

## MEMORANDUM

TO: Honorable Mayor and City Council  
Neil Jensen, City Administrator

FROM: Bill Angerman, P.E.  
Consulting City Engineer

DATE: November 21, 2023

RE: 72<sup>nd</sup> Avenue Way Improvements Project  
City of Cannon Falls

The City Council will host a Public Hearing on Improvements for 72<sup>nd</sup> Avenue Way project. After opening the public hearing and prior to comments from the public, WHKS will make a presentation about the project and the assessment process. After the presentation, the public will have the opportunity to voice their opinions regarding the project.

This is the first step in the overall process. Final assessments will be determined after bids have been received for the project next spring.

After the public hearing, the City Council may act on the resolution ordering the improvement and directing preparation of plans and specifications. For the project to proceed, the Council needs to pass the resolution by a 4/5 majority vote.

If the Council decides to proceed with the project, WHKS has prepared a professional service agreement to design the project. We request that the Council act on the professional service agreement.

EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY OF  
CANNON FALLS, MINNESOTA

HELD: NOVEMBER 21, 2023

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Cannon Falls, Minnesota, was duly called and held at the City Hall in said City on the 21<sup>st</sup> day of November, 2023, at six thirty o'clock P.M.

The following members were present:

and the following were absent:

The meeting was held pursuant to resolution adopted October 17, 2023, calling a public hearing on the proposed 72<sup>nd</sup> Avenue Way improvements in said City, as more particularly described in the Notice of a Public Hearing ordered at said regular meeting, a copy of which is attached hereto. The Administrator 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 NUMBER 2718**

**RESOLUTION ORDERING IMPROVEMENTS AND DIRECTING  
PREPARATION OF FINAL PLANS AND SPECIFICATIONS**

WHEREAS, after due Notice of Public Hearing on the construction of improvements for the City of Cannon Falls, Minnesota, hearing on said improvements was duly held and the Council heard all persons desiring to be heard on the matter and fully considered the same; and

WHEREAS, at said hearing there was available a reasonable estimate of the amount to be assessed and a description of the methodology, in the form attached hereto as Exhibit A:

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cannon Falls, Minnesota as follows:

1. Said improvements are necessary, cost-effective, and feasible as detailed in the feasibility report.
2. It is advisable, expedient and necessary that said improvements as described in the Notice of Hearing thereon be constructed, and the same are hereby ordered made.
3. The improvements described in said Notice of Hearing are hereby designated and shall be known as 72<sup>nd</sup> Avenue Way Improvements.
4. The consulting engineers, WHKS & Co., are hereby directed to prepare final plans and specifications for said improvements.
5. The City Council shall let the contract for all or part of the work for said improvements or order all or part of the work done by day labor or otherwise as authorized by Minnesota Statutes, Section 429.041, Subdivision 2 or Subdivision 2a within one year of the date of this resolution ordering said improvements.

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_ and upon a 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 by the City Council of the City of Cannon Falls, Minnesota on this 21<sup>st</sup> day of November, 2023.

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Matt Montgomery, Mayor

ATTEST:

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Neil L. Jensen, City Administrator

STATE OF MINNESOTA )  
COUNTY OF GOODHUE ) ss  
CITY OF CANNON FALLS )

I, the undersigned, being the duly qualified and acting Administrator of the City of Cannon Falls, 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 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 the ordering and directing preparation of final plans and specifications of 72<sup>nd</sup> Avenue Way Improvements in said City.

WITNESS my hand and the seal of said City this 21<sup>st</sup> day of November, 2023.

\_\_\_\_\_  
City Administrator

(SEAL)

NOTICE OF PUBLIC HEARING ON IMPROVEMENTS

TO WHOM IT MAY CONCERN:

TIME AND PLACE: Notice is hereby given that the City Council of the City of Cannon Falls, Minnesota, will meet at the City Hall in the City of Cannon Falls, Minnesota, at 6:30 o'clock P.M. on November 21, 2023, to consider the construction of the following improvements, to-wit: 72<sup>nd</sup> Avenue Way Improvements.

NATURE OF IMPROVEMENT: The construction of curb and gutter, and asphalt streets.

ESTIMATED COST: The total estimated cost of said improvements is \$300,000.

AREA PROPOSED TO BE ASSESSED: The area proposed to be assessed for such improvements is as follows: 72<sup>nd</sup> Avenue Way.

AUTHORITY: The Council proposes to proceed under the authority granted by Chapter 429 M.S.A.

Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting. Written or oral objections will be considered. A reasonable estimate of the impact of the assessments will be available at this meeting.

DATED: October 17, 2023.

BY ORDER OF THE CITY COUNCIL

/s/ Neil Jensen  
City Administrator

EXHIBIT A  
IMPACT OF ASSESSMENTS  
CITY OF CANNON FALLS  
72<sup>ND</sup> AVENUE WAY IMPROVEMENTS

Available at Hearing Held November 21, 2023

The impact of the improvement is to provide necessary and desirable facilities for public use. The impact of the assessments for the improvement is to make benefitted properties and their owners responsible for paying the costs of the improvement over time, not the public at large. The extent of the impact of the assessments depends upon the amount assessed.

A reasonable estimate of the total amount assessed is \$300,000. This estimate is approximately 100% of the costs of the improvements. The City reserves the right when actually levying assessments to assess up to the full costs of the improvement, which may exceed estimates available at the time of the hearing on the improvement.

The following is a description of the methodology the City intends to use to calculate individual assessments for affected parcels: Front Footage. The City intends to levy the assessments after receiving bids, which may be about April, 2024. The City reserves the right when actually levying assessments to modify or depart from this methodology to the extent the City deems appropriate.