



STAFF REPORT

DATE: October 16, 2018

REGULAR

ITEM #: 25

AGENDA ITEM: Heritage Farms Subdivision Sanitary Sewer Petition – Accept Petition and Defer Preparation of a Feasibility Report

SUBMITTED BY: Jack Griffin, City Engineer

REVIEWED BY: Kristina Handt, City Administrator
Rob Weldon, Public Works Director
Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council accept a Petition for municipal sanitary sewer service for the Heritage Farms Subdivision and defer the preparation of the Feasibility Report to be completed in conjunction with the Heritage Farms Street and Drainage Improvements Feasibility Report, currently scheduled in the Capital Improvement Plan (CIP) for 2020?

BACKGROUND AND PROPOSAL DETAILS/ANALYSIS: A petition requesting municipal sanitary sewer service was received from the Heritage Farms Subdivision in August 2018. The petition was signed by 32 of the 44 properties abutting the requested improvements as reviewed and verified by the City Clerk. The Heritage Farms Subdivision is located near Manning Avenue and 30th Street, just south of the Village Area MUSA. In order to provide sanitary sewer service to the Heritage Farms neighborhood a Feasibility Report would need to be completed to review the feasibility and capacity of connecting to the Village area sewer system together with the estimated project costs and assessments. If the improvements are found to be feasible, a Comprehensive Plan Amendment would be required to bring the subdivision within the Village Area MUSA before constructing the project.

Street and drainage Improvements for the Heritage Farms neighborhood are currently scheduled in the City CIP, to be constructed in 2020. Therefore, staff is recommending that the feasibility report for sanitary sewer be deferred to be completed in conjunction with the Street and Drainage Improvement Feasibility Report and if the project is implemented that the improvements be completed as one project. To maintain a 2020 implementation schedule staff will ask for authorization to initiate the feasibility report in the summer of 2019.

RECOMMENDATION: Staff is recommending that the City Council approve a resolution declaring adequacy of the petition for municipal sanitary sewer service for the Heritage Farms Subdivision and deferring the preparation of the Feasibility Report to be completed with the Heritage Farms Street and Drainage Improvements Feasibility Report in 2019. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2018-122, Declaring the Adequacy of the Heritage Farms Petition for Municipal Sanitary Sewer Service and Deferring the Preparation of a Feasibility Report.”

ATTACHMENTS:

1. Resolution Declaring Adequacy of Petition and Deferring the Feasibility Report.
2. Heritage Farms Subdivision – Petition for Sanitary Sewer Service.
3. Heritage Farms Subdivision – Location Map.

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

RESOLUTION NO. 2018-122

**A RESOLUTION DECLARING ADEQUACY OF THE HERITAGE FARMS PETITION
FOR MUNICIPAL SANITARY SEWER SERVICE AND DEFERRING THE
PREPARATION OF THE FEASIBILITY REPORT**

WHEREAS, a petition was received from the owners of real property abutting Lisbon Avenue North, Lisbon Court North, and 30th Street Court North in the Heritage Farms Subdivision, requesting municipal sanitary sewer service; and

WHEREAS, street and drainage improvements for Lisbon Avenue North, Lisbon Court North, and 30th Street Court North in the Heritage Farms Subdivision, is currently programmed in the City's Capital Improvement Plan for year 2020, and

WHEREAS, it is proposed to assess all or a portion of the cost of these improvements pursuant to the City's Special Assessment Policy and Minnesota Statutes, Chapter 429.

NOW, THEREFORE, IT IS HEREBY RESOLVED,

1. The Petition requesting the improvements is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to Minnesota Statutes 429.035.
2. The Petition for the proposed improvements is hereby referred to the City Engineer and FOCUS Engineering, Inc., to complete a feasibility report in accordance with Minnesota Statutes, Chapter 429 for the proposed improvements, and to report to the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.
3. The preparation of the Feasibility Report shall be deferred until such time that the Council authorizes the preparation of the Feasibility Report for the Street and Drainage Improvements for the Heritage Farms Subdivision, currently in the Capital Improvement Plan for year 2020.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SIXTEENTH DAY OF
OCTOBER, 2018.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)
ATTEST:

Julie Johnson
City Clerk

Dale Young
651-323-8675
dale55042@gmail.com

check
an offer
additional
costs

CITY OF Lake Elmo

PETITION FOR LOCAL IMPROVEMENT

DATE:

44 Homes
32 Verified Signatures (City Clerk)

TO THE CITY COUNCIL OF LAKE ELMO, MINNESOTA:

We the undersigned, being the owners of real property in the City of Lake Elmo and representing at least 35% of the affected properties abutting or receiving benefit from the requested improvements, hereby petition the City to extend to our properties municipal sewer service pursuant to Minnesota Statutes, Chapter 429, and that the City assess the cost of the improvement against our property described below and hereby agree to pay the entire cost as apportioned by the City.

We understand that if the City Council orders the improvements, we may be assessed for these improvements in accordance with the City's Special Assessment Policy and State Statutes, we understand that the City Council has full authority to authorize improvements to be made, and assessments to be levied against my property, and that any decision to order the improvements is NOT subject to vote by the abutting properties.

(To allow for proper City notifications, each signature must be accompanied by a legibly printed name and address)

SIGNATURE OF PROPERTY OWNER(S)	NAME (printed)	ADDRESS (printed)
1. <u>Joel Anderson</u>	Joel Anderson	2820 Lisbon Ave. Ct. N
2. <u>Brian Chubb</u>	Brian Chubb	2739 Lisbon Ave Ct N
3. <u>Erika Christensen</u>	Erika Christensen	2793 LISBON AVE CT. N
4. <u>Daniel J. Peterson</u>	Daniel J. Peterson	2770 Lisbon Ave Ct N
5. <u>Brian Dryjanski</u>	Brian Dryjanski	2772 Lisbon Ave CT N
6. <u>Jay Bernick</u>	JAY BERNICK	2965 LISBON AVE N
7. <u>Dave Behrman</u>	Dave Behrman	2769 Lisbon Ave ct N
8. <u>Sandra Olds</u>	Sandra Olds	2684 Lisbon Ave. N.
9. <u>Steve Kall</u>	Steve Kall	2753 Lisbon Ave Ct N
10. <u>Betsy Hoffman</u>	Betsy Hoffman	2750 Lisbon Ave. N
11. <u>Cynthia Menzel</u>	Cynthia Menzel	2978 30th St Ct N

Signature

Print Name

address

PETITION FOR LOCAL IMPROVEMENT

Page 2

2795 Lisbon

- 12. John C. Swenson John C. Swenson Ave North
- 13. [Signature] MICHAEL ARNEY 2964 30th St CR W
- 14. [Signature] Christine Keefe 2646 Lisbon Ave CT W
- 15. [Signature] Toni Pelletier 2748 Lisbon Ave CT N
- 16. [Signature] Brandon Mueller 2867 Lisbon Ave N.
- 17. [Signature] James Kelly 2902 Lisbon Ave N.
- 18. [Signature] Joan C Freitag 2899 Lisbon Ave N.
- 19. PAUL MATSCHI Paul Matschi 2932 LISBON AVE N.
- 20. [Signature] Brad Eggen 27910 Lisbon Ave CT N
- 21. Dale Young Dale Young 2846 Lisbon Ave N.
- 22. William Hafner WILLIAM HAFNER 2718 LISBON AVE N
- 23. John C. Sievers 2735 Lisbon N John Sievers
- 24. [Signature] 2662 Lisbon Ave N. MARK Bezdic

Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

[Signature]

Julie Johnson, City Clerk

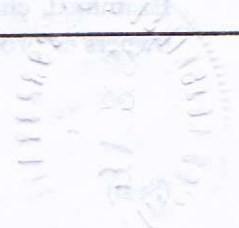
(Seal)

- 25. Pamela A. Baker 2672 Lisbon Ave Ct N Pamela A. Baker
- 26. [Signature] 2700 LISBON AVE N BRYAN BILLINGSLEY
- 27. Kathy Pearson Kathy Pearson, 2805 Lisbon Ave No., Lake Elm
- 28. Tammy Bugstad TAMMY BUGSTAD 2874 LISBON AV. N.
- 29. Kelly Winn Kelly Winn 2972 30th St. Cir. N.
- 30. Joetta Andres Joetta Andres 2660 Lisbon Ave Ct. N

