



## STAFF REPORT

DATE: February 19, 2019

**REGULAR**

**AGENDA ITEM:** Hamlet on Sunfish Lake Subdivision Sanitary Sewer Petition – Accept Petition and Order the Preparation of a Feasibility Report and Preliminary Design

**SUBMITTED BY:** Jack Griffin, City Engineer

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

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**ISSUE BEFORE COUNCIL:** Should the City Council accept a Petition for municipal sanitary sewer service for the Hamlet on Sunfish Lake Subdivision and order the preparation of a Feasibility Report and Preliminary Design?

**BACKGROUND AND PROPOSAL DETAILS/ANALYSIS:** A petition requesting municipal sanitary sewer service was received from the Hamlet on Sunfish Lake Subdivision in August 2018. The petition was signed by 27 of the 41 properties benefitting from the requested improvements. The Hamlet on Sunfish Lake Subdivision is located on the northwest side of the Village Area MUSA, just west of the Legacy at North Star Subdivision. The neighborhood is currently served through a privately owned and operated community wastewater treatment system that has been determined to be a non-compliant system. Hamlet on Sunfish Lake is currently operating the private wastewater system in accordance with a Schedule of Compliance through the Minnesota Pollution Control Agency (MPCA), which requires the subdivision to connect to the City sanitary sewer system by December 2020 and then to decommission the private wastewater system.

Hamlet on Sunfish Lake and the City of Lake Elmo have been planning for the neighborhood's connection to the City sanitary sewer system since 2006. As part of this planning the subdivision has been added to the Village Area MUSA through a Comprehensive Plan Amendment.

In order to initiate the Hamlet on Sunfish Lake Sanitary Sewer Improvements, the City Council must direct the preparation of a feasibility report and preliminary design meeting the statutory process for public improvements that are specially assessed. The scope of improvements for the report and preliminary design will be limited to the work necessary to make the direct connection from Hamlet on Sunfish Lake's private sewer system to the City's sanitary sewer system located within the Legacy at North Star development. The limited scope is intended to expedite the improvements to meet the MPCA Compliance Schedule. Decommissioning the private wastewater treatment system and reviewing the private sanitary sewer system for potential turnover to City ownership and maintenance will be addressed outside the scope of this Report. The report will advise on the scope of recommended improvements, provide estimated project costs, identify easement and right-of-way, permits, and other requirements of other local agencies needed to implement the improvements, recommend whether the improvements are necessary, cost effective, and feasible. The Report will also provide a proposed preliminary assessment roll for each of the benefitting properties based upon the City's Special Assessment Policy for Local Improvements.

**FISCAL IMPACT:** \$14,500.

If authorized, FOCUS Engineering Inc., and its supporting consultants, will prepare the feasibility report and preliminary design in a not to exceed amount of \$14,500 for the Hamlet on Sunfish Lake Sanitary Sewer Improvements. 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.

**RECOMMENDATION:** Staff is recommending that the City Council authorize FOCUS Engineering, Inc., and supporting consultants, to prepare a Feasibility Report and Preliminary Design for Municipal Sanitary Sewer for the Hamlet on Sunfish Lake Subdivision in the not to exceed amount of \$14,500. The recommended motion for this action is as follows:

***“Move to approve Resolution No. 2019-014, Declaring Adequacy of Petition and Ordering preparation of a Feasibility Report and Preliminary Design for Municipal Sanitary Sewer for the Hamlet on Sunfish Lake Subdivision to be completed by FOCUS Engineering, Inc., and supporting consultants in the not to exceed amount of \$14,500.”***

**ATTACHMENTS:**

1. Resolution Declaring Adequacy of Petition and Order Preparation of a Feasibility Report.
2. Hamlet on Sunfish Lake Subdivision – Petition for Sanitary Sewer Service.
3. Hamlet on Sunfish Lake Subdivision – Location Map.

