

Finance  
7/19/10

415

115 file  
#4 Mun. Res  
Plan Comm. Res.

RESOLUTION

A Resolution to approve a "Boundary and Text Amendment Number One (1) to Tax Incremental Financing (TIF) District No. 16 Project Plan".

WHEREAS, Wis. Stats. §66.1105 Wis. Stats. authorizes cities to create and amend TIF Districts; and

WHEREAS, the City of Manitowoc created Tax Incremental Financing District No. 16 (hereinafter referred to as the "District") by Resolution on August 18, 2003; and

WHEREAS, the City Plan Commission has recommended that the Project Plan for the District be amended for the purposes of: (i) modifying the legal description of the District resulting in an increase in, or an addition to the area of the District from 190.08-acres to 228.99-acres; and (ii) further modifying the text of the District Project Plan to specifically reference all potential costs related to the assessment, remediation, demolition and reclamation of properties within the District, with a specific focus on the property at 1512 Washington Street, at an estimated cost of \$6,000,000, as detailed in the attached Amendment which is attached as Exhibit "A" (hereinafter referred to as the "Amendment"); and

WHEREAS, the City Plan Commission held a public hearing on July 14, 2010 pursuant to §66.1105(4)(h)1. and §66.1105(4)(a) Wis. Stats., at which time all interested parties were given an opportunity to review and comment on the proposed Amendment; and

WHEREAS, the City Plan Commission adopted the attached Resolution on July 14, 2010 to approve and adopt the attached Amendment; and

WHEREAS, subsequent to the action of the City Plan Commission, the Common Council has determined that modifying the boundaries of the District, and modifying the text of the District Project Plan as detailed in the Amendment pursuant to §66.1105(4)(gm)1. Wis. Stats. is in the best interest of the City; and

WHEREAS, the remaining procedural requirements of §66.1105(4)(h)1. Wis. Stats. have been met; and

WHEREAS, the City Attorney has issued an Opinion certifying that the proposed Amendment is complete and complies with the requirements of §66.1105 Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Manitowoc as follows:

1. The Common Council hereby approves the Amendment. The Common Council specifically finds that the Amendment is feasible and in conformity with the Master Plan (Comprehensive Plan) of the City of Manitowoc, and meets the requirements pursuant to §66.1105(4)(g) and (gm)4.c. Wis. Stats.;

2. The boundaries of the Amendment shall be as set forth in the attachment to this Resolution;

3. The Amendment is hereby created as of August 2, 2010;

4. The Common Council hereby specifically finds that:

a) The Amendment is contiguous to the District, and is served by public works or improvements that were created as part of the District Project Plan;

b) Not less than 50%, by area, of the real property within the Amendment area is in need of rehabilitation or conservation work, as defined in §66.1337(2m)(a) Wis. Stats.;

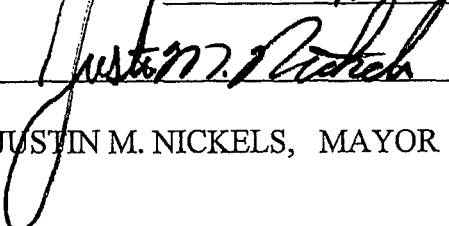
c) The improvement of the Amendment area is likely to enhance significantly the value of substantially all of the other real property in the District; and

d) The equalized value of taxable property in the Amendment area and the District, plus the value increment of all existing TIF districts within the City does not exceed 12 per cent of the total equalized value of taxable property within the City of Manitowoc.

INTRODUCED  7/15/10

ADOPTED (As Amended) AUG 2 - 2010

APPROVED 8/2/10

  
JUSTIN M. NICKELS, MAYOR

Drafted by: David Less, City Planner

Filename: Y:\Dave\WPFILES\TIFRES16A-council-7192010.wpd

Rundate: 7/15/2010



PLAN COMMISSION  
RESOLUTION NO. 1-2010

WHEREAS, the Common Council of the City of Manitowoc created Tax Incremental Financing District No. 16 by Resolution on August 18, 2003 and adopted the project plan for District No. 7 (hereinafter referred to as the "Project Plan"); and

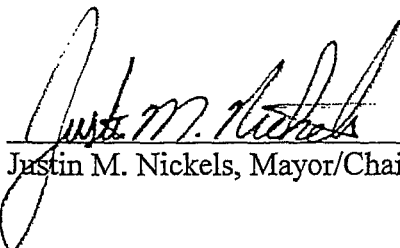
WHEREAS, the City of Manitowoc Plan Commission has reviewed the attached "Boundary and Text Amendment No. One (1) to Tax Incremental Financing (TIF) District No. 16 Project Plan" in the City of Manitowoc (hereinafter referred to as the "Amendment") which details the addition of territory to existing TIF District No. 16; and


WHEREAS, the cost of the Amendment is estimated at not more than \$6,000,000; and

WHEREAS, the Plan Commission, pursuant to §66.1105(4)(h)1. Wis. Stats. and in accordance with §66.1105(4)(a) Wis. Stats., did duly notice and hold a public hearing on July 14, 2010, at which time any and all interested parties were given an opportunity to review and comment on the proposed Amendment;

NOW, THEREFORE, BE IT RESOLVED that the Manitowoc City Plan Commission does hereby approve and adopt the Amendment as attached, in accordance with §66.1105(4)(h)1. Wis. Stats.

ADOPTED this 14<sup>th</sup> day of July, 2010.

  
Justin M. Nickels, Mayor/Chairman

  
David Less, Secretary

Drafted by: David Less, City Planner

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Rundate: 7/6/2010

FIN.  
8-16-10

Plan



CITY OF  
MANITOWOC

David Less  
City Planner

August 10, 2010

153

To: Mayor and Common Council

From: TIF Joint Review Board

Re: **PC13-2010: City of Manitowoc; Tax Incremental Financing (TIF) - Boundary and Text Amendment No. One (1) to TIF District No. 16**

Dear Mayor and Common Council:

At the August 10, 2010 meeting of the TIF Joint Review Board, the Board reviewed the public record and planning documents regarding the creation of Boundary and Text Amendment No. One (1) to existing TIF District No. 16, as amended by the Manitowoc Common Council on August 2, 2010. A copy of Amendment No. One (1) as amended by the Common Council is attached.




OFFICE OF CITY PLANNING,  
CITY PLAN COMMISSION

The Board approved the abovereferenced public record, planning documents and resolutions related to the above captioned item in accordance with §66.1105(4m)(b) Wis. Stats. The Board notes that its review of this TIF activity was in compliance with §66.1105(4m)(c) Wis. Stats.

The Board is submitting this report within the timeframes allotted under §66.1105(4m)(b)3 Wis. Stats.

