



## Memorandum

DATE: July 14, 2011

TO: Menasha Board of Public Works

FROM: Mark Radtke, Director of Public Works *MR*

RE: Resolution R- 31-11; A Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers under Section 66.0703, Wisconsin Statutes

Enclosed is the proposed preliminary resolution declaring intention to levy special assessments for improvements within Ribblesdale Subdivision and a portion of Woodland Hills Subdivision. The City has previously adopted the preliminary and final resolutions for this area, but, as you may recall, the sidewalk items were removed from the contract for this work at a previous Council meeting. In order to ensure compliance with State Statutes, we are restarting the process for levying special assessments for the completion of this work. The proposed assessments will not include the sidewalk items. Following adoption of the preliminary resolution, a public hearing and subsequent final resolution adoption will need to occur. I don't anticipate a high level of opposition without the sidewalk items included in the assessment.

Enclosure

## **RESOLUTION R-31-11**

### A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS UNDER SECTION 66.0703, WISCONSIN STATUTES

Introduced by Alderman Taylor

RESOLVED, by the Common Council of the City of Menasha, Wisconsin:

1. The Common Council hereby declares its intention to exercise its powers under Section 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following:

A. Improvements

1. Concrete Curb & Gutter Construction
2. 4" Asphaltic Concrete Pavement Construction
3. Street Trees
4. Various Associated Items

B. Location of Improvements

1. Ribblesdale Subdivision
2. 6931 Manitowoc Road
3. Woodland Hills Subdivision properties on the following streets:  
Whistling Swan Court  
Trumpeter Swan Court  
Woodland Hills Drive  
Kernan Avenue (Woodland Hills Drive to the north subdivision limits)  
Woodland Hills Subdivision Lots 16, 17, 19, 48 and 71  
First Addition to Woodland Hills Subdivision Lots 75, 76 and 77

2. The total amount assessed against such improvements shall not exceed the total cost of the improvements. The Common Council determines that such improvements shall be made under the police power, and the amount assessed against each parcel shall be on a cost per front foot, area, or unit cost basis.

3. That the assessment against any parcel shall be paid in accordance with Section 3-2-14 of the Menasha Municipal Code.

4. The Board of Public Works is directed to compile a report consisting of:

- A. Plans and Specifications of said improvements
- B. A summary of the allotted cost of the said improvements
- C. A schedule of proposed assessments showing the properties which are benefited by the improvement

Upon completing such report, the Board of Public Works is directed to file a copy thereof in the City Clerk's Office for public inspection.

5. Upon receiving the report of the Board of Public Works, the City Clerk is directed to give notice of a public hearing on such report as specified in Section 66.0703(7)(a), Wisconsin Statutes. The hearing shall be held in the Council Chambers at the City Hall at a time set by the City Clerk in accordance with Section 66.0703(7)(a), Wisconsin Statutes.

6. The notice and hearing requirements under paragraph 5 do not apply if they are waived, in writing, by all the owners of property affected by the special assessment, as specified in Section 66.0703(7)(b), Wisconsin Statutes.

Passed and approved this day of , 2011.

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Donald Merkes, Mayor

Attest: \_\_\_\_\_  
Deborah A. Galeazzi, City Clerk