

BAY SHORES ROAD FINAL ASSESSMENT HEARING  
CITY OF CROSSLAKE  
NOVEMBER 19, 2002  
6:00 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 Bay Shores Road. Present at the hearing was Mayor Darrell Swanson and Councilmembers Sandy Eliason, Charles (Chuck) Miller, Irene Schultz and Dean Swanson. Also present was City Administrator Thomas Swenson, City Engineer Dave Reese, City Attorney Paul Sandelin, Community Development Director Paul Larson, Public Works Director Ted Strand and Clerk/Treasurer Darlene Roach. Also present was Councilmember's Elect Dean Eggena and Dick Phillips. (Sign in sheet attached as a permanent part of the minutes.)

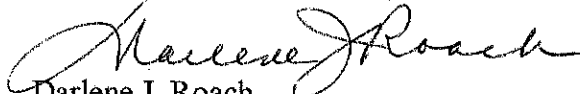
Mayor Swanson called the public hearing to order at 6:00 P.M. and stated that the purpose of the hearing was to take questions and public comments regarding the assessment proposed for Bay Shores Road. City Administrator Tom Swenson read the Affidavit of Mailing confirming that the notice of final assessment hearing was deposited in the U.S. Post Office on November 5, 2002 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. Property owner address labels were obtained from the Crow Wing County Auditor's Office. On October 31<sup>st</sup> the Notice of Final Assessment Hearing was published in the City's official newspaper, the Lake Country Echo. A check received from Paul Bottner, for the first year's payment on the road assessment, was returned to Mr. Bottner by Clerk Roach with an explanation that either the entire amount of the assessment needs to be paid within 30 days of the hearing or the assessment will be included on the property tax statements payable in May and October for a period of ten years. No other correspondence was received regarding the project.

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 \$28,028 with an estimated number of equivalent lots at nine for a lot assessment amount of \$1,557. The actual project cost is \$35,192.33. Of this amount, the City will pay fifty percent of the cost or \$17,596.17 and the benefiting property owners will pay \$17,596.16. The total number of equivalent lots calculated is 10 for a cost of \$1,759.61 per equivalent lot. The project cost is in excess of the estimated cost due to prices of certain bid items. Blacktop prices were \$4.00 per ton higher in 2002 than in 2001, common barrow came in \$3.00 per cubic yard higher in 2002 and the turn around portion of the road, which was in the right-of-way, was also included in the project in 2002 and was not included in the feasibility study estimates. The property owner at the end of the turn around paid the City for all of the costs associated with blacktopping his portion of property at the end of the turnaround.

The hearing was open to the Council and audience for questions. Councilmember Miller asked if the State's requirement for bituminous mix was used and City Engineer Dave Reese stated that it was. Ron Hughes, property owner on Bay Shores Road, complimented the City on the job that was done and stated that the road is a "good road". There being no further comments, MOTION PH1-11-01-02 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO APPROVE RESOLUTION NO. 02-67 ADOPTING ASSESSMENT FOR BAY SHORES ROAD SINCE IT IS THE BELIEF OF THE COUNCIL THAT THE IMPROVEMENT WILL INCREASE THE MARKET VALUE OF THE PROPERTY AS A RESULT OF THE ROAD PROJECT. MOTION CARRIED WITH ALL AYES.

MOTION PH1-11-02-02 WAS MADE BY CHUCK MILLER AND SECONDED BY DEAN SWANSON TO ADJOURN THIS FINAL ASSESSMENT HEARING AT 6:10 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,

  
Darlene J. Roach  
Clerk/Treasurer

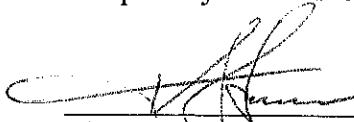
RESOLUTION 02-67  
RESOLUTION ADOPTING ASSESSMENT

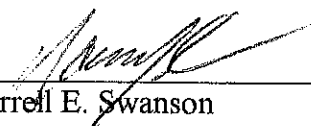
WHEREAS, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to proposed assessment for the improvement of Bay Shores Road from the intersection of C.S.A.H. No. 3 to the end of the road.

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 2003, and shall bear interest at the rate of 5.0% 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, 2002. 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 31<sup>st</sup> of the year in which such payment is made. Such payment must be made before November 15<sup>th</sup> or interest will be charged through December 31<sup>st</sup> 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 19th day of November 2002.

  
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Thomas N. Swenson  
City Administrator

  
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Darrell E. Swanson  
Mayor

