

# Notice of hearing on proposed assessment

NOTICE IS HEREBY GIVEN that the City Council will meet at 5:00 p.m. on October 11, 2016, in the Council Chambers of the City Offices Building, 305 E. Luverne Street, Luverne, Minnesota, to consider, and possibly adopt, the proposed assessment for unpaid utility and miscellaneous charges. Adoption by the City Council of the proposed assessment may occur at this meeting.

Such assessment is proposed to be payable in one (1) installment payable on or before the first Monday in January, 2018, and will bear interest at the rate of four (4) percent per annum from the date of the adoption of the assessment resolution. To the installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2017.

You may at any time prior to certification of the assessment to the Rock County Auditor-Treasurer, pay the entire assessment on such property, with interest accrued to the date of payment, to the City of Luverne. 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 Rock County Auditor-Treasurer 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 four (4) percent per year.

The proposed assessment roll is on file for public inspection at the City Clerk's office. The total amount of the proposed assessment is \$10,169.37. Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the City Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The City 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.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed.

1. The City will present its case first by calling witnesses who may testify by narrative or by examination, and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.
2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.
4. Minnesota rules of evidence will not be strictly applied; however, they may be considered and argued to the City Council as to the weight of items of evidence or testimony presented to the City Council.
5. The entire proceedings will be taped-recorded.
6. At the close of presentation of evidence, the objector may make a final presentation to the City Council based on the evidence and the law. No new evidence may be presented at this point.
7. The City Council may adopt the proposed assessment at this meeting.

An owner may appeal an assessment to District Court pursuant to Minnesota Statutes 429.081 by serving notice of the appeal upon the Mayor or City Clerk of the City of Luverne within thirty (30) days after the adoption of the assessment and filing such notice with the District Court within ten (10) days after service upon the Mayor or City Clerk.

Jessica Mead  
City Clerk

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