



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2005-0061

Final Action:

FEB 15 2005

Final Resolution authorizing public improvement by concrete reconstruction of the pavement with miscellaneous walk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in S. 74 St. from W. Greenfield Ave. to W. National Ave. and portions of intersecting streets and levying special assessments against benefited properties.

WHEREAS, Public necessity requires the improvement of a certain street as hereinafter described; and,

WHEREAS, The Common Council has received final plans and specifications for such proposed improvements; and,

WHEREAS, A hearing has been conducted pursuant to Sec. 66.0703(7) of the Wisconsin Statutes; and,

WHEREAS, The Common Council finds that each property against which the assessments are proposed is benefited by the improvement.

NOW, THEREFORE, BE IT RESOLVED By the Common Council of the City of West Allis as follows:


1. That the final plans and specifications heretofore submitted for the improvement of S. 74 St. from W. Greenfield Ave. to W. National Ave. and portions of intersecting streets (Plan File No. SP-1099), by concrete reconstruction of the pavement with miscellaneous walk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments be and the same are hereby approved and adopted.
2. That the Board of Public Works be and is hereby authorized and directed to cause said street to be improved in accordance with the plans and specifications, and it is directed to advertise in the official paper for sealed proposals for all work necessary to be done with the installation of the above described improvements.
3. That such improvements be assessed in accordance with the report of the City Engineer as finally approved, and the due date for payment of such assessments, without interest, is the 30th day following the billing date; and
4. That each property owner be given the opportunity of paying the assessment against his property by one of the following methods:

- a. Payment of entire assessment, or any portion thereof, without interest at any time prior to due date as noted on the billing.
 - b. Payment of the entire assessment with the next tax roll including a 6.0% interest charge from due date to December 31, 2005. All assessments of \$100.00 or less will automatically fall under category a or b.
 - c. Payment in five annual installments on the property tax bill including a 6.0% interest charge on each succeeding unpaid principal amount. All assessments between \$100.01 and \$250.00 which are not paid by due date or elected to be paid under plans a or b above will automatically be extended in this manner.
 - d. Payment in ten annual installments on the property tax roll, including a 6.0% interest charge on each succeeding unpaid principal amount. All assessments over \$250.00 which are not paid by due date or elected to be paid under plans a, b or c will automatically be extended in this manner.
5. That if, after election to pay to the City Clerk/Treasurer by November 1, 2005, said property owner shall fail to make the payment to the City Clerk/Treasurer, the City Clerk/Treasurer's office shall place the said assessment, with interest at the rate of 6.0% per annum as applicable from due date, on the next succeeding tax roll for collection; and,
 6. That if the property owner fails to notify the City Clerk/Treasurer's office, in writing prior to the due date, of his option, the assessment shall be written in ten annual installments, except that any total assessment or assessment balance of less than \$100.00 against any one property shall be written in one payment, and those between \$100.01 and \$250.00 shall be written in five annual installments; and,
 7. That a certified list of such assessments and assessment installments be given to the City Clerk/Treasurer's office, and the City Clerk/Treasurer's office shall inscribe the same on the tax roll as they become due; and,
 8. That property owners may submit duly executed waivers prior to or following the passage of the Final Resolution, approving assessments against their properties and waiving all statutory requirements and proceedings in public work of this nature and agreeing to pay all assessments levied against their properties by reason of the installation of the improvements stated therein, in the same manner and in the same effect as if said statutory requirements relating to said work had been complied with, and such waivers are hereby confirmed and adopted by the Common Council; and,
 9. That the City Clerk/Treasurer is hereby directed to publish this resolution as a Class I Notice in the assessment district.
 10. That the City Clerk/Treasurer is further directed to mail a copy of this resolution and upon completion of the improvement, a statement of the final assessment against his property, to every property owner whose name appears on the assessment roll whose post office address is known or can, with reasonable diligence, be ascertained.

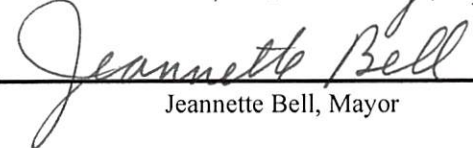
BE IT FURTHER RESOLVED As follows:

1. That with the above installations the existing street grades and widths are hereby being re-established in accordance with Paving Plan No. SP-1099.
2. That the Common Council does hereby exercise the authority contained in sec. 66.0911 of the Wisconsin Statutes, to require the installation of laterals to every property abutting said street where it is felt said services are necessary and that any required assessments be applied as therein provided; and,
3. That the plans and specifications for the storm sewer, storm sewer relay and sanitary sewer relay as aforesaid be submitted to the Milwaukee Metropolitan Sewerage District for approval; and,
4. That the plans and specifications for the water main as aforesaid be submitted to the Department of Natural Resources for approval; and,
5. That said work be performed with funding from Bond Funds, Water Utility Funds, Sanitary Sewer Funds, Storm Water Management Funds and Special Assessments.

Eng05-25

ADOPTED February 15, 2005


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

APPROVED February 18, 2005


Jeannette Bell, Mayor

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AFFIDAVIT OF PUBLICATION

West Allis City Of Legal
Attn: Clerks Office
7525 W Greenfield Ave
West Allis, WI 53214

Patti Guerrero hereby states that
authorized by Journal Sentinel Inc. to
on behalf of Journal Sentinel Inc., publisher
of the Milwaukee Journal Sentinel and
Sunday Journal Sentinel, public newspaper
general circulation, printed and published
the city and county of Milwaukee; that
notice of which the printed one
attached is a true copy, was published in
Daily Edition on the second, of March
That the Milwaukee Journal Sentinel and
Sunday Journal Sentinel are newspapers printed
in the English language and that said printed
copy was taken from said printed newspaper

Patti Guerrero

Patti Guerrero

State of Wisconsin)
) SS:
County of Milwaukee)

Subscribed and sworn before me this 3 day
of March, 2005.

Kent B Hein

Notary Public State of Wisconsin
My Commission Expires 1-16-06

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new sewer relay, and ed. ind is said h the ed to oppos- h the rove- id in iner pay- st, is por- his por- or to the rge All iati- the rge int. OO be lly ve st al h f But with construction de- layed for the last year, alder- men were cautious about Kas- ten's enthusiasm and sought a firm date for when the project might again turn dirt on the site near E. Layton Ave. and S. Nicholson Ave. "Let me tell you, this city's been very patient," Ald. Robert Grams told Kasten. Kasten acknowledged the phone calls elected officials have received from residents questioning the project de- lays. He said that the financ- ing of the facility is complicat- ed under a "pay as you go" tax- incremental financing struc- ture. Short of offering a con- struction start date, he could say it would be immediately after the project's pending loan closing. Under the project's financ- ing plan, he explained, the city does not underwrite the finan- cial obligation, so the develop- er must provide evidence to the banks that other retail and commercial developments