31 John B. Lammers 2823 LISBON AVE NE
32 DelRae Brackton 2721 Lisbon Ave NE

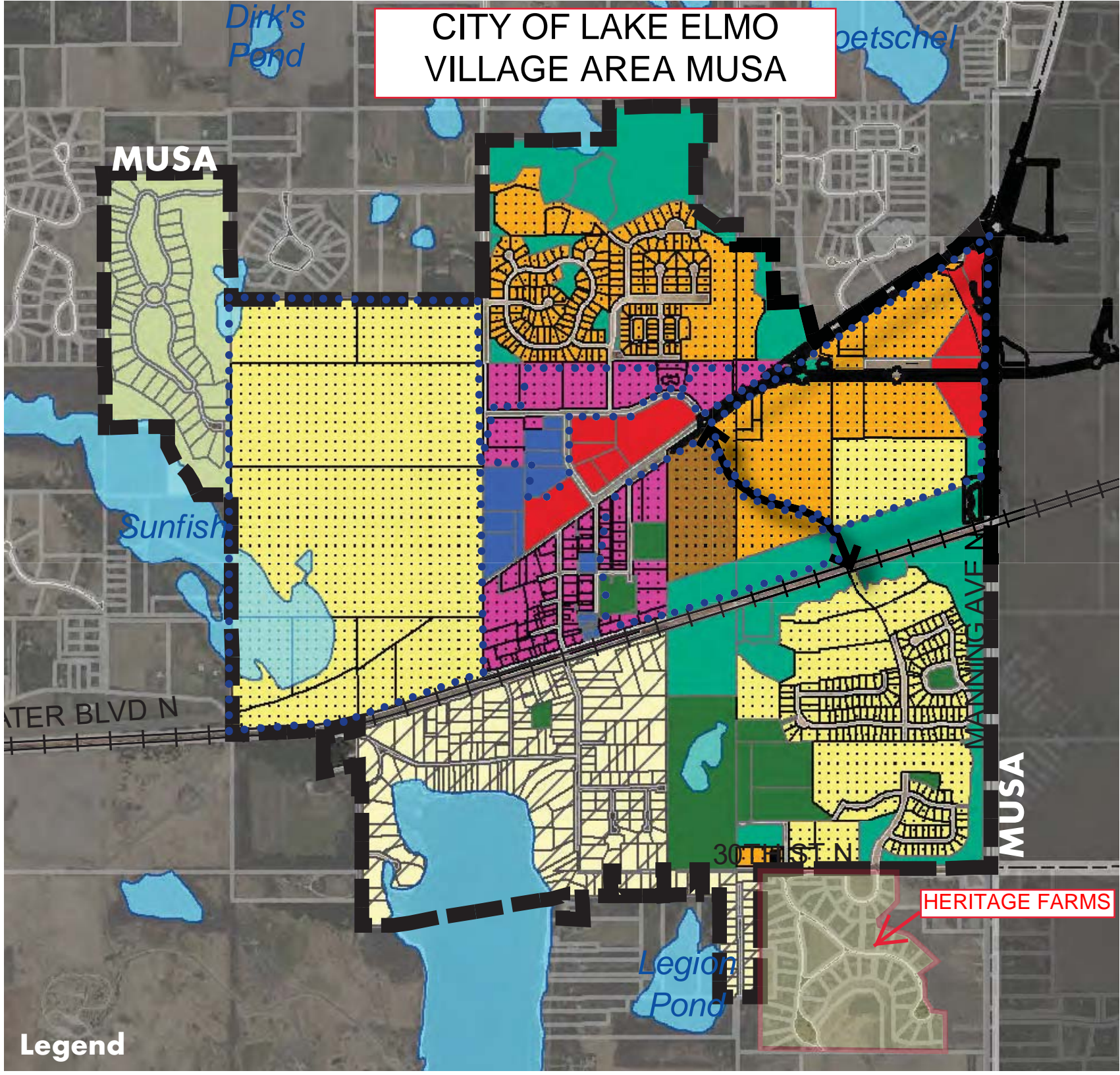
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[Signature]
Public Johnson, Civ Clerk



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CITY OF LAKE ELMO VILLAGE AREA MUSA



Legend

HERITAGE FARMS