

PETITION OF BLOOMINGTON CITY COUNCIL, HEARING 11/16/2015

Re: 2016-101 PMP STREET RECONSTRUCTION - 104th St & Ewing Road

23 Residences

We are residents/owners of single family homes on 104th St and on Ewing Road, City of Bloomington, that have been notified of a scheduled 2016 street reconstruction & related cost assessment project that we strongly believe is excessive, is not needed, and is an extreme cost burden on us. We respectfully request the reconstruction be rejected & cancelled at this time, and instead routine maintenance such as sealcoat or overlay be considered. Our streets have not had a pothole or breakup problem, they are smooth riding & walking, the curbing is in excellent condition. There are cracks just like almost all streets in our climate have after just a year or two following maintenance, but are certainly not a problem to us. Routine maintenance has corrected cracks in the past and would again now. Further, the City General Assessment Policy of January 1962, 2nd paragraph, requires a special benefit in the form of increased market value to our property to qualify a project for assessment, and we are certain that tearing out and replacing our street, not only is wasteful & unnecessary, but would not increase the value of our property at all.

Address	Printed Name	Signature
3615 104 th St	CAROL RICH	[Signature]
3700 104 th St	Michele Behrens	[Signature]
3701 104 th St	GARY LAI, MARY	[Signature]
3708 104 th St	Nandy & Andy Winberg	[Signature]
3709 104 th St	Keith + Nancy Narr	[Signature]
3716 104 th St	Gerald + Kathleen Meyer	[Signature]
3800 104 th St	[Redacted]	X
3801 104 th St	TRUDY PHILLIPS	[Signature]
3808 104 th St	[Redacted]	X
3809 104 th St	TREDDORE JOHNSON	[Signature]
3816 104 th St	David Medure Diana Breedlove	[Signature]
10400 Ewing Road	Barbara + Dick Podmers	[Signature]
10401 Ewing Road	Scott + Jennifer Grossstreich	[Signature]
10408 Ewing Road	Shawn + Michelle Vanhove	[Signature]
10409 Ewing Road	Clara Larsen	[Signature]
10416 Ewing Road	Shirley + Tony Cook	[Signature]
10417 Ewing Road	Khansakha Kunkyab	[Signature]
10424 Ewing Road	Ramin Ramin	[Signature]
10425 Ewing Road	[Redacted]	X
10432 Ewing Road	Kamesh + Kusum Johri	[Signature]
10440 Ewing Road	William Lane Chalk	[Signature]
3716 CAMDENBURY DRIVE	Dannett R Williams Barbara Williams	[Signature]
3800 LANTRAWAY DRIVE	Wes + Jane Green	[Signature]

Desrude, Jennifer

From: kajemeyer@comcast.net
Sent: Tuesday, November 10, 2015 1:01 PM
To: Desrude, Jennifer
Subject: Fwd: Residential Street Assessments

From: kajemeyer@comcast.net
To: gwinstead@bloomingtonMN.gov, cabrams@bloomingtonMN.gov, tbusse@bloomingtonMN.gov, dlowman@bloomingtonMN.gov, acarlson@bloomingtonMN.gov, jbaloga@bloomingtonMN.gov, joleson@bloomingtonMN.gov
Cc: jdestrude@BloomingtonMN.gov
Sent: Monday, November 9, 2015 6:03:12 PM
Subject: Re: Residential Street Assessments

Mon

day, 11/09/15

We wrote you all on 10/28/15 below and received replies from two councilmen (Lowman & Baloga) who said they would look at our street condition and report back. We attended the Information Meeting on 11/2/15 at Public Works, raised some objections there along with many others who did likewise. We communicated with Jen Destrude of the Engineering Division quite extensively and want to acknowledge her diligence & help in answering our many questions. None of the 3 concerns we wrote on 10/28/15 below have gone away, so we understood from the Information Meeting that our next best step was to bring a Petition by Residents to your 11/16/15 Public Hearing. We have completed a Resident Petition now and are bringing it to Engineering Staff (Jen Destrude) who offered to have it introduced at the 11/16 Hearing for us, because we are unavoidably out of town that evening and we found no other resident that could commit to being there to introduce it. We petitioned residents of Streets 7 (Ewing Road) and 9 (W 104th St), as they flow together and are in our Watch Neighborhood. We did not petition nearby Streets 6 (103rd St) or 8 (Drew Ave) as they are somewhat separate, outside our Neighborhood Watch, may have different issues from prior repairs and partial lack of curbing, and due to time constraints to complete 24 more Petition visits. Of the 23 residents on our Streets 7 & 9, we were unable to reach but 2 being non-resident landlord situations. Just 1 owner/resident of the 21 contacted refused signing the petition. This leaves 20 owner/resident signers on our Petition (95% of those contacted) who strongly want the reconstruction project on our 2 streets rejected / stopped, because its cost is burdensome on both residents & the City, and because the condition of our two streets is fine -- smooth riding & walking, excellent curbing, no breakup or potholes. Certainly total tear-up and rebuild is unnecessary and wasteful, routine maintenance like sealcoat or overlay would be plenty adequate to control existing cracks common on nearly all streets in our climate after just a year or so following maintenance. With this Petition we ask your vote to stop this reconstruction on our streets 7 & 9 and relieve us all of it's inconvenience & burdensome cost - none of it increasing market value of our land as required by the 1962 Bloomington General Assessment Policies.

