



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2008-0154 Resolution In Committee

Resolution Designating Spot Blight of the Rogers Memorial Hospital Project Site located at 11101 W. Lincoln Ave.

Introduced: 6/17/2008

Controlling Body: Safety & Development Committee

Sponsor(s): Safety & Development Committee

COMMITTEE RECOMMENDATION ADOPT

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>6/12/08</u>	✓		Barczak				
			Czaplewski				
			Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
		✓	Reinke	✓			
			Roadt				
			Sengstock				
			Vitale	✓			
			Weigel				
			TOTAL	<u>5</u>	<u>0</u>		

SIGNATURE OF COMMITTEE MEMBER

Chair [Signature]

Vice-Chair _____

Member _____

COMMON COUNCIL ACTION adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>6-17-08</u>	✓		Barczak	✓			
			Czaplewski	✓			
			Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
		✓	Reinke	✓			
			Roadt	✓			
			Sengstock	✓			
			Vitale	✓			
			Weigel				✓
			TOTAL	<u>9</u>	<u>1</u>		



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2008-0154

Final Action:

Sponsor(s): Safety & Development Committee

JUN 17 2008

Resolution Designating Spot Blight of the Rogers Memorial Hospital Project Site located at 11101 W. Lincoln Ave.

WHEREAS, the Community Development Authority of the City of West Allis, Wisconsin (the "Authority") is a public body corporate and politic duly organized by the City of West Allis, Wisconsin (the "City") and is authorized by Sections 66.1333 and 66.1335 of the Wisconsin Statutes, as amended (hereinafter sometimes referred to as the "Act") to prepare redevelopment plans and urban renewal plans and undertake and carry out redevelopment and urban renewal projects within the corporate limits of the City, including but not limited to:

- (a) to acquire property necessary or incidental to an urban renewal program and to lease, sell or otherwise transfer such property to a public body or private party for use in accordance with a redevelopment plan and to assist private acquisition, improvement and development of blighted property for the purpose of eliminating its status as blighted property;
- (b) to enter into contracts determined to be necessary to effectuate the purposes of the Act; and
- (c) to issue revenue bonds to finance its activities; and

WHEREAS, the City and the Authority have been provided with information regarding existing conditions at 11101 W. Lincoln Avenue (the "Project Site"), West Allis, Wisconsin, which property is owned by Rogers Memorial Hospital (the "Property") (the "Blight Report"), a summary of which is attached hereto as Exhibit A (the full report is on file with the Authority and the City); and

WHEREAS, the Property has been preliminarily identified as blighted Property in need of rehabilitation and blight elimination in accordance with the Act; and

WHEREAS, a notice of public hearing in the form attached as Exhibit B was published and the Authority held a public hearing in accordance with Section 66.1333(5)(c)(2) of the Wisconsin Statutes on June 10, 2008; and

WHEREAS, following the public hearing, the Authority found that (a) conditions of blight exist at the Property and (b) development of the Property will alleviate blight, in accordance with Section 66.1333(6) of the Wisconsin Statutes and submitted its findings to the Common Council.

NOW, THEREFORE, BE IT RESOLVED by the Common Council that:

1. Findings and Determinations. It has been found and determined and is hereby declared that:

(a) conditions of blight exist at the Property; and

(b) development of the Property would act as an inducement for alleviation of blight and further development of the Property, thereby making more likely the accomplishment of the public purpose objectives set forth in the Act;

(c) the City has reviewed the Blight Report and finds that blight existed and continues to exist on the Property; and

(d) a comprehensive plan of redevelopment is not necessary with respect to the Property or in relation to the Property and other property redevelopment by the Authority; and

(e) the Authority has approved the issuance of its Community Development Authority of the City of West Allis, Fixed Rate Redevelopment Revenue Bonds, Series 2008 (Rogers Memorial Hospital Project) in an amount not to exceed \$10,000,000 (the "Bonds").

2. Spot Blight Designation. The Common Council hereby finds that the Property is a blighted property in need of rehabilitation and blight elimination in accordance with the Act.

3. Waiver of Sole Property Owner. Rogers Memorial Hospital, as the sole owner of the Property, has executed a waiver in the form attached as Exhibit C, waiving the twenty (20) day notice of hearing requirements set forth in Section 66.1333 of the Wisconsin Statutes.

4. General Authorizations. The Mayor and the City Clerk and the appropriate deputies and officials of the City, in accordance with their assigned responsibilities are hereby each authorized to execute, deliver, publish, file and record such other documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to accomplish the purposes of this Resolution.

Any actions taken by the Mayor and the City Clerk consistent with this Resolution are hereby ratified and confirmed.

