



Meeting: Village Board
Meeting Date: 09/23/2013
Agenda Item: 6b

Mission Statement

Delivering quality services in a courteous, cost-effective and efficient manner.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: Burt R. McIntyre, President
Village Board of Trustees

REPORT FROM: Michael J Kaster, PE, Director of Engineering

AGENDA ITEM: Review and take action on an Final Resolution 2013-26 regarding rescinding special assessments against benefitted property for public improvements.

POLICY ISSUE

Should the Village Board approve the final resolution rescinding special assessments against benefitted property for public improvements on parcels VH-477-3 and VH-478-9 so that a final plat can be recorded and special assessments can be re-levied for payment upon lot sales?

BACKGROUND INFORMATION

The parcels involved were special assessed with final resolutions 92-15, 2007-10, and 2013-22. The assessments were for public improvements on Aerostar Lane and Shawano Ave. The outstanding assessment on the properties totals \$64,343.13.

A development group has approached the Village to subdivide the parcels and create 8 single-family lots along Aerostar Lane and Shawano Ave. For the subdivision plat to be recorded, there must be no outstanding special assessments on the properties. The assessments could either be paid in full prior to the plat recording, however financing for residential development is difficult in the current banking climate. For the Village to recover the assessments and develop new tax base staff is recommending that the following sequence of events happen:

1. The special assessments be rescinded, and development agreement executed and recorded.
2. Final Plat recording.
3. Levying of special assessments against the newly recorded lots for the amount of the previous assessment plus a stormwater management charge. (This will be brought to the board for approval after recording of the final plat)

The development agreement is being brought to the board for approval as a separate agenda item immediately following the action on this resolution.

PRIOR ACTION/REVIEW

The Village Board approved Resolution 2013-22, 2007-10, and 92-15.

FISCAL IMPACT:

- | | |
|------------------------------|-------------|
| 1. Is There A Fiscal Impact? | <u>Yes</u> |
| 2. Is it Currently Budgeted? | <u>No</u> |
| 3. If Budgeted, Which Line? | <u>N/A</u> |
| 4. Amount? | \$64,343.13 |

RECOMMENDED ACTION

Village staff recommends that the Village Board approve the attached resolution.

If the Village Board agrees with this action, the following motion could be used, ***“Motion to approve Resolution 2013-26 rescinding special assessments against benefitted property for public improvements on parcels VH-477-3 and VH-478-9.”***

POLICY ALTERNATIVE(S)

The Village Board could take the following actions:

- Approve resolution 2013-26
- Approve the resolution with modifications
- Deny the resolution
- Table the resolution and request additional information

ATTACHED INFORMATION

- I. Resolution 2013-26
- II. Final Plat of Ullmer Century Acres

COPIES FORWARDED TO:

- I. None

RESOLUTION NO. 2013-26

**AMENDED FINAL RESOLUTION REGARDING RESCINDING
SPECIAL ASSESSMENTS AGAINST BENEFITTED PROPERTY
FOR PUBLIC IMPROVEMENTS PARCEL VH-477-3 AND VH-478-9
IN THE VILLAGE OF HOWARD, BROWN COUNTY, WISCONSIN**

WHEREAS, the Village Board of the Village of Howard, Brown County, Wisconsin approved the following Resolutions levying special assessments against Parcels VH-477-3 and VH-478-9:

Resolution 92-15 Final Resolution Authorizing Levying of Special Assessments against Benefitted Property for Sanitary Sewer Mains and Laterals, Water Main and Laterals, Storm Sewer Main and Laterals, Curb and Gutter and Street Construction on Vanguard Way, Early Bird Lane and Aerostar Lane

Resolution 2007-10 Final Resolution Authorizing Levying of Special Assessments against Benefitted Property for Sanitary Sewer and Laterals, Water Main and Services, Storm Sewer and Laterals, Driveways, Curb and Gutter, and Roadway Reconstruction on Shawano Avenue, Westhill Drive and Frederic Court

Resolution 2013-12 Amended Final Resolution Authorizing Levying of Special Assessments against Benefitted Property for Sanitary Sewer and Laterals, Water Main and Services, Storm Sewer and Laterals, Driveways, Curb and Gutter, and Roadway Reconstruction on Shawano Avenue

WHEREAS, the Village of Howard wishes to enter into a Subdivision Development Agreement with the owners of Parcels VH-477-3 and VH-478-9 which requires that the special assessments be rescinded and cancelled.

NOW, THEREFORE, BE IT RESOLVED pursuant to Sec. 66.0703(10), Wis. Stats. by the Village Board of the Village of Howard, Brown County, Wisconsin as follows:

1. Final Resolution No. 92-15, Final Resolution 2007-10 and Amended Final Resolution 2013-12 are hereby amended such that the special assessments levied for Parcels VH-477-3 and VH-478-9 are hereby cancelled and rescinded.
2. In all other respects the special assessments as levied in Final Resolution No. 92-15, Final Resolution 2007-10 and Amended Final Resolution 2013-12 shall remain in full force and effect.
3. The Clerk of the Village of Howard is directed to publish this Resolution as a Class 1 Notice and is further directed to mail a copy of this Resolution to the owners of the properties as described herein.
4. If any section, sentence or clause or any special assessment set forth or referred to

herein shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining sections or assessments approved herein, which shall remain in full force and effect.

Adopted this 23rd day of September, 2013.

