

PINE BAY ROAD/WOLF TRAIL FINAL ASSESSMENT HEARING
CITY OF CROSSLAKE
NOVEMBER 15, 2000
8:00 P.M. – CITY HALL

Pursuant to proper notice duly given as required by law, the City Council met in the Chambers of City Hall to hear and pass upon all objections to proposed assessments for the improvement of Pine Bay Road from the intersection of Pine Bay Trail, north, and ending at the intersection of Wolf Trail and Wolf Trail beginning at the intersection of Pine Bay Road and ending at the intersection of Pine Bay Trail by constructing street and drainage improvements. Present at the hearing was Mayor Darrell Swanson, Councilmembers Charles Miller, Irene Schultz and Dean Swanson. Absent was Councilmember Richard Upton. Also present was City Administrator Thomas Swenson, City Attorney Steve Qualley, City Engineers Dave Reese and Mark Hallan, Deputy Clerk Darlene Roach, Public Works Director Ted Strand and Community Development Director Paul Larson. (Sign in sheet attached as a permanent part of the minutes.)

Mayor Swanson called the public hearing to order at 8:00 P.M. and stated that the purpose of the hearing was to hear comments or objections to the proposed assessment for the improvement to Pine Bay Road and Wolf Trail. City Administrator Tom Swenson read the Affidavit of Mailing and Publication. Copies of the published notice, copies of the postage paid dated envelopes showing the property owners name and copies of the records of assessment were included with the Affidavit. The Notice of Hearing was published in the City's official newspaper, the Lake Country Echo, on October 26, 2000. Pre-printed labels for each property owner were obtained from the County based on the current property owner on file in the Auditor's Office. One letter was received from Richard Tinge which was read into the record. Mr. Tinge did not feel that he should receive a half of an assessment since his lot is not adjacent to the improved road and they do not access their property from either of these roads. Access to their property is via DNR property which is being assessed for 5 ½ equivalent lot units. After City Administrator Swenson reviewed the situation via telephone with Mr. Tinge, it was his recommendation that the ½ equivalent lot unit assessment for Mr. Tinge be removed. It was the consensus of the Council that the ½ equivalent lot unit assessment be paid by the City.

City Engineer Dave Reese presented the project summary for the road improvement project. He stated 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 \$96,370. The actual project cost is \$55,911.57. Of this amount, the City will pay fifty percent of the cost or \$27,955.90 plus \$508.29 for the ½ unit assessment. The remaining balance of \$27,447.49 will be assessed to the property owners. The total number of equivalent lot units calculated at the time the feasibility study was prepared was twenty-five. The actual number of equivalent lots is 27.5 for a cost of \$1,016.57 per equivalent lot unit. It was noted that the decrease in cost between the feasibility study and actual cost

was due to the City having received very competitive bids, the 10% contingency was not spent, final quantities were less than projected and the engineering fees came in under projected cost due to less oversight on the part of the engineering firm during the construction process.

The hearing was opened to the Council and the audience for questions. There being no questions or comments, MOTION PH05-11-01-00 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE RESOLUTION 00-90 ADOPTING THE ASSESSMENT ROLL FOR PINE BAY ROAD/WOLF TRAIL FOR A TEN YEAR PAYMENT PLAN AT 6 ½ % INTEREST. It was noted that if the assessment is paid within thirty days of the hearing, no interest will be assessed. MOTION CARRIED WITH ALL AYES.

MOTION PH05-11-02-00 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ADJOURN THIS FINAL ASSESSMENT HEARING FOR PINE BAY ROAD/WOLF TRAIL AT 8:10 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by:



Darlene J. Roach
Deputy Clerk

RESOLUTION 00-90
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 Pine Bay Road from the intersection of Pine Bay Trail, north, and ending at the intersection of Wolf Trail and Wolf Trail beginning at the intersection of Pine Bay Road and ending at the intersection of Pine Bay Trail by constructing street and drainage improvements.

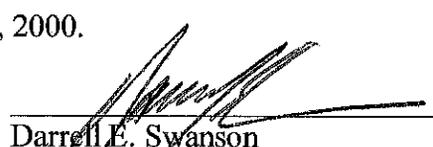
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA:

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 2001, and shall bear interest at the rate of 6.5% 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, 2000. 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 15th day of November, 2000.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor