

**ROSEVILLE**  
**REQUEST FOR COUNCIL ACTION**

Date: September 12, 2016  
Item No.: 12.a

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Department Approval



City Manager Approval



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Item Description: Public Hearing for Victoria Street Project to be assessed in 2017.

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1 **BACKGROUND**

2 On August 8, 2016 the City Council set a date to hold a public hearing for the purpose of  
3 establishing special assessments for City Project P-ST-SW-W-15-02: Victoria Street  
4 Reconstruction Project, between Larpenteur Avenue and County Road B. It is suggested that the  
5 public hearing be conducted according to the attached agenda. Notices have been mailed as  
6 required to the affected properties.

7 At the assessment hearing, staff will go through a brief presentation that will include a  
8 description of the project, project financing, and a discussion of typical assessments for  
9 properties benefiting from these improvements. Staff will summarize the City assessment policy  
10 and how it has been applied to this project.

11 It is suggested that if property owners have individual concerns about the quality of construction  
12 as part of the project or specific information about project deficiencies, these should be referred  
13 to the Engineering Department. Typically, these kinds of complaints relate to quality of finished  
14 construction and are covered under the warranty. The warranty is one year from the final  
15 contract acceptance; the Contract was finalized on March 14, 2016. Correction of these types of  
16 problems should not delay the adoption of assessment rolls.

17 In preparation of the final assessment roll for the purpose of the public hearing staff did  
18 encounter one property that was assessed the wrong assessment footage. The property was  
19 assessed the actual front footage instead of the calculated footage that is provided in the city  
20 assessment policy for irregular shaped parcels. This has been corrected on the attached  
21 Assessment Roll and the property owner has been notified of the reduction in assessment.

22 Following past Council policy, if questions are brought up during the Public Hearing regarding  
23 specific assessments, if amendments to the assessment rolls are necessary, or if Council would  
24 like staff to investigate a concern, the hearing can be continued to the next city council meeting.  
25 If the hearing is extended to the September 26<sup>th</sup> meeting, we will accept payment until October  
26 26<sup>th</sup> and would certify the assessments with the County on November 7<sup>th</sup>.

27 This project has been completed in accordance with the plans and specifications and there are no  
28 unresolved problems with the construction.

29 The total assessable cost to the properties along Victoria Street was calculated by first calculating  
30 the total cost of the roadway construction, including storm sewer but exclusive of the sidewalk  
31 and watermain, and then subtracting the portion of the roadway in excess of a standard 7 ton, 32

32 foot wide roadway, which is the standard design for a City of Roseville local roadway. This cost  
33 was calculated to be \$1,493,008.46, which is the total assessable cost of the project.

34 Based on the City's Assessment Policy, including applying short and long side frontage policies  
35 and also applying the findings of the Benefit Appraisal conducted in January of 2015, the total  
36 cost that can be borne by the fronting parcels is \$176,533.43, which is shown on Attachment B,  
37 Preliminary Assessment Roll. The total assessment amount is slightly higher than the amount of  
38 \$151,115.32 as indicated in the Feasibility Report.

39 It should be noted that the overall project cost was higher than the estimated construction costs.  
40 Reasons for the increased project costs were as follows;

- 41 • Major modification of the pavement reconstruction method
  - 42 ○ Change from a stabilized bituminous reclamation to a combination of road
  - 43 reconstruction and four inch mill and overlay. The change in design still resulted
  - 44 in a 9 ton roadway, which meets Municipal State Aid standards, with an expected
  - 45 pavement life of at least 30 years.
  - 46 ○ Change needed due to poor subgrade conditions that were found when portions of
  - 47 the roadway were excavated for utilities.
- 48 • Additional storm sewer replacement to fix pipe that was in need of replacement.
- 49 • Modifications to storm structures to accommodate utilities.

50 Although the project costs are higher than the original bid amount, the project costs are still  
51 within reason for the type of road that was constructed. The assessed cost per foot for this  
52 project was \$34.18/LF.

53 For example, in 2012 the City reconstructed Dale Street using conventional methods. The  
54 overall road cost for the road reconstruction was assessed in the same manner as Victoria Street  
55 for the same type of road; 32 feet wide, 7 ton design. The assessed cost per foot for this project  
56 was \$38.25/LF in 2011 dollars. This equates to an approximate cost of \$44/LF today.

57 The final costs of the modified pavement design for Victoria Street, although higher, are still less  
58 than what a traditional reconstruct would have been. The original road design was for a  
59 stabilized bituminous reclamation. If the subsoils had not become an issue this would have  
60 resulted in a 30 year road with a significant cost savings to the City versus a more typical street  
61 reconstruction. Had the street been constructed using conventional reconstruction methods, the  
62 cost would have been around \$44/LF for an approximately same design life.

