

**EAST SHORE BOULEVARD FINAL ASSESSMENT HEARING
CITY OF CROSSLAKE
NOVEMBER 16, 2004
7:30 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 East Shore Boulevard. Present at the hearing was Mayor Darrell Swanson and Councilmembers Bettie Miller, Dick Phillips and Irene Schultz. Absent was Councilmember Dean Eggena. Also present was City Administrator Thomas Swenson, City Engineer Dave Reese, City Attorney Paul Sandelin, Public Works Director Ted Strand 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 7:30 P.M. and stated that the purpose of the hearing was to take questions and public comments regarding the assessment proposed for East Shore Boulevard.

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 30, 2004 enclosed in a prepaid envelope along with the record of assessment showing the proposed cost to each benefiting property owner along with a Project Summary. Property owner names and addresses were obtained from the Crow Wing County Auditor's Office most recent database provided to the City. On October 28, 2004 the Notice of Final Assessment Hearing was published in the City's official newspaper, the Lake Country Echo. There was no correspondence received regarding this project. Clerk Roach returned a telephone call to Tom Sullivan explaining that he received an assessment since he is a benefiting property owner who accesses his property off of East Shore Boulevard.

City Engineer Dave Reese presented the project summary for the road improvement project. Reese stated that the project came in higher than what was estimated during the feasibility study. Widseth Smith Nolting estimated the cost of the project at \$33,790 with 15 equivalent lots for an estimated assessment of \$1,126 per lot. The actual project cost came in at \$50,111.68. The actual costs came in higher than expected due to bid prices being higher and numerous design and construction changes made during the course of the project. The City's share of the cost of the road is \$25,055.84 and the 17 equivalent lots will each receive an assessment of \$1,473.87 each.

The hearing was open to the Council and public for questions. Merrie Schintgen addressed the Council and stated that culverts were put in under their driveway to direct the drainage into the wetland area. She stated that the ditch is filled with silt preventing the water from running through the culvert. She stated that the engineers have been out and looked at the problem, but decided not to do anything until the grass takes hold. Mayor Swanson asked the City Engineer what was going to be done to remedy the situation. City Engineer Dave Reese stated that this road has a history of drainage problems and while solutions were found for a majority of the people along the road, this

ditch that Ms. Schintgen is referring to continues to be a problem. Reese stated that retainage is being held and the contract is being kept open to allow for the engineer and contractor to further address the problem. Reese stated that the ground water elevation is very shallow in the area which is adding to the problem. The sand that was brought in to assist with the drainage was not a quality product and was sour smelling. Reese stated that the excessive rain has not helped with the problem. Reese stated that this is a punch list item that will be addressed. Ms. Schintgen also noted that the neighbors brought in a large amount of dirt which makes the problem worse.

There being no questions, MOTION PH4-11-01-04 WAS MADE BY BETTIE MILLER AND SECONDED BY DICK PHILLIPS TO APPROVE RESOLUTION NO. 04-49 ADOPTING ASSESSMENT FOR EAST SHORE BOULEVARD SINCE IT IS THE BELIEF OF THE COUNCIL THAT THE IMPROVEMENT WILL INCREASE THE MARKET VALUE OF THE PROPERTY AS A RESULT OF THE ROAD PROJECT. MOTION CARRIED WITH ALL AYES.

MOTION PH4-11-02-04 WAS MADE BY IRENE SCHULTZ AND SECONDED BY BETTIE MILLER TO ADJOURN THIS FINAL ASSESSMENT HEARING AT 7:47 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach
Clerk/Treasurer

RESOLUTION 04-49
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 East Shore Boulevard from the intersection of East Shore Road, north, 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 2005, 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, 2004. 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 16th day of November 2004.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

