

PUBLIC WORKS & UTILITIES COMMITTEE

12-0478R

RESOLUTION ORDERING THE CONSTRUCTION OF APPROXIMATELY 165 FEET OF SANITARY SEWER IN LAKESIDE COURT EASEMENT BEGINNING AT LAKE SUPERIOR AND EXTENDING NORTHERLY AT AN ESTIMATED COST OF \$37,827.04.

CITY PROPOSAL:

RESOLVED, that by Resolution of Intent number 12-0387R the council did request the administration to prepare plans and specifications for the construction of approximately 165 feet of sanitary sewer in Lakeside Court Easement beginning at Lake Superior and extending northerly.

FURTHER RESOLVED, that said work be done by contract and that the estimated cost of said improvement as estimated by the city engineer is \$37,827.04, payable from Sanitary Sewer Fund 530, Department 500 (Public Works & Utilities), Division 1905 (Capital), Object 5535 (Non-Capital Improvements), city project number 1150; and of these costs, \$37,827.04 will be assessed to benefitting properties.

FURTHER RESOLVED, that the assessment shall be levied upon lands benefitting per the preliminary assessment roll and may be paid in 15 annual installments at the municipal bond fund index rate plus 1.5 per cent.

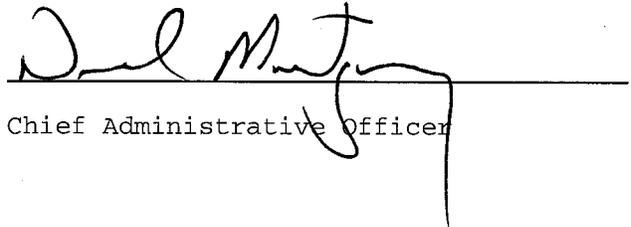
FURTHER RESOLVED, that the council order in subject project in accordance with the provisions of Section 61 of the City Charter and that said improvement

be hereby ordered.

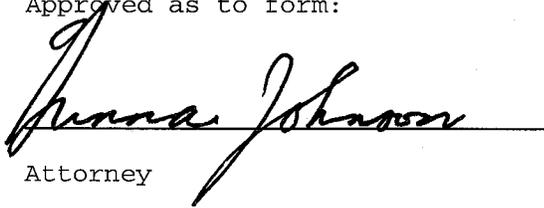
Approved:

  
\_\_\_\_\_  
Department Director

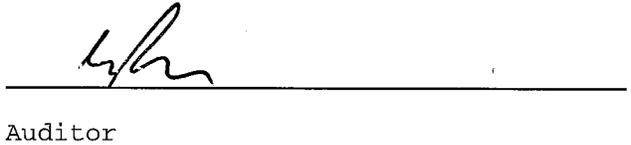
Approved for presentation to council:

  
\_\_\_\_\_  
Chief Administrative Officer

Approved as to form:

  
\_\_\_\_\_  
Attorney

Approved:

  
\_\_\_\_\_  
Auditor

ENG MJG:jh 9/14/2012

STATEMENT OF PURPOSE: This resolution orders the construction of sanitary sewer to serve 1, 2, 3, 4, 5, 6, 7 and 8 Lakeside Court. Subject project was initiated by action of the city council due to an illegal and defective shared private service (Resolution of Intent 12-0387R).

**MINUTES OF THE SPECIAL ASSESSMENT BOARD  
SPECIAL MEETING & PUBLIC HEARING  
September 11, 2012, 5:00 PM, Room 106A**

**DRAFT**

**MEMBERS PRESENT:** David Montgomery, Chief Administrative Officer; Cindy Voigt, City Engineer; Keith Hamre, Community Development Manager; Jim Benning, Director of Public Works; Gregg Swartwoudt, City Assessor.

**ALSO PRESENT:** Mark Guisfredi, Engineering; Linda Brophy, City Assessor's Office; Bob Asleson, City Attorney's Office.

