

**From:** Mackenzie Reed-Kadow <mreedkadow@manitowoc.org>  
**Sent:** Thursday, March 7, 2019 4:28 PM  
**To:** Beggs, Tauren R - DNR  
**Cc:** Kathleen McDaniel  
**Subject:** Revised CN Blight Documents - City of Manitowoc  
**Attachments:** 19-0090.pdf; 18-0968.pdf; Letter.pdf

Good afternoon,

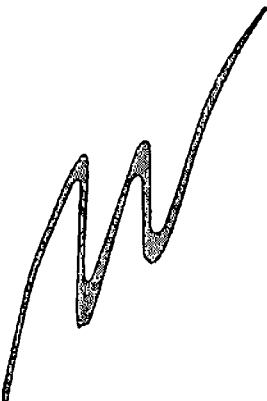
As requested by City Attorney McDaniel, please find the above referenced documents attached.

Should you need any other information, please feel free to let me know.

**Mackenzie Reed-Kadow**

Deputy City Clerk  
City of Manitowoc  
900 Quay St, Manitowoc, WI 54220  
P: 920-686-6952 F: 920-686-6959  
[mreedkadow@manitowoc.org](mailto:mreedkadow@manitowoc.org)

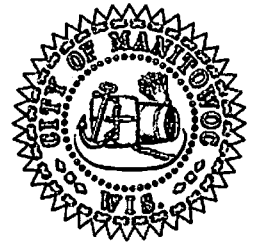
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# CITY OF MANITOWOC

WISCONSIN, USA

[www.manitowoc.org](http://www.manitowoc.org)



March 7, 2019

Tauren R. Beggs  
Wisconsin Department of Natural Resources  
2984 Shawano Ave.  
Green Bay, WI 54313

RE: City of Manitowoc CN Blight Resolutions

Dear Mr. Beggs:

Enclosed please find copies of the revised resolution and blight determination for the Canadian National property. Document 18-0968 was adopted by the Common Council at the meeting of September 17, 2018. Document 19-0090 was adopted by the Common Council at the meeting of January 21, 2019.

Should you have any questions, please contact me at 920-686-6950.

Very truly yours,

Mackenzie Reed-Kadow  
Deputy City Clerk

mrk

Enclosure

cc: City Attorney Kathleen McDaniel

**Deborah Neuser, CMC, City Clerk**  
**CITY HALL • 900 Quay Street • Manitowoc, WI 54220-4543**  
**Phone (920) 686-6950 • Fax (920) 686-6959 • [dneuser@manitowoc.org](mailto:dneuser@manitowoc.org)**



# 18-0968

**Standing Committee:** Finance Committee

**Document Name:** Resolution Declaring the Canadian National Peninsula Blighted and Authorizing the Community Development Authority to Acquire and Assist the Redevelopment of the Property

Consent

Non-Consent

Chairman Recommend

**Recommendation:**

*Adopt Res*

**Attest:**

*[Signature]*  
Chair - Alderperson Jim Brey

*9-17-18*  
Date

*[Signature]*  
Vice-Chair - Alderperson Todd Lotz

*[Signature]*  
Alderperson Scott McMeans

*[Signature]*  
Alderperson Eric Sitkiewitz

*[Signature]*  
Alderperson Mike Williams

**Approved:**

*[Signature]*  
Justin M. Nickels  
Mayor

*9/18/18*  
Date

Finance  
9-17-18

18-0968

**RESOLUTION DECLARING THE CANADIAN NATIONAL PENINSULA BLIGHTED AND AUTHORIZING THE COMMUNITY DEVELOPMENT AUTHORITY TO ACQUIRE AND ASSIST THE REDEVELOPMENT OF THE PROPERTY**

**WHEREAS**, Wisconsin Statutes §66.1333, the Blight Elimination and Slum Clearance Act (the "Act"), states that it is the policy of this state to protect and promote the health, safety and general welfare of the people of the state in which blighted areas exist by the elimination and preservation of such areas through the utilization of all means appropriate for that purpose, thereby encouraging well-planned, integrated, stable, safe and healthful neighborhoods, the provision of healthful homes, a decent living environment and adequate places for employment of the people of this state and its communities in such areas; and,

