

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, AUGUST 14, 2000  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, August 14, 2000. The following Councilmembers were present: Mayor Darrell Swanson, Charles (Chuck) Miller, Irene Schultz, Dean Swanson and Richard Upton. Also present was City Administrator Thomas (Tom) Swenson, City Attorney Paul Sandelin, City Engineer Dave Reese, Deputy Clerk Darlene Roach and Lake Country Echo Reporter Betty Ryan. There were approximately thirty-two individuals in the audience.

- A. **CALL TO ORDER** – Mayor Swanson called the meeting to order at 7:20 P.M.
- B. **CRITICAL ISSUES** – None
- C. **CONSENT CALENDAR** – MOTION 08R-01-00 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 THE JUNE 12, 2000 REGULAR COUNCIL MEETING; (2) MINUTES OF THE JUNE 28, 2000 SPECIAL COUNCIL MEETING; (3) MINUTES OF THE JULY 10, 2000 REGULAR COUNCIL MEETING; (4) MINUTES OF THE JULY 17, 2000 SPECIAL COUNCIL MEETING; (5) CROSSLAKE COMMUNICATIONS TELEPHONE STATISTICAL REPORT FOR JUNE 30, 2000; (6) CABLE COMPANY FINANCIAL REPORT FOR JUNE 30, 2000; (7) CITY MONTH END REVENUE REPORT FOR JUNE, 2000; AND (8) CITY MONTH END EXPENDITURE REPORT FOR JUNE, 2000. MOTION CARRIED WITH ALL AYES
- D. **MAYOR'S REPORT** – Mayor Swanson requested adoption of a resolution supporting the establishment of a county wide transit system in Crow Wing County. If approved county wide, three handicap accessible vans will be made available in the County. Doris Palmer is the representative from Crosslake who is on the committee. MOTION 08R-02-00 WAS MADE BY RICHARD UPTON AND SECONDED BY CHUCK MILLER TO APPROVE RESOLUTION 00-42 SUPPORTING THE ESTABLISHMENT OF A COUNTYWIDE TRANSIT SYSTEM WITHIN CROW WING COUNTY. MOTION CARRIED WITH ALL AYES.
- E. **CITY ADMINISTRATOR'S REPORT** –
1. Approval of Bills for Payment – MOTION 08R-03-00 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNT OF \$15,106.63. MOTION CARRIED WITH ALL AYES.

2. Resolution for the Appointment of Election Judges – MOTION 08R-04-00 WAS MADE BY CHUCK MILLER AND SECONDED BY RICHARD UPTON APPROVING RESOLUTION 00-43 FOR THE APPOINTMENT OF ELECTION JUDGES TO SERVE FOR THE 2000 PRIMARY ELECTION AND GENERAL ELECTION TO BE HELD SEPTEMBER 12, 2000 AND NOVEMBER 7, 2000 RESPECTIVELY. Councilmember Upton requested that City Administrator Swenson read the resolution which listed the names of those individuals offering their services as election judges. MOTION CARRIED WITH ALL AYES.
3. American Legion Post 500 Lawful Purpose Program Expenditures January 1, 2000 – June 30, 2000 was included for Council information.
4. Region 5 Development Commission Annual Report July 1, 1999 – June 30, 2000 was included for Council information.
5. July 17, 2000 Memo from BLADC regarding BLADC Project Activity Reports for May and June, 2000 was included for Council information.
6. Summer 2000 Historian Volume 22, Number 2 was included for Council information.
7. Lakes State Bank Pledge Update dated July 31, 2000 was included for Council information.
8. Northern National Bank Pledge Update dated July 31, 2000 was included for Council information.
9. Lakewood Bank Pledge Update dated July 31, 2000 was included for Council information.

#### **F. COMMISSION REPORTS –**

1. LIBRARY COMMISSION – Alden Hardwick reported that the Library Committee received their first grant from the Elmer L. & Eleanor J. Andersen Foundation in the amount of \$5,000. A total of forty grants have been submitted. As of this date seventeen requests have been rejected. There is \$1300 in funds remaining from the Initiative Foundation Grant. Initially, the Committee had planned on using these funds for a sketch of a proposed library. However, with the concerns that have been raised regarding attaching a library to the City Hall building or the Community Center building, the Committee is proposing that an architectural sketch be ordered for a standalone building. George Riches has offered to do the sketch along with the assistance of an architectural firm in Brainerd. The Committee requested that the Council approve an expenditure of \$350 for George Riches and \$750 for an outside firm to provide a design for a standalone building. MOTION 08R-05-00 WAS MADE BY RICHARD UPTON AND SECONDED BY IRENE SCHULTZ TO AUTHORIZE USING UP TO \$1100 FOR THE DESIGN OF A STANDALONE BUILDING. Mayor Swanson asked if the Committee was still proposing a 5000 square foot building. Alden Hardwick stated that was the plan with an option of adding on another 4000 square feet if needed later. The design being proposed would show the front of the building. The Council felt that the design should show all sides of the building including the front. Councilmember Schultz felt a design showing all sides of the building would help with the fund raising. MOTION CARRIED WITH

ALL AYES. Charter School Board Member Kathy Allen approached the Library Committee inquiring as to whether the School and the Library Committee could work jointly on grant applications that would be applicable to both groups. Alden Hardwick stated that this joint venture could be done on items such as audio visual equipment and etc. Mayor Swanson commented that the Legislature had looked favorably on the Library Committee working in conjunction with the Charter School. Councilmember Upton asked if there would be any problem with tying the City with a private organization and City Attorney Sandelin stated that the City would be the owner of the equipment and the Charter School could use the equipment. Mayor Swanson asked when the architect's rendering would be completed and Alden Hardwick stated that he would work towards having something before the next Council meeting. Councilmember Upton asked why so many grants were being denied and Alden Hardwick stated that most of the major corporations donate funds in areas where their employees reside.

2. UTILITIES –

- a. Minutes of Utilities Commission Meeting of July 25, 2000 were included for Council information.
- b. Minutes of Investment Committee Meeting of July 25, 2000 were included for Council information.
- c. July Highlights Report – Debby Floerchinger presented the Highlights report in General Manager Kevin Larson's absence. The Staff and 75<sup>th</sup> Anniversary Committee have been busy putting together the final plans for the 75<sup>th</sup> Anniversary celebration which was held on August 12<sup>th</sup>. A pancake breakfast was served to 581 individuals with over 600 people in attendance. A short program took place at 11:00 a.m. prior to the unveiling of the sculpture created by local artist, Jeff Kreitz. DSL service is working well and a number of businesses and residents are using the service. New facilities are being provided to a number of new businesses and homes that are being built around the City. Engineering and drafting of plans and specifications for the Three Year Upgrade Plan are 90% complete. A number of smaller projects will be completed by the employees. Plans and specifications have been completed for bidding on a new standby generator. The existing generator will be transferred to City Hall. Internet service has grown from 375 users in 1999 to 573 users year to date. Voice Mail has expanded from 207 users in 1999 to 262 users in 2000. There are currently 10 users of DSL. Crosslake Long Distance has grown from 1192 users in 1999 to 1587 users in 2000 and 341 travel cards have been issued in 2000 as compared to 192 in 1999.

3. PLANNING AND ZONING –

- a. The July 2000 Permit Summary shows 316 permits issued year to date for a year to date valuation of \$9,183,959. This compares to 265 permits through July, 1999 with a valuation of \$9,082,380.
- b. The Minutes of the July 7, 2000 Planning and Zoning Commission Meeting were included for Council information.

- c. Community Development Director Paul Larson requested approval on Resolution 00-44 which would request the County to make a change in the width of the right-of-way on County State Aid Highway No. 3. The right-of-way varies in width between the Pine River and the city limits on the south end of the City. The County Engineer has suggested that the City request a reduction in width in this area. Since the City no longer plans on utilizing frontage roads in this area, the property would be put back on the tax rolls. MOTION 08R-06-00 WAS MADE BY DEAN SWANSON AND SECONDED BY RICHARD UPTON TO APPROVE RESOLUTION 00-44 REQUESTING CHANGE IN COUNTY STATE AID HIGHWAY NO. 3 RIGHT-OF-WAY WIDTH. MOTION CARRIED WITH ALL AYES.
- d. Little Pine Wilderness Final Plat – The Planning and Zoning Commission along with the Planning and Zoning Staff recommend approval of the final plat. City Attorney Sandelin stated that he has reviewed the Title Opinion and proposed Covenants and Restrictions and found everything to be in order. All of the applicable fees due the City will be paid prior to signing of the final plat. MOTION 08R-07-00 WAS MADE BY RICHARD UPTON AND SECONDED BY CHUCK MILLER TO APPROVE THE FINAL PLAT 00-01 FOR LITTLE PINE WILDERNESS WITH THE CONDITION THAT ALL FEES AND ASSESSMENTS BE PAID PRIOR TO SIGNING OF THE PLAT. Mayor Swanson congratulated all the parties involved in this project. Councilmember Upton stated that individuals who had expressed concern up front with the project were satisfied with the outcome. MOTION CARRIED WITH ALL AYES.
- e. Ordinance Amendment to Chapter 6 Road Names – Community Development Director Paul Larson stated that Chapter 6 of the City Code requires that all roads with more than two structures be named and that structures be addressed off of said road. An amendment to the Ordinance has been prepared which outlines how unnamed or new roads would be named. MOTION 08R-08-00 WAS MADE BY RICHARD UPTON AND SECONDED BY IRENE SCHULTZ APPROVING ORDINANCE NO. 123 ESTABLISHING A PROCEDURE FOR NAMING UNNAMED ROADS WITHIN THE CITY AND THAT A SUMMARY OF THE ORDINANCE BE PUBLISHED. MOTION CARRIED WITH ALL AYES.
- f. New Road Name (Cabin Cove Trail) – Letters were sent to all property owners along this road, which is located on the south side of Ox Lake, in Section 5, requesting suggested road names for this road. Only one property owner responded with a suggested road name of Cabin Cove Trail. Since this road name is not being currently used for any other road within the City, Council approval was requested to name the road Cabin Cove Trail. MOTION 08R-09-00 WAS MADE BY RICHARD UPTON AND SECONDED BY DEAN SWANSON TO APPROVE ASSIGNING CABIN COVE TRAIL TO THE UNNAMED ROAD IN SECTION 5 ON THE SOUTH SIDE OF OX LAKE. MOTION CARRIED WITH ALL AYES.
- g. Dan Miller Request to Construct and Dedicate New Road and Bridge to City – Dan Miller is proposing to build a road to his property via an easement obtained from Potlatch Corporation. Once constructed to city standards, Mr. Miller would like to dedicate the road to the City. A Certificate of Survey has been provided to

the City showing the location of the proposed road. The Planning and Zoning Staff recommended several conditions that should be placed on the request. Councilmember Miller asked what the urgency of the request was and suggested that Public Works be given the opportunity to review the request. One concern expressed by Councilmember Miller was the need to maintain another bridge in the City. Mayor Swanson agreed with Councilmember Miller that Public Works should review the request. Councilmember Swanson, however, felt the Council was only being requested to approve the concept. City Administrator Swenson inquired of City Attorney Sandelin whether the City needed to be named on the easement. City Attorney Sandelin stated that the easement should be turned over to the City when the road is dedicated to the City. City Attorney Sandelin stated that he would like to review the title work along with any input from Public Works. Dan Miller addressed the Council and stated that his request was only a request for concept approval. He also stated that a bridge may not be necessary since recent conversations he has had with the DNR indicate that only a culvert may be required. Mayor Swanson asked Mr. Miller if his request for concept approval was whether the City would take on another road in this area of the City. Mr. Miller stated that this was his intent in asking for approval. MOTION 08R-10-00 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE THE CONCEPT OF A ROAD FOR MR. MILLER. MOTION CARRIED WITH ALL AYES.

- h. Driveway Access from Chatham Park to Daggett Pine Road – Robert Lorentzen has requested approval to construct a shared driveway access onto Daggett Pine Road which would serve as access to two proposed garages on Lot 21 and Lot 22. The Planning and Zoning Staff is recommending approval for the curb cut on Daggett Pine Road since access to the rear yards from Deer Ridge Drive is not possible. Councilmember Swanson expressed concern from a safety standpoint with allowing more accesses on Daggett Pine Road. He stated that the road is being upgraded due it being a high traffic road. He felt the City would be setting a precedent by allowing the access and that the property owners should find another access. Councilmember Miller disagreed and felt approval should be given since access is not possible on any other road. He stated that when Chatham Park was developed, the requirement was for 10,000 square feet per lot, however, the park was developed with 22,000 square foot lots. He felt that adding one more access would not interfere with safety. Mayor Swanson asked why Deer Ridge Road could not be utilized for the access and Paul Larson stated that the drainfields are located between the two properties and utilities are also located in this area. Councilmember Upton asked about Lots 23 and 24 and whether they would be requesting a driveway. Paul Larson stated that they have a similar situation, however, have not requested driveway access. Arland Knowland, resident of Lot 21, addressed the Council. He stated that due to poor health and being a year round residents, garages were a necessity for both property owners. MOTION 08R-11-00 WAS MADE BY RICHARD UPTON AND SECONDED BY CHUCK MILLER TO APPROVE THE CHATHAM PARK DRIVEWAY ACCESS ONTO DAGGETT PINE ROAD WITH THE

CONDITION THAT BRUSHING BE MAINTAINED. MOTION CARRIED WITH COUNCILMEMBER SWANSON OPPOSED.

- i. Little Pine Shores On-site Sewer Concept Plan - Community Development Director Paul Larson presented an update on the Little Pine Shores Upgrade Plan. He stated that letters were sent to the property owners suggesting that the residents work together and hire a common on-site sewer designer. Ron Hedlund, on-site sewer designer, was hired by the residents and did a site evaluation for the properties located within the Little Pine Shores plat. Mr. Hedlund came up with three possible alternatives to providing on-site sewer treatment to the area that meet State and City codes. Alternative One is to share a common drainfield and retain the existing shallow wells. Alternative Two is to share a common well and build new individual on-site drainfields. Alternative Three is to install new individual drainfields and new wells on private property. A meeting was held on August 8<sup>th</sup> with Ron Hedlund, Scott Longanecker, of the MN Department of Health, Charles Hammond, resident of Little Pine Shores, City Engineer Dave Reese and Community Development Director Paul Larson to discuss options for resolving the issues. It was determined from this group that the only solution was to adopt the proposed sewer upgrade concept plan and implement it. It was the recommendation of Community Development Director Paul Larson that a public hearing be scheduled to consider adopting an on-site sewer concept plan. Councilmember Upton asked what leverage the City had if the plan needed to be enforced. City Attorney Sandelin stated that the property owners need to come up with a plan that works, and that the City's only enforcement would be that the residents need to upgrade. MOTION 08R-12-00 WAS MADE BY RICHARD UPTON AND SECONDED BY IRENE SCHULTZ TO REFER THE MATTER TO PLANNING AND ZONING FOR A RESOLUTION. MOTION CARRIED WITH ALL AYES.
- j. Amendment 00-04 – Recreation Vehicles – The Planning and Zoning Staff recommend approval of an Ordinance Amendment which would clarify the definition and use of temporary structures/recreational vehicles which will allow for better enforcement. Paul Larson suggested that the matter be referred back to the Planning and Zoning Commission since some issues have arisen recently which require clarification. MOTION 08R-13-00 WAS MADE BY RICHARD UPTON AND SECONDED BY CHUCK MILLER TO REFER THE MATTER BACK TO THE PLANNING AND ZONING COMMISSION FOR FURTHER WORK. MOTION CARRIED WITH ALL AYES.
- k. Amendment 00-07 – Metes and Bounds – The Planning and Zoning Commission recommended approval of an Ordinance Amendment which would extend the number of days the Planning and Zoning Staff can review Metes and Bounds Subdivision applications. Currently, applicants can submit requests 14 days prior to the next Planning and Zoning Commission Meeting. This does not allow enough time to complete a full staff review prior to the meeting. The Ordinance Amendment would extend the number of days to 30 days. MOTION 08R-14-00 WAS MADE BY RICHARD UPTON AND SECONDED BY DEAN SWANSON TO ADOPT ORDINANCE NO. 125 AMENDING CITY CODE CHAPTER 3.11 RELATING TO APPLICATION DEADLINES FOR METES

AND BOUNDS SUBDIVISIONS AND TO PUBLISH A SUMMARY OF THE AMENDMENT. MOTION CARRIED WITH ALL AYES.

- l. Amendment 00-08 – Pre-existing Lots – There have been several applications of Conditional Use Permits to allow an addition to an existing structure or to build an accessory on a pre-existing, non-conforming lot that already has a principal structure. In an effort to minimize Conditional Use Permit applications, it is being proposed that lots that meet or exceed either the minimum lot width or lot area requirements, be handled over the counter cutting down on the number of CUP applications being dealt with. MOTION 08R-15-00 WAS MADE BY RICHARD UPTON AND SECONDED BY CHUCK MILLER TO ADOPT ORDINANCE NO. 126 AMENDING CHAPTER 8 REGARDING USE OF PRE-EXISTING LOTS AND TO PUBLISH A SUMMARY OF THE ORDINANCE. MOTION CARRIED WITH ALL AYES.
- m. Amendment 00-09 – Surface Water Zoning (Little Pine Lake) – This proposed ordinance is to control and regulate the use of the waters in a defined bay area of Little Pine Lake. The Ordinance will limit motor use within the area to electric only. At the June 12, 2000 City Council meeting, the Planning and Zoning Staff was directed to initiate Surface Water Zoning for the bay area of Little Pine Lake that is adjacent to the Little Pine Wilderness plat. The purpose for the zoning district is to minimize impacts on the fragile fish and wildlife habitat. MOTION 08R-16-00 WAS MADE BY RICHARD UPTON AND SECONDED BY CHUCK MILLER TO ADOPT ORDINANCE NO. 124 DEALING WITH WATER SURFACE USE ZONING FOR LITTLE PINE LAKE AND TO PUBLISH A SUMMARY OF THE ORDINANCE. MOTION CARRIED WITH ALL AYES. Crow Wing County has requested a copy of the Ordinance to assist in enforcement.
- n. Amendment 00-10 – Conditional Use Permit in Commercial and Industrial Zones – Currently a conditional use permit is required for all new uses and change of existing uses within the commercial and industrial zones. Due to a recommendation from the Long Range Capital Planning Commission, this proposed amendment would still require a conditional use permit for new uses in these zones, however, change of uses within these zoning districts would be reviewed by City staff to ensure compliance with current zoning standards and would not require a public hearing and conditional use permit. Expansions of existing uses of greater than 25% of the original building structure footprint would still require a conditional use permit. MOTION 08R-17-00 WAS MADE BY RICHARD UPTON AND SECONDED BY IRENE SCHULTZ TO ADOPT ORDINANCE NO. 127 DEALING WITH CUP REQUIREMENTS IN COMMERCIAL WATERFRONT, LIMITED COMMERCIAL, COMMERCIAL, DOWNTOWN COMMERCIAL AND INDUSTRIAL ZONES. MOTION CARRIED WITH ALL AYES.
- o. Amendment 00-11 – Second Story Above Garage – Second story or lofts on detached accessory structures are currently prohibited within the low-density residential zoning district. The Planning and Zoning Staff believes the intent was to prohibit this within the Medium Density Residential district. The intent was to reduce the density and use of lakeshore lots, specifically for the reason that many

