

SPECIAL COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, JUNE 5, 2006
8:00 A.M. – CITY HALL

Pursuant to due notice and call, the Council for the City of Crosslake met in a Special Session on Monday, June 5, 2006 at 8:00 A.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, and Recreation Director Jon Henke. There were approximately 3 individuals in the audience.

The meeting was called to order at 8:00 A.M. by Mayor Andolshek. Mayor Andolshek stated that this meeting had been called by Councilmembers Swanson and Eggena for discussion of the 2006 Road Improvement Projects and to consider approval of a Resolution relating to the 2006 Road Improvement Projects. Dick Phillips questioned the intentions of the Councilmembers who called the meeting and made a motion to adjourn. The motion died for a lack of a second.

Tom Swenson stated that he didn't want the Bond Attorney to have any questions regarding the intent of the City Council to proceed with the road projects. The proposed Resolution wraps all of the many meetings and actions of the Council into one document which was drafted by the Bond Attorney after reviewing the minutes and previous actions of the Council. Tom Swenson referred to Crosslake Communication's financing of the 2005 Fiber to the Home project that still has not come through. Mr. Swenson stated that when he is involved with major projects, he wants to know that the financing will be there up front. Dean Eggena stated that the Bond Attorney was ok with the previous resolutions, but that the City cannot predict what could happen in the future. Mr. Eggena added that it would be a waste of taxpayer money if a resident were to challenge the 3-2 vote at a later time and that it may or may not happen, but the City should be prepared. Dick Phillips stated that this Resolution allows Councilmembers to change their votes and that isn't right. Dean Eggena stated that as information changes, people's votes could change and that that is ok. Dick Phillips said it was an atrocity. Terry Curtis stated that a Councilmember could go home after a meeting and decide he made a mistake, and that the law allows him to change his mind. Dean Swanson stated that he called the meeting because funding problems would be worse for the City than the road projects themselves, and now that the roads are going to be constructed, he wants the funding to be solid. Dick Phillips questioned what would happen now if a resident challenged the decision. Dean Eggena stated that the Bond Attorney only gives an opinion and doesn't enter into an agreement with the contractor, however, the City is obligated to fulfill its agreement with the contractor. Mr. Eggena added that if a resident challenges the Resolution, the Bond Attorney could stop the funding until the matter is settled in court, but the City would still have to pay the contractor. Tom Swenson stated that the proposed Resolution reaffirms the City's decision to move forward with the road projects. Dean Swanson stated that he was opposed to the project but that it is in the best interest of the City to acquire the best financing. MOTION 06S1-01-06 WAS MADE

BY DEAN EGGENA AND SECONDED BY DEAN SWANSON TO APPROVE RESOLUTION NO. 06-24 REAFFIRMING THE ORDERING OF THE IMPROVEMENT OF WEST SHORE DRIVE FROM THE INTERSECTION OF C.S.A.H. 16 SOUTH (APPROXIMATELY 2.5 MILES) TO THE SOUTHERN CITY LIMITS BORDER WITH IDEAL TOWNSHIP, AND THE ACCEPTANCE OF BIDS FOR COMBINED ROAD IMPROVEMENTS OF 2006. MOTION CARRIED WITH A VOTE OF AYES: ANDOLSHEK, SWANSON, EGGENA, CURTIS. NAYS: NONE. ABSTAIN: PHILLIPS.

Tom Swenson stated that the cost breakdown for each road project was included in the packet for Council information. MOTION 06S1-02-06 WAS MADE BY DEAN EGGENA AND SECONDED BY DEAN SWANSON TO ADJOURN THE SPECIAL MEETING AT 8:17 A.M. MOTION CARRIED WITH ALL AYES.

Respectfully Submitted By,



Charlene Nelson
Deputy Clerk

EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF
CROSSLAKE, MINNESOTA

HELD: June 5, 2006

Pursuant to due call and notice thereof, a special meeting of the City Council of the City of Crosslake, Minnesota, was duly called and held at the City Hall in said City on the 5th day of June, 2006, at 8:00 o'clock A.M.