Respectfully Submitted,



David Less  
City Planner

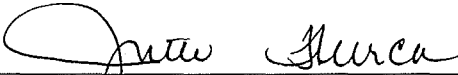
Attachment



Joint Review Board:

By: \_\_\_\_\_  
Todd Reckelberg, Manitowoc County  
and JRB Chairman

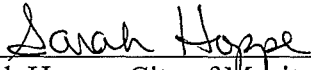
\_\_\_\_\_  
Date

By:  \_\_\_\_\_  
Jutta Furca, Lakeshore Technical College

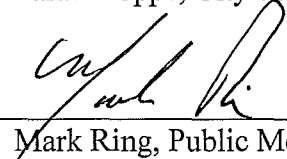
8/10/10  
Date

By: \_\_\_\_\_  
Ken Mischler, Manitowoc Public School District

\_\_\_\_\_  
Date

By:  \_\_\_\_\_  
Sarah Hoppe, City of Manitowoc

8-10-10  
Date

By:  \_\_\_\_\_  
Mark Ring, Public Member

8-10-10  
Date

BOUNDARY AMENDMENT NO. ONE (1) AND TEXT AMENDMENT NO. 1  
TO TAX INCREMENTAL  
FINANCING (TIF) DISTRICT NO. 16 PROJECT PLAN

JUNE 11, 2010 (*REV. AUGUST 3, 2010*)

This Boundary Amendment No. One (1) (hereinafter referred to as "Boundary Amendment No. 1") and Text Amendment No. One (1) (hereinafter referred to as "Text Amendment No. 1") amends a "Project Plan Tax Incremental Financing (TIF) District No. 16 Manitowoc Hotel and Other Development Projects", Manitowoc, Wisconsin" (hereinafter referred to as the "Project Plan") that was adopted by resolution of the Manitowoc Common Council on August 18, 2003. Boundary Amendment No. 1 and Text Amendment No. 1 to the Project Plan are authorized pursuant to §66.1105(4)(h)1. and 2., Wis. Stats., and is amended pursuant to action by the Manitowoc Common Council on August 2, 2010.

**Boundary Amendment No. 1**

1. The legal description of TIF District No. 16 which appears on P. 18 of the Project Plan describes an area measuring 190.08-acres, more or less. Boundary Amendment No. 1 increases the acreage in TIF District No. 16, and amends the existing legal description of the TIF District to reflect the addition of territory measuring 30.4-acres, more or less, and which is legally described on page #4 of this document. The total acreage in amended TIF District No. 16 is 220.48-acres, more or less.

**Text Amendment No. 1**

1. Section V., beginning on P. 7 of the Project Plan, identifies the proposed improvements/uses in TIF District No. 16. Section V., 3. of the Project Plan is amended to include and clarify as eligible TIF project costs: (i) the availability of all cost centers identified in the Project Plan for all properties located in the Boundary Amendment No. 1 area; (ii) any and all costs (legal, professional and otherwise) as well as any assessments or charges payable which are associated with cost recovery actions by the City of Manitowoc pursuant to §292.33 Wis. Stats., or any other state statute or federal law; (iii) as well as any and all costs associated with any future designation of TIF District No. 16 as a distressed TIF, severely distressed TIF, or a donor or recipient district under §66.1105 Wis. Stats.
2. Section V., 6. of the Project Plan is amended to include and clarify as eligible TIF project costs environmental remediation activities including, but not limited to: (i) any and all types and kinds of abatement including any drilling, sampling and testing; (ii) the costs related to the removal, handling, transport and disposal of such items as asbestos, lead-based paint, light fixture ballast, mercury switches, containers and any other building components of a similar nature; (iii) all other types and kinds of environmental assessment and associated reporting requirements, remedial action planning, project marketing, application fees, DNR charges, analytical assessments, architectural and other services related to securing brownfield or any other type or kind of funding for a project in the TIF District, and returning any parcel of property in TIF District No. 16 to a productive land use.

3. Section VII. of the Project Plan, identifies estimated project costs in TIF District No. 16. Section VII. of the Project Plan is amended to include and add an additional \$6,000,000 for: (i) the cost of demolition and miscellaneous on and off-site, above and below grade improvements for the property at 1512 Washington Street; and (ii) that all other cost centers in this Section shall be available through the statutorily authorized TIF expenditure period which is currently December 31, 2020, unless said date is extended by authority of the Manitowoc Common Council.
4. Eligible costs not specifically referenced in Section VII. of the Project Plan shall include, but not be limited to the following:

**Financing Costs [§66.1105(2)(f)1.b. and 1.i. Wis. Stats. Wis. Stats.]**

- A. Wisconsin Department of Revenue administrative fees, and fees for re-certification of TIF district base values.
- B. Letter of credit fees.
- C. Principal and interest payments related to developer-funded TIF or municipally-funded TIF expenditures.

**Real Property Assembly Costs [§66.1105(2)(f)1.c. and 1.i. Wis. Stats.]**

- A. Land write downs and rebates in accordance with City Council authorized activities.
- B. Land acquisition, relocation and land assembly costs.

**Professional Service Costs [§66.1105(2)(f)1.d. and 1.i. Wis. Stats.]**

- A. Costs related to subdivision platting, CSM, ALTA historic, archeological, and other land surveys of all types and kinds.
- B. Hydraulic analyses, Transportation Impact Analyses, and other studies related to improvements.
- C. Phase I, Phase II, subsurface, soil testing, asbestos abatement, structural and foundation studies, and other environmental assessments and testing procedures.
- D. Municipal procedures and associated fees, expenses and charges, including but not limited to amendments to Official Map, zoning and right-of-way vacations, or other state and federal permits.

**Discretionary Payments [§66.1105(2)(f)1.i. and 1.n. Wis. Stats.]**

- A. Pursuant to §66.1105(2)(f)1.i. and 1.n. Wis. Stats., payments made, in the discretion of the Manitowoc Common Council, which are found to be necessary or convenient to the implementation of the project plan for TIF District No. 16, including developer contributions; cost overruns, unexpected issues related to the expenditure categories identified herein; and expenditures outside of, but within a ½ mile radius of the boundaries of TIF District No. 16 and within the City.”

5. The following attachments detailing existing and proposed conditions within Amendment No. 1 are fully incorporated herein by reference:
  - A. Legal Description of territory to be added to TIF District No. 16.

- B. Legal Description of current, pre-amendment TIF District No. 16.
- C. Condition of Real Property.
- D. Proposed Land Use.
- E. Existing Land Use.
- F. Existing Zoning.
- G. Area of Public Improvements.
- H. Location Map - TIF District No. 16 Amendment No. 1 area, including tax parcel numbers.
- I. Location Map - TIF District No. 16 Amendment No. 1 area.
- J. Location Map - overall Amendment No. 1 area and existing TIF District No. 16.
- K. General Location in the City of Manitowoc.

Regarding Text Amendment No. 1, the exact land uses, and the precise location of future utility, street and other public investments within TIF District No. 16, as amended, are subject to change. The location of all planned public improvements and investments within Text Amendment No. 1 are general, and are an expression of intention by the City, and should not be construed as precise or accurate. The location of all planned public improvements and investments are subject to change, and will be formally established during the TIF expenditure period.

- 6. In all other respects, the original terms and conditions of the Project Plan and any previously authorized amendments related thereto, shall remain in effect.

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RunDate: 8/3/2010



**AMENDED  
T.I.F. # 16 DESCRIPTION**

**August 3, 2010**

Land located in portions of the Original Plat of the City of Manitowoc, all being located in the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Section 30, Township 19 North, Range 24 East, City of Manitowoc, Manitowoc County, Wisconsin described as follows:

Commencing at the point of intersection with the centerlines of Washington Street and South 16<sup>th</sup> Street, the point of real beginning; thence northerly along the centerline of said South 16<sup>th</sup> Street a distance of 1,405 feet more or less to the south line of Lot 14, Block 190 of the Original Plat extended westerly; thence easterly along said extended south line a distance of 133 feet more or less; thence northerly a distance of 60 feet more or less to the north line of said Lot 14; thence easterly along said north line a distance of 50 feet more or less to the northwest corner of Lot 13, Block 190 of the Original Plat; thence south along the west line of said Lot 13 a distance of 60 feet to the southwest corner of said Lot 13; thence easterly along the south line of said Lot 13 extended a distance of 183 feet more or less to the centerline of South 15<sup>th</sup> Street; thence north along said centerline a distance of 456 feet more or less to the centerline of Wollmer Street; thence westerly along said centerline a distance of 1,020 feet more or less to the centerline of South 18<sup>th</sup> Street; thence northerly along said centerline a distance of 573 feet more or less; thence easterly a distance of 153 feet more or less to the northwest corner of Lot 1, Block 143 of Original Plat; thence northerly a distance of 28 feet more or less; thence easterly a distance of 311 feet more or less to the intersection with the east line of Lot 2, Block 144 of the Original Plat extended north; thence southerly along said extended east line a distance of 25 feet more or less to the northwest corner of Lot 1, Block 144 of the Original Plat; thence easterly along said north property line extended a distance of 153 feet more or less to the centerline of South Water Street; thence southeasterly along said centerline a distance of 837 feet more or less to the centerline of Wollmer Street; thence westerly along said centerline a distance of 151 feet more or less to the west line extended north of Lot 1, Block 189 of the Original Plat; thence southerly along said extended west line a distance of 155 feet more or less to the southwest corner of Lot 4, Block 189 of the Original Plat; thence easterly along the south line of said Lot 4 a distance of 182 feet more or less to the centerline of South 14<sup>th</sup> Street; thence southerly along said centerline a distance of 460 feet more or less to the centerline of Clark Street; thence westerly along said centerline a distance of 366 feet more or less to the centerline of South 15<sup>th</sup> Street; thence southerly along said centerline a distance of 1242 feet more or less to the centerline of Washington Street; thence westerly along said centerline a distance of 368 feet more or less to the centerline of South 16<sup>th</sup> Street the point of beginning.

Said described area contains 1,325,812 square feet or 30.436 acres of land more or less.

**EXISTING  
T.I.F. # 16 LEGAL DESCRIPTION**

**CREATED 1/1/2003**



Land located in the Original Plat of the City of Manitowoc and portions located in the Plat of A.W. Buels Subdivision, located in the Southeast 1/4, Section 19; Southwest 1/4 Section 19, Southwest 1/4 Section 20; Northeast 1/4 Section 30; Northwest 1/4 Section 29, Township 19 North, Range 24 East, City of Manitowoc, Manitowoc County, Wisconsin.

Commencing at the point of intersection with the centerline of St. Clair Street and N. 8<sup>th</sup> Street also the point of beginning; thence west along the centerline of St. Clair Street 1,497 feet more or less to the east line of Lot 7, Block 64 of the Original Plat; thence south along said east line 9 feet more or less to the north line of the Manitowoc River; thence westerly along said north line of river 803 feet more or less to the east line of Tract 1 of certified survey maps recorded in volume 10, page 357; thence N. 00°23' 20" E. 144.73 feet more or less; thence N. 43° 55' 55" W. 59.00 feet; thence N. 73°47' 55" W. 175.00 feet; thence N. 79°23' 55" W. 100.00 feet; thence S. 88°05' 05" W. 100.00 feet; thence S. 75°26' 05" W. 100.00 feet; thence S. 62°32' 05" W. 100.00 feet; thence S. 49°13' 05" W. 100.00 feet; thence S. 44°13' 05" W. 511.84 feet; thence S. 40°02' 05" W. 200.00 feet; thence S. 46°01' 05" W. 237.28 feet to the north line of the Wisconsin Central / Canadian National Rail Road right-of-way; thence westerly along said railroad right-of-way 105 feet more or less to the east right-of-way line of Spring Street; thence southerly along said right-of-way 475 feet more or less to the north line of the Wisconsin Central / Canadian National Rail Road right-of-way; thence easterly along said north right-of-way line 524 feet more or less to the north line of the Manitowoc River; thence westerly along said north line 246 feet more or less to the intersection with the centerline of S. 18<sup>th</sup> Street extended north; thence south along said extended centerline 400 feet more or less to the north line extended west of lot 3, block 143 of the Original Plat; thence east along said north lot line 153 feet more or less to the northwest corner of lot 1, block 143 of Original Plat; thence north 28 feet more or less; thence east 311 feet more or less; thence south 25 feet more or less to the northwest corner of lot 1, block 144 of the Original Plat; thence east along said north property line extended 379 feet more or less to the northwest corner of a parcel (tax number 000-147-020) as described in volume 242, page 306 of deeds; thence southeasterly along said property line 1,465 feet more or less to the south line of lot 10, block 187 of the Original Plat; thence easterly 8.5 feet more or less to the south line of the Manitowoc River; thence southeasterly and easterly 1,885 feet more or less along said south river line to the centerline of S. 8<sup>th</sup> Street also being the centerline of N. 8<sup>th</sup> Street extended south; thence north along the centerline of N. 8<sup>th</sup> Street 1,266 feet more or less to the centerline of Chicago Street; thence west along the centerline of Chicago Street 365 feet more or less to the centerline of N. 9<sup>th</sup> Street; thence south along the centerline of N. 9<sup>th</sup> Street 298 feet more or less to the centerline of Buffalo Street; thence west along the centerline of Buffalo Street 365 feet more or less to the centerline of N. 10<sup>th</sup> Street; thence north along the centerline of N. 10<sup>th</sup> Street 923 feet more or less to the centerline of State Street; thence west along the centerline of State Street 150 feet more or less to the east line of the Manitowoc River; thence northerly along said east line 670 feet more or less to the intersection with the centerline of Park Street; thence east along the centerline of Park Street 1,063 feet more or less to the centerline of N. 8<sup>th</sup> Street; thence north along the centerline of N. 8<sup>th</sup> Street 623 feet more or less to the centerline of St. Clair Street and the point of beginning.