Prepared by Gerald & Kathleen Meyer, 3716 W 104th St, (952) 897-0362

From: kajemeyer@comcast.net

To: gwinstead@bloomingtonMN.gov, cabrams@bloomingtonMN.gov, tbussee@bloomingtonMN.gov, dlowman@bloomingtonMN.gov, acarlson@bloomingtonMN.gov, jbaloga@bloomingtonMN.gov, joleson@bloomingtonMN.gov

Sent: Wednesday, October 28, 2015 2:41:07 PM

Subject: Residential Street Assessments

We are a retired couple owning & living at 3716 W 104th St for the past 22 yrs. A City mailing last month notified us and residents of 8 small residential neighborhoods in Bloomington that streets in front of our homes were scheduled for reconstruction (tear out & rebuild) in 2016 or later. Because of the large estimated assessment amount (ours \$5,220) and the good condition of our street now, we wrote our District Councilman Lowman and he referred our inquiry to the City Engineering Staff. Staff has answered our questions & complaints as best they could, told us they fully understood our concerns, but said they were proceeding according to City plan & policy and to get our concerns heard we needed to voice them at the 11/16/15 Public Hearing. We said we planned to attend the 11/02/15 Information Meeting on the matter at the Public Works Bldg to voice our concerns, but needed to be out of town on November 16 so could not attend the Hearing. With that, the Engineering Staff said we best voice our concerns in writing to each of you before the Hearing. Thus this EMail to all of you. We will summarize our concerns about this in three areas following:

1. Assessment Computations. Our blocks have curved streets, irregular lot shapes, some being pie shaped. City Engineering explained the assessments were computed using computer software (CAD) to arrive at Adjusted Front Footage. They could not provide the specific numbers entering into the CAD computations, only the result for our lot being 132'. When we follow the computation for Adjusted Front Footage in the Bloomington 1962 General Assessment Policies we arrive at 119' for our pie shape lot 226' front, 13' rear, 150' deep, but staff could not explain the difference. When we told Staff of the lot across the street from us that appears identical in pie shape to ours that they computed to just 79' vs our 132', Staff could not explain why that lot computed to 40% less than ours when the Plat indicates the two lots are near identical. Our conclusion is there are errors in Staff computations according to the Bloomington General Policy.

2. Need to Reconstruct (tear out & rebuild) our street. Of more importance than the computation issue above is our belief that streets in our designated area do not need this extensive cost & work. Over the years regular maintenance, including tar & pebble applications, have our streets and curbs now in good shape, basically no deterioration in the 22 yrs we have lived here - no potholes etc., they ride smooth. We gather the City schedules streets for reconstruction on somewhat of a rotating plan over the years, not particularly according to present condition or need. Normally a homeowner when faced with making a property improvement requiring a cost between \$3 to 5,000 has the ability to buy or not to buy. Why is this street rebuild being forced on homeowners who do not believe it is needed and do not want to pay for it? Why incur the mess & unnecessary cost? If the City would put this to a vote of homeowners and a majority vote in favor we would fully accept that, but we are confident that would not happen as the neighbors we have talked to are all not in favor.

3. Policy of Assessment. Engineering Staff gave us the 9 page Bloomington 1962 General Assessment Policies as the guide for Special Assessments of this type. The 2nd paragraph of that Policy states that Cost is not the basis for assessment - instead there must be a special benefit to a property resulting from an improvement. Further, the special benefit is measured by an increase in the market value of the property resulting from the improvement. Certainly water & sewer additions result in market value increase & benefit to a property, but certainly not unnecessary street

replacements of token improvement. We believe that anyone knowing anything about residential real estate values would say there is no market value increase from a street reconstruction project like this. So under what legal authority does Bloomington force this on homeowners and levy these assessments?

We apologize for the length of this paper, but you can sense we are quite unhappy about the prospect of being assessed in these amounts for a street rebuild we do not need. We appreciate your attention to this issue and ask your vote against the scheduled Street Reconstruct at your November 16 Public Hearing.

Sincerely, Gerald & Kathleen Meyer 3716 W 104th St (952) 897-0362

Desrude, Jennifer

From: Barb Pederson <bpederson1@comcast.net>
Sent: Saturday, October 31, 2015 6:46 PM
To: Desrude, Jennifer
Cc: Simons, Bob; Pederson, Shelly; Long, Julie; Oleson, Jon
Subject: Re: [SPOOFED DOMAIN] Re: assessment

Ok - here is my Facebook posting from today - just so you know what goes on. Might be a good idea to give the construction crews a heads up. This is not the first time - but it was the first time someone got caught. This happened 3 ish on Saturday afternoon.

So - I was in the house - and Eric was down below by the greenhouse. I heard a shot - and before I could reach my phone to call Eric - 2 more sounded. When I got to him - his voice was edgy - as buckshot was raining down on his head. There was a guy - across Kidder Marsh - walking - with a shot gun - shooting the ducks. Eric got the police dispatcher on the phone - and as he continued to talk and describe the situation - the guy (unarmed) was walking up Old Cedar Ave. - from the bridge. He claimed he had permission from the DNR (not!). 2 squad cars arrived - and the Officer took information from Eric - and said this would be turned over to the City Attorney for Bloomington for charges. The Jerk Hunter was shocked that this was wrong (houses - 3 huge cranes - construction trailers - 4 greenhouses - where does this say Hunting Allowed??). Ok - I think I have calmed down. Eric is fine. No glass broken. Be safe all!

Barb Hanson Pederson
bpederson1@comcast.net

On Oct 30, 2015, at 4:44 PM, Desrude, Jennifer <jdesrude@BloomingtonMN.gov> wrote:

For concrete curb and gutter that is part of a PMP project, initial construction or subsequent reconstruction, the costs are assessed at 25% rate (single & two-family) or 50% rate (other property types). We have determined your property type as single family (for purposes of special assessment), so it is proposed to be assessed at the 25% rate for both surfacing and curb and gutter. This is described in "b" below.

From: Barb Pederson [<mailto:bpederson1@comcast.net>]
Sent: Friday, October 30, 2015 4:37 PM
To: Desrude, Jennifer
Cc: Simons, Bob; Pederson, Shelly; Long, Julie
Subject: [SPOOFED DOMAIN] Re: assessment

Please explain for a customer- and where do we stand. Do we fall into a or b.

Thanks
Barb Hanson Pederson
bpederson1@comcast.net

On Oct 30, 2015, at 3:58 PM, Desrude, Jennifer
<jdesrude@BloomingtonMN.gov> wrote:

Attached is the assessment policy and page 5, section D3 addresses concrete curb and gutter:

3. Concrete Curb & Gutter³

The adjusted front foot method is used. Curb and gutter assessments include items necessary and related to such an improvement to meet city standards. Assessments are spread over a 10-year period.

