
STAFF REPORT EXECUTIVE SUMMARY

APPLICANT/PROJECT: City of New Berlin / Creation of Tax Incremental District No. 3 (Mixed Use)

LOCATION: See attached Project Plan for the Creation of Tax Incremental District No. 3 (Mixed Use) for a list of addresses and tax keys.

REQUEST: Plan Commission review and approve Resolution No. 18-01 designating proposed boundaries and approving a Project Plan for Tax Incremental District No. 3, City of New Berlin, and forward to the Common Council for their review and approval by Resolution.

REVIEW SCHEDULE:

Common Council (Set a Public Hearing Date):	12/12/2017
Joint Review Board (JRB):	1/10/2018
Plan Commission (Public Hearing):	1/10/2018
Plan Commission (Review & Approve TID):	2/05/2018
Common Council (Review Plan / Adopt Resolution):	2/13/2018
JRB (Consideration):	2/28/2018

D.R.C. RECOMMENDATION: Recommend approval of Plan Commission Resolution #18-01 designating proposed boundaries and approving a Project Plan for Tax Incremental District No. 3, City of New Berlin, and forward to the Common Council for their review and approval by Resolution.

CITY OF NEW BERLIN
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLAN COMMISSION STAFF REPORT

Meeting of February 5, 2018

City of New Berlin / TID No. 3

ADDRESS / Tax Key #: See Attached Project Plan for the Creation of TID District No. 3 (Mixed Use)

DATE STAFF REPORT REVISED: January 15, 2018

APPLICANT / OWNER(S): City of New Berlin / See Attached Project Plan for the Creation of Tax Incremental District No. 3 for a list of address, tax keys and property owner names.

REQUEST / DESCRIPTION OF PROJECT: Plan Commission review and approve Resolution No. 18-01 designating proposed boundaries and approving a Project Plan for Tax Incremental District No. 3, City of New Berlin, and forward to the Common Council for their review and approval by Resolution.

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: City initiated TID process on 12/12/2017.

DATE OF COMPLETENESS DETERMINATION: 12/12/2017

PRE-APPLICATION CONFERENCE HELD: Yes

Several years of pre-planning for the Section 34/35 area. Please see the "Previous Action" section of this staff report.

CONCEPTUAL PLAN: Yes

SIZE OF DEVELOPMENT / PARCEL(S): 127.32 Acres (Within TID Boundary)

CURRENT ZONING: M-3 (Section 34-35 Business Park Development District); B-3 General Bulk Sales District, R-3 Suburban Single-Family Residential District; A-1 Agricultural District, C-1 Upland Resource Conservancy District and C-2 Shoreland Wetland Holding District.

CURRENT LAND USE: Vacant, farmed land, and two existing homes.

PROPOSED ZONING: M-3 (Section 34-35 Business Park Development District)

PROPOSED LAND USE: Future Business Park Development

PROPOSED LOT SIZES: N/A

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE: Not applicable to this type of report.

North: Zoning:	Land Use:
South: Zoning:	Land Use:
East: Zoning:	Land Use:
West: Zoning:	Land Use:

CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes, the creation of a TID in this area is in keeping with the Vision and Development Policies outlined for these two neighborhoods.

Chapter 18: Neighborhood H: Westridge & Moorland Road
(Note that there is crossover to Chapter 17: Neighborhood G: Sections 26 & 35 South Moorland Road Corridor)

Planning Context / Vision / Development Policies:

Neighborhood H:

- *Westridge/Towne Corporate Business Park should be expanded as a major economic center for the City. The Business Park should continue to set an example of high standards in architecture, site planning, and sustainable practices. Primary uses should promote light manufacturing and office complexes. Hotels, clinics, entertainment (i.e. restaurants, shopping center, and cinemas), and retail should serve as supporting uses.*
 - *Even though neighborhood H is unique, it cannot be independently planned separately from neighborhood G. The two neighborhoods are integrated and will share land uses, new roadway and trail connections and should be considered as one cohesive area.*
 - *The vision for the South Moorland Road Corridor includes the following elements that have been incorporated into the development of the plan:*
 - ✓ *A business community that focuses on sustainable site and building design.*
 - ✓ *Emphasis on preservation of significant environmental features such as: wetlands, woodlands, tree rows, floodplain and environmental corridors.*
 - ✓ *Focus on green infrastructure and creative storm water management elements.*
 - ✓ *A system of meaningful pedestrian connections to create a walkable and connected community.*
 - ✓ *Focus on sound planning and architecture practices.*
- Zoning Code Section 275-59C(1)(d)[6][f] M-3, Section 34-35 Business Park Development District states, the following:
- [J] Permitted materials, building walls.*
 - [A] Brick, exposed (no brick painting or CMU allowed).*
 - [B] Native stone, natural stone, thin stone veneer and cast stone.*
 - [C] Glass storefront or curtainwall systems.*
 - [D] Precast masonry, rough faced.*
 - [E] Manufactured cementitious siding, fiber cement board.*
 - [F] Architectural metal, as recommended by the Architecture Review Committee (ARC)."*
- ✓ *Layout that includes a mix of retail, commercial, office and light manufacturing within the Business Park/Industrial area.*
 - ✓ *Allow for flexible site design for both residential and nonresidential development by creating Zoning Code standards that promote creativity and sustainability.*
Zoning Code Section 275-33B(7) states, "the M-3 Section 34-35 Business Park Development District is intended for light manufacturing, office and business uses of a moderate scale and intensity. The M-3 Section 34-35 Business Park Development District is also intended to provide a broader mix of allowable uses including retail establishments within Sections 34 and 35 of the City to support both the business and residential development. The district is further intended to promote open space, intense

