

SPECIAL COUNCIL MEETING
CITY OF CROSSLAKE
TUESDAY, MAY 30, 2006
3:00 P.M. – CITY HALL

Pursuant to due notice and call, the Council for the City of Crosslake met in a Special Session on Tuesday, May 30, 2006 at 3:00 P.M. at City Hall. The following Councilmembers were present: Mayor Jay Andolshek, Terry Curtis, Dean Eggena, Dick Phillips and Dean Swanson. Also present was City Administrator Tom Swenson, Public Works Director Ted Strand, Community Development Director Ken Anderson, Police Chief Bob Hartman, Clerk/Treasurer Darlene Roach, City Attorney Paul Sandelin, City Engineer Dave Reese, Park and Recreation Director Jon Henke, Operations Manager Jared Johnson, General Manager Paul Hoge and Brainerd Dispatch Report Renee Richardson. There were approximately 10 individuals in the audience.

Mayor Andolshek called the meeting to order at 3:00 P.M. MOTION 05S4-01-06 WAS MADE BY DICK PHILLIPS AND SECONDED BY DEAN EGGENA TO APPROVE THE BILLS FOR APPROVAL AS PRESENTED IN THE AMOUNT OF \$71,667.03. Dick Phillips questioned the bill from Quality Flow Systems in the amount of \$8,763.89. Ted Strand explained that this charge was for filter control panels that the Council had previously authorized purchase of. MOTION CARRIED WITH ALL AYES.

MOTION 05S4-02-06 WAS MADE BY DEAN EGGENA AND SECONDE BY TERRY CURTIS TO APPROVE SUBDIVISION 2006-010, LAKESDIE SCENIC VILLAS FINAL PLAT. MOTION CARRIED WITH ALL AYES.

Paul Hoge addressed that Council and requested that they evaluate and consider the bid tabulation results for the Fiber to the Home project, which ranged from 1.6 to 2.17 million dollars and recommended that the Council accept the low bid from Mlaskoch Excavating. Mr. Hoge reported that the low bid came in slightly higher than anticipated. MOTION 05S4-03-06 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO ACCEPT THE LOW BID FROM MLASKOCH EXCAVATING FOR THE FIBER TO THE HOME PROJECT IN THE AMOUNT OF \$1,683,500.40. MOTION CARRIED 4-1 WITH SWANSON OPPOSED.

Dick Phillips stated that he has questions regarding the letter from Mary Ippel of Briggs & Morgan regarding the need for a 4/5 vote versus a 3/5 vote. Dean Eggena replied that Minnesota State Statute, Chapter 429 allows road improvement proceedings to be approved by a majority vote if the project is not being assessed. Dean Eggena explained further that there are two parts of the voting requirements; 1.) Chapter 429 requirements for assessments and 2.) Bond Council requirements for financing. City Attorney Sandelin stated that he agrees with Mary Ippel and Tom Swenson that if a road project is not assessed, then a 4/5 vote is not required. Dick Phillips disagreed. Dean Eggena suggested that Dave Reese give the Council the unit price of the bike path construction, since that is the only part of the project that Mr. Phillips is opposed to. Dave Reese replied that he did not have that figure with him, but could put it together in a few minutes. Attorney Sandelin asked if Mr. Phillip's questions had been answered. Mr.

Phillips replied that his questions were not answered but that the majority rules. A 10-minute break took place so that Dave Reese could determine the cost of the bike path.

The Council reconvened at 3:35 P.M.

Dave Reese stated that based on unit prices provided by the lowest bidder, the approximate cost of the bike path was \$240,000. Dean Eggena questioned if that amount was lower than the estimate. Dave Reese replied that it was and that the entire project was approximately \$6,000 lower than the estimate. Dean Eggena questioned if the bid would still be valid if 20% of the project was changed. Dave Reese replied that it would be. Dean Eggena suggested that the Council could eliminate the bike path and still accept the low bid and that a 4/5 vote could be obtained. Dean Swanson stated that he only has a problem with the right-of-way easements. Terry Curtis replied that Mr. Swanson has had a problem with all of the road projects from the beginning. Dean Eggena stated that Councilman Phillips is upset because he feels he could have stopped the bike path by his vote at the last meeting authorizing advertising for bids, but wasn't aware of that. Tom Swenson stated that West Shore Drive was the only road project that was in a "gray" area. Dick Phillips stated that he will not vote in favor of the bike path. Dean Eggena questioned if the Bond Council would be satisfied if the vote was 4/5 today. Attorney Sandelin stated that they would be satisfied. Tom Swenson added that this issue has never come up with past City Councils and that Mary Ippel stated the Council could reapprove the past resolution today with a 4/5 vote. Terry Curtis replied that he thought Dick Phillips voted in favor of the resolution so that the projects would not be delayed.

