



## Office of the Mayor

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Veto of Legistar Item 50935, Approving Plans, Specifications and Schedule of Assessments for Winnebago Street, Atwood Avenue and Linden Avenue Assessment District – 2018 (6<sup>th</sup> AD)

To: City Clerk Maribeth Witzel-Behl  
Madison Common Council

Pursuant to section 62.09(8)(c), Wis. Stats., and section 3.03(2), MGO, I return to you Legistar Item 50935, Approving Plans, Specifications and Schedule of Assessments for Winnebago Street, Atwood Avenue and Linden Avenue Assessment District – 2018 (6<sup>th</sup> AD), which I have vetoed and disapproved.

My objections to this item are: If you think of Madison's nicest streets, they are narrow and generally no wider than thirty feet – certainly too narrow to form a complete street. While we build streets wider than we did seventy years ago, a street with the width capable of handling motor vehicles, pedestrians, bicyclists, and parked cars in their own lanes, in both directions, is too wide for a comfortable neighborhood.

I was never comfortable with the concept of complete streets and the matter before proves the point. It is time we think of 'complete corridors.' Recognizing that if we are committed to the concept of 'place' that we cannot accommodate every transportation demand within every street. We may have sidewalks on just one side of the street, there may have to be lanes that change usage during the course of the day, and we may have to provide a service on an adjacent street, as we do with bus services.

When I look at the demand for this space on Winnebago and the options for bicyclists, and the options for residents and their guests to park their cars, I find that the balance leads to retaining the parking.

A handwritten signature in black ink, appearing to read "Paul R. Soglin", is written over a horizontal line.

Paul R. Soglin  
Mayor

Dated this 7<sup>th</sup> day of May, 2018



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Master

**File Number: 50935**

**File ID:** 50935

**File Type:** Resolution

**Status:** Passed

**Version:** 2

**Reference:**

**Controlling Body:** BOARD OF  
PUBLIC WORKS

**File Created Date :** 03/14/2018

**File Name:** Approving Plans, Specifications and Schedule of  
Assessments for Winnebago Street, Atwood Avenue  
and Linden Avenue Assessment District - 2018. (6th  
AD)

**Final Action:** 05/01/2018

**Title:** Approving Plans, Specifications and Schedule of Assessments for Winnebago  
Street, Atwood Avenue and Linden Avenue Assessment District - 2018. (6th AD)

**Notes:** Jim W.

**Sponsors:** Marsha A. Rummel

**Effective Date:**

**Attachments:** Leg 50935 - Version 1.pdf, Opt1-CrossSection.pdf,  
Opt2-CrossSection.pdf, Parking Study.PDF,  
Winnebago\_Option 1 - 46ft Plan.pdf,  
Winnebago\_Opt2\_Buffered\_BikeLane.pdf, FILE 50935  
correspondence.pdf, File #50935 Emailed comments  
3.2018.pdf, File 50935 Registrant Comments PBMVC  
3.27.2018.pdf, Winnebago BPW.pdf, Opt1\_Trees.pdf,  
Opt1A\_ExtendBumpouts\_Trees.pdf,  
Opt2\_ApproxTrees.pdf, Winnebago BPW Notes.pdf,  
WinnebagoEmailSubmissions.pdf,  
11186\_Winnebago-Linden Assess.pdf, PBMVC  
3.27.18 ITEM F.3..pdf, Winnebago\_AddlEmails.pdf,  
Fw\_Winnebago St Project.pdf

**Enactment Number:** RES-18-00358

**Author:** Rob Phillips, City Engineer

**Hearing Date:**

**Entered by:** mhacker@cityofmadison.com

**Published Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	03/14/2018	Referred for Introduction				
	<b>Action Text:</b>	This Resolution was Referred for Introduction					
	<b>Notes:</b>	Board of Public Works (4/18/18), Pedestrian Bicycle Motor Vehicle Commission (3/27/18), Council Adoption (5/1/18)					
1	COMMON COUNCIL	03/20/2018	Refer	BOARD OF PUBLIC WORKS		04/18/2018	Pass

**Action Text:** A motion was made by Rummel, seconded by Baldeh, to Refer to the BOARD OF PUBLIC WORKS.  
The motion passed by voice vote/other.

**Notes:** Board of Public Works (4/18/18); Pedestrian, Bicycle, Motor Vehicle Commission (3/27/18); Common Council (5/1/18)

1	PEDESTRIAN/BICYCLE/ MOTOR VEHICLE COMMISSION	03/27/2018	Return to Lead with the Following Recommendation(s)	BOARD OF PUBLIC WORKS	04/18/2018	Pass
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**Action Text:** The following registrants spoke: T.R. Loon supports option #2; Fred Fuss neither supports or opposes; Marie Jacobson opposes option #2; Kristin Austin supports option #1; Isabella Matheson supports option #1; Michael Matheson supports option #1; James Wilson neither supports or opposes; Jonathan Gapen neither supports or opposes; Derek L Tyus supports option #1; Justin Frahm from JSD Professional Services Inc registered and was available to answer questions.

