



REQUEST FOR ACTION CITY COUNCIL

Agenda Date: 6/16/2026
Agenda Section: Consent Agenda

Department Origination: City Attorney

Agenda Item: Adopt Resolution 2026-049 Authorizing the Amendment of Resolution No. 2026-036 Adopting Assessments for the 2026 Clearwater Road, North Lyndale Area and Brentwood Circle Street and Utility Improvements Project, Municipal Project Number 4068

Approval Required: Simple Majority Vote

BACKGROUND

On May 5, 2026, by Resolution No. 2026-036, the City levied special assessments against properties as part of the City's 2026 Clearwater Road, North Lyndale Area and Brentwood Circle Street and Utility Improvements Project, Municipal Project No. 4068 (the "Project"). The properties subject to the levied assessment were identified in the Special Assessment Roll attached to Resolution No. 2026-036, which were assessed based upon Equivalent Residential Units ("ERU").

Prior to the City's approval of Resolution No. 2026-036, the owner of PID 40020543 applied to the City of Baxter for an administrative subdivision to consolidate PID 40020543 with adjacent PID 40020542 into a single lot, which was approved for consolidation under Administrative Subdivision Approval Resolution No. 2026-009, dated May 19, 2026, which was recorded with the Crow Wing County Recorder on May 21, 2026 as Document Number 1023962.

At the May 5, 2026 special assessment hearing, Council indicated that if the owners of PID 40020543 and PID 40020542 completed the consolidation prior to August 1, 2026 that Council would consider a resolution removing the second ERU from the Property. This consideration was given because prior to consolidation, PID 40020543 contained no access to Clearwater Road, and after consolidation, one ERU assessment levied against combined PIDs 40020543 and 40020542 is uniform as applied to the same class of property in the assessment area. A requirement of all Minn. Stat. 429 assessments is that the assessments must be uniform as to similar classes of property.

FINANCIAL IMPLICATIONS

If approved, this resolution will remove one ERU from the project in the amount of \$19,650. To cover the lost special assessment, general fund and enterprise fund contributions and/or a higher future debt service levy will be utilized to the extent necessary at the completion of the project.

STAFF RECOMMENDATIONS

Staff recommends Council adopt Resolution 2026-049 which amends Resolution 2026-036 by removing the special assessment as to PID 40020543.

COUNCIL ACTION REQUESTED

Motion to pass Resolution 2026-049 which amends Resolution 2026-036 by removing the special assessment as to PID 40020543.