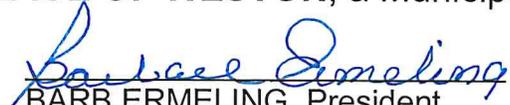


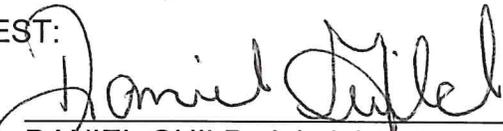
**VILLAGE OF WESTON, WISCONSIN
RESOLUTION NO. 2017-032**

- A RESOLUTION,** TO RESCIND RESOLUTION 2017-023, A PRELIMINARY RESOLUTION FOR SPECIAL ASSESSMENTS FOR STREET AND UTILITY IMPROVEMENTS ON RIVER FRONT PLACE AND PINE RIDGE LANE
- WHEREAS,** The Village of Weston Board of Trustees adopted Resolution 2017-023, A Preliminary Resolution for Special Assessments for Street and Utility Improvements on River Front Place and Pine Ridge Lane on April 17, 2017.
- WHEREAS,** The purpose of adopting Resolution 2017-023 was to obtain information from residents on River Front Place and Pine Ridge Lane as to their interest in the Village moving forward with a public works project to install municipal water distribution and wastewater collection infrastructure.
- WHEREAS,** Rather than conduct a public hearing and continue the special assessment process, the Property and Infrastructure Committee held an informational meeting at the Weston Municipal Center on September 27, 2017.
- WHEREAS,** The neighborhood residents expressed their opposition to a public works project on the basis there is not a need for such a project and the costs that would be special assessed to residents would be too high.
- WHEREAS,** At its meeting of October 9, 2017, the Property and Infrastructure Committee has advised that any further work on a public works project for municipal water distribution and wastewater collection improvements on River Front Place and Pine Ridge Lane be ceased.
- BE IT RESOLVED** by the Board of Trustee for the Village of Weston that;
1. Resolution No. 2017-023 is hereby rescinded, and;
 2. The recommendation of the Property and Infrastructure Committee to cease any further work related to a public works project for municipal water distribution and wastewater collection improvements on River Front Place and Pine Ridge Lane is hereby affirmed.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WESTON, at a regular meeting thereof, this 16th day of the month of October, 2017.

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

By: 
BARB ERMELING, President

ATTEST:
By: 
DANIEL GUILD, Administrator

FILED:
By: 
SHERRY WEINKAUF, Clerk

**REQUEST FOR CONSIDERATION BY VILLAGE OFFICIALS
AGENDA ITEM COVER SHEET / REQUEST FOR CONSIDERATION**

DESCRIPTION: Resolution 2017-032 to Rescind Resolution 2017-023 for Special Assessments for Street and Utility Improvements on Riverfront Place and Pine Ridge Lane.

FROM: Keith Donner, Director of Public Works

FOR REVIEW BY: Will the Village Board of Trustees please consider whether:

POLICY QUESTION: Should the Village of Weston adopt Resolution 2017-032 to Rescind Resolution 2017-023 for Special Assessments for Street and Utility Improvements on Riverfront Place and Pine Ridge Lane?

ISSUE-IN-BRIEF: The Property and Infrastructure Committee held an informational meeting for this project on September 27. The neighborhood residents expressed their opposition to a project on the basis there is no need for such a project and the costs which would be special assessed to the residents would be too high. PIC recommends ceasing further work on a public works project in this neighborhood in action taken on October 9, 2017. A staff report is attached with further background and discussion.

FISCAL IMPACT: None if project does not proceed.

PRIOR REVIEW: Property & Infrastructure Committee on 10/09/17

OPTIONS:

1. Adopt Resolution 2017-032 to Rescind Resolution 2017-023
2. Do not adopt Resolution 2017-032 and continue the process for a public works project in the neighborhood.
3. Gather further information.

GUIDANCE: Public Works Director suggests Option #1

REQUEST: Adopt Resolution 2017-032 to Rescind Resolution 2017-023 for Special Assessments for Street and Utility Improvements on Riverfront Place and Pine Ridge Lane. This will cease any further work on the project.

Is there an additional briefer with this agenda item? YES

Are there additional reference documents which have been attached to this report? NO

**REQUEST FOR CONSIDERATION BY VILLAGE OFFICIALS
AGENDA ITEM COVER SHEET / REQUEST FOR CONSIDERATION**

DESCRIPTION: Riverfront Place and Pine Ridge Lane Utilities

FROM: Keith Donner, Director of Public Works

FOR REVIEW BY: Will the P&I Committee please consider whether:

POLICY QUESTION: Should the Village of Weston proceed with a public works project to install municipal sewer and water facilities and other public improvements on Riverfront Place and Pine Ridge Lane?

ISSUE-IN-BRIEF: In April 2017 the Director determined that municipal sewer service was available to the property at 4901 Riverfront Place and so informed Marathon County Zoning. The determination would only hold if the entire neighborhood also participated in a neighborhood-wide project due to the financial implications. A staff report is attached with further background and discussion.

FISCAL IMPACT: None if project does not proceed.

PRIOR REVIEW:

OPTIONS:

1. Village proceeds with a public works project to install municipal sewer and water facilities and other public improvements on Riverfront Place and Pine Ridge Lane;
2. Village ceases any further efforts on a public works project to install municipal sewer and water facilities and other public improvements on Riverfront Place and Pine Ridge Lane.
3. Gather further information.

