

IVY LANE/IVY TRAIL FINAL ASSESSMENT HEARING  
CITY OF CROSSLAKE  
NOVEMBER 1, 2001  
8:30 P.M. – CITY HALL

Pursuant to proper notice duly given as required by law, the City Council met in the Chambers of City Hall for the final assessment hearing on the improvement to Ivy Lane and Ivy Trail. Present at the hearing was Mayor Darrell Swanson and Councilmembers Charles (Chuck) Miller and Irene Schultz. Absent was Sandy Eliason and Dean Swanson. Also present was City Administrator Thomas Swenson, City Engineer Dave Reese, Public Works Director Theodore Strand, Community Development Director Paul Larson, and Clerk/Treasurer Darlene Roach. (Sign in sheet attached as a permanent part of the minutes.)

Mayor Swanson called the public hearing to order at 8:30 P.M. and stated that the purpose of the hearing was to hear comments or objections to the proposed assessment for the improvement of Ivy Lane and Ivy Trail. City Administrator Tom Swenson read the Affidavit of Mailing confirming that the notice of final assessment hearing was deposited in the U.S. Post Office on October 16, 2001 mailed in a prepaid envelope containing the notice of the hearing along with the record of assessment showing the proposed cost to each benefiting property owner based on addresses obtained from the Crow Wing County Auditor's Office. On October 18, 2001 the Notice of Final Assessment Hearing was published in the City's official newspaper, the Lake Country Echo.

City Engineer Dave Reese presented the project summary for the road improvement project. He stated that the project has been completed and the summary reflects the numbers estimated from the feasibility study and the actual cost of the improvement. The feasibility study completed by Widseth Smith Nolting estimated the cost of the project at \$45,352.00. The actual project cost is \$34,497.89. Of this amount, the City will pay fifty percent of the cost or \$17,248.95. The remaining balance of \$17,248.94 will be assessed to the benefiting property owners. The total number of equivalent lot units calculated at the time of the feasibility study was 32.5 and the actual number of equivalent lots is 23 for a cost of \$749.95 per equivalent lot unit. The number of equivalent lots was reduced down to 23 based on current zoning requirements. It was noted that assessments can be paid in full within thirty days of the adoption of the assessment roll without incurring interest. If the assessment is not paid in full, it will be assessed over a period of ten years and included on the property tax statements beginning in Year 2002 with an interest rate of 6.25% per annum.

The hearing was open to the Council for questions. Mayor Swanson commented that the cost of this project came in \$10,000 less than what was estimated at the time the feasibility report was prepared and presented to the Council.

The hearing was open to the public for comments. Lyle Arends, resident of 12426 Ivy Lane, protested receiving 2 ½ equivalent lot assessments. His property received 1½

assessments for RE Code # 14130000310009 (Lot 31) due to it being a corner lot. Under City policy, corner lots receive 1½ assessments. The other one assessment is for property located on the other side of the road. This property is a buildable lot under current zoning guidelines. He also protested having to pay the same amount per assessment for a 12' wide road as those property owners who received a 16' wide paved roadway. Mr. Arends asked why the project ended at Lot 32. He was told that the City only improves that portion of a road that is maintained by the City. That portion of the road beyond Lot 32 is not currently being maintained by the City. Mr. Arends further stated that he was told at the Improvement Hearing that he would only be assessed for one lot. City Attorney Steve Qualley stated that the City does not make any determinations on equivalent lots until just prior to the Final Assessment Hearings. Geraldine Arends addressed the Council and asked why Sonocki's received an assessment of \$697. City Administrator Swenson showed Mrs. Arends the record of assessment that was sent to the Sonocki's indicating their assessment was in the amount of \$749.95 which is the cost of one equivalent lot assessment. There being no further comments, MOTION PH06-11-01-01 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION 01-74 ADOPTING ASSESSMENT FOR IVY LANE AND IVY TRAIL. MOTION CARRIED WITH ALL AYES.

MOTION PH06-11-02-01 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO ADJOURN THIS FINAL ASSESSMENT HEARING FOR IVY LANE/IVY TRAIL AT 8:48 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach  
Clerk/Treasurer

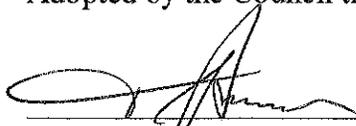
RESOLUTION 01-74  
RESOLUTION ADOPTING ASSESSMENT

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 the entire length of Ivy Lane and Ivy Trail from the intersection of Ivy Lane to the end of the road.

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 2002, and shall bear interest at the rate of 6.25% 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, 2001. 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 County Auditor the entire amount of the assessment remaining unpaid, with interest accrued to December 31<sup>st</sup> of the year in which such payment is made. Such payment must be made before November 15<sup>th</sup> or interest will be charged through December 31<sup>st</sup> 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 1st day of November 2001.

  
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Thomas N. Swenson  
City Administrator

  
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Darrell E. Swanson  
Mayor