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

**RESOLUTION NO. 2019-014**

**A RESOLUTION DECLARING ADEQUACY OF PETITION AND ORDERING THE  
PREPARATION OF A FEASIBILITY REPORT AND PRELIMINARY DESIGN FOR  
MUNICIPAL SANITARY SEWER SERVICE FOR THE  
HAMLET ON SUNFISH LAKE SUBDIVISION**

**WHEREAS**, a petition was received from the owners of real property abutting Kindred Way North and Kindred Court North in the Hamlet on Sunfish Lake Subdivision, requesting municipal sanitary sewer service; and

**WHEREAS**, the Hamlet on Sunfish Lake Subdivision is located within the Village Area MUSA and has been planning to connect to City sanitary sewer to replace a private community wastewater treatment system, 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., and supporting consultants, to complete a feasibility report and preliminary design in accordance with Minnesota Statutes, Chapter 429 for the proposed improvements, and to report to the council with all convenient speed advising 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.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FIFTEENTH DAY OF JANUARY,  
2019.**

**CITY OF LAKE ELMO**

By: \_\_\_\_\_  
Mike Pearson  
Mayor

(Seal)  
ATTEST:

\_\_\_\_\_  
Julie Johnson  
City Clerk



41 Homes  
27 Signatures

# CITY OF Lake Elmo

## PETITION FOR LOCAL IMPROVEMENT

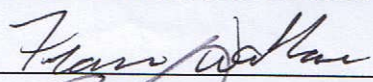
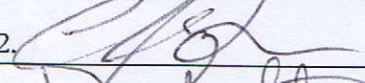
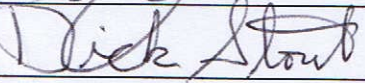
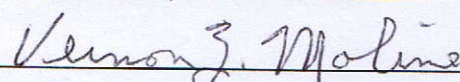
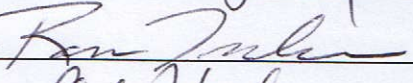
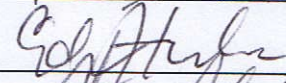
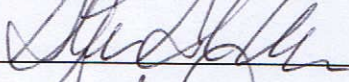
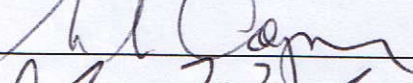
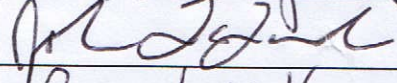
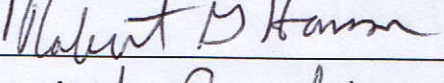
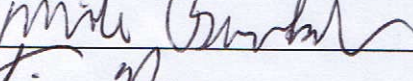
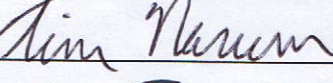

DATE:

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. 	Francis Wallace	3890 Kindred Way
2. 	Chris Sipan	3982 Kindred Way
3. 	DICK STOUT	4020 KINDRED WAY
4. 	VERN Moline	4044 Kindred Way
5. 	Ron Tucker	4075 Kindred way
6. 	Ed Huber	3981 Kindred way
7. 	Stephanie Buss	3849 Kindred Way
8. 	Matthew Coppen	3806 Kindred Way
9. 	John Lalond	3736 Kindred Court
10. 	Robert G. Hanson	3862 Kindred way
11. 	Mike Burbach	3914 Kindred way
12. 	Tim Narum	3960 Kindred Way
13. 	Susan Bestler	3756 Kindred Ct

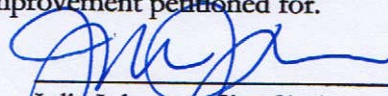


**PETITION FOR LOCAL IMPROVEMENT**

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- 14. Joe & Christy Barwick 3778 Kindred Ct, LE 55042
- 15. Tom & Jani Tom Laver 3899 Kindred Way, LE, 55042
- 16. Roberta Olson Roberta Olson 3834 Kindred Way NE 55042
- 17. Leif Grundahl Leif Grundahl 4037 Kindred way LE 55042
- 18. \_\_\_\_\_
- 19. \_\_\_\_\_
- 20. \_\_\_\_\_
- 21. \_\_\_\_\_
- 22. \_\_\_\_\_
- 23. \_\_\_\_\_
- 24. \_\_\_\_\_

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.

  
\_\_\_\_\_  
Julie Johnson, City Clerk

(Seal)



