

**RESOLUTION 2019-06
CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

**AMENDED POLICY FOR SPECIAL ASSESSMENTS
FOR ROAD IMPROVEMENTS**

WHEREAS, the City Council of the City of Grant desires to amend its policy for determining the allocation of special assessments road improvements so all residents are treated, and improvements assessed, in a fair manner consistent with state law.

NOW, THEREFORE, be it resolved by the City Council of the City of Grant that the following special assessment policy be adopted.

**I.
BASIC PHILOSOPHY**

- A. The project costs associated with completion of the improvement shall be assessed against properties benefited by the improvement as defined by this policy.
- B. In carrying out this policy, the City Council shall act in the best interest of the citizens of the City of Grant.
- C. The City may contribute roadway maintenance dollars together with the special assessments to pay for the improvements of the existing roadway.
- D. The City encourages all neighborhoods within the feasibility study to participate in the project to benefit from the economy of scale of a much larger competitively bid construction project.
- E. No special assessments will be levied against City of Grant unless the property owned meets the definition of a buildable lot as described below.

**II.
DEFINITIONS**

The following definitions shall have the following meanings:

- A. "Buildable lot" means the number of lots that exist, or could be created per city code, on a piece of property. "Buildable lots" shall include consideration of whether a parcel of land is dividable.
- B. "Improvement" means any type of improvement granted by Minnesota Statutes §429.021.
- C. "Project" means any single roadway segment or any combination of several

roadway segments together representing a single project ordered by Council.

- D. "Reconstruct" means removal, reclaiming, replacement, or overlay of the existing roadway surface or section and may include aggregate base, subgrade, and drainage.

III.

ALLOCATION OF SPECIAL ASSESSMENTS

- A. **Assessment Method.** Lots to be assessed are those with either 1.) an address on the road to be improved or 2.) road frontage on the road to be improved. The assessment shall be allocated as follows:
1. On a per project basis.
 2. Each buildable lot with road frontage and an address or potential address on the road to be improved shall be assessed as one unit.
 3. Each buildable lot with road frontage on the road to be improved, but with an address for that parcel on a different street, shall be assessed as one quarter ($\frac{1}{4}$) unit. A buildable lot shall not be charged more than one unit per project or assessable event.
 4. A buildable lot with no frontage on the road to be improved, but the address for that buildable lot is on the road to be improved shall be assessed as one quarter ($\frac{1}{4}$) unit.
 5. A buildable lot that generates additional traffic may be assessed based upon the traffic generated.
- B. **Alternate Assessment Methods.** When the Assessment Method does not fairly apportion the proposed assessments, the City Council may adopt an alternate method of assessment, including but not limited to front foot, buildable lot, a combination of front foot and buildable lot, or any other methodology that fairly and equitably apportioning the assessments.
- C. In no event shall the amount of any special assessment exceed the benefit to the property being assessed.

IV. PROCEDURES

Petitions to reconstruct existing paved roads or pave gravel roads.

- A. **Petition by one hundred percent (100%) owners.** Whenever all owners of frontage abutting any street or with access to any street named as the location of an improvement petition the City Council to construct the improvement and to assess the entire cost against their properties, the Council may, without a public hearing, adopt a resolution determining such fact and ordering the improvement.

- B. **Petition by at least thirty-five percent (35%) of owners.** When the improvement has been petitioned for by the owners representing at least thirty-five percent (35%) of the units proposed to be assessed, the City Council shall authorize the City Engineer to prepare a Feasibility Report.
 - a. The cost to prepare the report will initially be paid for by the City. If a project is ordered, the cost to prepare the report will be included with the total project costs to be assessed. If the project is not ordered, the cost of the report will remain the responsibility of the City.

- C. **Approval of Projects.** After receiving the Feasibility Report, if property owners representing at least fifty percent (50%) of the units proposed to be assessed approve the project, the project shall be ordered. If less than fifty percent (50%) of the units to be assessed approve the project, the project may be partially or fully rejected by Council.
 - a. The feasibility report is valid for up to 3 years from Council reception and acceptance.
 - b. Street segments partially or fully rejected by Council for not meeting the fifty percent (50%) participation rule will need to begin the petition process over.
 - c. Property owners petitioning the City after 3 years from Council reception and acceptance of the initial feasibility report will be responsible for the cost of a new or amended feasibility report.

- D. The City Council reserves the right to approve or disapprove of any project in accordance with the best interest of the citizens of the City of Grant.

EFFECTIVE DATE. This policy is effective on the date of adoption.

Whereupon a vote being taken upon the motion, the following members voted in favor:

Whereupon a vote being taken upon the motion, the following members voted against:

Whereupon said motion was duly passed this ____ day of _____, 2019.

Jeff Huber, Mayor

ATTEST:

Kim Points, City Clerk