



## Request for City Council Committee Action From the Departments of Public Works

**Date:** June 7, 2011

**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

**Referral To:** Honorable Betsy Hodges, Chair Ways and Means/Budget Committee

**Subject:** **Talmage Ave SE (29<sup>th</sup> Ave SE to 33<sup>rd</sup> Ave SE) Reconstruction Project No 2225 (PV021): Public Hearing**

### Recommendation:

- A. Passage of a Resolution ordering the City Engineer to proceed and do the work and adopting the special assessments in the total amount of \$504,944.19 for the Talmage Ave SE (29<sup>th</sup> Ave SE to 33<sup>rd</sup> Ave SE) Reconstruction Project.
- B. Passage of a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$504,950, with the bonds to be paid for from special assessments.
- C. Passage of a Resolution ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that are in conflict with the Talmage Ave SE Reconstruction Project.
- D. These Resolutions may be authorized for summary publication.

### Previous Directives:

- January 14, 2011 Layout Approval
- April 15, 2011 City Council Resolution 2011R-180, Project Designation

**Prepared by:** Beverly Jo Warmka, P.E., Project Engineer, 673-3762  
Suzette Hjermstad, R.E. Investigator II, 673-2401  
Don Elwood, P.E., Director, Transportation Planning & Engineering, 673-3622

### Approved by:

\_\_\_\_\_  
Steven A. Kotke, P.E., City Engineer, Director of Public Works

**Presenters:** Beverly Jo Warmka, P.E., Project Engineer  
Suzette Hjermstad, R.E. Investigator II

**Reviews:** Permanent Review Committee (PRC): Not Applicable  
Civil Rights Affirmative Action Plan: Not Applicable  
Policy review Group (PRG): Not Applicable

### Financial Impact

Special assessments against benefited properties.

### Community Impact

Neighborhood Notification: Public Hearing notices mailed on May 23  
Neighborhood Meetings: Pre-public hearing meeting scheduled for May 31 2011  
City Goals: Maintain the physical infrastructure to ensure a healthy, vital and safe City

Comprehensive Plan: Not Applicable  
Zoning Code: Not Applicable

### **Background/Supporting Information**

On April 15, 2011, the City Council designated the location, streets and improvements proposed to be made in the Talmage Ave SE area. The Talmage Ave SE street reconstruction project is from 29<sup>th</sup> Ave SE to 33<sup>rd</sup> Ave SE (approximately 0.25 miles in length). Talmage Ave SE is a Municipal State Aid Roadway (MSA 451). It serves an industrial/commercial area and carries low volume truck traffic.

The cost estimate for the Talmage Ave SE Reconstruction Project is \$1,920,000. The project would be funded through Minnesota Municipal State Aid Funds, net debt bonds, and assessments to the benefiting property owners. The University of Minnesota also has two parcels in the project area and their suggested contribution would be \$191,793.91.

The street reconstruction would be paving with asphalt with concrete curb and gutter all on a stabilized base and including sidewalk, signing and striping and other street paving related improvements as needed. The project will be constructed by City crews and is scheduled to begin in the late summer of 2011.

### **Assessments**

The proposed street reconstruction special assessments were determined by applying the 2011 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved street. The 2011 reconstruction rates are as follows:

\$2.05 / sq ft – Non-Residential  
\$0.77 / sq ft – Residential

The proposed total assessment amount for the Talmage Ave SE Reconstruction Project is \$504,944.19. Individual assessments of more than \$150 would be collected over 20 years beginning on the 2012 real estate tax statements with the interest charged at the same rate as the City pays in interest for selling assessment bonds. Assessments of \$150 or less would be collected in their entirety on the 2012 real estate tax statements with interest charged at the same rate as the City pays in interest for selling assessment bonds. Information has been provided in the Notices as to how persons may prepay the special assessments in full without interest if they so choose.

