

January 17, 2018

To: Board of Public Works
From: Anne Walker, Winnebago St. resident
Re: The Winnebago and Merry Street Retaining Wall Assessment District

My name is Anne Walker, and I am the owner of the home, but not the retaining wall, at 1704 Winnebago. The proposed assessment district consists solely of the City owned retaining wall around two sides of my property.

I have lived in my home since 1992 and have been a longtime volunteer in the neighborhood, including about 10 years on the MNA Board with most of those years chairing the Traffic Committee. I chaired the traffic committee during the Willy St Reconstruction as well as the Jenifer St Reconstruction and various versions of the Blair, Willy John Nolan/Hairball Intersection. My experience suggests that the City and specifically the Board consider Winnebago corridor planning as a whole. Some of the Winnebago St. reconstruction plans that have been considered by Engineering could remove the need for a retaining wall (and would address other long term goals of better and safer bicycle and pedestrian accommodations).

I was originally told that the retaining wall was my problem and that I had to fix the wall. Then I was told that it was my problem to fix and that the City would pay 50% of the cost. I asked how I could be responsible for doing the actual work of replacing the wall since the wall was located on City property. Then my case was referred to the City Attorney and I was informed by letter from the City Attorney of a court date. A lawyer contacted the City Attorney's office on my behalf and explained, citing cases, that it is the City's burden to keep the right-of-way in repair, and the City cannot delegate its duty. That issue was not resolved because no case was ever filed by the City. I went to court to file my not guilty plea and was only then told a case had not been filed. Now the special assessment process is being followed and it is my understanding that I will be assessed 50% of the cost of a wall that Engineering claims will cost \$20,000-\$30,000.

I should not be assessed \$10,000-\$15,000 for a retaining wall owned by the City, especially when Building Inspection says only a section of the wall needs to be replaced. The Board has not approved assessments for other retaining walls: specifically, the 2017 Gregory Street reconstruction project contract called for replacement of some retaining walls, but the preliminary assessments approved by the Board did not include any assessment of property owners for those walls.

If Engineering is looking to replace the entire wall, despite Inspection identifying only a section that needed replacement, there should first be clear criteria established (like there are for sidewalk repair/replacement) defining under what conditions wall replacement is needed.

Furthermore, it appears that the projected cost is excessive. The Gregory Street project's highest bid was \$38 per square foot of retaining wall. The section of the wall that Building Inspection said needs replacement is, at most, 75 square feet, for a total cost under \$3,000. The projected cost of the retaining wall would be lower if the City assessed a District as a whole, like for sidewalk repair/replacement, and bids were based on more than one wall. Assessing me 50% of the total cost when I own a corner property is unfair. Corner sidewalks are assessed at half the rate assessed for mid-block properties – which would mean that I should be charged, at most, 25% of the cost.

There are lower cost alternatives to the segmented retaining wall that Engineering said will be required. For example, the installed cost of an earthen-bag wall is reported to be about 60% of a concrete wall. Once vegetated, such a wall would promote City goals of beautification and pollinator habitat.

Durability of materials in a location, such as my home, that experiences high levels of salt, saturation and is subject to significant amounts of freezing and thawing because of an eastern and southern orientation, should be considered. According to a report by the U.S. Department of Transportation, "*Durability of Segmental Retaining Walls: Final Report*" April, 2007, the type of wall proposed by Engineering degrades in certain locations. In Minnesota, segmental retaining walls are not used on or near roadways that experience volumes higher than 5000 vehicles per day or in a location closer than 20 feet from the gutter line. Traffic volume is significantly higher at my corner and the wall is about 8 feet from the gutter.

In conclusion:

- 1) The need for a wall should be re-evaluated in light of some of the Winnebago St. reconstruction plans being considered.
- 2) the retaining wall is a City wall and the City should be responsible for fixing the wall.
- 3) I should not be assessed for replacement of a full wall when Building Inspection said only a portion needed replacement.
- 4) In determining what material will be used for the wall, cost and durability should be considered – especially if homeowners are being assessed.
- 5) City assessments should be fair and reasonable: there should be clear criteria for replacement and either all retaining walls on City property should be assessable, or none should be assessable;

Thank you for considering these issues when considering this special assessment district.