



STAFF REPORT

DATE: October 17, 2017

REGULAR

Item #: 23

AGENDA ITEM: 2017 Street Improvements – Assessment Hearing on Improvements and Adopting the Final Assessment Roll

SUBMITTED BY: Jack Griffin, City Engineer

REVIEWED BY: Kristina Handt, City Administrator
Brian Swanson, Finance Director
Sarah Sonsalla, City Attorney
Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council hold the final assessment hearing for the 2017 Street Improvements and, after closing the hearing, adopt the final assessment roll?

BACKGROUND: On September 19, 2017, the City Council approved a Resolution declaring the costs to be assessed, ordering the preparation of the proposed assessment, and calling for the hearing on proposed assessment for the 2017 Street Improvements. Mailed notice has been provided to each assessed property and notice of the public hearing has been published in the local paper.

PROPOSAL DETAILS/ANALYSIS: Pursuant to Minnesota Statutes, Section 429 the Council must declare the final amount to be assessed against the benefitting properties and the hearing on the proposed assessment for these improvements must be conducted. Staff has attached a Final Assessment Roll which must be certified to the County Auditor by November 30, 2017.

The Final Assessment Rolls have been calculated based on the final project costs and in accordance with the City's Special Assessment Policy. The final total project cost, at completion, is \$1,318,000; down from the feasibility report cost of \$1,400,000. The table below summarizes the preliminary unit assessment from the feasibility report and the proposed final unit assessment. In accordance with the assessment policy there are two properties along the project that are being assessed 50% of the unit assessment because they have a driveway access to two different streets and will be assessed for improvements to each street project. Two other properties are proposed to be assessed 2 unit assessments because the properties could be subdivided under their current zoning and land use designations. The attached final assessment roll details the proposed assessment for each parcel.

Table 1: Assessment Comparison

	Feasibility Report	Proposed Final Assessment
2017 Streets Improvements – Residential Property	\$6,400	\$5,900

Assessments for street improvements are being levied over 15 years.

FISCAL IMPACT: The total project cost is \$1,318,000 with \$395,300 paid through special assessments and the remaining \$922,700 paid through the general tax levy. Holding the final assessment hearing follows state statute for assessing benefitting properties and adopting the final assessment roll finalizes the special assessments to be levied for the improvements.

RECOMMENDATION: Staff is recommending that the City Council approve Resolution No. 2017-115, Adopting the Final Assessment Roll for the 2017 Street Improvements. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2017-109, Adopting the Final Assessment Roll for the 2017 Street Improvements.”

ATTACHMENTS:

1. Resolution Adopting the Final Assessment Roll on Street Improvements.
2. Notice of Hearing on Proposed Assessment.
3. Final Assessment Roll.

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

**RESOLUTION NO. 2017-109
A RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL FOR
THE 2017 STREET IMPROVEMENTS**

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 the 2017 Street Improvements including street, drainage and utility improvements of 55th Street North from Demontreville Trail North to Jamaca Avenue North, 55th Street North from Jamaca Avenue North to 57th Street North, 57th Street North from Julep Way North to Keats Avenue North, Jamaca Avenue North from 55th Street North to Jamaca Boulevard North, and Jamaca Boulevard North from 55th Street North to Jamaca Avenue North.

NOW, THEREFORE, BE IT RESOLVED,

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over 15 years, the first of the installments to be payable on or before the first Monday in January, 2018, and shall bear interest at the rate of 4.00% percent per annum from the date of the adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2017. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the county auditor, pay the whole of the assessment on such property, with the interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the City Clerk 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 next succeeding year.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SEVENTEENTH DAY OF OCTOBER, 2017.

CITY OF LAKE ELMO

(Seal)
ATTEST:

By: _____
Mike Pearson
Mayor

Julie Johnson
City Clerk

CITY OF LAKE ELMO
NOTICE OF HEARING ON PROPOSED ASSESSMENT
2017 STREET IMPROVEMENTS

Notice is hereby given that the City Council of Lake Elmo will meet in the council chambers of the city hall at or approximately after 7:00 P.M. on Tuesday, October 17, 2017, to consider, and possibly adopt, the proposed assessment against benefitting property for the 2017 Street Improvements. Adoption by the Council of the proposed assessment may occur at the hearing. The following describes the area proposed to be assessed:

- Street and drainage improvements along 55th Street North from Demontreville Trail North to Jamaca Avenue North, 55th Street North from Jamaca Avenue North to 57th Street North, 57th Street North from Julep Way North to Keats Avenue North, Jamaca Avenue North from 55th Street North to Jamaca Boulevard North, Jamaca Boulevard North from 55th Street North to Jamaca Avenue North.