### **Abandonment and Removal of Conflicting Areaways**

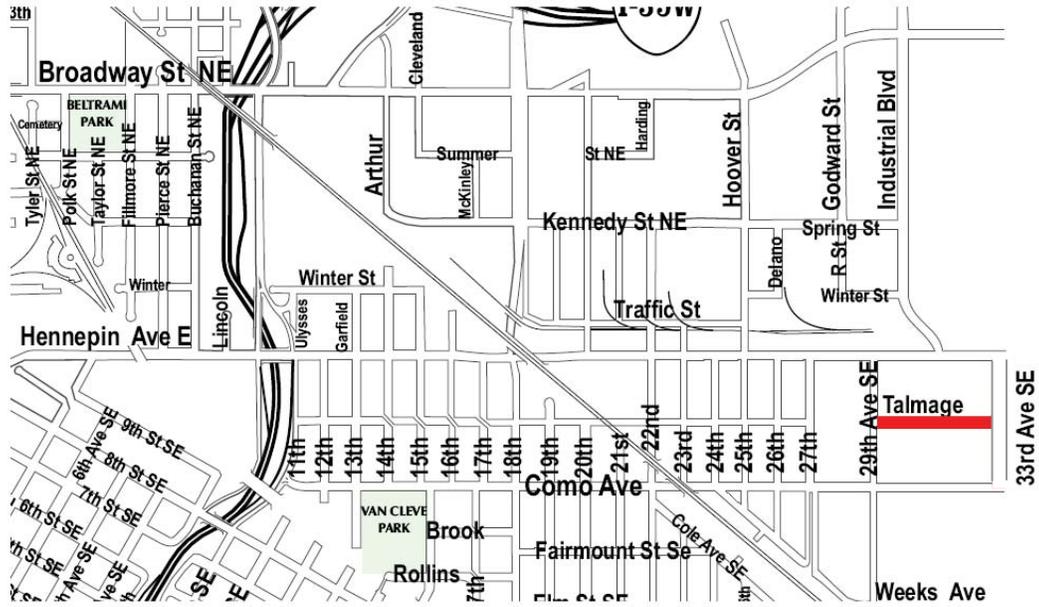
Section 95.90 of the Minneapolis Code of Ordinances provides a procedure for dealing with areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street reconstruction. Before the City may abandon and remove conflicting areaways (upon the failure of the abutting property owner to resolve or agree to resolve the conflict) and then later assess the costs, a public hearing must be held. Prior to the areaway public hearing notices being given, the City Engineer has provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

### **Attachment: Project Location Map**

Cc: Council Member Kevin Reich, Ward 1  
Jack Qvale, Secretary, Board of Estimation and Taxation  
Craig Troutman, Finance

Attachment 1  
Project Location Map

33rd Ave SE and Talmage Ave



Project



**T&PW** - Your Committee recommends passage and summary publication of the accompanying Resolutions:

1. Ordering the work to proceed and adopting the special assessments; and
2. Ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that are in conflict with the paving project,

for the Talmage Ave SE (29<sup>th</sup> Ave SE to 33<sup>rd</sup> Ave SE) Reconstruction Project, Special Improvement of Existing Street No. 2225.

**By Colvin Roy**

**TALMAGE AVE SE (29<sup>TH</sup> AVE SE TO 33<sup>RD</sup> AVE SE) RECONSTRUCTION PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET No 2225**

**Ordering the work to proceed and adopting the special assessments for the Talmage Ave SE (29<sup>th</sup> Ave SE to 33<sup>rd</sup> Ave SE) Project.**

Whereas, a public hearing was held on June 7, 2011 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinance to consider the proposed improvements as designated in Resolution 2011R-180, passed April 15, 2011, to consider the proposed special assessments on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2011R-180, passed April 15, 2011.

Be It Further Resolved that the proposed special assessments in the total amount of \$504,944.19 as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2012 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2012 real estate tax statements.

## Colvin Roy

**Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction in the Talmage Ave SE area.**

Whereas, the City of Minneapolis has scheduled the street reconstruction improvements starting in 2011 in the Talmage Ave SE (29<sup>th</sup> Ave SE to 33<sup>rd</sup> Ave SE) area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said reconstruction; and

Whereas, a public hearing was held on June 7, 2011 in accordance with Chapter 10, Section 8 of the Minneapolis Code of ordinance to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street r/w adjoining the properties along Talmage Ave SE (both sides) from 29<sup>th</sup> Ave SE to 33<sup>rd</sup> Ave SE.

**T&PW and W&M/Budget** – Your Committee recommends passage and summary publication of the accompanying Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the Talmage Ave SE (29<sup>th</sup> Ave SE to 33<sup>rd</sup> Ave SE) Reconstruction Project, Special Improvement of Existing Street No 2225.

## Colvin Roy and Hodges

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$504,950 for certain purposes other than the purchase of public utilities.**

Resolved by the City Council of the City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Talmage Ave SE (29<sup>th</sup> Ave SE to 33<sup>rd</sup> Ave SE) Reconstruction Project, Special Improvement of Existing Street No 2225, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.