

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. 28156

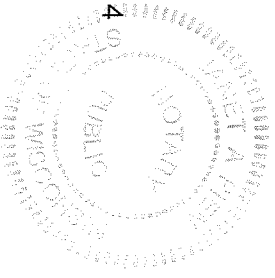
1. She is an Program Assistant I with the Office of the City Engineer, City of Madison, Dane County, Wisconsin, and did on the 29th day of November, 2012, at approximately 12:30 PM placed in envelopes addressed to each interested owner of respective addresses as indicated by attached assessment list, a true and correct copy of the notice of assessments for the project titled Approving Plans, Specifications, And Schedule of Assessments for the Mineral Point Road and Junction Road / S. Junction Road Assessment District – 2013 and Authorizing the Mayor and City Clerk to execute an agreements with the State of Wisconsin Department of Transportation and Dane County for the Project:

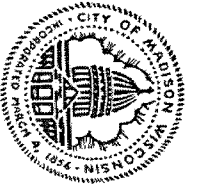
2. She did and delivered the envelopes to the Mail Room of the Dane County Printing and Services Division, 210 Martin Luther King, Jr. Blvd., in the City of Madison, Dane County Wisconsin, for postage and depositing in the United States Mail.


Marsha A. Hacker

Subscribed and sworn to before me
this 29 day of November, 2012


Janet A. Pien
Notary Public, State of Wisconsin
My Commission expires: February 23, 2014





City of Madison

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

Master

File Number: 28156

File ID: 28156 File Type: Resolution Status: Passed

Version: 1 Reference: Controlling Body: BOARD OF PUBLIC WORKS

Lead Referral: BOARD OF PUBLIC WORKS Cost: File Created Date : 10/26/2012

File Name: Approving Plans, Specs & Schedule Of Assessments For the Mineral Point Rd & Junction Rd / S. Junction Rd Asmnt Dist - 2013 & authorizing the Mayor & City Clerk to execute an agreements with the WDOT & Dane County for the Project. Final Action: 11/27/2012

Title: Approving Plans, Specifications, And Schedule Of Assessments For For the Mineral Point Road and Junction Road / S. Junction Road Assessment District - 2013 and authorizing the Mayor and City Clerk to execute an agreements with the State of Wisconsin Department of Transportation and Dane County for the Project.

Notes: Public Hearing before BPW @ 6:30
Chris P.

Code Sections: CC Agenda Date: 11/27/2012

Indexes: Agenda Number: 5.

Sponsors: BOARD OF PUBLIC WORKS Effective Date: 11/28/2012

Attachments: State Mailing affidavit, cc mailing affidavit, fiscal note.pdf, bpw mailing affidavit.pdf, 53W0391_Mineral Point Junction.xls
Enactment Number: RES-12-00866

Author: Rob Phillips, City Engineer
Hearing Date:
Entered by: mhacker@cityofmadison.com
Published Date:

Approval History

Version	Date	Approver	Action
1	11/16/2012	Craig Franklin	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

1 BOARD OF PUBLIC WORKS 11/07/2012 RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING Pass

Action Text: Chris Pelykowski, City Engineering and Dan McCormick, City Transportation, presented plans and specifications.

Public registered:

Scott Arndt, partner with Princeton Club West Real Estate LLC.
Laverne Theis, 8821 Mineral Point Rd. - opposes
Randy Theis, 9101 Mineral Point Rd. - opposes
Buck Sweeney, on behalf of Theis family - opposes
Chuck & Cathy Garfoot, 3658 Cardinal Point Tr. - letter submitted
Ron Trachtenberg - 33 E Main St #500 - representing Kelley-Williamson Co - opposes

A motion was made by Dalley, seconded by Fix, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING, with a friendly revision to direct staff to discuss project assessments with property owners who have contacted staff requesting corrections and to make those corrections which staff determines to be appropriate to the schedule of assessments, prior to the mailing of the assessments noticing the Common Council hearing. The motion passed by voice vote/other..

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1 COMMON COUNCIL 11/27/2012 Adopt and Close the Public Hearing Pass

Action Text: A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt and Close the Public Hearing. The motion passed by the following vote:

Notes:

Ayes: 15 Bridget R. Mantaci; Lauren Chare; Michael E. Verveer; Shiva Bidar-Sielaff; Steve King; Scott J. Resnick; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Tim Bruer; Larry Palm; Jill Johnson; Joseph R. Clausius; Mark Clear and Matthew J. Phair
Noes: 4 Marsha A. Rummel; Salya V. Rhodes-Conway; Sue Ellingson and Anita Weiler
Abstentions: 1 Paul R. Soglin
Excused: 1 Lisa Sulbeck

Text of Legislative File 28156

Title

Approving Plans, Specifications, And Schedule Of Assessments For For the Mineral Point Road and Junction Road / S. Junction Road Assessment District - 2013 and authorizing the Mayor and City Clerk to execute an agreements with the State of Wisconsin Department of Transportation and Dane County for the Project.

