

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Aaron S. Reeves, City Administrator *AR*
SUBJECT: Assessment of City Expenses for Property Clean Up
DATE: November 5, 2013

BACKGROUND

The City was forced to clean-up five properties this year when the owners did not keep up with their maintenance duties. Notice has been sent to the property owners that if they do not pay the City expenses for cleaning up their properties the amounts will be assessed with interest. Property owners can challenge the assessments at this hearing before the Council adopts the final assessments.

STAFF RECOMMENDATION

Approve the resolution as presented.

REQUESTED COUNCIL ACTION

I respectfully request a motion approving the resolution adopting clean-up assessments as presented.



CITY OF CANNON FALLS, MINNESOTA

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN, that the Council will meet at 6:30 pm on November 5, 2013 to consider, and possibly adopt proposed assessments for property clean up. The following is the property proposed to be assessed:

113 Primrose Lane, Cannon Falls, MN
1206 Minnesota Street West, Cannon Falls, MN
325 Cannon Street West, Cannon Falls, MN
418 4th Street South, Cannon Falls, MN
221 2nd Street South, Cannon Falls, MN

Such assessments are proposed to be payable over a period of one year, the first of the installments to be payable on or before the first Monday in January 2014, and will bear interest at the rate of 5% per annum from the date of the adoption of the assessment resolution. The first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2014.

At any time prior to certification of the assessment to the County Auditor, the entire assessment on a property, may be paid with interest accrued to the date of payment, to the City. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. At any time thereafter the entire amount of the assessment remaining unpaid may be paid to the City, 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 the assessment is not prepaid before the date given above the rate of interest that will apply is 5% per year. The right to partially prepay the assessment is not available.

The proposed assessment roll is on file for public inspection at the City Clerk's office. The total amount of the proposed assessment on all property being assessed is \$1,719.75. 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 municipal clerk 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 City ordinance, 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 or retired by virtue of a permanent and total disability for whom it would be a hardship to make the payments. When deferment of the special assessment has been granted and is terminated for any reason provided in that law and City ordinance all amounts

accumulated plus applicable interest become due. Any assessed property owner meeting the requirements of this law and City ordinance may, within 30 days of the confirmation of the assessment, apply to the City Clerk 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 or clerk of the City within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk.

Dated: October 8, 2013.



Aaron Reeves, City Administrator
City of Cannon Falls, Minnesota

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

RESOLUTION NUMBER 2043

**A RESOLUTION ADOPTING ASSESSMENTS
FOR PROPERTY CLEAN UP**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessments for nuisance abatement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cannon Falls, Minnesota:

1. Such proposed assessments, a copy of which is attached hereto and made a part hereof, are 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 assessments shall be payable in equal annual installments extending over a period of one year, the first of the installments to be payable on or before the first Monday in January 2014, and shall bear the interest rate of 5% per annum from the date of 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, 2014.
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 this resolution; and such owner may at any time thereafter, pay 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 next succeeding year. The owner of any property so assessed may also, within 30 days from the adoption of this resolution, make a partial payment of at least \$100 to the City. The remaining unpaid balance will be certified as the new assessment amount. The owner may also at any time prior to November 15, of any year, pay the remaining unpaid principal balance within interest accrued to December 31 of the year in which such prepayment is made.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County.

5. The total cost assessed by this resolution is \$1,719.75.

APPROVED AND ADOPTED this 5th day of November, 2013, by the City Council of the City of Cannon Falls, Minnesota.

CITY OF CANNON FALLS

BY: _____
Lyman M. Robinson, Mayor

ATTEST:

Aaron S. Reeves, City Administrator

ASSESSMENT ROLE

<u>Address</u>	<u>Amount of Assessment</u>
325 Cannon Street West, Cannon Falls, MN	\$230.00
1206 West Minnesota Street, Cannon Falls, MN	\$545.00
113 Primrose Lane, Cannon Falls, MN	\$372.00
418 4 th Street South, Cannon Falls, MN	\$367.50
221 2 nd Street South, Cannon Falls, MN	\$205.25