



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

**Date:** October 11, 2011

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

**Subject:** **Public Sidewalk Repair and Construction: Assessment Public Hearing**

**Recommendation:**

- A. Passage of a Resolution adopting the assessments in the total amount of \$1,288,618.70, levying the assessments, adopting the assessment rolls and directing the City Clerk to transmit certified copies of the assessment rolls to the Hennepin County Auditor.
  
- B. This Resolution may be authorized for summary publication.

**Previous Directives:**

None

**Prepared by:** Suzette R. Hjermsstad, Real Estate Investigator II, 673-2401  
Dan Bauer, Supervisor, Sidewalk Inspections

**Approved:**

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

**Presenters:** Dan Bauer, Supervisor, Sidewalk Inspections

**Reviews:** Not Applicable

**Financial Impact:**

Special Assessment against benefited properties

**Community Impact**

**Neighborhood Notification** Public hearing notices sent out.

**City Goals:** The city's infrastructure will be well-maintained.

**Comprehensive Plan:** Consistent

**Zoning Code:** Not Applicable

**Background/Supporting Information Attached:**

In August, 2010, City Council approved an Administrative Hearing Process for both Sidewalk Repair and Sidewalk Snow Removal assessments. The new process enables Sidewalks to work directly with the property owner to set a hearing date and time with the Administrative Hearing officer. The Administrative Hearings took place in September.

An assessment letter was sent instructing the property owner to contact Public Works Sidewalk Inspections in writing if they had an issue with their assessment. Sidewalk Inspections then contacted the property owner to discuss their concerns regarding the pending assessment. This allowed Sidewalk Inspections and the property owner to agree upon resolution in many of the cases, eliminating the need to proceed further.

If an agreement could not be reached, or the facts of the case indicated that a resolution was not possible, a date was set with an Administrative Hearing Officer. The Hearing Officer heard and made a determination regarding each case. If the Hearing Officer did not rule, or a property owner was not satisfied with the judgment, the property owner notified Sidewalk Inspections that they wished to appear at the public hearing before the Transportation and Public Works Committee to appeal their assessment. Each of those property owners was mailed a notice of public hearing.

Sidewalk Assessments to be Levied

The properties on the list to be assessed, had sidewalk repair and construction work done during 2010 by the City's sidewalk contractors.

The amount to be assessed as special assessment principal is the cost of the work plus the sidewalk overhead charge. The sidewalk overhead charge is 10% of the cost of the work with a cap of \$50. The total principal amount of the proposed assessments on the list of properties is \$1,288,618.70. Assessments of more than \$1500 would be collected over 10 years beginning on the 2012 real estate tax statements with interest. Assessments of more than \$150 up to \$1500 would be collected over 5 years beginning on the 2012 real estate tax statements with interest. The interest rate will be determined by the assessment bond sale. Assessments of \$150 or less would be collected in their entirety on the 2012 real estate tax statements with interest.

The amount of assessments proposed to be collected over 1, 5 and 10 years are:

1 year	\$ 22,632.54
5 years	\$813,605.13
10 years	\$452,381.05

Information was provided to property owners/taxpayers, as to how persons may prepay the assessments in full without interest charges if they so choose.

The Minneapolis City Council has passed Resolutions whereby a deferment of special assessment may be obtained by showing hardship for any homestead property owned by a person 65 years of age or older or retired by virtue of a permanent and total disability.

Notice translations were included with each mailing to accommodate non-English speaking residents and provided them with a phone number for a translator they could call for more information.

Attachment 1: Sidewalk Assessment List

T&PW – Your Committee recommends passage and summary publication of the accompanying Resolution adopting the assessments, levying the assessments and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties set forth in Petn No \_\_\_\_\_.

Colvin Roy

Adopting the assessments, levying the assessments and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties set forth in Petn No\_\_\_\_\_.

Whereas, preliminary to the public hearing, an Administrative Hearing was held on September 26, 2011 to consider the objections and comments regarding the unpaid charges for public sidewalk repair and construction; and

Whereas, the Administrative Hearing Officer made a determination in each case presented and the summary of the Hearing is set forth in Petn No\_\_\_\_\_; and

Whereas, a public hearing was held on October 11, 2011 in accordance with Chapter 8, Sections 12 and 13 of the Minneapolis City Charter to consider the proposed assessments as shown on the proposed assessment rolls on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:  
That the proposed assessments against the affected properties on the list set forth in Petn No\_\_\_\_\_ , in the total amount of \$1,288,618.70 and as shown on the proposed assessment rolls on file in the Office of the City Clerk, are hereby adopted and levied.

Be It Further Resolved that the assessments of more than \$1500 be collected in ten (10) successive equal annual principal installments beginning on the 2012 real estate tax statements with interest.

Be It Further Resolved that the assessments of more than \$150 up to \$1500 be collected in five (5) successive equal annual principal installments beginning on the 2012 real estate tax statements with interest.

Be It Further Resolved that the assessments of \$150 or less be collected in one (1) installment on the 2012 real estate tax statements with interest.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of the assessment rolls to the Hennepin County Auditor.