

49



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
-------------	-------	--------

R-2003-0292 Resolution In Committee

Resolution Authorizing Entering into an Intergovernmental Cooperation Agreement for Use and Distribution of Proceeds for Wisconsin Department of Natural Resources "Round Two" Recycling Efficiency Incentive Grants.

Introduced: 10/7/2003

Controlling Body: Public Works Committee

COMMITTEE RECOMMENDATION Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>10-7-03</u>			Barczak				
			Czaplewski				
			Kopplin				
			Lajsic				
			Narlock	✓			
			Reinke				
		✓	Sengstock	✓			
	✓		Trudell	✓			
			Vitale	✓			
			Weigel	✓			
			TOTAL	<u>5</u>	<u>—</u>		

SIGNATURE OF COMMITTEE MEMBER (RECORDER)

Rob Kahl _____
 Chair Vice-Chair Member

COMMON COUNCIL ACTION adopted

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>10-7-03</u>			Barczak	✓			
			Czaplewski	✓			
			Kopplin	✓			
			Lajsic	✓			
	✓		Narlock	✓			
		✓	Reinke	✓			
			Sengstock	✓			
			Trudell	✓			
			Vitale	✓			
			Weigel	✓			
			TOTAL	<u>10</u>	<u>—</u>		

COMMITTEES OF THE WEST ALLIS COMMON COUNCIL

2003

*D: Brenda Schmidt, C.A., Chair
Pharmacy*

ADMINISTRATION AND FINANCE
Chair: Alderperson Czaplowski
V.C.: Alderperson Kopplin
Aldersons: Barczak
Lajsic
Reinke

ADVISORY
Chair: Alderperson Reinke
V.C.: Alderperson Vitale
Aldersons: Kopplin
Lajsic
Narlock

LICENSE AND HEALTH
Chair: Alderperson Barczak
V.C.: Alderperson Sengstock
Aldersons: Kopplin
Trudell
Vitale

SAFETY AND DEVELOPMENT
Chair: Alderperson Lajsic
V.C.: Alderperson Weigel
Aldersons: Czaplowski
Narlock
Reinke

PUBLIC WORKS
Chair: Alderperson Narlock
V.C.: Alderperson Trudell
Aldersons: Sengstock
Weigel
Vitale



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2003-0292

Final Action:

10-7-03

Resolution Authorizing Entering into an Intergovernmental Cooperation Agreement for Use and Distribution of Proceeds for Wisconsin Department of Natural Resources "Round Two" Recycling Efficiency Incentive Grants.

WHEREAS, the City of West Allis hereby requests financial assistance under s.287.23 Wis. Stats., Chapters NR 542, 544 and 549, Wis. Admin. Code, for the purpose of planning, constructing or operating a recycling program with one or more components specified in s.287.11(2)(a) to (h), Wis. Stats., and additional funding from aforementioned authorizing statutes in the form of REI grants; and,

WHEREAS, it has been proposed that the City of West Allis enter into an Intergovernmental Cooperation Agreement with the City of Greenfield to collaborate in efforts to improve recycling and waste reduction; and,

WHEREAS, such intergovernmental cooperation will allow said municipalities to be eligible for a Recycling Efficiency Incentive Grant from the Wisconsin Department of Natural Resources; and,

WHEREAS, the receipt of the grant and participation in the program will benefit the citizens of the City of West Allis and the City of Greenfield.

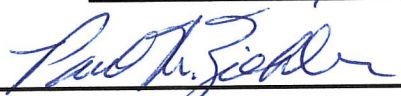
NOW, THEREFORE, BE IT RESOLVED that the Director of Public Works be and is hereby authorized to enter into the Intergovernmental Cooperation Agreement, a copy of which is attached hereto and made a part hereof, and deliver the aforesaid Agreement on behalf of the City of West Allis.

BE IT FURTHER RESOLVED that the necessary funds have been provided to pay the liability that may be incurred by the City of West Allis under the aforesaid Agreement.

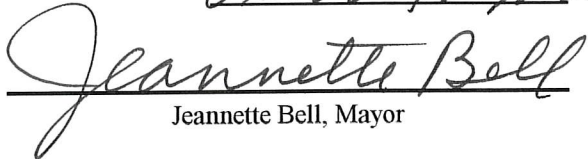
BE IT FURTHER RESOLVED that the City of West Allis hereby authorizes the Director of Public Works, an official or employee of the responsible unit, to act on its behalf to: submit an application to the Department of Natural Resources for financial assistance under s.287.23, Wis. Stats., Chapters NR 542, 544 and 549, Wis. Admin. Code; sign necessary documents; and submit a final report.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized to make such changes, modifications, additions and deletions to and from the various provisions of the aforesaid Agreement, including any and all attachments, exhibits, addendums and amendments as may be necessary and proper to correct inconsistencies, eliminate ambiguity and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof, and to prepare and deliver such other and further documents as may reasonably be necessary to complete the transaction

contemplated therein.

