

# CITY OF OAK CREEK

## TAX INCREMENT DISTRICT #13

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Prepared by:



VANDEWALLE &  
ASSOCIATES INC.  
Madison . Milwaukee

**ACKNOWLEDGEMENTS****Oak Creek Common Council**

Daniel J. Bukiewicz, Mayor  
 Steven Kurkowski, 1st District  
 Gregory Loreck, 2nd District  
 Richard Duchniak, 3rd District

Michael Toman, 4th District  
 Ken Gehl, 5th District  
 Chris Guzikowski, 6th District

**Oak Creek Plan Commission**

Mayor Daniel J. Bukiewicz, Chairperson  
 Gregory Loreck, Alderperson  
 Chris Guzikowski, Alderperson  
 Patrick Correll  
 Walter Dickmann

Chaucey Chandler  
 Brian Johnston, Assistant City Engineer  
 Dawn Carrillo  
 Fred Siepert  
 Doug Seymour, Ex-Officio

**Oak Creek City Staff**

Mayor Daniel J. Bukiewicz  
 Andrew Vickers, City Administrator  
 Melissa Karls, City Attorney  
 Doug Seymour, AICP, Director of Community Development  
 Kari Papelbon, CFM, AICP, City Planner  
 Bridget M Souffrant, City Finance Director/Comptroller  
 Mike Simmons, City Engineer  
 Brian Johnston, Development Engineer  
 Catherine A Roeske, City Clerk

**Planning Assistance Provided by:**

Vandewalle & Associates  
 120 East Lakeside Street  
 Madison, WI 53715  
 (608) 255-3988  
[www.vandewalle.com](http://www.vandewalle.com)

247 Freshwater Way, Suite 530  
 Milwaukee, WI 53204  
 (414) 988-8631

Jolena Presti, AICP – Principal, Project Manager  
 Jeff Maloney – Principal Designer  
 Jorian Giorno – Associate Planner  
 Dan Johns, AICP – Assistant Planner  
 Dan Eckberg – GIS Specialist

**Economic Feasibility Analysis Provided by:**

Hutchinson, Schockey, Erley, & Co.  
 1110 N Old World 3rd St # 630  
 Milwaukee, WI 53203  
 (414) 298-9898

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## EXECUTIVE SUMMARY

### Project Background

The City of Oak Creek proposes to create Tax Increment District #13 (TID #13 or the District) for the area along the City's lakefront. The historic heavy industrial manufacturing area is predominantly defined by the existence of legacy environmental complexities requiring years of careful planning and environmental investigation and cleanup. Over the last decade, the City of Oak Creek has taken on a significant leadership role through detailed planning efforts, direct environmental cleanup, and the demolition of several large former industrial structures. The lakefront today is almost completely unrecognizable from even a few short years ago with progress toward redevelopment clearly visible. The City seeks to revitalize and capture future growth in this area, advance necessary public improvements and offer redevelopment incentives for aging, vacant or outmoded parcels within the District aimed at stimulating a valuable lakefront district to positively contribute to the City's ongoing success.

At this time, the City of Oak Creek is creating TID #13 and amending TID #6 in order to designate TID #6 as a donor TID and TID #13 as a recipient TID. TID #6 is generating revenues above what was forecast, and the TID #13 area has incurred tremendous costs in planning for TID #13 including environmental investigation and remediation of properties within the District and will continue to incur significant costs in redevelopment of environmentally impacted properties within TID #13 which are able to be recouped with the designation of TID #6 as a donor TID to TID #13.

The proposed boundaries of TID #13 includes approximately 505.11 total non-wetland acres of older industrial uses. Many parcels are currently inactive or vacant and exhibit physical conditions of blight, deterioration, and a clear need for redevelopment. The blight study required in the Plan as part of the statutory process found that over 69% of the (non-wetland) area of the district meets the statutory definition of blight. The vacancies and the underutilization of the lakefront negatively impact property values and does not maximize the efficient use of the City's available land resources. The District is proposed to be designated as a blighted area district, as defined by Wis. Stat. § 66.1105(2)(ae)1 which provides a lifespan of up to 27 years and a 22-year spending period.

In accordance with the *2002 Oak Creek Comprehensive Plan* and the *2011 Lakefront Redevelopment Action Plan*, the City is exercising the opportunity to utilize all appropriate tools at its disposal to stimulate redevelopment at catalytic sites and provide financing for public and private improvements along the lakefront by capturing new incremental value within the boundaries of a new, fairly expansive district that includes properties in need of longer term strategic positioning for redevelopment as well as those with more immediate redevelopment value and potential. Targeted acquisition and redevelopment of city-owned land and other available parcels in the District and within one-half mile of its boundaries may, in the short-term, generate increment that may be used to construct new public infrastructure, offset extraordinary redevelopment costs and provide incentives for business improvements and expansion, in addition to promoting orderly and robust economic development in the coming years.

This Project Plan for TID #13 has been prepared in compliance with Wis. Stat. §66.1105. The Project Plan establishes the need for the District, lists proposed public improvements, provides

an estimated time schedule for completion of priority projects, and their estimated costs. This Project Plan is to be adopted by resolution by the Common Council on recommendation of the City Plan Commission as the official Plan and guide for public and private sector development within the boundaries of TID #13.

Implementation of the Project Plan and construction of the public improvements listed will require a case-by-case authorization by the Common Council. Public expenditures for projects listed in the Project Plan should, and will, be based on market conditions and the status of development at the time a project is scheduled for construction. The Common Council is not mandated to make the public expenditures described in this Plan, but is limited to the types of expenditures listed herein.

Changes to the types of projects will require a formal amendment to the Project Plan with public review (including meetings with the Joint Review Board and Plan Commission public hearing) and Common Council approval. Redistribution of project costs within the budget estimates will not require an amendment to the Plan, provided that the projects meet the purpose and intent of the District.

As required by Wis. Stat. §66.1105(4)(f), a copy of this Project Plan will be submitted to the Department of Revenue and used as the basis of their certification of Tax Increment District #13 in the City of Oak Creek.

#### Type of District, Size and Location

The District is proposed to be created as a Blighted Area District as defined by Wis. Stat. § 66.1105(2)(ae)(1), which provides a lifespan of up to 27 years and a 22 year spending period. The District is comprised of 36 parcels, totaling approximately 505.11 non-wetland acres – generally bounded by the Lake Michigan shore on the east, 5<sup>th</sup> Avenue on the west, E Oakwood Road on the south, and the Milwaukee Metropolitan Sewerage District Water reclamation facility's southern property line on the north. Within the Property Conditions Assessment found in Appendix A to this Plan the City has identified those properties within the District that meet the blighted property criteria supporting that designation. As of January 1, 2017, the base value of the land, improvements and personal property located within the District was \$4,487,200.

#### Estimated Total Project Expenditures

The purpose of TID #13 is to provide the necessary public infrastructure improvements and incentives needed to promote rehabilitation or conservation, encourage economic development, and increase property values. This Plan is written to provide funding for infrastructure improvements and other expenditures aimed at stimulating and enhancing economic development opportunities within the City of Oak Creek. During the 22-year expenditure period permitted under the Tax Increment Law, a total of \$36,377,400 in project costs, including finance charges and interest, is proposed.

The City expects to evaluate and use several alternative financing methods for the projects in order to provide overall lower costs of financing, preserve debt capacity, mitigate risk to the City, and provide other advantages as determined by the Common Council. The Common Council is not mandated to make the public expenditures in this Plan. The public expenditures are an itemization of eligible project costs that the City may undertake as well as a guide for the Plan Commission and Common Council to assist them in the decision-making process for public

expenditures. Redistribution of project costs within the total budget estimate will not require amendments to the Plan, provided that the project meets the purpose and intent of TID #13.

### Economic Development

As a result of the creation of this District, the City estimates that an additional land and improvements value of approximately \$172,737,796 (in 2017 dollars) may be created as a result of development and appreciation in the value of the existing properties. Section VII of this Plan provides general assumptions as to the timing of new development and associated values. In addition, creation of the District is expected to result in other economic benefits as detailed in the Summary of Findings hereafter.

### Expected Termination of District

Based on the Economic Feasibility Study located in Section VII of this Plan, this District is expected to generate sufficient tax increments to recover all project costs by the year 2038, within the 27-year maximum life of this District.

### Summary of Findings

As required by Wis. Stat. §66.1105, and as documented in this Project Plan and the exhibits contained and referenced herein, the following findings are made:

1. That “but for” the creation of this District, the development projected to occur as detailed in this Project Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City.
  - To support development within the District the City will need to make a substantial investment to pay for the costs of necessary public infrastructure and to close financing gaps as needed to make private development economically feasible. Due to extensive investment required, the City has determined that development of the area will not occur solely as a result of private investment. Accordingly, the City finds that absent the use of TIF, development of the area as described in the Plan is unlikely to occur.
2. The economic benefits of the Tax Increment District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements. In making this determination, the City has considered the following information:
  - As demonstrated in the Economic Feasibility Section of this Project Plan (see Section VII), the tax increments projected to be collected are expected to be sufficient to pay for the proposed project costs and provide a surplus of approximately \$28,901,922.
  - Redevelopment and/or expansion projects are expected to occur sporadically throughout the life of the District. Any increment generated by new residential, commercial or industrial construction may provide additional funding for infrastructure and development incentives.
3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.
  - If approved, the District’s creation would become effective for valuation purposes as of January 1, 2018. As of this date, the values of all existing development would be frozen and the property taxes collected on this base value would continue to be distributed

amongst the various taxing entities as they are now. Taxes levied on any additional value established within the District due to new construction, renovation or appreciation of property values occurring after January 1, 2018, would be collected by the District and used to repay the costs of TIF-eligible projects undertaken within the District.

- Since the development expected to occur is subject to extraordinary site and other costs and requires significant improvements to public infrastructure, it is unlikely to take place or in the same manner or timeframe without the use of TIF. Because the District will generate economic benefits that are more than sufficient to compensate for the cost of the improvements, the City reasonably concludes that the overall benefits of the District outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the “but for” test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the District is not created. As required by Wis. Stat. §66.1105(4)(i)4, a calculation of the share of projected tax increments estimated to be paid by the owners of property in the overlying taxing jurisdictions has been made and can be found in Appendix C of this Plan.
4. The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
  5. The equalized value of taxable property of the District, plus the value increment of all existing tax increment districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
  6. More than 50%, by area, of the real property within the District is determined to be blighted as defined in Wis. Stat. § 66.1333(2m)(bm).
  7. The Project Plan for the District is economically feasible and is in conformity with the Comprehensive Plan of the City.

## I. INTRODUCTION

The long-term redevelopment of Oak Creek’s lakefront has been the focus of planning and implementation efforts for the last several decades. As one of the City’s oldest areas with a significant industrial history the lakefront area continues to deal with the complex realities of environmental cleanup necessary to capture the full potential of the area. Over the past decade, the City and its partners have invested tens-of-millions of dollars into acquiring and assembling land, demolishing abandoned and dilapidated buildings, and assessing and cleaning up complex and significant environmental contamination. Today, the lakefront is at a major turning point with the majority of legacy buildings removed, environmental remediation and cleanup well underway, and the development of key public assets taking place. Given this recent and ongoing progress, the timing is right to put TID #13 in place to provide a powerful financial tool to facilitate additional public-private investment and partnership to transform the Oak Creek lakefront from idle former industrial land to a thriving lakefront destination.

## Redevelopment Vision

To guide the ongoing work and decision-making process for how redevelopment will occur, the City envisions the lakefront as a local and regional destination. The following vision statement will be central in guiding these redevelopment activities:

*Oak Creek's 500-acre Lakefront District is the community's recreation and residential destination. With over 1.9 miles of Lake Michigan shoreline taking advantage of spectacular view sheds from the existing vistas and bluffs as well as lake access within this project area alone. This district has approximately 250 acres of parkland, beach, pathways, beachfront. The Lakefront District offers an opportunity unique in the region for high value tax base growth complete with destination uses, new residential that fills unmet demand, and new employment opportunities within a new business center.*

## Redevelopment Goals

Redevelopment in TID #13 will capitalize on Oak Creek's lakefront and parkland assets through the:

1. Reuse of vacant or underutilized commercial and industrial sites, revitalizing brownfield sites with destination uses for community residents and visitors.
2. Increase of tax base through mixed use and high value development.
3. Implementation of sustainable land uses and development forms that will drive economic growth.
4. Enhancement of the quality of life and meeting the needs of residents in the adjacent neighborhoods.

## Redevelopment Concept

The intent of the Redevelopment Concept map (page 7) for TID #13 is to communicate the vision for creation of a mixed-use lakefront district in Oak Creek.

The Redevelopment Concept presented here is specific in that it identifies the priority reuse targets for the suggested areas within TID #13, each of which may offer distinct opportunities for new development and integration of existing uses. However, the Redevelopment Concept is also general in that the concept "bubbles" presented here are flexible—the use mix will not occur precisely as offered in the map, this is a starting point to advance the redevelopment vision. Each of the four areas shown in the redevelopment concept present the potential for a preferred type of development based on geography, existing and future infrastructure, past land use, future land use, proximity to other assets and amenities, environmental constraints, and the ability to balance environmental remediation with economic forces. A brief description of the envisioned development for each area follows.

## Commercial Gateway Area

- Redevelop for commercial uses that benefit from proximity to the Hwy 100, Hwy 32, and 5<sup>th</sup> Avenue Extension high-traffic area.



- Encourage commercial development that takes advantage of the area’s prominence as a gateway to Lake Vista Park, Bender Park and Lake Michigan, as well as serving existing and planned residential neighborhoods.

### **Mixed-Use Lakefront Gateway Area**

- Redevelop into mixed use neighborhood with commercial and residential development.
- Incorporate a mix of uses to maximize proximity to Lake Michigan, Lake Vista Park, and Bender Park. The mix of uses may include hospitality and or destination related uses such as a hotel with conference center restaurants, recreation, and other commercial destinations.
- Capitalize on the Lakefront Gateway location with commercial development at the highly visibly intersection of Lake Vista Blvd and 5<sup>th</sup> Ave. Mixed use development at this location could include neighborhood and park oriented businesses (café, sports rental, coffee, restaurants).
- Encourage residential development that takes advantage of views to Lake Michigan, parkland assets, and offers housing that is in demand in Oak Creek. This may include housing for active seniors looking to transition from their single-family homes in low density “horizontal” neighborhood, in addition development may include gradual care senior campus development.
- Visually and physically connect new developments to parkland and lakefront.

### **Mixed-Use North Area**

- Advance redevelopment that incorporates a mix of uses including business and residential that benefits from the parkland immediately east of the redevelopment area and Lake Michigan visibility.
- Encourage commercial development that may coordinate with MMSD South Shore Wastewater Treatment facility immediately north. Business growth in this area may include research and development, processing, renewable energy, waste and water technologies.
- Encourage medium density residential in this area that coordinates with adjacent uses, connects to nearby neighborhoods, and takes advantage of Lake Michigan and park views.
- Strengthen connections from this area to Hwy 32 and Hwy 100.

### **Residential Neighborhood Area**

- Encourage residential development in this area that takes advantage of proximity to Bender Park, developed with density similar to The Bluffs of Oak Creek neighborhood west of the railroad right-of-way. Development may incorporate multi-family along with single family.
- Establish connections from this area to the north and to the east, Bender Park and lakefront.

### LAKEFRONT REDEVELOPMENT CONCEPT



## **II. DESCRIPTION OF HOW TAX INCREMENT DISTRICT #13 WILL PROMOTE THE ORDERLY DEVELOPMENT OF THE CITY OF OAK CREEK**

Tax Increment District #13 has been created to promote the orderly development of the Lakefront District in the City of Oak Creek. The District allows the City to work with the stakeholders to redevelop available parcels in the area, and provide economic development incentives to retain and expand existing businesses, while also attracting new firms. The District will also help to finance critical road, utility and parking improvements needed to service the surrounding area.

While not all projects will require some form of TIF assistance, all of them are likely to generate tax increment that would provide revenue to the District that could be used to help fund some of the planned public improvements that would serve Lake Vista Park, Bender Park, and other expected redevelopment sites, each of which have substantial acquisition, infrastructure and site preparation costs that often hinder the market viability of redevelopment projects at former heavy industrial sites. Accordingly, the creation of a TID #13 now allows the City to capture the incremental growth necessary to offset these kinds of costs, allowing catalytic projects to move forward. Further, TID #13 provides a critical financing tool to position the Oak Creek lakefront as the next premier redevelopment site in the City, building on the momentum and excitement that the City is already experiencing at several other key redevelopment sites.

The City has and will continue to work with private sector partners to recruit retail, commercial, manufacturing, and office development to the community for the purposes of providing jobs with living wages, increasing the tax base, and encouraging spin-off development and consumer spending within the community. Redevelopment in TID #13 is best served by a District that specifically allocates new increment to inducing new residential, commercial, and industrial uses that will complement the character of the area and are sustainable developments.

## **III. TAX INCREMENT DISTRICT BOUNDARY DESCRIPTION AND EQUALIZED VALUES**

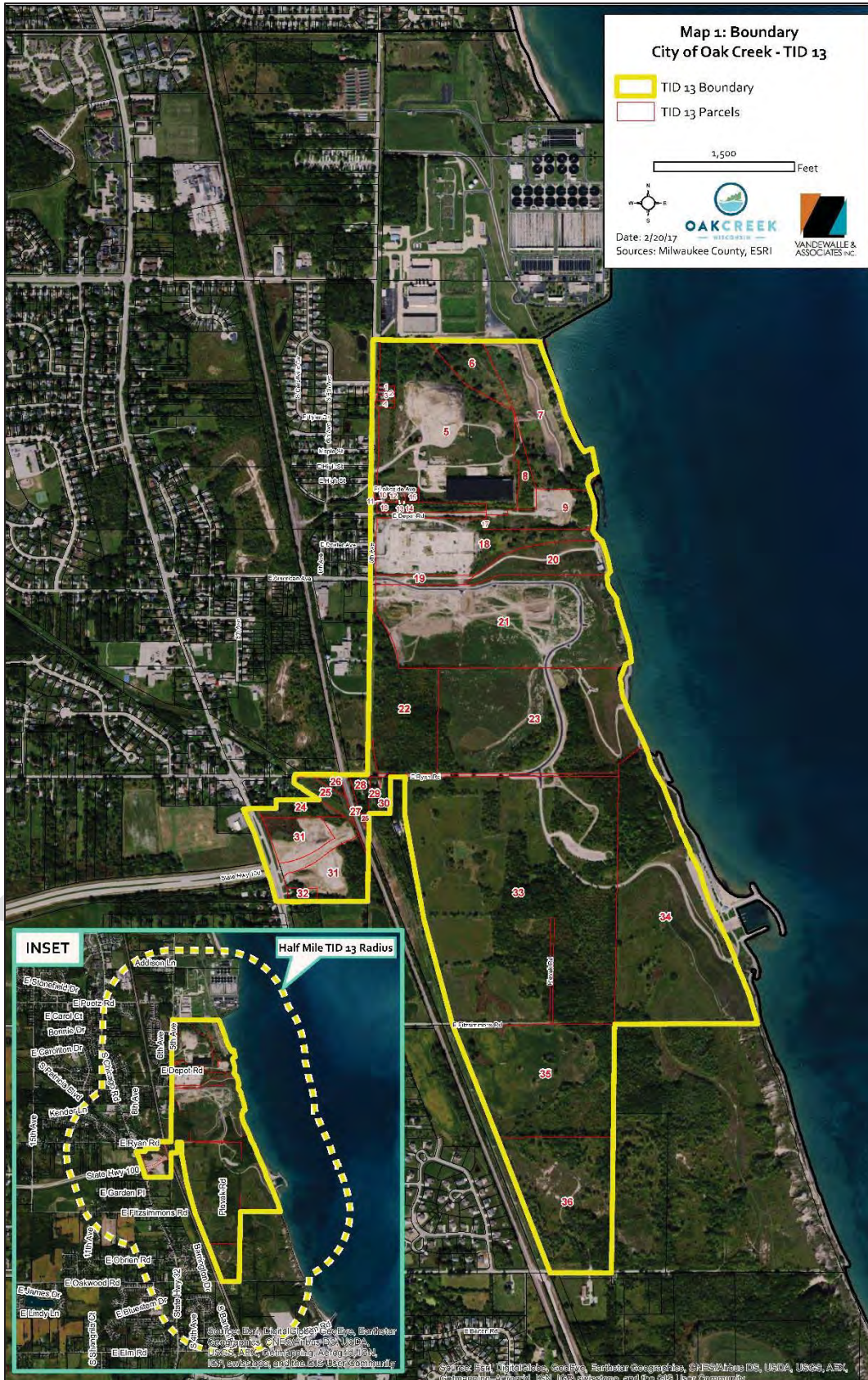
The boundaries of TID #13 are officially designated on the TID #13 Boundary Map and include the parcels listed in Table 1 below. The boundary includes mostly A-1 Limited Agriculture, P-1 Park, Rm-1 Multi-family Residential, Rs-1 Single Family Residential, and B-4 Highway Business. In addition, there are a number of (small) parcels zoned Rs-4 Single Family Residential, two parcels zoned I-1 Institutional, and one parcel zoned B-2 Community Business. The District covers 505.11 acres with approximately 1.4 miles of Lake Michigan shoreline on the eastern boundary, East Oakwood Road at the south, Chicago Road/State Highway 32 to the west, following 5<sup>th</sup> Avenue north to the southern property line of the Milwaukee Metropolitan Sewerage District South Shore Water Reclamation Facility on the north. A full legal description of the District is included in Appendix B.

As of January 1, 2017, the real and personal property in TID #13 had an equalized assessed base value of \$4,487,200, and the City's total equalized value was \$3,108,897,900. TID #13 base value, plus \$93,921,600 in value increment in the five existing TIF districts, equals \$98,408,800 or 3.17% of the City's total. This is less than the 12% maximum currently permitted under the Tax Increment Law.

