

From: [H.J](#)
To: [All Alders](#); [Field, Derek](#)
Subject: MPNA president opinion on MacArthur Road, Larson Court, Sycamore Avenue Reconstruction; a request for compromise
Date: Tuesday, October 28, 2025 9:14:59 AM

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To: Madison Common Council allalders@cityofmadison.com

From: Hilton Jones, MPNA president

Subject: Request for Compromise on Sidewalk Placement and Special Assessment Equity – MacArthur Road, MacArthur Court & Sycamore Avenue Reconstruction

Dear Members of the Madison Common Council,

I write today as a long-standing resident and representative of District 3 to respectfully urge the Council to require compromise in the proposed 2026 reconstruction plan for MacArthur Road, MacArthur Court, and Sycamore Avenue. Specifically, I request that **new sidewalks be placed with only a minimal terrace width (3–5 feet)** and that the Council **reconsider the scope and fairness of special assessments**, particularly for the 3900 block of Sycamore Avenue, but also for all impacted residents and tax payers.

Legal Basis for Reassessment of Special Assessments

Under **Wis. Stat. § 66.0703**, municipalities may levy special assessments only when the property is “**specialy benefited**” by the improvement, and the amount assessed must be based on a “**reasonable basis**”. Courts have consistently upheld this principle:

- In *CIT Group v. Village of Germantown*, 163 Wis.2d 426 (Ct. App. 1991), the court emphasized that assessments must reflect actual benefit to the property.
- In *In Re Installation of Storm Sewers*, 79 Wis.2d 279 (1977), the Wisconsin Supreme Court ruled that assessments must be “reasonable” and not exceed the value of the benefit conferred.

The **3900 block of Sycamore Avenue already has curb and gutter**, and residents previously paid for these improvements. The remainder of the impacted special assessments have minimal benefits under WI law and if taken to court it would likely follow precedent as these residents already pay for monthly infrastructure maintenance and upkeep of sewer laterals. The recent expansion of scope—adding full curb/gutter replacement and eight apron replacements to Sycamore road **POST** the TC meeting—offers **no appreciable benefit** to these properties. This violates the principle of “special benefit” and risks imposing **unjust financial burdens** on residents who have already contributed to infrastructure costs. This special assessment in particular is not legally justified and the design team hid this cost from those impacted until 03 Oct when the previous provided design was stealth altered ahead of

the BPW meeting on 08 Oct.

Sidewalk Placement and Terrace Width – A Call for Context-Sensitive Design

The City's **Complete Green Streets Guide** rightly states:

“There is no one design of a Complete Street. Each street design considers the specific context of the community, neighborhood, and street.”

However, thus far the design team has REFUSED any compromise or clarity of sharing this design feature.

The current plan proposes **8–12 ft terraces**, which would require removal or damage of mature trees, disrupt historical driveway apron usage, and impose maintenance burdens on aging residents. Madison's **Chapter 10 Ordinance** allows flexibility in sidewalk and terrace design, and the **Design Standards** confirm that sidewalk placement should reflect neighborhood needs. The residents of MacArthur Road and MacArthur Court have been resoundingly clear in both survey result comments which were ignored and follow up emails to city staff, TC, and BPW that we request compromise to meet the needs of OUR neighborhood, community, and specific street. Up to this stage the design team has provided ZERO compromise with the residents in regard to sidewalk placements and have willfully withheld design details and lacked transparency.

A compromise to **reduce terrace width to 3–5 ft** and place sidewalks closer to the curb would:

- Preserve tree canopy and comply with the **Tree Protection Ordinance**.
- Maintain accessibility for residents aging in place; multiple residents rely on historic and safe ability to have ADA access for loading/unloading
- Reduce unnecessary costs and environmental disruption of sidewalks that are not needed nor requested by the majority of residents actually on these streets.

Fiscal Responsibility and Equity

The estimated cost savings from reducing sidewalk installations and terrace widths exceed **\$84,000–\$100,000**. These funds could be redirected to higher-impact projects such as ADA curb ramps, stormwater improvements, or community services like making sidewalk connections in the greater neighborhood where we don't even have 1 side access to connect our neighborhood to the greater city via safe access.

Request for Action

I respectfully ask the Council to:

1. **Require COMPROMISE on sidewalk placement with minimal terrace width (3–5**

ft) to preserve trees and accessibility. Remove sidewalks where residents have been clear they are not desired or needed for our specific street.

2. **Revert the Sycamore Avenue scope to the TC-approved draft** to ensure transparency and fairness. It is inappropriate that residents were not provided with ample time to weigh in on last minute scope changes. This is at minimum a direct reflection of gross incompetence of design team or willfully hiding details from residents purposefully. Neither is acceptable.
3. **Reassess special assessments** for properties with no demonstrable benefit, especially on Sycamore Avenue, in accordance with **Wis. Stat. § 66.0703** and relevant case law. Proceeding at current will force legal proceedings by members of the community that have WI law precedent that needs to be met.

This compromise honors the principles of equity, fiscal prudence, and community engagement. It ensures that infrastructure improvements serve—not burden—Madison's residents.

Thank you for your consideration and commitment to a fair and inclusive Madison.

Sincerely,

Hilton Jones

MPNA President

Resident of District 3 for over 20 years