

## CITY OF MENDOTA HEIGHTS

### STREET REHABILITATION AND RECONSTRUCTION POLICY

#### PURPOSE

The City of Mendota Heights Street Rehabilitation and Reconstruction policy is intended to provide a plan for maintaining the City's existing streets, and encourage the upgrade of rural streets to urban design.

This document sets forth the methods and policies relating to local street improvements and special assessments practiced in the City of Mendota Heights. It is emphasized that the following summary is general in nature and that certain circumstances may justify deviations from stated policy as determined by the Mendota Heights City Council in its discretion. This policy may also be amended from time to time by vote of City Council.

#### SECTION I

##### DEFINITIONS

1. **RECONSTRUCTION** - will be defined as a project whereby many or all meaningful elements of an existing street are being removed and replaced. This would include curb and gutter, sidewalks, bituminous or concrete pavement, granular base and items appurtenant to these elements.
2. **REHABILITATION** - will be defined as a project in which one or more of the aforementioned elements is modified or supplemented in-place, to restore the serviceability of the existing street (i.e. bituminous overlays).
3. **PREVENTIVE MAINTENANCE** - will be defined as work that involves a level of effort less than that involved in reconstruction or rehabilitation, the extent of which is to extend the life of the existing improvement. Preventive maintenance will include but not be limited to crack filling, patching, and seal coating.
4. **RURAL STREET** - any street that has no curb and gutter or storm sewer, or does not otherwise meet City design standards for thickness and width.
5. **URBAN STREET** - a street that has curb and gutter, storm sewer, and is designed to City standards for thickness and width.

## SECTION II

### GENERAL POLICIES AND PROCEDURES

The following are general principles, policies and procedures applicable to all types of improvement:

1. Project costs shall include the cost of all necessary construction work required to accomplish the improvement, plus engineering, legal, financing, easement acquisition and contingency costs.
2. Assessable costs are project costs minus the City and County share and other credits. MSA funds will not be credited to offset assessments as they will be utilized in a revenue pool fund to offset total reconstruction program costs.
3. Special assessments will be levied as soon as practical. Normally this will be within one year after completion of the project.
4. Publicly owned properties, including but not limited to municipal building sites, schools, parks, County, State and Federal building sites, but not including public streets and alleys, are regarded as being assessable on the same basis as if such property were privately owned.
5. Revenue sources for these types of improvements will be many, including, but not limited to assessments, MSA Funds, infrastructure replacement funds and general tax levies.

## SECTION III

### SPECIFIC POLICIES

#### Project Initiation and Hearing Process

This section describes the initiation of improvement projects and the administration required to receive final City Council action, pursuant to the requirements of Minnesota Statutes Chapter 429.

##### **A. Project Initiation**

1. **By Petition:** Citizen petitions for initiating improvement will be prepared by City staff upon request. Such petitions circulated by the affected property owners should bear the signatures of the property owners of 51 % or more, of the benefitted property(ies).

When projects are initiated through this process the costs of doing engineering feasibility studies and associated project consideration costs will be borne by the property owner(s) so petitioning.

If the project proceeds through construction and assessment those costs will be considered project costs under Section II.1 above.

If the project does not proceed through construction these costs will be billed back to the property owners petitioning or will be recorded for future project costs consideration at which time the project is concluded. Determination of the method of cost recovery will be made by the City Council.

2. **By Council Action:** If the Council determines that an improvement is in the best interest of the City, it can, without petition, initiate the improvement with a four/fifths vote of the Council.

The Engineering Department shall inventory and rate the condition of streets in the City. This rating shall then be used to determine the priority of street improvements in the City's 5 Year Street Improvement Plan. The City will generally improve streets that have the highest priority first.

## **B. Hearing Process**

1. **Improvement Hearing:** After a petition is filed and its adequacy determined, or the Council initiates the project, the City Engineer is directed to study and report as to the feasibility of the improvement. If after reviewing the feasibility report, the Council feels the project has merit, a public hearing is scheduled, notice published twice, and persons benefitted by the project notified in writing in accordance with applicable State Statutes and City Standards.

If after the improvement hearing, at which all persons are heard, the Council feels that the project still has merit, then the Council will authorize the preparation of necessary plans and specifications, and upon receipt and acceptance of those plans, will authorize the advertisement for bids, by resolution, for the construction of the project.

## **C. Determining Assessment Method to Use**

1. **Front Footage Assessment -** The front footage assessment method will generally be used on all multiple land use projects as per the City's adopted assessment policy. That is, if an improvement project affects parcels that are not zoned similarly the front footage method will generally be used.

2. **Unit Assessment** - Where a project affects parcels which are all zoned similarly or part of a multi-unit development, the Unit Assessment method may be applied.
3. **Area Assessment** - Area assessment may be used for storm sewer improvements. This may be necessary for projects where the storm sewer is installed for reasons other than just elimination of ditches.

If necessary or desirable to achieve equitable distribution of assessments, the City Council may adopt alternative methods for calculating assessments consistent with the City's adopted assessment policy.