**TABLE 1: PARCEL LIST AND ASSESSED VALUES**

Map VA ID	Tax Key	Owner	Address	Acres	Assessed Land Value 2017	Assessed Improvement Value 2017	Assessed Total Value 2017	Personal Property 2017
1	8669997000	MICHAEL J & DEBRA WOZNIAK	8860 S 5 <sup>TH</sup> AVE	0.24	36,300	112,900	149,200	
2	8669996000	JULIE R ROMAN	8864 S 5 <sup>TH</sup> AVE	0.24	36,300	106,100	142,400	
3	8669995000	CODY J KNOBLOCK	8872 S 5 <sup>TH</sup> AVE	0.24	36,300	100,800	137,100	
4	8669994000	GREGORY RADTKE	8882 S 5 <sup>TH</sup> AVE	0.36	42,400	78,700	121,100	
5	8669001000	OAK CREEK LAKESIDE LAND HOLDINGS LLC	8850 S 5 <sup>TH</sup> AVE	46.14	1,018,700	204,400	1,223,100	
6	8669002000	CITY OF OAK CREEK	8730 S 5 <sup>TH</sup> AVE	6.08	0	0	0	
7	8669004000	CITY OF OAK CREEK	8940 S 5 <sup>TH</sup> AVE	22.11	0	0	0	
8	8669003000	CITY OF OAK CREEK	9010 S 5 <sup>TH</sup> AVE	2.93	0	0	0	
9	8669989001	FIFTH PROPERTY LLC	4301 E DEPOT RD	8.18	404,700	0	404,700	
10	8669991000	RUSLAN BACHMAGA	9030 S 5 <sup>TH</sup> AVE	0.31	55,700	258,300	314,000	
11	8669990000	RANDY J WUKOMAN	9050 S 5 <sup>TH</sup> AVE	0.25	32,700	108,400	141,100	
12	8660001001	MILWAUKEE COUNTY	4025 E LAKESIDE AVE	0.17	0	0	0	
13	8660002001	KELLY KRYSIAK	4033 E LAKESIDE AVE	0.17	32,800	87,300	120,100	
14	8660002002	GREGORY A UEBERFLUSS	4053 E LAKESIDE AVE	0.08	26,600	89,000	115,600	
15	8660003000	SARA E WEINHOLD	4059 E LAKESIDE AVE	0.41	47,800	78,900	126,700	
16	8669988000	C & NW TRANS CO	9060 S 5 <sup>TH</sup> AVE	2.67	0	0	0	
17	8660004000	MILWAUKEE COUNTY	4167 E DEPOT RD	0.05	0	0	0	
18	8689999001	CONNELL ALUMINUM PROPERTIES, LLC	9100 S 5 <sup>TH</sup> AVE	19.67	769,700	0	769,700	
19	8689001000	CITY OF OAK CREEK	9170 S 5 <sup>TH</sup> AVE	2.33	0	0	0	
20	8689002000	CITY OF OAK CREEK	9160 S 5 <sup>TH</sup> AVE	7.59	0	0	0	
21	8689996002	CITY OF OAK CREEK	9180 S 5 <sup>TH</sup> AVE	56.76	0	0	0	
22	8689994002	BOERKE FAMILY TRUST, EDISON M	9300 S 5 <sup>TH</sup> AVE	21.17	0	0	0	
23	8689993001	CITY OF OAK CREEK	4240 E RYAN RD	56.23	0	0	0	
24	9129996001	HOWARD A MACMILLAN REVOCABLE TRUST	9546 S CHICAGO RD	1.76	6,600	0	6,600	
25	9129997001	WIS ELEC POWER CO	3965 E RYAN RD	2.43	0	0	0	
26	9129998000	CITY OF OAK CREEK	3941 E RYAN RD	0.46	39,100	0	0	
27	9129928000	C & NW TRANS CO	3955 E RYAN RD	1.79	0	0	0	
28	9129999000	DERICK J SLAMKA	3981 E RYAN RD	1.50	86,400	2,500	88,900	
29	9139995000	CITY OF OAK CREEK	4005 E RYAN RD	1.00	0	0	0	
30	9139996000	CITY OF OAK CREEK	4019 E RYAN RD	1.00	0	0	0	
31	9129995003	9648 SOUTH CHICAGO ROAD, LLC, A WI LLC	9648 S CHICAGO RD	10.64	3,100	0	3,100	
32	9129994002	9666 SOUTH CHICAGO ROAD, LLC, A WI LLC	9666 S CHICAGO RD	0.97	83,100	55,200	138,300	
33	9139999001	MILWAUKEE COUNTY	4341 E RYAN RD	105.18	0	0	0	
34	9149999000	MILWAUKEE COUNTY	4503 E RYAN RD	61.96	0	0	0	
35	9179999001	C/O CAPITAL CROSSING SERVICING CO LLC ALBA REO, LLC	4301 E FITZSIMMONS RD	33.45	14,600	0	14,600	
36	9179998000	C/O CAPITAL CROSSING SERVICING CO LLC ALBA REO, LLC	4340 E OAKWOOD RD	28.61	470,900	0	470,900	
<b>TOTAL</b>				<b>505.11</b>	<b>\$3,243,800</b>	<b>\$1,282,500</b>	<b>\$4,487,200</b>	<b>\$4,487,200</b> Base Value

### TID #13 BOUNDARY MAP

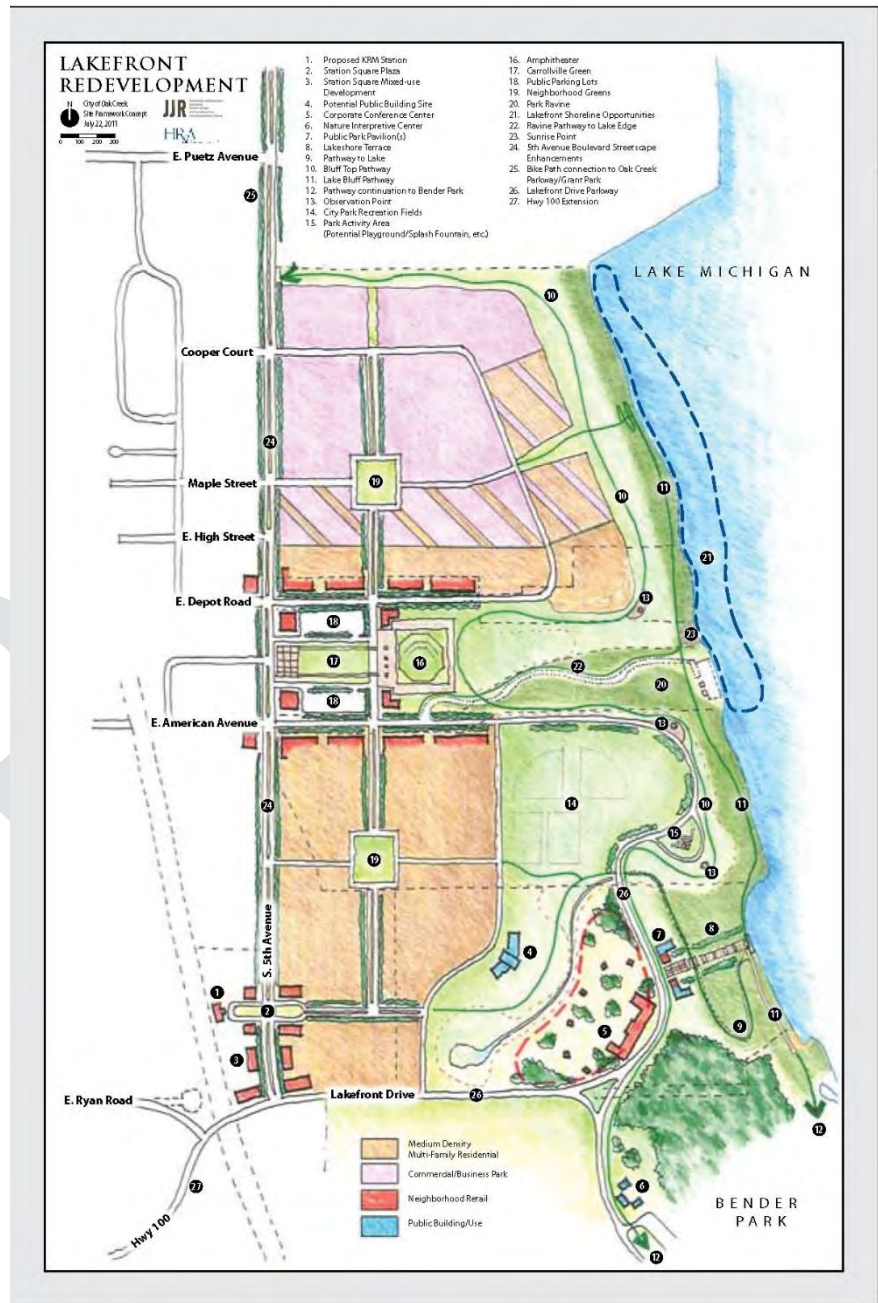


### IV. EXISTING USES AND CONDITIONS OF REAL PROPERTY

The Zoning Map reflects current zoning designations in TID #13, comprised of a mix of A-1 Limited Agriculture, P-1 Park, Rm-1 Multi-family Residential, Rs-1 Single Family Residential, Rs-4 Single Family Residential, B-2 Community Business, B-4 Highway Business, and I-1 Institutional. The 2002 Oak Creek Comprehensive Plan and the 2011 Lakefront Redevelopment Action Plan allows the City to rezone property when and if demand for rezoning takes place in order to maintain compatibility with the Future Land Use Map.

The Existing Land Use Map depicts existing land uses for the District. Lands within the District are predominantly used for passive recreation, general industrial, vacant/agricultural, and institutional purposes as consistent with the history of the area and consistent with the historic uses along the lakefront in southeastern Wisconsin. A small number of Single and Two-Family Residential properties are also part of the District. The District is adjacent to Single and Two-Family Residential uses to the west and southwest and institutional uses to the north and south.

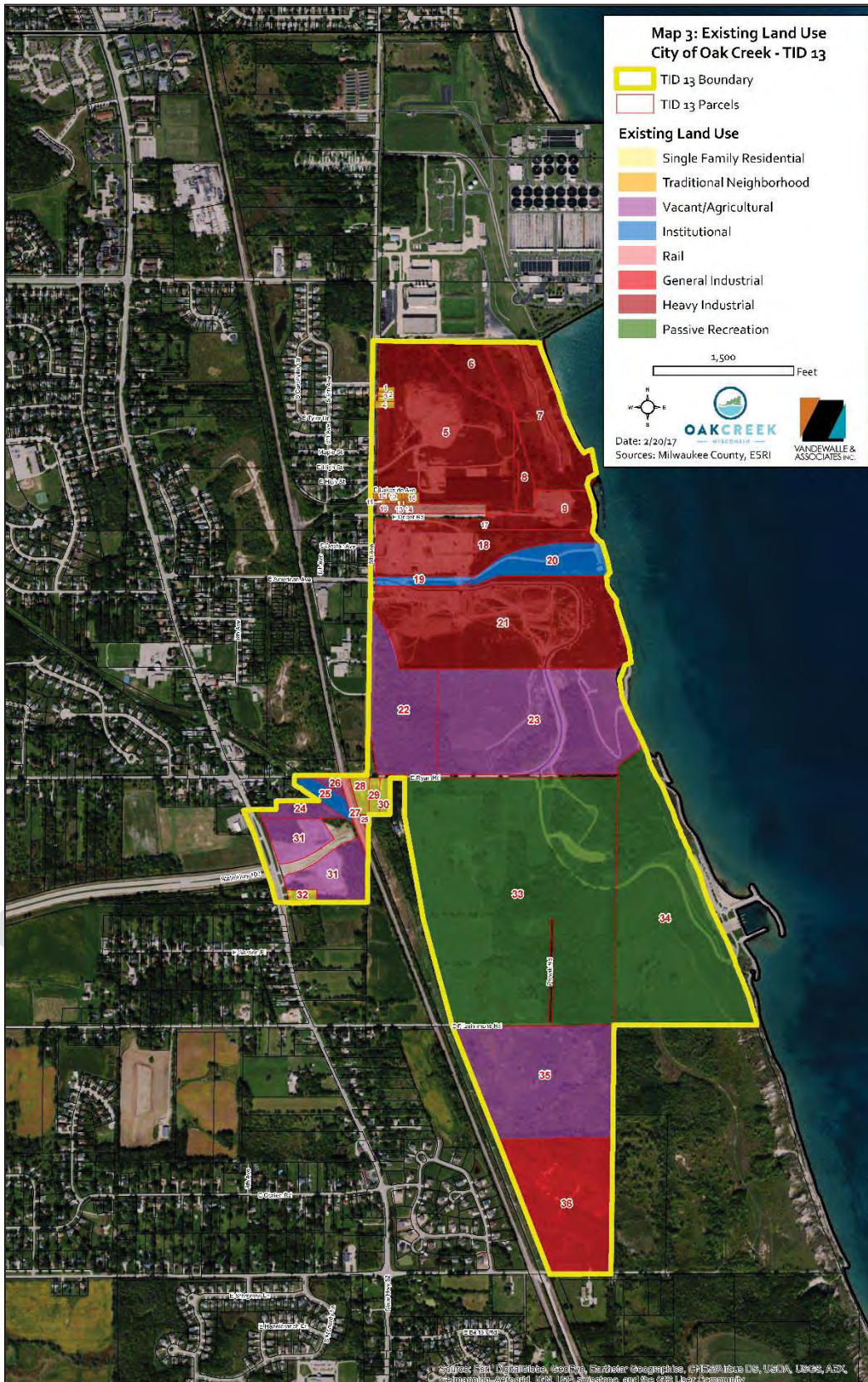
More than 50%, by area, of the real property within the District (333.57 of 505.11 acres, or 66.0%) is determined to be blighted, as defined in Wis. Stat. § 66.1331(3)(a). A parcel-by-parcel assessment of conditions meeting statutory criteria is shown in Appendix A.



2011 Lakefront Redevelopment Action Plan Map

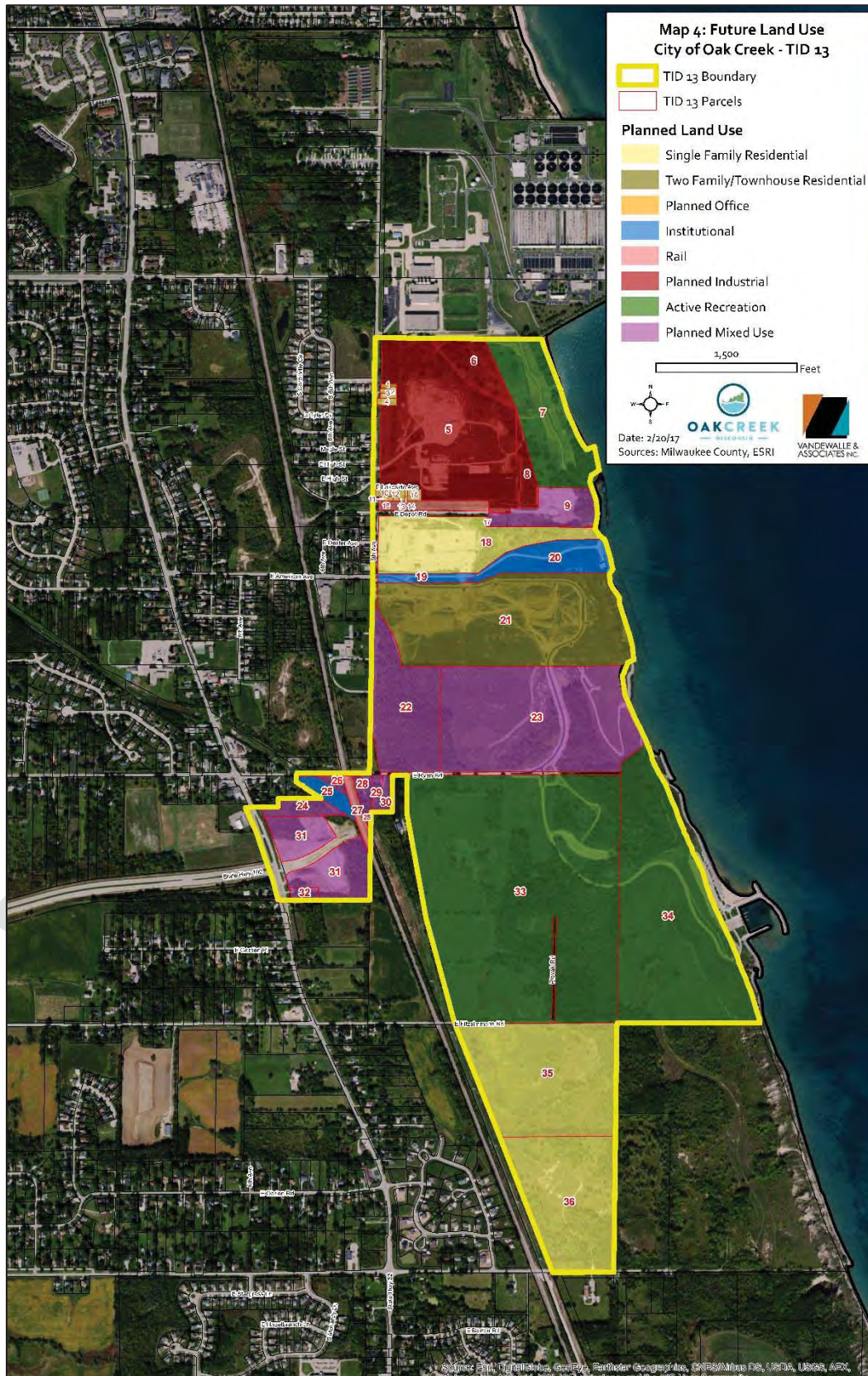


### Existing Land Use Map





### FUTURE LAND USE MAP FROM 2002 OAK CREEK COMPREHENSIVE PLAN



## V. PROPOSED PUBLIC WORKS AND OTHER PROJECTS AND ESTIMATED COSTS

Per the Joint Review Board's approval of this TID #13 Project Plan, the total level of authorized spending on direct project costs for TID #13 will be \$27,520,000 exclusive of interest and finance charges, to facilitate growth and development over the District's 27-year life. As shown on Tables 6 and 7 in Section VII, the City anticipates additional interest and finance charges of approximately \$8,857,400 for total expenditures of \$36,377,400.

Below are descriptions of the major public improvement categories, which are necessary and standard improvements for eliminating blight and promoting redevelopment of blighted areas or those in need of rehabilitation or conservation work. In addition to a general description, each category contains a list of specific types of proposed expenditures. These project expenditures are listed in Table 2, and their general locations shown on the Proposed Improvements and Uses Map.

Priority Expenditures are those that the City intends, but is not required, to undertake based on the projected tax increments to be received from the future redevelopment projects described in Section VII.

Expenditures within a half-mile are those priority projects, or portions thereof, that may occur within one-half mile of the District boundary per Wis. Stat. §66.1105(2)(f)1.n. and are shown in the descriptions below with an asterisk (\*). In most cases, projects outside of the District boundary are incidental to or extensions of projects within the boundary that continue out of the District in order to be fully complete and of the greatest benefit to the District and City. All other expenditures within a half-mile not specifically identified herein will require an amendment to this Project Plan and approval of the Joint Review Board.

Consistent with the goals and purposes of the District as articulated in this Project Plan, all project expenditures are intended to promote orderly development, stimulate commercial revitalization, create jobs, enhance the value of property, and broaden the property tax base of the City of Oak Creek and the overlying taxing jurisdictions. Below are descriptions of those projects that are considered necessary and standard costs for promoting redevelopment within the District. In addition to a general description of eligible costs, some project categories contain a list of priority projects the City intends - but is not required - to undertake based on the projected tax increments to be received from property in the District.

Implementation and construction of the proposed projects identified herein will require case-by-case authorization by the Common Council. Public expenditures for projects listed in this Project Plan should and will be based on market conditions and the status of development at the time a project is scheduled for construction. The Common Council is not mandated to make the public expenditures described in this Plan. Redistribution of project costs within the total spending estimate will not require an amendment to the Project Plan provided that the expenditures meet the purpose and intent of the District as expressed in the Plan. Scheduling of project activities will be monitored to ensure that the projected economic stimulation is occurring prior to proceeding with other project activities. This monitoring will occur on an annual basis. If economic conditions are not altered by the proposed project activity, other project activities may be delayed and/or removed from the project schedule. The goal of the proposed projects is to

provide the public improvements and inducements necessary to attract and stimulate private reinvestment and redevelopment.

The project costs shown in Table 2 are preliminary estimates provided by City departments and its consultants that may be adjusted and refined. The adjustments and refinements may include changing the year in which a project activity is undertaken and reallocating the cost of specific projects within the limitation of the total estimated project costs. The City reserves the right to increase these costs to reflect inflationary increases and other uncontrollable circumstances between 2017 and the time of construction. The City also reserves the right to increase certain project costs to the extent others are reduced or not implemented without amending the Project Plan. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of this Project Plan. Other adjustments to this Project Plan will be made on the recommendation of the Plan Commission to be reviewed and acted upon by the Common Council.

### **1. Capital Costs\***

These costs may include, but are not limited to: the actual costs of the construction of public works or improvements; new buildings, structures, and fixtures; the demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures and fixtures other than the demolition of listed historic properties; the use of sustainable (“green”) building features and renewable and on-site energy systems; the acquisition of equipment to service the District; the removal or containment of, and the restoration of, soil or groundwater affected by environmental pollution; the clearing and grading of land, and waterway improvements to improve navigation, recreation and water quality. Also included are on-street and off-street parking facility improvements including: repair, expansion, reconfiguration and construction of existing and new parking facilities; developer assistance with parking; directional and regulatory signage; landscaping, screening and beautification of parking facilities; and similar improvements necessary to serve the parking needs of the District. Such project may occur within the District or within a half-mile of the District as necessary to further District goals. The cost of land acquisition, design, construction management, and other soft costs related to any of the above also may be included.

**Streetscaping** - These costs may include, but are not limited to the planning and the actual costs of the construction of public works or improvements. These streetscaping elements may improve the aesthetics and functionality of the public streetscape and public domain adjacent to private development including landscaping, screening and beautification of facilities, installation of street furniture, trash receptacles, planters, public art, wayfinding signage, and any other streetscape elements that adds to the unique character appropriate for a lakefront district such as this one, enhances existing and planned amenities, and enhances integration of public and private space. Such projects may occur within the District or within a half-mile of the District as necessary to further District goals. The cost of land acquisition, design, construction management, and other soft costs related to any of the above also may be included.

**Public Parking Improvements** – These costs may include, but are not limited to the planning, design, and the actual costs of the construction of public works or improvements to public parking facilities at the lakefront. Public parking improvements under this category include repairs, aesthetic improvements, design, organization,

configuration, wayfinding, access to, amenities on, and integration with the street and lakefront businesses at all public parking facilities. Such projects may occur within the District or within a half-mile of the District as necessary to further District goals. The cost of land acquisition, design, construction management, and other soft costs related to any of the above also may be included.

**Public Facility and Structure Improvements** – These project costs may include, but are not limited to the planning, design, and the actual costs of the construction of public facilities and structures or the improvement of existing public facilities and structures. Potential projects under this category include, but are not limited to the construction of roadways and improvements in public use spaces. Such projects may occur within the District or within a half-mile of the District as necessary to further District goals. The cost of land acquisition, design, construction management, and other soft costs related to any of the above also may be included.

**Utility Upgrades and Improvements** – These project costs may include, but are not limited to the planning, design, and the actual costs of the construction of utility upgrades and improvements. As redevelopment and investment occurs at catalytic sites, utilities may need to be relocated, upgraded, and improved. This category may include but is not limited to projects such as undergrounding above ground powerlines, upgrading and improving subsurface infrastructure in public rights-of-way as well as on private development sites, and any other utility upgrades or improvements that contribute to the orderly development within the District. Such projects may occur within the District or within a half-mile of the District as necessary to further District goals. The cost of land acquisition, design, construction management, and other soft costs related to any of the above also may be included.

**Miscellaneous Capital Costs** – This category covers any additional projects that may be identified by the City in the future which may not be listed within the body of this document. As additional lakefront development occurs within the District the City will identify specific capital improvement projects necessary to continue advancing lakefront investment and development. Such projects may occur within the District or within a half-mile of the District as necessary to further District goals. The cost of land acquisition, design, construction management, and other soft costs related to any of the above also may be included.

#### Proposed Capital Improvement Projects

- a. **Bender Park Upper Lot Repaving:** This project is to resurface and stripe the upper lot at Bender Park to enhance the existing parking facility to better serve visitors using the trail system.
- b. **Fish Cleaning Station:** This project will include the design and construction of a fish cleaning station and shelter near the marina in Bender Park.
- c. **Lake Vista Boulevard Improvements:** This project is intended to provide reconstruction of the section of Roadway from 5<sup>th</sup> Avenue east to Lake Vista Parkway to enhance the roadway to an appropriate standard for current uses and in anticipation of future development.
- d. **Bender Park Access Road Resurfacing:** This project includes the reconstruction of the Bender Park access road from Lake Vista Boulevard to the boat launch.

- e. **Bender Park Pathway Extension:** This project includes the extension of a paved 10-foot-wide multi-use pathway from Bender Park north along the bluff to Lake Vista Park.
- f. **North Mixed Use Area Utility Upgrades:** These costs are related to the engineering and construction of the necessary upgraded sewer and water infrastructure for the North Mixed Use Area of the District.
- g. **Oakwood to Ryan Road Sewer Service Extension:** These costs are for the extension of sewer from East Oakwood Road to Lake Vista Boulevard (Ryan Road) to serve development in the District including in the Mixed-Use Lakefront and North Mixed-Use Areas.
- h. **5th Avenue Corridor Improvements:** These costs are for any streetscaping, landscaping, or other enhancements to improve the aesthetic quality of the 5<sup>th</sup> Avenue corridor to contribute to orderly development in the District.
- i. **Highway 100 Corridor Improvements:** These costs are for any streetscaping, landscaping, or other enhancements to improve the aesthetic quality of the Highway 100 corridor to contribute to orderly development in the District.
- j. **Lake Vista Park Gateway Development:** These costs are for the construction and installation of gateway features as the entrances to Lake Vista Park to enhance the user experience and create a sense of unity and cohesiveness for the visitors. These improvements may take into consideration design and site layout of private development sites.
- k. **Mixed Use Lakefront Gateway Utility Upgrades:** These costs cover the costs to develop sewer and water service for the lots targeted for future private development including several on property currently owned by the City of Oak Creek.
- l. **Mixed Use Lakefront Gateway Internal North-South Road:** These costs cover the construction of a north-south roadway to serve private development efforts and provide additional circulation through the District.

## 2. Demolition, Remediation, and Site Preparation\*

TID #13 is a blighted TID area with blighted existing structures on these properties which are not likely to be reused as part of future redevelopment activities, whether on City-owned or private land, during the life of the District. Surveys for asbestos and other potential contaminants have not been conducted by the City in any of these structures, but the age and construction types suggests that such contaminants may be present. Further, significant post-demolition regrading and other site preparation activities also are anticipated. Accordingly, expenditures of this type may occur anywhere in the District in addition to the three project areas listed below.

