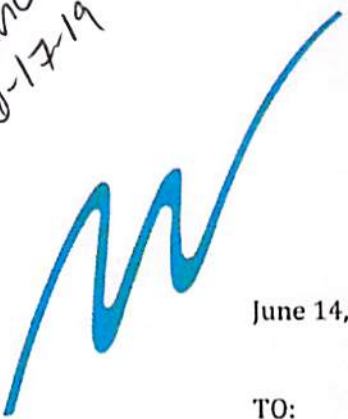


Finance  
6-17-19

19-0687



CITY OF MANITOWOC  
WISCONSIN, USA  
www.manitowoc.org



June 14, 2019

TO: April Kroner, Community Development Director  
FROM: Kathleen M. McDaniel, City Attorney  
RE: Certification of Project Plan and Boundary Amendment No. 1 to Tax Incremental Financing District No. 20

This opinion relates to the compliance of the Project Plan and Boundary Amendment No. 1 to amend Tax Incremental Financing District No. 20, City of Manitowoc, Manitowoc County, Wisconsin (hereinafter "District") with the requirements of state law, specifically Wis. Stat. §66.1105(4)(f).

The Community Development Department collaborated with Vierbicher Associates, Inc. to prepare this Project Plan Amendment. I have examined the project plan and this amendment, and find them to comply with the statutory requirements of Wis. Stat. §66.1105(4), and in particular, they contain the following:

1. A statement listing the kind, number, and location of all proposed public works or improvements within the District and those located outside the District to the extent permitted by law, including those within one half-mile of the boundary of the District.
2. An economic feasibility study, which details TIF performance above and beyond the statutory requirements.
3. A statement of orderly development and compliance with the City's Comprehensive Plan.
4. A detailed list of estimated project costs.
5. A description of the methods of financing all project costs and the time when the related costs and monetary obligations are to be incurred.

It is my legal opinion that this plan, as amended, is both complete and in compliance with State law, as well as an appropriate use of tax incremental financing, based on the information furnished to me by City staff and Vierbicher.

Respectfully submitted,

Kathleen M. McDaniel, City Attorney

City Attorney Kathleen M. McDaniel • Staff Attorney Elizabeth Majerus  
Paralegal Jane M. Rhode  
CITY HALL • 900 Quay Street • Manitowoc, WI 54220-4543  
Phone (920) 686-6990 • Fax (920) 686-6999



**RESOLUTION AMENDING  
TAX INCREMENT DISTRICT NO. 20**

**WHEREAS**, the Common Council of the City of Manitowoc requested that the Plan Commission prepare a Project Plan and district boundary amendment to Tax Increment District (TID) No. 20 to add additional industrial lands to and allow for additional project costs; and

**WHEREAS**, the Plan Commission caused a Project Plan and district boundary amendment to be prepared for TID No. 20 which identified investments necessary to continue to promote industrial development and to repurpose industrial and underutilized property within TID No. 20 and within one-half mile of the TID boundary, as allowed by 66.1105(4)(f); and

**WHEREAS**, the Plan Commission conducted a public hearing on said TID No. 20 Project Plan and district boundary amendment after duly notifying the public of said public hearing under Wisconsin Statutes §66.1105; and

**WHEREAS**, the Plan Commission recommended approval of said Project Plan amendment for TID No. 20 and recommended that the Common Council of the City of Manitowoc amend TID No. 20 as approved by the Plan Commission.

**NOW, THEREFORE, BE IT RESOLVED**, the City makes the following findings:

- A. TID No. 20 will remain as an industrial development district.
- B. The improvement of TID No. 20 is likely to continue to enhance the value of substantially all of the other real property in the District; and
- C. The TID No. 20 Boundary Amendment No. 1 only includes whole parcels and is contiguous to the original TID No. 20.
- D. All the lands within TID No. 20 Boundary Amendment No. 1 are suitable for industrial sites and zoned for industrial use and will remain zoned for industrial use for the life of TID No. 20. Therefore, at least 50 percent of the amended boundary area is suitable for industrial sites,
- E. The project costs directly serve to promote industrial development and to repurpose industrial and underutilized property and are consistent with the purpose for which the Tax Increment District was created; and
- F. The Equalized Value of the district's taxable property plus the value increment of all existing districts does not exceed 12 percent of the City of Manitowoc's total Equalized Value of taxable property; and
- G. The TID has been zoned for industrial use and will continue to remain zoned for industrial use for the life of TID No. 20; and

- H. The percentage of territory within the TID devoted to retail business at the end of the expenditure period will be less than 35%; and
- I. Development on the additional lands would not occur without the TID amendment, the economic benefits are sufficient to compensate for the cost, and the benefits outweigh the anticipated tax increments to be paid by the district's property owners,

**BE IT FURTHER RESOLVED**, pursuant to Wisconsin Statutes §66.1105, the Common Council of the City of Manitowoc hereby amends TID No. 20 effective January 1, 2019 as recommended by the Plan Commission, and finds that it is feasible and in conformance with the Comprehensive Plan of the City.

**JUN 17 2019**

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

\_\_\_\_\_  
 Justin M. Nickels, Mayor APPROVED \_\_\_\_\_

This resolution was drafted by Vierbicher Associates, Inc. and revised by City Attorney Kathleen M. McDaniel

<b>Fiscal Impact:</b>	n/a
<b>Funding Source:</b>	TID Increment
<b>Finance Director Approval:</b>	/kl
<b>Approved as to form:</b>	/kmm

**CERTIFICATION**

I, Deborah Neuser, Clerk of the City of Manitowoc, certify that the foregoing Resolution was duly and regularly adopted by the City Council at a duly scheduled meeting held at the City Hall on June 17, 2019.

Motion by \_\_\_\_\_,

seconded by \_\_\_\_\_ to adopt the Resolution.

Vote: \_\_\_\_\_ Yes \_\_\_\_\_ No

Resolution Adopted. \_\_\_\_\_, City Clerk