

PUBLIC WORKS & UTILITIES COMMITTEE

14-0119R

RESOLUTION ORDERING THE IMPROVEMENT OF TENTH AVENUE EAST FROM SUPERIOR STREET TO FIFTH STREET AT AN ESTIMATED COST OF \$3,800,000.

CITY PROPOSAL:

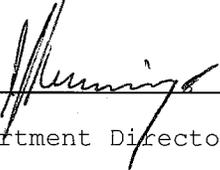
RESOLVED, that it is deemed necessary for public convenience and safety, and it is hereby ordered that Tenth Avenue East from Superior Street to Fifth Street (city project no. 0753TR) be improved.

FURTHER RESOLVED, that said work be done by contract and that the estimated cost of said project as estimated by the city engineer is \$3,800,000, payable from Permanent Improvement Fund 411, Department/Agency 035 (Capital Projects), Object 5530 (Improvements Other than Buildings). The funding sources for this project will be as follows: \$1,874,000 from Municipal State Aid funds, \$950,000 from Federal Aid funds; \$448,000 from Water Fund 510, \$64,000 from Stormwater Utility Fund 535, \$414,000 from Sanitary Sewer Fund 530 and \$50,000 from Gas Utility Fund 520, and of these project costs \$250,000 will be assessed to benefitting properties.

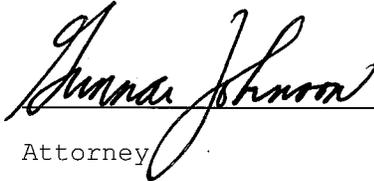
FURTHER RESOLVED, that assessments shall be levied upon lands benefitting per the preliminary assessment roll (Public Document No. \_\_\_\_\_), and may be

paid in 15 annual installments at municipal bond index plus 1.50 per cent interest.

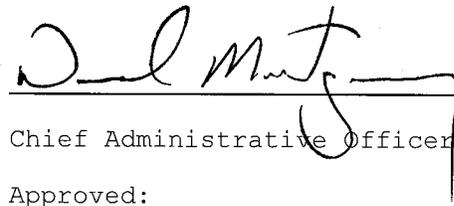
Approved:

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

Approved as to form:

  
\_\_\_\_\_  
Attorney

Approved for presentation to council:

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

Approved:

  
\_\_\_\_\_  
Auditor

ENG GS:jh 3/5/2014

STATEMENT OF PURPOSE: This resolution will order in assessable improvements of Tenth Avenue East from Superior Street to Fifth Street.

As provided for in Section 61 of the City Charter, the process can be commenced either by petition or by action of the city council. The latter route is being used in this case as the street in question is an arterial street that is of critical function to the neighborhoods it serves and to the city as a whole.



## MEMORANDUM

**TO:** City Council Members

**CC:** Special Assessment Board

**FROM:** Greg Stoewer, Project Engineer  
730-5109

**DATE:** March 4, 2014

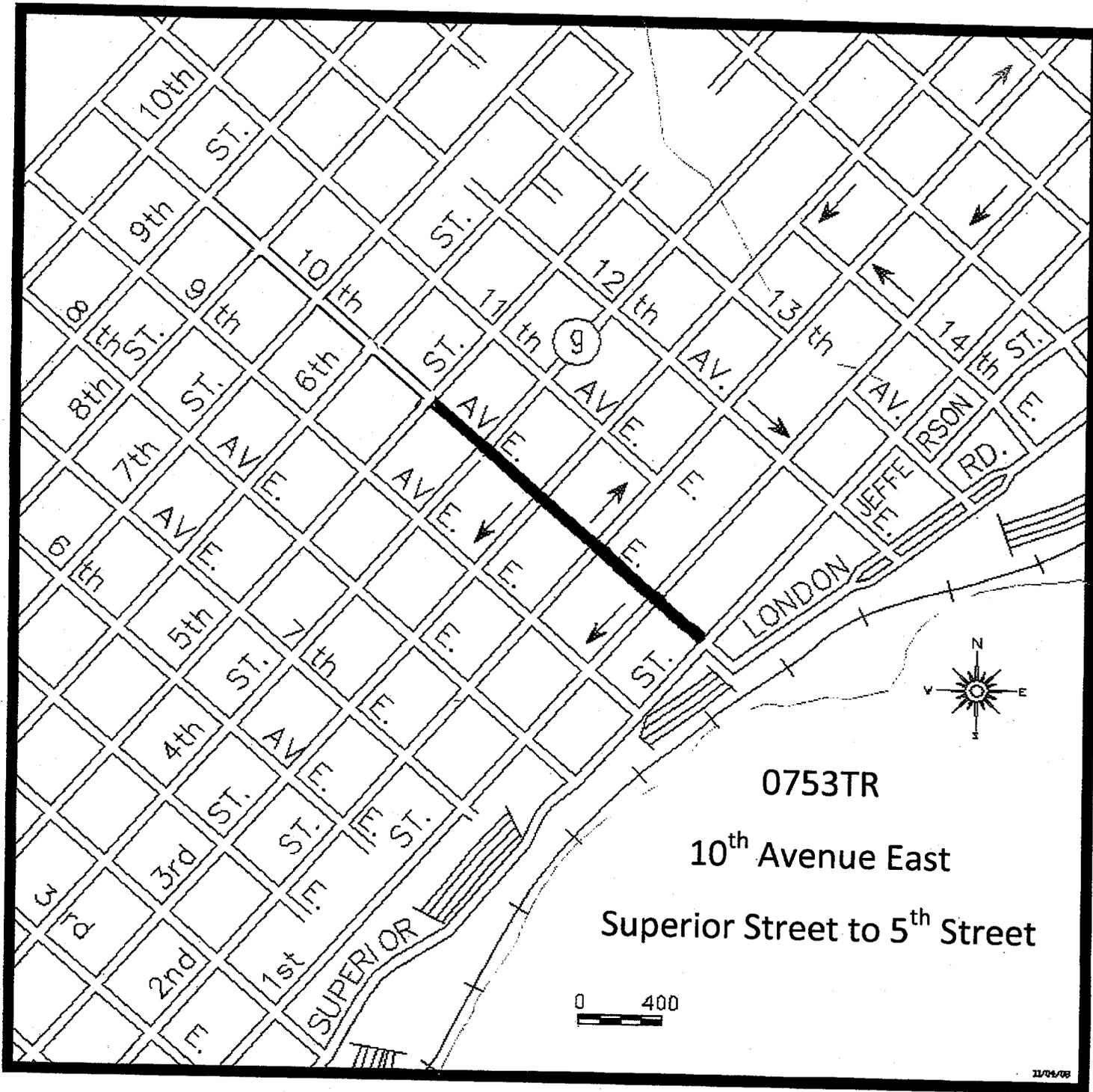
**RE:** **10<sup>th</sup> Avenue East Public Hearing**  
**City Project No. 0753TR**

