



STAFF REPORT

DATE: July 16, 2019

REGULAR

AGENDA ITEM: Heritage Farms Street and Utility Improvements – Authorize Preparation of a Feasibility Report

SUBMITTED BY: Jack Griffin, City Engineer

REVIEWED BY: Kristina Handt, City Administrator
Sarah Sonsalla, City Attorney
Marty Powers, Public Works Director
Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council authorize the preparation of a feasibility report for the Heritage Farms Street and Utility Improvements?

BACKGROUND: In conjunction with the City's Annual Street Maintenance Program, the City has implemented and maintains a five (5) year street Capital Improvement Program which provides long-term planning and management of street and transportation infrastructure throughout the City. The CIP Program consists of a 5-year overview of scheduled capital street projects to address the City's goals for maintaining public street infrastructure to an acceptable level of service. The 5-year horizon of the CIP provides the City with an opportunity to evaluate project priorities annually and to adjust the timing, scope, and cost of projects as new information becomes available. The number of streets selected each year is dependent upon the amount of funding available. Streets that have exceeded their life expectancy and can no longer be effectively maintained are programed for reconstruction in the City's Street CIP.

PROPOSAL DETAILS/ANALYSIS: The Heritage Farms Subdivision is located near Manning Avenue and 30th Street, just south of the Village Area MUSA. The public streets located in the Heritage Farms subdivision have been identified for improvement in the year 2020 including the following street segments:

- Lisbon Avenue North, from 30th Street to the south end;
- Lisbon Avenue Court North, from Lisbon Avenue to the end of cul-de-sac; and
- 30th Street Circle North, from 30th Street North to 30th Street North.

In addition to street improvements, 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. On October 16, 2018 the City Council adopted Resolution No. 2018-122 accepting the petition and directing the preparation of the Feasibility Report for sanitary sewer improvements for the Heritage Farms subdivision to be completed together with the Heritage Farms Street and Utility Improvements Feasibility Report.

In order to initiate the improvement, the Council must direct the preparation of a feasibility report as required by the statutory process for public improvements that are specially assessed. The feasibility 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 should be best made as proposed or in connection with some other improvement; and advise if 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.

In order to provide sanitary sewer service to the Heritage Farms neighborhood the Feasibility Report will need to review the feasibility and capacity of connecting to the Village area sewer system. 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.

Consistent with the City Assessment Policy and past practices, the street improvements will be funded 30% through special assessments to the benefitting properties and 70% from the City general fund. Sanitary sewer improvements are assessed 100% to the benefitting properties.

A project schedule for the Heritage Farms Street and Utility Improvements is attached and outlines the implementation timeframe necessary to ready the improvements for construction in 2020. The proposed schedule provides necessary time to address public involvement, acquire project related easements, acquire field survey before heavy snowfall, and to receive contractor bids early in 2020 to promote a competitive bid environment.

FISCAL IMPACT: \$12,900.

If authorized, FOCUS Engineering Inc., will prepare a feasibility report in the not to exceed amount of \$12,900 for the Heritage Farms Street and Utility 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 approve a Resolution Ordering Preparation of a Feasibility Report for the Heritage Farms Street and Utility Improvements. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2019-053, Ordering preparation of a Feasibility Report for the Heritage Farms Street and Utility Improvements to be completed by FOCUS Engineering, Inc. in the not to exceed amount of \$12,900.”

ATTACHMENTS:

1. Resolution Ordering Preparation of a Feasibility Report.
2. Neighborhood Petition for Sanitary Sewer
3. Heritage Farms Street and Utility Improvements – Location Map.
4. Heritage Farms Street and Utility Improvements – Project Schedule.

