



Legislation Details (With Text)

**File #:** 16894      **Version:** 1      **Name:** Approving Plans, Specifications, And Schedule Of Assessments For Old Middleton Road Assessment District - 2010.

**Type:** Resolution      **Status:** Passed

**File created:** 12/15/2009      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 1/19/2010      **Final action:** 1/19/2010

**Enactment date:** 1/20/2010      **Enactment #:** RES-10-00041

**Title:** Approving Plans, Specifications, And Schedule Of Assessments For Old Middleton Road Assessment District - 2010. (19th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. oldmiddletonaffidavit.pdf, 2. 53B0765\_Old Middleton\_REVISED.pdf, 3. Nikora.pdf, 4. Diekelmann.pdf, 5. 16894 Registration Stmt 1-19-10.pdf

Date	Ver.	Action By	Action	Result
1/19/2010	1	COMMON COUNCIL	Adopt With Friendly Amendment	Pass
1/6/2010	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass

**Fiscal Note**

Funds are available in Acct. No.

CS53 58250 810571 00 53B0765 \$1,150,000 Street Construction  
 CS53 58270 810571 00 53B0765 \$ 110,000 Inlets and Leads  
 ESTM 58270 810381 00 53B0765 \$ 337,000 Storm Sewer Construction  
 ESTM 58270 810386 00 53B0765 \$ 100,000 Major Roadway Culvert  
 ESTM 58270 810551 00 53B0765 \$ 56,000 Urban Water Quality  
 ES01 58275 810332 00 53B0765 \$ 9,000 Sanitary Sewer Construction  
 EW01 58273 810455 00 53B0765 \$ 370,000 Water Main

Total Cost \$2,132,000  
 Estimated Assessments \$ 164,000  
 Balance \$1,968,000  
 City of Middleton Share \$ 312,000  
 Estimated City Cost \$1,656,000

**Title**

Approving Plans, Specifications, And Schedule Of Assessments For Old Middleton Road Assessment District - 2010. (19th AD)

**Body**

The City of Madison is planning to reconstruct Old Middleton Road from Capital Avenue to Countryside Drive, in cooperation with the City of Middleton. The improvement will replace the existing sub-standard road with a standard pavement section, including crushed aggregate base, asphalt pavement, concrete curb and gutter and concrete sidewalk. The project includes new storm sewer and storm water quality improvements, replacement of water main and services and some repair of sanitary sewer mains.

Due to the unusual topography of the existing road and numerous mature trees in the right of way it is proposed to construct sidewalk on one side of the street only, intended to serve residents on both sides of the street. Therefore it is proposed to assess the cost of sidewalk equally to properties on both sides of the street, regardless of the side of the street on which the sidewalk is constructed. Further, the intention is that if, in the future, sidewalk is constructed on the other side of the street the assessment for such sidewalk will again be shared equally by properties on both sides of the street.

Also, assessments were previously levied for an earlier reconstruction of the street, even though it was not then constructed with an urban cross section. Therefore, it is proposed that the current project assess the full cost of new curb and gutter, sidewalk and concrete driveway aprons, and 50% of the cost of removal and replacement of existing concrete aprons, but that no portion of the asphalt pavement be assessed.

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of Old Middleton Road Assessment District - 2010 pursuant to a resolution of the Common Council, RES-09-00954, ID No. 16470, adopted 11/17/2009, 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 \$1,656,000 of the entire cost of said improvement.
2. That the sum assigned to each separate parcel, as indicated on the attached schedule of assessment, is hereby specially assessed upon each such parcel.
3. That the Common Council determines such special assessments to be reasonable.
4. That the work or improvement be carried out in accordance with the reports as finally approved.
5. That such work or improvement represents an exercise of the police power of the City of Madison.
6. 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.
7. That the Board of Public Works be and is hereby authorized to advertise for and receive bids for the said improvements.
8. 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,
9. That such special assessments shall be collected in eight (8) equal installments, with interest thereon at 3.5% per annum, except those special assessments paid in full on or before October 31st of that year.
10. That the Mayor and City Clerk are hereby authorized to execute agreements with the City of Middleton and Town of Middleton for cost sharing.

**INSTALLMENT ASSESSMENT NOTICE**

Notice is hereby given that a contract has been (or is about to be) let for Old Middleton Road Assessment District - 2010 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 3.5% 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."