



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Resolution

**File Number: R-2012-0049**

**Final Action:**

**Sponsor(s):** Public Works Committee

**FEB 21 2012**

Resolution to rescind Resolution R-2012-0012, authorizing public improvement by removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay and storm underdrain in N/S & E/W alley between S. 58 St.- S. 59 St.: W. Rogers St. to W. Mobile St., N/S & E/W alley between S. 60 St.-S. 61 St.: W. Lapham St. to W. Mitchell St., N/S & E/W alley between S. 62 St.-S. 63 St.: W. Beloit Rd. to W. Grant St., N/S & E/W alley between S. 65 St.-S. 66 St.: W. Lapham St. to W. Mitchell St., N/S & E/W alley between S. 61 St. - S. 62 St.: W. Lapham St. to W. Mitchell St., N/S alley between S. 78 St. -S. 79 St.: W. Hicks St. to W. Rogers St., N/S & E/W alley between S. 77 St.-S. 78 St.: W. Grant St. to W. Lincoln Ave. and levying special assessments against benefited properties.

WHEREAS, on January 17, 2012, Resolution No. R-2012-0012 was adopted by the Common Council of the City of West Allis; and

WHEREAS, the City Engineer's Office has since determined that a clerical error was made in the amended listing of alleys to be reconstructed;

NOW THEREFORE BE IT RESOLVED that Resolution No. R-2012-0012 adopted by the Common Council of the City of West Allis be rescinded; and the following Resolution be adopted instead:

BE IT RESOLVED By the Common Council of the City of West Allis authorizing public improvement by removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay and storm underdrain in N/S & E/W alley between S. 58 St.- S. 59 St.: W. Rogers St. to W. Mobile St., N/S & E/W alley between S. 60 St.-S. 61 St.: W. Lapham St. to W. Mitchell St., N/S & E/W alley between S. 62 St.-S. 63 St.: W. Beloit Rd. to W. Grant St., N/S & E/W alley between S. 61 St. - S. 62 St.: W. Lapham St. to W. Mitchell St., N/S & E/W alley between S. 63 St. - S. 64 St.: W. Lapham St. to W. Mitchell St., N/S alley between S. 78 St. -S. 79 St.: W. Hicks St. to W. Rogers St., N/S & E/W alley between S. 77 St.-S. 78 St.: W. Grant St. to W. Lincoln Ave. and levying special assessments against benefited properties.

WHEREAS, Public necessity requires the improvement of certain alleys 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:

N/S and E/W alley between S. 58 St.-S. 59 St.: W. Rogers St. to W. Mobile St.,  
N/S and E/W alley between S. 60 St.-S. 61 St.: W. Lapham St. to W. Mitchell St.,  
N/S and E/W alley between S. 62 St.-S. 63 St.: W. Beloit Rd. to W. Grant St.,  
N/S and E/W alley between S. 61 St.-S. 62 St.: W. Lapham St. to W. Mitchell St.,  
N/S and E/W alley between S. 63 St.-S. 64 St.: W. Lapham St. to W. Mitchell St.,  
N/S alley between S. 78 St. -S. 79 St.: W. Hicks St. to W. Rogers St.,  
N/S and E/W alley between S. 77 St.-S. 78 St.: W. Grant St. to W. Lincoln Ave.

(Plan File Nos. AP-443 to AP-450), by removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay and storm underdrain 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 alleys 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 Director of Public Works/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 4.0% interest charge from due date to December 31 of the year billed. 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 4.0% 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 4.0% 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 1st of the year billed 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 4.0% 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.

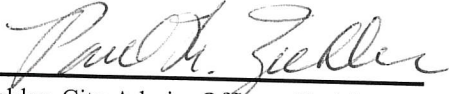
BE IT FURTHER RESOLVED as follows:

1. That with the above installations the existing alley grades and widths are hereby being re-established in accordance with Paving Plan Nos. AP-443 to AP-450.
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 said work be performed with funding from Bond Funds, Storm Water Management Funds, and Special Assessments.

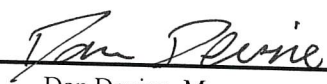
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ADOPTED FEB 21 2012



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

APPROVED 2/24/12



Dan Devine, Mayor