

BACKDAHL ROAD PUBLIC HEARING
CITY OF CROSSLAKE
DECEMBER 2, 1999
1:30 P.M. - CITY HALL

Pursuant to proper notice duly given as required by law, the City Council met in the Council Chambers of City Hall to review the feasibility study prepared by Widseth Smith Nolting for improvements to Backdahl Road. Backdahl Road currently abuts 21 lots/parcels and provides driveway access for 14 existing residents. The road begins on Wilderness Trail and extends southwest 1320 feet. The road ends with a small cul-de-sac. Present at the hearing was Mayor Darrell Swanson, Councilmembers Charles Miller, Irene Schultz, Dean Swanson and Richard Upton. Also present was City Administrator Thomas Swenson, City Engineer Dave Reese, Deputy Clerk Darlene Roach and Public Works Foreman Pat Hoag. (Sign in sheet attached as a permanent part of the minutes.)

Mayor Swanson called the public hearing to order at 1:30 P.M. and stated that the purpose of the hearing was to review the feasibility report for Backdahl Road. City Administrator Swenson read the Affidavit of Mailing which verified that the notice was mailed indicating the time and date of the hearing. Also included with the affidavit was a copy of the postage paid, dated envelope mailed to all benefiting property owners on the road along with estimated costs included on Page 10 of the Feasibility Report.

City Engineer Dave Reese presented the feasibility study completed by Widseth Smith Nolting as required under Minnesota Statute 429. A copy of the report is available at City Hall. He stated that the City has developed road standards that will be used to construct the road. Currently, Backdahl Road is an aggregate surfaced road varying from 14 to 18 feet. Although there is no ditching, there does not appear to be any significant erosion or drainage problems. Based on right-of-way width and total number of lots on this street, Backdahl Road would be categorized as a minor rural roadway constructed with 18 foot wide pavement, 2 inch thick bituminous on a 4 inch thick aggregate base and 2 foot wide aggregate shoulders. This section includes a minimum one-foot deep ditch in cut areas and ten-foot wide clear zones outside the shoulders. Tree removal and ditching will be required to meet the minimum standards. Widening of the road will be necessary along with acquiring an additional 26 feet of right-of-way if the City wishes to uphold the City standard of 66 feet.

The estimated construction cost is \$52,275 plus \$5,200 (10% additional for contingencies) plus \$14,400 for engineering, legal and administrative expenses for a total estimated project cost of \$71,875. The City will use the equivalent lot basis for assessing the project with the City paying 50% of the cost. The estimated 21 equivalent lots would pay an estimated \$1,711 per lot. Financing terms will be decided at the final assessment hearing, however, the City has used a financing period of ten years on previous assessment projects. A one-to-two foot kickout or apron will be extended from the roadway for gravel driveways. Homeowners who wish to blacktop driveways will need to make separate agreements with the contractor for this work.

City Administrator Swenson read the following correspondence: (1) Letter dated December 2, 1999 from Jack and Lois Beal who objected to the proposed improvement; (2) Letter dated November 22, 1999 from Maribeth and Dave Carlson who support the proposed improvement; (3) Letter dated November 29, 1999 from Paul Stephenson opposed to the project; (4) Letter dated December 1, 1999 from David and Elisabeth Wisemiller opposed to the road improvement; and (5) Reply on Notice of Hearing on Improvement fom Evaline Harris and Family opposed to the road improvement.

The hearing was opened to comments from the Council. Councilmember Upton asked how long the City has been maintaining the road and Public Works Foreman Pat Hoag stated approximately eighteen to twenty years. Councilmember Miller asked if the road was plowed and maintained when Chief Backdahl resided there and whether the road was maintained after Chief Backdahl moved from his residence on this road. Public Works Foreman Pat Hoag stated that Public Works continued to maintain the road. Councilmember Swanson asked why the property owners were being assessed for the tie-in portion of the road and Councilmember Miller stated that, if the project were to proceed, the City Council would need to decide what portion of the new road would be paid by the City. Mayor Swanson stated that opening the road as an alternate access would solve a safety issue. Councilmember Upton concurred with Mayor Swanson, however, stated that Backdahl Road residents shouldn't have to absorb the cost of the newly constructed road. It was the consensus of the Council that the City pay a larger portion of the cost due to its being an overall public benefit. Councilmember Schultz asked if Backdahl Road was considered a private road and City Administrator Swenson stated that if the road was used seven years for public purposes, the property owners have given a prescriptive easement for public use. Public Works Foreman Pat Hoag stated that 1984 sticks in his mind as the year when the City obtained the easement for the turnaround. The meeting was opened to the public for comments.

Dave Carlson, who resides at 14631 Backdahl Road, stated that the City does a nice job of maintaining the road currently and is in favor of the improvement. He commented that the cost to connect Backdahl Road with Timber Trail should be paid for by the City. Mrs. Dave Carlson stated that it is very important to have two ways out of the area. Mr. Carlson concurred and stated that as a prior fireman involved with safety, two ways out of an area is very important. City Administrator Swenson stated that the City agrees with opening the road, however, the City needs to obtain easements from the property owners. Mrs. Carlson stated that, in the long run, it would make their property more valuable. There being no further comments, MOTION PH5-12-01-99 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO CLOSE THE PUBLIC HEARING AT 2:02 P.M. TO REVIEW THE FEASIBILITY STUDY FOR IMPROVEMENT TO BACKDAHL ROAD. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by:



Darlene J. Roach

RESOLUTION 99-88

RESOLUTION RECEIVING REPORT AND CALLING HEARING ON IMPROVEMENT

WHEREAS, pursuant to Resolution of the Council adopted August 23, 1999 a report has been prepared by Widseth, Smith and Nolting with reference to the improvement of Backdahl Road from the intersection of Wilderness Trail, West, approximately 1320 feet to the beginning of Tall Timber Trail Plat by constructing road and drainage improvements, and this report was received by the Council on November 8, 1999, and

WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effective, and feasible,

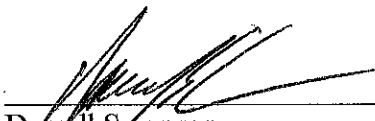
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA:

1. The Council will consider the improvement of such street in accordance with the report and the assessment of abutting and/or benefiting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$71,875.
2. A Public Hearing shall be held on such proposed improvement on the 2nd day of December, 1999 in the Council Chambers in City Hall at 1:30 p.m. and the Administrator shall give mailed and published notice of such hearing and improvement as required by law.

Adopted by the Council this 8th day of November, 1999.



Thomas N. Swenson
City Administrator



Darrell Swanson
Mayor