

PUBLIC HEARING
FINAL ASSESSMENTS – 2022 ROAD IMPROVEMENT PROJECTS
CITY OF CROSSLAKE
WEDNESDAY, SEPTEMBER 14, 2022
6:00 P.M. – CITY HALL

The Crosslake City Council held a Public Hearing on Wednesday, September 14, 2022. The following Council Members were present: Mayor Dave Nevin, Aaron Herzog, Marcia Seibert-Volz, and John Andrews. Dave Schrupp was absent. Also present were City Administrator Mike Lyonais, City Clerk Char Nelson, Park Director TJ Graumann, and City Engineer Phil Martin. There were approximately thirty-five audience members in City Hall and on Zoom.

Dave Nevin called the meeting to order at 6:00 P.M. and turned the meeting over to Phil Martin.

City Engineer Phil Martin gave a presentation outlining the scope of the project, improvements completed and cost, improvements assessment, market value benefit, and market value benefit assessment.

Terry Kovacevich of 15612 Birch Narrows Road addressed the Council and submitted a signed letter of objection to the assessment. Mr. Kovacevich stated that State Statute states the property must receive a special benefit in order to be assessed. Mr. Kovacevich stated that the drainage is worse. Crow Wing County personnel told Mr. Kovacevich that road surface does not impact property valuations. Mr. Kovacevich questioned the \$4,000 assessment and suggested that the City develop a comprehensive long-term plan that would include the cost of all road improvements in the annual budget, rather than using assessments.

Charles and Margaret Peitso of 12896 Rushmoor Blvd stated that they have had drainage issues since the road project was complete. The Peitso's would like assurance from the City that there will be no flooding on their property in the spring and asked if they could pay their assessment in one year. The Peitso's submitted a signed letter of objection to the assessment.

Jim McLellan of 12780 Rushmoor Blvd stated that the property owners were told that the City would be paying the majority of the cost of the project. Mr. McLellan stated that property owners on Manhattan Point Blvd paid no assessments when the road was reconstructed so it is not fair that he should.

Gary Swoverland of 36421 Rushmoor Blvd read his signed letter of objection to the assessment to the Council. Mr. Swoverland and his wife contested both the amount of the assessment and the manner used to determine the assessments. The Swoverland's own two parcels, one that could be accessed from County Road 16, totaling an assessment of \$8,000. Mr. Swoverland questioned the value in proportion to the cost.

Judy Fish of 36556 Rushmoor Blvd submitted a signed letter of objection to the assessment and stated that the values of the properties on the roads probably diminished because the width was greatly reduced and the T-intersection used as a turnaround was eliminated.

Kathleen King of 15536 and 15533 Birch Narrows Road stated that they received two assessments and they did not receive \$8,000 of value from the project. The road was raised and does not align with their driveway that was installed in 2020 and that it will cost additional money to have that fixed. The King's submitted a signed letter of objection to the assessment, along with pictures of where the driveway meets the road.

Doug Haines of 33853 Wild Wind Ranch Drive discussed the history of the assessment policy and how the Council voted not to follow the policy on the Sewer Extension Project. Mr. Haines stated that the Mayor has repeatedly said that he doesn't agree with the assessment policy and thinks the cost of road projects should be spread out to all taxpayers. Mr. Haines agrees with the Mayor and asked that the Council eliminate the assessments.

Mike Lyonais read into record a letter of objection to the assessment dated September 9, 2022 from Kathryn Call who takes care of her aunt's property at 15256 Birch Narrows Road. Ms. Call raised several questions in the letter and stated that she did not feel that the road construction was an improvement to the property. Ms. Call stated that taxes should pay for road maintenance.

Charlene Nelson read into record a letter of objection to the assessment dated September 8, 2022 from Carol Ann Rott of 15256 Birch Narrows Road. Ms. Rott stated in the letter that the bituminous pavement did not extend to the end of the road where her property is and that she and her neighbors had to pay extra monies to smooth out the gravel road where it meets the new pavement. Ms. Rott stated that road maintenance should be paid for with tax dollars.

Mike Lyonais read into record a letter of objection to the assessment dated September 11, 2022 from Harold and Lynn Chase of 15274 Birch Narrows Road. The Chase's letter stated that it was unfair that they were charged an assessment when other property owners in the past have not had to pay one and stated that property taxes should pay for road improvements.

Charlene Nelson read into record a letter of objection to the assessment dated September 12, 2022 from Tim and Melissa Mears of 15266 Birch Narrows Road. The Mears' stated that the assessment was unfair and unwarranted because property taxes should cover the cost, which will be increasing in 2023 and they see no special benefit to their property.

