



## STAFF REPORT

DATE: January 19, 2021

### **PUBLIC HEARING**

**AGENDA ITEM:** Public Improvement Hearing; Approve Resolution Ordering the Improvement and the Preparation of Plans and Specifications for the Tamarack Farm Estates Street Improvements

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

**REVIEWED BY:** Kristina Handt, City Administrator  
Sarah Sonsalla, City Attorney  
Marty Powers, Public Works Director  
Cara Geheren, Project Engineer

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**ISSUE BEFORE COUNCIL:** The City Council is respectfully requested to open the Public Improvement Hearing for the Tamarack Farm Estates Street Improvements; and following the Hearing, consider adopting a Resolution Ordering the Improvement and the Preparation of Plans and Specifications. Should the City Council proceed with the improvement project as planned in the City's Capital Improvement Plan? If so, should the City Council wish to proceed with only the street improvements or both the street and watermain improvements?

**BACKGROUND:** Pursuant to Minnesota Statutes, Section 429.011 to 429.111, a Public Improvement Hearing was noticed for January 19, 2021, to consider making the improvements necessary to improve the public streets in the Tamarack Farm Estates neighborhood, and to consider the option of extending municipal water into the neighborhood as part of the reconstruction of the public streets.

The attached notice was published in the official newspaper and individual notifications were sent to each address that will be wholly or partially assessed for the improvements. A feasibility report was adopted by the City Council on December 15, 2020 in order to ready these improvements for 2021 construction. The feasibility report is needed to meet state statutory requirements if any portion of the project is to be assessed. The report identifies the necessary improvements, the estimated project costs, the assessment methodology and preliminary assessment amounts to be levied against benefitting properties.

**PROPOSAL DETAILS/ANALYSIS:** The Tamarack Farm Estates Street Improvement project includes the reconstruction of Linden Trail North, within the Tamarack Farm Estates subdivision, including the one-way loop street at the northwest end of the subdivision, consisting of approximately 2,100 feet of roadway. The proposed improvements include a fully reconstructed street with new granular subbase drainage layer, new Class 6 aggregate base and new bituminous pavement. The existing bituminous curb will be replaced with new concrete curb and gutter to improve drainage, improve the construction quality, and provide edge control to protect and extend the service life of the new bituminous surface. Roadway widening is proposed along the one-way loop to increase the street width and turning radius to better accommodate maintenance and emergency vehicle access.

The timing of these street improvements was determined by the City's pavement management program. Upon review of the necessary street improvements, staff also reviews the street drainage systems and existing public utilities. In addition to the street improvements, the scope of this Report includes the restoration of the existing street drainage system, including either repair or replacement of existing drainage pipe and structures, and storm sewer casting replacement. Drainage improvements are limited to the necessary improvements to meet watershed rules and to prevent water from standing on or along the new street pavements, and are not intended to resolve pre-existing private property drainage issues.

The Tamarack Farm Estates subdivision is a rural open space development consisting of 19 residential lots. The subdivision is served by private water wells and a community wastewater treatment system. The neighborhood resides outside of the City's Municipal Urban Service Area (MUSA), therefore there are no current plans to extend public sanitary sewer to the neighborhood. However, public watermain currently exits directly adjacent to the subdivision, along 50th Street North. This Report therefore includes a preliminary layout to extend municipal water into the neighborhood to serve each of the 19 properties. An estimated project cost and corresponding unit assessment is reported to allow the City Council and property owners to make an informed decision as to whether connecting to the public water system is a desirable improvement to be completed at the time of the street reconstruction work. The neighborhood is not located in a known area for PFAS contamination or within a Special Well Construction Area.