The following members were present: Jay Andolshek, Dean Swanson, Dick Phillips, Terry Curtis and Dean Eggena.

Member Dean Eggena introduced the following resolution and moved its adoption:

RESOLUTION NO. 06-24

RESOLUTION REAFFIRMING THE ORDERING OF THE IMPROVEMENT OF
WEST SHORE DRIVE FROM THE INTERSECTION OF C.S.A.H. 16 SOUTH
(APPROXIMATELY 2.5 MILES) TO THE SOUTHERN CITY LIMITS BORDER
WITH IDEAL TOWNSHIP, AND THE ACCEPTANCE OF BIDS
FOR COMBINED ROAD IMPROVEMENTS OF 2006

WHEREAS, the City Council held a public hearing on July 23, 2005, on the proposal to improve West Shore Drive from the intersection of C.S.A.H. 16, south (approximately 2.5 miles) to the southern City Limits Border with Ideal Township; and

WHEREAS, on September 12, 2005, the City Council pursuant to a 3/5ths vote of the City Council voted to order the West Shore Drive improvement project and authorized the preparation of plans and specifications for the making of West Shore Drive improvement project; and

WHEREAS, on October 10, 2005, the City Council adopted a motion pursuant to a 4/5ths vote that the West Shore Drive improvement project include Option B for a 8 foot wide detached pedestrian path also described as the public use trail to be constructed in connection with the West Shore Drive improvement project (the West Shore Drive improvement project including the public use trail are herein referred to as the "West Shore Drive Project"); and

WHEREAS, on February 13, 2006, the City Council pursuant to a 4/5ths vote adopted a resolution evidencing its intent to issue General Obligation Improvement Bonds to finance the West Shore Drive Project; and

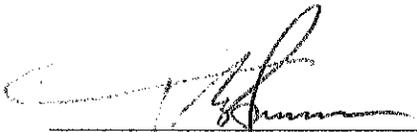
WHEREAS, on May 1, 2006, the City Council adopted by a 4/5ths vote a resolution approving plans for specifications and ordering advertisement for bids for the West Shore Drive Project; and

WHEREAS, on May 30, 2006, the City Council by a 3/5ths vote adopted a resolution accepting bids for Combined Road Improvements of 2006; and

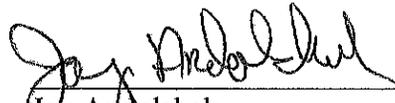
NOW THEREFORE, be it resolved by the City Council of the City of Crosslake that the City Council hereby reaffirms, ratifies and confirms its prior actions with respect to the West Shore Drive Project, including the ordering of the West Shore Drive Project and the award of the construction bids for the Combined Road Improvements of 2006.

The motion for the adoption of the foregoing resolution was duly seconded by Member Dean Swanson and upon a vote being taken thereon, the following voted in favor thereof: Dean Eggena, Dean Swanson, Jay Andolshek and Terry Curtis, and the following voted against the same: none. Dick Phillips abstained from the vote.

Whereupon said resolution was declared duly passed and adopted.



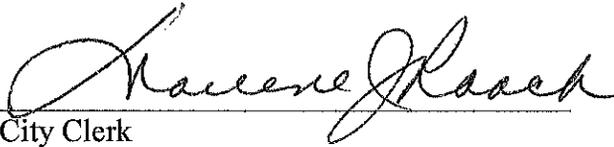
Thomas N. Swenson
City Administrator


Jay Andolshek
Mayor

STATE OF MINNESOTA)
COUNTY OF CROW WING) ss
CITY OF CROSSLAKE)

I, the undersigned, being the duly qualified and Clerk of the City of Crosslake, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated insofar as such minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated insofar as such minutes relate to West Shore Drive Project, including public use trail and the combined Road Improvements of 2006.

WITNESS my hand and the seal of said City this 5th day of June, 2006.



City Clerk

(SEAL)