vertical landscape, planting screens, buffer yards and preservation of existing environmental features (trees, wetlands, floodplain, rock outcroppings, steep slopes and viewsheds). Areas identified in § 275-13.1H(4) are the areas intended to be rezoned M-3.

Zoning Code Section 275-35D(8) states that, "Under the M -3 District, there are no required setbacks, but all applicable building and fire codes, landscaping, screening and buffer yards shall be met."

- ✓ Require significant buffers between contrasting uses and main thoroughfares. See above.

Neighborhood G:

- *Neighborhood "G" is considered to be a sizeable land area in New Berlin that can accommodate the amount of development desired to offset the City's tax base and accommodate new businesses and residents. Planning for a specific scale of development in Neighborhood "G" may relieve development pressure City-wide, as the western half of New Berlin remains the area in which residents and businesses wish to maintain higher open space percentages.*
- *In order to guide the City on policy decisions and better understand the impact on the School District, traffic patterns, storm water and environmental features conceptual plans were prepared for Section 35. In determining an appropriate lot size for this Section, the team needed to better understand approximately how many units could fit into the residential portion identified on the Future Land Use Map based on various lot size combinations.*

Development Policies:

- *Emphasize mixed use developments with light industrial and office as the dominant land uses. Supporting hospitality related uses (i.e., hotels and table service restaurants) should complement the primary uses.*
- *Allow mixed use development to extend south of the Westridge / Towne Business Park along Moorland Road to the City limits. In particular, pre-planned coordinated shopping centers are desired at both corners of the College Avenue and Moorland Road intersection.*
- *Use low-intensity office or neighborhood-oriented retail as a buffer between the industrial areas and the residential areas to the north and west.*
- *Allow additional business office uses east of Moorland Road to respond to the growing interest in New Berlin. Additionally, allowing more office uses should help to offset tax increases and reduce development impacts on the school district. Business park/industrial, office, commercial and/or retail uses should be separated from residential areas with open space, vegetative buffers, new landscaping, and existing environmental features including wetlands, woodlands, existing tree rows, floodplain and environmental corridors. In addition, uses complementary to the park complex may also be considered if their size and scope are determined to be compatible and well integrated with adjacent land uses (i.e. do not encroach into woodland, wetland, & floodplain areas, the site and architecture are designed to fit the area & compatible with immediately adjacent land uses, do not adversely impact traffic & circulation and serve the community).*
- *Now that the interceptor has been installed to service this area with sewer and water, continue to pursue the extension of local sewer and water mains to accommodate new development in the Section 35 area.*
- *Encourage the continuation of agricultural uses as long as the property owners so desire. As agricultural lands transition to residential developments, the subdivision design could incorporate farming and agriculture uses as viable open space options.*
- *In conjunction with Waukesha County, the City should establish a traffic management plan for the area around the Moorland Road and College Avenue intersection so that as new development occurs, traffic can be efficiently managed.*

- *Require traffic impact studies to be submitted for new construction as indicated in the City Zoning Code requirements. The City should ensure that impact studies include consideration of the surrounding area at full build-out.*
- *Require coordinated, pre-planned concepts/development proposals to ensure a cohesive and coordinated development pattern. Developments must take into consideration how adjacent parcels would be developed.*
- *Development proposals shall include appropriate utility easements and/or roadway reservations or dedications to ensure public infrastructure (utility or roadway) extensions/connections and a coordinated development pattern are achieved.*
- *Any future development requiring coordinated access and/or utility extensions in this area may require the applicant to submit a surety instrument to the City to cover future public improvements and cost contributions.*
- *All utility extensions shall be at the expense of the developer. The City shall endeavor to collect funds from future developments that connect into the utilities where appropriate and collected funds shall be redistributed back to the developer that installed the infrastructure.*
- *Maintain a transportation system that minimizes cut-through and business-related traffic in adjacent residential areas. Ensure that lighting follows Zoning Code requirements so that any impact is minimized on surrounding properties. Require alternative stormwater management techniques, both regional and site specific.*
- *Encourage green / sustainable / LEED's building and site development techniques for new development as outlined in this Plan.*
- *Continue working with the City of Muskego to ensure compatible uses and traffic circulation.*
- *Include on-road bike paths for new streets and on existing streets where the right-of-way allows installation to be possible.*
- *Request that Waukesha County accelerate the widening of Moorland Road to four lanes.*
- *The City should give consideration to the use TID, BID, or other economic development tools to fund necessary public improvements.*

Land Use

- *Future Land Use Map: Business Park Industrial*

ZONING CODE (Chapter 275): Yes, the lots will need to meet the requirements outlined in Section 275-35B(6).