Mike Lyonais read into record a letter of objection to the assessment dated September 11, 2022 from Tom and Lorrie Fuith of 15652 and 15609 Birch Narrows Road. The Fuith's have a cabin on one lot, a pole barn on another, and a third lot that is vacant which abuts County Road 3. The Fuith's had issues with the fact that the cabin only had 33 feet of frontage on the road, how the road aligns with existing driveway/approaches, that there was no benefit received, and that other projects were not assessed. Pictures were included with the letter.

Charlene Nelson read into record a letter of objection to the assessment dated September 11, 2022 from Steve Johnston of 15262 Birch Narrows Road, questioning how the reconstructed road adds value to the property and why it wasn't paid for with taxes.

Charlene Nelson read into record a letter of objection to the assessment dated September 9, 2022

from Paul Kelly of several parcels on Birch Narrows Road asking for more time to explore options for an improvement that was not needed or wanted.

Aaron Herzog stated that he had to pay an assessment when he moved into his home on Tall Timbers Trail. Steve Johnston of 15262 Birch Narrows Road asked if the improvement was from gravel to paved road and stated that was an improvement, not maintenance.

Terry Kovacevich of 15612 Birch Narrows Road stated that the City must prove there is a benefit. Marcia Seibert-Volz stated that the City hired an appraiser to determine the benefit and noted that the Council chose an amount on the low end of the appraiser's range of benefit.

John Andrews stated that there is value in having your road fixed and that all property owners pay for part of the improvement. Dave Nevin stated that the Council is trying to keep taxes down. Mr. Nevin apologized to Tom Swenson, but stated that he agreed with the residents in the audience. Marcia Seibert-Volz stated that not approving the assessments will increase taxes and asked the Mayor what he will tell the rest of the property owners at the Truth in Taxation Meeting when they ask why taxes increased. Ms. Seibert-Volz stated that in her 40 years of experience in City government, nobody comes to a public hearing that wants to pay an assessment.

Margaret Peitso of 12896 Rushmoor Blvd stated that the project made the road worse and they shouldn't have to pay for a poor construction job.

MOTION 09PH1-01-22 WAS MADE BY JOHN ANDREWS AND SECONDED BY DAVE NEVIN TO ELIMINATE THE ASSESSMENTS. MOTION FAILED 2-2 WITH SEIBERT-VOLZ AND HERZOG OPPOSED.

A brief discussion ensued regarding State Statute on appraisals.

MOTION 09PH1-02-22 WAS MADE BY MARCIA SEIBERT-VOLZ AND SECONDED BY AARON HERZOG TO ADJOURN THE MEETING AT 9:40 P.M. MOTION CARRIED WITH ALL AYES.

Respectfully Submitted,



Charlene Nelson
City Clerk



Date: September 14, 2022

Time:

Location: Crosslake City Hall

2022 Road Improvements
Crosslake, MN
Public Hearing Meeting



Name	Phone	Email
Dennis + Gennine Harper	612-723-0143	fsbyager@yahoo.com
Gary Swoyer (and)	612-719-4783	gary_swoyer@yahoo.com
Margaret + Charles Peitsv	651-503-4420	cmptuna@gmail.com
Jay McCallan	703-201-804	
Kenn Kogge	507-430-5599	Vol2Jenome@G-mail.com
John Keffeler	612-304-6554	jwkeiffeler@gmail.com
Greg L Booe	952-431-2857	
Dan Schrupp	612-518-6033	
Jean + Suzanne Clemens	612-877-1467	
Gerit Kovacevich	701-260-7876	tjkako@yahoo.com
Kathy King	651-592-8601	kking718@comcast.net
Pete King	612-363-7770	peteking@comcast.net
Roxie Bricker	651-800-5859	ROTTERLEIN@comcast.net
Dan Haines	218-551-4836	haines@crosslake.net
Paul Kelly	651-803-0950	PaulKelly1433@Tclond.com
Tim Means	218-820-2989	timmeans@crosslake.net
Bob Vonflecker	612-802-2821	Bobvho102@bMail.com
Jaymie + Angie Prescott	320-250-9001	
Mary Prescott	651-497-4027	maryaprescott@msn.com
Steve Schisch	612-849-0875	Sjohnston167@gmail.com
Kelly MacLachlan	612-770-4889	KellyMacLachlan@gmail.com
Carol Farber	612-802-0337	
Harold Quast	612-877-0333	Tomlynachase@yahoo.com
Harold Dee Hemmann	320-510-1805	
Neil Luzar	218-820-3009	nluzar76@gmail.com



Date: September 14, 2022

Time:

Location: Crosslake City Hall

**2022 Road Improvements
Crosslake, MN
Public Hearing Meeting**

[illegible]

To: City of Crosslake

Re: Objection to Proposed \$4,000 Road Assessment for Birch Narrows Rd.

