

AGENDA
PUBLIC WORKS COMMISSION
CITY OF CROSSLAKE
MONDAY, AUGUST 7, 2023
4:00 P.M. – CITY HALL

1. Call to Order
2. Approval of July 5, 2023 Minutes (Motion)
3. Consider Request for Road Right-of-Way Vacation Between 11797 and 11805 Whitefish Ave from John and Carolyn Forney and Brian and Cheryl Evenson (Motion)
4. Consider Request to Relocate Road Right-of-Way to West of Parcel 14060601 on Whitefish Ave from David Webster (Motion)
5. Memo dated August 3, 2023 from Phil Martin Re: Projects Update
6. Review Road Rating Report and Discuss 2024 Road Projects
7. Patrick Wehner - Updates
8. Other Business That May Arise
9. Adjourn

CITY OF CROSSLAKE
PUBLIC WORKS COMMISSION
MEETING MINUTES
MONDAY, JULY 5, 2023
4:00 P.M. – CITY HALL

Pursuant to due notice and call the Public Works Commission held its regular monthly meeting on Monday, July 5, 2023 in City Hall. The following Commission Members were present: Tom Swenson, Bob Frey, Tim Berg and Gordon Wagner. Mic Tchida was absent. Also in attendance were City Administrator Mike Lyonais, Public Works Director Pat Wehner, Park Director TJ Graumann, Council Liaison Dave Nevin, Council Member Marcia Seibert-Volz, City Engineer Phil Martin and City Clerk Char Nelson. There were two people in the audience.

1. The meeting was called to order at 4:00 P.M. by Tom Swenson.
2. A MOTION WAS MADE BY GORDON WAGNER AND SECONDED BY TOM SWENSON TO APPROVE THE MEETING MINUTES OF JUNE 5, 2023. MOTION CARRIED WITH ALL AYES.
3. Park Director TJ Graumann reported that there was activity and ground disturbance on a public right of way off of Manhattan Point Blvd and asked the Commission if the Council should develop a procedure for investigating such issues as they arise. Mr. Graumann showed before and after pictures of the area. A discussion ensued regarding a policy and action. A MOTION WAS MADE BY TOM SWENSON AND SECONDED BY GORDON WAGNER TO RECOMMEND THAT THE CITY COUNCIL DIRECT STAFF TO INVESTIGATE WHICH CONTRACTOR STORED EQUIPMENT AND DISTURBED THE DIRT AT THE RIGHT OF WAY ON BIRCH BEACH OFF OF MANHATTAN POINT BOULEVARD, DETERMINE WHICH PROPERTY OWNER HIRED THE CONTRACTOR AND RECOMMEND RESOLUTION TO RESTORE AREA TO PREVIOUS CONDITION. MOTION CARRIED WITH ALL AYES.
4. Phil Martin reported that he worked with Public Works Director Pat Wehner to develop a solution to the runoff issues at 11722 Manhattan Point Boulevard. They suggested that City staff provide services related to ditch grading and culvert installation. Anderson Brothers provided a quote of \$3,700 to patch the driveway from the street lane edge to the right of way. Mr. Martin stated that easements would need to be acquired from property owner and neighbor as well as “hold harmless” agreements. Gordon Wagner stated that Public Works is short staffed and may not have the time to do the work. Phil Martin stated that he could get a quote from Anderson Brothers to do all of the work. Mr. Martin noted that the plans would include raising the road which would not be an issue in the summer but could cause a problem with the plow in the winter. The property owner stated that he would contact his plow driver. A MOTION WAS MADE BY TOM SWENSON AND SECONDED BY TIM BERG TO RECOMMEND THAT THE CITY COUNCIL DIRECT THE CITY ENGINEER TO OBTAIN A QUOTE FROM ANDERSON BROTHERS TO PATCH THE DRIVEWAY AT 11722 MANHATTAN POINT BOULEVARD FROM THE STREET LANE EDGE TO THE RIGHT OF WAY, INSTALL CULVERT, AND PERFORM DITCH RELATED

SERVICES, TO DIRECT CITY ATTORNEY TO PRODUCE EASEMENTS AND “HOLD HARMLESS” AGREEMENTS FOR PROPERTY OWNERS AND NEIGHBORS, AND TO DIRECT STAFF TO PROVIDE COST ESTIMATE FOR THEIR SERVICES TO RELATED TO DITCH GRADING AND CULVERT INSTALLATION. MOTION CARRIED WITH ALL AYES.

Phil Martin provided a brief update on City projects. Casper Construction has reseeded areas, removed erosion control devices where appropriate, and addressed many of the punch list items on the Sewer Extension Project. The contractor is not responding to requests to address the manholes where the casting was placed too low. Staff has not received quotes for sprinkler system repairs from affected property owners. The property grade adjustment at Jamie Bollers is complete. Tom Swenson asked why the catch basin at the Log Church looks so nice and the one across from the fire hall looks bad. Mr. Martin replied that the one at the Log Church was planned to be more of a garden and was more expensive. The one near the fire hall was to be natural and with the lack of rain, it is not growing.

A lengthy discussion ensued regarding the Road Improvement Plan Development. Staff has completed the field pavement review and has evaluated improvement cost and parcel contribution to identify segments that may see increased traffic. Many streets have less than 50 parcels. Roads that serve the most parcels are West Shore Drive, Manhattan Point Blvd, Daggett Pine Road, and Bonnie Lakes Road. Bolton & Menk provided a map and spreadsheet and asked the Commission members to take them home and mark them up with notes as to heavy traffic areas or any important information.

5. The Commission reviewed and discussed the history of sewer usage rates. A MOTION WAS MADE BY TIM BERG AND SECONDED BY BOB FREY TO RECOMMEND THAT THE CITY COUNCIL INCREASE SEWER USER FEES TO \$65.00 PER MONTH PER ERU EFFECTIVE JANUARY 2024. Tom Swenson stated that staff should show the Council that this increase will be a savings of approximately \$90,000 on the levy. MOTION CARRIED WITH ALL AYES.
6. The Commission reviewed the job description for Maintenance Technician which would be a shared employee between Public Works and Park and Recreation. The Commission suggested the following changes: 1) under Knowledge, Skills and Abilities, remove the ability to weld metal and fabricate as needed, 2) under Qualifications, remove possess and maintain a Minnesota Class B driver’s license, preferred but not required, and 3) under Qualifications, remove possession of pesticide applicators license (class A, G, F), preferred but not required. A MOTION WAS MADE BY BOB FREY AND SECONDED BY TIM BERG TO SUPPORT THE JOB DESCRIPTION OF MAINTENANCE TECHNICIAN WITH RECOMMENDED REVISIONS. MOTION CARRIED WITH ALL AYES.
7. Patrick Wehner gave a brief update on Public Works activities. Mr. Wehner stated that he thinks a snow pusher at a cost of \$11,000 would be a good piece of equipment to have, especially for Town Square and asked the Commission to think about the possibility.

8. Tim Berg asked if the City had an ordinance for grass and stated that the properties by the former Exchange and Little Yukon look terrible.
9. A MOTION WAS MADE BY BOB FREY AND SECONDED BY TOM SWENSON TO ADJOURN THE MEETING AT 6:00 P.M. AYES: ALL.

Charlene Nelson
City Clerk

City of Crosslake

Application for Road Right-of-way (ROW) Vacation

Submitted by
Brian & Cheryl Evenson
11805 Whitefish Ave.
Crosslake, MN
and
Carolyn & John Forney
11797 Whitefish Ave.
Crosslake, MN



Road Right-Of-Way (ROW) Vacation Application

City of Crosslake

13888 Daggett Bay Rd, Crosslake, MN 56442

218.692.2688 (Phone) 218.692.2687 (Fax)

www.cityofcrosslake.org

Receipt Number:

771577
771578

Property Owner(s): BRIAN + CHERYL EVENSON

Mailing Address: 3805 ALVARADO LN N PLYM MN 55446

Site Address: 11805 WHITE FISH AV

Phone Number: 763-498-9027

E-Mail Address: BRIANKEVENSON@ICLOUD.COM

Parcel Number(s): 14060552

Legal Description: LOT 11 BLOCK 26

Section 6 Township 137 Range 27 / 28 (circle one)

Lake/River Name: WHITE FISH

Do you own land adjacent to this parcel(s)? Yes No

If yes list Parcel Number(s)

Authorized Agent:

Agent Address:

Agent Phone Number:

Signature of Property Owner(s) Cheryl Evenson

Date 4-11-23

Signature of Authorized Agent(s)

Date

(Check applicable requests)

Road Right-Of-Way (ROW) Vacation

Official Use Only:

8-7-23 }
Public Works Meeting Date:

7/26/23
Water Access ROW only; Parks & Recreation Meeting Date:

9/11/23
City Council Public Hearing Meeting Date:

- All applications must be accompanied by a signed Certificate of Survey (**Coordinate with city staff-Public Works, Parks & Recreation and City Attorney**)
- Fee \$1,000 for ROW Vacation Payable to "City of Crosslake"
- No decisions will be made on an applicant's request at the Commission meeting(s). Approval or denial of applications is determined by the City Council at a public meeting as per Minnesota Statute 462 and the Code of City Ordinances, City of Crosslake, Chapter 42, Article V.

For Office Use:

Application accepted by

Date

6/12/23

Date of Approval: _____ Denial: _____ by Public Works

Date of Approval: _____ Denial: _____ by Parks and Recreation

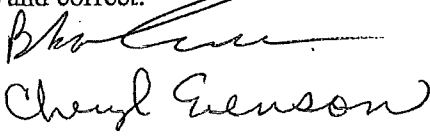
Date of Approval: _____ Denial: _____ by City Attorney

Date of Approval: _____ Denial: _____ by City Clerk

9. When the application and all accompanying plans have been completed, you can mail or deliver the information to the Crosslake Planning and Zoning Office, Crosslake City Hall, 13888 Daggett Bay Rd, Crosslake, MN 56442. The appropriate fee must accompany all applications. Please make check payable to "City of Crosslake".
10. If your vacation application is approved, you must still obtain all necessary permits before starting your project(s) if applicable.
11. The applicant is responsible for securing any other local, state or federal permits that may be required. If the application involves work in wetlands, additional permits and approvals will be required to comply with the Minnesota Wetland Conservation Act and U.S. Army Corps of Engineers regulations.
12. Public hearing per Chapter 42 - No decisions will be made on an applicant's request at the Commission meetings. Approval or denial of application is determined by the City Council.

The applicant or agent hereby makes application for a ROW Vacation agreeing to do all such work in accordance with all City of Crosslake Ordinances. Applicant or agent agrees that application, surveys and other attachments submitted herewith are true and accurate. Applicant or agent agrees, that in making application for a vacation, applicant grants permission to City of Crosslake, at reasonable times to enter applicant's premises to determine compliance of that application with any applicable county, state or federal ordinances or statues. If any of the information provided by the applicant in his/her application is later found or determined by the City to be inaccurate, the City may revoke the vacation based upon the supply of inaccurate information.

I have fully read and fully understand the above instructions. I hereby swear that all information provided in this application is true and correct.


Signature of owner(s) _____ Date 4-11-23

Signature of authorized agent(s) _____ Date _____



Road Right-Of-Way (ROW) Vacation Application

City of Crosslake

13888 Daggett Bay Rd, Crosslake, MN 56442

218.692.2688 (Phone) 218.692.2687 (Fax)

www.cityofcrosslake.org

Receipt Number: _____

Property Owner(s): CAROLYN + JOHN W. FORNEY, Jr.

Mailing Address: 11797 Whitefish Ave, Crosslake, MN 56442

Site Address: 11797 Whitefish Ave, Crosslake, MN 56442

Phone Number: 952-956-4014

E-Mail Address: jwforney@gmail.com

Parcel Number(s): 14060533

Legal Description: City of Crosslake / Twin Beach / Lot 4

Section 06 Township 137 Range (27) / 28 (circle one)

Lake/River Name: Lower Whitefish Lake

Do you own land adjacent to this parcel(s)? X Yes No
Across the street.

If yes list Parcel Number(s) 14060818 and 14060817

Authorized Agent: _____

Agent Address: _____

Agent Phone Number: _____

Signature of Property Owner(s) Carolyn C. Forney John W. Forney, Jr. Date 6/12/2023

Signature of Authorized Agent(s) _____ Date _____

(Check applicable requests)

Road Right-Of-Way (ROW) Vacation

Official Use Only:

Public Works Meeting Date: _____

Water Access ROW only; Parks & Recreation Meeting Date: _____

City Council Public Hearing Meeting Date: _____

- All applications must be accompanied by a signed Certificate of Survey (Coordinate with city staff- Public Works, Parks & Recreation and City Attorney)
- Fee \$1,000 for ROW Vacation Payable to "City of Crosslake"
- No decisions will be made on an applicant's request at the Commission meeting(s). Approval or denial of applications is determined by the City Council at a public meeting as per Minnesota Statute 462 and the Code of City Ordinances, City of Crosslake, Chapter 42, Article V.

For Office Use:
Application accepted by _____ Date _____

Date of Approval: _____ Denial: _____ by Public Works

Date of Approval: _____ Denial: _____ by Parks and Recreation

Date of Approval: _____ Denial: _____ by City Attorney

Date of Approval: _____ Denial: _____ by City Clerk

9. When the application and all accompanying plans have been completed, you can mail or deliver the information to the Crosslake Planning and Zoning Office, Crosslake City Hall, 13888 Daggett Bay Rd, Crosslake, MN 56442. The appropriate fee must accompany all applications. Please make check payable to "City of Crosslake".
10. If your vacation application is approved, you must still obtain all necessary permits before starting your project(s) if applicable.
11. The applicant is responsible for securing any other local, state or federal permits that may be required. If the application involves work in wetlands, additional permits and approvals will be required to comply with the Minnesota Wetland Conservation Act and U.S. Army Corps of Engineers regulations.
12. Public hearing per Chapter 42 - No decisions will be made on an applicant's request at the Commission meetings. Approval or denial of application is determined by the City Council.

The applicant or agent hereby makes application for a ROW Vacation agreeing to do all such work in accordance with all City of Crosslake Ordinances. Applicant or agent agrees that application, surveys and other attachments submitted herewith are true and accurate. Applicant or agent agrees, that in making application for a vacation, applicant grants permission to City of Crosslake, at reasonable times to enter applicant's premises to determine compliance of that application with any applicable county, state or federal ordinances or statues. If any of the information provided by the applicant in his/her application is later found or determined by the City to be inaccurate, the City may revoke the vacation based upon the supply of inaccurate information.

I have fully read and fully understand the above instructions. I hereby swear that all information provided in this application is true and correct.

Carolyn C. Forney

Signature of owner(s) Carolyn C. Forney Date 6/12/2023

Signature of authorized agent(s) _____ Date _____

Reasons to vacate parcel:

Very Limited Public Use The Forney's have owned their property adjacent to the subject right-of-way since September 1990; the Evenson's have owned their property on the east side of the right-of-way for 4 1/2 years. In 32 + years of ownership — seasonal and, since 2001, full-time residents, the Forney's have only seen one person use the road right-of-way. That person was a young man who walked in from Whitefish Ave. to look at Lower Whitefish Lake from the bluff. The Forney's happened to be outside on their property and greeted the young man. In the ensuing conversation, the young man told the Forney's that he became aware of the many road right-of-ways on Manhattan Point that he could locate using his computer. He was simply seeing how many he could find. The Forney's told the young man that he was welcome to use the right-of-way. The young man walked to the top of the bluff overlooking Lower Whitefish, stood and looked for a few minutes and then left, thanking the Forney's as he walked back to Whitefish Ave. (Note: The 35 foot high bluff has no access to the shoreline which makes it very difficult to get down to the beach and then back up to the top of the bluff.) The Evenson's have seen no use of the right-of-way by the general public in their 4 1/2 years of frequent part-time use of their home.

There is only one home on the north side of Whitefish Avenue between Woodlane and Hilltop. That home was lived in year-round but is now being used seasonally as a rental property. The right-of-way simply is not convenient for visitors. The only home is now rented by a family that also owns riparian property on Lower Whitefish Lake with lake access and docks 200 feet to the west of the right-of-way so they have no need for access to the lake.

Loss of Significant Tax Revenue This is the only time the Forney's have been aware that the right-of-way has ever been used by the general public. This situation is an indication that the original and intended purpose of the right-of-ways is not being realized — The property is not being used by the general public. The City of Crosslake, Crow Wing County and the local school district are not benefitting annually from the potentially taxable land. The adjacent property owners believe the right-of-way property could be of value to them on a daily basis and are prepared to pay the requisite property taxes and maintain the property — and address the erosion issues on the property (see below).

Use of the Right-of-Way by Applicants The right-of-way has historically/traditionally been used by the applicant parties as a driveway access to they properties. Both properties have garages that are accessed via the right-of-way. This was the way the two adjacent properties were accessed by previous owners of the two applicant properties — the right-of-way has served as the driveway access for over 32 years.

Emergency Access to the Adjacent, Applicant Properties Evenson's and Forney's share the cost of snow removal from the right-of-way. Both parties keep the right-of-way open all winter. When the Forney and Evenson properties were used primarily on a seasonal basis, the right-of-way was plowed for general access but, most importantly, for access in case of a fire emergency since the homes were heated and use periodically in the winter. Additionally, the right-of-way is plowed in case of emergency — fire or medical emergency to provide access for First Responders and ambulance service.