### Proposed Demolition, Remediation, and Site Preparation Projects

- a. **Northern Mixed Use Area Remediation and Site Preparation:** This category is to account for costs incurred for activity related to the ongoing environmental and site preparation work that may need to take place on properties in the northern portion of the District including remediation activities and site preparation necessary to advance redevelopment such as earth moving, wetland mitigation, capping, and more.
- b. **Mixed Use Lakefront Gateway - Remediation and Site Prep:** This category is to account for costs incurred for activity related to future remediation and site

preparation within the Mixed-use Lakefront Gateway Area to address needs for future development.

- c. **Additional Demolition, Remediation, Site Preparation:** This category is to account for costs incurred for activity related to the demolition and removal of any remaining structures in the and site preparation such as grading, filling, grubbing, etcetera in the District that may be critical to the overall redevelopment effort.

### **3. Property Acquisition and Relocation\***

These costs include, but are not limited to, any deficit incurred resulting from the purchase of property for public use or the resale or lease as lessor by the City of real or personal property within the District or within one-half mile for consideration that is less than its cost to the City. Also included are relocation payments made in certain circumstances as the result of the City acquiring property within the District.

#### A Note on Property Acquisition

The District is intended to promote a high-quality mix of residential, commercial and industrial development, redevelopment and expansion. While there are no specific plans to acquire additional real estate within the District, the City may wish to purchase land for redevelopment or easements for public infrastructure purposes, as well as to qualify for grants and other forms of assistance from state and federal agencies. The City may also wish to offer publicly held land at no or significantly reduced cost in order to attract new business development.

### **4. Economic Development Incentives**

These costs include, but are not limited to, cash grants, loans, incentives, and any expenditures of the type described in any of the other categories listed in this section by or on behalf of a developer in order to induce development and ensure project feasibility. All development projects that receive some form of direct or indirect TIF participation will first enter into a development agreement approved by the Common Council that specifies the terms of the TIF contributions and the obligations of the receiving property or business owner. Such contributions may be in the form of direct cash grants or in “pay-as-you-go” payments over time.

Economic Development Incentive payments may be provided to land owners, businesses or lessees anywhere within the District. Incentives for properties within one-half mile of the District boundary, intended primarily to assist homeowners in the neighborhood adjoining the District to make external and internal repairs and improvements to their properties in order to maintain the safety, health and vibrancy of the neighborhood and the District, are also authorized under this Plan.

Due to the significant and well documented heavy industrial history and land use in the District, economic development incentives may be a crucial tool to bridge resource gaps and make redevelopment economically feasible. The amount spent on such half-mile expenditures shall not exceed ten percent of total District expenditures over the life of the District. The amount and form of TIF participation for a particular project, if any, will be determined on a project-by-project basis as described in a project development agreement depending upon a project’s specific needs, funding availability, and the project’s consistency with the goals and objectives stated in this Plan and other City plans and policies.

## **5. Administration and Professional Services**

Project costs include, but are not limited to, costs incurred for architectural, planning, engineering, financial, marketing and market analysis, legal advice, and other services necessary to implement this Plan. The Allocation Amendment of TID #6 (donor TID) to TID #13 (recipient TID) provides for costs incurred in this category to be funded in part by allocation from TID #6.

Other services covered in this general category may include developer recruitment and negotiations, capital improvement and infrastructure design, site design, public space design, and similar services whether conducted by City staff, contractors, or one or more of the City's partner agencies such as the Community Development Authority or Chamber of Commerce. In addition, these costs include ongoing administration of the District, including cost recovery for service demands necessitated by and specific to the District's development as well as the completion of required annual reports, forms and audits, and similar efforts.

## **6. Miscellaneous Redevelopment Funding**

Active project management will be for successful implementation of the TID #13 Project Plan. It is the intent of the Oak Creek Common Council to offer a wide range of services which may include, but are not limited to: recruitment of appropriately-qualified developers for each potential redevelopment site; marketing the District for potential businesses; providing low-interest loans and/or interest write-downs for property rehabilitation and redevelopment; providing grants for site acquisition and preparation; and cost recovery for service demands necessitated by and specific to the District's development. In addition, implementation of this Plan may include the following general tasks, which City staff, contractors or partner organizations may reasonably undertake at the City's discretion:

- Conducting more detailed planning and engineering studies;
- Developing more refined land use and redevelopment plans for implementation;
- Developing standards for which development within the District will need to conform;
- General guidance and referral of actions to other City committees and the Common Council;
- Establishing and managing an economic development master fund;
- Identifying and applying for additional non-TIF revenue sources such as grants;
- Public infrastructure construction oversight;
- Developing and implementing a business marketing plan;
- Developer recruitment;
- Business recruitment;
- Preparation of annual reports and submittal of required forms and fees to the state Department of Revenue; and
- Conducting audits.

## **7. Finance Charges and Capitalized Interest**

Finance charges and interest include, but are not limited to, interest paid on debt obligations incurred to pay for project costs, debt issuance costs, capitalized interest, coverage and reserve funds, and costs of redemption prior to maturity. This also may include interest paid to developers under pay-as-you-go provisions included in an approved development agreement.

### 8. Donations to Other Districts

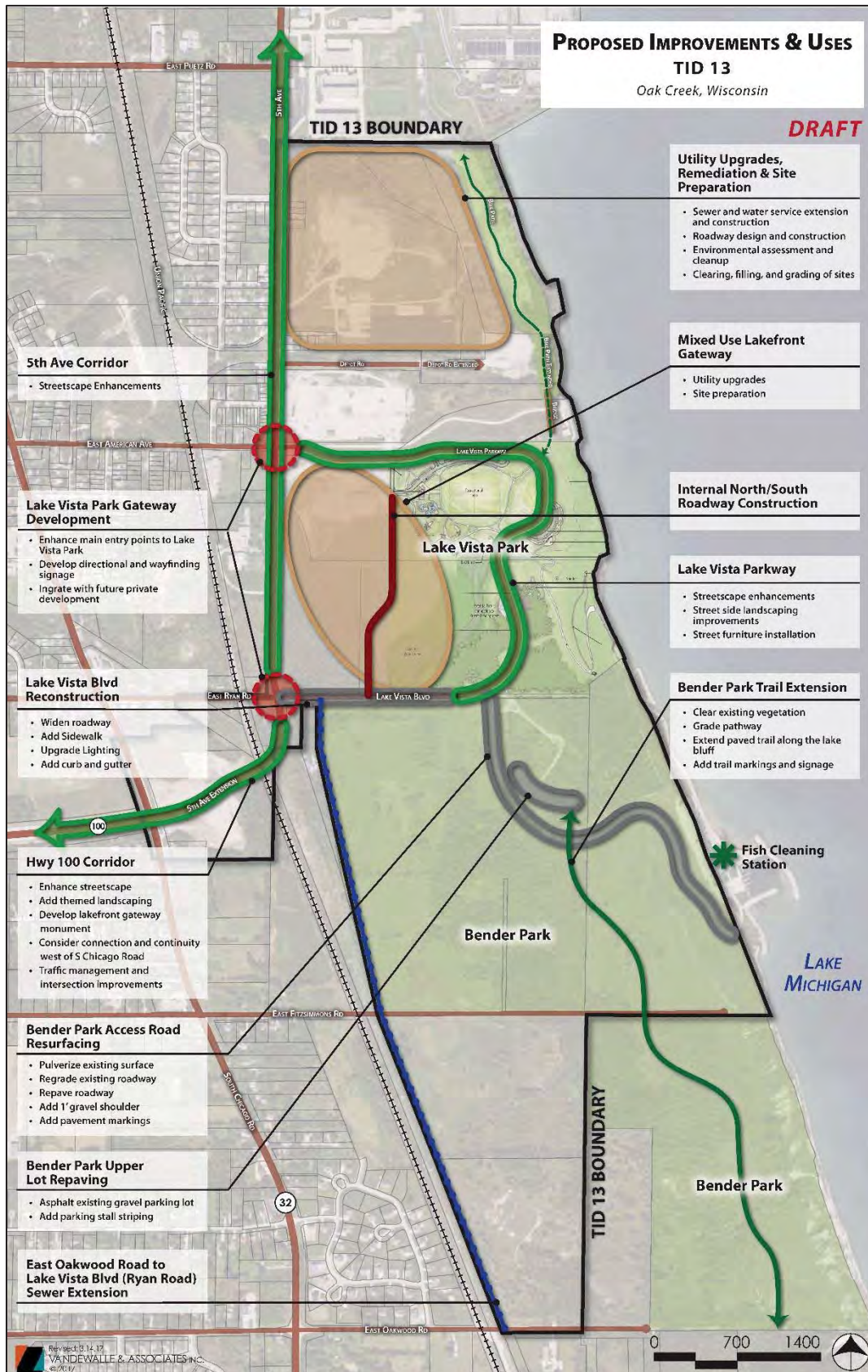
Allocations of surplus increment to other qualifying tax increment Districts within the City are authorized in accordance with Wis. Stat. §66.1105(6)(f). While no such donations are anticipated under this Plan, once all other obligations of the District have been met on an annual basis, and subject to available increment, the City may elect to allocate increment from TID #13 to other qualifying Districts by amending the list of eligible project costs in this Plan pursuant to Wis. Stat. §66.1105(4)(h)

**TABLE 2: PROPOSED IMPROVEMENTS AND ESTIMATED COSTS**

Proposed Improvements		Estimated Project Costs
<b>1</b>	<b>Capital Costs (including potential expenses within ½ mile) *</b>	<b>\$ 10,220,000</b>
a.	Bender Park Upper Lot Repaving	\$ 120,000
b.	Fish Cleaning Station	\$ 126,292
c.	Lake Vista Boulevard Improvements	\$ 666,990
d.	Bender Park Access Road Resurfacing	\$ 237,631
e.	Bender Park Pathway Extension	\$ 312,337
f.	North Mixed Use Area Utility and Road Upgrades	\$ 1,000,000
g.	Oakwood to Ryan Road Sewer Service Extension	\$ 4,491,855
h.	5 <sup>th</sup> Avenue Corridor Improvements	\$ 45,000
i.	Highway 100 Corridor Improvements	\$ 45,000
j.	Lake Vista Park Gateway Development	\$ 25,000
k.	Mixed Use Lakefront Gateway Utility Upgrades	\$ 1,549,895
l.	Mixed use Lakefront Gateway Internal North-South Road	\$ 1,600,000
<b>2</b>	<b>Demolition, Remediation, and Site Prep*</b>	<b>\$ 6,000,000</b>
<b>3</b>	<b>Property Acquisition and Relocation*</b>	<b>\$ 1,000,000</b>
<b>4</b>	<b>Economic Development Incentives*</b>	<b>\$ 6,500,000</b>
<b>5</b>	<b>Administration and Professional Service (Planning, Legal, TID Creation)</b>	<b>\$ 2,800,000</b>
<b>6</b>	<b>Miscellaneous Redevelopment Funding</b>	<b>\$ 1,000,000</b>
<b>7</b>	<b>Finance Charges and Capitalized Interest</b>	<b>\$ 8,857,400</b>
<b>Total Estimated Project Costs</b>		<b>\$ 36,377,400</b>
<b>Total Projected Tax Increment</b>		<b>\$ 65,279,322</b>



**PROPOSED IMPROVEMENTS AND USES MAP**



## VI. NON-TAX REVENUES AND NON PROJECT COSTS

Non-Project costs are public works projects that only partly benefit the District or are not eligible to be paid with tax increments, or costs not eligible to be paid with TIF funds. The City does not expect to incur any non-project costs in the implementation of this Plan.

## VII. ECONOMIC FEASIBILITY ANALYSIS

The information and exhibits contained within this section demonstrate that the proposed District is economically feasible insofar as:

- The City has available to it the means to secure the necessary financing required to accomplish the projects contained within this Plan.
- The City expects to complete the projects in multiple phases and can adjust the timing of implementation as needed to coincide with the pace of redevelopment.
- The development anticipated to occur as a result of the implementation of this Plan will generate sufficient tax increments to pay for the cost of the projects.

Table 2: Priority Projects and Estimated Costs (Section V), lists priority projects and provides an estimated cost for each over the three expenditure phases throughout the District's life. Hard costs are expected to be borrowed for and built within a 1-2 year timeframe, while soft costs for discretionary payments, administration and professional services, and finance charges/interest represent ongoing expenses. All costs are shown in 2017 dollars.

Within this section are several additional tables that, together, provide a cash flow model demonstrating that the projected tax increment collections and all other revenues available to the District will be sufficient to pay all project costs.

Each project will need to be addressed on an individual basis through negotiations and a review of project finances ultimately resulting in a development agreement. Each project also will be reviewed in a manner addressing the criteria of job creation, tax increment creation, and similar development criteria. One development project may address certain criteria while another may address different criteria. Consequently, the Common Council will review each project individually and make its determinations based on the project's implementation goals. The City reserves the right to implement only those projects that remain viable as the Plan period proceeds.

Table 3: Development Assumptions along with the Redevelopment Concept, provide a more detailed schedule of expected development in TID #13, based on the potential for expansion or redevelopment potential of selected parcels, generally assumed to take place within the first ten years of the District's life. The actual pace of development is difficult to predict, but it is the City's goal to capture increment value from new construction projects to spur additional growth within the District over the next 27 years. A conservative estimate places the value increment from new construction within the District at approximately \$ 172,737,800, with several near-term projects expected to occur beginning in 2022. Development from 2023 to 2043 is expected to be spread evenly with major upticks in development occurring every three to five years around major projects. It is estimated that the development of single family residential occurs at an even pace from 2028 to 2043 on the 72 acres at the southern portion of the district.

Table 4: Tax Increment Projections, estimates the tax increment to be generated from new construction in the District (Table 3). Note that there is a one-year lag until the value of new construction is added to the tax roll and a two-year lag until the project generates tax increment. Based on the type and intensity of development estimated to occur, new construction in the District is projected to yield tax increment revenues of \$65,279,322 (in 2017 dollars). Increment estimates are based on assessment data for comparable properties currently paying taxes in the City of Oak Creek and surrounding municipalities.

Financing for certain priority projects listed in Table 2 will be made on a case-by-case basis. The borrowing could be a mix of General Obligation, Revenue Bonds, and Special Assessment B Bonds in order to keep borrowing flexibility on future City projects. (See Section VIII for detailed descriptions of these and other financing methods available to the City.) Table 5: Estimated Debt Service Financing Plan, shows one possible scenario that combines three tax-exempt bond issuances in 2023, 2029, and 2034 for priority capital and infrastructure costs related to sewer, water, road infrastructure costs, and site remediation and preparation with other project costs covered by donations from TID #6 and/or additional borrowing in the future. The three notes would allow for additional projects within one-half mile of the District boundary, as noted in Section V, pending available increment revenue. It is estimated that the borrowing interest rate will be approximately 4.0% at prevailing 2017 scale, with gradual payment increases over time to account for capitalized interest. All financial calculations assume an annual inflation rate of 1% and an effective mill rate of \$22.25.

As shown on Table 6: Cash Flow Projection, TID #13 is expected to close on time, as soon as 2045, with a projected positive cash balance of \$33,418,230 available at the end of its statutory life (the final collection year of 2045). The \$17,720,000 cost estimate for total principal debt service for the three bond issuances in Table 5 is intended to be reflective of additional finance related costs; however, this amount is subject to change without having to amend this Project Plan and will vary depending upon the types of financing selected and the associated costs involved.

The information and exhibits contained within this Section demonstrate that the proposed District is economically feasible insofar as:

- The City has available to it the means to secure the necessary financing required to accomplish the projects contained within this Plan. A listing of “Available Financing Methods” is included in Section VIII.
- The City expects to complete the projects in one or multiple phases, and can adjust the timing of implementation as needed to coincide with the pace of private development. A discussion of the phasing and projected timeline for project completion is discussed under “Plan Implementation” within this Section. Table 5 provides a projection of the financing method for each phase and the time at which that financing is expected to be incurred is included.
- The development anticipated to occur as a result of the implementation of this Plan will generate sufficient tax increments to pay for the cost of the projects. Within this Section are tables identifying: 1) the development expected to occur, 2) a projection of tax increments to be collected resulting from that development and other economic growth within the District, and 3) a cash flow model demonstrating that the projected tax increment collections and all other revenues available to the District will be sufficient to pay all Project Costs.

## Plan Implementation

To be successful, the District will need to be implemented in accordance with the following objectives:

- Projects identified will provide the necessary anticipated governmental services to the area. A reasonable and orderly sequence is shown in Table 5. However, public debt and expenditures should be made at the pace of private development to assure increment is sufficient to cover expenses.
- It is anticipated developer agreements between the City and property owners will be in place prior to major public expenditures. These agreements can provide for development guarantees or a payment in lieu of development. To further assure contract enforcement, these agreements might include levying of special assessments against benefited properties.
- The order in which public improvements are made should be adjusted in accordance with development and execution of developer agreements. The City reserves the right to alter the implementation of this Plan to accomplish this objective.
- Projected interest rates are based on current market conditions. Municipal interest rates are subject to constantly changing market conditions. In addition, other factors such as the loss of tax-exempt status of municipal bonds or broadening the purpose of future tax-exempt bonds would affect market conditions. Actual interest expense will be determined once the methods of financing have been approved and securities or other obligations are issued.
- **If financing as outlined in this Plan proves unworkable, the City reserves the right to use alternate financing solutions for the projects as they are implemented.**

**TABLE 3: DEVELOPMENT ASSUMPTIONS**

Redevelopment District	Map ID*	Assessed Tax Value**	Existing Value Replaced	Value Increment	Annual Tax Increment***	Approximate Timing
Commercial Gateway	A	\$ 1,375,000	\$ 88,900	\$ 1,286,100	\$ 28,617	2022
	B	\$ 16,375,000	\$ 74,000	\$ 16,301,000	\$ 362,715	2024
	C	\$ 13,625,000	\$ 74,000	\$ 13,551,000	\$ 301,525	2023
Mixed Use Lakefront Gateway	D	\$ 15,000,000	\$ 1,174,400	\$ 13,825,600	\$ 307,635	2027
	E	\$ 7,500,000	\$ -	\$ 10,700,000	\$ 238,087	2025
		\$ 3,200,000				
	F	\$ 13,125,000	\$ -	\$ 15,925,000	\$ 354,349	2026
		\$ 2,800,000				
	G	\$ 11,775,000	\$ -	\$ 11,775,000	\$ 262,007	2028
H	\$ 5,000,000	\$ -	\$ 5,000,000	\$ 111,256	2028	
Mixed Use North	I	\$ 28,125,000	\$ 1,772,900	\$ 26,352,100	\$ 586,363	2029
		\$ 17,000,000	\$ 817,500	\$ 16,182,500	\$ 360,078	2030
	J	\$ 9,375,000	\$ -	\$ 18,575,000	\$ 413,314	2040
		\$ 9,200,000				2035
Residential	K	\$ 23,750,000	\$ 485,500	\$ 23,264,500	\$ 517,661	2028 to 2043
<b>Totals</b>		<b>\$ 177,225,000</b>	<b>\$ 4,487,200</b>	<b>\$ 172,737,800</b>	<b>\$ 3,843,606</b>	
Net Tax Rate (Tax Year 2016) = 0.02225						

*Notes:*

\*\*Map IDs correspond to those listed on the Redevelopment Concept Map.

\*\*\*Estimate based on 2016 assessment data and construction costs.

\*\*\*\*Uninflated annual increment at project buildout, based on 2016 tax rate and estimated costs.

**TABLE 4: 27-YEAR TAX INCREMENT PROJECTIONS**

**Assumptions**

Base Value =	\$4,487,200
Estimated Tax Rate =	\$22.25
Estimated Inflation Rate =	1.00%
Creation Date =	5/18/2017

**Tax Increment Summary**

Improve- ment Year	Value -		Value of Development	Inflation Increment	Tax Increment		Value - End of Year	Tax Rate (\$1,000)	Tax	
	Tax Value - Jan. 1	Beginning of Year			Value	Value			Increment Collected	Collection Year
2017		\$4,487,200	\$0	\$0	\$0	\$0	\$4,487,200	22.25	\$0	2019
2018		4,487,200	\$0	44,872	\$44,872	\$44,872	4,532,072	22.25	998	2020
2019		4,532,072	\$0	45,321	\$90,193	\$90,193	4,577,393	22.25	2,007	2021
2020		4,577,393	\$0	45,774	\$135,967	\$135,967	4,623,167	22.25	3,025	2022
2021		4,623,167	\$0	46,232	\$182,198	\$182,198	4,669,398	22.25	4,054	2023
2022		4,669,398	1,286,100	112,298	\$1,580,596	\$1,580,596	6,067,796	22.25	35,168	2024
2023		6,067,796	13,551,000	894,338	\$16,025,934	\$16,025,934	20,513,134	22.25	356,577	2025
2024		20,513,134	16,301,000	1,381,010	\$33,707,944	\$33,707,944	38,195,144	22.25	750,002	2026
2025		38,195,144	10,700,000	1,268,518	\$45,676,462	\$45,676,462	50,163,662	22.25	1,016,301	2027
2026		50,163,662	15,925,000	1,993,575	\$63,595,036	\$63,595,036	68,082,236	22.25	1,414,990	2028
2027		68,082,236	13,825,600	2,127,286	\$79,547,922	\$79,547,922	84,035,122	22.25	1,769,941	2029
2028		84,035,122	13,229,031	2,370,531	\$95,147,485	\$95,147,485	99,634,685	22.25	2,117,032	2030
2029		99,634,685	6,454,031	1,814,880	\$103,416,395	\$103,416,395	107,903,595	22.25	2,301,015	2031
2030		107,903,595	27,806,131	4,918,876	\$136,141,402	\$136,141,402	140,628,602	22.25	3,029,146	2032
2031		140,628,602	1,454,031	1,623,626	\$139,219,059	\$139,219,059	143,706,259	22.25	3,097,624	2033
2032		143,706,259	1,454,031	1,671,116	\$142,344,207	\$142,344,207	146,831,407	22.25	3,167,159	2034
2033		146,831,407	1,454,031	1,719,249	\$145,517,486	\$145,517,486	150,004,686	22.25	3,237,764	2035
2034		150,004,686	1,454,031	1,768,031	\$148,739,549	\$148,739,549	153,226,749	22.25	3,309,455	2036
2035		153,226,749	20,029,031	5,460,911	\$174,229,491	\$174,229,491	178,716,691	22.25	3,876,606	2037
2036		178,716,691	1,454,031	2,089,764	\$177,773,286	\$177,773,286	182,260,486	22.25	3,955,456	2038
2037		182,260,486	1,454,031	2,142,768	\$181,370,085	\$181,370,085	185,857,285	22.25	4,035,484	2039
2038		185,857,285	1,454,031	2,196,478	\$185,020,594	\$185,020,594	189,507,794	22.25	4,116,708	2040
2039		189,507,794	1,454,031	2,250,902	\$188,725,527	\$188,725,527	193,212,727	22.25	4,199,143	2041
2040		193,212,727	17,636,531	6,467,591	\$212,829,649	\$212,829,649	217,316,849	22.25	4,735,460	2042
2041		217,316,849	1,454,031	2,565,371	\$216,849,051	\$216,849,051	221,336,251	22.25	4,824,891	2043
2042		221,336,251	1,454,031	2,624,027	\$220,927,109	\$220,927,109	225,414,309	22.25	4,915,628	2044
2043		225,414,309	1,454,031	2,683,455	\$225,064,595	\$225,064,595	229,551,795	22.25	5,007,687	2045
<b>Estimated New Increment =</b>									<b>\$172,737,796</b>	<b>\$65,279,322</b>
<b>Estimated New Increment =</b>									<b>\$52,326,799</b>	

Summary of Increment as of 3/10/17 (District Total)

Provided by: Hutchinson, Shockey, Erley, & Co.



