# REQUEST FOR COUNCIL ACTION

Date: 9/20/10 Item No.: 11.a

Department Approval City Manager Approval

Item Description: Public Hearing for a 2009 Project to be assessed in 2010

#### 1 BACKGROUND

- On August 23, 2010, the City Council set a date to hold a public hearing for the purpose of
- establishing special assessments for City Project P-ST-SW-09-02: Roselawn Avenue
- 4 Reconstruction, between Hamline Avenue and Victoria Street. It is suggested that the public
- 5 hearing be conducted according to the attached agenda.
- At the assessment hearing, staff will go through a brief presentation that will include a
- 7 description of the project, project financing, and a discussion of typical assessments for
- 8 properties benefiting from these improvements. Staff will summarize the City assessment policy
- and how it has been applied to this project.
- It is suggested that if property owners have individual concerns about the quality of construction
- as part of the project or specific information about project deficiencies, these should be referred
- to the Engineering Department. Typically, these kinds of complaints relate to quality of finished
- construction and are covered under the warranty. The warranty is one year from the final
- contract acceptance; the Contract has not been finalized. Correction of these types of problems
- should not delay the adoption of assessment rolls.
- Following past Council policy, if questions are brought up during the Public Hearing regarding
- specific assessments, if amendments to the assessment rolls are necessary, or if Council would
- like staff to investigate a concern, the hearing can be continued to the next council meeting.
- This project has been completed in accordance with the plans and specifications and there are no
- 20 problems with construction according to our final review.

#### 1 POLICY OBJECTIVE

- 22 It is the City's policy to assess for a portion of street reconstruction costs. The assessment roll
- has been prepared in accordance with state statute Chapter 429 and Roseville's assessment
- policy. The roll and frontages are consistent with the recommendations in the feasibility report
- prepared for this project.
- After the Public Hearing, the City Council adopts the assessment roll making it final. The City
- 27 allows for a 30-day pre-payment period after the roll adoption. Following the pre-payment
- period, assessment rolls are certified to Ramsey County for collection. The City will have the
- 29 rolls certified by early November in order to allow the County enough time to add the
- 30 assessments to property taxes.

#### FINANCIAL IMPACTS

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Attachment A is a Project Financing Summary detailing the feasibility report and actual project

- costs for this improvement. This project was financed using assessments, utility funds, and street infrastructure funds.
- The final assessment roll has been prepared in accordance with Roseville's assessment policy and as outlined in the project feasibility report. The preliminary assessment roll is attached and will be presented in detail at the assessment hearing.

### STAFF RECOMMENDATION

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Approve the attached resolution adopting and confirming the assessments for City Project P-ST-SW-09-02: Roselawn Avenue Reconstruction Hamline Ave to Victoria Street. The 2010 assessment process is suggested to proceed according to the following schedule:

August 9	Approve Resolution declaring costs to be assessed, and ordering
	preparation of assessment roll
August 23	Approve Resolution receiving assessment rolls, setting hearing date.
August 31	Notice of hearing published in the <i>Roseville Review</i>
	Mail notices to affected property owners
September 20	Assessment hearing- adoption of assessment roll
Sept 21- Oct 22	Prepayment of assessments (30 days)
Oct 25-29	Tally of final assessment roll
November 2	Certification of assessment rolls to Ramsey County

If necessary, the assessment public hearing can be continued to the September 27, 2010 City

Council meeting to allow staff time to research objections raised at the initial hearing.

## REQUESTED COUNCIL ACTION

- 47 Approval of a resolution adopting and confirming assessments for City Project P-ST-SW-09-02:
- Roselawn Avenue Reconstruction Hamline Ave to Victoria Street.

Prepared by: Debra Bloom, City Engineer
Attachments: A: Project Financing Summary

B: Resolution

C: Preliminary Assessment Roll

D: Agenda for Assessment Public Hearing

Project 09-02 **Roselawn Avenue Reconstruction Project Financing Summary** 

Attachment A 8/11/2010

72,476.90

	Feasibility Report	Final Cost	
Reconstruction	\$ 2,510,467.21	\$	1,264,491.55
Engineering*	NA	\$	257,614.77
Total Construction Cost	\$ 2,510,467.21	\$	1,522,106.32

