



**Meeting:** Village Board  
**Meeting Date:** 11/12/12  
**Agenda Item:** 6f

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

## VILLAGE BOARD MEETING STAFF REPORT

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

**REVIEWED BY:**

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

**AGENDA ITEM:** Review and take action on Preliminary Resolution 2012-22 declaring the intent to exercise special assessment powers under Wisconsin Statute Section 66.0701 upon Greenfield Avenue and Shawano Avenue.

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### POLICY ISSUE

Should the Village Board approve the preliminary resolution?

### BACKGROUND INFORMATION

Keith Garot of Landmark Real Estate has requested that the Village install sanitary sewer improvements required to serve a condo development on Shawano Avenue. The utility project includes sewer construction in the area indicated on the attached location map. Also included in the project would be service laterals for adjacent properties along the route. There is existing watermain in the project area. With the existing watermain and the installation of sanitary sewer the adjacent property owners would be required to connect their existing or future structures to the service laterals provided.

A developer agreement will be required for the proposed condo development and will be approved and in place prior to the final resolution should the project proceed. The proposed condo development includes the construction of four 8-unit buildings, The Planning Commission approved the final PDD for the condo development on October 15<sup>th</sup>, 2012. With the approval of the PDD the Planning Commission recommended that the development provide easements dedicated to the Village for future sidewalk and trail systems planned along the property. The development and trail easements are consistent with the Village's Comprehensive Plan. The Village Board approved the PDD at the October 22<sup>nd</sup>, 2012 meeting.

Approving the attached resolution is a preliminary step in a project that formally provides notice to property owners that a project may result in the levying of special assessments. The resolution directs that plans, specifications, estimates, and a schedule of assessments be prepared, to be reviewed at a public hearing in the future. At that time, the Village Board shall determine if any work or improvement shall be authorized and assessed in whole or in part. The assessments would be prepared in accordance with Village Policy and State Statutes. If this resolution is approved the project would begin immediately with survey, design, permitting and bidding activities. Property

owners that would be assessed were informed about potential Village Board action at the November 12<sup>th</sup>, 2012 Village Board meeting with the attached letter.

Construction could begin as early as March 2012 and would be scheduled to be completed around mid May with both dates subject to weather conditions.

**PRIOR ACTION/REVIEW**

The Village Board approved the PDD for the proposed condo development on 10/22/2012.

**FINANCIAL INFORMATION**

**FISCAL IMPACT:**

- |                              |   |
|------------------------------|---|
| 1. Is There A Fiscal Impact? | <u>Yes</u>  |
| 2. Is it Currently Budgeted? | <u>Yes</u>  |
| 3. If Budgeted, Which Line?  | <u>Enterprise &amp; Capital Improvement Funds</u> |
| 4. <u>Amount</u>             | <u>\$175,000</u>                                  |

**RECOMMENDED ACTION**

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

If the Village Board were in favor of this policy action, the following motion may be made:

***“Motion to approve resolution 2012-22 declaring the intent to exercise special assessments upon Greenfield Avenue and Shawano Avenue”.***

**POLICY ALTERNATIVE(S)**

The Village Board could take the following actions:

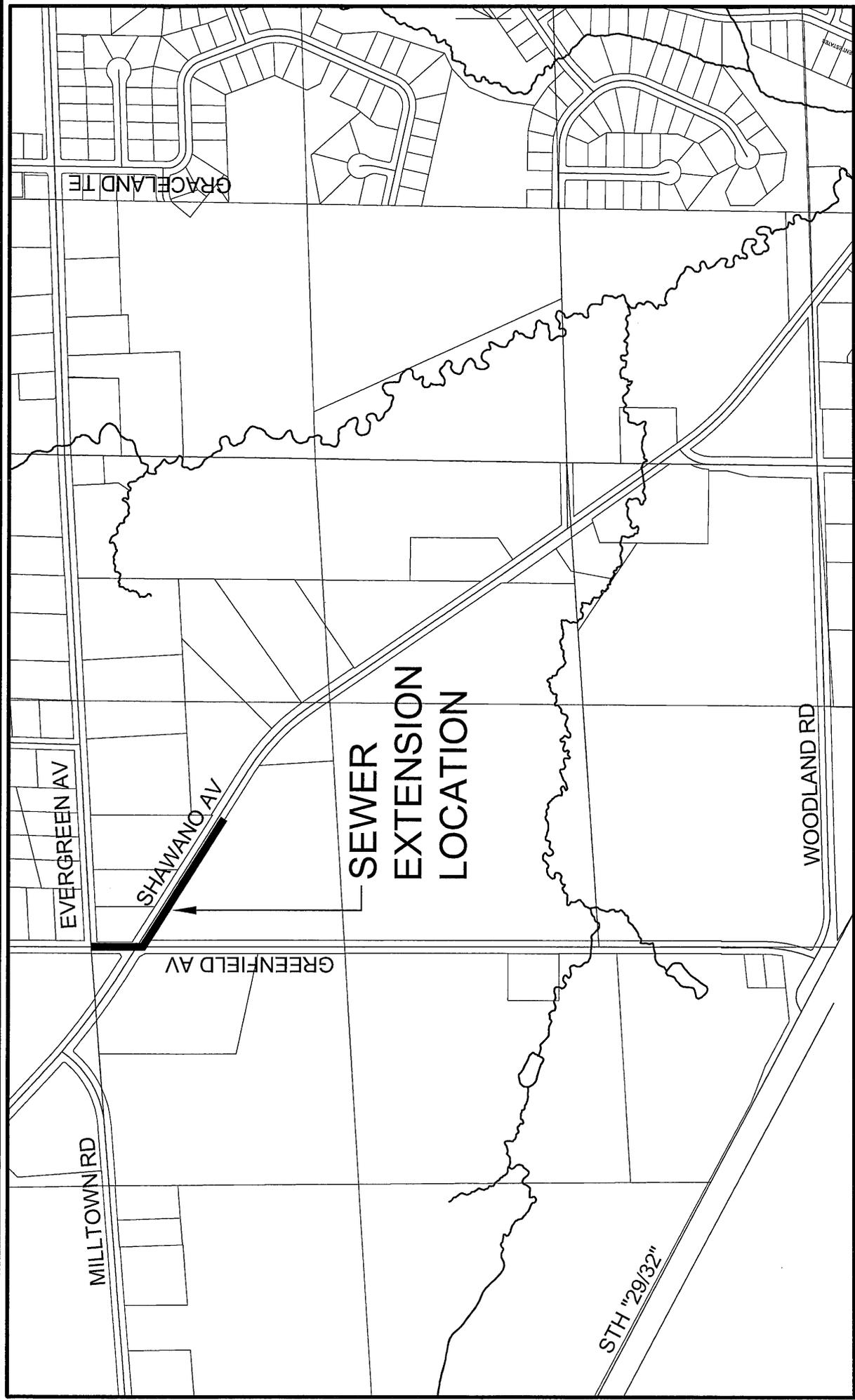
- Approve resolution 2012-22
- Deny the resolution and decide how to proceed
- Table the resolution and request additional information

