

September 24<sup>th</sup>, 2013

*Note: These minutes are subject to review and approval at the next regular Common Council meeting.*

The Common Council of the City of Merrill met on the above date in Special Session, at the City Hall Council Chambers, 1004 East First Street. Mayor William R. Bialecki called the meeting to order at 7:00 P.M.

**130920S2** Roll Call showed the following Common Council members present (7 of 8): Alderman Steve Hass (Second District), Alderman Ryan Schwartzman (Third District), Alderwoman Kandy Peterson (Fourth District), Alderman John Burgener (Fifth District), Alderman Dave Sukow (Sixth District), Alderman Rob Norton (Seventh District) and Alderwoman Anne Caylor (Eighth District). Alderman Chris Malm (First District) had an excused absence.

**1309130S2** Health and Safety Committee

**1309131S2** Consider recommendation(s) from September 23<sup>rd</sup>, 2013 regarding the application from 1212 Sports Lounge, Jared Lee Schmidt, Agent, for a Class “B” (beer) license and a “Class B” (liquor) license for 1212 Sports Lounge, 1212 South Center Avenue, effective October 1<sup>st</sup>, 2013.

At that meeting, the Committee recommended approving the application.

Motion (Sukow/Schwartzman) to refer to the October 8<sup>th</sup>, 2013 Common Council meeting.

After discussion, Alderman Sukow requested that his motion be withdrawn. Without objection, it was so ordered.

Motion (Caylor/Hass) to approve the application. Carried.

**1309260S2 RESOLUTION NO. 2335**

Alderman Hass requested that the rules be suspended and that any resolutions deemed lengthy by City Attorney Hayden be read by title only, followed by a synopsis. Without objection, it was so ordered.

**A RESOLUTION DISSOLVING REDEVELOPMENT DISTRICT NO. 1  
AND RELATED REDEVELOPMENT PLAN FOR REDEVELOPMENT  
DISTRICT NO. 1**

WHEREAS, the Common Council of the City of Merrill authorized the designation of a Redevelopment Area, Declaring Blight, and Approved the Redevelopment Plan for Redevelopment District No. 1 of the City of Merrill (the "City") on September 13<sup>th</sup>, 2005 and adopted Amendment No. 1 on July 11<sup>th</sup>, 2006, and

WHEREAS, the boundaries of Redevelopment Area No. 1 (the "Area") were contiguous with Tax Increment District No. 3 boundaries when created in 2005 and amended in 2006 and the Redevelopment Plan for the "Area" was combined within the Tax Increment District No. 3 Plan; and

WHEREAS, the Redevelopment Authority has proposed that the boundaries of Tax Increment District No. 3 (the "District") be amended through both deletions and additions of parcels and the Project Plan for the District be amended; and

WHEREAS, the Redevelopment Authority on September 10<sup>th</sup>, 2013 recommended that the Common Council dissolve Redevelopment District No. 1 and Related Redevelopment Plan for Redevelopment District No. 1; and

WHEREAS, under Section 66.1105(3)(f) of the Statutes, the Common Council, pursuant to Ordinance No. 2004-10 (City of Merrill Code of Ordinances, Section 2-4-17), has heretofore designated the Redevelopment Authority of the City of Merrill, Wisconsin (the "Authority") as agent of the City to perform all acts (except the development of the master plan of the City) which would otherwise be performed by the plan commission under Section 66.1105 of the Statutes (the "TIF Law");

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 24<sup>th</sup> day of September, 2013, that Redevelopment District No. 1 and related Redevelopment Plan for Redevelopment District No. 1 is hereby dissolved.

Motion (Hass/Peterson) to adopt. Carried.

**1309261S2 RESOLUTION NO. 2336**

Brian Reilly (Ehlers & Associates) and Finance Director Unertl gave a presentation on the remaining resolutions.

