

1st STREET/2nd STREET/2nd AVENUE FINAL ASSESSMENT HEARING
CITY OF CROSSLAKE
NOVEMBER 3, 2001
8:30 A.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 1st Street, 2nd Street and 2nd Avenue. Present at the hearing was Mayor Darrell Swanson and Councilmembers Sandy Eliason, Charles (Chuck) Miller and Irene Schultz. Absent was Dean Swanson. Also present was City Administrator Thomas Swenson, City Engineer Dave Reese, 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 A.M. and stated that the purpose of the hearing was to hear comments or objections to the proposed assessment for the improvement of 1st Street, 2nd Street and 2nd Avenue. 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 19, 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. Two letters were returned to the City and on October 23rd notices were re-mailed to Pat Hoag and Richard Carthaus at corrected addresses. On October 24th, Richard Carthaus notified the City that he had sold his property to Peter and Lisa Dahl. On October 24th a notice was mailed to the Dahl's. On October 29th, a notice was received back from Donald and Geraldine Selleck. A second notice was mailed to the Selleck's on October 30th to a corrected address. On October 18, 2001 the Notice of Final Assessment Hearing was published in the City's official newspaper, the Lake Country Echo. An e-mail was received from William and Laura Hannan which was read by City Administrator Swenson. The Hannan's objected to being assessed for two equivalent lots and felt the City should have paved to the end of the road. It was noted that during the hearing when the feasibility study was presented, the Hannan's requested that the City only pave the road as far as their fence. When Staff reviewed the property with the City Engineer, it was determined that both properties owned by the Hannan's are buildable lots.

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 \$34,600. The actual project cost is \$29,178.61. Of this amount, the City will pay fifty percent of the cost or \$14,589.31. The remaining balance of \$14,589.30 will be assessed to the benefiting property owners. The total number of equivalent lot units calculated at the time of the feasibility study was 20 and the actual number of equivalent lots is 20 for a cost of \$729.47 per equivalent lot unit. 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 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 and audience for questions. It was the consensus of the Council that the City Attorney respond to Mr. and Mrs. Hannan's E-Mail. There being no further comments, MOTION PH08-11-01-01 WAS MADE BY CHUCK MILLER AND SECONDED BY SANDY ELIASON TO APPROVE RESOLUTION 01-76 ADOPTING ASSESSMENT FOR 1ST STREET, 2ND STREET AND 2ND AVENUE SINCE IT IS THE BELIEF OF THE COUNCIL THAT THE MARKET VALUE OF THE PROPERTY HAS INCREASED AS A RESULT OF THE ROAD PROJECT. MOTION CARRIED WITH ALL AYES.

MOTION PH08-11-02-01 WAS MADE BY SANDY ELIASON AND SECONDED BY CHUCK MILLER TO ADJOURN THIS FINAL ASSESSMENT HEARING FOR 1ST STREET, 2ND STREET AND 2ND AVENUE AT 8:47 A.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach
Clerk/Treasurer

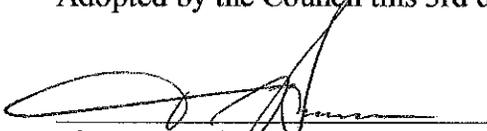
RESOLUTION 01-76
RESOLUTION ADOPTING ASSESSMENT

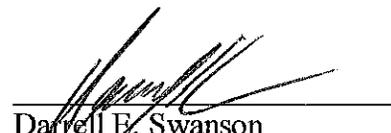
WHEREAS, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to proposed assessment for the improvement of First Street from the intersection of CSAH 16 to the intersection of Second Avenue, Second Avenue from the intersection of First Street to the end of the road and Second Street from the intersection of First Street 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 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 3rd day of November 2001.


Thomas N. Swenson
City Administrator


Darrell E. Swanson
Mayor