Body

PREAMBLE

The City is proposing to improve Mineral Point Road (from Pleasant View Rd to the Beltline) and Junction Road/South Junction Road (from Isaac Dr to Valley View Rd). The Intersections of Mineral Point Road and South Junction Road will be reconstructed with a modified Jug Handle grade separated intersection. Bicycle and pedestrian accommodations will be provided, including an overpass over Mineral Point Road and an underpass of the Jug Handle. The design accommodates present and future growth demands of the area as defined in the City's neighborhood plans. The City of Madison will be the lead agency for the project, which also involves Dane County. The City applied for Federal Funding with the Surface Transportation Program - Urban and the project

received approval for approximately 50% federal funding. The City also has applied for a federal earmark and in fiscal year of 2009 was awarded an earmark of \$311,220.

The project will be constructed under a contract let by the Wisconsin Department of Transportation (WisDOT) and a project Agreement with WisDOT will be required for funding, oversight and construction. The proposed project is planned for construction in the year 2013-14. Phase 1 of the project has occurred in 2012.

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 50% 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 \$8,165,000; 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.

In accordance with Madison General Ordinance 4.081, the assessment for parcel(s) parcels zoned or used for agriculture and in the City of Madison and the UW Research Park lots shall be deferred for 10 years with interest. Upon completion of the deferment period, payment shall be made with interest in 8 equal yearly installments. In the event of certain occurrences as outlined in Sec. 4.081(4), the assessments shall be paid in full prior to the end of the deferral period

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of the Mineral Point Road and Junction Road / S. Junction Road Assessment District - 2013 pursuant to a resolution of the Common Council, RES-12-00767, ID No. 27677, adopted 10/02/2012, 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 \$6,440,000 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 or that certain parcels that are eligible under Madison General Ordinance 4.081 shall be deferred for 10 years with interest. Upon completion of the deferral period, payment shall be made with interest in 8 equal yearly installments. In the event of certain occurrences as outlined in Sec. 4.081(4), the assessments shall be paid in full prior to the end of the deferral period.
11. That properties being assessed that are located in the Town of Middleton shall have their assessments deferred, and interest shall not accrue, until the parcel is attached to the City. However, the amount of each special assessment shall be adjusted from the date of the levy to the date of the attachment as set forth in the Final City of Madison and Town of Middleton Cooperative Plan dated September 29, 2003. Upon attachment, each special assessment shall be payable in six annual installments with interest, from the date of attachment.
12. 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.
13. That the Mayor and City Clerk are hereby authorized to enter into an agreement with Dane County for cost sharing of the project.
14. That the Mayor and City Clerk are hereby authorized to execute an agreement with the State of Wisconsin Department of Transportation for the project.
15. That the Common Council approved indemnification of the State of Wisconsin Department of Transportation under this agreement.

INSTALLMENT ASSESSMENT NOTICE

Notice is hereby given that a contract has been (or is about to be) let for Mineral Point Road and Junction Road / S. Junction Road Assessment District - 2013 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."

Fiscal Note

Budget authority is available in the following accounts and included in the 2013 Capital Budget (see attached).

Fiscal Note
 Mineral Point Road and Junction Road / S. Junction Road Assessment District - 2013

