

CITY OF SPRING LAKE PARK, MINNESOTA

RESOLUTION NO. 22-10

RESOLUTION ORDERING HEARING ON PROPOSED ASSESSMENT

WHEREAS, by Resolution 22-09, passed by the City Council on February 7, 2022, the Administrator, Clerk/Treasurer was directed to prepare a proposed assessment of the cost of the 2022 Street Improvement Project, the improvement of Garfield Street between the centerline of 81st Avenue NE to its terminus at 80th Avenue NE, 80th Avenue NE between the centerline of Garfield Street and the centerline of Hayes Street, and Hayes Street NE between the centerline of 81st Avenue NE to its terminus at 80th Avenue NE by rehabilitating said streets and performing repairs to the existing public storm sewer system, along with any needed sanitary sewer and water system repairs discovered during the project; and

WHEREAS, the Administrator, Clerk/Treasurer has notified the Council that such proposed assessment has been completed and filed in his office for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Minnesota:

1. A hearing shall be held at 7:00pm on March 21, 2022 at Spring Lake Park City Hall, located at 1301 81st Avenue NE, to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The Administrator, Clerk/Treasurer is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
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, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. An owner may at any time thereafter, pay to the City the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

The foregoing resolution was moved for adoption by Councilmember.

Upon roll call, the following voted aye:

And the following voted nay:

Whereupon, the Mayor declared said resolution duly passed and adopted this 22nd day of February, 2022.

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, Administrator



**NOTICE OF HEARING ON PROPOSED ASSESSMENT
CITY OF SPRING LAKE PARK**

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council will meet at 7:00 PM on Monday, March 21, 2022 to consider, and possibly adopt, the proposed assessment for the 2022 Street Improvement Project, the improvement of Garfield Street between the centerline of 81st Avenue NE to its terminus at 80th Avenue NE, 80th Avenue NE between the centerline of Garfield Street and the centerline of Hayes Street, and Hayes Street NE between the centerline of 81st Avenue NE to its terminus at 80th Avenue NE by rehabilitating said streets and performing repairs to the existing public storm sewer system, along with any needed sanitary sewer and water system repairs discovered during the project. Adoption by the Council of the proposed assessment against abutting property may occur at the hearing.

The amount to be specially assessed against your particular lot, piece or parcel of land is \$2,726.00. Such assessment is proposed to 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 in January 2023 and will bear interest at the rate of 3.60% per annum from the date of the adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2022. To each subsequent installments when due shall be added interest for one year on all unpaid installments.

You may at any time prior to certification of the assessment to the County Auditor, pay the entire assessment on such property, with interest accrued to the date of payment, to the City of Spring Lake Park (hereinafter "City"). No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter, pay to the City the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above, the rate of interest that will apply is 3.60% per year. The right to partially prepay the assessment is not available.

The proposed assessment roll is on file for public inspection at the Administrator, Clerk/Treasurer's office. The total amount of the proposed assessment is \$207,176.00. Written or oral objections will be considered at the meeting. No appeal to district court may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the Administrator, Clerk/Treasurer prior to the assessment hearing or presented to the presiding officer at the hearing. the Council may upon such notice consider any objection to

the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

Under Minn. Stat. §§ 435.193 to §§ 435.195 and the City's Pavement Management Plan, the Council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older, one retired by virtue of a permanent and total disability, or a member of the National Guard or other reserves ordered to active military service for whom it would be a hardship to make payments. When deferment of the special assessment has been granted and is terminated for any reason provided in that law, all amounts accumulated plus applicable interest becomes due. Any assessed property owner meeting the requirements of this law and Pavement Management Plan, may, within 30 days of the confirmation of the assessment, apply to the Administrator, Clerk/Treasurer for the prescribed form for such deferral of payment of this special assessment on his/her property.

An owner may appeal an assessment to district court pursuant to Minn. Stat. § 429.081 by serving notice of the appeal upon the Mayor and Administrator, Clerk/Treasurer of the city within 30 days after adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Administrator, Clerk/Treasurer.

Daniel R. Buchholtz