CITY OF BIWABIK

AGENDA

MONDAY JULY 10, 2023
5:00 P.M. SPECIAL MEETING (WORKSHOP)

BIWABIK CITY HALL
321 N. MAIN STREET
BIWABIK, MN

1. **Call to Order/Roll Call/Approve Agenda**
2. **Discussion Regarding Phase 6 of the City-Wide Reconstruction**
3. **Adjourn**

Feasibility Report

City Wide Infrastructure Improvements – Phase 6

City of Biwabik, Minnesota

BIWAB 173522 | June 29, 2023

SEH

Building a Better World for All of Us®

Engineers | Architects | Planners | Scientists

Building a Better World for All of Us®

June 29, 2023

RE: City Wide Infrastructure Improvements – Phase 6
Feasibility Report
City of Biwabik, Minnesota
SEH No. 173522 4.00

Honorable Mayor and City Council
City of Biwabik
321 Main Street North
Biwabik, MN 55708

Dear Mayor and City Council Members:

Short Elliott Hendrickson Inc. (SEH®) is pleased to present this Feasibility Report for the project referenced above. It illustrates the proposed street, sidewalk, and utility improvements, preliminary estimated project costs, and preliminary assessment calculations.

If there are any questions or concerns, please feel free to call me at 218.305.4725.

Sincerely,

Matthew J. Reid, PE (MN)
Sr. Project Manager
(Lic. MN)

mjr/hr
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Feasibility Report

City Wide Infrastructure Improvements – Phase 6

City of Biwabik, Minnesota

SEH No. BIWAB 173522

June 29, 2023

I hereby certify that this report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Ellen M. Lemke, PE

Date: 6/29/2023 License No.: 61153

Short Elliott Hendrickson Inc.
615 9th Street North
Biwabik, MN 55792-3761
218.741.4284

Contents

List of Appendices

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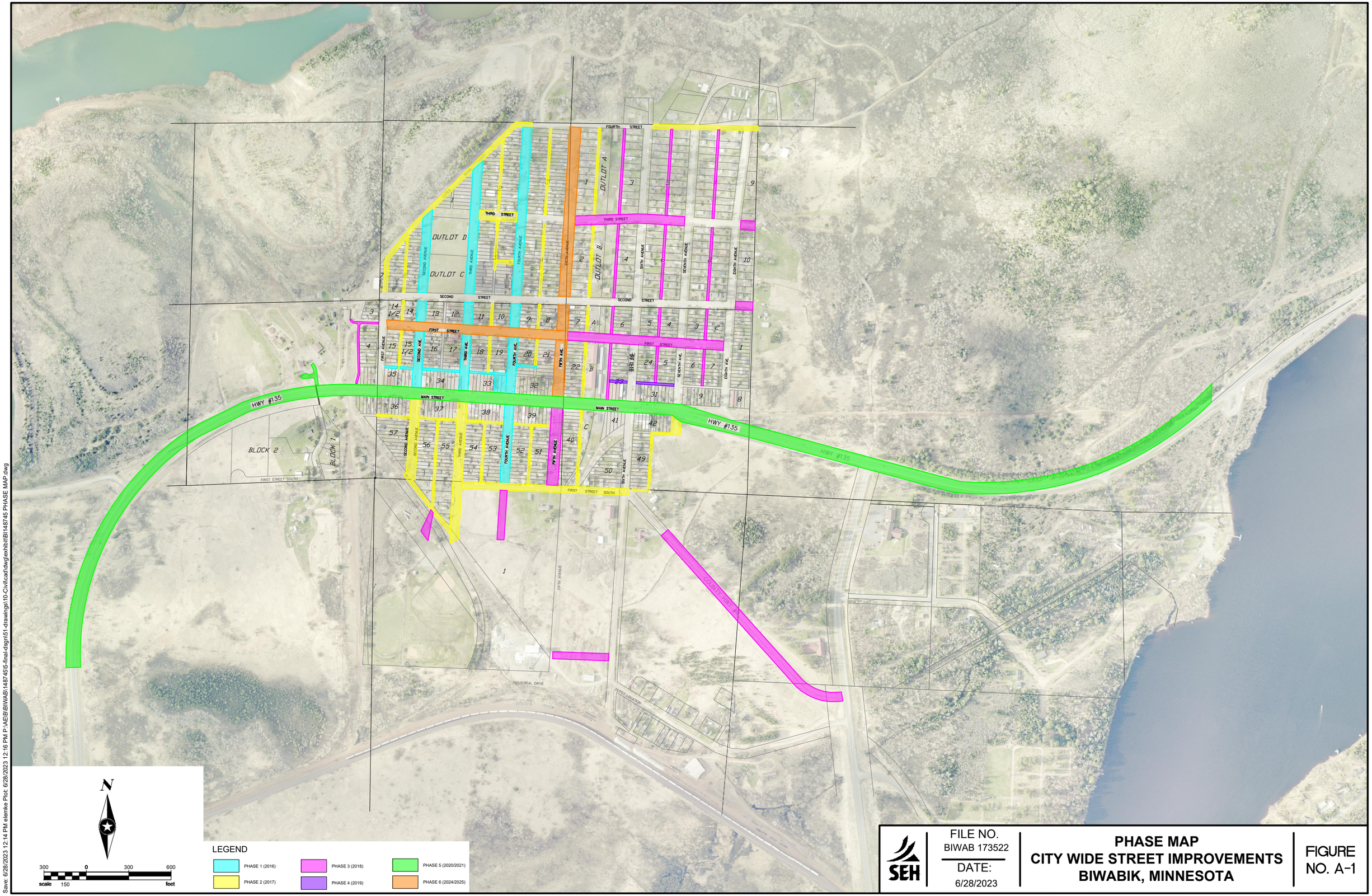
Project Scope

At their regular Council meeting on June 12, 2023, the Biwabik City Council ordered preparation of a Feasibility Report for the City-Wide Infrastructure Improvements – Phase 6 project. The goal of the project is to improve the condition of the existing streets, sidewalks, and storm water drainage systems, as specifically defined throughout this report. Improvements will include upgrading various components to meet current design standards.

Proposed phase 6 road segments include (also see Figure A-1):

Segment	Street	From	To
1.0	1st Street North	1st Avenue North	5th Avenue North
2.0	5th Avenue North	Main Street	4th Street North

This is Phase 6 of a multi-phase project. This report addresses the segments to be completed as part of Phase 6. Phases 1 through 5 were constructed from 2016 through 2021 (see Figure A-1). Sections 1.0-2.0 in the following report address each segment individually. Total Phase 6 project information is included in Appendix A.



Save: 6/28/2023 12:14 PM elemke Plot: 6/28/2023 12:16 PM P:\AE\B\BIWAB\148745\5-final-dsgn\51-drawings\10-Civil\cad\dwg\exhibit\BI148745 PHASE MAP.dwg

SEH

FILE NO.
BIWAB 173522

DATE:
6/28/2023

PHASE MAP
CITY WIDE STREET IMPROVEMENTS
BIWABIK, MINNESOTA

FIGURE NO. A-1

1.0 – 1st Street North

(1st Avenue North to 5th Avenue North)

1.1 Existing Conditions

The existing conditions are based on the information obtained in the field and information provided by the City of Biwabik.

1.1.1 Roadway

Width (ft)	No. Drive Lanes	Lane Width (ft)	No Parking Lanes	Parking Lane Width (ft)	Curb and Gutter (Y/N)	Curb Style/Width
34	2	12	1	10	Y	B618

The existing road pavement is bituminous. The pavement exhibits alligator cracking, settlements, potholes, deterioration of the pavement and is in overall poor condition.

Sidewalks (6 feet in width) are present on both sides of the road. Most are deteriorated, broken up, and heaving/settling and are not Americans with Disabilities Act (ADA) compliant.

1.1.2 Storm Water Drainage System

Storm water drainage is managed through curb and gutter conveyance to catch basins spread out between 2nd Avenue North and 5th Avenue North and collected into a network of storm sewer piping that flows to discharge points downstream. The curbs and gutters are cracked, heaved/settled, and chipped and do not properly facilitate the drainage. The storm sewer manholes, catch basins, 12- to 18-inch diameter reinforced concrete pipe (RCP) storm sewer pipe, and 18- to 24-inch diameter vitrified clay pipe (VCP) storm sewer pipe have also passed their design life.

1.1.3 Sanitary Sewer Collection System

Sanitary sewer mains cross 1st Street North but do not run the length of the corridor. Sanitary sewer pipes are 8-inch diameter polyvinyl chloride pipe (PVC). The sanitary sewer mains within the alleys were reconstructed in previous phases of the project and are in excellent condition.

1.1.4 Water Distribution System

Water distribution mains cross 1st Street North but do not run the length of the corridor. Water distribution mains are a combination of 8-inch diameter polyvinyl chloride pipe (PVC) and ductile iron pipe (DIP). The water distribution mains within the alleys were reconstructed in previous phases of the project and are in excellent condition.

1.2 Proposed Improvements

All components of this project will be reconstructed within the existing City rights-of-way and/or obtained easements.

1.2.1 Roadway

Proposed improvements to the roads include a full reconstruction of the subgrade, base, curb and gutter, and surface. The road will be surfaced with bituminous pavement. The City Council previously adopted a plan that provides a 32-foot width for all streets. Figure A-2 in Appendix A

illustrates the proposed “typical” section (final subgrade, base, and pavement thicknesses will be determined in the design phase). Typical sections will be designed to handle the traffic volumes and vehicle types that they will carry regularly. Perforated polyethylene (PE) drain tile pipe will be installed at the bottom of the road section to allow for subgrade and base drainage to help keep water out of the roadbed and significantly reduce possible failures (i.e., settlement, heaving, cracking, etc.).

Based on prior feedback from the citizens of Biwabik and lengthy discussion with the City Council and the Infrastructure Improvement Task Force (IITF), the decision was made to remove all the sidewalks throughout town except for a one-block extension around Main Street (see Figure A-3 in Appendix A). The areas where sidewalk will be removed and not replaced will be landscaped with seed or sod, and possibly some trees. The areas showing sidewalk replacement will have concrete sidewalks that meet current ADA standards, including widths, grades, and accessible pedestrian ramps.

1.2.2 Storm Water Drainage System

A complete storm water drainage study was completed for the main hub the City of Biwabik (excluding anything east along T.H. 135 and the Giant’s Ridge/Voyageurs/Woodlands area). The goal of the drainage study was to get a better understanding of the overall drainage and storm water conveyance needs of the City, which will help determine appropriate sizing of the storm sewer pipes and number of catch basins needed.

The proposed storm water drainage system will be sized to maximize the collection and conveyance of storm water runoff. Ideally, the storm sewer beneath the streets would accommodate a minimum of a 10-year storm event. However, there will be limitations due to restrictions in downstream pipe size.

