

**CITY OF MERRILL  
Redevelopment Authority (RDA)**

**Tuesday, May 1<sup>st</sup>, 2018 at 8:00 a.m.**

**Location – City Hall Common Council Chambers  
1004 East 1<sup>st</sup> Street**

**AGENDA**

1. Call to order
2. Legal Basis of the Merrill Redevelopment Authority (RDA)
3. Election of RDA President/Chairperson
4. Public Comment
5. Consider approval of RDA meeting minutes from March 6<sup>th</sup>, 2018
6. Western City of Merrill designated Federal Economic Opportunity Zone
7. Status update on various redevelopment projects
8. Next RDA meeting
9. The RDA may convene in closed session per Wis. Stats. Sec. 19.85(1)(e) – deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to consider:
  - a. Consider approval of Closed Session RDA meeting minutes from March 6<sup>th</sup>, 2018
  - b. Update/discussion on potential manufacturing development either in amended TID No. 4 area or potential new Highway G Industrial/Business Park TID
  - c. Update/discussion on residential development proposal for former Anson-Gilkey site (TID No. 9)
10. Adjournment

Agenda prepared by RDA Secretary Kathy Unertl

The Merrill City Hall is accessible to the physically disadvantaged. If special accommodations are needed, please contact the Merrill City Hall at 536-5594.

*Date and time agenda was posted:* \_\_\_\_\_ *Posted by:* \_\_\_\_\_

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**CITY OF MERRILL**  
1004 EAST FIRST STREET  
MERRILL, WI 54452-2586



AN ORDINANCE: By Per. & Fin., City Plan Comm.  
Re: Establish a Redevelopment Authority at City of  
Merrill Code of Ordinances Sec. 2-4-17 and  
renumbering subsequent sections.

ORDINANCE NO. 2004-10

Introduced: August 10, 2004

1st Reading: August 10, 2004

2nd Reading: August 10, 2004

3rd Reading: August 10, 2004

Committee/Commission Action:

**P & F RECOMMENDED PASSAGE**

## AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

**Section 1.** The City of Merrill Code of Ordinances at Section 2-4-17 creating a Redevelopment Authority to read as follows:

- 1. Authority and Purpose.** Pursuant to Section 66.1333, Wis. Stats., there is hereby created the Merrill Redevelopment Authority, as a separate body politic, for the purpose of carrying out blight elimination and urban renewal programs and projects; which Authority shall be known as the "Redevelopment Authority of the City of Merrill".
- 2. Exclusive Authority.** The Merrill Redevelopment Authority shall have the exclusive power to proceed to carry on blight elimination and urban renewal projects in the City of Merrill, except that the City may apply, accept and contract for federal grants, advances and loans under the Housing and Community Development Act of 1974 C.P.L. 93-383.
- 3. Commissioners.** The Mayor shall, with the confirmation of a two-thirds (2/3) majority vote of the Common Council, appoint seven (7) resident persons having sufficient ability and experience in the fields of urban renewal, community development and housing, as Commissioners of the Redevelopment Authority.
  - a. Two (2) of the Commissioners shall be members of the Common Council and shall serve their term of office as Council members.
  - b. The first appointments shall be for the following terms: two (2) for one year, two (2) for two years, one (1) for three years, one (1) for four years and one (1) for five years. Thereafter, the terms of the non-Council members shall be five (5) years and until their successors are appointed and qualified.
  - c. Vacancies shall be filled for the unexpired term as provided in this subsection.
- 4. Powers and Duties.**
  - a. The Redevelopment Authority shall have all powers, duties, and functions set out in Sections 66.1333, Wis. Stats., for redevelopment authorities.

- b. The Redevelopment Authority shall act as the agent of the City in planning and carrying out blight elimination and urban renewal programs and activities approved by the Mayor and Common Council. The Redevelopment Authority shall proceed under all applicable laws and ordinances not inconsistent with the laws of this State.
- c. The Redevelopment Authority shall act as agent of the City to perform all acts, except the development of the general plan of the City which may be otherwise performed by the Plan Commission under Sections 66.1105, 66.1301 to 66.1329, 66.1331, 66.1333 ,or 66.1337, Wis. Stats.

**5. Tax exemption.** Bonds issued on or after adoption of this ordinance, by the Redevelopment Authority, are declared, pursuant to Sections 66.1333(5m), Wis. Stats., to be issued for an essential public and governmental purpose and to be public instrumentalities and, together with interest thereon and income therefrom, are exempt from taxes.

**6. Controlling Law.** The powers conferred under this chapter shall be in addition and supplemental to the powers conferred by any other law or ordinance. In so far as this chapter is inconsistent with any other law, this chapter shall control.

**7. Construction.** This chapter shall be construed liberally to effect its purposes and the enumeration of specific powers herein does not restrict the meaning of any general grant of power contained in this chapter, nor does it exclude other powers comprehended in such general grant, as provided in Section 66.1333(17), Wis. Stats.

**Section 2. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: Alderwoman Hatz  
 Adopted: August 10, 2004 8-0  
 Approved: August 11, 2004  
 Published: August 17, 2004

Approved:

  
 Douglas G. Williams,  
 Mayor

Attest:

  
 William N. Heideman,  
 City Clerk

## Community Development Authorities

### Development Tool for Wisconsin Municipalities

On-going budget worries and citizen pressures for "Smart Growth" have made the use of CDAs and RDAs – Community Development Authorities and Redevelopment Authorities – more popular than ever. These quasi-governmental agencies give municipal governments greater flexibility to address development issues through public-private partnerships while providing alternative avenues for financing projects.

#### CDA vs. RDA – What's the Difference?

A CDA and an RDA have similar structures and powers. The primary difference is that a CDA includes all the powers given to Housing Authorities and Redevelopment Authorities. If a municipality already has a Housing Authority and wants to keep it as a separate organization, then it would create an RDA. If a single organization is desired, the Housing Authority would be dissolved and a CDA would be created. For the purposes of this information, we will use the term CDA and imply both CDA and RDA.

#### What is a CDA?

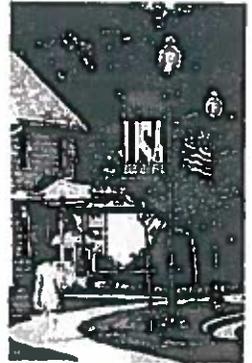
A CDA is created by the municipal government as a separate organization with its own governing body. Only two members of the seven-member board can be Council/Board representatives. The purpose of the organization is to prevent and eliminate

blighted areas within the municipality. It has the power to condemn property, buy and sell real estate, issue bonds, and enter into contracts, among other powers.

#### Benefits

Since CDAs have many of the same powers as the municipality but not as many restrictions and political constraints, they can exercise greater flexibility and be involved in public-private partnerships in a different way than the municipality. The CDA then becomes a tool the community can use to come up with more creative redevelopment strategies than may be possible if only the municipal government was involved.

An additional benefit to the municipal government of having a CDA in place is that the debt of the CDA can be structured in such a way that it does not count against the statutory debt limit of the municipality. Therefore, the CDA can be a vehicle for financing projects that otherwise could not be financed due to municipal debt limitations.



#### "Benefits of CDAs"

CDAs offer many benefits which are valuable to communities wishing to promote new development. Some of these benefits include:

1. Expanding the legal authority to work with the private sector.
2. New borrowing options for municipalities.
3. Attractive financing and incentives for private development.
4. Owning and managing real estate.



**REDEVELOPMENT AUTHORITIES, HOUSING AUTHORITIES,  
AND COMMUNITY DEVELOPMENT AUTHORITIES**

**Scott R. Letteney, City Attorney  
Nicole F. Larsen, Deputy City Attorney  
City of Racine**

League of Wisconsin Municipalities  
Municipal Attorneys Institute  
June 15, 2017

Presenters' Notes:

What follows is a rearrangement of statutes relevant to Redevelopment Authorities, Housing Authorities, and Community Development Authorities in a way that makes sense to the presenters. The statutory references are from 2015–16 Wisconsin Statutes updated through 2017 Wis. Act 10 and all Supreme Court and Controlled Substances Board Orders effective on or before June 3, 2017. Any errors are those of the presenters. Use of these materials is not a substitute for actual legal research.

The statutes relevant to Redevelopment Authorities, Wis. Stat. § 66.1333, Housing Authorities, Wis. Stat. §§ 66.1201 to 66.1213, and Community Development Authorities, Wis. Stat. § 66.1335, almost exclusively reference cities. However, pursuant to Wis. Stat. § 66.1339, “[v]illages have all of the powers of cities under ss. 66.1105, 66.1201 to 66.1329 and 66.1331 to 66.1337.” Further, pursuant to Wis. Stat. § 66.1341, “[t]owns have all of the powers of cities under ss. 66.0923, 66.0925, 66.1201 to 66.1329 and 66.1331 to 66.1335, except the powers under s. 66.1201(10) and any other powers that conflict with statutes relating to towns and town boards.”

*only included*  
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## REDEVELOPMENT AUTHORITY (RDA)

### Bonding

#### City May Issue General Obligation Bonds; No Referendum Required – Wis. Stat. § 66.1333(14)

“For the purpose of financially aiding an authority to carry out blight elimination, slum clearance and urban renewal programs and projects, the city in which the authority functions may issue and sell general obligation bonds under ch. 67, except that no referendum is required, and may levy taxes without limitation for the payment of the bonds, as provided in s. 67.035. The bonds authorized under this subsection are fully negotiable and except as provided in this subsection are not subject to any other law or charter pertaining to the issuance or sale of bonds.”

### Budget

#### Local Government Sets RDA Budget – Wis. Stat. § 66.1333(15)

“The local legislative body shall approve the budget for each fiscal year of the authority, and may alter or modify any item of the budget relating to salaries, office operation or facilities.”

### Comprehensive Plan of Redevelopment

#### Preparation of Comprehensive Plan of Redevelopment and Urban Renewal – Wis. Stat. § 66.1333(6)(a)

“The authority may make and prepare a comprehensive plan of redevelopment and urban renewal which shall be consistent with the general plan of the city, including the appropriate maps, tables, charts and descriptive and analytical matter. The plan is intended to serve as a general framework or guide of development within which the various area and redevelopment and urban renewal projects may be more precisely planned and calculated. The comprehensive plan shall include at least a land use plan which designates the proposed general distribution and general locations and extents of the uses of the land for housing, business, industry, recreation, education, public buildings, public reservations and other general categories of public and private uses of the land. The authority may make all other surveys and plans necessary under this section, and adopt or approve, modify and amend the plans.”

#### Exercise of Powers Granted for Acquisition and Disposition of Real Property in a Project Area – Wis. Stat. § 66.1333(6)(b)

“For the exercise of the powers granted and for the acquisition and disposition of real property in a project area, the following steps and plans are required:”

#### Designation of the Boundary, by the RDA, of the Project Area, and Adoption of Blight Resolution by the Local Legislative Body – Wis. Stat. § 66.1333(6)(b)1.

“Designation by the authority of the boundaries of the proposed project area, submission of the boundaries to the local legislative body, and adoption of a resolution by two-thirds of the local legislative body declaring the area to be a blighted area in need of a blight elimination, slum clearance and urban renewal project. After these acts, the local legislative body may, by resolution by two-thirds vote, prohibit for an initial period of not to exceed 6 months from enactment of the resolution any new construction in the area except upon resolution by the local legislative body that the proposed new construction,

on reasonable conditions stated in the resolution, will not substantially prejudice the preparation or processing of a plan for the area and is necessary to avoid substantial damage to the applicant. The order of prohibition is subject to successive renewals for like periods by like resolutions, but no new construction contrary to any resolution of prohibition may be authorized by any agency, board or commission of the city in the area except as provided in this subdivision. No prohibition of new construction may be construed to forbid ordinary repair or maintenance, or improvement necessary to continue occupancy under any regulatory order.”

NOTE: RDA must confer with other officials, boards, authorities, and agencies – Wis. Stat. § 66.1333(6)(c)

“In relation to the location and extent of public works and utilities, public buildings and public uses in a comprehensive plan or a project area plan, the authority shall confer with the planning commission and with such other public officials, boards, authorities and agencies of the city under whose administrative jurisdictions these uses fall.”