**A RESOLUTION AMENDING THE BOUNDARIES OF AND ADOPTING AN AMENDED PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 3**

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

WHEREAS, Tax Incremental District No. 3 (the “District”) was created by the Common Council of the City of Merrill on September 13<sup>th</sup>, 2005 as a mixed-use district; and

WHEREAS, the Redevelopment Authority has identified an amended boundary and prepared an amended Project Plan entitled “Territory & Project Plan Amendment to Tax Increment District No. 3” for the amendment of Tax Incremental District (TID) No. 3 in accordance with the provisions of Section 66.1105, Wisconsin Statutes (the “Tax Increment Law”); and

WHEREAS, such amendment will also modify the categories, locations or costs of the Projects to be undertaken, providing incentives and opportunities for additional private development and redevelopment; and

WHEREAS, such amendment will also allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Section 66.1105(2)(f)1.n Wisconsin Statutes; and

WHEREAS, on September 10<sup>th</sup>, 2013, the Redevelopment Authority conducted a public hearing on said amended boundary and amended Project Plan after duly notifying overlying taxing jurisdictions and the public of said public hearing; and

WHEREAS, the Redevelopment Authority approved said amended boundary and amended Project Plan for TID No. 3 and recommended that the Common Council of the City of Merrill amend TID No. 3 as approved by the Redevelopment Authority;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 24<sup>th</sup> day of September, 2013, that the Common Council of the City of Merrill hereby amends Tax Incremental District No. 3, City of Merrill and said District shall be amended effective January 1, 2013.

BE IT FURTHER RESOLVED, the amended boundary for TID No. 3 shall be that included in the amended Project Plan marked as Exhibit A to this Resolution and contains only whole units of property as are assessed for property tax purposes; and

BE IT FURTHER RESOLVED, the City makes the following findings:

- A. Not less than 50 percent, by area, of the real property within the District is suitable for mixed-use development within the meaning of Wisconsin Statutes Section 66.1105(2)(cm); and
- B. The improvement of TID No. 3 is likely to enhance significantly the value of substantially all of the other real property in such District; and
- C. The project costs directly serve to promote mixed-use development, consistent with the purpose for which the tax incremental district was created; and
- D. The equalized value of taxable property of the District plus the value increment of all existing districts does not exceed twelve percent of the total equalized value of taxable property within the City; and
- E. Tax Increment District No. 3 continues to be a mixed-use district based upon the classification of the property included within the District; and
- F. No more than 35% of territory within the District will be devoted to retail business at the end of the maximum expenditure period of the District; and
- G. No newly platted residential developments are part of the project plan; and
- H. No property within the District has been annexed to the City for at least 3 years; and
- I. Any real property within the District that is found suitable for industrial sites is zoned for industrial use and will remain zoned for industrial use for the life of the tax increment district.

BE IT FURTHER RESOLVED, pursuant to Wisconsin Statutes Section 66.1105(4)(g), the Common Council hereby approves the Project Plan as recommended by the Redevelopment Authority, and finds that it is feasible and in conformity with the Comprehensive Plan of the City.

Motion (Schwartzman/Sukow) to adopt. Carried 6-1 on roll call vote.  
Voting No – Alderwoman Caylor.

*Note: Exhibit A referenced in the resolution is available for inspection in the Clerk/Treasurer office at City Hall.*

**1309262S2 RESOLUTION NO. 2337****A RESOLUTION AMENDING THE BOUNDARIES OF AND ADOPTING AN AMENDED PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 4**

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

WHEREAS, Tax Incremental District No. 4 (the “District”) was created by the Common Council of the City of Merrill on September 11<sup>th</sup>, 2007 as a mixed-use district; and

WHEREAS, the Redevelopment Authority has identified an amended boundary and prepared an amended Project Plan entitled “Territory & Project Plan Amendment to Tax Increment District No. 4” for the amendment of Tax Incremental District (TID) No. 4 in accordance with the provisions of Section 66.1105, Wisconsin Statutes (the “Tax Increment Law”); and

WHEREAS, such amendment will also modify the categories, locations or costs of the Projects to be undertaken, providing incentives and opportunities for additional private development and redevelopment; and

WHEREAS, such amendment will also allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Section 66.1105(2)(f)1.n Wisconsin Statutes; and

WHEREAS, on September 10<sup>th</sup>, 2013, the Redevelopment Authority conducted a public hearing on said amended boundary and amended Project Plan after duly notifying overlying taxing jurisdictions and the public of said public hearing; and

WHEREAS, the Redevelopment Authority approved said amended boundary and amended Project Plan for TID No. 4 and recommended that the Common Council of the City of Merrill amend TID No. 4 as approved by the Redevelopment Authority;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 24<sup>th</sup> day of September, 2013, that the Common Council of the City of Merrill hereby amends Tax Incremental District No. 4, City of Merrill and said District shall be amended effective January 1, 2013.

