

RESOLUTION # 2022-21

RESOLUTION APPROVING AN AMENDMENT TO THE PROJECT PLAN AND BOUNDARIES OF TAX INCREMENTAL DISTRICT NO. 11, CITY OF MILTON, WISCONSIN

WHEREAS, the City of Milton (the “City”) has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 11 (the “District”) was created by the City on December 17, 2020 as an industrial district; and

WHEREAS, the City now desires to amend the Project Plan and boundaries of the District (the “Amendment”) in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the “Tax Increment Law”); and

WHEREAS, such Amendment will contemporaneously add territory and subtract territory from the District as permitted under Wisconsin Statutes Section 66.1105(4)(h)2.; and

WHEREAS, an amended Project Plan for the District has been prepared that includes:

- 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 Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., 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. An opinion of the City Attorney or of an attorney retained by the City advising that the Project Plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Rock County, the Milton School District, and the Blackhawk Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on September 6, 2022 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon.

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the amended district, adopted the Project Plan, and recommended to the Common Council that it amend the Project Plan and boundaries for the District.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Milton that:

1. The boundaries of the District named “Tax Incremental District No. 11, City of Milton”, are hereby amended as identified in Exhibit A of this Resolution.
2. The territory being added shall become part of the District effective as of January 1, 2022.
3. The territory being subtracted from the District shall no longer be part of the District effective as of January 1, 2022.
4. The Common Council finds and declares that:
 - a. Not less than 50% by area of the real property within the District, as amended, is suitable for industrial sites within the meaning of Wisconsin Statutes Section 66.1101 and has been zoned for industrial use.
 - b. Based upon the finding state in 4.a. above, the District was declared to be, and remains, an industrial district based on the identification and classification of the property included within the District.
 - c. That Project Costs, which have increased with this amended Project Plan, relate directly to promoting industrial development in the District, consistent with the purpose for which the District was created.
 - d. Improvements to be made within the District are likely to enhance significantly the value of substantially all of the other real property within the District.
 - e. The base value of the parcel being subtracted is greater than the current value of the parcel being added in this amendment, and that the net result is a decrease of the base value of the TID No. 11.
 - f. That for the parcel to be added to the District, which was annexed by the City within the three-year period preceding adoption of this Resolution, the City pledges to pay the Town of Milton an amount equal to the property taxes the town last levied on the territory for each of the next five years.
 - g. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District’s maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - h. Any real property within the District that was found suitable for industrial sites and was zoned for industrial at the time of creation of the District or as of the date of this Amendment, will remained zoned for industrial use for the life of the District.
5. The Project Plan for “Tax Incremental District No. 11, City of Milton” (see exhibit B), as amended, is approved, and the City further finds the Project Plan is feasible and in conformity with the Master Plan of the City.

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”, as of January 1, 2022, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, 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.

Adopted this 20th day of September, 2022.

CITY OF MILTON

By:

Anissa Welch, Mayor

Attest:

Jenny Salvo, City Clerk

**LEGAL BOUNDARY DESCRIPTION OR MAP OF
TAX INCREMENTAL DISTRICT NO. 11
CITY OF MILTON**

THIS CAN BE FOUND IN THE PROJECT PLAN

PROJECT PLAN

THIS WILL BE HANDED OUT SEPARATELY