GUIDANCE: Public Works Director suggests Option #2

REQUEST: Village of Weston cease further efforts on a public works project to install municipal sewer and water facilities and other public improvements on Riverfront Place and Pine Ridge Lane

Is there an additional briefer with this agenda item? YES

Are there additional reference documents which have been attached to this report? NO

VILLAGE OF WESTON, WISCONSIN

POLICY ISSUE / AGENDA ITEM BRIEFER

1. Policy Question:

Should the Village of Weston proceed with a public works project to install municipal sewer and water facilities and other public improvements on Riverfront Place and Pine Ridge Lane?

2. Purpose:

The purpose is to determine the desired course of action for this project in the present.

3. Background:

In April 2017, the Director was contacted by a prospective buyer (Michael Boreen) of the property addressed as 4901 Riverfront Place regarding the possibility of municipal sewer and water service. The Director's initial reaction was that municipal sewer and water was not available and Mr. Boreen began the process for obtaining a permit for a private wastewater system on the property. Additional discussion took place between the Director and Mr. Boreen to the effect that while the project to install municipal services was impractical for an individual this would not necessarily hold true for a project involving all of Riverfront Place or the entire neighborhood which would include Pine Ridge Lane. The Director and Mr. Boreen discussed that the process of bringing the neighborhood into the discussion would require more time and that if it were determined that a project was to proceed, it would not be able to proceed until 2018. This was outlined in 2 letters to Mr. Boreen's lender, CoVantage Credit Union, dated April 28, 2017. Included in these letters were the indications that the Village would better articulate its main extension policy and then schedule a meeting of the neighborhood, projecting that meeting to be conducted in July.

The informational meeting for the Riverfront Place/Pine Ridge Lane neighborhood was not held until September 27, 2017. 16 residents representing 9 of the 13 properties signed the attendance sheet at the meeting. The discussion during the meeting focused on:

- necessity of the project with the perspective of the residents being their private wastewater systems have much more useful life remaining and
- the cost of municipal service installation is prohibitively higher than replacement of private water and wastewater

Some discussion took place about project alternatives (low pressure force main sewers) and the Village's willingness to consider alternate repayment terms, specifically a proposal to defer repayment of special assessments up to 10 years, as an example. Discussion about this was limited with the majority sentiment of the attendees being against the project

Members of the Property and Infrastructure Committee expressed some frustration about the determination that municipal sewer service was available and wanted to know how this process works.

4. Issue Analysis:

In principle it has been the Director's perspective that properties within subdivisions in the Village – both existing and new – are ultimately best served by municipal water and sewer. This is best addressed with new development. Addressing existing development on private water and wastewater systems is a much more difficult matter. The intent of the informational meeting on September 27 was to obtain input and discuss options for water and wastewater with the residents for the Riverfront Place and Pine Ridge Lane neighborhood.

This meeting occurred due to a determination by the Director about the availability of municipal sewer service. When a private wastewater system for a property located within an incorporated municipality requires replacement, Marathon County Zoning first determines whether municipal sewer service is available by verifying with the municipality. The Director has discussed this dilemma in the past, in that "availability" is a relative term focused on the cost of extending municipal service. Determinations of service availability have historically been made by the Director and not always shared with Village committees or the Board of Trustees. A process or processes need to be formalized for these situations which occur a handful of times each year.

5. Fiscal Impact:

There will be no fiscal impact for a public works project if it does not proceed. The fiscal impact of any additional policy development and review is dependent on whether outside professional services may be involved in assisting with the Village's efforts.

6. Legal Impact:

Any proposed policy may have legal review. There may be related revisions of Village ordinances.

7. Prior Review:

Aspects of the Village's utility extension policy were discussed with various Village committees during the summer of 2017 though a final document has not yet been completed and approved. The discussion of the main extension policy also tied in with an ongoing update of the Wausau Urban Area Sewer Service plan, the possible Riverfront Place/Pine Ridge Lane project, and the Village's Comprehensive Planning process. A chronology of meetings and information is not included with this report. Input at the meeting was obviously against a project.

8. Policy Choices:

1. Determine whether to:
 - a. Proceed with a public works project to install municipal sewer and water facilities and other public improvements on Riverfront Place and Pine Ridge Lane.
 - b. Cease any further efforts on a public works project to install municipal sewer and water facilities and other public improvements on Riverfront Place and Pine Ridge Lane.
 - c. Gather further information

9. Recommendation:

I recommend

1. The Village cease any further efforts on a public works project to install municipal sewer and water facilities and other public improvements on Riverfront Place and Pine Ridge Lane.

The Director will work with Administrator Guild to address steps to improve communications about sewer and water projects in the future. This may result in more formal review and approval processes for PIC Committee, Board of Trustees, or other committees.

10. Attachments:

None

**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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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: 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>

**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 _____ day of the month of _____, 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
PRELIMINARY RESOLUTION NO. 2017-023**

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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.

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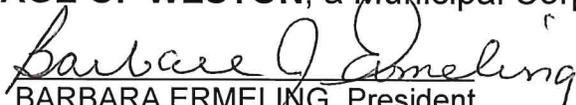
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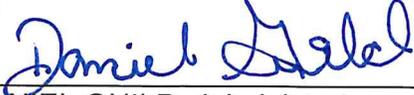
13. The assessment against any parcel may be paid in cash or in annual installments the number of which shall be determined at the public hearing of the proposed assessments.

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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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?

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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>