



TO: Mayor Shaun Sipma
Members of the City Council

FROM: Emily Huettl, PE, Assistant City Engineer

DATE: 9/8/2020

SUBJECT: ENCROACHMENT PERMIT - 3013 10th St NW

I. RECOMMENDED ACTION

1. Recommend approval of the Right of Way Encroachment Agreement Application submitted by Todd and Heidi VanDusen of BK Investments, LLP for the installation of private storm sewer to tie into a City catch basin in the 3000 block of 10th St NW.

II. DEPARTMENT CONTACT PERSONS

Emily Huettl, Assistant City Engineer	857-4100
Lance Meyer, City Engineer	857-4100

III. DESCRIPTION

A. Background

The property owner at 3013 10th St NW wishes to construct and install private storm sewer across a City boulevard to connect their backyard storm water pump line into a City storm sewer catch basin.

B. Proposed Project

The proposal is to construct a private storm sewer across a City boulevard, as shown in the attached sketch. The proposed sewer will encroach on the City's right-of-way.

Encroachments within the right-of-way are interpreted as a permanent encroachment as defined in Article I. Section 28-3 of the Code of Ordinances. If the City Council deems that the request is warranted, it should be approved with the following recommendations:

1. That the City Council approves the encroachment listed above.
2. That the permit holder agrees that the costs of maintenance and replacement be their responsibility.
3. That the City Attorney prepares the encroachment permit agreement, including language to protect the City from liability.
4. That the City Council retains the right to revoke the encroachment permit if it becomes necessary for any reasons.
5. That the permit holder pays a \$100 permit fee.
7. That no person may install the proposed private storm sewer within the public right-of-way without having first obtained a permit from the City Engineer.

C. Consultant Selection

N/A

IV. IMPACT:

A. Strategic Impact:
N/A

B. Service/Delivery Impact:
This project will provide needed drainage improvements. This property currently has ponding water in their backyard following rain events.

C. Fiscal Impact:
There will be no fiscal impact to the City. The property owner will be responsible for installing the sewer and removing it if the need would arise.

V. ALTERNATIVES

Alt 1. Council could deny the encroachment permit. The property owner would be limited in the methods for removing excess storm water that is currently ponding in their backyard.

VI. TIME CONSTRAINTS

N/A

VII. LIST OF ATTACHMENTS

- A. Encroachment Application
- B. Encroachment Permit