

SPECIAL COUNCIL MEETING
CITY OF CROSSLAKE
TUESDAY, APRIL 3, 2007
9:00 A.M. - CITY HALL

Pursuant to proper notice and call, the City Council met in a special session on Tuesday, April 3, 2007 at 9:00 A.M. at City Hall. The following Councilmembers were present: Mayor Jay Andolshek, Steve Roe, Irene Schultz and Dean Swanson. Also present was City Administrator Tom Swenson, Community Development Director Ken Anderson, Clerk/Treasurer Darlene Roach, City Engineer Mark Hallan and Corps of Engineers Park Manager Ray Nelson. There were three other individuals in the audience.

Mayor Andolshek called the meeting to order at 9:00 A.M. and stated that the first order of business was to award the bid for the sanitary sewer project at the Corps of Engineers Campground. A letter dated April 2, 2007 from City Engineer Mark Hallan of Widseth Smith Nolting recommended that the bid be awarded to Kraemer Trucking & Excavating, Inc. in the amount of \$110,148.35. Hallan stated that seven bids were received for the project ranging from the low bid of \$110,148.35 to the high bid of \$159,414.70. Hallan noted that Holden Electric is the only sub-contractor that will be used for the project. The contract was set up with three alternates. Alternate #1 is the demolition and removal of the six process tanks and related equipment currently in place at the Corps. It was noted that Ray Nelson of the USACE is in agreement with the bid for Alternate #1 from Kraemer Trucking & Excavating in the amount of \$8,180. Alternate #2 is to salvage one of the six tanks (Tank C) and relocate to the City's Wastewater Treatment Facility designated site. The cost for Alternate #2 is \$2,800 if Kraemer Trucking & Excavating is awarded Alternate #1. WSN feels this alternate is applicable as the USACE has decided to complete work for Alternate #1 and the cost can be added to the base bid for Kraemer Trucking & Excavating. Alternate #3 would include sandblasting and painting the existing flow equalization Tank A interior and the bid from Kraemer Trucking & Excavating is \$19,500. WSN is recommending that the City *not* award Alternate #3 at this time. Costs for the renovation of the tank interior coating system should be evaluated after the first summer of operation to see if the costs are appropriate for the expected life cycle of the flow equalization tank. Mayor Andolshek inquired as to the purpose of the tank that the City wishes to utilize and Public Works Director Ted Strand stated that during a busy weekend, it can be used to control the flow of waste into the system.

MOTION 04S1-01-07 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO AWARD THE BID FOR THE 2007 USACE SANITARY SEWER CONNECTION TO KRAEMER TRUCKING & EXCAVATING IN THE AMOUNT OF \$110,148.35 FOR THE BASE BID; ALTERNATE #1 IN THE AMOUNT OF \$8,010; AND ALTERNATE #2 IN THE AMOUNT OF \$2,800 WITH THE CITY PAYING THE COST OF ALTERNATE 2 AND THE CORPS OF ENGINEERS REIMBURSING THE CITY FOR THE COST OF ALTERNATE #1 AND THE BASE BID. City Administrator Swenson commented that the base bid is based on quantities so the price could vary somewhat from the bid price. Councilmember Schultz asked if the Corps had given the City approval to work within the Campground area and City Administrator Swenson noted that this approval was included in the contract

between the USACE and the City. MOTION CARRIED WITH ALL AYES. City Engineer Mark Hallan stated that he would issue the Notice of Award and after all of the necessary documents are received from the contractor he would issue the Notice to Proceed. It was the consensus of the Council that the Mayor and City Administrator execute the necessary agreements contingent upon review by the City Attorney. Hallan stated that the Corps will be copied on the Notice of Award. Mayor Andolshek thanked Ray Nelson of the Corps of Engineers for their cooperation in this project.