You may at any time prior to certification of the assessment to the county auditor pay the entire assessment on such property to the City Clerk with interest accrued to the date of payment. No interest shall be charged if the entire assessment is paid to the City Clerk within 30 days from the adoption of this assessment. You may at any time thereafter, pay to the City Clerk 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 4.00 percent per year.

Once assessments are certified to the County, the assessments are payable in equal annual installments extending over a period of 15 years for street improvements, the first of the installments to be payable on or before the first Monday in January 2018, and will bear interest at the rate of 4.00 percent per annum from the date of adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2017. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

The proposed assessment roll is on file for public inspection at the City Clerk's office. The total amount of the proposed street improvement assessments is \$395,300. 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 municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The 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.

An owner may appeal an assessment to district court pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.

The City Council may, in its discretion, defer the payment of this assessment for any homestead property owned by a person for whom it would be a hardship to make payment if the owner is 65 years of age or older and/or the owner is a person retired by virtue of a permanent and total disability or by a person who is a member of the Minnesota National Guard or other military reserves who is ordered into active military service, as defined in section 190.05 subdivision 5b or 5c, as stated in the person's military orders. The owner must request a deferment of the assessment at or before the public hearing at which the assessment is adopted and make application on forms prescribed by the City Clerk within 30 days after the adoption.

Notwithstanding the standards and guidelines established by the City for determining a hardship, a deferment of an assessment may be obtained pursuant to Minnesota Statutes Section 435.193.

DATED: September 19, 2017

BY ORDER OF THE LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

(Published in the Oakdale-Lake Elmo Review on September 27, 2017)

NO.	NAME	ADDRESS	MAILING ADDRESS	PID	AMOUNT
55TH STREET NORTH: DEMONTREVILLE TRAIL TO JAMACA AVENUE					
1	KLAENHAMMER LEIGH J	8800 55TH ST N	8800 55TH ST N LAKE ELMO MN 55042	0402921110005	\$ 5,900.00
2	HUNT LEE G & MARY C	8810 55TH ST N	8810 55TH ST N LAKE ELMO MN 55042	0402921140001	\$ 5,900.00
3	OPHEIM JOHN E & BRENDA J		1485 GERVAIS AVE MAPLEWOOD MN 55109	0402921140003	\$ 5,900.00
4	SPRINGBORN RICHIE W & BETH A	8970 55TH ST N	8970 55TH ST N LAKE ELMO MN 55042	0402921140002	\$ 5,900.00
5	LAWRENCE MATTHEW T & JESSICA A		1946 COUNTY RD E E WHITE BEAR LAKE MN 55110	0302921230010	\$ 5,900.00
6	SPRINGBORN GAYLEN W		8989 55TH ST N LAKE ELMO MN 55042	0402921140004	\$ 5,900.00