Minnesota Statute Chapter 429 clearly states the property must receive a special benefit, in this case \$4000, from the improvements taking place. Birch Narrows was a paved road which we have been paying taxes for and still is a paved road so an improvement going from a dirt/gravel road to pavement did not occur. The road drainage and run off on to my property is much worse during heavier rains in 3 areas now since the road has been resurfaced with a significant increase in roadbed height and I never had these problems before. I watched the contractor dig out an extensive soft area that passed by my house, install geotextile fabric and he hurriedly backfilled in a single lift of approximately 16" in some of the areas with limited compaction. I was told by the Bolton & Menk engineer the State specs allow 12" lifts. The reclamation company that reseeded the disturbed areas did a good job of planting weeds and provided an easy pathway to my yard which has taken us a lot of work to correct. I fail to see 'improvements' as we now have more drainage issues than before and only time will tell if the limited compaction of a large lift of fill will have a detrimental impact on the life of the road.

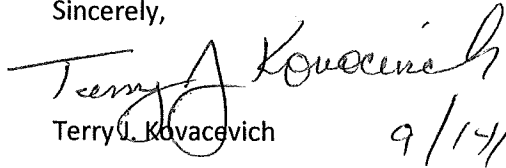
My property valuation has increased 48% in the last 3 years, 33% in just the last year even before the road work was performed. I spoke with Crow Wing County personnel and confirmed a roads surface does not impact property valuations, it's based on having enough comparable sales in the area. Again, from the county, paved roads versus gravel roads have not been seen to be a factor in property values. Since the special benefit is the increase in property value of improvements (if there really are improvements) where is the detailed analysis that supports the \$4,000 assessment? It can't be a subjective opinion on what someone typically has seen historically, it has to be site specific, quantitative and reflect current market conditions.

It is clear a comprehensive long term road maintenance and resurfacing plan is needed for Crosslake including the budgetary portion. Unless it's a new road or new infrastructure all Crosslake property owners should share in the entire cost through appropriate taxes not supplemented by special assessments which are a double taxation which penalize the property owner. Using Birch Narrows as an example, we the property owners are not the ones who will eventually tear up the road and accelerate the roads deterioration, it will be the contractors, delivery truck drivers, and other users who don't care and why should they? The City of Crosslake's answer is to assess the property owners on individual roads when significant repairs are needed. But this year it has been a pick and choose process, some are being assessed for work on their road but on different road projects they are not. Many contractors are also on the roads way too early in the spring when load limits are in place but the ability for Crosslake to enforce is difficult. A very good example of what causes the majority of the road deterioration is the bypass road for the CR-66 project which over a 3-month period probably had an equivalent of 15-20 years of heavy traffic it might normally see. Did the property owners destroy the bypass road, no and after 20-25 years of use in Crosslake most of road wear will be from heavy traffic not the property owners. Why should individual road property owners have to pay assessments for this instead of having a comprehensive and consistent plan for the entire city?

Information I obtained from Crow Wing County indicates there are approximately 5200 parcels of properties in Crosslake, approximately 2700 parcels are classified as seasonal (~52%) which is the majority classification, 1400 parcels are homestead (~27%) and the remainder are other classifications. The seasonal classification pays a higher property tax rate than the homestead. So more than half of

Crosslake property owners are not here full time, so their use and contributing to wear and tear to the infrastructure is somewhat limited, I am a seasonal owner. To put this in perspective the amount you are trying to assess the property owners on Birch Narrows would be \$35 per parcel one time increase in tax if applied to all parcels in Crosslake for one year. Property valuations don't support this?

Sincerely,


Terry J. Kovacevich

9/14/22

15612 Birch Narrows Rd

Charles and Margaret Peitso
12896 Rushmoor Blvd.
Crosslake, MN 56442
September 12, 2022

City of Crosslake
City Administrator Mike Lyonais
Crosslake Mayor Dave Nevin and City Council Members
13888 Daggett Bay Road
Crosslake, MN 56442

Dear City of Crosslake,

This letter is to place you on notice of possible liability for any future problems or damages to our property caused by the road reclamation project on 12896 Rushmoor Blvd. Such possible problems might be flooding, well contamination, septic problems, water seepage through the basement walls, and drainage pipe collapse or blockage.

Sincerely,



Charles and Margaret Peitso

Charles and Margaret Peitso
12896 Rushmoor Blvd.
Crosslake, MN 56442
September 12, 2022

City of Crosslake
City Administrator Mike Lyonais
Crosslake Mayor Dave Nevin and City Council Members
13888 Daggett Bay Road
Crosslake, MN 56442

Dear City of Crosslake,

Charles and Margaret Peitso object to the assessment of \$4,000.00 for the Road Improvement Project #2, Rushmoor Boulevard and Rushmoor Trail. Our property is at the lowest point of the road on Rushmoor Blvd. Many drainage issues in the past developed after the first asphalt road was laid in 1991. In 1999, two drains were added to the road to control flooding and a drainage pipe was added to our property. We had no flooding issues after the drainage was added.

