



MEMORANDUM

301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: September 8, 2019

TO: Owosso City Council

FROM: Glenn Chinavare, Director of Public Services & Utilities

SUBJECT: Clark Avenue Rehabilitation – Special Assessment Resolution No 2

When deemed necessary, the city conducts a street improvement program. Public streets are selected for inclusion in the program either by citizen initiated petition or by selection of the city. **Clark Avenue, from Oliver Street to King Street**, is proposed by the city for street reconstruction. Property owners are then specially assessed to cover the cost of the proposed improvement. Past practice has been to assess property owners along the street 40% of the proposed benefit and the remaining 60% to the community at large. Each property owner can pay an assessment in one lump sum or in installments over the multi-year period (the period being determined by the amount of the average assessment).

The special assessment process has five steps, each having its own purpose and accompanying resolution.

Step One/Resolution No. 1 identifies the special assessment district(s), directs the city manager to estimate project costs and the amounts to be specially assessed, and determines the life of the proposed improvements. Resolution No. 1 for the proposed improvement was approved by City Council at its **August 6, 2018** meeting.

Step Two/Resolution No. 2 sets the date for the hearing of necessity on the projects. It directs notices to be sent to each affected property owner detailing the proposed project, notifying them of the public hearing date, and the estimated amount of their assessment. City Council is asked to act upon Resolution No. 2 on **September 16, 2019** for the proposed improvement, setting a public hearing for Monday, **October 7, 2019**.

Step Three/Resolution No. 3 documents the hearing of necessity. This hearing provides affected residents with the opportunity to comment on whether they feel the project is necessary and of the proper scale. After hearing citizen comment on the project the city council has three options: if they agree that the project should proceed as proposed, the district is established and staff is directed to go on with the next steps of the proposed project, including obtaining bids; if they feel the project should go forward, but with some adjustments they may direct staff to make those adjustments and proceed; if they feel the project is not warranted and should not proceed at all they would simply fail to act on Resolution No. 3, effectively stopping the process.

Step Four/Resolution No. 4 takes place after the bids are received. Estimated assessment amounts are adjusted if necessary to reflect the actual cost as dictated by the bids received. A second public hearing is set to allow property owners to comment on their particular assessment. Each property owner is sent a second notice containing the date and time of the public hearing and the amount of the proposed assessment for their property.

Step Five/Resolution No. 5 documents the second public hearing, finalizes the special assessment roll and sets the terms of payment. This public hearing is designed to allow affected citizens the opportunity to argue whether or not the amount of their assessment is fair and equitable in relation to the benefit they receive from the project. If, after hearing citizen comment, the council decides adjustments need to be made to the assessment roll they may do so. Alternately, if they feel all the assessments are fair and equitable they may pass the resolution as written.

Tonight the council will be considering Resolution No. 2 for the proposed district as a part of the Consent Agenda.

Staff recommends authorization of Resolution No. 2 for the following district, setting the hearing of necessity for Monday, **October 7, 2019**:

Clark Avenue, a Public Street, from Oliver Street to King Street

Attachments: Resolution No. 2-Clark Avenue
Special Assessment Roll-Clark Avenue
Engineer's Estimate-Clark Avenue

Special Assessment Resolution No. 2 for Clark Avenue

Special Assessment District No. 2020-02

Clark Avenue, a Public Street, from Oliver Street to King Street

RESOLUTION NO.

**CLARK AVENUE
FROM OLIVER STREET TO KING STREET
SPECIAL ASSESSMENT RESOLUTION NO. 2**

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

**CLARK AVENUE, A PUBLIC STREET, FROM OLIVER STREET TO KING STREET;
STREET REHABILITATION**

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$323,828.40 and determines that \$59,294.94 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that \$264,533.46 of the cost thereof shall be paid by the City at large because of benefit to the City at large.
4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on Monday, October 7, 2019 for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
7. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF SPECIAL ASSESSMENT HEARING
CITY OF OWOSSO, MICHIGAN**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement:

**Clark Avenue, a Public Street, from Oliver Street to King Street
Street Rehabilitation**

The City Council intends to defray apart or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, October 7, 2019 for the purpose of hearing any person to be affected by the proposed public improvement.