MOTION WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO APPROVE RESOLUTION NO. 06-23 ACCEPTING THE LOWEST BID FOR COMBINED ROAD IMPROVEMENTS OF 2006 FROM ANDERSON BROTHERS AT A COST OF \$1,389,086.68 WITH THE DELETION OF THE PEDESTRIAN / BIKE PATH PROJECT. Before a vote was taken, Paul Sandelin suggested that Councilman Curtis address his relationship with the low bidder, Anderson Brothers. Dean Eggena stated that a Councilmember must benefit directly from his vote in order for him to have to abstain from voting and that he has no problem with Terry Curtis voting on the road projects as he is only an employee of Anderson Brothers. Dean Swanson questioned why Mr. Curtis wanted to vote today and hasn't in the past. Terry Curtis explained that he had abstained from voting in the past when a motion involved Anderson Brothers in any way in order to avoid a conflict of interest. However, the Council has since discussed the matter and Mr. Curtis stated that he has determined that he is allowed to vote. Mr. Curtis also expressed his disappointment with the Council that they were still arguing the West Shore Drive issue and stated that he will honor what the citizens asked for, which included the path. Jon Henke, Park and Recreation Director, addressed the Council and asked them to reconsider their decision to eliminate the bike path, as the Park and Recreation Department will eventually be paying for the path with Park Dedication funds. Mr. Henke added that he walked up and down West Shore Drive and talked to at least 60 residents and only 2 were opposed to the path. Mr. Henke urged the Councilmembers to put their personal issues aside and do what was right for the community. Dick Phillips told Jon Henke that he does a very good job, however, he disagrees with him because he has heard from approximately 10 residents that they are opposed to the path. Mr. Phillips added that the cost for the path is excessive. Dean

Swanson stated that he is not opposed to the road improvements, only the way that West Shore Drive was designed. Jay Andolshek stated that because the path is a positive improvement, he was ok with West Shore Drive being narrower than most roads. Jared Johnson, Operations Manager of Crosslake Communications, addressed the Council and stated that the phone company's contract to upgrade utilities will be more difficult to fulfill if the bike path is not constructed at this time and added that if the path is done in the future, there could be problems working around their equipment. Dean Eggena stated that he is in favor of the bike path and that the neighborhood is in favor of the bike path, however, the community will not suffer if it is not constructed and urged the Council to proceed with some road improvement project today. MOTION FAILED WITH PHILLIPS AND EGGENA VOTING AYE AND CURTIS, ANDOLSHEK AND SWANSON VOTING NAY.

MOTION 05S4-04-06 WAS MADE BY JAY ANDOLSHEK AND SECONDED BY TERRY CURTIS TO APPROVE RESOLUTION NO. 06-23 ACCEPTING THE LOWEST BID FOR COMBINED ROAD IMPROVEMENTS OF 2006 FROM ANDERSON BROTHERS AT A COST OF \$1,389,086.68. Dean Eggena questioned if the project could proceed with a 3/5 vote. Paul Sandelin replied that the Bond Council will grant approval based on prior voting. Dick Phillips stated that he will challenge the decision. Paul Sandelin stated that the problem with the voting comes into play because all the road projects are grouped together for financing. MOTION CARRIED WITH CURTIS, EGGENA AND ANDOLSHEK VOTING AYE AND SWANSON AND PHILLIPS VOTING NAY. Dean Spencer questioned why it mattered if there was bonding for the Brita Lane/ Pine View Lane road project since it was being paid 100% by the property owners. Mayor Andolshek explained that the cost of the project could change if the contractor were to bid on a smaller project.

MOTION 05S4-05-06 WAS MADE BY DEAN EGGENA AND SECONDED BY JAY ANDOLSHEK TO ACCEPT ANDERSON BROTHERS ALTERNATE NO. 1 TO REPLACE THE BITUMINOUS MIXTURE PERFORMANCE GRADE OIL FOR WEST SHORE DRIVE ROADWAY FROM 'TYPE B' TO 'TYPE C' AT A COST OF \$31,332.08. Dave Reese explained that "Type B" has been used for many years, however, MN DOT recommends using "Type C" on roads with heavy traffic. Jay Andolshek noted that Anderson Brothers bid was approximately \$30,000, while the other two contractors bids were over \$100,000 for the same alternate product. Ted Strand added that Crow Wing County Highway Engineer Duane Blanck recommends "Type C". MOTION CARRIED WITH ALL AYES. COUNCILMAN PHILLIPS ABSTAINED FROM THE VOTE.