**PERSONS PRESENT FOR AGENDA ITEMS:** Mary Ann Starus, 3 Lakeside Court

David Montgomery called the meeting to order at 5:00 PM.

**TABLED ITEMS:**

None.

**OLD BUSINESS:**

None.

**NEW BUSINESS**

**1. Public Hearing for the Lakeside Court Easement Sanitary Sewer Extension project, city project no. 1150**

Mark Guisfredi explained that the eight houses on Lakeside Court are on a shared private sewer service that is failing and has been contributing significant amounts of I&I in wet weather. He has met with the property owners on two occasions and has explained the options to them, including the fact that the city will need a ten-foot easement in which to construct a new sewer main due to the fact that there is no room for an additional utility in the existing easement. He said it was determined at the second meeting that the new easement would go in behind 5, 6, 7 and 8 Lakeside Court, and that the owners of these properties would be reimbursed at the rate of \$18.22 per linear foot, and that these costs are included in the engineer's estimate of \$37,827. He said that the special assessment will be on a per-lot basis, as the benefits will be equal, and that all of the property owners do recognize the need for the new public sewer.

The city is in the process of drafting easement agreements for 5, 6, 7 and 8 Lakeside Court. David Montgomery inquired if there is a timetable for the project in place yet, and Mark said that time will be needed to re-record one property following a divorce and to handle a tax-forfeit property that is currently being purchased on a contract for deed. He said if these can be completed by the end of September it's possible that the project could be constructed this year, but it's much more likely that it will not be built until 2013.

Jim Benning asked if the estimate included the new lateral connections. Mark said it did not, just the lateral stubs, and that the homeowners would have to separately bear the cost of installing new laterals, but that they could be reimbursed for up to \$4,000 from the grant program.

Mary Ann Starus of 3 Lakeside Court mentioned that the property owners are hoping to contract out all of the lateral installs to one contractor in order to get them done all at once. Bob Asleson suggested that the owners contact the low bidder on the project for a quote, and Mark will provide the names of other contractors in the area who do this type of work. Jim asked if lining of the existing laterals would be a possibility, and whether all owners are aware of the grant program.

Keith Hamre moved to recommend the project, Jim Benning seconded, and the motion passed unanimously.

Meeting was adjourned at 5:25 PM.