HISTORY

Reso No. 2 Clark Ave – W Oliver St to W King St

- This project is part of the original five-year plan.
- Our records indicate last work done was 1975.
- Records are inaccurate as to existing pavement section. Recent pavement/soil cores indicate 5.5-6" asphalt over a clay base.
- Street width varies from 21' to 24' edge-to-edge plus curb and gutter both sides of street. Proposed street is same width.
- Traffic volumes are about 300 vehicles per day.
- Work scope is to remove the existing pavement and replace with 5" asphalt over 8" crushed limestone base and geotextile separator, along with select curb and gutter repair, storm sewer replacement, and ADA sidewalk ramps. The water main will be replaced in conjunction with the street project. Preliminary plans are available. This treatment is selected as most economical means to deliver a quality road.
- Work schedule TBD but should be sometime between May-September, 2020.
- Life expectancy is 20 years.

CLARK AVENUE FROM OLIVER ST TO KING ST ENGINEER'S ESTIMATE

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	ELIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
Mobilization, Max 5%, (Road and Storm)	LSUM	0.4	\$ 35,100.00	\$ 14,040.00	\$ 14,040.00	\$ 8,424.00	\$ 5,616.00	\$ 5,616.00
Dr Structure, Rem	EA	2	\$ 350.00	\$ 700.00		\$ -	\$ -	\$ -
Sewer, Rem, Less than 24 inch	FT		\$ 10.00	\$ -		\$ -	\$ -	\$ -
Sewer, Rem, Greater than 24 inch	FT		\$ 20.00	\$ -		\$ -	\$ -	\$ -
Curb and Gutter, Rem	FT	980	\$ 7.00	\$ 6,860.00	\$ 6,860.00	\$ 4,116.00	\$ 2,744.00	\$ 2,744.00
Pavt, Rem	SYD	116	\$ 8.00	\$ 928.00	\$ 928.00	\$ 556.80	\$ 371.20	\$ 371.20
Sidewalk, Rem	SYD	235	\$ 8.00	\$ 1,880.00		\$ -	\$ -	\$ -
Embankment, CIP	CYD	45	\$ 12.00	\$ 540.00		\$ -	\$ -	\$ -
Subbase, CIP	CYD	35	\$ 17.00	\$ 595.00		\$ -	\$ -	\$ -
Excavation, Earth	CYD	650	\$ 13.00	\$ 8,450.00		\$ -	\$ -	\$ -
Subgrade Undercutting, Type II	CYD	50	\$ 25.00	\$ 1,250.00		\$ -	\$ -	\$ -
Erosion Control, Inlet Protection, Fabric Drop	EA	3	\$ 100.00	\$ 300.00	\$ 300.00	\$ 180.00	\$ 120.00	\$ 120.00
Aggregate Base, 6 inch, Modified	SYD		\$ 13.00	\$ -		\$ -	\$ -	\$ -
Aggregate Base, 8 inch, Modified	SYD	2453	\$ 14.00	\$ 34,342.00	\$ -	\$ -	\$ -	\$ -
Maintenance Gravel	TON	30	\$ 25.00	\$ 750.00	\$ 750.00	\$ 450.00	\$ 300.00	\$ 300.00
Geotextile, Separator	SYD	2453	\$ 2.00	\$ 4,906.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 10 inch, Tr Det B, Modified	FT	93	\$ 52.00	\$ 4,836.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 12 inch, Tr Det B, Modified	FT	593	\$ 55.00	\$ 32,615.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 15 inch, Tr Det B, Modified	FT		\$ 75.00	\$ -		\$ -	\$ -	\$ -
Sewer, SDR-26, 18 inch, Tr Det B, Modified	FT		\$ 100.00	\$ -		\$ -	\$ -	\$ -
Sewer, SDR-26, 24 inch, Tr Det B, Modified	FT		\$ 130.00	\$ -		\$ -	\$ -	\$ -
Sewer Bulkhead, 12 inch	EA	2	\$ 200.00	\$ 400.00		\$ -	\$ -	\$ -
Sewer Tap, 12 inch	EA	1	\$ 300.00	\$ 300.00		\$ -	\$ -	\$ -
Dr Structure, Temp Lowering	EA	2	\$ 250.00	\$ 500.00	\$ 500.00	\$ 300.00	\$ 200.00	\$ 200.00
Dr Structure Cover, Adj, Case 1	EA	3	\$ 475.00	\$ 1,425.00	\$ 1,425.00	\$ 855.00	\$ 570.00	\$ 570.00
Dr Structure Collar, Modified	EA		\$ 350.00	\$ -	\$ -	\$ -	\$ -	\$ -
Dr Structure Cover, EJ 1060	EA	3	\$ 600.00	\$ 1,800.00	\$ 1,800.00	\$ 1,080.00	\$ 720.00	\$ 720.00
Dr Structure Cover, EJ 1120 w/ Gasket Seal	EA	2	\$ 650.00	\$ 1,300.00	\$ 1,300.00	\$ 780.00	\$ 520.00	\$ 520.00
Dr Structure Cover, EJ 7000	EA	4	\$ 700.00	\$ 2,800.00	\$ 2,800.00	\$ 1,680.00	\$ 1,120.00	\$ 1,120.00
Dr Structure 36 inch dia, Modified	EA	4	\$ 1,500.00	\$ 6,000.00		\$ -	\$ -	\$ -
Dr Structure 48 inch dia, Modified	EA	2	\$ 2,000.00	\$ 4,000.00		\$ -	\$ -	\$ -
Dr Structure 60 inch dia, Modified	EA		\$ 3,500.00	\$ -		\$ -	\$ -	\$ -

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	ELIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
Dr Structure 72 inch dia, Modified	EA		\$ 5,500.00	\$ -		\$ -	\$ -	\$ -
Dr Structure, Add Depth of 48 inch dia, 8 foot to 15 foot	FT		\$ 350.00	\$ -		\$ -	\$ -	\$ -
HMA Surface, Rem	SYD	2454	\$ 3.00	\$ 7,362.00	\$ 7,362.00	\$ 4,417.20	\$ 1,472.40	\$ 2,208.60
Hand Patching	TON	5	\$ 125.00	\$ 625.00	\$ 625.00	\$ 375.00	\$ 125.00	\$ 187.50
HMA, 2C @ 3.5"	TON	520	\$ 85.00	\$ 44,200.00	\$ 44,200.00	\$ 26,520.00	\$ 12,628.57	\$ 17,680.00
HMA, 4E3 @ 2.0"	TON		\$ 88.00	\$ -	\$ -	\$ -	\$ -	\$ -
HMA, 5E3 @1.5"	TON	222	\$ 88.00	\$ 19,536.00	\$ 19,536.00	\$ 11,721.60	\$ 7,814.40	\$ 7,814.40
HMA Approach	TON	5	\$ 125.00	\$ 625.00	\$ 625.00	\$ 375.00	\$ 250.00	\$ 250.00
Cement	TON	1	\$ 250.00	\$ 250.00	\$ 250.00	\$ 150.00	\$ 100.00	\$ 100.00
Saw Cutting	FT	100	\$ 3.00	\$ 300.00		\$ -	\$ -	\$ -
Driveway, Nonreinf Conc, 6 inch	SYD	114	\$ 45.00	\$ 5,130.00		\$ -	\$ -	\$ -
Approach, CI II, LM	TON	5	\$ 50.00	\$ 250.00	\$ 250.00	\$ 150.00	\$ 100.00	\$ 100.00
Curb and Gutter, Conc, Det F4	FT		\$ 20.00	\$ -	\$ -	\$ -	\$ -	\$ -
Curb and Gutter, Conc, Det F4, Modified	FT	980	\$ 20.00	\$ 19,600.00	\$ 19,600.00	\$ 11,760.00	\$ 7,840.00	\$ 7,840.00
Driveway Opening, Conc, Det M	FT		\$ 20.00	\$ -		\$ -	\$ -	\$ -
Detectable Warning Surface, Modified	FT	35	\$ 40.00	\$ 1,400.00		\$ -	\$ -	\$ -
Sidewalk Ramp, Conc, 7 inch	SFT	1067	\$ 5.00	\$ 5,335.00		\$ -	\$ -	\$ -
Sidewalk, Conc, 4 inch	SFT	766	\$ 4.50	\$ 3,447.00		\$ -	\$ -	\$ -
Sidewalk, Conc, 6 inch	SFT	536	\$ 5.00	\$ 2,680.00		\$ -	\$ -	\$ -
Valve Box, Adj	EA		\$ 200.00	\$ -		\$ -	\$ -	\$ -
Sanitary Serv Conflict	EA	2	\$ 1,350.00	\$ 2,700.00		\$ -	\$ -	\$ -
Abandoned Gas Main Conflict	EA	5	\$ 500.00	\$ 2,500.00		\$ -	\$ -	\$ -
Barricade, Type III, High Intensity, Double Sided, Furn & Oper	EA	3	\$ 100.00	\$ 300.00		\$ -	\$ -	\$ -
Pedestrian Type II Barricade, Temp	EA	10	\$ 150.00	\$ 1,500.00		\$ -	\$ -	\$ -
Lighted Arrow, Type C, Furn & Oper	EA	1	\$ 300.00	\$ 300.00		\$ -	\$ -	\$ -
Minor Traf Devices	LSUM	0.4	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 2,400.00	\$ 1,600.00	\$ 1,600.00
Plastic Drum, High Intensity, Furn & Oper	EA	40	\$ 20.00	\$ 800.00		\$ -	\$ -	\$ -
Sign, Type B, Temp, Prismatic, Furn & Oper	SFT	110	\$ 5.00	\$ 550.00		\$ -	\$ -	\$ -
Turf Establishment, Performance	SYD	325	\$ 6.00	\$ 1,950.00		\$ -	\$ -	\$ -
Sign, Type IIIA	SFT		\$ 20.00	\$ -		\$ -	\$ -	\$ -
Pavt Mrkg, Ovly Cold Plastic, 24 inch, Stop Bar	FT		\$ 10.00	\$ -		\$ -	\$ -	\$ -
Pavt Mrkg, Ovly Cold Plastic, Rt Turn Arrow Sym	EA		\$ 150.00	\$ -		\$ -	\$ -	\$ -
Pavt Mrkg, Ovly Cold Plastic, Thru and Lt Turn Arrow Sym	EA		\$ 200.00	\$ -		\$ -	\$ -	\$ -
Pavt Mrkg, Waterborne, 4 inch, White	FT		\$ 1.00	\$ -		\$ -	\$ -	\$ -

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	ELIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
Pavt Mrkg, Waterborne, 4 inch, Yellow	FT		\$ 0.50	\$ -		\$ -	\$ -	\$ -
Post, Mailbox	EA		\$ 100.00	\$ -		\$ -	\$ -	\$ -
Miscellaneous Work Items	LSUM	1	\$ 13,000.00	\$ 13,000.00	\$ 13,000.00	\$ 7,800.00	\$ 5,200.00	\$ 5,200.00
SUB TOTALS				\$ 269,857.00	\$ 140,151.00	\$ 84,090.60	\$ 49,411.57	\$ 55,261.70
ENGINEERING AT 15% ASSESSABLE COST				\$ 40,478.55	\$ 21,022.65	\$ 12,613.59	\$ 7,411.74	\$ 8,289.26
ADMINISTRATIVE AT 5% ASSESSABLE COST				\$ 13,492.85	\$ 7,007.55	\$ 4,204.53	\$ 2,470.58	\$ 2,763.09
GRAND TOTALS				\$ 323,828.40	\$ 168,181.20	\$ 100,908.72	\$ 59,293.89	\$ 66,314.04

ENGINEER'S DETERMINATION OF ASSESSABLE AMOUNT

CLARK AVENUE FROM OLIVER TO KING

SPECIAL ASSESSMENT ROLL

ENGINEER'S ESTIMATE ASSESSABLE AMOUNT	\$168,181.20
TOTAL ASSESSABLE FRONT FEET	1548.58

CALCULATING ASSESSABLE FRONT FOOT RATE AND AMOUNTS:

PROPERTY TYPE	RESIDENTIAL PROPERTY	COMMERCIAL PROPERTY	TOTAL
TOTAL ASSEMENT PER TYPE	\$168,181.20	\$168,181.20	
CITY SHARE ≥ 60%	\$108,887.31	\$101,867.16	
PROPERTY SHARE @ ≤40%	\$59,293.89	\$66,314.04	
ASSESSABLE FRONT FOOT RATE: PROP SHARE/1548.58	\$38.29	\$42.82	
TOTAL FRONT FEET PER TYPE	1548.58	0.00	
TOTAL AMOUNT OF ASSESSMENT PER TYPE:	\$59,293.89	\$0.00	\$59,293.89

SUMMARY: SPECIAL ASSESSMENT AMOUNTS PER SIDE OF STREET:

WEST SIDE	\$30,880.89
EAST SIDE	\$28,414.05
TOTAL SPECIAL ASSESSMENT	<u>\$59,294.94</u>

CLARK AVE FROM OLIVER TO KING

ESTIMATED SPECIAL ASSESSMENT ROLL NO. 2020-02

RESO 2

WEST SIDE

ADDRESS NO.	STREET	PROPERTY OWNER NAME	ROLL NUMBER	FRONT FOOTAGE	CORNER LOT DISCOUNT	ASSESSABLE FRONT FEET	FRONT FOOT RATE	AMOUNT OF ASSESSMENT	PROPERTY TYPE
800	W OLIVER	VALASEK, ROBERT E & KATHY M	670-002-016	132	0.75	99.00	\$38.29	\$3,790.71	R1
515	CLARK	PATTERSON ELEANOR S	670-002-015	80.5	1	80.50	\$38.29	\$3,082.35	R1
523	CLARK	VANEPPS, MARK & BRENDA	670-002-013	66	1	66.00	\$38.29	\$2,527.14	R1
529	CLARK	COMRIE, DANIEL A & SUEANN	670-002-012	66	1	66.00	\$38.29	\$2,527.14	R1
603	CLARK	HENRY, ROSALYN A LIVING TRUST	670-002-010	132	1	132.00	\$38.29	\$5,054.28	R1
607	CLARK	HENRY, ROSALYN A LIVING TRUST	670-002-008	66	1	66.00	\$38.29	\$2,527.14	R1
609	CLARK	YOUNG, ANDREW V & BARBARA J	670-002-007	66	1	66.00	\$38.29	\$2,527.14	R1
615	CLARK	IHILEVICH, SUZANNE	670-002-005	66	1	66.00	\$38.29	\$2,527.14	R1
625	CLARK	SCHLUCKEBIER KELLY	670-002-004	66	1	66.00	\$38.29	\$2,527.14	R1
805	W KING	BOND, DAVID M & KATHY L	670-002-001	132	0.75	99.00	\$38.29	\$3,790.71	R1
				872.5		806.50		\$30,880.89	

EAST SIDE

ADDRESS NO.	STREET	PROPERTY OWNER NAME	ROLL NUMBER	FRONT FOOTAGE	CORNER LOT DISCOUNT	ASSESSABLE FRONT FEET	FRONT FOOT RATE	AMOUNT OF ASSESSMENT	PROPERTY TYPE
728	W OLIVER	LUPU, TAVI M	660-003-008	120.1	0.75	90.08	\$38.29	\$3,448.97	R1
516	CLARK	TAP ENTERPRISES, INC	660-003-009	58	1	58.00	\$38.29	\$2,220.82	R1
522	CLARK	SCHINDLER, KEITH, ET AL	660-003-010	66	1	66.00	\$38.29	\$2,527.14	R1
721	LEE	KURTZ, THOMAS E & ATHENA S	660-003-011	66	0.75	49.50	\$38.29	\$1,895.36	R1
600	CLARK	JONES, MATHEW P & INITA L	670-001-016	66	0.75	49.50	\$38.29	\$1,895.36	R1
610	CLARK	FLIPPONE, NICOLE	670-001-015	66	1	66.00	\$38.29	\$2,527.14	R1
620	CLARK	BURROUGHS, LAURA	670-001-014	66	1	66.00	\$38.29	\$2,527.14	R1
622	CLARK	KILEY, SHAWN	670-001-011	66	1	66.00	\$38.29	\$2,527.14	R1
626	CLARK	PRESCOTT, DAVID E & LISA M	670-001-010	66	1	66.00	\$38.29	\$2,527.14	R1
630	CLARK	BACK, WILLIAM H & LINN M TRUST	670-001-007	66	1	66.00	\$38.29	\$2,527.14	R1
636	CLARK	LAB ERIC P & FORMAN SIERRA L	670-001-006	132	0.75	99.00	\$38.29	\$3,790.71	R1
				838.1		742.08		\$28,414.05	

TOTAL ASSESSABLE FRONT FOOTAGE

1548.58