

PUBLIC HEARING
CITY OF CROSSLAKE
MONDAY, NOVEMBER 30, 1998
9:02 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 improvement to Velvet 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. (Public Hearing sign-in sheet included as part of these minutes.)

Mayor Scott called the Public Hearing to order at 9:02 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 Velvet Lane runs south off of CSAH 36 for approximately 400 feet. The short section of road has quite an irregular right-of-way. The feasibility study for the proposed road improvement was initiated by the City Council and approved by a motion with a 4/5ths vote of the Council. The proposed improvement is for a minor rural roadway with 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 improvement to bring the street up to City standards, a cul-de-sac will need to be installed at the end of Velvet Lane. Construction of the cul-de-sac would involve clearing existing trees from the public road right-of-way. The cost for the proposed improvements is \$18,500 plus 10% for contingencies (\$2,000) and (\$4,500) for engineering, legal and administration for a total estimated project cost of \$25,000. The estimated number of equivalent lot units is 10 for an estimated cost of \$1,250 per equivalent lot.

The hearing was opened to the public for comments.

Tom Gilbertson addressed the Council and stated that the family has owned property on Velvet Lane for 23 years and enjoys the large Norway pines.

Eleanor Gilbertson objected to the way the grading was being done and stated she likes the road the way it is.

Tim Beckers stated that he doesn't see a benefit to the blacktopping and likes the trees.

Fred Gilbertson stated the road has never had ruts or washboards on it and likes the road the way it is.

City Administrator Swenson read letters from the following: (1) Jim and Nona Howe dated November 30, 1998 opposed to the project; (2) Jim Howe and Mary Smith letter dated November 29, 1998 opposed to the project; (3) Jack and Beverly Walmar, Trustees fax opposed to the proposed improvements; and (4) Lawrence Rocheford, Attorney on behalf of Jane Rocheford who is opposed to the improvements.

Eleanor Gilbertson stated that ten out of ten property owners are opposed to the project.

Councilmember Upton stated that he would like to see a comparison on costs of blacktop versus gravel maintenance. Councilmember Smyth concurred with this request and stated that the information should come from Public Works.

There being no further public input, MOTION 11PH8-01-98 WAS MADE BY RAY SMYTH AND SECONDED BY RICHARD UPTON TO ADJOURN THIS PUBLIC HEARING AT 9:30 P.M. MOTION CARRIED UNANIMOUSLY.

Taped and transcribed by:



Darlene J. Roach
Deputy Clerk/Treasurer

Velvet Lane
Correspondence

November 30, 1998

To: City of Cross Lake

Attn: Thomas N. Swenson

We are in receipt of attached letter from the City of Cross Lake (not dated but received by us on November 25, 1998) regarding a November 30, 1998 meeting on estimated assessment summaries for road and drainage improvements.

Our concerns are:

- 1.) Amount of notice to us regarding your meeting date on this issue. Please accept this letter in lieu of our attendance as our opposition to your assessment at this time. We do understand that your public notice printed in the local Echo, informed property owners affected by this, however we are not year round residents and are not able to be informed by your local paper.
- 2.) We contacted one other property owner that just happened to be at their cabin this past weekend regarding the letter and they knew as little or less than we did.
- 3.) Vagueness of the letter - what exactly does your road & drainage improvement include at a cost of \$25,000.00?
- 4.) What is the duration of this assessment to property owners taxes?
- 5.) We question future improvements regarding the City of Cross Lake. - could this possibly include water & sewer? If this proposal includes blacktop, under normal circumstances that should have an average life expectancy of 20 years. Will future city improvements require re-construction this project to accommodate additional improvements before the life expectancy of this project is over? Just a point to consider.

We would like to request further written information detailing this project such as what the \$25,000 will include, when this project will happen, what property owners are affected, etc.

Thank you in advance for accepting this in lieu of our attendance at tonight's meeting.

