City of Stoughton, 207 S. Forrest Street, Stoughton WI 53589

RESOLUTION OF THE PUBLIC WORKS COMMITTEE

Acceptance of Public Improvements made by Kettle Park West, LLC for Kettle Park West – The Meadows Addition Phase I

Committee Action:	Public Works recommended approval 4-0 on 1/20/22
Fiscal Impact:	None

File Number:	R-12-2022	**Date Introduced:**	January 25, 2022

WHEREAS, Pursuant to the MASTER DEVELOPMENT AGREEMENT – KETTLE PARK WEST (the "Agreement"), Kettle Park West, LLC, (the "Developer") is required to construct certain Public Improvements; and

WHEREAS, the Agreement requires Developer to submit the following prior to acceptance of Public Improvements:

- A written request by the Developer desiring the City to inspect the Public Improvements, and
- Valid lien waivers from all persons providing materials or performing work on the improvements for which certification is sought, and
- Provide as-built drawings to the City consisting of four hard copies on paper, one electronic copy as a pdf file, and one electronic copy in .pdf format and in GIS format that is acceptable to the City, and
- Provide a complete cost breakdown of all construction, engineering and administrative costs for the water main and respective service laterals, and
- Provide a bacteriologically safe water sample is obtained and tested by a certified agency, with the report from such agency confirming such testing, and
- Provide a statement from the City Finance Director that all outstanding City costs, including engineering and inspection charges, have been paid in full, and

WHEREAS, Developer has requested that the City accept Public Improvements defined in the Agreement; and

WHEREAS, Developer has requested that the Letter of Credit be reduced to $646,457.32; and

WHEREAS, the City Planning Director's designees have inspected the Public Improvements and found them to be acceptable and ready for acceptance pursuant to the Agreement subject to punch list work and warranty. The City Planning Director has determined that the Public Improvements, excepting street trees, are substantially complete and that no defects have been found to exist with respect to the Public Improvements and supports the Developer's request to reduce the Letter of Credit to $646,457.32, and

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Stoughton that Public Improvements are accepted pursuant to the Agreement, that the one-year warranty period will end one year from the adoption date of this resolution, and the construction letter of credit provided by Developer be reduced to $646,457.32.

Council Action: ☐ **Adopted** ☐ **Failed** **Vote** _____

Mayoral Action: ☐ **Accept** ☐ **Veto**

_____

Tim Swadley, Mayor Date

Council Action: _____ ☐ **Override** **Vote** _____

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CITY OF STOUGHTON
DEPARTMENT OF
PLANNING & DEVELOPMENT
207 S. Forrest Street, Stoughton, WI. 53589

(608) 873-6619 www.ci.stoughton.wi.us

RODNEY J. SCHEEL
DIRECTOR

Date: December 17, 2021

To: Public Works Committee

From: Rodney J. Scheel
Director of Planning & Development

Subject: Kettle Park West – The Meadows Addition Phase 1 Public Improvements

Kettle Park West, LLC installed the street and utilities for this plat in 2021. The Public Improvements are ready for acceptance and per the Master Development Agreement we agree to reduce the Letter of Credit to $646,457.32. A resolution is provided and recommended for your consideration.

If you have any questions, please contact me.

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