second story or lofts above garages are used for guest quarters. The Planning and Zoning Staff feels that allowing the second story or lofts above detached accessory structures may allow better use of lots, which will allow for more storage space and reduce the amount of impervious coverage. MOTION 08R-18-00 WAS MADE BY RICHARD UPTON AND SECONDED BY CHUCK MILLER TO ADOPT ORDINANCE NO. 128 DEALING WITH SECOND STORY'S OR LOFTS ON DETACHED ACCESSORY STRUCTURES AND TO PUBLISH A SUMMARY OF SAID ORDINANCE. MOTION CARRIED WITH ALL AYES.

- p. Amendment 00-12 – Building Height Exemption – Section 8.02, Subd. 2 of Chapter 8 relates to the definition of building height, however, no exemptions are allowed for church steeples, towers and etc. The Planning and Zoning Commission is recommending approval of this Ordinance amendment. MOTION 08R-19-00 WAS MADE BY RICHARD UPTON AND SECONDED BY IRENE SCHULTZ ADOPTING ORDINANCE NO. 129 DEALING WITH HEIGHT EXCEPTIONS WITH INPUT FROM THE FIRE DEPARTMENT AND TO PUBLISH A SUMMARY OF SAID ORDINANCE. MOTION CARRIED WITH ALL AYES.

#### 4. PUBLIC SAFETY –

- a. Chief Don Henderson stated that the Fire Department responded to 16 emergency medical calls, 1 four-wheeler accident, 1 auto fire and one grease fire in July. This brings the total calls for the year to 74. The firefighters are very excited about the thermal imaging camera recently purchased for the Fire Department. The Council will be invited to see a demonstration on what the camera can do. The DNR has requested assistance from the Fire Department for a truck and manpower to assist with the fires out west. Two firefighters are needed per truck, however, three are preferred. Don Henderson or Jeff Cripps are required to go due to their years of service. The trip is a 14 day stay with payment of between \$125 to \$200 per hour. It was the consensus of the Council that Fire Department personnel be allowed to go out west with the fire truck.
- b. Chief Bob Hartman reported 262 calls in Crosslake and 22 calls in Mission Township in July. Chief Hartman has contacted County Engineer Duane Blanck to initiate a traffic evaluation on County Road 66 before Labor Day. Councilmember Swanson asked that some consideration be given to County Road #3 and County Road #36 also. Some discussion ensued regarding a stoplight on the junction of #3 and #66. Chief Hartman stated that he would support a stoplight, but felt it would be based on the traffic count. Councilmember Upton noted that the Department was down on property calls but up on speed and DUI's. This is attributed to the Department being pro-active and having zero tolerance of drinking and driving.

#### 5. PUBLIC WORKS –

- a. The Minutes of the Public Works Commission Meeting of July 17, 2000 were included for Council information.



- b. City Engineer Update on 2000 Road Projects – City Engineer Dave Reese stated that most of the roads being improved in 2000 have been graveled. Some additional shaping needs to take place before paving begins on August 28<sup>th</sup>. It is expected that blacktopping will take two weeks to complete. Dave Reese stated that the Council needs to review the substantial completion date and whether an extension should be granted. City Administrator Swenson asked if there was any negotiation that could take place between Anderson Brothers and the City. Councilmember Swanson asked if paving time was always a two week time-frame. It was the consensus of the Council that no action would be taken at this time. A letter dated August 4, 2000 from Anderson Brothers was included for Council information.
  - c. Facsimile from City Attorney regarding Wisemiller Parcel – City Attorney Sandelin prepared a resolution for Council approval which would authorize commencement of condemnation proceedings on the Wisemiller parcel. A memo was sent to Glen Gustafson, Attorney for the Wisemiller's regarding whether the Wisemiller's would consent to the City completing the work on the road pending a determination of the value of the property required for the easement. No reply was received regarding this request. It was the consensus of the Council that condemnation proceedings be started. MOTION 08R-20-00 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE RESOLUTION 00-45 AUTHORIZING CONDEMNATION PROCEEDINGS. MOTION CARRIED WITH ALL AYES.
  - d. Letter dated July 8, 2000 from Terry Wenninger - Mr. Wenninger is requesting approval to acquire a parcel of land 34' by 120.5' adjacent to his property along Tall Timber Trail. When the first plat in this area was approved, this portion of property served as a cul-de-sac or turnaround. This turnaround is no longer required. City Administrator Swenson stated that Mr. Wenninger could file a petition in district court requesting that the property be vacated. MOTION 08R-21-00 WAS MADE BY RICHARD UPTON AND SECONDED BY CHUCK MILLER THAT THE CITY WILL REGISTER NO OBJECTION TO THE VACATION OF THIS PARCEL OF LAND IN BLOCK SIX, LOT 11 IN OLD LOG HEADQUARTERS WHEN SUBMITTED TO DISTRICT COURT AND TO NOT REQUIRE THE VACATION REQUEST BE SUBMITTED TO EITHER THE PUBLIC WORKS COMMISSION OR THE PLANNING AND ZONING COMMISSION AND TO DIRECT THE CITY ATTORNEY TO WRITE THE APPROPRIATE LETTER TO THE COURT STATING THE CITY'S POSITION. MOTION CARRIED WITH ALL AYES
6. PARK AND RECREATION –
- a. Minutes of Park and Recreation Commission Meeting of July 24, 2000 were included for Council information.
  - b. Park and Recreation Director Jon Henke reported that the City has received a park bench as a donation from the Central Lakes Rotary Club. MOTION 08R-22-00 WAS MADE BY IRENE SCHULTZ AND SECONDED BY RICHARD UPTON TO ACCEPT WITH THANKS THE DONATION OF A PARK BENCH FROM THE CENTRAL LAKES ROTARY CLUB. MOTION

CARRIED WITH ALL AYES. The sixth session of aerobics is scheduled from August 29<sup>th</sup> through October 12<sup>th</sup> and approval was requested to contract with Donna Keiffer for this class. MOTION 08R-23-00 WAS MADE BY IRENE SCHULTZ AND SECONDED BY CHUCK MILLER TO CONTRACT WITH DONNA KEIFFER TO PROVIDE EIGHT WEEKS OF AEROBIC INSTRUCTION AT A COST OF \$463.00. MOTION CARRIED WITH ALL AYES. The third Family Fun Day will take place on August 20<sup>th</sup> from 1:00 P.M. to 4:00 P.M. This event will feature Water Wars out of Pequot Lakes. Horse drawn wagon rides and a clown will also be a part of the activity. The cost for this program is \$1.00 per person. This includes a lunch for all participants which will include hot dogs, chips and kool aid. A State Fair trip is planned for August 28<sup>th</sup>. The bus will depart the Community Center at 7:00 A.M. and will leave the State Fair at 5:30 P.M. Cost for the trip is \$23.00. All community members are welcome to register for this trip. This years tennis tournament had 28 participants. This is an annual event during Crosslake Days which is held on the first weekend of August. The Park Department will be offering a soccer program this fall. The program will take place on Mondays and Wednesdays starting Monday, September 11<sup>th</sup> and end on Wednesday, October 11<sup>th</sup>. Children in kindergarten through third grade will participate between 4:15 p.m. and 5:15 p.m. and fourth to sixth graders will participate between 5:30 p.m. and 6:30 p.m. The baseball and softball program was completed in July. Park and Recreation Director Jon Henke thanked the parents and volunteers who performed many duties to make the program a success. A picnic was held at the end of the season with over 100 participants and parents in attendance. A AAA driving class is scheduled for September 13<sup>th</sup> and September 14<sup>th</sup> and interested persons can contact AAA to register.

- c. The minutes of the Long Range Park and Recreation Planning Committee meetings held on July 11<sup>th</sup>, July 25<sup>th</sup> and August 1<sup>st</sup> were included for Council information.
7. SEWER/WATER COMMITTEE – Councilmember Swanson stated that a meeting was held last week with the City Engineer regarding how the program is progressing. City Engineer Dave Reese stated that the first calendar has been revised due to additional areas being added to Phase 1. The revised plan has been submitted to the MPCA. The schedule for hookup of individual properties is now expected to be in 2003.
  8. RECYCLING – Councilmember Miller reported that 17.61 tons of recyclables were collected in July for a total of 98 tons year to date. A letter dated July 14, 2000 from Solid Waste Coordinator Douglas Morris was included for Council information.
  9. LONG RANGE PLANNING – Two applicants have applied to fill alternate member seats on the Long Range Capital Planning Commission. MOTION 08R-24-00 WAS MADE BY DEAN SWANSON AND SECONDED BY RICHARD UPTON TO APPROVE THE APPOINTMENTS OF MARK WESSELS AND BOB MATTSON TO THE LONG RANGE CAPITAL PLANNING COMMISSION. MOTION CARRIED WITH ALL AYES. The minutes of the Long Range Capital Planning Commission meeting held on June 28, 2000 were included for Council information.

10. ECONOMIC DEVELOPMENT AUTHORITY – The minutes of the July 4, 2000 meeting were included for Council information.
11. CHARTER SCHOOL – Councilmember Schultz stated that the first day of school will commence on September 5<sup>th</sup>. The school schedule was included for Council information. A Charter School Board meeting is scheduled for August 15<sup>th</sup> at 7:00 P.M. at the Community Center.
12. PERSONNEL – Councilmember Swanson read a proposal from City Administrator Tom Swenson regarding the cleaning of City Hall. MOTION 08R-25-00 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE HIRING OF CAROL ROQUETTE TO DO THE CLEANING AT CITY HALL WITH 114 COMPARABLE WORTH POINTS ASSIGNED TO THE POSITION. MOTION CARRIED WITH ALL AYES.
13. OLD BUSINESS – None
14. NEW BUSINESS – None
15. PUBLIC FORUM – Councilmember Miller commended Mayor Swanson and General Manager Kevin Larson for the successful celebration of the Company's 75<sup>th</sup> Anniversary Celebration.

MOTION 08R-26-00 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ADJOURN THIS REGULAR COUNCIL MEETING AT 9:20 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach  
Deputy Clerk

RESOLUTION 00-42

RESOLUTION SUPPORTING THE ESTABLISHMENT OF A COUNTYWIDE  
TRANSIT SYSTEM WITHIN CROW WING COUNTY

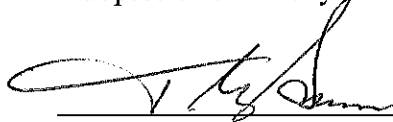
WHEREAS; Rural Crow Wing County is experiencing rapid growth in both development and its seasonal and permanent populations; and

WHEREAS; One of the fastest growing segments of the rural county population is with senior citizens choosing to retire in the lakes area; and

WHEREAS; This segment of the population will continue to age, exacerbating the need to provide a quality and reliable transportation system to serve the needs of the elderly.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the City Council of the City of Crosslake acknowledges the need and supports the concept of the establishment of a countywide transit system.

Adopted this 14<sup>th</sup> day of August, 2000.



Thomas N. Swenson  
City Administrator



Darrell E. Swanson  
Mayor



RESOLUTION 00-43 FOR THE APPOINTMENT  
OF ELECTION JUDGES TO SERVE FOR THE 2000  
PRIMARY ELECTION AND GENERAL ELECTION TO  
BE HELD SEPTEMBER 12, 2000 AND NOVEMBER 7, 2000 RESPECTIVELY

WHEREAS, the City of Crosslake does hereby resolve to appoint election judges for the 2000 Primary Election to be held on the 12<sup>th</sup> day of September, 2000 and for the 2000 General Election to be held on the 7<sup>th</sup> day of November, 2000 in City Hall in the City of Crosslake:

AND WHEREAS, the City of Crosslake does hereby appoint the following persons to serve as election judges according to Minnesota State Statute 204B.19:

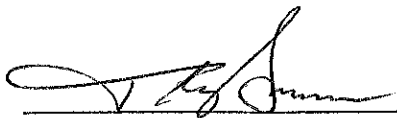
Del Becke 14081 Norway Trail 218-692-2050  
Geri Sawatzke 36639 County Road 66 218-692-4745  
Judy Cotton 35062 County Road 37 218-692-4037  
Ordell Buntje PO Box 412 218-692-2068  
Doris Fraser 37670 County Road 66 218-692-4056  
Doris Stevenson 13483 Island View Rd 218-692-4520  
Ruth Hoag 35067 West Shore Drive 218-692-3403  
Vivian Gerold 14130 Tall Timbers Trail 218-692-3413  
Fran Horton 37413 Waterwood Court 218-692-2633  
Ann Swenson 36036 West Shore Drive 218-692-4330


BE IT RESOLVED, that the City Council of the City of Crosslake, Minnesota go on record as appointing the above named persons as Election Judges to handle the 2000 Primary and General Elections at the Council Meeting held on August 14, 2000.

COUNCIL VOTING AYE 5

COUNCIL VOTING NAY 0

ATTEST:

  
\_\_\_\_\_  
Thomas N. Swenson  
City Administrator

  
\_\_\_\_\_  
Darrell E. Swanson  
Mayor

**RESOLUTION NO. 00-44**  
**RESOLUTION REQUESTING CHANGE IN**  
**COUNTY STATE AID HIGHWAY NO. 3 RIGHT-OF-WAY**  
**CITY OF CROSSLAKE**  
**STATE OF MINNESOTA**

WHEREAS, County State Aid Highway (CSAH) No. 3 has varying right-of-way widths from approximately 100 feet and 160 feet between the Pine River and the south boundary of the Crosslake City Limits; and

WHEREAS, the varying right-of-way widths were created to allow for stockpiling of dirt and materials during construction of the road and to allow for future service roads; and

WHEREAS, the City of Crosslake and Crow Wing County have abandoned the concept of service roads along CSAH No. 3; and


WHEREAS, existing development including buildings and signage is located within the boundary of the right-of-way in several locations and, in particular, those areas with the greatest right-of-way width; and

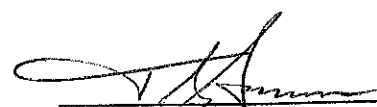
WHEREAS, the City of Crosslake Planning and Zoning Commission has approved a number of variances for signage setbacks from the CSAH No. 3 right-of-way. The Crosslake Planning Commission approved these variances with findings of fact that all of the existing signage was located at the same distance from the Crow Wing County Highway Department approved locations, and determined the right-of-way widths were too wide at these locations and safe driving sight distances could still be maintained.

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

1. The City of Crosslake supports a reduction in the right-of-way width on CSAH No. 3 to 100 feet for the length of CSAH No. 3 from Pine River on the northerly boundary to the south boundary of the Crosslake City Limits. The City further requests that Crow Wing County review and approve such a reduction in the right-of-way width.

Adopted by the council this 14 day of August, 2000.

  
\_\_\_\_\_  
Darrell Swanson, Mayor

  
\_\_\_\_\_  
Tom Swenson, City Administrator


**ORDINANCE SUMMARY**  
**ORDINANCE NO. 123, THIRD SERIES**  
**AN ORDINANCE AMENDING CHAPTER 6 OF THE CITY CODE**  
**TO ESTABLISH A PROCEDURE FOR NAMING UNNAMED ROADS**  
**WITHIN THE CITY OF CROSSLAKE**  
**COUNTY OF CROW WING, STATE OF MINNESOTA**

The following is the official summary of Ordinance No. 123, Third Series, approved by the City Council of the City of Crosslake, on the 14th day of August, 2000.

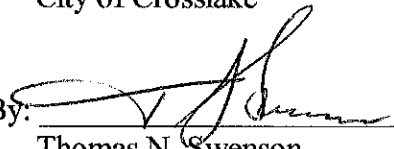
The purpose of this ordinance is to amend Chapter 6 of the City Code relating to naming or renaming of roads within the City of Crosslake.

A printed copy of the ordinance is available for inspection by any person at City Hall.

Passed and approved by at least four-fifths of the council this 14th day of August, 2000.

By:   
Darrell Swanson, Mayor  
City of Crosslake

Attest:

By:   
Thomas N. Swenson,  
City Administrator, City of Crosslake



**ORDINANCE NO. 123, THIRD SERIES  
AN ORDINANCE AMENDING CHAPTER 6 OF THE CITY CODE  
TO ESTABLISH A PROCEDURE FOR NAMING UNNAMED ROADS WITHIN THE  
CITY OF CROSSLAKE, COUNTY OF CROW WING,  
STATE OF MINNESOTA**

The City Council of the City of Crosslake does ordain as follows:

**6.04 ROAD NAMES**

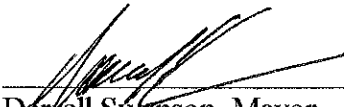
**Subd. 2.** Before the City Council will consider a request to change a road name, or name an unnamed or new road, a petition containing at least 75% of the signatures of all property owners abutting the subject road must be submitted to the City Council along with the proposed road name.

**Subd. 3.** Notwithstanding Subdivision 2, the City Council may, in its own discretion, change the name of a road, or name an unnamed or new road, provided that all property owners abutting the subject road are given at least 14 days written notice of the hearing on the proposed name change.

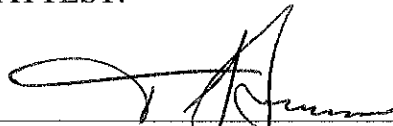
**Section 2. Effective Date.**

This ordinance shall become effective upon publication and shall be filed with the Crow Wing County Recorder by the Crosslake Deputy Clerk.

