

Amber J. ... 11-02-01

14-2187

RESOLUTION

WHEREAS, the City of Manitowoc charges abutting property owners for the costs of seal coating on a per foot basis; and

WHEREAS, the Common Council adopted the 2014 budget recommended by the Finance Committee, which called for abutting property owners to pay 100% of the costs for seal coating and budgeted for abutting property owners to pay those invoices in fiscal year 2014; and

WHEREAS, the Common Council adopted Ordinance 14-1356 amending Manitowoc Municipal Code §7.320 on June 16, 2014, which states that seal coating shall be assessed at a rate of 80% of the actual expenditures, including annual bid results and related labor, material, and equipment costs; and

WHEREAS, adoption of Ordinance 14-1356 created a deficit in the 2014 Budget of approximately \$13,750; and

WHEREAS, the City of Manitowoc set the rates for 2014 seal coating in Resolution 14-286, which was adopted by the Common Council on June 16, 2014; and

WHEREAS, owners of property abutting streets that were seal coated in 2014 were sent invoices reflecting the rates set in Resolution 14-286, with said invoices to be paid in fiscal year 2014; and

WHEREAS, Manitowoc Municipal Code §7.285 allows for a five year installment payment plan for a variety of special assessments, but has not historically allowed this plan for seal coating; and

WHEREAS, the Public Infrastructure Committee of the Common Council voted to allow abutting property owners of seal coated streets to be allowed to request a five year installment plan as allowed in Manitowoc Municipal Code §7.285; and

WHEREAS, 22 of the property owners abutting streets that were seal coated in 2014 have already paid their invoices without being offered a five year installment plan; and

WHEREAS, allowing abutting property owners of streets that were seal coated in 2014 to take a five year installment plan will create an additional \$36,000 deficit in the

2014 Budget if all abutting property owners who have yet to pay their invoice request the five year installment plan.

NOW, THEREFORE, BE IT RESOLVED that abutting property owners of streets that were seal coated in 2014 who have yet to pay their annual invoice shall be offered a five year installment plan as outlined in Manitowoc Municipal Code §7.285.

BE IT FURTHER RESOLVED that any abutting property owner of streets that were seal coated in 2014 who has already paid their annual invoice shall not be eligible for this five year installment plan.

BE IT FURTHER RESOLVED that the additional \$36,000 deficit in the 2014 Budget caused by adoption of this resolution shall be filled by _____.

Introduced **OCT 20 2014**

Adopted _____

Approved _____

Justin M. Nickels, Mayor

This resolution was drafted by City Attorney Kathleen McDaniel