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

RESOLUTION NO. 2019-053

**A RESOLUTION ORDERING THE PREPARATION OF A FEASIBILITY REPORT
FOR THE HERITAGE FARMS STREET AND UTILITY IMPROVEMENTS**

WHEREAS, the City maintains a 5-year revolving Street Capital Improvement Program (Street CIP) to promote the strategic use of limited financial resources while maintaining, developing or replacing the City's local street network; and

WHEREAS, the Street CIP represents the City's long-range street improvement program that identifies the present and future needs and priorities, and develops a schedule of public improvements to address the most essential improvements first; and

WHEREAS, the public streets located in the Heritage Farms subdivision have been identified for improvement in the year 2020; and

WHEREAS, in 2018 a petition was received from the property owners residing in the Heritage Farms subdivision requesting municipal sanitary sewer service; and

WHEREAS, on October 16, 2018 the City Council adopted Resolution No. 2018-122 accepting the petition and directing the preparation of the Feasibility Report for sanitary sewer improvements for the Heritage Farms subdivision to be completed together with the Heritage Farms Street and Utility Improvements Feasibility Report as identified in the Capital Improvement Plan for year 2020; and

WHEREAS, it is now proposed to initiate the Heritage Farms Street and Utility Improvements to consider the extension of municipal sanitary sewer to all homes located in the Heritage Farms subdivision and to improve the following local streets; including Lisbon Avenue North, from 30th Street to the south end, Lisbon Avenue Court North, from Lisbon Avenue to the end of cul-de-sac, and 30th Street Circle North, from 30th Street North to 30th Street North; and

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

NOW, THEREFORE, BE IT RESOLVED,

That the proposed improvement, called Heritage Farms Street and Utility Improvements, be referred to the City Engineer and FOCUS Engineering, to complete a feasibility report 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 be best 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 SIXTEENTH DAY OF JULY,
2019.**

CITY OF LAKE ELMO

(Seal)
ATTEST:

By: _____
Mike Pearson
Mayor

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 Chelms</u>	Brian Chelms	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

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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

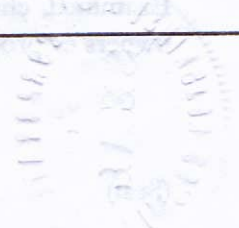
(Seal)