Passed by the Council this 14<sup>th</sup> day of August, 2000 by a 4/5ths vote.

  
\_\_\_\_\_  
Darrell Swanson, Mayor

ATTEST:

  
\_\_\_\_\_  
Thomas Swenson, City Administrator

\\SERVER\CLAW\TEXT\70424.17\Road Name Ordinance.doc

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

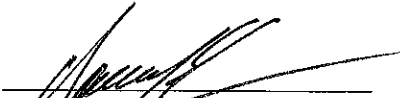
**ORDINANCE NO. 124, THIRD SERIES,  
AMENDING THE CROSSLAKE CITY CODE  
RELATING REGULATING THE SURFACE USE OF LITTLE PINE LAKE**

The following is the official summary of Ordinance No. 124 approved by the City Council of the City of Crosslake, on the 14<sup>TH</sup> day of August, 1999.

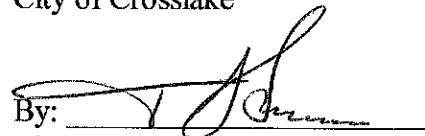
The purpose of this Ordinance is to provide for surface zoning of Little Pine Lake by restricting the type of motor used for navigation in a bay area of Little Pine Lake..

A printed copy of the ordinance is available for inspection by any person at the office of the City Clerk.

Passed by the council this 14<sup>th</sup> day of August, 2000, by the statutorily required 4/5ths of said council.

By:   
Darrell Swanson, Mayor  
City of Crosslake

ATTEST:

By:   
Thomas Swenson, City Administrator  
City of Crosslake

STATE OF MINNESOTA, COUNTY OF CROW WING  
CITY OF CROSSLAKE

ORDINANCE NO. 124, THIRD SERIES,  
AMENDING THE CROSSLAKE CITY CODE  
RELATING TO REGULATING THE SURFACE USE OF LITTLE PINE LAKE

**The City Council of the City of Crosslake does ordain as follows:**

**Section 1. Purpose, Intent and Application.** As authorized by Minnesota Statutes 86B.201, 86B.025, and 459.20, AND Minnesota Rules 6110.3000-6110.3800 as now in effect and as hereafter amended, this Ordinance is enacted for the purpose and with the intent to control and regulate the use of the waters of a bay area of Little Pine Lake. Said bay is located in part of the NE quarter of the NW quarter of Section 10 and part of the NW quarter of the NE quarter of Section 10 (see Exhibit A) in the City of Crosslake, Minnesota, said body of water being located entirely within the boundaries of the City of Crosslake, to promote its fullest use and enjoyment by the public in general and the citizens of the City of Crosslake in particular; to insure safety for persons and property in connection with the use of said waters; to harmonize and integrate the varying uses of said waters; and to promote the general health, safety and welfare of the citizens of the City of Crosslake, Minnesota.

**Section 2. Definitions.** Terms used in this ordinance related to boating are defined in M.S. §86B.005.

**Section 3. SURFACE ZONING OF LITTLE PINE LAKE BY RESTRICTING THE TYPE OF MOTOR USED FOR NAVIGATION IN SAID DESCRIBED BAY TO ELECTRIC TROLLING MOTOR ONLY.**

**Section 4. Enforcement.** The Primary responsibility for enforcement of this ordinance shall rest with the Crow Wing county Sheriff's Department and the City of Crosslake Police Department. This, however, shall not preclude enforcement by other licensed peace officers.

**Section 5. Exemptions.** All Resource Management, Emergency and Enforcement Personnel, while acting in the performance of their assigned duties are exempt from the foregoing restrictions.

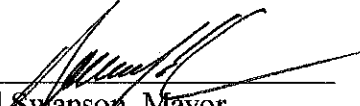
**Section 6. Notification.** It shall be the responsibility of the City of Crosslake or other authorized organization to provide for adequate notification of the public, which shall include the placement of necessary buoys and signs.

**Section 7. Penalties.** Any person who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor.

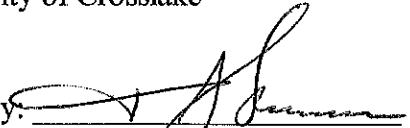
**Section 8. Effective Date.** This ordinance shall become effective upon its passage and publication as provided by law.

**Section 4. Repeal.** This Ordinance shall repeal all ordinances or sections of the City Code inconsistent herewith.

Passed by the City Council this 14<sup>th</sup> day of August, 2000, by the statutorily required 4/5ths vote of said City Council.

By:   
Darrell Swanson, Mayor  
City of Crosslake

ATTEST:

By:   
Thomas Swenson, City Administrator  
City of Crosslake

F:\LAW\TEXT\70424.236\Ordinance.doc

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

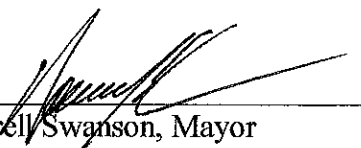
**ORDINANCE NO. 125, THIRD SERIES,  
AMENDING CHAPTER 3 OF THE CROSSLAKE CITY CODE  
RELATING TO APPLICATION DEADLINES FOR  
METES AND BOUNDS SUBDIVISIONS**

The following is the official summary of Ordinance No. 125 approved by the City Council of the City of Crosslake, on the 14th day of August, 2000.

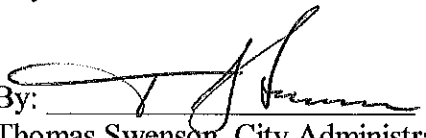
The purpose of this Ordinance is to amend the application deadlines for Metes and Bounds Subdivisions in the City of Crosslake.

A printed copy of the ordinance is available for inspection by any person at the office of the City Clerk.

Passed by the council this 14<sup>th</sup> day of August, 2000, by the statutorily required 4/5ths of said council.

By:   
Darrell Swanson, Mayor  
City of Crosslake

ATTEST:

By:   
Thomas Swenson, City Administrator  
City of Crosslake

STATE OF MINNESOTA, COUNTY OF CROW WING  
CITY OF CROSSLAKE

ORDINANCE NO. 125, THIRD SERIES  
AN ORDINANCE AMENDING CITY CODE CHAPTER 3  
RELATING TO APPLICATION DEADLIENS FOR  
METES AND BOUNDS SUBDIVISIONS

The City Council of the City of Crosslake does ordain as follows:

**Section 1. Purpose and Intent.** The purpose and intent of this ordinance is to amend Chapter 3, Section 3.11, Subdivision 2 A of the City Code, relating to application deadlines for Metes and Bounds Subdivisions.

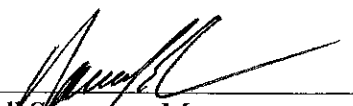
**Section 2. Amendment.** Chapter 3 of the City Code shall be amended to read as follows: (additions are highlighted and deletions are stricken):

A. The subdivider shall submit eight (8) copies of his proposal to the Zoning Administrator no less than 30 days prior to the normal Planning and Zoning Commission meeting.

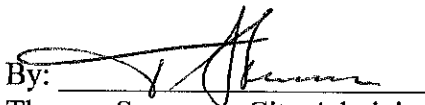
**Section 3. Effective Date.** This Ordinance shall be in full force and effect from and after its passage and publication according to state law.

**Section 4. Repeal.** All sections of the City Code which are inconsistent with these sections are repealed.

Passed by the council this 14th day of August, 2000, by the statutorily required 4/5ths of said council.

By:   
Darrell Swanson, Mayor  
City of Crosslake

ATTEST:

By:   
Thomas Swenson, City Administrator  
City of Crosslake

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

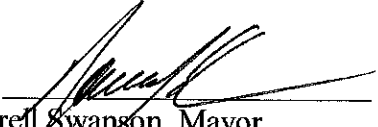
**ORDINANCE NO. 126, THIRD SERIES,  
AMENDING CHAPTER 8 OF THE CROSSLAKE CITY CODE  
RELATING TO PRE-EXISTING LOTS**

The following is the official summary of Ordinance No. 126 approved by the City Council of the City of Crosslake, on the 14th day of August, 2000.

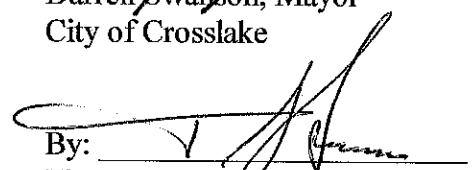
The purpose of this Ordinance is to amend the City Code regarding the use of Pre-existing Lots within the City of Crosslake.

A printed copy of the ordinance is available for inspection by any person at the office of the City Clerk.

Passed by the council this 14th day of August, 2000, by the statutorily required 4/5ths of said council.

By:   
Darrell Swanson, Mayor  
City of Crosslake

ATTEST:

By:   
Thomas Swenson, City Administrator  
City of Crosslake

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

**ORDINANCE NO. 126, THIRD SERIES,  
AMENDING CHAPTER 8 OF THE CROSSLAKE CITY CODE  
RELATING TO USE OF PRE-EXISTING LOTS**

**The City Council of the City of Crosslake does ordain as follows:**

**Section 1. Purpose and Intent.** The purpose and intent of this ordinance is to amend the City Code relating to the use of pre-existing lots within the City of Crosslake.

