



## Legislation Details (With Text)

|                        |                                                                                                                                               |                      |                       |              |                              |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------|--------------|------------------------------|
| <b>File #:</b>         | 29442                                                                                                                                         | <b>Version:</b>      | 1                     | <b>Name:</b> | 2013 Street Tree Assessments |
| <b>Type:</b>           | Resolution                                                                                                                                    | <b>Status:</b>       | Passed                |              |                              |
| <b>File created:</b>   | 3/11/2013                                                                                                                                     | <b>In control:</b>   | BOARD OF PUBLIC WORKS |              |                              |
| <b>On agenda:</b>      | 4/16/2013                                                                                                                                     | <b>Final action:</b> | 4/16/2013             |              |                              |
| <b>Enactment date:</b> | 4/17/2013                                                                                                                                     | <b>Enactment #:</b>  | RES-13-00266          |              |                              |
| <b>Title:</b>          | Establishing assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived). |                      |                       |              |                              |
| <b>Sponsors:</b>       | BOARD OF PUBLIC WORKS                                                                                                                         |                      |                       |              |                              |
| <b>Indexes:</b>        |                                                                                                                                               |                      |                       |              |                              |
| <b>Code sections:</b>  |                                                                                                                                               |                      |                       |              |                              |

**Attachments:** 1. Report of the City Forester Installation of Spring 2013 Street Trees.pdf, 2. 2013 Spring Assessments.pdf

| Date      | Ver. | Action By             | Action                                               | Result |
|-----------|------|-----------------------|------------------------------------------------------|--------|
| 4/16/2013 | 1    | COMMON COUNCIL        | Adopt                                                | Pass   |
| 3/20/2013 | 1    | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT<br>- REPORT OF OFFICER | Pass   |
| 3/11/2013 | 1    | Parks Division        | Refer                                                |        |

### Fiscal Note

Funds available in the Parks Division 2013 Adopted Capital Budget CP60-55620-810533. Estimated project cost is \$51,000 in 2013 including tree purchases and labor for installation completed by City Parks Division Forestry staff.

### Title

Establishing assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived).

### Body

### PREAMBLE

In accordance with Section 10.10 (11) of the Madison General Ordinances, the property owners whose names are listed in the attached schedule of assessments have requested installation of street trees on the street right-of-way abutting their respective properties and have waived their right for notice and public hearing. The purpose of this resolution is to establish the assessments for these street trees in accordance with Section 10.10 (9) of the Madison General Ordinances.

### BE IT RESOLVED:

1. That the Common Council hereby determines that the special assessments contained on the attached schedule of assessments are reasonable.
2. That such work represents an exercise of the police power of the City of Madison.
3. That the attached schedule of assessments for street trees are hereby approved and that the date of adoption of this resolution shall constitute the levy of those assessments and that such assessments so levied shall be lien against the respective properties from the date of the adoption of this resolution.

4. That the work or improvement be carried out in accordance with the reports as finally approved.

#### INSTALLMENT ASSESSMENT NOTICE

The amount of the special assessment for each abutting property owner has been determined as specified above and a statement of the same is on file with the City Clerk; it is proposed to collect the same in five (5) installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at 3.5 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 there from 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."

Attachment: Schedule of Assessments