

SPECIAL COUNCIL MEETING
CITY OF CROSSLAKE
THURSDAY, OCTOBER 21, 2004
9:00 A.M. - CITY HALL

Pursuant to proper notice and call, the City Council met in a special session on Thursday, October 21, 2004 at 9:00 A.M. at City Hall. The following Councilmembers were present: Mayor Darrell Swanson, Dean Eggena, Bettie Miller, Dick Phillips and Irene Schultz. Also present was City Administrator Tom Swenson, Park and Recreation Director Jon Henke and Clerk/Treasurer Darlene Roach. There was one individual in the audience.

- a. Mayor Swanson called the meeting to order at 9:00 A.M. and stated that the purpose of the meeting was to approve Resolutions Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments for Edgewater Lane, Margaret Lane, Gendreau Road and East Shore Boulevard and to approve Resolutions for Hearing on Proposed Assessment for these same roads. The meeting was turned over to City Administrator Tom Swenson.

- b. Edgewater Lane – City Administrator Swenson read the first Resolution pertaining to Edgewater Lane. The total cost of the improvement for Edgewater Lane within Lindquist Addition and adjacent to Block One, Lots 1 through 8 for street and drainage improvements, including expenses, is \$34,671.25. The cost to be paid by the City is \$8,667.79 and the cost to be assessed against benefited property owners is \$26,003.46. An interest rate of 6.25 percent per annum will be charged for assessments not paid in full. Normally, this road would have been assessed at 100%, however during the Improvement Hearing, residents were told the City would absorb some of the cost since it was determined that some of the roadway was paved prior to the Sewer Project. The Council determined that Chapter 429 does not allow a City to assess properties unless there is increased value to the property as a result of the improvement. Since the roadway had blacktop previously, any increased value would be difficult to determine. It was noted that the cost for this project was higher than expected due to serious drainage problems that were encountered and the requirement for a cul-de-sac. Councilmember Phillips felt the two property owners not being assessed should pay some assessment because they are going from a non-City maintained road to a City maintained road. The majority of the Council felt that everyone pays maintenance costs in their taxes even if they are on a private road. MOTION 10S3-01-04 WAS MADE BY BETTIE MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION 04-36 DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR EDGEWATER LANE. MOTION CARRIED 4-1 WITH COUNCILMEMBER PHILLIPS VOTING NAY. City Administrator Swenson read the full resolution pertaining to setting a date for the Hearing on Proposed Assessment for Edgewater Lane. MOTION 10S3-02-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO APPROVE

RESOLUTION NO. 04-37 CALLING FOR A HEARING ON PROPOSED ASSESSMENT FOR EDGEWATER LANE FOR NOVEMBER 16, 2004 AT 6:00 P.M. AT CITY HALL. MOTION CARRIED WITH ALL AYES.

- c. Margaret Lane – The cost determined for improvement to Margaret Lane from the intersection of C.S.A.H. 66, west and south, to the end of the cul-de-sac for street and drainage improvements, including expenses, is \$24,360.97. The cost to be paid by the City is \$12,180.49 and the cost to the benefited property owners is \$12,180.48. An interest rate of 6.25% per annum will be charged on all assessments not paid in full. MOTION 10S3-03-04 WAS MADE BY DEAN EGGENA AND SECONDED BY BETTIE MILLER TO APPROVE RESOLUTION NO. 04-38 DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR MARGARET LANE. MOTION CARRIED WITH ALL AYES. City Administrator Swenson requested that the Council set the date and time for the Hearing on Proposed Assessment. MOTION 10S3-04-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION NO. 04-39 CALLING FOR HEARING ON PROPOSED ASSESSMENT FOR MARGARET LANE FOR NOVEMBER 16, 2004 AT 6:30 P.M. MOTION CARRIED WITH ALL AYES.
- d. Gendreau Road – The cost determined for improvement to Gendreau Road from the intersection of C.S.A.H. 36, south, to the intersection of Shafer Road for street and drainage improvements, including expenses, is \$60,779.82. The cost to be paid by the City is \$23,554.74 and the portion of the cost to be assessed against benefited property owners is \$37,225.08. The commercial upgrade to this road is being assessed to the property owners. An interest rate of 6.25% per annum will be charged on all assessments not paid in full. MOTION 10S3-05-04 WAS MADE BY BETTIE MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION NO. 04-40 DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR GENDREAU ROAD. MOTION CARRIED WITH ALL AYES. City Administrator requested that the Council set the date and time for the Hearing on Proposed Assessment. MOTION 10S3-06-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION NO. 04-41 CALLING FOR HEARING ON PROPOSED ASSESSMENT FOR GENDREAU ROAD FOR NOVEMBER 16, 2004 AT 7:00 P.M. MOTION CARRIED WITH ALL AYES.
- e. East Shore Boulevard – The cost determined for improvement to East Shore Boulevard from the intersection of East Shore Road, north, to the end of the road for constructing street and drainage improvements, including expenses, is \$50,111.68. The cost to be paid by the City is \$25,055.84 and the portion of the cost to be assessed against benefited property owners is \$25,055.84. An interest rate of 6.25% per annum will be charged on all assessments not paid in full. MOTION 10S3-07-04 WAS MADE BY DEAN EGGENA AND SECONDED

