1. Agenda

   Documents: BPW_2015.11.02.19_AG.PDF

2. Complete Packet

   Documents: BPW_2015.11.02.19_PK.PDF

City of Fitchburg
5520 Lacy Road
Fitchburg, WI 53711-5318
Phone: (608) 270-4200 Fax (608) 270-4275
www.fitchburgwi.gov

AGENDA
BOARD OF PUBLIC WORKS
November 2, 2015
5:30 P.M.
CITY HALL

NOTICE IS HEREBY GIVEN that the Board of Public Works will meet at 5:30 P.M. on Monday, November 2, 2015 in the **Council Chambers** at City Hall, 5520 Lacy Road to consider and act on the following:

(*Note: Full coverage of this meeting is available through FACTv and Streaming Video, accessible on the city web site at* http://factv.city.fitchburg.wi.us/Cablecast/Public/Main.aspx?ChannelID=3)

1. **Call to Order**

2. **Public Appearances – Non Agenda Items**

3. **Approval of October 19, 2015 Minutes**

4. **Report of Director of Public Works**

5. **Discussion of Snow Plow Routes and Snow and Ice Policy**

6. **Resolution R-110-15** – Final Resolution Exercising Police Powers and Levying Special Assessments for 2015 Curb and Gutter Replacement in the City of Fitchburg, Wisconsin

7. **Resolution R-121-15** – Approving Grant of Highway Easement to Wisconsin Department of Transportation (WisDOT) over the Military Ridge Path corridor at County PD/McKee Road

8. **Resolution R-123-15** – Quarry Vista Outlot 1 Acceptance

9. **Announcements**
   a. Next Board of Public Works meeting is Monday, November 16, 2015 at 5:30

10. **Adjournment**

Note: It is possible that members of and possibly a quorum of members of other government bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate e needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Fitchburg City Hall, 5520 Lacy Road, Fitchburg WI 53711, (608) 270-4200

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DRAFT
MINUTES
BOARD OF PUBLIC WORKS
October 19, 2015
5:30 P.M.
CITY HALL

NOTICE IS HEREBY GIVEN that the Board of Public Works will meet at 5:30 P.M. on Monday, October 19, 2015 in the **Council Chambers** at City Hall, 5520 Lacy Road to consider and act on the following:

(*Note: Full coverage of this meeting is available through FACTv and Streaming Video, accessible on the city web site at* http://factv.city.fitchburg.wi.us/Cablecast/Public/Main.aspx?ChannelID=3)

Board of Public Works Members Present: Steve Arnold, Mike Gernetzke, Ryan Fralish, Dorothy Krause, Absent-David Herbst

Others Present: Cory Horton – Director of Public Works,

1. **Call to Order-** The meeting of the Board of Public Works was called to order by Mayor Arnold at 5:30 p.m.

2. **Public Appearances – Non Agenda Items**- None

3. **Approval of October 12, 2015 Minutes** – (video time 00:00:24)
   a. Motion to approve made by Gernetzke
   b. Seconded by Krause
   c. Motion carried, minutes unanimously approved

4. **Report of Director of Public Works** (video time 00:01:00)
   a. Horton provided project/construction updates, schedules of current projects, upcoming bids and staff updates. Board asked questions, discussed

5. **Ordinance 2015-O-28** - An Ordinance Amending Chapter 27 Streets and Public Ways – Section 27-402(b) Relative to Curb Opening Width for Commercial or Industrial Driveways (video time 00:09:52)
   a. Motion to approve made by Gernetzke
   b. Seconded by Krause
   c. Horton provided details, board asked questions, discussed
   d. Motion unanimously approved

6. **Ordinance 2015-O-29** - An Ordinance to Amend SEC.35-3(a)1 – Permit Fees (video time 00:17:29)
   a. Motion to approve made by Gernetzke
   b. Seconded by Fralish
   c. Horton provided details, board asked questions, discussed
   d. Motion approved, Gernetzke opposed

7. **<u>Resolution R-115-15</u>** – Accepting Water Main Improvements on Lot 2 of CSM 10031 (Sub-Zero) (video time 00:33:05)
    a. Motion to approve made by Krause
    b. Seconded by Gernetzke
    c. Horton provided details, board asked questions, discussed
    d. Motion unanimously approved

8. **Announcements**
    a. Next Board of Public Works Meeting – November 2, 2015 at 5:30 p.m.

9. **Adjournment-** Adjournment at 6:06 p.m.
    a. Motion to adjourn made by Gernetzke
    b. Seconded by Fralish
    c. Motion carried

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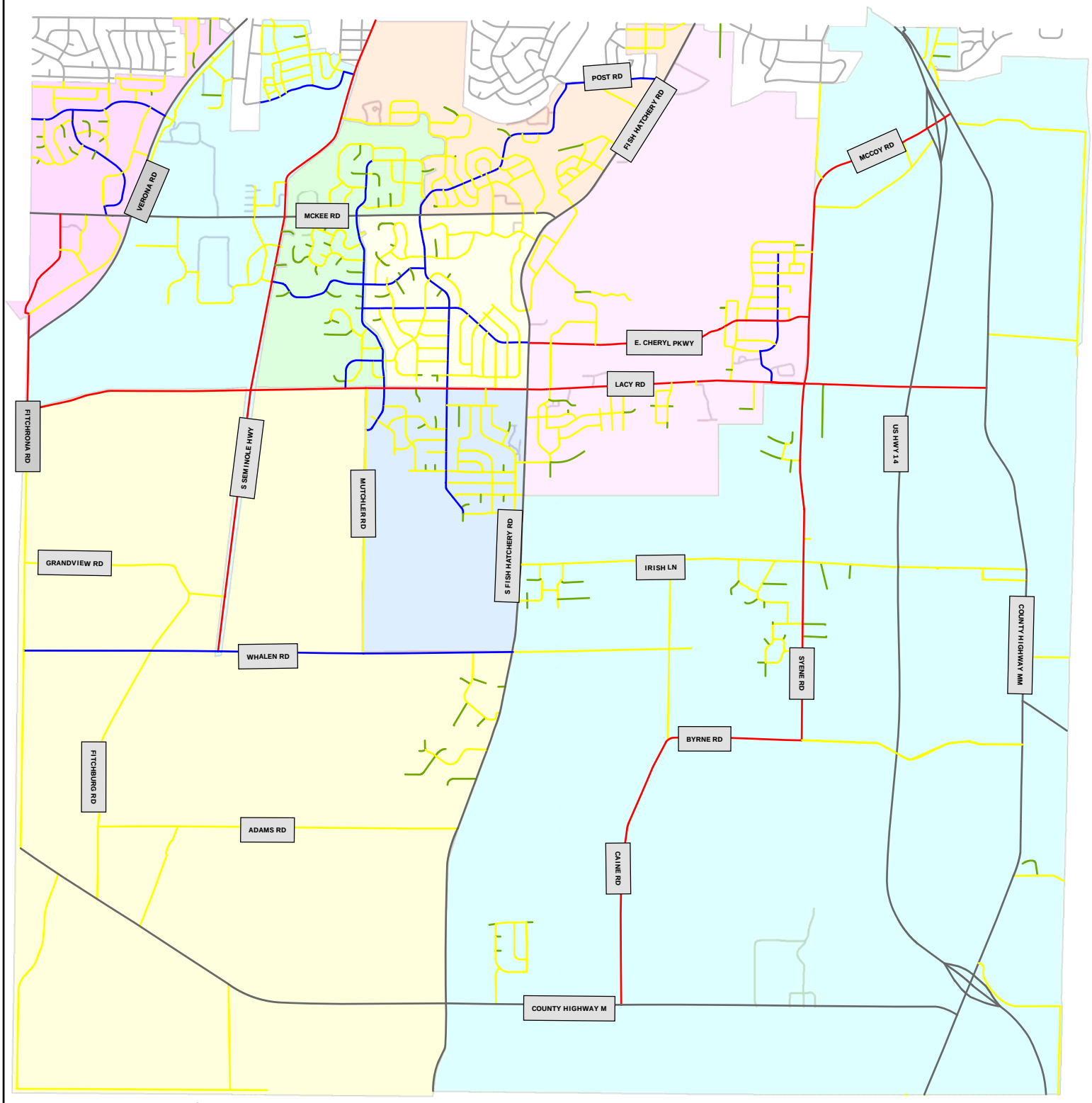
Appendix 2



Legend

Streets

PlowClass

- 1 Major
- 2 Minor
- 3 Residential
- 4 Dead Ends
- Madison
- County Maintained
- PrivateRoads

PlowZones

Name

- East Side
- Jamestown
- North
- Oak Meadows
- Southwest
- Stoner Prairie
- Swan Creek
- Verona Rd
- Wildwood

City of Fitchburg Snow and Ice Control Policies

Purpose:
To provide safe roads, sidewalks, bike paths, and parking lots for the City of Fitchburg during the winter months (November through March) by operating an effective winter maintenance service, while controlling salt and other chemical use.

Goals for Snow and Ice Control Policies:

1) Reduce the risk to the traveling public on city maintained roads, sidewalks, bike paths, and parking lots.
2) To support necessary emergency operations by police, fire, and ambulance services. Provide reasonably safe school bus routes and school zones. Provide reasonably safe Metro bus routes, bike routes and pedestrian street crossings.
3) Reduce economic losses to the community and industry caused by workers unable to get to their jobs or to make deliveries.
4) Minimize the environmental impact of winter by using the least amount of salt or other de-icing chemicals that is effective in clearing the roads, sidewalks, bike paths and parking lots..
5) Provide for more efficient, cost effective, and responsive winter operations on the part of the City of Fitchburg Public Works Department.