### 63 **POLICY OBJECTIVE**

64 It is the City's policy to assess for a portion of street reconstruction costs. The assessment roll  
65 has been prepared in accordance with state statute Chapter 429 and Roseville's assessment  
66 policy. The roll and frontages are consistent with the recommendations in the feasibility report  
67 prepared for this project.

68 After the Public Hearing, the City Council adopts the assessment roll making it final. The City  
69 allows for a 30-day pre-payment period after the roll adoption. Following the pre-payment  
70 period, assessment rolls are certified to Ramsey County for collection. The City will have the  
71 rolls certified by late October in order to allow the County enough time to add the assessments to  
72 property taxes.

73 As of Wednesday, September 6<sup>th</sup> staff has received only 1 property owner who objected to the  
74 proposed assessment.

75 **FINANCIAL IMPACTS**

76 This project was financed using assessments, utility funds, Municipal State Aid Funds, Parks  
77 Renewal Funds, Ramsey County Funds and street infrastructure funds. The total proposed  
78 funding breakdown is as follows:

Fund Source	Cost
State Aid	\$1,454,400.13
Assessments	\$176,533.43
Water Fund	\$77,469.97
Storm Water Fund	\$603,630.86
Parks Renewal	\$120,000.00
Ramsey County	\$78,682.72
Total Project	\$2,510,717.11

79 The final assessment roll has been prepared in accordance with Roseville’s assessment policy  
80 and as outlined in the project feasibility report. The preliminary assessment roll is attached and  
81 will be presented in detail at the assessment hearing.

82 **STAFF RECOMMENDATION**

83 Approve the attached resolution adopting and confirming the assessment roll. The 2016  
84 assessment process is suggested to proceed according to the following schedule:

- August 8 Approve Resolution declaring costs to be assessed, receiving assessment rolls and setting hearing date
- September 12 Assessment hearing- adoption of assessment roll
- September 12-October 12 Prepayment of assessments (30 days)
- October 13-21 Tally of final assessment roll
- October 21 Certification of assessment rolls to Ramsey County

85 Again, if necessary, the assessment public hearing can be continued to the September 26<sup>th</sup> City  
86 Council meeting to allow staff time to research objections raised at the initial hearing.

87 **REQUESTED COUNCIL ACTION**

88 Approval of a resolution adopting and confirming assessments for City Project P-ST-SW-W-15-  
89 02: Victoria Street Reconstruction Project, between Larpenteur Avenue and County Road B.

- Prepared by: Jesse Freihammer, Asst. Public Works Director/City Engineer
- Attachments: A: Resolution
- B: Preliminary Assessment Roll
- C: Agenda for Assessment Public Hearing
- D: Property owner objection letter

**EXTRACT OF MINUTES OF MEETING  
OF THE  
CITY COUNCIL OF THE CITY OF ROSEVILLE**

\* \* \* \* \*

1 Pursuant to due call and notice thereof, a regular meeting of the City Council of the City  
2 of Roseville, County of Ramsey, Minnesota, was duly held on the 12th day of September,  
3 2016, at 6:00 o'clock p.m.

4  
5 The following members were present: and the following were absent: .

6  
7 Councilmember introduced the following resolution and moved its adoption:

**RESOLUTION No.**

**RESOLUTION ADOPTING AND CONFIRMING  
2016 ASSESSMENTS FOR CITY PROJECT P-ST-SW-W-15-02:  
VICTORIA STREET RECONSTRUCTION, BETWEEN LARPENTEUR  
AVENUE AND COUNTY ROAD B**

15  
16 WHEREAS, pursuant to proper notice duly given as required by law, the council has met and  
17 heard and passed upon all objections to the proposed assessment for City Project P-ST-SW-  
18 W-15-02: Victoria Street Reconstruction Project, between Larpenteur Avenue and County  
19 Road B;

20  
21 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville,  
22 Minnesota:

- 23  
24 1. The amount proper and necessary to be specially assessed at this time for City Project  
25 ST-SW-W-15-02 against every assessable lot, piece or parcel of land affected thereby  
26 has been duly calculated upon the basis of benefits, without regard to cash valuation, in  
27 accordance with the provisions of Minnesota Statutes, Chapter 429, as amended, and  
28 notice has been duly mailed and published, as required by law, that this Council would  
29 meet to hear, consider, and pass upon all objections, if any, and said proposed  
30 assessment has at all times since its filing been open for public inspection, and an  
31 opportunity has been given to all interested persons to present their objections, if any,  
32 to such proposed assessments.
- 33 2. This Council, having heard and considered all objections so presented, and being fully  
34 advised in the premises, finds that each of the lots, pieces, and parcels of land  
35 enumerated in the proposed assessment was and is specifically benefited by the  
36 construction of said improvement in not less than the amount of the assessment set  
37 opposite the description of each such lot, piece, and parcel of land, respectively, and  
38 such amount so set out is hereby levied against each of the respective lots, pieces and  
39 parcels of land therein.