- a. Initial Construction - The rate of assessment to be utilized when concrete curb and gutter is constructed to meet city standards the first time (except as set forth in Sec. D.3b(3)) is to be based on the use of the land as follows:
 - (1) single family and two family land uses as shown on the City Assessor's records at a rate equal to 100% of that year's cost on residential street curb and gutter projects (involving initial construction).
 - (2) all other land uses at a rate equal to 100% of the cost of the curb and gutter being improved on that project.
- b. Subsequent Reconstruction - The rate of assessment to be utilized when concrete curb and gutter is reconstructed is to be based on the use of the land as follows:
 - (1) single family and two family land uses as shown on the City Assessor's records at a rate equal to 25% of that year's cost on residential street curb and gutter reconstruction projects, with the remaining 75% paid from city-wide general property taxes.
 - (2) all other land uses at a rate equal to 50% of that year's cost on residential street curb and gutter reconstruction projects, with the remaining 50% paid from city-wide general property taxes.
 - (3) any roadway having the pavement reconstructed which also requires concrete curb and gutter construction to bring the roadway up to city standards, shall have the concrete curb and gutter assessed in accordance with section D.3.b(1) and D.3.b(2) depending on land use.
 - (4)⁴any streets not eligible for reconstruction under the Pavement Management Program which also require concrete curb and gutter, shall be assessed at a rate equal to 100% of the cost of the concrete curb and gutter.

Jen Desrude, PE
Development Coordinator
City of Bloomington
1700 W 98th St.
Bloomington, MN 55431
p: 952.563.4862
f: 952.563.4868
jdesrude@BloomingtonMN.gov

From: Barb Pederson [<mailto:bpederson1@comcast.net>]
Sent: Friday, October 30, 2015 3:27 PM
To: Desrude, Jennifer
Cc: Simons, Bob; Pederson, Shelly; Long, Julie
Subject: Re: assessment

Thank you. So please clarify the curb and gutter assessment.

What is the assessment policy - between having it and not having it.

Barb Hanson Pederson
bpederson1@comcast.net

On Oct 30, 2015, at 1:28 PM, Desrude, Jennifer
<jdesrude@BloomingtonMN.gov> wrote:

Hi Barb,
Below are answers to your questions. Please let me know if you have any additional questions.

Thanks,

Jen Desrude, PE
Development Coordinator
City of Bloomington
1700 W 98th St.
Bloomington, MN 55431
p: 952.563.4862
f: 952.563.4868
jdesrude@BloomingtonMN.gov

From: Barb Pederson [<mailto:bpederson1@comcast.net>]
Sent: Thursday, October 29, 2015 9:25 AM
To: Desrude, Jennifer
Subject: assessment

Couple of things:

Did the assessments to 9400 (the condos) go down? And if so why? That is the word on the street. :-)

When I send out the estimated special assessments, I round the numbers because they are only estimates at this time. The exact estimated rates for multi-family properties from 2015 were \$94.33/AFF for surfacing and \$50.95/AFF for curb and gutter. After we bid the 2015 project, the actual rates were approximately 25% less. Our Engineer's estimate for 2016 had estimated rates of \$78.95/AFF for surfacing and \$53.25/AFF for curb and gutter for multi-family properties.

The exact estimated rates for single-family properties are ½ of the rates listed above, so \$47.16/AFF for surfacing and \$25.48/AFF for curb and gutter in 2015 and \$39.48/AFF for surfacing and \$26.63/AFF for curb estimated for 2016. So, the estimated surfacing rate is less in 2016 than it was in 2015 and the estimated curb and gutter rate is higher in 2016 than it was in 2015. Overall, the estimated assessments went down. However, for the four properties at the end of Old Cedar, an additional proposed watermain assessment was added to the estimate, with details as shown in the letter that was sent earlier in the week.

Please remember that these are all estimates. The actual project costs will be used to determine the final assessment dollar amount.

Since less than 10% of the road has no curb and gutter - can we change the assessment to reflect that 90% does have it??? We have curb and gutter - intact - always been there. Where there is no C&G - it was the choice of the contractor when the road was put back together after the high pressure gas pipe went down OCA. **With the project, all of the existing curb and gutter will be removed and replaced with new curb and gutter. Special assessment history shows that none of the properties on Old Cedar have been assessed for curb and gutter in the past. So, with the curb and gutter replacement, all properties on Old Cedar are proposed to be assessed for the curb replacement.**

Can I get a complete breakdown of our assessment? All those numbers were rattled off - and it would have helped if we had things in writing to follow along with. I got lost. Definitions would be great too. It would be great to have it in "citizen friendly" terms - not what you all use each day. I am looking for a reference and base on this.

554' of adjusted front footage, assessed at the single family rate for surfacing and curb and gutter and 100% of the watermain adjacent to the property:

Surfacing 554 x \$39.48 = \$21,871.92 (can be assessed over 10 years with interest)

Curb & Gutter 554 x \$26.63 = \$14,753.02 (can be assessed over 10 years with interest)

Watermain 554 x \$63.73 = \$35,306.42 (can be assessed over 20 years with interest)

I've attached an example payment schedule, using 5% interest. Please note the following:

- 1. The interest rate has not been determined for assessments in 2016. 5% was used in 2015.**
- 2. The payment schedule is using your estimated assessment and your actual assessment will be different**

Why is there mention of sanitary sewer on the letter? We all thought that it was a fill in the blank/generic form letter - and our address and \$ amount was filled in. Now I wonder about sanitary sewer.

Since the letter goes out to all of the project sites, a list of all of the types of work that could potentially be done is added to the letter. It is NOT proposed to install sanitary sewer on Old Cedar with this project.

I also want to understand how the water assessment does not have overlaps. Seems to us there is.

There is 850' of watermain being installed in front of the four properties that do not currently have access to public water. The cost of just that 850' feet is being divided up among the four properties using the adjusted front footage method.

