

EDGEWATER LANE PUBLIC HEARING
CITY OF CROSSLAKE
JANUARY 28, 2004
6:30 P.M. – CITY HALL

Pursuant to proper notice duly given as required by law, the City Council met in the Chambers of City Hall on Wednesday, January 28, 2004 at 6:30 P.M. Present at the hearing was Mayor Darrell Swanson and Councilmembers Dean Eggena, Dick Phillips, and Irene Schultz. Absent was Chuck Miller. Also present was City Administrator Thomas Swenson, City Engineer Dave Reese, City Attorney Paul Sandelin, Public Works Director Ted Strand and Clerk/Treasurer Darlene Roach. Also present were Cindy Holden and three Edgewater Lane property owners. (Sign in sheet attached as a permanent part of the minutes.)

Mayor Swanson called the public hearing to order at 6:37 P.M. and stated that the purpose of the hearing was to hear information regarding the proposed improvement to Edgewater Lane.

City Administrator Tom Swenson read the Affidavit of Mailing confirming that a copy of the notice of hearing was deposited in the U.S. Post Office on December 31, 2003 with postage prepaid in an envelope containing the name and address of the property owner based on current tax records received from the Crow Wing County Auditor's Office. On January 8th and January 15th, the Notice of Hearing was published in the City's official newspaper, the Lake Country Echo. There was no correspondence received regarding the project.

The meeting was turned over to City Engineer Dave Reese who presented an overview of the feasibility report prepared by Widseth Smith Nolting as authorized by the Council under Chapter 429 of Minnesota State Statute. The full report is available at City Hall. The project area begins off of Country Road 66 and extends onto a peninsula into Cross Lake. The improvements include the last 600 feet of gravel roadway on Edgewater Lane. The remainder of the road existed as a City maintained bituminous paved road prior to the City sewer project and will be repaved as part of that project. The 600 feet of road consists of a narrow 14 foot wide sand/gravel lane, with driveway entrances less than 100 feet apart. The lane is not centered in the platted right-of-way and exists over private property in some instances. A conveyance of right-of-way was made to the City from the surviving spouse of the developer since the fee ownership remained with the developer and was never dedicated to the property owners within the plat. The portion of roadway that was paved prior to the Sewer Project has been restored to a gravel surfaced condition. The remainder of the roadway will be improved with 14 foot wide bituminous paved road with no changes in the alignment of the road. The roadway is not elevated from adjacent land, which means that drainage runs along the road surface as it had in the past. The clear zone is minimal and there are many visual obstructions in this highly dense subdivision. No culverts exist along the roadway. WSN is looking at obtaining a drainage easement to run a pipe to the lake. Best Management Practices will be used so WSN will need to work with the property owners. Another option would be to install a

sump. An attempt to create some swaling will be made to get the water off of the pavement area to preserve the longevity of the road. Improvements to approaches and driveways will consist of a bituminous apron or kickout and Class 5 surfacing to match into existing drive widths. It was noted that property owners who wish to pave their driveways, should contact City Hall after the bids are awarded for the name of the contractor, however the property owner needs to contract separately for this work. The estimated costs for project construction is \$16,020 plus \$1,602 (10% contingency) plus \$6,500 for engineering design, surveying and construction observation, \$2,000 for legal and \$2,000 for administrative costs for a total estimated project cost of \$28,122.00. Since this is currently a non-maintained road, 100% of the cost of the project will be paid by the property owners. The estimated number of equivalent lots is 8 for an estimated cost of \$3,515.25 per lot. The actual number of equivalent lots will be determined at the end of the project, however. Financing terms will be decided at the final assessment hearing, however the City has used a financing term of ten years on previous assessment projects. For purposes of examples of costs spread over five and ten years, an interest rate of 8% was used with a yearly cost of \$880 and \$524 respectively. The assessment can be paid in full within thirty days of the final assessment hearing without any interest being accrued.

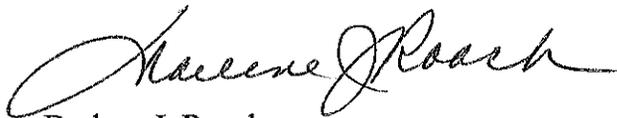
The hearing was open to the Council for questions. Councilmember Eggena questioned whether the turnaround would present a plowing problem for Public Works and Ted Strand indicated that they would more than likely use the loader in that area.

The hearing was open to the public for questions and comments. Fred Richter addressed the Council and asked if the road would still be considered private once it is paved and City Attorney Sandelin stated that if the City orders the improvement, the road would become public right-of-way. Mr. Richter asked why this improvement was being done and he was informed that a portion of the road is being replaced during the Sewer Project reconstruction and during Sewer Meetings some of property owners indicated they were interested in the balance of the road being improved. Dean Swanson, Sewer Chairman and Public Works Commission Member, stated that the unimproved portion of road is a City initiated project based on property owner input at the Sewer meetings. Councilmember Eggena stated that if the easement had not been obtained the property owners would have been required to run pipe to the sewer line. Another resident asked if any of the mature trees would need to be removed and City Engineer Reese stated that hopefully the trees could remain. Charlie Schwartz commented that two of the property owners had shared the cost of paving a portion of the road under discussion and the Council agreed that if a portion of the un-maintained section of road did in fact have blacktop, the City would need to take a look at that. It was agreed that WSN would need to obtain this information before the February 9th Regular Council Meeting when the Council would be considering the improvement. Councilmember Phillips asked if the City was being consistent with this project as compared to other roads in the City. Chuck Wheeler, owner of Lot 8, stated that he sees no benefit in the drainage issues by improving the road. He would prefer the City left the road as it is.

City Administrator Swenson noted that the Council will make a decision on whether to proceed with the improvement project at the Regular Council Meeting which will be held on February 9th at 7:00 P.M. Swenson stated that since there appears to be property owners, both for and against the project, residents need to express their wishes in writing prior to this meeting. Also, if it is determined that costs go up because four lots have been removed from the assessment roll, due to having had a previously blacktopped road along their property, the cost to the remainder of the property owners could be affected.

There being no further comments, MOTION PH2-01-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO ADJOURN THIS PUBLIC HEARING AT 7:35 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach
Clerk/Treasurer