The total estimated street and drainage improvement cost is \$645,000. The improvements would be partially assessed against the benefitting properties consistent with the City's Special Assessment Policy. Street and drainage improvements are assessed at a rate of 30% of the total project costs for residential properties using a unit method. Residential properties are considered to provide an equal demand on street use and are therefore assessed on a per unit basis, including "flag" lots located on private streets. The remaining 70% of the project costs are paid through the City general fund. Residential properties along Linden Trail North with direct access to the street, vacant lots, and lots with direct access from a private street, are included as benefitting properties. Each property is assessed one unit unless the property has the ability to be subdivided using the current underlying land use and zoning regulations. The City planning department reviews larger parcels to determine if a parcel can be subdivided and the number of lots that could be obtained.

The total estimated public watermain cost is \$312,000. Watermain extension improvements are assessed 100% against the benefitting properties using per residential equivalent unit method. In addition to the watermain improvement assessment, each property will incur a \$3,000 Water Availability Charge (WAC), a \$1,000 Water Connection Charge, a meter fee and permit fee at the time they make the connection to the public watermain.

The preliminary assessment rolls detailing each property's proposed assessment amount are included in the Council packet and can be found in the Appendix of the report. Assessments for street and drainage improvements will be levied over a 15-year period. If watermain improvements are incorporated into the project, assessments for public watermain will be levied over a 20-year period. All assessments are charged an interest rate of 1% over the bond rate for the project.

**FISCAL IMPACT:** The total estimated street and drainage improvement cost is \$645,000, with \$193,800 paid through special assessments and the remaining \$451,200 paid through the general tax levy. If watermain improvements are incorporated into the project, the total estimated public watermain cost is \$312,000, with 100% paid through special assessments.

**RECOMMENDATION:** Staff is recommending that the City Council adopt a Resolution Ordering the Improvements (4/5th vote required) and the Preparation of Plans and Specifications for the Tamarack Farm Estates Street Improvements as outlined in the Feasibility Report approved on December 15, 2020, including the Street Improvements only, or for both the Street and Watermain Improvements. The recommended motion for this action is as follows:

***"Move to adopt Resolution No. 2021-007 Ordering the Tamarack Farm Estates Street Improvements (4/5th vote required) and the Preparation of Plans and Specifications for the recommended street improvements as outlined in the Feasibility Report approved on December 15, 2020."***

***Or***

***"Move to adopt Resolution No. 2021-007 Ordering the Tamarack Farm Estates Street Improvements (4/5th vote required) and the Preparation of Plans and Specifications for both the recommended street and watermain improvements as outlined in the Feasibility Report approved on December 15, 2020."***

Staff is also recommending that the City Council award a Professional Engineering Design and Construction Support Services Contract for the Tamarack Farm Estates Street Improvements. Staff is recommending TKDA, Inc. be awarded the contract in a not to exceed amount of \$54,700. The recommended motion for this action is as follows:

***“Move to approve a Professional Engineering Design and Construction Support Services Contract to TKDA, Inc in the not to exceed amount of \$54,700 for the Tamarack Farm Estates Street Improvements.”***

**ATTACHMENTS:**

1. Resolution Ordering the Improvements and Preparation of Plans and Specifications.
2. Notice of Hearing on Improvement.
3. Preliminary Assessment Roll.
4. Tamarack Farm Estates Street Improvements – Location Map.
5. Tamarack Farm Estates Street Improvements – Project Schedule.

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

**RESOLUTION NO. 2021-007**

**A RESOLUTION ORDERING THE IMPROVEMENT AND  
PREPARATION OF PLANS AND SPECIFICATIONS FOR THE  
TAMARACK FARM ESTATES STREET IMPROVEMENTS**

**WHEREAS**, pursuant to City Council authorization, adopted on October 6, 2020, a feasibility report has been prepared by FOCUS Engineering, Inc. for the Tamarack Farm Estates Street Improvements; and

**WHEREAS**, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 19th day of January 2021, at which all persons desiring to be heard were given the opportunity to be heard thereon; and

**WHEREAS**, the feasibility report prepared by FOCUS Engineering, Inc., and dated December 2020 states that the project is necessary, cost-effective, and feasible.

