

RESOLUTION NO. 07-01

**A RESOLUTION DESIGNATING THE PROPOSED BOUNDARIES
AND APPROVING A PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 3,
CITY OF BRILLION, WISCONSIN**

WHEREAS, Section 66.1105 of the Wisconsin Statutes (the 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 Plan Commission, after completing preliminary planning work, scheduled, gave public notice of, and on January 2, 2007 held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of a Tax Incremental District No. 3 (the "District"), the proposed Boundaries and the proposed Project Plan thereof, 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 Calumet County, the Brillion School District, and the Fox Valley 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 and improvement of existing development, which will contribute to the overall development of the City; and

WHEREAS, the Plan Commission has determined that not less than 50%, by area, of the real property within the said District is suitable for mixed-use development within the meaning of Section 66.1105(2)(cm) of the Wisconsin Statutes; 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, or to the extent provided in Section 66.1105(2)(f)1., Wisconsin Statutes outside of 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 City 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. Estimate of District to be devoted to retail business;
- k. Equalized value test;

- l. Annexed property;
- m. A statement indicating how creation of the District promotes orderly development of the City;
- n. An opinion of the City Attorney or of an Attorney retained by the City advising the plan is complete and complies with Wisconsin Statutes, Section 66.1105(4)(f); and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, before the City 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 City Council;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Brillion 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 "Boundary Description or Map of Tax Incremental District No. 3, City of Brillion", as the boundaries of said District and recommends that said District be created by the City Council of the City of Brillion within the area enclosed by said boundaries.
2. That the Plan Commission hereby adopts such Project Plan for the District attached to this resolution as Exhibit B, and recommends to the City Council the approval of such Project Plan.
3. That the Plan Commission hereby recommends that the City Council adopt the resolution attached to this resolution as Exhibit C hereof and entitled "A Resolution Creating, Describing and Making Certain Findings and Approving a Project Plan for Tax Incremental District No. 3, City of Brillion, Wisconsin", and thereby formally create said District as of January 1, 2007 and approve its Project Plan in accordance with the provisions of the Tax Increment Law.
4. That the City Clerk is hereby authorized and directed to provide the City Mayor and City Council with certified copies of this resolution, upon its adoption by the Plan Commission.

Adopted this 2 day of January, 2007.



Plan Commission Chair

Attest:



Secretary of the Plan Commission