

WHITE OAK DRIVE FINAL ASSESSMENT HEARING
CITY OF CROSSLAKE
NOVEMBER 1, 2001
6:00 P.M. – CITY HALL

Pursuant to proper notice duly given as required by law, the City Council met in the Chambers of City Hall for the final assessment hearing on the improvement to White Oak Drive. 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 6:00 P.M. and stated that the purpose of the hearing was to hear comments or objections to the proposed assessment for the improvement of White Oak Drive. 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 \$56,411. The actual project cost is \$46,130.94. Of this amount, the City will pay fifty percent of the cost or \$23,065.47. The remaining balance of \$23,065.47 will be assessed to the property owners. The total number of equivalent lot units calculated at the time of the feasibility study was 18.5 and the actual number of equivalent lots is 19.5 for a cost of \$1,182.84 per equivalent lot unit. It was noted that the decrease in cost between the feasibility study and actual costs was due to not needing to use the contingency's and the City having received competitive bids.

The hearing was open to the Council for questions. There being no questions, the hearing was opened to the audience for questions. Jeff and Erin Wurdeman, residents on White Oak Drive, addressed the Council. The Wurdeman's objected to the three equivalent lots that they were being assessed. The Wurdeman's stated that they were working with Crow Wing County to get their parcels combined into one lot since they have no intentions of sub-dividing the property. Community Development Director Paul Larson confirmed that under the current zoning ordinance the property could, however, be subdivided into three buildable lots containing 40,000 square feet with a minimum width of 150'. Loren Smeby addressed the Council and stated that the Wurdeman's were incurring a heavy burden with the blacktopping of the road and felt the other residents

along the road should share in some of their costs. City Administrator Swenson stated that the City is paying 50% of the cost of the project with 50% being assessed to the benefiting property owners. Erin Wurdeman stated that another of her concerns was the fourth lot since it is not adjacent to White Oak Drive. It was determined by the Council that the Wurdeman's were benefiting from the improvement to this road as they are addressed off White Oak Drive and their driveway enters off White Oak Drive. It was noted that the property values do increase, at a minimum, by the amount of the assessment. The Council also stated that it would be very commendable if the neighbors wished to participate with the Wurdeman's in part of their cost, but that this would be a voluntary gesture on the part of the neighbors. MOTION PH01-11-01-01 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION 01-69 ADOPTING ASSESSMENT FOR WHITE OAK DRIVE. MOTION CARRIED WITH ALL AYES.

It was noted that the assessment 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 for a period of ten years and included on the property tax statement beginning in Year 2002 with an interest rate of 6.25% per annum.

MOTION PH01-11-02-01 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO ADJOURN THIS FINAL ASSESSMENT HEARING FOR WHITE OAK DRIVE AT 6:34 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach
Clerk/Treasurer

RESOLUTION 01-69
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 White Oak Drive from the intersection of Urban Point Road to the intersection of CSAH 103.

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 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 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.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

