



## Legislation Details (With Text)

|                        |                                                                                                                 |                      |   |              |                                                                                                                 |
|------------------------|-----------------------------------------------------------------------------------------------------------------|----------------------|---|--------------|-----------------------------------------------------------------------------------------------------------------|
| <b>File #:</b>         | 14720                                                                                                           | <b>Version:</b>      | 1 | <b>Name:</b> | Approving Plans, Specifications, And Schedule Of Assessments For Reiner Road Street Assessment District - 2009. |
| <b>Type:</b>           | Resolution                                                                                                      | <b>Status:</b>       |   |              | Passed                                                                                                          |
| <b>File created:</b>   | 5/11/2009                                                                                                       | <b>In control:</b>   |   |              | BOARD OF PUBLIC WORKS                                                                                           |
| <b>On agenda:</b>      | 6/2/2009                                                                                                        | <b>Final action:</b> |   |              | 6/2/2009                                                                                                        |
| <b>Enactment date:</b> | 6/5/2009                                                                                                        | <b>Enactment #:</b>  |   |              | RES-09-00514                                                                                                    |
| <b>Title:</b>          | Approving Plans, Specifications, And Schedule Of Assessments For Reiner Road Street Assessment District - 2009. |                      |   |              |                                                                                                                 |
| <b>Sponsors:</b>       | BOARD OF PUBLIC WORKS                                                                                           |                      |   |              |                                                                                                                 |
| <b>Indexes:</b>        |                                                                                                                 |                      |   |              |                                                                                                                 |
| <b>Code sections:</b>  |                                                                                                                 |                      |   |              |                                                                                                                 |

**Attachments:** 1. reiner mailing - ph & affd.pdf, 2. 53W0749\_Reiner\_Assessments\_REVISED.pdf, 3. assessors notes.pdf, 4. lawton.pdf, 5. mailing affidavit.pdf

| Date      | Ver. | Action By             | Action                                         | Result |
|-----------|------|-----------------------|------------------------------------------------|--------|
| 6/2/2009  | 1    | COMMON COUNCIL        | Adopt and Close the Public Hearing             | Pass   |
| 5/20/2009 | 1    | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING | Pass   |

### Fiscal Note

Total Cost \$2,635,000

Assessable Cost \$300,000

City Cost \$2,335,000

Funds are available in Account Numbers:

|                |                              |                                    |
|----------------|------------------------------|------------------------------------|
| \$1,300,000.00 | CS53-58260-810358-00-53W0749 | Streets                            |
| \$25,000.00    | CS53-58270-810358-00-53W0749 | Storm Sewer Construction (streets) |
| \$120,000.00   | ESTM-58270-810381-00-53W0749 | Storm Sewer Construction           |
| \$710,000.00   | ES01-58275-810332-00-53W0749 | Sanitary                           |
| \$480,000.00   | EW01-58273-810455-00-53W0749 | Water                              |

### Title

Approving Plans, Specifications, And Schedule Of Assessments For Reiner Road Street Assessment District - 2009.

### Body

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of Reiner Road Street Assessment District - 2009 pursuant to a resolution of the Common Council, Resolution No. RES-09-00429, ID No. 14346, adopted 05/05/09, 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.

If the parcels are subdivided prior to the completion of the deferral period and installment period, the property owners would prefer payment of special assessments by certified survey map lot rather than entire current

parcel descriptions. The Board of Public Works supports this method of repayment in accordance with Sec. 16.23(5)(g)1 of the Madison General Ordinances.

**BE IT RESOLVED:**

1. That the City at large is justly chargeable with and shall pay the sum of \$2,378,000.00 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 31<sup>st</sup> of the year in which it is billed, or,
10. That such special assessments shall be collected in fifteen (15) equal installments, with interest thereon at five (5%) percent per annum, except those special assessments paid in full on or before October 31<sup>st</sup> 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.

**INSTALLMENT AND DEFERRED ASSESSMENT NOTICE**

Notice is hereby given that the special assessments for the improvement of the Reiner Road Street Assessment District - 2009 have 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 defer payment of the same with interest thereon at five (5) percent per annum. Said assessments shall be deferred as permitted in Madison General Ordinance 4.081(2)(a) for a period not to exceed ten (10) years (the "Deferral Period"). The Owner at its sole discretion may pre-pay all or any portion of the special assessments. At the end of the deferral period, it is proposed to collect the same in fifteen (15) installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at 5% percent per annum; that all assessment will be collected in installments as above provided except such assessment 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."