

**AFFIDAVIT OF MAILING**

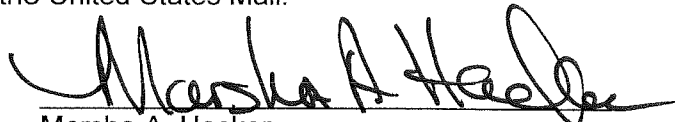
STATE OF WISCONSIN     )  
  ) ss.  
COUNTY OF DANE         )

Marsha A. Hacker, being first duly sworn on oath, deposes and says that:

Legistar No. 51504

1. She is an Program Assistant I with the Office of the City Engineer, City of Madison, Dane County, Wisconsin, and did on the 18th of June, at approximately 8:35 am placed in envelopes addressed to each interested owner of respective addresses as indicated by attached assessment list, a true and correct copy of the notice of assessments for the project titled Approving Plans, Specifications, and Schedule of Assessments for East Johnson Street Assessment District - 2019.

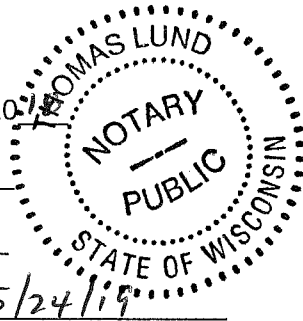
2. She did and delivered the envelopes to the Mail Room of the Dane County Printing and Services Division, 210 Martin Luther King, Jr. Blvd., in the City of Madison, Dane County Wisconsin, for postage and depositing in the United States Mail.

  
Marsha A. Hacker

Subscribed and sworn to before me  
this 18<sup>th</sup> day of JUNE, 2019



THOMAS LUND  
Notary Public, State of Wisconsin  
My Commission expires: 05/24/19





# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Master

File Number: 51504

File ID: 51504

File Type: Resolution

Status: Passed

Version: 1

Reference:

Controlling Body: BOARD OF PUBLIC WORKS

Lead Referral: BOARD OF PUBLIC WORKS

Cost:

File Created Date : 05/02/2018

File Name: Approving Plans, Specifications, And Schedule Of Assessments For East Johnson Street Assessment District - 2019.

Final Action: 06/05/2018

Title: Approving Plans, Specifications, And Schedule Of Assessments For East Johnson Street Assessment District - 2019. (2nd & 12th ADs)

Notes: Andy Z.

Code Sections:

CC Agenda Date: 06/05/2018

Indexes:

Agenda Number: 31.

Sponsors: BOARD OF PUBLIC WORKS

Effective Date: 06/11/2018

Attachments: BPW Hearing Notice East Johnson St Assessment Dist 2019.pdf, 10287\_E Johnson St 90% P&P Sheets.pdf, BPWnotes\_E Johnson.pdf, 10287\_EJohnsonSt\_AssessRev20180516.pdf, CC Hearing Notice East Johnson Street Assessment District - 2019.pdf

Enactment Number: RES-18-00409

Author: Rob Phillips, City Engineer

Hearing Date:

Entered by: mhacker@cityofmadison.com

Published Date:

### Approval History

Version	Date	Approver	Action
1	05/22/2018	Travis J. Martin	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	05/02/2018	Refer	BOARD OF PUBLIC WORKS	05/16/2018		
Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 5/16/2018							
Notes:							

1 BOARD OF PUBLIC WORKS 05/16/2018 RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24 & 2.25 - PUBLIC HEARING Pass

Action Text: Andy Zwieg, Engineering Division, presented project details.

Members of the public present for Public Hearing:

Irene K., E. Johnson St. Registered as Neither Support Nor Oppose project. Wished to speak. Said she had questions about her assessment. Zwieg said the assessment schedule did contain an error. He said the assessment schedule would be corrected and that the revised schedule would be sent to property owners with the Notice of the Public Hearing before the Common Council on June 5, 2018. [Notice of Public Hearing and revised assessment schedule were mailed on May 22, 2018. Attached in Legistar.]

Jessi M., E. Johnson St. Registered in Support of the project. She said she had questions about lighting and how lighting assessments are applied.

A motion was made by Ald. Clear, seconded by Branson, with staff sending revised assessment schedule, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24 & 2.25 - PUBLIC HEARING. The motion passed by voice vote/other.