**Section 2. Amendments.** Chapter 8, Section 8.10, Subd 3, shall be amended as follows:

**SEC. 8.10. GENERAL PROVISIONS.**

**Subd. 3. Use of Pre-existing Lots.**

A. A lot, pre-existing, for which a deed, recorded contract for deed or other legal conveyance or plat has been recorded prior to the effective date of this Ordinance, November 8, 1999, shall be deemed a buildable lot without requiring a conditional use permit, provided that it has at least 75% of the required lot area, all the setbacks can be maintained, sanitary provisions for well and two septic system drainfield sites are identified (primary and alternate), and in the case of lakeshore lots, it has at least 80% of the required lot width at the ordinary high water mark and building setback line, and in the case of non-lakeshore lots, it has at least 80% of the required lot width at the building setback line. A copy of the current deed shall be provided by the owner with the zoning permit application.

B. A pre-existing lot that does not have at least 80% of the required lot width for the zone in which the lot is located, but is at least 100 feet wide at the O.H.W.M. and/or building setback line and has a buildable area that exceeds the lot area requirement by at least 50%, shall be deemed a buildable lot without requiring a Conditional Use Permit. Buildable area shall be defined as the total area of the lot minus any ponds, wetlands, bluffs, roadways, and building setback areas. For new accessory structures, or additions to existing principal or accessory structures built on a lot pre-existing before November 8, 1999, an over-the-counter permit can be issued provided that all setbacks are met, a current and valid septic system inspection report is on file, and the addition or new structure meets all height and size requirements as provided for in the zoning district in which the lot is located.

C. If two or more pre-existing contiguous lots within shorelands are combined under one ownership after the effective date of this Chapter, February 6, 1992, and in total could not be divided into two or more lots meeting 80% of the required lot area and lot width at the ordinary high water mark and building line, they will be considered one lot for building and zoning purposes. The lots shall be tied together with restrictions filed with the County Recorder permanently requiring that the



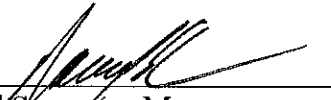
lots be considered as one lot only. This shall be required before a zoning permit is issued thereon.

**D.** Lots joined together for zoning permit applications shall not be divided in the future, but shall be tied together by restrictions filed with the County Recorder.

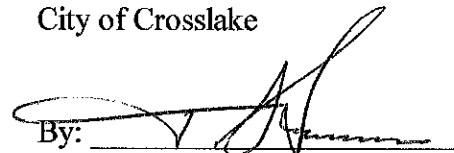
**Section 3. Effective Date.** This ordinance shall become effective upon its passage and publication as provided by law.

**Section 4. Repeal.** This Ordinance shall repeal all ordinances or sections of the City Code inconsistent herewith.

Passed by the City Council this 14th day of August, 2000 by the statutorily required 4/5ths vote of said City Council.

By:   
Darrell Swanson, Mayor  
City of Crosslake

ATTEST:

By:   
Thomas Swenson, City Administrator  
City of Crosslake

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

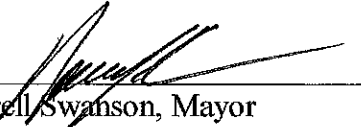
**ORDINANCE NO. 127, THIRD SERIES,  
AMENDING CHAPTER 3 OF THE CROSSLAKE CITY CODE  
RELATING TO APPLICATION DEADLINES FOR  
METES AND BOUNDS SUBDIVISIONS**

The following is the official summary of Ordinance No. 127 approved by the City Council of the City of Crosslake, on the 14th day of August, 2000.

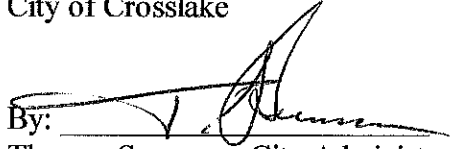
The purpose of this Ordinance is to amend the City Code regarding change of use for structures within the City of Crosslake.

A printed copy of the ordinance is available for inspection by any person at the office of the City Clerk.

Passed by the council this 14th day of August, 2000, by the statutorily required 4/5ths of said council.

By:   
Darrell Swanson, Mayor  
City of Crosslake

ATTEST:

By:   
Thomas Swenson, City Administrator  
City of Crosslake

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

**ORDINANCE NO. 127, THIRD SERIES,  
AMENDING CHAPTER 8 OF THE CROSSLAKE CITY CODE  
RELATING TO LAND USE IN THE CITY OF CROSSLAKE**

**The City Council of the City of Crosslake does ordain as follows:**

**Section 1. Purpose and Intent.** The purpose and intent of this ordinance is to amend the City Code relating to the change of use of land within the City of Crosslake.

**Section 2. Amendments.** Chapter 8 shall be amended as follows:

**SEC. 8.35. COMMERCIAL, WATERFRONT (Shoreland) (WC).**

**Subd. 1. Purpose.** To establish and maintain a land use district limited to water oriented businesses including marinas, resorts, restaurants, bars, rental units, campgrounds and related uses, on G.D. and R.D. lakes only.

**Subd. 2. Permitted Uses.**

- A. Short term rentals or more than 4 leases per year of any unit.
- B. Onsite signs.
- C. Accessory uses.
- D. Grading in a shore or bluff impact zone (less than 10 c.y. and requires a permit.)  
Handwork is exempt.
- E. Grading anywhere else in a shoreland area (less than 50 c.y.)
- F. Boat lift.
- G. Vegetation Removal, Selective Cutting.
- H. Change of use, provided use is not expanded beyond 25% of the original building structure area and that the new use complies with all current zoning standards.

**Subd. 3. Conditional Uses.**

- A. Dwellings, single family, not related to resort usage.
- B. Home Occupation.
- C. Bed and Breakfast.
- D. Restaurants.
- E. Bars.
- F. Marinas.
- G. Commercial Planned Unit Development <sup>(1)</sup> (includes resorts, campgrounds and hotel/motel).
- H. Water oriented storage lockers.
- I. Recreational facility for resort guests.
- J. Semi-public use.
- K. Recreational facility for general public.

- L. Accessory uses for general public.
- M. Controlled access lot.
- N. Grading in a shore or bluff impact zone (more than 10 c.y.).
- O. Grading anywhere else in a shoreland area (more than 50 c.y.).
- P. Shoreland alterations in excess of 50' of width (beach rehabilitation).
- Q. Marine Rail Track.
- R. Recycling Collection Site.
- S. Over 1200 cumulative square feet of accessory structure.
- T. Vegetation Removal, Open Cutting with an approved site plan.
- U. Expansion of existing uses that exceed 25% of the original building footprint area.

(1) A one time expansion to existing commercial P.U.D.s involving up to six dwelling units or sites, unless the density determined under the P.U.D. Special Provisions Section of this Chapter is presently exceeded, will be considered a permitted use. The number of units on February 6, 1992, shall be the base of computation.

#### **Subd. 4. Accessory Uses.**

A. Storage buildings, pools, decks and related recreational facilities for resort usage, maximum 1200 square feet cumulative unless allowed by Conditional Use Permit. Similar uses for general public use require a conditional use permit.

#### **Subd. 5. Prohibited Uses.**

- A. Covered Boat Ports.
- B. Mobile home/manufactured housing developments.
- C. Animal husbandry.
- D. Extractive use over 1000 c.y..
- E. Industrial uses.
- F. Agricultural uses within 50 feet of the Ordinary High Water mark of any lake or stream.
- G. Water oriented accessory structures.
- H. Metal or corrugated metal sided or roofed accessory structures over 120 square feet.
- I. Telecommunication Towers.
- J. Grading/earth moving in excess of 20 cubic yards without an approved building/site plan.
- K. Removal of more than 25% of trees (Brush removal is allowed) without an approved building/site plan. Trees are considered larger than 1 inch in caliper or larger than 6 feet in height.
- L. Vegetation Removal, Intensive Clearing.

### **SECTION 8.36 LIMITED COMMERCIAL (LC).**

**Subd. 1. Purpose.** To establish and provide a commercial environment with a mixture of commercial and office related development and services.

#### **Subd. 2. Permitted Uses.**

- A. On-site signs

- B. Municipal buildings
- C. Public parks and playgrounds
- D. Selective cutting and brush removal
- E. Less than 20 cubic yards of earth moving
- F. Change of use, provided use is not expanded beyond 25% of the original building structure area and that the new use complies with all current zoning standards.

**Subd. 3. Conditional Uses.**

- A. Personal service shops such as beauty shops, dry cleaners, etc.
- B. Business and professional offices
- C. Retail stores unless use is listed as prohibited
- D. Churches
- E. Daycare facilities
- F. Veterinary clinic (excluding boarding kennels)
- G. Multi-use buildings consisting of two or more permitted and conditional uses (per unit sq. ft. basis)
- H. Libraries
- I. Funeral homes (excluding crematorium)
- J. Planned Development District
- K. Mixed use building with part residential
- L. Medical & Dental clinics
- M. Banks and financial institutions
- N. Restaurants with or without liquor
- O. Hotel/motels
- P. Telecommunication Towers (public property)
- Q. Vegetation Removal, Open Cutting with an approved site plan
- R. Expansion of existing uses that exceed 25% of the original building footprint area.