- 40 3. The proposed assessments are hereby adopted and confirmed as the proper special  
41 assessments for each of said lots, pieces, or parcels of land, respectively, and the  
42 assessment against each parcel, together with interest at the rate of 5.5% per annum  
43 accruing on the full amount thereof from time to time unpaid, shall be a lien concurrent  
44 with general taxes upon such parcel and all thereof. The total amount of each such  
45 assessment shall be payable in equal annual principal installments extending over a  
46 period of fifteen (15) years, the first of said installments, together with interest on the  
47 entire assessment from the date hereof to December 31, 2016, to be payable with  
48 general taxes for the year 2016, collectible in 2017, and one of each of the remaining  
49 installments, together with one year's interest on that and all other unpaid installments,  
50 to be payable with general taxes for each consecutive year thereafter until the entire  
51 assessment is paid.
- 52 4. If the adopted assessment differs from the proposed assessment as to any particular lot,  
53 piece, or parcel of land, the City Manager shall mail to the owner a notice stating the  
54 amount of the adopted assessment. The City Manager must also notify affected owners  
55 of any changes adopted by the Council in interest rates or prepayment requirements  
56 from those contained in the notice of the proposed assessment.
- 57 5. Prior to the certification of the assessment to the County Auditor, the owner of any lot,  
58 piece, or parcel of land assessed hereby may at any time pay the whole of such  
59 assessment, with interest to the date of payment, to the City Treasurer, but no interest  
60 shall be charged if such payment is made within 30 days after the date of this  
61 resolution.
- 62 6. The City Manager shall forthwith prepare and transmit to the County Auditor a certified  
63 duplicate of the assessment roll, with each installment and interest on each unpaid  
64 assessment set forth separately, to be extended upon the property tax lists of the  
65 County, and the County Auditor shall thereafter collect such assessments in the manner  
66 provided by law.

67

68 The motion for the adoption of the foregoing resolution was duly seconded by Member ,  
69 and upon vote being taken thereon, the following voted in favor thereof:

70 and the following voted against the same: .

71

72 WHEREUPON said resolution was declared duly passed and adopted.



**Victoria Street Reconstruction Project  
Assessment Roll**

<b>Total assessable project Cost</b>	\$ 1,493,008.46
<b>Total Frontage (feet)</b>	10921.69
<b>Assessment Rate (100%)</b>	\$ 136.70
<b>Assessment Rate (25%)</b>	\$ 34.18
<b>Assessment Rate (50%)</b>	\$ 68.35

Calculated assessment rate based on final costs = \$34.18, appraisals set max benefit rate at \$35.00/LF  
 Calculated assessment rate based on final costs = \$68.35, appraisals set max benefit rate at \$60.00/LF

