



## Legislation Details (With Text)

**File #:** 150120 **Version:** 0

**Type:** Resolution **Status:** Passed

**File created:** 5/12/2015 **In control:** COMMON COUNCIL

**On agenda:** **Final action:** 6/2/2015

**Effective date:**

**Title:** Resolution authorizing settlement of the Sec. 74.37 property tax assessment lawsuits of various NNN fast food restaurants v. City.

**Sponsors:** THE CHAIR

**Indexes:** ASSESSMENTS, SUITS SETTLEMENT

**Attachments:** 1. NNN Funding Request, 2. Letter to Mayor

| Date      | Ver. | Action By                         | Action               | Result | Tally |
|-----------|------|-----------------------------------|----------------------|--------|-------|
| 5/12/2015 | 0    | COMMON COUNCIL                    | ASSIGNED TO          |        |       |
| 5/21/2015 | 0    | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT |        |       |
| 5/21/2015 | 0    | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT |        |       |
| 5/21/2015 | 0    | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT |        |       |
| 5/29/2015 | 0    | JUDICIARY & LEGISLATION COMMITTEE |                      |        |       |
| 6/2/2015  | 0    | COMMON COUNCIL                    | ADOPTED              | Pass   | 13:0  |
| 6/11/2015 | 0    | MAYOR                             | SIGNED               |        |       |

150120

Original

The Chair

Resolution authorizing settlement of the Sec. 74.37 property tax assessment lawsuits of various NNN fast food restaurants v. City.

Whereas, The City of Milwaukee has assessed various NNN fast food restaurants in the City of Milwaukee for the years 2012, 2013, and 2014; and

Whereas, Their owners have objected to those assessments as excessive; and

Whereas, Those owners have filed a Wis. Stat. sec. 74.37 lawsuit against the City; and

Whereas, Recent court decisions have rejected the City's assessment methodology; and

Whereas, The City will refund 2012, 2013, and 2014 property taxes to the plaintiffs who have filed Sec. 74.37 lawsuits against the City in the amounts listed on Exhibit A in return for a full release of their pending lawsuits against the City; and

Whereas, The City will recoup approximately 68% of its tax refunds to these plaintiffs from the other taxing jurisdictions;

now therefore, be it

Resolved, That the City Assessor and the City Attorney are authorized to obtain and execute an appropriate settlement and release from the plaintiffs listed on Exhibit A; and, be it

Further Resolved, That the Comptroller is authorized to refund 2012, 2013, and 2014 property taxes to the plaintiffs in the amounts listed on Exhibit A from the remission of taxes fund, 001 ORG 9990 Program 0001 Sub-class S163 Account 006300, as soon as funding is available; and, be it

Further Resolved, That the Treasurer is authorized to cancel 2014 taxes due from the plaintiffs in the amounts listed on Exhibit A in return for the payment from the remission of taxes fund 001 ORG 9990 Program 0001 Sub-class S163 Account 006300, as soon as funding is available.

City Attorney  
Vincent Moschella  
May 6, 2015