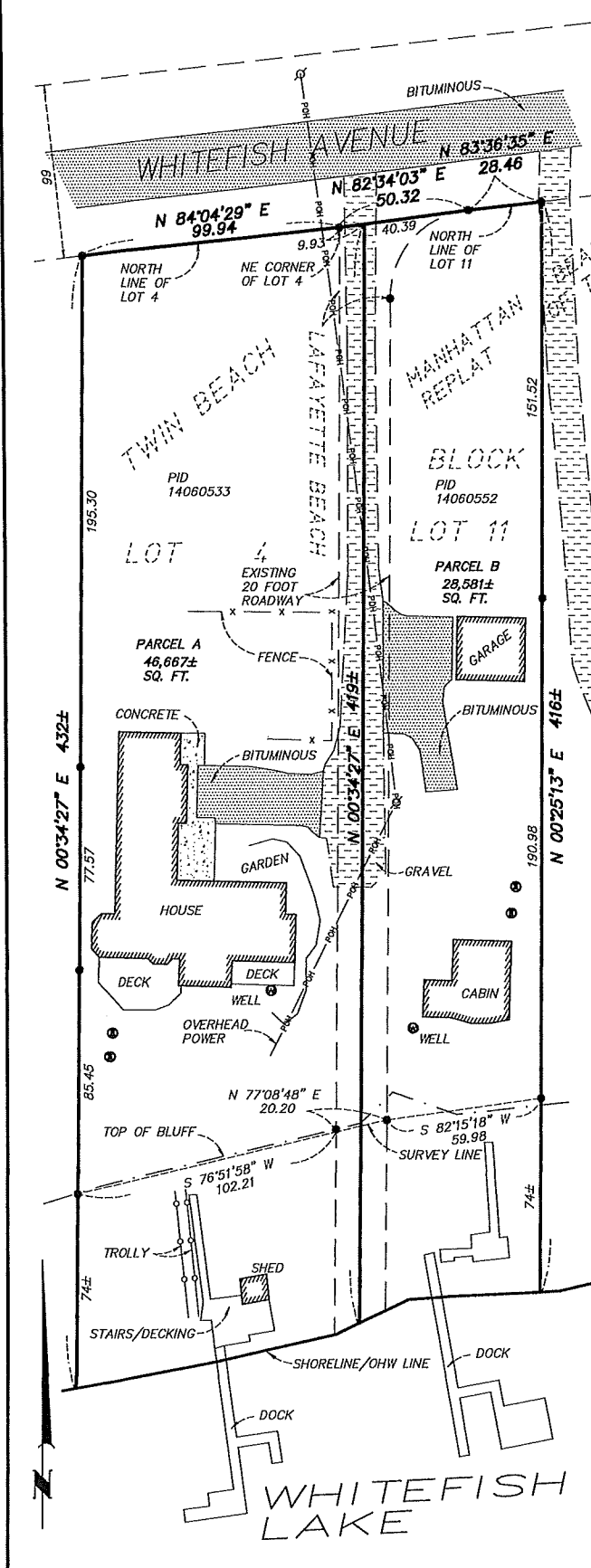
Water Runoff and Erosion The right-of-way property has been significantly impacted by rain and meltwater runoff from Whitefish Ave. since the street was paved in the 1990's as part of the transfer of the street from Crow Wing County to the City of Crosslake. Prior to the transfer of the street, Whitefish Ave. was a gravel road. It was upgraded to a paved street when the City assumed responsibility from the County. The paving has directed more rain and melt water from Whitefish Ave. to the right-of way and from there the natural elevation of the

property has directed the runoff to the bluff above the lake. With the steep incline of the bluff, the runoff has eroded the bluff and runoff has carried soil and debris into the lake.

In 2020, the Forney's and Evenson's requested permission from the Crosslake City Council to put down crushed granite on the right-of-way to help deal with the on-going erosion. Permission was granted and the two families purchased crushed granite and had it spread on the right-of-way. The Forney's and Evenson's also asked for and received permission to try to redirect some of the runoff into undeveloped portions of their properties to reduce the impact of the runoff on the bluff and the lake. These efforts have been reasonably effective. However, major storms and heavy rainfall the last two years show the erosion has continued in these situations. The residents would like to address this situation with more effective and impactful action to reduce erosion and runoff. If the property can be vacated, the neighbors would like to pursue more effective measures to remediate the bluff and protect the lake water quality.

Intention is to split the right-of-way in half between the adjacent properties. Since the two properties have shared the right-of-way expenses for snow removal, resurfacing and runoff management, the 20 foot right-of-way would be split equally with an easement agreement for use and maintenance of the access driveway thereby continuing the opportunity to access each of the properties.

CERTIFICATE OF SURVEY



PROPOSED PARCEL A

Lot 4, record plat of TWIN BEACH, and that part of Whitefish Avenue and Lafayette Beach per the record plat of MANHATTAN BEACH A REPLAT OF TWIN BEACH, Crow Wing County, Minnesota, lying Southerly and Westerly of the following described line: Beginning at the northeast corner of said Lot 4, from which the north line of said Lot 4 bears South 84 degrees 04 minutes 29 seconds West; thence North 82 degrees 34 minutes 03 seconds East 9.93 feet; thence North 00 degrees 34 minutes 27 seconds West 419 feet, more or less, to the shoreline of Whitefish Lake, and there terminating.

PROPOSED PARCEL B

Lot 11, Block 26, and that part of Whitefish Avenue and Lafayette Beach per the record plat of MANHATTAN BEACH A REPLAT OF TWIN BEACH, Crow Wing County, Minnesota, lying Southerly and Easterly of the following described line: Beginning at the northeast corner of Lot 4, record plat of TWIN BEACH, from which the north line of said Lot 4 bears South 84 degrees 04 minutes 29 seconds West; thence North 82 degrees 34 minutes 03 seconds East 9.93 feet; thence South 00 degrees 34 minutes 27 seconds West 419 feet, more or less, to the shoreline of Whitefish Lake, and there terminating.

PROPOSED LEGAL DESCRIPTION FOR ROAD VACATION

That part of Whitefish Avenue and Lafayette Beach per the record plat of MANHATTAN BEACH A REPLAT OF TWIN BEACH, Crow Wing County, Minnesota, lying Southerly of the following described line: Beginning at the northeast corner of Lot 4, record plat of TWIN BEACH, from which the north line of said Lot 4 bears South 84 degrees 04 minutes 29 seconds West; thence North 82 degrees 34 minutes 03 seconds East 50.32 feet to an iron monument on the north line of Lot 11, Block 26, said record plat of MANHATTAN BEACH A REPLAT OF TWIN BEACH, and there terminating.

LEGEND

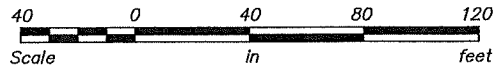
- ⊙ POWER POLE
- FOUND MONUMENT
- ⊙ WELL
- ⊙ SEWER CLEANOUT

GENERAL NOTES

1. No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
2. Bearings shown are based upon the Crow Wing County Coordinate System. Elevations shown hereon based on Crow Wing County Udar Information.
3. The underground utilities shown have been located from field survey information. The surveyor makes no guarantees that the utilities shown comprise all such utilities in the area, either in service or abandoned.
4. No wetlands were delineated as a part of this survey.

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul Herkenhoff 6-8-23
 Paul Herkenhoff, R.L.S. Date
 License No. 45875



REQUESTED BY:

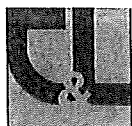
FORNEY AND EVENSON

Lakes Area
SURVEYING
 LLC

24314 SMILEY ROAD, SUITE C
 NISSWA, MN 56468
 OFFICE (218) 961-0090



Drawn by: PDH Date: 09/18/20 Job No: 23-050



**CHRISTENSEN
& LAUE PLLC**
ATTORNEYS AT LAW

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†REAL PROPERTY LAW SPECIALIST
CERTIFIED BY MINNESOTA STATE
BAR ASSOCIATION
*ALSO ADMITTED IN WISCONSIN
**ALSO ADMITTED IN NORTH DAKOTA

JANET C. EVANS
Of Counsel

June 30, 2023

SENT VIA EMAIL ONLY

Mr. TJ Graumann
Director of Parks, Recreation and Library
City of Crosslake
14126 Daggett Pine Road
Crosslake, MN 56442
tgraumann@crosslake.net

Re: David Webster/Proposed ROW Relocation

Dear TJ:

As you requested, I am writing to provide a description of the Websters' request for relocating the existing right of way (ROW) from its current location running through the center of the Webster property, to the western side of the Webster property. The purpose of this letter is to provide a description of the proposal and reasons why the Websters believe this proposal would be beneficial to both the City and the Websters as the adjoining property owners.

For reference, we are attaching:

- (1) an updated drawing from Stonemark showing the location of both the existing right-of-way corridor and the proposed relocation area on the west,
- (2) a topographical map from Crow Wing County on which we have also identified the existing ROW and the proposed relocated ROW, and
- (3) a listing we have prepared outlining the benefits of relocating the ROW as proposed by the Websters.

In addition, both the existing and proposed ROW corridors have been marked with surveyor's flags so that the Parks Commission members, you, or other city officials can go on site to view the existing and proposed relocated ROW areas in the field. The existing right of way has been flagged with pink surveyor ribbons, and the proposed relocated ROW has been flagged with both pink and orange surveyor ribbons.

TJ Graumann
June 30, 2023
Page 2

The Parks Commission members, you, and other city officials are invited to walk the Webster property to view the existing and proposed relocated ROW areas at any time, at their or your convenience. Any feedback you could provide to me would be appreciated. We look forward to meeting with the Park, Recreation and Library Commission on July 26th.

Very truly yours,

CHRISTENSEN & LAUE, PLLC

/s/ Joseph J. Christensen

Joseph J. Christensen
Attorney at Law

JJC/pk

Enclosures

cc: David Webster (via email)
Kevin McCormick (via email)

DAVID WEBSTER ROW RELOCATION PROPOSAL

The Websters believe there are multiple benefits to relocating the existing ROW to the western side of their property (as shown on the updated Stonemark Surveying drawing dated June 21, 2023), as follows:

1. Access and Views.

Existing ROW Corridor: The existing ROW runs diagonally across the face of a steep grade down to the shoreline of Island Lake. In order to gain views of Island Lake from the existing ROW, it is necessary to walk down the steep grade which is also slanted from right to left as the grade drops toward the lake, making it difficult to walk both down, and especially up, the grade. This would be a particularly difficult walk for anyone with physical infirmities or limitations.

Proposed Relocated ROW Corridor: The proposed relocated ROW area to the west contains a large level area at the top which is easily accessible from the adjoining public streets and which provides a lovely vista providing views of Island Lake without the need to traverse up and down any steep grades.

2. Parking and Street Access.

Existing ROW Corridor: The existing ROW has only approximately 20 feet of frontage on the existing Whitefish Avenue right of way and joins the Whitefish Avenue right of way on a curve, making any public parking somewhat inconvenient at best, and hazardous at worst.

Proposed Relocated ROW Corridor: The Proposed ROW likewise has approximately 20 feet of right of way frontage on Whitefish Avenue. In addition, however, the proposed ROW has more than 100 feet of frontage on the Whitefish Road right of way with ample areas for parking and public access to the large level viewing areas the proposed ROW area would provide.

3. Potential for Conflicts with Adjoining Property Owner.

Existing ROW Corridor: As stated above, the existing ROW runs through the Webster property diagonally down the face of a steep grade. Immediately to the east of the existing ROW, however, is a natural swale which makes walking up and down the grade much easier. However, the natural swale is located well within the private portion of the Webster property to the east of the existing ROW corridor. It will be natural to expect members of the public intending to use the existing ROW corridor to, instead, gravitate toward the easier walk through the private natural grade area. This will result in trespassing by the public on the adjoining private property and could lead to conflicts between members of the public and the private property owners and possibly create enforcement burdens for the City.

Proposed Relocated ROW Corridor: The area of the proposed relocated ROW adjoins existing public streets on both the north and the west, and includes a large level, easily walkable area for the public to view Island Lake. This will lower the potential for conflicts between members of the public and the adjoining private property owner and help avoid the use of city resources to address potential conflicts.

