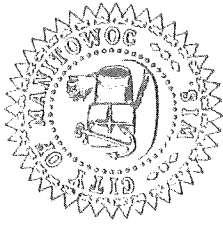


CITY OF MANITOWOC

WISCONSIN, USA
www.manitowoc.org



15-832

July 22, 2015

VETO

TO: Council President Eric Sitkiewitz
Members of the Common Council

FROM: Mayor Justin M. Nickels

SUBJECT: Resolution 2015-580

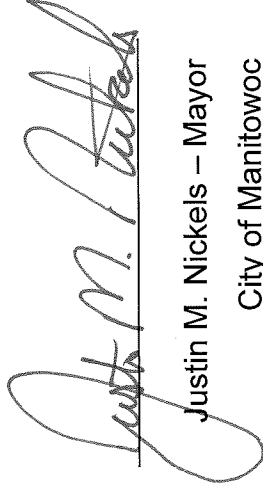
Dear Council President Sitkiewitz and Members of the Common Council,

Please allow me to provide the Common Council with this written communication vetoing the Common Council's action on Resolution number 2015-580 which pertains to refunding storm sewer connection fees going back to 2005. This resolution was adopted by your body on July 20, 2015 by a 9-0 affirmative vote, with Alderman Soeldner absent.

I am vetoing this resolution because I do not believe refunding this fee is appropriate or warranted. This fee was known to the owners of the property at the time and paid without complaint (at least that I can find through my research). I support the ordinance which was adopted to eliminate this fee moving forward, but cannot in good conscience support refunding this fee, especially since some of the individuals listed do not even reside at that location anymore. I also believe this could set a precedent if the Common Council and Mayor decide to eliminate other fees in the future. I am also concerned about the funding source being used to refund these fees. Removing \$8,500 from the operational budget is not a wise choice, in my opinion, in these difficult financial times.

As always, feel free to contact me anytime if you have any questions, comments or concerns.

Sincerely,


Justin M. Nickels – Mayor
City of Manitowoc

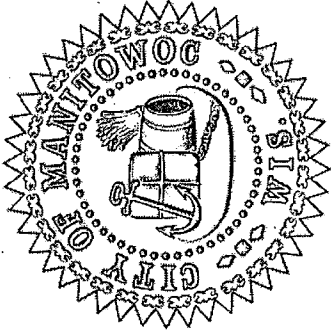
7/22/15

Date

Mayor Justin M. Nickels -- Phone (920) 686-6980
CITY HALL • 900 Quay Street • Manitowoc, WI 54220-4543 • Fax (920) 686-6989



15-580



Standing Committee: Public Infrastructure Committee

Document Name: Resolution for Storm Sewer Connection Fee Refund

Consent

Non-Consent

Chairman Recommend

Recommendation:

To approve the resolution

Attest:

Chair - Alderperson Dave Soeldner

7-26-15

Date

Vice-Chair - Alderperson Jim Brey

Alderperson Jill Hennessey

Alderperson Al Schema

Alderperson Pat Brandel

Approved:

Justin M. Nickels
Mayor

Date

PT 5
1-20-15

RESOLUTION
REFUNDING STORM SEWER CONNECTION FEES

WHEREAS, the Public Infrastructure Committee of the City of Manitowoc became aware that some residential properties in the City of Manitowoc were inadvertently charged a \$500 storm sewer connection fee when they connected a sump pump or other stormwater diversion system to an existing catch basin between 2005 and 2014; and,

WHEREAS, §7.276(2)(c) of the Municipal Code clearly states that the \$500 storm sewer connection fee shall be waived "where a connection is made to an existing catch basin and where storm laterals or other stormwater facilities are not available or scheduled to be made available during the year of the connection" and the properties listed below did not have storm laterals or other stormwater facilities available during the year of their connection; and

WHEREAS, the Public Infrastructure Committee discussed this issue at their meetings on January 12, 2015, February 2, 2015, April 6, 2015 and May 4, 2015 and unanimously approved refunding this money to the residential property owners that owned the property at the time of the connection; and

WHEREAS, the following list of property addresses and names are those owners who were inadvertently charged the connection fee:

2005:
Dennis Reinhardt, 301 Hawthorne Terrace
Jean Christel, 1622 Green Street

2006:
Jamie Aulik, 1621 Atlanta Circle
Thomas Rees, 4913 Sunset Road

2007:
Justin Winga, 1032 River Court
Dan Liebe, 1721 S. 16th Street

2008:
Robert Larson, 863 Shorewood Boulevard
Jonathan Schuster, 860 N.5th Street

2009:
None

2010:
Xia (James) Yang, 1239 S. 32nd Street
Robert Amsden, 2116 Lakeside Boulevard

2011:

Derek Biely, 2902 Coolidge Place
Howard McMahan, 1021 Lincoln Boulevard

2012:

Richard Neuser, 725 S. 32nd Street

2013:

Brian Staude, 904 Reed Avenue
Jeff Vogel, 1302 S. 32nd Street

2014:

Jeanne Delmore, 1517 S. 24th Street
William & Jennifer Erhardt, 1309 Dewey Street

NOW THEREFORE BE IT RESOLVED, by Mayor Justin M. Nickels and the

Common Council of the City of Manitowoc that the property owners listed above be refunded the \$500 storm sewer connection fee.

INTRODUCED JUL 20 2015

ADOPTED _____

APPROVED _____

Justin M. Nickels, Mayor

This resolution was drafted by Kathleen M. McDaniel, City Attorney

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Fiscal Impact: \$8,500.00

Funding Source: Operational Stormwater Management Streets Maintenance
1100-32325-523600

Finance Director Approval: /sc

Approved as to form: /kmm