



Legislation Details (With Text)

File #: 67404 **Version:** 1 **Name:** Approving plans, specifications and Schedule of Assessments for North Pleasant View Road Assessment District - 2022

Type: Resolution **Status:** Passed

File created: 9/14/2021 **In control:** Engineering Division

On agenda: 10/5/2021 **Final action:** 10/5/2021

Enactment date: 10/12/2021 **Enactment #:** RES-21-00660

Title: Approving plans, specifications and Schedule of Assessments for North Pleasant View Road Assessment District - 2022. (AD 9)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. PleasantViewRd_BPWnotes_09-22-2021.pdf, 2. 10284_BPW_Notice_Madison.pdf, 3. 10284_BPW_Notice_Middleton.pdf, 4. Pleasant View Road Project Overview.pdf, 5. Pleasant View Rd Storm Water Sanitary PnPs.pdf, 6. Pleasant View Road Project Overview Utilities.pdf, 7. CC Hearing North Pleasant View Assesmmemt District 2022.pdf, 8. adopted cc mailing leg 67404.pdf

Date	Ver.	Action By	Action	Result
10/5/2021	1	COMMON COUNCIL	Adopt and Close the Public Hearing	Pass
9/22/2021	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
9/14/2021	1	Engineering Division	Refer	

Fiscal Note

The proposed resolution approves plans, specifications, and a schedule of assessments for the North Pleasant View Road Assessment District - 2022. The share of funding is shown in the following breakdown.

Total State/Federal Cost:	\$ 11,203,631.00
City of Middleton Federal Funds Available (81.94%):	\$ 9,180,217.00
City of Madison Federal Funds Available (18.06%):	\$ 2,023,414.00
City of Middleton Cost:	\$ 14,743,744.00
City of Madison Assessable Cost:	\$ 160,423.59
City of Madison Cost:	\$ 4,451,793.41
Total Project Cost:	\$ 30,559,592.00

City of Madison Accounts:

10284-402-170	Pleasant View Rd-Street	\$ 1,908,829.00
10284-402-172	Pleasant View Rd-Path	\$ 33,500.00
10284-402-174	Pleasant View Rd-Street Storm	\$ 2,399,182.00
10284-83-173	Pleasant View Rd-Sewer	\$ 79,650.00
10284-86-179	Pleasant View Rd-Water	\$ 30,000.00
10284-402-176	Pleasant View Rd-Signals	\$ 19,327.00
10284-402-177	Pleasant View Rd-Lighting	\$ 141,729.00

Funds are planned in year 2023 of the Capital Improvement Plan and included in the proposed 2022 Engineering - Major Streets Executive Capital Budget.

Title

Approving plans, specifications and Schedule of Assessments for North Pleasant View Road Assessment District - 2022. (AD 9)

Body

The City of Madison, City of Middleton, and WisDOT are partnered for the design and construction. The project will be constructed under a contract let by the Wisconsin Department of Transportation (WisDOT). The City of Middleton is the lead municipality for this project. The proposed project is planned for construction in the year 2022-2023.

The roadway geometry for the reconstruction of North Pleasant View Road from Timber Wolf Trail to Greenway Boulevard was approved by the Common Council on January 8, 2019, File ID 53830, RES-19-00009.

The basis for construction cost sharing participation is as follows:

- 1) Local Utilities: Each affected local municipality shall pay for 100% of the costs for installing or adjusting new or existing local utilities (sanitary sewer and water system).
- 2) Street Improvements: The WisDOT shall pay approximately 60% of the costs for excavation, aggregate, concrete curb and gutter, asphalt pavement, sidewalk, driveway aprons, shared-use path, storm sewer, stormwater quality features, street lights, traffic signals, pavement marking, traffic signing, terrace restoration and all other necessary street improvements for completion of the project, through administration of Federal funding. Federal Funds are limited to \$ 11,203,631.00; any costs over this limit will be funded by the City of Madison and City of Middleton.

Agreements with the State of Wisconsin Department of Transportation for construction cost sharing defines the terms under which the City is awarded Federal funds and the agreement requires that the City indemnify the State of Wisconsin Department of Transportation. City APM 1-1 requires Common Council Approval whenever the City indemnifies another party.

The proposed indemnification language has been reviewed by the City's Risk Manager. The City's risk exposure is increased by this clause, but the exposure is covered by the City's insurance policies, subject to their terms and conditions.

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of North Pleasant View Road Assessment District - 2022 pursuant to a resolution of the Common Council, Resolution No. RES-21-00537, ID No. 66467, adopted 08/03/2021, 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 \$2,470,177.41 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 31st 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 2.0 percent per annum, except those special assessments paid in full on or before October 31st of that year.
 11. That properties being assessed that are located in the Town of Middleton shall have their assessments deferred, and interest shall not accrue, until the parcel is attached to the City. However, the amount of each special assessment shall be adjusted from the date of the levy to the date of the attachment as set forth in the Final City of Madison and Town of Middleton Cooperative Plan dated September 29, 2003. Upon attachment, each special assessment shall be payable in six annual installments with interest, from the date of attachment.
 12. 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.
 13. That the City indemnifies the State Wisconsin of Transportation
 14. That the Mayor and City Clerk are hereby authorized to execute agreements and revised agreements with the State of Wisconsin Department of Transportation for the project.
 15. That the Mayor and City Clerk are hereby authorized to enter into agreements and revised agreements with the City of Middleton and American Transmission Company and Alliant Energy for cost sharing of the project.

INSTALLMENT ASSESSMENT NOTICE

Notice is hereby given that a contract has been (or is about to be) let for North Pleasant View Road Assessment District - 2022 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 2.0 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."