

BEMIDJI CITY COUNCIL

Work Session Agenda

Monday, February 10, 2014

**City Hall
Conference Room
5:30 P.M.**



1. CALL TO ORDER / ROLL CALL

2. DISCUSSION OF CITY'S NEW MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) PERMIT AND FUTURE CITY/DEVELOPER REQUIREMENTS

3. DISCUSSION ON CLOSURE/SALE OF LINK STREET

4. ADJOURNMENT

COUNCIL AGENDA ITEM



Meeting Date: February 10, 2014 Work Session

Action Requested: Municipal Separate Storm Sewer Systems (MS4) Permit Requirements

Prepared By: Craig Gray, City Engineer

Reviewed By: John Chattin, City Manager

Background:

The Municipal Separate Storm Sewer System (MS4) general permit is mandated by the federal regulations under the Clean Water Act and administered by the Minnesota Pollution Control Agency. Every operator of a municipal storm sewer system is required to obtain a MS4 permit in order to discharge stormwater to lakes, rivers and wetlands in Minnesota. There are over 250 MS4's in Minnesota.

The city's current MS4 permit expired at the end of 2013 and we are now required to apply for a new five year permit. The permit is 19 pages long and it details what the city and developers within the city must do in regards to stormwater treatment. The list of requirements is extensive and in many cases expensive.

In 1998 as part of the city's original MS4 permit a stormwater design guide was created that detailed the design requirements for all new projects within the City of Bemidji. The design guide was created to comply with the requirements of the city's original MS4 permit and the city is required to insure that all projects within the city (**public and private**) comply with the design guide and with the city's MS4 permit. The design guide will also have to be updated in the coming year with the new MS4 requirements.

I have hired Bob Barth, WSB Engineering, to assist the city with the submittal of our new MS4 permit, to update the design guide and to help us comply with the requirements of the new permit – what seems like an endless list. Bob assisted the city with the preparation of the original design guide and is an expert in the MS4 permitting process. Bob will be at the worksession to present a powerpoint presentation on what the city and our developers will be required to do as part of our new five year MS4 permit.



**Minnesota
Pollution
Control
Agency**

Municipal Stormwater Program

An Overview

wq-sw1-04 • April 2008

The Municipal Separate Storm Sewer System (MS4) general permit is mandated by the federal regulations under the Clean Water Act and administered by the Minnesota Pollution Control Agency.

The MS4 permitting program gives owners or operators of municipal separate storm sewer systems approval to discharge stormwater to lakes, rivers and wetlands in Minnesota.

Environmental harm

Urban stormwater frequently contains litter, oil, chemicals, toxic metals, bacteria, and excess nutrients, like nitrogen and phosphorous. Polluted stormwater contributes to swimming-beach closings, fish-eating advisories, excess algae growth and poor water clarity in urban water resources, especially lakes.

In addition to human effects, poorly managed urban stormwater can drastically alter the natural flow and infiltration of water, scour stream banks and harm or eliminate aquatic organisms and ecosystems.

The primary goal of the MS4 general permit is to improve water quality by reducing pollutants in stormwater discharges. Specifically, the program aims to ensure proper management of stormwater discharges into waters of the state.

Defining MS4s

In general terms, MS4s are publicly owned or operated stormwater infrastructure, used

solely for stormwater, and which are not part of a publicly owned wastewater treatment system. Examples of stormwater infrastructure include curbs, ditches, culverts, stormwater ponds and storm sewer pipes. Common owners or operators of MS4s include cities, townships and public institutions.

The MS4 general permit focuses on reducing the pollution that enters these public systems and discharges to wetlands, streams and lakes (“waters of the state”).

Owners and operators of MS4s which are required to get a permit are created in one of three ways: By federal rule, 40 CFR § 122.34 (a) and (b) (the Clean Water Act), state rule (Minnesota Rules Chapter 7090), or by public petition to the Minnesota Pollution Control Agency.

By federal rule, stormwater systems in urban areas are labeled Mandatory MS4s. In addition to these, Minnesota added other stormwater systems (Designated MS4s) to the list. These MS4s are only added if the stormwater system is located in an urban area that meets the criteria established in the State Rule for population and discharge points.

The number of MS4s in Minnesota is growing as urban areas expand. As of April 2008, there were 243 MS4s in Minnesota.

