

RESOLUTION NO. 2023-5376

PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS FOR PUBLIC IMPROVEMENTS TO ALLEYS ABUTTING PROPERTIES ALONG EAST 3<sup>RD</sup> STREET, WEST 3<sup>RD</sup> STREET, EAST 4<sup>TH</sup> STREET, WEST 4<sup>TH</sup> STREET, REAUME AVENUE, MAIN AVENUE, CROOKS AVENUE, ISLAND STREET, SCHULTHEIS STREET, ELM STREET, AND OAK STREET.

WHEREAS, Kaukauna Municipal Code requires cost of alley reconstruction to be assessed by the lineal footage of alley frontage for such property abutting the alley; and

WHEREAS, the Kaukauna Municipal Code authorizes, pursuant to state statutes, the exercise of police powers for such public improvements;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin that the Common Council hereby declares its intention to exercise the police powers under Section 66.0703 of the Wisconsin Statutes to levy special assessments upon property within the following areas for improvements conferred upon such property:

1. The installation of asphalt alleys, grading, gravel base, excavation, landscaping and topsoil including engineering charges on the following alleys:
  - Alley Between Island Street and Schultheis Street – Oak Street to Elm Street
  - Alley Between E 3<sup>rd</sup> Street and E 4<sup>th</sup> Street – Crooks Avenue to Main Avenue
  - Alley Between W 3<sup>rd</sup> Street and W 4<sup>th</sup> Street – Main Avenue to Reaume Avenue
  - Alley Between W 3<sup>rd</sup> Street and W 4<sup>th</sup> Street – Reaume Avenue to Westerly Terminus
2. The assessment against any parcel abutting the project related to the installation of asphalt alleys, grading, gravel base, excavation, landscaping and topsoil installation may be paid in cash or over a period of ten (10) years or less. All deferred payments shall bear interest at the rate paid by the City on the borrowed money plus one percent (1%).
3. The City Engineer and Board of Public Works are hereby directed to prepare a report consisting of:
  - a. Final plans and specifications for the said improvements.
  - b. An estimate of the entire cost of the proposed project.
  - c. A schedule of the proposed assessments.
  - d. A statement that the property against which the assessments are proposed is benefited.
4. Upon completion of the above report, a copy of the same is to be filed in the office of the City Clerk for public inspection, and the Clerk is then directed to give notice

of a public hearing on such report pursuant to Section 66.0703(7) of the Wisconsin Statutes.

Introduced and adopted this 7<sup>th</sup> day of March, 2023

APPROVED: \_\_\_\_\_  
Anthony J. Penterman, Mayor

ATTEST: \_\_\_\_\_  
Sally A. Kenney, Clerk