



## Legislation Text

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**File #:** 11-1277, **Version:** 1

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### Resolution No. 2 - Prepare Assessment Roll for Dexter Avenue Improvements - Sidewalk and Curb & Gutter Special Assessment

Attached for your review and approval is Resolution No. 2 for the public improvements to be constructed as part of the Dexter Avenue Improvements Project, District #39. The improvements include construction of sidewalk and concrete curb & gutter along Dexter Avenue (see attached map). Resolution 2 establishes the cost of the project and distribution of costs.

This work will be included in the 2012 Dexter Avenue Improvements Project (Maple Road to Huron Street) which in part will be funded by the Federal Surface Transportation Fund (STPU). The City's ability to use federal funds for this project has created the opportunity for the private property owners to receive the sidewalk and curb & gutter improvements at less than the standard rates.

Permanent easements will not be necessary as the right-of-way provides sufficient width for this road reconstruction project. However the addition of the new sidewalks will require the removal of some trees and grading along some properties. As required by the MDOT, we will estimate the value of the grading permits following MDOT's procedures and offer the property owners reasonable compensations for the grading permits granted to the City. Any property owner that chooses may donate their grading permit to the project at no cost, or use the value of the grading permit as an offset to some of their special assessment cost.

#### Sidewalk Gaps

At the west end of the project and along the north side of Dexter Avenue, there is a gap in the sidewalk system of approximately 1500 feet. In accordance with the City's Non-Motorized Plan and Complete Streets approach, it is proposed to install a new sidewalk to close this gap and provide a continuous pedestrian connection along the north side of Dexter Avenue. Among other benefits, providing this walkway would allow neighbors to access such businesses as Knight's Restaurant and Aldi's without having to cross the street at midblock points.

There is an existing non-motorized path along Veterans Memorial Park that functions as a pedestrian sidewalk. Therefore, improvements to this path will not be assessed.

#### Curb & Gutter Gaps

At the west end of the project, across from Veterans Memorial Park on the north side of Dexter Avenue, there is about 400 feet with no curb & gutter and about 550 feet with a bituminous "curb" along the pavement edge. In this area, there are issues with standing storm water where the water sits and accelerates the deterioration of the surrounding roadway and creates icing areas in the winter. To provide proper storm water control and address these issues, staff proposes to install new concrete curb & gutter consistent with the rest of the corridor.

At Veterans Memorial Park, there is approximately 980 feet of the street that does not have curb & gutter. The new curb & gutter will be installed along the Park and it is proposed that the cost be assessed to the Park's property.

Special Assessments & Resident Input

As called for in Chapter 13 of City Code, the cost for the addition of new sidewalk and curb & gutter where none currently exists is borne by the parcels that benefit from the improvements. Because this is a federal-aid project, up to 80% of the construction cost of the sidewalk and curb & gutter will be paid by federal Surface Transportation Funds. The remainder of the costs would be local share.

On September 19, 2011 City Council approved Resolution 1 authorizing staff to undertake this work as a special assessment project. All affected property owners were invited share their thoughts at an Administrative Hearing on October 3, 2011 where staff explained the project and the estimated assessment amounts. Five residents attended the meeting. Some expressed concern that a sidewalk would change the character of the corridor or make the area feel less secure. One resident was in favor of the improved pedestrian access and felt it would improve property values.

The total estimated cost of the construction of the sidewalk is \$44,520.00 of which \$35,616.00 will be paid from the Federal Surface Transportation Funds. The remaining \$8,904.00 local share will be paid by special assessment.

The total estimated cost of the construction of the curb & gutter is \$48,435.00 of which \$38,748.00 will be paid from the Federal Surface Transportation Funds. The remaining \$9,687.00 local share will be paid by special assessment.

The special assessment amounts will be distributed to the properties in proportion to the length of sidewalk and/or curb that will be installed fronting each property.

Prepared by: Homayoon Pirooz, P.E., Project Management Manager

Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Steven D. Powers, City Administrator

Whereas, Plans and specifications have been prepared for the Dexter Avenue Improvements - Sidewalk and Curb & Gutter Project, District #39; and

Whereas, A construction estimate and appropriate fund sources have been established;

NOW, THEREFORE, BE IT RESOLVED, THAT

1. That the City Council determines the cost of said sidewalk improvement, including all incidentals, to be \$44,520.00, and that of said cost, the sum of \$8,904.00 be paid by special assessment upon the properties specially benefited;
2. That the City Council determines the cost of said curb & gutter improvement, including all incidentals, to be \$48,435.00, and that of said cost, the sum of \$9,687.00 be paid by special assessment upon the properties specially benefited;
3. That the following described lots and parcels of land be designated as constituting the special assessment district against which the cost of said improvement shall be assessed, or against which an improvement charge shall, pursuant to Section 1.278 of the City Code, be levied:

SEE ATTACHED;

and

4. That the City Assessor is hereby directed to prepare a special assessment roll in accordance with

the foregoing determinations of the City Council and to file the same, together with his certificate attached thereto, with the City Clerk for presentation to the City Council.