

RESOLUTION NO. 3733

FINAL RESOLUTION LEVYING SPECIAL ASSESSMENTS  
PROJECT 2019 #9

WHEREAS, The Common Council heretofore determined by Preliminary Resolution No. 3719 adopted December 3, 2019, pursuant to Section 66.0703, Wisconsin Statutes and the police powers of the City of Greenfield to levy and collect special assessments upon properties benefited by the installation of storm sewer, storm sewer service laterals, sanitary sewer main, sanitary sewer service laterals, water main, water service laterals, concrete driveway approaches, concrete or asphalt driveway replacement, concrete public sidewalks, concrete service walks, concrete curb/gutter, concrete or bituminous concrete (asphalt) pavement, street lighting, and street trees, in portions of South 44th Street, South 45th Street, South 46th Street, South 46th Place, South 47th Street, South 48th Street, South 49th Street, West Saint Francis Avenue, West Crawford Avenue, and West Wilbur Avenue, Project 2019 #9 and

WHEREAS, the City Engineer's office prepared the report of the special assessments to be levied, including a schedule of proposed assessments, and filed said report with the City Clerk; and

WHEREAS, notice of public hearing on said report was given by the City Clerk as provided by law, as shown by affidavits of mailing and publication and the records on file herein; and

WHEREAS, the Board of Public Works held a public hearing on Tuesday, the 28th day of January, 2020 in the Council Chambers, Room 100 at City Hall commencing at 6:30 p.m. and all persons desiring to be heard were heard; and

WHEREAS, the Board of Public Works has forwarded its recommendation to the Common Council; and

WHEREAS, the Common Council has previously considered and accepted the recommendation of the Board of Public Works and has been fully advised in these matters and is now ready to proceed with the work and to make the final levy of special assessments for the benefits conferred as set forth herein;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Greenfield, Milwaukee County, Wisconsin, that:

1. After due consideration of the report of the City Engineer's office and the recommendation of the Board of Public Works in the manner set forth in the preamble hereto, the Common Council hereby finds and determines that the properties set forth in said report and each of them are benefited by the installation of storm sewer, storm sewer service laterals, sanitary sewer main, sanitary sewer service laterals, water main, water service laterals, concrete driveway approaches, concrete or asphalt driveway replacement, concrete public sidewalks, concrete service walks, concrete curb/gutter, concrete or bituminous concrete (asphalt) pavement, street lighting, and street trees, and the Common Council upon such consideration determines that the proposed assessments made were determined upon a reasonable basis.

2. Upon such findings and determinations, said report, including the proposed project plans and specifications, the statement of estimated project costs, the statement of benefits and the schedule of proposed assessments is hereby approved, and the Common Council directs that the City Engineer's office carry out said work or improvements in accordance with said report and that payment of said special assessments be made as hereinafter provided.

3. The proposed assessments set forth in said report are hereby assessed and levied against said properties as special assessments for the benefits incurred upon them by the installation of storm sewer, storm sewer service laterals, sanitary sewer main, sanitary sewer service laterals, water main, water service laterals, concrete driveway approaches, concrete or asphalt driveway replacement, concrete public sidewalks, concrete service walks, concrete curb/gutter, concrete or bituminous concrete (asphalt) pavement, street lighting, and street trees, in portions of South 44th Street, South 45th Street, South 46th Street, South 46th Place, South 47th Street, South 48th Street, South 49th Street, West Saint Francis Avenue, West Crawford Avenue, and West Wilbur Avenue, Project 2019 #9, and the owners of said properties are hereby ordered to pay such special assessments in the manner hereinafter provided.

4. The proceeds from such special assessments shall be used for paying the costs of the installation of storm sewer, storm sewer service laterals, sanitary sewer main, sanitary sewer service laterals, water main, water service laterals, concrete driveway approaches, concrete or asphalt driveway replacement, concrete public sidewalks, concrete service walks, concrete curb/gutter, concrete or bituminous concrete (asphalt) pavement, street lighting, and street trees.