Approval of Redevelopment Plan by RDA and the Local Legislative Body – Wis. Stat. § 66.1333(6)(b)2.

“Approval by the authority and by two-thirds of the local legislative body of the redevelopment plan of the project area which has been prepared by the authority. The redevelopment plan shall conform to the general plan of the city and shall be sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements in the project area. The redevelopment plan shall include a statement of the boundaries of the project area; a map showing existing uses and conditions of real property; a land use plan showing proposed uses of the area; information showing the standards of population density, land coverage and building intensity in the area after redevelopment; present and potential equalized value for property tax purposes; a statement of proposed changes in zoning ordinances or maps and building codes and ordinances; a statement as to the kind and number of site improvements and additional public utilities which will be required to support the new land uses in the area after redevelopment; and a statement of a feasible method proposed for the relocation of families to be displaced from the project area.”

NOTE: Public hearing required before approval of project area by the RDA – Wis. Stat. § 66.1333(6)(b)2.

“Approval of a redevelopment plan of a project area by the authority, which may be given only after a public hearing conducted by the authority and a finding by the authority that the plan is feasible and in conformity with the general plan of the city. Notice of the hearing, describing the time, date, place and purpose of the hearing and generally identifying the project area, shall be published as a class 2 notice, under ch. 985, the last insertion to be at least 10 days before the date set for the hearing. At least 20 days before the date set for the hearing on the proposed redevelopment plan of the project area a notice shall be transmitted by certified mail, with return receipt requested, to each owner of real property of record within the boundaries of the redevelopment plan. If transmission of the notice by certified mail with return receipt requested cannot be accomplished, or if the letter is returned undelivered, then notice may be given by posting the notice at least 10 days before the date of hearing on any structure located on the property or, if the property consists of vacant land, a notice may be posted in some suitable and conspicuous place on the land. The notice shall state the time and place at which the hearing will be held with respect to the redevelopment plan and that the owner’s property might be taken for urban renewal. For the purpose of ascertaining the

name of the owner of record of the real property within the project boundaries, the records, at the time of the approval by the redevelopment authority of the project boundaries, of the register of deeds of the county in which the property is located are conclusive. Failure to receive the notice does not invalidate the plan. An affidavit of mailing or posting of the notice filed as a part of the records of the authority is prima facie evidence of the giving of notice. All interested parties shall be afforded a full opportunity to express their views on the proposed plan at the public hearing, but the hearing shall only be for the purpose of assisting the authority in making its determination and in submitting its report to the local legislative body. Any technical omission in the procedure outlined in this subdivision does not invalidate the plan. Any owner of property included within the boundaries of the redevelopment plan who objects to the plan shall state the owner's objections and the reasons for objecting, in writing, and file the s document with the authority before the public hearing, at the time of the public hearing, or within 15 days after the hearing. The owner shall state his or her mailing address and sign his or her name. The filing of objections in writing is a condition precedent to the commencement of an action to contest the right of the redevelopment authority to condemn the property under s. 32.06 (5)."

NOTE: RDA must confer with other officials, boards, authorities, and agencies – Wis. Stat. § 66.1333(6)(c)

"In relation to the location and extent of public works and utilities, public buildings and public uses in a comprehensive plan or a project area plan, the authority shall confer with the planning commission and with such other public officials, boards, authorities and agencies of the city under whose administrative jurisdictions these uses fall."

Amendment of Redevelopment Plan by RDA and the Local Legislative Body – Wis. Stat. § 66.1333(6)(d)

"After the redevelopment plan has been approved both by the authority and the local legislative body, it may be amended by resolution adopted by the authority, and the amendment shall be submitted to the local legislative body for its approval by a two-thirds vote before it becomes effective. It is not required in connection with any amendment to the redevelopment plan, unless the boundaries described in the plan are altered to include other property, that the provisions in this subsection with respect to public hearing and notice be followed."

Certification of Redevelopment Plan by RDA – Wis. Stat. § 66.1333(6)(d)

"After a project area redevelopment plan of a project area has been adopted by the authority, and the local legislative body has by a two-thirds vote approved the redevelopment plan the authority may certify the plan to the local legislative body. After certification, the authority shall exercise the powers granted to it for the acquisition and assembly of the real property of the area. The local legislative body shall upon the certification of the plan by the authority direct that no new construction be permitted. After this direction, no new construction may be authorized by any agencies, boards or commissions of the city in the area unless authorized by the local legislative body, including substantial remodeling or conversion or rebuilding, enlargement, or extension or major structural improvements on existing buildings, but not including ordinary maintenance or remodeling or changes necessary to continue the occupancy."

Exercise Powers in Certified of Redevelopment Plan Area – Wis. Stat. § 66.1333(6)(e)

"After a project area redevelopment plan of a project area has been adopted by the authority, and the local legislative body has by a two-thirds vote approved the redevelopment plan the authority may certify the plan to the local legislative body. After certification, the authority shall exercise the powers granted to it for the acquisition and assembly of the real property of the area. The local legislative body shall upon the certification of the plan by the authority direct that no new

construction be permitted. After this direction, no new construction may be authorized by any agencies, boards or commissions of the city in the area unless authorized by the local legislative body, including substantial remodeling or conversion or rebuilding, enlargement, or extension or major structural improvements on existing buildings, but not including ordinary maintenance or remodeling or changes necessary to continue the occupancy.”

Financing by City for Redevelopment Activities – Wis. Stat. § 66.1333(6)(f)

“Any city in which a redevelopment authority is carrying on redevelopment under this section may make grants, loans, advances or contributions for the purpose of carrying on redevelopment, urban renewal and any other related purposes.”

Definitions

Wis. Stat. § 66.1333(2m)

(a) “Abandoned highway corridor” means land in any city designated by the department of transportation for use as part of an expressway or a freeway, which is no longer designated by the department for that purpose.

(am) “Arts incubator” has the meaning given in s. 41.60 (1) (a).

(ar) “Authority” means a redevelopment authority.

(b) “Blighted area” means any of the following:

1. An area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

2. An area which by reason of the presence of a substantial number of substandard, slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.

3. An area which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community.

(bm) “Blighted property” means any property within a city, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provisions for ventilation, light, air or sanitation, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such

factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and is detrimental to the public health, safety, morals or welfare, or any property which by reason of faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair market value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provisions liability and is a menace to the public health, safety, morals or welfare in its present condition and use, or any property which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community.

(c) "Blight elimination, slum clearance and urban renewal program," "blight elimination and urban renewal program," "redevelopment, slum clearance or urban renewal program," "redevelopment or urban renewal program," and "redevelopment program," mean undertakings and activities for the elimination and for the prevention of the development or spread of blighted areas.

(d) "Blight elimination, slum clearance and urban renewal project," "redevelopment and urban renewal project," "redevelopment or urban renewal project," "redevelopment project," "urban renewal project," and "project" mean undertakings and activities in a project area for the elimination and for the prevention of the development or spread of slums and blight, and may involve clearance and redevelopment in a project area, or rehabilitation or conservation in a project area, or any combination or part of the undertakings and activities in accordance with a "redevelopment plan," "urban renewal plan," "redevelopment or urban renewal plan," "project area plan," or "redevelopment and urban renewal plan," either one of which means the redevelopment plan of the project area prepared and approved as provided in sub. (6). These undertakings and activities include all of the following:

1. Acquisition of all or a portion of a blighted area.
2. Demolition and removal of buildings and improvements.
3. Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the project area the objectives of this section in accordance with the redevelopment plan.
4. Disposition of any property acquired in the project area, including sale, initial leasing or retention by the authority itself, at its fair value for uses in accordance with the redevelopment plan.
5. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the redevelopment plan.
6. Acquisition of any other real property in the project area where necessary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities.
7. Studying the feasibility of and initial design for an arts incubator, developing and operating an arts incubator, and applying for a grant or loan under s. 41.60 in connection with an arts incubator.
8. Studying the feasibility of an initial design for a technology-based incubator and developing and operating a technology-based incubator.

(e) “Bonds” means any bonds, including refunding bonds; notes; interim certificates; certificates of indebtedness; debentures; or other obligations.

(g) “Local legislative body” means the board of alderpersons, common council, council, commission or other board or body vested by the charter of the city or other law with jurisdiction to enact ordinances or local laws.

(h) “Project area” means a blighted area which the local legislative body declares to be in need of a blight elimination, slum clearance and urban renewal project.

(i) “Public body” means the state or any city, county, town, village, town board, commission, authority, district, or any other subdivision or public body of the state.

(j) “Real property” includes all lands, together with improvements and fixtures, and property of any nature appurtenant to the lands, or used in connection with the lands, and every estate, interest, right and use, legal or equitable, in the lands, including terms for years and liens by way of judgment, mortgage or otherwise.

(t) “Technology-based incubator” means a facility that provides a new or expanding technically-oriented business with all of the following:

1. Office and laboratory space.
2. Shared clerical and other support service.
3. Managerial and technical assistance.

#### Effect of Establishment of RDA on City Powers

##### Preclusion of Powers under Wis. Stat. § 66.1331(4) – Wis. Stat. § 66.1333(3)(d)

“Following the adoption of a resolution, under par. (a), [i.e., the creation of an RDA] a city is precluded from exercising the powers provided in s. 66.1331(4), and the authority may proceed to carry on the blight elimination, slum clearance and urban renewal projects in the city, except that the city is not precluded from applying, accepting and contracting for federal grants, advances and loans under the housing and community development act of 1974 (P.L. 93-383).

Wis. Stat. § 66.1331(4) reads:

**POWER OF CITIES.** (a) A city may exercise all powers necessary or convenient to carry out and effectuate the purposes and provisions of this section, including all of the following:

1. Prepare redevelopment plans and undertake and carry out redevelopment projects within its corporate limits.
2. Enter into any contracts determined by the local legislative body to be necessary to effectuate the purposes of this section.
3. Within its boundaries, acquire by purchase, eminent domain or otherwise, any real or personal property or any interest in that property, together with any improvements, necessary or incidental to a redevelopment project; hold, improve, clear or prepare for redevelopment any such property; sell, lease, subdivide, retain for its own use, mortgage, or otherwise encumber or dispose of any such property or any interest in that property; enter into contracts with redevelopers of property containing covenants, restrictions, and conditions

regarding the use of the property in accordance with a redevelopment plan and other covenants, restrictions and conditions that it deems necessary to prevent a recurrence of blighted areas or to effectuate the purposes of this section; and make any covenants, restrictions, conditions or covenants running with the land and provide appropriate remedies for their breach.

4. Borrow money and issue bonds, and apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the federal, state or county government, or other public body or from any sources, for the purpose of this section; and give security as may be required and enter into and carry out contracts in connection with the security.

(b) Condemnation proceedings for the acquisition of real property necessary or incidental to a redevelopment project shall be conducted in accordance with ch. 32 or any other laws applicable to the city.

(c) Notwithstanding any other provision of law, the local legislative body may designate, by ordinance or resolution, any local housing authority existing under ss. 66.1201 to 66.1211, any local redevelopment authority existing under s. 66.1333, or both jointly, or any local community development authority existing under s. 66.1335, as the agent of the city to perform any act, except the development of the general plan of the city, which may otherwise be performed by the planning commission under this section.

## Employees

Wis. Stat. § 66.1333(3)(g)

“An authority may employ personnel as required to perform its duties and responsibilities under civil service. The authority may appoint an executive director whose qualifications are determined by the authority. The director shall act as secretary of the authority and has the duties, powers and responsibilities delegated by the authority. All of the employees, including the director of the authority, may participate in the same pension system, health and life insurance programs and deferred compensation programs provided for city employees and are eligible for any other benefits provided to city employees.”

## Establishment

Wis. Stat. § 66.1333(3)(a)3.

“Upon the adoption of the resolution by the local legislative body by a two-thirds vote of its members present, a certified copy of the resolution shall be transmitted to the mayor or other head of the city government.”