**D. Amount of Assessments**

1. **Rehabilitated Rural Streets** - Rural streets that are rehabilitated or are reconstructed as a rural section shall be financed 100% through assessments to the abutting properties. As rural street sections are not considered desirable, no City funding assistance shall be available.
2. **Upgraded Rural Streets** - It is the City desire to upgrade rural street sections to urban street sections where possible. Therefore when a rural street is scheduled for an improvement, upgrading to urban design will be the objective unless otherwise determined by the City Council. In making such a determination the City Council may consider a petition from property owners to perpetuate a rural street.

The City will finance up to 50% of the total project cost through the Infrastructure Replacement Fund for an upgrade project. The affected property owners will be assessed the cost of the storm sewer pipe, the new curb, and a portion of the street reconstruction cost.

3. **Rehabilitated Urban Streets** - For streets that are urban design, the City shall finance 50% of rehabilitation costs.
4. **Reconstructed Urban Streets** - When an urban street is reconstructed all of the reconstruction costs shall be assessed to the abutting property owners. The City will finance 50% of that portion of the project that could be classified as rehabilitation (the final lift of blacktop).
5. **Preventive Maintenance** - The City shall perform routine and regular preventative maintenance to the extent practical on all streets in the City, until such time as the street has aged or deteriorated to the extent that such maintenance is no longer cost effective.

When a street has reached its expected life, in accordance with the City's infrastructure rating system, no additional preventative maintenance shall be performed. The only work performed will be the minimum amount necessary to keep the street reasonably safe for vehicular traffic.

All preventative maintenance shall be funded by the City for streets where preventative maintenance is cost effective. On deteriorated streets, no preventative maintenance shall be performed except at the sole expense and request of the adjoining property owners

**E. Period of Assessments**

Assessments shall be spread over the life of the project. The expected life of various projects to be used in levying assessments is presented here:

<u>Project Type</u>	<u>Life</u>
Rural Rehabilitation	10 years
Rural Reconstruction as Rural	10 years
Rural Reconstruction as Urban	20 years
Urban Rehabilitation	10 years
Urban Reconstruction	20 years

**SECTION IV**

**CONSTRUCTION STANDARDS**

**Minimum Design Standards**

The following are minimum design standards applied to the design and construction of improvements in the City of Mendota Heights and are for reference to this policy.

**A. Storm Sewer System**

Lateral pipe and catch basin size shall be generally be designed to handle a 10 year event and trunk facilities shall generally be designed to handle a 100 year event as determined by the City Engineer.

**B. Sidewalks, Trails and Bikeways**

Concrete - 5' wide with 6" sand base - 4" thick

Bituminous - 8' wide (2341) Bit. with 6" Class 5, 100 percent crushed rock and 2" Bituminous

All trails and sidewalks will be located 1' off property line if at all possible, pedestrian ramps and curb drops will be installed according to MN/DOT Standards.

C. **Streets**

Urban streets shall be classified as either local or collector streets. Urban local streets shall normally be 33 feet wide, face to face, and 7 ton design, curb and gutter on local streets shall be B618. Collector streets shall be 9 ton design and shall normally be constructed to Municipal State Aid (MSA) standards.

Rural streets are not desirable. Therefore for any rural street reconstruction project the City shall proceed as if the rural street is to be upgraded to urban design. Unless a neighborhood opposes this upgrade, it shall occur. Rural streets that are not upgraded will generally be rehabilitated via an overlay of 1.5"-2" of blacktop.

SECTION V

ASSESSMENT DEFERRAL POLICY

Deferral of Special Assessments

A. **Purpose** - To indicate in certain instances the City may allow deferral of special assessments levied under this policy.

B. **Conditions of Deferral:**

Application for deferral of special assessments under these provisions must be filed within thirty (30) days from the date the assessment roll is adopted. Applications granted shall continue in effect for subsequent years until the property no longer qualifies. Applications shall be filed with the assessor of the taxing district in which the real property is located.

C. **Situations of Discretionary Deferral:**

1. **Senior citizen/low income deferral.** At its discretion the City may defer assessments against any homestead property owned by a person 65 years of age or older or retired by virtue of a permanent and total disability and for whom it would be a hardship to make the assessment payments. The standards and guidelines governing what constitutes hardship are established by City ordinance or resolution.

Additionally, the City may grant a deferral in situations where its hardships standards and guidelines have not been met if exceptional and unusual circumstances exist and no preference or discriminatory treatment will occur.

This deferral is subject to the provisions of Minnesota Statutes 435.193.

2. **Unimproved property deferral.** The City may also defer the assessments of improvements with respect to property which is not directly and immediately affected by the improvement for which the assessment is levied. If applicable, at such times as extensions or connections regarding the improvement directly benefit such unimproved property, the City may require payment of the deferred assessments as well as those relating to the connection or extension.

This deferral is subject to the provisions of Minnesota Statutes 429.051.

Any such deferral shall be subject to such other terms and conditions including accrual of interest, and shall be subject to termination, all as determined by City Council.

Adopted by the Mendota Heights City Council this 16th day of June 1992.

CITY COUNCIL  
CITY OF MENDOTA HEIGHTS

By:   
Charles E. Mertensotto, Mayor

ATTEST:

  
Kathleen M. Swanson, City Clerk

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