<sup>\*</sup>Engineering cost estimates included in feasibility report totals

Summary of Non-assessable costs		
Cost to build a 9 ton vs. 7 ton road	\$ 200,000.00	\$
Storm Sewer	\$ 112,698.85	\$

35 \$ 56,947.26 Sanitary Sewer \$ 289,874.20 \$ 59,941.10 Watermain \$ 393,961.70 \$ 248,143.41 Pathway Construction \$ 94,160.94 166,392.60 \$

**Total Non- assessable costs** 1,162,927.35 \$ 531,669.61

## **Summary of Assessment Calculations**

Assessable Cost \$	\$ 1,347,539.86	\$ 990,436.71
Assessment Rate \$	\$ 48.06	\$ 35.33
Actual Total Frontage	7,009.32	7,009.32

## **Total Special Assessments**

\$	336,884.97	\$	247,609.18
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## **Project Financing Summary**

General Fund (Engineering costs) Special Assessments Private property Storm water drainage Watermain Enterprise Fund Sanitary Sewer Enterprise Fund Municipal State Aid

	NA	\$ 193,211.08
	\$ 336,884.97	\$ 247,609.18
	NA	\$ 56,947.26
	\$ 393,961.70	\$ 248,143.41
	\$ 289,874.20	\$ 59,941.10
	\$ 1,489,746.35	\$ 716,254.29
Total	\$ 2,510,467.22	\$ 1,522,106.32

NA = item was not broken out in Feasibility Report

## EXTRACT OF MINUTES OF MEETING **OF CITY COUNCIL** OF CITY OF ROSEVILLE RAMSEY COUNTY, MINNESOTA

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Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was duly held in the City Hall at 2660 Civic Center Drive, Roseville, Minnesota, on Monday, the 20th day of September, 2010, at 6:00 o'clock p.m.

10 and the following were absent: The following members were present:

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Councilmember Pust introduced the following resolution and moved its adoption:

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## **RESOLUTION**

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RESOLUTION ADOPTING AND CONFIRMING 2010 ASSESSMENTS FOR CITY PROJECT P-ST-SW-09-02: ROSELAWN AVENUE RECONSTRUCTION, BETWEEN HAMLINE AVENUE AND VICTORIA STREET.

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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 assessment for City Project P-ST-SW-09-02: Roselawn Avenue Reconstruction, between Hamline Avenue and Victoria Street.;

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BE IT RESOLVED by the Council of the City of Roseville, Minnesota as follows:

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- The amount proper and necessary to be specially assessed at this time for City Project ST-1. SW-09-02 against every assessable lot, piece or parcel of land affected thereby has been duly calculated upon the basis of benefits, without regard to cash valuation, in accordance with the provisions of Minnesota Statutes, Chapter 429, as amended, and notice has been duly mailed and published, as required by law, that this Council would meet to hear, consider, and pass upon all objections, if any, and said proposed assessment has at all times since its filing been open for public inspection, and an opportunity has been given to all interested persons to present their objections, if any, to such proposed assessments.
- 35 This Council, having heard and considered all objections so presented, and being fully 2. 36 advised in the premises, finds that each of the lots, pieces, and parcels of land enumerated 37 in the proposed assessment was and is specifically benefited by the construction of said 38 improvement in not less than the amount of the assessment set opposite the description of 39 each such lot, piece, and parcel of land, respectively, and such amount so set out is hereby levied against each of the respective lots, pieces and parcels of land therein. 40
- 41 The proposed assessments are hereby adopted and confirmed as the proper special 3. 42 assessments for each of said lots, pieces, or parcels of land, respectively, and the 43 assessment against each parcel, together with interest at the rate of 6.5% per annum 44 accruing on the full amount thereof from time to time unpaid, shall be a lien concurrent 45 with general taxes upon such parcel and all thereof. The total amount of each such assessment shall be payable in equal annual principal installments extending over a period 46 47 of fifteen (15) years, the first of said installments, together with interest on the entire 48 assessment from the date hereof to December 31, 2010, to be payable with general taxes 49 for the year 2010, collectible in 2011, and one of each of the remaining installments,

- together with one year's interest on that and all other unpaid installments, to be payable with general taxes for each consecutive year thereafter until the entire assessment is paid.
- If the adopted assessment differs from the proposed assessment as to any particular lot,
   piece, or parcel of land, the manager shall mail to the owner a notice stating the amount of
   the adopted assessment. The manager must also notify affected owners of any changes
   adopted by the Council in interest rates or prepayment requirements 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 assessment, 59 with interest to the date of payment, to the City Treasurer, but no interest shall be charged 60 if such payment is made within 30 days after the date of this resolution.
  - 6. The City Manager shall forthwith prepare and transmit to the County Auditor a certified duplicate of the assessment roll, with each installment and interest on each unpaid assessment set forth separately, to be extended upon the property tax lists of the County, and the County Auditor shall thereafter collect such assessments in the manner provided by law.

