

RESOLUTION NO. 2021-30

A RESOLUTION TO DECLARE THE NECESSITY FOR SIDEWALK IMPROVEMENT 2022

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA:

That the City hereby declares the necessity of constructing sidewalks within the City of Madison located adjacent to the following streets as noted with the projected locations being as follows:

A. Project 1 – NE 4th Street from N Harth Avenue to N Washington Avenue:

1. Lot 18 in Block 11 of Kennedy's Subdivision of Blocks No. Eleven (11) and Twelve (12) of Kennedy's Extension of Madison, Lake County, South Dakota; 114 linear feet of 4 inch sidewalk; 22 linear feet of 6 inch sidewalk; estimated total costs \$4363.72
2. North Forty-Five (45') of Lot One (1), Block Eleven (11), Kennedy's Subdivision of Blocks Eleven (11) and Twelve (12), Kennedy's Extension to City of Madison, Lake County, South Dakota; 112 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3530.24
3. Lot One (1) and the North 5 feet of Lot Two (2), except the East 72 feet of the North 5 Feet of Lot Two (2), Block Twelve (12) of Kennedy's Subdivision of Blocks Eleven (11) and Twelve (12) of Kennedy's Extension to Madison, Lake County, South Dakota; 83 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$2616.16

B. Project 2 – N Lincoln Avenue from NE 1st Street to NE 3rd Street:

1. The North 86 feet of Lot One (1) and the North 86 feet of the East 30 feet of Lot Two (2) of Block Five (5) of Town Proprietor's Second Addition to Madison, Lake County, SD; 64 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$2017.28
2. The South 71.75 feet of Lot Ten (10) and approximately the South 63 feet of the West Half (W ½) of Lot Nine (9) in Block Four (4) in Town Proprietor's Second Addition to the City of Madison, Lake County, SD; 72 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$2269.44
3. Lots Six (6), Seven (7), Eight (8), and the East Half (E ½) and the North 70 feet of the West Half (W 1/2) of Lot Nine (9) and the North 70 feet of Lot Ten (10) in Block Four (4) of Town Proprietor's Second Addition to the City of Madison, Lake County, SD; 70 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$2206.40

C. Project 3 – NE 1st Street from N Lincoln Avenue to N Grant Avenue:

1. Lot One (1), of Dingman's Resubdivision of Lots Nine (9) and Ten (10) in Block Seven (7) of Town Proprietor's Second Addition to Lake County, South Dakota; 84 linear feet of 4 inch sidewalk; 16 linear feet of 6 inch sidewalk; estimated total costs \$3208.00
2. Lots Four (4), Five (5) and Six (6) in Block Seven (7) in Town Proprietor's Second Addition, Madison, Lake County, South Dakota; 50 linear feet of 4 inch sidewalk; 15 linear feet of 6 inch sidewalk; estimated total costs \$2101.30
3. Lots One (1) and Two (2), Block Seven (7) of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 97 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3057.44.

4. Lots Seventeen (17), and Eighteen (18) in Block Six (6) of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 100 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3152.00
5. Lots Nineteen (19) and Twenty (20) Block Six (6) Town Proprietor's 2nd Addition to Madison City; 60 linear feet of 4 inch sidewalk; 35 linear feet of 6 inch sidewalk; estimated total costs \$3116.90

D. Project 4 – SE 1st Street from S Washington Avenue to S Garfield Avenue

1. The North One-Half (N ½) of Lot Nine (9), and all of Lot Ten (10), in Block Twenty-three (23), Original Plat of the City of Madison; 116 linear feet of 4 inch sidewalk; 20 linear feet of 6 inch sidewalk; estimated total costs \$4356.72
2. Lots One (1) and Two (2) in Block Twenty Three (23) of the Original Plat of Madison, Lake County, SD; 114 linear feet of 4 inch sidewalk; 22 linear feet of 6 inch sidewalk; estimated total costs \$4363.72
3. Lot Seven (7) and Lot Eight (8) in Block Fifteen (15) of Town Proprietor's Second Addition to Madison, South Dakota; 58 linear feet of 4 inch sidewalk; 10 linear feet of 6 inch sidewalk; estimated total costs \$2178.36
4. Lot Six (6) in Block Fifteen (15) of Town Proprietor's Second Addition to City of Madison, South Dakota; 35 linear feet of 4 inch sidewalk; 15 linear feet of 6 inch sidewalk; estimated total costs \$1628.50
5. Lot Five (5) in Block Fifteen (15) of Town Proprietor's Second Addition to the City of Madison, South Dakota; 40 linear feet of 4 inch sidewalk; 10 linear feet of 6 inch sidewalk; estimated total costs \$1611.00
6. Lot Four (4) of Block Fifteen (15) of Town Proprietor's Second Addition to the City of Madison, Lake County, South Dakota; 40 linear feet of 4 inch sidewalk; 10 linear feet of 6 inch sidewalk; estimated total costs \$1611.00
7. Lots One (1) and Two (2) in Block Fifteen (15) of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 97 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3057.44
8. Lot Nine (9) and Lot Ten (10) in Block Sixteen (16) of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 100 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3152.00
9. Lot Eight (8) of Block Sixteen (16) of Town Proprietor's Second Addition to Madison, Lake County, SD; 34 linear feet of 4 inch sidewalk; 16 linear feet of 6 inch sidewalk; estimated total costs \$1632.00
10. The West Half (W ½) of Lot Six (6) and all of Lot Seven (7) in Block Sixteen (16) of Town Proprietor's Second Addition to Madison, Lake County, SD; 75 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$2364.00
11. Lot 5 and the East Half (E ½) of Lot 6 in Block 16 of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 16 linear feet of 4 inch sidewalk; 12 linear feet of 6 inch sidewalk; estimated total costs \$924.56
12. Lot 4 in Block 16 of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 40 linear feet of 4 inch sidewalk; 10 linear feet of 6 inch sidewalk; estimated total costs \$1611.00

