



**AGENDA**  
**SPECIAL CITY COUNCIL MEETING**  
**Monday, January 27, 2020**  
**6:00 P.M.**

The City of Montrose is committed to maintaining a safe, welcoming, family-friendly community, with affordable housing, where parents can raise their families; to ensuring our skilled, motivated employees provide high quality public services at a value; to sound stewardship and fiscal responsibility to ensure our city remains strong and prosperous, both now and into the future; to nurturing business-friendly partnerships to promote economic development and local jobs; to thoughtfully address community needs and plan for growth, innovation and sustainable development; and to ethical leadership that is responsive and accountable to our citizens.

Montrose Community Center  
200 Center Avenue South  
Montrose, Minnesota 55363

1. CALL TO ORDER

2. ROLL CALL

3. BUSINESS

A. City Engineer

- i. Assessment Policy Discussion
- ii. Capital Improvement Plan and Pavement Management Plan Discussion

B. City Attorney

- i. Discussion Regarding Attendance at City Council Meetings
- ii. Discussion Regarding Billing Details

C. Other

4. CITY COUNCIL VACANCY – INTERVIEWS

A. Mr. Roy Henry

B. Ms. Nicole Andreoff

C. Ms. Bru Ploog

D. Mr. Evan Siljander

5. UPCOMING MEETINGS

- A. Park and Recreation Commission Meeting – Thursday, February 6, 2020 at 5:30 p.m. in the Montrose City Hall Conference Room.
- B. Regular City Council Meeting – Monday, February 10, 2020 at 7:00 p.m. in the Montrose Community Center.
- C. Planning and Zoning Commission Meeting – Wednesday, February 12, 2020 at 7:00 p.m. in the Montrose Community Center.
- D. City Council Workshop – Monday, February 24, 2020 at 3:30 p.m. in the Montrose City Hall Conference Room

6. ADJOURNMENT



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## MEMORANDUM

**Date:** January 21, 2020  
**To:** Honorable Mayor Otto  
 City Council Members  
 City of Montrose  
**From:**  Jared Voge, P.E.  
 City Engineer  
**Subject:** Assessment Policy  
 BMI Proj. No.: W13.120188

The City of Montrose has an Assessment Policy which provides guidelines for assessing public initiated improvements. The policy was most recently adopted in August 2011. Please find attached a copy of the Assessment Policy for your information.

Assessments are one of multiple options for funding public infrastructure projects. Some communities assess costs to benefiting property owners, some do not. Historically, the City of Montrose has both assessed and not assessed projects. Based on the information available, the last assessment project was in approximately 2004 – TH 12 Improvements. Infrastructure projects between 2006 and 2019 were not assessed by the city.

The city's Capital Improvement Plan identifies street and utility improvements planned for 2021. In order to initiate construction of the improvements in 2021, the planning process must begin soon. One of the initial planning steps is to identify anticipated revenue sources to fund the improvements. Since the city has an Assessment Policy and it has not been utilized on recent projects, city staff requests that council discuss whether assessments should be considered as a revenue source for the 2021 Improvements.

If you have any questions, please call.

CITY OF MONTROSE

ASSESSMENT GUIDELINES  
FOR PUBLIC INITIATED IMPROVEMENTS



Adopted: August 8, 2011



## ASSESSMENT GUIDELINES

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City of Montrose

ASSESSMENT GUIDELINES STATEMENT  
FOR PUBLIC INITIATED IMPROVEMENTS

**SECTION I- General Guidelines  
Statement**

The purpose of this assessment guideline is to establish guidelines to assist the City in determining a fair and equitable manner of recovering and distributing the cost of public improvements. The procedures used by the City of Montrose for levying special assessments are those specified by Minnesota Statutes, Chapter 429, which provide that all or a part of the cost of improvements may be assessed against benefiting properties.

While establishing the authority by which communities may proceed to construct public facility projects, the statutes provide no guide as to how costs are to be apportioned. Therefore, it is the responsibility of the local legislative body to establish a reasonable method by which properties will be assessed.

Three (3) basic criteria must be satisfied before a particular parcel can be validly assessed. They are:

- A. The land must have received special benefit from the improvement.
- B. The amount of the assessment must not exceed the special benefit.
- C. The assessment must be uniform in relation to the same class of property within the assessment area.

The test for determining the validity of a special assessment is whether the improvement for which the assessment was levied has increased the market value of the property against which the assessment operates in at least the amount of the assessment. It is important to recognize that the actual cost of extending an improvement past a particular parcel is not the determining factor in determining the amount to be assessed. However, in most cases the method for determining the value of the benefit received by the improvement, and therefore the amount to be assessed, shall be the cost of providing the improvement, as long as the cost does not exceed the increase in market value of the property being assessed. The entire project shall be considered as a whole for the purpose of calculating and computing an assessment rate.

Special assessments are billed to the property owner along with real estate taxes. There is, however, a distinct difference between taxes and special assessments. Real estate taxes are a function of the real estate as determined by the municipal assessor, while special assessments are a direct function of the enhancement of value or the benefits, which a specific improvement gives to the property.

The purpose of these assessment guidelines is to set forth the general assessment methods and guidelines to be utilized by the City Staff when preparing assessment rolls for approval by the Montrose City Council so as to assure uniform and consistent treatment to the various properties from year to year. It is emphasized that the following summarization is general in nature, and that certain circumstances may justify deviations from stated policy as determined by the City Council.

In addition, to the extent that this manual conflicts with applicable law, the applicable law will control. Nothing in this manual should be interpreted to limit the City of Montrose from assessing to the full extent of its authority or to utilize other procedures permitted by law for assessing.

The project cost shall include, but not be limited to the following:

- A. Construction cost
- B. Engineering Fees
- C. Administrative Fees
- D. Right-of-Way Acquisition/Eminent Domain
- E. Legal Fees
- F. Capitalized Interest
- G. Signage
- H. Lighting

Initiation of public improvement projects can be undertaken by any of the three (3) following ways:

- A. *Direct Action of the City Council* - The City Council may decide an improvement is necessary or desirable for the community.
- B. *Property Owner Petition* - The City Council may decide on an improvement after receiving a petition for said improvement by the owners of not less than thirty-five percent (35%) in frontage of the real property abutting on the streets named in the petition as the location of the improvement. In addition, all owners of real property abutting upon any street named as the location of any improvement may petition the City Council to construct the improvement and to assess the entire cost against their property. In the latter case, the City Council may, without a public hearing, adopt a resolution determining such fact and ordering the improvement.
- C. *Developer Request* - A developer who is the owner of all the property within the proposed subdivision may petition the City Council to construct the improvement and to assess the entire cost against the developer's property pursuant to Minnesota Statutes Chapter 429. In such event, the City may, without a public hearing, adopt a resolution determining such fact and ordering the improvement. However, a developer's agreement shall be negotiated and executed prior to said authorization.



The City must recover the expense of installing public improvements, if undertaken, while ensuring that each parcel pays its fair share of a project cost in accordance with these assessment guidelines. While there is no perfect assessment policy, it is important that assessments be implemented in a reasonable, consistent and fair manner. There may be exceptions to the Assessment Guidelines or unique situations or circumstances which may require special consideration and discretion by City staff and the City Council.

The Assessment Guidelines statement, in brief summary, consists of four (4) main sections addressing purpose, method of assessment, improvement type and correlating application, and assessment conditions. A glossary section, devoted to specialized terms and definitions, is included as an index. The Assessment Guidelines is intended to serve as a guide to a systematic assessment process for the City of Montrose.

## SECTION II- Methods of Assessment

The nature of an improvement determines the method of assessment. The objective is to choose the assessment method which will arrive at a reasonable, fair and equitable assessment which will be uniform upon the same class of property within the assessed area. The most frequently recognized assessment methods are: the unit assessment, the front footage assessment and the area assessment. Depending upon the individual project, any one or a combination of these methods may be utilized to arrive at an appropriate cost distribution. City staff will consider all methods and weigh their applicability to the project. A description of each assessment and its corresponding guideline application is presented. Separate sections will identify the appropriate matchup of method with a specific type of project and analyze why each is generally used.

- A. Unit Assessment. A unit assessment shall be derived by dividing the total project cost by the number of Residential Equivalent Density (RED) units in the project area. A RED unit is defined as a single-family residential unit. All platted and unplatted property will be assigned RED unit values equivalent to the underlying zoning. When the existing land use is less than the highest and best permitted use, the Council may consider the current use as well as the full potential of land use in determining the appropriate number of RED units. Otherwise, the following RED chart will apply on a per unit basis, subject to adjustment by the Council for any inequities:

Single Family 1.00 RED

Duplex 1.00 RED per unit

Condominium 0.80 RED per unit

Multifamily 0.80 RED per unit

Townhouse 1.00 RED per unit

Commercial RED units= SAC units as defined by the City of Montrose SAC Policy

Industrial RED units= SAC units as defined by the City of Montrose SAC Policy

Corner lots shall be assessed at one half of the RED value for each side of the lot.

The unit approach has proven to be the best method in those instances whereby the improvement largely benefits everybody to the same degree and the cost of the improvement is not generally affected by parcel size.

