

PUBLIC HEARING
CITY OF CROSSLAKE
THURSDAY, DECEMBER 3, 1998
7:00 P.M. - CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Thursday, December 3, 1998 for the purpose of receiving public input on the proposed improvement to Kimberly Road. 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 Dave Reese, City Attorney Steve Qualley, 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 7:00P.M. and turned the meeting over to City Engineer Dave Reese 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. Kimberly Road currently abuts an estimated 37 lots/parcels of land and provides driveway access for 22 residences. The road begins on County Road #3 and extends to the west for 3800 feet where the road ends in a cul-de-sac. A visual survey indicates the appearance of some vegetation encroaching in the clear zone area on both sides of the roadways and in the cul-de-sac area. The overall width of the road is a bit under City standards based on the number of lots it is serving. It appears the road locations may vary within the platted right-of-way. Some drainage concerns exist along Country Road #3 and there is a need to prevent runoff to property owners in that area. The feasibility study was ordered by the City Council as a result of a petition signed by more than 35% of the front footage property owners. The proposed improvement is for a rural roadway with 20 foot wide pavement, 2 inch thick bituminous on a 4 inch thick aggregate base and 2 foot wide gravel shoulders. Some tree removal and ditching will be required. As part of the improvement to bring the street up to City standards, a cul-de-sac will need to be installed on the west end of Kimberly Road. Construction of the cul-de-sac will involve clearing some trees. Some right-of-way may need to be acquired to fit the cul-de-sac. The City has determined that assessments will be based on equivalent lot units based on zoning and whether the lot could be sub-divided rather than on front footage. The cost for the proposed improvements is \$116,000 plus 10% for contingencies (\$12,000) and (\$20,000) for engineering, legal and administration for a total estimated project cost of \$148,000 with 50% of the cost paid by the City. The estimated number of equivalent lot units is 40 for an estimated cost of \$1850 per equivalent lot which is a change from the feasibility study where it stated 42 lots would be assessed \$1762 each. The Council would consider taking input on specific concerns by property owners where it is determined that the property cannot be subdivided due to the location of an existing dwelling.

The hearing was opened to the public for comments.

Dan Miller, owner of one of the commercial lots, asked why he was being assessed for two lots when the property is not sub-dividable due to the location of the business on the property. City Administrator Swenson stated that the City would review this before the final assessment. He also stated that his commercial lot is of equivalent size to one residential lot. Dave Reese commented that the zoning requirements for subdividing commercial property allows for smaller square footage and smaller frontage requirements. Zoning Administrator Teri Hastings stated that 100' frontage and 20,000 square feet is allowed on commercial property, whereas, property zoned residential requires 150' frontage and 40,000 square feet in order to be subdivided.

Gary Vilella stated that the road was fine the way it is and was opposed to the blacktopping project. He stated that it does periodically need grading, however, Cenex manufactures a chemical product that could be sprayed on the road twice a year to prevent dust at a cost of approximately \$900. He stated that strongly opposed since he would be looking at an assessment of \$6000. A letter from Elizabeth Nordling, read by Gary Vilella, stated her opposition to the blacktop project due to negative aesthetics, environmental impact and outrageous cost. Gary Vilella stated that neighbors signed the petition based on circulation by a city employee with the understanding that the cost would be approximately \$800 per lot. A letter from Erik and Cherie Berger, which was read by Gary Vilella, stated that they were not in favor of the improvement based on the cost. A third letter read by Gary Vilella from Carol and Raymond Dionne stated that they did not want the road changed in any way, that the project would cost a lot of money and that there are other ways to minimize the dust.

Pete Vilella stated that he has in his position a signed petition from property owners who wish to rescind their names from the previously circulated petition. The signatures are as follows: (1) Pete Vilella; (2) Camela Vilella (3) Sandy Vilella; (4) Constance Vilella (5) Janice Vilella (6) Constance and Daryle Goodmanson; (7) Grace Sigafos; (8) Ray Klosner; (9) Robert and Carolyn Voss; (10) Mark Hoffman; (11) Roberta Betzler; (12) Raymond Dionne; (13) Erik Berger; (14) Neal Nordling; (15) Steven Branville; (16) Elizabeth Nordling; (17) Terry May and; (18) Richard Brethorst. Councilmember Smyth asked if the reason people signed the petition was cost. Pete Vilella replied that they were left with the understanding that the cost of the project would be \$40,000 for the asphalt and \$10,000 for engineering for a per lot cost of approximately \$700 to \$800. He stated the cost is now three times that amount. Councilmember Miller stated that the City Council did not authorize anyone to speak for the City.