Group/ID	Description	Estimate Including Inspection	Estimate Including Inspection	Federal Funds	Dane County	City of Madison	City Acct #	Assessments*	City Share
5992-08-88	Water	\$ 894,535	\$ 900,000	\$ -	\$ -	\$ 900,000	EW01-58273-810455-00-53W0391	\$0.00	\$ 900,000
5992-08-89	Sanitary	\$ 209,587	\$ 215,000	\$ -	\$ -	\$ 215,000	ES01-58275-810332-00-53W0391	\$120,000.00	\$ 95,000
5992-08-87 Category 0010	Roadway	\$ 9,466,435	\$ 9,550,000	\$ 4,775,000	\$ 2,387,500	\$ 2,387,500	CSS3-58250-810543-00-53W0391 (\$1,387,500)	\$385,000.00	\$ 2,002,500
5992-08-87 Category 0020	Structures	\$ 6,686,087	\$ 6,850,000	\$ 3,390,000	\$ 612,500	\$ 2,847,500	CSS3-58250-810358-00-53W0391 (\$1,000,000)	\$2,240,000.00	\$ 607,500
5992-08-87 Category 0030	Storm Sewer	\$ 1,115,732	\$ 1,175,000	\$ -	\$ -	\$ 1,175,000	ESTM-58270-810381-00-53W0391	\$0.00	\$ 1,175,000
5992-08-87 Category 0030	Storm Sewer Inlets, Leads	\$ 399,638	\$ 400,000	\$ -	\$ -	\$ 400,000	CSS3-58270-810543-00-53W0391	\$0.00	\$ 400,000
5992-08-87 Category 0040	Traffic Signals	\$ 1,039,585	\$ 1,050,000	\$ -	\$ -	\$ 1,050,000	CSS3-58540-810543-00-53W0391	\$230,000.00	\$ 820,000
5992-08-87 Category 0050	Street Lighting	\$ 652,480	\$ 675,000	\$ -	\$ -	\$ 675,000	CSS3-58545-810543-00-53W0391	\$110,000.00	\$ 565,000
Construction Totals		\$ 20,464,080	\$ 20,815,000	\$ 8,165,000	\$ 3,000,000	\$ 9,650,000		\$ 3,085,000	\$ 6,565,000

State Federal Cost	\$8,165,000.00
Dane County Cost	\$3,000,000.00
Assessments	\$3,085,000.00
City Cost	\$6,565,000.00
Total Cost	\$20,815,000.00

*Note: Assessments for Category 0020 & 0040 are from CTH M & S (Mineral Point Road and Junction Road) Interchange Assessment District under separate resolution

Project ID: 53W0391
 Project Name: Mineral Point Road and Junction Road / S. Junction Road Assessment District - 2013
 Project Limits: Junction Road / S. Junction Road: Isaac Drive to 1000' North of Valley View Road
 Mineral Point Road: 800' East of Pleasant View Road to US Hwy 12 (Bellline)
 Applewood Drive: Entire Applewood Drive

