



City Council

Agenda Item

Subject: Approval of Resolution No. 24-16, Necessity for Sidewalk, Curb and Gutter, and Asphalt Surfacing Improvements for 315 Kemp Avenue East.

Meeting: City Council - Jul 15 2024

From: Amanda Mack, City Manager

BACKGROUND INFORMATION:

The proposed resolution of necessity for sidewalk, curb and gutter, and asphalt surfacing assessment is for 315 Kemp Avenue East known as "The Ruins", where "The Palace" apartments were demolished. The sidewalk, curb and gutter, and asphalt were removed as part of the building permit for the multi-family residential project that was issued on December 29, 2021 and will expire on December 29, 2024. The project has been at a standstill since late 2023. Staff has sent correspondence with a list of items that need immediate attention, as well, in regards to the structure.

In accordance with Chapter 18.0315, within thirty (30) days after existing sidewalks are removed, replacement of sidewalks shall be required unless approval is given in writing by the City Engineer. The property owner was notified via letter dated February 16, 2024 requesting the sidewalk and associated public infrastructure be replaced by May 1, 2024. A follow up letter was mailed on March 21, 2024, noting the assessment action that may be required if the property owner did not complete the installation by the May 1st deadline.

This resolution is to allow the City to install the public infrastructure, including sidewalk, curb and gutter, and asphalt replacement, and assess it to the adjacent property owner. The project has been quoted and construction is planned for summer 2024.

FINANCIAL CONSIDERATIONS:

The estimated cost for 315 Kemp Avenue East is based on the quotes received, resulting in the landowners' total estimated cost of **\$293.53 per linear foot (LF) (\$37,454.90 total for the 127.6 LF property width)**. The final cost to be assessed will be based on the actual as-constructed costs under the awarded quote and may vary from the quoted/estimated amount (as outlined in State Statutes).

OVERSIGHT / PROJECT RESPONSIBILITY:

Marci Lewno, Engineer I
Justin Petersen, City Engineer

STAFF RECOMMENDATION / SUGGESTED MOTION:

Staff recommends approval of the resolution through the following motion:

I move to accept Resolution No. 24-16, Necessity for Sidewalk, Curb and Gutter, and Asphalt Surfacing Improvements for 315 Kemp Avenue East.

ATTACHMENT(S):

[24-16 RESOLUTION OF NECESSITY FOR SIDEWALK IMPROVEMENTS](#)

RESOLUTION NO. 24-16

**PROPOSED RESOLUTION OF NECESSITY FOR SIDEWALK, CURB AND
GUTTER AND ASPHALT SURFACING IMPROVEMENTS
PROJECT NUMBER 2410**

BE IT RESOLVED by the City Council of the City of Watertown, South Dakota, as follows:

1. The City council of the City of Watertown hereby declares the following sidewalk improvements to be a necessity with the estimated costs per foot of property abutting upon the improvement as stated for this project:

PROJECT NO. 2410

Construct 12-foot-wide sidewalk with a 6-inch depth concrete surfacing and 6-inch depth gravel base, City standard curb and gutter, and asphalt surfacing 4-inch depth for 315 Kemp Avenue East. The estimated cost is \$293.53 per foot of frontage.

2. The general nature of the improvements and materials to be used are above set forth.

3. A description of classes of lots to be assessed is as follows: 315 Kemp Avenue East, and parts thereof above described.

4. The method of apportionment of benefits is as follows: The cost of the improvements will be assessed against 315 Kemp Avenue as the sole property especially benefitted by the improvements.

5. The above described improvements shall be hereafter referred to as sidewalk improvement number 2410 , which shall be deemed a description of the improvements to the sidewalk, curb and gutter, and asphalt surfacing as hereinafter set forth.

6. The details, plans, and specifications for the sidewalk improvement are available at the City of Watertown Finance Office for review during regular office hours M-F 8 AM – 5 PM.

Dated at Watertown, South Dakota, this ____ day of _____, 20____.

The above and foregoing Resolution was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon roll call motion carried, whereupon the Mayor declared the same to be duly passed and adopted.

I hereby certify that Resolution 24-16 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 20____.

ATTEST:

CITY OF WATERTOWN

Kristen Bobzien
Finance Officer

Ried Holien
Mayor