



**City of Waukesha**  
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<b>Committee:</b> Board of Public Works	<b>Date:</b> 9/8/2022
<b>Common Council Item Number:</b> ID #22-4776	<b>Date:</b> 9/20/2022
<b>Submitted By:</b> Alex Damien, Interim Director of Public Works	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator
<b>Finance Department Review:</b> Joseph P. Ciurro, Finance Director	<b>City Attorney's Office Review:</b> Brian Running, City Attorney
<b>Subject:</b> Review and act on the potential policy change regarding assessment of sidewalk maintenance costs to adjacent homeowners as depicted in the comprehensive study completed by DPW/Engineering staff.	

**Details:**

A referral was made to the Board of Public Works for staff to complete a study of the current city-wide sidewalk maintenance program, and the policy of assessing adjacent property owners for the replacement of condemned criteria sidewalk. The purpose of this study was to execute a comprehensive review of the sidewalk maintenance program including the potential impacts of a change in funding source for condemned criteria sidewalk.

The city-wide sidewalk maintenance program completes replacement of tree-damaged and condemned criteria sidewalk in a specific area of the city each year. The tree-damaged areas of sidewalk replacement are funded through the City's Community Investment Program (CIP) and the condemned sidewalk replacement is currently assessed to the adjacent property owner based on state statute and City policy. The size of the coverage area for this program is primarily based on allocated funding levels for tree damaged sidewalk replacement with the condemned sidewalk being replaced in the same coverage area. Tree damaged sidewalk has historically been funded in the range of \$100,000 to \$500,000 annually, with the higher allocation occurring in the last 2 years. Over the last 7 years, the condemned sidewalk replacement amount has ranged from \$20,000 to \$100,000 with that cost being directly billed to the adjacent property owners.

In order to complete the invoicing/billing for condemned criteria sidewalk to the adjacent property owners, a high level of staff time is required to meet the mailing and notice requirements of the state statute, as well as, creating individual invoices for each impacted property. It is estimated that 160 to 180 hours of staff time across multiple departments is utilized to complete the process of billing for condemned sidewalk replacement annually.

After the comprehensive review of the sidewalk maintenance program, it is recommended to change the funding source of the condemned criteria sidewalk to be City funded in conjunction with the sidewalk maintenance program and other CIP projects that include sidewalk replacement. The contributing factors of this recommendation were staff time commitment and cost, efficiency of CIP project delivery, and relative project cost.

**Options & Alternatives:**  
 Alternate option would be to continue the current sidewalk maintenance policy and assess adjacent property owners for the cost of condemned sidewalk replacement.

**Financial Remarks:**

As shown in the study, additional City funds would be required on a yearly basis to maintain condemned criteria sidewalk. The exact cost would vary on a yearly basis, but based on recent historical data, would range from \$20,000 to \$100,000. Additional cost details and history is shown in the study.

**Executive Recommendation:**

Recommend to change the funding source of the condemned criteria sidewalk to be City funded in conjunction with the sidewalk maintenance program and other CIP projects that include sidewalk replacement. As stated in the sidewalk maintenance program study, an ordinance change is also recommended to coincide with this policy change.