**Subd. 4. Accessory Uses.** Accessory uses are considered permitted uses if all requirements of this chapter are met.

**Subd. 5. Prohibited Uses.**

- A. Industrial uses
- B. Single Family homes
- C. Mobile home/ manufactured parks
- D. Campgrounds
- E. Commercial greenhouses and nurseries
- F. Boat marine sales and repair
- G. Marina
- H. Theaters
- I. Nursing homes
- J. Auto repair shops
- K. Carwash
- L. Lumberyard
- M. Vehicle, boat and recreational sales
- N. Auto body shops

- O. Wholesaling/ warehousing
- P. Clearcutting without an approved site plan
- Q. Grading/earth moving in excess of 20 cubic yard without an approved building/site plan.
- R. Off-site signs
- S. Gas stations
- T. Bars
- U. Bowling alleys
- V. Removal of more than 25% of trees (Brush removal is allowed) without an approved building/site plan. Trees are considered larger than 1 inch in caliper or larger than 6 feet in height.
- W. Single-family dwelling
- X. Telecommunication Towers (private property)
- Y. Vegetation Removal, Intensive Clearing

### **SECTION 8.37 COMMERCIAL (C).**

**Subd. 1. Purpose.** To establish and provide a commercial environment with a limited mixture of commercial and office related development and services.

#### **Subd. 2. Permitted Uses.**

- A. On-site signs
- B. Municipal buildings
- C. Public parks and playgrounds
- D. Silviculture
- E. Less than 20 c.y. of earth moving
- F. Vegetation Removal, Selective Cutting
- G. Change of use, provided use is not expanded beyond 25% of the original building structure area and that the new use complies with all current zoning standards.

#### **Subd. 3. Conditional Uses.**

- A. Personal service shops such as beauty shops, dry cleaners, etc.
- B. Business and professional offices
- C. Retail stores unless use is listed as prohibited
- D. Churches
- E. Gas stations
- F. Daycare facilities
- G. Veterinary clinics with boarding kennels
- H. Multi-use buildings consisting of two or more permitted and conditional uses (sq. ft. basis per unit)
- I. Libraries
- J. Funeral homes with crematorium
- K. Planned Development Districts
- L. Mixed use buildings with part residential
- M. Medical & Dental clinics

- N. Banks and financial institutions
- O. Bars
- P. Restaurants
- Q. Hotel/motels
- R. Commercial greenhouses and nurseries
- S. Theaters
- T. Nursing homes
- U. Auto repair shops
- V. Carwashes
- W. Lumberyards
- X. Vehicle, boat and recreational vehicle/equipment sales
- Y. Auto body shops
- Z. Wholesaling/warehousing
- AA. Athletic clubs
- BB. Bowling alleys
- CC. Adult Uses (Also see Chapter 5 of the City Code)
- DD. Lubrication service stations
- EE. Telecommunication Towers (public property)
- FF. Vegetation Removal, Open cutting with an approved site plan
- GG. Vegetation Removal, Intensive Clearing with an approved site plan
- HH. Expansion of existing uses that exceed 25% of the original building footprint area.

**Subd. 4. Accessory Uses.** Accessory uses are considered permitted uses if all requirements of this chapter are met.

**Subd. 5. Prohibited Uses.**

- A. Industrial Uses not mentioned as conditional uses
- B. Single Family homes.
- C. Mobile Home/manufactured parks
- D. Campgrounds
- E. Clearcutting without an approved site plan
- F. Forest Land Conversion
- G. Grading/earth moving in excess of 20 cubic yards without an approved building/site plan.
- H. Off-site signs
- I. Telecommunication Towers (private property)
- J. Single-family dwellings

**SECTION 8.38 DOWNTOWN COMMERCIAL (DC).**

**Subd. 1. Purpose.** To establish and maintain a pedestrian oriented commercial district consisting of retail, offices and professional services.

**Subd. 2. Permitted Uses.**

- A. On-site signs
- B. Municipal buildings

- C. Public open spaces (parks)
- D. Less than 20 cubic yards of earth moving
- E. Vegetation Removal, Selective Cutting
- F. Change of use, provided use is not expanded beyond 25% of the original building structure area and that the new use complies with all current zoning standards.

**Subd. 3. Conditional Uses.**

- A. Personal service shops such as beauty shops, dry cleaners, etc.
- B. Business and professional offices
- C. Retail stores unless use is listed as prohibited
- D. Churches
- G. Daycare facilities
- H. Multi-use buildings consisting of two or more permitted and conditional uses (per unit sq. ft. basis)
- I. Library
- J. Planned Development Districts
- K. Mixed use buildings with part residential
- L. Medical & Dental clinics
- M. Banks and financial institutions
- N. Restaurants with or without liquor
- O. Hotel/motels
- P. Theaters
- Q. Vegetation Removal, Open Cutting with an approved site plan
- R. Vegetation Removal, Intensive Clearing with an approved site plan
- S. Expansion of existing uses that exceed 25% of the original building footprint area.

**Subd. 4. Accessory Uses.** Accessory uses are considered permitted uses if all requirements of this chapter are met.

**Subd. 5. Prohibited Uses.**

- A. Industrial uses
- B. Mobile home/ manufactured parks
- C. Campgrounds
- D. Commercial greenhouses and nurseries
- E. Boat marine sales and repair



- F. Marinas
- G. Nursing homes
- H. Auto repair shops
- I. Carwashes
- J. Lumberyards
- K. Vehicle, boat and recreational vehicle sales
- L. Auto body shops
- M. Wholesaling/ warehousing
- N. Clearcutting without an approved site plan
- O. Grading/earth moving in excess of 20 cubic yard without an approved building/site plan.
- P. Off-site signs
- Q. Gas stations
- R. Bars
- S. Bowling alleys
- T. Adult uses
- U. Communication towers

#### **SEC. 8.40. INDUSTRIAL (I).**

**Subd. 1. Purpose.** To establish and maintain a district for light industrial purposes which can provide the employment opportunities for the residents of the community and allow for the production and manufacture of goods and products.

##### **Subd. 2. Permitted Uses.**

- A. Silviculture.
- B. Onsite signs.
- C. Over 50 c.y. of grading (requires a permit).
- D. Vegetation Removal, Selective Cutting
- E. Change of use, provided use is not expanded beyond 25% of the original building structure area and that the new use complies with all current zoning standards.

##### **Subd. 3. Conditional Uses.**

- A. More than 1000 c.y. of grading.
- B. Outside storage.
- C. Parking structures.
- D. Gas stations, light repair shops.
- E. Manufacturing plants.
- F. Assembly plants.
- G. Vehicle body repair/machine shops.
- H. Packaging plants.
- I. Plumbing shops.
- J. Welding shops.
- K. Blacksmith shops.
- L. Uses listed as permitted and conditional uses in the Commercial (C) District.
- M. Communication towers if located on public property.

- N. Vegetation Removal, Open cutting with an approved site plan.
- O. Vegetation Removal, Intensive Clearing with an approved site plan.
- P. Expansion of existing uses that exceed 25% of the original building footprint area.

**Subd. 4. Accessory Uses.** Consistent with the principal uses of the property are permitted by Conditional Use Permit.

**Subd. 5. Prohibited Uses.**

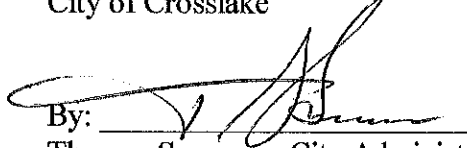
- A. Semi public uses.
- B. Single family homes.
- C. Motel/Hotel.
- D. Daycare facility.
- E. Mobile/manufactured home parks.
- F. Campgrounds.
- G. Junk yards.
- H. Auto salvage yards.
- I. Agricultural use.
- J. Animal husbandry.
- K. Medical facility.
- L. State licensed care facility.
- Q. Industrial Uses - Heavy.
- R. Forest Land Conversion.
- S. Communication Towers if located on privately owned property.

**Section 3. Effective Date.** This ordinance shall become effective upon its passage and publication as provided by law.

**Section 4. Repeal.** This Ordinance shall repeal all ordinances or sections of the City Code inconsistent herewith.

Passed by the City Council this 14th day of August, 2000 by the statutorily required 4/5ths vote of said City Council.

By:   
Darrell Swanson, Mayor  
City of Crosslake

ATTEST: By:   
Thomas Swenson, City Administrator  
City of Crosslake

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

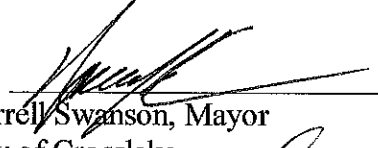
**ORDINANCE NO. 128, THIRD SERIES,  
AMENDING CHAPTER 8 OF THE CROSSLAKE CITY CODE  
RELATING TO PLANNING AND ZONING REGULATIONS**

The following is the official summary of Ordinance No. 128 approved by the City Council of the City of Crosslake, on the 14th day of August, 2000.

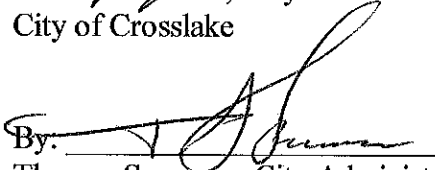
The purpose of this Ordinance is to amend prohibited uses in the Residential, Low Density District for the City of Crosslake.