The city decided to replace the road in 2022 by using a reclamation of the previous asphalt road. This project changed the crown and trough road to a single incline grade with a curb on the lower incline. The width of the road was also reduced by 2-3 feet on each side. Unfortunately, this road change caused flooding onto our property. We contacted the engineers' every time we had rain and the engineers admitted that a fix needed to be done. The last fix was completed before the Labor Day weekend. Since that time, we have not been able to really test this fix due to lack of precipitation.

These are the reasons we are contesting the assessment:

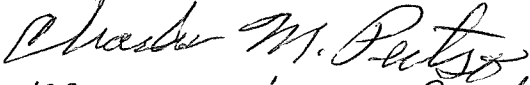

- The reclamation project changed the height of the road because the new asphalt was laid on top of the old road. Class 5 and dirt were added to the sides of the road at the same level. This road reclamation was not a road replacement but a major change to our road in height, width, and drainage. Our property is now lower than the road. This has changed the water run off on our property and we have no ability to shed water away from our basement.
- We have incurred costs for flood prevention. We had to add additional garden block and brick garden edging to keep the water from washing away any sand, soil, and garden mulch. We have also gotten a bid for an additional gutter on the NW side of our home. We currently do not have a gutter on that side of the house. The total

costs for the landscaping items are currently \$100 but adding a gutter would add an additional \$1,500.00.

- We want assurance from the city and the city engineering firm that any issues with rain or snow melt will not affect any flooding on our property. We will not know the effects for at least a year. We feel that any assessment should be delayed until we know if the fixes put in place will do the job.
- If our assessment is delayed, we do not want to be charged interest until the assessment is confirmed.
- We have concerns about the ability for firetrucks, ambulances, and police vehicles to safely perform their duties due to the road width. We are unable to back out of our driveway without going into the driveway across the street. Commercial vehicles and garbage trucks must back down the road because there is no place to turn around. Snow removal is basically nonexistent. We use our snow blower to remove most snow for all neighbors long before our city gets to our street. These issues existed prior to the road replacement, and we feel it will only get worse now that the road is even narrower.

We would appreciate taking these issues into account before finalizing the assessment.

Sincerely,



Charles and Margaret Peitso

From: Gary Swoverland gary.swoverland@gmail.com
Subject: Rushmoor Boulevard and Trail Special Assessment meeting-
September 14, 2022
Date: Sep 1, 2022 at 9:19:42 AM
To: cityclerk@crosslake.net
Cc: Gary.Swoverland@gmail.com


Dear Mayor and City Council Members:

We are writing to contest the Special Assessments against our two properties on Rushmoor Boulevard in Crosslake, MN. We are contesting both the amount and manner of the assessments.

It is our understanding that Minnesota law requires that a special assessment cannot exceed the amount by which the property benefits from the improvement. My wife and I own a parcel with 4.4 buildable acres along County Road 16 between Rushmoor Boulevard and Johnie Street(PID [14170556](#)). We are not on the Rush lake side of the road. This parcel is in the shape of a long rectangle which borders County road 16 and Arla's pond and has 877 feet of frontage on County Road 16. Because of the curvature of Arla's pond we have more shoreline than that. The portion of this parcel which borders Rushmoor Boulevard has a Crow Wing County Power Company easement through most of it. In order to build a driveway on Country Road 16 the county requires that you have 750 feet of visibility, we have much more than that. Jory Danielson from the Crow Wing County Highway Department confirmed that we can build a driveway on County road 16 to access our property. Therefore, this parcel is not receiving any benefit from this improvement.

Secondly, we are opposed to the manner of the assessment. Our two parcels have a total 2022 assessed market value of \$210,000. You are asking us to pay \$8,000 out of the total of \$156,000. We can not believe that our benefit is the same as the people with the \$1-3 million dollar homes that are on Rush Lake.

We would appreciate your consideration in lowering our assessments.

Sincerely,

 Gary and Sheila Swoverland

612-719-4783



DATE: September 14, 2022

TO: Crosslake City Council
Crosslake, MN 56442

FROM: Judith Fish
36556 Rushmoor Blvd.
Crosslake, MN 56442



SUBJECT: Proposed Assessment for Reclamation of Rushmoor Blvd. and Rushmoor Trail

I wish to object to the proposed assessment of property owners for the reclamation of Rushmoor Blvd. and Rushmoor Trail. I own two lots. One abuts Rushmoor Blvd. only on the west; the other is a corner lot and abuts Rushmoor Blvd. on both the S/N and W/E portions of the street.