All the storm sewer mains will be replaced with reinforced concrete pipe (RCP). The overall size of the storm sewer pipes will be determined during design, but the minimum size will likely be 12-inch.

All catch basins and storm sewer manholes will be replaced with precast concrete structures with appropriately sized and designed castings.

1.2.3 Sanitary Sewer Collection System

Sanitary sewer gravity mains are not expected to be replaced as part of Phase 6.

1.2.4 Water Distribution System

Water distribution mains are not expected to be replaced as part of Phase 6.

1.3 Estimated Project Costs

Based on the information obtained in the field and information provided by the City of Biwabik, estimated quantities were established for the project. These quantities were used to develop a preliminary project cost estimate. The estimated quantities and associated costs are included in Table A-1 in Appendix A.

1.4 Project Funding and Financing

There are several sources of funding the City Council has explored to help make this project affordable to the citizens of Biwabik. The applicable sources include:

1. Economic Development Initiative (E.D.I.) Community Project Funding Grant
2. State Bonding Bill
3. Local City Funds
4. Special Assessments – based on the City's most current Street and Sewer Assessment Policy in place at the start of the project.

1.5 Benefits and Assessments

The assessment policy adopted by the Biwabik City Council on January 4, 2016, was used to calculate estimated preliminary special assessments for this project. Copies of the City's assessment policy can be viewed at City Hall.

A preliminary assessment calculation worksheet is shown at the end of this report in Table A-2. This worksheet illustrates the various funding sources and the calculations used to derive an assessment value.

A preliminary assessment roll was also prepared based on property ownership derived from the St. Louis County GIS record information. Copies of the preliminary assessment roll can be viewed at City Hall.

1.6 Recommendations

The road and utilities discussed in this section are badly deteriorated and generally in poor condition. In many instances, the utilities are beyond the intended life span of their original design and installation. The project is not only necessary to extend the life of the roads and utilities, but also bring the various elements back within acceptable design standards. Based on the information contained in this report, this project is feasible from an engineering standpoint. Furthermore, City Council and staff have indicated that with the use of the different funding sources outlined in this report, as well as the special assessments, this project is economically feasible.

2.0 – 5th Avenue West

(Main Street to 4th Street North)

2.1 Existing Conditions

The existing conditions are based on the information obtained in the field and information provided by the City of Biwabik.

2.1.1 Roadway

Main Street to 2nd Street North						
Width (ft)	No. Drive Lanes	Lane Width (ft)	No Parking Lanes	Parking Lane Width (ft)	Curb and Gutter (Y/N)	Curb Style/Width
31.5	2	11	1	9.5	Y	B618

2nd Street North to 4th Street North						
Width (ft)	No. Drive Lanes	Lane Width (ft)	No Parking Lanes	Parking Lane Width (ft)	Curb and Gutter (Y/N)	Curb Style/Width
37.5	2	11	2	7.75	Y	B618

The existing alley pavement consists of bituminous. The pavement exhibits alligator cracking, settlements, potholes, deterioration of the pavement and is in overall poor condition.

Sidewalks (varying in width from 5-6 feet) are present on both sides of the road between Main Street to 2nd Street North and on the west side of the road between 2nd Street North and 4th Street North. Most are deteriorated, broken up, and heaving/settling and are not Americans with Disabilities Act (ADA) compliant.

2.1.2 Storm Water Drainage System

Storm water drainage is managed through curb and gutter conveyance to catch basins spread out between Main Street and 3rd Street North and collected into a network of storm sewer piping that flows to discharge points downstream. The curbs and gutters are cracked, heaved/settled, and chipped and do not properly facilitate the drainage. The storm sewer manholes, catch basins, 12- to 30-inch diameter reinforced concrete pipe (RCP) storm sewer pipe, and 24-inch diameter vitrified clay pipe (VCP) storm sewer pipe have also passed their design life.

2.1.3 Sanitary Sewer Collection System

No sanitary sewer collection system is present in this corridor.

2.1.4 Water Distribution System

A raw water main runs the length of the corridor and a water distribution main crosses 5th Avenue North at 2nd Street North. The raw water main is assumed to be 8-inch diameter high density polyethylene (HDPE). The water distribution main is assumed to be 8-inch diameter ductile iron

pipe (DIP). The raw water main was constructed in 2020 through 2021 and is in excellent condition. The water distribution main was reconstructed in 2013 through 2014 and is in excellent condition.

2.2 Proposed Improvements

All components of this project will be reconstructed within the existing City rights-of-way and/or obtained easements.

2.2.1 Roadway

Proposed improvements to the roads include a full reconstruction of the subgrade, base, curb and gutter, and surface. The road will be surfaced with bituminous pavement. The City Council previously adopted a plan that provides a 36-foot width for all avenues. Figure A-2 in Appendix A illustrates the proposed "typical" section (final subgrade, base, and pavement thicknesses will be determined during the design phase). Typical sections will be designed to handle the traffic volumes and vehicle types that they will carry regularly. Perforated polyethylene (PE) drain tile pipe will be installed at the bottom of the road section to allow for subgrade and base drainage to help keep water out of the roadbed and significantly reduce possible failures (i.e., settlement, heaving, cracking, etc.).

To provide additional parking near the Biwabik Park Pavilion, it is recommended that 5th Avenue West be 44-feet wide between Main Street and 1st Street North. Other possible alternatives will be evaluated during the design phase.