ParcelID	SiteAddress	FRONTAGE	Assessment Rate*	Assessment	Notes
142923210079	0 County Road B	288	\$ -	NA	City Parcel
142923210029	0 Victoria St N	170	\$ -	NA	City Parcel
142923120015	0 Victoria St N	293.25	\$ 34.18	\$ 10,021.91	
142923120062	858 County Road B W	90	\$ 34.18	\$ 3,075.78	
142923210056	2067 Victoria St N	82.5	\$ 34.18	\$ 2,819.46	
142923210061	2111 Victoria St N	90	\$ 34.18	\$ 3,075.78	
142923120016	2112 Victoria St N	80	\$ 34.18	\$ 2,734.02	
142923120017	851 Parker Ave	10	\$ 34.18	\$ 341.75	assessed 100% short side 93-02-66, assess 10% of 100 feet long side
142923120057	2088 Victoria St N	22.4	\$ 34.18	\$ 765.53	assessed 100% short side 93-02-66, assess 10% of 22.4 feet long side
142923120058	2080 Victoria St N	80	\$ 34.18	\$ 2,734.02	
142923120059	2076 Victoria St N	80	\$ 34.18	\$ 2,734.02	
142923130001	2490 Victoria St	1472.71	\$ -	NA	Cemetary
142923120063	2142 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923210055	870 Parker Ave	114.48	\$ 34.18	\$ 3,912.39	not assessed for Parker, assess 100% short side for 15-02 (114.48)
142923210058	2043 Victoria St N	82.5	\$ 34.18	\$ 2,819.46	
142923210060	873 Parker Ave	98.97	\$ 34.18	\$ 3,382.33	not assessed for Parker, assess 100% short side for 15-02 (98.97)
142923210064	2057 Victoria St N	82.5	\$ 34.18	\$ 2,819.46	
142923210065	2049 Victoria St N	82.5	\$ 34.18	\$ 2,819.46	
142923240001	2035 Victoria St N	100	\$ 34.18	\$ 3,417.53	
142923240002	816 Heinel Dr W	556	\$ -	NA	City Parcel
142923240029	0 Victoria St N	204.76	\$ -	NA	City Parcel
142923240024	935 Roselawn Ave W	97.4	\$ 34.18	\$ 3,328.67	Changed footage to meet policy. 97.4' Was 133'
142923240025	929 Roselawn Ave W	153.8	\$ 34.18	\$ 5,256.16	
142923240026	1925 Victoria St N	105.5	\$ 34.18	\$ 3,605.49	
142923240033	1971 Victoria St N	112.15	\$ 34.18	\$ 3,832.76	Private road
142923240034	1975 Victoria St N	112.15	\$ 34.18	\$ 3,832.76	Private road
142923240035	1967 Victoria St N	112.15	\$ 34.18	\$ 3,832.76	Private road
142923240036	1965 Victoria St N	112.15	\$ 34.18	\$ 3,832.76	Private road
142923240037	1935 Victoria St N	112.15	\$ 34.18	\$ 3,832.76	Private road
142923240038	1945 Victoria St N	112.15	\$ 34.18	\$ 3,832.76	Private road
142923240030	0 Victoria St N	741.3	\$ -	NA	
142923130001	1920 Victoria St N	2571.92	\$ -	NA	
142923310002	1915 Victoria St N	14.7	\$ 34.18	\$ 502.38	assessed full amount on short side. Assess 10% of long side = 14.7 ft
142923310003	1901 Victoria St N	147.43	\$ 34.18	\$ 5,038.47	
142923310004	1875 Victoria St N	184	\$ 34.18	\$ 6,288.26	
142923310005	1869 Victoria St N	92	\$ 34.18	\$ 3,144.13	
142923310006	1861 Victoria St N	92	\$ 34.18	\$ 3,144.13	
142923310007	1851 Victoria St N	100	\$ 34.18	\$ 3,417.53	
142923310008	1843 Victoria St N	84	\$ 34.18	\$ 2,870.73	
142923310009	1835 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923310010	1829 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923310011	1823 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923310012	1817 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923310013	1811 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923310014	1803 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923340001	1795 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923340002	1789 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923340003	1781 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923340004	1775 Victoria St N	75	\$ 34.18	\$ 2,563.15	
142923340005	1767 Victoria St N	112.9	\$ 34.18	\$ 3,858.39	
142923340006	1759 Victoria St N	62.67	\$ 34.18	\$ 2,141.77	
142923340007	1751 Victoria St N	62	\$ 34.18	\$ 2,118.87	
142923340008	1747 Victoria St N	62	\$ 34.18	\$ 2,118.87	
142923340009	1741 Victoria St N	62	\$ 34.18	\$ 2,118.87	
142923340010	1735 Victoria St N	62	\$ 34.18	\$ 2,118.87	
142923340011	1727 Victoria St N	62	\$ 34.18	\$ 2,118.87	
142923340012	1719 Victoria St N	62	\$ 34.18	\$ 2,118.87	
142923340027	965 Larpenteur Ave W	376	\$ 60.00	\$ 22,560.00	
<b>Total Frontage:</b>		<b>10921.69</b>		<b>\$ 176,533.43</b>	

\*Rates are not to exceed rates as recommended by the Benefit Appraisal completed by Dahlen, Dwyer and Foley, Inc

**AGENDA**  
**PUBLIC HEARINGS FOR SPECIAL ASSESSMENTS**

**COMMENTS THAT SHOULD BE READ INTO THE RECORD:**

- A. **Mayor** calls the meeting to order and announces the purpose of the hearing and the format for the meeting.

"This is a public hearing to consider special assessment rolls for various public improvement projects. The projects have been constructed and the decision will be whether the Council wishes to approve the assessment rolls as presented or make modifications to the assessment rates. The hearing will discuss how the project costs will be allocated and what the assessments against benefiting properties will be."

"The Council will consider individual assessment rolls for individual projects at this hearing. The Council may by simple majority vote to approve the assessment rolls for each project."