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

1. Such improvement is deemed necessary, cost-effective, and feasible as detailed in the Feasibility Report dated December 2020.
2. Such improvement is hereby ordered as proposed in the council resolution adopted this 19th day of January, 2021.
3. The city engineer is hereby designated as the engineer for making this improvement. The engineer, and his consultants, shall oversee the preparation of the Plans and Specifications for the making of such improvement.
4. The city engineer shall retain the services of a consulting engineering firm to assist, where needed, to prepare Plans and Specifications for the making of such improvement and to assist the city engineer during the construction phase of the improvement as requested.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE NINETEENTH DAY OF  
JANUARY, 2021.**

**CITY OF LAKE ELMO**

(Seal)  
ATTEST:

By: \_\_\_\_\_  
Charles Cadenhead  
Mayor

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

**CITY OF LAKE ELMO  
NOTICE OF HEARING ON IMPROVEMENT  
TAMARACK FARM ESTATES STREET IMPROVEMENTS**

Notice is hereby given that the City Council of Lake Elmo will conduct a public hearing on **Tuesday, January 19, 2021**, at or approximately after 7:00 PM to consider the making of the following improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111:

Street and drainage improvements along Linden Trail North, within the Tamarack Farm Estates subdivision, including a reconstructed street with new granular subbase drainage layer, new Class 6 aggregate base, new bituminous pavement, and new concrete curb and gutter. The improvements will also incorporate the restoration of the existing street drainage system, including either repair or replacement of existing drainage pipe and structures.

Due to the ongoing COVID-19 pandemic, members of the City Council will either participate in the meeting by telephone or other electronic means pursuant to Minnesota Statutes, Section 13D.021, or in-person at the City Council's regular meeting place at Lake Elmo City Hall, 3800 Laverne Avenue North, Lake Elmo, Minnesota. The City will provide an update on the meeting method/type for the hearing on the City's website at <http://www.lakeelmo.org/> as the meeting gets closer and those details can be finalized with certainty. Additionally, questions or comments related to the public hearing may be emailed to Julie Johnson, City Clerk at [jjohnson@lakeelmo.org](mailto:jjohnson@lakeelmo.org), made by phone at 651.747.3914, or mailed to 3880 Laverne Avenue North, Suite 100, Lake Elmo, MN 55042. **Comments submitted through these methods must be received by Tuesday, January 19, 2021 at 12:00 p.m. in order to be considered during the hearing. Please note that any emails, letters and attachments you send to the City are likely considered public information and the City staff may use them in staff reports that go to the City Council and/or the general public.**

The area proposed to be assessed for these improvements include properties abutting the above referenced streets or properties that gain direct driveway access from the above referenced streets. The estimated total cost for the project is \$645,000 for the street and drainage improvements, and \$312,000 for extending watermain to the neighborhood should public watermain be requested or authorized. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons as desiring to be heard with reference to the proposed improvements will be heard during this meeting.

