



STAFF REPORT

DATE: August 15, 2023
PUBLIC HEARING

AGENDA ITEM: Adopt Final Assessment Roll for the 2022 Street Improvements.

SUBMITTED BY: Jack Griffin, City Engineer

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

ISSUE BEFORE COUNCIL: The City Council is respectfully requested to hold a Public Hearing for the proposed assessments for the 2022 Street Improvements. Following the hearing, should the City Council adopt the final assessment roll?

BACKGROUND: On July 18, 2023, the City Council approved a Resolution declaring the costs to be assessed, ordering the preparation of the proposed assessment, and calling for the hearing on proposed assessment for the 2022 Street Improvements. Mailed notice has been provided to each assessed property and notice of the public hearing has been published in the local paper.

PROPOSAL DETAILS/ANALYSIS: Pursuant to Minnesota Statutes, Section 429, the Council must declare the amount to be assessed against the benefitting properties and the Hearing on the Proposed Assessment for these improvements must be held. Staff has attached a Final Assessment Roll which must be certified to the County Auditor by November 17, 2023.

Special assessments are levied in accordance with Minnesota Statutes Chapter 429 and consistent with the City's Special Assessment Policy. The table below summarizes the preliminary cost and unit assessment from the feasibility report and the proposed final cost and unit assessment for each neighborhood. The final unit assessment is based on estimated total project costs at completion.

Field of St. Croix 1st Addition (47 Residential Properties)	Total Project Costs Street & Drainage Improvements	Unit Assessment
Feasibility Report Estimates	\$2,223,000	\$14,200
Estimate at Completion	\$1,125,100	\$ 7,200

**Assessments for street improvements are being levied over 15 years at 4.75%.*

**Preliminary Assessment was based on potential full reconstruction improvement.*

Beaut Crest Estates (15 Residential Properties)	Total Project Costs Street & Drainage Improvements	Unit Assessment
Feasibility Report Estimates	\$ 463,100	\$ 9,300
Estimate at Completion	\$ 460,200	\$ 9,200

**Assessments for street improvements are being levied over 15 years at 4.75%.*

FISCAL IMPACT: The estimated total project cost at completion is \$1,598,400; including \$1,585,300 for the street and drainage improvements and \$13,100 for the water system improvements. Of these costs, \$476,400 will be specially assessed to the benefitting properties. The remaining costs will be funded through the project bond proceeds and the water system fund.

RECOMMENDATION: Staff is recommending that the City Council approve a resolution adopting the Final Assessment Roll for the 2022 Estates Street Improvements. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2023-081, Adopting the Final Assessment Roll for the 2022 Street Improvements.”

ATTACHMENTS:

1. Resolution Adopting the Final Assessment Roll.
2. Notice of Hearing on Proposed Assessment.
3. Final Assessment Roll.

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

**RESOLUTION NO. 2023-081
A RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL FOR
THE 2022 STREET IMPROVEMENTS**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the 2022 Street Improvements including street and drainage improvements along the public streets within the Fields of St. Croix 1st Addition and Beaut Crest Estates Addition.

NOW, THEREFORE, BE IT RESOLVED,

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over 15 years for street and drainage improvements, the first of the installments to be payable on or before the first Monday in January, 2024 and shall bear interest at the rate of 4.75 percent per annum from the adoption date of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2023. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the county auditor, pay the whole of the assessment on such property, with the interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she 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 next succeeding year.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FIFTHTEENTH DAY OF
AUGUST, 2023.**

CITY OF LAKE ELMO

(Seal)
ATTEST:

By: _____
Charles Cadenhead
Mayor

Julie Johnson
City Clerk

CITY OF LAKE ELMO
NOTICE OF HEARING ON PROPOSED ASSESSMENT
2022 STREET IMPROVEMENTS

Notice is hereby given that the City Council of Lake Elmo will conduct a public hearing on **Tuesday August 15, 2023** at, or approximately after, 7:00 P.M. at Lake Elmo City Hall to consider, and possibly adopt, the proposed assessment against abutting properties for the 2022 Street Improvements. Adoption by the Council of the proposed assessment may occur at the hearing. The following describes the proposed improvements and area(s) to be assessed:

Street and drainage improvements along the public streets within the Fields of St. Croix 1st Addition and Beaut Crest Estates Addition, including the reclamation of the street with new bituminous pavement, and new concrete curb and gutter. As part of the street improvements the project incorporated partial storm sewer repair and restoration of the existing street drainage system. The project includes approximately 9,800 feet (1.85 miles) of public streets including the following segments:

Fields of St. Croix 1st Addition

- Linden Trail North, from 50th Street North to Stillwater Boulevard (CSAH 15).
- Linden Trail North loop road, from Linden Trail North to Linden Trail North.
- Lilac Way North, from Linden Trail North to east end.
- Lilac Place North, from Linden Trail North to east end.
- Larkspur Lane North, from Linden Trail North to Linden Trail North.
- Lilac Lane North, from Linden Trail North to south end.