The second item for Council review was to reconsider Wild Haven Final Plat as revised April, 2007. Community Development Director Ken Anderson commented that approximately two weeks ago it came to the attention of Staff that there is a septic system drainfield encroaching onto a portion of Outlot E of the Pine Bay Plat. All of Outlot E was approved on November 13, 2006 as part of the new Final Plat of Wild Haven. The encroachment exists in the northwest corner of Lot 1, Block One, Wild Haven. The Plat has recently been submitted to the City for signature and has not been signed or recorded. The City Attorney is advising, and the affected property owner is requesting, that the Wild Haven Final Plat be revised to exclude the property that is encroaching prior to the plat being signed by the City and recorded at the County. Staff recommends that the City Council approve a boundary line change removing a triangular area from the plat where the drainfield is encroaching and conveying it to the owners of the adjacent property. This would bring the septic system within five feet of the property line and could be approved over the counter by the Zoning Administrator. In addition to approving the boundary line change, Council approval to require the consolidation of the triangular lot with Lot 17, Block One of White Pine Shores was requested. City Administrator Swenson asked who was reimbursing the City's expenses and Community Development Director Ken Anderson stated that Ted Pederson of Shores & More Realty has agreed to reimburse the City for any costs incurred by the City. MOTION 04S1-02-07 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY STEVE ROE TO APPROVE THE BOUNDARY LINE/COMBINED LOT AGREEMENT AS DRAFTED AND TO AUTHORIZE THE DOCUMENT TO BE EXECUTED BY THE COMMUNITY DEVELOPMENT DIRECTOR/ZONING ADMINISTRATOR AND RECORDED. Councilmember Roe commented that this encroachment of a septic system would not have happened if the City were to require a Certificate of Survey. MOTION CARRIED WITH ALL AYES. Councilmember Roe asked why there are no cul de sacs in the plat and Community Development Director Ken Anderson stated that the original owner of the property, Troy Purcell had Landecker & Associates look at the property and they determined the wetlands created some issues. The design was reviewed and it was determined that there was nothing in the design that didn't meet the City's Ordinance. Councilmember Roe stated that he doesn't support flag lots. Anderson stated that the property is required to have 33 feet of access as a minimum, and these lots exceed this requirement. Anderson also commented that there isn't anything in the Ordinance that prohibits flag lots. Anderson stated that an alternative would have been to create a cul de sac, but at a minimum, one less parcel would exist. The plat has two improved roads on each side so it does meet all of the Ordinance requirements. MOTION 04S1-03-07 WAS MADE BY DEAN SWANSON AND SECONDED BY STEVE ROE TO APPROVE THE REVISED WILD HAVEN FINAL PLAT SUBJECT TO THE SAME


CONDITIONS OF APPROVAL LISTED IN THE ORIGINAL WILD HAVEN FINAL PLAT APPROVED NOVEMBER 13, 2006. Anderson noted that since the City had just received the Mylar's from the developer, it was deemed a better approach to revise the Wild Haven Final Plat prior to it being signed and recorded. MOTION CARRIED WITH ALL AYES.

A request was received from Paul Nelson of The Log Jam Bar and Grill to review the status of the sewer connection charge for the restaurant with the Council. Mr. Nelson asked the Council if they would consider extending the payment plan for the sewer connection charge even though the property has gone through a transfer of ownership. City Administrator Swenson stated that the first year the sewer system was online, commercial property owners were charged a connection charge of \$5500 and were given the option of financing the charge over a ten-year period at an interest rate of 5%. Upon the sale of any property, at closing the connection fee is to be paid in full per the Sewer Ordinance. Prior to closing, the title company did not submit an assessment search request to the City, so the connection charge did not get paid in full. Since renewal of a liquor license requires that all outstanding bills owed to the City be paid, this could present a problem for Mr. Nelson since he is in arrears for payment of his monthly sewer usage charge in addition to the semi-annual sewer connection charge. Discussion ensued regarding how this should be handled whereas a precedent would not be set for future situations. Clerk Roach stated that Mr. Nelson recently paid his outstanding monthly sewer charges. MOTION 04S1-04-07 WAS MADE BY STEVE ROE AND

SECONDED BY DEAN SWANSON TO APPROVE THE TRANSFER OF THE CONNECTION PAYMENT PLAN TO THE OWNER OF THE LOG JAM BAR AND GRILL ON A ONE TIME EXCEPTION. Community Development Director Anderson stated that the Planning and Zoning Staff has received a complaint about the wood burning stove being used at The Log Jam Bar and Grill. Anderson stated that while there are no standards at the State level, other than the requirement to install according to the manufacturer, since there has been a complaint he felt the issue should be addressed with Mr. Nelson. Anderson suggested that Mr. Nelson possibly install a higher stack which should correct the problem. Mr. Nelson agreed to extend the stack being aware that the cost would be approximately \$200 per each four- foot extension. MOTION CARRIED WITH ALL AYES. Councilmember Roe asked Mr. Nelson if he could extend the stack beyond the peak of the roof and Mr. Nelson stated that he could.

MOTION 04S1-05-07 WAS MADE BY DEAN SWANSON AND SECONDED BY STEVE ROE TO ADJOURN THIS SPECIAL MEETING AT 9:47 A.M. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,



Darlene J. Roach
Clerk/Treasurer