- B. **City Manager** should make comments regarding number of projects, types of projects, and published and mailed notices. This should include the following language:

"In accordance with Minnesota Statutes, Chapter 429, required published and legal mailed notices have been provided for each of the special assessment public hearings. Legal notices appeared in the City's legal newspaper, Roseville Review, on August 17, 2016 and August 24, 2016. In addition, mailed notices have been sent to each affected property owner in accordance with the statute. Mailed notices were sent on August 15, 2016. Affidavits of mailing are available in the office of the City Engineer."

**PROCEDURE FOR EACH PROJECT HEARING:**

- A. **City Engineer** introduces the project by reading the project number and giving a brief description of the improvements presents summary of the nature of the improvement, the area involved, final project costs, project financing, and assessments.
- B. **City Manager** reads written statements objecting to assessments from affected property owners in regard to each project.
- D. **Mayor** opens hearing to the public. Speakers are requested to identify themselves and the street address of the property to which they are referring.

The following comments may be appropriate depending on how many people are in attendance.

"In an attempt to provide everyone an opportunity to be heard and yet conduct the hearing in an efficient manner, we suggest that rules be used for the individual hearings for these assessments. The rules will include the following:



1. Individuals should identify themselves by giving their name and address and should speak into the microphone.
2. Try to designate a neighborhood or block spokesperson to represent the area and summarize significant issues.
3. Each speaker should limit questions and comments to two to three minutes.
4. No person will be heard for a second time until all interested persons who wish to speak have had an opportunity to do so.
5. A maximum of 30 minutes will be allowed for questions and comments for residents unless significant major issues develop.

E. **Mayor** closes hearing.

After all citizen comments have been completed the mayor should indicate that the public hearing is closed and turn the hearing over to the City Council for action.

F. **Council** action on improvement.

Approve a resolution adopting and confirming assessments for City Project P-ST-SW-W-15-02 Victoria Street Reconstruction, between Larpenieur Avenue and County Road

B.

**From:** [mrtonyanders](#)  
**To:** [Jesse Freihammer](#)  
**Cc:** [Jason Etten](#); [Lisa Laliberte](#); [Tammy McGehee](#); [Dan Roe](#); [Robert Willmus](#)  
**Subject:** Victoria St Reconstruction comments/concerns  
**Date:** Monday, August 22, 2016 15:07:55

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Jesse Freihammer, Mayor Roe & Council

We are providing input re: City Project 15-02 Victoria Street Reconstruction as we are unable to attend the Sept. 12 Public Hearing.

First and foremost, I spoke with several city engineers/planners including Deb Bloom, Marc Culver and Dan Turner, some twice and as far back as 2011, that the residents of the 6 homes in the private road (1935, 1945, 1965, 1967, 1971 & 1975 Victoria) ***could not*** have Victoria St raised without harming the *Health, Safety & Welfare* of these residents. Deb Bloom assured me in a conversation that in fact, they would look to lower the height of Victoria (east/west section) so that access from the private drive and two others onto Victoria St would not be raised making it difficult to impossible in the winter. This did not happen and in fact, upon completion, the height of Victoria WAS raised.

The portion of Victoria from Roselawn to County road B was designated as an *Urban* section. I attended a Public Works Commission meeting back in October, 2012? where I asked someone to help me understand or find a more Rural road in Roseville. I also brought pics of the existing 'rural' road at the time, questioning the need for a major reconstruct. When the project was defined prior to construction, I learned this *Urban* section was determined because the city needed to make major storm sewer improvements to move water. So the result was the section of Victoria from Roselawn to Larpenteur is Rural and constructed that way with a much lower cost and the section from Roselawn to Co Rd B was constructed as *Urban* with the higher costs of major storm sewer construct, concrete curb and gutters.

Roseville can ask for, and have all kinds of civic engagement discussions and committees, but in the end, government does something with its citizens, for its citizens or to its citizens. I feel strongly that this project was done to us and we ended up with a raised Victoria with the primary concern of moving water and not poor road condition, costing 26% more than the pre-project estimate!

Additionally, since 1989 when we built our home at 1935 Victoria, we had a path from our back door and steps up to Victoria St. where our kids would catch the school bus and where we access our mailbox. These steps were removed/destroyed during the reconstruct and now with the raised height of Victoria it is most difficult to even walk up the hill to our mailbox. Some days in the winter it is impossible to navigate this new steeper hill.

As we are unable to attend the September 12 meeting I wanted to provide my thoughts and opinions on this project and also see what might be a solution to replacing the steps we had in place to access Victoria St.

Respectfully,

Tony & Mary Anderson

