

MOTION BY: Bergner
SECOND BY: Phillips

RESOLUTION NO. 2022-24
ADOPTED ON OCTOBER 4, 2022

CITY OF ORONOCO

**RESOLUTION CALLING HEARING ON ASSESSMENTS FOR PHASE 1A
WASTEWATER SYSTEM AND WATER DISTRIBUTION IMPROVEMENTS**


WHEREAS, the City Administrator, with the assistance of the city consulting engineer, has prepared an assessment roll for the Phase 1A Wastewater System and Water Distribution Improvements, and said proposed assessment roll is on file with the City Administrator and open to public inspection;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Oronoco, Minnesota, as follows:

1. The Administrator shall publish notice that this Council will meet to consider the proposed assessments on November 1, 2022, at 7:00 o'clock P.M. in the Oronoco Community Center City Council Chambers of said City of Oronoco, Minnesota. The published notice shall be in substantially the form set forth on Exhibit A attached hereto.
2. Due to the Covid-19 Pandemic and limited seating within City Council Chambers, accommodations will be made for the public to participate in the Public Hearing through the internet via Zoom.
3. A copy of the mailed notice in substantially the form set forth in Exhibit B attached hereto shall be mailed to the owners of each parcel of property described in the assessment roll.
4. Said notice attached as Exhibit A hereto shall be published by the City Administrator in the official newspaper at least two weeks prior to the hearing and the notice attached hereto as Exhibit B shall be mailed by the City Administrator or City Engineer to the owners of each parcel described in the assessment roll.
5. If the adopted assessment differs from the proposed assessment as to any particular lot, piece or parcel of land, the City Administrator shall 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 mailed notice of the proposed assessment.

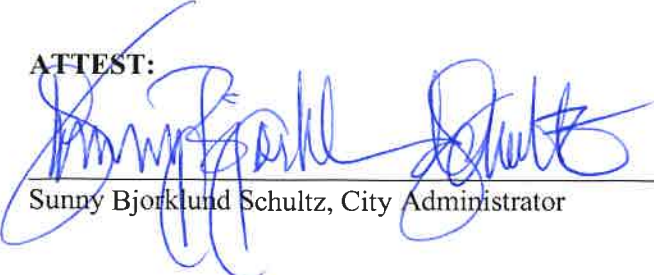
AND BE IT FUTHER RESOLVED that the City Administrator or her designee is authorized to take steps necessary for the implementation of this Resolution.

COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT
Ryland Eichhorst, Mayor	X			
Dana Bergner	X			
Jim Phillips	X			
Jim Richards	X			
Carl Krause				X



Ryland Eichhorst, Mayor

ATTEST:



Sunny Bjorklund Schultz, City Administrator

EXHIBIT A to Oronoco Resolution 2022-24

[PUBLISHED]

**NOTICE OF PUBLIC HEARING ON ASSESSMENTS
FOR PHASE 1A WASTEWATER SYSTEM AND
WATER DISTRIBUTION IMPROVEMENTS**

CITY OF ORONOCO, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Oronoco, Minnesota will meet on the 1st day of November, 2022 at 7:00 p.m. at Oronoco Community Center City Council Chambers to consider, and possibly adopt, the proposed assessments in respect to the Phase 1A Wastewater, Sanitary Sewer and Water Improvements. Due to the Covid-19 Pandemic and limited seating within City Council Chambers, the public may participate in the Public Hearing using the internet via Zoom that can be accessed using the following information:

Join Zoom Meeting
<https://us02web.zoom.us/j/85659478096>
Meeting ID: 856 5947 8096

Telephone Dial in Number:
(312) 626-6799 US (Chicago)
Meeting ID: 856 5947 8096

The improvements include construction of a municipal wastewater collection, conveyance and treatment system and associated water distribution improvements to serve properties with wastewater (sanitary sewer) and / or water. Adoption by the council of the proposed assessment may occur at the hearing. Parcels receiving sanitary sewer and / or water service are proposed to be assessed and are generally located in the following areas:

