

**TO:** The Honorable Mayor and City Council Members  
**FROM:** Michael C. Van Milligen, City Manager  
**SUBJECT:** Bee Branch Creek Restoration, Property Acquisition  
**DATE:** December 15, 2015

City Engineer Gus Psihoyos recommends the City Council establish the fair market value of the property owned by Morrison Brothers on Washington Street between E. 24<sup>th</sup> Street and E. 25<sup>th</sup> Street at the appraised value of \$98,000, and authorize the City Manager to begin negotiations to acquire the property required for the Bee Branch Creek Restoration Project. Further authorization is sought to acquire the property through eminent domain proceedings should negotiations fail.

In December of 2001, the City Council formally adopted the Drainage Basin Master Plan prepared by HDR Engineering. Based on the study, approximately 1,150 homes and businesses in the Bee Branch watershed are at risk of flood damage.

Acquisition of the Property will allow for the complete removal of Washington Street between 24th and 25th Street and the removal of the alley that runs from 24th to 25th Street between Washington Street and Elm Street, all of which would result in the elimination of more impervious land cover than what would have been achieved through the reconstruction of the alley as a “green”, pervious alley. This would also result in the elimination of the continued costs associated with maintaining the paved street and alley surfaces.

Additional cost savings would also be realized in that soil excavated as part of the creek construction project could be placed as fill over Washington Street between 24th and 25th Street versus hauling the material off site.

Ultimately, following completion of the Bee Branch Creek Restoration Project, the additional green, pervious green space created by the removal of the acquired properties would be utilized to expand the limits and function of Comiskey Park.

Acquiring the Property would result in an estimated \$70,000.00 in savings to the City. This is based on \$350,000 in savings realized by eliminating the green alley and public utilities improvements that would serve the lots along Washington Street offset by the costs associated with purchasing and clearing the Morrison Brothers property and the

recently acquired Chamberlain properties on Washington Street between 24th and 25th Streets.

I concur with the recommendation and respectfully request Mayor and City Council approval.

  
Michael C. Van Milligen

MCVM:jh  
Attachment

cc: Barry Lindahl, City Attorney  
Cindy Steinhauser, Assistant City Manager  
Teri Goodmann, Assistant City Manager  
Gus Psihoyos, City Engineer