Based on prior feedback from the citizens of Biwabik and lengthy discussion with the City Council and the Infrastructure Improvement Task Force (IITF), the decision was made to remove all the sidewalks throughout town except for a one-block extension around Main Street (see Figure A-3 in Appendix A). The areas where sidewalk will be removed and not replaced will be landscaped with seed or sod, and possibly some trees. The areas showing sidewalk replacement will have concrete sidewalks that meet current ADA standards, including widths, grades, and accessible pedestrian ramps.

2.2.2 Storm Water Drainage System

A complete storm water drainage study was completed for the main hub the City of Biwabik (excluding anything east along T.H. 135 and the Giant's Ridge/Voyageurs/Woodlands area). The goal of the drainage study was to get a better understanding of the overall drainage and storm water conveyance needs of the City, which will help determine appropriate sizing of the storm sewer pipes and number of catch basins needed.

The proposed storm water drainage system will be sized to maximize the collection and conveyance of storm water runoff. Ideally, the storm sewer beneath the streets would accommodate a minimum of a 10-year storm event. However, there will be limitations due to restrictions in downstream pipe size.

All the storm sewer mains will be replaced with reinforced concrete pipe (RCP). The overall size of the storm sewer pipes will be determined during design, but the minimum size will likely be 12-inch.

All catch basins and storm sewer manholes will be replaced with precast concrete structures with appropriately sized and designed castings.

2.2.3 Sanitary Sewer Collection System

Unless otherwise directed, the sanitary sewer collection system will not be replaced, added, or removed from this segment of the project.

2.2.4 Water Distribution System

Water distribution mains are not expected to be replaced as part of Phase 6.

2.3 Estimated Project Costs

Based on the information obtained in the field and information provided by the City of Biwabik, estimated quantities were established for the project. These quantities were used to develop a preliminary project cost estimate. The estimated quantities and associated costs are included in Table A-1 in Appendix A.

2.4 Project Funding and Financing

There are several sources of funding the City Council has explored to help make this project affordable to the citizens of Biwabik. The applicable sources include:

1. Economic Development Initiative (E.D.I.) Community Project Funding Grant
2. State Bonding Bill
3. Local City Funds
4. Special Assessments – based on the City's most current Street and Sewer Assessment Policy in place at the start of the project.

2.5 Benefits and Assessments

The assessment policy adopted by the Biwabik City Council on January 4, 2016, was used to calculate estimated preliminary special assessments for this project. Copies of the City's assessment policy can be viewed at City Hall.

A preliminary assessment calculation worksheet is shown at the end of this report in Table A-2. This worksheet illustrates the various funding sources and the calculations used to derive an assessment value.

A preliminary assessment roll was also prepared based on property ownership derived from the St. Louis County GIS record information. Copies of the preliminary assessment roll can be viewed at City Hall.

2.6 Recommendations

The road and utilities discussed in this section are badly deteriorated and generally in poor condition. In many instances, the utilities are beyond the intended life span of their original design and installation. The project is not only necessary to extend the life of the roads and utilities, but also bring the various elements back within acceptable design standards. Based on the information contained in this report, this project is possible from an engineering standpoint. Furthermore, City Council and staff have indicated that with the use of the different funding sources outlined in this report, as well as the special assessments, this project is economically feasible.

Appendix A

Project Overview

CITY WIDE INFRASTRUCTURE IMPROVEMENTS - PHASE 6
BIWABIK, MINNESOTA
SEH NO. BIWAB 148745
TOTAL PROJECT COST

TABLE A-1
PRELIMINARY OPINION OF PROBABLE COST

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	ESTIMATED QUANTITY	UNIT PRICE	COST
1	MOBILIZATION	LUMP SUM	1.00	$122,000.00	$122,000.00
2	TRAFFIC CONTROL	LUMP SUM	1.00	$12,200.00	$12,200.00
3	CLEARING	TREE	85	$300.00	$25,500.00
4	GRUBBING	TREE	85	$300.00	$25,500.00
5	REMOVE SEWER PIPE (STORM)	LIN FT	2180	$15.00	$32,700.00
6	REMOVE CURB & GUTTER	LIN FT	6500	$5.00	$32,500.00
7	REMOVE CONCRETE SIDEWALK	SQ YD	3400	$9.00	$30,600.00
8	REMOVE CONCRETE DRIVEWAY PAVEMENT	SQ YD	300	$9.00	$2,700.00
9	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	10	$4.00	$40.00
10	REMOVE BITUMINOUS PAVEMENT (FULL)	SQ YD	12800	$6.00	$76,800.00
11	REMOVE MANHOLE (STORM)	EACH	9	$1,000.00	$9,000.00
12	REMOVE CATCH BASINS	EACH	21	$750.00	$15,750.00
13	SAWING BITUMINOUS PAVEMENT	LIN FT	540	$6.00	$3,240.00
14	COMMON EXCAVATION (P)	CU YD	12900	$25.00	$322,500.00
15	GEOTEXTILE FABRIC TYPE V	SQ YD	14600	$5.00	$73,000.00
16	SELECT GRANULAR BORROW (CV)	CU YD	4200	$40.00	$168,000.00
17	AGGREGATE BASE CLASS 5 (CV)	CU YD	4200	$35.00	$147,000.00
18	TYPE SP 12.5 WEARING COURSE MIXTURE	TON	3000	$85.00	$255,000.00
19	BITUMINOUS MATERIAL FOR TACK COAT	GAL	1000	$5.00	$5,000.00
20	4" PERF PE PIPE DRAIN W/ SOCK	LIN FT	6500	$12.00	$78,000.00
21	CONCRETE CURB & GUTTER DESIGN S518	LIN FT	6500	$18.00	$117,000.00
22	7" CONCRETE DRIVEWAY PAVEMENT	SQ YD	900	$80.00	$72,000.00
23	4" CONCRETE WALK	SQ FT	8500	$8.00	$68,000.00
24	12" RCP PIPE SEWER DESIGN 3006	LIN FT	990	$70.00	$69,300.00
25	15" RCP PIPE SEWER DESIGN 3006	LIN FT	1120	$75.00	$84,000.00
26	18" RCP PIPE SEWER DESIGN 3006	LIN FT	370	$80.00	$29,600.00
27	24" RCP PIPE SEWER DESIGN 3006	LIN FT	1570	$120.00	$188,400.00
28	30" RCP PIPE SEWER DESIGN 3006	LIN FT	50	$175.00	$8,750.00
29	CONSTRUCT DRAINAGE STRUCTURE	EACH	57	$5,000.00	$285,000.00
30	CASTING ASSEMBLY	EACH	57	$1,350.00	$76,950.00
31	CONNECT TO EXISTING STORM SEWER	EACH	10	$1,500.00	$15,000.00
32	SODDING TYPE LAWN	SQ YD	9200	$12.00	$110,400.00