- ***Downtown Oronoco (east of TH 52):*** Including properties adjacent to portions of 5th Street NW, 5th Street NE, 4th Street NW, 4th Street NE, 2nd Street NW, 2nd Street NE, 1st Street NE, 1st Street NW, West Center Street, East Center Street, 1st Street SW, 1st Street SE, River Street SW, 2nd Street SW, 2nd Street SE, 3rd Street SW, 3rd Street SE, 4th Street SW, 4th Street SE, 5th Street SW, 5th Street SE, 6th Street SE, 7th Street SE, 2nd Avenue NW, 1st Avenue NW, Minnesota Avenue North, Minnesota Avenue South, 1st Avenue NE, 1st Avenue SE, 1st Avenue SW, 1st Avenue NW, 2nd Avenue NE, 2nd Avenue SE and 2nd Avenue SW.
- ***River Park Subdivisions:*** Including properties adjacent to portions of 5th Street SE, 6th Street SE, River Park Place SE, Eagle View Lane SE, River Park Road SE, River Park Road, River Park Lane SE, Forest View Lane SE, and Timberline Drive SE.
- ***Cedar Woodlands I & II Subdivisions:*** Including properties adjacent to portions of Woodlands Lane SE, Cedar Drive SE, Cedar Point Road SE, Cedar Point Lane SE, Norman Lane SE.
- ***Oronoco Crossings Subdivision:*** Including properties adjacent to portions of Lake Shady Avenue South and Energy Lane SW
- ***Riverwood Hills 1-4 Subdivisions:*** Including properties adjacent to portions of Valley View Road SW, Valley View Lane SW, Valley View Drive SW, Sunny View Lane SW, Riverwood Drive SW, Shady Oak Lane SW, Riverwood Lane SW, Istas Lane SW, Chenoa Lane SW, Alona Lane SW, 12th Street SW, and 3rd Avenue SW.
- ***Woodsvew 3rd Subdivision:*** Including select properties adjacent to Forest Lane SW and Treetop Lane SW.
- ***Woodsvew Subdivision:*** Including select properties adjacent to portions of 7th Street SW between Lake Shady Avenue and 4th Avenue SW.
- ***Stolps Cove Subdivision:*** Including properties adjacent to 1st Place SW.
- ***NW Oronoco (west of TH 52):*** Including properties adjacent to portions of 1st Street NW, West Center Street between 12th Lane SW and Lake Shady Avenue North, and 9th Avenue NW.

- ***Oronoco Estate Mobile Home Community:*** *Located at the northeast quadrant of the TH 52 / 85th Street NW intersection.*

The amount for Wastewater System improvements to be specially assessed against your particular lot, piece, or parcel of land is \$8,817 per Equivalent Residential Unit (ERU). The number of ERU assigned to a given parcel varies based upon land use and projected water use and only 1 ERU is assumed for each Lateral Sewer Connection Charge. A typical single family resident parcel is considered 1.0 ERU. The entire amount assessed for Wastewater System Improvements against any parcel of land will be payable, unless prepaid, in equal annual installments extending over a period of 30 years, the first of the installments to be payable on or before the first Monday in January, 2023, and shall bear interest at the rate of 2.047 percent per annum from the date of the adoption of the assessment resolution. **Payment for assessment installments will be incorporated into Olmsted County's property tax statement payable in May and October of each year.**

The amount for Water Distribution System improvements to be specially assessed against your particular lot, piece, or parcel of land is \$6,875 per Equivalent Residential Unit (ERU). The number of ERU assigned to a given parcel varies based upon land use and projected water use. The entire amount assessed for Water Distribution System improvements for benefited property owners in Oronoco shall be payable in equal annual installments extending over a period of 20 years, the first of the installments to be payable on or before the first Monday in January, 2023, and shall bear interest at the rate of 2.252 percent per annum from the date of the adoption of the assessment resolution. **Payment for assessment installments will be incorporated into Olmsted County's property tax statement payable in May and October of each year.**

To the first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2053 for Wastewater Assessments and December 31, 2043 for Water Assessments. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

You may at any time prior to certification of the assessment to the county auditor, pay the entire assessment on such property, with interest accrued to the date of payment, to the Oronoco City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter, pay to the Oronoco City Administrator the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above, the rate of interest that will apply is 2.047 percent per year for the Wastewater Assessment and 2.252 percent per year for the Water Assessment. The right to partially prepay the assessment is not available.

