



Council Agenda Item

Meeting Date: March 19, 2024

Agenda Item: Sidewalk Ordinance

Staff Contact (name, email, phone): Brad Marquardt, bmarquardt@whitewater-wi.gov, 262-473-0139

BACKGROUND

(Enter the who, what when, where, why)

The Public Works Committee started reviewing Chapter 12.12 last year as it relates to sidewalk repair and replacement and the costs associated with it. The Committee approved changes to the ordinance to bring it in line with current practices and recommended property owners pay 50% of the cost through assessments. Currently, the City pays 100% of the costs. The Council approved the first reading of the ordinance but asked for additional information pertaining to sidewalk cutting/grinding and City of Edgerton's Sidewalk Utility. City staff met with a company that performs sidewalk cutting and in general there is about a 33 – 40% cost savings over a full replacement. City staff also talked to Edgerton's Public Works Director who said the Utility was established in 2022. There was not much controversy over its creation. And felt it was a better way for everybody to contribute to the improvement of sidewalks since not everybody has them, but everybody can use them.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

At the October 10, 2023 Public Works Committee meeting, the Committee voted 2-1 to approve the updates to Chapter 12.22. This included special assessing the property owners 50% of the cost of repair/replacement, unless the repair/replacement is the result of a city terrace tree. Then the City would pay 100% of the repair/replacement. The dissenting vote was not in favor of special assessing the property owners. At the December 5, 2023 Council meeting the Council approved the first reading of the new ordinance which included assessing property owners 50% of the cost, unless if damage was caused by a terrace tree. At the March 12, 2024 Public Works Committee meeting it was recommended that the proposed ordinance not be approved at the second reading of the March 19, 2024 Council meeting and that staff be directed to work on establishing a Sidewalk Utility.

FINANCIAL IMPACT

(If none, state N/A)

The estimated cost to remove and replace concrete sidewalk is \$10/sq. ft. One square of sidewalk at five feet by feet would be 25 sq. ft or \$250. If the sidewalk has to be fully replaced across a 60-foot lot, the cost would be \$3,000. Under the current adopted Resolution, the property owner would pay \$0 in both examples. If the Chapter is adopted as attached, the property owner would pay \$125 or \$1,500 for the two examples provided. For sidewalk cutting it depends on the height of the displacement and if it is uniform across the sidewalk square. For estimating purposes, staff used a one-inch uniform height. The estimate for this work is \$160 for a five-foot width.

The City of Edgerton current charges \$2.50/quarter or \$10/year for a residential property. There are calculations for non-residential property and oversized lots. They are estimating an annual revenue of around \$32,000. For the City of Whitewater, we currently have approximately 3,800 properties that receive a storm water utility charge. Using \$10/year, this would result in a revenue of \$38,000. This amount is actually low as no adjustment is made for non-residential or oversized lots. As with the

Stormwater Utility, Water Utility, or Wastewater Utility, any revenue collected by the Sidewalk Utility can only be spent on sidewalk related charges.

STAFF RECOMMENDATION

Staff has included a map showing which streets have sidewalk on both sides, one side or none at all. According to GIS, 21.8 miles of streets have sidewalk on both sides (or roughly 44 miles of properties with), 14 miles have sidewalk on one side (or 14 miles of property with and 14 miles of property without), and 20.5 miles with no sidewalk (or 41 miles of property without). This indicates that roughly half of the properties in the City do not have sidewalk. Yet residents of those properties still benefit from being able to use the sidewalk and not have to maintain it. Also included is a Sidewalk Cost Breakdown showing the difference between money spent on defective sidewalk versus curb ramps. Staff also tried to identify trip hazards and have shown a comparison cost between replacement and sidewalk cutting.

Staff is in favor of updating Chapter 12.22 as attached. However, based on the information provided, staff would recommend sticking with the current Resolution where the property owner is not assessed and the City pays 100%. This would be in line with spot curb and gutter replacements done in conjunction with asphalt overlay, curb and gutter replacement on street reconstruction projects and with sidewalk replacement on street reconstruction projects where the City pays 100%.

Staff is also in support of the other alternative recommended by the Public Works Committee of not approving the second reading of this ordinance and work towards the establishment of a Sidewalk Utility.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Amending Chapter 12.22 Construction Standards Adopted
 2. Redlined Changes to Chapter 12.22
 3. Sidewalk Map
 4. Sidewalk Cost Breakdown
 5. City of Edgerton Sidewalk Utility
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