the Library Committee and the City Council was held, it is felt that acceptance into the Kitchigami Regional Library System may be an up hill battle. The Library Committee will continue to work with County Commissioner Ed Larsen. Councilmember Eliason will attend the Kitchigami Regional Board Meeting on May 17th. Councilmember Swanson suggested that the Library Committee make a recommendation to the City Council after the Regional Board Meeting.
- 4. UTILITIES –
 - a. The Minutes of the April 3, 2001 Meeting were included for Council information.
 - b. The Minutes of the April 24, 2001 Meeting were included for Council information.
 - c. Operations Manager Dennis Leaser presented the Highlights Report for April, 2001. He reported that the Company had a good month in April. The Optional Extended Local Calling Plan now has 386 customers utilizing the service. Expansion of the equipment room is progressing. Two bids were received on April 27th for expansion of the equipment room with Crosslake Construction having the lowest bid of \$111,396.00. Norson’s bid was \$112,980.00. Approval was requested to accept the lowest bid. MOTION 05R-05-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO AWARD THE BID TO CROSSLAKE CONSTRUCTION IN THE AMOUNT OF \$111,396.00 FOR THE EXPANSION OF THE EQUIPMENT ROOM. MOTION CARRIED WITH ALL AYES. Staff has been working on the additional programming for cable that will be offered this summer. A joint Council and Commission meeting has been scheduled for Tuesday, May 29th

at Crosslake Communications to review the proposed programming. Construction has begun on the 2001 upgrade project. Optional seasonal packages for telephone, cable, Internet and DSL are now being offered and anyone interested in these packages were advised to call the office for details.

5. PUBLIC SAFETY –

- a. Chief Hartman reported that there were 24 incidents in Mission Township and 149 incidents in Crosslake in April.
- b. Chief Hartman requested approval on behalf of the Crosslake Police Department to accept a cash donation from the Crosslake Area Game and Fish Club in the amount of \$1000. MOTION 05R-06-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ACCEPT WITH APPRECIATION THE DONATION OF \$1000 FROM THE GAME AND FISH CLUB. MOTION CARRIED WITH ALL AYES.
- c. Chief Hartman read a letter which was received from Dick and Mary Lu Dietz and Don and Ruby Iverson extending their appreciation for the promptness with which the department responded when six children were reported lost. Although the children were able to find their way out of the woods, the quick response was appreciated. Approval was requested to accept a donation in the amount of \$200 from the Dietz's and Iverson's. MOTION 05R-07-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ACCEPT WITH APPRECIATION THE DONATION OF \$200 FROM THE DIETZ'S AND IVERSON'S. MOTION CARRIED WITH ALL AYES.
- d. Fire Chief Keith Anderson reported that the Fire Department responded to five medicals and nine fire calls in April. A grant application has been submitted to USDA for fire equipment for the department. Fire Chief Anderson thanked City Administrator Swenson, Clerk Darlene Roach and Clerical Receptionist Carol Roquette for their efforts in getting the application submitted by the deadline period.

6. PUBLIC WORKS –

- a. The Minutes of the March 19, 2001 Meeting were included for Council information.
- b. The Minutes of the April 16, 2001 Meeting were included for Council information.
- c. A letter dated April 24, 2001 from WSN estimated the construction observation and staking services for Tall Timber/Backdahl Road Connection at an amount not to exceed \$2500. MOTION 05R-08-01 WAS MADE BY CHUCK

MILLER AND SECONDED BY DEAN SWANSON TO APPROVE THE ENGINEERING CONSTRUCTION OBSERVATION AGREEMENT WITH WIDSETH SMITH NOLTING IN AN AMOUNT NOT TO EXCEED \$2500 FOR TALL TIMBER TRAIL/BACKDAHL ROAD. City Administrator Tom Swenson noted that if the easement is not obtained or condemnation proceeding approved, this agreement will become null and void. MOTION CARRIED WITH ALL AYES.