Background:
The City of Fitchburg is located in Dane County Wisconsin, which is in the South Central portion of the state. The winter season generally runs from November to March with occasional snowfalls in October and April. A typical winter season is around 50 inches of snow; the largest seasonal snowfall ever recorded was 103 inches in 2007-2008.

The Dane County Highway Department plows all County and US Highways in Fitchburg. Private roads, parking lots and alley ways are plowed by the private property owners. Fitchburg Public Works - Streets division is responsible for all other roads in the city (see appendix 1). The city is divided into five plowing zones for roads (see appendix 2). Fitchburg roads and the level of maintenance are classified as follows:

1) **Class 1** (Major): Major collectors and roads with higher traffic volume. Maintenance services are provided as appropriate under prevailing weather conditions with the goal of providing a pavement surface generally bare of snow and ice. Roadways may be pretreated with brine before major snow events and ice storms. Plowing begins when 1" of snow has accumulated, with salt and sand to be used as needed. Plowing shall be from curb to curb. Use of overtime to meet the above goal is authorized.
2) **Class 2** (Minor): Minor collectors or main residential streets with moderate traffic. Maintenance services are provided as appropriate under prevailing weather conditions with the goal of providing a pavement surface generally bare of snow and ice in the center portion with enough width for one vehicle in each direction. A thin cover of snow along the edges of the road is permissible. Curves, hills and intersections with Class 1 roads may be pretreated with brine before major snow events and ice storms. Plowing begins when 1" of snow has accumulated with salt and sand to be used as needed. Use of overtime to meet the above goal is authorized. Additional clearing operations including curb to curb plowing shall take place during normal work hours unless authorized by the Director of Public Works.

3) **Class 3** (Residential): Residential thru streets with minimal traffic. Maintenance services are provided as appropriate under prevailing weather conditions with the goal of providing a passable surface. Plowing begins when 2" of snow has accumulated with minimal use of salt and sand. Plowing shall be from the traveled portion of the roadway with a thin cover of snow permissible. Use of overtime to meet the above goal is authorized. Additional clearing operations shall take place during normal work hours unless authorized by the Director of Public Works.
4) **Class 4** (Cul-de-sacs and dead ends): Residential streets that dead end. Maintenance services are provided as appropriate under prevailing weather conditions with the goal of providing a passable surface. Plowing begins when 2" of snow has accumulated with minimal use of salt and sand. Plowing shall be from the traveled portion of the roadway with a thin cover of snow permissible. Use of overtime to meet the above goal is authorized. Additional clearing operations shall take place during normal work hours unless authorized by the Director of Public Works.
5) **Additional Areas** Concrete bus pads, Bus shelters, Recycling Drop off Area, Median openings at pedestrian crossings. All work should be completed after road snow removal is complete and during regular work hours.

Fitchburg Public Works - Parks division is responsible for snow and ice removal for all city owned sidewalks, along with certain Parking lots, and Bike paths (See Appendix 3), These areas are classified as follows.

1) **Class 1** (Major): City Campus and Fire Station parking lots, all city owned sidewalk, and School Bike path. Maintenance services are provided as appropriate under prevailing weather conditions with the goal of providing a pavement surface generally bare of snow and ice. Parking lots may be pretreated with brine before major snow events and ice storms. Plowing generally begins when snow has stopped accumulating, to be finished not later than 6:00 p.m. of the day after the same has ceased to fall or accumulate; provided that when ice has so formed on the listed areas above that it cannot be removed, then the city shall keep the same effectively sprinkled with sand, salt or other suitable substance in such manner as to prevent the ice from being dangerous, until such time as it can be removed, and then it shall be promptly removed. Use of overtime to meet the above goal is authorized.
2) **Class 2** (Minor): Select park parking lots and Bike Paths (see Appendix 3), along with Ice Rinks. Maintenance services are provided as appropriate under prevailing weather conditions with the goal of providing a passable surface. Plowing generally begins when the snow has stopped accumulating and after all Class 1 areas are complete with minimal use of salt and sand. Limited use of overtime to meet the above goal is authorized, unless otherwise directed by the Director of Public Works.

Brine, Salt, and Sand General Guidelines:
Brine

- Pretreat major roads, hills, curves, major intersections, City Hall and Fire Station parking lots with brine when possible.
- Apply only with stream nozzles, do not fan spray.
- Use a 23% brine solution.
- Apply during non-rush hour traffic.
- Do not use under blowing conditions.
- Do not use before predicted rain.

- Do not apply if the pavement temperature is below 10° F.
- For first application after a long dry spell, apply spray at half rate.
- Over spraying brine will cause the roadway to become slippery.
- See Pretreatment table (Table 1) for application rates.

Salt

- Plow before applying salt.
- Apply salt at a lower rate in areas pretreated with brine or wetted salt.
- Do no apply salt when pavement temperature is below 15° F.
- Apply salt at a lower rate in high traffic volume areas.
- See De-icing table (Table 2) for application rates.

Sand

- Use sand for short term traction only.
- When using sand/salt mix the ratio of sand to salt should be 40% sand, 60% salt.
- See De-icing table (Table 2) for application rates.

Between Snow/Ice Events:

- Clean storm inlets of packed snow or ice.
- Plow any remaining snow on Class 3 or 4 roads from curb to curb.
- In cul-de-sacs, where conditions warrant, push snow up into higher piles in center.
- Wing out rural roads.
- Finish plowing any remaining parking lots or bike paths (see Appendix 3).
- Complete any needed truck, equipment, or maintenance repairs.
- Push Snow back at intersections to improve visibility.

Before the Season Planning:

September:

- Review policies.
- Check for new construction/subdivisions/roads/sidewalks/bike paths/parking lots.
- Make sure all manholes are chipped and tarred in place for roads that were resurfaced over the summer.
- Inspect ditches, culverts and inlets and make sure no obstructions are in place in order to allow for the spring melt.
- Remove snow traps such as tall grass that may catch and accumulate snow.

October:

- Inspect equipment, repair or replace as needed.
- Inspect all trucks and perform any needed maintenance.
- Calibrate augers and spreaders.
- Test brine tanks and sprayers.
- Identify areas prone to drifting and create an action plan to solve the issue.
- Have crews drive assigned routes, identify any hazards, critical areas, and determine the most efficient way to cover the route.

November:

- Review application rates.
- Review overtime policies.
- Review safety policies with crew.

Resources:
Current weather: http://www.ssec.wisc.edu/localweather/
Pavement temperature: http://www.dot.wisconsin.gov/travel/gis/rwis.htm

Approved by Board of Public Works, December 7, 2009
Approved by Board of Public Works, February 21, 2011
Approved by Board of Public Works, December 19, 2011
Approved by Board of Public Works, October 21, 2013

Table 1: Pretreatment Application Rates for Salt Brine

Condition	Gallons/Lane Mile
Before sleet/freezing rain/ice	20-40
Before light or moderate snow	20-50

Table 2: De-icing Application Rates

			Lbs/lane mile (24' two lane road)		
Pavement Temp and trend (↑↓)	Weather Condition	Actions	Brine	Dry Salt	Sand
>30° ↑	Snow	Plow, treat intersections only	80	100	0
	Freezing rain	Apply chemical	80-160	100-200	0
30° ↓	Snow	Plow & Apply chemical	80-160	100-200	0
	Freezing rain	Apply chemical	150-200	180-240	0
25-30° ↑	Snow	Plow & Apply chemical	120-160	150-200	0
	Freezing rain	Apply chemical	150-200	180-240	0
25-30° ↓	Snow	Plow & Apply chemical	120-160	150-200	0
	Freezing rain	Apply chemical	150-200	180-240	400
20-25° ↑	Snow or Freezing rain	Plow & Apply chemical	160-240	200-300	400
20-25° ↓	Snow	Plow & Apply chemical	200-280	250-350	0
	Freezing rain	Apply chemical	240-320	300-400	400
15-20° ↑	Snow	Plow & Apply chemical	200-280	250-350	0
	Freezing rain	Apply chemical	240-320	300-400	400
15-20° ↓	Snow or Freezing rain	Plow & Apply chemical	240-320	300-400	500 for freezing rain
0-15° ↑↓	Snow	Plow & treat w/blends, sand hazardous areas	0	0	500 - 700 spot treat as needed
< 0°	Snow	Plow & treat w/blends, sand hazardous areas	0	0	500 - 700 spot treat as needed

For an 18 foot road multiply rate by 0.75

For a 36 foot road multiply rate by 1.5

Truck Load Table

Truck #	Deicing Loads		
	Month and Year:		
Date:	Salt (lbs)	Sand (lbs)	Brine (gal)

City of Fitchburg
Committee or Commission Referral

Direct Referral Initiated by:
Direct Referral Approved by:

Date Referred**: October 27, 2015** Ordinance Number:
Date to Report Back**: November 10, 2015** Resolution Number: **R-110-15**

Sponsored by: Mayor Drafted by: Public Works

TITLE: Final Resolution Exercising Police Powers and Levying Special Assessments for 2015 Curb and Gutter Replacement in the City of Fitchburg, Wisconsin

Background: The curb and gutter replacement work was completed in conjunction with the street resurfacing project. In order to levy the assessments, the Council has to adopt a final assessment resolution. The assessment report will be modified if Resolution R-110-15 is approved at the November 10, 2015 council meeting.

