

MARGARET LANE FINAL ASSESSMENT HEARING
CITY OF CROSSLAKE
NOVEMBER 16, 2004
6:30 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 Margaret Lane. 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 6:44 P.M. and stated that the purpose of the hearing was to take questions and public comments regarding the assessment proposed for Margaret Lane. 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 however City Administrator Swenson did have a telephone conversation with Ms. Wrobel.

City Engineer Dave Reese presented the project summary for the road improvement project. He 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 \$18,982 with an estimated number of equivalent lots at 6 for an assessment amount of \$1,582 per equivalent lot. The actual project cost of \$24,360.97 is being assessed at 50% to the benefiting property owners and 50% paid by the City with the exception of the cost of the commercial upgrade to the road. The actual number of equivalent lots is 8 for a cost per equivalent lot of \$1,353.80 plus \$1,350.09 to the two commercial property owners who split the costs of the commercial upgrade costs of \$2,700.17. The City does not share in the cost of the commercial upgrade.

The hearing was open to the Council for questions. There being no questions, the hearing was open to the public for questions. Frank Rohde of Jenkins was present on behalf of the Rohde Irrevocable Trust who own property adjacent to Margaret Lane. Mr. Rohde stated that he was not notified of the assessment and the Trust Department wants to know the purpose of the assessment. City Administrator Swenson explained that while this property is currently accessed off of County Road 66, an assessment for one equivalent lot is being assessed to this property since the property is a corner lot. During construction a curb cut off of Margaret Lane was included as part of the project. This would allow for future subdivision and access off of Margaret Lane. Mr. Rohde was

asked to attend the meeting on behalf of the trust. Mr. Rohde has requested that City Administrator Swenson send a letter to the Trust Department explaining the purpose of the assessment since payment will be made by the Trust Department. There being no further questions, MOTION PH2-11-01-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION NO. 04-47 ADOPTING ASSESSMENT FOR MARGARET LANE 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 PH2-11-02-04 WAS MADE BY DICK PHILLIPS AND SECONDED BY IRENE SCHULTZ TO ADJOURN THIS FINAL ASSESSMENT HEARING AT 7:12 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,


Darlene J. Roach
Clerk/Treasurer

Shared/Margaret Lane Final Assessment Hearing November 16, 2004.doc

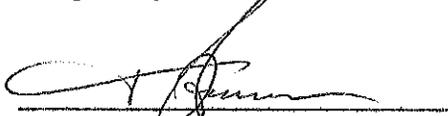
RESOLUTION 04-47
RESOLUTION ADOPTING ASSESSMENT

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 Margaret Lane from the intersection of C.S.A.H. 66, west and south, to the end of the cul-de-sac.

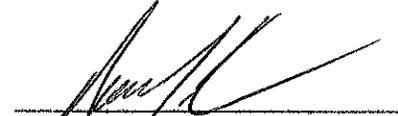
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA:

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