A printed copy of the ordinance is available for inspection by any person at the office of the City Clerk.

Passed by the council this 14th day of August, 2000, by the statutorily required 4/5ths of said council.

By:   
Darrell Swanson, Mayor  
City of Crosslake

ATTEST:

By:   
Thomas Swenson, City Administrator  
City of Crosslake

STATE OF MINNESOTA, COUNTY OF CROW WING  
CITY OF CROSSLAKE

ORDINANCE NO. 128, THIRD SERIES,  
AMENDING TO CHAPTER 8 OF THE CROSSLAKE CITY CODE  
RELATING TO PLANNING AND ZONING REGULATIONS

The City Council of the City of Crosslake does ordain as follows:

**Section 1. Purpose and Intent.** The purpose and intent of this ordinance is to amend the City with respect to prohibited uses in Residential, Low Density Districts for the City of Crosslake.

**Section 2. Amendments.** Chapter 8 of the City Code for the City of Crosslake shall be amended as follows:

**SEC. 8.26. RESIDENTIAL, LOW DENSITY DISTRICT (R-1) (Includes shoreland and off lake).**

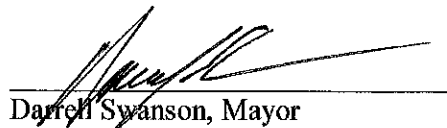
**Subd. 5. Prohibited.** Among other incompatible uses the following are specifically prohibited from the R-1 District:

- A. Commercial uses except as provided in Subd. 3. – Conditional Uses.
- B. Boarding House.
- C. Industrial uses.
- D. Forest Land Conversion.
- E. Extractive use over 1000 c.y.
- F. Camping without a principal structure or temporary structure permit.
- G. Over 1200 cumulative square feet of accessory structure.
- H. Communication towers if located on privately owned property.
- I. Vegetation Removal, Intensive Clearing.

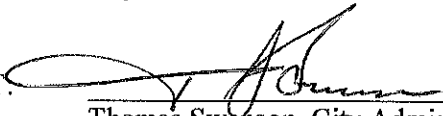
**Section 3. Effective Date.** This ordinance shall become effective upon its passage and publication as provided by law.

**Section 4. Repeal.** This Ordinance shall repeal all ordinances or sections of the City Code inconsistent herewith.

Passed by the City Council this 14th day of August, 2000, by the statutorily required 4/5ths vote of said City Council.

  
Darrell Swanson, Mayor  
City of Crosslake

ATTEST.

  
Thomas Swenson, City Administrator  
City of Crosslake

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


**ORDINANCE NO. 129, THIRD SERIES,  
AMENDING CHAPTER 8 OF THE CROSSLAKE CITY CODE  
RELATING TO PLANNING AND ZONING REGULATIONS**

The following is the official summary of Ordinance No. 129 approved by the City Council of the City of Crosslake, on the 14th day of August, 2000.

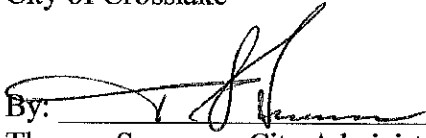
The purpose of this Ordinance is to provide for height exceptions for qualifying structures within the City of Crosslake.

A printed copy of the ordinance is available for inspection by any person at the office of the City Clerk.

Passed by the council this 14th day of August, 2000, by the statutorily required 4/5ths of said council.

By:   
Darrell Swanson, Mayor  
City of Crosslake

ATTEST:

By:   
Thomas Swenson, City Administrator  
City of Crosslake

STATE OF MINNESOTA, COUNTY OF CROW WING  
CITY OF CROSSLAKE

ORDINANCE NO. 129, THIRD SERIES,  
AMENDING TO CHAPTER 8 OF THE CROSSLAKE CITY CODE  
RELATING TO PLANNING AND ZONING REGULATIONS

The City Council of the City of Crosslake does ordain as follows:

**Section 1. Purpose and Intent.** The purpose and intent of this ordinance is to amend the City with respect to exceptions to maximum height regulations for the City of Crosslake.

**Section 2. Amendments.** Chapter 8 of the City Code for the City of Crosslake shall be amended as follows:

**SEC. 8.02.**

**Subd. 2. Definitions.** The following terms, as used in this Chapter, shall have the meanings stated:

17. **"Building Height"** - The vertical distance between the highest adjoining ground level at the building or 10 feet above the lowest ground level, whichever is lower, and the highest point of a flat roof or average height of the highest gable of a pitched or hipped roof or 10' below the peak, whichever is higher. See Appendix A.

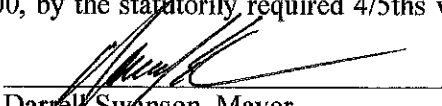
**Height Exceptions**

- A. The following may exceed the maximum height regulations when constructed of fireproof material, as approved by the Crosslake Fire Department, and erected in accordance with all other ordinances of the City: steeples, spires, fire towers, water towers, and television or radio towers.

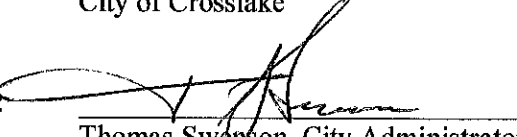
**Section 3. Effective Date.** This ordinance shall become effective upon its passage and publication as provided by law.

**Section 4. Repeal.** This Ordinance shall repeal all ordinances or sections of the City Code inconsistent herewith.

Passed by the City Council this 14th day of August, 2000, by the statutorily required 4/5ths vote of said City Council.

  
Darrell Swanson, Mayor  
City of Crosslake

ATTEST:

  
Thomas Swenson, City Administrator  
City of Crosslake

**RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS**  
**CITY OF CROSSLAKE**  
**COUNTY OF CROW WING**  
**STATE OF MINNESOTA**  
**RESOLUTION NO. 45**

WHEREAS, the City of Crosslake has undertaken road improvement projects to improve the road commonly known as Backdahl Road; and

WHEREAS, as part of the road improvement project, the City planned to connect Backdahl Road with Tall Timber Trail. The City of Crosslake has determined that, for public safety purposes, it would be in the public's best interest to connect Backdahl Road and Tall Timber Trail, as this would provide improved access for emergency vehicles as an alternate route for Backdahl Road, Wilderness Trail and Daggett Pine Road. Currently, if Daggett Pine Road is blocked or closed, there would be no other access to the homes in the area; and

WHEREAS, the City of Crosslake has sought a permanent easement for public roadway, utility and drainage purposes over, under and across the following property:

**Legal Description attached as Exhibit "A".**

Hereinafter referred to as "the Property"; and

WHEREAS, a sketch of the Property sought to be acquired by the City of Crosslake is identified on the attached **Exhibit B**; and

WHEREAS, the public easement that the City of Crosslake proposes to condemn/acquire is described on the attached **Exhibit B**; and

WHEREAS, the fee owners of the Property are David and Elisabeth Wisemiller, husband and wife, as joint tenants (hereinafter referred to as "Wisemiller"); and

WHEREAS, the City of Crosslake has attempted to voluntarily acquire a permanent easement over, under and across the Property from Wisemiller, but Wisemiller has refused to voluntarily convey a permanent easement to the City of Crosslake, and the City of Crosslake has been unable to successfully negotiate the acquisition of the Property for the road improvement; and

WHEREAS, the City of Crosslake is currently undertaking other road improvement projects in the area of the Property, and the contractors hired to perform such road improvement projects are ready and willing to proceed with the road improvement over the Property at this time; and

WHEREAS, the City has deemed it necessary to proceed with a condemnation action to acquire the necessary permanent easement over, under and across the Property; and

WHEREAS, the City of Crosslake deems it necessary to proceed with a "quick-take" condemnation pursuant to Minnesota Statute Section 117.042, so that the City of Crosslake can acquire possession of the permanent easement prior to the filing of an

award of Commissioners, so that the road improvement project can, if possible, be undertaken while the road improvement contractors are present and performing other road improvements projects in the area of the Property; and

WHEREAS, it is necessary for the City to condemn certain the Property in order for the improvements to be constructed; and

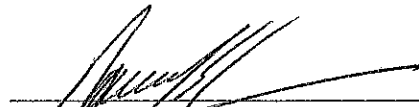
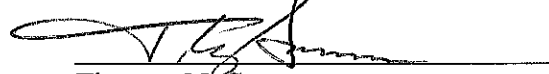
WHEREAS, the City of Crosslake has the authority to acquire right of way for said road by eminent domain pursuant to Minn. Stat. §412.211; and

WHEREAS, the City of Crosslake has the right to acquire the property prior to the filing of an award by the Court Appointed Commissioners, pursuant to Minn. Stat. §§117.011 and 117.042; and

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Crosslake hereby authorizes the condemnation/acquisition of the Property by eminent domain and to condemn/acquire said property prior to the filing of an award by the Court Appointed Commissioners ("quick take"), pursuant to Minn. Stat. §§412.211, 117.011, and 117.042; and

BE IT FURTHER RESOLVED, that the City Attorney for the City of Crosslake is requested to file the necessary petition therefor, and to prosecute such action to a successful conclusion or until it is abandoned, dismissed, or terminated by the City or by the Court.

Passed by the City Council this 14 day of August, 2000, by a 5 /5ths vote of said City Council.

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