BE IT FURTHER RESOLVED, the amended boundary for TID No. 4 shall be that included in the amended Project Plan marked as Exhibit A to this Resolution and contains only whole units of property as are assessed for property tax purposes; and

BE IT FURTHER RESOLVED, the City makes the following findings:

A. Not less than 50 percent, by area, of the real property within the District is suitable for mixed-use development within the meaning of Wisconsin Statutes Section 66.1105(2)(cm); and

B. The improvement of TID No. 4 is likely to enhance significantly the value of substantially all of the other real property in such District; and

C. The project costs directly serve to promote mixed-use development, consistent with the purpose for which the tax incremental district was created; and

D. The equalized value of taxable property of the District plus the value increment of all existing districts does not exceed twelve percent of the total equalized value of taxable property within the City; and

E. Tax Increment District No. 4 continues to be a mixed-use district based upon the classification of the property included within the District; and

F. No more than 35% of territory within the District will be devoted retail business at the end of the maximum expenditure period of the District; and

G. No newly platted residential developments are part of the project plan; and

H. No property within the District has been annexed to the City for at least 3 years; and

I. Any real property within the District that is found suitable for industrial sites is zoned for industrial use and will remain zoned for industrial use for the life of the tax increment district.

BE IT FURTHER RESOLVED, pursuant to Wisconsin Statutes Section 66.1105(4)(g), the Common Council hereby approves the Project Plan as recommended by the Redevelopment Authority, and finds that it is feasible and in conformity with the Comprehensive Plan of the City.

Motion (Schwartzman/Burgener) to adopt. Carried 6-1 on roll call vote. Voting No – Alderwoman Caylor.

*Note: Exhibit A referenced in the resolution is available for inspection in the Clerk/Treasurer office at City Hall.*

**1309263S2 RESOLUTION NO. 2338**

**A RESOLUTION AMENDING PROJECT PLAN FOR  
TAX INCREMENTAL DISTRICT NO. 5**

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

WHEREAS, Tax Incremental District No. 5 (the “District”) was created by the Common Council of the City of Merrill on September 11<sup>th</sup>, 2007 as a mixed-use district; and

WHEREAS, the Redevelopment Authority has identified an amended boundary and prepared an amended Project Plan entitled “Project Plan Amendment to Tax Increment District No. 5” for the amendment of Tax Incremental District (TID) No. 5 in accordance with the provisions of Section 66.1105, Wisconsin Statutes (the “Tax Increment Law”); and

WHEREAS, such amendment will also modify the categories, locations or costs of the Projects to be undertaken, providing incentives and opportunities for additional private development and redevelopment; and

WHEREAS, such amendment will also allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Section 66.1105(2)(f)1.n Wisconsin Statutes; and

WHEREAS, on September 10<sup>th</sup>, 2013, the Redevelopment Authority conducted a public hearing on said amended boundary and amended Project Plan after duly notifying overlying taxing jurisdictions and the public of said public hearing; and

WHEREAS, the Redevelopment Authority approved said amended Project Plan for TID No. 5 and recommended that the Common Council of the City of Merrill amend TID No. 5 as approved by the Redevelopment Authority;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 24<sup>th</sup> day of September, 2013, that the Common Council of the City of Merrill hereby amends Tax Incremental District No. 5, City of Merrill and said District shall be amended effective January 1, 2013.

BE IT FURTHER RESOLVED, the City makes the following findings:

- A. The boundaries of Tax Increment District No. 5 remain unchanged as specified in Exhibit A of this Resolution.
- B. Not less than 50 percent, by area, of the real property within the District is suitable for mixed-use development within the meaning of Wisconsin Statutes Section 66.1105(2)(cm); and
- C. The improvement of TID No. 5 is likely to enhance significantly the value of substantially all of the other real property in such District; and
- D. The project costs directly serve to promote mixed-use development, consistent with the purpose for which the tax incremental district was created; and
- E. The equalized value of taxable property of the District plus the value increment of all existing districts does not exceed twelve percent of the total equalized value of taxable property within the City; and
- F. Tax Increment District No. 5 continues to be a mixed-use district based upon the classification of the property included within the District; and
- G. No more than 35% of territory within the District will be devoted to retail business at the end of the maximum expenditure period of the District; and
- H. No newly platted residential developments are part of the project plan; and
- I. No property within the District has been annexed to the City for at least 3 years; and
- J. Any real property within the District that is found suitable for industrial sites is zoned for industrial use and will remain zoned for industrial use for the life of the tax increment district.