Wis. Stat. § 66.1333(3)(c)

“The filing of a certified copy of the resolution adopted under par. (a) with the city clerk is prima facie evidence of the authority’s right to proceed, and the resolution is not subject to challenge because of any technicality. In any suit, action or proceeding commenced against the authority, a certified copy of the resolution is conclusive evidence that the authority is established and authorized to transact business and exercise its powers under this section.”

## Legal Services to RDA

### Local Government May Provide RDA Legal Services; RDA May Retain Attorneys – Wis. Stat. § 66.1333(16)

“The legal department of a city in which the authority functions can provide legal services to the authority and a member of the legal department having the necessary qualifications may, subject to approval of the authority, be its counsel. The authority may retain specialists to render legal services as required by it.”

## Membership/Commissioners

### Wis. Stat. § 66.1333(3)(a)3.

“[T]he mayor or other head of the city government shall, with the confirmation of four-fifths of the local legislative body, appoint 7 residents of the city as commissioners of the authority.”

### Wis. Stat. § 66.1333(3)(a)5.

“In making appointments of commissioners, the appointing power shall give due consideration to the general interest of the appointee in a redevelopment, slum clearance or urban renewal program and shall, insofar as is possible, designate representatives from the general public, labor, industry, finance or business group, and civic organizations. Appointees shall have sufficient ability and experience in related fields, especially in the fields of finance and management, to assure efficiency in the redevelopment program, its planning and direction. One of the 7 commissioners shall be a member of the local legislative body. No more than 2 of the commissioners may be officers of the city in which the authority is created.”

### Wis. Stat. § 66.1333(3)(b)

“The commissioners who are first appointed shall be designated by the appointing power to serve for the following terms: 2 for one year, 2 for 2 years, one for 3 years, one for 4 years, and one for 5 years, from the date of their appointment. After the first appointments, the term of office is 5 years. A commissioner holds office until a successor is appointed and qualified.”

#### NOTE: In Racine:

- Only one Council member serves as a commissioner.
- City Development Director serves as its Executive Director and Secretary (also serves as Secretary to the Plan Commission, so good integration/knowledge flow between the two entities).

## Modification of Redevelopment Plan

### Redevelopment Plan May Be Modified; Public Hearing Required – Wis. Stat. § 66.1333(11)(a)

“An approved project area redevelopment plan may be modified at any time after the lease or sale of all or part of the area if the modification is consented to by the lessee or purchaser, and the proposed modification is adopted by the authority and submitted to, and approved by, the local legislative body. Before approval, the authority shall hold a public hearing on the proposed modification, and notice of the time and place of hearing shall be sent by mail at least 10 days before the hearing to the owners of the real properties in the project area and of the real properties immediately adjoining or across the street from the project area. The local legislative body may

refer back to the authority any project area redevelopment plan, project area boundaries or modifications submitted to it, together with recommendations for changes in the plan, boundaries or modification, and if the recommended changes are adopted by the authority and approved by the local legislative body, the plan, boundaries or modifications as changed become the approved plan, boundaries or modification.”

**Redevelopment Plan May Be Modified; Notice to Purchasers Within Plan Area Required – Wis. Stat. § 66.1333(11)(b)**

“Whenever the authority determines that a redevelopment plan with respect to a project area that has been approved and recorded in the register of deed’s office is to be modified to permit land uses in the project area, other than those specified in the redevelopment plan, the authority shall notify all purchasers of property within the project area of the authority’s intention to modify the redevelopment plan, and it shall hold a public hearing on the modification. Notice shall be given to the purchasers of the property by personal service at least 20 days before the holding of the public hearing, or if the purchasers cannot be found notice shall be given by registered mail to the purchasers at their last-known address. Notice of the public hearing shall also be given by publication as a class 2 notice, under ch. 985. The notice shall specify the project area and recite the proposed modification and its purposes. The public hearing is advisory to the authority. If the authority, following the public hearing, determines that the modification of the redevelopment plan will not affect the original objectives of the plan and that it will not produce conditions leading to a reoccurrence of blight within the project area, the authority may by resolution act to modify the plan to permit additional land uses in the project area, subject to approval by the legislative body by a two-thirds vote of the members-elect. If the local legislative body approves the modification to the redevelopment plan, an amendment to the plan containing the modification shall be recorded with the register of deeds of the county in which the project area is located and shall supplement the redevelopment plan previously recorded. Following the action with respect to modification of the redevelopment plan, the plan is amended and no legal rights accrue to any person or to any owner of property in the project area by reason of the modification of the redevelopment plan.”

**Redevelopment Plan May Be Modified; Liberal Statutory Construction Required – Wis. Stat. § 66.1333(11)(c)**

“The provisions of this subsection shall be construed liberally to effectuate its purposes and substantial compliance is adequate. Technical omissions do not invalidate the procedure in this subsection with respect to acquisition of real property necessary or incidental to a redevelopment project.”

## **Municipal Relations**

**Cooperation by Public Bodies; Use of Public Funds – Wis. Stat. § 66.1333(13)**

“To assist any redevelopment or urban renewal project located in the area in which the authority is authorized to act, a public body may, upon terms that it determines: furnish services or facilities, provide property, lend or contribute funds, perform any other action of a character which it may perform for other general purposes, and enter into cooperation agreements and related contracts in furtherance of the purposes enumerated. A city and a public body may levy taxes and assessments and appropriate funds and make expenditures that may be necessary to carry out the purposes of this subsection, but taxes and assessments may not be levied under this subsection by a public body which may not levy taxes and assessments for any other purpose.”

NOTE: In Racine:

- City and RDA authorized a Memorandum of Understanding that delineates how the entities will work together:
  - City provides staff support to the RDA:
    - Director of City Development to serve as Executive Dir. of RDA;
    - City Attorney to serve as counsel to the RDA;
    - Finance Director to assist with budgeting, also receipts and disbursements;
    - Commissioner of Public Works to assist with preparation of plans, specifications and estimates for capital projects to be undertaken by the Authority and with the solicitation, review, and awarding of bids for demolition, construction, environmental remediation, and other similar work done by that department;
  - Mandates compliance with City policies:
    - Cooperation with public records law, and  
Use of Legistar for noticing meetings and reporting out agendas and minutes, and reports to the Common Council, and Comply with City's policies and procedures regarding financial recordkeeping and reporting, including use of City forms;
    - Follow City policies, procedures, and practices for comparable capital projects undertaken by the City;
    - RDA agrees to be bound by City's bidding process as if undertaken by itself.

Local Government Sets RDA Budget – Wis. Stat. § 66.1333(15)

“The local legislative body shall approve the budget for each fiscal year of the authority, and may alter or modify any item of the budget relating to salaries, office operation or facilities.”

Local Government May Provide RDA Legal Services; RDA May Retain Attorneys – Wis. Stat. § 66.1333(16)

“The legal department of a city in which the authority functions can provide legal services to the authority and a member of the legal department having the necessary qualifications may, subject to approval of the authority, be its counsel. The authority may retain specialists to render legal services as required by it.”

Nature of an RDA

Wis. Stat. § 66.1333(3)(f)

“An authority is an independent, separate and distinct public body and a body corporate and politic, exercising public powers determined to be necessary by the state to protect and promote the health, safety and morals of its residents ....”

Wis. Stat. § 66.1333(3)(a)2.

“An authority may transact business and exercise any of the powers granted to it in this section following the adoption by the local legislative body of a resolution declaring in substance that there exists within the city a need for blight elimination, slum clearance and urban renewal programs and projects.”

#### Payment to Commissioners

Wis. Stat. § 66.1333(3)(a)6.

“Commissioners shall receive their actual and necessary expenses, including local traveling expenses incurred in the discharge of their duties.”

#### Purpose

Wis. Stat. § 66.1333(3)(a)1.

“An authority is created for the purpose of carrying out blight elimination, slum clearance, and urban renewal programs and projects as set forth in this section, together with all powers necessary or incidental to effect adequate and comprehensive blight elimination, slum clearance and urban renewal programs and projects.”

#### Powers

General – Wis. Stat. § 66.1333(3)(a)4.

“The powers of the authority are vested in the commissioners.”

General – Wis. Stat. § 66.1333(3)(a)2.

“An authority may transact business and exercise any of the powers granted to it in this section ....”

Hold Title to Real Estate – Wis. Stat. § 66.1333(3)(f) and (5)(a)3.

An RDA “own and hold property” and “may take title to real and personal property in its own name.”

Prepare Redevelopment Plans – Wis. Stat. § 66.1333(5)(a)1.

“Prepare redevelopment plans and urban renewal plans and undertake and carry out redevelopment and urban renewal projects within the corporate limits of the city in which it functions.”

Contract as Necessary – Wis. Stat. § 66.1333(5)(a)2.

“Enter into any contracts determined by the authority to be necessary to effectuate the purposes of this section. All contracts, other than those for personal or professional services, in excess of \$25,000 are subject to bid and shall be awarded to the lowest qualified and competent bidder. The authority may reject any bid required under this paragraph. The authority shall advertise for bids by a class 2 notice, under ch. 985, published in the city in which the project is to be developed. If the estimated cost of a contract, other than a contract for personal or professional services, is

between \$3,000 and \$25,000, the authority shall give a class 2 notice, under ch. 985, of the proposed work before the contract is entered into.”

**Acquire Real Property; *Pre-Redevelopment/Urban Renewal Plan Approval Requires Authorization from the Local Governing Body* – Wis. Stat. § 66.1333(5)(b)4.**

“The authority may acquire by purchase real property within any area designated for urban renewal or redevelopment purposes under this section before the approval of either the redevelopment or urban renewal plans or before any modification of the plan if approval of the acquisition is granted by the local governing body. If real property is acquired, the authority may demolish or remove structures with the approval of the local governing body. If acquired real property is not made part of the urban renewal project the authority shall bear any loss that may arise as a result of the acquisition, demolition or removal of structures acquired under this section. If the local legislative body has given its approval to the acquisition of real property that is not made a part of the urban renewal project, it shall reimburse the authority for any loss sustained as provided for in this subsection. Any real property acquired in a redevelopment or in an urban renewal area under this subsection may be disposed of under this section if the local governing body has approved the acquisition of the property for the project.”

**Acquire Real Property; *Post-Redevelopment/Urban Renewal Plan Approval* – Wis. Stat. § 66.1333(3)(f) and (5)(a)3.**

“The authority may proceed with the acquisition of property by eminent domain under ch. 32, or any other law relating specifically to eminent domain procedures of redevelopment authorities.”

“Within the boundaries of the city, acquire by purchase, lease, eminent domain, or otherwise, any real or personal property or any interest in the property, together with any improvements on the property, necessary or incidental to a redevelopment or urban renewal project;”

NOTE: Condemnation procedures must be conducted in accordance with Wis. Stat. Ch. 32.

Wis. Stat. § 66.1333(5)(b)1.

“Condemnation proceedings for the acquisition of real property necessary or incidental to a redevelopment project shall be conducted in accordance with ch. 32, or any other law relating specifically to eminent domain procedures of redevelopment authorities.”

Wis. Stat. § 66.1333(5)(b)3.

“Where a public hearing has been held with respect to a project area under this section the authority may proceed with such project and the redevelopment plan by following the procedure set forth in ch. 32. Any owner of property who has filed objections to the plan as provided under sub. (6) may be entitled to a remedy as determined by s. 32.06 (5).”

**Practice tip:**

Relocation, relocation, relocation! While it is but a portion of Ch. 32 (31.19-32.29), it is a very important one. DO NOT forget about it, do not disregard it, do not fail to educate yourself about it. An RDA has the power of eminent domain and can be a “displacing agency” under Chapter 92 of the Administrative Code.

**Acquire Blighted Real Property; *Outside Redevelopment/Urban Renewal Plan Approval Requires Authorization from the Local Governing Body – First Class City Only* – Wis. Stat. § 66.1333(5)(c)1.**

“Notwithstanding sub. (6), the authority of a 1st class city may acquire any property determined by the authority to be blighted property without designating a boundary or adopting a

redevelopment plan. The authority may not acquire property under this subdivision without the approval of the local legislative body of the city in which the authority is located.”