Cost of 850' of watermain = \$63,094.65

Total Adjusted front footage for the four properties = 990'

Cost per adjusted front foot (rate) = 63,094.65/990 = \$63.73

Your portion is 554' x \$63.73 = \$35,306.42

Thanks

Barb Hanson Pederson

bpederson1@comcast.net

Desrude, Jennifer

From: Simons, Bob
Sent: Tuesday, November 10, 2015 4:13 PM
To: 'jesscasey23@gmail.com'
Cc: Desrude, Jennifer
Subject: RE: Wrights Lake /Old Cedar Avenue Update

Hello Jessica,

As I'm sure you are aware, the closure of Old Cedar Ave was due to the Metropolitan Council sanitary sewer lining on 90th St. The latest update that Bloomington staff has heard regarding this closure is that it will be opened by the end of the this week.

The notification that you are referring to about the road repairs on 17th Ave, I am assuming is related to the 2016 PMP Street Improvement Project that is proposed on 17th Ave between 84th St and 86th St as part of the Pavement Management Program (PMP). To give a little history on PMP it was implemented in 1991 to manage the maintenance of Bloomington city streets in a cost effective manner. All street segments in Bloomington are walked once every three years and this information is used to obtain a Pavement Condition Index (PCI) rating for every street segment in Bloomington between 0-100, with 100 being a brand new road. This rating helps staff to see which PMP technique would best suit each street segment to manage the maintenance of Bloomington city streets, however staff does not only use this rating, but also drives the segments and continues to monitor their condition. Staff then comes up with a forecast of typically the upcoming 5 years to see which segments would be in need of one of the three PMP techniques including; reconstruction, mill/overlay or sealcoat, and continues to update this map.

The price tag that you are referring to is the special assessment portion of the surfacing and curb and gutter costs for the project as part of our Pavement Management Program. For street reconstruction projects, as part of the City Policy that has been in place since 1962, adjacent property owners are assessed a portion of the surfacing and curb and gutter costs. Single and Two-Family properties are assessed 25% of the surfacing and/or curb and gutter costs based on an adjusted front footage value. As noted in the notice of public hearing that you received, an informational meeting was held on Nov 2 to review the program and a public hearing is scheduled for Nov 16 to order the construction of the proposed segments. At the public hearing, Bloomington City Council will take testimony from the adjacent property owners and decide which streets will be ordered for reconstruction in 2016.

The reconstruction of 17th Ave is also anticipated to include some utility work, including sanitary sewer replacement. More information will be given in the future regarding this sanitary sewer replacement. Any utility work that is done with the project is not assessed to the adjacent property owners.

If interested, the power point presentation that was given at the PMP Informational Meeting held on Mon, November 2 can be found on the PMP page of the City of Bloomington website at <https://www.bloomingtonmn.gov/engineering/about-pmp> by scrolling down to *2016 PMP Informational Meeting Presentation for November 2, 2015*.

I hope this helps in answering some of your questions. If you have any further questions related to the assessments you can contact Jen Desrude at 952-563-4862 or jdesrude@BloomingtonMN.gov or if you have any questions regarding the construction feel free to contact me at the information given below.

Thanks,
Bob

Bob Simons, PE
Civil Engineer
City of Bloomington, Engineering Division
1700 W 98th St
Bloomington, MN 55431
p. 952-563-8758 f. 952-563-4868
bsimons@bloomingtonmn.gov

From: Engineering
Sent: Tuesday, November 10, 2015 9:48 AM
To: Simons, Bob
Subject: FW: Wrights Lake /Old Cedar Avenue Update

From: Jessica Casey [<mailto:jesscasey23@gmail.com>]
Sent: Monday, November 09, 2015 6:13 PM
To: Engineering
Subject: Wrights Lake /Old Cedar Avenue Update

To whom it may concern,
Can you please send an update on when the scheduled opening of Old Cedar Avenue?

An incredibly high level of traffic has been diverted to 17th Avenue for several months. We are trying to be patient, but cannot believe the speed of the cars going by and lack of patrols in place to ensure safety of pedestrian/park traffic.

We recently received notification that road repairs will be billed to residents. A substantial price tag to follow several major city projects that have caused destruction to the roads without repair, i.e.: Wrights Lake Project (2011, 2013) and Old Cedar Avenue Bike Path (2014, 2015).

Is there a public project plan/financial scope accompanying this project for residents to view? Anyone that I could share my concerns with? Thanks in advance, your advice is greatly appreciated.

Thanks,

Jessica Cantu

Important Please Read

Concerned Citizen and Neighbor regarding the City of Bloomington Street Assessment and Improvement Project for 2016

Assessments are in the estimated range of **\$5000** for each of us.

- 1) Do we or do we not already pay property taxes for our streets, schools, police/fire and sewers?
- 2) Our current water bill, usually half, includes sewer/waste charges. Should that number also cover capital improvements?
- 3) Why are we putting in curbs and gutters? Would not a mill and overlay (repair) be sufficient for side roads?
- 4) What is the condition of the City sewer main? Are there major deficiencies? Is there an inflow problem from groundwater? If so, why would an interior lining of the pipe not be sufficient?
- 5) If the street is being rebuilt or there is a mill and overlay, why are the property owners being assessed? Are the streets not public roads? Is the USPS, Fedex, UPS, pizza delivery guy, etc. being assessed?
- 6) The Federal Funds rate is at 0% and or .25% and has been for some time. If banks can loan monies to each other at this rate why not the general public. It is atrocious and audacious that the City is charging interest on an assessment. The range of the assessment per household is what I estimate from \$4000-\$7000.

In Summary:

Our streets may or may not need complete and total reconstruction. The sewers in our neighborhood may or may not be deficient. Some folks like curbs and others do not. I personally like native plantings and wouldn't mind entertaining putting in a rain garden on my property for storm water inflow. Non-point water pollution is a concern for all Minnesotans especially in developed watersheds such as ours.

The fact is, each and every one of us that have property in the City of Bloomington pays property taxes and we pay for our sewer and water bills. When the City or its citizens decide that a public school needs

capital improvements they assess the City as a whole not just the neighborhood in which the school resides. The road in front of your property is **Public not Private**. Who of you has an estimated \$5000-\$6000 in savings to pay for this? I would gander some do, but most probably do not.

