



## Legislation Text

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**File #: 980109, Version: 1**

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980109  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution authorizing certain City departments to initiate actions preliminary to environmental testing of various tax delinquent properties.

- Analysis -

This substitute resolution authorizes the Department of City Development, the City Attorney's Office, and the Health Department to initiate actions preliminary to phase II environmental testing of three tax delinquent properties.

Whereas, It is in the best interest of the City of Milwaukee ("City") to perform environmental testing, remediation, acquisition, and sale of tax delinquent properties which are known or suspected to be contaminated and which are marketable, and may be eligible for reimbursement under the State of Wisconsin's Petroleum Environmental Cleanup Fund Act ("PECFA"), and/or have high potential for elimination of hazards to public health or safety; and

Whereas, The City cannot take possession of tax delinquent properties and take actions to return them to the property tax rolls until such properties have been tested for environmental contamination; and

Whereas, Section 304-28.5 of the Milwaukee Code of Ordinances provides for the establishment of an Environmental Testing and Remediation Subfund ("Subfund") within the Permanent Improvement Fund and stipulates that at the beginning of each quarter, the Common Council shall approve, by resolution, the list of properties for which actions leading to environmental testing may be commenced during that quarter; and

Whereas, Department of City Development and Health Department staff working with an interdepartmental work group established to administer the Subfund, have recommended, based on consideration of marketability, PECFA eligibility and overall cost recovery potential, that the environmental testing process be initiated for the following properties:

#### PROPERTY ADDRESS, TAX KEY NO.

4071-95 North Port Washington Ave., TK #243-0104-100-0

3009 North Humboldt Blvd., TK #281-1049-5

3326 West Capitol Drive, TK #246-0003-100-3

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Attorney's Office, the Department of City Development, and the Health Department are authorized to initiate, during the second quarter of 1998, actions preliminary to environmental testing or In Personam Action on any or all of the following properties:

#### PROPERTY ADDRESS, TAX KEY NO.

4071-95 North Port Washington Ave., TK #243-0104-100-0

3009 North Humboldt Blvd., TK #281-1049-5

3326 West Capitol Drive, TK #246-0003-100-3

; and, be it

Further Resolved, That expenditures for testing activity shall not occur until the Common Council of the City of Milwaukee authorizes, by resolution, the transfer of the necessary funds from the Environmental Testing and Remediation Subfund to a Department of City Development account established for such purpose.

DCD-Real Estate  
DD:jvg  
05/13/98