



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

**Date:** September 14, 2010

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

**Subject:** **Assessment for Areaway Abandonment and Removal for properties in the 3<sup>rd</sup> Avenue North (Washington Ave N to 5<sup>th</sup> St N) Reconstruction Project No 9882. Set Public Hearing**

**Recommendation:**

1. 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 October 26, 2010 before the Transportation and Public Works Committee for the benefited properties at 250 3<sup>rd</sup> Ave N, PID 22-029-24-42-0072, in the amount of \$312,175.51;

**Previous Directives:**

- April 10, 2009 Council Resolution 2009R-150 Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the paving project in the 3<sup>rd</sup> Ave N (Washington Ave N to 5<sup>th</sup> St N) area.

**Prepared by:** Beverly Warmka, PE, Project Engineer, Transp. Plan & Engineer, 673-3762  
Suzette R. Hjernstad, 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:** Beverly Warmka, P.E., Project Engineer, Transportation Planning & Engineering  
Suzette Hjernstad, Special Assessments Office, 673-2401

**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.

**Background/Supporting Information:**

On February 20, 2009, the City Council designated the location, streets and improvements proposed to be made in the 3<sup>rd</sup> Ave N area. A public hearing was held on March 31, 2009 that included the areaway abandonment and removal of any conflicting areaways within the 3<sup>rd</sup> Av N area street reconstruction and street lighting projects in accordance with Section 95.90 of the Minneapolis Code of Ordinances.

As the street reconstruction project work proceeded in 2008, the City contacted the property owners along 3<sup>rd</sup> Ave N regarding their areaways that were in conflict with the project. The project manager worked with the property owner of 250 3<sup>rd</sup> Ave N regarding the abandonment of the areaway associated with that property. The project engineer and the property owner worked together through the areaway abandonment process. The assessment amount comprises the labor, material and equipment rental fees in addition to a 5% administrative fee for the City of Minneapolis.

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 a 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 Lisa Goodman, Ward 7  
Craig Troutman, Finance  
Suzette Hjermstad, Special Assessments Office  
Jack Qvale, Estimate and Taxation

**T&PW** – Your committee recommends adoption and summary publication of the accompanying Committee Report, receiving a final cost for areaway abandonment and removal and giving notice of an Assessment Public Hearing for the property at:

250 3<sup>rd</sup> Ave N, PID 22-029-24-42-0072, in the amount of \$312,175.51

All in conjunction with the 3<sup>rd</sup> Ave N (Washington Ave N to 5<sup>th</sup> St N) Street Reconstruction Project, Special Improvement of Existing Street No. 9882.

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

250 3<sup>rd</sup> Ave N, PID 22-029-24-42-0072, legally described as: Lot 4 and that part of Lot 5, Block 57, Hoag's Addition to Minneapolis, described as lying Southwesterly of Traffic St N, also that part of Lots 4 and 5, Block 57, Town of Minneapolis, lying Southwesterly of said Traffic St N, including adjacent ½ of abandoned 3<sup>rd</sup> St N, also that part of Lot 1, Auditor's subdivision No 221 and of the Southwesterly ½ of adjacent abandoned 3<sup>rd</sup> St N described as follows: beginning at the point of intersection of the center line of said abandoned 3<sup>rd</sup> St N with the West line of 3<sup>rd</sup> Ave N, thence Northwesterly along said center line to the intersection with the Southwesterly extension of the Northwesterly line of said Lot 4, Block 57, Hoag's Addition, thence Southwesterly along said extended line a distance of 72.12 feet, thence Easterly to the beginning; in the amount of \$312,175.51.

All in accordance with the 3<sup>rd</sup> Ave N (Washington Ave N to 5<sup>th</sup> St N) Street Reconstruction Project, Improvement of Existing Street No 9882, as ordered by Resolution 2009R-150, passed April 10, 2009, 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 October 26, 2010 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.