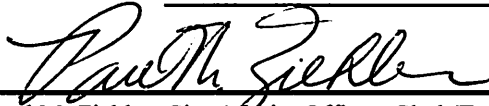
5. Resolution a Contract. No change or alteration of any kind in the provisions of this Resolution may be made except as provided herein.

6. The Mayor is authorized and directed to deliver the "Mayor's Approval" which approval shall constitute the approval of the Bonds within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended.

7. Effective Date; Conformity. This Resolution shall be effective immediately upon its passage and approval. To the extent that any prior resolutions of the City are inconsistent with the provisions hereof, this Resolution shall control and such prior resolutions shall be deemed amended to such extent as may be necessary to bring them in conformity with this Resolution.

Cc: Development

DEV-R-515-6-17-08

ADOPTED JUN 17 2008

Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

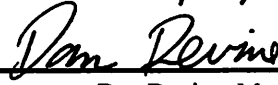
APPROVED 6/20/08

Dan Devine, Mayor

EXHIBIT A

SUMMARY OF BLIGHT REPORT (Full Report is Available at City Hall)

Statutory Definitions of "Blight"

Section 66.1333 (2m)(bm) of the Wisconsin Statutes provides a definition of "blight" and cites certain examples of conditions of blight. Both the broad statutory definition and the blight finding which have been made by municipalities throughout the State are much broader than the classic dictionary definition of blight. Essentially the Statute provides three (3) separate routes to identify blight:

1. Property which by reason of dilapidation, deterioration, age or obsolescence, inadequate provisions of ventilation, light, air or sanitation, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and is detrimental to the public health, safety, morals or welfare; or

2. Property which by reason of faulty lot layout in relation to size, adequacy, accessibility of usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair market value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provisions of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; or

3. Property which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements or otherwise, substantially impairs or arrests the sound growth of the community.

Narrative Description of Blight Conditions at the Property

The following conditions of blight located at 11101 West Lincoln Avenue in the City of West Allis, Wisconsin owned by Rogers Memorial Hospital Incorporated, a Wisconsin nonstock corporation (the "Hospital") have been or will be corrected with completion of the Project:

1. The original facility was constructed on an old farm site and the existence of foundry sand indicates that prior to 1985 there was likely illegal dumping of materials leading to this condition. Additions and improvements to the site required disturbance of the underlying soil. Such foundry sand and landfill material must be managed as solid waste. Based upon information in the Phase I Environmental Report, the site contains foundry sand and 8 of 10 borings disclosed landfill material. (See applicable data from Phase I attached). Remediation and removal of foundry sand and landfill material was necessary to allow further improvement of the site and remediation of this environmental problem. The size and scope of the project includes the remediation of this condition of blight. (See additional evidence of disposal of this material attached).

2. The existing facility has several areas where there is roof leakage and resulting interior damage. To maintain the appearance, value, health, and safety of the facility, these conditions will be corrected. The size and scope of the project includes the remediation of this condition of blight.

3. The existing entrance to the Hospital is not designed to provide optimal security for patients entering and exiting the building and does not allow for adequate control by the staff of patient ingress and egress. The project includes remodeling and reconfiguring the entry and upon completion will provide optimal security for the health and safety of patients, staff and the community.

4. Prior to the project improvements, the wooded area around the Hospital contained scrub, dead and dying trees, invasive vegetation and created an unsafe condition allowing potential for loitering and lurking to go undetected. The overgrowth also created obstruction to visibility on public sidewalks and was an impediment to potential development and access to a park under consideration for development on a neighboring property. The project includes landscaping to remove scrub, dead and dying trees, invasive vegetation and improvement of each of these conditions of blight.

EXHIBIT B

**NOTICE OF PUBLIC HEARING
PROPOSED DESIGNATION OF SPOT BLIGHT BY THE
COMMUNITY DEVELOPMENT AUTHORITY OF THE
CITY OF WEST ALLIS**

The Community Development Authority of the City of West Allis, Wisconsin (the "Community Development Authority") and the Common Council of the City of West Allis, Wisconsin (the "Common Council") have proposed to designate the Property located at 11101 W. Lincoln Avenue, in the City of West Allis (the "Property") as blighted Property in need of rehabilitation and blight elimination in accordance with Sections 66.1333 and 66.1335 of the Wisconsin Statutes. The Community Development Authority will hold a public hearing at 6:00 p.m. on June 10, 2008, at City Hall, 7525 W. Greenfield Avenue, West Allis, Wisconsin. The purpose of this public hearing is to allow all interested parties a full opportunity to express their views with respect to the proposed designation of blight with respect to the Property in order to assist the Community Development Authority and the Common Council in making their determination. Copies of the Blight Report are available from the City Clerk at 7525 W. Greenfield Avenue, West Allis, Wisconsin, weekdays from 8:00 a.m. to 5:00 p.m. or by mail.