MOTION 05S4-06-06 WAS MADE BY DEAN SWANSON AND SECONDED BY DEAN EGGENA TO ACCEPT ANDERSON BROTHERS ALTERNATE NO. 2 TO REPLACE THE TIMBER CONSTRUCTED RETAINING WALL SYSTEM WITH MODULAR CONCRETE BLOCK RETAINING WALL SYSTEM AT A COST OF \$2,131.25. MOTION CARRIED WITH ALL AYES. COUNCILMAN PHILLIPS ABSTAINED FROM THE VOTE.

MOTION 05S4-07-06 WAS MADE BY DEAN EGGENA AND SECONDED BY JAY ANDOLSHEK TO ACCEPT ANDERSON BROTHERS ALTERNATE NO. 3 TO

STRIPE WEST SHORE DRIVE (FULL LENGTH OF CROSSLAKE IMPROVEMENTS) WITH A DOUBLE-YELLOW EPOXY CENTERLINE WITH GLASS BEADS AT A COST OF \$6,097.55. Dick Phillips questioned if the City could stripe some roads and not others. Paul Sandelin replied that the City has the authority to decide which City maintained roads would be striped or not. MOTION CARRIED WITH ALL AYES.

Steve Enck addressed the Council and requested that they consider making the bike path narrower in front of his property at 35827 West Shore Drive. Dean Eggena replied that the Council discussed varying the path's width in many places, but decided in the end to leave the path 8 feet wide for the entire length. Jay Andolshek and Dean Swanson stated that the path should remain at 8 feet. Steve Enck then requested the Council consider moving the road further to the east. Dave Reese replied that he would hesitate to recommend that the road be moved to the east due to the curvature and alignment of the road. Steve Enck requested that the Council consider the building of a privacy barrier to separate the bike path from his property at the City's expense. Mr. Enck provided a quote from Rollin' Rock Landscape to plant 20 Blackhills Spruce trees at a cost of \$11,800. Tom Swenson suggested the City's Public Works Department plant spruce trees approximately 2-3 feet in height or a split rail fence, in order to minimize the cost. Ted Strand cautioned that the plowed snow in the winter would accumulate on a fence or berm. Terry Curtis questioned what Mr. Enck was trying to achieve with the barrier. Mr. Enck replied that he would like a visual barrier because his kitchen window will be just feet away from the bike path. Terry Curtis stated that a split rail fence would not provide privacy. Dean Swanson stated that a solid fence could be erected. Mr. Enck replied that a solid fence would look horrible. Dean Eggena suggested that the City consider erecting a natural looking barrier that blends into the neighborhood and thought that the project could be done without a contractor. Mr. Eggena asked Mr. Enck to appear before the Council when the road project was finished to work on the final details. MOTION 05S4-08-06 WAS MADE BY DEAN EGGENA AND SECONDED BY TERRY CURTIS TO HAVE THE CITY ERECT A PRIVACY BUFFER AT 35827 WEST SHORE DRIVE FROM APPROXIMATELY THE SOUTH WALL OF THE GARAGE TO SOMEWHERE NEAR THE SOUTH PROPERTY LINE AND THAT THIS BUFFER WILL BE MADE FROM NATURAL VEGETATION TO GIVE PRIVACY TO THE HOME OWNER AND THAT THE PARK AND RECREATION AND PUBLIC WORKS DEPARTMENTS COME BACK TO THE COUNCIL WITH AN ESTIMATE OF THE BUFFER BEFORE CONSTRUCTION BEGINS. MOTION CARRIED WITH ALL AYES.