Alder Kemble spoke in support of safe transportation facilities for pedestrians and bikes with the added benefit of the additional trees, and said she would be supporting option #2, but with the great concern for the people who live on the 2100 block.

Alder Zellers echoed Alder Kemble in support of option #2. Although she would like to take a foot and put it on the terrace for bigger trees, Alder Kemble prioritized biking, especially winter biking, sympathizing with residents and the impact of event parking on their ability to park near their residence.

Rewey requested canopy trees by taking out the buffer on one side and putting it into the terrace, while still keeping the buffer on the parked car side.

Foster spoke on option #2, believing it to be a higher quality bike facility for the ability to have street trees. Foster stated his belief that a 25ft cross-section for biking, parking and driving, especially with it being a Metro route, is the minimum in order for it to be an equitable all ages and abilities facility.

Alder Zellers moved to make an amendment to the motion to narrow the terrace on the non-parking lane side from 5 to 4 feet, and add that foot to the terrace on the other side so a shade tree can be planted. Foster seconded. The motion failed by the following votes:

Ayes: 1 - Ledell Zellers

Noes: 5 - Paul E. Skidmore; Rebecca Kemble; Grant A. Foster; Eric C. Lewandowski and Susan M. De Vos

Excused: 1 - Aaron S. P. Crandall

Non Voting: 1 - Michael W. Rewey

A motion was made by Foster, seconded by DeVos, to return to lead with the recommendation to adopt option 2.

**Notes:** The motion passed by the following votes:  
Motion by Foster, seconded by DeVos to recommend adoption of the resolution and the Option 2 - Cross Section.  
Motion passed on a roll call vote 5:1:1 - Ayes (5) - Zellers, Kemble, Foster, Lewandowski, DeVos; Noes (1) - Skidmore; Excused (1) - Crandall

Ayes: 5	Ledell Zellers; Rebecca Kemble; Grant A. Foster; Eric C. Lewandowski and Susan M. De Vos
Noes: 1	Paul E. Skidmore
Excused: 1	Aaron S. P. Crandall
Non Voting: 1	Michael W. Rewey

2	BOARD OF PUBLIC WORKS	04/18/2018	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
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**Action Text:** Jim Wolfe, City Engineering Division, presented project details. Two design options had been discussed and considered during public involvement. He said the City recommends Option 1, which narrows the street width from 48' to 46', includes bike lanes in both directions, mountable islands and bumpouts.

Members of the Public Registered for the Public Hearing:

Fred F., Willard Ave., Registered in Support of Option 1, did not wish to speak.

M. Jacobson, Willard Ave., Registered in Support of Option 1. Expressed concern about losing 24 parking spots in a neighborhood where many homes do not have driveways or garages. Winnebago is a "Destination Neighborhood" with Barrymore and unique mix of restaurants and businesses. Balancing residents' and visitors' needs is important.

T.R. Loon, Spaight St., Registered in Support of Option 2. Said he is a member of a community group located in the neighborhood. He said the sustainable transportation plan for the City should be considered. The City has transportation goals, but no policies to guide City agencies (Engineering, Traffic Engineering).

G. Foster, Anchor Dr., Registered as Neither Support Nor Oppose the project. He said he serves on the City's Pedestrian Bicycle Motor Vehicle Commission and Madison Bikes community group. He said Madison Bikes supports Option 2. Recognizes that parking is a stressor in the Winnebago neighborhood.

E. Zapala, Winnebago St., Registered as Neither Support Nor Oppose the project. Expressed concerns about the cost of lighting assessments and terrace removal.

C. and S. Carins, Winnebago St., Registered in Support of Option 1. Neighborhood is hurting for parking at all times of day. Don't agree with removal of 24 parking spots.

M. Matheson, Winnebago St., Registered in Support of Option 1, Opposes Option 2.

K. Austin, Winnebago St., Registered in Support of Option 1.

Ald Rummel said either option will improve but the condition of the street. However, she expressed concern about the loss of 24 parking spots. She said a holistic look at the whole corridor is also needed.

The Board thanked the neighborhood residents for their turn out and participation at the Public Hearing.

The Board discussed the proposed bike lanes and stressed the difference of buffer zone versus not a buffer zone. Ald. Demarb said it is important to provide safety for bicyclists, especially as the City recommends bicycling and takes pride in being designated a Platinum level bicycling community. She wondered if more could be done to protect/separate bicyclists from motorists. She also stressed the importance of taking a holistic look at the corridor versus the couple of blocks within the project limits.

