



Legislation Text

File #: 24-0726, **Version:** 1

Resolution No. 4 - Confirming the Special Assessment Roll for the Stone School Road Sidewalk Gap Elimination Project Special Assessment District No. 64 (Eisenhower to Packard) **(8 Votes Required)** Attached and recommended for approval is Resolution 4 confirming the Special Assessment Roll for the Stone School Road Sidewalk Project Special Assessment District No. 64, File No. 23-1900 (Eisenhower to Packard).

In accordance with the City's Non-Motorized Plan and Complete Streets approach, staff proposes installing a new sidewalk to close gaps in the sidewalk network and provide a continuous pedestrian connection along the east side of Stone School Road from Eisenhower to Packard. This sidewalk gap scores in the "Highest" category in the City's sidewalk gap prioritization system, and staff has also received multiple requests from residents to have this gap in the network filled. Accordingly, this project was placed in the Capital Improvements Plan (TR-AT-22-15).

On October 2, 2023 City Council approved Resolution No. 1 directing the preparation of plans and specifications for the project and an estimated cost.

Per City Code, the cost of installing new sidewalk where none exists shall be borne by the parcels that benefit from it. Recent changes to City Code, following voter approval of the City's New Sidewalk Millage on November 3, 2020, allow for the construction of new sidewalks without special assessments, but non-taxable parcels are not eligible for funding from the New Sidewalk Millage.

The project includes the installation of new sidewalk within City right of way on seven parcels within the Charter Township of Pittsfield (township island parcels) which are not taxable by the City, and their share of the project costs are not eligible for funding from the new sidewalk millage, thus creating the need for the special assessment district.

Because the township island parcels are land outside the City, the City is unable to collect these amounts until the affected township island parcels are annexed to the City. The share of project costs allocated to the township island parcels will be special assessed and paid by the City as a "City Share Future Recoverable" which, upon annexation to the City, will be collected pursuant City Code, Chapter 12, Section 1:279 upon annexation to the City.

The project costs allocated to the other taxable parcels within the City of Ann Arbor's jurisdiction will be paid from the New Sidewalk Millage and are not included in this special assessment.

The City held an administrative hearing on October 30, 2023 explaining the project to property owners which included a discussion of cost estimates, property assessments, and the work schedule.

On January 11, 2024 City Council approved Resolution No. 2 establishing the estimated cost of the project, the estimated project funding sources, and directing the City Assessor to prepare the special

assessment roll.

City Council also approved Resolution No. 3 on January 11, 2024 scheduling the Public Hearing on the special assessment for February 5, 2024, which was held on that date. The owners of all the township island parcels listed on the special assessment roll filed written objections with the City.

Per City Ordinance, it is recommended that property special assessments up to \$1,200.00 be billed in one installment. Property special assessments over \$1,200.00 shall be divided into equal installments as indicated in Chapter 12, subsection 1:275(2).

Prepared by: Jerry Markey, City Assessor

Reviewed by: Marti Praschan, Chief Financial Officer

Reviewed by: Tim Wilhem, City Attorney

Approved by: Milton Dohoney Jr., City Administrator

Whereas, City Council, after due and legal notice, has met for the purpose of reviewing the Special Assessment Roll for the Stone School Road Sidewalk Gap Elimination Project Special Assessment District No. 64, prepared by the City Assessor for the purpose of assessing the private property's share of the cost of constructing a new sidewalk along the east side of Stone School Road from Eisenhower to Packard;

Whereas, City Council determines the estimated cost of said improvements to be \$124,161.42, and that said cost be paid by special assessment upon the properties specially benefited in accordance with the attached special assessment roll, and that a sum of \$124,161.42 be charged to the City as the "City Share Future Recoverable" in accordance with the attached roll;

Whereas, That the City has the right to recover all or part of such "City Share Future Recoverable" from such properties, as shown on the roll, that may be annexed to the City, in accordance with Chapter 12, Section 1:279, *et al*, of City Code;

Whereas, City Council has heard all persons interested in the necessity of the improvement or aggrieved by the Special Assessment Roll and has considered any and all objections thereto; and

Whereas, City Council is satisfied with said Special Assessment Roll, which has been updated since the Public Hearing;

RESOLVED, That City Council determines the estimated cost of said improvements, including incidentals, to be \$124,161.42, and that said cost be paid by special assessment upon the properties specially benefited in accordance with the attached Special Assessment Roll for the Stone School Road Sidewalk Gap Elimination Project Special Assessment District No. 64, which is hereby confirmed;

RESOLVED, That the sum of \$124,161.42 be charged to the City as the "City Share Future Recoverable" in accordance with the roll;

RESOLVED, That the City has the right to recover all or part of such "City Share Future Recoverable" amounts from such properties that may be annexed to the City, in accordance with Chapter 12, Section 1:279, *et al*;

RESOLVED, That property special assessments up to \$1,200.00 on such roll shall be billed in one installment, and property special assessments over \$1,200.00 on such roll shall be divided into equal installments as indicated in Chapter 12, Section 1:275(2);

RESOLVED, The first installment shall be due on July 1, 2024 or, for amounts subject to recovery under City Code Section 1:279 as soon as the affected property is annexed into the City subject to adjustment per City Code Section 1:279(2); and any subsequent installments for all such amounts will be due on July 1st of each and every year thereafter until paid in full;

RESOLVED, That the City Clerk is hereby directed to endorse the date of confirmation upon the Special Assessment Roll in accordance with Chapter 13, Code Section 1:291; and

RESOLVED, That an appropriate instrument, approved by the City Attorney, evidencing the City Share Future Recoverable which may be recoverable in the future pursuant to Chapter 12, Section 1:279, et al of the City Code be recorded at the Washtenaw County Register of Deeds as soon as practicable following approval of this resolution.