Terry May, an eighteen year resident, stated that he did sign the petition on the basis of the cost being \$700 and is now opposed to the project.

Mark Hoffman, who was originally in favor, is now opposed to the project. He felt it extravagant and felt that with the weight and traffic on the road, the tar would not last six

months. He stated that the road is not stable, based on the number of potholes. He also stated that his father lives in Hackensack where the chemical previously referred to is used. He stated that Class 5 with the addition of the chemical would be less costly. He stated that it is a big waste of money.

Terry May asked if an estimate on crushed bituminous could be obtained and inquired whether Class 5 would have to be laid first. City Engineer Dave Reese stated that crushed bituminous would be more costly than Class 5 and tends to become more wash board and harder to grade. He stated that the City wants to develop the road long term and that the hard bituminous would last fifteen to twenty years before resurfacing would be necessary.

Neil Nordling, owner of two parcels, spoke in opposition to the project and stated that it would have a negative aesthetic effect and was too costly. He stated that this project has the same flavor as the East Shore Road project where he was led to believe it would cost so much money and resulted in higher costs. Councilmember Miller stated that no one on the City Council gave information on East Shore Road. He stated that people have contacted Anderson Brothers for estimates which do not include constructing the road to City standards. He stated that if someone chose to give out a cost, this was not an endorsement of the Council. Mayor Elect Darrell Swanson stated that the mystery of estimates could be solved if Anderson Brothers had actual specifications and that they are perhaps basing estimates on driveway projects versus municipal roads. City Engineer Dave Reese stated that the feasibility study prepared for Wilderness Trail was estimated at \$300,000 and the final cost is \$260,000. He stated that the engineering firm tends to be on the high end in the preliminary stage and upon completion of surveys and soil borings, more accurate costs could be determined.

Mr. Nordling stated that Class 5 should be added at less cost.

Steve Branville stated that he heard rumors that the City wanted to extend the road an additional 1000 feet. City Engineer Reese stated that the City's intent was to terminate the road at the cul-de-sac. Steve Branville asked if Mr. Baker on #103 was involved in the assessment. Zoning Administrator Hastings stated that Mr. Baker, whose property is located on the other side of the cul-de-sac, would probably not be assessed.

Peter Vilella again addressed the Council and inquired about front footage versus equivalent lots. He stated that numbers should be obtained, or a feasibility study done, before a petition is circulated. He stated that people were getting numbers under false pretense. He stated that he hoped the Council hears the majority of the people.

Terry May stated that the City employee circulating the petition did state that he was doing so as a private citizen.

City Administrator Swenson stated that the Council would make a decision at either the December or January meeting to either proceed with or stop the project.

Councilmember Smyth asked whether a majority vote or a 4/5ths vote of the Council was required on the project. The City Attorney will research the question and provide an answer.

Councilmember Miller stated that the City tried to pass a bond issue and it was defeated. He stated that the cost of maintaining a road as gravel is very costly and the end result is putting money down in a hole.

Larry Bolton, who is in the process of buying a lot along the road, expressed concern about the road and asked about sewer lines. Councilmember Miller stated the City Council would not put a blacktop road in a proposed Phase 1 sewer area. City Engineer Reese stated that the City has submitted a plan to the MPCA for sewer and that Phase 1 is in the area of County Road #66 and County Road #3 and would extend North to the Daggett channel. Phase 2 would go North and South with additional collection lines and Kimberly Road would probably be included in Phase 3. He stated that it could be 10 - 20 years before it would become economically feasible for sewer in this area.

Richard Brethorst, purchaser of Neil Swan's property, asked why he was being assessed a half of an assessment since he enters his property off of an easement. The proposed assessment was based on using an improved road to access the easement to his property.

City Administrator Swenson read letters received from Michael Amsden, Elizabeth and Neal Nordling and Mrs. E. Robbins and L. C. Baker.