I would encourage each and every one of you to please attend the informational meeting at **2:00PM and or 5:30PM TODAY NOVEMBER 2, 2015**.

And more importantly the Public Hearing Monday November 16, 2015 at 7:00PM. Bloomington Civic Plaza, City Council Chambers, 1800 West Old Shakopee Road, Bloomington.

Election Day is Tuesday November 3, 2015. I encourage each of you to please consider voting the City Council incumbents out. It is unfortunate, but I am of the belief that our current City council men and woman are out of touch with Bloomington residents especially lower/middle income residences. They talk a good game but their actions speak otherwise.

Thank you for your time.

Sincerely,
Matthew Pawlowski
Matthew_pawlowski@yahoo.com
Concerned Neighbor

Desrude, Jennifer

From: Desrude, Jennifer
Sent: Monday, November 02, 2015 12:39 PM
To: 'r smith'
Cc: Abrams, Cynthia; Busse, Tim; Baloga, Jack; Candice D. Smith; Pederson, Shelly; Simons, Bob; Long, Julie
Subject: RE: Proposed reconstruction of Chalet Road

Good afternoon Mr. and Ms. Smith,

Thank you for your email regarding the reconstruction and assessment of Chalet Road.

As you may recall, the City proposed reconstruction of this section of Chalet Road in 2011, prior to the construction of the new ski chalet, as Bloomington staff felt the road was in need of reconstruction at that time. There were concerns from the residents along Chalet Road about being assessed for the project. The staff recommended to the Council that the project be delayed a year or two and sent a letter to the residents stating that the project would be reconsidered for reconstruction in 2012 or 2013. Following that correspondence, the City became aware of the future plans for ski chalet and postponed consideration of Chalet Road reconstruction until after the ski chalet construction project was completed.

Now that the ski chalet project is completed, the staff is recommending reconstruction of Chalet Road as part of the 2016 Pavement Management Program (PMP). The program assesses 25% of the project costs to single-family and two-family properties and 50% of the project costs to all other property types (commercial, industrial, multi-family, etc.), regardless of the amount of traffic the street has on it. For example, single-family and two-family property owners on a busier street, such as Lyndale Avenue, are assessed at the same rate (cost per foot) as single and two-family property owners on a cul-de-sac. In this case, Three Rivers Park District is paying at the 50% rate for 1,314' for surfacing and 614' for curb and gutter, with an estimated assessment of approximately \$136,500.

For the hearing on November 16, 2015, the staff is recommending a list of streets for reconstruction. Should the Council approve Chalet Road for reconstruction in 2016 as part of the Pavement Management Program, the project will proceed with bidding this spring and construction over the summer. In the middle of September, the final assessment amount will be mailed, an informational meeting regarding special assessments will be held, and another public hearing regarding the special assessments will be scheduled (usually for the first Council meeting in October). At that meeting, the Council will decide if they are going to approve the special assessments for the project.

Jen Desrude, PE

Development Coordinator
City of Bloomington
1700 W 98th St.
Bloomington, MN 55431
p: 952.563.4862
f: 952.563.4868
jdesrude@BloomingtonMN.gov

From: r smith [<mailto:rlsmith1000@yahoo.com>]
Sent: Monday, November 02, 2015 6:40 AM
To: Desrude, Jennifer

Cc: Abrams, Cynthia; Busse, Tim; Baloga, Jack; Candice D. Smith

Subject: Proposed reconstruction of Chalet Road

Dear Ms. Desrude:

We recently received a notice of public hearing for the reconstruction of Chalet Road and an estimated assessment for our residence of \$3,720.

As you are hopefully well aware, Chalet Road is the access road for Three Rivers Park District's Hyland Ski and Snowboard Area ("Hyland"). There are also five residential properties on this road, including ours. For the last two years, heavy construction vehicles have caused significant damage to Chalet Road during the demolition and construction of a new chalet, other buildings, and parking facilities. It is with a significant degree of irony that on the same day we received your letter and proposed assessment, that the Hyland ski area sent us a letter thanking us for the inconvenience their project has caused to neighborhood and an invitation to an open house to thank us. Your proposed assessment asking us to pick up the tab for the costs of Hyland's project absolutely negates Hyland's thank you.

Even if the demolition and construction project at Hyland had not caused the need to reconstruct Chalet Road, we would object to an assessment to our property for the reconstruction of Chalet Road. Chalet Road is effectively Hyland's driveway. In a single day, several Hyland Shuttle buses running continuously from the Normandale Lake parking lots travel on the road more than a resident would in a month. Again, Hyland should pay for the damage it causes from the fees it collects from users. This doesn't even include the wear and tear caused the many, many other users of Hyland facilities on a year round basis. We do not expect Hyland, users of Hyland, or other Bloomington taxpayers to pay for our driveway's replacement and we strongly object to be asked to pay \$3,720 to pay for Hyland's driveway.

We do not oppose the reconstruction of the road. The damaged caused by Hyland needs to be repaired. That said, please remove the proposed assessment to the residential properties on Chalet Road for this damage.

Sincerely,

Raymond Smith & Candice Smith

cc: Jack Baloga
Tim Busse
Cynthia Davis Abrams

Desrude, Jennifer

From: Shawn Morrison <shawn@goodinthehood.org>
Sent: Thursday, November 05, 2015 3:47 PM
To: Simons, Bob
Cc: Desrude, Jennifer
Subject: Re: 2016-101 PMP Street Improvement Project - Comment

Thanks so much, Bob!

Shawn Morrison, Executive Director
Good in the 'Hood
Office phone: 612-217-4003
Email: shawn@goodinthehood.org
Web: www.goodinthehood.org

On Nov 5, 2015, at 1:42 PM, Simons, Bob <bsimons@BloomingtonMN.gov> wrote:

Hello Rev. Morrison,

Thank you for attending the 2016 PMP Informational Meeting. I am emailing in response to your comment card regarding the access concerns for church member, food shelf outreach and Hispanic congregation.

