

CITY OF NORTHFIELD, MINNESOTA
CITY COUNCIL RESOLUTION 2020-052

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
NORTHFIELD, MINNESOTA, PASSING UPON OBJECTIONS TO PROPOSED SPECIAL
ASSESSMENTS FOR VARIOUS CARLETON COLLEGE PROPERTIES

WHEREAS, the Northfield City Council conducted a duly noticed special assessment public hearing for the 2020 Mill and Overlay Project (2020STRT-A45) on May 19, 2020; and,

WHEREAS, Carleton College (the “property owner”) submitted a formal letter of objection on May 14, 2020 to the City Clerk, City Council, City of Northfield Engineering Department, and the City of Northfield Administration objecting to all of the proposed special assessments for various properties owned by Carleton College as listed within the City’s proposed assessment roll; and,

WHEREAS, Carleton College is seeking a reduction in the proposed assessments upon the various identified properties owned by Carleton College as listed within the City’s proposed assessment roll based on the assertions that there are no demonstrated benefits to the various listed properties, the proposed assessments are not uniform and therefore disproportionately burden the subject parcels, and the assessments exceed any increase in market value for the respective identified properties owned by Carleton College as listed within the City’s proposed assessment roll; and,

WHEREAS, notice of the time, date and place of this continued hearing was additionally provided in writing and mailed to the subject property owner on May 20, 2020; and,

WHEREAS, the duly noticed continued special assessment hearing was held on June 2, 2020 by the Northfield City Council to consider the above-referenced objections.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT, based upon the record, testimony and evidence presented at said hearing, the City Council makes the following:

FINDINGS

1. The Northfield City Council conducted a special assessment public hearing for the 2020 Mill and Overlay Project (2020STRT-A45)) on May 19, 2020.
2. The property owner submitted a formal letter of objection on May 14, 2020 to the City Clerk, City Council, City of Northfield Engineering Department, and the City of Northfield Administration objecting to all of the proposed special assessments for various properties owned by Carleton College as listed within the City’s proposed assessment roll.

3. The property owner is seeking a reduction in the proposed assessments upon the various identified properties as listed within the City's proposed assessment roll based on the assertions that there are no demonstrated benefits to the various listed properties, the proposed assessments are not uniform and therefore disproportionately burden the subject parcels, and the assessments exceed any increase in market value for the respective identified properties owned by Carleton College as listed within the City's proposed assessment roll.
4. The various properties subject to assessment and to which the property owner is objecting, as included in the proposed assessment roll, are listed again herein as Exhibit A, which is attached hereto and incorporated herein.
5. At the special assessment public hearing on May 19, 2020, the Northfield City Council adopted a motion receiving the above-referenced objections and continuing the special assessment public hearing related to the properties listed in Exhibit A to allow further analysis and consideration of the objections.
6. Notice of the time, date and place of this continued hearing was mailed to the property owner on May 20, 2020.
7. The property owner submitted a follow-up letter on May 27, 2020 to the City Clerk, City Council, City of Northfield Engineering Department, and the City of Northfield Administration providing more detail related to their request for adjusts to the proposed special assessments for various properties owned by Carleton College as listed within the City's proposed assessment roll.
8. The duly noticed continued special assessment hearing was held on June 2, 2020 by the Northfield City Council to consider and pass upon the above-referenced objections.
9. The Carleton College Properties listed in Exhibit A yield a proposed collective assessment amount of \$397,765 under the Northfield special assessment ordinance, Northfield City Code, Chapter 66.
10. Northfield City Code, Section 66-25 provides in part that:

The cost of public improvements, or any part thereof, may be assessed upon the property benefited from the improvement.
11. The City had a licensed certified general real property appraiser conduct a benefit appraisal, which identified a benefit to the properties on the assessment roll including those listed in Exhibit A, which is above the actual amount proposed for assessment to the subject properties.
12. Northfield City Code, Section 66-1 provides in part that:

The purpose and intent of this chapter is to serve as a guide for the making of public improvements and the levying of special assessments within the city. ... Where a project includes unusual or extraordinary circumstances or conditions, the council may, in its discretion, vary from the standards of this chapter in order to accommodate such circumstances or conditions in a fair and reasonable manner.

