RESOLUTION NO. _______ OFFERED BY ALDERMAN _______________________

RESOLUTION ESTABLISHING SPECIAL ASSESSMENT
AND PUBLIC IMPROVEMENT POLICIES

WHEREAS, it is necessary to design a policy to provide property owners with information concerning
the procedure and costs of obtaining public improvements in the City of Menomonie which will also
serve to make the procedure for public improvements more systematic and uniform:

BE IT RESOLVED, that the following is adopted as the Special Assessment Policy for the City of
Menomonie:

1. DEFINITIONS

A. Sanitary Sewer Main: Sanitary sewer installed within a public easement or right of way
   for the purpose of serving adjacent properties.

B. Sewer Lateral: Sanitary sewer connecting a single property or building with the sewer
   main.

C. Water Main: Water main installed within a public easement or right of way.

D. Water Lateral: Water line from the water main to the served property up through the curb
   box and stop.

E. Lot: A parcel of land having a width and depth sufficient to provide the space necessary
   for one main building and its accessory buildings, together with open space and abutting
   on a public street or officially approved place.

F. Corner Lot: A corner lot shall be defined as a lot with adjacent sides fronting on two
   streets.

G. Total Cost: The cost of the construction plus all directly related engineering, inspection,
   easements, attorney fees, administration, and restoration costs.

H. Double Frontage Lot: Where lots front on two streets on opposite sides.

I. Irregular Shaped Lot: A lot that is not a square or a rectangle and is oddly shaped due to
   natural features, right-of-ways, or by design.

J. Storm Sewer: Storm sewer includes pipes, inlets, ditches, ponds, swales, etc.

K. Large Lots: A lot with frontage greater than 200 feet.
2. GENERAL:

A. Property owners desiring public improvements such as watermain, sanitary sewer, and curb and gutter should file a petition with the City Clerk. Sample petitions are available at the City Clerk's office.

B. The City Council will hold a public hearing prior to levying special assessments, unless 100% of adjacent property owners have signed the petition.

C. Special assessment charges are based on the cost of improvements and represent an exercise of police power as determined under Wis. State Statutes 66.0703.

D. Special assessment rates and interest rates will be determined by the City Council annually and applied to all forthcoming projects.

E. New developments shall be assessed for up to 100% of the cost of construction.

F. New developments shall also comply with Chapter 14-3-4 of the City Code.

G. All projects must meet the current design standards of the city.

3. EXEMPTION POLICIES:
The City will pay for all exempted costs.

A. Corner Lots:

1. Streets, sidewalks, and trails: The first 66 feet of the long side of corner lots shall be exempt, with the amount being paid by the city.

2. Sewer and water:
   - If sewer/water is on both sides, up to 100% is assessed based on the frontage on the short side plus the frontage over 132 feet on the long side.
   - If sewer/water is on the short side only, up to 100% is assessed based on the frontage on the short side.
   - If sewer/water is on the long side only, up to 100% is assessed based on the frontage on the short side plus the frontage over 132 feet on the long side.

3. Corner properties already served by sanitary sewer and/or watermain from an abutting right-of-way shall be exempt from special assessments for sanitary sewer and/or watermain if the property cannot be divided without creating substandard lots or parcels.

B. Lots with Double Frontage: The lots shall be assessed for 100% of the frontage on the first side served.

C. Irregular Shaped Lots: It is the policy to determine an effective width by applying the following formula based on a typical lot in the neighborhood.

   1. Assessable Frontage = irregular lot square feet/typical lot square feet x typical lot width on project
D. Oversizing: The portion of the project cost attributable to the oversizing of sanitary sewer or watermain shall be paid by the city.

E. Large Lots: Owners of developed large lots may request a deferred assessment for that portion of the abutting frontage in excess of 132 feet. Any deferment shall be at City Council discretion.

4. STREET CONSTRUCTION

A. Curb and Gutter: The City Council shall annually set the per foot assessment cost for curb and gutter on existing streets.

B. Driveways: Property owners are responsible for construction and maintenance of driveways including the portion within the public right-of-way. Driveway openings are installed for existing homes when curb and gutter is installed. Up to 100% of the cost of driveway improvements shall be assessed.

5. STORM SEWERS

The entire cost of storm sewer in existing developed areas will be paid by the city.

The city is not responsible for draining private property. In general, the city will install inlets in the street and ditches to receive storm water.

6. SANITARY SEWER

A. Extensions: Lots will be assessed for up to 100% of the cost of new sanitary sewer main.

B. Existing Facilities: Property presently served by sewer not fronting on the property shall be assessed for new sewer extension fronting on the property. Property presently served by private lines will be assessed for new mains. (The city shall determine whether existing lines classify as private lines.)

C. Sewage Pumping Stations/Lift Stations: Any property or area requiring service by a sewage pumping station may be assessed for up to 100% of the cost of the station based on the area served.

D. Laterals: Lots will be assessed for up to 100% of the cost of installing new laterals. Replacement of existing sewer laterals to the property line will be charged at up to 100% to the property owner.