Order	Referred To	Staff Contact	Place on Agenda For	Action Taken On Referral
1	Board of Public Works	Horton	November 2, 2015	
2	Finance	Dodge	November 10, 2015	
3				
4				

Amendments:

2015 STREET RESURFACING
CURB & GUTTER REPLACMENT
FINAL ASSESSMENT REPORT
PROJECT NO. 15-SR-101-0

THE CITY OF
Fitchburg
PUBLIC WORKS

City of Fitchburg
Department of Public Works
5520 Lacy Road
Fitchburg, WI 53711
Dane County
Wisconsin

Introduction

This report is required by the Common Council of the City of Fitchburg to fulfill its requirements to exercise its power under Wis. Stat. §66.0703(7) and 10.215 of the Fitchburg General Ordinances. It is submitted to the Common Council as a Final Assessment Report for the replacement of deficient curb and gutter fronting Monticello Way from S. Whitney Way to City Limits, Tanager Trail, Richmond Drive, Marledge Street from Raritan Road to 200' south of Barbara Drive, Osmundsen Road from Devoro Road to Lacy Road, and Osmundsen Road from Lacy Road to Stanbrook Road.

This report contains the following:

1) Project Costs ..... Table 1
2) Final Assessment Schedule ..... Exhibit A
3) Final Assessment Resolution R-110-15 ..... Appendix A
4) Preliminary Assessment Report ..... Appendix B

WISCONSIN PETER G. VANDERWEGEN E-32082 FITCHBURG, WI PROFESSIONAL ENGINEER

10/20/15

TABLE 1
PROJECT COSTS
2015 STREET RESURFACING
CURB & GUTTER REPLACEMENT

Construction Costs		
Estimated Construction Costs	$32,560.88	
Less City Costs*	$ 16,280.44	
Total Assessable Construction Costs		$16,280.44
Technical Services		
Engineering 8%	$1,298.44	
Administrative 2%	$326.88	
Subtotal:		$1,625.32
Total Assessable Project Cost		**$17,905.76**

**The City is responsible for 50% of the curb and gutter costs per the assessment policy.*

ASSESSMENT RATE

In this project, properties will generally benefit in proportion to their linear footage of curb and gutter. Therefore, the linear footage method of assessment best assures that each property owner pays a proportionate share of the costs. Per the assessment policy, a property owner may not be charged for more than 40 linear feet.

The linear footage assessment rate is determined by dividing the total assessable project cost, as shown in Table 1, by the total assessable linear footage as shown in Exhibit A. For this project, the assessment rate is calculated to be $19.72 per linear foot for curb and gutter.

Assessable Curb and Gutter Cost $19.72 / Linear Foot

The assessments for each parcel are shown on Exhibit A. The total linear footage of assessable curb and gutter replacement is 908 LF.

EXHIBIT A
FINAL ASSESSMENT SCHEDULE
2015 STREET RESURFACING, CURB AND GUTTER REPLACEMENT
PROJECT No. 15-SR-101-0

PARCEL		OWNER	MAILING ADDRESS			Final Cost							
PARCEL No. 225/0609	ADDRESS	NAME	Address	CITY, STATE, ZIP	Measured C&G Linear FT	Assessable Linear FT	Total Cost $39.44		Resident Assessment $19.72			City Portion $19.72	
093-6489-8	5739 Barbara Dr	Tanya & Joseph Lourigan	5739 Barbara Dr	Fitchburg, WI 53711	40	40	$1,577.60	R	50%	$788.80		50%	$788.80
093-4477-6	5780 Lacy Rd	Fischer Living TR	5780 Lacy Rd	Fitchburg, WI 53711	11	11	$433.84	R	50%	$216.92		50%	$216.92
093-6511-9	2701 Marledge St	David & Verna Carlson	2701 Marledge St	Fitchburg, WI 53711	24	24	$946.56	R	50%	$473.28		50%	$473.28
093-6533-3	2706 Marledge St	Daniel Giesler & Jacqueline Ramin	2706 Marledge St	Fitchburg, WI 53711	24	24	$946.56	R	50%	$473.28		50%	$473.28
093-6544-0	2712 Marledge St	Ryne & Phoebe Natzke	2712 Marledge St	Fitchburg, WI 53711	42	40	$1,577.60	R	50%	$788.80		50%	$788.80
093-6478-1	2721 Marledge St	Rodney Bina & Coletta Mulvihill Bina	2721 Marledge St	Fitchburg, WI 53711	5	5	$197.20	R	50%	$98.60		50%	$98.60
093-6577-1	2728 Marledge St	Richard & Joyce Nelson	2728 Marledge St	Fitchburg, WI 53711	5	5	$197.20	R	50%	$98.60		50%	$98.60
093-6665-4	2744 Marledge St	Frank Novak & Kathleen Lange-Novak	2744 Marledge St	Fitchburg, WI 53711	23	23	$907.12	R	50%	$453.56		50%	$453.56
093-6423-6	2745 Marledge St	Thomas & Patricia Farley	2745 Marledge St	Fitchburg, WI 53711	9	9	$354.96	R	50%	$177.48		50%	$177.48
093-6401-2	2753 Marledge St	Cheryl Hamilton	2753 Marledge St	Fitchburg, WI 53711	9	9	$354.96	R	50%	$177.48		50%	$177.48
062-6698-2	5744 Monticello Way	Jessica Smulka	5744 Monticello Way	Fitchburg, WI 53719	21	21	$828.24	R	50%	$414.12		50%	$414.12
062-6062-0	5747 Monticello Way	David & Rebekah Krajnik	5747 Monticello Way	Fitchburg, WI 53719	11	11	$433.84	R	50%	$216.92		50%	$216.92
062-6051-3	5748 Monticello Way	Kimberly Hurley	5748 Monticello Way	Fitchburg, WI 53719	11	11	$433.84	R	50%	$216.92		50%	$216.92
062-6040-6	5752 Monitcello Way	Wade & Shelley Whitmus	5752 Monticello Way	Fitchburg, WI 53719	11	11	$433.84	R	50%	$216.92		50%	$216.92
062-6095-1	5759 Monticello Way	Christopher & Paige Jany	5759 Monticello Way	Fitchburg, WI 53719	31	31	$1,222.64	R	50%	$611.32		50%	$611.32
062-6018-4	5760 Monticello Way	Mary Becker	5760 Monticello Way	Fitchburg, WI 53719	23	23	$907.12	R	50%	$453.56		50%	$453.56
062-6106-7	5763 Monticello Way	Kimberly Knoche	5763 Monticello Way	Fitchburg, WI 53719	31	31	$1,222.64	R	50%	$611.32		50%	$611.32
062-6007-7	5764 Monticello Way	James & Margaret Newberry	5764 Monticello Way	Fitchburg, WI 53719	12	12	$473.28	R	50%	$236.64		50%	$236.64
062-4067-9	5767 Monticello Way	Jacqueline Captain	5767 Monticello Way	Fitchburg, WI 53719	29	29	$1,143.76	R	50%	$571.88		50%	$571.88
062-4056-2	5768 Monticello Way	Jaime & Steven Karlic	5768 Monticello Way	Fitchburg, WI 53719	24	24	$946.56	R	50%	$473.28		50%	$473.28
062-4023-1	5804 Monticello Way	Michael & Michele Van Hecker	5804 Monticello Way	Fitchburg, WI 53719	17	17	$670.48	R	50%	$335.24		50%	$335.24
062-4559-4	5816 Monticello Way	Robert Helgren	5816 Monticello Way	Fitchburg, WI 53719	12	12	$473.28	R	50%	$236.64		50%	$236.64
062-4416-6	5823 Monticello Way	Kirstin & Joseph Bugni	5823 Monticello Way	Fitchburg, WI 53719	40	40	$1,577.60	R	50%	$788.80		50%	$788.80
062-4537-0	5824 Monticello Way	Jeffery Scarafia	1733 Waters Ridge Dr	Newburgh, IN 47630	15	15	$591.60	R	50%	$295.80		50%	$295.80
062-4449-7	5835 Monticello Way	Alvin & Margo Barcheski	5835 Monticello Way	Fitchburg, WI 53719	26	26	$1,025.44	R	50%	$512.72		50%	$512.72
062-4504-9	5836 Monticello Way	Lindzee & Shonn Gibson	5836 Monticello Way	Fitchburg, WI 53719	9	9	$354.96	R	50%	$177.48		50%	$177.48
062-4460-2	5839 Monticello Way	Kenneth Olson & Susan Gilbertson	5839 Monticello Way	Fitchburg, WI 53719	14	14	$552.16	R	50%	$276.08		50%	$276.08
062-4482-6	5844 Monticello Way	Charlene Crapser	5844 Monticello Way	Fitchburg, WI 53719	8	8	$315.52	R	50%	$157.76		50%	$157.76
062-4471-9	5845 Monticello Way	Colin & Rebeca Schenck	5845 Monticello Way	Fitchburg, WI 53719	10	10	$394.40	R	50%	$197.20		50%	$197.20
162-3115-1	2686 Osmundsen Rd	Randall Hess	2985 Triverton Pike Unit 200	Fitchburg, WI 53711	11	11	$433.84	R	50%	$216.92		50%	$216.92
093-4598-0	2703 Osmundsen Rd	William & Linda Wilson	2703 Osmundsen Rd	Fitchburg, WI 53711	25	25	$986.00	R	50%	$493.00		50%	$493.00
093-4609-6	2707 Osmundsen Rd	Michael & Kathleen Walker	2707 Osmundsen Rd	Fitchburg, WI 53711	5	5	$197.20	R	50%	$98.60		50%	$98.60
093-4763-9	2725 Osmundsen Rd	Steven & Lynn Smilie	2725 Osmundsen Rd	Fitchburg, WI 53711	47	40	$1,577.60	R	50%	$788.80		50%	$788.80
093-4774-6	2731 Osmundsen Rd	John & Susan Easterday	2731 Osmundsen Rd	Fitchburg, WI 53711	21	21	$828.24	R	50%	$414.12		50%	$414.12
093-4274-1	2735 Osmundsen Rd	Jeffery & Krishna Erdahl	2735 Osmundsen Rd	Fitchburg, WI 53711	7	7	$276.08	R	50%	$138.04		50%	$138.04
062-4045-5	2487 Tanager Trail	Allen & Mary Koscielniak	2487 Tanager Trl	Fitchburg, WI 53711	5	5	$197.20	R	50%	$98.60		50%	$98.60

