

COUNCIL PROCEEDINGS
CITY OF CROSSLAKE, MINNESOTA
PUBLIC HEARING - July 8, 1988
7:30 p.m. at City Hall

The City Council of Crosslake, Minnesota met in a Public Hearing on Friday, July 8, 1988, in the Council Chambers of City Hall. The following members were present: Mayor Oliver Courts and Councilmembers Diana Gallaway and Dean Swanson. Councilmembers Lyle Arends and Oliver Yates were absent. Also present were Will Hoyt from Landecker and Associates, Inc., City Clerk Arlene Buchite and approximately 25 citizens.

Mayor Courts called this Public Hearing to order and welcomed everyone present. Mayor Courts then turned the meeting over to Will Hoyt, City Engineer for 1988, to outline the project and answer any questions from the audience. Mayor Courts said he would ask anyone who wished to speak to come up to the microphone, state their name and which project would affect them and then state their questions, concerns or agreement regarding the project.

Mr. Hoyt stated that this was really two Public Hearings - one for Milinda Shores Road and one for Daggett Bay Road. Mr. Hoyt stated that because the City planned to assess a portion of the cost of the proposed road work a Public Hearing was necessary. Mr. Hoyt explained that this was a preliminary hearing and the notices which were sent to the property owners were estimated and if the projects are approved there will be final cost hearings as well. The assessments will be based on equivalent lot basis not per linear foot of frontage.

Mr. Hoyt explained that the City has an assessment plan which states that the City will pay 60 percent of the cost and the benefitting property owners will pay 40 percent. This percentage was not carved in stone according to Mr. Hoyt but was determined to be reasonable and approved by the Council.

Mr. Hoyt said that if the projects are approved by the Council, property owners being assessed will have the option to pay the assessment in full within thirty days of the final notice without paying any interest or may spread it over 5 to 7 years on their property tax statements with interest typically at 8 percent per annum. Any large underdeveloped properties will have deferred assessments so if they ever choose to sell lots or sub-divide the property they will have to pay additional assessments at that time. If the Council chooses to go ahead the Council will order Landecker to prepare plans and specifications, take bids and likely have construction accure in September of this year.

Mr. Hoyt stated that the estimated assessment per lot on Daggett Bay is \$380.00, the estimated assessment per lot on Milinda Shores for existing blacktop is \$400.00 per lot and for the portion of the road which is currently gravel the estimated assessment is \$640.00 per lot. The reason the gravel road is being blacktopped is to save the city maintenance and that is why the City is paying a portion of that cost.

Several residents asked questions or made comments. Ms. Joan Carlson stated that she would like to see the blacktop continued to the end of her property rather than stopping in the middle. Mr. Don Coulter said he was speaking for his father and the property his father is being assessed for is almost entirely swamp and not considered a buildable lot. Mr. Coulter said he would like to see the road work wait until the Milinda Shores bridge work is done so as not to wreck the new road. Mr. Hoyt said that since the City

has applied for State monies on the Milinda Shores bridge there probably will not be any bridge work done for at least two or three years.

Mr. Glen Muffelman appeared saying he was representing eight owners of the townhouses and they wanted to see the road go through all the way to Robinson's Estates at the end of Daggett Bay.

Also appearing in favor of having the Daggett Bay road repaved was Ray Midlo, Robert Tell, Paul Bengtson, Mrs. Paul Bengtson, Wallace Hanson, and Dr. Carlson. Appearing in opposition was Mr. and Mrs. Zilka. Mr. Zilka said he does not believe that the City has an easement across his property or one across Mr. Johnsons.

Several of the property owners on Daggett Bay said there was blacktop on Daggett Bay Road when they moved in but it since had been covered with gravel and was rough and the dust unbearable.

Discussion ensued regarding the easement across the Johnson and Zilka properties. The road or easement has been used for a number of years according to several citizens and has been maintained by the City snowplow. According to some residents the school bus also picked up some children who were living in the townhouses.

According to Mr. Muffelman, the townhouse residents were ready to do whatever was necessary to have the blacktop continue to the end. Mr. Muffelman stated that the Townhouse association would be willing to pay Mr. Johnson's assessment. Mr. Muffelman also stated that they would have no objections to using the townhouse lot as a turnaround if the blacktop would come all the way to the end rather than to have the City construct a turnaround part way down the road.

Mr. Hoyt asked Clerk Buchite if any written responses had been received and Clerk Buchite indicated she had not received any.

Mrs. Jean Wallace said she owned property at the end of Milinda Shores Road and was being assessed for it even though she never uses the road. Mr. Hoyt explained that even though a person does not live on the road the property will benefit from the blacktop road and therefore is assessed accordingly.

Mayor Courts said he felt that the assessment for properties benefitting from the blacktop but not abutting the blacktop should not be assessed as much as the abutting properties should. Mr. Hoyt said that the Council is who determines the split but it will raise either the City's portion or abutting property owners portion if a different split is approved.

Mrs. Zilka said she would rather put up with the dust than to have the road blacktopped because she is afraid it will become a race track.

Mr. Hoyt explained that the assessment will go against the property and not the owner and that there are infinite ways to assess properties. The only criteria according to Mr. Hoyt, is that the assessment has to benefit the property by the amount of the assessment.

A Citizen asked about aprons and Mr. Hoyt said it will be typically a one foot apron but the City would work with anyone to connect driveway with road.

MOTION NO 7PH-01-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER SWANSON TO HAVE WILL HOYT WORK UP A LETTER AND CONTACT THE CITY ATTORNEY TO HAVE THE LETTER REVIEWED FOR SENDING TO MR. STAN JOHNSON IN REGARDS TO OBTAINING AN EASEMENT OF 33 FEET FOR CITY RIGHT OF WAY OVER THAT PROPERTY DOWN TO THE TOWNHOUSES AND ALSO TO DIRECT IT THAT THE CITY WORK WITH ZILKAS IF THEY ARE INVOLVED IN IT. MOTION PASSED UNANIMOUSLY.

MOTION NO. 7PH-02-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER GALLAWAY TO CONTINUE THIS PUBLIC HEARING ON THE DAGGETT BAY ASSESSMENT TO MONDAY EVENING, JULY 11, 1988 AT THE REGULAR COUNCIL SESSION WHEN THE FULL COUNCIL IS PRESENT. MOTION PASSED UNANIMOUSLY.

MOTION NO. 7PH-03-88 WAS MADE BY COUNCILMEMBER SWANSON AND SECONDED BY COUNCILMEMBER GALLAWAY TO CONTINUE THIS PUBLIC HEARING ON THE MILINDA SHORES ROAD ASSESSMENTS TO MONDAY, AUGUST 8, 1988, AT THE REGULAR COUNCIL SESSION. MOTION PASSED UNANIMOUSLY.

MOTION NO 7PH-04-88 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER SWANSON at 8:45 P.M. TO ADJOURN THIS PUBLIC HEARING UNTIL MONDAY, AUGUST 8, 1988. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:



Arlene A. Buchite
City Clerk/Treasurer