The motion for the adoption of the foregoing resolution was duly seconded by Council member and upon roll call vote being taken thereon, the following voted in favor thereof: and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

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76	STATE OF MINNESOTA	)
77		) SS
78	COUNTY OF RAMSEY	)
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81	I, the undersigned, being the duly	y qualified City Manager of the City of Roseville, Ramsey
82	County, Minnesota, hereby certif	fy that I have carefully compared the attached and foregoing
83	extract of minutes of a meeting of	of the City Council of said City held on the 20th day of
84	September, 2010, with the origin	al thereof on file in my office, as the same relates to City
85	Project ST-SW-09-02.	
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87	WITNESS MY HAND as said M	Manager and the corporate seal of the City this 220th day of
88	September, 2010.	
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93	(SEAL)	City Manager

09-02 Roselawn Avenue Reconstruction Project Preliminary Assessment Roll 08/11/10 Attachment C

Total assessable project cost Total Frontage (feet) Assessment Rate (100%) Assessment Rate (25%) \$ 990,436.71 7,009.32 feet \$ 141.30 \$ 35.33

PIN	Property Address	FRONTAGE	Assessment	Sanitary Sewer	Total	NOTES
142923240051	941 ROSELAWN AVE W	100.00	¢ 2.532.00		\$ 3,533.00	
142923310030	954 ROSELAWN AVE W	100.00	\$ 3,533.00 \$ 3,748.87		\$ 3,748.87	
142923240052	955 ROSELAWN AVE W	106.11			\$ 4,486.91	
142923240021	965 ROSELAWN AVE W	127.00			\$ 2,108.85	
142923210021	968 ROSELAWN AVE W	59.69	\$ 2,108.85		\$ 3,748.87	
142923240020	969 ROSELAWN AVE W	106.11	\$ 3,748.87		\$ 2,649.75	
142923310028	974 ROSELAWN AVE	75.00	\$ 2,649.75		\$ 3,748.87	
142923240019	975 ROSELAWN AVE W	106.11	\$ 3,748.87		\$ 2,649.75	Corner Lot- Short side
142923230057	991 ROSELAWN AVE W	75.00	\$ 2,649.75		\$ 2,225.79	
142923230057	995 ROSELAWN AVE W	63.00	\$ 2,225.79		\$ 2,473.10	
152923130109	0 ROSELAWN AVE W	70.00	\$ 2,473.10		\$ 1,413.20	
142923320111	1000 ROSELAWN AVE W	40.00	\$ 1,413.20		\$ 4,619.40	
142923230111	1000 ROSELAWN AVE W	130.75	\$ 4,619.40		\$ 2,508.43	
142923230039	1007 ROSELAWN AVE W	71.00	\$ 2,508.43		\$ 2,473.10	
142923230061	1011 ROSELAWN AVE W	70.00	\$ 2,473.10		\$ 2,473.10	
142923230061	1017 ROSELAWN AVE W	70.00	\$ 2,473.10		\$ 2,967.72	
142923230062	1017 ROSELAWN AVE W	84.00	\$ 2,967.72		\$ 2,967.72 \$ 472.43	
142923320031	1020 ROSELAWN AVE W	13.37	\$ 472.43		\$ 472.43 \$ 2,967.72	
142923230063	1027 ROSELAWN AVE W	84.00	\$ 2,967.72		\$ 2,967.72 \$ 471.66	
142923230064	1031 ROSELAWN AVE W	13.35	\$ 471.66			
		120.00	\$ 4,239.60		·	
