



Legislation Details (With Text)

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

**File created:** 10/29/2008      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 12/16/2008

**Effective date:**

**Title:** 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 \$4,847,300 for a total estimated cost of \$5,820,000.

**Sponsors:** THE CHAIR

**Indexes:** PUBLIC IMPROVEMENTS

**Attachments:** 1. Cover Letter, 2. Official Notice Number 51, 3. Official Notice Number 51 committee actions, 4. Sub. 1 Fiscal Note, 5. Sub. 2 Fiscal note, 6. 12/4/08 Hearing notice list, 7. 12/16/08 Hearing Notice List, 8. Capital Grant Resolution Certification from the Comptroller's Office, 9. Notice Published on 1-7-09

Date	Ver.	Action By	Action	Result	Tally
10/29/2008	0	COMMON COUNCIL	ASSIGNED TO		
11/26/2008	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
11/26/2008	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/3/2008	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
12/3/2008	0	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	5:0
12/5/2008	1	CITY CLERK	DRAFT SUBMITTED		
12/10/2008	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/16/2008	1	PUBLIC WORKS COMMITTEE	RECONSIDERED	Pass	4:0
12/16/2008	2	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
12/16/2008	1	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	4:0
12/16/2008	1	COMMON COUNCIL	ADOPTED	Pass	14:0
12/16/2008	2	CITY CLERK	DRAFT SUBMITTED		
12/22/2008	1	MAYOR	SIGNED		

080909  
SUBSTITUTE 2  
051444  
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 \$4,847,300 for a total estimated cost of \$5,820,000.

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 \$4,847,300. The total estimated cost of these projects is \$5,820,000.

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:

5th Aldermanic District

W. Florist Ave. (Excluding Structure) - N. Lovers Lane Rd. to N. 119th St. (ST211060131) File Number 051444: Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (9-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$12,000; Nonassessable Reconstruction Paving Fund -- \$191,000). The total estimated cost for this project including the requested amount is \$217,000. This project is anticipated to be completed during the 2009 construction season.

N. 91st St. - W. Burleigh St. to W. Keefe Ave. (ST211080105) File Number 061382:

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (9-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$12,800; Nonassessable Reconstruction Paving Fund -- \$475,000). The total estimated cost for this project including the requested amount is \$535,800. This project is anticipated to be completed during the 2009 construction season.

5th and 10th Aldermanic Districts

W. Hadley St. - N. 74th St. to N. 76th St. (ST211070119) File Number 061097: Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding, (7-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$1,500; Nonassessable Reconstruction Paving Fund -- \$80,000). The total estimated cost for this project including the requested amount is \$93,500. This project is anticipated to be completed during the 2009 construction season.

13<sup>th</sup> and 14<sup>th</sup> Aldermanic Districts

S. Howell Ave. - E. /W. Howard Ave. to E. Wilbur Ave. and S. Chase Ave. - S. Howell Ave. to E. Ohio Ave. (ST320060801) (2060-03-70) File Number 051477: Concrete pavement reconstruction, replace all curb and gutter and driveway approaches, and replace sidewalk where necessary, and streetscape. Grantor Non-Reimbursable Paving Fund--\$3,228,730; Grantor Reimbursable Paving Fund-\$484,310; City Share Non-Assessable Paving Fund--\$353,525; City Share Assessable Paving Fund--\$8,435).

These funds are to be transferred to the construction accounts (ST3200608xx) (2060-03-70).

Previously authorized for street construction: \$0.00

Current estimated cost of the total project prior to this resolution: \$4,973,700.00

Original estimated cost of the total project (File Number 060158): \$4,973,700.00

This project is anticipated to be completed during the 2009 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 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: W. Florist Ave. (Excluding Structure) (ST2110601310), N. 91st St. (ST211080105), W. Hadley St. (ST211070119) and S. Howell Ave. (ST320060801) 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 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 project: S. Howell Ave. (ST320060801); 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 project: S. Howell Ave. (ST320060801); and, be it

Further Resolved, That upon the completion of project: S. Howell Ave. (ST320060801) 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.

Infrastructure Services Division  
mld:dr  
afr 5-sub a  
12/04/2008