Jim & Nona Howe
561 Glenwood Avenue
Big Lake, Mn. 55309
Ph.# 612-263-3560

Head memo 12-

NOTICE OF HEARING ON IMPROVEMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Crosslake will meet in the Council Chambers of the City Hall at 8:45 p.m. on November 30, 1998 to consider the making of an improvement on Velvet Lane from the intersection of CSAH No. 36 approximately 400 feet to the end of the road by constructing road and drainage improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111. The area proposed to be assessed for such improvement is the property adjacent to or benefiting from the above described sections of Velvet Lane. The estimated cost of the improvement is \$25,000. Such persons as desire to be heard with reference to the proposed improvement will be heard at this meeting.


Thomas N. Swenson
City Administrator

Published in Lake Country Echo on November 12, and November 19, 1998.

PRELIMINARY ESTIMATED ASSESSMENT SUMMARY

Total Estimated Project Cost	\$25,000
Estimated City Share of Project Cost	\$12,500
Estimated Property Owner Share of Project Cost	\$12,500
Estimated Number of Equivalent Lot Units	10
Estimated Cost Per Equivalent Lot Units	\$ 1,250

The Preliminary Estimated equivalent lot units for:

Name James Howe

Description (or parcel #) 120242405D002009

Preliminary # of equivalent lot units assigned to this property is 7

Total estimated assessable cost to this parcel is \$ 1250

The above figures are preliminary estimates and may be adjusted up or down prior to adoption of assessments.

November 29, 1998

Mr. Thomas N. Swenson
City Administrator

Dear Mr. Swenson:

Re: The letter concerning the Velvet Lane Intersection Improvements. We oppose this proposal as it pertains in this letter. There is very little information in this letter as to what is going to be done to the lane. Also, who are the 10 families who will be affected by this improvement. Names should be included in this letter. Also there is no date the letter was written, no address or phone number to respond to. Please file this letter with the City as to our disapproval.

Sincerely

Jim Howe
561 Glenwood Ave E.
Big Lake MN.
612-263-3560

Mary L. Smith
6606 Bryant Ave N.
Brooklyn Center, MN 55433
612-566-1375

City of Crosslake

We regret we cannot attend the Council Chamber's Meeting at 8:45 PM on November 30, 1998 to consider making improvement on Velvet Lane.

We oppose this proposal improvement . We own lot #4, Block #2, Velvet Shores. 141820020040009.

Jack and Beverly Walmar

Trustees

Jack Walmar
Beverly A Walmar

Post-It™ brand fax transmittal memo 7671		# of pages	1
To	City of Crosslake		
From	Jack Walmar		
Co.	Co.		
Dept.	Phone # 770-2770		
Fax # 1-218-692-2689	Fax #		

FACSIMILE TRANSMITTAL INFORMATION

JARDINE LOGAN & O'BRIEN, P.L.L.P.
Attorneys at Law
2100 Piper Jaffray Plaza
444 Cedar Street
Saint Paul, MN 55101-2160
(651) 290-6500 FAX (651) 223-5070

DATE: November 30, 1998
TIME: _____

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Thomas N. Swenson
All City Council Members

FAX NUMBER: 218/692-2687

FROM: Lawrence M. Rocheford

RE: Hearing on Improvements

OUR FILE NO.: 26445

COMMENTS: PRIOR TO THIS EVENING'S MEETING, PLEASE DISSEMINATE
COPIES OF THIS LETTER TO ALL CITY COUNCIL MEMBERS. THANK YOU.

PRIVILEGED & CONFIDENTIAL

This facsimile may contain **CONFIDENTIAL** and **LEGALLY PRIVILEGED** information and is intended **ONLY** for the use of the individual or entity named above. Any dissemination or distribution of this facsimile is prohibited.

If you receive this fax in error, **PLEASE IMMEDIATELY** notify the sender by telephone, and return the original facsimile and any other copies to the sender.

A total of 3 pages will be transmitted, including this cover letter.