- B. Area Assessment. The assessable area shall be expressed in terms of the number of acres or the number of square feet subject to assessment. When determining the assessable area, the following considerations will be given:
1. Ponding Assessment Consideration - Lakes, ponds and wetlands may be considered part of the assessable area of a parcel. However, the property owner has the option of providing a storm water ponding easement to the City for the land under the lake, pond, or wetland if integrated into the storm water management system. If such ponding easement is accepted based upon its functional integration into the storm water management system, a reduction in area equal to the area of the easement for the lake, pond or wetland will be subtracted from the gross acreage assessment of the parcel. Lots utilizing a

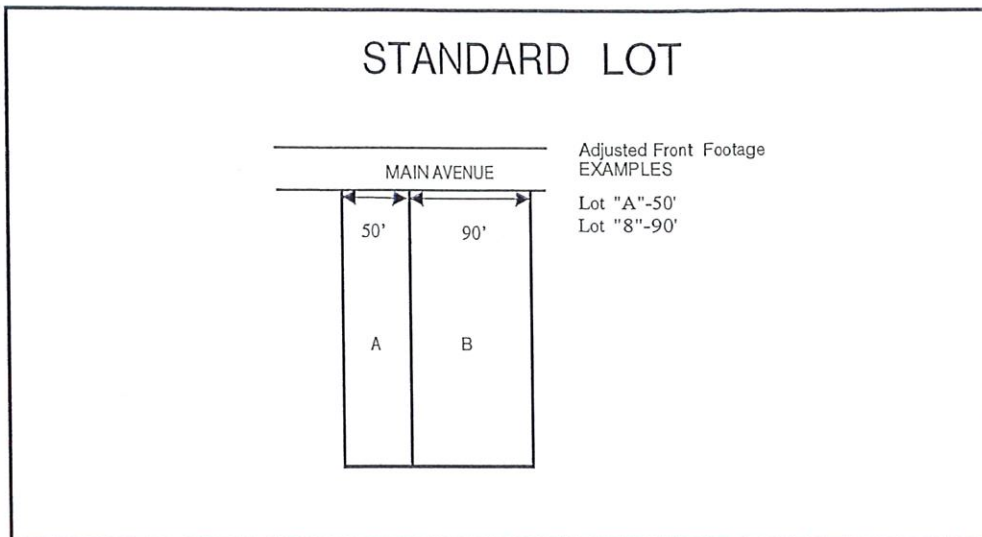


ponding area for the purpose of density credit shall be charged for that area within the portion of the easement necessary to meet minimum lot standards.

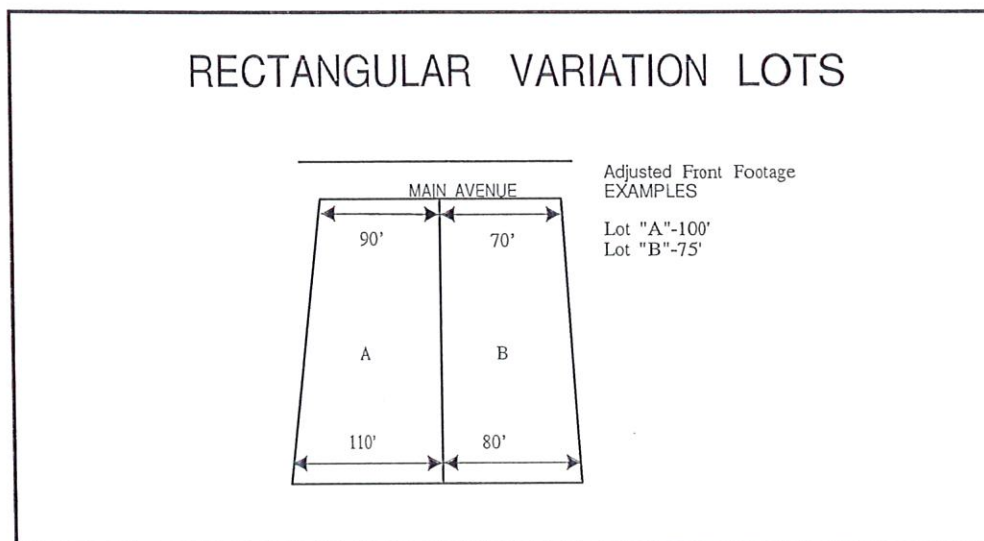
2. **Road Right-of-Way Assessment Consideration-** Up to twenty percent (20%) of the gross acreage may be deducted for street right-of-way purpose within unplatted parcels of five (5) acres or more depending upon the parcel configuration. Parcels less than five (5) acres may not qualify and may be assessed full acreage. The reason for this size restriction is that, in most instances, parcels of less than five (5) acres cannot support an internal road system.
  3. **Park Dedication Assessment Consideration** - When park land is dedicated as part of a residential development, as required by the City of Montrose Ordinances, the developer shall not be assessed an acreage charge on the portion of land dedicated.
- C. Front Footage Assessment - Residential. The actual physical dimension of a residential parcel abutting an improvement (i.e., street, sewer, water, etc.) shall NOT be construed as the frontage utilized to calculate the assessment. An adjusted front footage will be determined. The purpose of this method is to equalize assessment calculations for lots of similar size. Individual parcels by their very nature, differ considerably in shape and area. The following procedures will apply when calculating adjusted front footages. The selection of the appropriate procedure will be determined by the specific configuration of the parcel. All measurements will be scaled from available plat and section maps and will be rounded down to the nearest foot dimension with any excess fraction deleted. Categorical type descriptions are as follows:
1. Standard Lots
  2. Rectangular Variation Lots
  3. Triangular Lots
  4. Cul-de-sac Lots
  5. Curved Lots
  6. Irregularly Shaped Lots
  7. Comer Lots
  8. Flag Lots
  9. Double Frontage Lots
  10. Large Tracts

The ultimate objective of these procedures is to arrive at a fair and equitable distribution of cost whereby consideration is given to lot size and all parcels are comparably assessed.

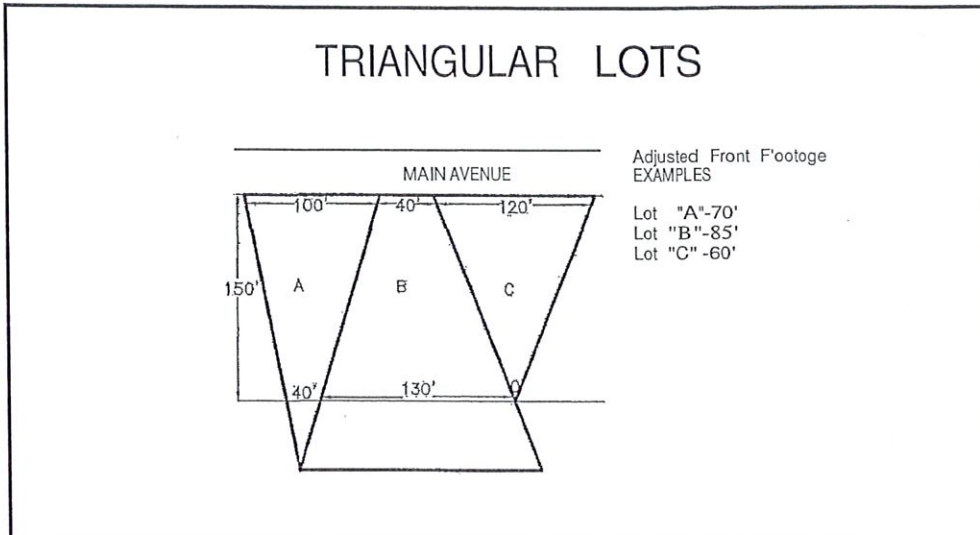
1. Standard Lots. In this instance, the adjusted front footage for rectangular lots will be the actual frontage of the lot. The frontage measured shall be the lot width at the front lot line.



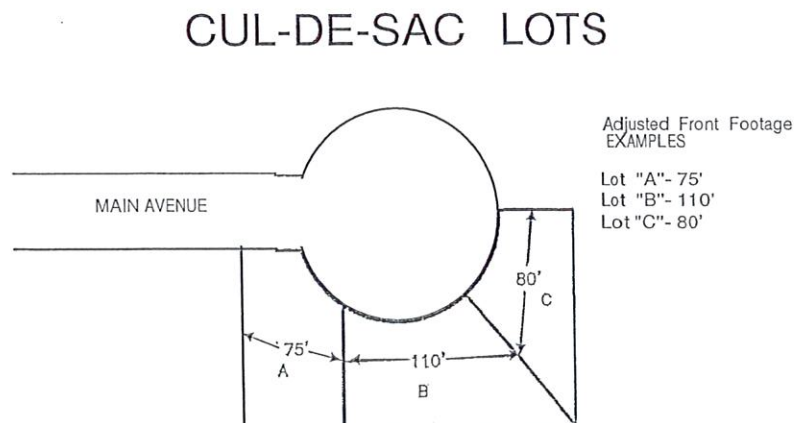
2. Rectangular Variation Lots. For a lot which is approximately rectangular and uniform in shape, the adjusted front footage is computed by averaging the front and back sides of the lot. This method is used only where the divergence between front and rear lot lines is twenty feet (20') or less.



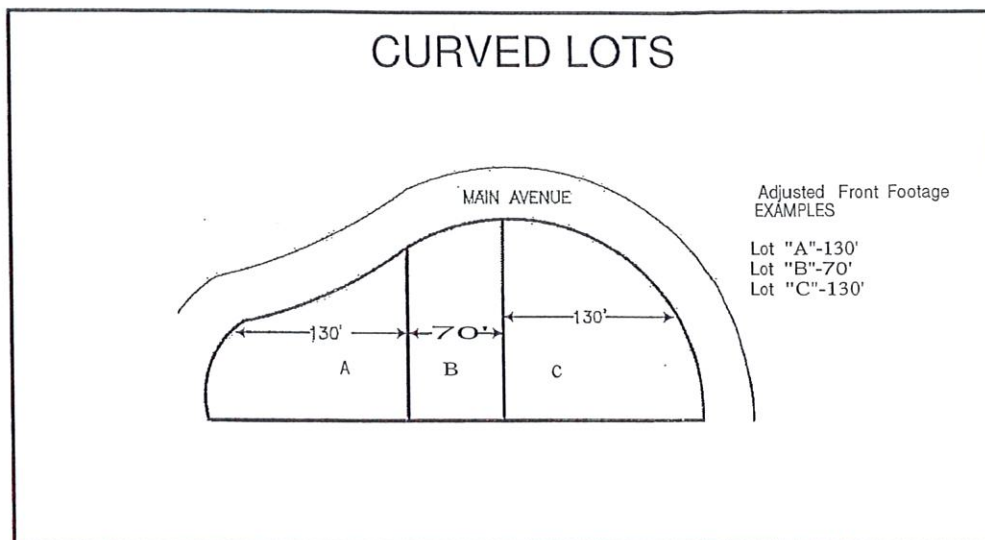
3. Triangular Lots. For a triangular shaped lot, the adjusted front footage is computed by averaging the front and back lot lines. The measurement at the back lot width shall not exceed a maximum distance in depth of one hundred fifty feet (150'). Another method may be deemed appropriate based upon the individual parcel or general project area.



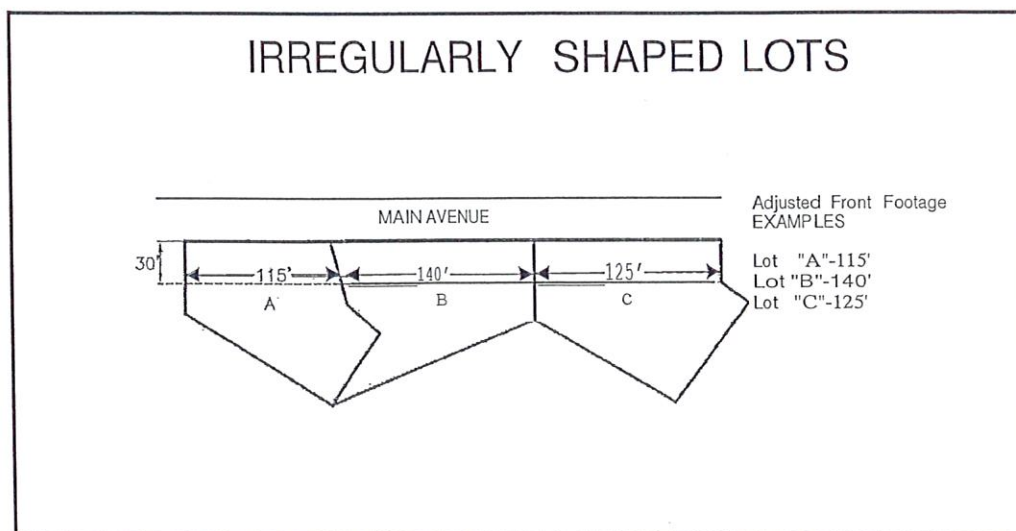
4. Cul-de-sac Lots. The adjusted front footage for those lots that exist on cui-de-sacs will be calculated at the midsection of the lot at the most reasonably defined and determinable position. This line will be computed by connecting the midpoints of the two side lot lines. Or, if the lots are similar in nature and configuration, a common lot width may be assigned based upon an evaluation of typical lots within the subdivision.



5. Curved Lots. In certain situations such as those where lots are located along meandering trail system streets, road patterns create curvilinear frontages. In such instances, the adjusted front footage will be the width of the lot measured at the midpoint of the shortest side lot line or such other method deemed appropriate based upon the individual parcel or general project area.

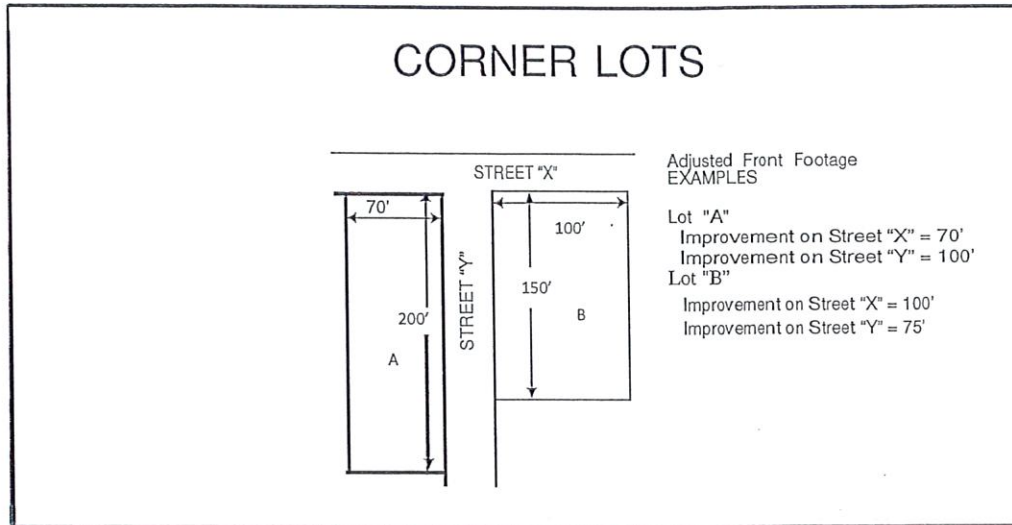


6. Irregularly Shaped Lots. In many cases, unplatted parcels that are legally described by a metes and bounds description, are irregular and odd shaped. The adjusted front footage will be calculated by measuring the lot width at the thirty (30) foot building setback line or such other method deemed appropriate based upon the individual parcel or general project area.

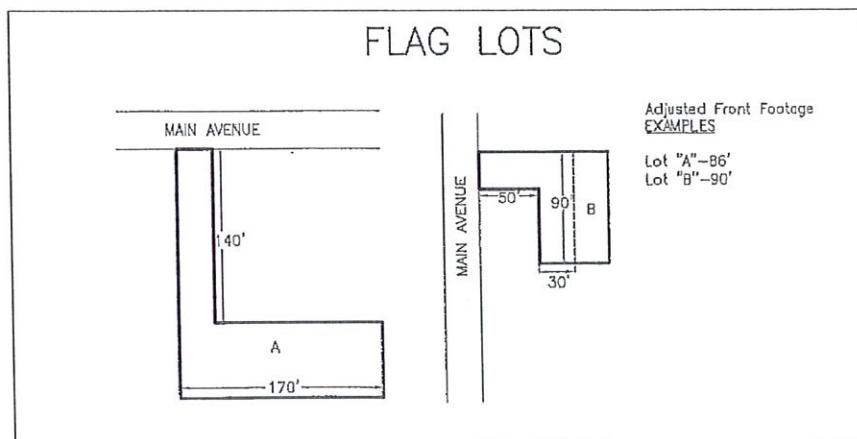




7. Corner Lots. The adjusted front footage on the short side of the lot shall be 100% of the length of the short side of the lot. The adjusted front footage on the long side of the lot shall be 50% of the length of the long side of the lot. When an improvement project abuts only one side of the lot, the lot will be assessed only for the side abutting the improvements as outlined above.

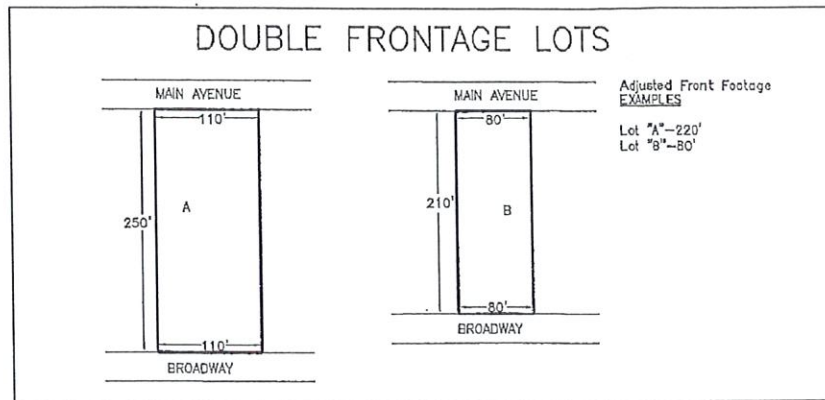


8. Flag Lots. Properties which utilize a narrow private easement or maintain ownership of such access to their property exceeding a minimum length of one hundred twenty-five (125) feet, thereby having a small frontage on a street, will be assigned an adjusted front footage of eighty (80) feet. This dimension is consistent with the zoning ordinance which prescribes such length as a minimum lot frontage along a public roadway. The adjusted front footage for flag lots whose driveway access is under one hundred twenty-five (125) feet will be measured at the building setback line from the access terminus.

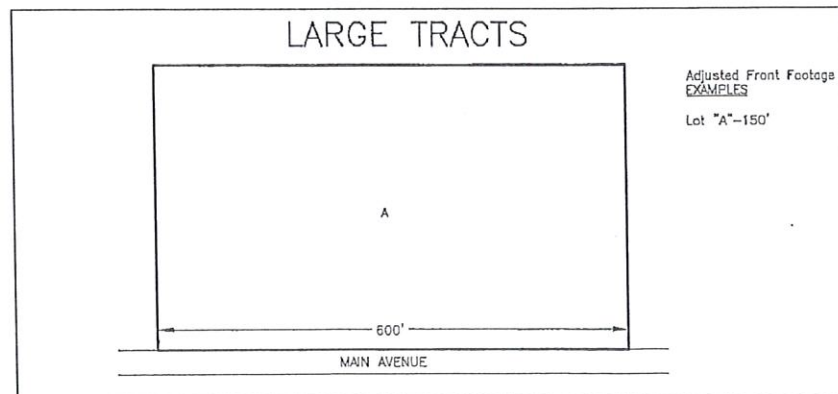




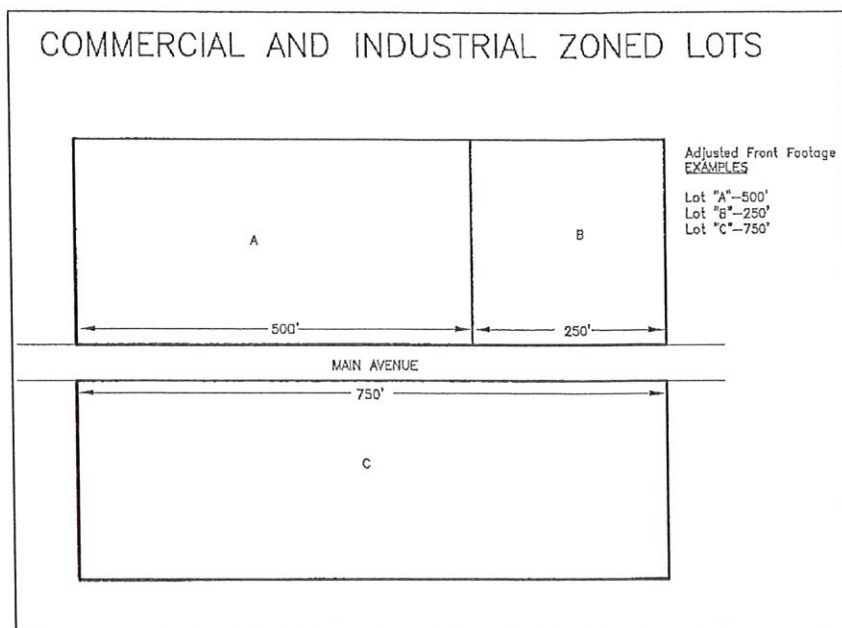
9. Double Frontage Lots. If a parcel, other than a corner lot, comprises frontage on two (2) streets and is eligible for subdivision, then an adjusted front footage assessment will be charged along each street. For double frontage lots lacking the necessary depth for subdivision, a single adjusted front footage only will be computed. For lots in which the adjusted front footage is calculated on only one side it shall be calculated on the addressed side of the lot.



10. Large Tracts. Oversized residential parcels will not be assessed for more than a total frontage of one hundred (150) feet. If the parcel is large enough to be subdivided, the remaining assessment will be deferred until the property develops, at which time the entire deferred assessment and accumulated interest shall be paid in full. Interest will accrue at the rate established at the project assessment hearing.



11. Front Footage Assessment – Commercial and Industrial Zoned Lots. Front footage assessments for lots that are zoned or used for commercial or industrial purposes shall be based upon the actual front footage of the side abutting the improvement.



### SECTION III- Improvement Type Application

All assessment methods listed below are suggested methods that would generally apply to each type of project. However, each project should be reviewed and assessed based on the method that is the most reasonable, fair and equitable assessment which will be uniform upon the same class of property within the assessed area. This shall be done in accordance with Section II.

**A. New Sidewalk Installation.** Although construction normally occurs only on one (1) side of the street, channelization and safety of pedestrian traffic is regarded as an overall neighborhood benefit. Therefore it shall be the policy of the City to pay for such improvements (No assessments would be made).

**B. New Bike Path Installation.** Although construction normally occurs only on one (1) side of the street, channelization and safety of pedestrian traffic is regarded as an overall neighborhood benefit. Therefore it shall be the policy of the City to pay for such improvements (No assessments would be made).

**C. New Street and Curb and Gutter.** The entire cost of the original installation of street and curb and gutter shall be assessed and recovered by the adjusted front footage method. The front footage rate shall be determined by dividing the total project costs by the total number of adjusted front feet in the project area. Where an urban street section, that is, bituminous pavement and concrete curb and gutter is constructed in place of a street section rural in nature, that is of materials other than those listed for an urban section, the assessment shall be for one hundred percent (100%) of the total project cost or a lesser amount if deemed appropriate by the City.

**D. Street Resurfacing / Reconstruction** Street resurfacing is commonly known and referred to as street overlaying whereby a new bed of road material such as bituminous is installed over an existing paved road to specific thickness. Regardless of the age of the street, street overlays of presently paved streets in the City of Montrose shall be paid for by the City (No assessments would be made). If street construction is done over a non-bituminous surface, i.e., gravel, sand, etc., then the assessment shall be for one hundred percent (100%) of the total project cost.

Regardless of the age of the street, street reconstruction and curb and gutter reconstruction of presently paved streets in the City of Montrose shall be assessed at thirty percent (30%) resident/seventy percent (70%) City of the total street reconstruction project cost. The City portion shall be covered by means of the general ad valorem property tax paid by the entire community. Assessments shall be generally be determined by the adjusted front footage method.

Replacement of existing curb and gutter will generally be assessed on an adjusted front footage basis and shall be assessed at thirty percent (30%) resident/seventy percent (70%) City of the total curb and gutter replacement costs. The City costs shall be covered by means of the general ad valorem property tax paid by the entire community.



**E. Street Structural Upgrades** In the case where a land use near the project area utilizes City streets for commercial or industrial truck traffic and the existing condition of the street does not adequately support loads from the truck traffic, the owner of the property from which the truck traffic is being generated shall be assessed a reasonable, fair and equitable assessment. The assessment shall be determined by the City Engineer and shall be calculated based upon the additional costs for necessary structural upgrades required to the street to support the truck traffic.

**F Sealcoating and Crack Filling Street Improvements.** Sealcoating and crack filling shall be treated as a general maintenance expense which shall be one hundred percent (100%) supported by general ad valorem property taxes. No assessments will be associated with sealcoating or crackfilling.

**G. Sanitary Sewer and Water Lateral Improvements.** All water and sewer lines, regardless of size or designation, are considered as laterals to adjacent property. Lateral lines are normally not larger than eight (8) inches in diameter in most residential areas. For purpose of special benefit determination, the lateral cost of sewer and water improvements will be assessed on an adjusted front footage basis and shall be assessed at thirty percent (30%) resident/seventy percent (70%) City of the total Sanitary Sewer and Water Lateral Improvements costs for replacement projects. All replacement costs associated with watermain and sanitary sewer service installation within the right-of-way shall be assessed at thirty percent (30%) resident/seventy percent (70%) City of the total Sanitary Sewer and Water services costs for replacement projects.

**H. Sanitary Sewer and Water Trunk Improvements.** Trunk sewer and water mains are usually larger than eight (8) inches in diameter and are designed to carry larger volumes of flow than are necessary within an immediate property area in order to serve additional service areas in the City. The difference between a normal sized lateral and the actual sized trunk represents "trunk oversizing". The cost in extra pipe sizing, not depth, shall be paid from the City's Enterprise Funds. Based upon calculations and past experience, a charge shall be set per unit to finance the City's Enterprise Funds.

**I. Storm Sewer Improvements.** Storm sewer improvements will continue to be a required portion of all new residential, commercial and industrial developments. Storm sewer improvements associated with road reconstruction projects shall be on a case-by-case basis, based on the appropriate engineering reports. In general, replacement of existing storm sewer completed by the City shall be assessed at thirty percent (30%) resident/seventy (70%) City of the total storm sewer improvement cost. In general, construction of new storm sewer where storm sewer does not currently exist shall be assessed at one hundred percent (100%) resident of the total storm sewer improvement cost.

#### SECTION IV- Assessment Conditions

- A. Terms of Assessments. Special assessments shall be collected in equal annual installments of principal for a period of years as indicated for the following types of improvements:
1. Street, Curb and Gutter - 15 years
  2. Sanitary Sewer and Water Laterals- 15 years
  3. Storm Sewer Improvements- 15 years
- B. Interest Rate. The interest rate charged on assessments for all projects financed by debt issuance shall be one and a half percent (1.5%) greater than the net interest rate of the bond issue. The interest rate charged on assessments for all projects not financed by debt issuance shall be determined by City Council. This is necessary in order to insure adequate cash flow when the City is unable to reinvest assessment prepayments at an interest rate sufficient to meet the interest cost of debt or when the City experiences problems of payment collection delinquencies. Interest on initial special assessment installments shall begin to accrue from the date of the resolution adopting the assessment. Owners must be notified by mail of any changes adopted by the City Council regarding interest rates or prepayment requirements which differ from those contained in the notice of the proposed assessment.
- C. Payment Procedures. The property owner has five (5) available options when considering payment of assessments:
1. **Tax Payment** - If no action is undertaken by the property owner, then special assessment installments will appear annually on the individuals property tax statement for the duration of the assessment term.
  2. **Full Payment** - No interest will be charged if the entire assessment is paid off within thirty (30) days from the date of adoption of the assessment roll.
  3. **Partial Payment** - The property owner has a one-time opportunity to make a partial payment reduction of any amount against his/her assessment. This option may only be exercised within the thirty (30) day period immediately following adoption of the assessment roll.
  4. **Prepayment** - The property owner may, at any time prior to November 15 of the initial year, prepay the balance of the assessment with interest accrued to December 31 of that year. The property owner may also choose to pay the remaining assessment balance at any time, with the exception of the current years installment of principal and interest.



5. **Deferred Assessments** - Assessments on benefited property may be deferred by the Owner via the Green Acres Law (MSA 273.111 Sub. 11). The City Council may permit the deferment of assessments on the basis of income, hardship, senior citizenship, etc.

When the deferment expires, becomes invalid or is terminated by the property owner, it shall be the policy of the City of Montrose to be reimbursed for the deferred assessment, including deferred equivalent residential units, on the following basis:

1. The actual assessment plus accrued interest through the end of the full year of the assessment, per the adopted assessment roll if done in years one to five of the assessment roll adoption.
2. The actual assessment plus accrued interest through the end of the fifth full year of the assessment, per the adopted assessment roll, if done more than five (5) years after the assessment roll adoption date.

The collection of deferred assessments shall be in accordance with the terms of the development agreement for the property.

3. **Senior Citizen Deferment**- The City Council may choose to defer assessments for special circumstances to individuals sixty-five (65) years of age or older. The property owner shall request in writing to the City Council if they wish to defer the assessments and the special circumstances which justify the deferment. The Council should then review the request and decide if a deferment is allowed.

- D. Appeal Procedures. No appeal may be taken as to the amount of any assessment adopted unless a written objection signed by the affected property owner is filed with the City Administrators office prior to the assessment hearing or presented to the presiding officer at the hearing. The property owner may appeal the assessment to District Court by filing such notice with the District Court within ten (10) days after service of the appeal upon the Mayor or City Administrator.
- E. Reapportionment Upon Land Division. When a tract of land against which a special assessment has been levied is subsequently divided or subdivided by plat or otherwise, the City Council may, on application of the owner of any part of the tract or on its own motion, equitably apportion among the various lots or parcels

in the tract all the installments of the assessment against the tract remaining unpaid and not then due if it determines that such apportionment will not materially impair collection of the unpaid balance of the original assessment against the tract. The City Council may require furnishing of a satisfactory surety bond in certain cases as specified in Minnesota Statutes Section 429.071, Subd. 3. Notice of the apportionment and of the right to appeal shall be mailed to or personally served upon all owners of any part of the tract. In most cases, dividing the assessment balance evenly on a unit or lot basis would result in an equitable apportionment. The practice of unit assessment redistribution and recertification to the Wright County Auditor's Office will be followed when the amount of the unit assessment exceeds \$1,000.00. In those instances when the property subdivision would result in smaller increments, the entire assessment shall be paid at the time the developer's agreement is approved.

- F. Assessment Cost. All such improvements described under Section IV shall be assessed as described in Section IV. In such instances where the replacement of existing utilities i.e. sanitary sewer and water laterals, and storm sewer, is required, the total costs associated with the Improvements shall be assessed at a rate of thirty percent (30%) resident/seventy percent (70%) City.

Where sanitary sewer and watermain laterals and storm sewer improvements are constructed in areas without those utilities, the total cost associated with utility improvement shall be assessed at a rate of one-hundred percent (100%) to the benefiting property based on one of the three Methods of Assessment described in Section II.

## SECTION V- Supplemental Assessment Guidelines

- A. Areas Partially Served By Utilities. Any tract of land, lot or parcel whereby a project improvement such as a sewer or water lateral or ending street terminus does not extend fully past or beyond the property shall be considered served, benefited and assessed accordingly. The current special assessment shall be subject to an adjusted front footage not to exceed one hundred fifty feet (150') and a maximum current acreage of two and a half (2.5) acres, provided said assessment does not exceed the special benefit conferred upon the affected property. If an improvement benefits non-abutting properties which may be served by the improvement when later extensions or improvements are made but are not initially assessed, the City may reimburse itself for all or part of the costs incurred by assessing those non-abutting properties at the time of the later extensions or improvements. However, proper notice must be given of the fact at the time of making the extensions or improvements to the previously unassessed non-abutting properties.
- B. Preliminary Plat Consideration. Land could be considered for assessment based on preliminary plat consideration. This consideration will occur only when the following scenarios exist: (1) the City Council has approved a preliminary plat; and (2) a public hearing ordering the improvement project has not yet occurred. In the event this exists, assessment frontages may be calculated based upon the proposed lot configuration within the preliminary plat. Road right-of-way within the proposed street alignments will not be subject to assessments.
- C. Tax Exempt Property. Other than land under City ownership, there are three (3) categories of tax-exempt properties. Said properties shall be assessed as follows:
1. *Church and school property* shall be assessed in the same manner as commercial and industrial zoned property, as long as the assessments do not exceed the special benefits conferred. Acreage assessments shall be based upon the gross acreage of the site.
  2. *State land* is normally exempt from assessment unless otherwise negotiated or agreed upon by the affected State agency.
  3. *County land* is subject to assessment and shall be assessed in the same manner as commercial and industrial zoned property, as long as the assessments do not exceed the special benefits conferred.



D. Municipal Property Assessments. City owned property is divided into three (3) classifications for the purpose of determining assessment participation. They are:

1. Public Facility Land
2. Public Right-of-Way
3. ParkLand

Public Facility property is defined as land utilized for public buildings such as city halls, fire halls, libraries, maintenance garages, municipal parking lots, etc. Public facility property within a project area will participate in the total assessable cost of an improvement and will be treated in the same manner as any other benefited parcel.

Public right-of-way property consisting of all City acquired easements, subject to fee title, for the specific purpose of utility placement or street construction will be exempt from assessment.

Park Land assessment eligibility is further categorized according to the following descriptions:

1. "Community Parks" are characterized by a higher degree of intense public use and are relatively large in area size. They are normally associated with athletic events and sporting activities (i.e., softball, football, baseball, hockey, etc.). Park lands of this nature will be subject to assessments. Because community parks provide citywide benefit, the cost of these assessments shall be recovered by a special levy upon the ad valorem taxes.
2. "Neighborhood Parks" accommodate open space objectives within residential development and are passive in use as indicated by such features as playground structures. Because neighborhood parks are commonly used by the immediate residents of the area, such park land will not be assessed if it comprises less than twenty-five percent (25%) of the aggregate project area. Larger parks representing an area greater than twenty-five percent (25%) of the aggregate project area shall participate in the assessment process in the same manner as community parks.
3. "Parkland Dedication" is required either in the form of cash in lieu of land or a land grant. The developer shall be responsible for the payment of all special assessments existing at the time of dedication. Depending upon the amount of land involved, the development shall not be assessed trunk acreage for that portion exceeding the minimum percentage dedication requirement for park purposes.

E. Tax Forfeiture Assessments. When a parcel of tax forfeited land is returned to private ownership and the parcel is benefited by an improvement for which special assessments were canceled because of the forfeiture, the City may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to the parcel in an amount equal to the amount remaining unpaid on the original assessment.

- F. First Serve Situations. If the plans of the City and a developer coincide in regard to utility installations on certain properties, the plans of the City shall receive first consideration. In that event, the City may, upon notice and hearing, assess all unplatted parcels according to this Manual if the improvements are approved prior to hardshell consent of the unplatted properties.
- G. State Aid Participation. Residential lots abutting and having access to collector streets (streets which are designated as part of the City's Municipal State Aid System and qualify for state aid funding) shall be assessed the residential equivalent of a standard City street, normally consisting of a thirty-two foot (32') paved roadway within a sixty-foot (60') right-of-way. This cost shall be determined by the City Engineer during the preparation of the feasibility report. The difference in cost shall be reimbursed by applicable state aid funds or other available city funding sources.
- H. Assessment Review Committee. Before any assessment hearing, a review committee will be established by the City Council to assist staff in its evaluation of all properties in accordance with this Manual and review the staff prepared proposed assessment rolls. This committee shall consist of the City Administrator, City Engineer, Finance Director and two (2) members of the City Council.
- I. Residential lots abutting and having access to county roads (that will be assessed by the City based on County's cost participation plan) shall be assessed the residential equivalent of a standard City street, normally consisting of a thirty-two foot (32') paved roadway within a sixty foot (60') right-of-way. The City street equivalent cost is to be determined by the City Engineer during the preparation of a feasibility report. The difference in cost shall be reimbursed by available city funding resources.
- J. Upon turn-back of state and county roads, an engineer's estimate of remaining useful life will be determined for assessment calculation. All funding provided on a turn-back will be deposited to the Street Improvement Fund for offsetting the city participation for road improvements. If determined by the City Council that it should be used for a particular project, it shall be so.
- K. Cemeteries within a project area will be exempt from assessment.



## SECTION VI-Definitions

ADJUSTED FRONT FOOTAGE	The number of feet actually utilized in calculating an assessment for a particular property. This may differ from the actual front footage of the property.
ASSESSMENT	A dollar amount charged against a property receiving an improvement benefit.
CONDOMINIUM	Individual ownership of a unit in a multi-unit structure (similar to an apartment building). A spatial relationship exists whereby the individual owns the actual air space within the physical confines of the unit but not the barrier walls themselves.
DRAINAGE DISTRICT	An area defined by the City Engineer which shall form the physical boundaries where benefit exists within a district shall be all land serving as a collector basin for storing such water. Natural geographical features normally form these boundaries.
LATERAL	A lateral sewer is designed to collect the sewage from a project area for conveyance to a trunk facility. A water lateral is sized to provide water in sufficient volumes and pressure as required to serve a defined project area.
MULTI-FAMILY	A structure of more than two (2) units, the primary purpose of which is to provide rental or leased living space to the general public. Building characteristics include common hallways for access purposes and a common parking lot.
OVERSIZING	A pipe which is designated and constructed larger than necessary to serve a specific project area.

## PUBLIC IMPROVEMENT

A project undertaken by the City under the authority granted in M.S.A. 429.021 for the purpose of installation of improvements such as street, curb and gutter, sewer, water, etc. A public hearing shall be conducted to determine the necessity and common good of the project as it affects the community. Upon authorization, the City will proceed with construction and administration of the project.

## RESIDENTIAL UNIT

A residential unit is a platted single-family residential lot, which in accordance with the City of Montrose zoning and subdivision regulations, cannot be further subdivided and which has only one (1) development right.

## TOWNHOUSE

Single family attached units in structures housing three (3) or more contiguous dwelling units, sharing a common wall, individual front and rear entrances; the structure is that of a row-type house as distinguished from multiple-dwelling apartment buildings.

## TRUNK

Water and sewer lines that are large mains requiring greater size capacity and deeper pipe construction than the immediate surrounding area requires. However, trunk lines may also be used to provide lateral service as well. Trunk sewer and water pipes are determined to be pipes greater than eight inches (8") in diameter.

UTILITY IMPROVEMENT AREA A defined area within which all area properties are deemed to have been served by an improvement project and are considered to receive benefit.

## SECTION VII-Appendix



## Appendix A

# 35% PETITION FOR IMPROVEMENTS CITY OF MONTROSE, MINNESOTA

We, the undersigned, being the owners of not less than 35% of the frontage of the real property abutting upon the following street, alley, or public way between the points indicated:

hereby petition the City Council of Montrose, Minnesota, to undertake the following improvements along said street, alley or public way pursuant to Minnesota Statutes, Chapter 429:

Signature of Owners\*

Address

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_

Signature of Owners\*

Address

20.	_____	_____
21.	_____	_____
22.	_____	_____
23.	_____	_____
24.	_____	_____
25.	_____	_____
26.	_____	_____
27.	_____	_____
28.	_____	_____
29.	_____	_____
30.	_____	_____

\*Property owned in joint tenancy should be signed by each owner.

LEGAL DESCRIPTION OF ALL ABUTTING PROPERTY:

---



---



---

I hereby certify that I have examined the above petition and appropriate real estate records and find that said petition is in proper form and is signed by the owners of not less than 35% of the frontage of the property abutting said improvements.

WITNESS my hand as such Clerk and the seal of said City this \_\_\_\_\_ day of  
 -----' 20\_\_.

\_\_\_\_\_  
 City Clerk  
 City of Montrose

(SEAL)

## AppendixB

**100% PETITION FOR IMPROVEMENTS  
CITY OF MONTROSE, MINNESOTA**

We, the undersigned, being the owners of all the real property abutting upon the following street, alley, or public way between the points indicated:

---

hereby petition the City Council of Montrose, Minnesota, to undertake without a public hearing under Minnesota Statutes, Section 429.031, the following improvements along said street, alley, or public way:

---



---

and to assess the entire cost thereof against our property abutting said improvements based on benefits received without regard to cash valuation.

Signature of Owners\*

Address

Date

1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____
16.	_____	_____
17.	_____	_____
18.	_____	_____
19.	_____	_____



Signature of Owners\*

Address

20.	_____	_____
21.	-----	-----
22.	_____	_____
23.	_____	_____
24.	_____	_____
25.	_____	_____
26.	_____	_____
27.	_____	_____
28.	_____	_____
29.	_____	_____
30.	_____	_____

\*Property owned in joint tenancy should be signed by each owner.

LEGAL DESCRIPTION OF ALL ABUTTING PROPERTY:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I hereby certify that I have examined the above petition and appropriate real estate records and find that said petition is in proper form and is signed by the owners of not less than 35% of the frontage of the property abutting said improvements.

WITNESS my hand as such Clerk and the seal of said City this \_\_\_\_\_ day of  
 ----- ' '20\_\_.

\_\_\_\_\_  
 City Clerk  
 City of Montrose

(SEAL)

## Appendix C

EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY  
OF MONTROSE, MINNESOTA

HELD: \_\_\_\_\_, 20\_\_\_\_

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Montrose, Wright County, Minnesota, was duly held in the Council Chambers of Montrose in said City on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at 7:00 o'clock p.m.

The following members were present:

And the following were absent:

Member \_\_\_\_\_ Introduced the following resolution and moved its adoption.

**RESOLUTION DECLARING ADEQUACY OF PETITION AND  
ORDERING PERPARATION OF REPORT  
CITY OF MONTROSE, MINNESOTA  
RESOLUTION NO. 20 -**

BE IT RESOLVED BY THE CITY COUNCIL OF MONTROSE, MINNESOTA:

1. A certain petition requesting the improvement of \_\_\_\_\_ Street between the \_\_\_\_\_ line of \_\_\_\_\_ Street and the \_\_\_\_\_ line of \_\_\_\_\_ Street by \_\_\_\_\_, filed with the Council on \_\_\_\_\_, 20\_\_\_\_, is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to Minnesota Statues, Section 429.035.
2. The petition is hereby referred to the City Engineer and he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted by the Council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

I, the undersigned, being the duly qualified and acting Clerk of the City of Montrose, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes relate to declaring the adequacy of a petition and ordering the preparation of a report for an improvement.

WITNESS my hand and the seal of said City this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
City Clerk

(SEAL)



## AppendixD

EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY  
OF MONTROSE, MINNESOTA

HELD: \_\_\_\_\_, 20\_\_\_\_

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Montrose, Wright County, Minnesota, was duly held in the Council Chambers of Montrose in said City on the \_\_\_\_ day of \_\_\_\_\_  
20\_\_, at 7:00 o'clock p.m.

The following members were present:

and the following were absent:

Member -----'introduced the following resolution and moved its adoption.

RESOLUTION ORDERING PREPARATION OF  
REPORT ON IMPROVEMENT  
CITY OF MONTROSE, MINNESOTA  
RESOLUTION NO. 20 -

WHEREAS, it is proposed to improve \_\_\_\_\_ Street between the \_\_\_\_\_ line of  
\_\_\_\_\_ Street and the \_\_\_\_\_ line of \_\_\_\_\_ Street by  
-:-\_\_\_\_\_ and to assess the benefited property for all or portion of the cost of the  
improvement, pursuant to Minnesota Statutes, Chapter 429.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MONTROSE,  
MINNESOTA:

That the proposed improvement be referred to the City Engineer for study and that he is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Adopted by the council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_, and upon vote being taken thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA  
CITY OF MONTROSE  
COUNTY OF WRIGHT

I, the undersigned, being the duly qualified and acting Clerk of the City of Montrose, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes ordering the preparation of a report for an improvement.

WITNESS my hand and the seal of said City this \_\_\_\_\_ day of \_\_\_\_\_

20

\_\_\_\_\_  
City Clerk

(SEAL)



## Appendix E

**EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY  
OF MONTROSE, MINNESOTA**

HELD: \_\_\_\_\_, 20\_\_\_\_

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Montrose, Wright County, Minnesota, was duly held at the Montrose City Council Chambers in said City on the \_\_\_\_ day of, 20\_\_, at 7:00 o'clock pm.

The following members were present:

and the following were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption.

**RESOLUTION RECEIVING REPORT AND  
CALLING HEARING ON IMPROVEMENT  
CITY OF MONTROSE, MINNESOTA  
RESOLUTION NO. 20 -**

WHEREAS, pursuant to resolution of the council adopted \_\_\_\_\_, 20\_\_, a report has been prepared by the City Engineer with reference to the improvement of \_\_\_\_\_ Street between the \_\_\_\_\_ line of \_\_\_\_\_ Street and the \_\_\_\_\_ line of \_\_\_\_\_ Street by \_\_\_\_\_, and this report was received by the council on \_\_\_\_\_, 20\_\_.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MONTROSE, MINNESOTA:

1. The council will consider the improvement of such street in accordance with the report and the assessment of abutting property for all or a parting of the cost of the improvement pursuant to Minnesota Statutes Chapter 429 at an estimated total cost of the improvement of \$ \_\_\_\_\_
2. A public hearing shall be held on such proposed improvement on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ in the council chambers of the \_\_\_\_\_ at \_\_\_\_\_ a.m. (p.m.) and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted by the council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor

Clerk

STATE OF MINNESOTA  
CITY OF MONTROSE  
COUNTY OF WRIGHT

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_, and upon vote being taken thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

I, the undersigned, being the duly qualified and acting Clerk of the City of Montrose, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes related to the receiving of a report and the calling of a public hearing on proposed \_\_\_\_\_ Improvements of said City.

WITNESS my hand and the seal of said City this \_\_\_\_\_ day of \_\_\_\_\_  
20

\_\_\_\_\_  
City Clerk

(SEAL)

## AppendixF

**NOTICE OF PUBLIC HEARING ON IMPROVEMENT  
CITY OF MONTROSE, MINNESOTA**

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Montrose will meet in the council chambers of the Montrose Independent School District No. 15 District Office at \_\_a.m. (p.m.) on \_\_\_\_, 20\_\_, to consider making improvements on \_\_\_\_ Street between the \_\_\_\_ line of \_\_\_\_ Street and the \_\_\_\_ line of \_\_\_\_ Street by \_\_\_\_, pursuant to Minnesota Statutes, sections 420.011 to 429.111. The area proposed to be assessed for the improvements is the benefiting abutting properties. The estimated cost of the improvements is \$ \_\_\_\_\_. Such persons as desired to be heard with reference to the proposed improvement will be heard at this meeting.

\_\_\_\_\_  
City Clerk

Published in \_\_\_\_\_ on \_\_\_\_\_, and \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_

## Appendix G

**CERTIFICATE OF MAILING OF NOTICE  
OF PUBLIC HEARING ON IMPROVEMENT  
CITY OF MONTROSE, MINNESOTA**

The undersigned, being the duly qualified and acting Clerk of the City of Montrose, Minnesota, does hereby certify that on the day of \_\_\_\_\_, 20\_\_\_\_, (being ten days or more before the hearing on said improvement), he/she gave mailed Notice of Hearing (a true and correct copy of which is attached hereto as Exhibit A) of the following described improvement, to-wit:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ to the owners of each parcel  
ofland within the area proposed to be assessed.

For the purpose of giving such mailed notice the undersigned secured the names of the property owners within the area proposed to be assessed the records of the County (Treasurer) (Auditor). Mailed notice of the hearing on said improvement was also given on the same date to the following property owners within the area proposed to be assessed whose names are not listed on the records of the County (Treasurer) (Auditor):

(Here list the names of any railroad, county, school district, church or other property owner whose name is not on the tax lists of the county)

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

WITNESS my hand and the seal of said City this \_\_\_\_\_ day of \_\_\_\_\_; 20\_\_.

\_\_\_\_\_  
City Clerk

(SEAL)



## AppendixH

EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY OF MONTROSE, MINNESOTA

HELD: \_\_\_\_\_, 20\_\_,

Pursuant to due call and notice thereof, a regular meeting of the City Council of City Montrose, Minnesota, was duly called and held in the Montrose Independent School District No. 15, District Office in said City on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_,

The following members were present:

and the following were absent:

The meeting was held pursuant to resolution adopted calling a public hearing on the proposed improvements in said City, as more particularly described in the Notice of a Public Hearing ordered at said \_\_\_\_\_ meeting, a copy of which is attached hereto. The Clerk presented affidavits showing the due publication and mailing of the Notices of Hearing and the Mayor announced that the Council would hear all persons who cared to be heard for or against the improvements as outlined in the Notice of Hearing. All persons present were afforded an opportunity to present their views and objections to the making of said improvements, and no objections were presented, except as follows:

Name of Objector	Property	Objection
_____	_____	_____

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION ORDERING IMPROVEMENT AND DIRECTING  
PREPARATION OF FINAL PLANS AND SPECIFICATIONS CITY OF  
MONTROSE, MINNESOTA  
RESOLUTION NO. 20 -**

WHEREAS, a resolution of the city council adopted the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_, fixed a date for a council hearing on the proposed improvement of \_\_\_\_\_ Street from the \_\_\_\_\_ Street to the \_\_\_\_\_ line of \_\_\_\_\_ Street by \_\_\_\_\_

AND WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at which all persons desiring to be heard were given an opportunity to be heard thereon.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTROSE, MINNESOTA:

1. Such improvement is hereby ordered as proposed in the council resolution adopted \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.
2. \_\_\_\_\_ is hereby designated as the engineer for this improvement. He shall prepare plans and specifications for the making of such improvement.

Adopted by the council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA  
CITY OF MONTROSE  
COUNTY OF WRIGHT

I, the undersigned, being the duly qualified and acting Clerk of the City of Montrose, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes relate to ordering the improvement and directing preparation of the final plans and specifications for \_\_\_\_\_Improvements in said City.

WITNESS my hand and the seal of the said City this \_\_\_\_\_ day of  
----- ' 20\_\_

\_\_\_\_\_  
City Clerk

(SEAL)

## Appendix I

EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY OF MONTROSE, MINNESOTA

HELD: \_\_\_\_\_, 20\_\_

Pursuant to due call and notice thereof, a regular meeting of the City Council of City Montrose, Minnesota, was duly called and held in the Council Chambers of the Montrose Independent School District No. 15 District Office in said City on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
AND ORDERING ADVERTISEMENT FOR BIDS  
CITY OF MONTROSE, MINNESOTA  
RESOLUTION NO. 20\_\_-\_\_**

WHEREAS, pursuant to a resolution passed by the council on \_\_\_\_\_, 20\_\_, the City Engineer (consulting engineer retained for the purpose) has prepared plans and specifications for \_\_\_\_\_ Street between the \_\_\_\_\_ line of \_\_\_\_\_ Street and the \_\_\_\_\_ line of \_\_\_\_\_ Street by \_\_\_\_\_ and has presented such plans and specifications to the councils for approval;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTROSE, MINNESOTA:

1. Such plans and specifications, a copy of which is attached hereto and made apart hereof, a hereby approved
2. The city clerk shall prepare the cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for \_\_\_\_\_ days, shall specify the work to be done, shall state that bids will be received by the clerk until \_\_\_\_\_ a.m. (p.m.) on \_\_\_\_\_, 20\_\_, which time they will be publicly opened in the council chambers of the city hall by the city clerk and engineer, will then be tabulated, and will be considered by the council at \_\_\_\_\_ a.m. (p.m.) on \_\_\_\_\_, 20\_\_, in the council chambers. Any bidder whose responsibility is questioned during consideration of the bid will be given the opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit,



cashier's check, bid bond, or certified check payable to the clerk for five (5) percent of the amount of such bid.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA  
CITY OF MONTROSE  
COUNTY OF WRIGHT

I, the undersigned, being the duly qualified and acting Clerk of the City of Montrose, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes relates to a resolution approving plans and specifications and ordering advertisement for bids on \_\_\_\_\_ Improvements for said City.

WITNESS my hand and the seal of the said City this \_\_\_\_\_ day of  
----- ' 20\_\_

\_\_\_\_\_  
City Clerk

(SEAL)

## AppendixJ

EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY OF  
MONTROSE, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Montrose, Minnesota, was duly called and held in the Council Chambers of Montrose Independent School District No. 15 District Office in said city on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

The Council received bids on the construction of \_\_\_\_\_ Improvement in the City, and after publicly opening, tabulating and analyzing said bids, proceeded to consider said bids. The following bids were received:

	Bidder	Address	Amount of Bid
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____

After discussion, \_\_\_\_\_; member introduced the following resolution and moved its adoption:

**RESOLUTION ACCEPTING BIDS AND  
AWARDING CONTRACT FOR IMPROVEMENT  
CITY OF MONTROSE MINNESOTA  
RESOLUTION NO. 20**

WHEREAS, pursuant to an advertisement for bids for the improvement of \_\_\_\_\_ Street from the \_\_\_\_\_ line of \_\_\_\_\_ Street to the \_\_\_\_\_ received, opened and tabulated according to law, and following bids were received complying with the advertisement:

\_\_\_\_\_

\_\_\_\_\_

AND WHEREAS, it appears that \_\_\_\_\_ of \_\_\_\_\_ is the lowest responsible bidder,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MONTROSE  
MINNESOTA:

1. The mayor and clerk are hereby authorized and directed to enter into the attached contract with \_\_\_\_\_ of \_\_\_\_\_ in the name of the City of Montrose for the improvements of \_\_\_\_\_ Street from the \_\_\_\_\_ line of \_\_\_\_\_ Street to the \_\_\_\_\_ line of \_\_\_\_\_ Street by \_\_\_\_\_ according to the plans and specifications therefore approved by the city council and on file in the office of the city clerk.
2. The city clerk is hereby authorized and directed to return forthwith to all bidders the deposit made with their bids, except that the deposits of the successful bidder and the next two (2) lowest bidders shall be retained until a contract has been signed.

Adopted by the city council this \_\_\_\_\_ day of \_\_\_\_\_ 20

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.



STATE OF MINNESOTA  
CITY OF MONTROSE  
COUNTY OF WRIGHT

I, the undersigned, being the duly qualified and acting Clerk of the City of Montrose, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes of a meeting of the City Council of said City held on the date therein indicated with the original thereof on file in my office, and the same is a full, true and complete transcript therefrom, insofar as the same relates to the resolution awarding contract on \_\_\_\_\_ Improvements.

WITNESS my hand the seal of said City this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
City Clerk

(SEAL)

## AppendixK

EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY OF  
MONTROSE, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the city of Montrose, Minnesota, was duly called and held in the Council Chambers of Montrose Independent School District No. 15 District Office in said City on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION DECLARING COSTS TO BE ASSESSED  
AND ORDERING PREPARATION OF PROPOSED ASSESSMENT  
FOR IMPROVEMENT  
CITY OF MONTROSE, MINNESOTA  
RESOLUTION NO 20 -**

WHEREAS, a contract has been let (costs have been determined) for the improvement of \_\_\_\_\_ Street between \_\_\_\_\_ line of \_\_\_\_\_ Street and the \_\_\_\_\_ line of \_\_\_\_\_ Street by \_\_\_\_\_ an the contract (bid) price for such improvement is \$ \_\_\_\_\_, and the expense incurred or to be incurred in the making of such improvement amount at \$ \_\_\_\_\_ so that the total cost of the improvement will be \$ \_\_\_\_\_

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MONTROSE, MINNESOTA:

1. The portion of the cost of such improvement to be paid by the city is hereby declared to be \$ \_\_\_\_\_
2. The city clerk, with the assistance of the City Engineer (consulting engineer) shall forthwith calculate the proper amount to be specially assessed for such improvement against ever assessable lot piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he/she shall file a copy of such proposed assessment in his/her office for public inspection.
3. The city clerk shall upon the completion of such proposed assessment, notify the council thereof.

Adopted by the council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof: and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA  
CITY OF MONTROSE  
COUNTY OF WRIGHT

I, the undersigned, being the duly qualified and acting Clerk of the City of Montrose, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes of a meeting of the City Council of said City held on the date therein indicated with the original thereof on file in my office, and the same is a full, true and complete transcript therefrom, insofar as the same related to the resolution declaring cost to be assessed and ordering preparation of proposed assessment in connection with \_\_\_\_\_ Improvements in the City.

WITNESS my hand the seal of said City this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
City Clerk

(SEAL)



## Appendix L

EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY OF  
MONTROSE, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Montrose, Minnesota, was duly called and held in the Council Chambers of Montrose Independent School District No. 15 District Office in said City on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION CALLING HEARING ON  
PROPOSED ASSESSMENT FOR IMPROVEMENT  
CITY OF MONTROSE, MINNESOTA  
RESOLUTION NO. 20 -**

WHEREAS, by a resolution passed by the council on \_\_\_\_\_, 20 \_\_, the city clerk was directed to prepare a proposed assessment of the cost of improving \_\_\_\_\_ Street between \_\_\_\_\_ line of \_\_\_\_\_ Street and the \_\_\_\_\_ line of \_\_\_\_\_ Street by \_\_\_\_\_

AND WHEREAS, the clerk, has notified the council that such proposed assessment has been completed and filed in her office for public inspection,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MONTROSE, MINNESOTA:

1. A hearing shall be held on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ located at \_\_\_\_\_ in the city hall at \_\_\_\_\_ a.m. (p.m.) to pass upon such proposed assessment and such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The city clerk is hereby directed to cause a notice of hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he/she shall state in the notice the total cost of the improvement. He/she shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the \_\_\_\_\_, except that no interest shall be charged if the entire assessment is paid within \_\_\_\_\_ days from the adoption of the assessment. He/she may at any time thereafter, pay to the \_\_\_\_\_ the entire amount of the assessment remaining unpaid, with interest accrued to December 31, of the year in

which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

Adopted by the council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA  
CITY OF MONTROSE  
COUNTY OF WRIGHT

I, the undersigned, being the duly qualified and acting Clerk of the City of Montrose, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes of a meeting of the City Council of said City held on the date therein indicated with the original thereof on file in my office, and the same is a full, true and complete transcript therefrom, insofar as the same relates to the resolution calling a hearing on assessments for \_\_\_\_\_ Improvements in the City.

WITNESS my hand the seal of City this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
City Clerk

(SEAL)

## AppendixM

**NOTICE OF HEARING ON PROPOSED  
ASSESSMENT FOR IMPROVEMENT  
CITY OF MONTROSE, MINNESOTA**

**TO WHOM IT MAY CONCERN:**

Notice is hereby given that the council will meet at \_\_\_\_\_ a.m. (p.m.) on \_\_\_\_\_, 20\_\_\_\_, in the Council Chambers of Montrose Independent School District No. 15, District Office to pass upon the proposed assessment for the improvement of \_\_\_\_\_ Street between the line of \_\_\_\_\_ Street and the \_\_\_\_\_ line of \_\_\_\_\_ Street by \_\_\_\_\_. The following is the area proposed to be assessed.

The amount to be specially assessed against your particular lot, piece, or parcel of land is \_\_\_\_\_. You may at any time prior to certification of the assessment to the county auditor, pay the entire assessment on such property, with interest accrued to the date of payment, to the City of Montrose, City Clerk. No interest shall be charged if the entire assessment is paid within \_\_\_\_\_ days from the adoption of this assessment. You may at anytime thereafter, pay to the \_\_\_\_\_ the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the next succeeding year. If you decide not to prepay the assessment before the date given above, the rate of interest that will apply is \_\_\_\_\_ percent per year. The right to partially prepay the assessment according to Ordinance No. \_\_\_\_\_ is/is not available.

The proposed assessment roll is on file for public inspection at the city clerk's office. The total amount of the proposed assessment is \_\_\_\_\_. Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a signed, written objection is filed with the clerk prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners, as it deems advisable.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The city will present its case first by calling witnesses who may testify by narrative or by examination, and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.
2. After the city has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.



4. Minnesota rules of evidence will not be strictly applied; however, they may be considered and argued to the council as the weight of items of evidence or testimony presented to the council.
5. The entire proceeding will be tape-recorded.
6. At the close of presentation of evidence, the objector may make a final presentation to the council based on the evidence and the law. No new evidence may be presented at this point.

An owner may appeal an assessment to district court pursuant to Minnesota States Section 429.081 by serving notice of the appeal upon the mayor or clerk of the city within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk.

---

City Clerk

(SEAL)

## Appendix N

**CERTIFICATE OF MAILING OF NOTICE OF  
HEARING ON PROPOSED ASSESSMENT  
CITY OF MONTROSE, MINNESOTA**

The undersigned, being the duly qualified and acting clerk of the City of Montrose, Minnesota, does hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, (being not less than two weeks before the hearing on the proposed assessment), he/she gave mailed notice of hearing on the proposed assessment described in the Notice attached hereto as Exhibit A, to the owners of each parcel of land described in the assessment roll.

For the purpose of giving such mailed notice, the undersigned secured from the County (Treasurer) (Auditor) a list of the names of the owners of the property described in the assessment roll as shown by the records of said (Treasurer) (Auditor) 30 days prior to date of adoption of the resolution providing for the hearing on proposed assessment. Mailed notice of the hearing on said proposed assessment was also given to the same date to the following property owners affect by the proposed assessment who had previously requested such mailed notice by written request to the County (Treasurer) (Auditor):

(Here list the names of property owners whose names are not on the tax lists of the county, but who have requested mailed notice.)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

WITNESS my hand and the seal of the said City this \_\_\_\_\_ day of  
-----, 20\_\_\_\_

\_\_\_\_\_  
City Clerk

(SEAL)

## Appendix O

EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY OF  
MONTROSE, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Montrose, Minnesota, was duly called and held in the Council Chambers of Montrose Independent School District No. 15 District Office in said City on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at 6:00 o'clock p.m..

The following members were present:

and the following were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION ADOPTING ASSESSMENT  
CITY OF MONTROSE, MINNESOTA  
RESOLUTION NO. 20\_\_-\_\_**

WHEREAS, pursuant to proper notice duly given as required by law, the council has met and heard and passes upon all objections to the proposed assessment for the improvement of \_\_\_\_\_ Street between the \_\_\_\_\_ line of \_\_\_\_\_ Street and the \_\_\_\_\_ line of \_\_\_\_\_ Street by \_\_\_\_\_

NOW THEREFORE, BY IT RESOLVED BY THE CITY COUNCIL OF MONTROSE, MINNESOTA:

1. Such proposed assessment, a copy of which attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvements in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of \_\_\_\_\_ years, the first of the installments to be payable on or before the first Monday in January, 20\_\_\_\_ and shall bear interest at the rate of \_\_\_\_\_ percent annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 20\_\_\_\_. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment to such property, with interest accrued to the date of payment, to the city treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter pay the city treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment

must be made before November 15 or interest will be charged through December 31 of the next succeeding year.

4. The clerk shall forthwith transmit a certified duplicate of this assessment to the county auditor to be extended on the proper tax lists of the county, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the city council this \_\_\_\_\_ day of \_\_\_\_\_ 20

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.



STATE OF MINNESOTA  
CITY OF MONTROSE  
COUNTY OF WRIGHT

I, the undersigned, being the duly qualified and acting Clerk of the City of Montrose, Minnesota,  
DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of  
minutes of a meeting of the City Council of said City held on the date therein indicated with the  
original thereof on file in my office, and the same is a full, true and complete transcript therefrom,  
insofar as the same related to adopting assessments of \_\_\_\_\_  
Improvements and that notice of said meeting was duly given in accordance with law.

WITNESS my hand the seal of said City this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ -

\_\_\_\_\_  
City Clerk

(SEAL)

## AppendixP

**CERTIFICATE TO COUNTY AUDITOR  
CITY OF MONTROSE, MINNESOTA**

County Auditor  
Wright County  
Wright, Minnesota

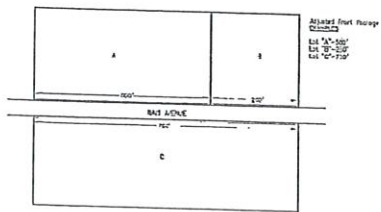
THIS IS TO CERTIFY that the attached list embraces all unpaid assessments levied by the City Council of Montrose, Minnesota, on \_\_\_\_\_, 20 \_\_, under Minnesota Statutes Chapter 429, for the improvement of the City of Montrose, by the construction of \_\_\_\_\_ improvements. The assessment is payable over a period of \_\_\_\_\_ years and one installment with interest as provided in the attached statement is to be extended on the property tax lists of the County each year as required under M.S.A. 429.

WITNESS my hand as such Clerk and the seal of said City **this**\_\_ day of \_\_\_\_\_  
20

\_\_\_\_\_  
City Clerk

(SEAL)

## COMMERCIAL AND INDUSTRIAL ZONED LOTS






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Fax: (320) 231-9710  
Bolton-Menk.com

## MEMORANDUM

**Date:** January 21, 2020  
**To:** Honorable Mayor Otto  
City Council Members  
City of Montrose  
**From:**  Jared Voge, P.E.  
City Engineer  
**Subject:** Capital Improvement Plan and Pavement Management Plan  
BMI Proj. No.: W13.120188

The City of Montrose has successfully utilized a Capital Improvement Plan (C.I.P.) to identify the future infrastructure, equipment, and building needs within the community. The last C.I.P. update was completed in 2017 and several of the projects identified within it have been completed. Please find attached a map illustrating the C.I.P. projects.

City staff has noted that in addition to the projects identified in the 2017 C.I.P., the pavement on multiple streets within the city is deteriorating. Since many streets were constructed during the late 1990s and early 2000s, they are approaching the end of their useful pavement life and require pavement reconditioning to extend their longevity. As a result of the multiple miles of city streets and the potential impact pavement reconditioning can have on the city's budget, staff is recommending that a Pavement Management Plan (P.M.P.) be completed to evaluate the pavement conditions throughout the city. A P.M.P. consists of a condition evaluation of all city streets followed by analysis to determine the most cost-effective maintenance or reconditioning strategy. The goal of the P.M.P. is to document pavement conditions, recommend improvements to them, and identify a recommended timeline for the improvements. Ultimately, a P.M.P. is one component of a larger overall C.I.P.

City staff requests council authorization to proceed with the preparation of a Pavement Management Plan and a Capital Improvement Plan update.

If you have any questions, please call.



