

**RESOLUTION 2011 -
CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

POLICY FOR SPECIAL ASSESSMENTS FOR ROAD RECONSTRUCTION

WHEREAS, the City Council of the City of Grant wishes to consider adopting a policy for determining the allocation of special assessments for reconstruction of paved roads so that all residents shall be treated, and improvements assessed, in a manner that is fair and consistent with state law.

WHEREAS, the City Council intends that these policies not be construed as exclusive but instead to provide general guidelines for addressing assessments in the City, and in enacting these policies, the City Council acknowledges that special cases and variations may be required based on the particular facts present in any given situation.

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

I.
BASIC PHILOSOPHY

- A. A fair and equitable assessment of up to one hundred percent (100%) of the cost associated with completion of the improvement shall be assessed to properties benefited by the paved road reconstruction as defined by this policy. Based upon the traffic counts and any other relevant information the City may contribute an amount together with the special assessments to the reconstruction of existing paved roads beyond normal repair. **The City may contribute up to 20% for reconstruction projects.**
- B. In carrying out this policy, the City Council shall act in the best interest of the health safety and welfare of the citizens of the City of Grant.

II.
DEFINITIONS

The following definitions shall have the meaning give.

- A. "Buildable lot" means the number of lots that exist, or could be created, 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. "Road Reconstruction" is a mill and replacement of existing pavement or removal of

the pavement. Either remediation of the pavement is done together with placement of new asphalt. Correction of subgrade as needed at the time of reconstruction.

III. ALLOCATION OF SPECIAL ASSESSMENTS

- A. **Preferred Method.** Lots to be assessed are those lots that have an address on the road to be improved or have road frontage on the road to be improved. The assessment shall be allocated as follows:
1. Each buildable lot with road frontage and an address or potential address on the road to be improved shall be assessed as one unit.
 2. 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.
 3. 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.
 4. A buildable lot that generates additional traffic may be assessed based upon the traffic generated.
- B. **Alternate Methods.** In the case of unique circumstances when the preferred method of assessment does not fairly apportion special assessments, the City Council may apportion assessments by reference to front foot, buildable lot, a combination of front foot and buildable lot, or any other method that will fairly and equitably distribute the assessments.
- C. In no event shall any special assessment exceed the benefit to the property being assessed.

IV. PROCEDURES

- A. Reconstruction projects shall be determined by recommendation of the City Engineer together with the Road Supervisor and approved by the City Council.
- B. **Approval of Projects.** After receiving the Engineer's feasibility report, if property owners representing at least seventy-five percent (75%) of the units proposed to be assessed approve the project, the project shall be ordered. If less than seventy-five percent (75%) of the units to be assessed approve the project, the project may be rejected.
- C. Appropriate public hearings shall be held.

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 _____, 2007.

Tom Carr, Mayor

ATTEST:

Kim Points, City Clerk