

PUBLIC HEARING  
CITY OF CROSSLAKE  
MONDAY, NOVEMBER 30, 1998  
7:00 P.M. - CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, November 30, 1998 for the purpose of receiving public input on the proposed improvements to Miller Road and Mary Lane. Councilmembers present for the hearing were Mayor Robert Scott, Donna Keiffer, Charles (Chuck) Miller, Raymond (Ray) Smyth and Richard Upton. Also present was City Administrator Thomas Swenson, City Engineer Mark Hallan, Deputy Clerk Darlene Roach, Zoning Administrator Teri Hastings, Public Works Supervisor Pat Hoag, Mayor Elect Darrell Swanson, and Councilmember Elect Dean Swanson. Karl Skog was present to represent Crosslake Lutheran Church. (Public Hearing sign in sheet included as part of these minutes.)

Mayor Scott called the Public Hearing to order at 7:10 P.M. and turned the meeting over to City Engineer Mark Hallan who reviewed the details of the road feasibility study which was completed by Widseth Smith Nolting. The feasibility study examines the existing conditions, proposes improvements to the road, details approximate project costs and provides approximate costs to be assessed to benefiting property owners. He stated that Miller Road (located off of Daggett Pine Road) was a petitioned request for improvement with over 35% of the front footage property owners signing the petition. Miller Road will be constructed as a major rural roadway since it may become a major connector between Daggett Pine Road and Tall Timbers Trail at a later date. A major rural roadway has 24 foot wide pavement with 3 inch thick bituminous on a 5 inch thick aggregate base with 2 foot wide shoulders. A minor rural roadway has 18 foot wide pavement, 2 inch thick bituminous on a 4 inch thick aggregate base and 2 foot wide aggregate shoulders. Since the City is initiating the major rural section of Miller Road, the additional cost of between \$10,000 to \$12,000 to construct the road to a major rural roadway will be paid at 100% by the City. (Extending Miller Road to Tall Timbers Trail is not being proposed under the project.) Mary Lane will be constructed to minor rural road standards consisting of 18 foot wide pavement, 2 inch thick bituminous on a 4 inch thick aggregate base and 2 foot wide aggregate shoulders. As part of the improvements to bring the streets up to City standards, a branch style turnaround will be installed on Mary Lane. The estimated cost for the proposed improvements is \$63,500 plus 10% for contingencies (\$6,350) and (\$17,650) for engineering, legal and administration for a total estimated project cost of \$87,500. This amount includes the additional \$10,000 to \$12,000 the City will absorb for upgrading the road. The estimated number of equivalent lot units is 19 for an estimated cost of \$1,987 per equivalent lot.

The hearing was opened up for comments by the public.

Karl Skog, on behalf of Crosslake Lutheran Church who owns 40 acres along Miller Road, commented that the Church has no complaints with the project.

City Administrator Swenson read a fax received November 30, 1998 from Terry and Maria Koch and Margaret Noldan. Item number 1 stated that it appears that the petition lacked the required number of signatures of 35% or more of the benefiting property owners. Zoning Administrator Teri Hastings verified for a second time, prior to the meeting, that the number of signatures on the petition did exceed the required 35% of benefiting front footage property owners. Item number 2 of the fax copy states that if the petition did bear sufficient signatures, it is grossly unfair to expect the property owners to bear a disproportionate share of the cost when they feel the improvements are unnecessary. Item number 3 of the fax copy indicated that the motives for filing the petition appear parochial, suspect and self-serving. Councilmember Miller objected to statements made in the correspondence regarding himself and his family and commented that although he is a member of the City Council, he and his family are allowed their rights as property owners along these roads just the same as other property owners have their rights.

After a lengthy discussion by the Council, it was noted that a portion of the property owned by the Koch's and Margaret Noldan is situated in an area of road which is not maintained by the City. Due to this, a possible option would be the removal of Block 1 Lots 1, 2 and 3 and Block 2 Lot 1, owned by Terry and Maria Koch and Margaret Noldan, from the proposed project. The City Administrator asked for Council direction in communicating this information to the property owners. MOTION 11PH5-01-98 WAS MADE BY RAY SMYTH AND SECONDED BY DONNA KEIFFER TO AUTHORIZE THE CITY ADMINISTRATOR TO COMMUNICATE TO TERRY AND MARIA KOCH AND MARGARET NOLDAN THAT IMPROVEMENTS TO THE ROAD ADJACENT TO BLOCK 1 LOTS 1, 2 AND 3 AND BLOCK 2, LOT 1 WILL BE REMOVED FROM FURTHER CONSIDERATION AS PART OF THIS PROJECT. MOTION CARRIED WITH COUNCILMEMBER CHUCK MILLER ABSTAINING FROM THE VOTE.

There being no further input from the public, MOTION 11PH5-02-98 WAS MADE BY CHUCK MILLER AND SECONDED BY DONNA KEIFFER TO ADJOURN THIS PUBLIC HEARING AT 7:35 P.M. MOTION CARRIED UNANIMOUSLY.

Recorded and transcribed by:



Darlene J. Roach  
Deputy Clerk/Treasurer





# Schiller Real Estate

## FACSIMILE TRANSMISSION COVER SHEET

TO: Tom Swanson

COMPANY: \_\_\_\_\_

FROM: Peg Noldan

FAX PHONE: \_\_\_\_\_

VOICE PHONE: \_\_\_\_\_

TODAY'S DATE: \_\_\_\_\_

TIME AT SENDER'S LOCATION: \_\_\_\_\_

# OF PAGES INC. COVER: 2

COMMENTS: Tom

We will not be able to attend tonight's meeting. Please send copy of the minutes.

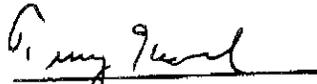
My home address:  
166 Orinda  
Elmhurst, Ill. 60126

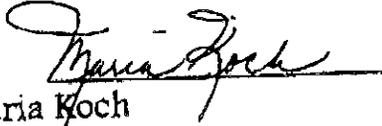
Sincerely,  
Peg Noldan



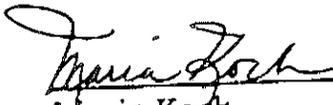
1. It has come to the attention of the undersigned that a petition has been filed with the City Council to improve Miller Road and Mary Lane. Section 10.2 of the City Ordinance provides that a project may be initiated by a properly signed written petition of 35% or more of the benefitting property owners as determined by frontage of the property bordering the proposed improvement. It appears the petition filed lacks the requested number of signatures and is therefore flawed.
2. Even if the petition bears sufficient signatures, it is grossly unfair to expect us and the property owners to bear a disproportionate share of the cost when we think the improvements are unnecessary and objected to. It appears that only three people; a councilman, his daughter and one other individual (who owns 1/2 unit to be assessed), wants the roads improved.
3. The motives for filing the instant petition appear parochial, suspect and self serving. We hope you will take our objections into consideration and vote this project down.

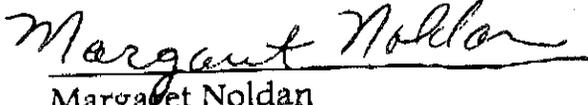
- 1.Lot One, Block One
- 2.Lot One, Block Two
- 3.Lot Two, Block One
- 4.Lot Three, Block One

  
 Terry Koch

  
 Maria Koch

- 1.Lot Two, Block Two
- 2.Lot Four, Block One
- 3.Lot Six, Block One

  
 Maria Koch

  
 Margaret Noldan