**WHEREAS**, the Common Council has created a Community Development Authority under Manitowoc Municipal Code §3.160 for the purpose of carrying out blight elimination, slum clearance, urban renewal programs and projects and housing projects; and

**WHEREAS**, the Act allows the authority to undertake activities within the City for the purpose of carrying out redevelopment, blight elimination, blight prevention and urban renewal programs and projects as set forth in the Act, together with all powers necessary or incidental to effect adequate and comprehensive redevelopment, blight elimination, and urban renewal programs and projects; and,

**WHEREAS**, the Canadian National Peninsula in the City, roughly bounded by North 10<sup>th</sup> Street on the east and the Manitowoc River on the north, west, and south, as shown on the attached map, (the "Property") has been proposed as the site for various public improvements and private development projects; and,

**WHEREAS**, blight elimination, slum clearance, and urban renewal and redevelopment projects at the Property will protect and promote the health, safety, and general welfare of citizens of the City; and

**WHEREAS**, the Authority proposes to acquire or assist the private acquisition and development of the Property and to carry out blight elimination and urban renewal projects on the Property, including the installation and construction of public

improvements on the Property, and to subsequently transfer portions of the Property to private developers; and,

**WHEREAS**, Section 5(c)1g. of the Act provides that the Authority may acquire blighted property without designating a redevelopment area or adopting a redevelopment plan if the Authority obtains advance approval of the Common Council by at least a two-thirds vote; and,

**WHEREAS**, the Authority will conduct a duly-noticed public hearing at which all interested parties will be afforded a full opportunity to express their views respecting this preliminary determination of blight for the Property; and,

**WHEREAS**, the City staff have made preliminary findings and recommendations that (i) found the Property to be a “blighted property” within the meaning of Wis. Stats. § 66.1333(2m)(bm), and (ii) submitted the attached preliminary blight determination of the Property for the purpose of carrying out blight elimination and urban renewal projects to the Community Development Authority and Common Council for approval; and,

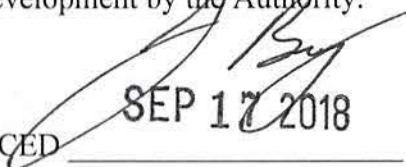
**WHEREAS**, in accordance with the Act, this Common Council now finds it necessary and in the public interests that the Authority undertake activities to eliminate and prevent blight, obsolescence, and the deterioration of the Property and to promote redevelopment and urban renewal on the Property; and,

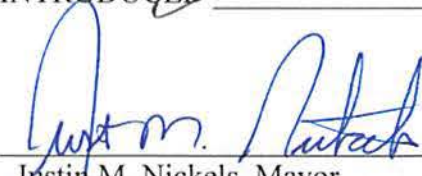
**WHEREAS**, this Common Council has studied the facts and circumstances relating to the Property and the proposed acquisition of the Property, consideration having been given, among other items, to the following matters: (i) the definition of “blighted property” contained in Section (2m)(bm) of the Act, (ii) the Report with respect to the existence of blight on the Property in the context of the Act, (iii) the past and existing condition of, and the proposed uses of, the Property and of similar properties, (iv) the goals and objectives of the proposed acquisition of the Property, (v) visual inspections of the Property and surrounding areas by various members of the Authority and by various staff of and consultants to the City, and (vi) reports and recommendations to the Common Council by the Authority and City staff members.

**NOW THEREFORE, BE IT RESOLVED** by Mayor Justin M. Nickels and the Common Council of the City of Manitowoc that:

1. The Common Council hereby finds, determines and declares that the Property is blighted within the meaning of Section (2m)(bm) of the Act which substantially impairs or arrests the sound growth of the community.

2. The Common Council finds that a comprehensive redevelopment plan is not necessary to determine the need for the acquisition of the Property, the uses of the Property after acquisition and the relation of the acquisition to other property redevelopment by the Authority.

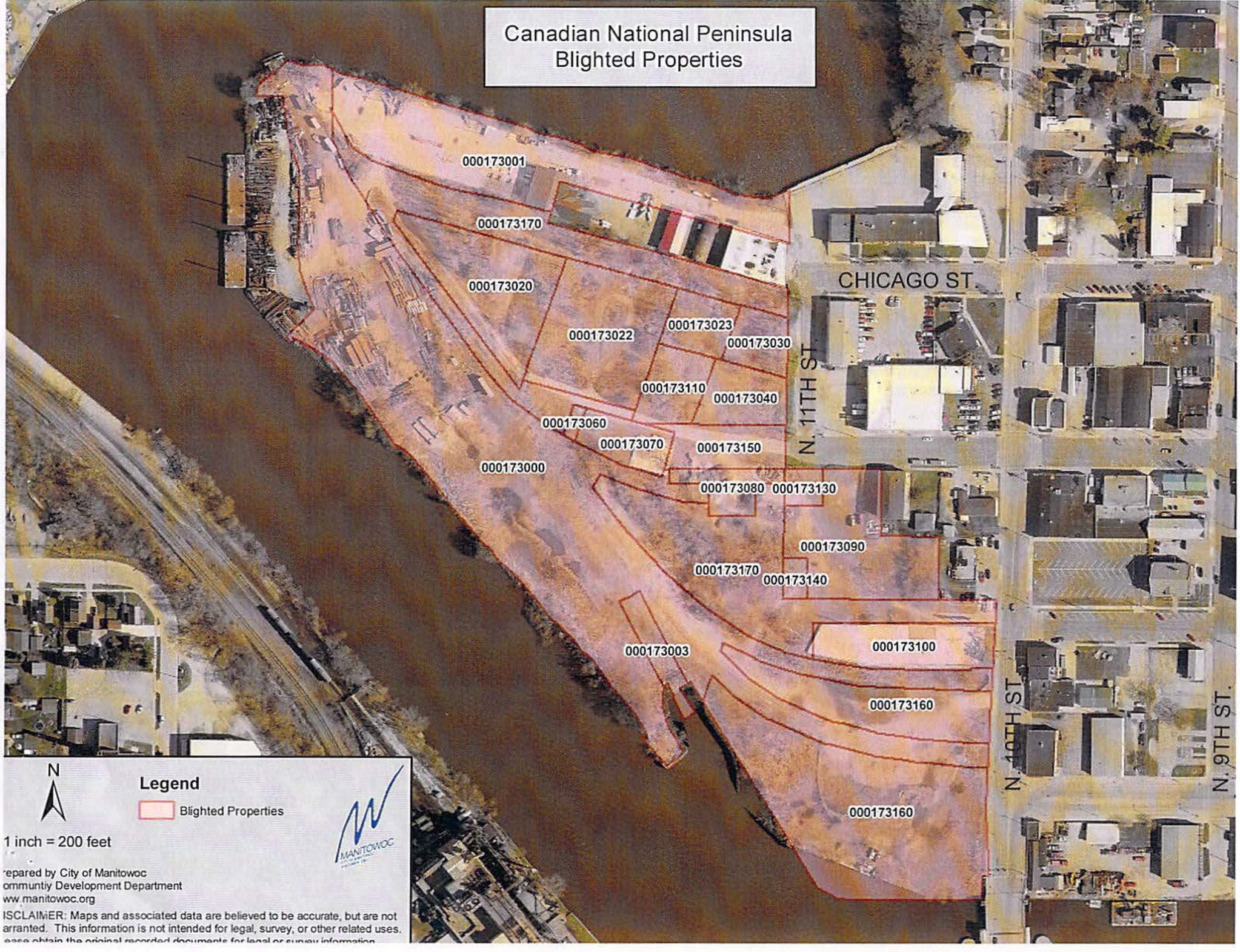
INTRODUCED  SEP 17 2018 ADOPTED SEP 17 2018

 Justin M. Nickels, Mayor APPROVED 9/18/18

This resolution was drafted by Kathleen M. McDaniel, City Attorney

Fiscal Impact: \$0  
Funding Source: n/a  
Finance Director Approval: /sc  
Approved as to form: /kmm

# Canadian National Peninsula Blighted Properties



000173001

000173170

000173020

000173022

000173023

000173030

000173110

000173040

000173060

000173070

000173150

000173000

000173080

000173130

000173090

000173170

000173140

000173003

000173100

000173160

000173160

CHICAGO ST.


N. 11TH ST.

N. 40TH ST.

N. 9TH ST.



## Legend

 Blighted Properties



1 inch = 200 feet

Prepared by City of Manitowoc  
Community Development Department  
www.manitowoc.org

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.

**Blight Determination**

1 N. 10<sup>th</sup> Street, 1103 Chicago Street, 1121 Buffalo Street, & 308 N 11<sup>th</sup> Street  
Also known as the Wisconsin Central LTD / CN Peninsula

Date: September 14, 2018

Parcel #: 052-000-173-130.00  
052-000-173-040.00  
052-000-173-080.00  
052-000-173-140.00  
052-000-173-170.00  
052-000-173-090.00  
052-000-173-022.00  
052-000-173-150.00  
052-000-173-020.00  
052-000-173-110.00  
052-000-173-003.00  
052-000-173-023.00  
052-000-173-030.00  
052-000-173-001.00  
052-000-173-060.00  
052-000-173-160.00  
052-000-173-100.00  
052-000-173-000.00  
052-000-173-010.00  
052-000-173-070.00  
*052-000-173-002.00 HMM*



**Current Conditions**

The following assessment examines the current conditions of the subject property per the statutory definition of "blight" found in Chs. 32.03(6) and 66.1333(2m)(bm), Wis. Stats.

Statutory Elements	Observations	Resources
abandonment, dilapidation, deterioration, age or obsolescence; deterioration of site or other improvements	The 21 +/- acre site was historically used as a railroad marshalling, salvage, coal gasification, transloading car ferry dock and storage yard since the late 1800's through approximately 1990. After 1990 active rail activities ceased and limited transloading of rip rap/quarry stone occurred until circa 2010; all activities ceased after 2010. After 2010 two railroad bridges that provided rail car access to the site were removed, eliminating any direct rail access to the site. A vast majority of the site has gone fallow with no maintenance occurring by the property owner. The site consists of vacant underutilized land with approximately 3 foundations or slabs exposed from razed buildings. In 2016, the buildings were ordered to be razed but the foundations were left in place. There is one active building being leased and used for a business that builds trusses but otherwise the site is abandoned. An unused former building supply	Historical aerial photography. Inspection Notes & Photos 9-11-2014 Razing Permit 5-1-2015



	store is sitting dormant. General maintenance on the site is nonexistent. In addition, the sheet wall along the Manitowoc River is in disrepair and is falling into the river. No positive investment by the property owner in the past 30 to 40 years has occurred.	
inadequate provisions for ventilation, light, air or sanitation; insanitary conditions	Not applicable – the buildings have been razed on the site with the exception of the buildings being leased for the construction of building trusses.	Photos
high density of population and overcrowding	Not applicable – this is a non-residential property.	
conditions which endanger life or property by fire and other causes; unsafe conditions	The site is not secured by fencing and there is no owner presence on the site to deter trespassing, vandalism or other illegal activities. The site has the presence of unprotected foundations and fall hazards. There is evidence of junk and debris being dumped on the site. The river sheet wall system is in major disrepair creating an unsafe environment for boaters and fisherman.	Fire Dept. Citations List Historical Brownfield records, Stantec Reports Photos
faulty lot layout in relation to size, adequacy accessibility or usefulness	Due to long history of railroad ownership dating to the original plat of the City the lot layout has been haphazard and not conducive to orderly and efficient redevelopment practices.	Tax Record / Mapping
diversity of ownership	The property is currently owned by a Canadian company with it's United States office based in Chicago. There is no local presence on the site. Throughout the properties life there have been multiple rail companies that owned the property in addition to a myriad of leases.	
tax or special assessment delinquency exceeding the fair market value of the land	There are no significant tax or special assessment delinquencies against the property. The property is not being used for its highest and best use. With over 2,000 l.f. of river frontage the property is underutilized and therefore is not generating its potential in tax base.	Tax Record
defective or unusual conditions of title	There are no known construction liens filed against the property. There are environmental restrictions on the property.	

**Potential Impacts**

The following assessment considers the potential impacts of the current state of the property as detailed above per the statutory definition of "blight" found in Ch. 66.1333(2m)(bm).

Statutory Elements	Conclusions	Resources
conducive to ill health, transmission of disease, infant	The presence of hazardous materials, other contamination and petroleum substances on the property are causes for concern relative to health	Previous environmental reports, Stantec Reports

mortality, juvenile delinquency or crime	and mortality. The 21 +/- acre parcel has approximately 2,800' of frontage along the Manitowoc River which is used for a multitude of recreational activities. The unsecured access and unsupervised oversight of the site are attractive for delinquency and crime. The lack of property maintenance and lack of vermin proof activities are causes for concern relative to transmission of disease.	Photos
detrimental to the public health, safety, morals or welfare	Causes for concern with public health, safety, morals and welfare stem from the dangers present in the unsupervised and unsecured property. The real or perceived environmental contamination and blighted appearance of the property is deterring positive investment by other neighboring property owners. The property casts a negative shadow on residents driving along the N. 10 <sup>th</sup> Street corridor into the downtown area.	Historical environmental reports, Stantec Reports Photos
substantially impairs or arrests the sound growth of a city	Positive community growth is being deterred on the N. 10 <sup>th</sup> Street corridor and other adjacent properties due to the negative visual impact of the property. There is a preponderance of vacant buildings and other deteriorated properties in the blocks immediately surrounding this property. In the past two Comprehensive Plans and recent downtown and river corridor plans the property has been shown as a key redevelopment site for the City.	Photos, Aerial Photography
retards the provisions of housing accommodation	Not applicable – this is a non-residential property.	
constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare	Due to the negative impacts of the vacant, underutilized property investment in adjacent properties is minimal. The property is adjacent to a major southbound travel corridor into the downtown. The current owner has not shown any intention of investing into the property for the betterment of the community.	Stantec Reports

**Determination**

The subject parcel and its contents meet the statutory definition of blight.

Completed by: Paul Braun  
City Planner

Approved by: City of Manitowoc Common Council (Insert Date)  
Community Development Authority of the City of Manitowoc (Insert Date)

**From:** Kathleen McDaniel <kmcdaniel@manitowoc.org>  
**Sent:** Friday, February 15, 2019 5:13 PM  
**To:** Beggs, Tauren R - DNR  
**Subject:** RE: Additional Clarifications Needed for LGU Exemption Letter Requests, 10th and 11th St and Revere Dr Properties, Manitowoc

Hi Tauren,

I'm working on these and will give you a call Monday to discuss.

**Kathleen M. McDaniel**  
Manitowoc City Attorney  
900 Quay Street, Manitowoc, WI 54220  
(920) 686-6990 | [kmcdaniel@manitowoc.org](mailto:kmcdaniel@manitowoc.org)

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**From:** Beggs, Tauren R - DNR [<mailto:Tauren.Beggs@wisconsin.gov>]  
**Sent:** Tuesday, February 12, 2019 9:04 AM  
**To:** Kathleen McDaniel  
**Subject:** Additional Clarifications Needed for LGU Exemption Letter Requests, 10th and 11th St and Revere Dr Properties, Manitowoc

Good morning Kathleen,

Some additional clarifications needed for the two LGU exemption letter requests for 10<sup>th</sup> and 11<sup>th</sup> St and Revere Drive properties:

- Phase I ESAs were submitted to the DNR for both properties back in August 2018. I plan to reference those in the letters and use the information from them for the Property background section of the letters. Are you good with that?
- For the Revere Drive draft blight determination:
  - There are 2 parcels of land referenced in the cover letter and maps, but only a reference to a parcel of land in the blight determination. Does this need to be revised?
  - The title of the blight determination refers to the Canadian national peninsula; the Revere drive property is not the peninsula property. Does this need to be revised?
  - Once the blight determination is signed and finalized, can you email me a copy so we can refer to a final blight determination in the letter?

If you have any questions, please feel free to contact me.

Thanks,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Tauren R. Beggs**  
Hydrogeologist & Northeast Region Land Recycling Expert

Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
2984 Shawano Ave  
Green Bay, WI 54313  
Phone: (920) 662-5178  
[Tauren.Beggs@wisconsin.gov](mailto:Tauren.Beggs@wisconsin.gov)



[dnr.wi.gov](http://dnr.wi.gov)