BY DICK PHILLIPS TO APPROVE RESOLUTION NO. 04-42 DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR EAST SHORE BOULEVARD. MOTION CARRIED WITH ALL AYES. City Administrator Swenson requested that the Council set the date and time for the Hearing on Proposed Assessment. MOTION 10S3-08-04 WAS MADE BY DEAN EGGENA AND SECONDED BY BETTIE MILLER TO APPROVE RESOLUTION NO. 04-43 CALLING FOR HEARING ON PROPOSED ASSESSMENT FOR EAST SHORE BOULEVARD FOR NOVEMBER 16, 2004 AT 7:30 P.M. MOTION CARRIED WITH ALL AYES.

MOTION 10S3-09-04 WAS MADE BY DEAN EGGENA AND SECONDED BY BETTIE MILLER TO ADJOURN THIS SPECIAL COUNCIL MEETING AT 9:28 A.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach
Clerk/Treasurer

SPECIAL COUNCIL MEETING – October 21, 2004

RESOLUTION 04-36

RESOLUTION DECLARING COST TO BE ASSESSED, AND ORDERING
PREPARATION OF PROPOSED ASSESSMENT

WHEREAS, a contract has been let (costs have been determined) for the improvement of Edgewater Lane within Lindquist Addition and adjacent to Block One, Lots 1 through 8 by constructing street and drainage improvements and the contract price for making such improvement is \$22,059.08 and the expenses incurred or to be incurred in the making of such improvement amount to \$12,612.17 so that the total cost of the improvement will be \$34,671.25.

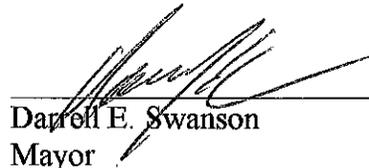
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE MINNESOTA:

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$8,667.79 and the portion of the cost to be assessed against benefited property owners is declared to be \$26,003.46.
2. Assessments shall be provided in equal installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January 2005, and shall bear interest at the rate of 6.25 percent per annum from the date of adoption of the assessment resolution.
3. The City Administrator, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvements against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.
4. The Administrator shall upon the completion of such proposed assessment, notify the Council thereof.

Adopted by the Council this 21st day of October, 2004.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

RESOLUTION 04-37

RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT

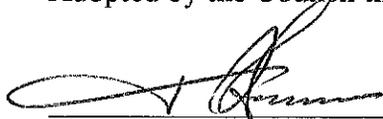
WHEREAS, by a resolution passed by the Council on October 21, 2004, the City Administrator was directed to prepare a proposed assessment of the cost of improving Edgewater Lane within Lindquist Addition and adjacent to Block One, Lots 1 through 8 by constructing street and drainage improvements.

AND WHEREAS, the City Administrator has notified the Council that such proposed assessment has been completed and filed in his office for public inspection.

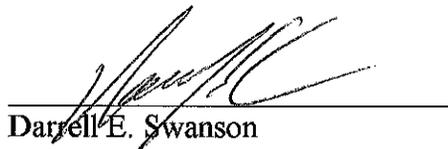
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA:

1. A hearing shall be held on November 16, 2004 in the City Hall at 6:00 P.M. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
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 the assessment. He/she may at any time thereafter, pay to the County Auditor 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 31st of the succeeding year.

Adopted by the Council this 21st day of October, 2004.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

RESOLUTION 04-38

RESOLUTION DECLARING COST TO BE ASSESSED, AND ORDERING
PREPARATION OF PROPOSED ASSESSMENT

WHEREAS, a contract has been let (costs have been determined) for the improvement of Margaret Lane from the intersection of C.S.A.H. 66, west and south, to the end of the cul-de-sac by constructing street and drainage improvements and the contract price for making such improvement is \$15,670.20 and the expenses incurred or to be incurred in the making of such improvement amount to \$8,690.77 so that the total cost of the improvement will be \$24,360.97.

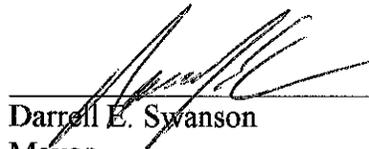
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE MINNESOTA:

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$12,180.49 and the portion of the cost to be assessed against benefited property owners is declared to be \$12,180.48.
2. Assessments shall be provided in equal installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January 2005, and shall bear interest at the rate of 6.25 percent per annum from the date of adoption of the assessment resolution.
3. The City Administrator, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvements against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.
4. The Administrator shall upon the completion of such proposed assessment, notify the Council thereof.