4. Potential Erosion Issues.

Existing ROW Corridor: While it appears there has been little or no historical public use of the existing ROW corridor, increased future public use of the corridor will likely lead to destabilization of the steep slope areas within the existing ROW corridor because of the difficult terrain, leading to erosion within the ROW corridor, which could also result in erosion affecting the adjoining private property areas.

Proposed Relocated ROW Corridor: Since the proposed ROW area provides larger level areas easily accessed from adjoining public streets, there would be no need for members of the public to traverse steep grades in order to gain access to the vista within the proposed ROW providing views overlooking Island Lake, eliminating the risks of erosion.

5. Proposed Relocation Would Enhance Both Public and Private Interests.

Existing ROW Corridor: The existing ROW corridor runs diagonally through the Webster property and results in oddly shaped and less than optimally useable private parcels on either side. As mentioned above, future public use of the existing ROW could lead to conflicts between members of the public and adjoining private property owners. Even if such conflicts don't arise, the existing ROW corridor is only 20 feet in width and could make both the private property owners and members of the public feel awkward with people walking through the middle of what otherwise is someone's private property.

Proposed Relocated ROW Corridor: Since the proposed relocated ROW area adjoins the existing public streets on two sides, there will be a private property owner only along the east boundary of the proposed ROW, while both the west and north sides of the proposed ROW would all be public. In addition, the actual Whitefish Road driving surface is located still further to the west in the unusually large existing Whitefish Road street ROW, leaving a wide area of existing undeveloped public ROW which would adjoin the proposed ROW relocation area and provide a combined public use area significantly larger than the 20-foot-wide ROW relocation itself. Also, since the existing ROW would no longer run diagonally through the Webster property, the Websters would have a larger contiguous developable property allowing them to develop their property in a manner which could take advantage of natural swale running through the center of the property, allowing for more coherent development of the property and resulting larger potential future assessable values and tax revenue to the City.

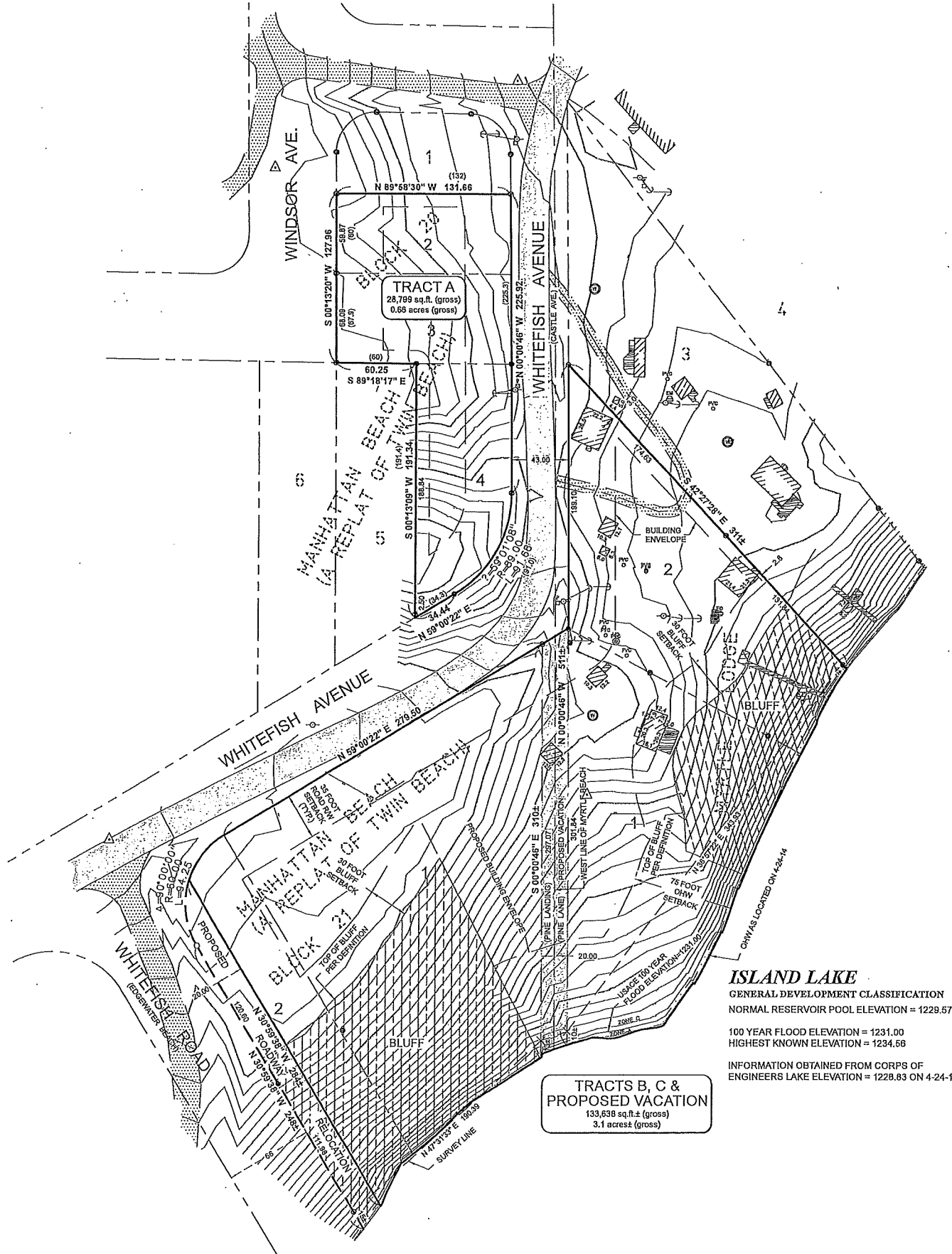
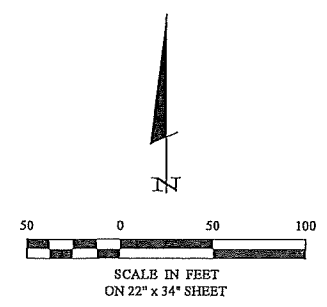
EXHIBIT