BE IT FURTHER RESOLVED, pursuant to Wisconsin Statutes Section 66.1105(4)(g), the Common Council hereby approves the Project Plan as recommended by the Redevelopment Authority, and finds that it is feasible and in conformity with the Comprehensive Plan of the City.

Motion (Hass/Schwartzman) to adopt. Carried 6-1 on roll call vote. Voting No – Alderwoman Caylor.

*Note: Exhibit A referenced in the resolution is available for inspection in the Clerk/Treasurer office at City Hall.*

**1309264S2 RESOLUTION NO. 2339****A RESOLUTION AMENDING THE BOUNDARIES OF AND ADOPTING AN AMENDED PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 8**

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

WHEREAS, Tax Incremental District No. 8 (the “District”) was created by the Common Council of the City of Merrill on September 27<sup>th</sup>, 2011 as a “blighted area” district; and

WHEREAS, the Redevelopment Authority has identified an amended boundary and prepared an amended Project Plan entitled “Territory & Project Plan Amendment to Tax Increment District No. 8” for the amendment of Tax Incremental District (TID) No. 8 in accordance with the provisions of Section 66.1105, Wisconsin Statutes (the “Tax Increment Law”); and

WHEREAS, such amendment will also modify the categories, locations or costs of the Projects to be undertaken, providing incentives and opportunities for additional private development and redevelopment; and

WHEREAS, such amendment will also allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Section 66.1105(2)(f)1.n Wisconsin Statutes; and

WHEREAS, on September 10<sup>th</sup>, 2013, the Redevelopment Authority conducted a public hearing on said amended boundary and amended Project Plan after duly notifying overlying taxing jurisdictions and the public of said public hearing; and

WHEREAS, the Redevelopment Authority approved said amended boundary and amended Project Plan for TID No. 8 and recommended that the Common Council of the City of Merrill amend TID No. 8 as approved by the Redevelopment Authority;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 24<sup>th</sup> day of September, 2013, that the Common Council of the City of Merrill hereby amends Tax Incremental District No. 8, City of Merrill and said District shall be amended effective January 1, 2013.

BE IT FURTHER RESOLVED, the amended boundary for TID No. 8 shall be that included in the amended Project Plan marked as Exhibit A to this Resolution and contains only whole units of property as are assessed for property tax purposes; and

BE IT FURTHER RESOLVED, the City makes the following findings:

A. Not less than 50 percent, by area, of the real property within the District is a “blighted area” within the meaning of Wisconsin Statutes Section 66.1105(2)(cm); and

B. The improvement of TID No. 8 is likely to enhance significantly the value of substantially all of the other real property in such District; and

C. The project costs directly serve to eliminating blight, consistent with the purpose for which the tax incremental district was created; and

D. The equalized value of taxable property of the District plus the value increment of all existing districts does not exceed twelve percent of the total equalized value of taxable property within the City; and

E. Tax Increment District No. 8 continues to be a “blighted area” district based upon the classification of the property included within the District; and

F. No more than 35% of territory within the District will be devoted to retail business at the end of the maximum expenditure period of the District; and

G. No property within the District has been annexed to the City for at least 3 years; and

H. Any property standing vacant for the entire 7-year period immediately preceding adoption of this resolution amending the district do not comprise more than 25% of the area of the District.

BE IT FURTHER RESOLVED, pursuant to Wisconsin Statutes Section 66.1105(4)(g), the Common Council hereby approves the Project Plan as recommended by the Redevelopment Authority, and finds that it is feasible and in conformity with the Comprehensive Plan of the City.

Motion (Schwartzman/Peterson) to adopt. Carried 6-1 on roll call vote. Voting No – Alderwoman Caylor.

*Note: Exhibit A referenced in the resolution is available for inspection in the Clerk/Treasurer office at City Hall.*

**1309265S2 RESOLUTION NO. 2340****A RESOLUTION CREATING TAX INCREMENTAL DISTRICT NO. 9 OF THE CITY OF MERRILL, WISCONSIN**

WHEREAS, pursuant to Section 66.1105 of the Wisconsin Statutes (the "Statutes") the Common Council of the City of Merrill, Lincoln County, Wisconsin (the "City") has caused a project plan for a tax incremental district (the "Project Plan") to be prepared, which Project Plan has been presented to this Common Council;

WHEREAS, blight conditions exist within the proposed boundaries of proposed Tax Incremental District No. 9 (the "District") as described in Exhibit A hereto;

WHEREAS, those conditions could be alleviated by the creation and implementation of the District pursuant to Section 66.1105 of the Statutes;

WHEREAS, more than 50% of the area of the proposed District has been determined by the City's Redevelopment Authority (the "Authority") to be a "blighted area" as defined in Section 66.1105(2)(a) of the Statutes based on information provided by City staff and a Blight Study prepared by City Building Inspector Darin Pagel (the "Report");

WHEREAS, the City has determined that the elimination and prevention of blighted areas in the City is in the best interest of the City and will benefit the City by promoting public health, safety and welfare and by increasing the City's tax base and the number of jobs available in the City;

WHEREAS, under the provisions of Section 66.1105 of the Statutes the City has the power to create tax incremental districts in order to eliminate blight in the City;

WHEREAS, the City desires to exercise its power under Section 66.1105 of the Statutes and create a tax incremental district for the purpose of eliminating blight in the City;

WHEREAS, pursuant to Section 66.1105(3)(f) of the Statutes, the Authority, as an agent of the City, is authorized to perform all acts except the development of the master plan of the City, which are otherwise performed by the Plan Commission in connection with the creation of such tax incremental districts;

WHEREAS, on September 10<sup>th</sup>, 2013, the Authority held a public hearing (the "Public Hearing") at which all interested parties were afforded a reasonable opportunity to express their views on the proposed creation of the tax incremental district and the proposed boundaries of the district and the project plan for the district;

WHEREAS, at least 15 days prior to the date of the Public Hearing, owners of the property identified as blighted in the Report were provided notice of the hearing as required under Section 66.1105(4)(c) of the Statutes;

WHEREAS, the Authority has designated the boundaries specified in the Project Plan as and for the boundaries of the District, and has submitted its recommendation for approval of the Project Plan to the Common Council;

WHEREAS, the Common Council has, on this date, approved the Project Plan for the District; and

WHEREAS, creation of the District and implementation of the Project Plan will promote the elimination of blight in the City within the meaning of Section 66.1105 of the Statutes;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 24th day of September, 2013, that

Section 1. Creation of Tax Incremental District. For the purpose of eliminating blight in the City, a tax incremental district is created in the City as of January 1, 2013, pursuant to Section 66.1105, Wis. Stats.

Section 2. Name of the District. The District shall be known as "Tax Incremental District No. 9, City of Merrill, Wisconsin."

Section 3. Boundaries of the District. The boundaries of the District shall be those boundaries described in the Project Plan.

Section 4. Finding with Respect to the District. The Common Council makes the following findings with respect to the District:

(a) Not less than 50%, by area, of the real property within the District is a "blighted area" within the meaning of Section 66.1105(2)(a) of the Wisconsin Statutes. Property standing vacant for the entire 7 year period immediately preceding adoption of this Resolution does not comprise more than 25% of the area of the District.

(b) The improvement of the blighted area in the District is likely to enhance significantly the value of substantially all of the other real property in the District.

(c) The project costs described in the Project Plan for the District directly serve to eliminate blight in the City.

(d) The aggregate equalized value of taxable property of the District, plus the value increment of all existing tax incremental districts in the City, does not exceed 12% of the total equalized value of taxable property within the City.

Section 5. Type of District. The District is declared to be a blight district based on the identification and classification of the property included in the District.

Section 6. No Recently Annexed Property. There is no property within the District which has not been annexed to the City for at least 3 years.

Section 7. Retail Business Estimate. No more than 35% of territory within the District will be devoted to retail business at the end of the maximum expenditure period of the District.

Motion (Burgener/Norton) to adopt. Carried 6-1 on roll call vote. Voting No – Alderwoman Caylor.

*Note: Exhibit A referenced in the resolution is available for inspection in the Clerk/Treasurer office at City Hall.*

## **1309266S2 RESOLUTION NO. 2341**

### **A RESOLUTION APPROVING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 9 OF THE CITY OF MERRILL, WISCONSIN**

WHEREAS, pursuant to Section 66.1105 of the Wisconsin Statutes (the Statutes), the Common Council of the City of Merrill, Lincoln County, Wisconsin (the "City") has caused a project plan for a tax incremental district (the "Project Plan") to be prepared, which Project Plan has been presented to this Common Council;

WHEREAS, blight conditions exist in the portion of the City within the boundaries described on Exhibit A hereto;

WHEREAS, those conditions could be alleviated by the creation and implementation of a tax incremental district pursuant to Section 66.1105 of the Statutes;

WHEREAS, more than 50% of the area of the proposed district has been determined by the City's Redevelopment Authority (the "Authority") to be a "blighted area" as defined in Section 66.1105(2)(a) of the Statutes based on information provided by City staff and a Blight Study prepared by City Building Inspector Darin Pagel (the "Report");

WHEREAS, the City has determined that the elimination and prevention of blighted areas in the City is in the best interest of the City and will benefit the City by promoting public health, safety and welfare and by increasing the City's tax base and the number of jobs available in the City;

WHEREAS, the City desires to act to eliminate and prevent the recurrence of blight in the City and obtain these benefits for the City and its residents;

WHEREAS, under the provisions of Section 66.1105 of the Statutes the City has the power to create tax incremental districts for the purpose of eliminating blight in the City;

WHEREAS, pursuant to Section 66.1105(3)(f) of the Statutes, the Authority, as an agent of the City, is authorized to perform all acts except the development of the master plan of the City, which are otherwise performed by the plan commission in connection with the creation of such tax incremental districts;

WHEREAS, on September 10<sup>th</sup>, 2013, the Authority held a public hearing at which all interested parties were afforded a reasonable opportunity to express their views on the proposed creation of the tax incremental district and the proposed boundaries of the district and the Project Plan, and, following the public hearing, designated boundaries for the tax incremental district, adopted the Project Plan and submitted it to this Common Council;

WHEREAS, the Authority has designated the boundaries specified in the Project Plan as and for the boundaries of the District, and has submitted its recommendation for approval of the Project Plan to the Common Council;

WHEREAS, the Project Plan includes (a) a statement listing the kind, number and location of all proposed public works or improvements within the tax incremental 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 costs or monetary obligations related thereto 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 in zoning ordinances, the City's master plan, map, building codes or ordinances; (h) a list of estimated nonproject costs; (j) a statement indicating how creation of the district promotes orderly development of the City and (k) a legal opinion advising that the Project Plan is complete and complies with Section 66.1105 of the Statutes;

WHEREAS, the Project Plan has been presented to this Common Council and reviewed by the Common Council; and

WHEREAS, the Project Plan will promote blight elimination within the meaning of Section 66.1105 of the Statutes;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 24<sup>th</sup> day of September, 2013, that:

Section 1. Feasibility of Project Plan. Based on the information set forth in the Project Plan, including the economic feasibility report which is a part of the Plan, this Common Council finds that the Project Plan is feasible.

Section 2. Conformity with Master Plan. The Project Plan is in conformity with the master plan of the City. Implementation of the Project Plan will not require any changes to the City's master plan, map, building codes or ordinances.

Section 3. Approval of Project Plan. The Project Plan for the proposed Tax Incremental District No. 9 of the City is approved pursuant to Section 66.1105(4)(g), Wis. Stats.

Motion (Norton/Sukow) to adopt. Carried 6-1 on roll call vote. Voting No – Alderwoman Caylor.

*Note: Exhibit A referenced in the resolution is available for inspection in the Clerk/Treasurer office at City Hall.*

## **1309267S2 RESOLUTION NO. 2342**

### **A RESOLUTION AUTHORIZING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MERRILL, WISCONSIN AND NEUMANN LOT 2 DEVELOPMENT LLC FOR CONSTRUCTION OF A STEEL FRAME BUILDING**

WHEREAS, the Common Council of the City of Merrill created Tax Increment District (TID) No. 9 on September 24, 2013; and,

WHEREAS, Neumann Lot 2 Development LLC is constructing a new steel frame building on property located within TID No. 9; and.

WHEREAS, the City of Merrill finds that the proposed development and the fulfillment of the items and conditions of the attached Development Agreement are in the vital and best interest of the City of Merrill, the Merrill Redevelopment Authority and City residents and serves a public purpose in accordance with State law; and,

WHEREAS, new property tax base will be generated and 2 – 10 full-time equivalent positions will be created as a result of this expansion, and,

WHEREAS, Neumann Lot 2 Development LLC have negotiated the development agreement to provide an incentive payment (pay as you go tax increment financing incentive) not to exceed \$75,000 to facilitate the new development;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN this 24<sup>th</sup> day of September, 2013, that the Mayor and City Clerk are authorized to sign the development agreement by and between the City of Merrill and Neumann Lot 2 Development, LLC and to facilitate the implementation thereof.

Motion (Schwartzman/Norton) to adopt. Carried 7-0 on roll call vote.

**1309268S2 RESOLUTION NO. 2343**

**A RESOLUTION DETERMINING PROPERTY TO BE BLIGHTED AND SUBMITTING PROPOSED ACQUISITION AND REDEVELOPMENT TO COMMON COUNCIL FOR APPROVAL – 413 & 419 WEST MAIN STREET**

WHEREAS, the property in the City of Merrill, Wisconsin (the “City”) described in Exhibit A attached hereto (the “Property”) has been proposed as the site for various public improvements and private development projects; and

WHEREAS, the Property has been determined by City staff to be a “blighted property” as defined in Section 66.1333 of the Wisconsin Statutes based on various reports previously prepared in connection with proposed redevelopment of the Property, including Redevelopment Authority meetings; Tax Increment District No. 8 Plan; and City Building Inspector Notices; and

WHEREAS, this body is advised by the staff of the City that the blight conditions described in the Report have continued; and

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

WHEREAS, the Redevelopment Authority of the City of Merrill, Wisconsin (the "Authority") proposes to acquire and assist the private redevelopment of the Property and to carry out blight elimination and urban projects on the Property; and

WHEREAS, pursuant to Section 66.1333(5)(c)1g. and (5)(c)1r. of the Wisconsin Statutes, the Authority may acquire or assist the private redevelopment of blighted property without designating a redevelopment area boundary or adopting a redevelopment plan if the Authority obtains advance approval of the Common Council; and

WHEREAS, on September 10<sup>th</sup>, 2013 the Authority held a duly-noticed public hearing to determine whether the Property is blighted, at which time all interested parties were given an opportunity to express their views respecting the determination of blight for the Property; and,

WHEREAS, the Authority has studied the facts and circumstances relating to the Property and the proposed redevelopment of the Property, consideration having been given, among other items, to the following matters: (i) the definition of "blighted property" contained in Section 66.1333(2m)(bm) of the Wisconsin Statutes, (ii) the Report with respect to the existence of blight on the Property in the context of Section 66.1333 of the Wisconsin Statutes, (iii) the past and existing condition of, and the proposed uses of, the Property, (iv) the goals and objections of the proposed acquisition of the Property, and (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

WHEREAS, pursuant to the resolution of the Common Council of the City which created the Authority, it has all powers, duties and functions set out in Section 66.1333 of the Wisconsin Statutes and shall proceed under Sections 66.1105, 66.1301 to 66.1329, 66.1331, 66.1333 or 66.1337 of the Wisconsin Statutes, with respect to all projects relating to blight elimination, slum clearance, urban renewal and urban redevelopment.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN, this 24<sup>th</sup> day of September, 2013, that:

1. The Property is determined to be a "blighted property" within the meaning of Section 66.1333(2m)(bm) of the Wisconsin Statutes.

2. The Authority is authorized to acquire and assist the private redevelopment of the Property for the purpose of carrying out blight elimination and urban renewal projects thereon as described in the preamble hereto.

3. The proposed redevelopment of the Property for the purpose of carrying out blight elimination and urban renewal projects shall be submitted to the Common Council for review and approval.

Motion (Hass/Peterson) to adopt. Carried 6-1 on roll call vote. Voting No – Alderwoman Caylor.

*Note: Exhibit A referenced in the resolution is available for inspection in the Clerk/Treasurer office at City Hall.*

**1309185S2** Redevelopment Authority

**1309186S2** The Authority recommends to authorize the sale of 413 & 419 West Main Street to C& D Excavating, LLC. for \$1.00 to facilitate demolition and future site redevelopment.

Motion (Schwartzman/Peterson) to adopt. Carried 7-0 on roll call vote.

**1309280S2** Public Comment Period

Finance Director Unertl announced that a Committee of the Whole meeting will be held at 6:00 P.M. on Monday, October 7<sup>th</sup>.

**1309999S2** Motion (Hass/Caylor) to adjourn. Carried. Adjourned at 7:50 P.M.

---

William R. Bialecki  
Mayor

---

William N. Heideman, CMC, WCMC  
City Clerk

I, William N. Heideman, City Clerk of the City of Merrill, Wisconsin, do hereby certify that the Mayor approved the above action of the Common Council on September 25<sup>th</sup>, 2013.

---

William N. Heideman, CMC, WCMC  
City Clerk