

RECEIVED

NOV 30 2015

87<sup>th</sup> Street PMP 11-24-2015

City of Bloomington  
Engineering Division

While it should have been obvious to area residents that the city has been limiting maintenance on the area streets for some time, the streets are showing the over 60 years of age, replacement would soon be needed, the city staff has done an exceptionally poor job of communicating those facts to the residents. Now some residents are surprised by the need to update and the cost that comes with street replacement. But the city isn't surprised by the street condition. It's been known for years. And actually should have been addressed several years ago when the cost of construction was significantly lower.

The city seems to be very good at communicating the update of Lindau Lane in South Loop and committing millions of future tax dollars to a commercial project. Yet that same approach doesn't seem to apply to residential neighborhoods that have been the backbone of Bloomington for over 60 years. And some of these commercial tax dollars should be captured to support our neighborhoods. Yet we residents don't seem to have the same voice in these respects as developers seem to have.

A Letter indicating that the city will be surveying and putting stakes in the front yards should not be the first communication that major street repairs are contemplated.

Street assessments are contentious issues and I think the City and Staff are procrastinators in communicating the plan. In this regard I hold City and Staff accountable for a very poor performance. The ire of area residents should not be a surprise.

I support the PMP on my street because I believe street deterioration is affecting property values when compared to other properties blocks away. It seems for sale homes stay on the market much longer in this area and we have significantly more properties moving to rentals. Neither of which are good.

It's likely that area property values would increase with street improvements generating more tax dollars from this area but I suspect that's not a factor in the special assessment process.

A full page or pages in each Bloomington update needs to be dedicated to the condition of Bloomington streets. A list of those streets under 50 PCI or some appropriate level, the expected average assessment cost to do that work, the expected cost increases if delayed, and a general guideline for when streets would imminently be added to the next year PMP.

While it might be a legal requirement that the city publish the water quality results over and over in the update, but the city needs to vastly improve addressing and communicating neighborhood issues.

I expect a response on what will be done to significantly improve regular communication on the quality of Bloomington streets. The expected general timeframe and average expected costs for replacement.

It's becoming obvious that Bloomington may not be one of the best tax values in the Metro when you add in the special assessments. It's likely a new approach is needed.

Your residents and neighborhoods deserve better service in these respects.

Terry Bil  
2913 West 87<sup>th</sup> Street

THOMAS AVENUE NEIGHBORHOOD SURVEY

PLEASE RETURN BY MONDAY, DECEMBER 7, 2015

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City of Bloomington  
Engineering Division

CIRCLE YOUR ANSWER FOR THE QUESTION BELOW:

1. Are you in favor or opposed to reconstructing your street under PMP in 2016?

a.) In favor of reconstruction in 2016

b.) Opposed to reconstruction in 2016

Mary L. Paaverud  
Signature

11/23/15  
Date

8636 Thomas Ave S.

Address

THANK YOU

Thomas Ave is in terrible condition.  
The street is full of cracks and after any  
rain, I have a pond in front of my  
driveway.

Please don't delay this project!

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1. Are you in favor or opposed to reconstructing your street under PMP in 2016?

a.) In favor of reconstruction in 2016

b.) Opposed to reconstruction in 2016

R W Head  
Signature

11-25-15  
Date

2610 W 87 1/2 ST

Address

THANK YOU

I know if I vote againts this, It will come  
back in 2 years and cost more  
I am really split

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Engineering Division

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- a.) In favor of reconstruction in 2016 *I am not thrilled with the assessment, but understand the need & willing to pay my fair share.*
- b.) Opposed to reconstruction in 2016

*Burton B. Pachus*  
Signature

*11/24/15*  
Date

*8701 QUEEN AVE. S., BLOOMINGTON*

Address

THANK YOU

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City of Bloomington  
Engineering Division

Michelle Bjorn 11/24/15  
Signature Date

8720 Queen Ave. S Bloomington  
Address

THANK YOU

Russell & Queen are in rough shape  
and waiting another 10 years will cost  
myself & my guests damage to vehicles.  
I truly hope the reconstruction is not  
delayed.

THOMAS AVENUE NEIGHBORHOOD SURVEY

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NOV 08 2015

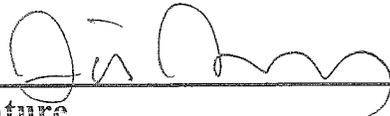
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City of Bloomington  
Engineering Division

1. Are you in favor or opposed to reconstructing your street under PMP in 2016?

- a.) In favor of reconstruction in 2016 \*
- b.) Opposed to reconstruction in 2016

But I would really prefer to just  
continue fixing existing potholes.

  
\_\_\_\_\_  
Signature

Nov 29, 2015  
\_\_\_\_\_  
Date

David Solberg  
8650 Queen Ave. S.

Address

THANK YOU

THOMAS AVENUE NEIGHBORHOOD SURVEY  
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City of Bloomington  
Engineering Department

CIRCLE YOUR ANSWER FOR THE QUESTION BELOW:

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a.) In favor of reconstruction in 2016

b.) Opposed to reconstruction in 2016

ASSUMING I, AS A CORNER LOT AM NOT  
ASSESSED MORE DUE TO LINEAL FOOTAGE!

*Mere Lurdulay*

Signature

Date

2936 W 87 St. 3

Address

THANK YOU



RECEIVED

DEC 08 2015

City of Bloomington  
Engineering Division

City of Bloomington Officials,

Please note that the objection to this project is not on the grounds of the validity of the PMP project regarding the street quality. The objection is on the evocation of Chapter 429 section 021 of the Minnesota Statutes Local Improvements subsection ("Special Assessment[s]") to assess private residents ad-hoc taxation for public works.

On September 2nd of this year (2015) the League of Minnesota Cities (lmc.org) released a Special Assessment Information Memo Toolkit to various city officials throughout the state detailing the authority and ability to levy special assessments for local government.

The memo serves as both a guideline for assessment and a cautionary warning about overreach of the "Special Assessment" evocation. Among the main tenets espoused in the document is that "No matter what method the city uses to establish the amount of the assessment, the real measure of benefit is the increase in the market value of the land because of the improvement."

This was clearly not the case as indicated in the mailings and noted during council sessions and a specially held meeting by the city engineering department. Assessment to private residents was indicated to be based upon materials and labor cost of the project. This fact alone puts the city on very tenuous grounds for civil action against the Bloomington municipality as noted in the Special Assessment Toolkit; "Because special assessments are appealable to district court, it is important that the city considers the benefit to the property as a result of the specific improvement." Although the "benefits" to a property can be numerous when improving private property abutting the upgraded public street, sewer, and/or curb system, the courts have made clear the metric they use to evaluate such improvements as noted in the Special Assessment Toolkit: "...the special benefit is the increase in market value of the land as a result of the improvement."

Also note from the Toolkit: "...the appellate courts have routinely upheld decisions that went against the city because the district court found a lack of adequate evidence of a market value increase equal to or exceeding the amount of the special assessment."

This brings me to my main point. The valuation being assessed on the property I'm representing greatly exceeds the potential market value increase that comes with the proposed improvements. Upon completion the market value of the property would have to immediately increase  $\geq 3.5\%$ . Mayor Winstead claimed there were "numerous sources of data" that show such an increase in valuation exists during the November 16th Council meeting. I'm a financial analyst in the capital markets industry and have been an auditor for near a decade, also serving as a financial consultant for the real-estate industry. Those claims are, at best, incredibly ignorant and unfounded.

The year to year market valuation increase for properties that have already undergone the PMP program range from 3.2 to 5.9%, which is almost completely in line with regional, state, and national median growth - indicating no such spike of valuation due to improved public road infrastructure. Its also in line with the MNXR Case-Shiller index, again indicating no such spike in property value.

Couple those figures with the fact that Janet Yellen and the Fed are clearly poised to raise interest rates in the middle of the month. At no time in the recorded history of US Central Banking has property valuations increased with interest rates; by a simple rule of logic it's quite the opposite. While that alone doesn't technically affect the potentially increased valuation improved public infrastructure provides to a private property, it does make the claim that this "Special Assessment" is in line with value increase much more difficult, if not near impossible, to prove in civil court.

If the city decides to go through with the "Special Assessment" of the PMP in the Thomas Avenue Neighborhood, the likelihood of an appeal as outlined in Chapter 429 section 036 of the Statute is incredibly high given the massive residential resistance the city has already seen from the neighborhood.

Finally note that the owners of the property I'm representing did not sign the petition that was presented to the council on November 16th, 2015. They asked me to financially evaluate the validity of the assessment before reaching judgement. From my perspective the numbers paint a clear picture of private property owners being overly assessed for public infrastructure. If the city were to provide auditable financial evaluations indicating the increase in private valuation immediately following completion of the project, this household would reverse its standing.

Thank you for your time.



Michael Ringheim

Acting in the fiduciary capacity for Joann and Elton Davis

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b.) Opposed to reconstruction in 2016

*If the work is to be done, do it after the  
single garbage pick-up starts to preserve  
the new streets*

*Gale J. Anderson*  
Signature

*11-27-15*  
Date

*2937 W. 87th ST BLOOMINGTON MN 55431-1911*

Address

THANK YOU

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b.) Opposed to reconstruction in 2016

*Ryan Miller*

11-24-15

Signature

Date

8740 Queen Ave S.

Address

THANK YOU

TO Expensive - Tax money already paid should cover more of this  
we know approximate costs of roads & repairs &  
"budget" for this so lets use that.

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b.) Opposed to reconstruction in 2016



11/24/15

Signature

Date

8730 Thomas Ave S.

Address

THANK YOU

Opposed as currently proposed  
- Against curbing at property owners expense  
- Against fixing of street at property owners expense via assessment

We pay enough in taxes already that a public street should be maintained/re-constructed without assessing adjacent property owners. They are city streets not private streets.

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b.) Opposed to reconstruction in 2016

Woolly  
Signature

11/24/15  
Date

8624 VINCENT AVE S.

Address

BLOOMINGTON, MN 55431

THANK YOU

I'm a new home owner and was NOT  
informed prior to purchasing the  
house that this was in place.

and charging interest on a  
CITY PMP? That's ludicrous!

don't have an extra \$5k laying  
around.

FRANCES ALEXANDRA WOOLLEY

To the Bloomington City Counsel  
Regarding 2016-101 PMP

The Sisters of St. Clare have been here since 1954. The monastery grew up with the young families who began moving in when the farm land was sold to developers and small homes were built. The families around the monastery have always been very kind to the Sisters. We have appreciated the friendliness and warmth of our neighborhood and want to support what seems best for the majority of home owners.

If the majority proposes a better and less expensive way to go for road repair we would go with them. If the majority of home owners accept the current proposal of assessments we would support the proposal for the sake of the majority. Our concern is for the families or individuals who are unable to pay the assessment. Simple and effective is better. There are two dangerous spots on our section of Russell: the intersection between Russell and 86<sup>th</sup> and the intersection between Russell and Queen. They need repair.

Blessings on your good work,

Corporation of Franciscan Poor Clare Nuns of Bloomington, MN

Board of Directors:

President S. Frances Getchell Sr. Frances Getchell, OSC

Vice President Sister Gabriel Zwiener Sr. Gabriel Zwiener, OSC

Councilor Sr. Elizabeth Lynn Sr. Elizabeth Lynn, OSC

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Engineering Division

1. Are you in favor or opposed to reconstructing your street under PMP in 2016?
- a.) In favor of reconstruction in 2016 *OK - But -*
- b.) Opposed to reconstruction in 2016

Ron Nelson - Pat Nelson  
Signature

12/5/15  
Date

8606 Washburn Ave S

Address

THANK YOU

① Pay-off - Why can't be paid early without penalty of 10% of interest.

② will have trees - what will be done

③ will match color of my driveway -

④ old style curb to be used

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Engineering Division

Samuel Brown 12/3/15  
Signature Date

8713 Queen Ave S  
Address

THANK YOU

Opposed to the payment options - late notice but in favor of reconstruction

To: Jen Desrude  
From: Gerald & Kathleen Meyer

11/23/15

Re: Street Reconstruction

Our signed survey form is above. After watching the full video of the 11/16/15 Public Hearing we want to make further comments to our position.

- We respect the efforts you take to answer comments & questions that come up on this program, including the many from residents at the Hearing. We are sorry none of the residents of our streets made a statement, perhaps they shun public speaking or needed to leave during the long session.
- The fact you deny further maintenance other than pothole repair for safety reason if our street Reconstruction is deferred seems unjustified, was not explained to us previously, & we ask why? Including that and some other statements in your survey material makes it one sided and could scare some residents into changing our 95% petition vote – we'll see.
- The fact is we can honestly attest our street has not deteriorated since we moved here in 1993. In 2006 it was sealcoated free of cracks. Since then cracks have appeared as would be the case on any street in this climate, but being mostly on higher ground, has had no potholes, no breakup, and to this day rides & walks smooth. In short, no problems & we are sure another sealcoat now would take out the cracks. You report a PCI of 25 being the reason for necessary Reconstruction on our street, while on 103<sup>rd</sup> St & Drew Av it was slightly better - in the 30's, surprising because there has been some patch repair on those later streets, but not on ours. We would like to see some technical basis for these PCI scores – were they determined by road borings or as one man at the Hearing said – by eyeball only? He was not answered on that point.
- Pleading financial hardship, or paying over 10 years, or fearing inflation in future rebuild costs is a weak concern as the 5% interest you add in these days of lower interest rates likely could exceed any of those factors anyway.
- At the Hearing there were several mentions of a Special Benefit Analysis that would show the assessment charge equals or is less than the market value increase of our property resulting from the Reconstruction (1962 General Assessment Policy 2<sup>nd</sup> paragraph). We would like to see that Special Benefit Analysis for our estimated assessment of \$5,220. We find it difficult to believe the value of our property would increase that much just from replacing our good street with another.
- In summary, we have presented good reasons for our street not needing Reconstruction, have heard nothing yet to change our opinion, and cannot understand any justification for your denying any future preventative maintenance such as sealcoat or overlay. Reconstruction here seems to amount to a “make work” project, would cause unnecessary inconvenience, & is at a prohibitive cost.
- Finally, but of lesser importance now, is the fact that for our lot we believe your assessment calculation is erroneous & unreasonable, compared to others.
- It will be interesting to see your survey results. We plan to attend the December Hearing when the issue for our street is supposed to be decided.

104TH STREET NEIGHBORHOOD SURVEY

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- a.) In favor of reconstruction in 2016, if we only redo the road. The road is necessary!
- b.) Opposed to reconstruction in 2016, if I have to pay for curb + gutter! This is an un-needed, extra expense! I don't have \$6,000+ laying around to pay for curb + gutter!

Becca Wait  
Signature

12/1/2015

Date

10231 Drew Ave S.

Address

THANK YOU