Notes:

1 COMMON COUNCIL 06/05/2018 Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25, and Close the Public Hearing Pass

Action Text: A motion was made by Baldeh, seconded by Carter, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25, and Close the Public Hearing. The motion passed by voice vote/other.

Notes:

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**Text of Legislative File 51504**

**Fiscal Note**

The proposed resolution approves plan documents for the WisDOT agreement pertaining to the East Johnson Street reconstruction project from Baldwin Street to 1st Street in 2019. The project is planned in the adopted 2018 Capital Improvement Plan (CIP) within Engineering Major Streets. The project is estimated to cost \$6.245 million with approximately \$2.6 million being from Federal funding sources; the remainder of the project is planned to be funded by GO Borrowing, special assessments, and the applicable utilities.

MUNIS:  
10287

**Title**

Approving Plans, Specifications, And Schedule Of Assessments For East Johnson Street Assessment District - 2019. (2nd & 12th ADs)

**Body**

The City of Madison and the WisDOT propose to enter into an agreement for construction and cost sharing of the proposed project. The basis for cost sharing participation is as follows:

1) Design Engineering: All design-engineering costs necessitated by the street reconstruction are 100% Local Funding.

2) Local Utilities: The City shall pay for 100% of the cost of installing or adjusting new water and sanitary sewer mains. The City assumes full responsibility for the design, installation, testing and operation of the sanitary sewer and water system. Each affected local municipality shall pay for 100% of the costs for installing or adjusting new or existing local utilities.

3) Street Improvements: The WisDOT shall pay approximately 60% of the costs for pavement, concrete curb and gutter, storm sewer, street lights, traffic signals, drive aprons, base material, sidewalk as needed, terrace restoration and all other necessary street improvements for completion of the project, through administration of Federal funding. Federal Funds are limited to \$2,622,000.00; any costs over this limit will be funded by the City of Madison.

The agreement with the State of Wisconsin Department of Transportation for construction cost sharing defines the terms under which the City is awarded Federal funds and the agreement requires that the City indemnify the State of Wisconsin Department of Transportation. City APM 1-1 requires Common Council Approval whenever the City indemnifies another party.

The proposed indemnification language has been reviewed by the City's Risk Manager. The City's risk exposure is increased by this clause, but the exposure is covered by the City's insurance policies, subject to their terms and conditions.

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of East Johnson Street Assessment District - 2019 pursuant to a resolution of the Common Council, RES-18-00345, ID No. 51250, adopted May 1, 2018, which resolution was adopted thereto, and the provisions of the Madison General Ordinances and the Wisconsin Statutes in such case made and provided, and the Common Council being fully advised.

BE IT RESOLVED:

1. That the City at large is justly chargeable with and shall pay the sum of \$3,523,843.08 of the entire cost of said improvement.
2. That for those eligible property owners requesting construction of a rain garden in the public right-of-way adjacent to their property shall execute the necessary waiver of special assessments on forms provided by the City Engineer;
3. That the sum assigned to each separate parcel, as indicated on the attached schedule of assessment, is hereby specially assessed upon each such parcel.
4. That the Common Council determines such special assessments to be reasonable.
5. That the work or improvement be carried out in accordance with the reports as finally approved.
6. That such work or improvement represents an exercise of the police power of the City of Madison.
7. That the plans & specifications and schedule of assessments in the Report of the Board of Public Works and the Report of the City Engineer for the above named improvement be and are hereby approved.
8. That the Board of Public Works be and is hereby authorized to advertise for and receive bids for the said improvements.
9. That the due date by which all such special assessments shall be paid in full is October 31st of the year in which it is billed, or,

10. That such special assessments shall be collected in eight (8) equal installments, with interest thereon at 3.0 percent per annum, except those special assessments paid in full on or before October 31st of that year.
11. That the Mayor and City Clerk are hereby authorized to accept dedication of lands and/or easements from the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.
12. That the City indemnifies the State Wisconsin of Transportation.
13. That the Mayor and City Clerk are hereby authorized to execute agreements with the Wisconsin Department of Transportation for the reconstruction of E. Johnson Street.