EXHIBIT A
FINAL ASSESSMENT SCHEDULE
2015 STREET RESURFACING, CURB AND GUTTER REPLACEMENT
PROJECT No. 15-SR-101-0

PARCEL		OWNER	MAILING ADDRESS			Final Cost							
PARCEL No. 225/0609	ADDRESS	NAME	Address	CITY, STATE, ZIP	Measured C&G Linear FT	Assessable Linear FT	Total Cost $39.44		Resident Assessment $19.72			City Portion $19.72	
062-6632-0	5722 Richmond Dr	Pedro Pinto & Ronni Rogers	5722 Richmond Dr	Fitchburg, WI 53719	27	27	$1,064.88	R	50%	$532.44		50%	$532.44
062-6599-2	5734 Richmond Dr	Keith Rabiola & Jennifer Fenne	5734 Richmond Dr	Fitchburg, WI 53719	12	12	$473.28	R	50%	$236.64		50%	$236.64
062-6588-5	5738 Richmond Dr	Jones TR	5738 Richmond Dr	Fitchburg, WI 53719	49	40	$1,577.60	R	50%	$788.80		50%	$788.80
062-6163-8	5742 Richmond Dr	Goodison Living TR, Frank & Helga	5742 Richmond Dr	Fitchburg, WI 53719	45	40	$1,577.60	R	50%	$788.80		50%	$788.80
062-6141-4	5750 Richmond Dr	Leland Lemens & Marilyn Franke-Lemens	5750 Richmond Dr	Fitchburg, WI 53719	34	34	$1,340.96	R	50%	$670.48		50%	$670.48
062-6130-7	5754 Richmond Dr	Antonio Antezana	5754 Richmond Dr	Fitchburg, WI 53719	22	22	$867.68	R	50%	$433.84		50%	$433.84
062-6119-2	5758 Richmond Dr	June Coleman	5758 Richmond Dr	Fitchburg, WI 53719	35	35	$1,380.40	R	50%	$690.20		50%	$690.20
062-4232-8	5773 Richmond Dr	James Tewes & Elizabeth Blair	5773 Richmond Dr	Fitchburg, WI 53719	11	11	$433.84	R	50%	$216.92		50%	$216.92
062-4155-2	5774 Richmond Dr	Gerard & Darlene Meinholz	5774 Richmond Dr	Fitchburg, WI 53719	16	16	$631.04	R	50%	$315.52		50%	$315.52
062-4144-5	5778 Richmond Dr	Krystle & Joseph Marks	5778 Richmond Dr	Fitchburg, WI 53719	12	12	$473.28	R	50%	$236.64		50%	$236.64
				TOTAL C&G:	**931**	**908**	**$35,811.52**			**$17,905.76**			**$17,905.76**

All property owners and mailling address information was obtained on September 29, 2015 from Access Dane Geographic and Land Information.
Curb and gutter assessments may not be exceed 40 linear feet per policy.

APPENDIX A

Steve Arnold, Mayor
Introduced By

Public Works
Prepared by

Board of Public Works, Finance
Referred to

October 27, 2015
Date

RESOLUTION R-110-15
FINAL RESOLUTION EXERCISING POLICE POWERS AND LEVYING SPECIAL ASSESSMENTS FOR 2015 CURB AND GUTTER REPLACEMENT IN THE CITY OF FITCHBURG, WISCONSIN

WHEREAS, on March 24, 2015, the Common Council of the City of Fitchburg adopted resolution No R-33-15 declaring its intent to exercise its police power under Wis. Stat. §66.0703 (7), and section 10.213-10.216 of the Fitchburg General Ordinances to levy special assessments for special benefits conferred upon properties within the following Assessment District for the cost of replacing defective curb and gutter on streets in the 2015 Street Resurfacing contract in the City of Fitchburg.

ASSESSMENT DISTRICT

All properties with defective curb and gutter as identified by the City Engineer fronting Monticello Way from S. Whitney Way to City Limits, Tanager Trail, Richmond Drive, Marledge Street from Raritan Road to 200' south of Barbara Drive, Osmundsen Road from Devoro Road to Lacy Road, and Osmundsen Road from Lacy Road to Stanbrook Road.

WHEREAS, pursuant to said resolution a report was filed by the City Engineer in the office of the City Clerk, notice thereof was duly given to the public and to owners of affected properties, and the Board of Public Works on August 17, 2015, held a public hearing at the Fitchburg City Hall for purposes of hearing all persons interested concerning the preliminary resolution and report on the proposed assessments; and

WHEREAS, all work described in Resolution No. R-33-15 has been completed and a final report of the direct and indirect costs of the improvements and proposed final assessments has been filed in the office of the City Clerk by the City Engineer; and

WHEREAS, the report of the engineer shows that the final assessments do not exceed by ten percent (10%) or more the preliminary assessments in the preliminary report heard by the Board of Public Works on August 17, 2015, as above described;

NOW, THEREFORE BE IT HEREBY RESOLVED, the Common Council of the City of Fitchburg, Wisconsin, pursuant to the authority vested in it by Wis. Stat. 62.11(5) and 66.0703(7) hereby resolve as follows:

1. The final report of the City Engineer pertaining to the construction of 2015 Curb and Gutter Replacement in the above-described Assessment District is hereby adopted and approved.

2. Payment for the improvements described in paragraph 1 shall be made by assessing the costs to the properties and in the amounts indicated in the report as shown on Exhibit A attached hereto which is incorporated herein as if fully set forth.

3. The assessments shown on the attached Exhibit A represent an exercise of the police power and have been determined on a reasonable basis and are hereby confirmed.

4. The assessments may be paid to the City Clerk in cash within sixty (60) days from the adopted date of this resolution or in equal annual installments of principal as follows:

a. If the assessment is less than $500.00, the assessment shall be paid in one (1) annual installment.
b. If the assessment is at least $500.00 but less than $999.00, the assessment shall be paid in three (3) installments.
c. If the assessment is at least $1000.00 but less than $4,999.00, the assessment shall be paid in five (5) annual installments.
d. If the assessment is greater than $5000.00, the assessment shall be paid in seven (7) annual installments.

Upon sale or transfer of the property any outstanding balances are due. Deferred principal payments shall bear interest on the unpaid balance at the rate of 2.5% per annum from January 1, 2016. Installments not paid when due shall bear additional interest on the amount due at the rate of 18% per annum. Partial payments received on or before ninety days from the adopted date of this resolution shall be applied to the principal amount due and installments reduced pro-rata.

5. The unpaid balance of principal of any assessment levied hereby and interest thereon shall be a lien upon the assessed property from the date of adoption of this resolution.

6. The City Clerk shall publish this resolution and an installment assessment notice as Class 1 Notices in the City's official newspaper and mail a copy of this resolution and a statement of the final assessment against each property, together with an installment assessment notice, to the owner of every property whose name appears on the assessment roll and whose post office address is known or can with reasonable diligence be ascertained.

Adopted this 10th day of November, 2015.

Approved By:_____
Stephen L. Arnold, Mayor

Attested By:_____
Patti Anderson, City Clerk

Appendix B

2015 STREET RESURFACING
CURB & GUTTER REPLACMENT
PRELIMINARY ASSESSMENT REPORT
PROJECT NO. 15-SR-101-0

THE CITY OF
Fitchburg
PUBLIC WORKS

City of Fitchburg
Department of Public Works
5520 Lacy Road
Fitchburg, WI 53711
Dane County
Wisconsin

Introduction

This report is required by the Common Council of the City of Fitchburg as per Resolution Number R-33-15, declaring Intent to Exercise Special Assessment Powers. It is submitted to the Common Council as a Preliminary Assessment Report for the replacement of deficient curb and gutter fronting Monticello Way from S. Whitney Way to City Limits, Tanager Trail, Richmond Drive, Marledge Street from Raritan Road to 200' south of Barbara Drive, Osmundsen Road from Devoro Road to Lacy Road, and Osmundsen Road from Lacy Road to Stanbrook Road.

This report contains the following:

1) Statement of Benefits
2) Opinion of Project Costs ..... Table 1
3) Preliminary Assessment Schedule ..... Exhibit A
4) Preliminary Assessment Resolution R-33-15 ..... Appendix A
5) Assessment District Boundary Map ..... Appendix B

I. Statement of Benefits

The improvements will abut the properties within the proposed assessment districts as shown and described in Appendices A and B, respectively.

By correcting deficiencies in the existing curb and gutter, this will benefit the properties where the improvements are to be installed.

II. Opinion of Project Costs

The Opinion of Project Costs shown in Table 1 contains the estimated construction, engineering, and administrative costs.

TABLE 1
OPINION OF PROJECT COSTS
2015 STREET RESURFACING
CURB & GUTTER AND SIDEWALK REPLACEMENT

Construction Costs		
Estimated Construction Costs	$32,560.88	
Less City Costs*	$ 16,280.44	
Total Assessable Construction Costs		$16,280.44
Technical Services		
Engineering 8%	$1,298.44	
Administrative 2%	$326.88	
Subtotal:		$1,625.32
Total Assessable Project Cost		**$17,905.76**

**The City is responsible for 50% of the curb and gutter costs per the assessment policy.*

PRELIMINARY ASSESSMENT RATE

In this project, properties will generally benefit in proportion to their linear footage of curb and gutter. Therefore, the linear footage method of assessment best assures that each property owner pays a proportionate share of the costs. Per the assessment policy, a property owner may not be charged for more than 40 linear feet.