Adopted by the Council this 21st day of October, 2004.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

RESOLUTION 04-39

RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT

WHEREAS, by a resolution passed by the Council on October 21, 2004, the City Administrator was directed to prepare a proposed assessment of the cost of improving Margaret Lane from the intersection of C.S.A.H. 66, west and south, to the end of the cul-de-sac by constructing street and drainage improvements.

AND WHEREAS, the City Administrator has notified the Council that such proposed assessment has been completed and filed in his office for public inspection.

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

1. A hearing shall be held on November 16, 2004 in the City Hall at 6:30 P.M. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
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 the assessment. He/she may at any time thereafter, pay to the County Auditor 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 31st of the succeeding year.

Adopted by the Council this 21st day of October, 2004.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

RESOLUTION 04-40

RESOLUTION DECLARING COST TO BE ASSESSED, AND ORDERING
PREPARATION OF PROPOSED ASSESSMENT

WHEREAS, a contract has been let (costs have been determined) for the improvement of Gendreau Road from the intersection of C.S.A.H. 36, south, to the intersection of Shafer Road by constructing street and drainage improvements and the contract price for making such improvement is \$45,492.05 and the expenses incurred or to be incurred in the making of such improvement amount to \$15,287.77 so that the total cost of the improvement will be \$60,779.82.

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

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$23,554.74 and the portion of the cost to be assessed against benefited property owners is declared to be \$37,225.08.
2. Assessments shall be provided in equal installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January 2005, and shall bear interest at the rate of 6.25 percent per annum from the date of adoption of the assessment resolution.
3. The City Administrator, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvements against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.
4. The Administrator shall upon the completion of such proposed assessment, notify the Council thereof.

Adopted by the Council this 21st day of October, 2004.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

RESOLUTION 04-41

RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT

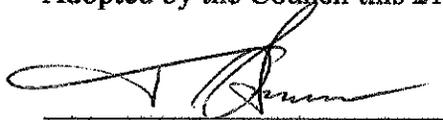
WHEREAS, by a resolution passed by the Council on October 21, 2004, the City Administrator was directed to prepare a proposed assessment of the cost of improving Gendreau Road from the intersection of C.S.A.H. 36, south, to the intersection of Shafer Road by constructing street and drainage improvements.

AND WHEREAS, the City Administrator has notified the Council that such proposed assessment has been completed and filed in his office for public inspection.

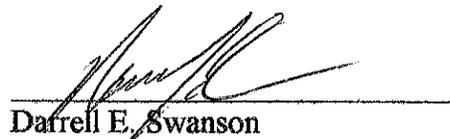
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA:

1. A hearing shall be held on November 16, 2004 in the City Hall at 7:00 P.M. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
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 the assessment. He/she may at any time thereafter, pay to the County Auditor 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 31st of the succeeding year.

Adopted by the Council this 21st day of October, 2004.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

RESOLUTION 04-42

RESOLUTION DECLARING COST TO BE ASSESSED, AND ORDERING
PREPARATION OF PROPOSED ASSESSMENT

WHEREAS, a contract has been let (costs have been determined) for the improvement of East Shore Boulevard from the intersection of East Shore Road, north, to the end of the road by constructing street and drainage improvements and the contract price for making such improvement is \$37,948.40 and the expenses incurred or to be incurred in the making of such improvement amount to \$12,163.28 so that the total cost of the improvement will be \$50,111.68.

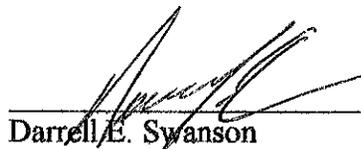
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE MINNESOTA:

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$25,055.84 and the portion of the cost to be assessed against benefited property owners is declared to be \$25,055.84.
2. Assessments shall be provided in equal installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January 2005, and shall bear interest at the rate of 6.25 percent per annum from the date of adoption of the assessment resolution.
3. The City Administrator, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvements against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.
4. The Administrator shall upon the completion of such proposed assessment, notify the Council thereof.

Adopted by the Council this 21st day of October, 2004.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

RESOLUTION 04-43

RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT

WHEREAS, by a resolution passed by the Council on October 21, 2004, the City Administrator was directed to prepare a proposed assessment of the cost of improving East Shore Boulevard from the intersection of East Shore Road, north, to the end of the road by constructing street and drainage improvements.

AND WHEREAS, the City Administrator has notified the Council that such proposed assessment has been completed and filed in his office for public inspection.

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

1. A hearing shall be held on November 16, 2004 in the City Hall at 7:30 P.M. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
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 the assessment. He/she may at any time thereafter, pay to the County Auditor 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 31st of the succeeding year.

Adopted by the Council this 21st day of October, 2004.


Thomas N. Swenson
City Administrator


Darrell E. Swanson
Mayor