13. Northfield City Code, Section 66-35 provides in part that:

Unless otherwise determined by the City Council, the City shall use one of two methods of calculating special assessments for public improvement projects, or a combination of those methods, depending on the circumstances of the project: the "front foot method" or the "per lot method." ...

Because different parcels vary greatly in front footage, back and side footage, area, and configuration, and yet each similar property (for instance, each single family home) uses public improvements approximately equally, the City will adopt and employ a means of adjusting for these variations in size and configuration and arriving at an adjusted front footage, in order to render the allocation of assessments for public improvements reasonable, fair and equitable among all affected properties.

14. Minnesota Statutes, Section 429.061, subd. 2 provides in part that:

At such meeting or at any adjournment thereof the Council shall hear and pass upon all objections to the proposed assessment, whether presented orally or in writing. The Council may amend the proposed assessment as to any parcel and by resolution adopt the same as the special assessment against the lands named in the assessment roll. ...

The Council may consider any objection to the amount of a proposed assessment as to a specific parcel of land at an adjourned hearing upon further notice to the affected property owner as it deems advisable. At the adjourned hearing the Council or a committee of it may hear further written or oral testimony on behalf of the objecting property owner and may consider further written or oral testimony from appropriate city officials and other witnesses as to the amount of the assessment. The Council or committee shall prepare a record of the proceedings at the adjourned hearing and written findings as to the amount of the assessment. The amount of the assessment as finally determined by the Council shall become a part of the adopted assessment roll. ...

If the adopted assessment differs from the proposed assessment as to any particular lot, piece, or parcel of land, the clerk must mail to the owner a notice stating the amount of the adopted assessment. Owners must also be notified by mail of any changes adopted by the council in interest rates or prepayment requirements from those contained in the notice of the proposed assessment.

15. Both Minnesota Statutes and Northfield City Code authorize and contemplate adjustments to special assessments in order to accommodate unusual or extraordinary circumstances or conditions in a fair and reasonable manner.
16. The City Council heard and received all offered testimony and evidence from the property owner and public regarding the subject properties during the assessment hearing and continued assessment hearing. No additional appraisal evidence, other than the City's benefit appraisal report was offered into evidence during the assessment hearing or continued assessment hearing.

17. Additional findings, if any:

BE IT FURTHER RESOLVED THAT, based upon the record, testimony and evidence presented at said public hearing and the above findings, the City Council adopts ONE (X) of the following ALTERNATIVES:

___ **ALTERNATIVE 1**

The Northfield City Council hereby: 1) receives and acknowledges the objections of the proposed special assessments for the properties listed in Exhibit A; 2) has reviewed the basis for the proposed assessments; 3) finds the proposed assessments upon the properties listed in Exhibit A and the assessment roll to be supported by the evidence and in compliance with established City assessment policy, Chapter 66 of Northfield City Code, and Chapter 429 of Minnesota Statutes; and 4) denies the objections in their entirety and determines that the assessment amounts for the properties listed in Exhibit A and the assessment roll shall be adopted as originally proposed.

___ **ALTERNATIVE 2**

The Northfield City Council hereby: 1) receives and acknowledges the objections of the proposed special assessments for the properties listed in Exhibit A; 2) has reviewed the basis for the proposed assessments; 3) finds the proposed assessments upon the properties listed in Table 1 below to be supported by the evidence and in compliance with established City assessment policy, Chapter 66 of Northfield City Code, and Chapter 429 of Minnesota Statutes; 4) denies the objections for the properties listed in Table 1 below in their entirety and determines that the assessment amounts for the properties listed in Table 1 below as included in the assessment roll shall be adopted as originally proposed; and 5) finds the objections for the properties listed in Table 2 below to be supported by the evidence and therefore amends the assessment amounts for

the respective properties listed in Table 2 by reducing the same to the revised assessment amounts as provided in Table 2 below.

