

1ST STREET, 2ND STREET AND 2ND AVENUE PUBLIC HEARING
CITY OF CROSSLAKE
NOVEMBER 27, 2000
8:00 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 review the feasibility report prepared by Widseth Smith Nolting for improvements to 1st Street, 2nd Street and 2nd Avenue. 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 Engineer Dave Reese, City Attorney Paul Sandelin, Public Works Director Ted Strand and Deputy Clerk Darlene Roach. (Sign in sheet attached as a permanent part of the minutes.)

Mayor Swanson called the public hearing to order at 8:10 P.M. and stated that the purpose of the hearing was to review the feasibility report for improvements to 1st Street, 2nd Street and 2nd Avenue. After City Engineer Dave Reese reviews the feasibility study, the meeting will be open to the Council and public for questions and comments.

City Administrator Swenson read the Affidavit of Mailing and Publication. Included with the Affidavit is a copy of the hearing notice which was mailed to all affected property owners noting the time and date of the hearing, a copy of the prepaid addressed envelopes showing the benefiting property owners name and address which was obtained from the County Auditor's Office and a copy of Page 10 of the Feasibility Report which shows a summary of the cost estimate for this project. On November 2nd and November 9th a notice of hearing was published in the Lake Country Echo. Hearing notices sent to Pat Hoag and Nicholas Cody were returned. Mr. Hoag received a hand delivered letter and Mr. Cody came into City Hall and was given a copy of the notice. A letter from Marlys Schluck, power of attorney for Alfred Laurence, requested additional information regarding cost. City Administrator Swenson contacted Ms. Schluck via telephone and informed her that this property could receive two equivalent lot unit assessments. A certified letter was received from Richard Carthas questioning the change in the road name and notice and City Attorney Sandelin replied to the letter. The road name was changed during the E911 addressing. Mr. Carthas questioned only having received one notice even though he owns three properties along this road. City Attorney Sandelin stated that the City had done nothing wrong in only sending one notice to Mr. Carthas.

City Engineer Dave Reese presented the feasibility study completed by Widseth Smith Nolting as required under Minnesota Statute 429. A copy of the report is available at City Hall. He stated that the City has developed road standards that will be used to construct the road. He showed the project location of 1st Street which begins on CSAH 16 and extends to the west 540 feet to the intersection with 2nd Avenue. 2nd Street begins on 1st Street and extends to the south 455 feet to a dead end. 2nd Avenue begins on 1st Street and extends to the north approximately 547 feet and terminates at a dead end. These roads currently abut an estimated 22 lots/parcels. Currently these roads are aggregate surfaced roads and 1st Street and 2nd Avenue have a width of 16 feet. 2nd Street

has a width of 14 feet. The right-of-way is approximately 33 feet on these roads. Although there is little ditching, there does not appear to be any significant erosion or drainage problems. From a visual survey, there does appear to be vegetation encroaching in the clear zone area on both sides of the roadways. The vegetation includes some planted trees that limit snow storage space and water management. Based on right-of-way width and total number of lots on these roads, they would be constructed as drives with 2 inch thick bituminous on a 4 inch thick aggregate base and 1 foot wide turf shoulders. 2nd Street would have a 14 foot wide bituminous mat while 1st Street and 2nd Avenue would have a 16 foot wide bituminous mat. The estimated construction cost is \$23,272 plus \$2,327 (10% contingency) plus \$9,000 for engineering, legal and administrative expenses for a total estimated project cost of \$34,600. City Engineer Dave Reese reviewed the methodology of assessing the project using the equivalent lot basis. The City will pay 50% of the cost of the project and the benefiting property owners will pay 50% of the cost of the project. The City's portion of the cost is estimated at \$17,300. The estimated number of equivalent lots is 20 for an estimated cost of \$865 per equivalent lot for a total of \$17,300 to be assessed. Financing terms will be decided at the final assessment hearing, however, the City has used a financing term of ten years on previous assessment projects. For purpose of examples of costs spread over five and ten years, an interest rate of 8% was used. The assessment can be paid in full within thirty days of the final assessment hearing without any interest being accrued. Existing paved driveways, which extend into the right-of-way, will be matched with bituminous. A one-to-two foot kick-out or apron will be extended from the roadway for gravel driveways. Homeowners who wish to blacktop driveways need to make separate agreements with the contractor for this work.

The meeting was opened to the Council and audience for questions and comments.

Councilmember Upton stated that two of the roads are dead ends and he wondered what would be done at the end of 2nd Street. City Engineer Dave Reese stated that the City has utilized a driveway in the past for a turnaround. The width does not allow for a branch style turnaround.

Bill Hannan, owner of Lots 6 & 7, stated that he was definitely opposed to the improvement project. He stated that the level of maintenance is adequate. He stated that the improvement would depreciate his property and invite unwanted traffic. He stated that the City has maintained the road to the fence and he hoped that the blacktop would not go beyond the fence. It was noted that the fence starts in the middle of Lot 8. He stated that the street names have him confused since previously 2nd Street was 1st Avenue. City Administrator Swenson stated that E911 required that 15-20 street names be changed. If property owners wish to change the name, they can petition the City for a name change under Ordinance. Warren Schluck, husband of Marlys Schluck, asked why there were 20 equivalent lot units and only 19 were listed on the map. City Administrator Swenson explained how this would be looked at. Mr. Schluck stated that Mr. Laurence has about 16 trees along the road. City Engineer Dave Reese stated that they will look at the location of the trees and if they can be left, they will be, however, if it is a safety hazard, the trees will be pruned. Nicholas Cody, stated that he has been a property

owner for 48 years and is opposed to the asphalt. He stated that 2nd Street has not been plowed or graded once in 43 years. He stated that drainage will be a big concern. He further stated that if the City wanted to do good, they should help the poor. He asked who the "City guy" was that was paying the 50% because the property owners are the City. He felt the project was a waste of money and further elaborated on helping the poor in Africa. He commented on not having received a hearing notice.

A decision will be made whether to accept or reject the project at the Regular Council Meeting scheduled for December 11, 2000. There being no further comments, MOTION PH15-11-01-00 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO ADJOURN THIS PUBLIC HEARING TO REVIEW THE FEASIBILITY STUDY FOR IMPROVEMENT TO 1ST STREET, 2ND STREET AND 2ND AVENUE AT 8:51 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by:



Darlene J. Roach, Deputy Clerk