- d. Letter dated May 11, 2001 from Widseth Smith Nolting regarding awarding bids for the 2001 Road Improvement Project - Two bids were received for the 2001 road improvement project. The Anderson Brothers Construction Company bid was in the amount of \$244,028.86 and the Tri-City Paving bid was in the amount of \$246,306.80. It is the recommendation of WSN to award the bid to Anderson Brothers Construction Company. MOTION 05R-09-01 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE RESOLUTION NO. 01-23 AWARDING BID TO ANDERSON BROTHERS CONSTRUCTION COMPANY IN THE AMOUNT OF \$244,028.86 FOR THE 2001 ROAD IMPROVEMENT PROJECT AND TO DIRECT WSN TO PROCEED WITH THE CONTRACTS. MOTION CARRIED WITH ALL AYES. Mayor Swanson inquired as to the timetable for completion. City Engineer Dave Reese stated that the start date would be around June 1st. A pre-construction meeting will be held and a schedule will be obtained from the contractor.

The Public Works Department will begin working with Mission Township on Fawn Lake Road within the next couple of weeks. Mission Township will supply the gravel and the City will do the grading work.

7. PLANNING AND ZONING –

1. Community Development Director Paul Larson presented the April Permit Summary. A total of forty-nine permits were issued in April for a valuation of \$1,609,830. This brings the year-to-date number of permits to eighty-eight with a valuation of \$4,459,470.
2. The Minutes of the March 16, 2001 Planning and Zoning Commission Meeting were included for Council information.
3. Glee Lane – New Road Name – The unnamed road is located off of CSAH #3, north in Section 16, southwest of Pine Bay Road and consists of a 66 foot easement that provides access to eight parcels of land. The Planning and

Zoning Commission received a request for a road name from a property owner adjacent to the currently unnamed road. All property owners that obtain access from said road were sent a notice requesting input for a road name. From these suggestions, Planning and Zoning Staff are recommending that the road be named Glee Lane. MOTION 05R-10-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO APPROVE ORDINANCE AMENDMENT NO. 142 NAMING GLEE LANE AS THE UNNAMED ROAD LOCATED WITHIN SECTION 16 AND THAT A SUMMARY OF THE ORDINANCE AMENDMENT BE PUBLISHED. MOTION CARRIED WITH ALL AYES.

4. Planner-Zoning Coordinator Job Offer – After advertising in the Lake Country Echo, Brainerd Dispatch and in two professional organization newsletters, ten applications were received for the position of Planner-Zoning Coordinator. These ten applications were ranked and the top four were selected for interviews. An interview committee consisting of Councilmember Miller, City Administrator Swenson and Community Development Director Paul Larson was established to interview three candidates. The committee unanimously rated Nancy Joslin as the top candidate for the position. MOTION 05R-11-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO OFFER THE POSITION OF PLANNER-ZONING COORDINATOR TO NANCY JOSLIN ON STEP 3 OF THE 2001 UNION CONTRACT SALARY SCHEDULE (\$12.77 PER HOUR) WITH A SIX MONTH PROBATION PERIOD. MOTION CARRIED WITH ALL AYES.
5. Ordinance Amendment 01-06, Non Conformities – This section of the Ordinance has not been updated for many years and numerous questions have arisen regarding what can and what cannot be done. Staff researched some surrounding City and County Ordinances and feel that the proposed amendment will clarify and provide more comprehensive guidelines for the public to follow and allow for improved staff interpretation and enforcement. The Planning and Zoning Commission reviewed the proposed amendment and recommend approval. MOTION 05R-12-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO APPROVE ORDINANCE AMENDMENT NO. 143 AND TO PUBLISH A SUMMARY. MOTION CARRIED WITH ALL AYES.

6. Request of Attorney's Attendance at P&Z Commission Meetings – Due to the ever increasing level of building activity, higher levels of investments made and complexity of development proposals and legal issues, it was recommended that the City Attorney be authorized to attend Planning and Zoning Commission Meetings. MOTION 05R-13-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO AUTHORIZE THE CITY ATTORNEY'S ATTENDANCE AT MONTHLY PLANNING AND ZONING COMMISSION MEETINGS. MOTION CARRIED WITH ALL AYES.

Community Development Director Paul Larson noted that Carla Backstrom would be returning on June 4th on a part-time basis.

8. LONG RANGE CAPITAL PLANNING COMMISSION –

1. The Minutes of the March 28, 2001 Meeting were included for Council information.

9. SEWER COMMITTEE –

1. The Minutes of the February 21, 2001 Meeting were included for Council information.
2. The Minutes of the February 28, 2001 Meeting were included for Council information.
3. Councilmember Swanson reported that the easements for the sewer project are coming in from the property owners.

10. PARK AND RECREATION –

1. Park and Recreation Director Jon Henke received a request from the Crosslake Historical Society to utilize the Community Center for the planning of the upcoming Centennial Celebration. The Park Advisory Commission reviewed the request and recommend that the City Council approve the request to use the Community Center free of charge in 2001 for the planning of the celebration. The Centennial Celebration will be held in 2003. Watertown Township received its official recognition on March 3, 1903. MOTION 05R-14-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN SWANSON TO AUTHORIZE THE HISTORICAL SOCIETY'S USE OF THE COMMUNITY CENTER FREE OF CHARGE IN 2001 FOR THE PLANNING OF A CENTENNIAL CELEBRATION FOR THE CITY. MOTION CARRIED WITH ALL AYES.

2. The second Family Fun Day of 2001 was held on Sunday, May 6th. The MN Zoomobile put on a presentation for the 150 people in attendance. Park and Recreation Director Jon Henke thanked the Crosslake Ideal Lions, Whitefish Area Lions, Crosslake Fifty Lakes American Legion, American Legion Auxiliary, the Bird Feeder and the Rubner family for their donations. The next Family Fun Day will be held in August.
3. The United States Tennis Association has awarded the Crosslake Park Department \$400 towards the development of a youth and adult tennis program. This money will be utilized to help pay for tennis equipment and the cost of providing lessons and organizing an Adult Tennis League. Acceptance of the donation was requested. MOTION 05R-15-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO ACCEPT WITH APPRECIATION THE DONATION OF \$400 FROM THE UNITED STATES TENNIS ASSOCIATION TO BE USED FOR YOUTH AND ADULT TENNIS PROGRAMS. MOTION CARRIED WITH ALL AYES.
4. Community members are being sought to form a summer adult tennis league. The league would be formed the second week of June. A minimum of twelve people are needed to get the program started.
5. The fourth morning aerobic session will start May 21st. Approval to contract with Donna Keiffer to provide this six week instruction was requested at a cost of \$528.96. MOTION 05R-16-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO APPROVE DONNA KEIFFER PROVIDING AEROBIC INSTRUCTION FOR A SIX WEEK PERIOD AT A COST OF \$528.96. MOTION CARRIED WITH ALL AYES.
6. Fun in the Park – Jane Monson will run the Fun in the Park program at the Community Center on Monday's and Wednesday's for the six to eight year olds and Tuesday's and Thursday's for the four to five year olds. The program will include games, arts and crafts, stories, songs and learning exercises. The cost of the program is \$20 per child.
7. The baseball program is underway with eighty-five kids enrolled in the program. Help is needed in the concession stands and community members were encouraged to volunteer their time.
8. The Minutes of the April 21, 2001 Meeting were included for Council information.

11. **RECYCLING** – Councilmember Miller reported that 15.97 tons of recyclables were collected in April. This brings the year-to-date number to 51.66 tons.

12. **PERSONNEL COMMITTEE** –

1. Applications close for the Deputy Clerk position on May 15th and interviews will be conducted shortly thereafter.
2. The Kenton Group received over thirty applications for the position of General Manager. The number of applicants will be narrowed down and turned over to the Interview Committee.

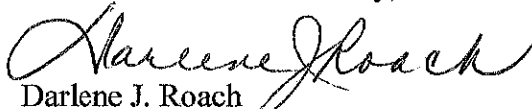
13. **OLD BUSINESS** – Nothing

14. **NEW BUSINESS** – Nothing

15. **PUBLIC FORUM** – Mary Lou Radzevicius-Haynes addressed the Council and expressed her displeasure with the action taken by the City in cleaning the Cemetery. She was upset with the City's removal of urns, hooks, planters and flowers from the Cemetery. Public Works Director Ted Strand stated that the Public Works Department cleaned the cemetery prior to the Memorial Day holiday per the current Cemetery guidelines. With the public placing various items on the cemetery lots, it was difficult for the Public Works Department to make a determination as to what to allow and what not to allow. The task of mowing becomes difficult with items placed on the cemetery lots. Mayor Swanson suggested that the Public Works Commission review the rules and regulations. Councilmember Miller stated that in 1993, when the Cemetery Rules and Regulations were adopted by the Council, a Cemetery Committee was formed to draft the rules and regulations for final approval by the City Council.

MOTION 05R-16-01 WAS MADE BY SANDY ELIASON AND SECONDED BY IRENE SCHULTZ TO ADJOURN THIS REGULAR MEETING AT 8:12 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,


Darlene J. Roach
Clerk/Treasurer

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CITY OF CROSSLAKE
RESOLUTION 01- 23
RESOLUTION ACCEPTING BIDS

WHEREAS, pursuant to an advertisement for bids for the improvement of:

- Red Oak Circle from the intersection of Happy Landing road to the end of the cul-de-sac;
- White Oak Drive from the intersection of Urban Point Road to the intersection of CSAH 103;
- Anderson Court from the intersection of CSAH 103, north, to the end of the cul-de-sac;
- The entire length of Ivy Lane and Ivy Trail from the intersection of Ivy Lane to the end of the road;
- 1st Street from the intersection of CSAH 16 to the intersection of 2nd Avenue, 2nd Avenue from the intersection of 1st Street to the end of the road and 2nd Street from the intersection of 1st Street to the end of the road;
- Gale Lane from the intersection of CSAH 16 to Lot 3, Perkins Ridge Plat;
- Eagle Street from the intersection of CSAH 66 to the end of the road;
- Pinedale Street from the intersection of Manhattan Point Boulevard, east, approximately 300 feet;
- Rush Lane from the intersection of Anchor Point Road to the end of the road;
- Ginseng Patch Road from the intersection of Anchor Point Road to the beginning of Lot 20 Seekel Plat, all of Twin Bay Drive beginning at Ginseng Patch Road and Anchor Point Road beginning at the end of the current bituminous surface (approximately the NE corner of Lot 18, Anderson Twin Bay Shores Plat) to the end of the road;
- Summit Avenue from the intersection of Whitefish Avenue, north, to the intersection of Shadywood Street;
- Manhattan Drive from the intersection of Manhattan Point Boulevard to the end of the road;
- Cool Haven Lane from the intersection of South Landing, west, approximately 1400 feet lying within Government Lot 3;
- Anchor Point Trail from the intersection of Anchor Point Road to the end of the road;
- Anchor Point Road overlay;
- Kimball Road crossing;
- Tall Timber Trail/Backdahl Road connection.

Bids were received, opened and tabulated according to the law, and the following base bids were received complying with the advertisement:

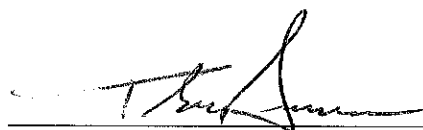
Tri-City Paving, Little Falls, MN	\$246,306.80
Anderson Brothers, Brainerd, MN	\$244,028.86

AND WHEREAS, it appears that Anderson Brothers of Brainerd is the lowest responsible bidder.


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

1. The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Anderson Brothers of Brainerd, Minnesota in the name of the City of Crosslake for the improvement of the above listed roads according to the plans and specifications therefor approved by the City Council and on file in the office of the Clerk/Treasurer.
2. The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the City Council this 14th day of May, 2001.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor