

Councilmember \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**RESOLUTION #19-012**

**RESOLUTION ACCEPTING PETITION OPPOSING BROOKVIEW ESTATES STREET RECONSTRUCTIONS, IMPROVEMENT PROJECT #19-02**

**WHEREAS**, pursuant to Ramsey City Council Resolution #18-176, adopted August 28, 2018, a Feasibility Report was prepared by the City Engineer with reference to proposed improvements to approximately 0.50 miles of streets within the Brookview Estates development including the reconstructions of 173rd Avenue and Germanium Street, and other appurtenant work; and

**WHEREAS**, pursuant to Ramsey City Council Resolution #18-220, adopted October 23, 2018, the Feasibility Report was received and accepted, and a Public Hearing was ordered for November 13, 2018 at 7 p.m.; and

**WHEREAS**, benefiting properties are proposed to be assessed for 25-percent of the cost of the improvements, pursuant to Minnesota Statutes Chapter 429, Chapter 8 of the City Charter, and the City's Special Assessments Policy; and

**WHEREAS**, the City Clerk gave mailed and published notice of such hearing and improvements as required by law; and

**WHEREAS**, the City Council approved the Feasibility Report and conducted a Public Hearing for the proposed improvements on November 13, 2018; and

**WHEREAS**, during the Public Hearing it was discussed that benefiting property owners have the right to petition against a Council initiated improvement project per City Charter Section 8.4; and

**WHEREAS**, on December 10, 2018 the City Administrator received a petition opposing this Council initiated improvement project; and

**WHEREAS**, the City Engineer validated the names and addresses of the fifteen petitioners, which represents 71.4% of the twenty-one benefiting properties; and

**WHEREAS**, on December 18, 2018, the Public Works Committee unanimously passed a motion accepting the petition as valid and directing Staff to mail letters to all benefiting property owners to clearly define the project, ramifications of signing the petition and options to withdraw their signature if desired; and

**WHEREAS**, on December 21, 2018, letters were mailed to all benefiting property owners clearly defining the project, ramifications of signing the petition and options to withdraw their signature if desired; and

**WHEREAS**, no requests were received to withdraw signatures from the petition; and

**WHEREAS**, pursuant to Ramsey City Council Resolution #19-012, the petition is received and accepted, and Staff is directed to terminate all work on Improvement Project #19-02 until a valid petition requesting said improvements is received from benefiting property owners, or until the City Council orders said improvements, neither of which shall occur before November 13, 2019.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

- 1) The City Council acknowledges receipt of a petition signed by fourteen of twenty-one benefiting property owners opposing the Brookview Estates Street Reconstructions, Improvement Project #19-02.
- 2) The City Council accepts the petition opposing the Brookview Estates Street Reconstructions, Improvement Project #19-02, as provided for under Section 8.4.5 of the City Charter.
- 3) The City Council directs Staff to terminate all work on Improvement Project #19-02 until a valid petition requesting said improvements is received from benefiting property owners, or until the City Council orders said improvements, neither of which shall occur before November 13, 2019.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 8th day of January, 2019.

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Mayor

**ATTEST:**

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City Clerk