



## STAFF REPORT

DATE: September 19, 2017

**REGULAR**

**AGENDA ITEM:** Inwood Trunk Watermain Improvements – Resolution Declaring Costs to be Assessed, Ordering Preparation of Proposed Assessments, and Calling for Hearing on Proposed Assessment

**SUBMITTED BY:** Chad Isakson, Project Engineer

**REVIEWED BY:** Kristina Handt, City Administrator  
Jack Griffin, City Engineer

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**ISSUE BEFORE COUNCIL:** Should the City Council call a final assessment hearing for the Inwood Trunk Watermain Improvements project to be held on October 17, 2017?

**BACKGROUND:** The Inwood Trunk Watermain Improvements were completed and accepted by the City on December 6, 2016. Work was completed by Northdale Construction Company, Inc. and the improvements provided access to drinking water for two properties along the corridor.

**PROPOSAL DETAILS/ANALYSIS:** Pursuant to Minnesota Statutes, Section 429 the Council must declare the amount to be assessed against the benefitting properties and Call the Hearing on the Proposed Assessment for these improvements. The Assessment Hearing is proposed for October 17, 2017. The Final Assessment Roll must be certified to the County Auditor by November 30, 2017.

The final assessment amount for the two benefitting properties is \$5,800 and is consistent with the feasibility report. The two properties were levied a \$5,800 lateral benefit assessment. In accordance with the agreement to obtain the Inwood Booster Station site, the assessment proposed for 2298 Inwood Avenue North will be waived.

**FISCAL IMPACT:** The total project cost was \$1,674,000 with \$708,816.05 paid from the water enterprise fund; \$935,583.95 paid from the Water System DEED grant; and \$11,600 paid through special assessments.

**RECOMMENDATION:** Staff is recommending that the City Council approve Resolution No. 2017-099, thereby declaring the total water system costs to be assessed to be \$11,600; ordering the preparation of the proposed assessments and Calling for the Hearing on the proposed Assessments for October 17, 2017 at or around 7:00 pm. The recommended motion for the action is as follows:

***“Move to approve Resolution No. 2017-099; A Resolution Declaring Costs to be Assessed, Ordering Preparation of Proposed Assessment, and Calling for the Hearing on the Proposed Assessment for the Inwood Trunk Watermain Improvements.”***

**ATTACHMENTS:**

1. Resolution Declaring Cost to be Assessed, Ordering Preparation of Proposed Assessment, and Calling for Hearing on Proposed Assessment.
2. Notice of Hearing on Proposed Assessment.
3. Final Assessment Roll.

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

**RESOLUTION NO. 2017-099**

**A RESOLUTION DECLARING COST TO BE ASSESSED, ORDERING  
PREPARATION OF PROPOSED ASSESSMENTS, AND CALLING  
HEARING ON PROPOSED ASSESSMENT FOR THE  
INWOOD TRUNK WATERMAIN IMPROVEMENTS**

**WHEREAS**, project costs are known for the Inwood Trunk Watermain Improvements;  
and

**WHEREAS**, the total cost of the improvements will be \$1,674,000.

**WHEREAS**, the City Clerk and City Engineer have prepared the proposed assessment roll and will maintain said assessment roll on file in the City offices for public inspection.

**NOW, THEREFORE, BE IT RESOLVED,**

1. The portion of the cost of such watermain improvements to be paid by the City is hereby declared to be \$708,816.05, the amount reimbursed by DEED grant is \$953,583.95, and the portion of the cost to be assessed against benefited property owners is declared to be \$11,600.
2. The City Clerk, with the assistance of the City Engineer, has calculated the proper amount to be specially assessed for such improvements against every assessable lot, piece or parcel of land to be benefited by the improvements, and the Clerk has filed a copy of such proposed assessment in the City offices for public inspection.
3. Assessments shall be payable in equal annual installments extending over 20 years for water improvements, 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.
4. A public hearing shall be held on the 17th day of October, 2017, in the Council Chambers of the City Hall at or approximately after 7:00 P.M. to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
5. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and she shall state in the notice the total cost of the improvement. She shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
6. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the entire assessment on such property, with interest accrued to the date of payment, to the City Clerk. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. A property owner

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.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF SEPTEMBER, 2017.**

**CITY OF LAKE ELMO**

By: \_\_\_\_\_

Mike Pearson  
Mayor

(Seal)  
ATTEST:

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Julie Johnson  
City Clerk

**CITY OF LAKE ELMO  
NOTICE OF HEARING ON PROPOSED ASSESSMENT  
INWOOD AVENUE TRUNK WATERMAIN 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 Inwood Trunk Watermain Improvements. Adoption by the Council of the proposed assessment may occur at the hearing. The following describes the area proposed to be assessed:

- A \$5,800 lateral benefit assessment for water system improvements to properties receiving access to city water along Inwood Avenue from 26<sup>th</sup> Street North to Eagle Point Boulevard. Properties include 2298 Inwood Avenue North and 2038 Inwood 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 20 years for water 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 water assessment is \$11,600. 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	ASSESSABLE PROPERTY ADDRESS	MAILING ADDRESS	PID	ASSESSMENT AMOUNT
1	CAROLINE M EBERHARD TRS	2298 INWOOD AVE N	1320 RYAN AVE W ROSEVILLE, MN 55113	2102921320001	\$5,800.00
2	MEEHAN FAMILY LLC	2038 INWOOD AVE N	740 MARSHALL AVE ST. PAUL, MN 55104	2102921340013	\$5,800.00
				TOTAL	\$11,600.00