Pursuant to Section 61 of the Duluth City Charter, upon completion of the public hearing, the Special Assessment Board "shall transmit to the council the plans, specifications and estimates filed with it and shall report to the council its findings as to the necessity of the proposed public improvement and its recommendation therefore, and its recommendations as to the assessment, if any, of the cost thereof."

Attached are the minutes of the public hearing for the project.

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

A public hearing was held at City Hall Room 106A on March 4, 2014, with the Special Assessment Board. Minutes of the hearing are attached. Comments were heard by the public and there was discussion of the construction process and assessment process. The Special Assessment Board then recommended that an ordering-in resolution for the 10<sup>th</sup> Avenue East reconstruction be on the agenda for the March 24, 2014, council meeting.



0753TR  
10<sup>th</sup> Avenue East  
Superior Street to 5<sup>th</sup> Street

**MINUTES OF THE SPECIAL ASSESSMENT BOARD  
PUBLIC HEARING  
March 4, 2014, 5:00 PM, Room 106A**

**MEMBERS PRESENT:** David Montgomery, Chief Administrative Officer; Peg Spehar, Chief Financial Officer; Keith Hamre, Community Development Manager; Jim Benning, Director of Public Works & Utilities; Cindy Voigt, City Engineer.

**ALSO PRESENT:** Greg Stoewer, Engineering; Linda Brophy and Leah Blevins, City Assessor's Office; Bob Asleson, City Attorney's Office.

**PERSONS PRESENT FOR AGENDA ITEMS:** Kevin Anderson, owner, 932 East Fourth Street

David Montgomery called the hearing to order at 5:05 PM.

**TABLED ITEMS:**

None.

**OLD BUSINESS:**

None.

**NEW BUSINESS**

**1. Public Hearing for the Tenth Avenue East reconstruction Project, city project no. 0753TR**

Greg gave an overview of the project, stating that the 125 year-old water main and 100 year-old sanitary sewer main in Tenth Avenue East need replacing, and that there has been no major reconstruction on this segment of street since the 1950s when utilities were rerouted during construction on St. Luke's Hospital. A temporary overlay was put down a few years ago. This is an MSA route so there will be state funding available. The project's estimated cost is \$3.8 million. \$1.624 million will come from MSA and SIP funds, \$976,000 from utility funds, and \$950,000 from federal funds. \$250,000 of the project construction costs will be special assessed. The estimated assessments are based on a 28 foot wide street with a 2 foot deep roadway. The board has already capped the assessments at \$80 per front foot.

Because of the heavy traffic on this road segment it has already been designated as a no parking zone. A bump-out at Tenth Avenue East and First Street by the hospital will be constructed to accommodate pedestrian traffic; otherwise, sidewalk width will remain the same.

David Montgomery asked if there were any further comments, and hearing none, Keith Hamre moved to recommend this project to the city council. Peg Spehar seconded. The motion passed unanimously.

The meeting adjourned at 5:15 PM.

**INFORMATION ONLY:**

**None.**

**Next regular meeting: Tuesday, March 11 in Room 106A at 2:00 PM.**

Respectfully submitted,

David Montgomery  
Chair, Special Assessment Board

Jeanne Horn  
SAB Secretary