Public Process

After a term of five years, the MS4 general permit is improved and revised, if necessary, and re-issued. Public comment

wq-sw1-04

is encouraged before the re-issuance of new MS4 general permits and before the creation of new MS4s. In addition, the public is asked each year to share its opinion on plans the owner or operator of their local MS4 has made to manage stormwater. These opinions are shared at local meetings required by the permit.

Requirements of the MS4 General Permit

All owners or operators of MS4s are required to satisfy the requirements of the MS4 general permit; Minneapolis and St. Paul are required to meet customized individual permits, which are similar but which contain additional requirements.

Basically, the MS4 general permit requires the MS4 operator or owner to create a Stormwater Pollution Prevention Program with six important components:

1. Public education and outreach, which includes teaching citizens about better stormwater management
2. Public participation: Include citizens in solving stormwater pollution problems. This includes a required public annual meeting and an annual report.
3. A plan to detect and eliminate illicit discharges to the stormwater system (like chemical dumping and wastewater connections)
4. Construction-site runoff controls
5. Post-construction runoff controls
6. Pollution prevention and municipal "good housekeeping" measures, like covering salt piles and street-sweeping.

Reducing Stormwater Pollution

The MS4 general permit is a requirement, but also a tool in the hands of city, township and county officials who want to improve the quality of lakes and rivers that receive their stormwater discharges. MS4 administrators have can improve the quality of life for their citizens by protecting and restoring local water quality.

Citizens served by an MS4 are invited to encourage the owner or operator (normally their city, township or county) to tackle stormwater pollution problems, but the responsibility for water quality is not left in the hands of public officials.

Public and private spaces contribute to urban stormwater pollution. While MS4 administrators control the public sources of stormwater pollution, it's ultimately in the hands of private citizens to change the way they do small things that will have a dramatic effect on the quality of their favorite fishing spot or swimming beach.

Simple Steps for Better Water Quality

You can make simple changes to reduce stormwater pollution and improve the quality of your local lake or river by following these tips:

- Fertilize established lawns with phosphorous-free fertilizer and don't overspray fertilizer into the street.
- Rake leaves and sweep grass clippings away from curbs. Clean curbs mean clean water.
- When you wash your car or truck, direct water onto your lawn to soak up soap.
- Find attractive alternatives to large, impervious driveways and sidewalks.
- Direct your home's gutters onto your lawn. Water that doesn't make it to the curb can't carry pollutants to lakes and streams.

Detailed Information

For more detailed information about the MS4 general permit or for further information about reducing stormwater pollution, please visit the MPCA stormwater program Web site: www.pca.state.mn.us/stormwater



City Manager's Office

MEMORANDUM

TO: City Council
FROM: John Chattin, City Manager *JMC*
DATE: February 10, 2014
RE: Link Street Vacation/Sale

At our December 16th work session, the council asked for additional information on the value of the Link Street parcel and the cost to possibly vacate the street and prepare it for sale. There are several attachments that provide that information:

- Engineer's estimate of costs
- Maps of Link Street Options A and B
- Map of assessor's land valuations for adjacent properties
- A 2008 MnDOT appraisal of the Option A land

It is difficult to use the MnDOT appraisal as it was an internal valuation completed at the height of the real estate boom and we do not know what comparables were used. If the current assessor's land valuations are used, the average of the adjacent properties is \$7.57 per square foot. This valuation would suggest the following:

100 foot Option B parcel	\$92,354
50 foot Option A parcel	<u>\$47,313</u>
Difference	<u>\$45,041</u>

If preparing the additional 50 feet for sale would cost \$48,696 and generate only \$45,041 in additional revenue, it would obviously not be worth the additional effort unless the 100 foot parcel could be sold without any preparatory work by the city.

I would conclude that without having a professional appraisal done, we are looking at a potential return of approximately \$50,000 for the sale of the Option A parcel or \$100,000 for the Option B parcel.

Recommendation:

If the council wants to keep Link Street open, we would negotiate the sale of the Option A lot with the adjacent property owner. If the council would prefer to close Link Street, we would advertise the Option B lot for sale with the caveat that the purchaser must close the street to city specifications. Since we would not sell the Option A lot to anyone except the adjacent land owner, the Option B lot sale may be preferable.