Published: [_____]

John Stibal, Director
Community Development Authority
of the City of West Allis, Wisconsin

EXHIBIT C

**WAIVER OF NOTICE OF PROPOSED DESIGNATION OF SPOT BLIGHT BY THE
COMMUNITY DEVELOPMENT AUTHORITY OF THE
CITY OF WEST ALLIS**

The Community Development Authority of the City of West Allis, Wisconsin (the "Community Development Authority") and the Common Council of the City of West Allis, Wisconsin have proposed to designate the Property located at 11101 W. Lincoln Avenue in the City of West Allis (the "Property") as blighted Property in need of rehabilitation and blight elimination in accordance with Sections 66.1333 and 66.1335 of the Wisconsin Statutes (the "Act"). The Community Development Authority will hold a public hearing at 6:00 p.m. on June 10, 2008, at 7525 W. Greenfield Avenue, West Allis, Wisconsin. The purpose of this public hearing is to allow all interested parties a full opportunity to express their views with respect to the proposed designation of Spot Blight of the Property in order to assist the Community Development Authority and Common Council in making their determination. Copies of the Blight Report are available from the City Clerk at 7525 W. Greenfield Avenue, West Allis, Wisconsin, weekdays from 8:00 a.m. to 5:00 p.m. or by mail.

The undersigned, on behalf of the owner of the Property, hereby waives the twenty (20) day notice of hearing requirements set forth in Section 66.1333 (5)(c)(2) of the Wisconsin Statutes.

The owner further acknowledges that the Property is "blighted Property" within the meaning of the Act, for the reasons set forth in the Blight Report.

Executed this ____ day of June, 2008.

ROGERS MEMORIAL HOSPITAL

By: _____

Title: _____

CERTIFICATION BY CITY CLERK

I, Paul Ziehler, hereby certify that I am the duly qualified and acting City Clerk of the City of West Allis, Wisconsin (the "City"), and as such I have in my possession, or have access to, the complete corporate records of the City and of its Common Council; that I have carefully compared the transcript attached hereto with the aforesaid records; and that said transcript attached hereto is a true, correct and complete copy of the all the records in relation to the adoption of Resolution No. R-2008-0154 entitled: "RESOLUTION DESIGNATING SPOT BLIGHT OF THE PROJECT SITE."

I hereby further certify as follows:

1. Said Resolution was considered for adoption by the Common Council at a regular meeting held at City Hall, 7525 W. Greenfield Avenue, West Allis, Wisconsin, at 7:00 p.m. on June 17, 2008. Said meeting was a regular meeting of the Common Council and was held in open session.

2. Said Resolution was on the agenda for said meeting and public notice thereof was given not less than twenty-four (24) hours prior to the commencement of said meeting in compliance with Section 19.84 of the Wisconsin Statutes, including, without limitation, by posting on the bulletin board in the City Hall, by notice to those news media who have filed a written request for notice of meetings, and by notice to the official newspaper of the City.

3. Said meeting was called to order by Mayor Dan Devine, who chaired the meeting. Upon roll, I noted and recorded that the following alderpersons were present:

Aldersperson Barczak
Aldersperson Kopplin
Aldersperson Narlock
Aldersperson Roadt
Aldersperson Vitale

Aldersperson Czaplewski
Aldersperson Lajsic
Aldersperson Reinke
Aldersperson Sengstock

and that the following alderpersons were absent:

Aldersperson Weigel

I noted and recorded that a quorum was present. Various matters and business were taken up during the course of the meeting without intervention of any closed session. One of the matters taken up was said Resolution, which was introduced, and its adoption was moved by Aldersperson Lajsic and seconded by Aldersperson Reinke. Following discussion and after all alderpersons who desired to do so had expressed their views for or against said Resolution, the question was called, and upon roll being called and the continued presence of a quorum being noted, the recorded vote was as follows:

AYE:

Aldersperson Barczak
Aldersperson Kopplin
Aldersperson Narlock
Aldersperson Roadt
Aldersperson Vitale

Aldersperson Czaplewski
Aldersperson Lajsic
Aldersperson Reinke
Aldersperson Sengstock

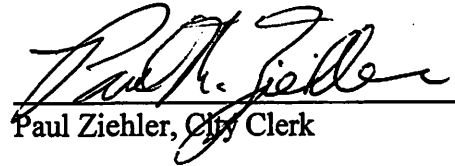
NAY: None.

ABSTAINED: None.

Whereupon the Mayor declared said Resolution adopted, and I so recorded it.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the City hereto on this 17th day of June, 2008.

[SEAL]



Paul Ziehler, City Clerk