TABLE 6: SUMMARY OF SOURCES & USES (CASH FLOW ANALYSIS)

Collection Year	Sources of Funds			Uses of Funds			Net Cash Flow	TID Balance	Principal Balance
	Tax Increment	T.I.D. No. 6 Transfer	Proceeds of L.T. Debt*	Capital Expenditures	Admin.	Development Incentives			
2017	-	1,816,308	-	-	1,816,308	-	-	-	-
2018	-	400,000	-	-	100,000	-	300,000	300,000	-
2019	-	400,000	-	-	100,000	-	300,000	600,000	-
2020	998	400,000	-	-	100,000	-	300,998	900,998	-
2021	2,007	400,000	-	-	100,000	-	302,007	1,203,005	-
2022	3,025	-	-	-	100,000	-	(96,975)	1,106,030	-
2023	4,054	-	8,020,000 *	2,750,000	100,000	100,000	5,074,054	6,180,084	8,020,000
2024	35,168	-	-	2,750,000	100,000	300,000	(3,596,032)	2,584,053	8,020,000
2025	356,577	-	-	1,420,000	100,000	400,000	(1,884,223)	699,830	8,020,000
2026	750,002	-	-	-	100,000	400,000	(70,798)	629,031	8,020,000
2027	1,016,301	-	-	-	75,000	400,000	(416,499)	212,533	7,370,000
2028	1,414,990	-	-	-	75,000	500,000	(116,310)	96,222	6,695,000
2029	1,769,941	-	7,650,000	2,750,000	75,000	1,000,000	4,636,241	4,732,464	13,640,000
2030	2,117,032	-	-	2,750,000	75,000	750,000	(2,484,868)	2,247,595	13,305,000
2031	2,301,015	-	-	2,150,000	75,000	750,000	1,027,100	546,510	12,800,000
2032	3,029,146	-	-	-	75,000	750,000	976,746	1,523,256	12,070,000
2033	3,097,624	-	-	-	50,000	750,000	1,025,924	2,549,180	11,265,000
2034	3,167,159	-	2,650,000	1,000,000	50,000	400,000	2,995,359	5,544,539	12,975,000
2035	3,237,764	-	-	1,000,000	50,000	-	817,064	6,361,603	12,160,000
2036	3,309,455	-	-	650,000	50,000	-	1,216,555	7,578,158	11,235,000
2037	3,876,606	-	-	-	50,000	-	2,407,006	9,985,164	10,245,000
2038	3,955,456	-	-	-	50,000	-	2,456,856	12,442,020	9,185,000
2039	4,035,484	-	-	-	50,000	-	2,515,584	14,957,604	8,060,000
2040	4,116,708	-	-	-	50,000	-	2,568,308	17,525,912	6,860,000
2041	4,199,143	-	-	-	50,000	-	2,625,243	20,151,155	5,585,000
2042	4,735,460	-	-	-	50,000	-	3,119,460	23,270,615	4,215,000
2043	4,824,891	-	-	-	50,000	-	3,180,391	26,451,006	2,760,000
2044	4,915,628	-	-	-	50,000	-	3,451,828	29,902,834	1,430,000
2045	5,007,687	-	-	-	33,692	-	3,515,395	33,418,230	-
	65,279,322	3,416,308	18,320,000	17,220,000	3,800,000	6,500,000	33,418,230		

\* Includes \$1,100,000 for estimated capitalized interest.

Summary of Increment as of 3/10/17 (District Total)

Provided by: Hutchinson, Shockey, Erley, & Co.



## **VIII. AVAILABLE FINANCING METHODS**

Implementation of this Plan may require that the City issue debt obligations to provide direct or indirect financing for the Projects to be undertaken. The following is a list of the types of obligations the City may choose to utilize.

### **General Obligation (G.O.) Bonds or Notes**

The City may issue G.O. Bonds or Notes to finance the cost of projects included within this Plan. The Wisconsin State Constitution limits the principal amount of G.O. debt that the community may have outstanding at any point in time to an amount not greater than five percent of its total equalized value. As of the date of this Plan, the City has a G.O. debt limit of \$150.2 million, of which approximately \$60.1 million is currently unused (per the City's 2015 Audited Financial Statements) and could be made available to finance project costs.

### **Bonds Issued to Developers ("Pay as You Go" Financing)**

The City may issue a bond or other obligation to one or more developers who provide financing for projects included in this Plan. Repayment of the amounts due to the developer under the bonds or other obligations are limited to an agreed percentage of the available annual tax increments collected that result from the improvements made by the developer. To the extent the tax increments collected are insufficient to make annual payments, or to repay the entire obligation over the life of the District, the City's obligation is limited to not more than the agreed percentage of the actual increments collected. Bonds or other obligations issued to developers in this fashion are not general obligations of the City and, therefore, do not count against the City's statutory borrowing capacity.

### **Tax Increment Revenue Bonds**

The City has the authority to issue revenue bonds secured by the tax increments to be collected. These bonds may be issued directly by the City or as a form of lease revenue bond by its Community Development Authority (CDA). Tax Increment Revenue Bonds and Lease Revenue Bonds are not general obligations of the City and therefore do not count against the City's statutory borrowing capacity. To the extent tax increments collected are insufficient to meet the annual debt service requirements of the revenue bonds, the City may be subject to either a permissive or mandatory requirement to appropriate on an annual basis a sum equal to the actual or projected shortfall.

### **Utility Revenue Bonds**

The City can issue revenue bonds to be repaid from revenues of its various systems, including revenues paid by the City that represent service of the system to the City. There is neither a statutory nor constitutional limitation on the amount of revenue bonds that can be issued, however, water rates are controlled by the Wisconsin Public Service Commission and the City must demonstrate to bond purchasers its ability to repay revenue debt with the assigned rates. To the extent the City utilizes utility revenues other than tax increments to repay a portion of the bonds the City must reduce the total eligible Project Costs in an equal amount.

**Special Assessment “B” Bonds**

The City has the ability to levy special assessments against benefited properties to pay part of the costs for street, curb, gutter, sewer, water, storm sewers and other infrastructure. In the event the City determines that special assessments are appropriate, the City can issue Special Assessment B bonds pledging revenues from special assessment installments to the extent assessment payments are outstanding. These bonds are not counted against the City's statutory borrowing capacity. If special assessments are levied, the City must reduce the total eligible Project Costs under this Plan in an amount equal to the total collected.

**IX. CONSISTENCY OF ACTIVITIES WITHIN TAX INCREMENT DISTRICT #13 WITH THE CITY ZONING ORDINANCE, COMPREHENSIVE PLAN, AND OTHER DEVELOPMENT ORDINANCES**

It is expected that this Plan will be in accordance with the *2002 Oak Creek Comprehensive Plan* and the *2011 Lakefront Redevelopment Action Plan* – the officially adopted amendment to the City’s Comprehensive Plan focused specifically on the lakefront area. There are no major changes or diversions from the *Lakefront Redevelopment Action Plan*, Comprehensive Plan, map, building codes, or other City ordinances for the implementation of this Plan.

**X. ANNEXED PROPERTY**

There are no lands proposed for inclusion within the District that were annexed by the City on or after January 1, 2004.

**XI. ESTIMATE OF PROPERTY TO BE DEVOTED TO RETAIL BUSINESS**

Pursuant to Wis. Stat. § 66.1105(5)(b) and 66.1105(6)(am)1, the City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District’s maximum expenditure period.

**XII. STATEMENT ON RELOCATION**

It is not anticipated there will be a need to relocate persons or businesses in conjunction with this Plan. In the event relocation or the acquisition of property by eminent domain becomes necessary at some time during the implementation period, the City will follow applicable provisions of Wis. Stats. Chapter 32.

**APPENDIX A      BLIGHT STUDY AND PHOTO CATALOG**

Map ID	Tax Key	Owner	Parcel Address	Assessed Land Value 2017	Assessed Improvement Value 2017	Assessed Total Value 2017	Equalized Value 2017	Parcel Square Feet	Total Wetland Acres	District Parcel Acres	Existing/Former Use	Blighted - Serious	Age/Obsolescence/No longer suits purpose	Unlucky street or lot layout	Unlucky conditions	Obsolete platting	Diversity of ownership	Deterioration of structure	Deterioration of site	Impairs sound growth	Area in Need of Rehabilitation or Conservation Work	Additional Notes
1	866997000	MICHAEL J & DEBRA WOZNIAK	8860 S 5TH AVE	36,300	112,900	149,200	149,200	10,454	0.00	0.24	Residential									0.00	Some paint peeling; general wear and tear; rust at roof line. Some condition as 2009 study.	
2	866996000	JULIE R ROMAN	8864 S 5TH AVE	36,300	106,100	142,400	142,243	10,454	0.00	0.24	Residential										0.00	Some paint peeling; general wear and tear; rust at roof line. Some condition as 2009 study.
3	866995000	CODY J KNORLOCK	8872 S 5TH AVE	36,300	100,800	137,100	136,549	10,454	0.00	0.24	Residential										0.00	Some paint peeling; general wear and tear; rust at roof line; outdoor storage. Same condition as 2009 study.
4	866994000	GREGORY RADTKE	8882 S 5TH AVE	42,400	78,700	121,100	120,967	15,682	0.00	0.36	Residential										0.00	Some paint peeling; general wear and tear; rust at roof line; parking on grass in front of house. Same condition as 2009 study.
5	866901000	OAK CREEK LAKESIDE LAND HOLDINGS LLC	8850 S 5TH AVE	1,018,700	204,400	1,223,100	1,221,255	2,009,684	0.62	46.76	Industrial	X	X	X	X	X	X	X	X	X	46.14	Site is a known brownfield; dilapidated structures; dirt/gravel drives; numerous utility poles on site; long term alkali base base; economic blight. Some wetlands present.
6	866902000	CITY OF OAK CREEK	8730 S 5TH AVE	-	-	-	-	266,627	0.38	6.46	Industrial										6.08	Heavy invasive brush and shrub cover; lot shape and size not conducive to development; economic blight. Some wetlands present. No noticeable visual blight. Known former brownfield. Improvements needed to continue blight stabilization and development of pad/market. economic blight.
7	866904000	CITY OF OAK CREEK	8840 S 5TH AVE	-	-	-	-	965,112	0.19	22.30	Open Space										22.11	Small isolated parcel; Probable contamination due to former brownfields in the area; economic blight. Some wetlands present.
8	866903000	CITY OF OAK CREEK	9810 S 5TH AVE	-	-	-	-	127,631	0.00	2.93	Open Space										2.93	Known brownfield; crumbling building foundation; visible garbage and dumping on site; economic blight.
9	866980001	FIFTH PROPERTY LLC	4301 E DEPOT RD	404,700	-	404,700	404,235	358,234	0.00	8.18	Industrial										8.18	Structure and site. A series of issues in need of resolving, mainly construction of new staircase to second floor apartments; rear of lot has gravel parking and outdoor storage.
10	866990100	RUSLAN BACHMAGA	9030 S 5TH AVE	55,700	238,300	314,000	313,655	13,678	0.00	0.31	Commercial										0.00	Outdoor storage; accumulated garbage at curb/side; lot maintenance and parking seems irregular; gravel driveway in need of grading.
11	866990000	RANDY J WUKOMAN	9050 S 5TH AVE	32,700	108,400	141,100	140,945	10,880	0.00	0.25	Residential										0.00	Small lot; empty owned with no clear use; encroachment of structure from parcel (detached);. Some condition as 2009 study.
12	866901001	MILWAUKEE COUNTY	4025 E LAKESIDE AVE	-	-	-	-	7,231	0.00	0.17	Open Space										0.17	Noticeable clutter and disorganization in backyard; Peeling paint at fence; Outdoor storage.
13	866902001	KELLY KRYSIAK	403 E LAKESIDE AVE	32,800	87,300	120,100	119,968	7,187	0.00	0.17	Residential										0.00	Noticeable deterioration at front of house including sagging steps; peeling paint, rotted wood planks; West support column of porch appear dangerously unstable; noticeable damage at roof line; overgrown weeds and shrubs; outdoor storage on porch; mailbox in need of repair; bulky curbside garbage collection pile; outdoor playground equipment appears to need maintenance.
14	866902002	GREGORY A LIEBERFLUSS	403 E LAKESIDE AVE	26,600	89,000	115,600	115,673	3,615	0.00	0.08	Residential										0.00	Former mailbox curbside; accumulated trash and garbage; large refuse items including tires; protruding from dumping; overgrown with brush and shrubs.
15	866903000	SARA E WEINHOLD	4059 E LAKESIDE AVE	47,800	78,900	126,700	126,561	17,990	0.00	0.41	Residential										0.00	Presence of garbage and noticeable dumping; overgrown brush and grass.
16	866988000	E & NW TRANS CO	9060 S 5TH AVE	-	-	-	-	116,349	0.00	2.67	Open Space										2.67	
17	866904000	MILWAUKEE COUNTY	4107 E DEPOT RD	-	-	-	-	2,178	0.00	0.05	Open Space										0.05	





VA\_ID 1



VA\_ID 2



VA\_ID 3



VA\_ID 4



VA\_ID 5



VA\_ID 5



VA\_ID 6



VA\_ID 7



VA\_ID 8



VA\_ID 9



VA\_ID 10



VA\_ID 11



VA\_ID 12



VA\_ID 13



VA\_ID 14



VA\_ID 15



VA\_ID 16



VA\_ID 17





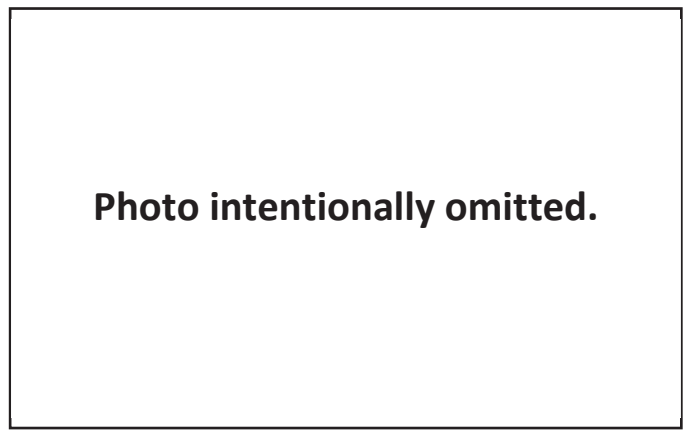
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VA\_ID 18



VA\_ID 19



VA\_ID 20



VA\_ID 21



VA\_ID 22



VA\_ID 23



VA\_ID 23



VA\_ID 24



VA\_ID 25



VA\_ID 26



VA\_ID 27



VA\_ID 28



VA\_ID 29



VA\_ID 30



VA\_ID 31



VA\_ID 31



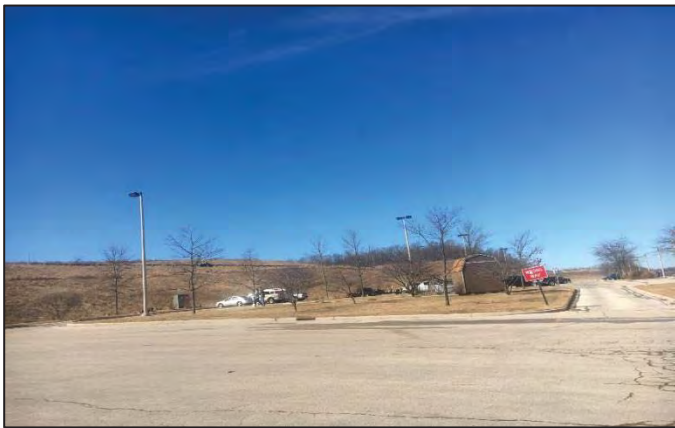
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VA\_ID 33



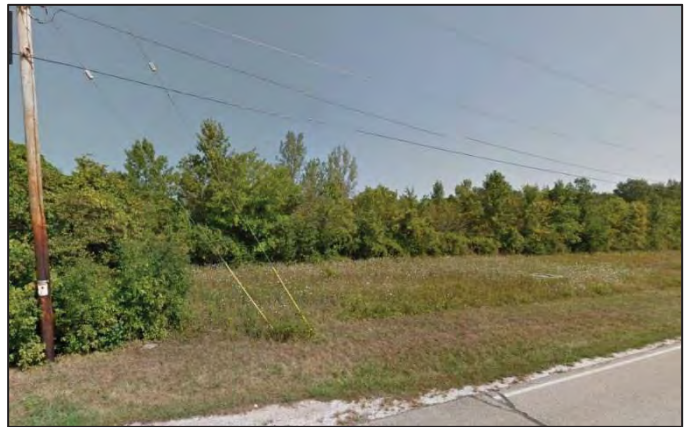
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VA\_ID 34



VA\_ID 35



VA\_ID 36

**APPENDIX B           LEGAL DESCRIPTION**

## TID 13 Legal Description

Commencing at the northeast corner of the NE ¼ of Section 23, Town 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin; thence S00° 50' 08"W, 638.65 feet; thence S89° 00' 04"E, 32.92 feet to the point of beginning of the lands to be described;

Thence S89°25' 57"E, 1709.72 feet to a point which is the shoreline and ordinary high water mark of Lake Michigan; thence southerly and easterly following the ordinary high water mark of Lake Michigan approximately S18D12'24"E, 7659.25 feet to a point which is 1596.53 feet east (along a bearing that runs N89° 56'41"E) of the southwest corner of the NE ¼ of Section 25-5-22; thence S89° 56' 41"W, 175.79 feet; thence S00°23' 49"E, 33.01 feet; thence S89° 56' 45"W, 1420.55 feet; thence S00° 46' 19"W, 2587.96 feet; thence S89° 49' 15"W, 667.34 feet; thence N21°16' 45"W, 1515.03 feet; thence N21° 16' 45"W, 1251.57 feet; thence N22° 39' 57"W, 71.32 feet; thence N15° 08' 11"W, 1139.48 feet; thence N10° 20' 18"W, 1143.79 feet, thence N00° 53' 25"E, 365.26 feet; thence S89° 46' 26"W, 155.20 feet; thence S00°53'25"W, 365.26 feet; thence S89° 46' 26"W, 222.84 feet; thence S00° 55' 27"W, 936.01 feet; thence

S89° 43' 54"W, 830.08 feet; thence northwesterly 937.23 feet along the arc of a curve having a radius of 4986.08 feet and whose chord bears N18° 08' 41"W, 935.72' ; thence N89° 28' 45"E 0.92 feet; thence northwesterly 108.81 feet along the arch of a curve having a radius of 4987.07 feet and whose chord bears N24° 09' 34" W, 108.80' thence N89° 52' 58"E, 188.59 feet; thence N00° 00' 00"W, 96.00 feet; thence N89° 43' 35"E, 458.52 feet; thence N56° 34' 27"W, 208.00 feet; thence N42° 59' 27"W, 26.45 feet; thence N78° 41' 32"W, 16.50 feet; thence N56° 34' 27"W, 68.00 feet; thence N00° 34' 10"E, 31.10 feet; thence N89°43' 35"E, 803.34 feet; thence N03° 16' 16"W, 8.28 feet; thence N89° 46' 26"E, 32.96 feet; thence N00° 51' 11"E, 4684.74 feet; thence S89° 25' 57"E, 17.00 feet to the point of beginning.

**APPENDIX C                      IMPACT ON OVERLYING TAXING JURISDICTIONS**

<b>Taxing Jurisdiction</b>	<b>2016 Tax Rate<sup>1*</sup></b>	<b>% of Mill Rate by Jurisdiction</b>	<b>Taxes Collected on Base Value by Jurisdiction</b>	<b>Total Tax Increment Collected by the TID Over Life of the District</b>	<b>Annual Taxes Collected After TID Closure by Jurisdiction</b>	<b>Increase in Annual Taxes Collected After TID Closure by Jurisdiction</b>
State of Wisconsin	\$ 0.16	0.72%	\$720	\$470,803	\$28,441	\$27,721
Milwaukee County	\$ 5.96	26.80%	\$26,760	\$17,496,071	\$1,056,918	\$1,030,158
City of Oak Creek	\$ 6.26	28.15%	\$28,105	\$18,375,391	\$1,110,037	\$1,081,932
Oak Creek School District	\$ 7.00	31.47%	\$31,422	\$20,543,952	\$1,241,037	\$1,209,615
MMSD	\$ 1.66	7.48%	\$7,464	\$4,879,858	\$294,787	\$287,323
MATC	\$ 1.20	5.38%	\$5,370	\$3,511,043	\$212,098	\$206,728
<b>Total</b>			<b>\$99,842</b>	<b>\$65,277,119</b>	<b>\$ 3,943,318.28</b>	<b>\$ 3,843,476.51</b>

*Footnotes:*

1 Gross millage rates not including school tax credit.

\* Tax rate is \$22.251101 per \$1,000.00 of assessed value.

**APPENDIX D      TAXING JURISDICTION CORRESPONDENCE**



March 15, 2017

Daniel Bukiewicz, Interim Mayor  
City of Oak Creek  
8040 South 6<sup>th</sup> Street  
Oak Creek, WI 53154

Subject: Creation of City of Oak Creek - Tax Incremental District No. 13

Dear Interim Mayor Bukiewicz,

The City of Oak Creek is proposing to create and adopt a project plan for Tax Increment District No. 13 (TID 13) to provide financing for new infrastructure and to promote economic development in an area of the City deemed to be a blighted area. The standing Joint Review Board will meet on Monday, April 3, 2017 at 1:00 PM for an initial organizational meeting.

TID 13 is being formed as a blighted area tax incremental district. It is comprised of approximately 450 acres adjacent to Lake Michigan of predominantly former heavy industrial property with a 2016 base value of \$4,487,200. It is anticipated that new development in TID 13 will be a mix of commercial, light manufacturing, residential, and parkland uses. The infrastructure for TID 13 will be developed by the City of Oak Creek, while the commercial and residential uses will be developed by the private sector, public private partnerships, or some combination thereof.

The area including TID 13 offers an important gateway to the City of Oak Creek's lakefront and will blend economic development with public access and amenities to create a top-quality asset for all residents of Oak Creek to enjoy.

On Tuesday, April 11, 2017 the City of Oak Creek Plan Commission will be holding a public hearing on the creation of, and the adoption of the project plan for, Tax Incremental District No. 13. The public hearing will begin at 6:00 p.m. and will take place at the Oak Creek City Hall (8040 S. 6<sup>th</sup> Street). Enclosed are copies of the legal notice advertising the public hearing at which the proposed project plan will be considered, a map of the proposed district boundary including a list of all parcels, and an agenda for the Joint Review Board organizational meeting.

Pursuant to Wisconsin Statute Sections 66.1105(4)(a), (e) and (5)(d), the City of Oak Creek is required to notify all of the taxing jurisdictions within the proposed district.

Please do not hesitate to contact me if I can be of further assistance regarding this matter.

Sincerely,

Doug Seymour, AICP  
Director of Community Development





March 15, 2017

Dr. Timothy Culver, Superintendent  
Oak Creek-Franklin School District  
7630 South 10<sup>th</sup> Street  
Oak Creek, WI 53154

Subject: Creation of City of Oak Creek - Tax Incremental District No. 13

Dear Dr. Culver,

The City of Oak Creek is proposing to create and adopt a project plan for Tax Incremental District No. 13 (TID 13) to provide financing for new infrastructure and to promote economic development in an area of the City deemed to be a blighted area. The standing Joint Review Board will meet on Monday, April 3, 2017 at 1:00 PM for an initial organizational meeting.

TID 13 is being formed as a blighted area tax incremental district. It is comprised of approximately 450 acres adjacent to Lake Michigan of predominantly former heavy industrial property with a 2016 base value of \$4,487,200. It is anticipated that new development in TID 13 will be a mix of commercial, light manufacturing, residential, and parkland uses. The infrastructure for TID 13 will be developed by the City of Oak Creek, while the commercial and residential uses will be developed by the private sector, public private partnerships, or some combination thereof.

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Pursuant to Wisconsin Statute Sections 66.1105(4)(a), (e) and (5)(d), the City of Oak Creek is required to notify all of the taxing jurisdictions within the proposed district.

Please do not hesitate to contact me if I can be of further assistance regarding this matter.

Sincerely,

Doug Seymour, AICP  
Director of Community Development



March 15, 2017

Chris Abele, County Executive  
Milwaukee County  
901 North 9<sup>th</sup> Street  
Milwaukee, WI 53233-1458

Subject: Creation of City of Oak Creek - Tax Incremental District No. 13

Dear Mr. Abele,

The City of Oak Creek is proposing to create and adopt a project plan for Tax Incremental District No. 13 (TID 13) to provide financing for new infrastructure and to promote economic development in an area of the City deemed to be a blighted area. The standing Joint Review Board will meet on Monday, April 3, 2017 at 1:00 PM for an initial organizational meeting.

TID 13 is being formed as a blighted area tax incremental district. It is comprised of approximately 450 acres adjacent to Lake Michigan of predominantly former heavy industrial property with a 2016 base value of \$4,487,200. It is anticipated that new development in TID 13 will be a mix of commercial, light manufacturing, residential, and parkland uses. The infrastructure for TID 13 will be developed by the City of Oak Creek, while the commercial and residential uses will be developed by the private sector, public private partnerships, or some combination thereof.

The area including TID 13 offers an important gateway to the City of Oak Creek's lakefront and will blend economic development with public access and amenities to create a top-quality asset for all residents of Oak Creek to enjoy.

On Tuesday, April 11, 2017 the City of Oak Creek Plan Commission will be holding a public hearing on the creation of, and the adoption of the project plan for, Tax Incremental District No. 13. The public hearing will begin at 6:00 p.m. and will take place at the Oak Creek City Hall (8040 S. 6<sup>th</sup> Street). Enclosed are copies of the legal notice advertising the public hearing at which the proposed project plan will be considered, a map of the proposed district boundary including a list of all parcels, and an agenda for the Joint Review Board organizational meeting.

