



Osseo City Council

AGENDA

WORK SESSION
Tuesday, August 23, 2022
6:00 p.m., Council Chambers

MAYOR DUANE POPPE COUNCILMEMBERS: JULIANA HULTSTROM, HAROLD E. JOHNSON, LARRY STELMACH, ALICIA VICKERMAN

- 1. Call to Order**
- 2. Roll Call (quorum is 3)**
- 3. Approval of Agenda (requires unanimous additions)**
- 4. Discussion Items**
 - A. 2020, 2021, and 2022 Street and Alley Projects**
- 5. Adjournment**

Agenda Item: Discuss 2020, 2021 and 2022 Project

Meeting Date: August 23, 2022

Prepared By: Alyson Fauske, PE (MN), City Engineer

Attachment: The new “Caring for Your New Sod” letter

Over the past couple of weeks residents from these project areas have contacted City Council to discuss items that are not to their satisfaction. I appreciate the time that Council has spent with residents, my colleagues and me so that I can understand the tasks to be addressed. The discussion below is a high-level summary of what I’ve heard, what is being done (or what has been done) to address the issue, and what will be done differently in the future in effort to avoid these issues.

2020 Street Reconstruction Project

At this time we are not pursuing to recommend closing out the project with the contractor until the following items are addressed to the City Council’s satisfaction.

Concern	Current Status	Future Projects
SOD some areas restored have settled and the sod died.	Site visit to confirm addresses where this condition exists and measure the area Receive City Council direction regarding addressing these areas.	Improve communication to residents when sod is placed (see attached revised “Caring for Your New Sod” letter).
RETAINING WALLS missing end caps & cornerstones at some locations; vertical gaps between block and ground; face of block doesn’t match	Site visit to confirm addresses where this condition exists	Send a newsletter notifying residents when project is substantially complete and encourage them to call the inspector if an item on their property hasn’t been addressed to their satisfaction.
532 2 nd AVE NE reinstall catwalk, driveway length	Catwalk was originally installed to the curb where a catch basin was installed per the resident’s request. Prior to the project the driveway was ~25’ long. It is now ~28’ long, ~18’ of which lies beyond the driveway apron and sidewalk, which is the minimum length of a parking stall.	Identify locations where this condition will exist so that council and the homeowner are aware.
440 2 nd AVE NE height of catwalk steps is inconsistent	The last section of the catwalk was initially ramped to the sidewalk. The property owner requested a step instead.	Identify locations where this condition will exist so that council and the homeowner are aware.

A summary of project costs is as follows:

Feasibility Report Opinion of Probable Cost	\$1,034,500.00
Bid	\$ 707,487.22
Final Construction Cost	\$ 679,581.96
Indirect Costs as of 8/2/2022	\$ 204,632.50

2021 Central Avenue Project

The following items need to be addressed by the contractor before the City Council is asked to accept the improvements and authorize final payment to the contractor:

1. Address the slippery concrete by St. Benedictine's (Steeple Pointe) and the park.
 - a. This refers to the smoother finish on the edge of the "window pane" style sidewalk blocks. I have requested information from the landscape architect regarding any known slip hazard using this type of finish and expect to have that information at the meeting.
2. Fill the gap by the planters at south side of the fire station.
 - a. This work is complete.

A summary of project costs is as follows:

Feasibility Report Opinion of Probable Cost	\$523,890.00
Bid	\$294,242.00
Contract Revisions	\$ 13,456.25
Construction Cost as of 8/2/2022	\$277,740.00
Indirect Costs as of 8/2/2022	\$179,697.25

2022 Alley Project

The contractor has substantially completed the work however punch list items to be addressed before considering closing out the project. A subcontractor has been out to start placing sod.

A general description of construction-related items to be addressed is below.

Concern	Current Status	Future Projects
DRIVEWAY GRADE on north end of Alley 5 (between 4 th and 5 th Ave NE) pitches to garage	On 8/3/2022 discussed option to install a rain garden to the north of the driveway with the occupant, who has since indicated that she does not want to proceed. Looking at design option that would eliminate the back pitch. This would require remobilization to the site, and access restriction during construction and curing time. If pursued, this work would be done at no cost to the city.	Design to include grading review for each driveway at 0.1' increments so that drainage patterns can be verified during the design process. Any change in direction of flow would be discussed with the property owner prior to bidding the project.

Concern	Current Status	Future Projects
POOR DRAINAGE in the alley	Locations have been marked and noted on the punch list	Walk through the project site with city staff to discuss design challenges (such as minimal grades) in effort to identify areas to closely monitor for drainage during design and construction.
SOIL WASHOUTS	Locations have been marked and noted on the punch list	Continue with current practice of notifying contractor of erosion and sediment control devices and stabilization methods that are not in compliance with their permit, and note areas that need to be corrected on the punch list.

A summary of project costs is as follows:

Feasibility Report Opinion of Probable Cost	\$827,395.25
Bid	\$663,057.75
Authorized Indirect Costs	\$187,611.00

Contractor Payments and Warranty Bonds

As a contractor progresses with work on the project the city is contractually obligated to promptly pay for that work and there are still mechanisms in place that ensure that the final product meets or exceeds the City's standards, such as retaining a portion of the project costs when processing a pay voucher and the performance bond that the contractor issues in favor of the City. During the project closeout process the contractor provides a warranty bond to ensure that the contractor performs corrective work that appears within the project during the warranty period. The warranty period begins from the date that the City Council accepts the improvements, and for this project, the warranty runs for two years.

It is worth mentioning that sod is not included in the warranty bond- the contractor is responsible for maintenance of the sod for 30 days and if the sod is in good condition at that time and has taken root at that time, sod becomes the property owners' responsibility.



Caring For Your New Sod

Dear Resident,

Crews placed new sod at your property on [redacted]. Care is necessary for it to survive. We ask for your help to ensure that your sod receives water and maintenance. Please avoid walking on your new sod for the first two weeks. The combined efforts of you and the contractor should result in a healthy, vigorous lawn. Please follow the instructions below.



Watering

Please start watering your new sod as soon as it is placed. The contractor is required to water and maintain for 30-days. These combined efforts will ensure the sod will grow and your lawn is looking its best. After the initial 30-day contractor sod maintenance period,

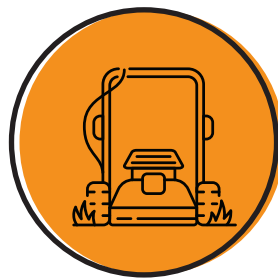
it is up to you to water the sod. Neither the contractor nor the City of Osseo will be responsible for replacing dead sod after the initial 30-day period which expires on [redacted].

Your watering is especially important if there is little rainfall and hot temperatures. A general rule for watering mature lawns is at least 1 inch per week. New sod requires twice as much water, or 2 inches per week done in 3 or 4 applications. More frequent, lighter watering is not desirable as it encourages shallow roots. Lawns need deep roots to help them withstand periods of little or no rain. During extended hot and dry periods, new sod should be soaked every day. Checking to see if you are watering enough is easy. Place a shallow, flat-bottomed container under the sprinkler. Then measure the water depth in the container. Include any rainfall received during the week in your 2 inches per week watering total. You should continue watering the new sod for the remainder of the fall until the first few frost events.

If you have a question, please call or email:



Thank you again for your continued patience and cooperation!



Mowing And Fertilizing

Do not mow your new sod for 3 weeks. This allows the sod to develop deep roots. You should not mow new sod until either the grass lies over and mats down when wet, or the grass goes to seed. Don't be alarmed if either of these conditions does not occur in the

first 30 days. **Before mowing, set the mower deck to the highest setting and use this setting for first several months. Your new sod may die if you cut too short.**

Your new sod was fertilized at the place it was grown and will not need fertilizer until next summer. **If you fertilize sooner, you risk killing the sod.** When you do fertilize, remember to use a phosphorus-free fertilizer. As an example, in 15-0-0 fertilizer, the middle number is phosphorous and should be zero. Remember to follow the manufacturer's instructions on application rates.

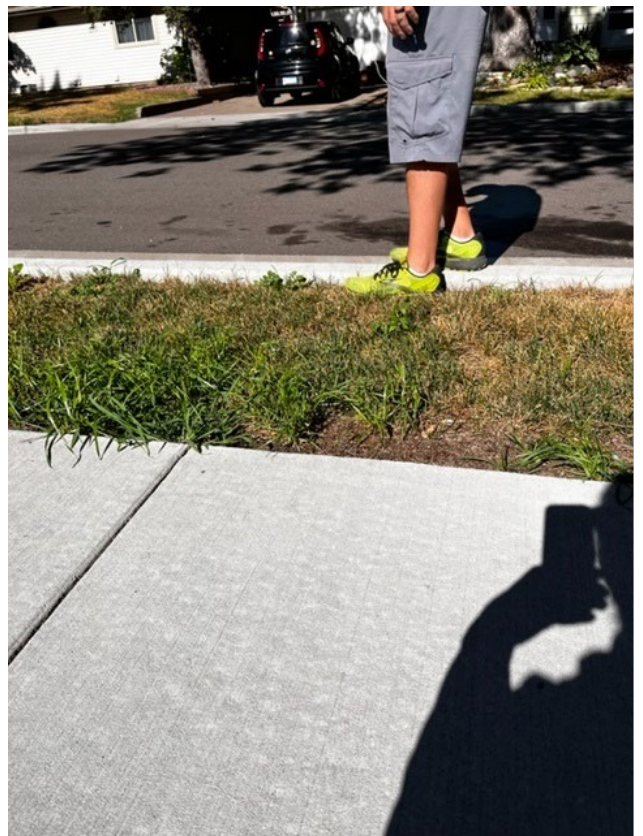


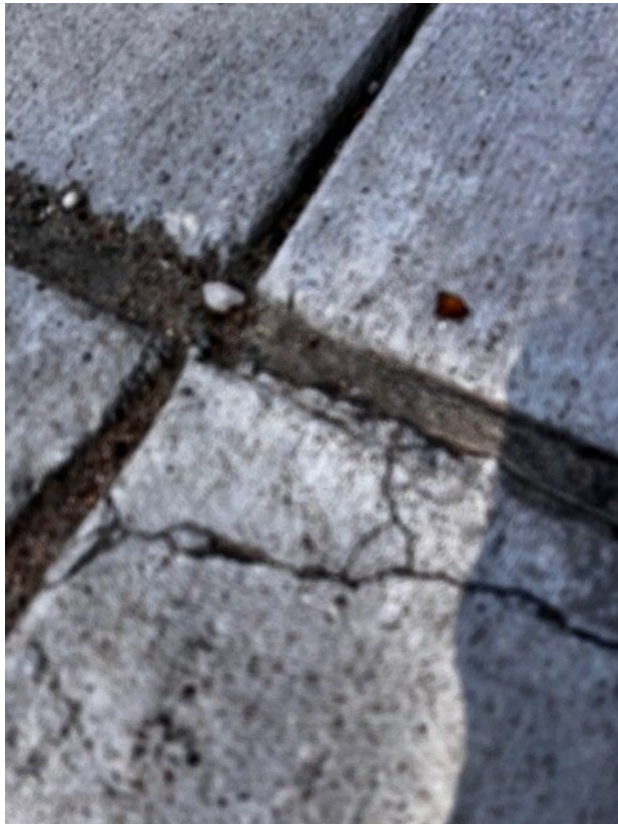
Future Maintenance

Remember, even after your new sod appears to have taken hold; it is not as sturdy as an established lawn. It takes a while for the roots to reach their mature length. Until the roots are mature, the sod is still susceptible to dry conditions. Remember to water

deeply. It is also advised to let the sod grow longer than normal when conditions are dry. Fertilize and water as described above if the sod begins to yellow.

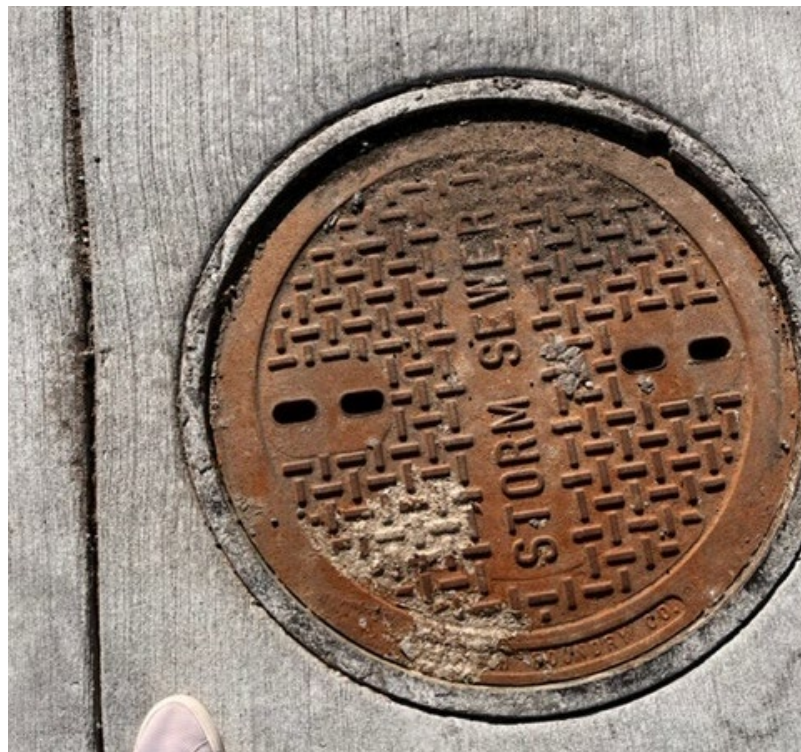
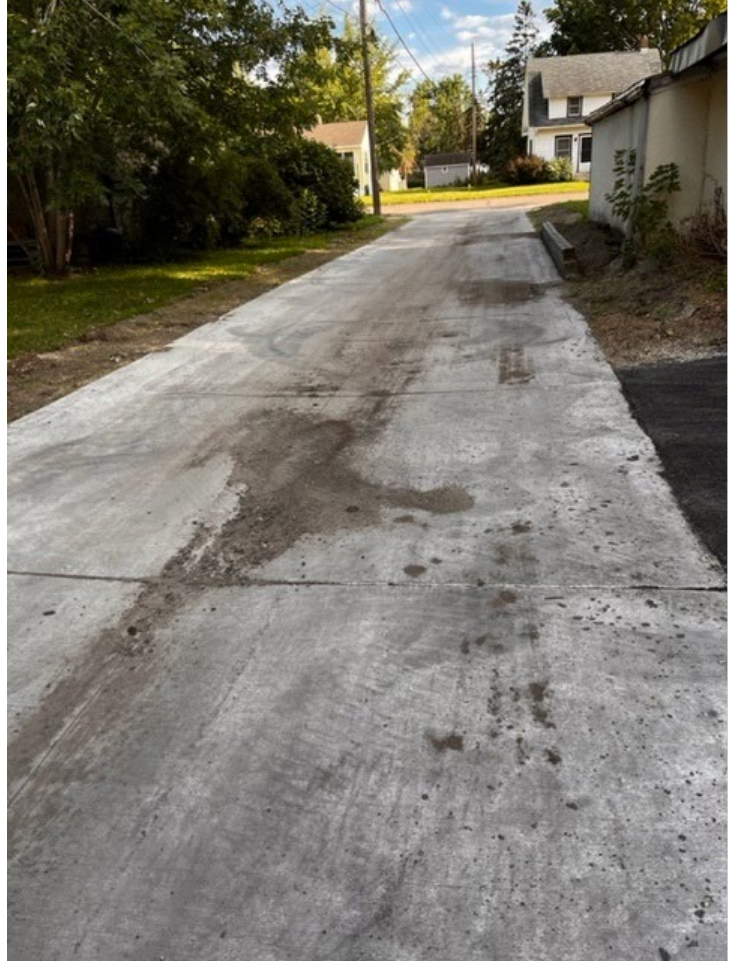
Photos provided by Councilmembers Hultstrom and Johnson











City of Osseo Assessment Policy

Policy Purpose: To serve as a guide to be utilized by the City of Osseo Staff and City Council when preparing assessment rolls associated with Street & Utility Improvement Projects.

Three basic criteria must be satisfied before a parcel can be assessed. They are:

- 1) The land must have received Special Benefit from the improvement.
- 2) The amount of the assessment must not exceed the Special Benefit.
- 3) The assessment must be uniform in relation to the same class of property within the assessment area.

Special Benefit Defined: The increase in market value to a property because of the project or public improvements.

Policy Procedure: The City shall follow the procedures set forth in Minnesota Statutes Chapter 429. Chapter 429 describes the necessary steps Council and Staff must follow and the required timelines for issuing public notices and legal publications. The following is a summary of the Chapter 429 procedure:

1. Initiation of Proceedings: Either a petition from affected property owners (at least 35% of adjacent property frontage) or the Council initiates Chapter 429 proceedings.
2. Feasibility Report: Whether initiated by petition or by Council, Chapter 429 requires that the city engineer, or another person with similar skills, prepare a feasibility report. (Bond attorneys also require a certified copy of a feasibility report before issuing bonds to finance a local improvement that is also utilizing special assessments.)
3. Notice of Public Hearing on Improvement: A public hearing must be held on the proposed improvement. The City must publish notice of the public hearing to consider the proposed improvement. The City must also mail notice to each of the property owners in the proposed assessment area.
4. Public Improvement Hearing: Interested persons may voice their comments and concerns regarding the project, whether they are in the proposed assessment area.
5. Ordering Improvement and Preparation of Plans: A resolution ordering the improvement may be adopted at any time within six months after the date of the improvement hearing. A four-fifths (4/5) vote is required of the Council to advance the project if the project was not initiated by a qualifying petition.
6. Competitive Bidding: Advertise, open, and tabulate bids.
7. Public Assessment Hearing: Prepare proposed assessment roll, publish notice of assessment hearing, and mail individual notices of assessment hearing, including the specific amount of each property assessment. At the public assessment hearing the Council shall hear and consider all objections to the proposed assessment. The Council must adopt the assessment roll by resolution.

Special Assessment Policy:

1. Cost of street improvements, including curb and gutter, shall be assessed at 50% of the total project cost (including administrative costs: legal, engineering, financing, etc.).

2. Cost of alley improvements, including curb and gutter, shall be assessed at 80% of the total project cost (including administrative costs: legal, engineering, financing, etc.) per City Code §92.01(E).
3. Cost of watermain, storm sewer, and sanitary sewer improvements shall be paid for by their respective enterprise funds and/or other City-secured funding source. In some cases, the City may want to consider assessing improvements to private utility service lines.
4. Residential properties, including single-family dwelling lots, duplexes, townhomes, row homes, and similar residential properties, shall be assessed on a PER UNIT basis.
5. Residential corner lots shall be assessed one unit when the street it fronts is reconstructed and 0.5 units for each adjacent street being improved. The street a home fronts shall be defined by that which its address is on.
6. Generally, single-family residential lots, townhome, and row home properties shall be assessed one unit and duplex properties shall be assessed two units. The Council, however, may apply multiples of or some fraction of a unit to address unique circumstances or to distribute assessable costs more equitably.
7. Multi-family Housing (e.g., apartment buildings), Institutional, Commercial, and Industrial Properties shall be assessed on the actual street frontage being improved, adjacent footage basis.
8. Payback period of special assessments shall be over a period of years as determined by the Council.
9. Assessment interest rate shall be 2% higher than the true interest cost (TIC) of the bonds.
10. The City will accept both partial prepayments and full prepayments on assessments before certifying the assessment roll to the County.
11. Special assessment deferments on homesteads are available for senior citizens and disabled persons for whom it would be a hardship to make payments. The assessment is still imposed, but deferred, for those that qualify until such time as:
 - A) The property or any part thereof is sold, transferred, or subdivided.
 - B) Death of the owner and the spouse not otherwise eligible for deferment.
 - C) The property loses homestead status.
 - D) The owner is no longer determined to be in a hardship category.

Policy Modifications: The Assessment Policy is to serve as a guide for a systematic assessment process. Assessment methodology shall be evaluated independently on each project to determine if any modifications need to be made. The Council may adjust the amount of an assessment calculated for a property or properties to address unique features or circumstances of the property or to more equitably distribute the assessable costs of a project, so long as the amount of the assessment does not exceed the Special Benefit to the property. Any such adjustment will only occur if it is recommended by the city engineer and approved by the City Council.

Duane E. Poppe, Mayor

Riley Grams, City Administrator