

MARGARET LANE PUBLIC HEARING  
CITY OF CROSSLAKE  
JANUARY 28, 2004  
7:00 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 7:00 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 two Margaret Lane property owners. (Sign in sheet attached as a permanent part of the minutes.)

Mayor Swanson called the public hearing to order at 7:35 P.M. and stated that the purpose of the hearing was to hear information regarding the proposed improvement to Margaret 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 8<sup>th</sup> and January 15<sup>th</sup>, the Notice of Hearing was published in the City's official newspaper, the Lake Country Echo. A letter received from Paul and Carole McCulloch was read into the record.

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 road begins on CSAH 66 and extends west, then south, for a distance of 510 feet to a platted circular cul de sac. This cul de sac is the turn-around area for City maintenance vehicles. Additional drives extend off the cul de sac including parking areas on both sides of Zorbaz Restaurant. Margaret Lane was a part of the sanitary sewer project and has been restored to a gravel surfaced condition. The width of the roadway is approximately 20 feet with good drainage from the road surface. The clear zone is good and there are no visual obstructions noted. There is a 66 foot wide platted right-of-way for the road. There are both commercial and residential properties surrounding the road and if the Council feels that the standards need to be increased due to the commercial traffic on a portion of the roadway, the City's policy states that the commercial properties bear the additional cost. Based on right-of-way conditions and the estimated number of properties currently served by this road, WSN is recommending that a rural thru roadway be constructed with 20 foot wide pavement, 2 inch thick bituminous on a 4 inch thick aggregate base and topsoil shoulders. 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 \$10,120 plus \$1,012 (10% contingency) plus \$4,850 for engineering design, surveying and construction observation, \$1,500 for legal and \$1,500 for administrative costs for a total estimated project cost of \$18,982.00. Since this is a City maintained road, 50 % of the cost of the project will be paid by the City and 50% paid by the property owners. The estimated number of equivalent lots is 6 for an estimated cost of \$1,582 per lot. The actual number of equivalent lots will be determined at the end of the project. 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 \$396 and \$236 respectively.

The hearing was open to the Council for questions. Councilmember Eggena asked if Zorbaz was included in the estimated number of equivalent lots since his count shows 8 equivalent lots along the roadway. Councilmember Schultz asked if the McCulloch property could be subdivided and whether that would constitute two lots versus one. It was agreed that the location of the garage on the property would determine whether or not the property could be subdivided. The rule of thumb being used to determine whether or not a property can be subdivided depends on where the structures on the property are located at the time the project is done. Councilmember Eggena asked whether Zorbaz should be using the road for deliveries or whether the road should be closed to thru truck traffic and posted for residential use only. Discussion ensued regarding whether the road should be constructed to commercial standards and assessing Zorbaz for the increased cost. City Engineer Reese stated that additional Class 5 has been added to the road as a result of the Sewer Project restoration.

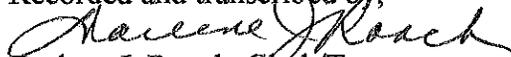
Tony Maurieri addressed the Council on behalf of Paul McCulloch and himself and commented that they feel Zorbaz should be assessed for any increased costs if the road is constructed to commercial standards since they use the road for heavy traffic.

Sherrie Wrobel asked if the assessment could be paid up front or if it had to be applied to the property tax statement and City Administrator Swenson stated that property owners have 30 days after the final assessment hearing to pay the assessment in full without interest.

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 9<sup>th</sup> at 7:00 P.M.

There being no further comments, MOTION PH3-01-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DICK PHILLIPS TO ADJOURN THIS PUBLIC HEARING AT 8:07 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,

  
Darlene J. Roach, Clerk/Treasurer