**INFORMATION ONLY:**

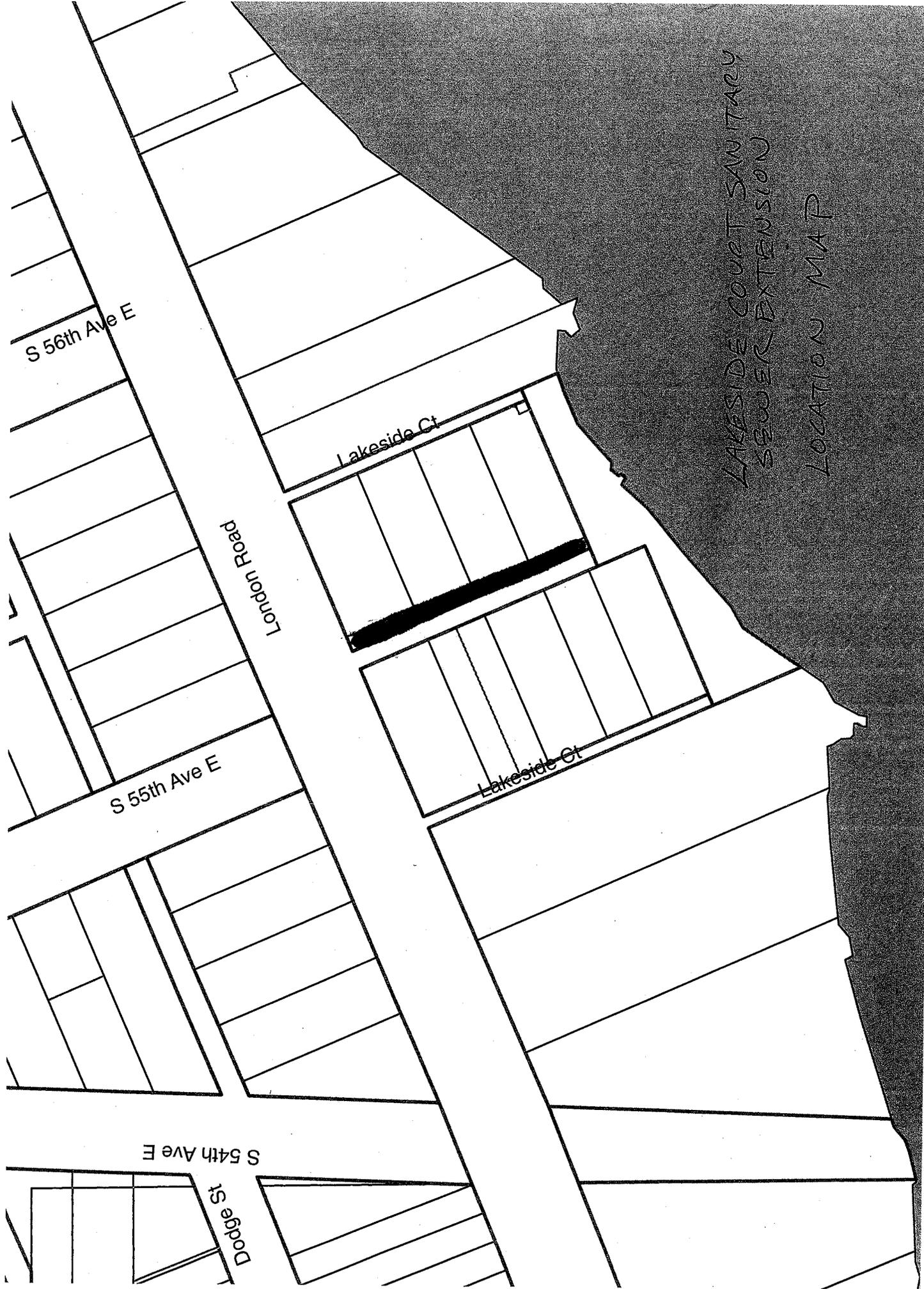
None.

**Next regular meeting: Tuesday, October 9 in Room 106A at 2:00 PM.**

Respectfully submitted,

David Montgomery  
Chair, Special Assessment Board

Jeanne Horn  
SAB Secretary



S 56th Ave E

S 55th Ave E

S 54th Ave E

Dodge St

London Road

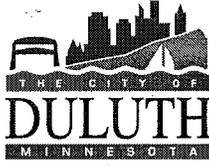
Lakeside Ct

Lakeside Ct

LAKESIDE COURT SANITARY  
SEWER EXTENSION  
LOCATION MAP

**City of Duluth Utilities Map**

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded instrument nor a public record. The drawing/data is a compilation of records, information and data located in various City, County and State records. The City of Duluth shall not be liable for errors contained within this data, provided or for any damages in connection with the use of this information contained within.



## MEMORANDUM

**TO:** City Council Members

**CC:** Special Assessment Board

**FROM:** Dave Montgomery  
730-5039

**DATE:** September 13, 2012

**RE: Lakeside Court Easement Assessment Public Hearing**

Construction of 165 feet of sanitary sewer to serve 1,2,3,4,.5,6,7 and 8 Lakeside Court is necessary due to an illegal and defective shared private sewer service line.

On September 11, 2012, the Special Assessment Board held a public hearing pursuant to Section 61 of the Duluth City Charter, and hereby reports to the City Council the Board's findings and recommendations.

During said public hearing, the assessment for construction of approximately 165 feet of sanitary sewer was set at \$4,728.38 per lot. The estimated total project cost is \$37,827.04 of which \$37,827.04 will be assessed to the benefiting properties.

Minutes from the Special Assessment Board public hearing and Assessment Report are attached for further information.

Plans and specifications are available for review at the office of the City Engineer.