Beaut Crest Estates Addition

- 35th Street North, from Jamaca Avenue North to west end.
- Isle Court North, from 35th Street North to south end.

You may at any time prior to certification of the assessment to the county auditor on November 17, 2023, 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 prior to September 15, 2023. 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 (for the assessment to be certified to County Auditor) 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 4.75 percent per year.

Once assessments are certified to the County, the assessments are payable in equal annual installments extending over a period of 15 years for street and drainage improvements, the first of the installments to be payable on or before the first Monday in January 2024 and will bear interest at the rate of 4.75 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, 2023. 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 street improvement amount to be assessed is \$476,400. The City contribution for the overall improvement project is \$1,122,000. 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 is authorized in its discretion to defer the payment of an 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, for whom it would be a hardship to make the payments. 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: July 18, 2023

BY ORDER OF THE LAKE ELMO CITY COUNCIL

Charles Cadenhead, Mayor

(Published in the Stillwater Gazette on July 21, 2023)

2022 STREET IMPROVEMENTS
FIELDS OF ST. CROIX 1ST ADDITION
FINAL ASSESSMENT ROLL

											STREET AND DRAINAGE ASSESSMENT	
NO.	NAME	ADDRESS			MAILING ADDRESS					PID	AMOUNT	
1	ANDERSON RICHARD C	4550	LILAC	LN N	4550	LILAC	LN N	LAKE ELMO	MN	55042	1202921140024	\$7,200
2	SEESTROM KURT W & DENISE M HEUER	4558	LILAC	LN N	4558	LILAC	LN N	LAKE ELMO	MN	55042	1202921140023	\$7,200
3	JOHNSON KIP L & JULIET	4566	LILAC	LN N	4566	LILAC	LN N	LAKE ELMO	MN	55042	1202921140022	\$7,200
4	JOHNSON LOWELL A & ANDREA E	4574	LILAC	LN N	4574	LILAC	LN N	LAKE ELMO	MN	55042	1202921140021	\$7,200
5	HOFFMAN PAUL & DEBRA	4582	LILAC	LN N	4582	LILAC	LN N	LAKE ELMO	MN	55042	1202921140020	\$7,200
6	KELLAR ALLAN D & LINDA B	4594	LILAC	LN N	4594	LILAC	LN N	LAKE ELMO	MN	55042	1202921140019	\$7,200
7	BAHR ALLISON T	4596	LILAC	LN N	4596	LILAC	LN N	LAKE ELMO	MN	55042	0702920230012	\$7,200
8	HOLMBERG JOSEPH W & SHELLY E	4602	LILAC	LN N	4602	LILAC	LN N	LAKE ELMO	MN	55042	1202921140018	\$7,200
9	EICHEN SHARON JEAN MILLER	4610	LILAC	LN N	4610	LILAC	LN N	LAKE ELMO	MN	55042	0702920230013	\$7,200
10	TRAYNOR KYLE & MORGAN	4622	LILAC	LN N	4622	LILAC	LN N	LAKE ELMO	MN	55042	0702920230011	\$7,200
11	DUTKO KATHLEEN A & DEAN	4634	LINDEN	TRL N	4634	LILAC	LN N	LAKE ELMO	MN	55042	1202921140013	\$7,200
12	NIEBUHR SHERYL L & JO ANN FORD	4644	LINDEN	TRL N	4644	LILAC	LN N	LAKE ELMO	MN	55042	1202921140014	\$7,200
13	DUSTIN WILLIAM K & SUSAN A	4654	LINDEN	TRL N	4654	LILAC	LN N	LAKE ELMO	MN	55042	1202921140015	\$7,200
14	TOMASEK BENJAMIN & MARY	4668	LINDEN	TRL N	4668	LILAC	LN N	LAKE ELMO	MN	55042	1202921140016	\$7,200
15	BURGWARD JASON C & MARY M	4676	LARKSPUR	LN N	4676	LARKSPUR	LN N	LAKE ELMO	MN	55042	1202921140012	\$7,200
16	MEISTER WILLIAM W & KAREN K	4690	LARKSPUR	LN N	4690	LARKSPUR	LN N	LAKE ELMO	MN	55042	1202921140011	\$7,200