**CITY PROJECT
2014 LINK STREET VACATION
ENGINEERS ESTIMATE
2/3/2014**

ITEM NO	SPEC NO	ITEM	UNIT	UNIT PRICE	TOTAL PROJECT		
					EST QTY	ACT QTY	AMOUNT
1	2021.501	MOBILIZATION					
2	2104.501	REMOVE CURB AND GUTTER	LUMP SUM	\$ 1,500.00	1		\$ 1,500.00
3	2104.501	REMOVE SEWER PIPE (STORM)	LIN FT	\$ 4.00	390		\$ 1,560.00
4	2104.503	REMOVE CONCRETE WALK	LIN FT	\$ 8.00	65		\$ 520.00
5	2104.505	REMOVE BITUMINOUS PAVEMENT	SQ FT	\$ 1.00	2100		\$ 2,100.00
6	2104.509	REMOVE MANHOLE	SQ YD	\$ 4.25	700		\$ 2,975.00
7	2104.513	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	EACH	\$ 325.00	2		\$ 650.00
8	2105.522	SELECT GRANULAR BORROW (CV)	LIN FT	\$ 4.00	175		\$ 700.00
9	2105.525	TOPSOIL BORROW (LV)	CU YD	\$ 15.00	200		\$ 3,000.00
10	2503.511	15" RC PIPE SEWER CLASS III	CU YD	\$ 30.00	250		\$ 7,500.00
11	2503.602	CONNECT TO EXISTING STORM SEWER	LIN FT	\$ 40.00	50		\$ 2,000.00
12	2506.516	CASTING ASSEMBLY	EACH	\$ 500.00	2		\$ 1,000.00
13	2506.516	CASTING ASSEMBLY (1)	EACH	\$ 400.00	2		\$ 800.00
14	2531.501	CONCRETE CURB & GUTTER DESIGN B618 (2)	EACH	\$ 675.00	1		\$ 675.00
15	2563.601	TRAFFIC CONTROL	LIN FT	\$ 20.00	200		\$ 4,000.00
16	2573.530	STORM DRAIN INLET PROTECTION	LUMP SUM	\$ 10,000.00	1		\$ 10,000.00
17	2575.555	TURF ESTABLISHMENT (3)	EACH	\$ 150.00	4		\$ 600.00
		SUBTOTAL CONSTRUCTION COST	LUMP SUM	\$ 1,000.00	1		\$ 1,000.00
		CONSTRUCTION CONTINGENCIES					\$ 40,580.00
		ENGINEERING & ADMINISTRATION		5.0%			\$ 2,029.00
		TOTAL CONSTRUCTION COST		15.0%			\$ 6,087.00
							\$ 48,696.00

NOTE:

- (1) STORM SEWER DESIGN, MANHOLE CASTING
(2) STORM SEWER DESIGN, INLET CASTING
(3) INLET PROTECTION, FILTER BAG INSERT, MAINTAINED FOR THE DURATION OF THE PROJECT