7	SPRINGBORN GAYLEN W & WANDA E	8989 55TH ST N	8989 55TH ST N LAKE ELMO MN 55042	0402921140005	\$ 5,900.00
55TH STREET NORTH: JAMACA AVENUE TO 57TH STREET					
8	CIHON JAMES & LISA		5121 ISLE AVE LAKE ELMO MN 55042	0302921230011	\$ 5,900.00
9	SCHABERG MARK S & SUSAN H	9055 55TH ST N	9055 55TH ST N LAKE ELMO MN 55042	0302921320019	\$ 5,900.00
10	SMITH MICHAEL H & AIMEE C	9123 55TH ST N	9123 55TH ST N LAKE ELMO MN 55042	0302921320011	\$ 5,900.00
11	KASTLER PETER H & MADELINE E & LINDA DORNFELD	9130 55TH ST N	9130 55TH ST N LAKE ELMO MN 55042	0302921230012	\$ 11,800.00
12	PRESTON HOWARD D & LAURIE G MCGINNIS	9163 55TH ST N	9163 55TH ST N LAKE ELMO MN 55042	0302921320010	\$ 5,900.00
13	SHARON N MATTREN LIVING TRS	9203 55TH ST N	9203 55TH ST N LAKE ELMO MN 55042	0302921320009	\$ 5,900.00
14	MILLER WILLIAM T & BARBARA K	9240 55TH ST N	9240 55TH ST N LAKE ELMO MN 55042	0302921310012	\$ 5,900.00
15	BURRESS MICHAEL J & MARY JO	9243 55TH ST N	9243 55TH ST N LAKE ELMO MN 55042	0302921320008	\$ 5,900.00
16	FROST ARLO P & STEPHANIE L	9280 55TH ST N	9280 55TH ST N LAKE ELMO MN 55042	0302921310013	\$ 5,900.00
17	METZLER DAVID	9303 55TH ST N	9303 55TH ST N LAKE ELMO MN 55042	0302921310009	\$ 5,900.00
18	SUNDGAARD HANS	9333 55TH ST N	9333 55TH ST N LAKE ELMO MN 55042	0302921310010	\$ 5,900.00
19	GONZALEZ LAWRENCE & JOY	9363 55TH ST N	9363 55TH ST N LAKE ELMO MN 55042	0302921310011	\$ 5,900.00
20	YAGER PATRICIA & RAYMOND	9393 55TH ST N	9393 55TH ST N LAKE ELMO MN 55042	0302921310002	\$ 5,900.00
21	STANLEY W & SANDRA K EAYRS TRS	9400 55TH ST N	9400 55TH ST N LAKE ELMO MN 55042	0302921310015	\$ 5,900.00
22	HUGHES JOHN R & CHARLENE	9455 55TH ST N	9455 55TH ST N LAKE ELMO MN 55042	0302921240003	\$ 5,900.00
23	AUGER THOMAS & MARY	9486 55TH ST N	9486 55TH ST N LAKE ELMO MN 55042	0302921240007	\$ 5,900.00
24	DIAZ JIMMY	9515 55TH ST N	9515 55TH ST N LAKE ELMO MN 55042	0302921240004	\$ 5,900.00
25	STEELE DAVID & DEBORAH	9576 55TH ST N	9576 55TH ST N LAKE ELMO MN 55042	0302921240008	\$ 5,900.00
26	RADERS DEAN A & PRATHER H P JR	9589 55TH ST N	9589 55TH ST N LAKE ELMO MN 55042	0302921240005	\$ 5,900.00
27	GRABOWSKI DENNIS J & SANDRA L GRABOWSKI	9652 55TH ST N	9652 55TH ST N LAKE ELMO MN 55042	0302921240009	\$ 5,900.00
57TH STREET NORTH: JULEP WAY TO KEATS AVENUE					
28	CHLEBECK STEPHEN JR & PATRICIA A BARRETT	9692 57TH ST N	9692 57TH ST N LAKE ELMO MN 55042	0302921130003	\$ 5,900.00
29	JURAN LEONARD D & BONNIE M	9784 57TH ST N	9784 57TH ST N LAKE ELMO MN 55042	0302921140005	\$ 5,900.00
30	WEATHERUP ROBERT J & COREY M	9844 57TH ST N	9844 57TH ST N LAKE ELMO MN 55042	0302921140004	\$ 5,900.00
31	MARKOE BETH A	9875 57TH ST N	9875 57TH ST N LAKE ELMO MN 55042	0302921140007	\$ 5,900.00
32	PEDERSEN JEFFREY C & SHERRY	9896 57TH ST N	9896 57TH ST N LAKE ELMO MN 55042	0302921140003	\$ 5,900.00
33	RICHARD J EGERSDORF LIV TRS 2/9/16	9960 57TH ST N	9960 57TH ST N LAKE ELMO MN 55042	0302921140002	\$ 2,950.00
34	LY MONGSHER M & SIA LO	9965 57TH ST N	9965 57TH ST N LAKE ELMO MN 55042	0302921140006	\$ 5,900.00
SUBTOTAL					\$ 203,550.00