- 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

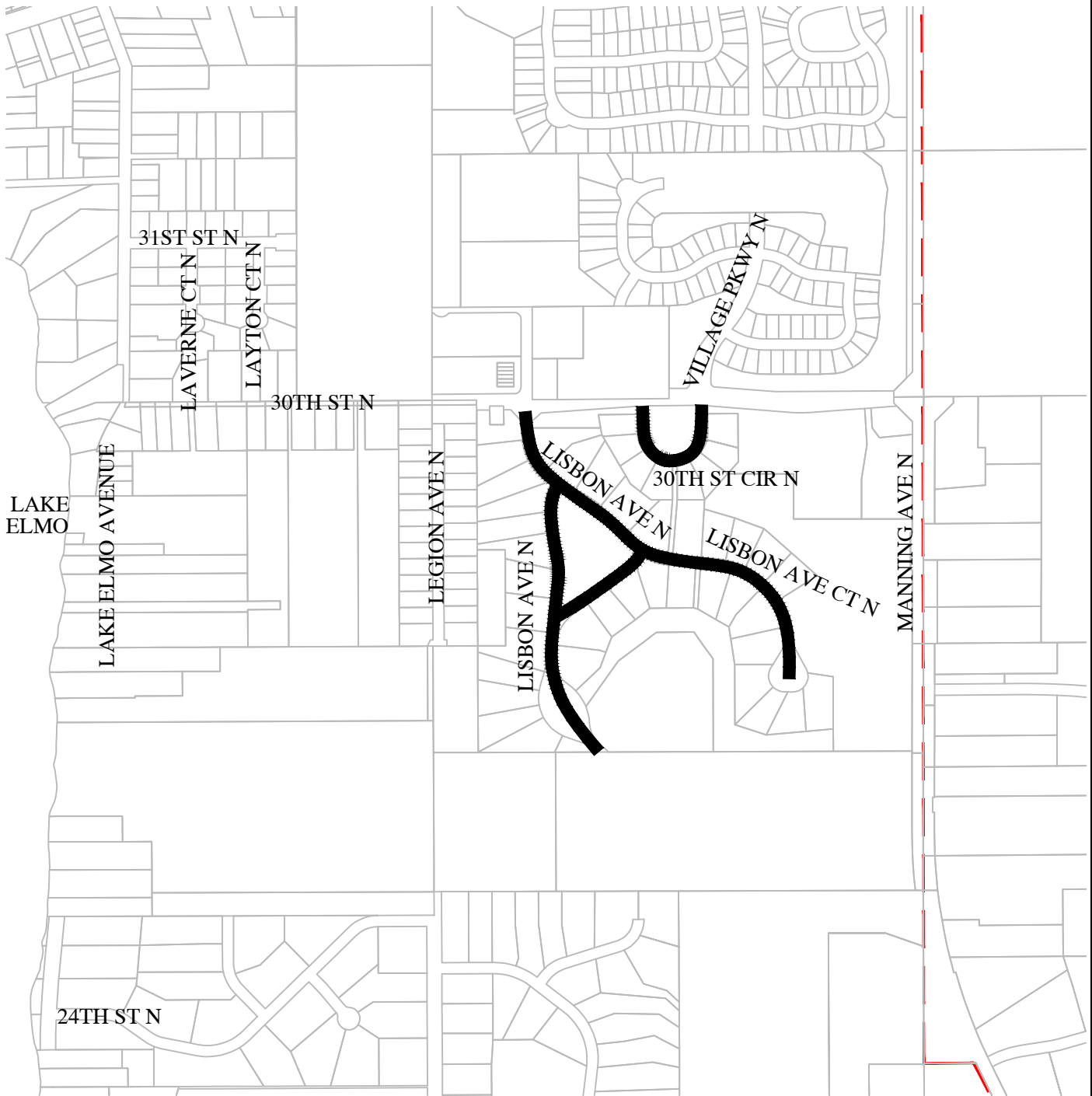
31 John B. Lammers 2823 LISBON AVE NE
32 DelRae Brackton 2721 Lisbon Ave NE

33 _____
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[Signature]
Public Johnson, Civ Clerk



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LEGEND

 HERITAGE FARM NEIGHBORHOOD

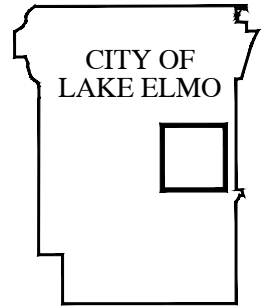


FIGURE NO. 1

LOCATION MAP

HERITAGE FARM NEIGHBORHOOD

FOCUS
ENGINEERING, inc.

PROJECT SCHEDULE
CITY OF LAKE ELMO

FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempksi, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4283

HERITAGE FARMS STREET AND UTILITY IMPROVEMENTS
PROJECT NO. 2019.XXX

JULY 2019

JULY 16, 2019	Council orders preparation of Feasibility Report.
OCTOBER 15, 2019	Presentation of Feasibility Report. Council accepts Report and calls for Improvement Hearing.
NOVEMBER 19, 2019	Public Improvement Hearing. Council orders the preparation of Plans and Specifications.
MARCH 3, 2020	Council approves Plans and Specifications and orders Advertisement for Bids; Declares Costs to be Assessed and Calls for Hearing on Assessment.
APRIL 2, 2020	Receive Contractor Bids.
APRIL 21, 2020	Final Assessment Hearing. Council <u>Orders the Improvement (4/5th vote)</u> ; accepts Bids and awards Contract; and adopts the Final Assessment Roll.
MAY 19, 2020	Conduct Pre-Construction Meeting and issue Notice to Proceed. <ul style="list-style-type: none">• SEPTEMBER 25, 2020 Substantial Completion.• NOVEMBER 13, 2020 Final Completion.