

SLEEPY VALLEY FINAL ASSESSMENT HEARING  
CITY OF CROSSLAKE  
NOVEMBER 18, 1999  
6:30 P.M. – CITY HALL

Pursuant to proper notice duly given as required by law, the City Council met in the Council Chambers of City Hall to hear and pass upon all objections to proposed assessments for the improvement of Sleepy Valley Road from the intersection of CSAH 36 approximately 2550 feet to the end of the road. Present at the hearing was Mayor Darrell Swanson, Councilmembers Charles Miller, Irene Schultz, Dean Swanson and Richard Upton. Also present was City Administrator Thomas Swenson, City Attorney Steve Qualley, City Engineer Dave Reese, Deputy Clerk Darlene Roach and Public Works Foreman Pat Hoag. (Sign in sheet attached as a permanent part of the minutes.)

Mayor Swanson called the public hearing to order at 6:30 P.M. and stated that the purpose of the meeting was to hear any comments or objections to the proposed assessment for the improvement of Sleepy Valley Road. City Administrator Swenson read the Affidavit of Mailing and Publication. Copies of the published notice, copies of the postage paid dated envelopes and copies of the record of assessment were included with the Affidavit. Mayor Swanson read a letter dated November 10, 1999 from Steven Helseth and Mindy Helseth Barlage regarding the reduction in equivalent lot units from four to three along with a request for consideration of a rezoning of their property. A concern was also expressed regarding the proposed municipal sewer and water project. Mayor Swanson stated that the rezoning request would be addressed after the road project summary was presented by the City Engineer.

City Engineer Dave Reese presented the project summary containing estimated project cost and actual project cost. The feasibility study completed by Widseth Smith Nolting estimated the cost of the project at \$66,000 or an estimate of \$1,100 per equivalent lot. The actual project cost came in at \$58,851.99. The City will pay 50% of the cost of the improvement project or \$29,425.99. The assessable portion is 50% of \$58,851.99 or \$1,110.42 per equivalent lot. The total number of equivalent lot units is calculated at 26.5, which is down from 30 which was estimated during the feasibility study. The equivalent lot reduction is due to a rezoning of property between the time the feasibility study was done and project completion.

Mr. Helseth addressed the Council and stated that the rezoning, which was done after the feasibility study was completed, was in favor of the Hoffman's and requested that the Council also consider rezoning his property. Mr. Helseth stated that he does not use the road, yet people who do are only paying one equivalent lot unit or \$1,110.42. City Engineer Dave Reese stated that the Helseth property, which contains 5.2 acres, was zoned R3 which requires 150' of frontage to subdivide. The Hoffman's property, which is a tree farm, abuts property owned by Potlatch and is separated from the Helseth property by a roadway. Rezoning of property normally uses a defined boundary such as a roadway as a dividing point. The Hoffman property is classified as rural residential and requires five acres for subdivision. City Attorney Qualley stated that the City looks at

what the highest and best use of the property could be and not how the owner currently uses the property. Councilmember Miller stated that any proposed sewer and water plans would have no bearing on the rezoning of the property.

There being no further comments by the Council or public, MOTION PH10-11-01-99 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION 99-95 ADOPTING THE ASSESSMENT ROLL FOR SLEEPY VALLEY ROAD WITH A TEN YEAR PAYMENT SCHEDULE. MOTION CARRIED WITH COUNCILMEMBER SWANSON ABSTAINING FROM THE VOTE.

MOTION PH10-11-02-99 WAS MADE BY CHUCK MILLER AND SECONDED BY RICHARD UPTON TO ADJOURN THIS FINAL ASSESSMENT HEARING FOR SLEEPY VALLEY ROAD AT 6:50 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by:



Darlene J. Roach  
Deputy Clerk



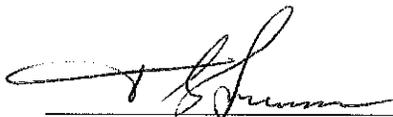
RESOLUTION 99-95  
RESOLUTION ADOPTING ASSESSMENT

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 Sleepy Valley Road from the intersection of CSAH No. 36 approximately 2550 feet to the end of the road 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 2000, and shall bear interest at the rate of 6% 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, 1999. 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 18<sup>th</sup> day of November, 1999.



Thomas N. Swenson  
City Administrator

  
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Darrell E. Swanson  
Mayor