Table 1 – Properties Denied Objection of Proposed Assessments

| <u>Parcel ID</u> | <u>Address</u> | <u>Proposed Assessment</u> |
|------------------|----------------|----------------------------|
| | | |
| | | |
| | | |
| | | |

Table 2 – Properties Amended Assessments

| <u>Parcel ID</u> | <u>Address</u> | <u>Proposed Assessment</u> | <u>Revised Assessment</u> |
|------------------|----------------|----------------------------|---------------------------|
| | | | |
| | | | |
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___ **ALTERNATIVE 3**

The Northfield City Council hereby: 1) receives and acknowledges the objections of the proposed special assessments for the properties listed in Exhibit A; 2) has reviewed the basis for the proposed assessments; 3) finds the objections for the properties listed in Table 1 below to be supported by the evidence and therefore amends the assessment amounts for the respective properties listed in Table 1 by reducing the same to the revised assessment amounts as provided in Table 1 below.

Table 1 – Properties Amended Assessments

| <u>Parcel ID</u> | <u>Address</u> | <u>Proposed Assessment</u> | <u>Revised Assessment</u> |
|------------------|----------------|----------------------------|---------------------------|
| | | | |
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PASSED by the City Council of the City of Northfield on this 2nd day of June 2020.

ATTEST

City Clerk

Mayor

VOTE: ____ POWNELL ____ DELONG ____ GRABAU ____ NAKASIAN
____ NESS ____ PETERSON WHITE ____ ZWEIFEL

EXHIBIT A

CARLETON COLLEGE PROPERTIES ASSESSMENTS

| PID | Name | Address | Street | Rate | Assessment |
|------------|------------------|---------|---------------|----------------|---------------|
| 2231452001 | CARLETON COLLEGE | 0 | | pro-rata share | \$ 61,430.00 |
| 2231350009 | CARLETON COLLEGE | 210 | 1ST ST E | pro-rata share | \$ 830.00 |
| 2231350068 | CARLETON COLLEGE | 300 | 1ST ST E | pro-rata share | \$ 4,010.00 |
| 2231375007 | CARLETON COLLEGE | 400 | 1ST ST E | 65 | \$ 6,435.00 |
| 2231375003 | CARLETON COLLEGE | 405 | 1ST ST E | pro-rata share | \$ 6,640.00 |
| 2231375005 | CARLETON COLLEGE | 420 | 1ST ST E | 65 | \$ 5,785.00 |
| 2231350002 | CARLETON COLLEGE | 109 | DIVISION ST S | pro-rata share | \$ 800.00 |
| 2231350003 | CARLETON COLLEGE | 201 | 2ND ST E | pro-rata share | \$ 780.00 |
| 2231350004 | CARLETON COLLEGE | 205 | 2ND ST E | pro-rata share | \$ 830.00 |
| 2231350050 | CARLETON COLLEGE | 206 | 2ND ST E | 65 | \$ 5,200.00 |
| 2231350049 | CARLETON COLLEGE | 208 | 2ND ST E | 65 | \$ 4,550.00 |
| 2231350005 | CARLETON COLLEGE | 209 | 2ND ST E | pro-rata share | \$ 950.00 |
| 2231350048 | CARLETON COLLEGE | 212 | 2ND ST E | 65 | \$ 585.00 |