The reclamation project proposed by the City was, in several recorded instances I've viewed online, defined as "benefitting" the abutting properties. Indeed, "reclamation" generally refers to restoring land or a property to former or original use or even improving it in the process. That has not been the case for property owners who abut and use the two streets in question because of two changes to the layout and dimensions of the streets before the reclamation: 1) The greatly reduced width of the W/E extension of Rushmoor Blvd. resulting in a marginal 16-foot wide hard surface street; and 2) The elimination of the turnaround "T" intersection at the North end of the S/N portion of Rushmoor Blvd. If anything, our use, safety and property values have been diminished!

The reduction in width of the W/E extension of Rushmoor Blvd. is not just an inconvenience for abutting property owners, who have to try to drive around 8-foot wide commercial vehicles or landscaping service trailers without having to move off the new asphalt surface, but creates a huge safety risk to residents of those properties who may have medical emergencies or even a structure fire because of lack of adequate room for responders to enter/exit the street if there are other emergency vehicles parked on both sides of the street. This could also result in a liability for the City because no provision was made for safe travel along the street in those instances. The health emergency situation on that street over the 4th of July resulted in more than one responding vehicle parked on both sides of the street, which blocked any other traffic attempting to enter or leave properties along the remaining section of the street.

The elimination of the "T" intersection is an inconvenience for anyone living along the S/N portion of the Blvd. who wishes or needs to turn around to permit ease and safety of backing boat trailers or RVs into their driveways. It also fails to serve owners who live along the W/E portion, as well as commercial vehicles serving those properties (e.g. garbage trucks, septic service trucks), who because of lack of turnaround room at the terminus of that street must back down the street. Larger emergency vehicles are also required to back down the street to either enter or exit. A curved "Y" intersection is not appropriate for that location. The original was actually a combination of a "T" and "Y", which served our neighborhood very well for over 30 years.

The larger question is why both of those changes to the layout of the existing street were only known to the property owners AFTER the reclamation grading and/or surfacing were completed. I have searched available online Council and Public Works Commission documents and find no

record of when or why those changes were made—or on whose authority—much less any input from impacted property owners. It would seem that something as drastic as reducing the width of a city street would be discussed with property owners prior to design, and at the very least prior to the beginning of the reclamation process!

I have reviewed the appraisal document the city obtained from Nagell Appraisal Incorporated in December of 2020, which referenced the Crow Wing County GIS property map. That document only addressed the added market value for properties that benefit for a road in “new” condition. However, it brings me to another question. It was only after the grading was done that the Crosslake City Engineer expressed concern about infringement of the new road on my property—which turned out to be the case. A subsequent survey confirmed that the NE intersection of my undeveloped lot property lines was in the middle of the newly-graded curve to the east of Rushmoor Blvd. It is beyond belief that whoever drew up the original design for the reclamation had not done enough research to see that the GIS map clearly shows that property boundaries should have been a consideration. This project was postponed a year, from summer of 2021 to 2022, which should have given the City ample time to review the plans and have a meeting with owners to explain the rationale for the non-beneficial changes.

My property taxes supposedly support street maintenance throughout the City of Crosslake, so I’m having difficulty understanding why the idea of using that and added funding from a City bond was abandoned in favor of assessing property owners. I certainly think it is totally inappropriate for the City to expect any assessment monies from property owners who abut Rushmoor Blvd. or Rushmoor Trail before the W/S extension of the Blvd is returned to the width before the reclamation and the “Y” intersection is altered to facilitate a vehicle turnaround.

September 14, 2022

To: Crosslake City Council:

We are Pete and Kathy King and our permanent residence is 15536 Birch Narrows Road. We also own the one-acre lot across the street at 15533 Birch Narrows Road.

We are being assessed \$4000 for each lot, a total of \$8000. We are opposed to any assessment, let alone a double assessment as we do ^{NOT} feel that either of our property values increased as a result of the roadwork.

In August of 2020, we had an asphalt driveway put in on our primary lot at a cost of over \$8400. At the time the driveway was installed, it was perfectly level with the road. The road is now higher than our driveway, creating a lip that will surely be an issue during plowing in the winters. Additionally, where they married the apron to the existing driveway, there is a definite seam that has many pockets and crevices in it. When the contractor that installed our driveway stopped by shortly after Birch Narrows was complete, his comment was "They sure messed up this driveway, didn't they?" We will probably have to spend more money to have it restored to its previous state and repair the damage that we feel will be caused by plowing.

Again, we oppose this assessment as we did not receive \$8000 in added value to our properties and it is going to cost us more money in repairs due to the poor job of matching up with our driveway.

Photos are attached for your reference.