DEVELOPMENT CODE (CHAPTER 235): Yes

REZONING REQUIRED: Individual developments will require rezoning to M-3 Section 34-35 Business Park Development District.

CONDITIONAL USE REQUIRED: Not applicable at this time.

PUBLIC HEARING REQUIRED: Yes, for the TID project plan and boundary. The Plan Commission held a Public Hearing on 1/10/2018.

USE / SITE / ARCHITECTURAL REVIEW: N/A

Use Approval Required: Not applicable, will be reviewed as part of future Use, Site and Architecture applications.

Site Plan Required: TID Project Plan and Boundary provided.

Architectural Review Required: Not applicable, architecture will be reviewed as part of future Use, Site and Architecture applications.

PROPOSED ARCHITECTURE: Not applicable, architecture will be reviewed as part of future Use, Site and Architecture applications.

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: Yes

Wetland On Property: Yes, on some of the properties. Future applicants will be completing wetland delineations to verify the location of any potential wetlands prior to submitting future Use, Site and Architecture applications. Any wetlands will be registered with the City.

Conservancy Districts (C-1, C-2): Yes, C-1 & C-2

NRCS Map Classification: Not Inventoried

Floodplain: No

Topography / Geologic: Lands general slope away from Moorland Road towards the west. Most of the land is actively farmed.

CITY OF NEW BERLIN TID POLICY - CITY'S GOALS AND OBJECTIVES FOR THE USE OF TID

Using these policies, the City's Comprehensive Plan, Capital Improvement Budgets, CIP and state statutes as guides, the City of New Berlin will consider using Tax Increment Financing to assist private development projects to achieve one or more of the following goals, objectives and/or priorities (not listed in any order of priority):

- Encourage redevelopment in the commercial and industrial areas of the City in order to encourage high quality development or redevelopment and private investment in those areas consistent with the City's Comprehensive Plan, CIP Budgets, and/or other planning & community development policies as established.
- Where the construction of new public infrastructure to service the proposed developments can be facilitated to alleviate future burdens on the City's Capital Improvement Budgets and to reduce and/or minimize costs to New Berlin taxpayers.
- The project creates public infrastructure facilities that have application and usefulness beyond that particular development under review, such as improvements to traffic patterns (roadways, signals, etc.), parking facilities, public utilities such as sewer, water & stormwater (storm sewer) and/or environmental remediation.
- To retain local jobs and/or increase the number of quality jobs (stable employment and/or attractive wages and benefits).
- To facilitate the development process and to achieve development on sites which would not be developed to the "highest and best use" of the site and the community's vision without this assistance.
- To meet other uses of public policy, as adopted by the Plan Commission and/or Common Council from time to time, including the quality of urban design, quality architectural design, green building/energy conservation, decreasing the capital and operating costs of the City of New Berlin, etc.

BIKE & PEDESTRIAN FACILITIES PLAN:

- The Comprehensive Plan, Figure 6.16 / Page 6:22 *Grange Avenue is identified as having an "on Road" pedestrian trail facilities.*
- The Comprehensive Plan, Page 6:24 *"Better bicycle and pedestrian trail linkages between residential subdivisions and other subdivisions, parks, schools, libraries and commercial nodes."*
- *"Policies for multi-modal transportation included in the Comprehensive Plan on Page 6:39 – 6:40 include:*
 1. *Construct bicycle and pedestrian facilities as recommended by the Comprehensive Plan.*
 2. *Promote the use of the bicycle and pedestrian facilities.*
 3. *Evaluate the provision of bicycle and/or pedestrian facilities as integral components of new development and redevelopment projects. Require connections with existing bicycle and pedestrian facilities.*
 4. *Expand upon the system of bicycle and pedestrian facilities along arterial and Collector Street and adjacent developments with new street construction or reconstruction projects. All new or existing arterials shall have both on-road bicycle lanes and off-road side paths."*
- *Comprehensive Plan, Page 6:43, Objective 5: Improve bicycle and pedestrian facilities. "Policy is to*

require developments to provide appropriate pedestrian and bicycle accommodations and connections.”