17	MOLINE KJERSTI L	4698	LARKSPUR	LN N	4698	LARKSPUR	LN N	LAKE ELMO	MN	55042	1202921140010	\$7,200
18	ROBERT ENGSTROM COMPANIES				4801	81ST ST W	#101	BLOOMINGTON	MN	55437	1202921140009	\$7,200
19	WINTER CHRISTOPHER P & KELLY M	4720	LARKSPUR	LN N	4720	LARKSPUR	LN N	LAKE ELMO	MN	55042	1202921140008	\$7,200
20	LAQUA MARK L & BETH E	4732	LARKSPUR	LN N	4732	LARKSPUR	LN N	LAKE ELMO	MN	55042	1202921140007	\$7,200
21	WILLIAM J MOHR III & DAWN C MOHR REV TRS	4748	LARKSPUR	LN N	4748	LARKSPUR	LN N	LAKE ELMO	MN	55042	1202921140006	\$7,200
22	BOTTINI PATRICK & ALLISON	4768	LARKSPUR	LN N	4768	LARKSPUR	LN N	LAKE ELMO	MN	55042	1202921110015	\$7,200
23	BECKER ELIZABETH L & RODNEY A	4805	LILAC	PL N	4805	LILAC	PL N	LAKE ELMO	MN	55042	1202921110023	\$7,200
24	DRESSER SAMUEL & TAMARA TINKHAM	4815	LILAC	PL N	4815	LILAC	PL N	LAKE ELMO	MN	55042	1202921110022	\$7,200
25	KOMPELIEN BRADLEY M & PAIGE A	4827	LILAC	PL N	4827	LILAC	PL N	LAKE ELMO	MN	55042	1202921110021	\$7,200
26	LAUREL K GUNDERSON TRS	4835	LILAC	PL N	4835	LILAC	PL N	LAKE ELMO	MN	55042	1202921110020	\$7,200
27	DELANEY JOHN & KELSEY	4853	LILAC	PL N	4853	LILAC	PL N	LAKE ELMO	MN	55042	1202921110019	\$7,200
28	WOHLERS NICHOLAS J & MICHELLE	4861	LILAC	PL N	4861	LILAC	PL N	LAKE ELMO	MN	55042	1202921110018	\$7,200
29	HAZELROTH TIMOTHY & ROBERTA	4873	LILAC	PL N	4873	LILAC	PL N	LAKE ELMO	MN	55042	1202921110017	\$7,200
30	TIESLING MATTHEW O & BRIDGET M	4881	LILAC	PL N	4881	LILAC	PL N	LAKE ELMO	MN	55042	1202921110016	\$7,200
31	TRS AGR KEVIN L & MAUREEN A THOLEN	4854	LINDEN	TRL N	4854	LINDEN	TRL N	LAKE ELMO	MN	55042	1202921110014	\$7,200
32	SCHWARTZ ROBERT M & MARYANNE ELZEN	4886	LINDEN	TRL N	4886	LINDEN	TRL N	LAKE ELMO	MN	55042	1202921110013	\$7,200
33	MITCHELL J & KAREN E JORGENSEN LIVING TRS	4910	LINDEN	TRL N	334	WHITE EAGLE RD		HUDSON	WI	54016	1202921110012	\$7,200
34	BRENNAN PHILIP J & EILEEN B	4926	LINDEN	TRL N	4926	LINDEN	TRL N	LAKE ELMO	MN	55042	1202921110011	\$7,200
35	FOSSUM ROBERT J & RACHEL W	4944	LINDEN	TRL N	4944	LINDEN	TRL N	LAKE ELMO	MN	55042	1202921110010	\$7,200
36	BREKKE BRIAN D & ANGELIA SMITH-BREKKE	4966	LINDEN	TRL N	4966	LINDEN	TRL N	LAKE ELMO	MN	55042	1202921110009	\$7,200
37	MELANDER PETER K & JUDITH C	4982	LINDEN	TRL N	4982	LINDEN	TRL N	LAKE ELMO	MN	55042	1202921110008	\$7,200
38	GERALD OCONNELL REV TRS & JANET OCONNELL REV TRS	4990	LINDEN	TRL N	4990	LINDEN	TRL N	LAKE ELMO	MN	55042	1202921110007	\$7,200
39	SY PURA WILLIAM D & NAOMI M MARIETTA	4996	LINDEN	TRL N	4996	LINDEN	TRL N	LAKE ELMO	MN	55042	1202921110032	\$7,200
40	PARR RICHARD J & ELIZABETH N A HARROD-PARR	4931	LILAC	WAY N	4931	LILAC	WAY N	LAKE ELMO	MN	55042	1202921110031	\$7,200
41	KOCH JOSEPH & LORI	4943	LILAC	WAY N	4943	LILAC	WAY N	LAKE ELMO	MN	55042	1202921110030	\$7,200
42	HANSON DAVID G & LAUREN M	4955	LILAC	WAY N	4955	LILAC	WAY N	LAKE ELMO	MN	55042	1202921110029	\$7,200
43	ECKMAN ERIK S & ANDREA	4963	LILAC	WAY N	4963	LILAC	WAY N	LAKE ELMO	MN	55042	1202921110028	\$7,200
44	ALBERS TRACI & TIMOTHY	4971	LILAC	WAY N	4971	LILAC	WAY N	LAKE ELMO	MN	55042	1202921110027	\$7,200
45	GIORDANA URIAH J & MONIQUE D	4979	LILAC	WAY N	4979	LILAC	WAY N	LAKE ELMO	MN	55042	1202921110026	\$7,200
46	PETERSON BRADLEY & AMY	4987	LILAC	WAY N	4987	LILAC	WAY N	LAKE ELMO	MN	55042	1202921110025	\$7,200
47	ERICKSON RANDALL D & MICHELLE R	4995	LILAC	WAY N	4995	LILAC	WAY N	LAKE ELMO	MN	55042	1202921110024	\$7,200
TOTAL											\$338,400	