#### INSTALLMENT ASSESSMENT NOTICE

Notice is hereby given that a contract has been (or is about to be) let for East Johnson Street Assessment District - 2019 and that the amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the City Clerk; it is proposed to collect the same in eight (8) installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at 3.0 percent per annum; that all assessments will be collected in installments as above provided except such assessments on property where the owner of the same has paid the assessment to the City Treasurer on or before the next succeeding November 1st.

#### NOTICE OF APPEAL RIGHTS

"Pursuant to Sec.4.09(14), Madison General Ordinances, as authorized by Sec. 66.0701(2), Wisconsin Statutes, any person against whose land a special assessment has been levied by this resolution has the right to appeal therefrom in the manner prescribed in Sec. 66.0703(12), Wisconsin Statutes, within forty (40) days of the day of the final determination of the Common Council, said date being the date of adoption of this resolution."

Parcel No. / Zoning No.	Owner's Name / Mailing Address / Parcel Location	Frontage LF	Lot Area SF	Remove Concrete Driveway @ \$1.50 per SF		Replace Concrete Driveway @ \$3.00 per SF		Remove Asphalt Driveway @ \$3.00 per SF		Remove & Replace Concrete Slabs @ \$2.50 per SF		Remove & Replace Curb & Gutter Factor* LF per LF		Sanitary Sewer Sanitary Sewer Connection @ \$1,150.00 Each		Remove & Replace Sanitary Sewer @ \$1,150.00 per LF		Private Storm Sanitary Sewer Connection @ \$1,000.00 Each		Street Lighting Items** Local Street Lighting by Fremont @ \$1.00 per LF		TOTAL AMT	
				SF	Cost	SF	Cost	SF	Cost	SF	Cost	Factor*	LF	Cost	Factor*	LF	Cost	Factor*	LF	Cost	Factor*		LF
0709-124-0312-1 TR-C4	LEBERGER, STEPHEN W 1000 BURGESS TRL MIDDLETON, WI	112.00	7,392.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.50	\$0.00	0.50	\$0.00	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$1,775.00
0709-124-031-9 TR-V1	HANSEN, ELLEN JO 305 N BALDWIN ST MADISON, WI	51.00	3,817.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.50	\$0.00	0.50	\$0.00	1.00	\$1,150.00	60.00	\$1,100.00	0.00	\$0.00	1	0.00	\$0.00	\$2,974.00
0709-124-0306-6 TR-V1	ALTSCHUL, BISHAMIN C PO BOX 43 MADISON, WI	66.00	8,712.00	120.00	\$180.00	180.00	\$450.00	0.00	\$0.00	1.00	\$80.00	1.00	\$1,375.00	1.00	\$1,150.00	40.00	\$1,000.00	0.00	\$0.00	1	0.00	\$0.00	\$3,599.00
0709-124-0305-5 PD	MING CXX RIVERS EDGE SUB 1605 FORDEN AVE E JOHNSON STREET 219 S HWY 83 #148 FRANKTOWN CO	779.32	271,952.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.50	\$0.00	0.50	\$1,417.50	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	1	0.00	\$0.00	\$4,238.72
0709-124-0311-3 TR-C4	PEPLEY, ROBERT T 1305 E JOHNSON ST MADISON, WI	66.00	8,272.00	125.00	\$187.50	85.00	\$255.00	0.00	\$0.00	1.00	\$150.00	1.00	\$375.00	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$2,646.50
0709-124-0311-5 TR-C4	NEWPORT, TIMOTHY W & KATHLEEN M NEWPORT 117 E JOHNSON ST MADISON, WI	66.00	8,712.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	1.00	\$125.00	1.00	\$312.50	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$2,681.50