**DATED: December 15, 2020**

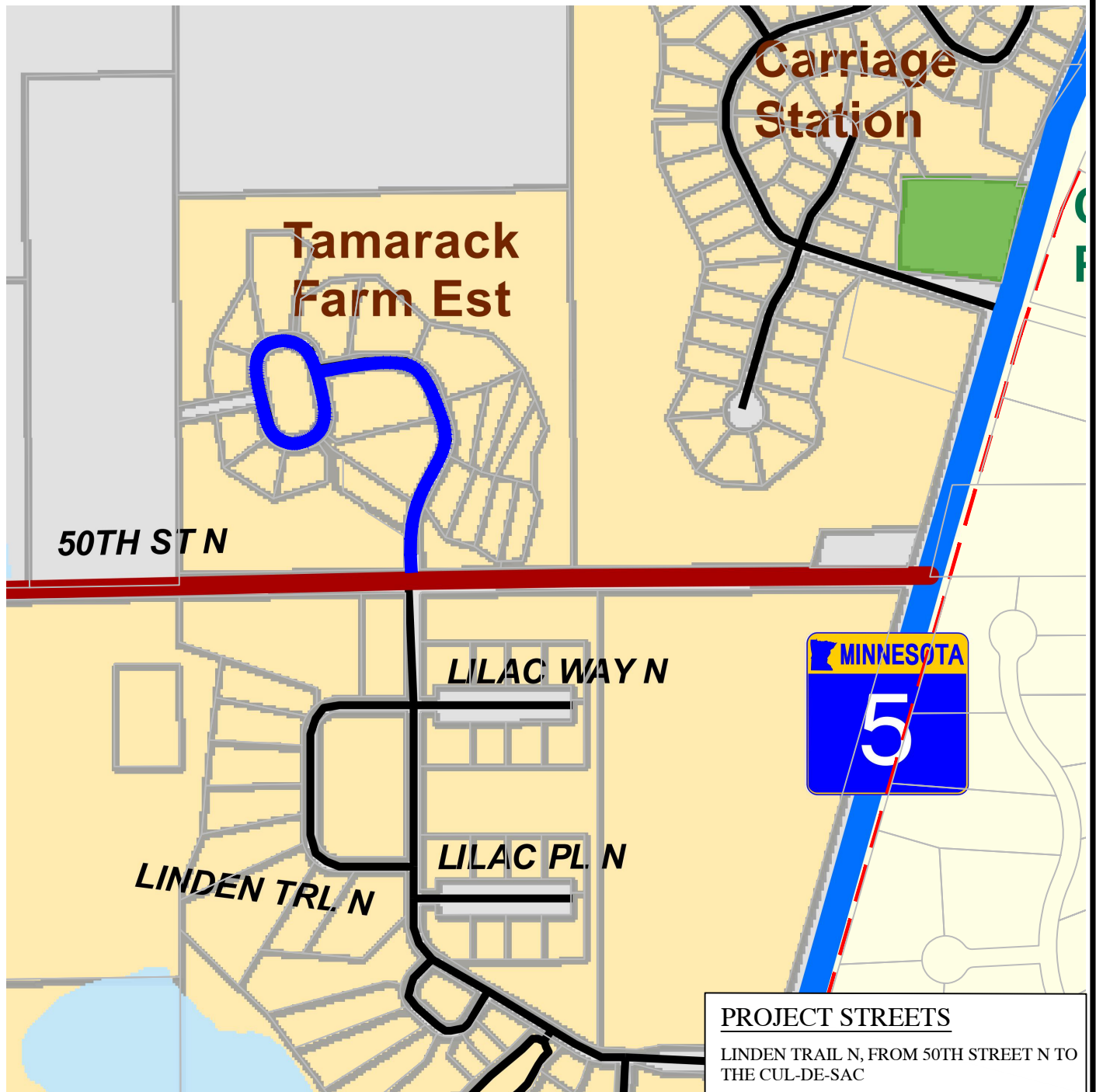
**BY ORDER OF THE LAKE ELMO CITY COUNCIL**

**Mike Pearson, Mayor**

*(Published in the Stillwater Gazette on December 18, 2020 and December 25, 2020)*