Thank you,


Pete King


Kathleen King

Roadway overlaying the driveway



Roadway Overlaying Driveway



Roadway overlaying the driveway – View 1



Roadway Overlaying Driveway – View 2



Apron Meets Driveway – Overview



Apron Meets Driveway – Closeup 1



Apron Meets Driveway – Closeup 2



Apron Meets Driveway – Closeup 3



September 9, 2022

Charlene Nelson
Crosslake City Clerk
13888 Daggett Bay Rd.
Crosslake, MN 56442

Re: Notice of Hearing on Proposed Assessment Letter – September 14, 2022

I am the "Care Taker" of my Aunt's (Carol Ann Rott) cabin at 15256 Birch Narrows Road, Parcel # 141000694. Along with my Aunt, and upon my request, I received a Notice of Hearing on Proposed Assesment about a City Council meeting on September 14th, 2022 concerning this assesment. Unfortunately, neither my Aunt Carol or myself will be able to attend this meeting. Please receive this letter as a request to deny the assessment.

Here are a few questions that I have concerning the assessment. These are similar to the questions that my Aunt Carol has also expressed in an email sent today followed up by a hardcopy letter. I have also been in contact with the surrounding neighbors of this property to discuss this issue.

1. The letter I received did not have a third page indicating that the assessment is a .5 or \$2,000 rather than \$4,000 which is stated on my letter. I assume I am not being assessed separately from my aunt. I assume it is a \$2,000 assessment which would be similar to the neighbors assessment. Please confirm or clarify this.
2. Carol Ann Rott has been faithfully paying non homestead property taxes since ownership in the early 1980's. It is my understanding that property taxes are paid for such expenses as this. This has not been done in the past, please explain why.
3. When discussing this issue with neighbors, I was informed that an outside company from Golden Valley made an assessment and did not recommend this paving project. The city however, went ahead and did it anyway. It appears that the road was just a replacement, not an improvement. Could you please explain this to me further?
4. The road pavement project ended well before the driveway of 15256 Birch Narrows road. There was an abrupt ending to the road with at least a 3" drop to the gravel. The 3 property owners then came together and personally paid for "finishing" the road by extending the pavement to our driveways. If nothing would have been done, this would have created safety issues for residence and Crosslake Maintenance equipment. Repairs had to be made not only for residents but also consideration for damage to Crosslake Maintenance equipment during other road maintenance. We worked with Anderson Brothers and the Crosslake Engineers on this matter. This all was an additional expense that we incurred that was necessitated by the results of the unnecessary paving project.
5. I do not feel this is an improvement to the property, but rather a routine maintenance action that should be covered by normal taxes. If there were curbs added, a walking trail, trail benches, water fountain or something, that may be considered an improvement. Taxes were already paid to have roads

maintained. Please clarify what the City/County codes are and the requirements of cabin owners for this.

I appreciate your time and efforts in this matter as I realize that there is much unrest with the neighbors and property owners along Birch Narrows Road. Thank you in advance for your reply.

Kathryn J. Call (Katy)

"Care taker" of 15256 Birch Narrows Road, for Carol Ann Rott, Tucson AZ

425 Hwy 65

Roberts, WI 54023

katymarv.call@gmail.com

715.220.3677

8 September 2022

Charlene Nelson
Crosslake City Clerk
13888 Daggett Bay Rd.
Crosslake, MN 56442

Re: Notice of Hearing on Proposed Assessment – September 14, 2022

I am the owner of the cabin on Birch Narrows Road # 15256, Parcel # 14100694. I received a letter notifying me of a meeting on September 14, 2022 at Crosslake City Hall. According to the attached "Assessment Worksheet" I am required to pay \$2,000 (\$4,000) for road improvement. I live in Tucson Arizona and will be unable to attend this meeting. I have owned the cabin since the 1980's paying non Homestead taxes (double what Homestead owners receive) and this is the first time in my memory that I have been asked to pay additional monies. Why?

My niece, Kathryn J. Call, has been the Care Taker of the cabin and has received the same letter. For your information this road improvement did NOT extend to my driveway as well as several of my neighbors. (Photos are available if requested) Repair stopped before it reached my driveway leaving the rest of the road dirt and with an extended bump/drop off. My niece along with my neighbors had to hire and pay (each \$900 to over \$1,000) additional monies for coverage of the dirt road to smooth out the bump/drop off to prevent snow, rain and vehicle damage. Repairs had to be made not only for Residents but consideration for damage to Crosslake Maintenance equipment during other road maintenance.

I am unclear at this point as to what the City/County code requires of cabin owners about road maintenance that is different from snow removal or other road maintenance. I was surprised to learn that this road repair was not necessary and did not fulfill Resident's expectations. Taxes paid in 2022 were \$3632.00. How much of this does the City of Crosslake receive, what does that amount cover for cabin owners. As the major financial payer of this property I would like to know Why the City Council feels the need to make this Assessment. Are all Owners of property within the City/County being Assessed when road improvements are made on their streets/roads?

