



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, October 8, 2019												
Category:	PUBLIC HEARING												
Type:	ACTION												
Subject:	Project Z70-2: South High Street/South Whitney Street (100 & 200 Block) Alley Improvement Project – 2) Consider Resolution Adopting Assessment.												
Background Information:	<p>The project consists of the installation of new storm sewer main and requested private storm sewer services within and adjacent to the alley lying between the west side of South Whitney Street and the east side of South High Street, between the north line of East Marshall Street and the south line of East College Drive.</p> <p>Property owners are responsible for the costs of installation of private storm sewer services to their property. At the informational meeting on September 9, 2019, the individual costs were explained to the property owners in attendance. The property owners were given a week to decide whether or not they wanted to go ahead with the contract costs for the installation of the private storm sewer services. Only one property owner has decided to proceed with their storm sewer service. Actual installations will be revised prior to the final assessment recommendation as per the property owners' requests. Because of these adjustments, the project award with contingencies and engineering is slightly different than the total amount of the assessment roll.</p>												
Fiscal Impact:	<p>The following is a breakdown of the revised proposed project funding. The costs shown below include 5% for contingencies and 16% for engineering and administrative costs, for a total revised project cost of \$38,326. The following is a proposed breakdown of the project funding:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Wastewater Fund</td><td style="text-align: right;">\$ 0</td></tr> <tr> <td>MMU</td><td style="text-align: right;">\$ 0</td></tr> <tr> <td>Surface Water Management Utility</td><td style="text-align: right;">\$ 0</td></tr> <tr> <td>City Participation (Ad Valorem)</td><td style="text-align: right;">\$ 3,585</td></tr> <tr> <td>Assessed to Property Owners</td><td style="text-align: right;"><u>\$34,741</u></td></tr> <tr> <td>Total Project Amount</td><td style="text-align: right;">\$38,326</td></tr> </table> <p>Per the Finance Department, the interest rate on the assessments for this project is 2.5%.</p>	Wastewater Fund	\$ 0	MMU	\$ 0	Surface Water Management Utility	\$ 0	City Participation (Ad Valorem)	\$ 3,585	Assessed to Property Owners	<u>\$34,741</u>	Total Project Amount	\$38,326
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Alternative/ Variations:	<ul style="list-style-type: none"> - Modify assessments to property owners, thereby modifying the attached proposed assessment. - Amend the terms of the assessments. 												
Recommendations:	that the Council adopt RESOLUTION NUMBER XXXX, SECOND SERIES, which is the "Resolution Adopting Assessment" for Project Z70-2: South High Street/South Whitney Street (100 & 200 Block) Alley Improvement Project.												

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for the following project:

Project Z70-2: South High Street/South Whitney Street (100 & 200 Block) Alley Improvement Project – The project consists of the installation of new storm sewer main and requested private storm sewer services within and adjacent to the alley lying between the west side of South Whitney Street and the east side of South High Street, between the north line of East Marshall Street and the south line of East College Drive.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA:

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 proposed assessment shall be payable in equal annual principal installments extending over a period of eight (8) years and shall bear interest at the rate of four and two and five tenths percent (2.5%) per year.
3. After the adoption of the assessment, the clerk shall transmit a certified duplicate of the assessment roll with each installment, including interest, set forth separately to the county auditor of the county to be extended on the proper tax lists of the county; but in lieu of such certification, the council may in its discretion direct the clerk to file all assessment rolls in the clerk's office and to certify annually to the county auditor, on or before November 30 in each year, the total amount of installments of and interest on assessments on each parcel of land in the municipality which are to become due in the following year. If any installment and interest has not been so certified prior to the year when it is due, the clerk shall forthwith certify the same to the county auditor for collection in the then succeeding year; and if the municipality has issued improvement warrants to finance the improvement, it shall pay out of its general funds into the fund of the improvement interest on the then unpaid balance of the assessment for the year or years during which the collection of such installment is postponed. All assessments and interest thereon shall be collected and paid over in the same manner as other municipal taxes.
4. The owner of any property so assessed may, at any time prior to certification of the assessment or the first installment thereof to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the municipal treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption thereof; and, except as hereinafter provided, the owner may at any time prior to November 15 of any year, prepay to the treasurer of the municipality having levied said assessments, the whole assessment remaining due with interest accrued to December 31 of the year in which said prepayment is made.
5. The right to partially prepay the assessment to the City Clerk according to Ordinance No. 364, Second Series, is available.
6. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on property tax lists of the County. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

Passed and adopted by the Council this 8th day of October, 2019.

Mayor

ATTEST:

City Clerk

This Instrument Drafted by: Glenn J. Olson, P.E.; Director of Public Works/City Engineer