LOTS 1 & 2, MYRTLE LODGE AND LOTS 2-4, BLOCK 20 AND LOTS 1 & 2, BLOCK 21,
MANHATTAN BEACH (A REPLAT OF TWIN BEACH)
SECTION 6, TOWNSHIP 137 NORTH, RANGE 27 WEST,
CROW WING COUNTY, MINNESOTA

LEGEND

- DENOTES EDGE OF EXISTING BITUMINOUS
- DENOTES EDGE OF EXISTING GRAVEL
- DENOTES EDGE OF EXISTING CONCRETE
- DENOTES EDGE OF EXISTING WOODEN DECKING
- DENOTES BLUFF AREA
- DENOTES EXISTING INTERMEDIATE CONTOURS
- DENOTES EXISTING INDEX CONTOURS
- DENOTES EXISTING UTILITY POLE W/ GUY WIRE
- DENOTES EXISTING ELECTRIC METER
- DENOTES EXISTING ELECTRIC OUTLET
- DENOTES EXISTING LP TANK
- DENOTES EXISTING PHONE PEDESTAL & PHONE BOX
- DENOTES EXISTING WELL
- DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID
- DENOTES EXISTING SEPTIC LIFT STATION
- DENOTES MONUMENT FOUND
- DENOTES CALCULATED POSITION
- DENOTES FLAT AND/OR DEEDED MEASURE


ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WEST LINE OF MYRTLE LODGE TO HAVE AN ASSUMED BEARING OF N 00°00'46" W.



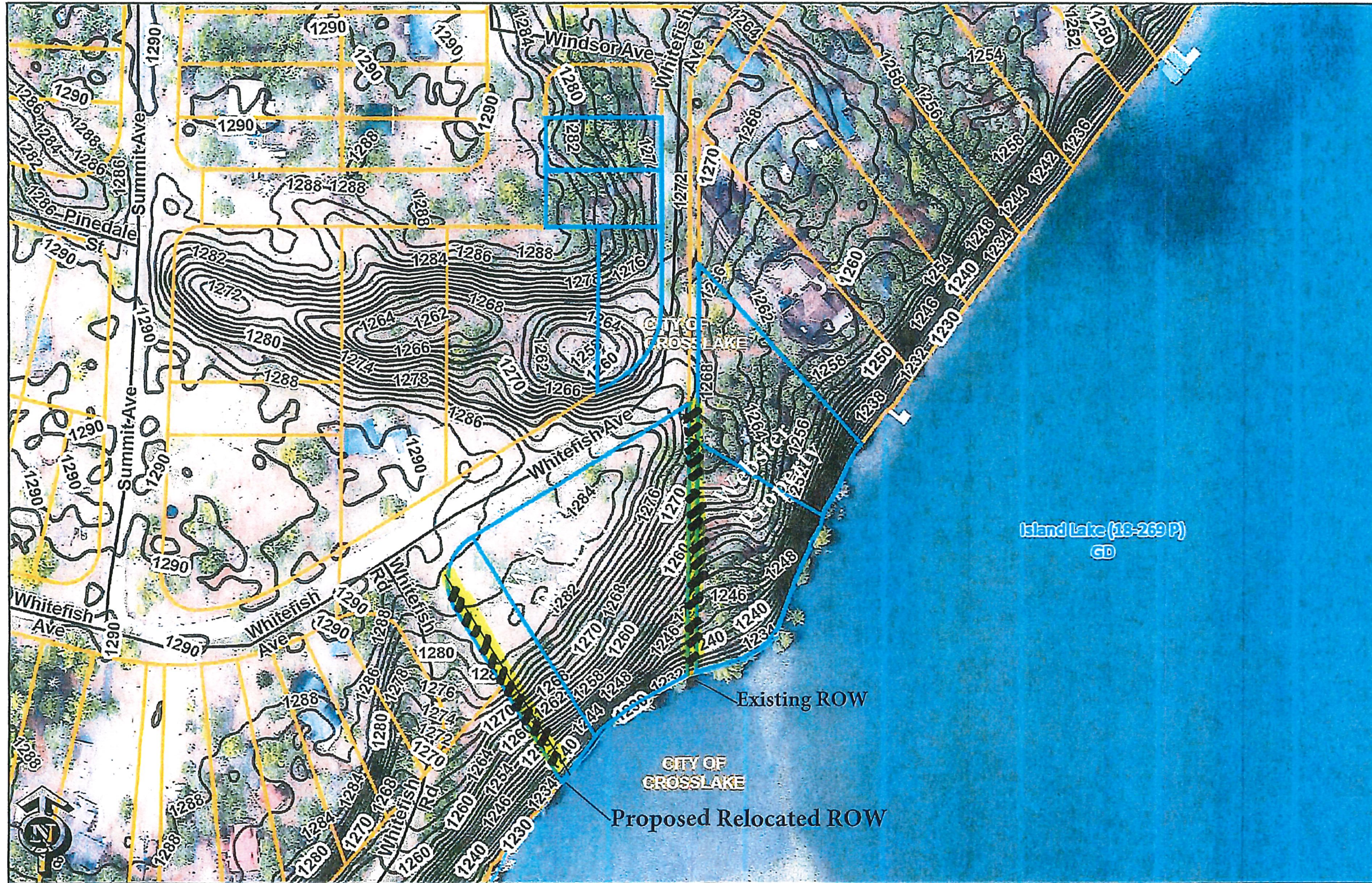
NOTES:

1. Contour interval as shown = 2 foot. Based on NGVD 29 datum. Contours shown have been obtained using standard survey topographic methodologies. Field located on April 24, 2014.
2. Zoning for subject tract = "Shoreland District".
3. Property is in "Zone C" and "Zone A" as per the FIRM, Flood Insurance Rate Map. "Zone A" definition: Areas of 100-year flood base elevations and flood hazard factors not determined. "Zone C" definition: Areas of minimal flooding.
4. Parcel ID of subject parcel: 14158000010009, 14158000020009, 141470210010009, 141470210020009, 141470200020009, 141470200030009 & 141470200040009.
5. The property address of subject parcel: 12253 Whitefish Ave.
6. For survey reference information see Certificate of Survey drawing signed by Cynthia M. Hilde on May 19, 2014 - Stonemark Land Surveying, Inc. file #13243.