Thank You for your Consideration to Deny this Assessment.

Sincerely
Carol Ann Rott
2612 W. Crown King Dr.
Tucson, AZ 85741
Tel# 520 742-7709

Sadiecar@comcast.net

Sent from my iPad

Begin forwarded message:

From: tom chase <tomlynnchase@yahoo.com>

Date: September 11, 2022 at 2:59:15 PM CDT

To: Tom Chase <tomlynnchase@yahoo.com>

Subject: Disagree with the Proposed \$4000 Road Assessment for Birch Narrow Road

Our names are Harold and Lynn Chase, we live at 15274 Birch Narrows Rd. My wife and I are concerned with the Proposed \$4000 assessment for the road repair on Birch Narrows Rd. We feel it is very unfair to charge us this Assessment when most of Crosslake homes have not had to pay in the past and this year as well. We have been paying State and City Taxes for well over 25 years and next year we will have to pay almost 50% more than this year. It's very unfair to have to pay for road improvements when the taxes we pay should cover this expense. We ask that the City will reject this proposal.



Harold and Lynn Chase
15274 Birch Narrows Road
[612-877-0333](tel:612-877-0333).

Sent from my iPad

September 12, 2022

To the City of Crosslake –

RE: Objection to the Road Assessment of Birch Narrows Rd.

Our names are Tim and Melissa Mears, we reside full time on Birch Narrows Rd. This letter is our written objection to the proposed assessment for the Birch Narrows Road project and we reserve our right to appeal in district court.

We would like to thank the City of Crosslake employees, elected officials, council and mayor, along with any appointed positions and volunteers. Your service and dedication to this wonderful small town is greatly appreciated. With council meetings and elected obligations pulling you away from your everyday living you are forced to miss out on time with family and friends. Thank you for your sacrifices to serve the people and visitors of Crosslake.

The road assessment process has been a hot bed of scrutiny and inconsistencies which brings us to this final deciding factor of approval or rejection of assessments by the council. We feel the assessments are unfair and unwarranted as we already pay property taxes to cover our portion of the operating expenses of the city. Our property taxes will continue to increase when we receive our new tax notice this November. We are waiting to find out what will likely be our largest property tax increase ever coming for 2023. The proposed special road assessment on top of record high property taxes is a topic that is angering to most, us included. We ask that you vote no to the proposed assessments.

On May 1st Birch Narrows Rd was a paved street, today on September 12th Birch Narrows is a paved street. Our property value has not increased due to the replaced road, and we have not received a “special benefit” as outlined in Minnesota Statutes, chapter 429. We don’t have any improvements with added curb and gutter or city sanitary sewer to our property. There wasn’t a walking path added, we still have the same roadway we had before. The illusion of increased property value created by the road project is false. If we had added features like sewer or walking path as part of our project, then a case could be made for the potential of increased property value. If we had improved infrastructure with sewer, curb and gutter, or walking path, we would have been accepting of a road assessment for the improvement of our street and property value. That is not the case, and we ask the council to vote no against any street assessments as this project did not provide a “special benefit” to our property.

During the 6.13.2022 Regular Council Meeting, our City Administrator Mike Lyonais stated there are other levy and bond options available for funding this and other road projects. We ask the council to vote no on the assessments and utilize other means of funding for the road projects as has been done in the past without assessing property owners. With proper planning and consistent action, the city can address road maintenance and replacements without assessments.

We have not heard from anybody on our road that is in favor or accepting of the proposed road assessments. As the city council and mayor, you have been elected to represent the people of Crosslake. Please do the right thing and vote NO to road assessments.

Thank you for your time and service.

Cordially,

A handwritten signature in black ink, appearing to read "Tim & Melissa Mears", written in a cursive style.

Tim and Melissa Mears

15266 Birch Narrows Rd.

Tom Fuith

From: Tom Fuith
Sent: Sunday, September 11, 2022 7:58 AM
To: Tom Fuith
Subject: FW: Birch Narrows assessment

From: Tom Fuith
Sent: Tuesday, September 6, 2022 9:14 PM
To: Tom Fuith <tfuith@pro-techpower.com>
Subject: Birch Narrows assessment

Attn: City Administrator Crosslake MN
Good evening

Our Names are Tom and Lorrie Fuith. We have a cabin at 15652 Birch Narrows and (2) additional properties on Birch Narrows. In total we have (3) properties effected by this proposed assessment. We are writing today to object to the proposed \$4000.00 assessment for each of the properties on the grounds that it failed to bring any additional value to our property, and to the contrary, it actually brought additional hardship, unwanted dirt, drainage, and sediment onto our existing driveway. We will provide some pictures to support this.

