

COW
8-20-18

**RESOLUTION URGING THE MANITWOOC COUNTY BOARD
TO OVERRIDE COUNTY EXECUTIVE BOB ZIEGELBAUER'S VETO
OF AN ADVISORY REFERENDUM ON CLOSING THE DARK STORE LOOPHOLE**

WHEREAS, home owners in Wisconsin already pay 70% of the total statewide property tax levy; and

WHEREAS, that disproportionate burden is about to get much worse unless the Wisconsin Legislature addresses tax avoidance strategies that national chains and big box retail establishments are using across the country to gain dramatic reductions in their property tax bills at the expense of homeowners and other taxpayers; and

WHEREAS, a carefully-orchestrated wave of hundreds of lawsuits in Wisconsin, including several in the City of Manitowoc, is forcing assessors to slash the market value of thriving national retail stores, shifting their tax burden to local mom and pop shops and homeowners; and

WHEREAS, in many cases, particularly *Walgreens v. City of Madison*, the courts have sided with these stores, requiring communities to refund tax revenue back to the stores; and

WHEREAS, big box chains are using what is known as the "Dark Store Theory" to argue that the assessed value of a new store in a thriving location should be based on comparing their buildings to sales of vacant stores in abandoned locations from a different market segment; and

WHEREAS, many communities have passed resolutions to hold referendum questions regarding the dark store loophole, including Brown County, Outagamie County, Rock County, Walworth County, and Washington County; and

WHEREAS, the City of West Allis held a referendum at the August 18, 2018 election, where 91% of the voters supported the referendum question; and

WHEREAS, the Manitowoc County Board passed Resolution 23 on July 17, 2018, calling for a non-binding advisory referendum on the November 6, 2018 ballot so that the voters of Manitowoc County could express their viewpoints on the dark store loophole at the ballot box; and

WHEREAS, County Executive Ziegelbauer vetoed that resolution, claiming that a referendum would waste the taxpayers' money and is anti-business; and

WHEREAS, the Common Council of the City of Manitowoc supports hearing the viewpoints of the voters in a non-binding advisory referendum.

NOW, THEREFOR, BE IT RESOLVED, that the Mayor and Common Council of the City of Manitowoc urge the Manitowoc County Board to override County Executive Ziegelbauer's veto to allow the voters of Manitowoc County to express their viewpoints on this important issue at the ballot box on November 6, 2018.

AUG 20 2018

INTRODUCED _____ ADOPTED _____

APPROVED _____

Justin M. Nickels, Mayor

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

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