**ATTACHED INFORMATION**

- I. Location Map
- II. Condo Site Plan
- III. Resolution 2012-22
- IV. Property owner notification letter

**COPIES FORWARDED TO:**

- I. None



**GREENFIELD AVE & SHAWANO AVE  
SEWER EXTENSION**

VILLAGE OF HOWARD ENGINEERING DEPARTMENT  
1336 CORNELL RD., GREEN BAY, WI 54313 (920) 434-4060





PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS UNDER WISCONSIN STATUTE SECTION 66.0701 UPON GREENFIELD AVENUE AND SHAWANO AVENUE, FOR SANITARY SEWER AND LATERALS, AND WATERMAIN SERVICE CONSTRUCTION.

The Village Board of the Village of Howard, Brown County Wisconsin do hereby resolve as follows:

1. The Village of Howard hereby declares its intention to exercise its power under Section 66.0701 of the Wisconsin Statutes to levy special assessments upon Greenfield Avenue, and Shawano Avenue as follows:

A. The easterly and westerly sides of Greenfield Avenue, beginning at the intersection with Evergreen Avenue, continuing southerly along Greenfield Avenue approximately 250 feet, ending at the south side of the intersection with Shawano Avenue for sanitary sewer and laterals, and water service construction including:

Parcel VH – 58  
Parcel VH – 65  
Parcel VH – 65-1

B. The northerly and southerly sides of Shawano Avenue, beginning at the southeast corner of the intersection with Greenfield Avenue, continuing easterly approximately 750 feet for sanitary sewer and laterals, and water service construction including:

Parcel VH – 58  
Parcel VH – 59  
Parcel VH – 60-1  
Parcel VH – 61

2. The total amount assessed by the Village shall not exceed the cost of the improvements.

3. The Assessment against any parcel may be paid in cash or installments to be determined at the public hearing on the proposed assessment.

4. The Village determines that such improvements shall be installed and assessment therefore levied under the police power and that the amount assessed against each benefited parcel shall be based on the Village of Howard Special Assessment Policy for public improvements.

5. The Director of Engineering is directed to prepare a report consisting of:
  - A. Preliminary or final plans and specifications.
  - B. An estimate of the entire costs of the proposed work or improvement.
  - C. A schedule of the proposed assessments.
  - D. A statement that the property against which the assessments are proposed is benefited.
6. After completing such report, the Director of Engineering is directed to file a copy thereof in the Village Clerk's office for public inspection.
7. Upon receiving the report of the Director of Engineering, the Village Clerk is directed to give notice of a public hearing on such report as specified in Section 66.0703(7), Wis. Stats., unless prior thereto a written waiver of such notice is received by the Clerk from the owners of all of the property affected by said public improvements against which assessments are to be levied. If such notice is required the hearing shall be held in the Village Hall at a time set by the clerk in accordance with Section 66.0703(7), Wis. Stats.

Adopted by the Board of Trustees of the Village of Howard, Brown County, Wisconsin, this 12<sup>th</sup> day of November 2012.

APPROVED:

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Burt McIntyre, Village President

ATTEST:

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Christopher Haltom, Village Clerk

Published: 11 | 16 | 12



November 8, 2012

**RE: Meetings Notice  
Greenfield Avenue and Shawano Avenue**

Dear Property Owner:

The Village of Howard is currently planning for utility construction on portions of Greenfield Avenue and Shawano Avenue (see attached Map). This work includes the installation of sanitary sewer main and water and sewer service laterals. As a result I am informing you that:

The Village Board is scheduled to review and take action on a preliminary resolution that *declares the intent* to levy special assessments at some future date for the above mentioned project on November 12<sup>th</sup> at 6:30 p.m. in the Village Hall Board Room located at 2456 Glendale Avenue. If you choose to attend the board meeting, please use the rear entrance to the building as the front door will be locked.

If you have any questions please call 434-4060 or stop by the Public Works Facility at 1336 Cornell Road so that we may address your concerns.

Respectfully,

*Michael J Kaster*

Michael J Kaster, P.E.  
Director of Engineering

Enclosure

CC: Burt R. McIntyre, Village President  
Daniel Deppeler, Village Trustee, Wards 15,16, & 17  
Paul F. Evert, Village Administrator