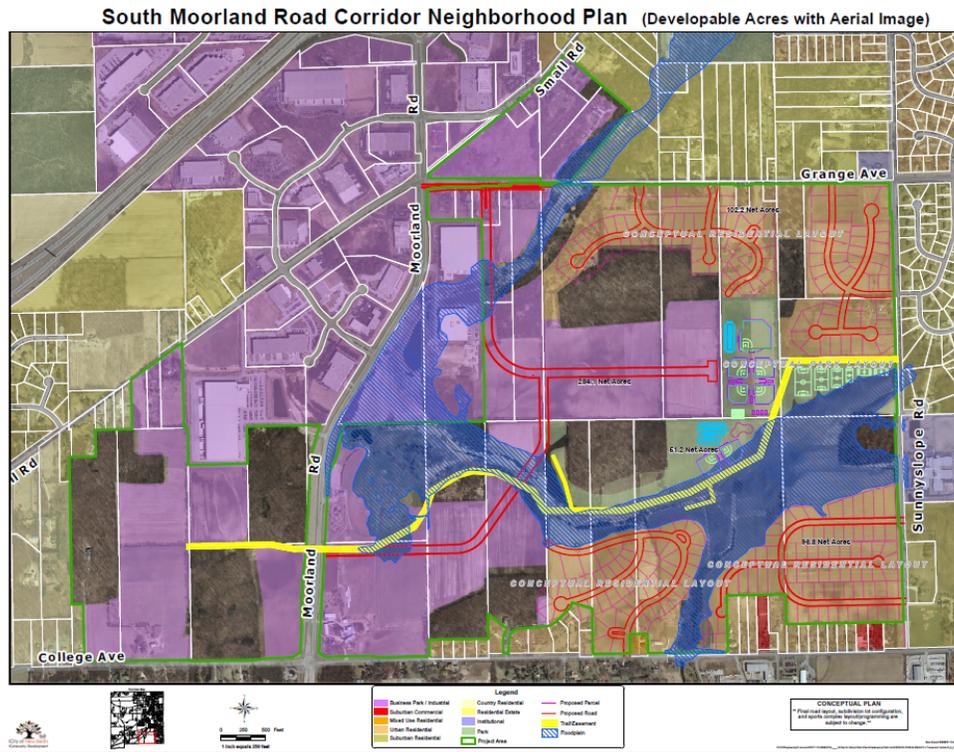
- Comprehensive Plan, Page 6:45, Objective 8: “Promote the use of multi-modal transportation to minimize average impacts upon the environment.”
- Comprehensive Plan, Page 17:13, “A system of meaningful pedestrian connections to create a walkable and connected community.”

PARK & OPEN SPACE PLAN:

Table 7: Public Park and Recreation Facilities, identifies a community park in Section 35.

Table 8: Public Trails, identifies a planned City trail within Section 35.

This trail is accounted for along the City’s utility easement. The trail will transition to public use as parcels develop.



NATURAL RESOURCES PROTECTION:

Limits of Disturbance (LOD): Not applicable, however future applicants will show on plans during the Use, Site and Architecture application process.

Wildlife Habitat Protection: Not applicable, however future applicants will show on plans during the Use, Site and Architecture application process.

Wildlife Management Plan: An Endangered Resources review will be completed on the properties at the time of Use, Site, and Architecture application process for each parcel.

ENVIRONMENTAL IMPACT: Yes, on some of the properties. Future applicants will be completing wetland delineations to verify the location of any potential wetlands prior to submitting future Use, Site and Architecture applications. Any wetlands will be registered with the City.

STORMWATER MANAGEMENT / DRAINAGE PLAN: Applicants are required to adhere to all City of New Berlin Codes, Ordinances and Plans regarding storm water conveyance and maintenance as identified by the Department of Community Development. A stormwater management plan will be required at the time of submittal for the Use, Site and Architecture application process for individual sites.

SANITARY SEWER PROVISION:

Within Current Sewer Service Area: Yes

Basin Capacity Available: Yes

Adequate Linkage: Yes, utility plans will be reviewed as part of the Use, Site and Architecture application for individual sites.

Onsite System Required: No

WATER USAGE CALC.: Will be reviewed at the time of Use, Site and Architecture application for individual sites.

TRAFFIC IMPACT: An updated TIA supplement will be required at the time of Use, Site and Architecture applications. Section 275-58 requires a TIA with rezoning petitions, a development that exceeds 100 peak hour trips or any development that Staff determines may have an adverse impact on traffic in the surrounding area. The applicant will work with the City's consultant that prepared the overall TIA for Section 35.

SCHOOL DISTRICT IMPACT: Yes, school district will be provided a copy of the Project Plan and will have a member appointed to the Joint Review Board.

PREVIOUS ACTION: SOUTH MOORLAND ROAD (SECTION 35) COMPREHENSIVE PLAN AMENDMENTS:

Approximately two years of public comment and 29 meetings were held with those interested in the Comprehensive Plan Amendments for Chapter 10, 17, and 18 to plan for the Section 35 / South Moorland Road Corridor area.