5. The assessments are made pursuant to the police powers of the City of Greenfield and Section 66.0703, Wisconsin Statutes.

6. Each special assessment levied by this resolution shall be a lien on the property against which it is levied on behalf of the City of Greenfield, in accordance with Section 66.0703(13) Wisconsin Statutes.

7. Phase 1: Properties in the Project district which are north of Saint Francis Avenue, also, properties which abut the south side of Saint Francis Avenue. Said assessments may be paid: [1] in one sum without interest on or before October 18, 2021; or [2] the entire amount plus interest computed at 2.66% from October 18, 2021 may be placed on your 2021 property tax bill; or [3] in ten (10) equal annual installments, as provided for by Section 66.0715(3), Wisconsin Statutes, with interest thereon at 2.66% per year on the unpaid balance beginning October 18, 2021. All assessments will be collected in installments as provided in said Paragraph 7 of the Final Resolution to which this Notice is attached, except such assessments which are paid in full to the City of Greenfield on or before October 18, 2021.

Phase 2: The remaining properties in the Project district. Said assessments may be paid: [1] in one sum without interest on or before October 17, 2022; or [2] the entire amount plus interest computed at 2.66% from October 17, 2022 may be placed on your 2022 property tax bill; or [3] in ten (10) equal annual installments, as provided for by Section 66.0715(3), Wisconsin Statutes, with interest thereon at 2.66% per year on the unpaid balance beginning October 17, 2022. All assessments will be collected in installments as provided in said Paragraph 7 of the Final Resolution to which this Notice is attached, except such assessments which are paid in full to the City of Greenfield on or before October 17, 2022.

The first installment shall be entered in the tax roll as a special assessment on the property upon which the special assessment was levied and thereafter shall be treated in all respects as any other municipal tax, except as otherwise provided in Section 66.0715(3), Wisconsin Statutes. One of the subsequent installments shall be entered in a like manner and with like effect in each of the annual tax rolls thereafter until all are levied. Each property owner who is paying by installments may prepay his or her assessments together with accrued interest at any time without penalty. In the event a property owner fails to pay any installment in full at the time it is due, said owner will be deemed delinquent and his or her or its entire unpaid assessment, together with accrued interest through December 31 of the year said delinquency occurs, shall be extended upon the next succeeding tax roll as a delinquent tax against the property and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such special assessment, except as otherwise provided by statute.

8. All payments hereunder are to be made to the City of Greenfield.

9. The City Clerk is hereby authorized and directed to publish a copy of this resolution as a Class 1 notice in the Southwest NOW and shall mail a copy of this resolution and a statement of final assessment against his or her property to every interested person whose tax key number appears on the assessment schedule and whose post office address is known or can, with reasonable diligence, be ascertained.

10. The City Clerk is hereby authorized and directed to publish the “Installment Assessment Notice” attached hereto and made a part hereof, as a Class 1 notice and mail a copy thereof to every interested person.

11. This resolution shall become effective upon passage and publication and notice in compliance with Sections 9 and 10 above.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 4th day of February, 2020.

APPROVED:

Michael J. Neitzke  
Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen  
Jennifer Goergen, City Clerk

Published: February 12, 2020

CITY OF GREENFIELD  
INSTALLMENT ASSESSMENT NOTICE  
PROJECT 2019 #9

NOTICE IS HEREBY GIVEN that a contract was let for the installation of storm sewer, storm sewer service laterals, sanitary sewer service laterals, water main, water service laterals, concrete driveway approaches, concrete or asphalt driveway replacement, concrete public sidewalks, concrete service walks, concrete curb/gutter, and concrete or bituminous concrete (asphalt) pavement, street lighting, and street trees in portions of South 44th Street, South 45th Street, South 46th Street, South 46th Place, South 47th Street, South 48th Street, South 49th Street, West Saint Francis Avenue, West Crawford Avenue, and West Wilbur Avenue; and that amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the City Clerk.

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Dated at Greenfield, Wisconsin this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Jennifer Goergen, City Clerk