The linear footage preliminary assessment rate is determined by dividing the total assessable project cost, as shown in Table 1, by the total assessable linear footage as shown in Exhibit A. For this project, the preliminary assessment rate is calculated to be $19.72 per linear foot for curb and gutter.

Assessable Curb and Gutter Cost $19.72 / Linear Foot

The preliminary assessments for each parcel are shown on Exhibit A. The total linear footage of assessable curb and gutter replacement is 908 LF.

WISCONSIN
PETER G. VANDENWEGEN
E-32082
FITCHBURG, WI
PROFESSIONAL ENGINEER

8/6/15

Appendix B

EXHIBIT A
PRELIMINARY ASSESSMENT SCHEDULE
2015 STREET RESURFACING, CURB AND GUTTER REPLACEMENT
PROJECT No. 15-SR-101-0

PARCEL		OWNER	MAILING ADDRESS			Preliminary Assessment							
PARCEL No. 225/0609	ADDRESS	NAME	Address	CITY, STATE, ZIP	Measured C&G Linear FT	Assessable Linear FT	Total Cost $39.44		Resident Assessment $19.72			City Portion $19.72	
093-6489-8	5739 Barbara Dr	Tanya & Joseph Lourigan	5739 Barbara Dr	Fitchburg, WI 53711	40	40	$1,577.60	R	50%	$788.80		50%	$788.80
093-4477-6	5780 Lacy Rd	Fischer Living TR	5780 Lacy Rd	Fitchburg, WI 53711	11	11	$433.84	R	50%	$216.92		50%	$216.92
093-6511-9	2701 Marledge St	David & Verna Carlson	2701 Marledge St	Fitchburg, WI 53711	24	24	$946.56	R	50%	$473.28		50%	$473.28
093-6533-3	2706 Marledge St	Daniel Giesler & Jacqueline Ramin	2706 Marledge St	Fitchburg, WI 53711	24	24	$946.56	R	50%	$473.28		50%	$473.28
093-6544-0	2712 Marledge St	Ryne & Phoebe Natzke	2712 Marledge St	Fitchburg, WI 53711	42	40	$1,577.60	R	50%	$788.80		50%	$788.80
093-6478-1	2721 Marledge St	Rodney Bina & Coletta Mulvihill Bina	2721 Marledge St	Fitchburg, WI 53711	5	5	$197.20	R	50%	$98.60		50%	$98.60
093-6577-1	2728 Marledge St	Richard & Joyce Nelson	2728 Marledge St	Fitchburg, WI 53711	5	5	$197.20	R	50%	$98.60		50%	$98.60
093-6665-4	2744 Marledge St	Frank Novak & Kathleen Lange-Novak	2744 Marledge St	Fitchburg, WI 53711	23	23	$907.12	R	50%	$453.56		50%	$453.56
093-6423-6	2745 Marledge St	Thomas & Patricia Farley	2745 Marledge St	Fitchburg, WI 53711	9	9	$354.96	R	50%	$177.48		50%	$177.48
093-6401-2	2753 Marledge St	Cheryl Hamilton	2753 Marledge St	Fitchburg, WI 53711	9	9	$354.96	R	50%	$177.48		50%	$177.48
062-6698-2	5744 Monticello Way	Jessica Smulka	5744 Monticello Way	Fitchburg, WI 53719	21	21	$828.24	R	50%	$414.12		50%	$414.12
062-6062-0	5747 Monticello Way	David & Rebekah Kranjik	5747 Monticello Way	Fitchburg, WI 53719	11	11	$433.84	R	50%	$216.92		50%	$216.92
062-6051-3	5748 Monticello Way	Kimberly Hurley	5748 Monticello Way	Fitchburg, WI 53719	11	11	$433.84	R	50%	$216.92		50%	$216.92
062-6040-6	5752 Monitcello Way	Wade & Shelley Whitmus	5752 Monticello Way	Fitchburg, WI 53719	11	11	$433.84	R	50%	$216.92		50%	$216.92
062-6095-1	5759 Monticello Way	Christopher & Paige Jany	5759 Monticello Way	Fitchburg, WI 53719	31	31	$1,222.64	R	50%	$611.32		50%	$611.32
062-6018-4	5760 Monticello Way	Mary Becker	5760 Monticello Way	Fitchburg, WI 53719	23	23	$907.12	R	50%	$453.56		50%	$453.56
062-6106-7	5763 Monticello Way	Kimberly Knoche	5763 Monticello Way	Fitchburg, WI 53719	31	31	$1,222.64	R	50%	$611.32		50%	$611.32
062-6007-7	5764 Monticello Way	James & Margaret Newberry	5764 Monticello Way	Fitchburg, WI 53719	12	12	$473.28	R	50%	$236.64		50%	$236.64
062-4067-9	5767 Monticello Way	Jacqueline Captain	5767 Monticello Way	Fitchburg, WI 53719	29	29	$1,143.76	R	50%	$571.88		50%	$571.88
062-4056-2	5768 Monticello Way	Jaime & Steven Karlic	5768 Monticello Way	Fitchburg, WI 53719	24	24	$946.56	R	50%	$473.28		50%	$473.28
062-4023-1	5804 Monticello Way	Michael & Michele Van Hecker	5804 Monticello Way	Fitchburg, WI 53719	17	17	$670.48	R	50%	$335.24		50%	$335.24
062-4559-4	5816 Monticello Way	Robert Helgren	5816 Monticello Way	Fitchburg, WI 53719	12	12	$473.28	R	50%	$236.64		50%	$236.64
062-4416-6	5823 Monticello Way	Kirstin & Joseph Bugni	5823 Monticello Way	Fitchburg, WI 53719	40	40	$1,577.60	R	50%	$788.80		50%	$788.80
062-4537-0	5824 Monticello Way	Jeffery Scarafia	5824 Monticello Way	Fitchburg, WI 53719	15	15	$591.60	R	50%	$295.80		50%	$295.80
062-4449-7	5835 Monticello Way	Alvin & Margo Barcheski	5835 Monticello Way	Fitchburg, WI 53719	26	26	$1,025.44	R	50%	$512.72		50%	$512.72
062-4504-9	5836 Monticello Way	Lindzee & Shonn Gibson	5836 Monticello Way	Fitchburg, WI 53719	9	9	$354.96	R	50%	$177.48		50%	$177.48
062-4460-2	5839 Monticello Way	Kenneth Olson & Susan Gilbertson	5839 Monticello Way	Fitchburg, WI 53719	14	14	$552.16	R	50%	$276.08		50%	$276.08
062-4482-6	5844 Monticello Way	Charlene Crapser	5844 Monticello Way	Fitchburg, WI 53719	8	8	$315.52	R	50%	$157.76		50%	$157.76
062-4471-9	5845 Monticello Way	Colin & Rebeca Schenck	5845 Monticello Way	Fitchburg, WI 53719	10	10	$394.40	R	50%	$197.20		50%	$197.20
162-3115-1	2686 Osmundsen Rd	Randall Hess	2985 Triverton Pike Unit 200	Fitchburg, WI 53711	11	11	$433.84	R	50%	$216.92		50%	$216.92
093-4598-0	2703 Osmundsen Rd	William & Linda Wilson	2703 Osmundsen Rd	Fitchburg, WI 53711	25	25	$986.00	R	50%	$493.00		50%	$493.00
093-4609-6	2707 Osmundsen Rd	Michael & Kathleen Walker	2707 Osmundsen Rd	Fitchburg, WI 53711	5	5	$197.20	R	50%	$98.60		50%	$98.60
093-4763-9	2725 Osmundsen Rd	Steven & Lynn Smilie	2725 Osmundsen Rd	Fitchburg, WI 53711	47	40	$1,577.60	R	50%	$788.80		50%	$788.80
093-4774-6	2731 Osmundsen Rd	John & Susan Easterday	2731 Osmundsen Rd	Fitchburg, WI 53711	21	21	$828.24	R	50%	$414.12		50%	$414.12
093-4274-1	2735 Osmundsen Rd	Jeffery & Krishna Erdahl	2735 Osmundsen Rd	Fitchburg, WI 53711	7	7	$276.08	R	50%	$138.04		50%	$138.04
062-4045-5	2487 Tanager Trail	Allen & Mary Koscielniak	2487 Tanager Trl	Fitchburg, WI 53711	5	5	$197.20	R	50%	$98.60		50%	$98.60

Appendix B

EXHIBIT A
PRELIMINARY ASSESSMENT SCHEDULE
2015 STREET RESURFACING, CURB AND GUTTER REPLACEMENT
PROJECT No. 15-SR-101-0

PARCEL		OWNER	MAILING ADDRESS			Preliminary Assessment						
PARCEL No. 225/0609	ADDRESS	NAME	Address	CITY, STATE, ZIP	Measured C&G Linear FT	Assessable Linear FT	Total Cost $39.44	Resident Assessment $19.72			City Portion $19.72	
062-6632-0	5722 Richmond Dr	Pedro Pinto & Ronni Rogers	5722 Richmond Dr	Fitchburg, WI 53719	27	27	$1,064.88	R	50%	$532.44	50%	$532.44
062-6599-2	5734 Richmond Dr	Keith Rabiola & Jennifer Fenne	5734 Richmond Dr	Fitchburg, WI 53719	12	12	$473.28	R	50%	$236.64	50%	$236.64
062-6588-5	5738 Richmond Dr	Jones TR	5738 Richmond Dr	Fitchburg, WI 53719	49	40	$1,577.60	R	50%	$788.80	50%	$788.80
062-6163-8	5742 Richmond Dr	Goodison Living TR, Frank & Helga	5742 Richmond Dr	Fitchburg, WI 53719	45	40	$1,577.60	R	50%	$788.80	50%	$788.80
062-6141-4	5750 Richmond Dr	Leland Lemens & Marilyn Franke-Lemens	5750 Richmond Dr	Fitchburg, WI 53719	34	34	$1,340.96	R	50%	$670.48	50%	$670.48
062-6130-7	5754 Richmond Dr	Antonio Antezana	5754 Richmond Dr	Fitchburg, WI 53719	22	22	$867.68	R	50%	$433.84	50%	$433.84
062-6119-2	5758 Richmond Dr	June Coleman	5758 Richmond Dr	Fitchburg, WI 53719	35	35	$1,380.40	R	50%	$690.20	50%	$690.20
062-4232-8	5773 Richmond Dr	Steven Peterson	5773 Richmond Dr	Fitchburg, WI 53719	11	11	$433.84	R	50%	$216.92	50%	$216.92
062-4155-2	5774 Richmond Dr	Gerard & Darlene Meinholz	5774 Richmond Dr	Fitchburg, WI 53719	16	16	$631.04	R	50%	$315.52	50%	$315.52
062-4144-5	5778 Richmond Dr	Krystle & Joseph Marks	5778 Richmond Dr	Fitchburg, WI 53719	12	12	$473.28	R	50%	$236.64	50%	$236.64
				TOTAL C&G:	**931**	**908**	**$35,811.52**			**$17,905.76**		**$17,905.76**

All property owners and mailling address information was obtained on August 5, 2015 from Access Dane Geographic and Land Information.
Curb and gutter assessments may not be exceed 40 linear feet per policy.