- **12/1/2014** Staff presented a memo to the Plan Commission dated November 10, 2014 summarizing the Section 35 Master Planning Update.
- **3/28/2015** Staff began holding the South Moorland Road Corridor – Neighborhood Plan – “Staff Open Office Hours.” Office hours continued through June. Upwards of 12,000 postcards were sent out to residents in the City of New Berlin notifying them of those office hours held in June.
- **4/08/2015** Staff notified the Plan Commission of the South Moorland Road Corridor – Neighborhood Plan – “Staff Open Office Hours”.
- **5/5/2015** Plan Commission requested the Common Council set a Public Hearing date for June 29, 2015 (Note: item tabled at the May 12, 2015 Common Council meeting in order to provide more time for discussions with the property owners).
- **7/28/2015** Common Council set a date for a Public Hearing for the amendments.
- **8/24/2015** Special Plan Commission Meeting - Commission presentation & discussion on recommendations and action.
- **9/9/2015** Public Hearing
- **10/5/2015** Plan Commission action & recommendation to Council
- **10/13/2015** Common Council action to approve.

PREVIOUS ACTION: SOUTH MOORLAND ROAD CORRIDOR (SECTION 35) ZONING CODE AMENDMENTS:

The Plan Commission adopted amendments to the Zoning Code reflecting the Comprehensive Plan amendments above, which established a new Zoning District for this area of the City, which was the M-3, Section 35 Business Park Development District.

- **12/17/2015** Plan Commission held a public hearing.
- **1/6/2016** Plan Commission approved the amendments.
- **1/12/2016** Common Council approved the amendment.

PREVIOUS ACTION: TID NO. 3:

- **1/10/2018** Joint Review Board held an organizational meeting.
- **1/10/2018** Plan Commission held a public hearing on the TID Project Plan.

CONSISTENCY WITH PREVIOUS ACTION: Yes

FINDINGS:

1. The Project Plan for the Creation of Tax Incremental District No. 3 is attached.
2. The Project Plan adheres to Wisconsin State Statutes Section 66.1105 and the district will be created as a "Mixed Use District".
3. The Project Plan meets the intent of the City of New Berlin Tax Incremental Financing Policy adopted by the Common Council on 1/12/2016. A copy is attached.
4. An overall TIA and Storm Water Management Plan have been prepared by the City for Section 35.

STAFF RECOMMENDATION:

Recommend approval of Plan Commission Resolution #18-01 designating proposed boundaries and approving a Project Plan for Tax Incremental District No. 3, City of New Berlin, and forward to the Common Council for their review and approval by Resolution. **See Executive Summary.**

ATTACHMENTS:

Project Plan for the Creation of Tax Incremental District No. 3
Plan Commission Resolution PC #: 18-01

RAS to Common Council 12/12/2017
Power Point Presentation to the Common Council on 12/12/2017.
COW Meeting Minutes 12/12/2017
Common Council Meeting Minutes 12/12/2017
City of New Berlin TIF Policy
Public Hearing Notice
JRB Meeting Minutes 1/10/2018
Plan Commission Meeting Minutes 1/10/2018



January 2, 2018

Draft Project Plan for the Creation of Tax Incremental District No. 3



Organizational Joint Review Board Meeting Held:	Scheduled for January 10, 2018
Public Hearing Held:	Scheduled for January 10, 2018
Consideration for Approval by Plan Commission:	Scheduled for February 5, 2018
Consideration for Adoption by Common Council:	Scheduled for: February 13, 2018
Consideration for Approval by the Joint Review Board:	Scheduled for: TBD

Tax Incremental District No. 3 Creation Project Plan

City of New Berlin Officials

Common Council

David Ament	Mayor
John Hopkins	Council Member
Chuck Garrigues	Council Member
Ronald Seidl	Council Member
Kenneth A. Harenda II	Council Member
Joseph Stibl	Council Member
Dennis Horbinski	Council Member
Keith Heun	Council Member

City Staff

Greg Kessler	Director of Community Development
Nikki Jones	Deputy Director Community Development
Tammy Simonson	City Engineer
Ralph Chipman	Director of Finance

Plan Commission

David A. Ament	Scott Biller
Brian McGrath	Greg Kessler
Joe Stribl	Grant Reginato
Brian J. Felda	Robert Rafel

Joint Review Board

Ralph Chipman	City Representative
Norm Cummings	Waukesha County
Cary Tessmann	Waukesha County Area Technical College District
Roger Dickson	New Berlin School District
Mary Claire Lanser	Public Member

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SECTION 1: Executive Summary

Description of District

Type of District, Size and Location

Tax Incremental District (“TID”) No. 3 (the “TID” or “District”) is proposed to be created by the City of New Berlin (“City”) as a mixed-use district. A map of the proposed District boundaries is located in Section 3 of this plan.