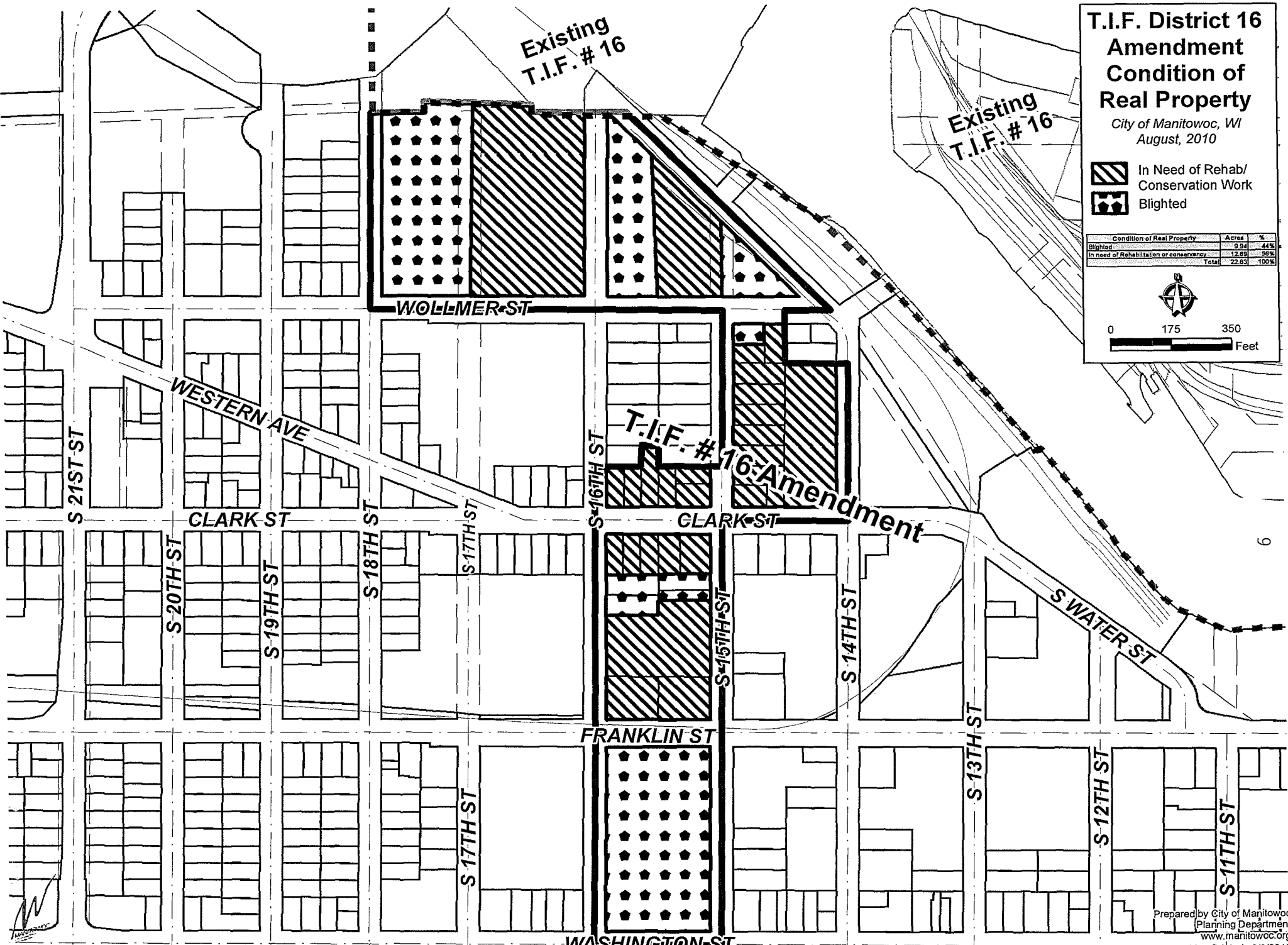
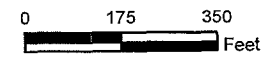
Described area contains 8,279,885 square feet or 190.08 acres more or less.

# T.I.F. District 16 Amendment Condition of Real Property

City of Manitowoc, WI  
August, 2010

-  In Need of Rehab/  
Conservation Work
-  Blighted






Condition of Real Property	Acres	%
Blighted	9.94	44%
In need of Rehabilitation or conservancy	12.69	56%
<b>Total</b>	<b>22.63</b>	<b>100%</b>



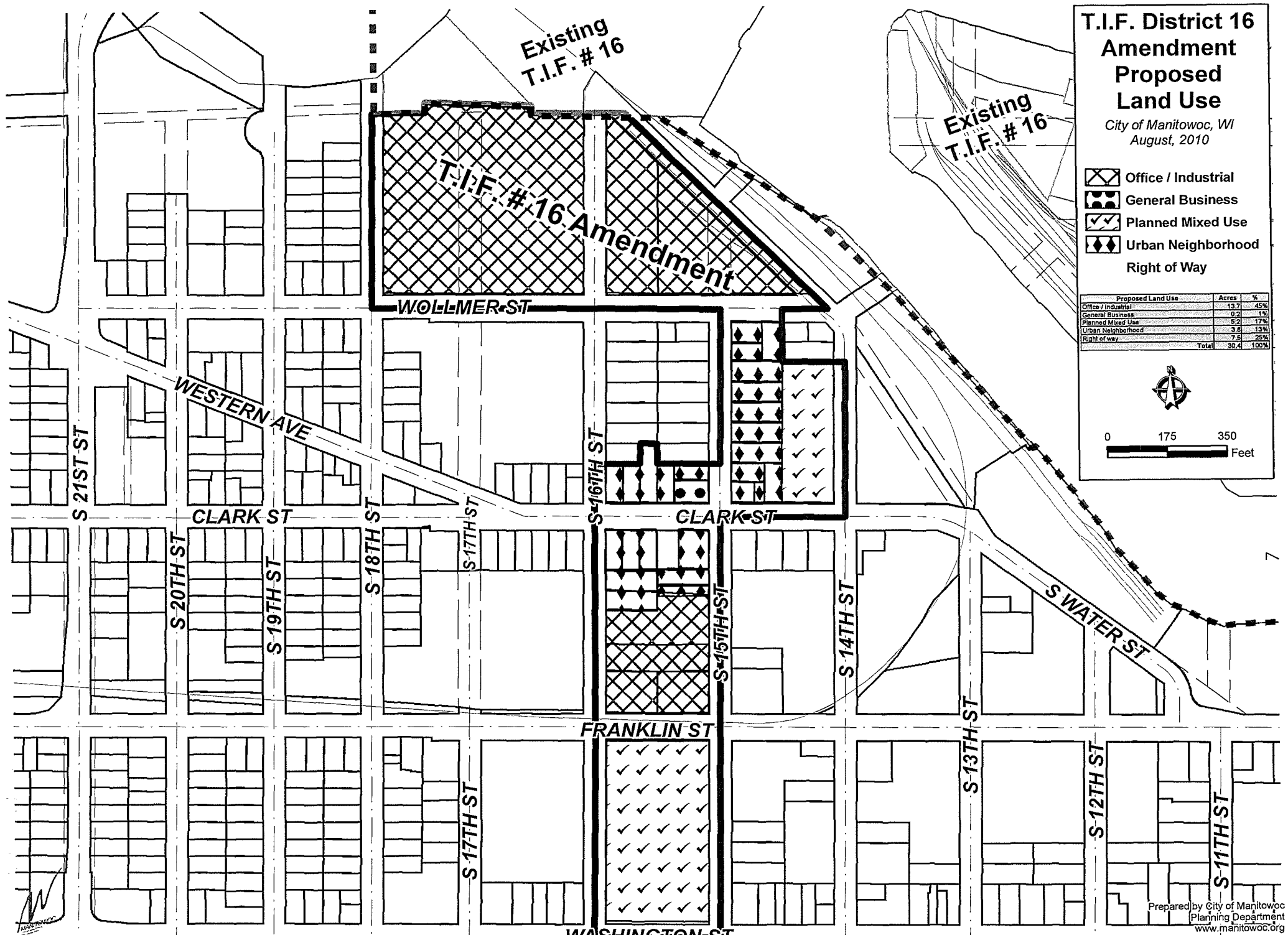
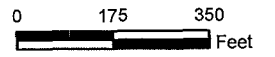
DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

# T.I.F. District 16 Amendment Proposed Land Use

City of Manitowoc, WI  
August, 2010

-  Office / Industrial
-  General Business
-  Planned Mixed Use
-  Urban Neighborhood
-  Right of Way

Proposed Land Use	Acres	%
Office / Industrial	13.7	45%
General Business	0.2	1%
Planned Mixed Use	5.2	17%
Urban Neighborhood	3.6	13%
Right of way	7.5	25%
<b>Total</b>	<b>30.4</b>	<b>100%</b>



