

MILLER ROAD, LOG LANDING, HEADQUARTERS DRIVE, LUMBERJACK
LANE, BUNKHOUSE ROAD, TALL TIMBER TRAIL AND BLACKSMITH PLACE
FINAL ASSESSMENT HEARING
CITY OF CROSSLAKE
NOVEMBER 17, 2000
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 to hear and pass upon all objections to proposed assessments for the improvement of Miller Road from the intersection of Mary Lane, south, to the intersection of Tall Timbers Trail, Log Landing, Headquarters Drive, Lumberjack Lane, Bunkhouse Road, Tall Timbers Trail, and Blacksmith Place within the Plat of Old Log Headquarters and Tall Timbers Trail within the Plat of Timber 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 Engineer 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 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 to Timber Trail et al. 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. Two notices to property owners Sinclair and Horning were returned undeliverable. One fax was received from Jerry and Mary Eckrein on November 17, 2000 opposed to the method the City uses for determining assessments on corner lots and requested a reduction in their assessment. City Administrator read Ordinance #114 which states the method the City uses for assessments on corner lots.

City Engineer Mark Hallan 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 \$280,230. The actual project cost is \$212,869.97. Of this amount, the City will pay \$107,997.13 and the remaining balance of \$104,872.84 will be assessed to the property owners. The City will pay that portion of Miller Road that was widened. The total number of equivalent lot units calculated at the time the feasibility study was prepared was 95. The actual number of equivalent lots is 107 for a cost of \$980.12 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. Marty Dewitt inquired about the two and one-half assessments he received since he lives at the corner of Miller Road and Tall Timbers Trail. Since his property could be divided into two lots under the current Zoning Ordinance he was assessed two equivalent lot units. The one half assessment was due to his property being located on a corner lot with two roads having been improved. Andy Anderson asked why he received two assessment notices each reflecting one half assessment. Mr. Anderson's house straddles two lots so he received one assessment. Old Log Landing Association owns nine lots in the common area and Andy Anderson questioned why the Association was required to pay assessments on this area since all surrounding property owners utilize the roads around the common area. City Administrator Swenson stated that the Association by-laws could be amended at some time to allow this common area to be split into nine buildable lots. Community Development Director Paul Larson stated that if the common area would be assessed as one equivalent lot unit, each property owners' equivalent lot unit would be higher, therefore, the nine equivalent lot units around the common area are being spread out among more property owners. There was some discussion regarding the classification of property in this area since some lots require 20,000 square feet per lot while others require 40,000 square feet per lot. City Administrator Swenson read that portion of the Ordinance that deals with assessments on property where the principal structure straddles the property line. John Mosey asked if the \$107,997.13 includes the four lots owned by the City and City Administrator Swenson stated that it did include the City owned lots. Mr. Mosey complimented the Council on the job that was done on the assessments and further stated that the Old Log Landing Association wanted to be a good member of the Community by paying for the assessments along the Common Area.

There being no further questions or comments, MOTION PH06-11-01-00 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION 00-91 ADOPTING THE ASSESSMENT ROLL FOR MILLER ROAD, LOG LANDING, HEADQUARTERS DRIVE, LUMBERJACK LANE, BUNKHOUSE ROAD, TALL TIMBER TRAIL AND BLACKSMITH PLACE 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 PH06-11-02-00 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ADJOURN THIS FINAL ASSESSMENT HEARING AT 6:35 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by:



Darlene J. Roach
Deputy Clerk

RESOLUTION 00-91
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 Miller Road from the intersection of Mary Lane, south, to the intersection of Tall Timbers Trail, Log Landing, Headquarters Drive, Lumberjack Lane, Bunkhouse Road, Tall Timbers Trail, and Blacksmith Place within the Plat of Old Log Headquarters and Tall Timbers Trail within the Plat of Timber 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 17th day of November, 2000.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor