

VILLAGE OF WESTON, WISCONSIN
PRELIMINARY RESOLUTION NO. 2017-023

A RESOLUTION, declaring intent to levy special assessments under municipal police power pursuant to Wis. Stat. §66.0703 and §13.05 of the Municipal Code of the Village of Weston.

BE IT RESOLVED by the Board of Trustees for the Village of Weston

1. The governing body hereby declares its intention to exercise its police power under Wis. Stat. §66.0703, to levy special assessments upon property in the assessment district hereafter described for benefits conferred upon such property by reason of the following public work and improvements:

Street Improvements, Curb and Gutter
Water Main and Laterals
Sewer Main and Laterals

2. The governing body hereby further declares its intention to follow the alternate to the procedures prescribed by Wis. Stats. 66.0703(8)(c), (8)(d), and (8)(e), as allowed in §13.05 of the Municipal Code of the Village of Weston.

3. The property to be assessed lies within the following described assessment district:

All properties with frontage on River Front Place from its west end to approximately 200 feet east of Pine Ridge Lane and on Pine Ridge Lane from River Front Place to Hewitt Avenue, located in the Village of Weston.

4. The total amount assessed against the properties in the described assessment district shall not exceed the total cost of the improvements. The properties against which the assessments are proposed are benefited by the contemplated public work and improvement.

5. The governing body determines that the improvements constitute an exercise of the police power for the health, safety and general welfare of the municipality and its inhabitants.

6. The municipal engineer shall prepare a report which shall consist of:
- a) Preliminary plans and specifications for the improvements.
 - b) An estimate of the entire cost of the proposed improvements.
 - c) Schedule of proposed assessments.

7. When the report is completed, the municipal engineer shall file a copy of the report with the municipal clerk for public inspection.

8. Upon receiving the report of the responsible officer or body, the clerk shall cause notice to be given stating the nature of the proposed improvements, the general boundary lines of the proposed Assessment District, (including a small map thereof,) the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a class 1 notice under Ch. 985, Stats., and a copy shall be mailed, at least 10 days before the hearing, to every interested party whose address is known or can be ascertained with reasonable diligence.

9. The hearing shall be conducted in the Board Room at the Weston Municipal Center, 5500 Schofield Avenue, Weston WI 54476 at a time set by the clerk in accordance with Wis. Stat. §66.0703(7)(a).

10. When the governing body finally determines to proceed with the work or improvements, it shall approve the plans and specifications therefore and adopt a resolution directing such work or improvement be carried out in accordance with the report as finally approved.

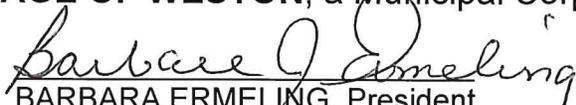
11. The governing body shall adopt the final resolution to levy the special assessments either (1) before the work is carried out, or (2) after the work has been completed and actual project costs have been determined. The final resolution shall list the cost of the special assessment levied against each property benefited by the improvement. The Village Clerk shall publish the final resolution as a Class 1 notice under Ch. 985, Wis. Stat., in the assessment district and a copy of such resolution shall be mailed to every interested person whose post office address is known, or can be ascertained with reasonable diligence.

12. When the final resolution is published, all awards, compensation and assessments arising therefrom are deemed legally authorized and made, subject to the right of appeal under Wis. Stat. §66.0703(12).

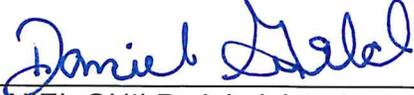
13. The assessment against any parcel may be paid in cash or in annual installments the number of which shall be determined at the public hearing of the proposed assessments.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WESTON, at a regular meeting thereof, this 17 day of the month of April, 2017.

VILLAGE OF WESTON, a Municipal Corporation of the State of Wisconsin.

By: 
BARBARA ERMELING, President

ATTEST:

By: 
DANIEL GUILD, Administrator

FILED:

By: 
SHERRY WEINKAUF, Clerk

**VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET**

MTG/DATE: Board of Trustees – 04/17/17

FROM: Keith Donner, Director of Public Works and Utilities

DESCRIPTION: Preliminary Resolution for Special Assessments for Street and Utility Improvements on River Front Place and Pine Ridge Lane

ACTION: Discussion Comment	<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Deny <input type="checkbox"/> Expenditure	<input checked="" type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Policy <input type="checkbox"/> Procedure	<input type="checkbox"/> Proclamation <input type="checkbox"/> Report <input type="checkbox"/> Resolution
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QUESTION: Should the Board of Trustees adopt the proposed resolution initiating the special assessment process to determine whether to proceed with the extension of sanitary sewer and water on River Front Place and Pine Ridge Lane?

BRIEF: An impending property sale and question about the availability of municipal service has arisen in this neighborhood. The prospective new owner could defer their obligation for a connection to municipal services as an alternate to a private on site system if there is a commitment that municipal service will be available within a reasonable time frame; e.g. 2018. This situation brings up a number of issues. The Director feels a public hearing would be a sensible approach to determine the level of interest/disinterest in a project in 2018. This can/should be discussed more in depth with PIC and BOT.

FISCAL IMPACT: An estimate of costs for the project is included in supporting materials. Contributions by the Village could be considered.

RECOMMEND: **Director's original recommendation was to adopt the resolution as a planning exercise with a decision made to proceed or not with a 2018 project to be made from input at the hearing in May 2017.**

COMMITTEE: PIC recommended to adopt on 4/10/17.

REQUEST: **After staff discussion Administrator recommends an informational meeting and less formal proceeding. This has been our previous process to proceed. This particular situation will simply go away if a decision to either proceed in 2018 or not is not made by May 19.**

- Is there an additional briefer with this agenda item? **NO**
 Are there additional reference documents which have been attached to this report?

YES – see DropBox folder:

<https://www.dropbox.com/sh/5tbesz6vpaoa1/AABxkmGuxLDwwYSyFPuVCOc9a?dl=0>

**VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET**

MTG/DATE: Property and Infrastructure Committee – 04/10/17

FROM: Keith Donner, Director of Public Works and Utilities

DESCRIPTION: Preliminary Resolution for Special Assessments for Street and Utility Improvements on River Front Place and Pine Ridge Lane

ACTION: Discussion Comment	<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Deny <input type="checkbox"/> Expenditure	<input checked="" type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Policy <input type="checkbox"/> Procedure	<input type="checkbox"/> Proclamation <input type="checkbox"/> Report <input type="checkbox"/> Resolution
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FISCAL IMPACT: An estimate of costs for the project is included in supporting materials. Contributions by the Village could be considered.

RECOMMEND: Adopt the resolution and conduct a public hearing.

COMMITTEE: PIC to consider on 4/10/17; BOT 04/17/17.

REQUEST: Recommend adopting the resolution as a planning exercise with a decision made to proceed or not with a 2018 project to be made in May 2017.

- Is there an additional briefer with this agenda item? **NO**
- Are there additional reference documents which have been attached to this report?

YES – see DropBox folder:

<https://www.dropbox.com/sh/5tbesz6vpaoaoa1/AABxkmGuxLDwwYSyFPuVCOc9a?dl=0>