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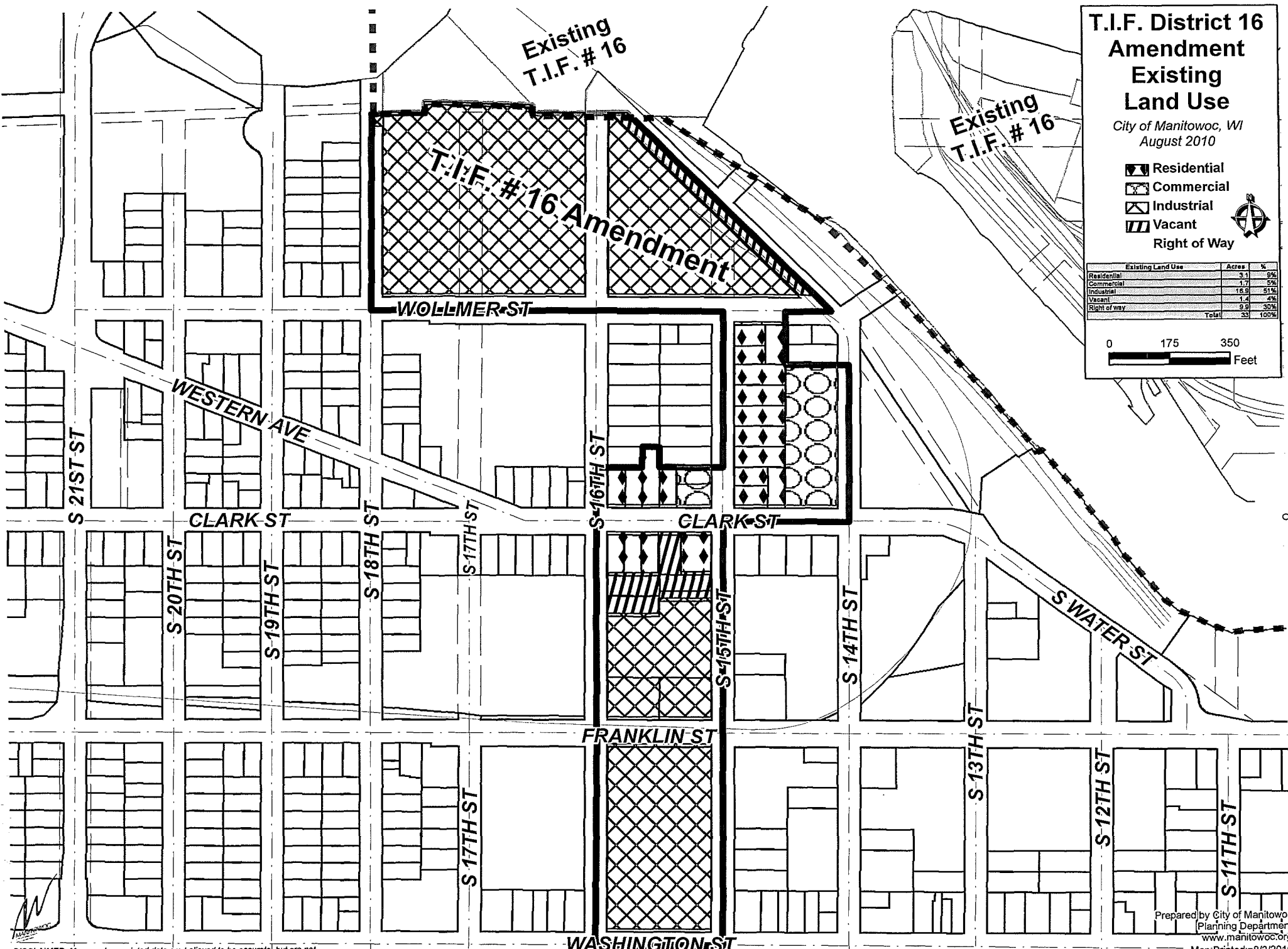
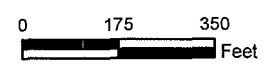
# T.I.F. District 16 Amendment Existing Land Use

City of Manitowoc, WI  
August 2010

-  Residential
-  Commercial
-  Industrial
-  Vacant
-  Right of Way



Existing Land Use	Acres	%
Residential	3.1	9%
Commercial	1.7	5%
Industrial	15.9	51%
Vacant	1.4	4%
Right of way	9.9	30%
<b>Total</b>	<b>33</b>	<b>100%</b>



Existing  
T.I.F. # 16




Existing  
T.I.F. # 16

T.I.F. #16 Amendment

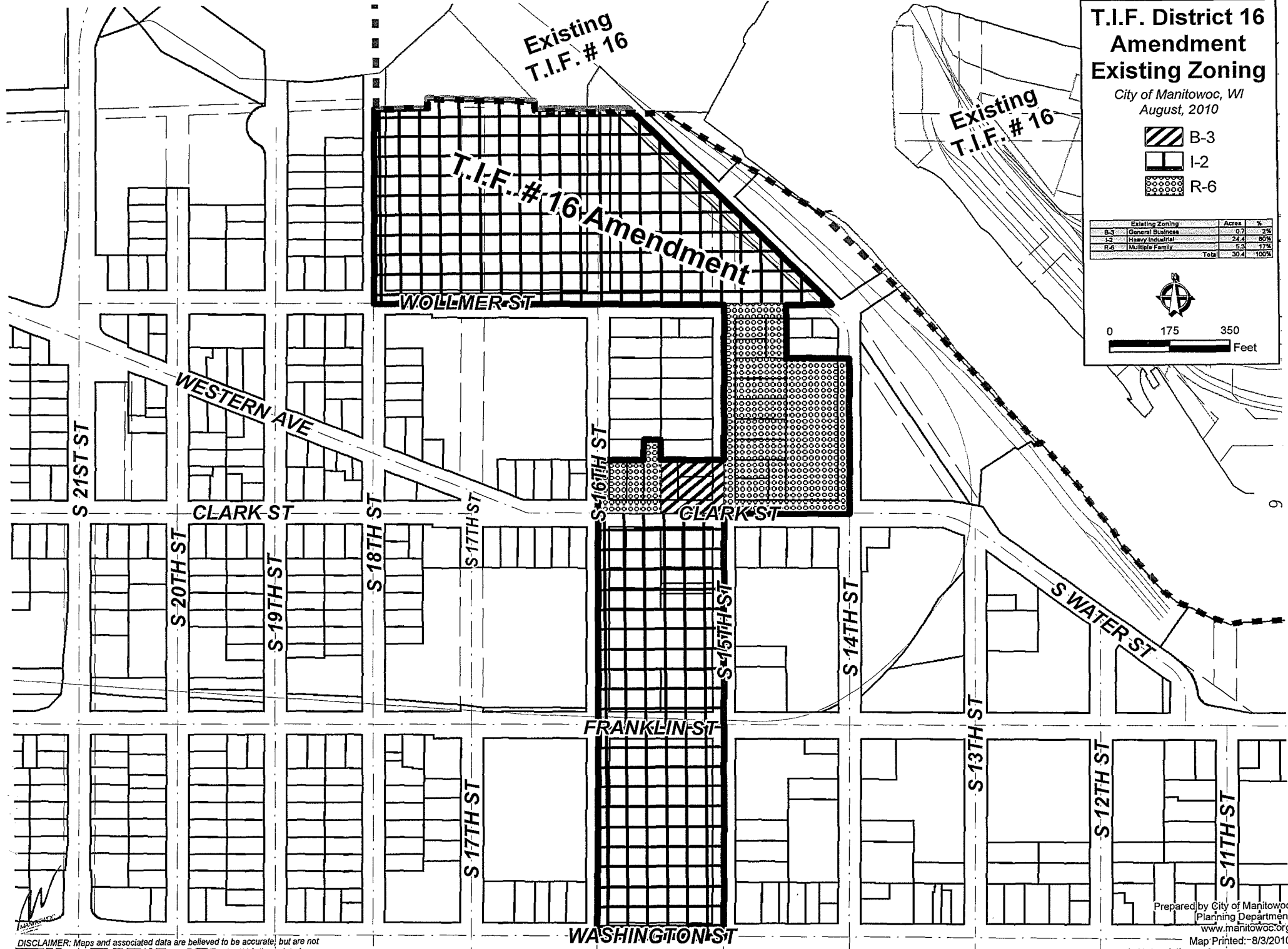
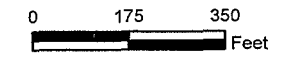
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# T.I.F. District 16 Amendment Existing Zoning