SUBTOTAL - CONSTRUCTION: $2,561,430.00

CONTINGENCY:	$384,215.00
ENGINEERING:	$307,372.00
LEGAL, FISCAL AND ADMINISTRATIVE:	$25,615.00
GRAND TOTAL:	**$3,278,632.00**

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CITY WIDE INFRASTRUCTURE IMPROVEMENTS - PHASE 6
BIWABIK, MINNESOTA
SEH NO. BIWAB 148745

TABLE A-2
COMPLETE PROJECT
(All Segments)

PRELIMINARY SPECIAL ASSESSMENT WORKSHEET

PROJECT COST SUMMARY

Grand Total Project Costs	**$3,278,632.00**

SPECIAL ASSESSMENTS TO BENEFITED PROPERTY OWNERS

Total Amount to be Assessed	**$952,632.00**
Total Approximate Front Footage	4,724
Total Assessment Rate (per Front Foot)	**$201.66**

FUNDING BREAKDOWN

Total City Participation, Assessments, & Additional Funding	**$3,278,632.00**
City Local Funds/General Obligation Bond	$0.00
Special Assessments	$952,632.00
Army Corps of Engineers	$926,000.00
Bonding Bill	$1,400,000.00

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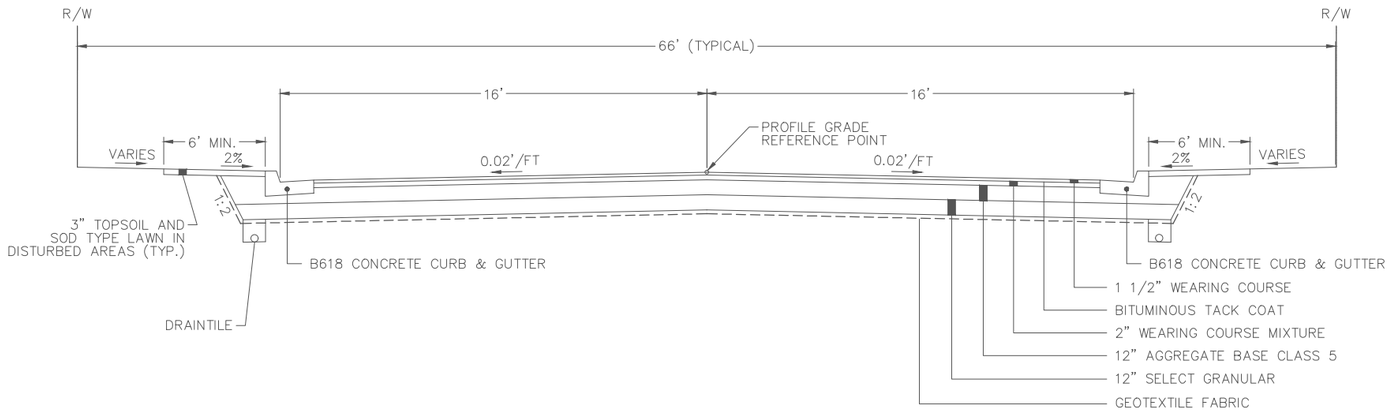
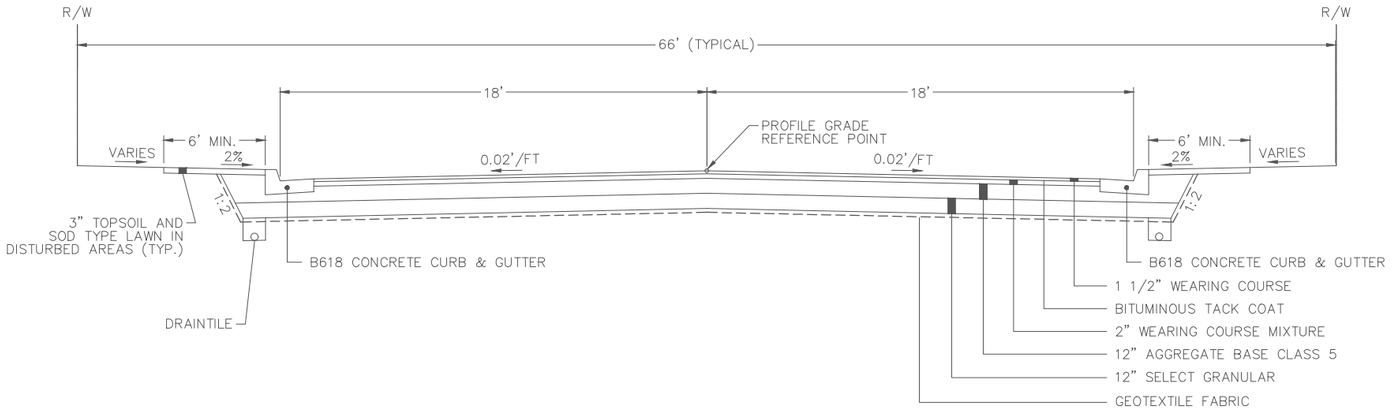
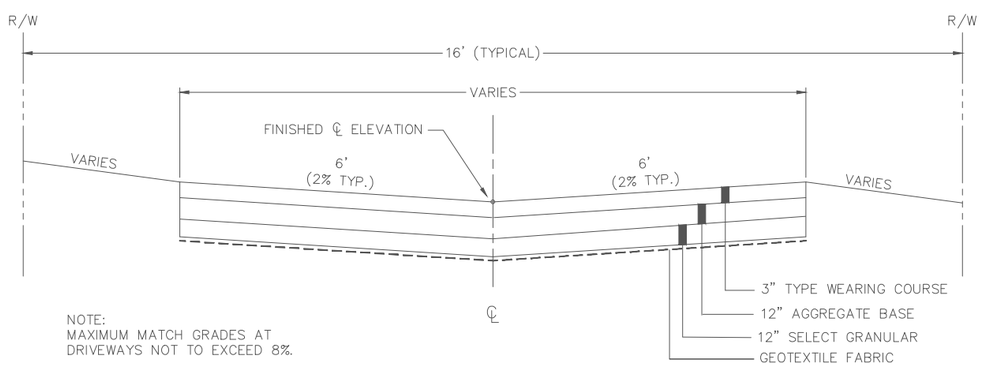