The proposed assessment roll is on file for public inspection at the city Administrator's office. The total amount of the proposed assessment is \$5,340,504. Written or oral objections will be considered at the meeting. No appeal to district court may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the municipal Administrator prior to the assessment hearing or presented to the presiding officer at the hearing. The council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

Under Minn. Stat. §§ 435.193 to 435.195, the council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older, one retired by virtue of a permanent and total disability, or a member of the National Guard or other reserves ordered to active military service for whom it would be a hardship to make the payments. When deferment of the special assessment has been granted and is terminated for any reason provided in that law, all amounts accumulated plus applicable interest become due. Any assessed property owner meeting the requirements of this law, may, within 30 days of the confirmation of the assessment, apply to the city Administrator for the prescribed form for such deferral of payment of this special assessment on his/her property.

An owner may appeal an assessment to district court pursuant to Minn. Stat. § 429.081 by serving notice of the appeal upon the mayor or Administrator of the city within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or Administrator.

Dated: October 7, 2022

BY ORDER OF THE CITY
COUNCIL CITY OF ORONOCO,
MINNESOTA

Sunny Bjorklund Schultz, City Administrator

EXHIBIT B to Oronoco Resolution 2022-24

[MAILED]

NOTICE OF PUBLIC HEARING ON ASSESSMENTS
FOR PHASE 1A WASTEWATER SYSTEM AND
WATER DISTRIBUTION IMPROVEMENTS

TP NAME
TP ADDRESS
TP
CITY/STATE/ZP

Regards to Olmsted Parcel Identification No: (parcel number)
Parcel Street Address in Oronoco MN: (parcel street address)

TIME AND PLACE

NOTICE IS HEREBY GIVEN that the City Council of the City of Oronoco, Minnesota will meet on the 1st day of November, 2022 at 7:00 p.m. at Oronoco Community Center City Council Chambers to consider, and possibly adopt, the proposed assessments in respect to the Phase 1A Wastewater, Sanitary Sewer and Water Improvements. Due to the Covid-19 Pandemic and limited seating within City Council Chambers, the public may participate in the Public Hearing using the internet via Zoom that can be accessed using the following information:

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Meeting ID: 856 5947 8096

OR

Telephone Dial in Number:

(312) 626-6799 US (Chicago)

Meeting ID: 856 5947 8096

ASSESSMENT ROLL

The proposed assessment roll is open to inspection and on file with the City Administrator and open to public inspection.

IMPROVEMENT DESCRIPTION AND AREA PROPOSED TO BE ASSESSED

The improvements include construction of a municipal wastewater collection, conveyance and treatment system and associated water distribution improvements to serve properties with wastewater (sanitary sewer) and / or water. Adoption by the council of the proposed assessment may occur at the hearing. Parcels receiving sanitary sewer and / or water service are proposed to be assessed and are generally located in the following areas:

- ***Downtown Oronoco (east of TH 52):*** Including properties adjacent to portions of 5th Street NW, 5th Street NE, 4th Street NW, 4th Street NE, 2nd Street NW, 2nd Street NE, 1st Street NE, 1st Street NW, West Center Street, East Center Street, 1st Street SW, 1st Street SE, River Street SW, 2nd Street SW, 2nd Street SE, 3rd Street SW, 3rd Street SE, 4th Street SW, 4th Street SE, 5th Street SW, 5th Street SE, 6th Street SE, 7th Street SE, 2nd Avenue NW, 1st Avenue NW, Minnesota Avenue North,

Minnesota Avenue South, 1st Avenue NE, 1st Avenue SE, 1st Avenue SW, 1st Avenue NW, 2nd Avenue NE, 2nd Avenue SE and 2nd Avenue SW.