NOTE: Condemnation proceedings for acquisition of blighted property must be conducted under Wis. Stat. ch. 32.

NOTE: Public hearing required pursuant to Wis. Stat. § 66.1333(5)(c)1r.2.

**Acquire Blighted Real Property; *Outside* Redevelopment/Urban Renewal Plan Approval Requires Advance Authorization from the Two-Thirds of the Local Governing Body by Resolution – Second, Third, Fourth Class Cities – Wis. Stat. § 66.1333(5)(c)1g.**

“Notwithstanding sub. (6), the authority of any 2nd, 3rd or 4th class city may acquire blighted property without designating a boundary or adopting a redevelopment plan, if all of the following occur:

- a. The authority obtains advance approval for the acquisition by at least a two-thirds vote of the members of the local legislative body in which the authority is located.
- b. The two-thirds approval in subd. 1g. a. shall be by resolution and the resolution shall contain a finding of the local legislative body that a comprehensive redevelopment plan is not necessary to determine the need for the acquisition, the uses of the property after acquisition and the relation of the acquisition to other property redevelopment by the authority.

NOTE: Condemnation proceedings for acquisition of blighted property must be conducted under Wis. Stat. ch. 32.

NOTE: Public hearing required pursuant to Wis. Stat. § 66.1333(5)(c)1r.2.

**Improve Real Property – Wis. Stat. § 66.1333(5)(a)3.**

“hold, improve, clear or prepare for redevelopment or urban renewal any of the property;”

**Transfer/Encumber Real Property – Wis. Stat. § 66.1333(5)(a)3.**

“sell, lease, subdivide, retain or make available the property for the city’s use; mortgage or otherwise encumber or dispose of any of the property or any interest in the property;”

“make any restrictions, conditions or covenants running with the land and provide appropriate remedies for their breach;”

**Contract with Developers to Prevent Blight Recurrence – Wis. Stat. § 66.1333(5)(a)3.**

“enter into contracts with redevelopers of property containing covenants, restrictions and conditions regarding the use of the property in accordance with a redevelopment or urban renewal plan, and other covenants, restrictions and conditions that the authority considers necessary to prevent a recurrence of blighted areas or to effectuate the purposes of this section;”

**Contract for Services – Wis. Stat. § 66.1333(5)(a)3.**

“arrange or contract for the furnishing of services, privileges, works or facilities for, or in connection with a project;”

**Temporarily Operate Real Property Not in Conformity with Redevelopment Plan – Wis. Stat. § 66.1333(5)(a)3.**

“temporarily operate and maintain real property acquired by it in a project area for or in connection with a project pending the disposition of the property for uses and purposes that may be deemed desirable even though not in conformity with the redevelopment plan for the area;”

**Inspect Real Property – Wis. Stat. § 66.1333(5)(a)3.**

“within the boundaries of the city, enter into any building or property in any project area in order to make inspections, surveys, appraisals, soundings or test borings, and obtain a court order for this purpose if entry is denied or resisted;”

**Insure Real Property – Wis. Stat. § 66.1333(5)(a)3.**

“insure or provide for the insurance of any real or personal property or any of its operations against any risks or hazards, including paying premiums on any insurance;”

**Invest Funds – Wis. Stat. § 66.1333(5)(a)3.**

“invest any project funds held in reserves or sinking funds or the funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control;”

**Redeem Bonds – Wis. Stat. § 66.1333(5)(a)3.**

“redeem its bonds issued under this section at the redemption price established in the bonds or purchase the bonds at less than redemption price, all bonds so redeemed or purchased to be canceled;”

**Determine Methods for Blight Elimination – Wis. Stat. § 66.1333(5)(a)3.**

“develop, test and report methods and techniques, and carry out demonstrations and other activities, for the prevention and elimination of slums and blight;

**Disseminate Relevant Information – Wis. Stat. § 66.1333(5)(a)3.**

“disseminate blight elimination, slum clearance and urban renewal information.”

**Borrow Money and Acquire Debt – Wis. Stat. § 66.1333(5)(a)4.a.**

Borrow money and issue bonds; execute notes, debentures, and other forms of indebtedness; apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the city in which it functions, from the federal government, the state, county, or other public body, or from any sources, public or private for the purposes of this section, and give such security as may be required and enter into and carry out contracts or agreements in connection with the security; and include in any contract for financial assistance with the federal government for or with respect to blight elimination and slum clearance and urban renewal such conditions imposed pursuant to federal laws as the authority considers reasonable and appropriate and that are not inconsistent with the purposes of this section.

NOTE: Per Wis. Stat. § 66.1333(5)(a)4.b., all debt is the debt of the RDA and not of the city.

“Any debt or obligation of the authority is not the debt or obligation of the city, county, state or any other governmental authority other than the redevelopment authority itself.”

**Issue Bonds (which are indebtedness of the RDA and not of the city) – Wis. Stat. § 66.1333(5)(a)4.c.**

“Issue bonds to finance its activities under this section, including the payment of principal and interest upon any advances for surveys and plans, and issue refunding bonds for the payment or retirement of bonds previously issued by it. Bonds shall be made payable, as to both principal and

interest, solely from the income, proceeds, revenues, and funds of the authority derived from or held in connection with its undertaking and carrying out of projects or activities under this section. Payment of the bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant or contribution from the federal government or other source, in aid of any projects or activities of the authority under this section, and by a mortgage of all or a part of the projects or activities. Bonds issued under this section are not an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction of the state, city or of any public body other than the authority issuing the bonds, and are not subject to any other law or charter relating to the authorization, issuance or sale of bonds. Bonds issued under this section are declared to be issued for an essential public and governmental purpose and, together with interest and income, are exempt from all taxes. Bonds issued under this section shall be authorized by resolution of the authority, may be issued in one or more series and shall bear a date, be payable upon demand or mature at a time, bear interest at a rate, be in a denomination, be in a form either with or without coupon or registered, carry conversion or registration privileges, have rank or priority, be payable in a medium of payment, at a place, and be subject to terms of redemption, with or without premium, be secured in a manner, and have other characteristics, as provided by the resolution, trust indenture or mortgage issued pursuant to the transaction. Bonds issued under this section shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09. The bonds may be sold or exchanged at public sale or by private negotiation with bond underwriters as the authority provides. The bonds may be sold or exchanged at any price that the authority determines. If sold or exchanged at public sale, the sale shall be held after a class 2 notice, under ch. 985, published before the sale in a newspaper having general circulation in the city and in any other medium of publication that the authority determines. Bonds may be sold to the federal government at private sale, without publication of any notice, at not less than par, and, if less than all of the authorized principal amount of the bonds is sold to the federal government, the balance may be sold at private sale at not less than par at an interest cost to the authority that does not exceed the interest cost to the authority of the portion of the bonds sold to the federal government. Any provision of law to the contrary notwithstanding, any bonds issued under this section are fully negotiable. In any suit, action or proceeding involving the validity or enforceability of any bond issued under this section or the security for any bond, any bond reciting in substance that it has been issued by the authority in connection with a project or activity under this section is deemed to have been issued for that purpose and the project or activity is deemed to have been planned, located and carried out in accordance with this section.”

Sue and Be Sued – Wis. Stat. § 66.1333(5)(a)7.

“Commence actions in its own name. The authority shall be sued in the name of the authority.”

Broad Catch-All Powers – Wis. Stat. § 66.1333(5)(a)8. –

“Exercise other powers that may be required or necessary to effectuate the purposes of this section.”

Contracted Housing Authority Powers – Wis. Stat. § 66.1333(5)(a)9.

“Exercise any powers of a housing authority under s. 66.1201 if done in concert with a housing authority under a contract under s. 66.0301.”

Issue Bonds to Finance Mortgage Loans on Owner-Occupied Dwellings – Wis. Stat. § 66.1333(5m)

“(a) Subject to par. (b), an authority may issue bonds to finance mortgage loans on owner-occupied dwellings. Bonds issued under this paragraph may be sold at a private sale at a price determined by the authority.

(b) The redevelopment authority shall submit the resolution authorizing the issuance of bonds under par. (a) to the common council for review. If the common council disapproves the resolution within 45 days after its submission, no bonds may be issued under the authority of the resolution.

(c) The redevelopment authority may:

1. Issue mortgage loans for the rehabilitation, purchase or construction of any owner-occupied dwelling in the city.
2. Issue loans to any lending institution within the city which agrees to make mortgage loans for the rehabilitation, purchase or construction of any owner-occupied dwelling in the city.
3. Purchase loans agreed to be made under subd. 2.”

Finance Certain School Facilities – First Class City Only – Wis. Stat § 66.1333(5r)

Unfunded Service Liability – First Class City Only – Wis. Stat § 66.1333(5s)

#### Power withheld from RDAs

Public Housing Projects – Wis. Stat. § 66.1333(3)(e)1.

“An authority has no power in connection with any public housing project.”

Discrimination – Wis. Stat. § 66.1333(3)(e)1.

“Persons otherwise entitled to any right, benefit, facility, or privilege under this section may not be denied the right, benefit, facility, or privilege in any manner for any purpose nor be discriminated against because of sex, race, color, creed, sexual orientation, status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or national origin.”

#### Procedural Responsibilities of RDAs

Preservation of Records – Wis. Stat. § 66.1333(5)(a)5.

“Establish a procedure for preservation of the records of the authority by the use of microfilm, another reproductive device, optical imaging, or electronic formatting, if authorized under s. 19.21 (4) (c). The procedure shall assure that copies of the records that are open to public inspection continue to be available to members of the public requesting them. A photographic reproduction of a record or copy of a record generated from optical disc or electronic storage is deemed the same as an original record for all purposes if it meets the applicable standards established in ss. 16.61 and 16.612.”

Select Chair and Vice-Chair/Authorization to Execute Documents – Wis. Stat. § 66.1333(5)(a)6.

“Authorize the chairperson of the authority or the vice chairperson in the absence of the chairperson, selected by vote of the commissioners, and the executive director or the assistant director in the absence of the executive director to execute on behalf of the authority all contracts, notes and other forms of obligation when authorized by at least 4 of the commissioners of the authority to do so.”

Have an Official Seal – Wis. Stat. § 66.1333(5)(a)7.

“The authority shall have an official seal.”

## Relocation Costs for Displaced Persons

### Payment of Housing Relocation Costs – Wis. Stat. § 66.1333(10)

“An authority shall formulate a feasible method for the temporary relocation of persons living in areas that are designated for clearance and redevelopment. The authority shall prepare a plan for submittal to the local legislative body for approval which shall assure that decent, safe and sanitary dwellings substantially equal in number to the number of substandard dwellings to be removed in carrying out the redevelopment are available or will be provided at rents or prices within the financial reach of the income groups displaced. The authority may make relocation payments to or with respect to persons, including families, business concerns and others, displaced by a project for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including making payments financed by the federal government.”

## Removal of Commissioners

### Wis. Stat. § 66.1333(3)(b)

“Removal of a commissioner is governed by s. 66.1201. Vacancies and new appointments are filled in the manner provided in par. (a).”

## Statutory Authority

### Wis. Stat. § 66.1333(3)(a)1.

“It is found and declared that a redevelopment authority, functioning within a city in which there exists blighted areas, constitutes a more effective and efficient means for preventing and eliminating blighted areas in the city and preventing the recurrence of blighted areas. Therefore, there is created in every city with a blighted area a redevelopment authority, to be known as the “redevelopment authority of the city of ....”

## Statutory Construction

### Liberal Statutory Construction – Wis. Stat. § 66.1333(17)

“This section shall be construed liberally to effectuate its purposes and the enumeration in this section of specific powers does not restrict the meaning of any general grant of power contained in this section or exclude other powers comprehended in the general grant.”

## Tax Exemption Limitation

### RDA Property Tax Exempt; Payment in Lieu of Taxes Permitted – Wis. Stat. § 66.1333(12)

“The real and personal property of the authority is declared to be public property used for essential public and governmental purposes, and the property and an authority are exempt from all taxes of the state or any state public body. The city in which a redevelopment or urban renewal project is located may fix a sum to be paid annually in lieu of taxes by the authority for the services,

improvements or facilities furnished to the project by the city if the authority is financially able to do so, but the sum may not exceed the amount which would be levied as the annual tax of the city upon the project. No real property acquired under this section by a private company, corporation, individual, limited liability company or partnership, either by lease or purchase, is exempt from taxation because of the acquisition.”

#### Transfer, Lease, or Sale of Real Property in Project Areas for Public and Private Uses

##### Transfer, Lease, or Sale of Real Property– Wis. Stat. § 66.1333(9)(a)

“1. a. Upon the acquisition of any real property in the project area, the authority may lease, sell or otherwise transfer to a redevelopment company, association, corporation or public body, or to an individual, limited liability company or partnership, all or any part of the real property, including streets or parts of streets to be closed or vacated in accordance with the plan, for use in accordance with the redevelopment plan. No assembled lands of the project area may be either sold or leased by the authority to a housing authority created under s. 66.1201 for the purpose of constructing public housing projects upon the land unless the sale or lease of the lands has been first approved by the local legislative body by a vote of not less than four-fifths of the members elected.

b. Any real property sold or leased under subd. 1. a. shall be leased or sold at its fair market value for uses in accordance with the redevelopment plan, notwithstanding that the fair market value may be less than the cost of acquiring and preparing the property for redevelopment. In determining fair market value, an authority shall give consideration to the uses and purposes required by the redevelopment plan; the restrictions upon and covenants, conditions and obligations assumed by the purchaser or lessee, the objectives of the redevelopment plan for the prevention or recurrence of slum and blighted areas; and other matters that the authority considers appropriate.

c. A copy of the redevelopment plan shall be recorded in the office of the register of deeds in the county where the redevelopment project is located. Any amendment to the redevelopment plan, approved under sub. (6), shall be recorded in the office of the register of deeds of the county.

d. Before the transfer, lease or sale of any real property in the project area occurs, a report as to the terms, conditions and other material provisions of the transaction shall be submitted to the local legislative body, and the local legislative body shall approve the report prior to the authority proceeding with the disposition of the real property.

2. Any lease, including renewal options, which can total more than 5 years shall be approved by the local legislative body.”

##### Lease or Sale Without Public Bidding – Wis. Stat. § 66.1333(9)(b)

“A lease or sale may be made without public bidding, but only after public hearing is held by the authority after a notice is published as a class 2 notice, under ch. 985. The hearing shall be predicated upon the proposed sale or lease and the provisions of the sale or lease.”

##### Lease Terms set by the RDA – Wis. Stat. § 66.1333(9)(c)

The terms of a lease or sale shall be fixed by the authority, and the instrument of lease may provide for renewals upon reappraisals and with rentals and other provisions adjusted to the reappraisals. Every lease or sale shall provide that the lessee or purchaser will carry out the approved project area redevelopment plan or approved modifications of the redevelopment plan, and that the use of land or real property included in the lease or sale, and any building or structure, shall conform to the approved plan or approved modifications of the plan. In the instrument of

lease or sale, the authority may include other terms, provisions and conditions that will provide reasonable assurance of the priority of the obligations of the lease or sale, of conformance to the plan over any other obligations of the lessee or purchaser, and of the financial and legal ability of the lessee or purchaser to carry out and conform to the plan and the terms and conditions of the lease or sale. In the instrument of lease or sale, the authority may include terms, conditions and specifications concerning buildings, improvements, subleases or tenancy, maintenance and management, and any other matters that the authority imposes or approves, including provisions under which the obligations to carry out and conform to the project area plan run with the land. If maximum rentals to be charged to tenants are specified, provision may be made for periodic reconsideration of rental bases.”

**No Conveyance Without RDA Consent – Wis. Stat. § 66.1333(9)(d)**

“Until the authority certifies that all building constructions and other physical improvements specified by the purchaser have been completed, the purchaser may not convey all or part of an area without the consent of the authority. No consent may be given unless the grantee of the purchaser is obligated, by written instrument, to the authority to carry out that portion of the redevelopment plan which falls within the boundaries of the conveyed property and unless the written instrument specifies that the grantee and the heirs, representatives, successors and assigns of the grantee may not convey, lease or let all or part of the conveyed property, or erect or use any building or structure on the conveyed property free from obligation and requirement to conform to the approved project area redevelopment plan or approved modifications of the redevelopment plan.”

**Demolition of Structures – Wis. Stat. § 66.1333(9)(e)**

“The authority may demolish any existing structure or clear all or part of an area or specify the demolition and clearance to be performed by a lessee or purchaser and a time schedule for the demolition and clearance. The authority shall specify the time schedule and conditions for the construction of buildings and other improvements.”

**Costs of Street Construction Includable – Wis. Stat. § 66.1333(9)(f)**

“In order to facilitate the lease or sale of a project area, or if the lease or sale is part of an area, the authority may include in the cost payable by it the cost of the construction of local streets and sidewalks in the area, or of grading and any other local public surface or subsurface facilities or any site improvements necessary for shaping the area as the site of the redevelopment of the area. The authority may arrange with the appropriate federal, state, county or city agencies for the reimbursement of outlays from funds or assessments raised or levied for these purposes.”

5

City of Merrill  
Meeting of Redevelopment Authority (RDA)

Tuesday, March 6<sup>th</sup>, 2018 at 8:00 a.m.  
City Hall Common Council Chambers

RDA Present: Bill Bialecki, Ryan Schwartzman, Clyde Nelson, Tony Kusserow,  
Sheila Polak, Tim Haight, and Jill Laufenberg

Others: City Clerk Bill Heideman, City Administrator Dave Johnson, City Attorney  
Tom Hayden, Finance Director Kathy Unertl, Public Works Director/City  
Engineer Rod Akey, and Ken Maule from Lincoln County Economic  
Development Corp. (LCEDC)

**Call to Order:** Bialecki called the meeting to order at 8:00 a.m.

**Consider approval of RDA meeting minutes from January 2<sup>nd</sup>:**

Motion (Laufenberg/Nelson) to approve the meeting minutes from January 2<sup>nd</sup>. Carried.

**Public Comment:** None.

**Consider bid for sale of former dry cleaner site (806 N. Center Ave. – TID No. 7):**

The City solicited bids for various properties acquired after Lincoln County delinquent tax foreclosure process. Due to the unknown environment issues, the former dry cleaner site was titled under the Merrill Redevelopment Authority. One bid was received from the adjacent business.

**Motion (Schwartzman/Laufenberg) to recommend acceptance of the \$1,503 bid from Diehl's Muffler for the vacant property. Carried.**

**Update on various redevelopment projects:**

**TID No. 3:**

To facilitate reconstruction of E. 6<sup>th</sup> St. (between Sales St. and Memorial Dr.), the mature red pines along the Merrill Festival Grounds are being harvested. There is a replacement plan for landscaping, including new tree planting after completion of the street infrastructure project.

TIS State Property LLC now owns Lot 1 and One Way Park City LLC now owns Lot 2 for their new facilities. Both new developments are planned for spring construction start-up.

There have been several inquiries about potential new development on Lot 3 between Pearl St. and Gem St.

**TID No. 4:** City Public Works Director Rod Akey continues to work on North Pine Ridge Ave. right-of-way (ROW) property acquisitions.

**TID No. 8:** Demolition has been completed of the former bank “bubble” building (401-403 West Main St.). City will be purchasing the vacant property by the end of March.

Laufenberg questioned how the former building foundations were demolished. Public Works Director Rod Akey advised that City Ordinance requires that wall foundations be removed to two feet below grade. Without firm redevelopment plans, this practice allows for stabilization of adjacent sidewalks and the adjacent building foundation. There would be future additional costs by the new developer to remove the remaining underground footings/basement slab.

**Update on potential State of Wisconsin program application opportunities:**

Ken Maule highlighted two potential State programs that City staff is reviewing to assist with future industrial/business park marketing and extension of North Pine Ridge Ave. The Wisconsin Economic Development Corporation (WEDC) has a Certified Sites technical assistance program. Wisconsin Department of Administration has Community Development Block Grant (CDBG) funding for public facilities.

It is premature for considering the potential Certified Sites program. RDA Commissioners commented on numerous CDBG points criteria. Nelson noted that 2018 application due date is May 24<sup>th</sup>.

**Next RDA meeting:** Due to use of City Hall for election voting on Tuesday, April 3<sup>rd</sup>, the RDA meeting has been shifted to Wednesday, April 4<sup>th</sup>, 2018 at 8:00 a.m.

Bialecki read the following notice:

The RDA may convene in closed session per Wis. Stats. Sec. 19.85(1)(e) – deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to consider:

- a. Consider approval of Closed Session RDA meeting minutes from January 2<sup>nd</sup>, 2018
- b. Consider authorization for potential acquisition of properties to facilitate new development (within or adjacent to City of Merrill Tax Incremental Districts (TIDs)
- c. Consider TID development incentives, including potential sale of Lot 3 (2700 Block of E. Main St. between Pearl St. and Gem St.) for proposed new development (TID No. 3)
- d. Update on residential development proposal for former Anson-Gilkey site (TID No. 9)

**Motion (Schwartzman/Laufenberg) to move to closed session.** Motion carried on 7-0 roll call vote at 8:18 a.m.

**Motion (Schwartzman/Laufenberg) to approve the closed session meeting minutes from January 2<sup>nd</sup>. Carried.**

City staff updated RDA Commissioners on potential property acquisitions to facilitate future new development opportunities. Additional review will continue. Finance Director Unertl advised that potential future non-General Obligation financing options include Note Anticipation Notes (NAN) and Tax Increment District (TID) Revenue Bonds.

City staff will continue discussions with potential developers regarding Lot 3 and the former Anson-Gilkey site.

**Adjournment:** Motion (Schwartzman/Kusserow) to adjourn at 8:42 a.m. Carried.

Minutes prepared by RDA Secretary Kathy Unertl

6

## REQUEST TO INCLUDE ITEM ON AGENDA

Board or Committee: Redevelopment Authority (RDA)

Date of Meeting: Tuesday – May 1<sup>st</sup>, 2018

Request by: RDA Secretary Kathy Unertl

Describe below the item(s) you wish to have put on the agenda:  
(please attach any pertinent information):

Western City of Merrill designated Federal Economic Opportunity Zone

Need further information from Federal government and State of Wisconsin; however, western City of Merrill has been designed a Federal Economic Opportunity Zone.

I have also included an article from Janesville Gazette from April 10<sup>th</sup> as to City of Janesville and City of Beloit

Date: 4/24/2018

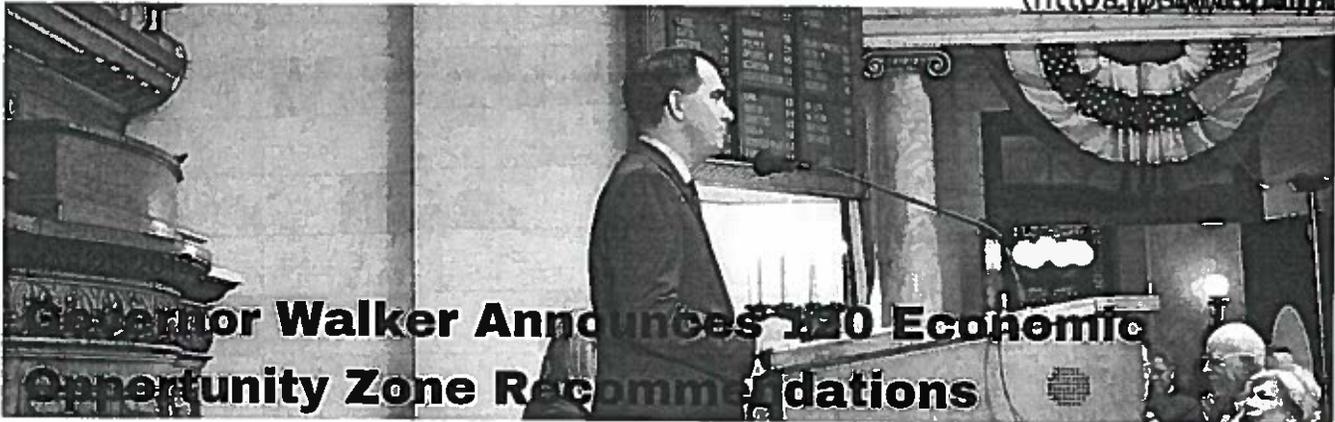


[Governor Walker's \\$100-Per-Child Tax Rebate & Back-To-School Sales Tax Holiday \(https://walker.wi.gov/fact-sheets/fact-sheet-governor-walkers-100-child-tax-rebate-back-school-sales-tax-holiday\)](https://walker.wi.gov/fact-sheets/fact-sheet-governor-walkers-100-child-tax-rebate-back-school-sales-tax-holiday)

[MENU](#)

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[f \(https://www.facebook.com/govwalker\)](https://www.facebook.com/govwalker)  
[in \(https://www.instagram.com/govwalker\)](https://www.instagram.com/govwalker)



[HOME \(/\)](#) / [GOVERNOR WALKER ANNOUNCES 120 ECONOMIC OPPORTUNITY ZONE RECOMMENDATIONS](#)

Economic Opportunity Zones present opportunity to help Wisconsin communities through private investment

MADISON—Governor Scott Walker today announced Economic Opportunity Zone (EOZ) recommendations throughout the State of Wisconsin covering more than 40 counties in rural, urban, and tribal areas. These zones present an opportunity for private, tax-free investment into areas of economic need, benefiting residents living in the zones and the private investor. EOZs were created in the federal Tax Cuts and Jobs Act of 2017.

"We are excited to embrace Economic Opportunity Zones as a new tool to build on our track record of economic growth," Governor Walker said. "Right now, more people are employed in our state than ever before in our history, and Wisconsin is at near record lows for unemployment. These recommendations reach communities across our state – urban, rural, and tribal – that are positioned for strong and sustained growth."

The Economic Opportunity Zones Program is a federal community development tax incentive program which creates an incentive for businesses and community members to invest in designated EOZs. These investments will help communities in designated areas develop, and the return on the investment will have reduced tax liability.

Governor Walker recommended the maximum number of Economic Opportunity Zones: 120 recommendations within 44 counties in rural, urban and tribal areas. These designations were made based on recommendations from an interagency working group comprised of WHEDA, WEDC, DOA, and DCF; public comment; and an independent analysis conducted by a nationally respected consulting firm.

The U.S. Department of the Treasury will make the final selection for EOZs in Wisconsin based on the Governor's recommendations. These designations represent ten years of potential private investment into these communities.

See Governor Walker's full list of EOZ recommendations [here \(https://walker.wi.gov/sites/default/files/Wisconsin\\_Opportunity\\_Zones\\_Nominated\\_Census\\_Tracts\\_March\\_2018.pdf\)](https://walker.wi.gov/sites/default/files/Wisconsin_Opportunity_Zones_Nominated_Census_Tracts_March_2018.pdf) as well as the Governor's letter to Secretary Mnuchin [here \(https://walker.wi.gov/sites/default/files/Mnuchin\\_Opportunity\\_Zones\\_Letter.pdf\)](https://walker.wi.gov/sites/default/files/Mnuchin_Opportunity_Zones_Letter.pdf).

**Wisconsin Opportunity Zones: Census Tracts Nominated for Designation**

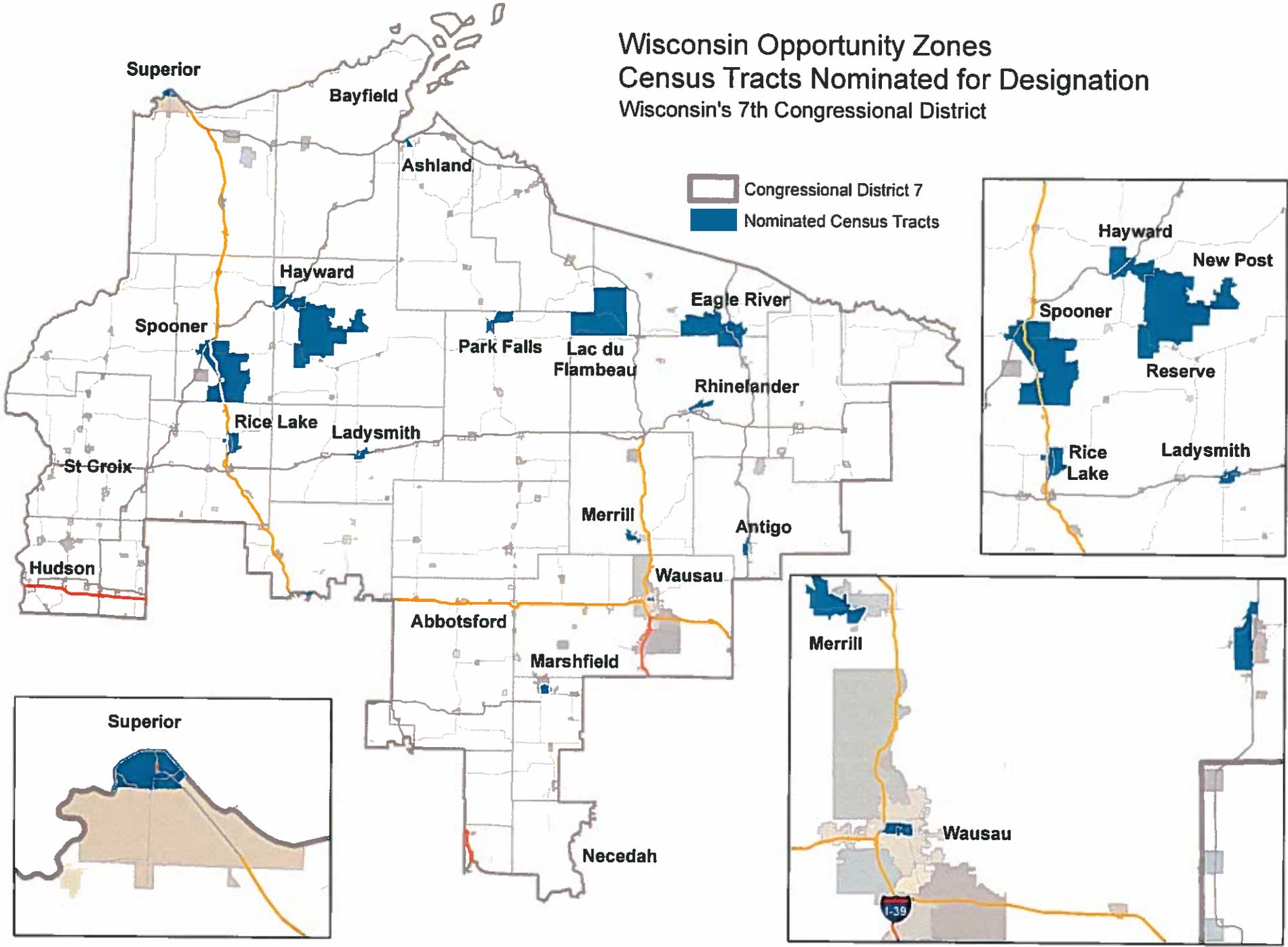
<b>GEOID</b>	<b>County</b>	<b>Municipality</b>	<b>Metro Designation</b>	<b>115th Congressional District</b>
55003950300	Ashland	Ashland	Non-Metropolitan	7
55005000500	Barron	Rice Lake	Non-Metropolitan	7
55005000600	Barron	Rice Lake	Non-Metropolitan	7
55009000100	Brown	Green Bay	Metropolitan	8
55009000800	Brown	Green Bay	Metropolitan	8
55009001702	Brown	Green Bay	Metropolitan	8
55009021303	Brown	Ashwaubenon	Metropolitan	8
55017010500	Chippewa	Chippewa Falls	Metropolitan	3
55021970400	Columbia	Portage	Metropolitan	6
55023960500	Crawford	Prairie du Chien	Non-Metropolitan	3
55025000407	Dane	Madison	Metropolitan	2
55025000408	Dane	Madison	Metropolitan	2
55025000600	Dane	Madison	Metropolitan	2
55025001401	Dane	Madison	Metropolitan	2
55025001402	Dane	Madison (Town)	Metropolitan	2
55025001502	Dane	Madison	Metropolitan	2
55025001804	Dane	Madison	Metropolitan	2
55025002100	Dane	Madison	Metropolitan	2
55025002402	Dane	Madison	Metropolitan	2
55025002500	Dane	Madison	Metropolitan	2
55025011505	Dane	Sun Prairie	Metropolitan	2
55027960900	Dodge	Beaver Dam	Non-Metropolitan	6
55031020300	Douglas	Superior	Metropolitan	7
55031021100	Douglas	Superior	Metropolitan	7
55033970800	Dunn	Menomonie	Non-Metropolitan	3
55035000600	Eau Claire	Eau Claire	Metropolitan	3
55035001101	Eau Claire	Eau Claire	Metropolitan	3
55035001200	Eau Claire	Eau Claire	Metropolitan	3
55039040500	Fond du Lac	Fond du Lac	Metropolitan	6
55043960900	Grant	Platteville	Non-Metropolitan	3
55045960500	Green	Monroe	Metropolitan	2
55047100100	Green Lake	Berlin	Non-Metropolitan	6
55055100200	Jefferson	Watertown	Non-Metropolitan	5
55055101100	Jefferson	Jefferson	Non-Metropolitan	5
55059000700	Kenosha	Kenosha	Metropolitan	1
55059001000	Kenosha	Kenosha	Metropolitan	1
55059001200	Kenosha	Kenosha	Metropolitan	1
55063000200	La Crosse	La Crosse	Metropolitan	3
55063000400	La Crosse	La Crosse	Metropolitan	3
55067960600	Langlade	Antigo	Non-Metropolitan	7
55069960800	Lincoln	Merrill	Non-Metropolitan	7
55071005400	Manitowoc	Two Rivers	Non-Metropolitan	6
55071000800	Manitowoc	Manitowoc	Non-Metropolitan	6
55073000100	Marathon	Wausau	Metropolitan	7
55073000500	Marathon	Wausau	Metropolitan	7
55075960800	Marinette	Crivitz	Non-Metropolitan	8
55075961400	Marinette	Marinette	Non-Metropolitan	8
55079000101	Milwaukee	Milwaukee	Metropolitan	4
55079000102	Milwaukee	Milwaukee	Metropolitan	4
55079000201	Milwaukee	Milwaukee	Metropolitan	4
55079001200	Milwaukee	Milwaukee	Metropolitan	4
55079001300	Milwaukee	Milwaukee	Metropolitan	4
55079002100	Milwaukee	Milwaukee	Metropolitan	4
55079002400	Milwaukee	Milwaukee	Metropolitan	4
55079002500	Milwaukee	Milwaukee	Metropolitan	4
55079004100	Milwaukee	Milwaukee	Metropolitan	4
55079004700	Milwaukee	Milwaukee	Metropolitan	4
55079006300	Milwaukee	Milwaukee	Metropolitan	4
55079006500	Milwaukee	Milwaukee	Metropolitan	4

**Wisconsin Opportunity Zones: Census Tracts Nominated for Designation**

<b>GEOID</b>	<b>County</b>	<b>Municipality</b>	<b>Metro Designation</b>	<b>115th Congressional District</b>
55079006900	Milwaukee	Milwaukee	Metropolitan	4
55079008900	Milwaukee	Milwaukee	Metropolitan	4
55079009800	Milwaukee	Milwaukee	Metropolitan	4
55079009900	Milwaukee	Milwaukee	Metropolitan	4
55079011300	Milwaukee	Milwaukee	Metropolitan	4
55079013500	Milwaukee	Milwaukee	Metropolitan	4
55079013700	Milwaukee	Milwaukee	Metropolitan	4
55079014100	Milwaukee	Milwaukee	Metropolitan	4
55079014900	Milwaukee	Milwaukee	Metropolitan	4
55079015700	Milwaukee	Milwaukee	Metropolitan	4
55079015800	Milwaukee	Milwaukee	Metropolitan	4
55079015900	Milwaukee	Milwaukee	Metropolitan	4
55079016200	Milwaukee	Milwaukee	Metropolitan	4
55079016500	Milwaukee	Milwaukee	Metropolitan	4
55079016700	Milwaukee	Milwaukee	Metropolitan	4
55079016800	Milwaukee	Milwaukee	Metropolitan	4
55079021600	Milwaukee	Milwaukee	Metropolitan	4
55079100200	Milwaukee	West Allis	Metropolitan	5
55079110100	Milwaukee	West Milwaukee	Metropolitan	4
55079170600	Milwaukee	South Milwaukee	Metropolitan	4
55079185400	Milwaukee	Milwaukee	Metropolitan	4
55079185600	Milwaukee	Milwaukee	Metropolitan	4
55079186000	Milwaukee	Milwaukee	Metropolitan	4
55079186500	Milwaukee	Milwaukee	Metropolitan	4
55079186800	Milwaukee	Milwaukee	Metropolitan	4
55085971500	Oneida	Rhineland	Non-Metropolitan	7
55087010100	Outagamie	Appleton	Metropolitan	8
55093960400	Pierce	River Falls	Metropolitan	3
55097960400	Portage	Stevens Point	Non-Metropolitan	3
55097961000	Portage	Stevens Point	Non-Metropolitan	3
55099970200	Price	Park Falls	Non-Metropolitan	7
55101000100	Racine	Racine	Metropolitan	1
55101000400	Racine	Racine	Metropolitan	1
55101000500	Racine	Racine	Metropolitan	1
55103970400	Richland	Richland Center	Non-Metropolitan	3
55105000100	Rock	Janesville	Metropolitan	1
55105001000	Rock	Janesville	Metropolitan	1
55105001400	Rock	Janesville	Metropolitan	2
55105001500	Rock	Beloit	Metropolitan	2
55105001700	Rock	Beloit	Metropolitan	2
55107960500	Rusk	Ladysmith	Non-Metropolitan	7
55111000300	Sauk	Baraboo	Non-Metropolitan	2
55113100300	Sawyer	Hayward	Non-Metropolitan	7
55113940000	Sawyer	Lac Courte Oreilles Reservation	Non-Metropolitan	7
55115100500	Shawano	Shawano	Non-Metropolitan	8
55117000800	Sheboygan	Sheboygan	Metropolitan	6
55117011400	Sheboygan	Sheboygan	Metropolitan	6
55123960100	Vernon	Hillsboro	Non-Metropolitan	3
55125940000	Vilas	Lac du Flambeau Reservation	Non-Metropolitan	7
55125950500	Vilas	Eagle River	Non-Metropolitan	7
55127000400	Walworth	Whitewater	Non-Metropolitan	5
55127000501	Walworth	Whitewater	Non-Metropolitan	5
55129950500	Washburn	Spooner	Non-Metropolitan	7
55133202600	Waukesha	Waukesha	Metropolitan	5
55139000500	Winnebago	Oshkosh	Metropolitan	6
55139001500	Winnebago	Oshkosh	Metropolitan	6
55139002900	Winnebago	Menasha	Metropolitan	6
55139003300	Winnebago	Neenah	Metropolitan	6
55141010400	Wood	Marshfield	Non-Metropolitan	7

<b>Wisconsin Opportunity Zones: Census Tracts Nominated for Designation</b>				
<b>GEOID</b>	<b>County</b>	<b>Municipality</b>	<b>Metro Designation</b>	<b>115th Congressional District</b>
55141011200	Wood	Wisconsin Rapids	Non-Metropolitan	3
55141011700	Wood	Nekoosa/Port Edwards	Non-Metropolitan	3

# Wisconsin Opportunity Zones Census Tracts Nominated for Designation Wisconsin's 7th Congressional District

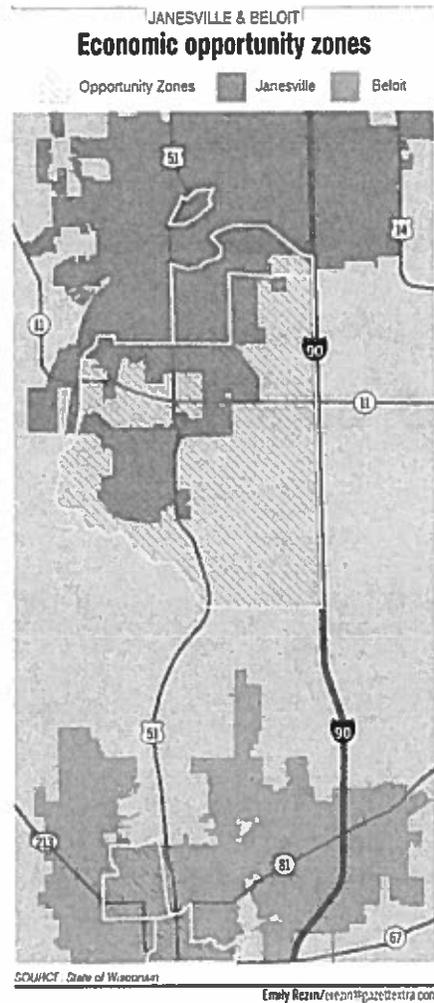


[http://www.gazettextra.com/news/business/janesville-beloit-get-special-economic-opportunity-zones/article\\_976c24ab-38cd-52ba-8bb2-d5e46038c024.html](http://www.gazettextra.com/news/business/janesville-beloit-get-special-economic-opportunity-zones/article_976c24ab-38cd-52ba-8bb2-d5e46038c024.html)

TOP STORY

# Janesville, Beloit get special "Economic Opportunity Zones"

By Neil Johnson [njohnson@gazettextra.com](mailto:njohnson@gazettextra.com) Apr 10, 2018



Buy Now

## JANESVILLE

The areas surrounding the former General Motors plant in Janesville, most of Janesville's downtown and a south-side industrial park could get a boost from an economic development tool created under the American Tax Cuts and Jobs Act of 2017.

This week, Gov. Scott Walker's office announced the U.S. Department of the Treasury approved three federal census tracts in Janesville the state had recommended for designation as economic opportunity zones.

Investments in the zones would be exempt from capital gains taxes, the governor's office has said.

The Treasury approved the recommendations for more than 100 areas in the state to be designated as economic opportunity zones, according to a release Monday from Walker's office.

Among the sites the Treasury approved in Janesville are a census tract that covers most of downtown; a tract that encompasses the former GM plant and a swath that runs east of the plant, between Kellogg Avenue and Racine Street; and another large tract that includes the city of Janesville's south-side industrial park and other areas along Highway 51 in parts of the town of Rock.

Economic opportunity zones in Beloit include downtown and a heavily industrial tract northwest of Beloit's downtown, according to Walker's office.

Details of the benefits of economic opportunity zones aren't clear yet, and local economic development officials said some rules still must be written by the IRS to determine how such zones operate. The zones are intended to entice new private development and redevelopment by investors and developers by offering tax breaks for projects within the zones.

"The devil's in the details, but heck yes. It's a good deal," Forward Janesville Vice President Dan Cunningham said Tuesday about the new zones.

"I've talked to people in the real estate and investment community who absolutely have

stars in their eyes," Cunningham said.

Commercial Development Company, the St. Louis firm that owns the former GM plant and plans to clear and ready the massive property for redevelopment, considers the tract's designation now as an economic opportunity zone as good news.

In a statement Tuesday, Commercial Development's Executive Vice President Colleen Kokas said the GM site's inclusion as an economic opportunity zone could mean faster investment into the plant site, which she said could "allow for the build out of the former GM Assembly plant in a much shorter timeframe, bringing new jobs and taxes to the city of Janesville more quickly."

Janesville firm SHINE Medical Technologies plans to build a commercial medical molybdenum-99 manufacturing plant in the industrial park on the south side located in one of the city's three economic opportunity zones.

SHINE CEO Greg Piefer said in a statement Monday that the new zones are "meaningful for SHINE, and will be meaningful for others looking to invest significant amounts of capital into the zones."

Gov. Walker's office said four state agencies compiled a working list of tracts to be considered as economic opportunity zones. These included:

- the Wisconsin Economic Development Corporation
- the Wisconsin Housing and Economic Development Authority
- the Department of Children and Families and
- the Department of Administration.

Assistant City Manager Ryan McCue told The Gazette that in February, SHINE informed the city that the state planned to open its recommendations for the zones up to public comment.

SHINE Vice President Katrina Pitas said SHINE, the city of Janesville and Forward Janesville worked together to recommend the three census tracts.

The state agreed to include three of the city's recommended zones in its request and submitted them to the Treasury Department last month.

McCue said the new zones are potentially "a huge shot in the arm for economic prospects and economic development in the city of Janesville."

Rock County Economic Development Manager James Otterstein said the designations create a "new economic tool" that "potentially can be leveraged or packaged" to facilitate a startup, an expansion or retention of a business, or spur new investments or projects that might not have otherwise occurred in Janesville or Beloit.

Like Cunningham, Otterstein said it's too early to know how exactly how the zones would operate for individual investors.

He said the zones would likely be similar to other economic development tools in that some individual prospects for development might be suited for use of tax breaks through the zones, while others might not.

---

Neil Johnson  
Reporter - Business

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## City of Merrill – Tax Increment District (TID) Updates

4/25/2018

### TID No. 3 (East Side):

Bid opening for numerous street infrastructure improvements scheduled for Thursday, May 3<sup>rd</sup>. City staff in discussion with Park City Credit Union representatives regarding East Main Street potential landscaping improvements.

Highway 64 frontage - formerly part of Whispering Pines mobile home community:

**Spring construction season finally here:** Lot 1 – TSI State Property LLC for Nelson’s Power House and Lot 2 – One Way Park City LLC for vehicle body shop and related vehicle accessory sales.

**Lot 3 (between Gem Street and Pearl Street)** – site available for commercial development,

### TID No. 4 (Thielman St./N. Pine Ridge Ave.):

Began planning for boundary and plan for amendment for TID No. 4, including Tax Increment Sharing with “blighted area” TIDs. There is potential Thielman St. frontage west of Zastrow’s The Beer Man that could be developed (see following maps).

City Public Works Director/City Engineer working on acquisition of road right-of-way for future North Pine Ridge Ave. extension.

Lincoln County Economic Development Director Ken Maule and City staff reviewing potential State of Wisconsin grant funding programs that could assist with future Industrial/Business Park development and extension of North Pine Ridge Ave.

### TID No. 6 (Downtown):

City representatives checking on status of David Cooper Insurance plans for new building construction at 900 East 1<sup>st</sup> Street.

Banker’s Square (Pocket Park) development between former Book World and Merrill Community Bank planned for summer construction season.

## City of Merrill – Tax Increment District (TID) Updates

4/25/2018 - Continued

### TID No. 8 (West Side):

Bid opening for water/sewer utility extensions and Alexander/Heldt Street improvements scheduled for Thursday, May 3<sup>rd</sup>. Premier Manufacturing building expansion is under construction.

City now owns the vacant former bank “bubble” building site (401-403 W. Main St.) and parking lot.

Due to uninhabitable conditions, City Building Inspector issued raze order on blue house at 220 Grand Avenue. Likely will be over \$20,000 TID No. 8 Special Charge against the property for asbestos abatement and demolition expenses. Any potential redevelopment unclear until property owner and mortgage holder take action.

### TID No. 9 – Wisconsin River Frontage/Idle Sites Grant:

Additional improvements are planned at the River Bend Trail parking lot at the end of South Park Street.

Bid opening for utility and street improvements scheduled for Thursday, May 3<sup>rd</sup>. There are **no plans to replace the existing LED streetlight** on East Main Street (between North Center Avenue and Stuyvesant Street) or South Park Street (from East 3<sup>rd</sup> Street to the railroad tracks). Moving to potential historical streetlight would require removal of existing sidewalks and new electrical conduit.

### TID No. 10 (Former Fox Point site):

Merrill Area Housing Authority (MAHA) continues working on potential revised Planned Unit Development (PUD) plan.