PROPOSED TYPICAL SECTION – STREET



PROPOSED TYPICAL SECTION – AVENUE



PROPOSED TYPICAL SECTION – ALLEY (PAVED)

SEH	PROJECT NO. BIWAB 173522 DATE: 6/27/2023	**PROPOSED TYPICAL SECTIONS CITY WIDE STREET IMPROVEMENTS BIWABIK, MINNESOTA**	FIGURE NO. A-2

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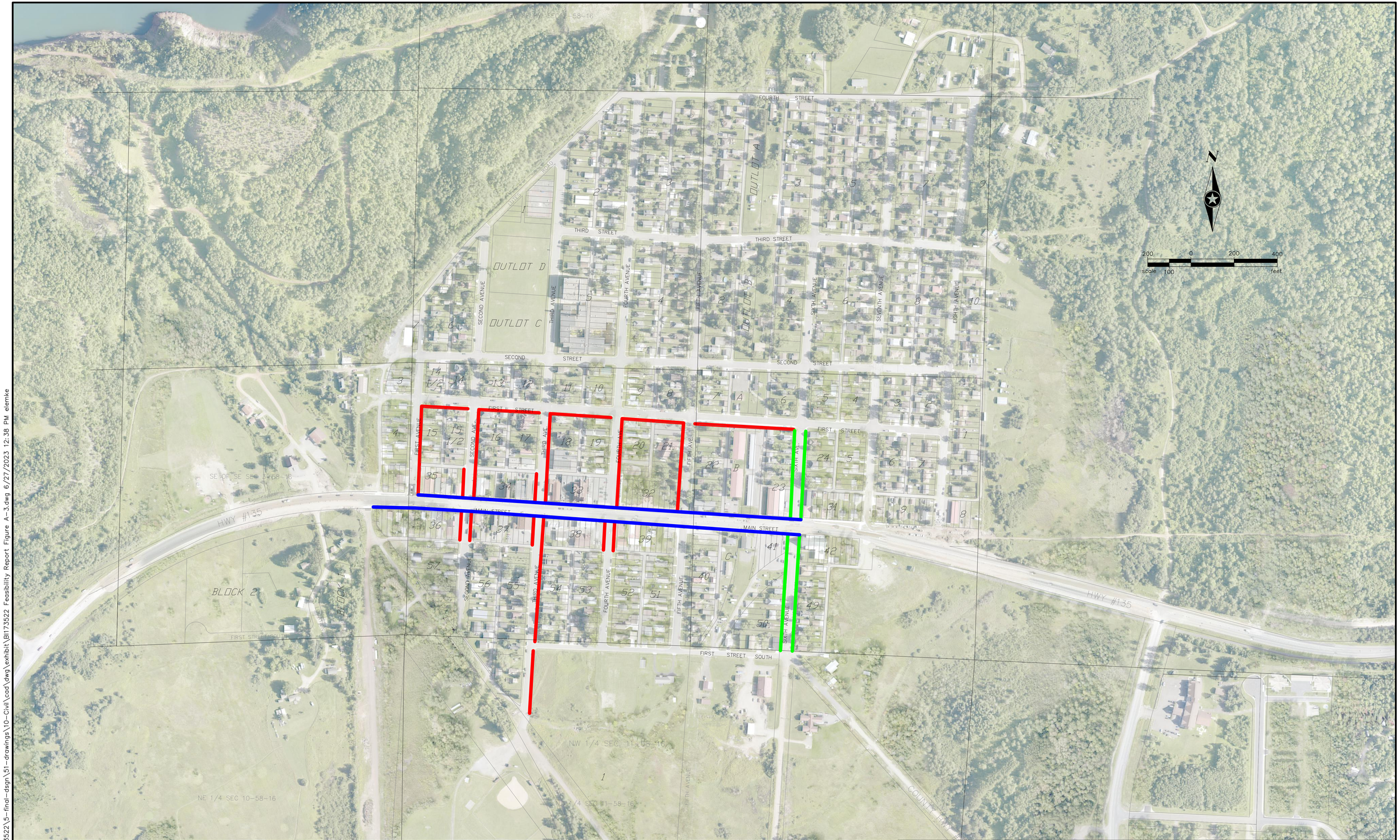