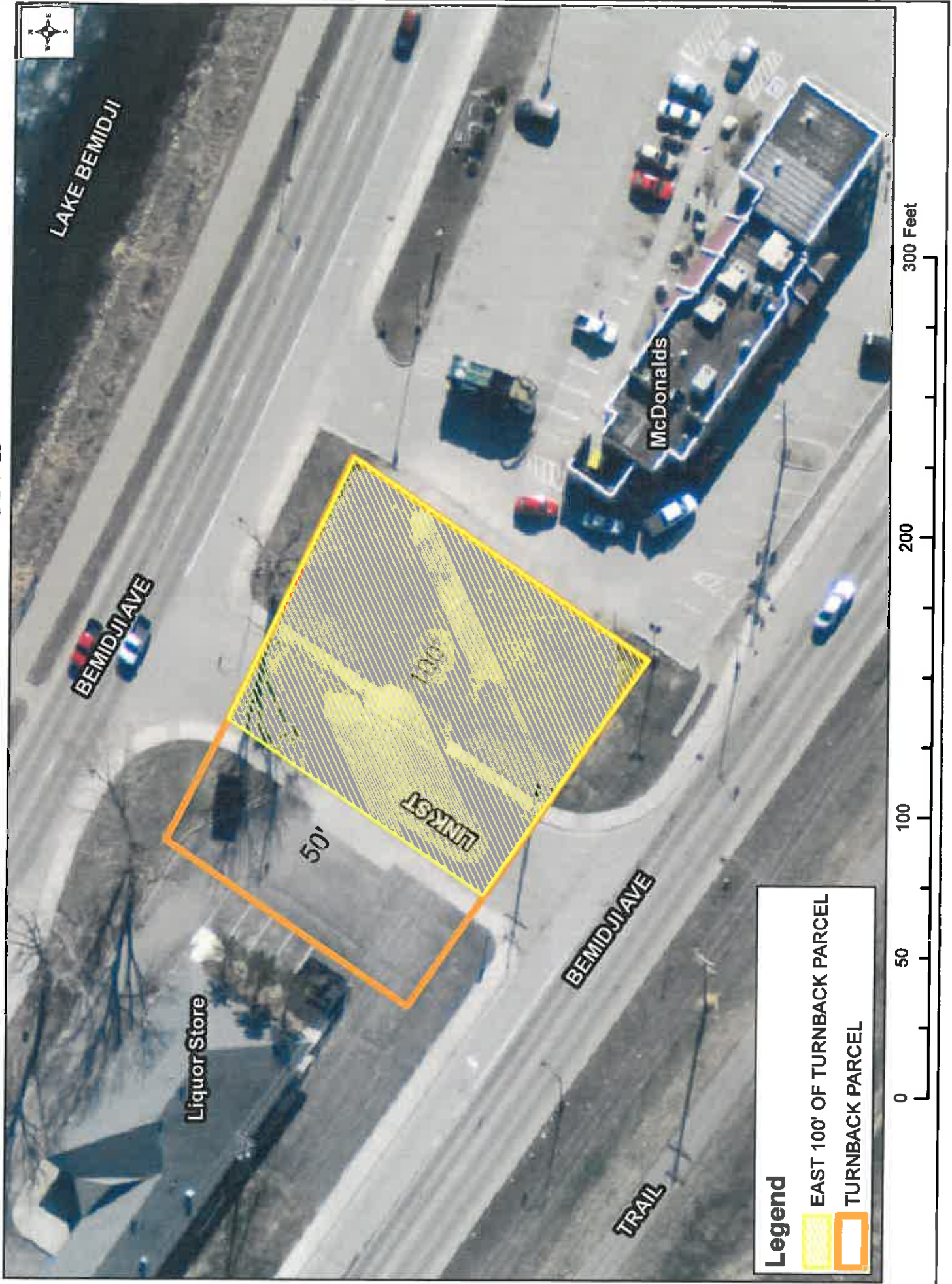
LINK STREET OPTION A



Legend

- EAST 50' OF TURNBACK PARCEL
- TURNBACK PARCEL

LINK STREET OPTION B



LINK STREET



Average Value
Per Acre \$329,955
Per Foot \$7.57

Dunn Bros.
\$10.37

Overbeak
\$7.60

Liquor Store
\$7.56

McDonalds
\$6.21

Cuperus
\$6.14

LAKE BEMIDJI



BEMIDJI AVE

LINK ST

BEMIDJI AVE

TRAIL

Legend

-  Turnback Parcel
-  Property Line



State of Minnesota - Dept. of Transportation - Reconveyance

VALUATION SUMMARY AND CONCLUSIONS

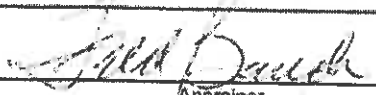
CS/900	0416/903
CHID	
PARCEL	48
Beltrami County	
OWNER	MnDOT
PROPERTY ADDRESS:	
Paul Bunyan Drive SE	
Bemidji, MN	
APPRaisal DATE:	
March 20, 2008	

RIGHTS & INTERESTS APPRAISED:	
fee simple	<u> x </u>
easement	<u> </u>
tenant's interest	<u> </u>
other (access control)	<u> </u>

LAND USE ZONE	LC
PRESENT USE	vacant
HIGHEST & BEST USE	assembl.

TRACT SIZE:		
front	depth	area
120	60	7200
acres:		0.17

IMPROVEMENTS:
none


Appraiser
Date: 3/25/08

Summary of Appraisal	
<u>Value by the Market Approach</u>	
Comparable Sale #1	\$16.88 per sq.ft.
Comparable Sale #2	\$11.18 per sq.ft.
Comparable Sale #3	\$13.82 per sq.ft.
Comparable Sale #4	\$14.96 per sq.ft.
Comparable Sale #5	\$28.39 per sq.ft.
Comparable Sale #6	\$32.02 per sq.ft.
Estimated market value of buildable lot in this location:	\$17.00 per sq.ft.
Discount for substandard lot:	(\$2.00 per sq. ft)
Unit value of proposed reconveyance:	\$15.00 per sq.ft.
Estimated market value of 7200 sf. lot for assemblage \$	108,000.00