

**RESOLUTION DECLARING PROPERTY AT 828 MEMORIAL DRIVE AND EAST
MAGNOLIA AVENUE 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 (the “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 of Manitowoc (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 vacant lot at 828 Memorial Drive and East Magnolia Avenue (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, Wisconsin Statute 66.1333(5)(c)1g 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, at a duly-noticed public hearing on August 30, 2023, the Authority declared the Property to be a “blighted property” within the meaning of Wisconsin Statutes 66.1333(2m)(bm) and 32.03(6)(a); and

WHEREAS, in accordance with the Act, this Common Council now finds it necessary and in the public interest 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 Wisconsin Statutes 66.1333(2m)(bm), (ii) the determination by the Authority that the Property meets the definition of “blighted property”, (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 inspection 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 the Mayor and Common Council of the City of Manitowoc, Wisconsin, that:

1. The Common Council hereby finds, determines and declares that the Property is blighted within the meaning of Wisconsin Statute 66.1333(2m)(bm) and 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 _____ ADOPTED _____

Justin M. Nickels, Mayor

Fiscal Impact: Anticipated no fiscal impact for resolution declaring blight. Costs associated with future projects of recommended blighted property(s) will be communicated at time of project determination.

Funding Source: Not Applicable

Finance Director Approval: /SMA

Approved as to form: / EGN

This resolution was drafted by Eric G. Nycz, Interim City Attorney