PROJECT NO. BIWAB 173522

DATE: 6/27/2023

PROPOSED SIDEWALK PLACEMENT
CITY WIDE STREET IMPROVEMENTS
BIWABIK, MINNESOTA

FIGURE NO. A-3

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Sustainable buildings, sound infrastructure, safe transportation systems, clean water, renewable energy and a balanced environment. Building a Better World for All of Us communicates a company-wide commitment to act in the best interests of our clients and the world around us.

We're confident in our ability to balance these requirements.

Join Our Social Communities

SPECIAL ASSESSMENT POLICY

SECTION 1. - PREAMBLE

Special assessments may be used to pay the cost of all or a portion of public improvement projects including the maintenance and/or repair of the City's infrastructure. Improvement projects include, but are not necessarily limited to, the construction and/or reconstruction of streets, alleys, curb and gutter, sidewalks, driveway approaches, installation and/or replacement of water mains, sanitary sewers, storm sewers, sewer and water services, street lights, parking lots, and parking lot lighting.

Special assessments are those charges levied against certain parcels of land for the cost of public improvements and for which the City Council has determined that said parcels being assessed, will be specifically benefitted by the improvements.

Special assessments will be levied only upon property receiving a special benefit from the improvement. The rate will be uniform and levied equally upon all property receiving special benefits. Assessments will be confined to property benefitted, and the amount of the assessment will not exceed the benefit.

SECTION II. - PURPOSE POLICY AND LIMITS

A. PURPOSE

The purpose of these Special Assessment Policies is to set forth the policies and procedures for the determination of benefit and the assessment of cost of the various public improvements which are constructed and installed by the City of Biwabik pursuant to Minnesota Statutes Section 429. It is the intent and purpose of these policies to provide for and insure consistent, uniform, fair and equitable treatment, insofar as is practical, lawful, and possible, of all property owners in regard to the assessment of cost for benefits to property for the various improvements of streets, sidewalks and utilities within the City of Biwabik.

B. POLICY

The City Council of the City of Biwabik, hereby declares that the Assessment Policies contained herein are the policies that the City of Biwabik is dedicated to follow as nearly as possible and practical. In order to keep the City's share of the cost of improvements to a minimum, and to avoid deferred assessments, no improvements shall be made outside the City limits unless a petition for annexation of the property to the City is signed, or the assessments against the benefitted property can be collected by a voluntarily negotiated contract.

C. LIMITS

These assessment policies are designed to serve only as a general guide for the City Council in allocating benefits to properties for the purpose of defraying the cost of installing public facilities. The Council reserves the right to vary from these policies if the policies act to create obvious inequities, or where the assignment of benefit to a particular property is difficult because of an extreme and unusual situation, or if such variance is deemed to be in the best interest of the City of Biwabik.

SECTION III. - SPECIFIC POLICIES RELATING TO SPECIAL ASSESSMENTS

A. PROCEDURES

The City shall follow the procedures set forth in Minnesota Statutes Chapter 429, The statutes should be referred to particularly in determining publication and notice requirements.

B. ASSESSMENTS

Special assessments for public projects will be determined by taking into consideration total project costs and an assessment formula based on front footage, area or unit basis. The total amount of assessments will not exceed the project cost and must be apportioned equally among properties having the same general land use based on benefit, The total assessment against any parcel will be governed under Minnesota Statutes Section 429.

C. DRIVEWAY PAVEMENT

New driveway apron pavements are of benefit only to the affected property owner and will be assessed at 100%. These may be included in improvement projects and will be assessed to the affected property, Any driveway aprons or private sidewalk disturbed by a street reconstruction project shall be repaired and/or replaced as a project cost within the scope of the project.

D. PRIVATE DEVELOPER PROJECTS

Private developers may petition for improvement projects. No special assessments for such improvements shall be left pending, and the developer requesting the improvements shall be required to fund and pay the special assessment installments for projects benefiting any such properties. All developers shall be required to provide collateral in the form of cash, or irrevocable approved letter of credit in the amount of 100% of the cost of the needed improvements, prior to award of bids by the City. The developer will pay all preliminary engineering work for these improvements whether provided by the City or a consultant. The City may proceed with the project and special assess 100% of the project cost to the benefited property. The developer will pay directly to the City 100% of the project cost, The City will contribute 0% of the project cost. A determination will be made by the City as to the suitability of each lot developed for building. Any lots determined to be of low suitability for building shall have the amount of any estimated special assessment paid in advance by the developer. The determination of suitability for building shall be the sole discretion of the City and shall take into consideration but not limited to such things as site slope, drainage, gravity sewer service, water pressure and wetlands.

E. GOVERNMENT OWNED PROPERTIES

Governmental property owners and railroads shall be responsible for assessments associated with new developments and/or reconstruction projects.

F. FRONTAGE ROADS

Frontage roads along highway or other arterial streets are generally deemed to be of benefit only to properties served, therefore, the entire cost of any such improvement shall be assessed totally to the benefitted property owners. The Council may consider special circumstances as appropriate to determine and adjust benefit and subsequent cost.