VILLAGE OF HOWARD

Burt R. McIntyre, Village President

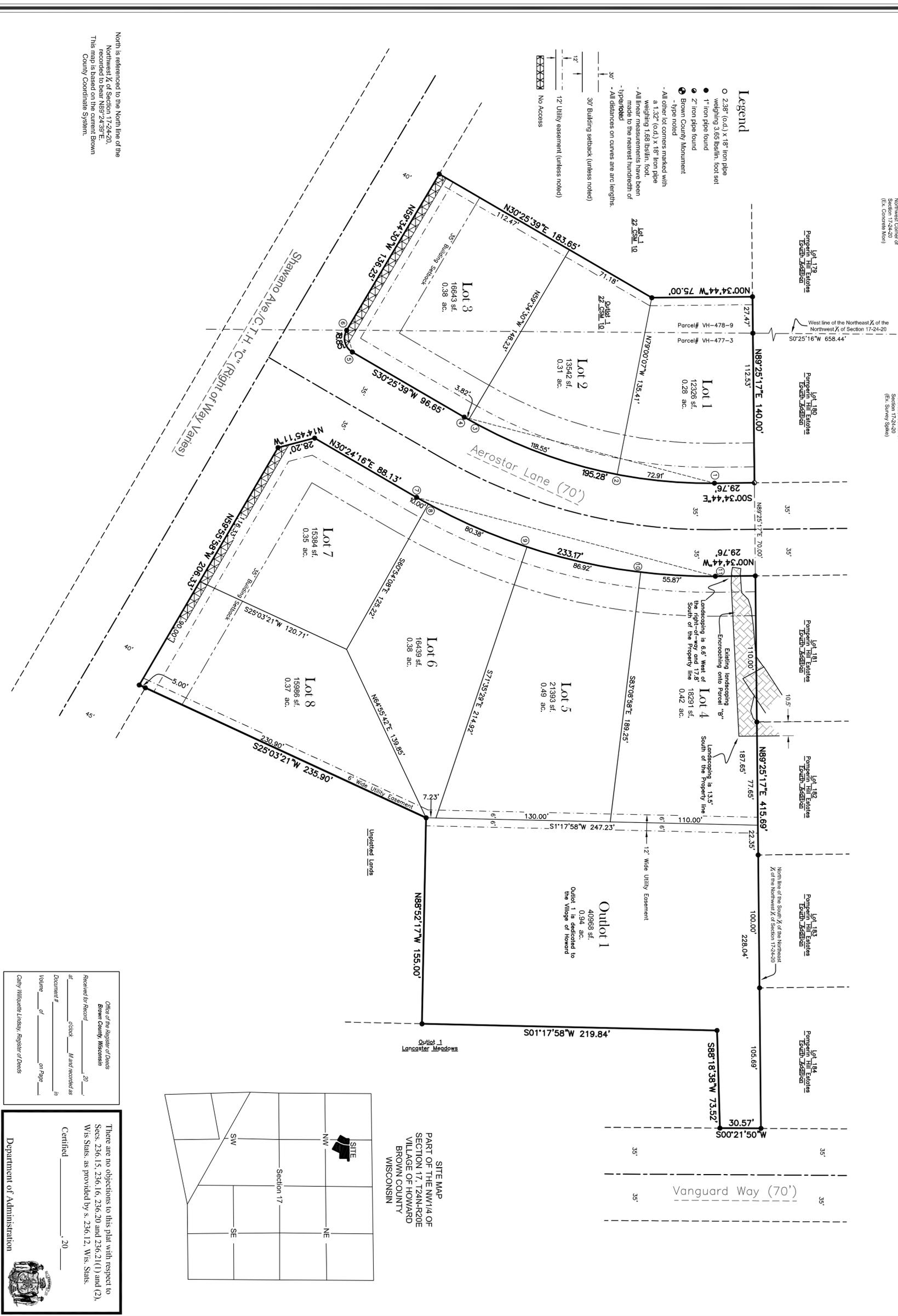
ATTEST:

Christopher A. Haltom, Village Clerk

DATE OF PUBLICATION:

Ulmer Century Acres

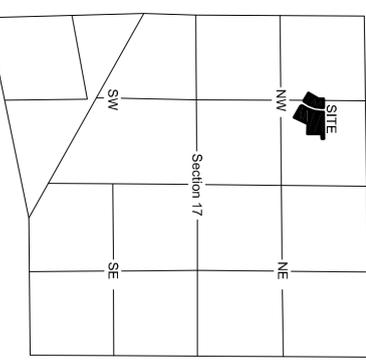
All of Outlot 1 of Volume 22, Certified Survey Maps, Page 10, Map Number 3772,
 Document Number 1193501, Brown County Records, and part of the Northeast 1/4 of the
 Northwest 1/4, located in the Northwest 1/4 of Section 17, Township 24 North, Range 20 East,
 Village of Howard, Brown County, Wisconsin.



North is referenced to the North line of the Northwest 1/4 of Section 17-24-20. As shown on the plat, the monument is located to bear N89°24'39"E. This map is based on the current Brown County Coordinate System.

Office of the Register of Deeds
 Brown County Wisconsin
 Received for Record _____ 20____
 at _____ o'clock _____ M and recorded as
 Document # _____ of _____ on Page _____
 Volume _____ of _____

There are no objections to this plat with respect to Secs. 236, 15, 236, 16, 236, 20 and 236, 21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.
 Certified _____, 20____
 Department of Administration



DATE: 8-23-13	
DRAFTED BY: ASC	
CHECKED BY: BUL	
PROJECT#: 0633-02-13	
SCALE: 1"=40'	
SHEET NUMBER	1 OF 2
DRAWING NUMBER	853

NO.	REVISION DESCRIPTION

River City Realtors
Final Plat
 Parcel Number: VH-477-3 & VH-478-9

Mach IV
 Engineering & Surveying LLC
 211 N. Broadway, Suite 114, Green Bay, WI 54303
 PH: 920-569-5765 Fax: 920-569-5767

