

WILLWOOD LANE FINAL ASSESSMENT HEARING
CITY OF CROSSLAKE
NOVEMBER 20, 2002
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 Willwood Lane. Present at the hearing was Mayor Darrell Swanson and Councilmembers, Charles (Chuck) Miller, Irene Schultz and Dean Swanson. Councilmember Sandy Eliason was absent. Also present was City Administrator Thomas Swenson, City Engineer Dave Reese, City Attorney Steve Qualley, Community Development Director Paul Larson, Public Works Director Ted Strand and Clerk/Treasurer Darlene Roach. Also present was Councilmember's Elect Dean Eggena and Dick Phillips. (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 hearing was to take questions and public comments regarding the assessment proposed for Willwood 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 November 5, 2002 mailed in a prepaid envelope containing the notice of the hearing along with the record of assessment showing the proposed cost to each benefiting property owner. Mailing labels with property owner addresses were obtained from the Crow Wing County Auditor's Office. On October 31st the Notice of Final Assessment Hearing was published in the City's official newspaper, the Lake Country Echo. A telephone call was received from Ken Fernlund informing the City that he has sold his property to Olympia Stapakis. City Administrator Tom Swenson mailed a Notice of Assessment Hearing to Ms. Stapakis based on the information received. A letter dated November 6th from David Henderson stated that some additional Class 5 was needed to level out the area where the blacktop meets his driveway. He also requested that some seed be put down. Public Works Director Ted Strand stated that he has spoken with Mr. Henderson and the Class 5 has been added. In the Spring the City will move the mailbox and complete the seeding.

City Engineer Dave Reese presented the project summary for the road improvement project. He stated that 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 \$79,700 with an estimated number of equivalent lots at twenty-five for a lot assessment amount of \$1,594. The actual project cost is \$94,984.99. Of this amount, the City will pay fifty percent of the cost or \$47,492.50 and the benefiting property owners will pay \$47,492.49. The total number of equivalent lots calculated is twenty-four for a cost of \$1,978.85 per equivalent lot. The project cost is in excess of the estimated cost due to the prices of certain bid items. Blacktop prices were \$4.00 per ton higher in 2002 than in 2001 and common barrow came in \$3.00 per cubic yard higher in 2002. In addition, the intersection off of County Road #103 was relocated based on testimony received at the

public hearing. Due to this realignment, a number of utilities had to be relocated in order to realign the road.

The hearing was open to the Council and audience for questions. Eugene Courneya addressed the Council and stated that he was told he would only be paying for five assessments and is now being charged for six assessments. City Engineer Dave Reese stated that after the project was completed he along with City Staff looked at the current zoning ordinance and determined that the property could be subdivided into six lots. The ordinance requires a minimum width of 150' and a minimum of 40,000 square feet per lot. City Administrator Swenson stated that he did not know where the 5 assessments came from since actual lot determinations are not made until after the project is completed. City Engineer Dave Reese stated that during the feasibility study hearings, it was made clear that the estimated lots were only estimates. Mr. Courneya was extremely upset about the amount of his assessment, the easement that he gave the City, the location of the relocated utilities and an overall dissatisfaction with the City and the road improvement project. There being no further comments, MOTION PH7-11-01-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION NO. 02-74 ADOPTING ASSESSMENT FOR WILLWOOD 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 PH7-11-02-02 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO ADJOURN THIS FINAL ASSESSMENT HEARING AT 6:55 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach
Clerk/Treasurer

RESOLUTION 02-74
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 Willwood Lane from the intersection of County Road No. 103, south and southeast to the end of the road (approximately the north property line of Lot 3 Ferndale Plat).

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 2003, and shall bear interest at the rate of 5.0% 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, 2002. 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 20th day of November 2002.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