ADOPTED October 7, 2003


Paul M. Ziehler, CAO, Clerk/Treasurer

APPROVED October 10, 2003


Jeannette Bell, Mayor



Intergovernmental Agreement for Use and Distribution of Proceeds from Wisconsin DNR "Round Two" Recycling Efficiency Incentive Grants

This agreement is made by and between the City of West Allis, and the City of Greenfield, each of which is a municipal corporation, and each of which is a Responsible Unit as defined in Section 287.01(9) of the Wisconsin Statutes, (collectively referred to as the "Responsible Units" or "RUs") for purposes of allocating responsibilities and costs in relation to application and administration of a "Round Two" Recycling Efficiency Incentive Grant ("Grant") from the Wisconsin Department of Natural Resources, pursuant to Section 287.235, Stats, and Wisconsin Administrative Code Section NR 549.

WHEREAS the RU's desire to collaborate in an effort to significantly improve recycling and waste reduction information/education efforts, and

WHEREAS the RU's could achieve new efficiencies in cooperation with improved participation in area recycling:

- promote waste reduction to help lower solid waste costs
- conduct outreach to residents
- develop and distribute printed, electronic, and media materials

WHEREAS Section 66.0301(2) of the Wisconsin Statutes authorizes cooperation between municipalities and allows municipalities to contract with each other for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law,

IT IS THEREFORE AGREED THAT:

1. **The Partnership.** The RU's shall utilize the proceeds of the Grant to establish themselves as partners.
2. **Liability and Indemnification.** Each partner shall carry its own insurance coverage.
3. **Effective Date and Term of Agreement.** (a) This Agreement becomes effective on that date by which the partners have adopted this agreement. It terminates upon agreement of both partners unless otherwise extended.

(b) Notwithstanding paragraph 3 (a) above, a partner may terminate its participation in the agreement upon 30 days notice through approval of, and upon the date established by its governing body. Any RU terminating its participation under this paragraph shall not be entitled to reimbursement of any payments made by that RU under this agreement. Termination of its participation under this

paragraph will not relieve any RU of its obligation to pay any payments invoiced prior to the date the RU's termination becomes effective.

4. **Non-receipt of Grant Funds.** If no grant funding is received by the RU's pursuant to the provisions of Section 287.235, Stats, and Wisconsin Administrative Code Section NR 549, this agreement shall terminate, and the RU's shall have no obligation to fund or participate in the agreement.
5. **Ownership.** It is understood that the RU's have joint ownership of any shared materials and all rights, permits and licenses obtained in conjunction with the Membership and upon any termination of this Agreement by one or more of the RU's, but not all RU's, any and all right, title and interests in said equipment, permits, licenses or other property rights shall be automatically transferred to the non-terminating RU's. There will be no refund of any costs to any RU terminating the Agreement prior to expiration of the Membership. If all RU's terminate this Agreement, the equipment shall be disposed of in a manner to be negotiated by the RU's.
6. **Evidence of Authorization by Governing Body.** Each RU entering into this Agreement shall provide, in addition to proof of authorization to affix the signature or signatures below, an authorizing resolution, from its governing body of elected officials having the power to authorize such resolution, which resolution shall specifically authorize a representative of that RU to apply for financial assistance pursuant to the provisions of Section 287.235, Stats, and Wisconsin Administrative Code Section NR 549.

City of West Allis

10-15-03

Date Signed


Jeannette Bell
Mayor

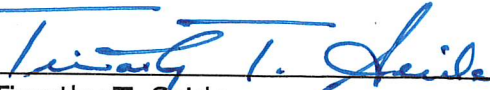
10/15/03

Date Signed



Paul Ziehler
City Administrative Officer, Clerk/Treasurer

City of Greenfield

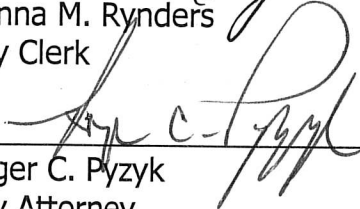
10.23.03
Date Signed


Timothy T. Seider
Mayor


10-23-03
Date Signed


Donna M. Rynders
City Clerk

10-22-03
Date Signed


Roger C. Pyzyk
City Attorney

Approved as to form by
the City Attorney's Office
this 12 day of Oct, 2003


Scott E. Post, City Attorney

1. The first part of the document
 discusses the importance of
 maintaining accurate records
 of all transactions.

2. It is essential to ensure
 that all data is entered
 correctly and promptly.