APPENDIX A

Shawn Pfaff, Mayor
Introduced By

Public Works
Prepared by

Board of Public Works, Finance
Referred to

March 10, 2015
Date

RESOLUTION R-33-15
PRELIMINARY ASSESSMENT RESOLUTION FOR
2015 RESURFACING CURB AND GUTTER REPLACEMENT

Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers Under Municipal Police Powers pursuant to §66.0701 Wisconsin Statutes, and Fitchburg Code of Ordinances Section 10-215 for the cost of replacing defective curb and gutter on streets in the 2015 Street Improvements contract in the City of Fitchburg.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Common Council of the City of Fitchburg, Dane County, Wisconsin that

1. The Common Council hereby declares its intention to exercise its police power under Sec. 66.0703 Wis. Stats. as incorporated in Section 10-215 of the Fitchburg Ordinances, to levy special assessments upon property in the assessment district hereafter described for benefits conferred upon such property by replacement of defective curb and gutter.

2. The property to be assessed lies within the following described assessment district:

ASSESSMENT DISTRICT

All properties with defective curb and gutter as identified by the City Engineer fronting Monticello Way from S. Whitney Way to City Limits, Tanager Trail, Richmond Drive, Marledge Street from Raritan Road to 200' south of Barbara Drive, Osmundsen Road from Devoro Road to Lacy Road, and Osmundsen Road from Lacy Road to Stanbrook Road.

3. The City Council hereby determines that the improvements constitute an exercise of the police power for the health, safety and welfare of the public.

4. The total amount assessed against the properties in the defined assessment district shall not exceed 100% of the City's direct and indirect costs of the improvements including, but not limited to, actual construction costs and related costs of engineering and legal services, administrative expense and borrowing costs related to the project.

5. The assessment against any parcel may be paid in cash or equal annual installments in accordance with schedule below, with interest on the unpaid balance at one percent (1%) over the City's borrowing rate. If the installment method is selected the remaining balance is due at time of transfer or sale of ownership of parcel.
Assessment Schedule:

   a. If the assessment is less than $500.00, the assessment shall be paid in one (1) annual installment.
   b. If the assessment is at least $500.00 but less than $999.00, the assessment shall be paid in up to three (3) annual installments.

c. If the assessment is at least $1000.00 but less than $4,999.00, the assessment shall be paid in up to five (5) annual installments.
d. If the assessment is greater than $5000.00, the assessment may be paid in seven (7) or more annual installments.

6. The City Engineer shall prepare a Preliminary Assessment Report which shall consist of:

a. Plans and specifications for the improvements.
b. An estimate of the entire direct and indirect cost of the improvements.
c. A schedule of the proposed assessments as to each parcel of property within the defined assessment district.
d. A statement that the respective properties against which the assessments are proposed are benefitted.

7. When the Preliminary Assessment Report is completed, the City Engineer shall file a copy of the Report with the City Clerk for public inspection.

8. Upon receiving the report of the City Engineer, the Clerk shall cause notice to be given pursuant to § 66.0703(7) Wisconsin Statutes, stating the nature of the proposed improvement, the general boundary lines of the proposed assessment district, the time and place at which the report may be inspected, and the time and place of the public hearing on the matter contained in the Preliminary Resolution and the Report. The notice shall be published as a Class 1 notice under Wis. Stat. Ch. 985 and a copy shall be mailed at least ten (10) days before the hearing, to every interested person whose post office address is known or can be ascertained with reasonable diligence.

9. The hearing shall be held before the Board of Public Works April 6, 2015 or at a later date at a time set by the City Clerk in accordance with § 66.0703(7) Wis. Stats.

Adopted this 24th day of March, 2015.

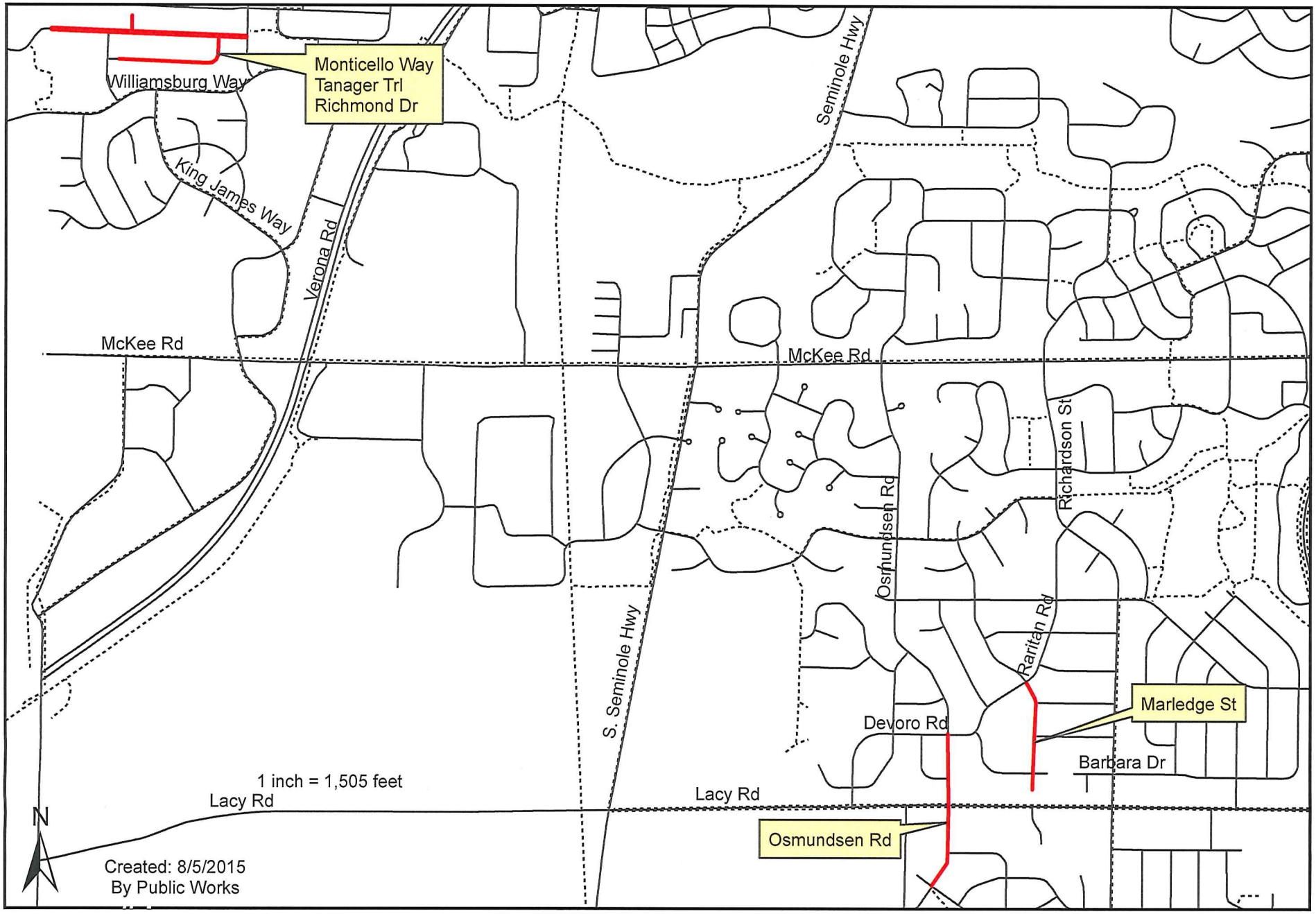
Approved By: Shawn Pfaff
Shawn Pfaff, Mayor

Attested By: Patti Anderson
Patti Anderson, City Clerk

Appendix B

2015 Street Resurfacing Assessment District Boundary Map

APPENDIX B



APPENDIX A

Steve Arnold, Mayor
Introduced By

Public Works
Prepared by

Board of Public Works, Finance
Referred to

October 27, 2015
Date

RESOLUTION R-110-15
FINAL RESOLUTION EXERCISING POLICE POWERS AND LEVYING SPECIAL ASSESSMENTS FOR 2015 CURB AND GUTTER REPLACEMENT IN THE CITY OF FITCHBURG, WISCONSIN

WHEREAS, on March 24, 2015, the Common Council of the City of Fitchburg adopted resolution No R-33-15 declaring its intent to exercise its police power under Wis. Stat. §66.0703 (7), and section 10.213-10.216 of the Fitchburg General Ordinances to levy special assessments for special benefits conferred upon properties within the following Assessment District for the cost of replacing defective curb and gutter on streets in the 2015 Street Resurfacing contract in the City of Fitchburg.