IF YOU DO NOT RECEIVE ALL THE PAGES OR IF THE COPY IS ILLEGIBLE, PLEASE CALL (651) 290-6500 AND ASK FOR MARCIA AT EXTENSION 542.

THANK YOU!



November 30, 1998

2100 Piper Jaffray Plaza
444 Cedar Street
Saint Paul, Minnesota
55101-2160

Firm (612) 290-6500
Fax (612) 223-5070
E-Mail
JARDINELAW@AOL.COM

THOMAS N SWENSON
CITY ADMINISTRATOR
CITY OF CROSS LAKE
HC83 BOX 203
CROSS LAKE MN 56442

VIA FACSIMILE
218/692-2687

211 - 22nd Street S.E.
Owatonna, Minnesota
55060-4417

Re: Hearing on Improvements

Firm (507) 455-0076
Fax (507) 455-0151

Dear Mr. Swenson:

The undersigned attorneys represent Jane Y. Rocheford.

By envelopes postmarked November 19, 1998, Mrs. Rocheford received Notice of Hearing on Improvements on the following:

Lot 6, Block 2 Velvet Shores (141820020060009)

Lot 5, Block 2 Velvet Shores (141820020050009)

Part of Outlot A, Velvet Shores (1418200090AA009)

On behalf of Mrs. Rocheford, we object to the proposed improvements.

In addition, we understand that others on the cul-de-sac, including Jack and Bev Walmer and Lois and Randy Boetcher, oppose these improvements.

All of the property on this cul-de-sac is seasonal property. There is no problem with water standing in the cul-de-sac or with drainage. No one has asked that a road be constructed nor drainage improvements be made to this cul-de-sac -- to our knowledge.

More importantly, you propose to assess Mrs. Rocheford with assessments in the sum of \$3,125. That assessment is for two lots and an outlot on this cul-de-sac. Mrs. Rocheford has a cabin on this cul-de-sac. There are six other cabins on the cul-de-sac.

Based on appraisals done of Mrs. Rocheford's property, we are convinced that the proposed \$25,000 improvement will not

Gerald M. Linnihan
Alan R. Vintsek
John M. Kennedy, Jr.
Eugene J. Flick
Charles E. Gullin
James J. Galman
Pierre N. Regnier
Mark A. Forsten
George W. Kuhnert
Mery A. Rice
Paul J. Skoglund
Reza E. Hafez
Timothy S. Cron
Lawrence M. Rocheford
James G. Golombek

Kerry C. Keop
David J. Hoakstra
James K. Helling
Richard J. Leighton
Madlene S. Garvis
Mary P. Rowe
Karen R. Cox
Nathan W. Hart
Joseph E. Flynn
Thomas L. Cummings
Gregory R. Broos
Shari L. Johnson
Katherine E. Kennedy
Cary J. Deben
Andrea J. Levine

Jerry K. Logan (1923-1981)
Donald M. Jardine (Retired)
John R. O'Brien (Retired)

Some members also admitted
to practice law in Wisconsin,
North Dakota, and Illinois.

Revised 1/18

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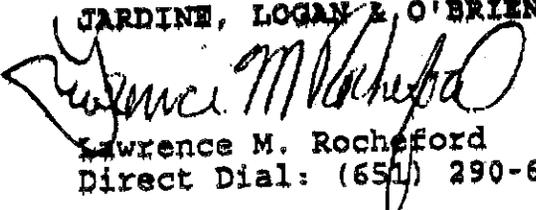
increase the value of Mrs. Rocheford's property by the proposed assessment of \$3,125.

Unfortunately, we will be unable to attend this city council meeting in person at 8:45 p.m. on Monday, November 30, 1998.

Please accept this letter as opposition to the proposed assessment.

Very truly yours,

JARDINE, LOGAN & O'BRIEN, P.L.L.P.



Lawrence M. Rocheford
Direct Dial: (651) 290-6516

LMR:me

c: Jane Y. Rocheford
All City Council Members - via facsimile