Parcel No./ Zoning	Owner's Name / Mailing Address	NOTES	Parcel Location	Frontage		Improvements @ \$30.00 per LF	Street Reconstruction Items		SANITARY ASSESSMENT		Sanitary Assmt Subtotal	Street Lighting Assmt	TOTAL ASSMT
				Actual per street LF	Total Assessable LF		Street Cost	Install Curb & Gutter LF	Install 6" Concrete Sidewalk @ \$5.00 per SF	Install 7" Concrete Drive Apron @ \$5.00 per SF			
0708-271-0099-6 A	UNIV OF WIS REGENTS VAN HISE HALL # 1680 1220 LINDEN DR MADISON WI 53706	UNV College of Ag NE corner of PV & Min Pt See Notes 1,2, & 3	6502 Mineral Point Rd	1085.0	1085.0	\$32,550.00	1085.0	\$10,650.00	\$425.0	\$27,125.00	405.0	\$2,430.00	\$95,659.35
0708-271-0099-3 A-1	UNIV OF WIS REGENTS VAN HISE HALL # 1680 1220 LINDEN DR MADISON WI 53706	UNV College of Ag SE corner of PV & Min Pt See Notes 1,2, & 3	8599 Mineral Point Rd	1451.0	2000.7	\$60,021.00	2000.7	\$20,007.00	10003.5	\$50,017.50	2220.0	\$1,320.00	\$194,106.93
0708-271-0119-1 C-1	MENARD INC CORPORATE ACCOUNTING 6101 MENARD DR EAU CLAIRE, WI 54703	Memorad parcel	430 Commerce Dr	284.5	284.5	\$8,535.90	284.5	\$2,845.30	1422.7	\$7,113.25	0.0	\$0.00	\$24,500.88
0708-271-0460-3 A-1	MADISON, CITY OF PO BOX 2983 MADISON WI 53701	city parcel See Notes 1,2, & 4	3723 County Hwy M	72.9	72.9	\$2,185.80	72.9	\$728.60	364.3	\$1,921.50	0.0	\$0.00	\$3,546.69
0708-271-0460-5 A-1	MADISON, CITY OF PO BOX 2983 MADISON WI 53701	city parcel See Notes 1,2, & 4	3717 County Hwy M	107.5	107.5	\$3,223.80	107.5	\$1,074.60	537.3	\$2,686.50	0.0	\$0.00	\$31,047.46
0708-271-0460-7 R-3A	MADISON, CITY OF PO BOX 2983 MADISON WI 53701	city parcel See Notes 1,2, & 4	3711 County Hwy M	110.0	110.0	\$3,298.40	110.0	\$1,099.80	549.9	\$2,749.50	0.0	\$0.00	\$33,106.96
0708-271-0460-9 A-1	MADISON, CITY OF PO BOX 2983 MADISON WI 53701	city parcel See Notes 1,2, & 4	3707 County Hwy M	80.0	80.0	\$2,399.40	80.0	\$799.80	399.9	\$1,999.50	0.0	\$0.00	\$6,867.08
0708-271-0460-1 A-1	MADISON, CITY OF PO BOX 2983 MADISON WI 53701	city parcel See Notes 1,2, & 4	3703 County Hwy M	70.0	70.0	\$2,098.70	70.0	\$699.80	350.0	\$1,749.75	0.0	\$0.00	\$6,026.64
0708-271-0460-3 A-1	MADISON, CITY OF PO BOX 2983 MADISON WI 53701	city parcel See Notes 1,2, & 4	3701 County Hwy M	70.0	70.0	\$2,100.00	70.0	\$700.00	350.0	\$1,750.00	0.0	\$0.00	\$6,027.70
0708-271-0390-5 A-1	MADISON, CITY OF JUSTEPIK REAL ESTATE 215 MLK JR BLDG RM 334 MADISON WI 53701	city parcel See Notes 1,2, & 4	3699 S Junction	113.5	113.5	\$3,405.00	113.5	\$1,135.00	567.5	\$2,837.50	0.0	\$0.00	\$9,773.49
0708-271-0117-5 C-2	WEST SIDE BUSINESS ASSN BUILDING CO INC 437 S JUNCTION RD MADISON WI 53719	West Side Bus parcel	437 S Junction	502.8	275.0	\$8,250.00	275.0	\$2,750.00	1375.0	\$6,875.00	0.0	\$0.00	\$23,880.25
0708-271-0202-4 A	HOLY NAME CATHOLIC CENTER PO BOX 4883 MADISON WI 53744	Sanitary parcel	601 S Junction Rd	338.4	338.4	\$10,152.00	338.4	\$3,384.00	1692.0	\$8,460.00	0.0	\$0.00	\$23,159.62
0708-271-0202-8 A	CITY OF MADISON ENGINEER 210 MLK JR BLDG RM 115 MADISON WI 53703	Triangle parcel	733 S Junction Rd	1080.2	1080.2	\$32,405.70	1080.2	\$10,801.90	5401.0	\$27,004.75	0.0	\$0.00	\$109,424.51
0708-271-0400-6 A-1	GEORGE A RANDT LAURIA J WELTON-RANDT 3522 COUNTY HWY M MADISON WI 53719	Andlt parcel See Notes 1,2, & 4	3522 County Hwy M	514.3	144.4	\$4,332.00	144.4	\$1,444.00	722.0	\$3,610.00	200.0	\$1,200.00	\$19,634.28
Total				5833.0	5832.0	\$174,959.70	5832.0	\$58,319.90	29160.0	\$145,798.75	825.0	\$4,950.00	626,761.06

(1). Sanitary sewer connection charges levied by the Madison Metropolitan Sewerage District (MMSD) for these lands shall be deferred until such time as the lands are subdivided, developed and require sanitary sewer service. Final billings will be generated by MMSD at the time of development or connection.
 (2). Properties will be subject to the Impact Fees which will be deferred until the property is developed. Impact Fee will be based upon final plat area or unplatted lot area at the time of connection. Impact Fee rate will be increased annually by the Construction Cost Index (CCI).
 (3). In accordance with Madison General Ordinance 4.081, the assessments for parcels zoned in agriculture and in the City of Madison and the UW Research Park lots shall be deferred for 10 years with interest. Upon completion of the deferral period, payment shall be made with interest in 8 equal yearly installments. In the event of certain occurrences as outlined in section 4.084(14), the assessments shall be paid in full prior to the end of the deferral period.
 (4). In accordance with the Final City of Madison and Town of Middleton Cooperative Plan under section 60.0307, Wisconsin Statutes, Dated Sep 29, 2003, payments assessed to Town of Middleton residents shall be deferred and interest shall not accrue thereon until the parcel is annexed to the City of Madison. The assessment will be adjusted based upon the construction cost index at the end of the deferral period.