13. Lots One (1), Two (2), and Three (3) in Block Sixteen (16) of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 137 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$4318.24
 14. Lot 13 and Lot 14 in Block 13 of Town Proprietor's Second Addition to Madison, Lake County, South Dakota; 82 linear feet of 4 inch sidewalk; 18 linear feet of 6 inch sidewalk; estimated total costs \$3215.00
 15. Lots Fifteen (15) and Sixteen (16), Block Thirteen (13), Town Proprietor's Second Addition to the City of Madison and Lots Seventeen (17) and Eighteen (18), Block Thirteen (13), Town Proprietor's Second Addition to the City of Madison; 158 linear feet of 4 inch sidewalk; 42 linear feet of 6 inch sidewalk; estimated total costs \$6451.00
- E. Project 5 – N Union Avenue from NW 6th Street to NW 7th Street (Deferred Install)
1. The North One Hundred (N 100') Feet of the South Two Hundred Fifty (S 250') Feet except the East Seventy Six (E 76') Feet thereof in Lot Nine (9) of Block Two (2), Smith & Trow's Summit Addition to Madison, Lake County, South Dakota; 100 linear feet of 4 inch sidewalk; 0 linear feet of 6 inch sidewalk; estimated total costs \$3152.00
- F. The owners of lots set forth in projects one (1) – five (5) above shall construct sidewalk at their own expense on or before July 22, 2022. The City Commission may extend the deadline for installation of the sidewalk in the event a construction project, including sidewalk, is being undertaken during 2022.
- G. The general nature of the construction and materials to be used are as follows:
1. Sidewalks shall be 4 feet 8 inches in width and run the entire length of the real property.
 2. Concrete shall be a minimum of 4 inches thick and shall include aggregate customarily used in this locale for concrete that will be exposed to the elements.
 3. A gravel-based course with a minimum depth of 3 inches shall be used.
 4. Location and grade shall be approved by the Engineers Office.
- H. The estimated costs per linear foot for 4 inch sidewalk is \$31.52 and for 6 inch sidewalk is \$35.02.
- I. The class of lots to be assessed vary and may include each zoning district. Each lot shall benefit by having pedestrian access adjacent thereto. The assessed costs shall be apportioned at the respective linear footage length of 4 foot 8 inch wide sidewalk constructed adjacent to each lot.
- J. All work is to be constructed by licensed contractors in accordance with standard City of Madison specifications and details which are on file and can be reviewed during regular business hours at the finance office and the Engineers Office. Plans may be reviewed during regular business hours at the finance office.
- K. Exempt from the requirement to construct sidewalk are those areas which presently have sidewalk or have asphalt pavement in the areas where sidewalk will be required. Said asphalt pavement may remain provided it is marked and striped with paint or other approved material as a designated walkway and where said areas are in a condition equal to the condition standards required for sidewalk.
- L. The improvements for each affected real property may not be substantially uniform due to the need for retaining walls or other improvements/additional requirements necessary on some properties. The City shall be responsible for these additional costs if approval is given to the property owner in writing from the City Engineer prior to commencement of improvement.
- M. If a retaining wall is determined necessary by the City Engineer, the City shall pay for the initial construction of all retaining walls. Construction shall not commence until approval of the specifications, plans, details and a minimum of two (2) bids are obtained from the Office of City Engineer.

Reimbursement to the landowner of the wall shall be upon satisfactory completion of the retaining wall. No reimbursement for retaining wall construction shall be made unless, prior to construction, the specifications, plans, materials and bids are approved by the City Engineer. The City shall be responsible for the cost of installation of retaining walls if satisfactorily completed.

- N. Upon completion of construction the improvements shall become the responsibility of the landowner.
- O. If such sidewalk is not constructed in the manner and within the time prescribed hereinabove, then, pursuant to South Dakota Codified Law (SDCL) 9-46-4 the City of Madison, hereby this Resolution, shall cause the work to be done and the cost thereof to be assessed against the real property adjoining or abutting upon the sidewalks constructed as provided in SDCL 9-46-4.1.
- P. For any assessments ultimately becoming due, payments shall be payable under Plan One, as provided for in SDCL 9-43-102.
- Q. The above described improvement shall be herein referred to as Sidewalk Improvement 2022 which shall be deemed a description of the improvement as herein set forth.

Dated this 27th day of December, 2021.

CITY OF MADISON

/s/Marshall Dennert
Mayor

ATTEST: /s/Sonya Wilt
Finance Officer

Published once at the approximate cost of \$__.