0709-124-0309-8 TR-C4	BERKSON, JOSHUA D BERKSON, STEPHANIE B 1319 E JOHNSON ST MADISON, WI	33.00	4,356.00	85.00	\$127.50	85.00	\$255.00	0.00	\$0.00	1.00	\$175.00	1.00	\$437.50	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$2,592.00
0709-124-0308-0 TR-C4	COLBERT, MARGEL STEFAN & FRANCES PHILOMENE COLBERT 1918 REGENT ST MADISON, WI	33.00	4,356.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	1.00	\$175.00	1.00	\$437.50	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$2,609.50
0709-124-0307-2 TR-C4	VENULIS, JOSEPH A & BENTAS WALKER 1335 E JOHNSON ST MADISON, WI	44.00	5,808.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	1.00	\$150.00	1.00	\$375.00	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$2,546.00
0709-124-0306-4 TR-C4	OLSEN, TIMOTHY & DEBRA 1335 E JOHNSON ST MADISON, WI	44.00	5,808.00	120.00	\$180.00	95.00	\$285.00	0.00	\$0.00	1.00	\$225.00	1.00	\$562.50	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$3,198.50
0709-124-0305-6 TR-C4	ROMANT-NIBBELINK LIV TR 1335 E JOHNSON ST MADISON, WI	44.00	5,808.00	215.00	\$322.50	140.00	\$420.00	0.00	\$0.00	1.00	\$200.00	1.00	\$500.00	1.00	\$1,150.00	50.00	\$1,200.00	0.00	\$0.00	1	0.00	\$0.00	\$3,188.50
0709-124-0304-8 TR-C4	BOROWSKI, WIL 1337 E JOHNSON ST # 2 MADISON, WI	33.00	4,356.00	100.00	\$150.00	100.00	\$300.00	0.00	\$0.00	1.00	\$200.00	1.00	\$500.00	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$3,022.00
0709-124-0303-0 TR-C4	CABINGER, LYNETTE & LOREN LEADIE 1339 E JOHNSON ST MADISON, WI	33.00	4,356.00	95.00	\$142.50	120.00	\$360.00	0.00	\$0.00	1.00	\$150.00	1.00	\$375.00	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$2,949.50
0709-124-0302-2 TR-C4	KILCOYNE, IRENE A 1340 E JOHNSON ST MADISON, WI	66.00	9,272.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	1.00	\$325.00	1.00	\$812.50	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$3,181.50
0709-124-0301-4 TR-C4	GILNN, KEVIN T & LAURIE J NEUBAUER 1335 E JOHNSON ST MADISON, WI	66.00	4,752.00	60.00	\$90.00	75.00	\$225.00	0.00	\$0.00	0.50	\$0.00	0.50	\$125.00	0.50	\$62.50	35.00	\$875.00	0.00	\$0.00	1	0.00	\$0.00	\$3,111.50
0709-124-0300-8 TR-V1	ODRISCOLL, KEVIN M & KELLY K ODRISCOLL 150 LAKEWOOD BLVD MADISON, WI	76.00	10,020.00	95.00	\$142.50	105.00	\$315.00	0.00	\$0.00	1.00	\$175.00	1.00	\$437.50	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$3,794.00
0709-124-0299-0 TR-V1	MILLHALL, JESSICA MICHAEL 1423 E JOHNSON ST MADISON, WI	56.00	7,392.00	95.00	\$142.50	95.00	\$285.00	0.00	\$0.00	1.00	\$125.00	1.00	\$312.50	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$3,019.00
0709-124-0300-2 TR-V2	GARPENTER ET AL, CHARLES 1429 E JOHNSON ST MADISON, WI	132.00	34,448.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	1.00	\$375.00	1.00	\$937.50	1.00	\$1,150.00	50.00	\$1,250.00	0.00	\$0.00	1	0.00	\$0.00	\$5,073.50
0709-124-0302-4 TR-V1	TOUSSANT APARTMENTS LLC % GERRARD DEILY 1309 CARTER LN CHARLOTTEVILLE VA	66.00	8,712.00	105.00	\$157.50	110.00	\$330.00	0.00	\$0.00	1.00	\$125.00	1.00	\$312.50	1.00	\$1,150.00	25.00	\$625.00	0.00	\$0.00	1	0.00	\$0.00	\$3,169.00
0709-0631-1502-4 CN	MADISON GAS & ELECTRIC % JIM MONTGOMERY PO BOX 1231 MADISON, WI	463.00	87,988.00	90.00	\$135.00	130.00	\$390.00	220.00	\$660.00	1.00	\$265.00	1.00	\$662.50	1.00	\$1,150.00	0.00	\$0.00	0.00	\$0.00	1	0.00	\$0.00	\$20,093.00

