

WILDERNESS TRAIL FINAL ASSESSMENT HEARING  
CITY OF CROSSLAKE  
MONDAY, OCTOBER 11, 1999  
5:30 P.M. – CITY HALL

Pursuant to proper notice duly given as required by law, the City Council met in the Council Chambers of City Hall to hear and pass upon all objections to proposed assessments for the improvement of Wilderness Trail from the intersection of Daggett Pine Road, Northeast approximately 1.3 miles to a point of termination located at the entrance to the Wilderness Park Association property by constructing street and drainage improvements. Present at the hearing was Mayor Darrell Swanson, Councilmembers Charles Miller, Irene Schultz, Dean Swanson and Richard Upton. Also present was City Administrator Thomas Swenson, City Attorney Paul Sandelin, City Engineer Dave Reese, Deputy Clerk Darlene Roach, Public Works Foreman Pat Hoag and Bob Marshall, property owner along Wilderness Trail. (Sign in sheet attached as a permanent part of the minutes.)

The Mayor called the public hearing to order at 5:35 P.M.

City Engineer Dave Reese presented the final assessment numbers. He stated the project has been completed, the certification roll has been presented to the City Council and notices were sent to all property owners. The feasibility study completed by Widseth Smith Nolting estimated the cost of the project at \$319,862.98 or an estimate of \$803.68 per equivalent lot. The actual project cost came in at \$280,088.66, which includes the cost of the bike path. The City will pay \$15,898.00 for the bike path plus 50% of the cost of the improvement project. The assessable portion is 50% of \$252,737.65 plus \$11,453.01 for financing costs or \$137,821.83. The City's cost is 50% of \$252,737.65 plus \$15,898.00 for the bike path for a total cost of \$142,266.83. The total number of equivalent lot units is 187 for a cost of \$737.02 per unit.

Mayor Swanson called for questions from the Council. Councilmember Swanson inquired about the number of units being assessed in Wilderness Park. City Administrator Swenson stated that originally there were 147 units calculated, however, it was determined there is no Lot 13 and a second lot was split and purchased by two adjoining property owners bringing the total number of assessable units to 145.

Mayor Swanson called for questions from the audience. Bob Marshall addressed the Council and asked who would absorb the cost of any corrections that may be needed. City Engineer Reese stated that these would be considered maintenance costs and paid by the City. It should be noted that there is a one-year warranty on the work completed. Mr. Marshall asked about the cuts that were made in the blacktop and Public Works Foreman Pat Hoag stated that the seams are not full depth, but cut only about an inch down.

City Administrator Swenson read a letter received from Colleen Robinson, Wilderness Park Owners' Association Board Secretary. The letter requested a shorter- term payment plan of 5 years versus 10 years.

The City Attorney advised the Council that this was an option, however two assessment rolls should be adopted. MOTION PH10-01-99 WAS MADE BY CHUCK MILLER AND SECONDED BY RICHARD UPTON TO APPROVE RESOLUTION 99-52 ADOPTING THE ASSESSMENT ROLL FOR A TEN YEAR PLAN. MOTION CARRIED WITH ALL AYES.

MOTION PH10-02-99 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE RESOLUTION 99-53 ADOPTING THE ASSESSMENT ROLL FOR A FIVE YEAR PLAN. MOTION CARRIED WITH ALL AYES.

City Attorney Sandelin stated that the City has the option to send out a notice explaining the five-year payment plan. City Administrator Swenson will send a notice to Wilderness Park Owners' Association.

Property owners have the option of paying the assessment in full, without interest, if paid within thirty days of the adoption of the Resolutions.

MOTION PH10-03-99 WAS MADE BY RICHARD UPTON AND SECONDED BY DEAN SWANSON TO ADJOURN THIS PUBLIC HEARING AT 5:52 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by:



Darlene J. Roach  
Deputy Clerk



RESOLUTION 99-52  
RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to proposed assessment for the improvement of Wilderness Trail from the intersection of Daggett Pine Road, Northeast approximately 1.3 miles to a point of termination located at the entrance to the Wilderness Park Association property by constructing street and drainage improvements.

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday of January 2000, and shall bear interest at the rate of 5.75% per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 1999. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the City Administrator the entire amount of the assessment remaining unpaid, with interest accrued to December 31st of the year in which such payment is made. Such payment must be made before November 15th or interest will be charged through December 31 of the next succeeding year.
4. The Administrator shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax list of the County. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Council this 11<sup>th</sup> day of October, 1999.

  
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Thomas N. Swenson  
City Administrator

  
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Darrell E. Swanson  
Mayor

RESOLUTION 99-53  
RESOLUTION ADOPTING ASSESSMENT

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1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 5 years, the first of the installments to be payable on or before the first Monday of January 2000, and shall bear interest at the rate of 5.75% per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 1999. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
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Thomas N. Swenson  
City Administrator

  
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Darrel E. Swanson  
Mayor