A motion was made by Clear, seconded by Adams, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by the following vote:

**Notes:** Motion made Clear, seconded by Adams to recommend to adopt the resolution and the Option 1A Extended Bumpouts. Motion passed on a roll call vote: 4:1:3 - Ayes (4) - Clear, Clausius, Lawton, Adams; Noes (1) - DeMarb; Excused (3) - Johnson, Branson, Walling  
Ayes: 4 Mark Clear; Joseph R. Clausius; Jaclyn D. Lawton and Valesa R. Adams

Noes: 1 Denise DeMarb

Excused: 3 Kenneth G. Johnson; David J. Branson and Sara Z. Walling

2 COMMON COUNCIL 05/01/2018 Adopt the Following Amendment(s) Pass

**Action Text:** A motion was made by Hall, seconded by Zellers, to Adopt the Following Amendment: make option 2 the main motion. The motion passed by the following vote:

**Notes:**

Ayes: 11 Ledell Zellers; Amanda Hall; Shiva Bidar-Sielaff; Zach Wood; Paul E. Skidmore; Arvina Martin; Larry Palm; Sara Eskrich; Denise DeMarb; Rebecca Kemble and Matthew J. Phair

Noes: 6 Michael E. Verveer; Marsha A. Rummel; Steve King; Maurice S. Cheeks; David Ahrens and Mark Clear

Abstentions: 1 Barbara Harrington-McKinney

Excused: 2 Sheri Carter and Paul R. Soglin

Non Voting: 1 Samba Baldeh

2 COMMON COUNCIL 05/01/2018 Adopt Pass

**Action Text:** A motion was made by Clear, seconded by Rummel, to Adopt. The motion passed by voice vote/other with Ald. Harrington-McKinney abstaining.

There were seven registrants in support of option #1, three in support of option #2, four in opposition of option #2, and one neither in support nor opposition.

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## Text of Legislative File 50935

### Fiscal Note

The proposed resolution approves plan documents for the Winnebago Street construction project in 2018 at a total estimated cost of \$3,285,000. The adopted 2018 capital budget for Engineering Major Streets includes funding for this project within the Reconstruction Streets capital program (MUNIS 11186). The estimated cost of the project is estimated to be distributed between the Engineering division and associated utilities as follows:

Major Streets: \$1,305,000

Sewer Utility: \$1,100,000

Stormwater Utility: \$230,000

Water Utility: \$650,000

### Title

Approving Plans, Specifications and Schedule of Assessments for Winnebago Street, Atwood Avenue and Linden Avenue Assessment District - 2018. (6th AD)

### Body

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of Winnebago Street, Atwood Avenue and Linden Avenue Assessment District - 2018 pursuant to a resolution of the Common Council, RES-18-00105, ID No. 50074, adopted February 6, 2018, which resolution was adopted thereto, and the provisions of the Madison General Ordinances and the Wisconsin Statutes in such case made and provided, and the Common Council being fully advised.

### BE IT RESOLVED:

1. That the City at large is justly chargeable with and shall pay the sum of \$2,827,888 of the entire cost of said improvement.

2. That for those eligible property owners requesting construction of a rain garden in the public right-of-way adjacent to their property shall execute the necessary waiver of special assessments on forms provided by the City Engineer;
3. That the sum assigned to each separate parcel, as indicated on the attached schedule of assessment, is hereby specially assessed upon each such parcel.
4. That the Common Council determines such special assessments to be reasonable.
5. That the work or improvement be carried out in accordance with the reports as finally approved.
6. That such work or improvement represents an exercise of the police power of the City of Madison.
7. That the plans & specifications and schedule of assessments in the Report of the Board of Public Works and the Report of the City Engineer for the above named improvement be and are hereby approved.
8. That the Board of Public Works be and is hereby authorized to advertise for and receive bids for the said improvements.
9. That the due date by which all such special assessments shall be paid in full is October 31st of the year in which it is billed, or,
10. That such special assessments shall be collected in eight (8) equal installments, with interest thereon at 3.0 percent per annum, except those special assessments paid in full on or before October 31st of that year.
11. That the Mayor and City Clerk are hereby authorized to accept dedication of lands and/or easements from the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.

#### INSTALLMENT ASSESSMENT NOTICE

Notice is hereby given that a contract has been (or is about to be) let for Winnebago Street, Atwood Avenue and Linden Avenue Assessment District - 2018 and that the amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the City Clerk; it is proposed to collect the same in eight (8) installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at 3.0 percent per annum; that all assessments will be collected in installments as above provided except such assessments on property where the owner of the same has paid the assessment to the City Treasurer on or before the next succeeding November 1st.

#### NOTICE OF APPEAL RIGHTS

"Pursuant to Sec.4.09(14), Madison General Ordinances, as authorized by Sec. 66.0701(2), Wisconsin Statutes, any person against whose land a special assessment has been levied by this resolution has the right to appeal therefrom in the manner prescribed in Sec. 66.0703(12), Wisconsin Statutes, within forty (40) days of the day of the final determination of the Common Council, said date being the date of adoption of this resolution."