Pursuant to Wisconsin Statute Sections 66.1105(4)(a), (e) and (5)(d), the City of Oak Creek is required to notify all of the taxing jurisdictions within the proposed district.

Please do not hesitate to contact me if I can be of further assistance regarding this matter.

Sincerely,

Doug Seymour, AICP  
Director of Community Development



March 15, 2017

Dr. Vicki Martin  
Milwaukee Area Technical College  
700 West State Street  
Milwaukee, WI 53203

Subject: Creation of City of Oak Creek - Tax Incremental District No. 13

Dear Dr. Martin,

The City of Oak Creek is proposing to create and adopt a project plan for Tax Incremental District No. 13 (TID 13) to provide financing for new infrastructure and to promote economic development in an area of the City deemed to be a blighted area. The standing Joint Review Board will meet on Monday, April 3, 2017 at 1:00 PM for an initial organizational meeting.

TID 13 is being formed as a blighted area tax incremental district. It is comprised of approximately 450 acres adjacent to Lake Michigan of predominantly former heavy industrial property with a 2016 base value of \$4,487,200. It is anticipated that new development in TID 13 will be a mix of commercial, light manufacturing, residential, and parkland uses. The infrastructure for TID 13 will be developed by the City of Oak Creek, while the commercial and residential uses will be developed by the private sector, public private partnerships, or some combination thereof.

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Please do not hesitate to contact me if I can be of further assistance regarding this matter.

Sincerely,

Doug Seymour, AICP  
Director of Community Development



March 15, 2017

Executive Director Kevin Shafer, PE  
Milwaukee Metropolitan Sewerage District  
260 West Seeboth Street  
Milwaukee, WI 53204

Subject: Creation of City of Oak Creek - Tax Incremental District No. 13

Dear Mr. Shafer,

The City of Oak Creek is proposing to create and adopt a project plan for Tax Increment District No. 13 (TID 13) to provide financing for new infrastructure and to promote economic development in an area of the City deemed to be a blighted area. The standing Joint Review Board will meet on Monday, April 3, 2017 at 1:00 PM for an initial organizational meeting.

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Pursuant to Wisconsin Statute Sections 66.1105(4)(a), (e) and (5)(d), the City of Oak Creek is required to notify all of the taxing jurisdictions within the proposed district.

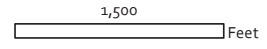
Please do not hesitate to contact me if I can be of further assistance regarding this matter.

Sincerely,

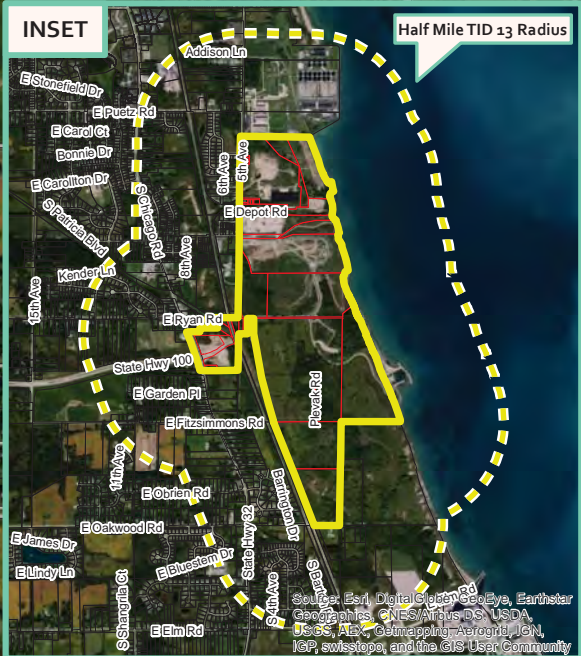
Doug Seymour, AICP  
Director of Community Development

# Map 1: Boundary City of Oak Creek - TID 13

- TID 13 Boundary
- TID 13 Parcels



Date: 2/20/17  
Sources: Milwaukee County, ESRI



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community



<b>Map ID</b>	<b>Tax ID / Address</b>
1	866-9997-000 / 8860 S. 5 <sup>th</sup> Ave.
2	866-9996-000 / 8864 S. 5 <sup>th</sup> Ave.
3	866-9995-000 / 8872 S. 5 <sup>th</sup> Ave.
4	866-9994-000 / 8882 S. 5 <sup>th</sup> Ave.
5	866-9001-000 / 8850 S. 5 <sup>th</sup> Ave.
6	866-9002-000 / 8730 S. 5 <sup>th</sup> Ave.
7	866-9004-000 / 8940 S. 5 <sup>th</sup> Ave.
8	866-9003-000 / 9010 S. 5 <sup>th</sup> Ave.
9	866-9989-001 / 4301 E. Depot Rd.
10	866-9991-000 / 9030 S. 5 <sup>th</sup> Ave.
11	866-9990-000 / 9050 S. 5 <sup>th</sup> Ave.
12	866-0001-001 / 4025 E. Lakeside Ave.
13	866-0002-001 / 4033 E. Lakeside Ave.
14	866-0002-002 / 4053 E. Lakeside Ave.
15	866-0003-000 / 4059 E. Lakeside Ave.
16	866-9988-000 / 9060 S. 5 <sup>th</sup> Ave.
17	866-0004-000 / 4167 E. Depot Rd.
18	868-9999-001 / 9100 S. 5 <sup>th</sup> Ave.
19	868-9001-000 / 9170 S. 5 <sup>th</sup> Ave.
20	868-9002-000 / 9710 S. 5 <sup>th</sup> Ave.
21	868-9996-002 / 9180 S. 5 <sup>th</sup> Ave.
22	868-9994-002 / 9300 S. 5 <sup>th</sup> Ave.
23	868-9993-001 / 4240 E. Ryan Rd.
24	912-9996-001 / 9546 S. Chicago Rd.
25	912-9997-001 / 3965 E. Ryan Rd.
26	912-9998-000 / 3941 E. Ryan Rd.
27	912-9928-000 / 3955 E. Ryan Rd.
28	912-9999-000 / 3981 E. Ryan Rd.
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31	912-9995-003 / 9648 S. Chicago Rd.
32	912-9994-002 / 9666 S. Chicago Rd.
33	913-9999-001 / 4341 E. Ryan Rd.
34	914-9999-000 / 4503 E. Ryan Rd.
35	917-9999-001 / 4301 E. Fitzsimmons Rd.
36	917-9998-000 / 4340 E. Oakwood Rd.

AFFIDAVIT OF MAILING

STATE OF WISCONSIN  
MILWAUKEE COUNTY

Catherine A. Roeske, being duly sworn on oath, deposes and says:

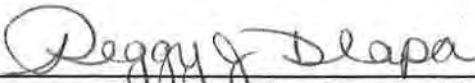
That she is the City Clerk of the City of Oak Creek, Milwaukee County, State of Wisconsin.

That on March 15, 2017, she caused to be deposited at the Post Office in the City of Oak Creek, County of Milwaukee, State of Wisconsin, a notice of public hearing scheduled before the City of Oak Creek Plan Commission for Tuesday, April 11, 2017, at 6:00 p.m. or thereafter regarding the proposed creation of a Tax Incremental District (TID) No. 13, City of Oak Creek, Wisconsin, the proposed boundaries thereof (Boundary), and the proposed project plan for the TID No. 13 (Project Plan); TID No. 13 is being created as a blighted area tax incremental district in accordance with Wis. Stat. § 66.1105, to the list attached hereto, the same being as though fully set forth herein and incorporated by reference, securely enclosed in an envelope, the postage duly paid.



\_\_\_\_\_  
Catherine A. Roeske, City Clerk

Subscribed and sworn to before me  
This 15<sup>th</sup> day of March, 2017.

  
\_\_\_\_\_  
Notary Public, Milwaukee County, WI.  
My commission expires on 04-28-18



DANIEL BUKIEWICZ, INTERIM MAYOR  
CITY OF OAK CREEK  
8040 SOUTH 6<sup>TH</sup> STREET  
OAK CREEK, WI 53154

DR. TIMOTHY CULVER, SUPERINTENDENT  
OAK CREEK-FRANKLIN SCHOOL DISTRICT  
7630 SOUTH 10<sup>TH</sup> STREET  
OAK CREEK, WI 53154

CHRIS ABELE, COUNTY EXECUTIVE  
MILWAUKEE COUNTY  
901 NORTH 9<sup>TH</sup> STREET  
MILWAUKEE, WI 53233-1458

DR. VICKI MARTIN  
MILWAUKEE AREA TECHNICAL COLLEGE  
700 WEST STATE STREET  
MILWAUKEE, WI 53203

EXECUTIVE DIRECTOR KEVIN SHAFER, PE  
MILWAUKEE METROPOLITAN SEWERAGE  
DISTRICT  
260 WEST SEEBOTH STREET  
MILWAUKEE, WI 53204

DANIEL BUKIEWICZ, INTERIM MAYOR  
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MILWAUKEE METROPOLITAN SEWERAGE  
DISTRICT  
260 WEST SEEBOTH STREET  
MILWAUKEE, WI 53204



**APPENDIX E      PROPERTY OWNER CORRESPONDENCE**



March 15, 2017

MICHAEL J & DEBRA WOZNIAK  
1700 W VIRGINIA PL  
OAK CREEK, WI 53154

Re: City of Oak Creek Proposed Tax Increment District No. 13, Parcel No.  
866-9997-000

To Whom It May Concern:

As part of an effort to encourage investment and revitalization in Oak Creek's blighted Lakefront Redevelopment Area (Redevelopment District No. 1). The City of Oak Creek has prepared a Project Plan and Boundary Map for proposed City of Oak Creek Tax Increment District No. 13 (TID 13), which generally includes the property directly adjacent to Lake Michigan from East Puetz Road on the north to East Fitzsimmons Road on the south. The purpose of TID 13 is to promote redevelopment within the proposed TID 13 Boundary by implementing projects ranging from infrastructure improvements within TID 13 and within a half-mile of the District, to promotion and development programs, as well as providing for potential cash grants to property owners, lessees, and developers of land within TID 13. Our goal is to encourage and work with property and business owners to use this important economic tool to help ensure the long-term viability of this important part of our community.

Under Wisconsin statutes, the most flexible option for making improvements to the lakefront district is to establish TID 13 as a "blighted area district", which requires the City make a finding that not less than 50% of the real property within the proposed TID 13 boundary is determined to be blighted as defined by Wis. Stat. § 66.1331(3)(a) and that we notify property owners of this finding. The attached map indicates property conditions in proposed TID 13 as determined by our planning consultants, including those found to be vacant or exhibiting physical characteristics of a blighted property. On the back of the map are the addresses and parcel numbers for each of the properties within the boundary of TID 13.

For most all those properties found to be blighted, this finding is in no way intended to suggest that the property owners are somehow neglectful or creating a nuisance. Rather, it means that one or more aspects of the property meet the broad statutory definition of being a blighted property, which in most instances includes such things as: the building's age or use for something other than what it was originally constructed for; minor building defects such as peeling paint, wall cracks, torn/missing roof shingles, broken/missing gutters and downspouts, or broken/missing windows and screens; broken or missing pavement in parking areas; known or perceived environmental



contamination; or sub-standard public improvements or infrastructure serving the property or district. The purpose of proposed TID 13 then, is to create a funding mechanism to assist property owners with improving their properties and to provide the needed public improvements in order to enhance and develop the Lakefront Redevelopment Area appropriately and in line with the community's vision for the area.

Attached is a notice that the City of Oak Creek Plan Commission will hold a public hearing at 6:00 p.m. or thereafter on April 11, 2017 in City Council Chambers at City Hall, 8040 S. 6th Street, Oak Creek, WI, to consider the Project Plan and Boundary for proposed TID 13. At that time, all interested parties will be afforded a reasonable opportunity to express their views on the proposed Project Plan and Boundary for TID 13. You are invited and encouraged to attend this hearing.

The Project Plan, map and legal description of the proposed TID 13 can be viewed at the City of Oak Creek Civic Center (City Hall) by appointment, 8040 S. 6th Street, Monday – Friday between the hours of 7:30 a.m. and 4:00 p.m. A copy will be provided by request. Please see the Plan for a legal description of the district and for a site-by-site assessment of property conditions.

If you have any questions, or require additional information, please contact City Planner Kari Papelbon at 414-766-7000.

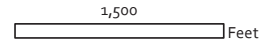
Sincerely,

Doug Seymour, AICP  
Director of Community Development

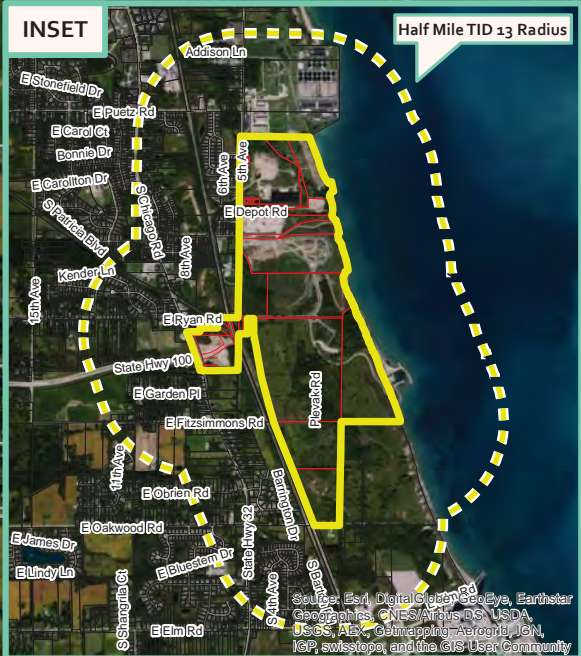
Enclosures:  
Map of TID 13 Boundary  
Map Key and List of Properties within TID 13 Boundary  
TID 13 Plan Commission Public Hearing Notice

# Map 1: Boundary City of Oak Creek - TID 13

- TID 13 Boundary
- TID 13 Parcels



Date: 2/20/17  
Sources: Milwaukee County, ESRI



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community



<b>Map ID</b>	<b>Tax ID / Address</b>
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**Publish in Oak Creek Now: March 23 & 30, 2017**

OFFICIAL NOTICE

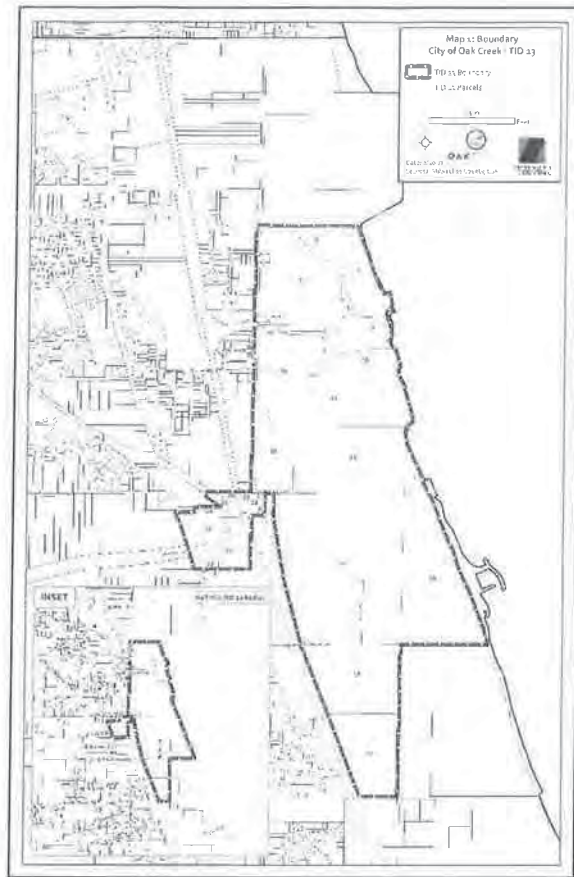
NOTICE OF PUBLIC HEARING  
CITY OF OAK CREEK, WISCONSIN  
PLAN COMMISSION

PLEASE TAKE NOTICE that a PUBLIC HEARING will be held at 6:00 p.m. or thereafter on April 11, 2017 in the Common Council Chambers on the lower level of City Hall, 8040 S. 6th Street, by the City of Oak Creek Plan Commission on the proposed creation of a Tax Incremental District (TID) No. 13, City of Oak Creek, Wisconsin, the proposed boundaries thereof (Boundary), and the proposed project plan for the TID No. 13 (Project Plan). TID No. 13 is being created as a blighted area tax incremental district in accordance with Wis. Stat. § 66.1105.

The Project Plan's project costs for the proposed TID No. 13 include, but are not limited to, ***infrastructure costs, cash grants made by the City of Oak Creek to owners, lessees, or developers of land that is to be located within TID No. 13, and costs related to projects within a one-half (1/2) mile of the Boundary of TID No. 13.*** The purpose of the public hearing is to hear those persons who wish to express their opinions for or against the creation of TID No. 13, the Boundary of TID No. 13, and the Project Plan.

A map and legal description of TID No. 13 and copies of the proposed Project Plan can be viewed at the Oak Creek Civic Center (City Hall) by appointment, 8040 S. 6th Street, Monday – Friday between the hours 7:30 a.m. and 4:00 p.m. A copy will be provided by request. Any person(s) with questions regarding the proposed TID No. 13 and/or the Project Plan may call the Planning Department at (414) 766-7000.

The Proposed TID No. 13 Boundary is shown in the following map and is located within the city limits of the City of Oak Creek, Wisconsin:



Dated this 16<sup>th</sup> day of March, 2017.

Catherine A Roeske  
City Clerk  
City of Oak Creek

#### **PUBLIC NOTICE**

PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferable a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6<sup>th</sup> Street, Oak Creek, Wisconsin 53154.

AFFIDAVIT OF MAILING

STATE OF WISCONSIN  
MILWAUKEE COUNTY

Catherine A. Roeske, being duly sworn on oath, deposes and says:

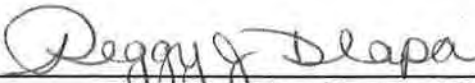
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\_\_\_\_\_  
Catherine A. Roeske, City Clerk

Subscribed and sworn to before me  
This 15<sup>th</sup> day of March, 2017.

  
\_\_\_\_\_  
Notary Public, Milwaukee County, WI.  
My commission expires on 04-28-18





9648 SOUTH CHICAGO ROAD, LLC  
9666 SOUTH CHICAGO ROAD, LLC  
5200 W LOOMIS RD  
GREENDALE, WI 53129

MILWAUKEE COUNTY  
901 N 9TH ST  
MILWAUKEE, WI 53233

ALBA REO, LLC  
C/O CAPITAL CROSSING SERVICING  
CO LLC  
99 HIGH ST 7TH FLOOR  
BOSTON, MA 02112

DERICK J SLAMKA  
10849 S CONNOR WAY  
OAK CREEK, WI 53154

KELLY KRYSIAK  
4033 E LAKESIDE AVE  
OAK CREEK, WI 53154

GREGORY A UEBERFLUSS  
4053 E LAKESIDE AVE  
OAK CREEK, WI 53154-4232

SARA E WEINHOLD  
3276 E LINDY LN  
OAK CREEK, WI 53154

RANDY J WUKOMAN  
PO BOX 375  
OAK CREEK, WI 53154

C & NW TRANS CO  
4823 N 119TH ST  
MILWAUKEE, WI 53225

FIFTH PROPERTY LLC  
413 N 2ND ST STE, 100  
MILWAUKEE, WI 53202

CODY J KNOBLOCK  
8872 S 5TH AVE  
OAK CREEK, WI 53154

RUSLAN BACHMAGA  
LARRY BACHMAGA  
4005 E LAKESIDE AVE #7  
OAK CREEK, WI 53154

GREGORY RADTKE  
8882 S 5TH AVE  
OAK CREEK, WI 53154

CONNELL ALUMINUM PROPERTIES,  
LLC  
ONE INTERNATIONAL PL FL 31  
BOSTON, MA 02110

JULIE R ROMAN  
TOD DESIGNATION WI SS 705.15  
8864 S 5TH AVE  
OAK CREEK, WI 53154-4204

MICHAEL J & DEBRA WOZNIAK  
1700 W VIRGINIA PL  
OAK CREEK, WI 53154

EDISON M BOERKE FAMILY TRUST  
DAVID C BOERKE, TRUSTEE  
411 E WISCONSIN AVE  
MILWAUKEE, WI 53202

HOWARD A MACMILLAN  
REVOCABLE TRUST  
9532 S CHICAGO AVE  
OAK CREEK, WI 53154

OAK CREEK LAKESIDE LAND  
HOLDINGS, LLC  
301 W WISCONSIN AVE, STE 400  
MILWAUKEE, WI 53202

WIS ELEC POWER CO  
231 W MICHIGAN ST A252  
MILWAUKEE, WI 53203-2918

**APPENDIX F            PROOF OF PUBLICATION JRB MEETING AND PUBLIC HEARING**

COMMUNITY  NEWSPAPERS

AFFIDAVIT OF PUBLICATION

0004721626



OAK CREEK LEGAL  
8040 S. 6th St

ATTN; CHRISTA MILLER  
OAK CREEK, WI 53154

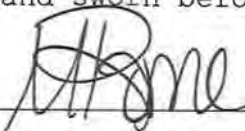
Erin Duffy hereby states that she is authorized by Journal Media Group to certify on behalf of Journal Community Publishing Group, publisher of Community Newspapers, public newspapers of general circulation, published in the city of Hartland and county of Waukesha, printed in the city and county of Waupaca; was published and delivered in the My Community Now- South on 3/23/2017; that said printed copy was taken from said printed newspaper(s).

  
\_\_\_\_\_  
Erin Duffy

State of Wisconsin

County of Milwaukee

Subscribed and sworn before me this 27 day of March, 2017.

  
\_\_\_\_\_

Notary Public State of Wisconsin

My Commission Expires 1/12/2021



**OFFICIAL NOTICE  
NOTICE OF PUBLIC  
MEETING CITY OF OAK  
CREEK TAX INCREMENTAL  
DISTRICT NO. 13**

JOINT REVIEW BOARD  
PLEASE TAKE NOTICE that a  
PUBLIC MEETING will be held

at 1:00 p.m. or thereafter on  
April 3, 2017 in the Tower  
Conference Room on the low-  
er level of City Hall, 8040 S.  
6th Street, Oak Creek, Wis-  
consin 53154, by the City of  
Oak Creek Standing Joint Re-  
view Board (JRB). The pur-  
pose of the meeting is to re-  
view and consider the pro-  
posed creation of Tax Incre-  
mental District (TID) No. 13,  
City of Oak Creek, Wisconsin,  
the proposed boundaries  
thereof, and the adoption of  
the proposed project plan for  
TID No. 13 (Project Plan).

At the meeting, interested par-  
ties will be afforded a reason-  
able opportunity to express their  
views on the creation of TID  
No. 13, the boundaries there-  
of, and the adoption of the pro-  
posed Project Plan.

Copies of the proposed TID  
No. 13 boundary and Project  
Plan are available and will be  
provided upon request at the  
offices of the City Clerk at the  
Oak Creek Civic Center (City  
Hall), 8040 S. 6th Street, Oak  
Creek, Wisconsin, Monday -  
Friday between the hours of  
7:30 a.m. and 4:00 p.m. Any  
person(s) with questions re-  
garding the proposed TID No.  
13 boundary and Project Plan  
may call the Planning Depart-  
ment at (414) 766-7000.

Dated this 16th day of March,  
2017.

Catherine A Roeske  
City Clerk  
City of Oak Creek  
Publish in Oak Creek Now  
Publication date: March 23,  
2017

**PUBLIC NOTICE**

PLEASE NOTE: Upon reason-  
able notice, a good faith effort  
will be made to accommodate  
the needs of disabled individu-  
als through sign language in-  
terpreters or other auxiliary aid  
at no cost to the individual to  
participate in public meetings.  
Due to the difficulty in finding  
interpreters, requests should  
be made as far in advance as  
possible, preferable a mini-  
mum of 48 hours. For addi-  
tional information or to request  
this service, contact the Oak  
Creek City Clerk at 766-7000,  
or by writing to the ADA Coor-  
dinator at the Health Depart-  
ment, City Hall, 8040 South  
6th Street, Oak Creek, Wis-  
consin 53154.