There being no further input, MOTION 121PH2-01-98 WAS MADE BY RAY SMYTH AND SECONDED BY RICHARD UPTON TO ADJOURN THIS PUBLIC HEARING AT 8:00 P.M. MOTION CARRIED UNANIMOUSLY.

Taped and transcribed by:



Darlene J. Roach
Deputy Clerk/Treasurer

TO: Crosslake City Council

FROM: Residents of Kimberly Road, Crosslake Mn

We, the undersigned, are NOT in favor of the improvements to be made to Kimberly Road in 1999. We feel at the time of consideration to improve Kimberly Road was made in September 1998, we were misinformed to the estimated cost of improvements.

DEC. 3 1998

<i>John M. Vilella</i>	<i>Mark Hoffman</i> Contacted by phone
<i>Carmela M. Vilella</i>	<i>Roberta Betzler</i> 612-472-1086 Faxed
<i>Sandy A. Vilella</i>	<i>Raymond Dionne</i> faxed
<i>Constance Vilella</i>	<i>Erik Berger</i> faxed
<i>Gary Vilella</i>	<i>Neal Nordling</i> Neal Nordling
<i>Janice M. Vilella</i>	<i>Steven Brannille</i>
<i>Constance Goodmanson</i>	<i>Elizabeth Nordling</i>
<i>Darryle D. Goodmanson</i>	<i>Ray May</i>
<i>Trace Dugafosse</i>	<i>Richard Brethorst</i>
<i>Robert Voss</i> Robert VOSS	
<i>Carolyn Aloss</i>	
<i>Ray Hosner</i>	

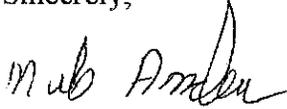
December 1, 1998

Dear City Council,

This letter is in regards to the assessments for my property located on Kimberly Lane. My house sits on the center of my 200' lot so there is not enough room for this lot to be subdivided. I request to be assessed for only one lot due to this.

I fully support the black topping of Kimberly Road.

Sincerely,

A handwritten signature in cursive script that reads "Mike Amsden". The signature is written in dark ink and is positioned above the printed name.

Mike Amsden

December 3, 1998

415 Birchwood Avenue
White Bear Lake, MN 55110

Mr Thomas N. Swenson
City of Crosslake
HC 83, Box 114
Crosslake, MN 56442

FAX 1-218-692-2687
Phone 1-218-692-2688

Re: Kimberly Acres Paving Project, Parcels 141900020030009 and
120323100AA0009

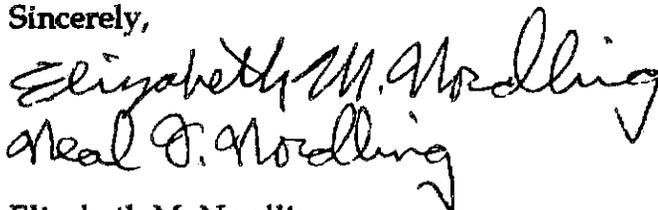
Dear Mr. Swenson,

We are sending this letter in opposition to your paving project for Kimberly Acres. We are opposed to this project for two reasons:

1. The significant negative aesthetic and environmental impact.
2. The outrageous cost.

This project seems to have taken on the same profile as the East Shore Paving Project proposed approximately two years ago. There was an initial cost estimate circulated to generate interest and later the proposed assessments were approximately double the original estimate. We don't understand why paving projects cannot be estimated without introducing a 100% error factor.

Sincerely,



Elizabeth M. Nordling
Neal F. Nordling

11/29/98

Mr. Swenson,

It is impossible for us to be at the meeting, at this time (wish we could be there)

This is an answer to the letter we received, of the notice of an improvement hearing of Kimberly Road, that would be of no advantage. #1: We couldn't sell lots that small. #2: We are on a fixed income, & don't feel we can pay more tax. #3: We feel we can not put out big money for others' Convents & no advantage to us. #4: There is approximate 5' to 6' drop off or "gully," that would need filling, for a road.

Owners of the lots on Kimberly have approximate 200' frontage at #1762. and we'd have approximate ~~50'~~^{20'} of road, which would be \$81.00. Therefore, we are not in favor of this improvement, of which, is no advantage to us. "Reply Requested".

Thank you

Mrs. E. Robbins

L. C. Baker

