

GINSENG PATCH ROAD, TWIN BAY DRIVE, END OF ANCHOR POINT ROAD
PUBLIC HEARING
CITY OF CROSSLAKE
NOVEMBER 28, 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 review the feasibility report prepared by Widseth Smith Nolting for improvements to Ginseng Patch Road, Twin Bay Drive, and the end of Anchor Point 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 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 6:00 P.M. and stated that the purpose of the hearing was to review the feasibility report for improvements to Ginseng Patch Road, Twin Bay Drive and the end of Anchor Point Road. 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 11 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. Several letters were received regarding this project which were read into the record. Robert Anderson wrote a letter which indicated that the road extends 11 feet onto his property. He stated that there is no area available for ditches or culverts. He offered several options that should be considered for several concerns that he expressed. Marilyn Ziebart wrote a letter on behalf of Wallace Ziebart, who has owned his property since 1935, stating that he is not in favor of the proposed project. A fax was received from John Ulseth, owner of Lot 6, regarding saving the trees. A letter received from David and Karen Larson stated that the pavement should be of minimum width to ensure traffic speed does not increase. They stated they prefer the road the way it is, however, they do understand the benefits of pavement.

City Engineer Dave Reese presented the feasibility study completed by Widseth Smith Nolting as required under Minnesota Statute. 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 Ginseng Patch Road which currently abuts 23 lots/parcels and provides access to Twin Bay Drive. The road begins on Anchor Point Road and extends westerly 1245 feet. The road ends with a platted right-of-way to the lake, but the right of way to the lake is not maintained by the City. Twin Bay Drive

currently abuts 21 lots/parcels. The road begins on Ginseng Patch Road and extends southerly 190 feet until it hits a "Y". The "Y" is a 936 foot long loop that loops back on itself at the "Y". The section of Anchor Point Road being proposed currently abuts 9 lots/parcels. The road section begins where it turns east and heads out to the extent of the point, approximately 1,345 feet. The road ends at the end of the apparent right-of-way on the point. Currently Ginseng Patch Road is an aggregate surfaced road and has a width of 16 feet. Twin Bay Drive and the end section of Anchor Point Road are aggregate surfaced roads and have a width of 14 feet. Although there is very little ditching, there did not appear to be any significant erosion problems. From a visual survey, there did appear to be significant vegetation encroaching in the clear zone area on both sides of the roadways. This vegetation includes some planted trees that limit snow storage space and water management. Right-of-way widths appear to vary in width from 20 to 33 feet. Based on right-of-way width, Ginseng Patch Road would be categorized as a drive with 16 foot wide pavement, 2 inch thick bituminous on a 4 inch thick aggregate base and 1 foot wide turf shoulders. Twin Bay Drive and the end section of Anchor Point Road would be categorized as a Drive with 14 foot wide pavement, 2 inch thick bituminous on a 4 inch thick aggregate base and 1 foot wide turf shoulders. Some brush removal may be necessary or ditching and snow storage will be limited. Widening of the existing roadway in some areas will also be necessary to conform to the City's standards. The estimated construction cost is \$46,478 plus \$4,648 (10% contingency) plus \$18,000 for engineering, legal and administrative expenses for a total estimated project cost of \$69,126. 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 \$34,563. The estimated number of equivalent lots is 50.5 for an estimated cost of \$684.42 per equivalent lot for a total of \$34,563 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 asked if a turnaround was being proposed for Ginseng Patch Road and the end of Anchor Point Road for snowplowing. City Engineer Dave Reese stated that the City has used a driveway for a turnaround in the past at the end of Anchor Point Road since there is not sufficient space to construct a branch type turnaround. There is an area on Ginseng Patch Road that could be used for a branch turn-around and this will be looked at during design.

Dick Becker asked why an extra 10' was needed on each side if there currently is a 20' right-of-way on Anchor Point Road. City Engineer Dave Reese stated that a 14 foot road

is being proposed with 3 feet on each side for a total of 20 feet total width. Mr. Becker also commented on the trees on Ginseng Patch Road. City Engineer Dave Reese stated that the road will be paved where the road surface currently is and that every attempt will be made to maintain all of the trees. Mr. Becker asked if the City was planning on widening Anchor Point Road if an overlay is done. City Engineer Dave Reese stated that the City is looking at overlaying Anchor Point Road, however, it is not anticipated that the current 16 – 17 foot roadway would be widened. City Administrator Swenson clarified the intent regarding tree removal. He stated that the City would do their best to not remove trees, however, some pruning and removal may be required. Mr. Becker asked who would make the decision to remove trees and City Administrator Swenson stated that the Engineer's inspector and City Engineer Dave Reese would mark the trees slated for removal. Councilmember Miller stated that any tree removal would come to light during the design process. Mayor Swanson stated that the City is very sensitive to tree removal. Rene Millner asked what was behind the reason to pave. She stated that they purchased their property in June. Councilmember Miller stated that approximately four to five years ago the City concluded that maintaining roads was too costly. He stated that this is the third year of improvements and hopefully after the fourth year all of the roads will be paved. He stated that gravel roads are a major concern in upkeep for the City. Rene Millner expressed a concern with fast drivers and how paving may increase the speed. She asked if the trees would be removed in the 10 foot clear zone. City Engineer Reese stated that the City has cleared in the past, however, they feel that they do not have to adhere to the 10 foot zone in all areas since these roads are dead end streets. He stated that they would first look at pruning the trees. Rene Millner asked if the City would be taking any property. City Engineer Dave Reese stated that they would not take property. While some of the roads are not in the center of the right-of-way, the City has the road through prescriptive rights. Rene Millner asked if the taxes would only be increased by the cost of the assessment and she was told that was correct. Rene Millner asked about drainage onto property. City Engineer Dave Reese stated that if a storm sewer ditch was needed, the City may have to acquire an easement across property to a natural drainage area. Rene Millner asked how long the project would take. City Engineer Dave Reese stated that bids would be let in April and once the road restrictions are lifted, work can begin with completion by the first of September. He stated that there would be no heavy earth moving during the 2001 road projects. Mary Kolesar, representing Allan Spaegh, owner of Lot 11, inquired about her father's deep well that is located in the right-of-way and whether the contractor can work around the well. City Engineer Dave Reese stated that anyone with wells located in the area of the right-of-way should try and identify these with florescent ribbon or bring the location to the attention of the City so during the design process a consideration can be made for this. From a legal standpoint, the well should not be located in the right-of-way since private individuals cannot obtain an easement in the public right-of-way. Dick Becker asked how he would be assessed since he owns property that abuts two corner lots. City Administrator Tom Swenson stated that his lots are unique in that they have pavement on three sides. The City's policy was reiterated and Mr. Becker was advised to work with the Planning and Zoning Department.

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 PH16-11-01-00 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ADJOURN THIS PUBLIC HEARING TO REVIEW THE FEASIBILITY STUDY FOR IMPROVEMENT TO GINSENG PATCH ROAD, TWIN BAY DRIVE AND THE END OF ANCHOR POINT ROAD AT 6:47 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by:



Darlene J. Roach, Deputy Clerk