Estimated Total Project Expenditures.

The City anticipates making total project expenditures of approximately \$27,527,000 to undertake the projects listed in this Project Plan. The City anticipates completing the projects in multiple phases to match the pace of development within the District. The Expenditure Period of this District is 15 years from the date of adoption of the authorizing Resolution of the Common Council (the “Creation Resolution”). The projects to be undertaken pursuant to this Project Plan are expected to be financed with General Obligation debt issued by the City, however, the City may use other alternative financing methods which may provide overall lower costs of financing, preserve debt capacity, mitigate risk to the City, or provide other advantages as determined by the Common Council. The projects to be undertaken pursuant to this project plan may also be financed as a development incentive to a developer exclusively for the costs of public infrastructure. A discussion and listing of other possible financing mechanisms, as well as a summary of total project financing, is located in Section 10 of this plan.

Economic Development

At this time upon of the creation of this District, the City projects that additional land and improvements value created will be at a minimum approximately \$15.1 million as a result of new development of properties within the District. This additional value will be a result of the improvements made and projects undertaken within the District. A table detailing assumptions as to the timing of new development associated values is located in Section 10 of this Plan. 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 10 of this plan, this District would be expected to generate sufficient tax increments to recover all project costs by the year 2034; 5 years earlier than the 20 year maximum life of this District.

Summary of Findings

As required by Wisconsin Statutes Section 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.** In making this determination, the City has considered the following information:

- The properties proposed for development have remained underutilized due to lack of adequate infrastructure and ownership by multiple parties. Given that the sites have not developed as would have been expected under normal market conditions, it is the judgment of the City that the use of Tax Incremental Financing (“TIF”) will be required to provide the necessary infrastructure and inducements to encourage development on the sites consistent with that desired by the City.
 - In order to make the areas included within the District suitable for development, the City will need to make a substantial investment to pay for the costs of: property, right-of-way and easement acquisition, site preparation, installation of utilities; installation of streets and related streetscape items; development incentive payments for public infrastructure, and other associated costs. Due to the extensive initial investment in public infrastructure that is required in order to allow development to occur, 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 is unlikely to occur.
2. **The economic benefits of the Tax Incremental 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, the tax increments projected to be collected are more than sufficient to pay for the proposed Phase 1 project costs. On this basis alone, the finding is supported.
 - The initial development within the District comprises a 192,800 square foot development that is estimated to generate \$15.1 million in value. This is a multi-tenant industrial building.
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 currently 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 TID and used to repay the costs of TIF-eligible projects undertaken within the District.
 - Since the development expected to occur is unlikely to take place or in the same manner without the use of TIF (see Finding #1) and since the District will generate economic benefits that are more than sufficient to compensate for the cost of the improvements (see Finding #2), 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 Section 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 A of this plan.

4. Not less than 50% by area of the real property within the District is suitable for a combination of industrial and commercial use, defined as “mixed-use development” within the meaning of Wisconsin Statutes Section 66.1105(2)(cm).
5. Based upon the findings, as stated above, the District is declared to be a mixed-use District based on the identification and classification of the property included within the District.
6. The project costs relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.
7. The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
8. The equalized value of taxable property of the District, plus the value increment of all existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
9. 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, pursuant to Wisconsin Statutes Sections 66.1105(5)(b) and 66.1105(6)(am)1.
10. The Project Plan for the District in the City is feasible, and is in conformity with the master plan of the City.

SECTION 2: Type and General Description of District

The District is being created by the City under the authority provided by Wisconsin Statutes Section 66.1105. The District is created as a “Mixed Use District” based upon a finding that at least 50%, by area, of the real property within the District is suitable for a combination of industrial and commercial uses as defined within the meaning of Wisconsin Statutes Section 66.1105(2)(cm) (See Section 5 of this plan for a breakdown of District parcels by class and calculation of compliance with the 50% test).

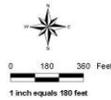
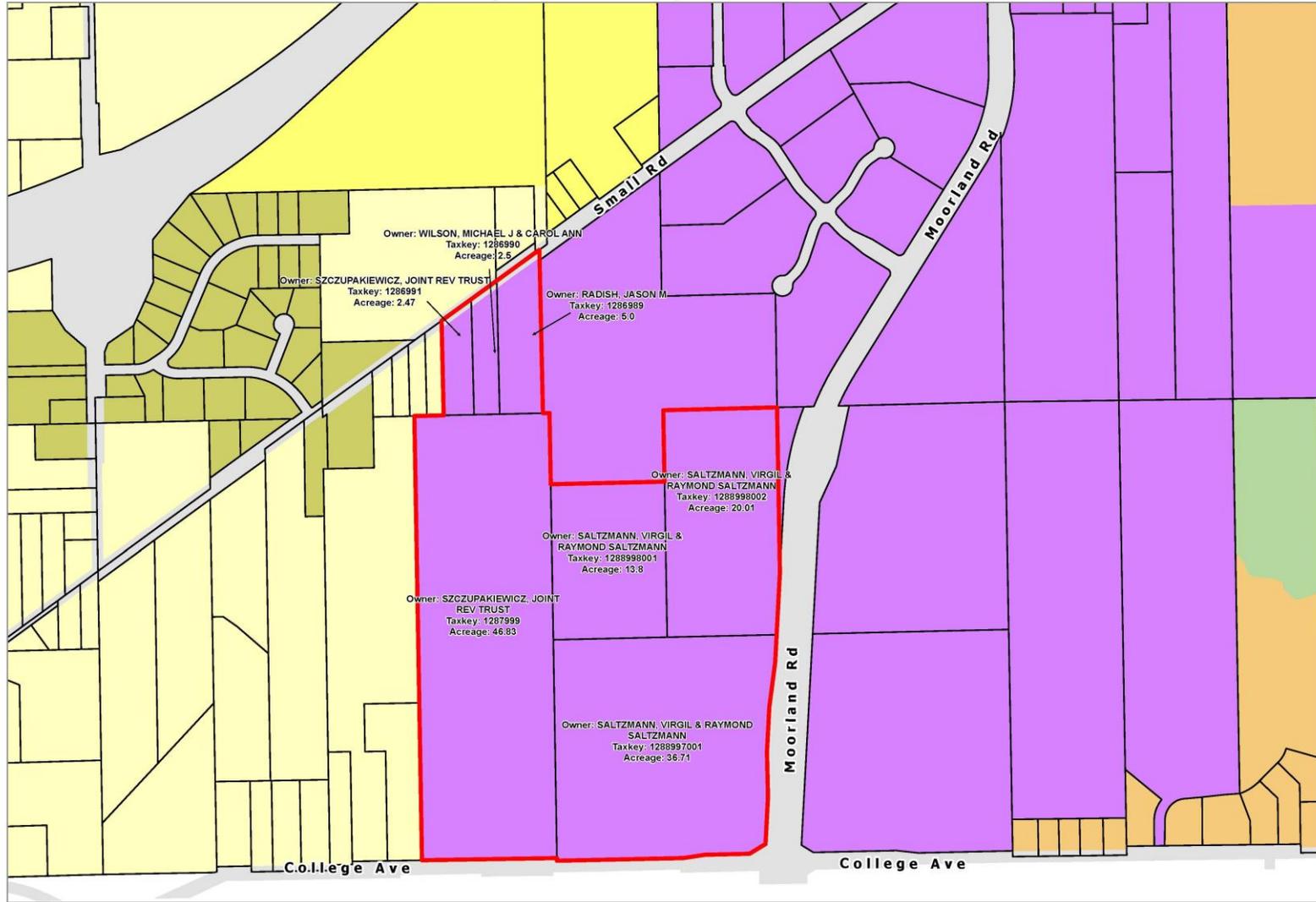
A map depicting the boundaries of the District is found in Section 3 of this Plan. A map depicting the proposed uses of the District is found in Section 8 of this plan. The City intends that TIF will be used to assure that a combination of private industrial and development occurs within the District consistent with the City’s development objectives. This will be accomplished by installing public improvements and making necessary related expenditures to induce and promote development within the District. The goal is to increase the tax base and to provide for and preserve employment opportunities within the City. The project costs included in the Plan relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.

Based upon the findings, as stated within this Plan, the District is declared to be a mixed-use District based on the identification and classification of the property included within the district.

SECTION 3: Preliminary Map of Proposed District Boundary

See the following page.

TID #3 Project Boundary with Future Land Use



Legend	
■ Business Park / Industrial (i.e. light manufacturing, office, retail, commercial, and/or hotel & entertainment)	■ Suburban Commercial
■ Urban Residential (i.e. single family residential)	■ Mixed Use Residential
■ Park (i.e. both active and passive park uses)	■ Suburban Residential
	■ Country Residential
	■ Residential Estate
	■ Institutional
	□ Transportation ROW
	□ TID #3 Boundary
	□ Parcel Lines