											STREET AND DRAINAGE ASSESSMENT	
NO.	NAME	ADDRESS			MAILING ADDRESS					PID	AMOUNT	
1	SCHUMACHER STEPHEN J	5038	LINDEN	TRAIL N	5038	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440034	\$10,200
2	PALMER STEVEN D & KATHLEEN A	5041	LINDEN	TRAIL N	5041	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440027	\$10,200
3	KATHERINE J LEONIDAS REV TRS	5049	LINDEN	TRAIL N	5049	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440028	\$10,200
4	BROCHMAN JUNE TRS	5057	LINDEN	TRAIL N	5057	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440029	\$10,200
5	VINESKI VICKI R & RICHARD E	5063	LINDEN	TRAIL N	5063	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440030	\$10,200
6	WALLRICH WILLIAM T & PHYLLIS A	5067	LINDEN	TRAIL N	5067	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440007	\$10,200
7	MARIE L OLSEN LIV TRS	5073	LINDEN	TRAIL N	5073	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440008	\$10,200
8	STANCUK PETER M & NANCY L	5079	LINDEN	TRAIL N	5079	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440009	\$10,200
9	COLE LUCAS C & STACY L	5080	LINDEN	TRAIL N	5080	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440024	\$10,200
10	ISAACSON MATTHEW	5085	LINDEN	TRAIL N	5085	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440010	\$10,200
11	WISEMAN PAUL & PAMALA	5165	LINDEN	TRAIL N	5165	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440015	\$10,200
12	ESVEDBERG LIV TRS	5197	LINDEN	TRAIL N	5197	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440016	\$10,200
13	HANSEN CRAIG T & ANNE E	5226	LINDEN	TRAIL N	124	LAKESIDE	DRIVE	STILLWATER	MN	55082	0102921440025	\$10,200
14	GALL LINDA L & RICHARD T	5235	LINDEN	TRAIL N	5235	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440017	\$10,200
15	GMEINDER MARK J & LORI	5257	LINDEN	TRAIL N	5257	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440018	\$10,200
16	WORM THOMAS B & MELISSA R L	5264	LINDEN	TRAIL N	5264	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440022	\$10,200
17	MEZERA RONALD L & HOLLY B	5279	LINDEN	TRAIL N	5279	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440019	\$10,200
18	MCGINLEY KENNETH C & ELIZABETH	5288	LINDEN	TRAIL N	5288	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440021	\$10,200
19	CAMPBELL NATHAN J & CAITLIN M	5308	LINDEN	TRAIL N	5308	LINDEN	TRAIL N	LAKE ELMO	MN	55042	0102921440020	\$10,200
											TOTAL	\$193,800

TAMARACK FARM ESTATES  
WATERMAIN IMPROVEMENTS  
PRELIMINARY ASSESSMENT ROLL



**PROJECT STREETS**  
 LINDEN TRAIL N, FROM 50TH STREET N TO  
 THE CUL-DE-SAC

**LEGEND**

- TAMARACK FARM ESTATES
- - CITY LIMITS

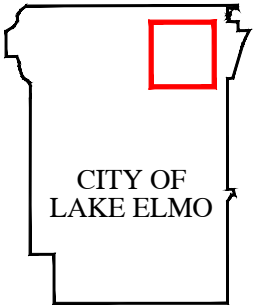


FIGURE NO. 1

**LOCATION MAP**

TAMARACK FARM ESTATES NEIGHBORHOOD

**FOCUS**  
 ENGINEERING, inc.

TAMARACK FARM  
 ESTATES STREET  
 IMPROVEMENTS  
 PROJECT NO. 2020.125



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

TAMARACK FARM ESTATES STREET IMPROVEMENTS  
PROJECT NO. 2020.125

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OCTOBER 6, 2020	Council orders preparation of Feasibility Report and Topographic Survey.
DECEMBER 15, 2020	Presentation of Feasibility Report. Council accepts Report and calls for Improvement Hearing.
JANUARY 19, 2021	Public Improvement Hearing. Council Orders the Improvement (4/5th Vote) and preparation of Plans and Specifications.
APRIL 6, 2021	Council approves Plans and Specifications and orders Advertisement for Bids.
MAY 6, 2021	Project Bid Date: Receive contractor bids.
MAY 18, 2021	Council accepts Bids and awards Contract.
JUNE 14, 2021	Conduct Pre-Construction Meeting and issue Notice to Proceed. <ul style="list-style-type: none"><li>OCTOBER 1, 2021 Substantial Completion.</li><li>NOVEMBER 19, 2021 Final Completion.</li></ul>

*\*Final Assessment Hearing Schedule TBD*