# CITY OF Lake Elmo

## PETITION FOR LOCAL IMPROVEMENT

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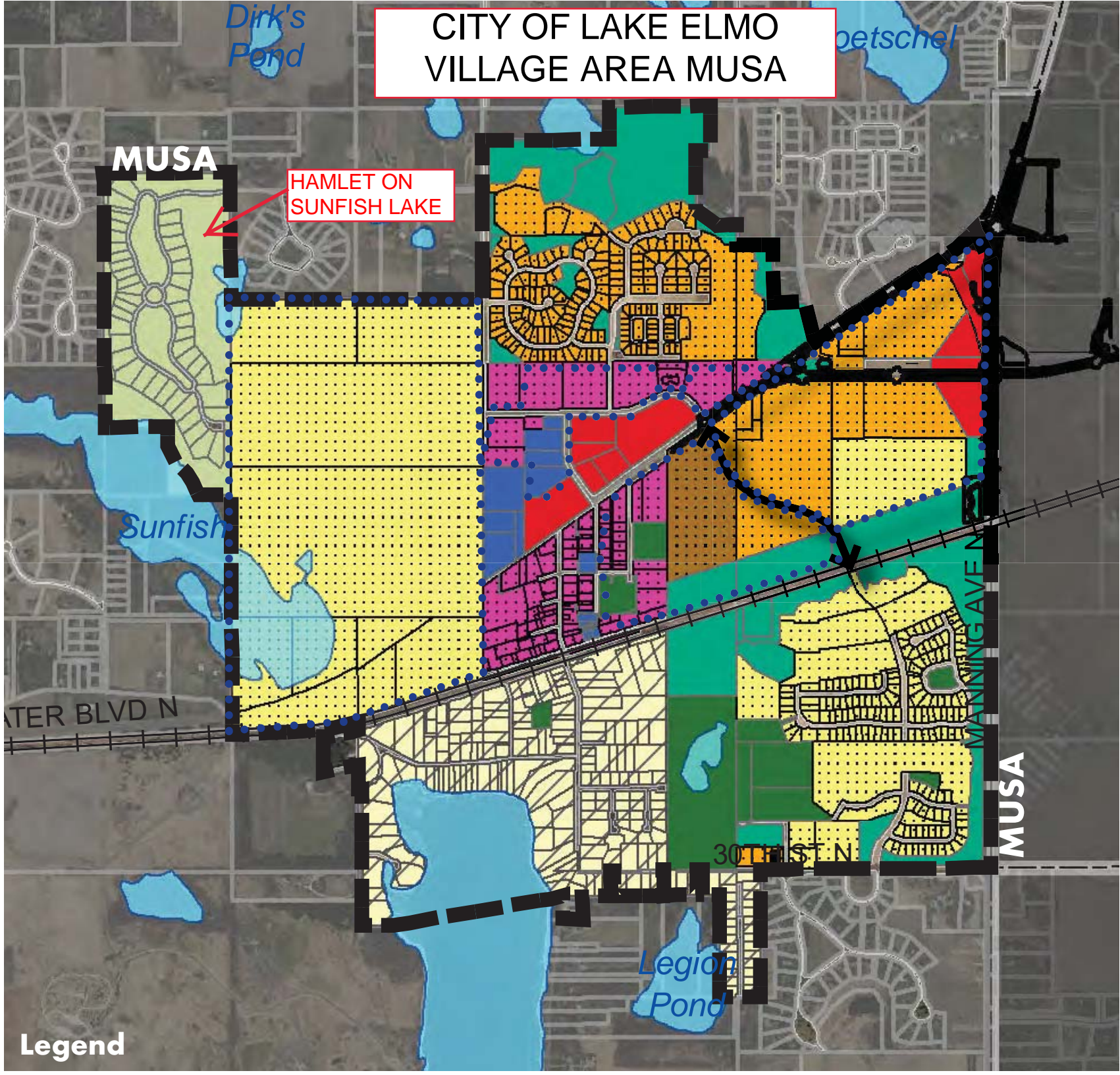
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*(To allow for proper City notifications, each signature must be accompanied by a legibly printed name and address)*

SIGNATURE OF PROPERTY OWNER(S)	NAME (printed)	ADDRESS (printed)
1. <i>Mark Skeie</i>	MARK SKEIE	4156 Kindred Way
2. <i>Genevieve Baumrister</i>	Genevieve Baumrister	4174 Kindred Way
3. <i>Gerald Marsala</i>	Gerald Marsala	4212 Kindred Way
4. <i>Judy Wetterstrom</i>	Bill & Judy WETTERSTROM	4236 KINDRED WAY
5. <i>Dennis E Kelly</i>	DENNIS E KELLY	4233 Kindred Way
6. <i>Tui Kumerow</i>	Tui Kumerow	4209 Kindred Way
7. <i>Mardell Kior</i>	Mardell Kior	4179 Kindred Way
8. <i>Rose Mary Schumacher</i>	ROSE MARY SCHUMACHER	4138 KINDRED WAY
9. <i>Tom Anderson</i>	TOM ANDERSON	4192 KINDRED WAY
10. <i>Jackey Seltman</i>	Jackey Seltman	4120 Kindred Way
11.		
12.		
13.		



# CITY OF LAKE ELMO VILLAGE AREA MUSA



Legend