



Memorandum

To: Board of Public Works

Date: February 13, 2014

From: Vince Maas, Superintendent of Parks

Subject: Assessable Components for New Street Construction (Forestry-Street Trees)

The Park Board has recommended to the Board of Public Works to include street tree planting as part of the Assessment of any new street construction. These changes to add assessments for street trees were modeled after several communities in our area.

The purpose for these changes is to continue the development of the city's urban forestry program and to increase the city's tree canopy, thus providing additional street tree benefits. These benefits include energy savings, increase in property values, storm water runoff reductions and improved air quality. These changes also help strength the city's commitment to our 30+ years as a Tree City USA.

ORDINANCE O-3-14

AN ORDINANCE AMENDING TITLE 3, CHAPTER 2 OF THE
CODE OF ORDINANCES

Introduced by Alderman Mark Langdon .

The Common Council of the City of Menasha does hereby ordain as follows:

SECTION 1: Amend Title 3, Chapter 2, Sec.3-2-16 (f),(g),(h),(i),(j),(k),(l),(m),(n),(o) of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

Title 3 – Finance and Public Records

CHAPTER 2

Special Assessments

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SEC. 3-2-16 ASSESSMENT DETERMINATIONS.

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- (f) **STREETS.** All street assessments shall be based upon excavation, graveling, grading, curb and gutter, and finished asphalt pavement, and street tree planting. ~~Should the Common Council determine that due to the nature of the affected properties that it is more appropriate to construct streets with concrete, then assessments will be based upon excavation, graveling, grading, curb and gutter and finished concrete.~~
- (g) **TREES.** All trees to newly constructed streets shall be assessed one hundred percent (100%).
- ~~(g)~~(h) **STORM SEWERS.** All storm sewer construction shall be based upon an eighteen (18) inch main in newly developed areas and:
 - (1) Shall be assessed one hundred percent (100%) based upon frontage.
 - (2) All storm sewer mains to newly developed areas shall be assessed one hundred percent (100%).
- ~~(h)~~(i) **SANITARY SEWER MAINS.** All sanitary sewer mains shall be based upon an eight (8) inch diameter main in newly developed areas and:
 - (1) Shall be assessed one hundred percent (100%) based upon frontage.
 - (2) All sanitary sewer mains to newly developed areas shall be assessed one hundred percent (100%).
- ~~(i)~~(j) **WATER MAINS.** All water mains shall be based upon an eight (8) inch diameter main in newly developed areas and:
 - (1) Shall be assessed one hundred percent (100%) based upon frontage.
 - (2) All water mains to newly developed areas shall be assessed one hundred percent (100%).
- ~~(j)~~(k) **SERVICE AND LATERALS.** Property owners will be assessed one hundred percent (100%) for the service laterals from the main to the terminal point on their lots.

- (k)(l) **STREET LIGHTING.** All street lighting in newly developed areas shall be assessed one hundred percent (100%). Any decorative street lighting must be approved by the Common Council. Decorative street lighting shall be assessed such that the annual increased charge above normal street lighting is assessed against benefited property owners.
- (h)(m) **UNPLATTED LANDS.** Where the lands are unplatted and where the property is not to be served in its entirety by sewer and/or water, then only that portion actually served shall be assessed.
- (m)(n) **NEWLY ANNEXED AND UNDEVELOPED AREAS.** Subdividers and other individuals and corporations bringing into the City of Menasha newly annexed areas with inadequate public improvements, as determined by the Director of Public Works, shall pay one hundred percent (100%) assessments for all streets. The same shall hold true for the undeveloped areas within the City. It shall make no difference whether such road work shall be considered repair or rebuilding. Such assessments shall include excavation, graveling, grading, ~~surfacing~~ and finished pavement, curb and gutter, and street tree planting.
- (h)(o) **DEPRECIATION FACTOR.** For property in newly annexed areas where sewer and water have been previously laid, the owners of the newly annexed lots or parcels not previously served by such water or sewer mains shall pay in proportion to the depreciated value of the sewer or water main. The depreciated value shall be determined by the sewer or water assessments at the time water and sewer mains were laid, less an annual depreciation of 1.25%. The 1.25% shall not be prorated on a monthly basis, but shall commence with January 1 of each and every year. Such assessment shall not be used to reimburse any property owners who have been previously assessed.

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SECTION 2: This amending Ordinance shall take effect upon passage and publication as provided by law.

Passed and approved this day of , 2014.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk