

VILLAGE OF LITTLE CHUTE

(Outagamie County, State of Wisconsin)

RESOLUTION NO. 04, SERIES OF 2023

A Final Special Assessment/Hookup Fee Resolution authorizing special assessments/hookup fees for installation and construction of municipal improvements as described hereinafter, within an area described hereinafter, and providing for the levying of special assessments or hookup fees. As applicable, against said property owners as described hereinafter under and pursuant to the provisions of Sections 61.36, and as applicable 66.0701, 66.0703, and 66.0907, of the Wisconsin Statutes, and Sec. 16-87 of the Village Code of Ordinances as amended from time to time, and further pursuant to applicable village ordinances.

WHEREAS, the Village Board of Trustees, Village of Little Chute, located in Outagamie County, Wisconsin, did create Sec. 16-87 of the Village Code of Ordinances entitled "Hookup Fees for Improvements Benefiting Properties Located Outside of the Village to be Imposed Upon Annexation and for Assessments Proceedings for Completed Municipal Improvements", thereby declaring the Village's intent to exercise special assessment and police powers under Wisconsin statutes in particular, Sections 61.34, 61.36, and as applicable 66.0701, 66.0703, and 66.0907 of the Wisconsin Statutes, and as applicable Sec. 16-87 of the Village Code of Ordinances as amended from time to time, and as further amended by then applicable Village Ordinances, for the following purposes and within the following described area:

- a) **DESCRIPTION OF SPECIAL ASSESSMENT/HOOKUP FEE PROJECT:**
2023 Concrete Sidewalk & Street Lighting Construction – Crosswinds Subdivision

- b) **AREA OF SPECIAL ASSESSMENT/HOOKUP FEE IMPROVEMENTS:**
Gardenia Drive – From French Road to Cherryvale Avenue
Tulip Trail – All of Tulip Trail, from Gardenia Dr. to Gardenia Dr.
Golden Hill Court – From Tulip Trail to Terminus

WHEREAS, the Village Board of Trustees did provide for the publishing of the required statutory Notice of Public Hearing on Special Assessment/Hookup Fee in the *Times/Villager* on November 23, 2022 and did further mail a copy of said Notice of Public Hearing on Special on Special Assessment/Hookup Fee to all affected property owners as set forth within the above-described project area, all within the required statutory time, including a scale map (if available) of the project area: and,

WHEREAS, the specially benefited property affected and property owners therein affected by the municipal improvement project are as set forth above: and,

WHEREAS, the Village Board of Trustees, Village of Little Chute, did hold a Public Hearing upon said Special Assessment/Hookup Fees, on the 7th day of December, 2022, at 6:00 p.m. in the Board Room, 108 W. Main Street, Little Chute, WI 54140, pursuant to the published Notice of Public Hearing and a mailing of said Notice to affected property owners, for the purpose of informing and hearing all interested persons concerned with the Special Assessment/Hookup Fee and the Report of the Village Engineers reference the proposed public improvement project, and did hear all persons desiring audience at said hearing

NOW THEREFORE, BE IT RESOLVED by the Village Board of Trustees, Village of Little Chute, as follows:

