Legislation Details (With Text)

File #:	170513 **Version:** 0		
Type:	Resolution	**Status:**	Passed
File created:	7/11/2017	**In control:**	COMMON COUNCIL
On agenda:		**Final action:**	7/31/2017
Effective date:			
Title:	Resolution authorizing settlement of claims in the lawsuit entitled Bay Development Co., LLC v. City of Milwaukee for the total amount of $9,555.26.		
Sponsors:	THE CHAIR		
Indexes:	CLAIMS PAYMENT		
Attachments:	1. Fiscal Impact Statement.pdf, 2. Settlement Agreement - Bay Development -final.pdf, 3. Letter to Common Council		

Date	Ver.	Action By	Action	Result	Tally
7/11/2017	0	COMMON COUNCIL	ASSIGNED TO		
7/17/2017	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/24/2017	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
7/31/2017	0	COMMON COUNCIL	ADOPTED	Pass	15:0
8/9/2017	0	MAYOR	SIGNED		

170513
ORIGINAL

THE CHAIR
Resolution authorizing settlement of claims in the lawsuit entitled *Bay Development Co., LLC v. City of Milwaukee* for the total amount of $9,555.26.
This resolution authorizes settlement of claims raised by the Plaintiff, Bay Development Co., LLC, in the lawsuit entitled *Bay Development Co., LLC v. City of Milwaukee*, Milwaukee County Case No. 2016-CV-4612.

Whereas, The plaintiff filed a lawsuit against the City entitled *Bay Development Co., LLC v. City of Milwaukee*, Milwaukee County Case No. 2016-CV-4612, for the partial refund of property tax assessments previously paid, on the basis that its 2015 and 2016 property tax assessments were excessive; and

Whereas, The parties conducted a mediation before Stan Riffle on June 9, 2017, and Plaintiff has agreed to settle the claims raised in the above-referenced lawsuit for the total amount of $9,555.26; and

Whereas, The City Attorney recommends that the City of Milwaukee settle this lawsuit now; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, the City Attorney is authorized to enter into a settlement agreement between the City of Milwaukee and the Plaintiff referred to herein and to

execute and approve all documents and take all action necessary to carry out the terms and conditions of said agreement; and, be it

Further Resolved, That in compliance with the City Attorney's direction, the proper City officers be and hereby are authorized and directed to issue a City check, as soon as practicable in full and final settlement of the claims as outlined in the above-referenced lawsuit, to be charged to the Remission of Taxes Fund Special Purpose Account No. 001-9900-S163-006300, the sum of $9,555.26 made payable to the Trust Account of von Briesen & Roper, s.c. in final settlement of this lawsuit; and be it

Further Resolved, That for and in consideration of the above-referenced payment, the Plaintiff will provide to the City a release of claims and a stipulation and proposed order to dismiss the claims raised in the pending court action.

City Attorney
Hannah R. Jahn
June ___, 2017

Techncial correction made to account string -- James R. Owczarski -- 8/20/17