Update and discussion should be included on the June RDA meeting agenda.

**City of Merrill - Planned Infrastructure Projects - 2018**

Right-of-way acquisition and engineering design for future extension of N. Pine Ridge Ave. from Zastrow's The Beer Man to Lincoln County Highway G would occur in 2018 with planned construction during 2019 or 2020.

TID No.	Street	From:	To:	Total \$	Curb/Gutter/ Paving	Water	Sewer	Special Assessments
N/A	Chestnut St.	E. 6th St.	E. 10th St.	\$230,000	\$120,000	\$60,000	\$50,000	\$20,000
3	S. Park St.	E. 3rd St.	RR Tracks	\$300,000	\$170,000	\$80,000	\$50,000	
3	E. 2nd St.	N. Center Ave.	Van Rensselaer St.	\$160,000	\$120,000	\$0	\$40,000	
3	E. 6th St.	Sales St.	Memorial Dr.	\$230,000	\$220,000	\$5,000	\$5,000	
3	E. 6th St.	Memorial Dr.	Johnson St.	\$220,000	\$210,000	\$5,000	\$5,000	
3	Thielman St.	Memorial Dr.	Gem St.	\$150,000	\$140,000	\$5,000	\$5,000	
3	Gem St.	Thielman St.	E. Main St.	\$50,000	\$50,000			
3	Pearl St.	Thielman St.	E. Main St.	\$35,000	\$35,000			
3	E. 10th St.	Sales St.	Memorial Dr.	\$200,000	\$200,000			\$90,000
3	E. Main St.	N. Center Ave.	Stuyvesant St.	\$150,000	\$130,000	\$10,000	\$10,000	
3	Mill St.*	E. 1st St.	E. 2nd St.	\$40,000	\$40,000			

**Total**      **\$1,765,000**      **\$1,435,000**      **\$165,000**      **\$165,000**      **\$110,000**

\*Within 1/2 mile TID3 boundary

**GO Borrowing**      **\$100,000**      **\$20,000**

**TID 3 Revenue Bonds**      **\$1,495,000**      **Includes \$100,000 Streetlights**      **\$90,000**

**Water/Sewer Funds**      **\$165,000**      **\$165,000**

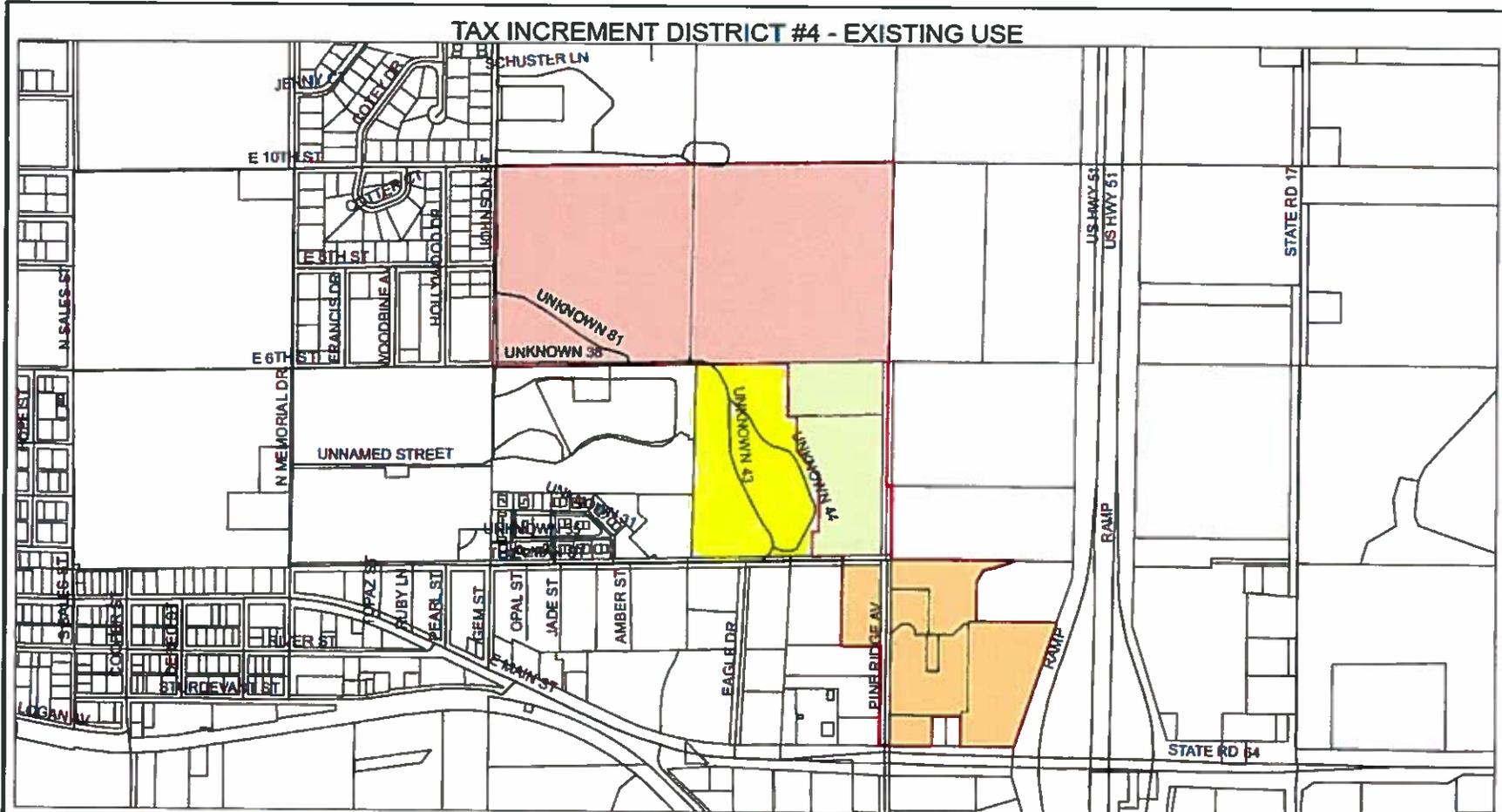
**Other Projects reviewed/discussed at Board of Public Works - for future years:**

TID No.	Street	From:	To:
N/A	E. 10th St.	Cedar St.	Lake St.
N/A	Court St.	E. 2nd St.	E. 5th St.
6	Poplar St.	E. 1st St.	E. 2nd St.
N/A	Poplar St.	E. 2nd St.	E. 4th St.
N/A	Cleveland St.	E. 4th St.	E. 6th St.
12*	Logan St.	E. 5th St.	E. 6th St.
12*	E. 6th St.	Logan St.	Blaine St.

\*In conjunction with paving Athletic Park parking lot

**4**

**MAP SHOWING EXISTING USES & CONDITIONS WITHIN THE TERRITORY TO BE ADDED AND REMAINING**



Smart Move  
Drawn By: Kate Drewek

City of Merrill

*Proposed additional parcel*

- Industrial
- Commercial
- Urban
- Boundary



# Lincoln County Public Access Land Records Viewer



Author: Public  
Date Printed: 4/24/2018



The information depicted on this map is a compilation of public record information including aerial photography and other base maps. No warranty is made, express or implied, as to the accuracy of the information used. The data layers are a representation of current data to the best of our knowledge and may contain errors. It is not a legally recorded map and cannot be substituted for field-verified information. Map may be reproduced with permission of the Lincoln County Land Services Department. Errors should be reported to Land Services Department, 801 North Sales St, Merrill, WI, 54452. Copyright © 2015 Phone (715) 539-1049.

Lincoln County Land Record

Report Generated:  
4/24/2018 at 2:12:12 PM



**Request:** 25131070740050  
**PIN:** 251-3107-074-0050  
**Parcel:** 34-0001-000-087-06-03  
**Municipality:** City of MERRILL

For reference purposes only.

No warranties are expressed or implied for the data provided.

**View Type:** Internal

**Account:** User

**(1) General Parcel Information:**

**PIN** 251-3107-074-0050  
**Parcel Number** 34-0001-000-087-06-03  
**Parcel Status** Active  
**Sale Type** NOT OPEN MARKET  
**Sale Date** 07/11/2007  
**Sale Amount** \$0.00  
**Transfer Tax** \$0.00  
**Deed Type** No Revenue  
**Deed Reference** V361 P155  
 D0460569  
**Mailing Address** LINCOLN DISPOSAL INC  
 2505 E STURDEVANT ST  
 MERRILL, WI  
 54452

**(2) Parcel Owners Names:**

Owner # 1 LINCOLN DISPOSAL INC

**(3) Parcel Addresses:**

Address # 1 0 THIELMAN ST MERRILL, WI 54452

**(4) Parcel Descriptions:**

Year	Acre	Description
2008	21.466	SEC 07-31-07 PRT OF NE 1/4 SE 1/4 AKA LOT 3 OF CSM 2122 D0465358 *PR-7-13FC

**(5) Parcel Assessment:**

Year	Use	Acre	Land Value	Improvement Value	Total Value
2016	COMMERCIAL	21.47	\$37,700.00	\$0.00	
	Totals for 2016	21.47	\$37,700.00	\$0.00	\$37,700.00
2014	COMMERCIAL	21.47	\$21,500.00	\$0.00	
	Totals for 2014	21.47	\$21,500.00	\$0.00	\$21,500.00
2009	COMMERCIAL	21.47	\$21,500.00	\$0.00	
	Totals for 2009	21.47	\$21,500.00	\$0.00	\$21,500.00

**(7) Recent Taxes:**

[View](#) Payoff Statement (for current month of all unpaid taxes, interest, and penalty)

Year	Description	Due	Paid	Unpaid	Description	Value
2017					Fair Mkt. Value	37,000.00
	General Net	1,084.56			Wood Fair Mkt. Value	0.00
	Lottery Credit	0.00				
	General Tax	1,084.56	1,084.56	0.00	Land	37,700.00
	Special	0.00	0.00	0.00	Use Assessment	0.00
	Wood	0.00	0.00	0.00	Improvement	0.00

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City of Merrill  
Meeting of Redevelopment Authority (RDA)

Tuesday, March 6<sup>th</sup>, 2018 at 8:00 a.m. – Closed Session  
City Hall Common Council Chambers

RDA Present: Bill Bialecki, Ryan Schwartzman, Clyde Nelson, Tony Kusserow,  
Sheila Polak, Tim Haight, and Jill Laufenberg

Others: City Administrator Dave Johnson, City Attorney Tom Hayden, Finance  
Director Kathy Unertl, Public Works Director/City Engineer Rod Akey, and  
Ken Maule from Lincoln County Economic Development Corp. (LCEDC)

Bialecki read the following notice:

The RDA may convene in closed session per Wis. Stats. Sec. 19.85(1)(e) – deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to consider:

- a. Consider approval of Closed Session RDA meeting minutes from January 2<sup>nd</sup>, 2018
- b. Consider authorization for potential acquisition of properties to facilitate new development (within or adjacent to City of Merrill Tax Incremental Districts (TIDs)
- c. Consider TID development incentives, including potential sale of Lot 3 (2700 Block of E. Main St. between Pearl St. and Gem St.) for proposed new development (TID No. 3)
- d. Update on residential development proposal for former Anson-Gilkey site (TID No. 9)

**Motion (Schwartzman/Laufenberg) to move to closed session.** Motion carried on 7-0 roll call vote at 8:18 a.m.

**Motion (Schwartzman/Laufenberg) to approve the closed session meeting minutes from January 2<sup>nd</sup>.** Carried.

City staff updated RDA Commissioners on potential property acquisitions to facilitate future new development opportunities. Additional review will continue. Finance Director Unertl advised that potential future non-General Obligation financing options include Note Anticipation Notes (NAN) and Tax Increment District (TID) Revenue Bonds.

City staff will continue discussions with potential developers regarding Lot 3 and the former Anson-Gilkey site.

**Adjournment:** Motion (Schwartzman/Kusserow) to adjourn at 8:42 a.m. Carried.

Minutes prepared by RDA Secretary Kathy Unertl