

SUMMIT AVENUE FINAL ASSESSMENT HEARING
CITY OF CROSSLAKE
NOVEMBER 1, 2001
7:00 P.M. – CITY HALL

Pursuant to proper notice duly given as required by law, the City Council met in the Chambers of City Hall for the final assessment hearing on the improvement to Summit Avenue. Present at the hearing was Mayor Darrell Swanson and Councilmembers Charles (Chuck) Miller and Irene Schultz. Absent was Sandy Eliason and Dean Swanson. Also present was City Administrator Thomas Swenson, City Engineer Dave Reese, Public Works Director Theodore Strand, Community Development Director Paul Larson, and Clerk/Treasurer Darlene Roach. (Sign in sheet attached as a permanent part of the minutes.)

Mayor Swanson called the public hearing to order at 7:00 P.M. and stated that the purpose of the hearing was to hear comments or objections to the proposed assessment for the improvement of Summit Avenue. City Administrator Tom Swenson read the Affidavit of Mailing confirming that the notice of final assessment hearing was deposited in the U.S. Post Office on October 16, 2001 mailed in a prepaid envelope containing the notice of the hearing along with the record of assessment showing the proposed cost to each benefiting property owner based on addresses obtained from the Crow Wing County Auditor's Office. On October 18, 2001 the Notice of Final Assessment Hearing was published in the City's official newspaper, the Lake Country Echo.

City Engineer Dave Reese presented the project summary for the road improvement project. He stated that the project has been completed and the summary reflects the numbers estimated from the feasibility study and the actual cost of the improvement. The feasibility study completed by Widseth Smith Nolting estimated the cost of the project at \$34,263.00. The actual project cost is \$28,448.73. Of this amount, the City will pay fifty percent of the cost or \$14,224.37. The remaining balance of \$14,224.36 will be assessed to the property owners. The total number of equivalent lot units calculated at the time of the feasibility study was 23 and the actual number of equivalent lots is 10 for a cost of \$1,422.44 per equivalent lot unit. It was noted that the decrease in equivalent lots is based on the current Zoning Ordinance relating to non-conforming lots in regards to area and width. If adjoining parcels are owned by the same property owner, the property was considered one lot.

The hearing was open to the Council for questions. Councilmember Miller inquired whether the non-conforming lots would be buildable if the setbacks could be met. Community Development Director Paul Larson stated they would be buildable if the property owner didn't own the adjacent lot. If the adjacent lot was owned by the same property owner, both lots need to be considered. Dick Dietz inquired as to what was needed to abandon a road. Mr. Dietz was informed by Mayor Swanson that he would need to petition the District Court for this type of action. There being no questions or comments, MOTION PH03-11-01-01 WAS MADE BY CHUCK MILLER AND

SECONDED BY IRENE SCHULTZ TO APPROVE RESOLUTION 01-71 ADOPTING ASSESSMENT FOR SUMMIT AVENUE. MOTION CARRIED WITH ALL AYES.

It was noted that the assessment can be paid in full within thirty days of the adoption of the assessment roll without incurring interest. If the assessment is not paid in full, it will be assessed over a period of ten years and included on the property tax statements beginning in Year 2002 with an interest rate of 6.25% per annum.

MOTION PH03-11-02-01 WAS MADE BY CHUCK MILLER AND SECONDED BY IRENE SCHULTZ TO ADJOURN THIS FINAL ASSESSMENT HEARING FOR SUMMIT AVENUE AT 7:15 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,

A handwritten signature in cursive script, reading "Darlene J. Roach". The signature is written in dark ink and is positioned above the printed name and title.

Darlene J. Roach
Clerk/Treasurer

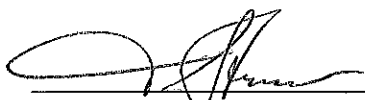
RESOLUTION 01-71
RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to proposed assessment for the improvement of Summit Avenue from the intersection of Whitefish Avenue, north, to the intersection of Shadywood Street.

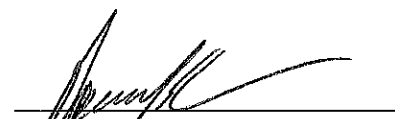
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday of January 2002, and shall bear interest at the rate of 6.25% per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2001. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the County Auditor the entire amount of the assessment remaining unpaid, with interest accrued to December 31st of the year in which such payment is made. Such payment must be made before November 15th or interest will be charged through December 31st of the next succeeding year.
4. The Administrator shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax list of the County. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Council this 1st day of November 2001.



Thomas N. Swenson
City Administrator



Darrell E. Swanson
Mayor

SIGN-IN SHEET

[illegible]