ASSESSMENT DISTRICT

All properties with defective curb and gutter as identified by the City Engineer fronting Monticello Way from S. Whitney Way to City Limits, Tanager Trail, Richmond Drive, Marledge Street from Raritan Road to 200' south of Barbara Drive, Osmundsen Road from Devoro Road to Lacy Road, and Osmundsen Road from Lacy Road to Stanbrook Road.

WHEREAS, pursuant to said resolution a report was filed by the City Engineer in the office of the City Clerk, notice thereof was duly given to the public and to owners of affected properties, and the Board of Public Works on August 17, 2015, held a public hearing at the Fitchburg City Hall for purposes of hearing all persons interested concerning the preliminary resolution and report on the proposed assessments; and

WHEREAS, all work described in Resolution No. R-33-15 has been completed and a final report of the direct and indirect costs of the improvements and proposed final assessments has been filed in the office of the City Clerk by the City Engineer; and

WHEREAS, the report of the engineer shows that the final assessments do not exceed by ten percent (10%) or more the preliminary assessments in the preliminary report heard by the Board of Public Works on August 17, 2015, as above described;

NOW, THEREFORE BE IT HEREBY RESOLVED, the Common Council of the City of Fitchburg, Wisconsin, pursuant to the authority vested in it by Wis. Stat. 62.11(5) and 66.0703(7) hereby resolve as follows:

1. The final report of the City Engineer pertaining to the construction of 2015 Curb and Gutter Replacement in the above-described Assessment District is hereby adopted and approved.

2. Payment for the improvements described in paragraph 1 shall be made by assessing the costs to the properties and in the amounts indicated in the report as shown on Exhibit A attached hereto which is incorporated herein as if fully set forth.

3. The assessments shown on the attached Exhibit A represent an exercise of the police power and have been determined on a reasonable basis and are hereby confirmed.

4. The assessments may be paid to the City Clerk in cash within sixty (60) days from the adopted date of this resolution or in equal annual installments of principal as follows:

a. If the assessment is less than $500.00, the assessment shall be paid in one (1) annual installment.
b. If the assessment is at least $500.00 but less than $999.00, the assessment shall be paid in three (3) installments.
c. If the assessment is at least $1000.00 but less than $4,999.00, the assessment shall be paid in five (5) annual installments.
d. If the assessment is greater than $5000.00, the assessment shall be paid in seven (7) annual installments.

Upon sale or transfer of the property any outstanding balances are due. Deferred principal payments shall bear interest on the unpaid balance at the rate of 2.5% per annum from January 1, 2016. Installments not paid when due shall bear additional interest on the amount due at the rate of 18% per annum. Partial payments received on or before ninety days from the adopted date of this resolution shall be applied to the principal amount due and installments reduced pro-rata.

5. The unpaid balance of principal of any assessment levied hereby and interest thereon shall be a lien upon the assessed property from the date of adoption of this resolution.

6. The City Clerk shall publish this resolution and an installment assessment notice as Class 1 Notices in the City's official newspaper and mail a copy of this resolution and a statement of the final assessment against each property, together with an installment assessment notice, to the owner of every property whose name appears on the assessment roll and whose post office address is known or can with reasonable diligence be ascertained.

Adopted this 10th day of November, 2015.

Approved By: _____
Stephen L. Arnold, Mayor

Attested By: _____
Patti Anderson, City Clerk

City of Fitchburg
Committee or Commission Referral

Direct Referral Initiated by:
Direct Referral Approved by:

Date Referred**: October 27, 2015** Ordinance Number:
Date to Report Back**: Nov 24, 2015** Resolution Number: **R-121-15**

Sponsored by: Mayor Drafted by: Public Works

TITLE: **Approving Grant of Highway Easement to Wisconsin Department of Transportation (WisDOT) over the Military Ridge Path corridor at County PD/McKee Road**

Background: This resolution grants a Highway and Temporary Limited Easement across the Military Ridge Path corridor to WisDOT for the reconstruction work that they are doing on McKee Road as part of the Verona Road – Stage 2 improvements. The McKee Road improvements include the road expansion and sidewalks.

Attached is a map, titled "Parcel 1", which illustrates the location for the easements. The Highway Easement document and Purchase Agreement document have also been included in the packet.

Order	Referred To	Staff Contact	Place on Agenda For	Action Taken On Referral
1	Board of Public Works	Horton	Nov. 2, 2015	
2	Plan Commission	Hovel	Nov. 17, 2015	
3	Finance	Dodge	Nov. 24, 2015	
4				

Amendments:

LEGEND
- PROPERTY LINE
TEMPORARY LIMITED EASEMENT (TLE)
HIGHWAY EASEMENT (HE)
SCALE, FEET 0 15 30
N
CITY OF FITCHBURG
TLE = 4,884 SF
HE = 2,096 SF
COUNTY PD/MCKEE ROAD
MILITARY RIDGE PATH
EXISTING R/W (TYP.)
SLOPE INTERCEPT (TYP.)
PARCEL 1
US 18/151 (VERONA ROAD)
STAGE 2, CTH PD TO RAYMOND ROAD
DESIGN I.D. 1206-07-05
PROJECT PLAT NO: 1206-07-25

HIGHWAY EASEMENT

Wisconsin Department of Transportation
RE1565 04/2015 Exempt from fee: s.77.25(2r) Wis. Stats.

THIS EASEMENT, made by **City of Fitchburg, a Wisconsin municipal corporation** GRANTOR, conveys an easement, as described below, for highway purposes to the **State of Wisconsin, Department of Transportation**, GRANTEE, for the sum of **One Dollar and Other Valuable Considerations** ($ **1.00**)

Any person named in this easement may make an appeal from the amount of compensation within six months after the date of recording of this easement as set forth in s.32.05(2a) Wisconsin statutes. For the purpose of any such appeal, the amount of compensation stated on the easement shall be treated as the award, and the date the easement is recorded shall be treated as the date of taking and the date of evaluation.

Other persons having an interest of record in the property: None

This **is not** homestead property.

LEGAL DESCRIPTION IS ATTACHED AND MADE A PART OF THIS DOCUMENT BY REFERENCE.

This space is reserved for recording data

Return to
Laura H.S. Sadler
TerraVenture Advisors
4641 West Forest Home Ave
Milwaukee, WI 53219

Parcel Identification Number/Tax Key Number
225/0609-064-9740-1, 225/0609-071-8516-6

City of Fitchburg, a Wisconsin municipal corporation

Signature Date

By:
Print Name, Title

Signature Date

By:
Print Name, Title

Signature Date

Print Name

Signature Date

Print Name

Date

State of Wisconsin
)
) ss.
_____ County

On the above date, this instrument was acknowledged before me by the named person(s).

Signature, Notary Public, State of Wisconsin

Print Name, Notary Public, State of Wisconsin

Date Commission Expires

QJ409711

Project ID
1206-07-25

This instrument was drafted by
Wisconsin Department of Transportation

Parcel No.
1

LEGAL DESCRIPTION

Parcel 1 of Transportation Project Plat 1206-07-25 - 4.02 recorded as Document No. 5099029, at the Register of Deeds office in Dane County, Wisconsin.

Property interests and rights of said Parcel 1 consist of:

HIGHWAY EASEMENT
This highway easement includes the right to ingress and egress to construct and maintain McKee Road roadway and sidewalk.

TEMPORARY LIMITED EASEMENT

Also, Parcel 1 of Transportation Project Plat 1206-07-25 - 4.03 recorded as Document No. 5099030, at the Register of Deeds office in Dane County, Wisconsin.

Property interests and rights of said Parcel 1 consist of:

HIGHWAY EASEMENT
This highway easement includes the right to ingress and egress to construct and maintain McKee Road roadway and sidewalk.

TEMPORARY LIMITED EASEMENT

Also, Parcel 1 of Transportation Project Plat 1206-07-25 - 4.07 recorded as Document No. 5099046, at the Register of Deeds office in Dane County, Wisconsin.

Property interests and rights of said Parcel 1 consist of:

HIGHWAY EASEMENT
This highway easement includes the right to ingress and egress to construct and maintain McKee Road roadway and sidewalk.

TEMPORARY LIMITED EASEMENT

Any interests or rights not listed above for said parcels but shown as required on said Transportation Project Plats are hereby incorporated herein by reference.

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE - SHORT FORM

Wisconsin Department of Transportation
RE1895 04/2015

THIS AGREEMENT, made and entered into by and between City of Fitchburg, a Wisconsin municipal corporation, hereinafter called Seller, and the State of Wisconsin, Department of Transportation, hereinafter called WisDOT. If accepted, this offer can create a legally enforceable contract. Both parties should read this document carefully and understand it before signing.

Seller and WisDOT agree that WisDOT is purchasing this property for highway or other transportation related purposes, within the meaning of Chapter 84 of the Wisconsin Statutes.

Seller warrants and represents to WisDOT that Seller has no notice or knowledge of any of the following:

1) Planned or commenced public improvements which may result in special assessments which would otherwise materially affect the property, other than the planned transportation facility for which WisDOT is purchasing this property;

2) Government agency or court order requiring repair, alteration, or correction of any existing condition;

3) Shoreland or special land use regulations affecting the property; and,

4) Underground storage tanks and the presence of any dangerous or toxic materials or conditions affecting the property.

DESCRIPTION: The Seller agrees to sell and WisDOT agrees to buy, upon the terms and conditions hereinafter named, the following described real estate situated in Dane County, Wisconsin:

Legal description is attached hereto and made a part hereof by reference.