Tom Swenson read a letter dated May 30, 2006 from Nancy Vershey regarding the proposed bike path and new road at 34407 West Shore Drive. Ms. Vershey requested that the City Council give serious thought to moving West Shore Drive and the proposed bike path a minimum of 15 to 20 feet to the east of her property, which would eliminate a parking hardship for Ms. Vershey. Dave Reese presented a sketch of the proposed driveway moving to the north of the current approach, which would avoid the septic and drainfield areas. Dean Eggena stated that if the road was moved to the east, Ms. Vershey would still have a parking problem because her driveway sits in the right-of-way. Dean Swanson stated that he was in favor of moving the driveway approach instead of the road. Dean Eggena stated that he was not in favor of moving the road to the east. Dave Reese

questioned if the property owner would be liable for the new approach. Tom Swenson replied that the Council previously determined that the City would pay for the construction within the right-of-way and that the property owner would pay for any construction on her property. Tom Swenson also stated that the City needs to have a yes or no answer from the property owner in order to proceed with the change. MOTION 05S4-09-06 WAS MADE BY DEAN EGGENA AND SECONDED BY TERRY CURTIS TO MOVE THE CURRENT APPROACH OF THE DRIVEWAY AT 34407 WEST SHORE DRIVE TO THE NORTH, IF THE PROPERTY OWNER AGREES TO THE CHANGE OR ELSE THE DRIVEWAY WILL REMAIN IN ITS PRESENT LOCATION. MOTION CARRIED WITH ALL AYES.

Cary Shoutz appeared before the Council to request that they appeal the decision made by the City Clerk/Treasurer regarding her interpretation of the sale in his yard being a commercial activity. Mr. Shoutz gave a lengthy presentation of the background into the sale and the investigation conducted by City staff following a complaint. Mr. Shoutz stated that the large sale conducted in his yard was a combination of items from 5 – 6 families and that it was all used, personal items. Mr. Shoutz complained that the City Administrator and City Clerk illegally entered his property during the sale and accused him of having a commercial sale in a residential area. Mr. Shoutz added that one of his house window's was shot with a pellet gun on the same weekend of the sale and was concerned that the vandalism was related to the complaint against his sale. Mr. Eggena asked that Clerk/Treasurer Darlene Roach respond to the allegations. Darlene Roach responded that she had given the Council a letter prior to this meeting containing all of the facts relating to the matter and that she was appalled that this matter had gotten to this level. Ms. Roach reminded the Council that they gave the Clerk/Treasurer the authority to administer the Transient Merchant Permits. Ms. Roach apologized to Mr. Shoutz and stated she did not mean to offend him. Dean Eggena asked if the City had an ordinance regulating yard sales. Darlene Roach relied that there is no ordinance relating to yard sales, but there is an ordinance relating to Transient Merchants. Dean Eggena responded that he thinks the whole problem arose when the Clerk/Treasurer took the Transient Merchant Permit ordinance and tried to make it work for Mr. Shoutz's yard sale. Dean Swanson stated that a conditional use permit is required for commercial sales to take place in a residential area and that Mr. Shoutz's advertising was misleading because it stated a company name. Business Owner Pat Netko addressed the Council and stated that the ad in the paper should have stated it was a family sale, if that's what it really was and added that if it was a liquidation sale, that it was in conflict with local business owners. Dick Phillips asked Mr. Shoutz how many sales he planned to have throughout the summer to unload all of his personal items. Mr. Shoutz replied that he was unsure how many sales he would have. Community Development Director Ken Anderson stated that there is a 10-day per year limit on yard sale signs. Dean Eggena stated that the problem today was that the City does not have an ordinance to deal with yard sales and that the Transient Merchant Permit is not related to Mr. Shoutz's sale. Mr. Eggena suggested that the Council 1.) determine how to regulate garage/yard sales and 2.) create a policy for City staff to enter private property. Mr. Eggena added that nothing in the State Statutes prevents Mr. Shoutz from having a sale in his yard. Pat Netko stated that the debate of the Council needs to be on the merchandise being sold, not the alleged illegal entry of the staff onto private property. Dean Swanson stated that the City staff was not out of line by looking into a complaint made by another resident. Tom Swenson stated that the

