



MAYOR & COUNCIL COMMUNICATION

DATE: April 19, 2016
REGULAR
ITEM #17

AGENDA ITEM: 2016 Street Improvements – Adopt Resolution 2016-31

SUBMITTED BY: Julie Johnson, City Clerk

THROUGH: Sarah Sonsalla, City Attorney

REVIEWED BY: Cathy Bendel, Finance Director
Kristina Handt, City Administrator

POLICY RECOMMENDER: City Clerk & Finance Director

FISCAL IMPACT: Passage of this Resolution allows the City to bond for the project. Should this item not be approved, alternative financing of \$1.2M would be required as the project has been approved for construction.

SUMMARY AND ACTION REQUESTED: The City Council adopted Resolution 2015-82 on November 4, 2015 with the following motions:

Councilmember Bloyer, seconded by Councilmember Smith, moved TO AMEND RESOLUTION 2015-82 TO INCLUDE STONEGATE AND KIRKWOOD AREAS AND REMOVE THE KELVIN AVENUE AREA FROM THE PROJECT. MOTION PASSED 5 – 0.

Councilmember Lundgren, seconded by Councilmember Smith, moved TO ADOPT 2015-82 ORDERING THE 2016 STREET, DRAINAGE AND UTILITY IMPROVEMENTS AND THE PREPARATION OF PLANS AND SPECIFICATIONS AS AMENDED, WITH REMOVAL OF THE 6” WATER MAIN LATERAL TO THE EAST, AND TO AMEND THE WATER LATERAL ASSESSMENT TO \$2,900 WITH AN ADDITIONAL \$2,900 DEFERRED TO THE TIME OF CONNECTION. MOTION PASSED 3 – 2. (Bloyer, Fliflet – Nay)

The motion adopting the Resolution required a 4/5 vote to pass per state statute and the City's bond counsel cannot include this project in the 2016 Capital Improvement Financing Plan on the 4/19/16 agenda without a new Resolution in support of the project passed by a 4/5 vote.

Resolution 2016-31 has been prepared to approve the project and rescind Resolution 2015-82. The Council approved bids and awarded the contract for this project at the April 5, 2016 City Council meeting and the project is ready for construction.

RECOMMENDATION:

“Motion to adopt Resolution 2016-31 Ordering the Improvement and Preparation of Plans and Specifications for the 2016 Street, Drainage and Utility Improvements.”

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2016-31

**A RESOLUTION ORDERING THE IMPROVEMENT AND PREPARATION OF
PLANS AND SPECIFICATIONS FOR THE 2016 STREET, DRAINAGE & UTILITY
IMPROVEMENTS**

WHEREAS, pursuant a resolution of the city council adopted the 6th day of October, 2015, the council ordered a hearing on Improvement for the 2016 Street, Drainage and Utility Improvements; and

WHEREAS, ten days' mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 4th day of November, 2015, at which all persons desiring to be heard were given the opportunity to be heard thereon; and

WHEREAS, the feasibility report prepared by FOCUS Engineering, Inc., and dated September 2015 states that the project is necessary, cost-effective, and feasible.

NOW, THEREFORE, BE IT RESOLVED,

1. Such improvement is deemed necessary, cost-effective, and feasible as detailed in the Feasibility Report dated September 2015.
2. Such improvement is hereby ordered as proposed in the council resolution adopted this 19th day of April, 2016.
3. The city council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax exempt bonds.
4. The city engineer is hereby designated as the engineer for making this improvement.
5. The city engineer shall retain the services of a consulting engineering firm to assist, where needed, to prepare Plans and Specifications for the making of such improvement and to assist the city engineer during the construction phase of the improvement as requested.
6. The engineer and his consultants shall oversee the preparation of the Plans and Specifications for the making of such improvement.
7. City Council Resolution No. 2015-82, adopted on November 4, 2015, is hereby rescinded.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE 19th DAY OF APRIL,
2016.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)
ATTEST:

Julie Johnson
City Clerk