

P.I.  
4-16-18

18-0355

**PRELIMINARY RESOLUTION DECLARING INTENT TO LEVY SPECIAL  
ASSESSMENTS UNDER MUNICIPAL POLICE POWER PURSUANT TO §66.0703,  
WISCONSIN STATUTES AND §7.280 OF THE MUNICIPAL CODE OF THE CITY OF  
MANITOWOC, RECONSTRUCTION OF DEWEY STREET – SOUTH 10<sup>TH</sup> TO SOUTH  
26<sup>TH</sup> STREET**

**WHEREAS**, it is expedient, necessary and in the best interest of the City of Manitowoc, and for benefit of the property affected thereby that improvements in streets be made on Dewey Street between S. 10<sup>th</sup> Street and S. 26<sup>th</sup> Street.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Common Council of the City of Manitowoc, that:

1. The Common Council hereby declares its intention to exercise its police power under Wis. Stat. § 66.0703 to levy special assessments upon property in the assessment district hereafter described for benefits conferred upon such property by reason of the following public work and improvements:

**Complete Reconstruction of Dewey Street from S. 10<sup>th</sup> to S. 26<sup>th</sup> Street**

2. The property to be assessed lies within the following described assessment district:

**All properties with frontage along Dewey Street from South 10<sup>th</sup> Street to South 26<sup>th</sup> Street and all side street frontages within the project limits, located in the City of Manitowoc.**

3. The total amount assessed against the properties in the described assessment district shall not exceed the total cost of the improvements. The properties against which the assessments are proposed are benefitted by the contemplated public work and improvement.
4. The Common Council determines that the improvements constitute an exercise of the police power for the health, safety and general welfare of the municipality and its inhabitants.
5. The Director of Public Infrastructure shall prepare a report which shall consist of:
  - a. Final plans and specifications for the improvements.
  - b. An estimate of the entire cost of the proposed street improvements.
  - c. Schedule of proposed assessments.
6. When the report is completed, the Director of Public Infrastructure shall file a copy of the report with the City Clerk for public inspection and notify the State as required by law.
7. Upon receiving the report from the Director of Public Infrastructure, the City Clerk shall cause notice to be given stating the nature of the proposed improvements, the general

boundary lines of the proposed Assessment District, the time and place at which the report may be inspected, and the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a Class I Notice under Wis. Stat. Ch. 985 and a copy shall be mailed, at least 10 days before the hearing, to every interested party whose address is known or can be ascertained with reasonable diligence.

8. The Public Hearing shall be conducted by the Board of Public Works in the First Floor Conference Room – West at the Manitowoc City Hall, located at 900 Quay Street, Manitowoc, WI 54220 at a time set by the City Clerk in accordance with Wis. Stat. § 66.0703(7)(a).
9. The Council shall pass later resolutions (1) directing the work to be performed and (2) adopting a final resolution to levy the special assessments after the work has been completed. The final resolution shall be published as a Class I notice and mailed to all interested parties.
10. When the final resolution is published, all awards, compensation, and assessments arising therefrom are deemed legally authorized and made, subject to the right of appeal under Section 66.0703(12) of the Wisconsin Statutes.
11. The assessment against any parcel may be paid in cash or in annual installments, the number of which shall be determined at the Public Hearing of the proposed assessments.

**APR 16 2018**

Introduced \_\_\_\_\_ Adopted \_\_\_\_\_ Approved \_\_\_\_\_

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Justin M. Nickels, Mayor

This resolution was drafted by Gregory J. Minikel, Engineering Division Manager

**Fiscal Impact:** Per Approved 2018 Public Infrastructure Budget

**Funding Source:** Public Infrastructure Budget

**Finance Director Approval:** /sc

**Approved as to form:** /kmm