situation was blown out of proportion and that he supports Ms. Roach's actions. City Attorney Sandelin stated that this is a land use issue and should be addressed by Planning and Zoning. Terry Curtis stated that he does not think Tom Swenson and Darlene Roach were maliciously trying to stop his yard sale, and that the Council needed to determine whether or not the sale was a commercial endeavor. Dean Eggena stated that all garage sales are commercial because they all are making a profit. Resident Dick Dietz asked the Council if he could buy a bunch of refrigerators and then sell them from his house. Dean Eggena replied that the State Statute would not stop him from doing that. Business Owner Teddy Nelson replied that all of the tax paying businesses in Crosslake would be in trouble then. Terry Curtis questioned if there should be a limit on the number of sales a person could have each year. MOTION 05S4-10-06 WAS MADE BY DEAN EGGENA AND SECONDED BY DICK PHILLIPS TO ALLOW CARY SHOUTZ TO CONDUCT SALES SIMILAR TO THE SALE HE HAD PREVIOUSLY. Attorney Sandelin stated that the easiest way to change the land use ordinance would be to limit the number of garage/yard sales a property owner could have each year. Terry Curtis emphasized that this motion allowed Cary Shoutz to have a yard or garage sale, not an Upper Midwest Liquidation sale. MOTION CARRIED WITH ALL AYES. Terry Curtis suggested that the Council bring ideas regarding the changes to the land use ordinance to the next regular Council meeting.

A MOTION WAS MADE BY DEAN SWANSON AND SECONDED BY JAY ANDOLSHEK TO ADJOURN THE SPECIAL MEETING. MOTION FAILED 2-3 WITH PHILLIPS, CURTIS AND EGGENA OPPOSED.

Dean Eggena asked to present an important item to the Council, which was not on the agenda. Mr. Eggena reported that he tried to pick up the plans for the Library / Community Center Addition project from WSN and was told that the plans would not be ready until June 2nd. Mr. Eggena did not think the bid opening should take place on June 15th as planned because it would not give contractors enough time to put a bid together. MOTION 05S4-11-06 WAS MADE BY DEAN SWANSON AND SECONDED BY TERRY CURTIS TO CHANGE THE BID OPENING DATE OF THE LIBRARY / COMMUNITY CENTER ADDITION PROJECT FROM JUNE 15TH TO 30 DAYS FROM THE RELEASE OF PLANS. MOTION CARRIED WITH ALL AYES.

MOTION 05S4-12-06 WAS MADE BY DEAN SWANSON AND SECONDED BY DEAN EGGENA TO ADJOURN THE SPECIAL COUNCIL MEETING AT 6:30 P.M. MOTION CARRIED WITH ALL AYES.

Respectfully Submitted By,



Charlene Nelson
Deputy Clerk

BILLS FOR APPROVAL
30-May-06

VENDOR	DEPT	AMOUNT
Abra True Value, nipple, valve, elbow, hex	PW	33.97
Abra True Value, extension cord, plastic strips, nipple	PW	29.13
Abra True Value, galv nipples	PW	3.92
Abra True Value, bucket, rope	PW	13.94
Abra True Value, air hose, coupler and plug sets	PW	27.68
Abra True Value, nozzle blow gun	PW	9.10
Abra True Value, galv coupling	PW	2.22
Ace Hardware, tee	PW	0.79
Ace Hardware, ball valve, faucet barrel	PW	20.78
Ace Hardware, coupling, tape, quik connect air	PW	6.54
Ace Hardware, nipple, bushings	PW	12.53
Ameripride, mats	PW	104.81
Ancom, minitor pager	Fire	1,162.33
AW Research, water test	Sewer	118.80
AW Research, water test	Sewer	118.80
Blue Lakes Disposal, trash removal	ALL	251.85
Brenda Marks, refund baseball registration	P&R	30.00
Bruce Perkins Marine, idle for exhaust fan	Fire	25.51
Crosslake Portable Welding, hydraulic pump	PW	35.00
Crow Wing Power, electric service PD 5/18	ALL	3,863.16
Dacotah Paper, tissue, towels	Gov't	232.52
Dean Swanson, reimburse mileage	Council	133.50
Demco, labels	Library	328.07
Donna Keiffer, aerobics may 30-june 29	P&R	308.56
Echo Publishing, advertisement for bids	PW	47.25
Echo Publishing, meeting notice 5-26	P&Z	84.00
Echo Publishing, envelopes	P&R	48.98
Echo Publishing, ad for bids	Library	105.00
GLSports, knee pads	P&R	42.58
HART, holding animal pd 5-9	Gov't	95.38
Hawkins Water Treatment, ferric chloride	Sewer	291.47
Houston Ford, oil change, filters, lube	Police	74.32
John and Karen Lewis, refund sewer pymt overage pd 5-23	Sewer	82.90
Johnson, Killen & Seiler, afsome negotiations	Gov't	1,912.80
L&M Steel, shearing and drilling holes	PW	99.05
Lakes Area Rental, tiller and tractor rental	PW	165.08
Law Enforcement Techonology Group, gps receiver	Police	266.56
Martin Communications, antenna, power supply	Fire	36.74
Mastercard, Abra, stakes for mapping pd 5/23	P&Z	41.06
Mastercard, Fleet Farm, pin, bushing, raw ball, gauge	PW	PD 5/18 43.45
Mastercard, Fleet Farm, fuel assm	PW	21.18
Mastercard, Newegg.com, memory cards	P&Z	46.78
Mastercard, Radio Shack, security camera PD 5/18	PW	113.49
Mastercard, Target, fak	P&R	35.11
Mastercard, Walmart, phone case	PW	18.91
Menards, tension bar, term post, chainlink, rail gauge	P&R	413.37
Metro Fire, camlocks	Fire	76.57