142923320057	1048 ROSELAWN AVE W 1056 ROSELAWN AVE W	93.34	\$ 3,297.70		\$ 3,297.70 \$ 2,944.05	
142923320058 142923320059	1064 ROSELAWN AVE W	83.33	\$ 2,944.05			
142923320039		88.33	\$ 3,120.70		\$ 3,120.70 \$ 5,479.68	
	1074 ROSELAWN AVE W	155.10	\$ 5,479.68			
142923230121 142923230104	1048 HARRIET LANE 1049 HARRIET LANE	28.32	\$ 1,000.63		\$ 1,000.63 \$ 1,000.63	Frontage= 453.51/16 = 28.32
142923230104	1050 HARRIET LANE	28.32	\$ 1,000.63		\$ 1,000.63	Frontage= 453.51/16 = 28.32
142923230120	1051 HARRIET LANE	28.32	\$ 1,000.63		\$ 1,000.63	Frontage= 453.51/16 = 28.32
142923230105		28.32	\$ 1,000.63		·	Frontage= 453.51/16 = 28.32
142923230119	1056 HARRIET LANE 1057 HARRIET LANE	28.32	\$ 1,000.63		·	Frontage= 453.51/16 = 28.32
142923230108	1057 HARRIET LANE	28.32	\$ 1,000.63		A 4000.00	Frontage= 453.51/16 = 28.32
142923230110	1059 HARRIET LANE	28.32	\$ 1,000.63		\$ 1,000.63	Frontage= 453.51/16 = 28.32
142923230109	1064 HARRIET LANE	28.32	\$ 1,000.63			Frontage= 453.51/16 = 28.32
142923230117	1065 HARRIET LANE	28.32	\$ 1,000.63		\$ 1,000.63	Frontage= 453.51/16 = 28.32
142923230110	1066 HARRIET LANE	28.32	\$ 1,000.63		\$ 1,000.63	Frontage= 453.51/16 = 28.32
142923230110	1067 HARRIET LANE	28.32	\$ 1,000.63		\$ 1,000.63	Frontage= 453.51/16 = 28.32
142923230111	1073 HARRIET LANE	28.32	\$ 1,000.63			Frontage= 453.51/16 = 28.32
142923230112	1075 HARRIET LANE	28.32	\$ 1,000.63		·	Frontage= 453.51/16 = 28.32
142923230113	1081 HARRIET LANE	28.32	\$ 1,000.63			Frontage= 453.51/16 = 28.32
142923230114	1083 HARRIET LANE	28.32	\$ 1,000.63		\$ 1,000.63	Frontage= 453.51/16 = 28.32
152923410001	1110 ROSELAWN AVE W	28.32	\$ 1,000.63		\$ 3,550.67	Frontage= 453.51/16 = 28.32
152923410001		100.50	\$ 3,550.67		·	
152923410002	1116 ROSELAWN AVE W 1124 ROSELAWN AVE W	84.23	\$ 2,975.85		\$ 2,975.85 \$ 2,826.40	
152923140089	1125 ROSELAWN AVE W/ 1943	80.00 155.1	\$ 2,826.40		\$ 5,479.68	
152923140084	LEXINGTON AVE N 1129-1131 ROSELAWN AVE W	73.36	\$ 5,479.68 \$ 2,591.81		\$ 2,591.81	
152923410004	1132 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923140083	1133 ROSELAWN AVE W				\$ 4,062.95	
152923410005	1140 ROSELAWN AVE W	115.00			\$ 2,826.40	
152923410006	1146 ROSELAWN AVE W	80.00 80.00			\$ 2,826.40	
152923410007	1154 ROSELAWN AVE W				\$ 2,826.40	
152923140082	1155 ROSELAWN AVE W	80.00			\$ 7,584.29	
152923410008	1160 ROSELAWN AVE W	214.67	\$ 7,584.29		\$ 2,826.40	
102323410000	1100 NOGLLAVIN AVE W	80.00	\$ 2,826.40		Ψ 2,020.40	

#### 09-02 Roselawn Avenue Reconstruction Project Preliminary Assessment Roll 08/11/10

Total assessable project cost Total Frontage (feet) Assessment Rate (100%) Assessment Rate (25%) \$ 990,436.71 7,009.32 feet \$ 141.30 \$ 35.33

