

RESOLUTION 2023-5373

APPROVING BOUNDARY AND PROJECT PLAN
TO CREATE TAX INCREMENTAL DISTRICT NO. 12
CITY OF KAUKAUNA OUTAGAMIE COUNTY, WISCONSIN

WHEREAS, the City of Kaukauna has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, pursuant to §66.1105, Wis. Stats., the City of Kaukauna is proposing territory and project plan Tax Incremental District No. 12, City of Kaukauna as a redevelopment or blight elimination district; and

WHEREAS, the Plan Commission has prepared the Tax Incremental District No. 12 Project Plan to include:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in §66.1105(2)(f)1.k. and §66.1105(2)(f)1.n. of the Wisconsin Statutes, outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes, and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the district promotes the orderly development of the City;
- k. A statement that the proposed project plan's project costs include cash payments made by the municipality to owners, lessees, or developers of land;

- l. A statement that the City may undertake projects within territory located within one-half (½) mile of the District boundary;
- m. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with §66.1105(4)(f) of the Wisconsin Statutes.

WHEREAS, The proposed project plan's project costs may include cash grants made by the City to owners, lessees, or developers of land that is located within the tax incremental district, and may include utility and roadway infrastructure projects within the proposed boundary and within a ½-mile radius of the proposed boundary of the District that benefit the District; and

WHEREAS, the City has evaluated conditions within the area designated as TID No. 12 and has determined that conditions exist sufficient to meet the statutory definition of blighted area under §66.1105(2)(ae), and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on January 19, 2023 held a public hearing concerning the proposed Project Plan and Boundaries, providing interested parties a reasonable opportunity to express their views thereon, and

WHEREAS, prior to its publication, a copy of the notice of said hearing was sent to the entities having the power to levy taxes on property located within the proposed, including, the Executive Office of the City of Kaukauna, the Finance Director for Outagamie County, the Kaukauna Area School District Representative, and the Fox Valley Technical College Representative, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with Wisconsin Statutes and prior to its publication, correspondence with the notice of public hearing and map of the proposed boundary was sent to affected properties proposed to be included in the territory, and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna pursuant to the provisions of Wis. Stats. §66.1105 that:

1. The boundaries of Tax Incremental District No. 12 be as illustrated in Map 1 and described in Appendix A of the Project Plan.
2. The Common Council hereby creates a tax increment district which is effective January 1, 2023.
3. The Common Council finds and declares that:
 - a. Not less than 50-percent of the real property in the District by area meets the statutory definition of "blighted area" under Sec. 66.1105(2)(ae)(1), Wis. Stats.
 - b. The District is declared to be a blight area district.
 - c. The percentage of territory within the District devoted to retail business at the end of the expenditure period will be nearly 50-percent.
 - d. The equalized value of the taxable property of the District, plus the value increment of all existing districts does not exceed 12-percent of the total equalized value of taxable property within the City.
 - e. The boundaries of TID No. 12 will not include territory that was not within the boundary of the City of Kaukauna on January 1, 2004, AND where less than 3 years have elapsed since the territory was annexed by the City.
 - f. The improvement of the area is likely to enhance significantly the real value of other properties in the area, and that development would not occur without the TID creation.
 - g. The project costs outlined in the Project Plan relate directly to blight elimination and redevelopment, and the economic benefits are sufficient to compensate for the cost.
4. In the opinion of the City, the benefits outweigh the anticipated tax increments to be paid by the district's property owners.
5. The Project Plan "Tax Increment District No. 12, City of Kaukauna in Outagamie County" and Boundary are approved, and the Plan is feasible and promotes orderly development in the City in conformity with the Comprehensive Plan.

BE IT FURTHER RESOLVED THAT, the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

BE IT FURTHER RESOLVED THAT, the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Section 70.45 of the Wisconsin Statutes, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

Adopted by the Common Council of the City of Kaukauna this 7th day of February, 2023.

APPROVED: _____

Anthony J. Penterman, Mayor

Attest: _____

Sally Kenney, Clerk