NO.	NAME	ADDRESS	MAILING ADDRESS	PID	AMOUNT
JAMACA AVENUE NORTH: 55TH STREET TO JAMACA BOULEVARD					
35	HALL GREGORY K E & DIANA J	5110 JAMACA AVE N	5110 JAMACA AVE N LAKE ELMO MN 55042	0402921440002	\$ 5,900.00
36	CHOW CHRISTOPHER N Y & GLORIA T CHOW TRS	5120 JAMACA AVE N	5120 JAMACA AVE N LAKE ELMO MN 55042	0402921440007	\$ 5,900.00
37	ALM ROGER R TRS	5187 JAMACA AVE N	5187 JAMACA AVE N LAKE ELMO MN 55042	0402921440009	\$ 5,900.00
38	ANDERSON NEIL D & BONNIE R	5217 JAMACA AVE N	5217 JAMACA AVE N LAKE ELMO MN 55042	0402921440010	\$ 5,900.00
39	STECKHAHN NICHOLAS F & SARA J	5247 JAMACA AVE N	5247 JAMACA AVE N LAKE ELMO MN 55042	0302921320013	\$ 5,900.00
40	KREJCI CHARLES K & CHRISTINE D	5277 JAMACA AVE N	5277 JAMACA AVE N LAKE ELMO MN 55042	0302921320014	\$ 5,900.00
41	LATUFF LOLA J TRS & PETER J LATUFF TRS	5307 JAMACA AVE N	5307 JAMACA AVE N LAKE ELMO MN 55042	0302921320015	\$ 5,900.00
42	TESKE MARK F & MICHELLE A	5337 JAMACA AVE N	5337 JAMACA AVE N LAKE ELMO MN 55042	0302921320016	\$ 5,900.00
43	DESSEL RICHARD H & GARNER MARY	5367 JAMACA AVE N	5367 JAMACA AVE N LAKE ELMO MN 55042	0302921320017	\$ 5,900.00
44	HOFFMAN HELEN N & THOMAS R	5427 JAMACA AVE N	5427 JAMACA AVE N LAKE ELMO MN 55042	0302921320018	\$ 5,900.00
45	LANDSEM CONAN B & STEPHANIE J	5487 JAMACA AVE N	5487 JAMACA AVE N LAKE ELMO MN 55042	0302921320020	\$ 5,900.00
46	MUELLER MICHAEL J & SALLY E	5200 ISLE AVE N	5200 ISLE AVE N LAKE ELMO MN 55042	0402921440001	\$ 5,900.00
47	SPRINGBORN GAYLEN W	8989 55TH ST N	8989 55TH ST N LAKE ELMO MN 55042	0402921410003	\$ 5,900.00
JAMACA BOULEVARD NORTH: 55TH STREET TO JAMACA AVENUE					
48	GROSS CHRISTOPHER L & KATHLEEN M B GROSS	5111 JAMACA BLVD N	5111 JAMACA BLVD N LAKE ELMO MN 55042	0302921330009	\$ 2,950.00
49	TRAUSCHT D D & E A	5130 JAMACA BLVD N	5130 JAMACA BLVD N LAKE ELMO MN 55042	0302921330002	\$ 5,900.00
50	REINECK MICHAEL J & STEPHANIE	5131 JAMACA BLVD N	5131 JAMACA BLVD N LAKE ELMO MN 55042	0302921330010	\$ 5,900.00
51	REARDON JAMES M & JEANINE L	5150 JAMACA BLVD N	5150 JAMACA BLVD N LAKE ELMO MN 55042	0302921330003	\$ 5,900.00
52	TOMPKINS SCOTT B & MARIA M	5151 JAMACA BLVD N	5151 JAMACA BLVD N LAKE ELMO MN 55042	0302921330011	\$ 5,900.00
53	REESE JAMES F & DEBRA	5170 JAMACA BLVD N	5170 JAMACA BLVD N LAKE ELMO MN 55042	0302921330004	\$ 5,900.00
54	OERTEL EDWARD J & ROBIN L	5171 JAMACA BLVD N	5171 JAMACA BLVD N LAKE ELMO MN 55042	0302921330012	\$ 5,900.00
55	DUPAUL LANCE D & KRISTIN L	5190 JAMACA BLVD N	5190 JAMACA BLVD N LAKE ELMO MN 55042	0302921330005	\$ 5,900.00
56	ABBOTT DENNIS R & JUDITH A	5193 JAMACA BLVD N	5193 JAMACA BLVD N LAKE ELMO MN 55042	0302921330013	\$ 5,900.00
57	SATERSMOEN JAMES H & KATHLEE	5210 JAMACA BLVD N	5210 JAMACA BLVD N LAKE ELMO MN 55042	0302921330006	\$ 5,900.00
58	ANDERSON JACQUELYN L	5211 JAMACA BLVD N	5211 JAMACA BLVD N LAKE ELMO MN 55042	0302921330014	\$ 5,900.00
59	KERR DAVID F & MARY LOU	5230 JAMACA BLVD N	5230 JAMACA BLVD N LAKE ELMO MN 55042	0302921320003	\$ 5,900.00
60	SCHOENROCK ROBERT C & CYNTHI	5250 JAMACA BLVD N	5250 JAMACA BLVD N LAKE ELMO MN 55042	0302921320004	\$ 5,900.00
61	SIMPSON JOHN T & SHARON M	5270 JAMACA BLVD N	5270 JAMACA BLVD N LAKE ELMO MN 55042	0302921320005	\$ 5,900.00
62	LE LANCHI T & MATTHEW L PHILION	5290 JAMACA BLVD N	5290 JAMACA BLVD N LAKE ELMO MN 55042	0302921320006	\$ 5,900.00
63	CITY OF LAKE ELMO		3800 LAVERNE AVE N LAKE ELMO MN 55042	0302921330001	\$ 11,800.00
64	BROWN KEVIN J & TAMAREEM V	5385 JAMACA BLVD N	5385 JAMACA BLVD N LAKE ELMO MN 55042	0302921310007	\$ 5,900.00
65	DRAXTON MICHAEL & AMANDA	5400 JAMACA BLVD N	5400 JAMACA BLVD N LAKE ELMO MN 55042	0302921320007	\$ 5,900.00
66	FARMER KENNETH R II & MICHELLE R W	5445 JAMACA BLVD N	5445 JAMACA BLVD N LAKE ELMO MN 55042	0302921310008	\$ 5,900.00
SUBTOTAL-PAGE 2					\$ 191,750.00
SUBTOTAL-PAGE 1					\$ 203,550.00
TOTAL					\$ 395,300.00