Bloomington staff along with the Contractor will be in contact with you as construction nears if 90th St is ordered for construction. As mentioned in the meeting, there will be times when excavation is occurring in front of entrances that there will be no access, but you will be notified of those times and we will limit those times to when it best suits the needs of the church. Also, if there is any concrete that is needed to be removed at the entrance or exits, staff will work with you on allowing access during these times. The Contractor is responsible for maintaining access to driveways during construction as mentioned in the meeting and staff will be in contact with you as construction progresses through the area.

Thanks again for attending the meeting and for your comments.

Bob Simons, PE
Civil Engineer
City of Bloomington, Engineering Division
1700 W 98th St
Bloomington, MN 55431
p. 952-563-8758 f. 952-563-4868
bsimons@bloomingtonmn.gov

Simons, Bob

From: Simons, Bob
Sent: Monday, November 02, 2015 7:27 AM
To: 'ALUM187@aol.com'
Subject: RE: F.Y.I. 2016-101 PMP

Thank you for your follow up email.

I will pass along your additional comments regarding the sign and the intersection of 86th and Xerxes to our Traffic Engineering Department to make them aware of the concerns.

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From: ALUM187@aol.com [mailto:ALUM187@aol.com]
Sent: Sunday, November 01, 2015 3:35 PM
To: Simons, Bob
Subject: Re: F.Y.I. 2016-101 PMP

Thanks for the prompt reply,---At that time were paying the bank and never paid any attention to the assessments, however I do remember the promise to replace the streets as they were and afterwards a memo stating assessments would go up accordingly, evidently that never happened nor the nice road. I do travel the Bloomington streets a lot and there are a number of things that bother me. But probably not in your department.

I have no kids in school now but going East on 84th approaching Xerxes is a little school sign right before the stop sign. In other communities I see LARGE flashing school warning signs 1/2 block before you get to the school. You cannot see this school until you are right there. the sign where is and size is a joke!

Going West on 86th to Xerxes one needs to get into the middle of the intersection in able see if there is any traffic coming from either direction on Xerxes. (I remember when Xerxes was a dirt road) No accidents but some mighty close.

In a message dated 10/30/2015 11:52:39 A.M. Central Daylight Time, bsimons@BloomingtonMN.gov writes:

Mr. Paulsen:

Thank you for your email regarding the 2016-101 PMP Project.

After researching the special assessment history for your property, staff found that the property was assessed for sanitary sewer and watermain in 1962, but has never been assessed for street. Bloomington staff is

proposing the reconstruction of W 87th St based on its condition related to our current Pavement Management Program (PMP). PMP was implemented in 1991 to manage the maintenance of Bloomington city streets in a cost effective manner. All street segments in Bloomington are walked once every three years and this information is used to obtain a Pavement Condition Index (PCI) rating for every street segment in Bloomington between 0-100, with 100 being a brand new road. This rating helps staff to see which PMP technique would best suit each street segment to manage the maintenance of Bloomington city streets, however staff does not only use this rating, but also drives the segments and continues to monitor their condition. Staff then comes up with a forecast of typically the upcoming 5 years to see which segments would be in need of one of the three PMP techniques including; reconstruction, mill/overlay or sealcoat, and continues to update this map.

The informational meeting scheduled for November 2 will include the information that I have given above along with additional information on the Pavement Management Program and how the assessments are calculated for street reconstruction projects. This meeting is to inform residents of the program prior to the public hearing on November 16. The 2016 PMP segments are only proposed by staff at this time and are not ordered for construction until approved by Council at the public hearing which is scheduled for November 16. Council will be taking testimony from residents adjacent to the construction and decide what streets to order for construction.

Staff will pass along your email to City Council to make them aware of your concerns prior to public hearing on November 16.

Thank you,

Bob Simons, PE

Civil Engineer

City of Bloomington, Engineering Division

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Bloomington, MN 55431

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bsimons@bloomingtonmn.gov

From: ALUM187@aol.com [<mailto:ALUM187@aol.com>]

Sent: Wednesday, October 28, 2015 9:04 PM

To: Desrude, Jennifer; Simons, Bob

Cc: mike.hanks@ecm-inc.com

Subject: F.Y.I. 2016-101 PMP

In 1960 we moved into our dream-house in Bloomington , 2 years later our "permanent" street was dug up for months to install sewer and water, stating that after the installation our streets would be restored to the original condition of a permanent street. We then received a notice that our assessment would be increased because we had a "temporary street" Now after 54 years it sounds like we are getting what was promised in 1961 except it is costing over \$5,000.00 back then it was to be free. I feel that our streets are better than Nicollet Ave last time I traveled on it. **A typical decision made by Bloomington officials** has already been made, doing what they want rather than what the residents want. A Informational meeting on November 2 and a Public Meeting on November 16 is not going to change a thing! **The decisions have already been made.** Why bother with public meetings when it's already a done deal? I am sure for legal reasons only.

Glen Paulsen

2925 W 87th St

Bloomington MN 55431

Alum187@aol.com

Simons, Bob

From: Ruth Robinson <ruthrobinson19@gmail.com>
Sent: Tuesday, October 27, 2015 10:06 AM
To: Simons, Bob
Cc: bpederson1@comcast.net; Long, Julie; Desrude, Jennifer
Subject: Re: Old Cedar Ave PCI values

Hi Bob,

Thank you for your presentation last night. Thank you, also, for your prompt sending of the PCI values, as requested. I appreciate that you took the time to address concerns of the residents.

-Ruth

Dr Ruth Robinson

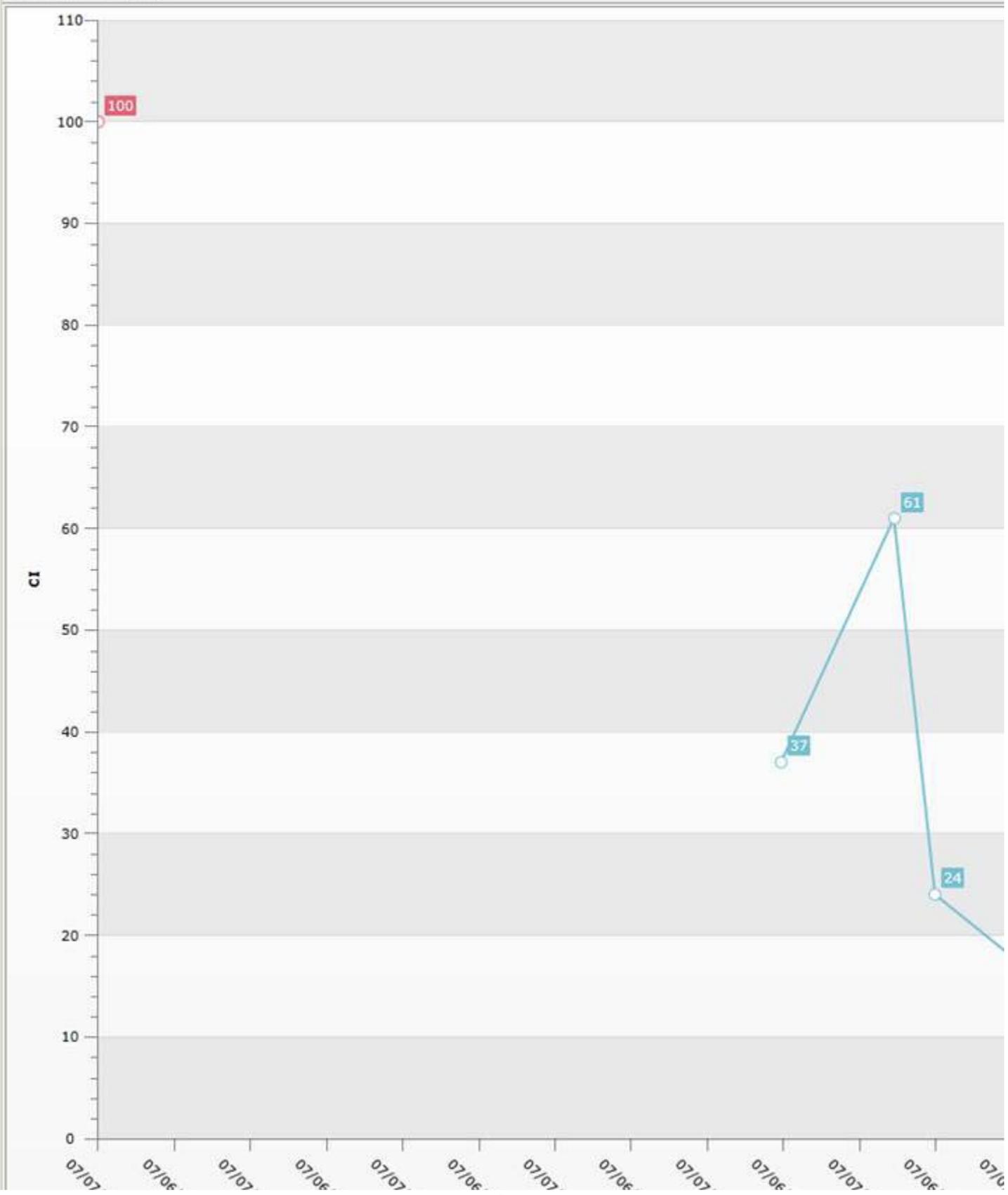
Chemistry Faculty
Normandale Community College
9700 France Ave So
Bloomington, MN 55431

On Tue, Oct 27, 2015 at 7:44 AM, Simons, Bob <bsimons@bloomingtonmn.gov> wrote:

Hello,

As requested in the PMP informational meeting last night, please see below for the graph that shows the Pavement Condition Index (PCI) values since the implementation of PMP in the early 90's. Each data point on the graph is from a year that the road was walked. The two blips where it rises are years that significant patching occurred.

Condition History Graph



Bob Simons, PE

Civil Engineer

City of Bloomington, Engineering Division

1700 W 98th St

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p. [952-563-8758](tel:952-563-8758) *f.* [952-563-4868](tel:952-563-4868)

bsimons@bloomingtonmn.gov

Simons, Bob

From: Jim Mo <bizadd15@centurylink.net>
Sent: Thursday, November 05, 2015 8:51 AM
To: Long, Julie
Cc: Simons, Bob
Subject: Re: PMP 2016 Comments

Thanks for taking the time to provide additional background. A bit surprised that the road was never overlaid.

Jim M.

On Nov 3, 2015, at 5:54 PM, "Long, Julie" <jlong@BloomingtonMN.gov> wrote:

Thank you for your comments. We will include them with the information provided to City Council.

A little history on your section of South Bay. It was built to a 5 ton standard in 1990 with 6" of rock base and 2" of bituminous asphalt. With the current PMP program we rebuild streets to a minimum 7 ton standard. South Bay Drive has received two seal coats in its life. There was also a repair made to a portion of it in 1993 when the other part of the South Bay was constructed. With the repair they removed part of the existing road and installed 8" of rock base and 3" of bituminous asphalt. This area of town has some of the poorest soils for road building and we do not see the long life on a road section that we do other places in town, especially in the Lindstrom Dr, Bush Lake Drive and your own South Bay Drive. The east side of Bloomington has some of the nicest sand around and as you heard last night "temporary" streets have lasted well over 50 years. It averages out from a City wide standpoint but is little consolation if you are on the low end of the average instead of the high end. There are numerous examples of streets that were reconstructed twice while still in their "youth" as you say, including both Lindstrom and Bush Lake Dr. These were originally built in the late 80's and reconstructed in 2009. On both Lindstrom and Bush Lake Dr. as part of the PMP project, the City did subcut and install a granular subbase along with drain tile to help prolong the life of the road. I looked up the Pavement Condition Index (PCI) of these roads and they are in the 96-100 range. Six years into the road life after original construction back in the '80s their PCI had already dropped to the 90-94 range on Lindstrom Drive.

Julie M. Long, PE
Senior Civil Engineer
City of Bloomington, Engineering Division
1700 W 98th St.
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952 563-4865
952 563-4868 (fax)
jlong@BloomingtonMN.gov

-----Original Message-----

From: Jim Mo [<mailto:bizadd15@centurylink.net>]
Sent: Tuesday, November 03, 2015 8:54 AM
To: Long, Julie
Cc: Simons, Bob
Subject: PMP 2016 Comments

Ms Long . yesterday's meeting re Pavement Management Program was very helpful in understanding the overall program. As I mentioned during the meeting and afterward in discussion, I was surprised to receive the notice of estimated assessment for planned reconstruction of South Bay Drive in 2016. My wife and I just purchased the house in September of this year we weren't prepared for the notice of estimated assessment (\$5,060) only one month later.

Having just moved from Colorado, I assumed that road maintenance was funded by property taxes as it was in all of our previous communities across a number of states. While it's not clear to me how to accomplish it, it would seem fair to establish a means to make prospective buyers aware that they would be assessed for the reconstruction of roads at some point.

The other question I raised during the meeting is why South Bay (a "youthful" road relative to average road life expectancy) needs to be totally rebuilt in less than what I estimate to be 25 years of existence. This raises questions re: initial road construction as well as frequency and type of regular maintenance during the 20-25 years these roads have existed.

I appreciate the work the maintenance and engineering departments are doing and don't question the PMP methodology. I only wish I had known more in advance of Bloomington's approach to road maintenance. \$5,000 assessment surprises create a very unfavorable first impression.

Sincerely,

Jim Mosakowski
7693 S Bay Drive
952-944-1186

2016-101 PMP – calls received

10/16/15: Wallace Hauger (8606 Vincent Ave): Mr. Hauger called with questions about the assessment and project. Bob provided a summary of the PMP. Mr. Hauger did not seem like he was in favor of the reconstruction and opposed to the assessment.

10/19/15: Eric Nikle (1320 E. 90th St.): Jen Desrude spoke with Mr. Nikle regarding his estimated special assessment. Mr. Nikle's concerns included not having an affordable payment option and that the street was busier than a standard residential street. He questioned the property owner paying for the project costs at all. Jen tried to explain the payment options (10 years with interest, prepayment, hardship deferral). Mr. Nikle was very upset with the special assessment.

10/20/15: Karl Sommer (8537 – 1st Ave): Jen Desrude spoke with Mr. Sommer about special assessment payment options. Jen provided a cost breakdown regarding the estimated monthly assessment cost and Mr. Sommer indicated that when broken down monthly, it seemed okay.

10/20/15: Gerald Meyer (3716 W. 104th Street): Mr. Meyer asked how his special assessment was calculated and was concerned with a frontage method because his frontage is wide in along the street and tapers toward the back of the lot. Jen Desrude explained how all of the lots are adjusted. Mr. Meyer followed up with an email to Council Member Lowman. Email correspondence with Mr. Meyer is attached.

Mr. Meyer also contacted Bob Simons on 10/20/15 to discuss the existing condition of the street. He did not feel that it was in need of reconstruction and Bob gave an overview of the program. Mr. Meyer still did not feel the street needed reconstruction and stated that he would definitely be attending the public hearing.

Since this initial phone call, Mr. Meyer has corresponded mostly via email. On 11/9/15, he brought an original signed petition of the majority of the property owners on Ewing Road and 104th Street. The petition and email correspondence with Mr. Meyers is included with the agenda material.

10/20/15: Bob Kruse (7692 South Bay Drive): Mr. Kruse left a voicemail and Jen Desrude returned his call, but he did not hear back.

10/21/15: Kathleen Bryan (7643 South Bay Drive): Ms. Bryan called both Jen Desrude and Bob Simons to express her issues with being assessed for a public street. She indicated that she is opposed to being assessed for the street reconstruction project.

10/23/15: Dave Lindstrom (7624 South Bay Circle): Mr. Lindstrom called on behalf of his mother who owns the property to discuss the existing condition of South Bay Cir and a portion of South Bay Dr. Mr. Lindstrom was not opposed to the maintenance or the assessment however he didn't feel that South Bay Cir and the east portion of South Bay Dr were in need of reconstruction. Bob and Mr. Lindstrom discussed how the east half of

the neighborhood had some corrections done during the initial street installation in the early '90's and Bob also explained that staff was looking into the possibility of a different maintenance technique. Mr. Lindstrom asked for the current PCI values within the area and Bob sent those to him.

10/27/15: Bob Kruse (7692 South Bay Drive): Jen Desrude spoke with Mr. Kruse about his special assessment payment options. Mr. Kruse indicated that he felt this was going to be forced no matter what his opinion. Jen noted there are two public hearings, one to order the construction (11/16/15) and one to approve the special assessment (sometime the fall of 2016). Mr. Kruse indicated that he feels he pays enough in taxes and that the City should fund public infrastructure projects completely. He intends on attending the public hearing on November 16, 2015.

11/3/15: Chad Ford (8612 Thomas Ave): Mr. Ford called Bob Simons with questions about the PCI rating of Thomas Ave and how it is calculated. Bob gave an overview of the program and explained the logic behind selecting Thomas Ave for reconstruction. Mr. Ford did not agree that it needed reconstruction and asked for the PCI value. Bob gave the value of 18 for this segment of street between 86th St and 87 ½ St. Mr. Ford was told to attend the public hearing and give testimony to express his concerns.

11/4/15: Mike Hayes (3800 W 104th St): Mr. Hayes called Bob Simons with some questions regarding the project. His neighbor had stopped at his home to ask if he would sign a petition to stop the reconstruction of 104th St and Ewing Rd. Mike stated that he is in favor of the reconstruction and thinks that they are receiving a good deal regarding the assessment.

11/4/15: Sharon Gabriel (3615 W 104th St): Ms. Gabriel called Bob Simons to comment on a drainage issue to the north of her property along with some questions about trees. She seemed in favor of the reconstruction and primarily wanted to pass along the drainage concern.

11/5/15: Toby Sauro (9001 18th Ave): Mr. Sauro called Bob Simons with questions about what the street reconstruction entailed. He also mentioned that his assessment notice didn't have a \$ amount. Bob mentioned that this was most likely due to the fact that he was assessed for surfacing on 18th Ave. Bob checked to make sure and contacted Mr. Sauro to let him know that he will not be assessed for the project.