



**To:** MAYOR AND COUNCIL

**Agenda Item #:** IV.F.

**From:** Wayne D. Houle, PE, Director of Engineering

**Action**

**Discussion**

**Date:** December 11, 2012

**Information**

**Subject:** Public Hearing – Mendelssohn A Neighborhood Roadway Improvements No. BA-393, Resolution No. 2012-152

**Action Requested:**

If the Council determines the project to be necessary, cost-effective, and feasible, Council shall adopt Resolution No. 2012-152 accepting the feasibility study and approving Mendelssohn A Neighborhood Roadway Improvements, No. BA-393, authorize plans and specifications to be completed and bids taken.

**Information / Background:**

City staff initiated this project. The project involves localized rehabilitation of the sanitary sewer, upgrades to the storm sewer system, upgrades to the water system such as replacement of gate valves and fire hydrants, curb and gutter spot repair, and reconstruction of bituminous pavement.

The overall project cost is estimated at \$1,824,259, which includes City owned utility repairs and replacement. Funding for the roadway cost will be from a special assessment of 100% of the roadway cost. All City owned utility repairs will be from the respective utility funds.

Attached is resident correspondence since the submittal of the feasibility study to the Council.

Staff has analyzed the project and feels that the project is necessary, cost-effective, and feasible from an engineering standpoint.

**Attachments:**

Resident Correspondence

## Chad Millner

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**From:** Lynette Biunno on behalf of Edina Mail  
**Sent:** Thursday, November 29, 2012 11:15 AM  
**To:** Wayne Houle  
**Cc:** Susan Howl; Chad Millner  
**Subject:** FW: Attn City Council and Engineering - Road improvement NO BA-392

Good morning,

This message has been forwarded to the Mayor and Council members, Wayne Houle and Chad Millner.



**Lynette Biunno, Receptionist**

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**From:** [rickwindham@q.com](mailto:rickwindham@q.com) [<mailto:rickwindham@q.com>]  
**Sent:** Thursday, November 29, 2012 11:09 AM  
**To:** Edina Mail  
**Subject:** Attn City Council and Engineering - Road improvement NO BA-392

I was just reviewing the improvement proposed for my neighborhood and see that the part of Mendelsson east of Blake road is not included. Since all roads between Blake and Interlachen CC, except Mendelsson, are included why would the one street be left out? It would seem to have that improvement done as a small project would be very expensive and if the planned project had more houses included the cost of our project might be less per household.

Can you please share the rational for this design.

Rick Windham  
952-938-8591

To: City Engineers, Edina City Councilmembers  
From: Mary McDonald, 6216 Belmore Lane, 952-938-2215

## SHOULD INTERLACHEN PAY PART OF THE ASSESSMENT?

(The following is not necessarily the opinion of any other resident of Mendelssohn A. The following also does not address the Maloney neighborhood's situation in relation to Interlachen, because I don't know the particulars of that.)

Interlachen Country Club previously used its access to Belmore Lane for these and other activities:

- valet parking
- using the 6200 Belmore house as its caddy shack.
- using the 6200 Belmore property for the US Open
- access to maintenance of its property that abuts Belmore

Now Interlachen no longer has a curb cut on Belmore. Interlachen says thus it has closed off its access to Belmore and thus it should not have to pay a share of the Belmore road reconstruction. Public Works concurs, saying Interlachen does not have a driveway for vehicles to enter its property from Belmore - and thus, Interlachen is exempt from the assessment.

I don't understand why this lack of one type of access is sufficient for exemption. Instead I see reasons why Interlachen should help pay for the road.

For example, Interlachen has a gate in the fence between its practice area and Belmore; will this never be used for maintenance or emergencies or deliveries? Also, it seems the most reasonable access to Interlachen's acreage on Belmore is via Belmore; will they never maintain the adjacent landscaping or their pond from Belmore? Is Interlachen comfortable guaranteeing that it will never access its property from Belmore (or Maloney)?

Also, there are residential properties at Blake and Belmore and at Blake and Maloney that also have no curb cuts on Belmore or Maloney, and thus, by the above definition, have no access to Belmore or Maloney. The justification for Interlachen's exemption should mean those properties are excluded from the assessment, too. But they aren't.

However, Interlachen is not a residential property. The rule for including a residential property in the assessment is not whether the property has a curb cut onto the road in question. It also is not whether the property uses the road: the "no-access" argument implies "no road usage". Instead the rule is whether a residential property abuts the road to be reconstructed. Is this rule not applied to non-residential property?

In addition, if a non-residential property (e.g., a warehouse) occupies an entire block, does the City assess it only for the roads on which it has curb cuts? What if, in an industrial park, none of the properties abutting a road has curb cuts on that road? The answers to these may suggest that curb cuts are irrelevant in the allocation of assessments.

I would certainly welcome and appreciate further clarification from the City to eliminate the concerns above.