- ***River Park Subdivisions:*** *Including properties adjacent to portions of 5th Street SE, 6th Street SE, River Park Place SE, Eagle View Lane SE, River Park Road SE, River Park Road, River Park Lane SE, Forest View Lane SE, and Timberline Drive SE.*
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- ***Woodsvew 3rd Subdivision:*** *Including select properties adjacent to Forest Lane SW and Treetop Lane SW.*
- ***Woodsvew Subdivision:*** *Including select properties adjacent to portions of 7th Street SW between Lake Shady Avenue and 4th Avenue SW.*
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- ***Oronoco Estate Mobile Home Community:*** *Located at the northeast quadrant of the TH 52 / 85th Street NW intersection.*

SPECIFIC AMOUNT TO BE ASSESSED

The amount for Wastewater System improvements to be specially assessed against your particular lot, piece, or parcel of land is \$8,817 per Equivalent Residential Unit (ERU). The number of ERU assigned to a given parcel varies based upon land use and projected water use and only 1 ERU is assumed for each Lateral Sewer Connection Charge. A typical single family resident parcel is considered 1.0 ERU.

The entire amount assessed for Wastewater System Improvements against any parcel of land will be payable, unless prepaid, in equal annual installments extending over a period of 30 years, the first of the installments to be payable on or before the first Monday in January, 2023, and shall bear interest at the rate of 2.047 percent per annum from the date of the adoption of the assessment resolution.

Payment for assessment installments will be incorporated into Olmsted County's property tax statement payable in May and October of each year.

The amount for Water Distribution System improvements to be specially assessed against your particular lot, piece, or parcel of land is \$6,875 per Equivalent Residential Unit (ERU). The number of ERU assigned to a given parcel varies based upon land use and projected water use. The entire amount assessed for Water Distribution System improvements for benefited property owners in Oronoco shall be payable in equal annual installments extending over a period of 20 years, the first of the installments to be payable on or before the first Monday in January, 2023, and shall bear interest at the rate of 2.252 percent per annum from the date of the adoption of the assessment resolution. **Payment for assessment installments will be incorporated into Olmsted County's**

property tax statement payable in May and October of each year.

Your Wastewater System Fee Assessment is **Spreadsheet Column AS**

Your parcel is considered to be **Column AN** ERU for purposes of the Wastewater Fee Assessment

Your Water System Fee Assessment is **Column AT**

Your parcel is considered to be **Column AO** ERU for purposes of the Water Fee Assessment

Your total Wastewater System + Water System Fee Assessment is Column AU

To the first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2053 for Wastewater Fee Assessments and December 31, 2043 for Water Fee Assessments. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

PREPAYMENT

You may at any time prior to certification of the assessment to the county auditor, pay the entire assessment on such property, with interest accrued to the date of payment, to the Oronoco City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter, pay to the Oronoco City Administrator the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above the rate of interest that will apply is **2.047** percent per year for the Wastewater Assessment and **2.252** percent per year for the Water Assessment. The right to partially prepay the assessment is not available.

TOTAL AMOUNT OF PROPOSED ASSESSMENT

The total amount proposed to be assessed to benefiting Oronoco parcel owners is \$5,340,504, which is 11.5% of the total Project Costs.

WRITTEN OR ORAL OBJECTIONS

Written and oral objections will be considered at the hearing.

RIGHT OF APPEAL

An owner may appeal an assessment to district court pursuant to Minn. Stat. § 429.081 by serving notice of the appeal upon the mayor or Administrator of the city within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or Administrator.

LIMITATION ON APPEAL

No appeal to district court may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the municipal Administrator prior to the

assessment hearing or presented to the presiding officer at the hearing. The council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

DEFERMENT OF ASSESSMENTS

Under Minn. Stat. §§ 435.193 to 435.195, the council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older, one retired by virtue of a permanent and total disability, or a member of the National Guard or other reserves ordered to active military service for whom it would be a hardship to make the payments. When deferment of the special assessment has been granted and is terminated for any reason provided in that law, all amounts accumulated plus applicable interest become due. Any assessed property owner meeting the requirements of this law, may, within 30 days of the confirmation of the assessment, apply to the city administrator for the prescribed form for such deferral of payment of this special assessment on his/her property.

DATED: October 7, 2022.

BY ORDER OF THE CITY COUNCIL

Sunny Bjorklund Schultz, City Administrator