



Legislation Details (With Text)

**File #:** 47858      **Version:** 2      **Name:** Approving plans, specs, & schedule of assessments for the installation of traffic signals at Colony Dr & S Gammon Rd Traffic Signal Assmnt Dist & for installation of a wb right turn lane for signal operation & rescinding RES-17-00349, ID No. 46761, 5/2/17

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

**File created:** 6/30/2017      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 8/1/2017      **Final action:** 8/1/2017

**Enactment date:** 8/8/2017      **Enactment #:** RES-17-00662

**Title:** Approving plans, specifications, and schedule of assessments for the installation of traffic signals at Colony Drive and South Gammon Road Traffic Signal Assessment District, and for installation of a westbound right turn lane for signal operation, and rescinding RES-17-00349, ID No. 46761, adopted May 2, 2017. (9th and 19th AD)

**Sponsors:** BOARD OF PUBLIC WORKS, Mark Clear, Paul E. Skidmore

**Indexes:**

**Code sections:**

**Attachments:** 1. BPW Hearing Notice for BPW 07 19 2017.pdf, 2. Colony-Gammon Assess Schedule (2).pdf, 3. Cover Ltr-Colony Gammon.pdf, 4. Report of CTE-Colony Gammon.pdf, 5. Rob Phillips BPW Registration-Colony Gammon.pdf, 6. Mailing Affidavit BPW.pdf, 7. Mailing Affidavit - CC 7-25-2017.pdf, 8. 47858 Version 1.pdf, 9. Ald. Skidmore Amendment.pdf

Date	Ver.	Action By	Action	Result
8/1/2017	1	COMMON COUNCIL	Adopt the Following Amendment(s)	Pass
8/1/2017	1	COMMON COUNCIL	Adopt As Amended Under Suspension of Rules 2.04, 2.05, 2.24 & 2.25	Pass
7/19/2017	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24 & 2.25 - PUBLIC HEARING	Pass
6/30/2017	1	Engineering Division	Refer	

**Fiscal Note**

The 2017 adopted capital budget includes \$697,000 for Traffic Signal Installation (Munis #10427) funded by GO Borrowing (\$391,763), Developer Funding (\$100,000), Special Assessments (\$95,237), County Sources (30,000), State Sources (\$50,000), and Other Governments (\$30,000). Resolution RES-17-00382 amended the Traffic Engineering capital budget by adding Special Assessment authority of \$116,102 for the Colony Drive and South Gammon Road signal. The proposed resolution approve plans, specifications, and schedule of assessments for the installation of traffic signals at Colony Drive and South Gammon Road Traffic Signal Assessment District and for installation of a westbound right turn lane for signal operation. The cost of the project is \$238,000; \$121,535 for the City's portion, funded by GO Borrowing and \$116,465 funded by Special Assessments.

**Title**

Approving plans, specifications, and schedule of assessments for the installation of traffic signals at Colony Drive and South Gammon Road Traffic Signal Assessment District, and for installation of a westbound right turn lane for signal operation, and rescinding RES-17-00349, ID No. 46761, adopted May 2, 2017. (9<sup>th</sup> and 19<sup>th</sup>)

AD)

**Body**

WHEREAS, the Common Council of the City of Madison adopted a preliminary resolution, declaring its intention to exercise police powers and special assess costs for installation of traffic signals at Colony Drive and South Gammon Road and all other statutory requirements, pursuant to Section 66.0703(4), Wis. Statutes, and rescinding RES-17-00349, ID No. 46761, adopted May 2, 2017; and

WHEREAS, the Board of Public Works having reported on all the proceedings in relation to the installation of traffic signals at Colony Drive and South Gammon Road in accordance with Section 66.0701 of the Wisconsin Statutes and having in all things duly conformed to the order of the Common Council in relation 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;

NOW, THEREFORE, BE IT RESOLVED:

1. That traffic signals shall be installed at Colony Drive and South Gammon Road;
2. That the City at large is justly chargeable with and shall pay the sum of ~~\$121,897.67~~ \$121,535 of the entire cost of the said improvement, and 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 such work or improvement shall be carried out in accordance with the plans and specifications as finally approved;
5. That such work or improvement represents an exercise of the police power of the City of Madison;
6. That after the traffic signals and right turn lane are installed, the Traffic Engineer shall prepare a revised assessment and bill the revised amount to each and every property owner. The property owner may elect to pay the assessment prior to October 31<sup>st</sup> of the year in which it was billed, or pay the assessment when the property tax bill becomes due;
7. 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
8. That such special assessments shall be collected in fifteen (15) equal installments, with interest thereon at three percent (3%) per annum, except those special assessments paid in full on or before October 31<sup>st</sup> of that year;
9. 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 ASSESSMENT NOTICE**

Notice is hereby given that work is being scheduled for the project listed above 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 fifteen (15) installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at three percent (3%) 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 October 31<sup>st</sup>.

#### NOTICE OF APPEAL RIGHTS

"Pursuant to Section 4.09(14), Madison General Ordinances, as authorized by Section 66.0701(2), Wisconsin Statutes, any person against whose land a special assessment has been levied by this resolution has the right to appeal the reform in the manner prescribed in Section 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."