

RESOLUTION R2023-001

**A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA APPROVE FUNDING AND CONNECTION
OPTIONS FOR THE MARAS STREET, 13TH AVENUE AND HANSEN AVENUE UTILITY EXTENSION PROJECT
SEWER-21-001**

WHEREAS, pursuant to a written contract signed with the City of Shakopee on March 15, 2022, Northwest Asphalt, Inc., has satisfactorily completed the sanitary sewer and watermain work for the Maras Street, 13th Avenue and Hansen Avenue Utility Extension Project in accordance with such contract.

WHEREAS, all final project costs have been determined for the Maras Street, 13th Avenue and Hansen Avenue Utility Extension Project, and the final costs related to gravity sanitary sewer, forcemain, lift station and watermain costs have been determined.

WHEREAS, pursuant to proper notice duly given as required by law, the City Council of the City of Shakopee met and heard and passed upon all objections to the proposed sanitary sewer funding and connection options of:

Properties adjacent to Maras Street between Hansen Avenue and 13th Avenue, Hansen Avenue between Stagecoach Road and Maras Street, 13th Avenue between Stagecoach Road and the City of Shakopee East boundary, and Stagecoach Road between Hansen Avenue and 13th Avenue.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHAKOPEE, MINNESOTA AS FOLLOWS:

The City Council of the City of Shakopee hereby establishes the following funding options and connection options for the Maras Street, 13th Avenue and Hansen Avenue Utility Extension Project:

1a. Funding Option – Pay in Full: Property owners may pay the full fees at the time of connection. Typically, an annual cost escalation is included in the connection fees; however, a three-year grace period would apply to the fees for this project to aid and promote volunteer connections. The annual cost escalation will be applied after three years from the date of this resolution being adopted.

1b. Funding Option – Special Assessment: Property owner may request to have the connection charges specially assessed to their property by signing a waiver of special assessment appeal. These assessments shall be payable over a period of ten years with the first installment to be payable on or before the first Monday in January after the date on the special assessment waiver of appeal and shall bear interest at the rate of 4.50 percent annum. If the special assessment waiver of appeal is dated after the first Monday in January, the Interest for the remaining year shall be paid through December 31st of that year. One year of interest on the unpaid balance shall be added to each subsequent installment when due.

2. Connection Options: Property owners will be required to connect to the utilities if one of the following occur:

- a. Property is redeveloped (lateral fee's must be paid when final plat is recorded)
- b. Sale of property
- c. Failure of system
- d. Voluntary connection

Property owners may connect to the sewer and water systems concurrently or non-concurrently. If a property owner experiences failure of one of their systems, they may decide to connect to both utilities concurrently due to economy of scale. If they chose this option, the connection fee for the system that didn't fail could be deferred for a period of three years. No annual cost escalation would be applied to the system that didn't fail for that three-year period.

Property owners may also decide to connect non-concurrently. This option allows for property owners with newer systems to obtain the maximum return on their investment. If property owners choose this option, the non-failing system would be required to be connected within 15-years. If sanitary sewer is connected without water, a flat rate will be developed based on the City's fees schedule and Metropolitan Council Environmental Services Sewer Availability Charge unit determination and used to charge for ongoing sanitary sewer service.

Adopted in regular session of the City Council of the City of Shakopee, Minnesota, held this 3rd day of January 2023.

Mayor of the City of Shakopee

ATTEST:

City Clerk

Prepared by:
City of Shakopee
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