



Meeting Date: 02/14/11
 Agenda Item: 6e

Mission Statement
 Provide quality services in a modern, courteous and cost-efficient manner.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Burt McIntyre & Village Board of Trustees **REVIEWED BY**
REPORT FROM: Geoffrey S. Farr, PE, Director of Public Works JB
AGENDA ITEM: Review and take action on Preliminary Resolution 2011-05 declaring the intent to exercise special assessment powers under Wisconsin Statute Section 66.0701 upon Brookfield Avenue.
ACTION REQUESTED: ___Ordinance ___Resolution Motion ___Receive/File

POLICY ISSUE

Should the Village Board approve the preliminary resolution?

RECOMMENDED ACTION BY VILLAGE BOARD

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 2011-05 declaring the intent to exercise special assessments upon Brookfield Avenue".

POLICY ALTERNATIVE(S)

The Village Board could take the following actions:

- Approve the resolution in accordance with policy
- Not approve the resolution and decide how to alternatively finance the project costs.

<u>STRATEGIC PLAN RELEVANCE:</u>	
Economic Vitality:	<u>Yes</u>
Accountable/Efficient Gov't:	<u>Yes</u>
Enhance Gov't Partnerships:	<u>No</u>
Environmentally Friendly:	<u>Yes</u>

STRATEGIC PLAN SYNOPSIS:

The Village of Howard wishes to attract new businesses to create high-quality job opportunities, and increase the tax base to have a strong and balanced local economy.

POLICY REFERENCE

Wisconsin Statutes: 66.0701, 66.0703, 66.0721

Howard Municipal Code: Chapter 32, Article V, Division 2

Policies & Procedure Manual: VB-4: Budget Policies
Resolution 2008-02 Assessment Policy

KEY METRIC SYNOPSIS

Extend the utility infrastructure needed to permit construction of a new business and grow the utility customer base to achieve greater reliability, increase efficiencies and protect the environment.

FINANCIAL INFORMATION

<u>FISCAL IMPACT:</u>	
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>

FISCAL SYNOPSIS:
 The Village Sewer and Water Utility Enterprise Fund budgets provide the spending policy direction for 2011. The project may in whole or part also be funded though TIF with repayment through special assessments.

PRIOR ACTION/REVIEW

January 2011: The Village Board discussed incentives for Amerex
January 2011: The Village Board rezoned the property

BACKGROUND INFORMATION

Amerex is a fire retardant business that is interested in locating on Brookfield Avenue. Sanitary sewer and water utilities need to be extended to serve their buildings and development.

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

Property owners received the attached letter informing them about potential action at the February 14, 2011 Village Board meeting.

ATTACHED INFORMATION

- I. Letter to property owners
- II. Preliminary Resolution 2011-05.

ATTACHMENT I



February 9, 2011

**RE: Meetings Notice
Brookfield Avenue Utility Construction**

Dear Property Owner:

As you are aware the Village of Howard is currently planning for utility construction on portions of Brookfield Avenue as early as March, 2011. This work includes the installation of sanitary sewer, watermain, and utility service laterals along your property. Part of the project purpose is to attract a new business to the Village of Howard Industrial Park. To keep you informed:

The Village Board is scheduled to review and take action on a preliminary resolution *declaring the intent to levy special assessments* at a future date for improvements according to policy. The Village Board will consider this action on February 14, 2011 at 6:30 p.m. in the Village Hall Board Room located at 2456 Glendale Avenue. If you plan to attend the meeting please use the rear entrance as the front door will be locked.

The resolution is a procedural step that the Village is required to take in order to approve assessments in the future. It is essentially a notice to property owners of the Village's intent to assess at a later date when construction costs and a schedule of assessments is available. If the resolution is approved you will receive another mailing/notice in March or April that will detail the proposed assessment amounts and the time and place of a public hearing. The purpose of the hearing is for the Village Board to receive public input regarding the proposed assessments, and then consider and take action on the proposed assessments.

If you have any questions or concerns regarding this matter or any other item of interest please call me at 434-4060 or stop by the Public Works Facility at 1336 Cornell Road so that we may provide you with additional information.

Respectfully,

Geoffrey Farr

Geoffrey Farr, P.E.
Public Works Director

CC: Burt R McIntyre, Village President
Cathy Hughes, Village Trustee, Wards 5 & 6
Robert Bartelt, Village Administrator

ATTACHMENT II

Preliminary Resolution
2011-5

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

The Village Board of the Village of Howard, Brown County Wisconsin does 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 Brookfield Avenue as follows:

A. The easterly and westerly sides of Brookfield Avenue, beginning approximately 2000 feet northerly of Lakeview Drive, continuing northerly along Brookfield Avenue, ending approximately 2900 feet northerly of Lakeview Drive for sanitary sewer and laterals, and watermain and services, construction including:

- Parcel VH – 124-1
- Parcel VH – 124-2
- Parcel VH – 123-3
- Parcel VH - 118
- Parcel VH - 3161

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. This payment procedure is not applicable to developers who must comply with the Village procedure of escrowing money to cover special assessments in advance of the installation of the improvements.

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 Village Engineer 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 Village Engineer is directed to file a copy thereof in the Village Clerk's office for public inspection.

7. Upon receiving the report of the Village Engineer, 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 14th day of February, 2011.

APPROVED:

Burt McIntyre, Village President

ATTEST:

Robert Bartelt, Village Administrator/Clerk

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