City of Manitowoc, WI  
August, 2010

-  B-3
-  I-2
-  R-6


Existing Zoning	Acres	%
B-3 General Business	0.7	2%
I-2 Heavy Industrial	24.4	80%
R-6 Multiple Family	5.3	17%
<b>Total</b>	<b>30.4</b>	<b>100%</b>

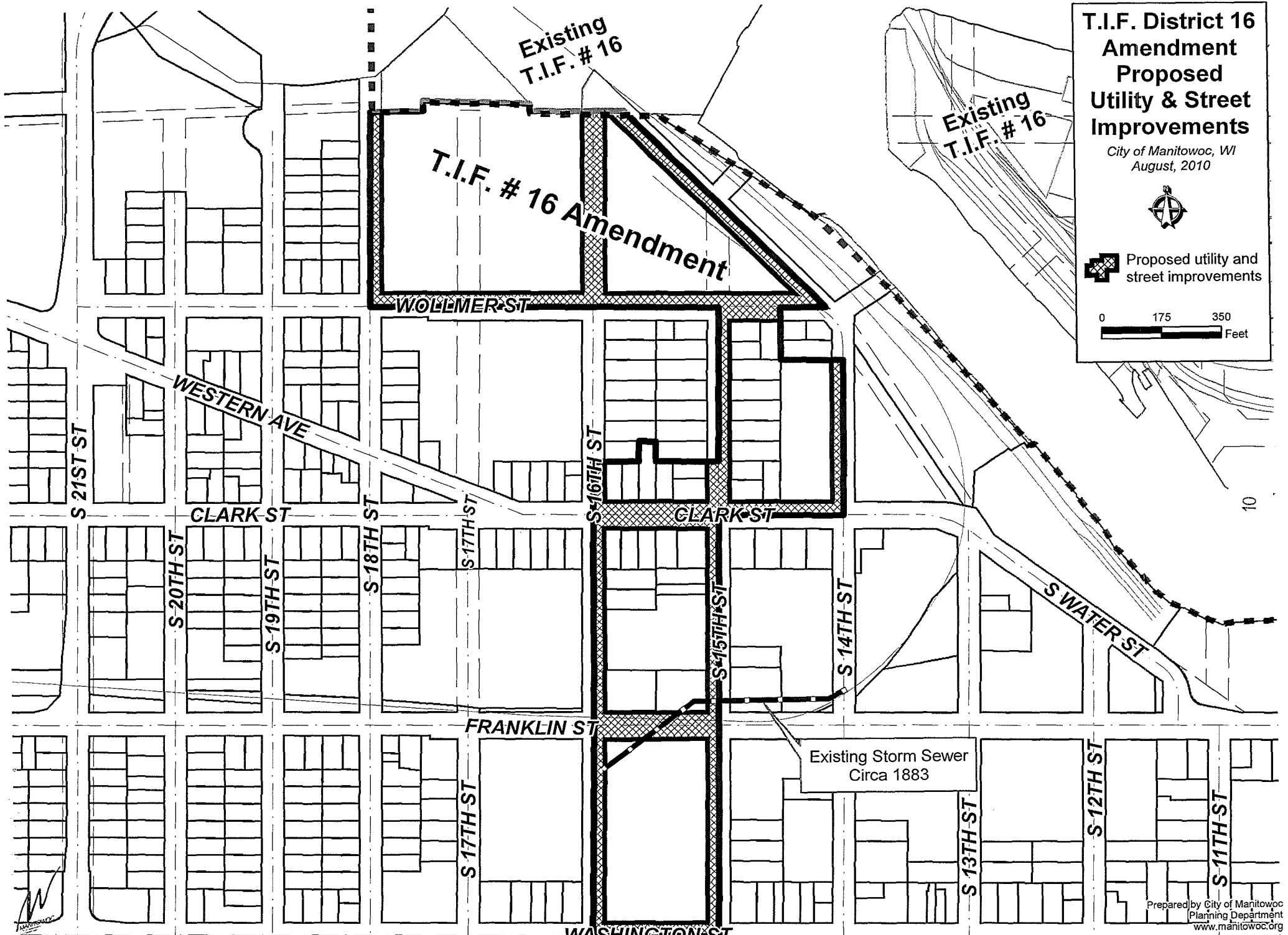
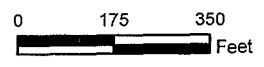


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**T.I.F. District 16  
Amendment  
Proposed  
Utility & Street  
Improvements**  
City of Manitowoc, WI  
August, 2010





 Proposed utility and street improvements



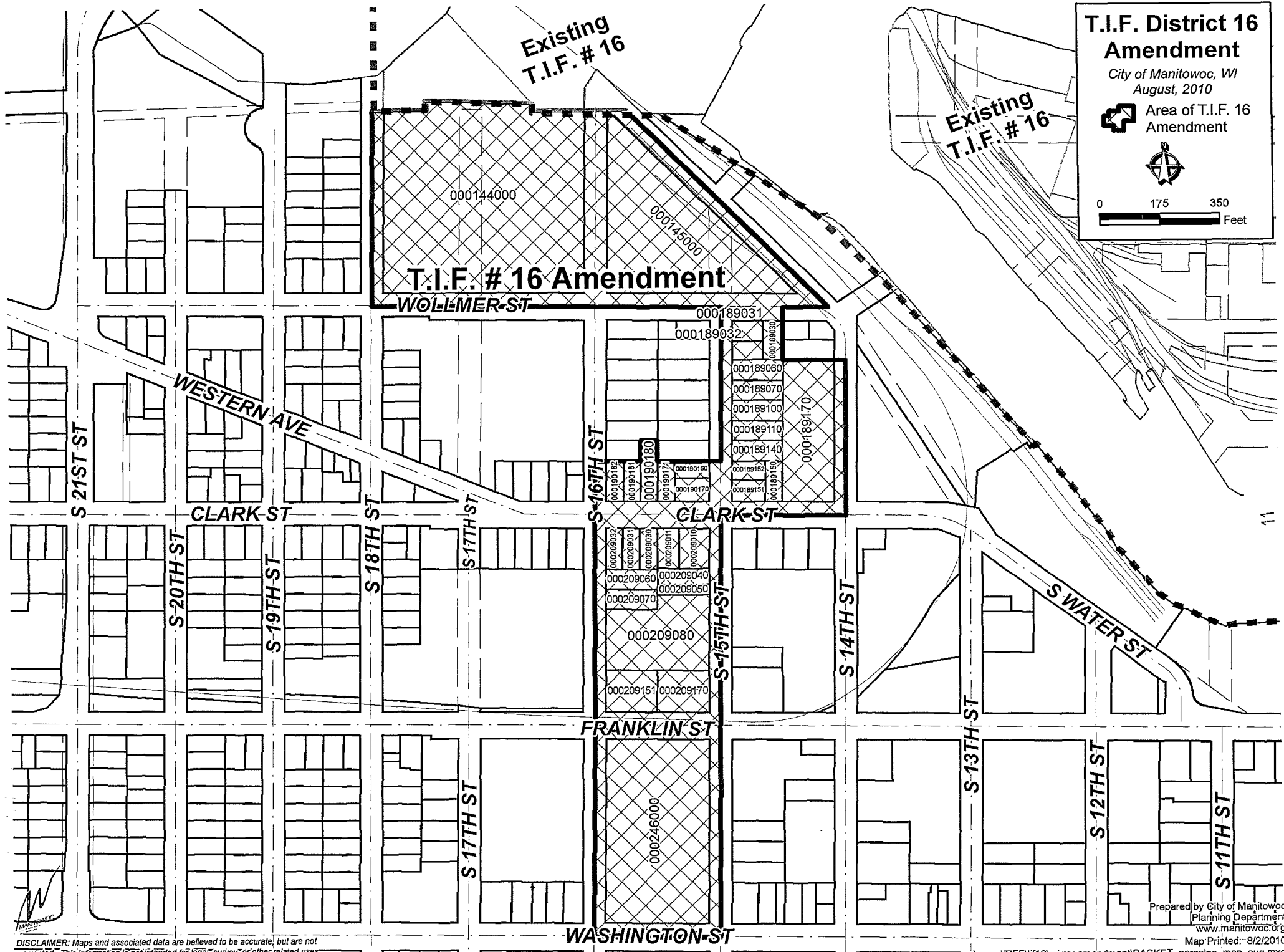
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**T.I.F. District 16  
Amendment**  
City of Manitowoc, WI  
August, 2010

