



Legislation Details (With Text)

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File created:	11/26/2019	In control:	COMMON COUNCIL
On agenda:		Final action:	1/21/2020
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Title:	Substitute resolution authorizing the denial of Saint John's Communities LLC's claim of alleged unlawful tax.		
Sponsors:	THE CHAIR		
Indexes:	CLAIMS		
Attachments:	1. Letter to Common Council.pdf, 2. Saint John Claim (filed 11.8.19).pdf, 3. Proposed Sub 2, 4. Letter to Common Council (12.17.19).pdf, 5. Saint John Claim (filed 12.5.19).pdf, 6. Disallow letter - Atty. Marcuvitz		

Date	Ver.	Action By	Action	Result	Tally
11/26/2019	0	COMMON COUNCIL	ASSIGNED TO		
12/9/2019	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0
1/13/2020	1	JUDICIARY & LEGISLATION COMMITTEE	SUBSTITUTED	Pass	5:0
1/13/2020	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
1/21/2020	2	COMMON COUNCIL	ADOPTED	Pass	15:0
1/27/2020	2	MAYOR	SIGNED		

191313

SUBSTITUTE 2

THE CHAIR

Substitute resolution authorizing the denial of Saint John's Communities LLC's claim of alleged unlawful tax. This resolution authorizes denial of Saint John's Communities LLC's claim of alleged unlawful tax.

Whereas, The claimant, Saint John's Communities LLC, through its attorneys, von Briesen & Roper, s.c., has filed a claim against the City of Milwaukee, pursuant to Wis. Stat. § 74.35, to recover an alleged unlawful tax for tax year 2019 on the basis that its newly constructed tower is exempt; and

Whereas, The claimant's claim for unlawful tax is premature because the City has not yet collected any real property tax on claimant's property for 2019; and

Whereas, Even if the claim was properly filed, the claimant's newly constructed tower would be taxable for tax year 2019 because, pursuant to Wis. Stat. § 70.11, the claimant failed to timely file an application for exemption for its newly constructed residential tower; now, therefore, be it

Resolved, by the Common Council of the City of Milwaukee that the claimant's claim of alleged unlawful tax is hereby denied.

City Attorney

Allison N. Flanagan

December 17, 2019