Minnesota T's, caps	P&R	96.00
Molly's Cleaning Service, may cleaning	Gov't	772.13
MPCA, license renewal	Sewer	23.00
Northern Safety Technology, strobe lights	Police	221.31
Office Max, receipts, legal pads, ink, markers, pens	P&R	208.81
Pepsi, pop	PW	44.41
Pequot Auto Parts, wrench pipes	PW	40.87
Pequor Auto Parts, digital tire pressure	PW	10.17
Quality Flow Systems, filter control panel	Sewer	8,763.89
Quill, batteries, letter openers	Gov't	28.01
Reed Business Information, advertisement for bids	PW	150.52
Reed Business Information, advertisement for bids	PW	150.52
Reed Business Information, advertisement for bids	PW	150.52
Reed's Market, sentence to serve	PW	55.43
Reed's Market, supplies for novak house burn pd 5/23	Fire	135.72
Reed's Market, sentence to serve	PW	56.36
Reed's Market, meeting supplies	P&Z	9.09
Streicher's, uniform	Police	63.74
Unicel, cell phone charges	PW	149.18
Unicel, cell phone charges	Police	334.63
Uniforms Unlimited, battery, belt liner	Police	45.01
USA Bluebook, dippers, conductivity tester	Sewer	275.80
Volunteer Firefighter Assn, membership dues	Fire	11.00
WSN, engineering services	ALL	48,655.25
Zee Medical Service, refill first aid kit	PW	223.57
TOTAL		71,667.03

CITY OF CROSSLAKE
RESOLUTION 06-23
RESOLUTION ACCEPTING BIDS
FOR COMBINED ROAD IMPROVEMENTS OF 2006

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

- Brita Lane from the intersection of Pine View Lane, west, to the end of the cul-de-sac, the entire length of Pine View Lane, and approximately 200 feet of Shafer Road from the intersection of Pine View Lane, west, to the existing bituminous surface;
- Duck Lane from the intersection of West Shore Drive (approximately 1100 feet) to the end of the cul-de-sac;
- Sunset Drive from the intersection of West Shore Drive (approximately 1100 feet) to the end of the road;
- Maroda Drive from the intersection of West Shore Drive (approximately 1950 feet) to the intersection of West Shore Drive;
- Johnie Street from the intersection of C.S.A.H. 16, south and east, to the intersection of Robert Street, Robert Street, south and west, to the intersection of West Shore Drive, and Robert Street from the intersection of Johnie Street, north, approximately 2000 feet;
- West Shore Drive (including public use trail) from the intersection of C.S.A.H. 16, south (approximately 2.5 miles), to the southern City limits border with Ideal Township.

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

Tom's Backhoe Service, Brainerd, MN	\$1,431,086.68
Tri-City Paving, Little Falls, MN	\$1,505,994.35
Anderson Brothers, Brainerd, MN	\$1,389,086.68

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

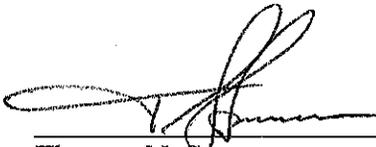
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA,

1. The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Anderson Brothers of Brainerd, Minnesota in the name of the City of Crosslake for the improvement of the above listed roads according to the

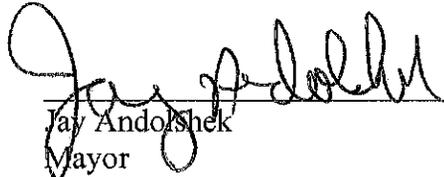
plans and specifications therefore approved by the City Council and on file in the office of the Clerk/Treasurer.

2. The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the City Council this 30th day of May, 2006.



Thomas N. Swenson
City Administrator



Jay Andolshek
Mayor