 Area of T.I.F. 16  
Amendment



0 175 350  
Feet




DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.


Prepared by City of Manitowoc  
Planning Department  
www.manitowoc.org  
Map Printed: 8/2/2010

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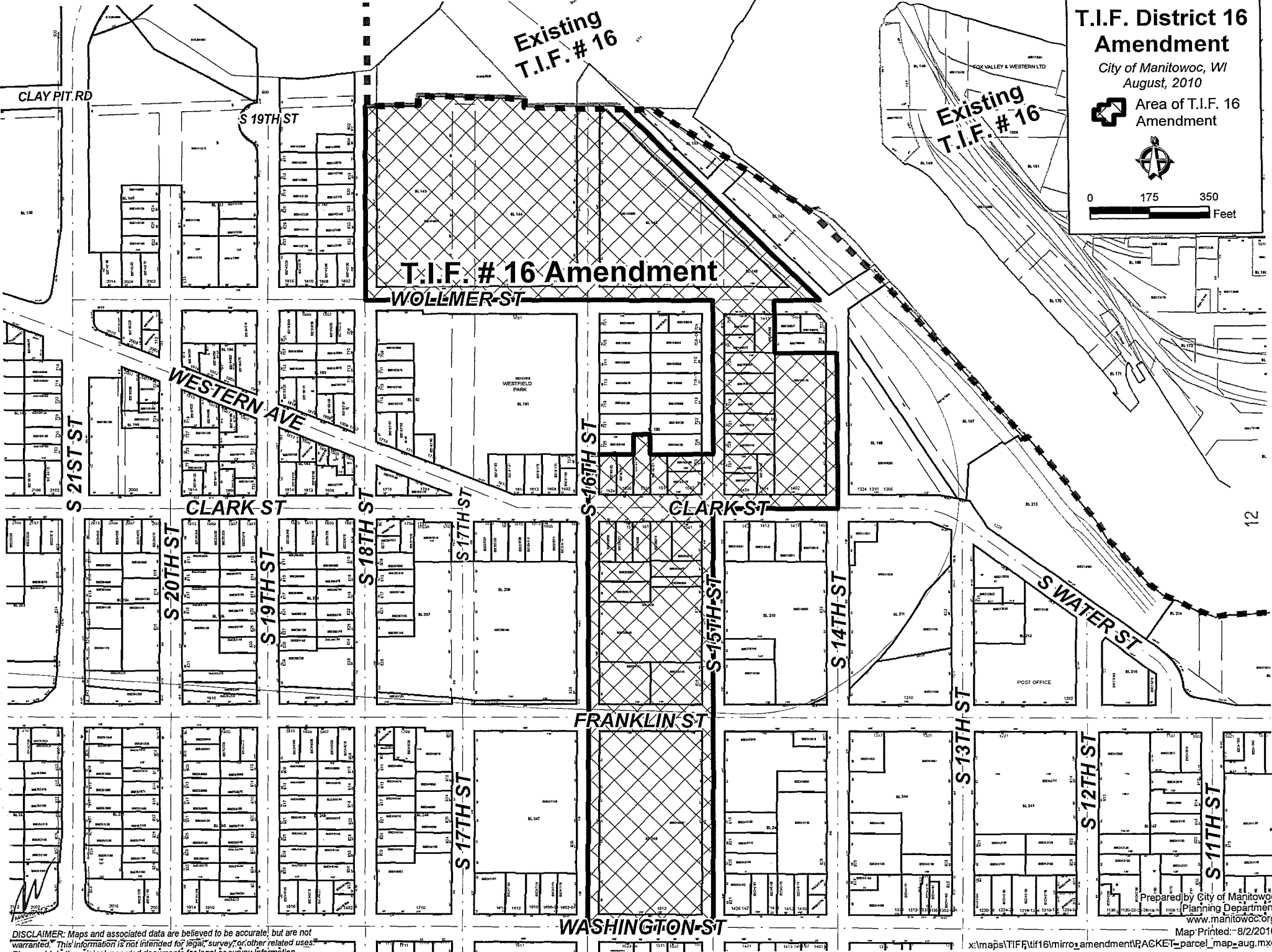


