



MAYOR & COUNCIL COMMUNICATION

DATE: March 18, 2014

REGULAR

ITEM # 11

AGENDA ITEM: 39th Street North: Street and Sanitary Sewer Improvements– Resolution No. 2014-18 Declaring Adequacy of Petition; and Ordering Preparation of Feasibility Report

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Cathy Bendel, Finance Director
Dave Snyder, City Attorney
Chad Isakson, Project Engineer

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item..... City Engineer
- Report/Presentation..... City Engineer
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Engineering

FISCAL IMPACT: \$9,400.

If authorized, FOCUS Engineering Inc. will prepare a feasibility report in the not to exceed amount of \$9,400, to evaluate street and sanitary sewer improvements along 39th Street North, from Trunk Highway 5 to Lake Elmo Avenue (CSAH 17). If the improvements are ordered, the report costs will be charged against the project fund and become assessable to the benefitting properties. Should the project not be constructed, the report costs cannot be assessed.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving Resolution No. 2014-18 Declaring Adequacy of Petition and Ordering Preparation of Feasibility Report. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2014-18 Declaring Adequacy of Petition and Ordering Preparation of Feasibility Report for the 39th Street North: Street and Sanitary Sewer Improvements, in a not to exceed amount of \$9,400.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

The City of Lake Elmo received a Petition, pursuant to Minnesota Statue 429, requesting street and sanitary sewer improvements along 39th Street North, from State Highway 5 to Lake Elmo Avenue (CSAH 17). The Petition has been reviewed and certified by the City Clerk to represent at least 35% of the properties to be benefitted by the requested improvements (see attached Petition for Local Improvements and petition map).

The improvements would be completed in 2014 in connection with the Village East Trunk Sanitary Sewer extension project being proposed by various Village area developers. This project proposes to extend trunk sanitary sewer from the new Village lift station near Reid Park to the undeveloped properties in the north and northwestern Village area. The Village area comprehensive sewer plan indicates the preferred alignment for this trunk sewer to be along 39th Street North, therefore, the sewer extension project would also provide service to the existing commercial properties along this street segment.

On March 5, 2014, staff met with the potentially impacted property owners to present a preliminary scope of improvements together with a high level estimate of project costs and corresponding assessments. Assessments would be levied for both sanitary sewer and street improvements since the sewer construction would result in the need to reconstruct 39th Street. Following the meeting the property owners expressed interest in moving the project forward.

Should the Council choose to accept the petition and authorize the Feasibility Report, the report will evaluate and consider a new street section for 39th Street that will match the proposed street section to the future Village Parkway section that is planned south of Highway 5.

STRENGTHS: This project, together with the Village East Trunk Sanitary Sewer Improvements would make sewer and water available to most of the undeveloped properties in the Village area with all or a substantial portion of the project costs assessed to the benefitting properties. This project accelerates the development opportunities in the north and northwestern part of the Village. Development staging in the northern part of the Village improves the sequencing of Village area development and improves the ability to better manage storm water.

WEAKNESSES: The project impacts existing commercial properties and requires the City to reconstruct 39th Street North in connection with the project. The project must be implemented on an accelerated timeframe and must follow statutory requirements for special assessments. Bids will be received in mid-summer with construction to occur late in the year.

OPPORTUNITIES: This project would substantially enhance and perhaps accelerate Village area development which would improve the City’s ability to meet debt obligations.

THREATS: The City must front the costs to complete the feasibility report which cannot be assessed should the project not be constructed. The City may need to participate in some of the project costs (the existing property owners have requested consideration of City cost participation). The City could receive appeals on the proposed assessments and incur additional costs proving benefit.

RECOMMENDATION:

Staff is recommending that the City Council approve Resolution No. 2014-18 Declaring Adequacy of Petition and Ordering Preparation of Feasibility Report. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2014-18 Declaring Adequacy of Petition and Ordering Preparation of Feasibility Report for the 39th Street North: Street and Sanitary Sewer Improvements, in a not to exceed amount of \$9,400.”

ATTACHMENT(S):

1. Resolution No. 2014-18 Declaring Adequacy of Petition and Ordering Preparation of Feasibility Report.
2. Petition(s) for Local Improvements.
3. Petition Map.
4. Proposed Project Schedule.