DAVID WEBSTER
PROJECT NUMBER: 21269
DATE: 6-21-2023



30206 Rasmussen Road
Suite 1
P. O. Box 874
Pequot Lakes, MN 56472
218-568-4940
www.stonemarksurvey.com



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Crow Wing County GIS

Topo

Date: 12/27/2022 Time: 11:10:57 AM





Real People. Real Solutions.

MEMORANDUM

Date: August 3, 2023
To: Pat Wehner, Public Works Director
From: Phil Martin, PE
Subject: Projects Update for August 7, 2023 Public Works Meeting

CSAH 66 Improvements

The contractor has reseeded areas, removed erosion control devices where appropriate, and addressed many of the punchlist items. The contractor still needs to address the manholes where the casting was placed too low. We are coordinating with the County.

Sprinkler System Repair – We have one property that has not provided us a quote. All other properties are done.

2022 Street Improvements

The remaining punchlist item was for grass to establish on Wild Wind Ranch Drive, which did not occur so the contractor has reseeded the areas and we will continue to monitor.

CSAH 3/66 Pedestrian & Intersection Improvements

Traffic was counted over the July 4th period, and we are working to complete that analysis. Recent activity has centered around environmental documentation and review. We received a license to complete soil borings and are trying to estimate the project cost that includes a budget for aesthetic enhancement and beautification.

Road Improvement Plan Development

Last month we provided information for the PW Committee to consider helping us understand where traffic was being generated and also to solicit ideas for how members felt we should try to attack road improvements.

We found some errors in the database and have updated the estimates of miles and cost associated with the roads rated. We need to verify with the City that all segments in our database are roads that are the City's responsibility.

- Total street length reviewed > 55 miles paved
- Total cost estimated for all improvements ~ \$13 million
 - o Sealcoat – 14 miles, est cost ~ \$490,000
 - o Mill & Overlay – 34 miles, est cost ~ \$9 million
 - o Full Depth Reclamation – 5.6 miles, est cost ~ \$2.5 million
 - o Reconstruction – 1.7 miles, est cost ~ \$980,000

We continue to review a contributing parcel count map for accuracy. We also will have a large pavement rating map for the City which we can use as part of the discussion as we try to determine a direction regarding budget, improvement, and locational priority.

11722 Manhattan Point Boulevard – Stormwater runoff complaints

City council directed us to proceed with City doing majority of work and having Anderson Bros pave. I obtained quote from Anderson Brothers and reached out to adjacent neighbor to discuss permanent easement for stormwater. I have not received a response.

The City of Crosslake

1. We have the new water trailer and were trimming it out with pump and hose mount
2. We picked up the new 2 ton chevy truck and have it delivered it to crysteel to get trimmed out with box and sander and lights wing will be done once in.
3. I need a motion to order new truck to replace 2015 chevy ¾ ton with 105000 on it. the new cost is under 56,000 and this is a one ton crew cab. The 2015 will be handed down to the parks to replace a 2007 This will be a 2024 budget issue just need to order it to get it some time next year. Can cancel with no penalty.
4. We discussed a 16' snow pusher last meeting was wondering if there was any better Idea for down town area
5. Anderson bid to repair west shore drive walking path that has sank due settling this is a serious safety issue. I need a motion to approve 11204.88 Only thing not included is the pavers on the wall. The public works guys will do this
6. Looking for volunteers [one or two] to volunteer to help with the public right away committee. Any questions ask TJ.
7. Once the water trailer is ready we'll put all the used equipment up for auction along with the ford one ton dump truck, fire truck/water truck these will be auctioned on govdeals.com



Anderson Brothers Construction Company
 11325 State Highway 210
 Brainerd, MN 56401
 218-829-1768
 218-829-7607 Fax

To: City Of Crosslake	Contact:
Address: 37028 County Rd 66 Crosslake, MN 56442	Phone:
Project Name: West Shore Dr Trail Repair	Bid Number:
Project Location:	Bid Date: 8/1/2023

Item Description	Estimated Quantity	Unit
Mobilization	1.00	LS
Remove Bituminous Pavement	183.00	SY
Sub Grade Prep	183.00	SY
Aggregate Base Class 5	20.00	TON
Bituminous Wear Course (2 1/2" Compacted Depth	27.00	TON
Fence	1.00	LF

Total Bid Price: \$11,204.88

Notes:

- We are pleased to quote the following on the above-referenced project.
- See Pre-Lien Notice
- All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.
- This proposal may be withdrawn by us if not accepted within 30 days.
- Half the total quote is due prior to construction.
- Anderson Brothers Construction is an Equal Opportunity Employer.
- Anderson Brothers is a non-union contractor and will not sign a project labor agreement.
- **Note- Fence will be removed and the reinstalled. If post can be reused we will deduct \$36.00 per post reused.**

PRE-LIEN NOTICE: OWNER UNDERSTANDS THAT CONTRACTOR IS REQUIRED BY LAW TO PROVIDE OWNER WITH THIS NOTICE. (a) ANY PERSON OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THE IMPROVEMENT TO YOUR PROPERTY MAY FILE A LIEN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTION. (b) UNDER MINNESOTA LAW, YOU HAVE THE RIGHT TO PAY PERSONS WHO SUPPLIED LABOR OR MATERIALS FOR THIS IMPROVEMENT DIRECTLY AND DEDUCT THIS AMOUNT FROM OUR CONTRACT PRICE, OR WITHHOLD THE AMOUNTS DUE THEM FROM US UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS WE GIVE YOU A LIEN WAIVER SIGNED BY PERSONS WHO SUPPLIED ANY LABOR OR MATERIALS FOR THE IMPROVEMENT WHO GAVE YOU TIMELY NOTICE.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Anderson Brothers Construction Company Of Brainerd, LLC</p> <p>Authorized Signature: _____</p> <p>Estimator: Scott Mudgett 218-820-9935 smudgett@andersonbrothers.com</p>
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