

At the Nov. 17, 2014 informational meeting, a number of individuals had questions regarding the process for concept selection and project delivery for this sewer, water and street project. The purchase of the 95-acre farm north of Stemmer Ridge Road by the SMSC has initiated a discussion with the SMSC that perhaps they would build the selected roadway and utilities instead of the City. Therefore, the process for concept selection and project delivery will happen in one of two ways: City project or SMSC project.

### **City Project**

A City project would follow the MN Statute 429 process which had already begun in 2013. The next steps in that process would be to hold a Public Hearing, select a concept, and then Order the Project. In this case the improvements would be assessed to the properties benefitting from the improvement. At the Public Hearing, the City Council would weigh Public Hearing testimony, informational meeting comments, City Staff review, and SMSC commentary to determine the concept alignment selection. If the City follows this process, the Public Hearing is planned for sometime in December or January. After concept selection and ordering the project, the EAW can be finalized and the design work can begin. Once the design is finalized, the City would bid the project and begin property acquisition. The project would likely begin construction in mid/late-summer of 2015 with completion in the summer of 2016.

A number of people have asked how the City can complete a City Project over the SMSC property. The SMSC owns property in two different ways "Fee Property" and "Trust Property." When a tribal entity first purchases property it is classified as "Fee Property" which means it is owned in a similar way as any other land owner. The property is currently owned as "Fee Property". A tribal entity must make an application to the Bureau of Indian Affairs in Washington DC to convert the property to "Trust Property". This conversion follows a number of steps before it is designated as "Trust Property." Once the property is in "Trust" status, the City can no longer initiate the project.

### **SMSC Project**

An SMSC project would transfer the responsibility to construct the utilities and selected roadway alignment to the SMSC. The next steps in that process would be to create an agreement with the SMSC and take that agreement to the City Council along with the comments received at the informational meeting from November 17<sup>th</sup>. The City Council would review the agreement, previous Public Hearing comments, informational meeting comments, SMSC comments, and City staff review and determine a concept which would be written into the agreement. Since it is not clear whether another Public Hearing will be conducted, we encourage those with comments and concerns to submit them based on the November 17<sup>th</sup> Neighborhood meeting. The SMSC Project option is preferred by the SMSC and the City because it provides for agreement between both governmental entities in written form. The City has already begun to draft an agreement with the SMSC however the concept alignment will be left blank in the agreement until the City Council and the SMSC Tribal Board approves the alignment. If the City and SMSC follows this process, the agreement and City Council discussion is planned to occur in December. The City Council has two City Council meetings in December, December 8<sup>th</sup> and December 22<sup>nd</sup>. Once the agreement is signed by both the City of Prior Lake and the SMSC, the SMSC would make an application to the Bureau of Indian Affairs to convert the property in to "Trust Property". If the project moves forward as a SMSC Initiated Project, construction would likely occur in the summer of 2016 instead of 2015 because the application process to convert the property to "Trust Property" would occur prior to construction.

### **Road Design**

While the road alignment is still up in the air, traffic calming measures are proposed with each concept. Regardless of the project type (City Project or SMSC Project) the roadway is proposed to be designed for low speeds (35 mph). The road is proposed with one lane in each direction, separated by a concrete median. The alignment is proposed to undulate and not be a straight roadway. A trail is planned for one side of the road and a sidewalk is proposed on the other side. A roundabout is proposed at the City/County park entrance. Driveways on Stemmer Ridge Road were also eliminated.

The final design of the roadway may not follow any of these concept drawings exactly. The final design will be based on a concept selected but will also incorporate topography, planned land uses, wetlands, trees or other features. The SMSC will also have a preferred alignment which accommodates their plans for the property. They have also indicated their willingness to work with the City on the refining of the alignment.

I hope this clarifies the two processes this project may follow. Please contact Larry Poppler at [lpoppler@cityofpriorlake.com](mailto:lpoppler@cityofpriorlake.com) with any questions regarding these two different processes or the project in general. The City will be posting this information on the City website as well.

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