

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

**Date:** April 8, 2008

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

Subject: Assessment for Areaway Abandonment and Removal for property in the

East Lake Street (Hiawatha Av S to W River Pkwy) Reconstruction Project

No 6709. Set Public Hearing.

#### Recommendation:

Adoption of a Committee Report receiving the final costs, directing the City Engineer to prepare a proposed Areaway Abandonment and Removal Assessment and directing the City Clerk to give notice of an Assessment Public Hearing to be held on May 20, 2008 before the Transportation and Public Works Committee for the benefited properties at:

- 2709 Lake St E, PID 01-028-24-12-0096, in the amount of \$22,653.69;
- 2629 Lake St E, PID 01-028-24-12-0098, in the amount of \$9,593.68;
- 4301 Lake St E, PID 06-028-23-11-0017, in the amount of \$1,100.00.

## **Previous Directives:**

Resolution 2006R-089 ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the paving and streetscape project in the E Lake Street (Hiawatha Av S to W River Pkwy) area.

Prepared by: Suzette R. Hjermstad, Public Works Special Assessment Office, 673-2401

Don Elwood, P.E., Director, Transportation Planning & Engineering

Approved by: \_\_\_\_\_\_

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

**Presenters:** Jenifer Loritz, P.E., Life Cycle Project Manager

#### **Reviews**

•	Permanent Review Committee (PRC):	Approval	NA	Date
•	Civil Rights Affirmative Action Plan	Approval	NA	Date
•	Policy Review Group (PRG):	Approval	NA	Date

Financ	cial Impact (Check those that apply)
_X_	No financial impact - or - Action is within current department budget (If checked, go
	directly to Background/Supporting Information)
	Action requires an appropriation increase to the Capital Budget
	Action requires an appropriation increase to the Operating Budget
	Action provides increased revenue for appropriation increase
	Action requires use of contingency or reserves
	Business Plan: Action is within the plan Action requires a change to plan.
_X	Other financial impact: Special Assessments against benefited property
	Request provided to department's Finance Dept. contact when provided to the
	Committee Coordinator

# **Community Impact**

Neighborhood Notification: Not Applicable Neighborhood Meetings: Not Applicable

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 January 13, 2006, the City Council designated the location, streets and improvements proposed to be made in the E Lake Street area. A public hearing was held on February 16, 2006 that included the areaway abandonment and removal of any conflicting areaways within the E Lake Street area street reconstruction and streetscape project in accordance with Section 95.90 of the Minneapolis Code of Ordinances.

As the street reconstruction and streetscape project work proceeded during 2006 and 2007, the City contacted the property owners of 2709, 2629 and 4301 E Lake Street regarding their areaways that were in conflict with the project. On June 7, 2007 the project engineer received a voicemail from the representative of 4301 E Lake St asking that the City proceed with abandoning their areaway and assessing all costs based on an estimate in the amount of \$1000.00 provided by the contractor. The project engineer made numerous attempts between November 3, 2005 and July 9, 2007 to work with the property owner of 2709 and 2629 E Lake St. The property owner did make an attempt to abandon the areaways on his own, however he did not pull proper permits, obtain required inspections, or complete the work in a manner that complies with City Ordinance. The project engineer made a final attempt to work with the property owner to properly complete the abandonment work but was unsuccessful, at which point the abandonment was performed by the roadway contractor with all costs to be assessed to the property owner.

The assessment public hearing procedure is in accordance with Section 95.90 of the Minneapolis Code of Ordinances which provides the authority for the City Engineer to abandon and remove an areaway in conflict with capital improvement project in the City's right-of-way and a public hearing for the assessment of the cost of removal to be held at a later date.

CC: Council Member Gary Schiff, Ward 9
Council Member Sandy Colvin Roy, Ward 12

**T&PW** – Your Committee having received final costs for the Areaway Abandonment and Removal at the following properties:

- 1. 2709 Lake St E, PID 01-028-24-12-0096, in the amount of \$22,653.69, legally described as: Lot 14 except that part taken for street, all of Lot 13 and the East 83 feet of the North 1 foot of Lot 12, Block 3, V. G. Hush's Addition to Minneapolis;
- 2. 2629 Lake St E, PID 01-028-24-12-0098, in the amount of \$9,593.68, legally described as: the Easterly 40 feet of Lots 1 and 2 except that part taken for street, Block 4, V. G. Hush's Addition to Minneapolis;
- 3. 4301 Lake St E, PID 06-028-23-11-0017, in the amount of \$1,100.00, legally described as: Lots 1, 2, 3 and the North 3 2/10 feet of Lot 4, Block 1 Riverview Addition to Minneapolis and Lot 1, C T and R R Earenfights Addition.

All in accordance with the Lake St E (Hiawatha Av S to W River Pkwy) Street Reconstruction and Streetscape Project, Improvement of Existing Street No 6709, as ordered by Resolution 2006R-089, now recommends that the City Engineer be directed to prepare an Areaway Abandonment and Removal Assessment against the benefited properties.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on May 20, 2008 in accordance with Chapter 8, Sections 12 and 13, of the Minneapolis City Charter, to consider the amount proposed to be assessed to the benefited properties.