1. That the Report of the Village Engineers for the public improvement project, affecting the special assessment and hookup fee area, all as described above, including any and all engineering plans and specifications thereto, are hereby approved and adopted. Pursuant to the Report of the Village Engineer as set forth above, or in the alternative to the foregoing provisions pursuant to Sections 16-87(e) of Village Ordinances for fully or partially completed work. All of said special assessments/hookup fees proposed are determined to have been levied and proposed on a reasonable basis, being actual construction costs, engineering fees, attorneys' fees, publications costs, Village administrative costs and fees and other special assessment proceeding and hookup fee proceeding costs; and, further, that all said municipal improvements are determined to specially benefit the areas/properties being assessed, or charge with hookup fees, as applicable.
2. That the Village of Little Chute awarded a contract to carry out the work of said improvements in accordance with the Report of the Village Engineer or in the alternative work was completed and performed by others for which the Village contributed payments for such public improvements.
3. That payment for said municipal improvements shall be made by assessing the cost to the abutting/affected property owners located within the Village jurisdiction pursuant to Sections 61.34 and/or 61.36, and pursuant to authority and police powers and as applicable 66.0701, 66.0703, and 66.097 of the Wisconsin Statutes, and as applicable Sec. 16-87 of the Village Code of Ordinances as amended from time to time, and as set forth hereinafter and further pursuant to any applicable Village Ordinance or Policy dealing with special assessments, and further made in part by imposing hookup fees at the time and manner set forth below for those properties presently located outside Village jurisdiction.
4. The Village of Little Chute had advertised for bids for this project and the Village of Little Chute did award a contract to carry out the work for said improvements, all to fore mentioned, and/or in the alternative work was completed and performed by others for which the Village contributed payments for such public improvements.
5. That all costs to be assessed or later charged as hookup fees, as shown on attached Engineer's Report as modified, are true and correct, have been determined on a reasonable basis, are further determined to specially benefit the abutting/affected property, and are hereby confirmed.

6. Special Assessments on parcels located inside the Village will be paid as detailed in the Final Engineer's Report for those properties under Village jurisdiction. Final rates are identified in attachment to this Resolution. The assessment/hook up fee may be paid in full within 60 days without accumulation of additional interest. Assessments/hookup fees not paid within 60 days will accrue interest at current rate as borrowed from the lender and be placed on the tax roll over a 5 year period. Minimum annual payments are \$300.00 payable in person or added to the real estate property bill. Direct payments must be made no later than November 1st in lieu of being to the tax bill. Any exceptions to the collection period must be approved by the Finance Director.

7. Hookup Fees and/or special assessments will be charged to those parcels that are included in the project area (as detailed in the Final Engineer's Report) but are not currently located in the Village and will be imposed and held in abeyance until the time of annexation to the Village all pursuant to Sec. 16-87 of the Village Code of Ordinances, none of which constitute a current lien against properties located outside of the Village limits until time of annexation, and no interest will be charged for the period prior to annexation. Such hookup fees and special assessments are hereby deferred in accordance with Sec. 16-87 of the Village Code of Ordinances.

8. The Village Clerk for the Village of Little Chute is directed to publish this Resolution as a Class One Notice in the *Times/Villager* Kaukauna, Wisconsin.

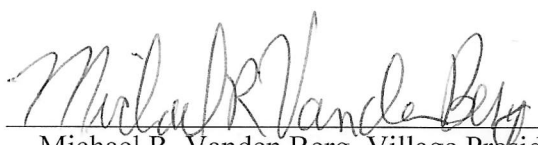
9. The Village Clerk for the Village of Little Chute is further directed to mail a copy of the Final Assessment Resolution and a statement of final assessment against affected/abutting property, to each affected/abutting property owner whose name appears on the assessment roll and whose post office address is known or can, with reasonable diligence, be ascertained.

10. This assessment and hookup fee amount may be amended and/or revised, where necessary, from time to time, pursuant to Sections 66.0701, 66.0703 (10) of the Wisconsin Statutes, Village ordinances or policies associated therewith, as amended from time to time.

11. Effect of Village Ordinance(s). See Village of Little Chute Municipal Code Chapter 16, Article III. The assessment and hookup fee rates have been modified and/or adjusted to reflect the Village of Little Chute local share, as paid by Village of Little Chute General Funds where applicable.

Date introduced, approved and adopted: January 25, 2023

VILLAGE OF LITTLE CHUTE

By: 
Michael R. Vanden Berg, Village President

Attest: Laurie Decker
Laurie Decker, Village Clerk

FINAL DETERMINATION OF ASSESSMENT/HOOKUP FEE:

Concrete Sidewalk Construction (5 feet wide) – Crosswinds Subdivision

Assessment Rate (per lineal foot) - \$59.40 – Residential

Street Lighting (3 Additional Light Poles and Fixtures)

Assessment Rate (per property) - \$121.21 – Residential