



## Legislation Details (With Text)

<b>File #:</b>	090761	<b>Version:</b>	1
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	10/13/2009	<b>In control:</b>	PUBLIC WORKS COMMITTEE
<b>On agenda:</b>		<b>Final action:</b>	11/3/2009
<b>Effective date:</b>			
<b>Title:</b>	Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes with the City cost of these projects approved by this resolution is estimated to be \$495,182 for a total estimated cost of \$3,185,330.		
<b>Sponsors:</b>	THE CHAIR		
<b>Indexes:</b>	PUBLIC IMPROVEMENTS		
<b>Attachments:</b>	1. Cover Letter, 2. Official Notice Number 26, 3. Official Notice Number 26 committee actions, 4. Comptroller's certifications, 5. Revised Fiscal note, 6. Fiscal Note, 7. Hearing Notice List, 8. Notice Published on 11-19-09		

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/16/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
10/16/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
10/16/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
10/16/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
10/19/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
10/21/2009	0	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	5:0
10/21/2009	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
10/23/2009	1	CITY CLERK	DRAFT SUBMITTED		
11/3/2009	1	COMMON COUNCIL	ADOPTED	Pass	14:0
11/12/2009	1	MAYOR	SIGNED		
11/19/2009	1	CITY CLERK	PUBLISHED		

090761

SUBSTITUTE 1

971331

THE CHAIR

Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes with the City cost of these projects approved by this resolution is estimated to be \$495,182 for a total estimated cost of \$3,185,330.

This resolution confirms the report of the Commissioner of Public Works, as modified by the Common Council Committee, on projects for which Public Hearings have been held. The resolution authorizes the levying of special assessments and directs the installation and construction of said public improvements. The City cost of these projects approved by this resolution is estimated to be

\$495,182 with a total estimated cost of \$3,185,330 and the total estimated entire cost of these projects is \$11,242,830 with a city share of \$626,056 and a grantor share of \$10,616,774. Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions, determining it necessary and in the public interest to construct and levy special assessments for the following improvements:

#### 4th Aldermanic District

E. State St. - N. Prospect Ave. to N. Edison St. (ST30684001) (2204-01-70) File Number 971331: Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (0 to 7 foot width of tree border area), and grading.

Grantor Non-Reimbursable Paving Fund--\$ 1,056,950;  
Grantor Reimbursable Paving Fund -- \$158,550;  
City Share Non-assessable Paving Fund--\$ 107,000;  
City Share Assessable Paving Fund -- \$2,500

These funds are to be transferred to the construction account (ST30684010) (2204-01-70).

Previously authorized for street construction: \$0.00

Current estimated cost of total project including this resolution: \$ 1,978,500

Original estimated cost of the project (File Number 971331): \$ 604,200

This project is anticipated to be completed during the 2010 construction season.

#### 13th Aldermanic District

S. 13th St. - W. Rawson Ave. to W. College Ave. (Portions in the City of Oak Creek) (ST320040501) (2505-06-70) File Number 040977: Concrete pavement construction, place curb and gutter, sidewalk and driveway approaches, sodding (6 foot width of tree border area), and grading.

Grantor Non-Reimbursable Paving Fund--\$1,062,195;  
Grantor Reimbursable Paving Fund -- \$159,329;  
City Share Non-assessable Paving Fund--\$280,581;  
City Share Assessable Paving Fund -- \$24,800

S. 13th St. - W. Rawson Ave. to W. College Ave. (Portions in the City of Oak Creek) (ST320040501) (2505-06-70) File Number 040977: Install new storm sewer.

Grantor Non-Reimbursable Paving Fund (Sewer) -- \$220,108;  
Grantor Reimbursable Paving Fund (Sewer) -- \$33,016;  
City Share Non-assessable Sewer Fund (SM495090110) -- \$10,000;  
City Share Assessable Sewer Fund (SW170070115) -- \$70,301

These grantor funds are to be transferred to the construction account (ST320040510) (2505-06-70).

Previously authorized for street and sewer construction: \$0.00

Current estimated cost of total project including this resolution: \$9,264,330

Original estimated cost of the project (File Number 040977): \$ 9,264,330

This project is anticipated to be completed during the 2010 construction season.

; and

Whereas, The report of the Commissioner of Public Works has been filed with the City Clerk; and

Whereas, Notices have been sent to all interested persons and public hearings held; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works' Report, as amended at said Public Hearing, is approved and the properties therein identified are benefited; and, be it

Further Resolved, That said Commissioner of Public Works is authorized and directed to proceed with said work in accordance with said report pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the proper departments take such action as is required of them to assess the abutting or adjacent properties and collect such assessment in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts; and, be it

Further Resolved, That the projects do not involve any parcels of agricultural land which are eligible for deferred special assessments under the provisions of Section 14.30 of the Milwaukee City Charter; and, be it

Further Resolved, That the City Engineer and the Commissioner of Public Works are hereby authorized to negotiate and enter into an agreement with the State of Wisconsin, Department of Transportation for the City to undertake construction management duties on the following projects: E. State St. (ST30684001) and S. 13th St. (ST320040501); and, be it

Further Resolved, That the City Engineer is authorized and directed to approve and make periodic payments to the State of Wisconsin, Department of Transportation after receipt of invoices from said State for the city's share of the costs for said projects: E. State St. (ST30684001) and S. 13th St. (ST320040501); and, be it

Further Resolved, That upon the completion of projects: E. State St. (ST30684001) and S. 13th St. (ST320040501) and a determination of the actual costs, it is understood that if the City of Milwaukee's share is less than the amount previously paid, the difference will be refunded to said City; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That projects E. State St. (ST30684001) and S. 13th St. (ST320040501) will be billed after January 1, 2011, but not before 12 months after the project contract has been completed; and, be it

Further Resolved, That upon request by property owners, 716-0402-100, 716-0422-3, 716-0431-2, 716-0433-3, 716-0441-7, 716-0442-2, 736-0001-7, 736-0002-2, and 736-9999-110, the special assessments for storm sewers S. 13th St. (ST320040501) may be deferred until application for connection to said storm sewer is made. The Department of Neighborhood Services will determine which properties will be affected. Cost for deferred charges shall be in accordance with City Charter 12.10.

Infrastructure Services Division

MLD:dr

Afr 3

10/22/2009