



Council Agenda Item

Meeting Date:	December 5, 2023
Agenda Item:	Chapter 12.22
Staff Contact (name, email, phone):	Brad Marquardt, bmarguardt@whitewater-wi.gov , 262-473-0139

BACKGROUND

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

The Public Works Committee has been reviewing Chapter 12.22 which relates to sidewalk repair and replacement. The existing Chapter indicates the Building Inspector is to be designated as the Sidewalk Administrator. Sidewalks are to be reviewed annually in one of the City's wards on a rotating basis. And according to the ordinance, the property owner is 100% responsible for the cost of repair or replacement.

A set of records from 2009 indicated the Neighborhood Service Director was the Sidewalk Administrator. These records indicated the property owners were only responsible for 25% of the repair/replacement. This adjustment may have been in response to a Special Assessment Resolution from 1996 where the Special Assessment Policy was updated. The Policy was again updated in 2015 where Council approved a Resolution where the City paid 100% for sidewalk repair/replacement, among other construction related items.

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 includes 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.

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.

STAFF RECOMMENDATION

Staff is in favor of updating Chapter 12.22 as attached. However, staff would recommend sticking with the current Resolution where the property owner owes nothing 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 walked two different areas looking only for trip hazards that should be replaced, as a starting point to determine some costs. The first area was bounded by Fremont St, Main St, Prairie St and Starin Road. The second area was bounded by Fremont St, Ann St, Walworth Ave, Prairie St and Main St. Attached is a spreadsheet showing which properties have tripping hazards, the reason and the associated cost.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Amending Chapter 12.22 Construction Standards Adopted
 2. Redlined Changes Chapter 12.22
 3. Other Municipal Sidewalk Programs
 4. Sidewalk Replacement
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