



Legislation Details (With Text)

**File #:** 31174      **Version:** 1      **Name:** Approving Plans, Specifications, And Schedule Of Assessments For 2013 School Road Assessable Drainage Improvement Project.

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

**File created:** 8/6/2013      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 10/15/2013      **Final action:** 10/15/2013

**Enactment date:** 10/17/2013      **Enactment #:** RES-13-00802

**Title:** Approving Plans, Specifications, And Schedule Of Assessments For 2013 School Road Assessable Drainage Improvement Project.

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. bpw affidavit.pdf, 2. Public Works\_J Lentz, 3. School Road 53W0582.pdf, 4. council mailing affidavit.pdf, 5. adopted cc mailing leg 31174.pdf

Date	Ver.	Action By	Action	Result
10/15/2013	1	COMMON COUNCIL	Adopt	Pass
9/18/2013	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
9/4/2013	1	BOARD OF PUBLIC WORKS	Refer	Pass
8/7/2013	1	Engineering Division	Refer	

**Fiscal Note**

Budget Authority is available in Acct. No. ESTM-58270-810387-00-53W0582  
Total Cost \$32,688.00  
City Cost \$16,344.00

**Title**

Approving Plans, Specifications, And Schedule Of Assessments For 2013 School Road Assessable Drainage Improvement Project.

**Body**

WHEREAS, the Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of 2013 School Road Assessable Drainage Improvement Project pursuant to a resolution of the Common Council, ID No. 31075, adopted on 9/3/2013, 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.

WHEREAS, one of the properties within the assessment district is the Madison Metropolitan School District (MMSD). Properties within this assessment district would benefit further by improvements on the school district property. In consultation with the MMSD and to encourage further improvements within the assessment district which will benefit the properties within the district, it is proposed to reimburse MMSD for 50% of the cost of any improvements that prevents storm water from running off of their property and onto adjacent private properties up to the value of the final assessment paid by MMSD for the project. Said improvements must be made within three years of the date in which the assessment are approved by the Common Council and must be approved by the City Engineer.

BE IT RESOLVED:

1. That the City at large is justly chargeable with and shall pay the sum of \$16,344.00 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 eight (8) equal installments, with interest thereon at 3.0 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.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with the Madison Metropolitan School District (MMSD) for the reimbursement of 50% of the cost for MMSD to install further drainage improvements on their property to prevent runoff from discharging to adjacent downstream properties. Said reimbursement shall not exceed \$11,707.16 or the amount of final assessment levied against MMSD.

#### INSTALLMENT ASSESSMENT NOTICE

Notice is hereby given that a contract has been (or is about to be) let for 2013 School Road Assessable Drainage Improvement Project 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."