| 2231350064 | CARLETON COLLEGE | 304 | 2ND ST E | 65 | \$ 4,290.00 |
| 2231350071 | CARLETON COLLEGE | 307 | 2ND ST E | pro-rata share | \$ 830.00 |
| 2231350072 | CARLETON COLLEGE | 309 | 2ND ST E | pro-rata share | \$ 830.00 |
| 2231375062 | CARLETON COLLEGE | 314 | 2ND ST E | 65 | \$ 6,630.00 |
| 2231375012 | CARLETON COLLEGE | 411 | 2ND ST E | 65 | \$ 3,835.00 |
| 2231375048 | CARLETON COLLEGE | 514 | 2ND ST E | 65 | \$ 7,475.00 |
| 2231350062 | CARLETON COLLEGE | 320 | 3RD ST E | 70 | \$ 2,870.00 |
| 2231375058 | CARLETON COLLEGE | 401 | 3RD ST E | 65 | \$ 6,175.00 |
| 2231375057 | CARLETON COLLEGE | 419 | 3RD ST E | 15 | \$ 11,500.00 |
| 2231400001 | CARLETON COLLEGE | 1 | COLLEGE ST N | pro-rata share | \$ 131,410.00 |
| 2231350001 | CARLETON COLLEGE | 105 | COLLEGE ST N | pro-rata share | \$ 13,280.00 |
| 2231325001 | CARLETON COLLEGE | 201 | COLLEGE ST N | pro-rata share | \$ 10,630.00 |
| 2231375008 | CARLETON COLLEGE | 107 | COLLEGE ST S | 65 | \$ 4,225.00 |
| 2231375004 | CARLETON COLLEGE | 118 | COLLEGE ST S | pro-rata share | \$ 1,650.00 |
| 2231375010 | CARLETON COLLEGE | 119 | COLLEGE ST S | 65 | \$ 7,280.00 |
| 2231375061 | CARLETON COLLEGE | 208 | COLLEGE ST S | 65 | \$ 7,215.00 |
| 2231375063 | CARLETON COLLEGE | 216 | COLLEGE ST S | 65 | \$ 4,290.00 |
| 2231375064 | CARLETON COLLEGE | 218 | COLLEGE ST S | 65 | \$ 5,330.00 |
| 2231375026 | CARLETON COLLEGE | 102 | MAPLE ST S | 65 | \$ 5,330.00 |
| 2231375035 | CARLETON COLLEGE | 104 | MAPLE ST S | 65 | \$ 4,290.00 |
| 2231375001 | CARLETON COLLEGE | 140 | NEVADA ST N | pro-rata share | \$ 6,190.00 |
| 2231375029 | CARLETON COLLEGE | 107 | NEVADA ST S | 65 | \$ 8,580.00 |
| 2231350008 | CARLETON COLLEGE | 106 | UNION ST S | pro-rata share | \$ 830.00 |
| 2231350069 | CARLETON COLLEGE | 107 | UNION ST S | pro-rata share | \$ 530.00 |
| 2231350070 | CARLETON COLLEGE | 109 | UNION ST S | pro-rata share | \$ 430.00 |
| 2231350007 | CARLETON COLLEGE | 110 | UNION ST S | pro-rata share | \$ 880.00 |
| 2231350006 | CARLETON COLLEGE | 112 | UNION ST S | pro-rata share | \$ 650.00 |
| 2231350065 | CARLETON COLLEGE | 201 | UNION ST S | 65 | \$ 715.00 |
| 2231350056 | CARLETON COLLEGE | 216 | UNION ST S | 65 | \$ 8,125.00 |
| 2231350067 | CARLETON COLLEGE | 217 | UNION ST S | 65 | \$ 10,725.00 |
| 2231375002 | CARLETON COLLEGE | 110 | WINONA ST N | pro-rata share | \$ 6,190.00 |
| 2231375016 | CARLETON COLLEGE | 106 | WINONA ST S | 65 | \$ 3,315.00 |
| 2231375015 | CARLETON COLLEGE | 110 | WINONA ST S | 65 | \$ 4,290.00 |
| 2231375013 | CARLETON COLLEGE | 118 | WINONA ST S | 65 | \$ 5,005.00 |
| 2231375059 | CARLETON COLLEGE | 210 | WINONA ST S | 65 | \$ 3,120.00 |
| | | | | Total | \$ 397,765.00 |