The three property PID numbers are:

14100711 Cabin 15652 Birch Narrows

14100635 Pole Barn 15609 Birch Narrows

14110516 Vacant Land majority on Highway 3

Property 14100711 CABIN has 33 feet of frontage on Birch Narrows. That's right 33 feet! As stated before the new road has brought ZERO benefit to us and it has actually resulted in additional issues we must now face due to constant debris due to the poor drainage that we are now forced to deal with. A \$4000 assessment on 33 feet of road borders on ridiculous. Couple this with the fact that our 2023 assessed value has risen over 47% and it appears you are trying to drive people out of their homes/cabins.

We are attaching pictures labeled "EXHIBIT A". While some of the drainage issues may be mitigated the simple fact is we have enjoyed no additional benefit from the new road on our 33 feet of land. There are some issues as well as to how the asphalt has been pieced into our existing driveway.

Property number 14110516 VACANT Land. The majority of this lot is located along Highway 3. Most of the property on the Birch Narrows portion DID NOT RECEIVE the "new road". There was a small piece that did receive the new road. Here cosmetically the old road does not match up to the new road and the result is the road looks inconsistent and sloppy. It was obviously used as a staging area for the new road and the two surfaces do not match cosmetically. Why did the new road not go to Highway 3?.

It does not match and looks worse than before.

Once again, we are not enjoying any benefit from the new road.

Property number 14100635 POLE BARN Our complaint here is two fold. First off, we are no better off with the new road and now the grassy area that we have has been upended and has not been repaired to the original state. See "Exhibit B" pictures

We would also like to point out a couple of items. We are not a Civil Engineers and we do not design roads. That said I was there when a lot of work was done. I was aware that apparently mistakes were made in the original soil borings and the project was stopped mid stream due to the soil . It seems to me that while we all appreciate a project done expeditiously it appears to me that this project was very hastily done. So hastily that I wonder if the Class 5 and bedding had time to settle before the final layer of asphalt was laid. My fear is that because of this the road will fail prematurely in the future.

I have also heard rumors that there were certain "improvements" made on Highway 66 where the residents/businesses were not assessed. I may not have all the details on this but if true it does not appear to be a fair way to treat all the residents.

In conclusion and with our comments we feel we should not be assessed for the new road on Birch Narrows. The result has created certain hardships and at the end of the day we are seeing no apparent value in the new road. At (3) properties the \$12,000.00 potential assessment represents an unexpected hardship and is excessive. It has not increased our property values. That said, if assessments are still mandated we would certainly hope for a drastic reduction in the assesd value from 33 feet in PID 14100711 and the little new road exposure on PID number 14110516 mentioned above.

Thank you

Respectfully

Tom Fuith
651.270.3602 cell



Lorrie Fuith
651.270.9596 cell





EXHIBIT A



EXHIBIT A



EXHIBIT A



EXHIBIT A



EXHIBIT B



EXHIBIT B

City of Crosslake

From: Steve Johnston <sjohnston167@gmail.com>
Sent: Sunday, September 11, 2022 10:53 AM
To: City of Crosslake
Subject: Letter objecting to street assessment

Hi Charlene,
Below is my letter objecting to street assessment proposal.

Please let me know you received - Thank you.

Steve Johnston

Steve Johnston
15262 Birch Narrows Road
Crosslake, MN 56442

9/11/2022

To the Crosslake City Council,

I am sending this letter as notice that I object to the proposed road assessment.

A City Council is tasked with representing the interests of their constituents.
I have not found one homeowner in Crosslake who agrees with this new direction.

I have asked six local real estate agents if a new road adds value to a property.
All said a new road does not add value to a property and that even a bad road does not take away value. If there were an actual improvement (ex. dirt road to paved road, curbs and gutter, bike paths, etc) then this would be an improvement. There were no improvements to our road. This was a road replacement.

Questions:

- 1) Why isn't the elected City Council listening to their constituents?
- 2) Why in a year with large property tax increases would the city decide to adopt a new way to pay for road replacements further burdening the people?
- 3) Where did my tax money, which paid for road replacement in the past, go?

I firmly believe that if the City Council adopts road assessments, every new road replacement will provoke heated frustration between the local residents and the city. Is this really the path you want to go down?

I am asking kindly that the City Council rethink this new way of paying for roads.

Sincerely,

Steve Johnston

City of Crosslake

From: Paul Kelly <paulkelly1433@icloud.com>
Sent: Friday, September 9, 2022 2:13 PM
To: 'Char Nelson'
Cc: paulkelly1433@icloud.com
Subject: Birch Narrows

I would like some time to explore our options for paying for so called improvements that I don't feel we needed or wanted!!!!