The purchase price of said real estate shall be the sum of One Dollar and other good and valuable consideration, ($1.00 & OVC) ~~payable in full by check at closing~~.

~~General taxes shall be prorated at the time of closing based on the net general taxes for the current year, if known, otherwise on the net general taxes for the preceding year.~~

Seller shall, ~~upon payment of purchase price~~, convey the property by warranty deed or other conveyance provided herein, free and clear of all liens and encumbrances, including special assessments, except recorded public utility easements and recorded restrictions on use running with the land or created by lawfully enacted zoning ordinances and N/A, provided none of the foregoing prohibit present use.

Legal possession of premises shall be delivered to WisDOT on the date of closing.

Physical occupancy of property shall be given to WisDOT on the date of closing. ~~Seller may not occupy property after closing unless a separate lease agreement is entered into between WisDOT and Seller~~.

SPECIAL CONDITIONS: The parties to this agreement acknowledge that the Wisconsin Department of Transportation is receiving this conveyance as a donation. Should seller appeal from the amount of compensation pursuant to S. 32.05(2a), Wisconsin Statutes, then the parties hereto agree that the value of the property described herein for purposes of such appeal shall be fair market value which has been determined by the parties to be the fair market value of the property based on appraisal. The appraisal valued the property at $7,900.00. This interest acquired by this donation is a Temporary Limited Easement of 4,884 square feet and Highway Easement of 2,096 square feet.

This agreement is binding upon acceptance by WisDOT as evidenced by the signature of an authorized representative of WisDOT. If this agreement is not accepted by WisDOT within 30 days after Seller's signature, this agreement shall be null and void.

This transaction is to be closed at the office of TBD on or before December 31, 2015 or at such other time and place as may be agreed to in writing by the Seller and WisDOT.

No representations other than those expressed here, either oral or written, are part of this sale.

Seller and WisDOT agree to act in good faith and use diligence in completing the terms of this agreement. This agreement binds and inures to the benefit of the parties to this agreement and their successors in interest, assigns, personal representatives, heirs, executors, trustees, and administrators.

The warranties, covenants and representations made herein survive the closing and the conveyance of this property. Seller agrees to sell and convey the above-mentioned property on the terms and conditions as set forth and acknowledges receipt of a copy of this agreement.

City of Fitchburg, a Wisconsin municipal corporation

Witness Signature Date

Print Name

Seller Signature Date

By:

Print Name, Title

Seller Signature Date

By:

Print Name, Title

Seller Signature Date

Print Name

Seller Signature Date

Print Name

The above agreement is accepted.

Signature Date

Print Name

Title

Must be signed by administrator or an authorized representative of WisDOT.

LEGAL DESCRIPTION

Parcel 1 of Transportation Project Plat 1206-07-25 - 4.02 recorded as Document No. 5099029, at the Register of Deeds office in Dane County, Wisconsin.

Property interests and rights of said Parcel 1 consist of:

HIGHWAY EASEMENT
This highway easement includes the right to ingress and egress to construct and maintain McKee Road roadway and sidewalk.

TEMPORARY LIMITED EASEMENT

Also, Parcel 1 of Transportation Project Plat 1206-07-25 - 4.03 recorded as Document No. 5099030, at the Register of Deeds office in Dane County, Wisconsin.

Property interests and rights of said Parcel 1 consist of:

HIGHWAY EASEMENT
This highway easement includes the right to ingress and egress to construct and maintain McKee Road roadway and sidewalk.

TEMPORARY LIMITED EASEMENT

Also, Parcel 1 of Transportation Project Plat 1206-07-25 - 4.07 recorded as Document No. 5099046, at the Register of Deeds office in Dane County, Wisconsin.

Property interests and rights of said Parcel 1 consist of:

HIGHWAY EASEMENT
This highway easement includes the right to ingress and egress to construct and maintain McKee Road roadway and sidewalk.

TEMPORARY LIMITED EASEMENT

Any interests or rights not listed above for said parcels but shown as required on said Transportation Project Plats are hereby incorporated herein by reference.

Steve Arnold, Mayor
Introduced by

Public Works
Prepared by

Plan Commission, Board of Public Works, Finance Committee
Referred to

October 27, 2015
Date

RESOLUTION R-121-15
Approving Grant of Highway Easement to Wisconsin Department of Transportation (WisDOT) over the Military Ridge Path corridor at County PD/McKee Road

WHEREAS, WisDOT has requested a Highway Easement (HE) and Temporary Limited Easement (TLE) across the Military Ridge Path corridor at the intersection with McKee Road to accommodate the reconstruction work that they are completing as part of the Verona Road – Stage 2 project, and

WHEREAS, the improvements to McKee Road include the addition of travel lanes in each direction, an 8-ft wide sidewalk on the south side, and a 5-ft wide sidewalk on the north side, and

WHEREAS, the HE provides benefit to Fitchburg by maintaining bicycle and pedestrian accommodations along McKee Road and maintaining connections to the Military Ridge Path, and

WHEREAS, because of the mutual benefits received by the HE, the easements will be granted to WisDOT at no cost.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Fitchburg Common Council that it approves granting a Highway Easement and Temporary Limited Easement to the Wisconsin Department of Transportation across the Military Ridge Path corridor at the intersection with McKee Road at no cost.

BE IT FURTHER RESOLVED, that it authorizes the City Clerk and Mayor to sign the Agreement for Purchase and Sale of Real Estate – Short Form and the Highway Easement drafted by the Wisconsin Department of Transportation.

Adopted this _____ day of _____, 2015.

_____
Stephen L. Arnold, Mayor

Approved:

_____
Patti Anderson, City Clerk

City of Fitchburg
Committee or Commission Referral

Direct Referral Initiated by: Mayor
Direct Referral Approved by: Mayor

Date Referred**: Nov. 2, 2015** Ordinance Number:
Date to Report Back**: Nov. 10, 2015** Resolution Number: **R-123-15**

Sponsored by: Mayor Drafted by: Public Works

TITLE: **QUARRY VISTA OUTLOT 1 ACCEPTANCE**

Background: The subdivider has obtained previous approvals for public improvements for the Quarry Vista Plat, excluding Outlots 1 and 5. The necessary grading is complete now on Outlot 1 and is proposed to be restored by the November 2, 2015 board of public works meeting.

This resolution will allow building permits to be issued for construction on Lots 1 through 15 in Quarry Vista upon completion of the public improvements.

Order	Referred To	Staff Contact	Place on Agenda For	Action Taken On Referral
1	Board of Public Works	Horton	November 2, 2015	
2				
3				

Amendments:

Stephen L. Arnold, Mayor
Direct Referred By

Public Works
Drafted By

Board of Public Works
Committee

October 13, 2015
Date

RESOLUTION R-123-15
QUARRY VISTA OUTLOT 1 ACCEPTANCE

WHEREAS, on June 9, 2015, Hamm Fam Land, LLC ("Subdivider") and the City of Fitchburg (the "City"), entered into a contract (the "Contract") for subdivision improvements in the Plat of Quarry Vista in the City of Fitchburg (the "Plat"); and

WHEREAS, the City Engineer has inspected and conditionally approved the subdivision improvements for Lots 1 through 15 and the utility improvements on Outlots 1 and 5 of the Plat as being in the condition called for by the Contract; and

WHEREAS, the Subdivider has agreed to furnish security equivalent to park dedication fees for Outlot 5 until such time that all required public improvements on this outlot is complete and accepted by the City; and

WHEREAS, all required sanitary sewer charges and other charges and fees have been or will be paid and deposited, and land dedication made as required by said Contract; and,

WHEREAS, affidavits, evidencing that there are no claims, actions, or demands for damages based upon contract or tort arising out of or in any way relating to the Plat and that no monies are owed to any surveyor, mechanic, subcontractor, materialman or laborer for the project and no such claims, actions or demands, will be filed subsequent to approval of this resolution; and,

WHEREAS, the Subdivider has agreed to provide security to insure said improvements in the Plat against defects in materials and workmanship for one year subsequent to compliance with the terms of the Contract and this Resolution and otherwise to comply with the terms of the Resolution and the Contract.

NOW, THEREFORE, BE IT HEREBY RESOLVED, The Common Council of the City of Fitchburg, Dane County, Wisconsin, hereby accepts the municipal improvements as constructed in the Plat and easements for Lots 1 through 15 and the utility improvements as constructed in the plat and easements on Outlots 1 and 5 subject to: (a) filing of affidavits and lien waivers with the City Engineer evidencing that there are no claims, actions or demands for damages arising out of or in any way relating to the project and that no monies are owed to any surveyor, mechanic, contractor, subcontractor, materialman or laborer and no such claims, actions or demands will be filed by the City Clerk, (b) that sufficient security, satisfactory to the City Engineer, City Attorney and Mayor has been posted pursuant to the Contract to guarantee against defects in materials and workmanship in the improvements

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hereby accepted for a period of one year following compliance with the terms and conditions of this Resolution; (c) timely payment by Subdivider of all outstanding engineering, inspection, consulting, legal fees, and other outstanding expenses and administrative costs incurred by the City as outlined in the contract; (d) verification by the City Administrator that all outstanding invoice charges related to the Plat, including legal and engineering fees, have been paid by the Subdivider; and (e) Subdivider furnishing security for Outlot 5 until such time that all required public improvements on this outlot are complete and accepted by the City.

BE IT FURTHER RESOLVED, Upon compliance with all above conditions, the City accepts for public use all improvements and dedication in the Plat and the Mayor and City Clerk may execute the required acceptances on behalf of the City.

Adopted by the Common Council of the City of Fitchburg this _____ day of November, 2015.

Approved By: _____
Stephen L. Arnold, Mayor

Attested By:_____
Patti Anderson, City Clerk

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