G. DELETION OF PROPERTIES

The City shall reserve the right to delete land within the improvement area from the assessment rolls if, in the opinion of the City, the land cannot be developed and/or is not benefitted. In that event, no development of that property shall be permitted nor shall any physical connection to the City's water, sewer, storm drainage facilities or streets be made by any development on that property, unless and until an assessment (or connection fee) is adopted and certified for collection.

H. SERVICE OUTSIDE THE CITY LIMITS

To the greatest extent possible and practical, it shall be the policy of the City to require annexation prior to the extension of any service or facility to any property outside the City limits. If the City installs facilities which benefit property which lies outside the corporate limits, that area and the allocable costs shall be included in the original public hearing for the improvement. The City may attempt to negotiate a contract with the owner of such property which will provide for payment to the City on the same basis, as if the property were within the City, and assessed for the improvement, as a prepayment upon completion of the project. No physical connection to the City's sanitary sewer, water mains, storm sewer, or streets, where practical, will be permitted until an agreement and contract, including satisfaction of costs or assessments, is executed. .

I. INTERSECTIONS

The cost of all improvements in street and alley intersections shall be included as part of the total project and assessable costs.

J. FRONTAGE DEFINITIONS

For the purpose of special assessments using frontage as the basis for the assessments, the following definitions shall apply: The frontage shall be equal to the dimension of the side of the lot abutting the improvement.

K. TAX FORFEITED PROPERTIES

Properties which have been forfeited for non-payment of taxes are subject to possible reassessment pursuant to Minn. Stat. Sec. § 429.071. The amount of special assessments subject to reassessment are determined by Council resolution following sale by the County of the tax forfeited land. Following the sale of a tax forfeited property, the City may conduct an assessment hearing and re-assess the amount remaining unpaid on the original assessment, The assessment terms and conditions will be determined by the City Council. In re-assessing such property, the City will follow the same procedure as for an original assessment under Minnesota Statute § 429,061 including advance notice and public hearing,

L. TAX EXEMPT PROPERTIES

Private cemeteries, churches, hospitals, schools, and similar institutions must pay special assessments. Railroads are also not exempt from special assessments. The land and property of any not-for-profit or otherwise tax exempt cemetery association shall be exempt from all special assessments.

M. PREPAYMENTS

After the adoption of the assessments, the City shall certify the assessment roll with each installment, Including interest, to the County Auditor for collection. All assessments and interest thereon shall be collected and paid over in the same manner as other municipal taxes. The owner of any property so assessed may, at any time prior to certification of the assessment or the first installment thereof, pay the

whole of the assessment on such property, with interest accrued to the date of the payment, to the City, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption thereof; and, except as hereinafter provided, the owner may at any time prior to September 30 of any year, prepay to the City the whole assessment remaining due with interest accrued to December31 of the year in which said prepayment is made. The City shall accept partial prepayment of assessments prior to certification of the assessment or the first installment thereof to the County Auditor.

SECTION III. - METHODS OF DETERMINING ASSESSMENTS

A. GENERAL INFORMATION

It shall be the policy of the City to assess benefitted property by frontage, area, or unit. The City may alter or change the method of assessment if such change is more equitable and appropriate. The following shall apply to new and reconstructed improvements.

When a trunk water distribution line, a trunk sanitary sewage collection line, or storm sewer trunk line which also serves as a lateral must be constructed in an area and oversized for design purposes to serve a larger area beyond the properties receiving lateral benefit, the assessments to abutting property shall be assessed a unit cost which shall be adjusted as follows

1. Trunk Sanitary Sewer/Watermain - In the event oversize or trunk lines are not required in an area, but are necessary to provide adequate service and capacity for areas beyond the specific area in question, the oversize or trunk line (*) share of the cost (the amount in excess of lateral costs) shall not be assessed to the specific area in question except the Pro rata portion attributable to the area in question. The City may create a special trunk line assessment district if deemed advisable and proper in any particular situation and assess one hundred (100%) percent of the cost to the trunk line assessment district.

Sanitary Sewer 12" diameter or larger

*Watermain 12" diameter or larger

2. Fire Demand/Commercial/industrial Watermain Trunk - If a trunk or oversize line is required for fire demand, commercial or industrial purposes and is not required for Distribution purposes, such trunk or oversized line cost shall be either assesses against benefitted property as special benefits or otherwise financed by the City,

3. Lift Stations - All properties contributing sanitary sewage or storm water runoff which must be elevated by a lift station in order to reach the Waste Treatment Plant or discharge point, shall be assessed for the cost of such improvement. Excess capacity designed into a lift station to provide service beyond the specific area in question will be handled in a fashion similar to Section V., paragraph Al.

4. Water Service Or Fire Lines - Service lines benefitting properties shall be assessed one hundred (100%) percent of the cost, including those lines required for fire protection purposes. Service lines that are replaced for the purpose of increasing size and capacity shall be the responsibility of benefitted properties, including the cost of repairing and resurfacing any streets that may be disturbed in the process.

5. Storm Sewer Trunk Mains - Storm sewer trunk mains are defined as 24" and larger in diameter. Twenty-five (25%) percent of the total cost of storm sewer trunk improvements shall be assessed against benefitted property on an area basis, To determine the runoff contribution and assessments for storm sewer trunks in areas with multiple zoning, the City shall take into consideration the runoff characteristics of the property and shall also consider potential use of the property in determining runoff. The City may create a trunk sewer assessment district if deemed advisable and proper in any particular situation.