PIN	Property Address	FRONTAGE	Assessment	Sanitary Sewer	Total	NOTES
152923410009	1168 ROSELAWN AVE W	77.00	\$ 2,720.41		\$ 2,720.41	
152923410010	1174 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923410011	1182 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923410012	1190 ROSELAWN AVE W	75.00	\$ 2,649.75		\$ 2,649.75	
152923410013	1210 ROSELAWN AVE W	97.27	\$ 3,436.55		\$ 3,436.55	
152923410014	1214 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923140093	1215 ROSELAWN AVE	487.66	\$ 17,229.03		\$ 17,229.03	Roseville Lutheran
152923130129	1225 ROSELAWN AVE W	76.00	\$ 2,685.08		\$ 2,685.08	
152923420001	1230 ROSELAWN AVE W	106.76	\$ 3,771.83		\$ 3,771.83	
152923130128	1233 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923130138	1235 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923420002	1236 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923420015	1244 ROSELAWN AVE W	88.00	\$ 3,109.04		\$ 3,109.04	
152923130126	1247 ROSELAWN AVE W	60.00	\$ 2,119.80		\$ 2,119.80	
152923130125	1253 ROSELAWN AVE W	60.00	\$ 2,119.80		\$ 2,119.80	
152923420016	1254 ROSELAWN AVE W	72.01	\$ 2,544.11		\$ 2,544.11	
152923130124	1261 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923130123	1265 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923130122	1275 ROSELAWN AVE W	76.00	\$ 2,685.08		\$ 2,685.08	
152923130114	1285 ROSELAWN AVE W	76.00	\$ 2,685.08		\$ 2,685.08	
152923130113	1289 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923130112	1293 ROSELAWN AVE W	80.00	\$ 2,826.40	\$ 1,000.00	\$ 3,826.40	Replaced Sanitary Sewer Service
152923130111	1307 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923130110	1311 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923130108	1325 ROSELAWN AVE W	80.00	\$ 2,826.40		\$ 2,826.40	
152923420072	1910 DELLWOOD AVE N	12.30	\$ 434.56		\$ 434.56	Corner Lot- 10% Long side
152923410015	1910 FERNWOOD ST N	82.00	\$ 2,897.06		\$ 2,897.06	
152923420053	1910 HAMLINE AVE N	11.21	\$ 395.94		\$ 395.94	Corner Lot- 10% Long side
152923420054	1910 HURON AVE	12.30	\$ 434.56		\$ 434.56	Corner Lot- 10% Long side
152923420071	1911 DELLWOOD ST	12.30	\$ 434.56		\$ 434.56	Corner Lot- 10% Long side
152923420052	1911 HURON AVE	11.21	\$ 395.94		\$ 395.94	Corner Lot- 10% Long side
152923420090	1911 MERRILL ST	12.30	\$ 434.56		\$ 434.56	Corner Lot- 10% Long side
142923320104	1912 LEXINGTON AVE N	155.10	\$ 5,479.68		\$ 5,479.68	
142923320001	1915 CHATSWORTH ST N	13.35	\$ 471.66		\$ 471.66	Corner Lot- 10% Long side
142923310002	1915 VICTORIA ST N	106.11	\$ 3,748.87		\$ 3,748.87	Ĭ
152923140092	1925 LEXINGTON AVE N	96.50	\$ 3,409.35		\$ 3,409.35	
152923130107	1928 HAMLINE AVE N	76.00	\$ 2,685.08		\$ 2,685.08	
142923230066	1930 LEXINGTON AVE N	150.00	\$ 5,299.50		\$ 5,299.50	Corner Lot Short side
152923140094	Bruce Russell Park	186.33	\$ 6,583.04		\$ 6,583.04	OL=((134+318.8+454.23)/2)/84506.4

**Totals** 7009.32 \$ 247,639.13

## AGENDA PUBLIC HEARINGS FOR SPECIAL ASSESSMENTS

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

A. <u>Mayor</u> 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. <u>City Manager</u> 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 31, 2010. In addition, mailed notices have been sent to each affected property owner in accordance with the statute. Mailed notices were sent on September 1, 2010. Affidavits of mailing are available in the office of the City Engineer."

## PROCEDURE FOR EACH PROJECT HEARING:

- A. <u>City Engineer</u> 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. <u>City Manager</u> reads written statements objecting to assessments from affected property owners in regard to each project.
- D. <u>Mayor</u> 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. <u>Mayor</u> 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. <u>Council</u> action on improvement.

Approve a resolution adopting and confirming assessments for City Project P-ST-SW-09-02: Roselawn Avenue Reconstruction Hamline Ave to Victoria Street.