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MEMO

TO: Sunfish Lake Mayor, Councilmembers and Consultants
FROM: Timothy J. Kuntz, City Attorney
DATE: August 27, 2014
RE: 2014-01 Street Improvement Project – Special Assessment Hearing
September 2, 2014 Council Meeting; Agenda Items 5(a) and 5(b)

Section 1. Background. On August 6, 2014, the attached Notice of Hearing on Proposed Special Assessments for the 2014-01 Street Improvement Project was mailed to each affected landowner proposed to be assessed. On August 10, 2014 and on August 17, 2014, the attached Notice of Hearing on Proposed Special Assessments was published in the *South-West Review*.

On Tuesday, September 2, 2014, the City will hold a public hearing to consider, pass upon, adopt and levy the proposed special assessments for the project improvements, as described in the attached Notice of Hearing on Proposed Special Assessments. At the public hearing, the City Council may adopt the proposed assessments.

The project cost for Project 2014-01 is \$333,486. The total amount of the proposed assessments is about 56% thereof, namely, the sum of \$185,500. The Project is proposed to be specially assessed against buildable tax parcels either abutting, or served by said improvements. The areas and parcels, as specifically described herein, are subject to said special assessments. The buildable tax parcels abutting or served by the improvements are proposed to be assessed \$4,500 per buildable tax parcel for those tax parcels abutting or served by Angell Road and \$6,500 per buildable tax parcel for those tax parcels abutting or served by Windy Hill Road and Windy Hill Court.

Section 2. Council Action. At the September 2, 2014, Council meeting, the Council will be asked to consider the attached Resolution Adopting the Special Assessments for Project 2014-01.

After the Council meeting, my office will send a letter to each affected landowner. The letter will advise the landowner as to the levied amount of the assessment and as to the right to pre-pay the assessment without interest in 30 days. We will enclose a stamped, self-addressed envelope that may be returned to the City Treasurer with pre-payment.

In terms of the public hearing on September 2, 2014, I suggest the following sequence of events:

- 1.) Declaration by Mayor that the public hearing is open.
- 2.) Overview of the project by the City Engineer.
- 3.) Overview of the proposed assessments by the City Attorney.
- 4.) Citizen questions.
- 5.) Council questions.
- 6.) Motion to close the public hearing.
- 7.) Motion to adopt the attached Resolution Adopting the Special Assessments for Project 2014-01.

Attachments