RUN: March 23 WNAXLP

**Publish in Oak Creek Now: March 23 & 30, 2017**

OFFICIAL NOTICE

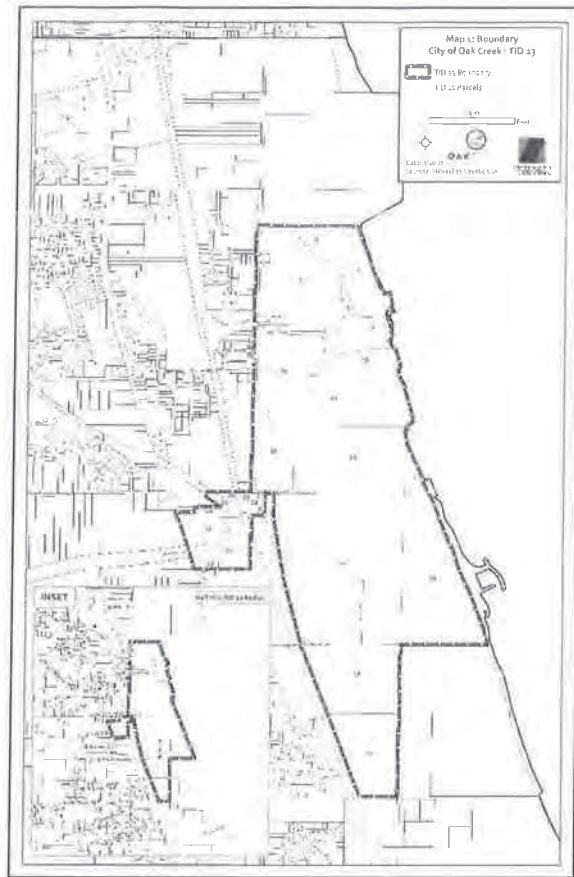
NOTICE OF PUBLIC HEARING  
CITY OF OAK CREEK, WISCONSIN  
PLAN COMMISSION

PLEASE TAKE NOTICE that a PUBLIC HEARING will be held at 6:00 p.m. or thereafter on April 11, 2017 in the Common Council Chambers on the lower level of City Hall, 8040 S. 6th Street, by the City of Oak Creek Plan Commission on the proposed creation of a Tax Incremental District (TID) No. 13, City of Oak Creek, Wisconsin, the proposed boundaries thereof (Boundary), and the proposed project plan for the TID No. 13 (Project Plan). TID No. 13 is being created as a blighted area tax incremental district in accordance with Wis. Stat. § 66.1105.

The Project Plan's project costs for the proposed TID No. 13 include, but are not limited to, ***infrastructure costs, cash grants made by the City of Oak Creek to owners, lessees, or developers of land that is to be located within TID No. 13, and costs related to projects within a one-half (1/2) mile of the Boundary of TID No. 13.*** The purpose of the public hearing is to hear those persons who wish to express their opinions for or against the creation of TID No. 13, the Boundary of TID No. 13, and the Project Plan.

A map and legal description of TID No. 13 and copies of the proposed Project Plan can be viewed at the Oak Creek Civic Center (City Hall) by appointment, 8040 S. 6th Street, Monday – Friday between the hours 7:30 a.m. and 4:00 p.m. A copy will be provided by request. Any person(s) with questions regarding the proposed TID No. 13 and/or the Project Plan may call the Planning Department at (414) 766-7000.

The Proposed TID No. 13 Boundary is shown in the following map and is located within the city limits of the City of Oak Creek, Wisconsin:



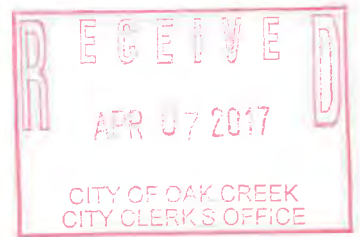
Dated this 16<sup>th</sup> day of March, 2017.

Catherine A Roeske  
City Clerk  
City of Oak Creek

#### **PUBLIC NOTICE**

PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferable a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6<sup>th</sup> Street, Oak Creek, Wisconsin 53154.

COMMUNITY **CNI** NEWSPAPERS



AFFIDAVIT OF PUBLICATION

0004721615

OAK CREEK LEGAL  
8040 S. 6th St

ATTN; CHRISTA MILLER  
OAK CREEK, WI 53154

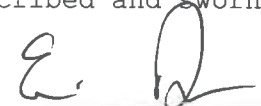
Christi Ambrosius hereby states that is authorized by Journal Media Group to certify on behalf of Journal Community Publishing Group, publisher of Community Newspapers, public newspapers of general circulation, published in the city of Hartland and county of Waukesha, printed in the city and county of Waupaca; was published and delivered in the My Community Now- South on 3/23/2017 and 3/30/2017; that said printed copy was taken from said printed newspaper(s).

  
Christi  
Ambrosius

State of Wisconsin

County of Milwaukee

Subscribed and sworn before me this 4th day of April, 2017.

  
\_\_\_\_\_

Notary Public State of Wisconsin

My Commission Expires 5-25-18



day prior to the meeting.

OFFICIAL NOTICE  
NOTICE OF PUBLIC HEARING  
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The Project Plan's project costs for the proposed TID No. 13 include, but are not limited to, *infrastructure costs, cash grants made by the City of Oak Creek to owners, lessees, or developers of land that is to be located within TID No. 13, and costs related to projects within a one-half (1/2) mile of the Boundary of TID No. 13.* The purpose of the public hearing is to hear those persons who wish to express their opinions for or against the creation of TID No. 13, the Boundary of TID No. 13, and the Project Plan.

A map and legal description of TID No. 13 and copies of the proposed Project Plan can be viewed at the Oak Creek Civic Center (City Hall) by appointment, 8040 S. 6th Street, Monday – Friday between the hours 7:30 a.m. and 4:00 p.m. A copy will be provided by request. Any person(s) with questions regarding the proposed TID No. 13 and/or the Project Plan may call the Planning Department at (414) 766-7000.

The Proposed TID No. 13 Boundary is shown in the following map and is located within the city limits of the City of Oak Creek, Wisconsin.



Dated this 16th day of March, 2017.

Catherine A Roeske  
City Clerk  
City of Oak Creek

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**APPENDIX G      JOINT REVIEW BOARD MINUTES**

Minutes of the  
Standing Joint Review Board Meeting  
Monday, April 3, 2017  
1:00 p.m.

- 1) Alderman Ken Gehl called the meeting to order at 1:00 p.m.
- 2) Roll call: Amy Kohl (Chief Business and Finance Officer Oak Creek-Franklin Joint School District), Mark Felsheim ( Vice President MATC – Oak Creek Campus), Jerry Hammernik (Citizen Member), Jim Tarantino (Milwaukee County), Ken Gehl (5<sup>th</sup> District Alderman), Doug Seymour (Director of Community Development) ex-officio member, Bridget Souffrant (Finance Director/Comptroller), Kari Papelbon (Planner), Karen Kastenson (Deputy Comptroller), Catherine Roeske (City Clerk), Barb Guckenberger (Treasurer), and Jolena Presti (Vandewalle & Associates). The following citizens were present: Arden Degner (8540 S. Pennsylvania Ave.), Mark Verhalen (2<sup>nd</sup> District Alderman), Rosemarie Annonson (3920 E. Ryan Rd.), Resident from 8864 S. 5<sup>th</sup> Avenue (and son), Randy Wukoman (9050 S. 5<sup>th</sup> Avenue), Mr. & Mrs. Bachmaga (9030 S. 5<sup>th</sup> Ave.), and Gregory Radtke (8882 S. 5<sup>th</sup> Ave.)
- 3) Approval of Minutes: Jerry Hammernik moved to approve the 11/28/16 meeting minutes. Mark Felsheim seconded. All in favor, motion passed.
- 4) Review of proposed amendment to the project plan for Tax Incremental District No. 6 to establish TID 6 as a donor TID to TID No. 13.

Doug Seymour introduced Jolena Presti of Vandewalle & Associates, the company that prepared the project plan amendments for TID 6, the donor TID and TID 13. A power point presentation was presented that encompassed Items 4, 5, and 6.

Jolena Presti provided a snapshot of the timeline and the meeting today is an organizational meeting of the JRB with the plan to be presented at the Plan Commission on April 11, 2017 with action by the City Council on May 16, 2017 followed by a JRB action meeting to be scheduled for a date in May or June. Ms. Presti explained that she is presenting the draft project plan. For TID No. 6 it's amendment #2.

Ms. Presti explained that this type of amendment is an "allocation" amendment. The City's intention is to change TID No. 6 to become a donor TID with TID No. 13 to become the recipient TID. The requirements are based on statutes so they must have the same underlying taxing jurisdictions. TID No. 13 will be created as a blighted TIF District (to be discussed in the next item). TID No. 6 (donor TID) must have sufficient revenues to pay for the project costs that have been incurred under its project plan and that there will be sufficient surplus revenues to pay for the costs as identified in the recipient (TID No. 13). The proposed allocation from TID No. 6 to TID No. 13 meets or expected to meet all these

requirements and one step in the process of requirement is the allocation amendment is approved by the Council and the JRB.

Ms. Presti provided that TID No. 6 is an industrial TIF District which was created in 2000. The total area for the district is thirty-eight (38) acres. Further information about this TID was included in the brief for amendment #2.

Ms. Presti displayed a map of TID No. 6 providing that Amendment #1 was done in 2011 as a cash grant for a development incentive. This current proposed amendment will be Amendment #2, an allocation amendment that will essentially create the donor/recipient relationship. TID No. 6 was shown along 94 and TID No. 13 is approximately 4 ½ miles east. No changes were done to the map as they are not proposing any changes in the boundary map.

Ms. Presti reiterated that this amendment is proposed to transfer TID No. 6 fund balance of approximately 1.8 million to TID No. 13 at the end of this year, December 31, 2017, and then thereafter transferring approximately \$400,000 annually to TID No. 13 for the duration of five (5) years, less annual expenditures of the existing TID No. 6. (This language can be found on Page 2 of Amendment #2 for TID No. 6.)

Mark Felsheim inquired if there was an end date for TID No. 6. Jolena Presti responded that they are not projecting to change the end date for TID No. 6. The end date is 2023.

5) Review of proposed Tax Incremental District No. 13 project amendment:

Ms. Presti explained that these two TIF Districts align creating one to be the donor and TID No. 13 is a new district that is being creating to become the recipient as referenced in the TID No. 6 overview. Explained that the timeline is the same; two amend one and create the next in the same process with today being the organizational meeting and that there is not a need for action. This is an overview to be shared with the JRB, hoping for adoption, approval and then the JRB regrouping in May or June for action.

Ms. Presti explained the requirements of creating a new TIF District: Establish a boundary for the proposed district, declare the type of TIF District and the term, determine project costs of the expenditures, potential development projects and values, perform a financial feasibility analysis, demonstrate the “but-for” finding and demonstrate that there is consistency with zoning in the City’s Comprehensive Plan. Ms. Presti explained that the documents cover these areas and also presented a power point presentation.

Ms. Presti posed the question: Why create TID No. 13 now? She explained that the lakefront and lake front area has had years of clean up activity that has been extremely expensive and also are very important for the continued growth and development of the community and removing blight from the tremendous amount of industrial use at the site.

Ms. Presti explained that the TID No. 6 spending period is almost closed and that there is excess increment or value that is necessary to start TID No. 13 off; so the reason why the

donor/recipient process is to really jump start or to recoup or plan due to the costs related to the Brownfield scenario. This would help plan for the redevelopment of this area.

Ms. Presti showed the boundaries on the map and explained that a ½ mile radius is allowable from a TIF district perspective, you are allowed if designated in the project plan, to spend project costs within that ½ mile. Example: Streetscaping or some sort of infrastructure project that goes outside of the TIF district boundary a little bit or up to ½ mile, costs could be expended in that way.

Mr. Seymour clarified that all of the properties shown are within ½ mile of the district but are not part of the district.

Ms. Presti explained that only the parcels within the yellow outline are within the district. Ms. Presti explained that all red numbers correspond to the parcel list which is on page 9 of the project plan. Explained that there are thirty-six (36) parcels, 505 acres, with a base value of nearly 4.5 million, the percentage of blighted properties by area is 69.7 percent. The projected total value of increment is shown as well as the total tax increment over 27 years.

Ms. Presti explained that the lakefront is part of the City's Comprehensive Plan that's also parts of more detailed Lakefront Redevelopment Action Plan from 2011. The slides showed the identified projects for Lake Vista Park and the concept for the full development. Ms. Presti added that there is only so far a community can go in laying a foundation and infrastructure and at this point it's ready to advance in terms of redevelopment. Ms. Presti explained the process, statutes related to it, and the conceptual plan for future redevelopment to include types of uses and costs involved.

Ms. Presti presented information which was provided by the City's municipal advisor, Hutchinson, Schockey, Erley, & Co. which was integrated into the project plan and required by Statute.

Bridget Souffrant explained the financial details of the project plan and that they had to find some type of understanding of what development may occur and a logical timeframe in which it may occur.

Ald. Gehl questioned some of the numbers on the spreadsheets for the taxing districts appeared to be listed incorrectly. Bridget Souffrant explained that the School District should be the 30.97%, MMSD should be 7.36%, State should be 5.29% and Milwaukee County should be 27.70%. Bridget added that the tax rate is at 22.25 not 22.50.

Ms. Presti discussed the blighted property findings which fall under State Statute 66.1333. She explained that a property may be considered blighted or in need of relocation but that does not mean the property owner(s) are neglectful. The reason that this area is defined as blighted is because of the historic industrial use of the majority of the area. You may have a residential property within that boundary but that does not mean that it was found blighted.

But you are still within the district. The reason this has to occur is for contiguousness within the district.

Alderman Gehl requested explanation on page 21 as far as project costs and scope.

Mr. Seymour responded that the proposed project costs are not a statement of what will be spent but a statement of what possibly could be spent under the Statutes and the project plan. Mr. Seymour explained that each expenditure is required to go through the normal process of being approved by the Common Council. All of the capital costs which are proposed as part of this district must go through the approval process. Mr. Seymour also explained project costs involving areas within Bender Park. These too would require approval by both the City of Oak Creek and Milwaukee County.

Alderman Gehl added that if they come across an item in the future that is not on the list before them it would they have to go through a TID amendment and that's why they've tried to incorporate as much as can be visualized upfront.

Mr. Seymour affirmed Alderman Gehl's comment and elaborated further on when an amendment to a TID is required.

Mr. Hammernik had questions as to the allocation of money to Bender Park. Mr. Hammernik stated he thinks that area is likely to be contentious to the public as the County has limited funds for Bender Park and if we spend Oak Creek money in Bender Park then that means the County can spend their limited dollars elsewhere.

Ald. Gehl advised that the group must remember that this is not all Oak Creek money as there are five taxing jurisdictions involved.

Mr. Hammernik reiterated that it's the Oak Creek money between the school district, the County portion it's from the Oak Creek taxpayers to the different taxing bodies.

Mr. Seymour expounded that these additional dollars are generated by the increment from the new development that takes place within a district and in most cases this is development that would not occur had it not been for the district(s).

Mr. Hammernik stated that this is not an issue that he's against; just an issue that needs to be explored while moving forward.

Mr. Seymour explained that there is a line item for property acquisition and relocation. He explained that although State Statute does allow for certain mechanisms through eminent domain; there is no plan at this point in time in this project plan to use eminent domain to acquire any properties within this district. Mr. Seymour added that he cannot commit to future Councils towards those actions it is not a situation that is contemplated as part of this TIF District.

Ms. Souffrant added that this portion needed to be in the plan because if the City is the owner of any of these properties (which we are) that section needs to be in there if the City

were to transfer the property or sell the property for lesser than what the value was at that time.

Mr. Hammernik added that his question on eminent domain was addressed by Doug.

Jim Tarantino questioned the environmental condition and remediation as part of this project and some of the history on the site.

Mr. Seymour spoke of the historical uses of the site to include: Peter Cooper, Wabash Alloys, Hynite Chemical Company, Dupont, and a wide range of users over the years. He explained that some of these businesses were in use from fifty (50) to one-hundred (100) years ago and there were different regulations in place during that time period; much different than those that in place today. In order to allow for potential redevelopment they must be brought back to acceptable standards for the DNR and for some the Environmental Protection Agency (EPA). Millions of dollars have been spent by both the private and public sector to bring these properties to the state that they are today and millions more will be needed to bring those properties into a state where they can be redeveloped.

Mr. Tarantino added that he thinks it's a great thing that the City is trying to do with remediating the brownfield sites and creating park improvements in their place. Mr. Tarantino stated that he doesn't think any citizen cares what side of the border they step on as long as there are improved recreational amenities. Mr. Tarantino added that there has been much coordination between the County and the City.

Amy Kohl questioned what TID 13 would look like if there wasn't the amendment to TID 6?

Ms. Souffrant responded that the uniqueness of TID 13 is that there is an incredibly low base because the base value is vacant land or blighted land. There isn't a sound existing tax base to utilize to begin some of the efforts and infrastructure that has gone on and is projected to go on to create the park and some of those amenities that the plan essentially says will draw those private developments down to then and create that increment. That's where the need for the five (5) year sharing comes from.

Mr. Seymour commented that in most TIF Districts; there's been a committed project that there is a known increment that will be generated by a specific date that a financial model can be built off of. With the unique nature of TID 13, there isn't a kickoff project showing revenue generation. Mr. Seymour explained they don't show any increment coming into the district until 2022 – 2023, and they are very conservative to allow the market to dictate what happens there. That's why there is the need for the infusion of capital in the initial five years to get some of the projects done.

Alderman Gehl commented that this is the original reason for having a TID; taking an old brownfield and having an organization as a government step in and initiate a process for re-development.

Mr. Hammernik inquired about land values and if things went faster than expected would TID 6 be committed to spending the five years at \$400,000 a year or if it is only needed for the first two years can it revert to the taxing bodies.

Mr. Seymour explained that if the financial aspects allowed it to close earlier than the five years that would be a decision by the Council.

Mr. Hammernik asked if the decision would be made by the Council or the taxing bodies (Joint Review Board).

Mr. Seymour responded that to his knowledge it would be a Council decision.

Mr. Felsheim questioned items on Page 29 of the presentation regarding administration costs.

Mr. Seymour provided an overview on the project costs.

Ms. Presti added that information is referenced in the TID Amendment document.

Ald. Gehl explained that since he has been in office (eight years), the background and environmental studies have been going on with consultants, lawyers and the DNR. Ald. Gehl explained again that this is an informational meeting. Ald. Gehl asked the JRB how they felt about taking public comment from the public attendees.

Mr. Felsheim again clarified that no action would be taken at this meeting.

Mr. Seymour asked if the presentation on TID 11 should take place before opening the meeting to public comment.

Mr. Felsheim asked if there would be issues with a public hearing notice.

Ms. Papelbon advised that it was posted as a "Notice of Public Meeting".

Ald. Gehl explained that the practice in Oak Creek is to offer a public commentary but added unless they were questions that could be answered by someone in attendance otherwise the question would be directed to a staff member for follow up. Ald. Gehl suggested that only commentary be accepted at this time with a time limit for each speaker.

Ald. Gehl asked the JRB members if they were agreeable to having public commentary. All were in agreement.

Mark Verhalen added that as an alderman he believed that as long as there were no direct questions asked to the committee, and the member did not answer them, it would not be a public hearing. As long as people's comments were only taken as face value and no input is taken back from the committee.

Ald. Gehl explained that the first public hearing would be at the Plan Commission.

Mr. Seymour again stated that this is not a public hearing and the first public hearing for this will be held on April 11<sup>th</sup>, and if any of the public in attendance wanted to get any questions or comments on the record they should attend that meeting. Mr. Seymour added that while the JRB will accept public comment it is not in the same capacity as that of a public hearing.

Arden Degner, 8540 S. Pennsylvania Avenue – Inquired if this is based on a 27-year loan and how is this calculated. Mr. Degner also provided a handout for the members.

Ald. Gehl explained that there is a 27-year life of the TIF District and there are three financings during the TIF period. Ms. Souffrant explained that in 2043 if the TIF were to go through its full term.

Rosemarie Annonson stated that she had questions. Alderman Gehl explained that she would need to ask her questions of staff but can provide a brief commentary at this time.

Ms. Annonson asked if TID 6 could be a donor TID to TID 13 if TID 13 was not considered blighted.

Ms. Presti stated no.

Ms. Annonson commented that generally TID districts are connected but there is a gap with Bender Park and wanted to know if that is why it's included.

Mr. Seymour responded that Bender Park is included in the district because some of the project costs are anticipated to be extended within Bender Park.

Ms. Annonson commented on the brownfields and status of some of the properties being cleaned up.

Mr. Seymour responded that he would not represent that information as fact. Mr. Seymour added that additional steps need to be taken to remediate those sites.

Ms. Annonson commented on the acreage and added that Bender Park in itself is 400 acres.

Ald. Gehl responded that not all of Bender Park is in the TID.

Mr. Seymour stated that this will be confirmed.

Ald. Gehl advised Ms. Annonson that her time of commentary is up and she stated that she had more to comment on. She stated that four of the properties are considered historic and that there are nine owners and seven of the properties are owner occupied residences that total 2.3 acres and yet their property is on the line. Ms. Annonson requested something in writing that eminent domain will not be used on any of the private residential properties.

Mr. Seymour advised that he will not commit any future Council nor can the Joint Review Board commit any future council or governing body from availing itself the opportunities that are allowed under State Statute.



Ms. Annonson questioned how there can be a public hearing and boundaries set on the same night.

Mr. Seymour replied that this is being done in conjunction with State Statute and if there were further questions on this to contact the City Attorney.

Residents from 4005 E. Lakeside did not wish to comment, only listen to the meeting.

Larry Bachmaga, 9030 S. 5<sup>th</sup> Avenue, provided a written comment which Alderman Gehl read to the group.

Mr. Seymour reiterated that the project plan does not call for nor anticipate any acquisition of any private properties especially using eminent domain.

Randy Wukoman, 9050 S. 5<sup>th</sup> Avenue voiced concern if property values would go down due to being part of this district.

Mr. Seymour explained that he doesn't believe that the investments made to this district will lower property values but potentially raise property values.

Ald. Gehl provided Drexel Town Square as an example and properties on Drexel Avenue are seeing significant commercial activity and increased property values.

Citizen stated that with it being a blighted area that tells me that the property has decreased.

Ms. Presti explained that it's really a category for a financing mechanism, it should not impact, and if anything it would help your property value.

Mr. Seymour asked the citizen which property he owned.

Mr. Wukomen responded that he owns 9050 S. 5<sup>th</sup> Avenue.

Ms. Presti responded that Mr. Wukomen's property is not categorized as blighted but is within the district that is labeled as blighted.

Mr. Seymour again explained the definition of blighted per State Statute.

Ms. Souffrant added that this does not connect to assessments; it is just a boundary that is drawn when generalizing where the increment and expenditures can occur within a district. As development is occurring around the area it is natural for the assessed value in the surrounding area to increase as well.

Resident from 4033 E. Lakeside inquired if his property is considered blighted.

Ms. Presti responded that 4033 does show some blight factors but it is not needed to meet the fifty percent.

Resident at 4033 E. Lakeside asked if it's based on the home itself or just the property.

Ms. Presti responded that the notes are outdoor storage, peeling paint, again this is not necessary as it was not intended for residential units to be categorized as blighted, it can be removed. Ms. Presti went on to state that fifty percent of the area is needed and they have almost seventy.

Mr. Seymour commented about investment and future development of property by developers. Mr. Seymour explained that no one would be forced to do that (sell their land) but if they wanted to they would be welcome to do it. In the area around Lakeside and the old Peter Cooper land it is not even developed enough to know what the ultimate development plan will be for that area. The area residents would be involved in the future planning process.

Ms. Presti clarified that they did record blighting factors (for 4033) but did not incorporate that into the total count.

Resident asked if there is the possibility for cash grants for property improvement in the blighted area.

Mr. Seymour responded that there probably would not be as a residential property owner. He added that if the Joint Review Board wishes to move in a different direction and investigate that but it was meant towards redevelopment on a larger scale.

Mr. Felsheim asked about commercial properties in that area already in existence.

Mr. Seymour advised that at this time there is no program in place for that but hypothetically speaking provided an example of an existing company going to the group to ask for funds to improve their commercial property.

Greg Radtke, 8882 S. 5<sup>th</sup> Avenue asked about the plan for widening 5<sup>th</sup> Avenue.

Mr. Seymour responded that there are no plans to widen 5<sup>th</sup> Avenue at this time but as a project cost it's being added in case the Council were to design a project to do that. Mr. Seymour stated that there is a right-of-way width for 5<sup>th</sup> Avenue which is shown on the official map.

