

COOL HAVEN LANE PUBLIC HEARING  
CITY OF CROSSLAKE  
NOVEMBER 29, 2000  
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 to review the feasibility report prepared by Widseth Smith Nolting for improvements to Cool Haven Lane. 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 Steve Qualley, 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 6:30P.M. and stated that the purpose of the hearing was to review the feasibility report for improvements to Cool Haven Lane. Following City Engineer Dave Reese's review of the feasibility study, the meeting will be open to the Council and public for questions and comments.

City Administrator Tom 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 2<sup>nd</sup> and November 9<sup>th</sup> a notice of hearing was published in the Lake Country Echo. No written correspondence was received regarding this proposed improvement.

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 for Cool Haven Lane which begins on South Landing Road and extends westerly 1,300 feet. The road ends with an intersection of three driveways. Cool Haven Lane currently abuts an estimated 10 lots/parcels. Currently Cool Haven Lane is an aggregate surfaced road and has a width of 17 feet. The road easement appears to have a width of 20 feet. The existing road may vary within the easement. Although there is some minor ditching, there does not appear to be any significant erosion or drainage problems. From a visual survey, there did not appear to be significant vegetation encroaching in the clear zone area on either side of the roadways. At the end of Cool Haven Lane the road's profile slopes quickly down towards the resident's house. This has presented a problem for some time because of the steep grade and location of the house. This problem will have to be addressed in the design to prevent flooding or ponding issues with the structure. Based on right-of-way width, Cool Haven Lane 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. The estimated construction cost is \$23,386 plus \$2,339 (10% contingency) plus \$9,000 for engineering, legal and administrative expenses for a total estimated project cost of

\$34,725. 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 \$17,363. The estimated number of equivalent lots is 10 for an estimated cost of \$1,736 per equivalent lot for a total of \$17,363 being assessed to the property owners. 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.

Janet Schmidt stated that Cool Haven Lane is a straight road and does not look anything like what was presented during the feasibility report. It was agreed that the feasibility report map was from the old plat. Richard Schmidt stated that where Whitefish Road comes in was a logging trail. He inquired as to why the road was being paved. Councilmember Miller stated that the reason was to save costs. It was the decision of the Council four to five years ago, that the goal would be to blacktop all City maintained roads. He stated that all new roads must be constructed to City standards. Mr. Schmidt stated that the City built the road in 1990 and that it has a very good base and requires very little maintenance. Mayor Swanson explained the options of vacating the road or requesting designation as a minimum maintenance road. Councilmember Swanson reminded the audience that the City was picking up 50% of the cost of the improvement, unlike other cities where the cost is assessed at 100%. Janet Schmidt asked that the drainage issue be explained. City Engineer Dave Reese stated that at the end of the road, there is a deep slope and once the road is paved, water will run down the slope at a much faster speed and something will need to be done to slow the runoff down. He stated that various options are being considered which could pipe the water out or install a basin with rock which would slow down the flow of the water. Janet Schmidt asked where the water would go and City Engineer Dave Reese stated that it would go down to the lake in a culvert. Kate Dale, who lives at the end of the road, asked if the road would be plowed once it is paved. She stated that in her area, the road has not been plowed yet this year. Public Works Director Ted Strand commented that the City will be hiring a third person in the Public Works Department to assist with the plowing. These end roads will then be cleaned up with the pickup truck. Doug Peterson asked why snow plowing couldn't be included with minimum maintenance. He stated that he owns a large lot and has planted 7500 pine trees on the property and has no plans to sub-divide. Mayor Swanson explained the process of assessing by equivalent lot units versus front footage. City Attorney Steve Qualley stated that the City has attempted to divide the cost equally among all property owners. Mr. Peterson asked how the Council deals with differing views and what they take into account. Mayor Swanson explained how zoning requirements vary based on a residential zone versus an agricultural zone. He also stated

that the neighbors need to get together and discuss their options. Councilmember Miller stated that a request for vacating the road would have to be unanimous. Richard Schmidt stated that the Council was holding them hostage. He stated that if they didn't agree with the paving, they wouldn't get the plowing. Doug Peterson asked if the project would be more costly because the road was not accurate. City Engineer Dave Reese stated that cost was calculated on the actual measurement of the road. Doug Peterson asked which property owners made up the 10 equivalent lot units. Janet Schmidt stated that this should have been determined before it was presented. She stated that she was very disappointed with the presentation. City Engineer Dave Reese stated that the lots were metes and bounds lots as opposed to platted lots. For purposes of the preliminary study, the engineer tries to give the people the magnitude of the project. Doug Peterson asked if they could find out what their number of lots were. City Administrator Tom Swenson stated that Staff could look at the Zoning Maps, but the total could change based on wetlands, ravines and etc.

The Council will make a decision on the project at the December 11<sup>th</sup> Regular Council meeting. There being no further comments, MOTION PH22-11-01-00 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ADJOURN THIS PUBLIC HEARING TO REVIEW THE FEASIBILITY STUDY FOR IMPROVEMENT TO COOL HAVEN LANE AT 7:17 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by:



Darlene J. Roach, Deputy Clerk