**T.I.F. District 16  
Amendment**  
City of Manitowoc, WI  
August, 2010

 Area of T.I.F. 16  
Amendment




0 175 350  
Feet



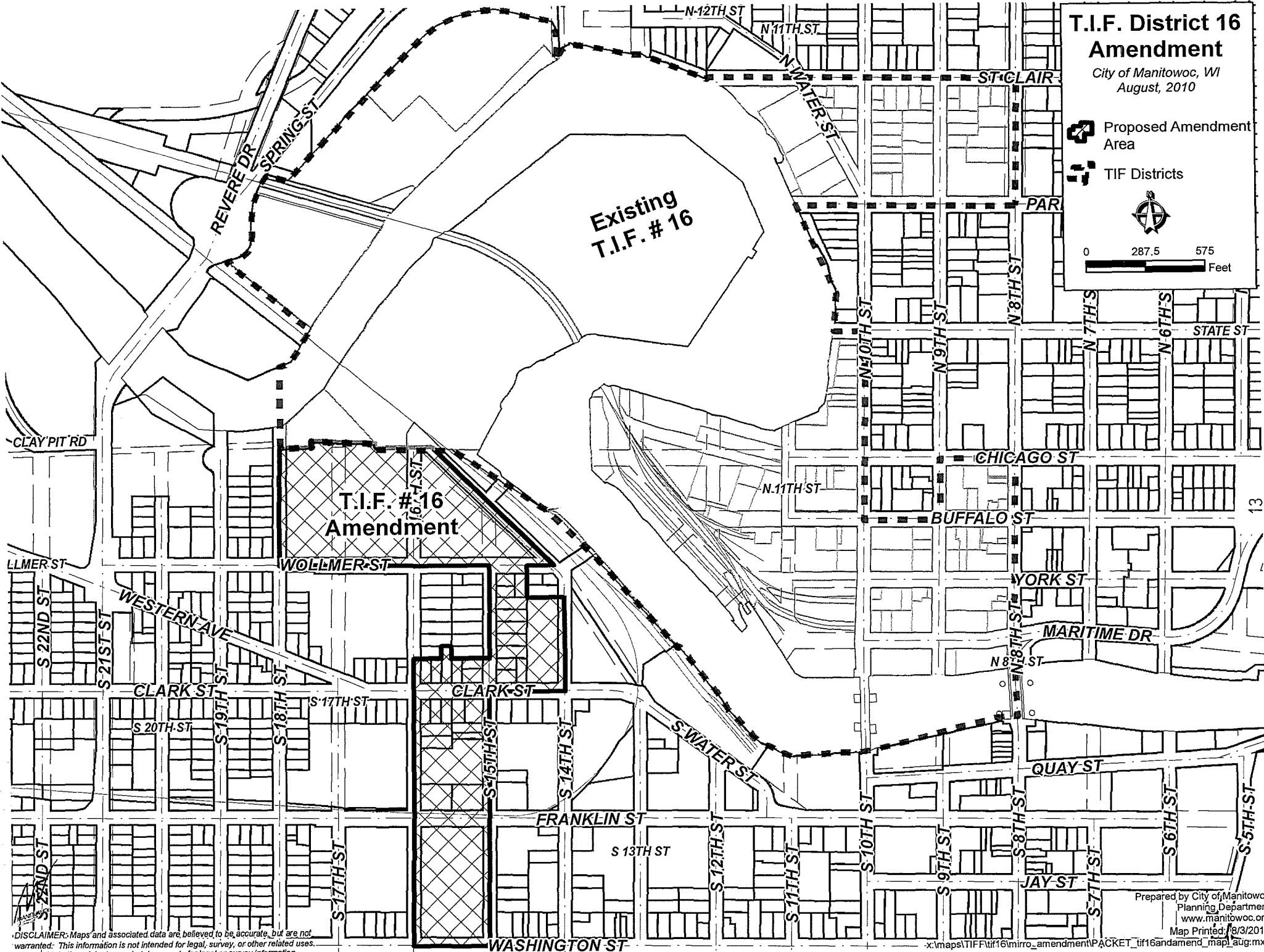
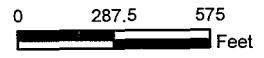
DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

# T.I.F. District 16 Amendment

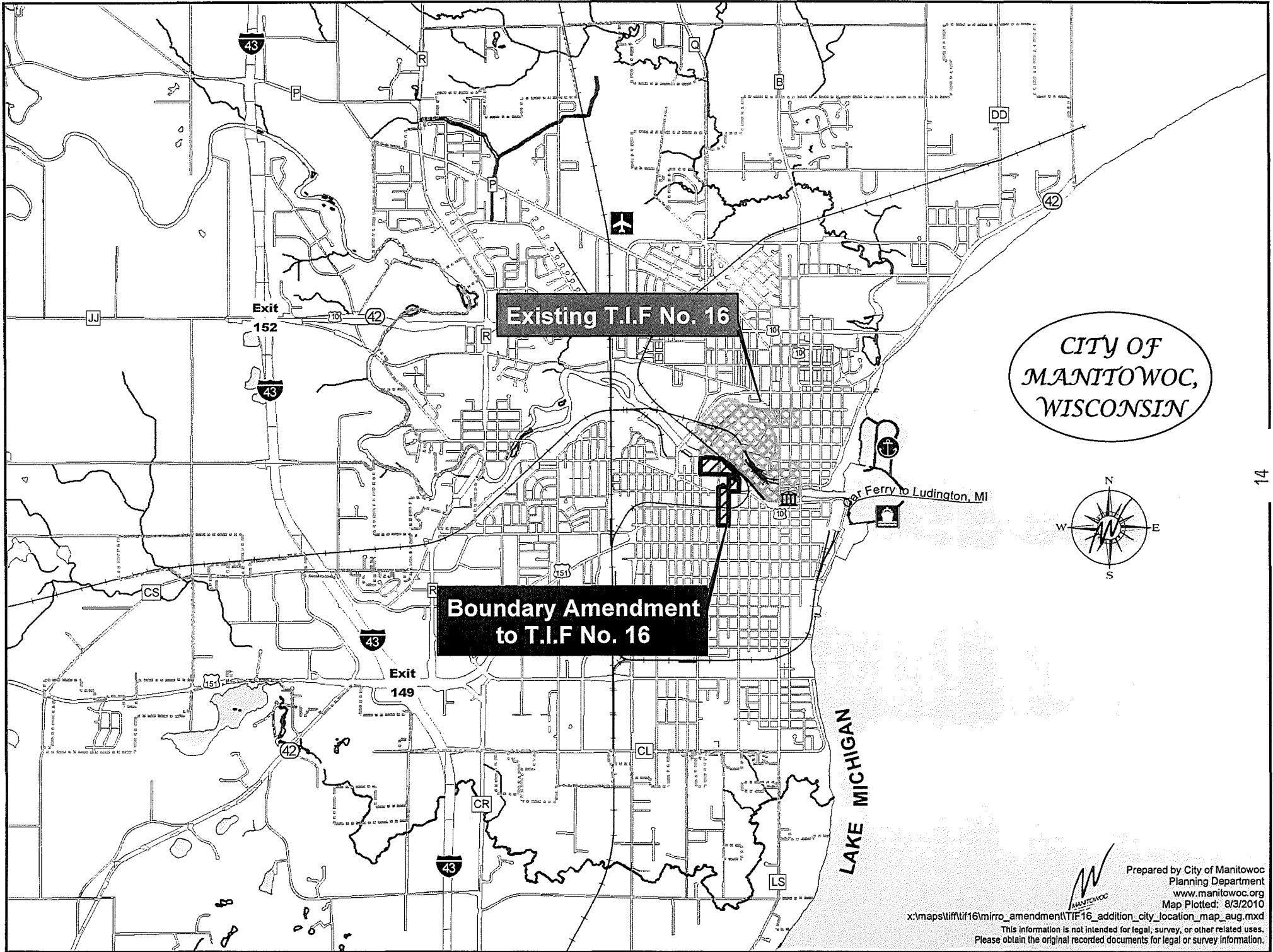
City of Manitowoc, WI  
August, 2010

 Proposed Amendment Area

 TIF Districts



DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.



Prepared by City of Manitowoc  
 Planning Department  
[www.manitowoc.org](http://www.manitowoc.org)  
 Map Plotted: 8/3/2010

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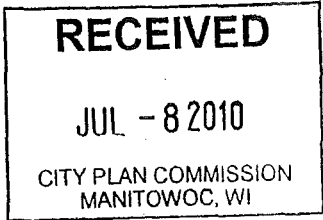


CITY OF  
MANITOWOC

Juliana M. Ruenzel  
City Attorney

Kathleen M. McDaniel  
Assistant City Attorney

Memo



July 8, 2010

To: David Less, City Planner  
From: Juliana M. Ruenzel, City Attorney  
Re: City Attorney Opinion Regarding TIF District No. 16

Dear Dave:

I reviewed the proposed Project Plan dated July 6, 2010 for Tax Incremental Financing District No. 16. This Memo constitutes my Opinion, pursuant to Wis. Stats. §66.1105(4)(f). The Plan is complete and complies with the requirements of that statute.



CITY ATTORNEY

Very truly yours,

Juliana M Ruenzel  
City Attorney

JMR:es

cc: Justin M. Nickels, Mayor