Ald. Verhalen raised concerns about including Bender Park and some of the privately owned property which is under bank ownership in the TIF district at this time and added that with all the future costs that will be incurred by the City with using the TIF; the TIF could be expanded down to these areas at a later date as the Council sees fit because some of the planning has not been done thoroughly enough especially with regards to Bender Park. Ald. Verhalen added that the plan put forth by the Water Utility essentially doubles the costs for some of the infrastructure to benefit some of the properties. Ald. Verhalen stated that everyone that currently resides in Milwaukee County currently pays a portion of taxes for maintenance and upgrading of the County Parks. When a TIF District is started up; the citizens of Oak Creek borrow that money so the private people (the citizens) are essentially being taxed twice for the park. Ald. Verhalen commented about concern over not putting the money from TID 6 back into the General Fund where it could be used for upgrading some of

the things that need to be done in Oak Creek rather than using it to upgrade facilities for Milwaukee County. If this area is put into the TIF there is nothing saying that Milwaukee County won't ask or require the City to continue maintaining and upgrading those facilities for them because it's inside of the TIF District boundary. Ald. Verhalen stated that he is concerned that Oak Creek may be required to put some costs forward due to a good portion of the acreage within Bender Park probably has contamination in the soil because there was an apple orchard located there. Ald. Verhalen added that this should be reviewed before this part is approved and at the very least come back to the Joint Review Board with a different layout and proposal excluding Bender Park out of the plans and moving to the west side of the railroad tracks due to the deep sewer. He added that he has spoken to the Water Utility regarding the proposed deep sewer plans.

Mr. Hammernik inquired who makes the decision on the sewer plans.

Ald. Gehl responded that the Water Utility makes those decisions.

(All public attendees left the meeting at this point with the exception of Arden Degner and Rosemarie Annonson.)

6) Review of proposed Project Plan Amendment for Tax Incremental District No. 11:

Doug Seymour explained that this item is a review of the Project Plan Amendment for TID 11 which is the Drexel Town Square TID. Mr. Seymour added that it does not relate to any of the discussions with TID 6 and TID 13. Mr. Seymour explained that the boundaries are not being amended rather some of the project costs within the district are being amended.

Mr. Seymour stated that Section Four of the project plan shows a detailed list of the project costs and identifies three different expenditure areas which are over and above the existing project plan which has been modified previously. This is funding for developer incentives for Phase II of Emerald Row (roughly 9.9 million dollars), an additional \$400,000 in project costs due to a potential development agreement with Zund for the property at 8142 S. 6<sup>th</sup> Street, and a shared parking arrangement which is a redevelopment of the area that was going to be developed as a third phase of Emerald Row at 7951 S. 6<sup>th</sup> Street. This would allow for the concept of a shared public and private parking structure or lot; estimates of that would add an additional \$700,000 in project costs for the district.

Mr. Seymour further elaborated on Emerald Row Phase II: Under a development agreement that has been negotiated by the Common Council for Phase II of the development which would result in an additional 242 units at 7951 S. 6<sup>th</sup> Street, south of the existing first phase.

Ald. Gehl added that there would be 374 units of underground parking.

Mr. Seymour stated that the additional funding is primarily for the underground parking for that facility have resulted in a negotiated development agreement calling for roughly 9.9 million dollars; a combination of which is grants and loans.

Item #2 is for additional project costs anticipated for a future development agreement at 8142 S. 6<sup>th</sup> Street (the Zund Development). This allows for an additional \$400,000 in project costs to deal with environmental remediation of that property as well as some shared parking arrangements for shared public/private partnerships to provide additional parking at Drexel Town Square.

Ms. Souffrant explained the spreadsheet for these proposed amendments and the potential financial plan. Ms. Souffrant stated that Hutchinson, Schockey, Erley, & Co. (HSE) worked another analysis and they looked at just the projects addressed in this meeting for TID 11. Using the assessed values for Emerald Row Phase II & Phase III as well as the assessed value for Zund and that's how they drive the tax increment value on the spreadsheet. Ms. Souffrant explained that there is a grant that is proposed to go to the developer along with a loan. The loan is intended to be paid back by the developer during the course of the district which goes until 2032. She added that they all have the development agreements, securities and in place, and the backup and guarantees that our Common Council required to approve the process.

Ms. Souffrant advised that she does need an updated page for the Plan Commission going forward from HSE as she sees a different loan amount as both the grant and loan should total 9.9 million that is in the body of the agreement.

Mr. Tarantino asked for clarification that the page being discussed is specific to the amendment and not the project in general.

Ms. Souffrant confirmed that he was correct.

Ald. Gehl reiterated that this is only for the changes to TID 11 not the entire project.

Mr. Hammernik questioned the Zund parking plan.

Ald. Gehl responded that the City is in the process of negotiating a shared usage of some of the parking at Zund to be used for overflow parking for events and nighttime activities on the square. Ald. Gehl added that they would put in more surface parking than they would be required to do.

Ms. Souffrant clarified that the \$700,000 is for the space in between Froedtert and Emerald Row I to work out an additional park/parking.

Ald. Gehl added that Council has realized the need to have additional public parking so that there's a joint partially covered/partially surfaced solution to that being worked out at this time.

Mr. Felsheim inquired if Zund was moving to this area.

Mr. Seymour stated that's the proposed plan right now. He stated that with relocating from another municipality they see the value of being located in a mixed-use walkable development with access to hospitality (restaurants, overnight stays for guests) to be utilized by salespeople and people they train.

Mr. Felsheim moved to adjourn the meeting. Mr. Tarantino seconded, all in favor. Meeting adjourned at 2:33 p.m.

Ald. Gehl moved to reopen the meeting to set the next date. Mark Felsheim seconded, all in favor.

7) Next meeting is set for June 12, 2017 at 1:00 p.m.

8) Adjournment - Mr. Felsheim motioned to adjourn. Ms. Kohl seconded. All voted aye. Meeting adjourned at 2:36 p.m.

ATTEST:



Ken Gehl, Joint Review Board Chair

6/12/17

Date

**Minutes of the  
Joint Review Board Meeting  
Monday, June 12, 2017**

- 1) Chairman Ken Gehl called the meeting to order at 1:00 p.m.
- 2) Roll call: Jerry Hammernik, Ken Gehl, Dr. Mark Felsheim (MATC) and Jim Tarantino (Milwaukee County). Amy Kohl was excused. Also present were Doug Seymour (Director of Community Development), Kari Papelbon (Planner) and Bridget Souffrant (Finance Director).

- 3) Approval of Minutes – April 3, 2017

Mr. Hammernik moved to approve the minutes of the April 3, 2017 meeting. Dr. Felsheim seconded. On roll call: all voted aye. Motion carried.

- 4) Consideration of and action on resolution approving Amendment No. 2 to Tax Increment District No. 6 (TID 6) and establishing TID 6 as a donor TID to Tax Increment District No. 13 (TID 13).

Doug Seymour, Director of Community Development, stated that the first of the three resolutions that they are being asked to take action on deals with the second amendment to TID No. 6. These were introduced to the Joint Review Board at their initial meeting, introduced and discussed at length at the Plan Commission meeting at the public hearing, as well as the Common Council.

RoseMarie Annonson, 3920 E. Ryan Road, stated that donor TID funds are not allowed to be used for park buildings, and part of this would include payment for the pavilion and the other little buildings; if not in the construction, in the design.

Dr. Felsheim moved to approve the resolution approving Amendment No. 2 to Tax Increment District No. 6 (TID 6) and establishing TID 6 as a donor TID to Tax Increment District No. 13 (TID 13). Chairman Gehl seconded. On roll call: all voted aye. Motion carried.

- 5) Consideration of and action on Resolution approving the creation of and Project Plan for Tax Increment District No. 13 (TID 13).

Mr. Hammernik stated that at the last meeting he expressed concerns about going into the County parks. He has had discussions with his alderman

(Alderman Gehl) about that. Although he still has concerns about that, he stated it is up to the Common Council if they should they choose expend funds there. He stated that it would be micro-managing to be that specific about things and he is ready to move forward.

Ms. Annonson stated she wanted to know what the JRB members are basing their votes on because this is a new standing Joint Review Board, and she is not sure they know what criteria they are voting on.

Chairman Gehl moved to approve the resolution approving the creation of and Project Plan for Tax Increment District No. 13 (TID 13). Mr. Hammernik seconded. On roll call: all voted aye. Motion carried.

- 6) Consideration of and action on Resolution approving Amendment No. 3 to Tax Increment District No. 11 (TID 11) Project Plan.

Mr. Hammernik stated that he has had numerous contacts with the public regarding the parking at Drexel Town Square. This does make some effort to move towards solving some of those parking issues to bring this area to life as it has been envisioned. He stated this is definitely worth doing.

Mr. Hammernik moved to approve the resolution approving Amendment No. 3 to Tax Increment District No. 11 (TID 11) Project Plan. Chairman Gehl seconded. On roll call: all voted aye. Motion carried.

- 7) Date and time of next meeting. Planner Papelbon stated that at this time it looks like the next meeting will be the annual review, but the board members will be notified before that.

Adjournment. Mr. Hammernik moved to adjourn. Dr. Felscheim seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 1:10 p.m.

**APPENDIX H**

**PLAN COMMISSION RESOLUTION AND PUBLIC HEARING  
MINUTES**



**RESOLUTION NO. 2017-03**

**A RESOLUTION ADOPTED BY THE PLAN COMMISSION APPROVING  
PROPOSED BOUNDARIES AND THE PROJECT PLAN FOR  
TAX INCREMENTAL DISTRICT NO. 13, CITY OF OAK CREEK, WISCONSIN**

WHEREAS, Section 66.1105 of the Wisconsin Statutes ("Tax Increment Law") provides the authority and establishes procedures for creating tax incremental districts and approving the project plans for such districts; and

WHEREAS, the Common Council for the City of Oak Creek ("Council") on November 15, 2016, moved to authorize staff to take steps to create Tax Increment Financing District No. 13 ("District") as a blighted area tax incremental district; and

WHEREAS, the Plan Commission, after completing preliminary planning work, scheduled, gave public notice of, and on April 11, 2017 held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of the District, the proposed boundaries of the District and the proposed project plan for the District (the "Project Plan"), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, prior to its publication, a copy of the notice of said hearing was sent to the chief executive officer of Milwaukee County, the Oak Creek-Franklin School District, the Milwaukee Metropolitan Sewerage District and the Milwaukee Area Technical College District, and the other entities having the power to levy taxes on property located within the proposed District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the Plan Commission, after due consideration following the said public hearing, determined that the creation of the District within the area described by the boundary description or map attached to this resolution as Exhibit A will provide the City with a viable method of financing the cost of needed public improvements and other project costs within said area, thereby creating incentives and opportunities for appropriate private development, including new development which will contribute to the overall development of the City; and

WHEREAS, the Plan Commission has prepared a Project Plan for the District attached as Exhibit B, which includes:

- a. A Statement listing of the kind, number and location of all proposed public works or improvements within the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when such costs or monetary obligations related thereto are to be incurred;
- e. A map showing existing uses and conditions of real property in such District;

- f. A map showing proposed improvements and uses therein;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed method for the relocation of any persons to be displaced;
- j. A statement indicating how creation of the District promotes orderly development of the City; and

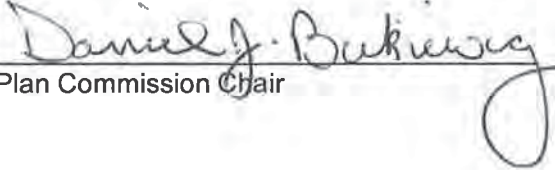
WHEREAS, in accordance with the procedures specified in the Tax Increment Law, before the Council may create any tax incremental district, the Plan Commission must designate the boundaries of such District and approve the Project Plan for such District and submit its recommendation concerning the creation of District and the Project Plan to the Council;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Oak Creek as follows:

1. That the Plan Commission hereby designates the boundaries specified in the boundary description or map attached to this resolution as Exhibit A and entitled "TIF Boundaries and Legal Description, Oak Creek Wisconsin," as the boundaries of said District and recommends that said District be created by the Council within the area enclosed by said boundaries.
2. That the District shall be known as City of Oak Creek Tax Incremental District Number 13.
3. That the District is created effective as of January 1, 2018.
4. That no annexed territory exists within the designated boundaries of the District.
5. That not less than 50%, by area, of the real property within the said District is blighted within the meaning of Section 66.1105(2)(a)(1) of the Wisconsin Statutes;
6. Based on its findings that the District is declared to be a blighted area district based on the identification and classification of the property included in the District.
7. That the Project Costs relate directly to eliminating blight in the area consistent with the purpose for which the District was created.
8. No costs within the project plan are related to newly platted residential development.
9. That the improvement of the area is likely to significantly enhance all the other real property in the District.
10. That the Project Plan is feasible and in conformity with the adopted Comprehensive Plan (as amended) for the City of Oak Creek.
11. That the equalized value of the District's taxable property plus the value increment of all existing district does not exceed twelve percent (12%) of the City of Oak Creek's total equalized value of taxable property.

12. That the Plan Commission hereby adopts such Project Plan for the District attached to this resolution as Exhibit B, and recommends to the Council the approval of such Project Plan.
13. That the Plan Commission hereby recommends that the Council adopt a resolution to formally create said District and approve its Project Plan in accordance with the provisions of the Tax Increment Law.
14. That the City Clerk is hereby authorized and directed to provide the Mayor and Council with certified copies of this resolution, upon its adoption by the Plan Commission.

Adopted this 11<sup>th</sup> day of April, 2017.

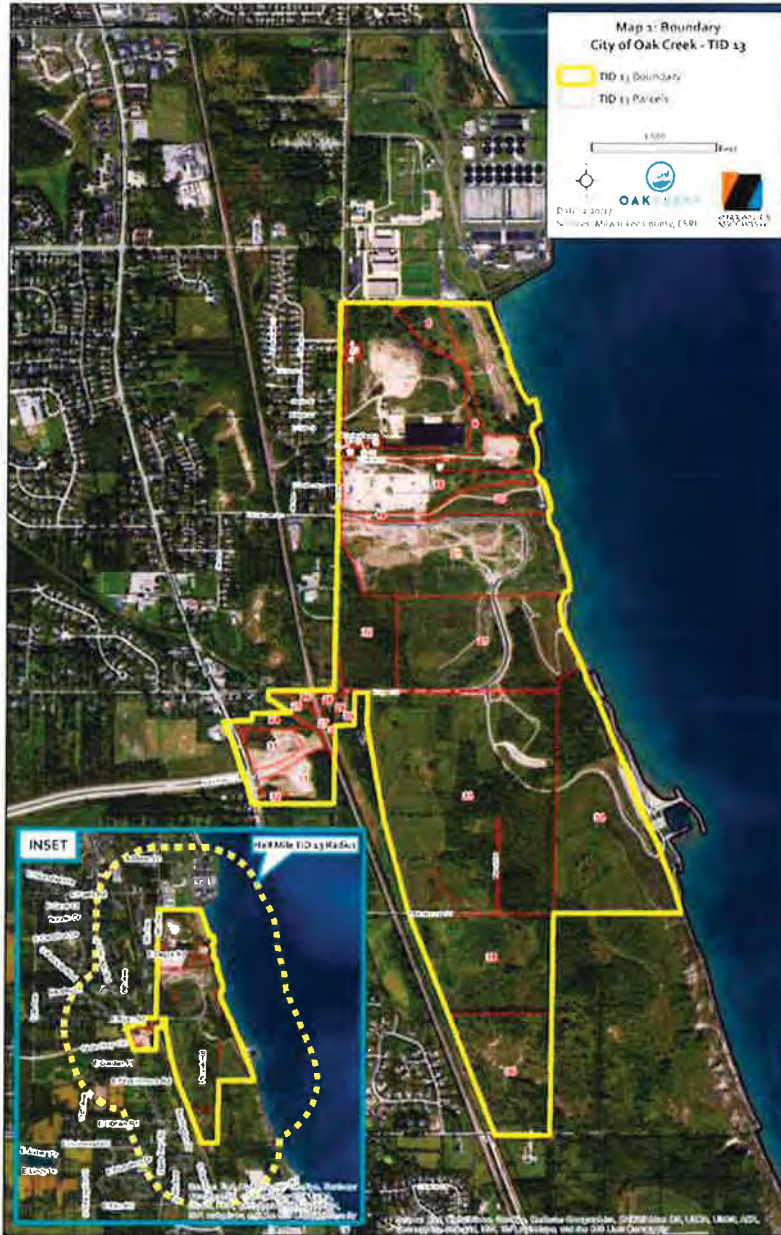
  
Plan Commission Chair

Attest:

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Secretary of the Plan Commission

**EXHIBIT A**  
**TIF 13 BOUNDARIES & LEGAL DESCRIPTION**  
**OAK CREEK, WISCONSIN**



Commencing at the northeast corner of the NE ¼ of Section 23, Town 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin; thence S00°50'08"W, 638.65 feet; thence S89°00'04"E, 32.92 feet to the point of beginning of the lands to be described; Thence S89°25'57"E, 1709.72 feet to a point which is the shoreline and ordinary high water mark of Lake Michigan; thence southerly and easterly following the ordinary high water mark of Lake Michigan approximately S18°12'24"E, 7659.25 feet to a point which is 1596.53 feet east (along a bearing that runs N89°56'41"E) of the southwest corner of the NE ¼ of Section 25-5-22; thence S89°56'41"W, 175.79 feet; thence S00°23'49"E, 33.01 feet; thence S89°56'45"W, 1420.55 feet; thence S00°46'19"W, 2587.96 feet; thence S89°49'15"W, 667.34 feet; thence N21°16'45"W, 1515.03 feet; thence N21°16'45"W, 1251.57 feet; thence N22°39'57"W, 71.32 feet; thence N15°08'11"W, 1139.48 feet; thence N10°20'18"W, 1143.79 feet, thence N00°53'25"E, 365.26 feet; thence S89°46'26"W, 155.20 feet; thence S00°53'25"W, 365.26 feet; thence S89°46'26"W, 222.84 feet; thence S00°55'27"W, 936.01 feet; thence S89°43'54"W, 830.08 feet; thence northwesterly 937.23 feet along the arc of a curve having a radius of 4986.08 feet and whose chord bears N18°08'41"W, 935.72' ; thence N89°28'45"E 0.92 feet; thence northwesterly 108.81 feet along the arch of a curve having a radius of 4987.07 feet and whose chord bears N24°09'34" W, 108.80' thence N89°52'58"E, 188.59 feet; thence N00°00'00"W, 96.00 feet; thence N89°43'35"E, 458.52 feet; thence N56°34'27"W, 208.00 feet; thence N42°59' 7"W, 26.45 feet; thence N78° 41' 32"W, 16.50 feet; thence N56° 34' 27"W, 68.00 feet; thence N00° 34' 10"E, 31.10 feet; thence N89°43' 35"E, 803.34 feet; thence N03° 16' 16"W, 8.28 feet; thence N89° 46' 26"E, 32.96 feet; thence N00° 51' 11"E, 4684.74 feet; thence S89° 25' 57"E, 17.00 feet to the point of beginning.

**EXHIBIT B  
TIF PROJECT PLAN**

THIS WILL BE HANDED OUT SEPARATELY.

17043519,2

**DRAFT MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, APRIL 11, 2017**

**PUBLIC HEARING  
TID NO. 13 PROJECT PLAN & BOUNDARIES**

Planner Papelbon read the public hearing notice into the record.

Jolena Presti, Vandewalle & Associates, 247 W. Freshwater Way, Milwaukee, gave a presentation on how a TID district is created.

Ms. Presti stated that TID No. 13 is being created because the TID No. 6 spending period is nearly closing. Now is the time to recoup some of the tremendous costs within the lakefront area. TID No. 6 can be created as a donor and make TID No. 13 as a new TID as the recipient.

TID No. 13 has 36 parcels; total non-wetland areas 505.11; base value \$4,487,200; percentage blighted properties 69.7%; projected total value increment \$172.74 million; total tax increment (27 years) \$65.28 million.

Bridget Souffrant, Finance Director, stated that looking over the life of the district through 2043, there is a potential to see a tax increment of \$65 million. Additional increment from the development is not anticipated until 2022. Ms. Souffrant stated that there are three potential debt issues in 2023, 2029 and 2034. The district should break even in 2037, and have an estimated positive cash flow of \$33 million at the end of the district.

Mayor Bukiewicz made a call for comment.

Mark Verhalen, 1200 E. Ryan, stated:

*“My main concern is extending the boundaries of the TIF into Bender Park. If you look on the proposed sewer extension, it goes right through Bender Park. It is a half mile of deep sewer, probably 25 feet or in excess, as you see up on the screen, the cost of that is going to be a \$1.5 million or more. What does the City get for putting that deep sewer in? Absolutely, nothing because there is no development that can happen in Bender Park. I think that the boundary of the TIF should be modified. I talked with our City Administrator this afternoon and my statement was to him one of them was, we can always expand the TIF, but we can never make it smaller. If we back off on some of the boundaries here, get some due diligence done, maybe we can run that sewer line on the west side of the west side of the railroad tracks instead of through Bender Park.*

*The second thing I would like to address is expenditures in Bender Park if it is included in the TIF district. Some of that is the City is going to be putting in infrastructure on the property that we don't have any control over. And it really concerns me that we are setting a bad precedent with spending City dollars on County parkland where we already pay taxes for them to maintain their facilities. We are basically hitting the taxpayers of Oak Creek; we're doubling the costs for some local residents. Once you start that, you kind of open the door for a type of backdoor funding with TIF money to pay the costs of future infrastructure, building and also maintenance of infrastructure that you put in whether it be roads or playgrounds or whatever, parking lots. So I have some strong reservations about putting that area of Bender Park in the TIF.*

*There is one other thing. I would like to know if we would be responsible for any environmental cleanup in Bender Park as it's included in the TIF district because there is quite a larger area that*

*was an apple orchard years ago. There's probably a really good chance there's a lot of arsenic contamination. It's about a 20-acre parcel within Bender Park. There's a good chance that if we undertake building infrastructure or putting things in there at our costs, we may end up with a cleanup costs down there. I think it would be more prudent to back off on the boundaries of the TIF to include just the area of Ryan Road north and then do a feasibility study and see if we can include some of the other areas west of the railroad tracks in the TIF to get the sewer run down to the south and keep that sewer line out of Bender Park and save everybody a lot of money."*

Ms. Presti stated that the City is allowed to spend TIF project costs within a half mile radius. You don't actually have to be within a TIF district to expend the infrastructure costs within the boundary.

Arden Degner, 8540 S. Pennsylvania Avenue:

*"I certainly appreciate all the work that's been done to remediate this lakefront. Work that has been done. Work that has to be paid for. Work, it's only a start. We have to continue. Do we? Did you all get my handout? Back in 1989, I've presented the Oak Creek Pictorial, to the taxpayers, excessive tax, and at that time, Alderman Borchardt foresited a moratorium of multi-family apartments. I don't know how long that was in effect. But this is what I object to strenuously is the proposal to put rural houses along our lakefront. I like it the way it is now. You can drive down. You can see the lake. Not with this proposal. Not with anything that is proposed here. We will not be able to see the lake at all, except on this new 100-foot stretch that if you drive up there. Is this what we need in the City? No. We don't need any more developments of this type. We already have hundreds, five hundred as you heard previously, Apartment parking spaces on Drexel and Pennsylvania. We have more on Drexel Town Square. We have more on others that have been presented. We add if you'll just consider the times, even these presented the City of Milwaukee apartment complexes have all been downsized. We are asking for difficulties. We are asking for changes that we cannot afford. Especially pictures of these homes on page 35. The City of South Milwaukee 20% of their housing would be blighted. Is this the only type of structure that will be allowed in Oak Creek? Is anything over 50 years old including mine will have to be eliminated? Is this the only type of structure that will be allowed in Oak Creek? This whole proposal should be held until some other time, maybe 20 years from now when we can afford it. Thank you."*

Mayor Bukiewicz made a second call for comment.

Rosemarie Annonson:

*"Although Wisconsin has a very broad definition of blight and I'm going to read it to you. It means any area, meaning a slum area, in which a majority of the structures are residential. There's more, but that's all I want to use. Of the land that's involved in this TIF district proposal, only 2.30 acres are private residential. If we add occupied private residential at 2.3, if we add the two other parcels that do not have housing, it comes to 5.56. There are 11 residential owners, 9 own property, 4 are historic, that leaves 5 up for grabs. This lady told the Krysiaks their house was blighted. We have no information in here on how it was ranked and how it was determined. In contrast, the City owns 156.49 acres. Milwaukee County owns .22. The developers own 204. It is the City's failure to install sewer in the southeast section of the district that has stymied development in district 4. At the board of review meeting, they would not give us any guarantee that the City would not use eminent domain to take our properties.*

*I also have a problem with the boundaries. You may not use parkland as TIF land because it is non-taxable. TIF properties have to be continuous. They have to be joined. If you remove Bender Park, parcels on the end are not included. I would like to see a list of the property values for the City. It is not required under law for a City, only under towns. I'm also concerned with the costs.*

*Right now, the City of Oak Creek, according to the Moody report of December of 2016, we were 96.6 in debt. The Moody's report also said that we have above average debt and a large amount subject to refinancing. That is three of our TIFs that we are going to have to refinance into long-term bonds. That means approximately \$6 million more dollars, maybe more.*

*This report itself says that on page 25 the loss of tax exempt status of municipal bonds are broadening the purpose of future tax exempt bonds will affect market conditions. We know that the interest rates have risen since this report was prepared. I don't think that we can safely finance that district. I think that the lakefront will sell itself. Let development come naturally, but we do need that sewer."*

Kelly (Krysiak) McDonnel, 4033 E. Lakeside Avenue:

*"I just wanted to make sure for the record that I, it was noted that I have concern about property values decreasing due to the blighted label. And then, as Mr. Verhalen was saying, we can make it smaller and expand out if need be. I do recognize that one residential property is carved out of the district. I do understand that that property, the year that it was built, excludes it from being able to be included. Since we are creating this district, what, as stated previously, the residential properties were not considered blighted. It is mostly due to the land, then why can we not carve out the residential properties at this time and address it again down the road?"*

Mayor Bukiewicz made a third and final call for public comment.

Al Vanoff, 3964 E. Dexter:

*"What does this mean to me when you are blighting all the stuff around us? Because we don't know what we're doing now. You're taking land all around us. How do we know that you aren't going to blight our side?"*

Seeing no other comments, the public hearing was closed.

## **TID NO. 13 PROJECT PLAN & BOUNDARIES**

Andrew Vickers, City Administrator, stated that TID No. 13 is a "poster child" TIF. TIFs were established in the late 1970's. They were for blight elimination, blight renewal, urban renewal. This could not be more in line with the TIF statute in its origin. This is a very valid use of tax increment financing.

Mr. Vickers stated this is not a precise implementation plan. This is a general concept plan. This is a transparent project plan for what we thought we might encounter in this district for the life of this district, as well as having something we can market to the private investment community.

Mr. Vickers stated that establishing a blight district and including a property in blight elimination district does not mean that a project is then blighted because it is in the district boundary. The properties are blighted now. That is just the determination made. There is a statutory threshold of 50% in order to create this type of tax increment district. This doesn't create a blight situation for a property that happens to be in the boundary.

The properties historically had more negative potential effects on surrounding properties than what has been there in the remediation efforts of the City for a number of years.

Mr. Vickers noted that regarding the inclusion of Bender Park in this TID, it is not unique to include assets of overlapping taxing jurisdictions or properties of overlapping taxing jurisdictions. There are also project costs within those other tax increment districts in the City as well as others in the



State that provide for projects costs to improve those assets of other taxing jurisdictions.

Mr. Vickers stated that a state-of-the-art park is being built in Lake Vista, a state-of-the-art development on the lakefront, and Bender Park does need some improvements. County dollars should be supporting Bender Park; however, there are hundreds of County park assets that need to be maintained. Bender Park may not take the priority in the timeframe that Oak Creek wants.

Mr. Vickers stated that the Bender Park costs that are being asked to be included in the project total about \$796,000. That is 2.1% of the overall project costs.

Mr. Vickers stated that including the Bender Park property does not hurt or harm the TID. It does not have any taxable assessed value as a governmental entity in its ownership. It does not obligate the City to do these projects. This will all be through the proper channels later on at the time of implementation. There is no obligation to clean up Bender Park and/or any environmental contamination.

Mayor Bukiewicz stated that the City needs to continue the momentum down there to continue to improve it. He stated that the definition of "blight" really is the definition used to get the TID going. It doesn't necessarily pertain to any individual property. Ms. Presti stated that the blight statute information shared by Rose Marie Annonson is from Wis. Stat. 66.1331 which pertains to development districts. There is a redevelopment district already in this area. The statute on the screen (Wis. Stat. 66.1333(2m)(bm)) is the one you would use for TIF districts. It is slightly different. Regarding the phrase she read that a slum area needs to be residential, that is different in a TIF district.

Ms. Souffrant stated if the City decides to close TIF No. 6 early, then half of that base would go back into the general tax base and the money would then be redirected back to the taxing jurisdiction. Proposed TID No. 13 is another unique situation because there isn't a specific development that is already planned. That is why the City is looking to TID No. 6 (because it was over-performing) to help create TID No. 13 to move along so we can bring the developers in. Mr. Vickers stated that if we were to close TID No. 6 and return those dollars to the general fund, we would be making a large contribution because there is \$1.8 million in the fund balance right now in TID No. 6. That would be large checks to the overlapping taxing jurisdictions and then we would be foregoing the \$400,000 each year to TID No. 13. Putting that money into TID No. 13 makes a much vaster impact to the City to jumpstart TID No. 13 for the reinvestment at the lakefront.

Commissioner Siefert stated that a TIF should stand on its own. It should not need support to get a TIF.

Commissioner Dickmann stated his concurrence with Commissioner Siefert. He stated that each TIF stands by itself. As a taxpayer, he would be looking forward to TIF No. 6 being paid off so that money can go into all the taxing entities, not just the City, but the schools and County.

Commissioner Dickmann asked what alternatives there are if this doesn't go through? Mr. Seymour stated that the lakefront consistently over the course of multiple decades has been identified as a priority by all of the residents of this community. Mr. Seymour stated that this development will not be blocking access to the lakefront. This district is opening up the lakefront in a manner that the City was never able to do for the past 100 years through new parks, new parkways, new recreational opportunities. Mr. Seymour does agree that TIF's should stand on their own, however, this is clearly advancing a strategic community vision identified by its residents. This is not an ordinary TIF district. That is evidenced by the City's ability to reinvest those funds and leverage those funds that we are getting from TID No. 6 to really make a difference in a project that the community has noted that they want to see happen.

Mayor Bukiewicz stated that this is a long-term commitment to the lake and we have come a long way. We have some of the most valuable land in the State of Wisconsin on the lake with an opportunity to increase its value and everything around it. The market will come to this once it is prepared and ready to go.

Mr. Seymour stated that the project costs in the project plan are not costs that have to be spent. The estimated costs are necessary to achieve the goals of the district. Every single expenditure in this project plan would need to come before the Common Council and in some cases, the Plan Commission if there is a site plan involved, for their review and approval. This is just an estimation of what those projects costs could be. It also doesn't go into how some of those costs can be recovered through minimum assessed value guarantees or other financing mechanisms. There are a number of different avenues for financing improvements and recouping those investments whether that is through assessments through the development agreement process. This is not a case of approving this TIF and now the City can spend the millions of dollars.

Larry Haskin, former City Attorney, stated that generally TIF's standing on their own is a sound concept. This is a wholly unique situation. Back in 2008, DuPont was ready to put a fence around the property and close it up and prevent access to the lakefront. It was at that time that the City worked with DuPont and intervened to prevent that from happening and to allow what is going to proceed right now, which is the construction of the park and to create the environment where the lakefront property is going to get remediated and be open to the public. This situation is unique in that the City has had to invest in order to make this happen, prior to the creation of the district, \$1.8 million in due diligence costs (environmental work) was invested by the City to allow the City to come into title of 150 acres. This is unheard of. Most of that where we didn't spend any money for the property, DuPont and Epic transferred those properties to us without any cost. Over the last 8 or 9 years, the City has invested its own funds and now needs to recoup those funds. This is a perfect situation where the donor/donee TIF situation makes sense for a community. This is the City's opportunity to take advantage of the State law to continue the work that has already begun to develop this property.

Commissioner Chandler asked if the revenues from TID No. 6 are only helping with infrastructure updates or is it for everything. Ms. Souffrant responded that it could go toward anything that is listed in the project plan. By statute, it can only occur for five years, so they would be looking for an initial transfusion from TID No. 6 to that \$1.8 million. Currently TID No. 6 is bringing in roughly \$400,000 per year in tax increment. The \$1.8 million is the current fund balance for TID No. 6 and therefore, will be the initial transfer. The transfer amounts after that would be what TIF No. 13 needs or the difference of revenue less the expenditure of TIF No. 6.

Alderman Guzikowski stated that the City really has an opportunity with the lakefront that he's afraid if we let pass us up, that's where we are going to miss the boat. He thinks this is a really good idea.

A resident asked if her property could be carved out of this district. Mr. Seymour responded that being in the district would allow the possibility (should there be a developer that may be interested in their properties) of consolidating to work with the City on financial incentives. The property is not designated as blight. None of the residential within the proposed boundaries of the district are designated as blight. However, if these properties were not in the district, they could not potentially be able to reap the benefits of some of the projects that could potentially help the property owners in the future.

Ms. Annonson:

*"It is my understanding that the boundaries can move at any time with a vote of 2/3 by the Council."*

*Is that true”?*

Mr. Seymour stated that is not true.

Ms. Annonson:

*“Oh it’s not true?”*

Mr. Seymour restated that it is not true.

Ms. Annonson:

*“You’re lying.”*

Mr. Seymour stated that a boundary amendment can be done up to four times during the life of the district. Each boundary amendment would require a public hearing, going through the Plan Commission, Common Council and Joint Review Board.

Ms. Annonson:

*“Of the 104 or 14 acres of the Dupont property, it is my understanding that only 18 acres are going to be parkland. So Mr. Arden will be correct in that this is blocking us from the lake. And the third question is, question is, why are we going blight? Why aren’t we going environmental? Environmental is more in tune. And the fourth question is, can donor TIFs exist between two regular TIFs? Or does it have to be a blighted TIF to create a donor.”*

Ms. Presti responded that the recipient or donee has to be blighted.

Mayor Bukiewicz stated the City has already opened up that parkland. Mr. Seymour stated that someone would have to explain how opening up a brand new 30-acre park with a new lakefront parkway is blocking off access to the lakefront.

Mr. Verhalen:

*“Before I mention the boundaries of Bender Park, we’ve been kicking around stuff around with blight and everything and that should be on questions no. 6. We wasted a lot of time on that. But anyway, going back to my boundary question. With redrawing the boundaries, before we make a definitive decision, I suggested before that we look at on the west side of the railroad tracks between highway 32 and Bender Park for that perspective sign. Now if we’re looking at a district no. 2 return increment, there’s six other properties there besides the O’Malley property that we could get return on the increment from. Then you don’t have to run the sewer, the initial proposal is to run that sewer down the longer trail road tracks of Bender Park. So if and when we go to the question with the County refunding their tax money back to TIF district. If you take Bender Park all the way out of it. You can expand the TIF District at any time. So if we take Bender Park, the entirety, because we still don’t have all of Bender Park in the TIF district. There’s part of it left along Oakwood Road and down to the south yet. So if we take Bender Park out of the initial plan, revise the boundary to the west side of the railroad tracks. You take up five more properties right there. There’s another property that goes with the southern property on the east side of the railroad tracks. So you have a potential to get increment off of probably six more properties. You can still run that sewer line down to address those properties on the south on the east side of the railroad tracks. And you can come back and expand the TIF when you decide to include what part of Bender Park you want to put facilities on. And then you can still retrieve the tax money out of Bender Park.”*

Mayor Bukiewicz stated that this is a conceptual plan that has been agreed upon. Vandewalle stated they have laid it out this way for ease for the future and for all parties concerned.

Commissioner Correll moved that the Plan Commission adopts Resolution No. 2017-03 approving the project plan and boundaries for Tax Incremental Financing District No. 13. Commissioner Dickmann seconded. On roll call: all voted aye. Motion carried.

ATTEST:

  
\_\_\_\_\_  
Douglas Seymour, Plan Commission Secretary

4/25/2017

\_\_\_\_\_  
Date

**APPENDIX I**

**CITY COUNCIL RESOLUTION CREATING TAX INCREMENT  
DISTRICT #13**

RESOLUTION NO. 11812-051617

BY:           Ald. Toman          

A RESOLUTION BY THE COMMON COUNCIL CREATING, DESCRIBING, AND MAKING  
CERTAIN FINDINGS AND APPROVING THE PROJECT PLAN FOR  
TAX INCREMENTAL DISTRICT NO. 13,  
CITY OF OAK CREEK, WISCONSIN

WHEREAS, the overall development of the City of Oak Creek ("City") is recognized as a major need of the City; and

WHEREAS, the City desires to create Tax Incremental District No. 13, City of Oak Creek, Wisconsin ("District"), in accordance with the provisions of Section 66.1105 of the Wisconsin Statutes ("Tax Increment Law"), in order to provide a viable method of financing the costs of needed public improvements within said District and thereby create incentives and opportunities for appropriate private development, which will contribute to the overall development of the City; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on April 11, 2017, after giving proper Class 2 public notice and having a quorum present, held a public hearing concerning the proposed creation and boundaries of the District and adoption of the proposed project plan for the District ("Project Plan") in the City, during which interested parties from the public were afforded a reasonable opportunity to express their views ("Public Hearing"); and

WHEREAS, prior to its publication, a copy of the notice of said Public Hearing was sent to the chief executive officer of Milwaukee County, the Oak Creek Franklin Joint School District, the Milwaukee Metropolitan Sewerage District, the Milwaukee Area Technical College District, and the other entities having the power to levy taxes on property located within the proposed District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, after said Public Hearing, the Plan Commission designated the boundaries of the proposed District and recommended to the City Common Council that it create such District within the area enclosed by said boundaries, as specified in the boundary description or map attached to this resolution as Exhibit A hereof, and entitled "Boundary Description or Map of Tax Incremental District No. 13, City of Oak Creek, Wisconsin;" and

WHEREAS, the Plan Commission has prepared and adopted the Project Plan for the District attached as Exhibit B, which includes:

- a. A statement listing the kind, number and location of all proposed public works or improvements within the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when such costs or monetary obligations related thereto are to be incurred;
- e. A map showing existing uses and conditions of real property in such District;
- f. A map showing proposed improvements and uses therein;

- g. Proposed changes of zoning ordinances, master plan, map, building codes and ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed method for the relocation of any persons to be displaced;
- j. A statement indicating how creation of the District promotes orderly development of the City; and
- k. An opinion of an attorney retained by the City advising the plan is completed and complies with Section 66.1105(4)(f) of the Wisconsin Statutes; and

WHEREAS, the Plan Commission has submitted such Project Plan to the City Common Council and recommended approval thereof.

NOW, THEREFORE, BE IT RESOLVED, by the City Common Council of the City of Oak Creek as follows:

1. Pursuant to the Tax Increment Law, there is hereby created in the City of Oak Creek, effective as of January 1, 2017, a tax incremental district to be known as "Tax Incremental District No. 13, City of Oak Creek," the boundaries of which include whole parcels and shall be those recommended to the City Common Council by the Plan Commission, as specified in the attached Exhibit A.
2. The City Common Council hereby finds and declares that:
  - a. That no annexed territory exists within the designated boundaries of the District; and
  - b. That not less than 50%, by area, of the real property within the said District is blighted within the meaning of Section 66.1105(2)(ae)(1) of the Wisconsin Statutes; and
  - c. Based on its findings, the District is declared to be a blighted district based on the identification and classification of the property included in the District; and
  - d. That the project costs relate directly to eliminating blight in the area consistent with the purpose for which the District was created; and
  - e. No costs within the Project Plan are related to newly platted residential development; and
  - f. That the improvement of the area is likely to significantly enhance all the other real property in the District; and
  - g. That the equalized value of the District's taxable property plus the value increment of all existing districts does not exceed twelve percent (12%) of the City of Oak Creek's total equalized value of taxable property.

BE IT FURTHER RESOLVED THAT, the City Common Council approves the Project Plan adopted by the Plan Commission, attached as Exhibit B, hereby adopts the Project Plan, and finds that:

1. Such Project Plan for the District in the City is feasible; and
2. Such Project Plan is in conformity with the master plan of the City.

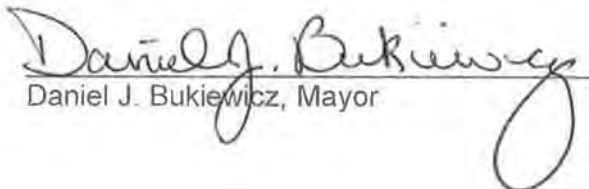
BE IT FURTHER RESOLVED THAT, the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base," as of January 1, 2017, pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

BE IT FURTHER RESOLVED THAT, the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Section 70.45 of the Wisconsin Statutes, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16<sup>th</sup> day of May, 2017.

Adopted this 16<sup>th</sup> day of May, 2017.

  
\_\_\_\_\_  
President, Common Council

  
\_\_\_\_\_  
Daniel J. Bukiewicz, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

VOTE: Ayes 6 Noes 0

EXHIBIT A  
TIF 13 BOUNDARIES & LEGAL DESCRIPTION  
OAK CREEK, WISCONSIN





Commencing at the northeast corner of the NE ¼ of Section 23, Town 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin; thence S00°50'08"W, 638.65 feet; thence S89°00'04"E, 32.92 feet to the point of beginning of the lands to be described; Thence S89°25'57"E, 1709.72 feet to a point which is the shoreline and ordinary high water mark of Lake Michigan; thence southerly and easterly following the ordinary high water mark of Lake Michigan approximately S18°12'24"E, 7659.25 feet to a point which is 1596.53 feet east (along a bearing that runs N89°56'41"E) of the southwest corner of the NE ¼ of Section 25-5-22; thence S89°56'41"W, 175.79 feet; thence S00°23'49"E, 33.01 feet; thence S89°56'45"W, 1420.55 feet; thence S00°46'19"W, 2587.96 feet; thence S89°49'15"W, 667.34 feet; thence N21°16'45"W, 1515.03 feet; thence N21°16'45"W, 1251.57 feet; thence N22°39'57"W, 71.32 feet; thence N15°08'11"W, 1139.48 feet; thence N10°20'18"W, 1143.79 feet, thence N00°53'25"E, 365.26 feet; thence S89°46'26"W, 155.20 feet; thence S00°53'25"W, 365.26 feet; thence S89°46'26"W, 222.84 feet; thence S00°55'27"W, 936.01 feet; thence S89°43'54"W, 830.08 feet; thence northwesterly 937.23 feet along the arc of a curve having a radius of 4986.08 feet and whose chord bears N18°08'41"W, 935.72' ; thence N89°28'45"E 0.92 feet; thence northwesterly 108.81 feet along the arch of a curve having a radius of 4987.07 feet and whose chord bears N24°09'34" W, 108.80' thence N89°52'58"E, 188.59 feet; thence N00°00'00"W, 96.00 feet; thence N89°43'35"E, 458.52 feet; thence N56°34'27"W, 208.00 feet; thence N42°59' 7"W, 26.45 feet; thence N78° 41' 32"W, 16.50 feet; thence N56° 34' 27"W, 68.00 feet; thence N00° 34' 10"E, 31.10 feet; thence N89°43' 35"E, 803.34 feet; thence N03° 16' 16"W, 8.28 feet; thence N89° 46' 26"E, 32.96 feet; thence N00° 51' 11"E, 4684.74 feet; thence S89° 25' 57"E, 17.00 feet to the point of beginning.

**EXHIBIT B  
TIF PROJECT PLAN**

THIS WILL BE HANDED OUT SEPARATELY.

17197026,2

**APPENDIX J**

**JOINT REVIEW BOARD RESOLUTION APPROVING THE  
PROJECT PLAN**

**RESOLUTION NO. 2017-02**

**A RESOLUTION ADOPTED BY THE JOINT REVIEW BOARD  
APPROVING THE CREATION OF TAX INCREMENTAL DISTRICT NO. 13,  
CITY OF OAK CREEK, WISCONSIN**

**WHEREAS**, the City of Oak Creek ("City") seeks to create Tax Incremental District No. 13, City of Oak Creek, Wisconsin (the "District"); and

**WHEREAS**, Wisconsin Statutes, Section 66.1105 ("Tax Increment Law"), requires that a Joint Review Board (the "Board") shall convene to review the proposal; and

**WHEREAS**, the Board consists of one representative chosen by the Oak Creek Franklin Joint School District; one representative chosen by Milwaukee County; and one representative chosen by Milwaukee Area Technical College, all of whom have the power to levy taxes on property within the District; and one representative chosen by the City; and one public member; and

**WHEREAS**, prior to its first publication, a copy of the Class 2 public notice ("Notice") of the public hearing held by the City Plan Commission on April 11, 2017, ("Public Hearing") was sent by First Class mail to the chief executive officer of Milwaukee County, the Oak Creek Franklin Joint School District, the Milwaukee Metropolitan Sewerage District, the Milwaukee County Technical College District, and the other entities having the power to levy taxes on property located within the proposed District, in accordance with the procedures specified in the Tax Increment Law; and

**WHEREAS**, all Board members were appointed and the first Board meeting was, after proper notice being given and having a quorum present, held on April 3, 2017 ("First Board Meeting"), which was within fourteen (14) days after the first Notice was published under Sections 66.1105(4)(a) and (e) of the Wisconsin Statutes and prior to the Public Hearing; and

**WHEREAS**, the Common Council of the City of Oak Creek on May 16, 2017, adopted Resolution No. 11812-051617 ("Creation Resolution") which created and approved the District and approved the proposed Project Plan for the District ("Project Plan"); and

**WHEREAS**, the Board has received and reviewed the public record, planning documents, the Resolution adopted by the City Plan Commission approving the District and adopting the Project Plan, and the Creation Resolution passed by the City Common Council approving the creation of the District under Section 66.1105(4)(gm) of the Wisconsin Statutes and approving the Project Plan; and

**WHEREAS**, the Board meeting on June 12, 2017, to review and consider action on this Resolution, was properly noticed and had a quorum present.

**NOW, THEREFORE, BE IT RESOLVED** by the Joint Review Board for Tax Incremental District No. 13, City of Oak Creek, as follows:

1. The development expected in the District would not occur without the use of tax increment financing and the creation of a tax incremental district.

2. The economic benefits of the District, as measured by increased employment, business and personal income and property value, are sufficient to compensate for the cost of the proposed improvements.
3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing districts.

**BE IT FURTHER RESOLVED**, that the Board approves the Creation Resolution, the creation of the District, and the adoption of the Project Plan and all items therein, including, but not limited to, expenditures for the Project Costs incurred or to be incurred for territory located within a one-half mile radius outside of the District's boundaries and within the City without further Board approval needed.

**BE IT FURTHER RESOLVED**, that the Board's action hereunder on June 12, 2017, approving the Creation Resolution and the District is taken within forty-five (45) days of receiving the Creation Resolution from the Common Council of the City.

Passed and adopted this 12th day of June 2017, by a vote of 4 in favor and 0 opposed.

**JOINT REVIEW BOARD:**

**REPRESENTING:**

  
 \_\_\_\_\_  
 (yea/nay)

James Tarantino  
 Milwaukee County

\_\_\_\_\_  
 (yea/nay)

Amy Kohl  
 Oak Creek Franklin Joint School District

  
 \_\_\_\_\_  
 (yea/nay)

Dr. Mark Felsheim  
 Milwaukee Area Technical College

  
 \_\_\_\_\_  
 (yea/nay)

Kenneth Gehl  
 City of Oak Creek

  
 \_\_\_\_\_  
 (yea/nay)

Gerard Hammernik  
 Public Member

**APPENDIX K      CITY ATTORNEY LEGAL OPINION**

June 12, 2017

Mayor Daniel J. Bukiewicz  
and Members of the Common Council  
City of Oak Creek  
8040 S. 6<sup>th</sup> Street  
Oak Creek, WI 53154

RE: City of Oak Creek, Tax Incremental District No. 13 Project Plan

Dear Mayor Bukiewicz and Members of the Common Council:


We have acted as special counsel to the City of Oak Creek in connection with the preparation and adoption of the Project Plan for Tax Incremental District No. 13. In that capacity we have reviewed the Project Plan, examined the proceedings of the Plan Commission and the Common Council in connection with the approval of the Project Plan, and reviewed pertinent statutory provisions including Section 66.1105 of the Wisconsin Statutes. We have not been engaged to, nor have we undertaken to, verify the accuracy of the assumptions, estimates, or financial projections contained in the Project Plan or the financial feasibility of the Project Plan and express no opinion relating to those items.

Based upon our examination and review, and in reliance on the accuracy of the statements set forth in the Project Plan, we are of the opinion that the Project Plan is complete and is in compliance with Section 66.1105 of the Wisconsin Statutes.

This opinion is being provided solely for the purpose of complying with the requirements of Section 66.1105(4)(f) of the Wisconsin Statutes, and is being rendered solely for the benefit of the City of Oak Creek, Wisconsin. This opinion may not be used or relied upon for any other purpose or relied upon by any other party without our prior written consent.

Very truly yours,

GODFREY & KAHN, S.C.



Michael J. Dwyer

MJD:dst

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