7. WATER MAIN ASSESSMENTS

A. Water Main Extensions: Lots will be assessed for up to 100% of the cost of new watermain.

B. Existing Facilities: Property presently served by water main not fronting on the property shall be assessed for new extensions fronting on the property in accordance with this
policy. Property presently served by private lines will be assessed for new mains. (The city shall determine whether existing lines classify as private lines.)

C. Laterals: Lots will be assessed for up to 100% of the cost of installing new laterals. Replacement of existing water laterals to the curb stop will be according to the PSC Rate Schedule.

8. SIDEWALKS/TRAILS

The cost of new or replacement sidewalks/trails in developed portions of the City will not be assessed against the property owner. Sidewalks/trails in undeveloped portions of the city will be 100% assessed to the property owner or developer.

9. SIDEWALK/TRAIL LOCATION POLICY

Sidewalks, trails, and corridors are shown on a map entitled "Proposed Sidewalk and Pedestrian Corridors". These routes were determined based on the following three classifications:

A. Primary Pedestrian Corridor: Streets with traffic counts over 5,000 vehicles per day would require sidewalks on both sides, unless the abutting property is undeveloped.

B. Secondary Pedestrian Corridor: Streets with traffic counts between 1,000 vehicles per day to 5,000 vehicles per day would require sidewalk on one side, unless the abutting property is undeveloped.

C. Local Pedestrian Corridor: Streets with traffic counts under 1,000 vehicles per day but serve a location that generates pedestrian traffic or that would support a Primary and/or Secondary Pedestrian Corridor would require sidewalk on one side.

Where a sidewalk/trail is required on only one side, the City Engineer will recommend to City Council the side of the street to construct the sidewalk/trail. City Council will approve the final location. The decision will be based on safety, usability, construction cost, and environmental factors such as trees and slope.

The city will require installation of sidewalk/trail in new subdivisions, based on the following criteria: The sidewalk/trail shall be installed on one side of the street on all streets designated as a collector corridor. Collector corridors are defined by Plan Commission upon recommendation from the City Engineer. A street will be considered a collector corridor if it is the main street through the subdivision and serves at least two additional side streets or is connecting to other property that has subdivision potential.

10. TREES

The city will remove trees within the street right of way as required for street improvement and trees which are dead or diseased without charge to the property owner. Replacement trees will be planted on the corridor by the city at no charge to the adjacent property owner.

If the property owner requests additional protection methods during construction that are above
and beyond those detailed in the construction specifications, for up to 100% of the cost for additional protection shall be assessed against benefitted properties.

11. STREET LIGHTS

Any property owner, resident or group of property owners may petition for street lights in their neighborhood. The City Council may order street lights installed by approving petitions or on its own motion install a light. There is no charge to adjacent property owners for installation of a street light at intersections. There may be a charge to adjacent property owners for installation of a street light not located at an intersection.

12. PAYMENT

A. Special Assessments (not deferred) with Payment over Time:

Special assessments may be paid in one lump sum within 30 days after completion of the project and final assessment approval by the City Council or in five equal annual installments with interest per annum on the unpaid balance at an interest rate determined by the City Council.

When the total assessment for various improvements exceeds $5,000, or when the property is undeveloped or unplatted, the lot owner may petition the city for an extension of time for repayment not to exceed 10 years.

All special assessments, including interest, shall become due and payable when the property title is transferred including conveyance by deed, land contract, inheritance, gift or any other means.

B. Deferred Assessments:

Deferred special assessments, if approved by the City Council, shall be due and payable upon the first of the following to occur:

1) Hook-up to the municipal public improvement
2) When the property title is transferred, including conveyance by deed, land contract, inheritance, gift, or any other means
3) Subdivision of the property

Deferred special assessments shall bear no interest until they become due and payable.

C. Deferred Assessments for Property Outside the City:

Deferred connection charges for property outside the city shall be consistent with the policies herein and itemized and shown separately on the Preliminary and Final Assessment Report. The property will not be allowed to connect until the charges are paid in full and the property is annexed into the City. Unpaid deferred connection charges shall be forgiven 20 years after the Final Assessment Report is adopted by the City.
Reference the resolution adopted January 16, 2012 by the City Council for additional requirements regarding deferred assessments for property outside the City.

Approved this 6th day of June, 2016.

Randy Knaack, Mayor

Attest:

Cally Lauersdorf, City Clerk

History

Introduced: June 17, 1968
Adopted: June 17, 1968
Approved: Roy Dahl
Attest: Vada M. Husby, City Clerk

Introduced/Adopted: Resolution #2013-15, dated October 7, 2013

Amended by motion: April 21, 1969
June 16, 1969
July 21, 1969
February 16, 1970
February 1, 1971
February 15, 1971
May 15, 1972
December 18, 1972
June 3, 1974
May 7, 1979
September 4, 1979
November 2, 1981
January 15, 2001

Introduced/Adopted: Resolution #2013-15, dated October 7, 2013

Established Sidewalk Location Policy: March 6, 2000
Amended: October 6, 2003 (by Resolution No. 51)