

**STAFF REPORT
AGENDA ITEM 7 B.
REQUEST FOR CITY COUNCIL GUIDANCE ON THE COUNCIL'S
METHOD FOR APPORTIONING COSTS TO ABUTTERS FOR A
PRIVATE ROAD ACCEPTED AS A CITY PUBLIC STREET
THROUGH THE BETTERMENT PROCESS**

Discussion: Public Works asks the Public Works Subcommittee to develop a recommendation for the City's Council's consideration and decision on how to apportion costs associated with the betterment process.

There are private roads that the City has been plowing that cannot participate in the accept "as-is" process based on a City Council decision. They can, however, become a private road through the betterment process. Under this process the abutting property owners pay back the City the costs of bringing a private road up to City standards so that it can be accepted as a public road. Per state law the abutters must pay back the City over a period of not more than 10 years. The City Council has traditionally required that all abutters agree to participate in the process before initiating the betterment process to accept a private road as a public street. The City Council can apportion the costs based on the number of lots, lot size, lot frontage or a combination of the three.

Two sets of private roads are considering participating in a betterment process that have a mixture of small and large lots. Thus, the method of apportioning costs is a consideration for property owners on whether they want to participate or not.

The abutters along Prescott Ave and Paugus Ave in the Christmas Island area are considering whether to petition the City Council to accept these two roads through the betterment process. The condominium association, The Lake Houses at Christmas Island, has asked City staff how the City Council intends to apportion the betterment costs before they make a decision to support the petition. The Association is one of the largest lots and has the most frontage on Prescott Ave which means their share of the cost of the project will vary depending on the Council's concept for apportioning costs. One factor that is impacting their decision is that the City has a pump station just west of their property, and the Association's leadership believes that the City will plow enough of Prescott Ave to be able to access the pump station if the abutters decide not to participate in the betterment process. Public Works plowing to the pump station also plows past their driveway entrances.

There is no option that is going to satisfy every abutter.

Background on Prescott Ave that is necessary for the discussion:

Abutters – 28

Frontage varies from 1 foot to 425 feet

Acreage varies from 0.05 acres to 4.2 acres

Fiscal Impact:

Staff Recommendation: Staff recommends that the Subcommittee discuss and make a recommendation to the City Council.

This report submitted by: Wesley B. Anderson, Director of Public Works

Proposed motion: None