

PUBLIC WORKS AND UTILITIES COMMITTEE

09-0440R

RESOLUTION ORDERING THE IMPROVEMENT TO PORTIONS OF CODY STREET, SUPERIOR STREET, MICHIGAN STREET, AND KENWOOD AVENUE AT AN ESTIMATED COST OF \$2,216,960.

CITY PROPOSAL:

RESOLVED, that by Resolution 09-0386 the council did request the administration to prepare plans and specifications for the improvements to portions of Cody Street, Superior Street, Michigan Street and Kenwood Avenue (city project nos. 0704TR, 0754TR and 0805TR).

RESOLVED, that said plans and specifications have been prepared and filed with the secretary of the special assessment board; proper notice has been sent to the benefitting property owners; the special assessment board has conducted a hearing to meet and hear any person affected by the proposed improvement or assessment; the special assessment board has submitted its report to the council pursuant to Section 45-79 of the Duluth City Code, 1959, as amended; and the said board, at the direction of the mayor, has furnished this council with information as required by Section 45-80 of said Code.

FURTHER RESOLVED, that said improvements as described above are ordered to be made; and the total cost of said improvements, estimated by the city engineer to be \$2,216,960 payable from Street Improvement Fund 0440, Agency 038, Object 5530 of which \$554,240 is payable by special assessment against the land and premises specifically benefitted, which land and premises are described in the report of the special assessment board; that such assessments shall be levied on a front foot basis and those obligated to pay such assessments shall be permitted to pay said assessments in annual installments over a five year period; that said assessments will satisfy all requirements of Chapter IX of the Charter.

FURTHER RESOLVED, that the council order in the subject projects in accordance with the provisions of Chapter IX of the City Charter and that said improvements are hereby ordered.

Approved:

Approved for presentation to council:

Department Director
Purchasing Agent _____

Chief Administrative Officer

Approved as to form:

Approved:

Attorney

Auditor

ENG KS:jh 7/1/2009

STATEMENT OF PURPOSE: The purpose of this resolution is to order in the assessable improvements to four city streets under the city's street preservation program.

As provided for in the City Charter, the process can be commenced either by petition or by action of the council itself. The latter route is being used in this case as the streets in question are all arterial streets that are of critical function to both the neighborhoods they serve and to the city as a whole.

The preliminary rate given to property owners is \$15.75 per front foot, which for a typical 50-foot lot equates to an estimated assessment of \$787.50, or \$157.50 annual payment over a five year period.