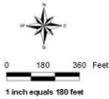
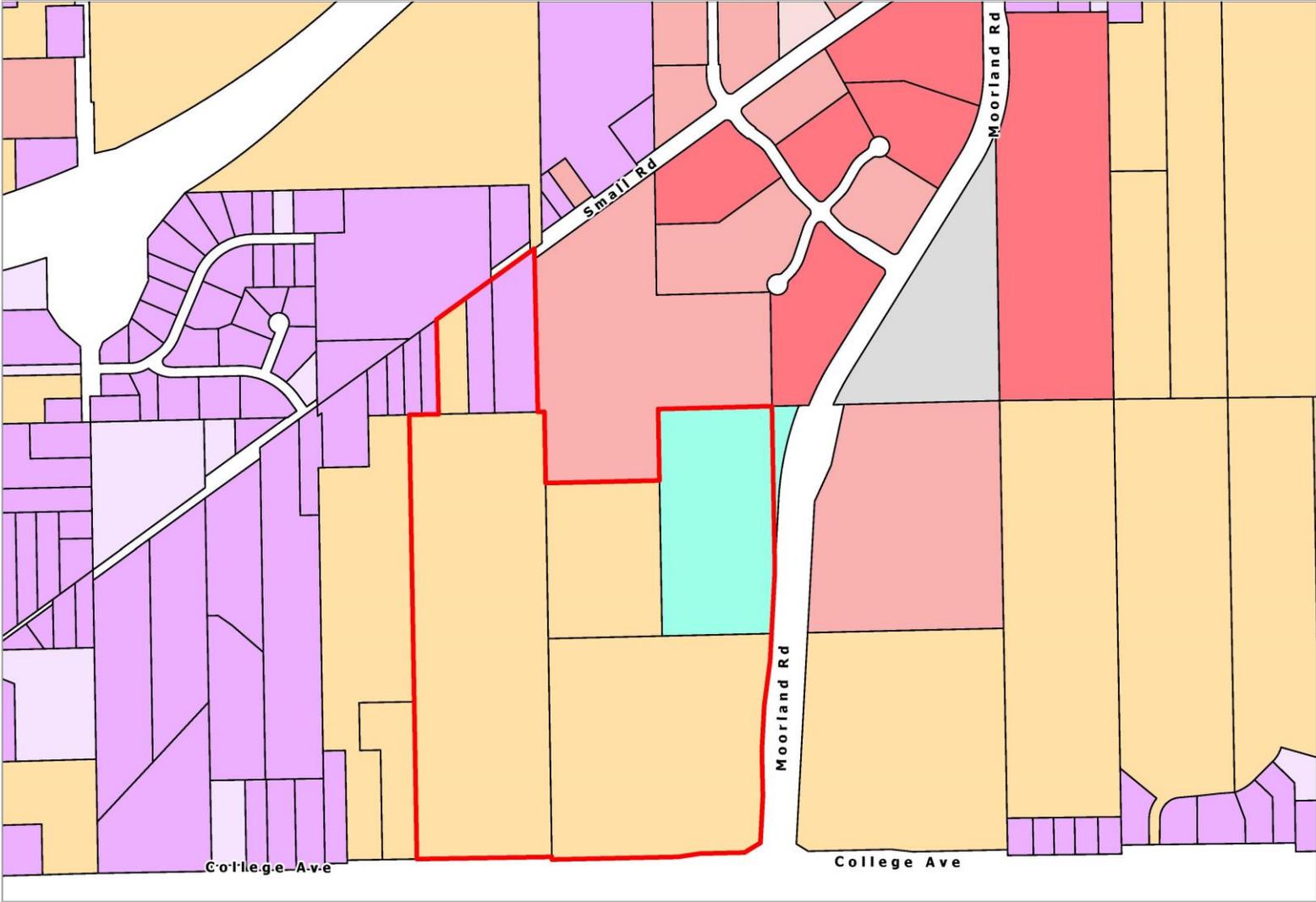


Map updated: 12/2022

SECTION 4: Map Showing Existing Uses and Conditions

See the following page.

TID #3 Project Boundary with Current Land Use



Current Land Use		Legend	
	Agricultural		Manufacturing
	Commercial		Residential
	Exempt		Residential Condominium
	Forest Land		Residential Vacant Site
			Undeveloped
			TID #3 Boundary
			Parcel Lines



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SECTION 5: Preliminary Parcel List and Analysis

City of New Berlin, Wisconsin													Assessment Roll Classification? <i>(Residential = Class 1, Commercial = Class 2, Manufacturing = Class 3, Ag = Class 4, Undeveloped = Class 5, Ag Forest = Class 5M, Forest = Class 6, Other = Class 7 & Exempt = X)</i>
Tax Increment District # 3													
Base Parcel Data													
				Assessment Information as of 1/1/2017			Equalized Value			District Classification			
Parcel Number	Street Address	Owner	Acreage	Land	Imp	Total	Equalized Value Ratio	Land	Imp	Total	Commercial/ Industrial	Suitable for Business Mixed Use	
						0	93.58%	0	0	0		0.00	
1286991	16555 W. Small Road	Szczupakiewicz	2.47	900		900	93.58%	962	0	962	2.47		2.47
1286990	16515 W. Small Road	Wilson	2.50	62,800	129,900	192,700	93.58%	67,108	138,812	205,920	2.50		2.50
1286989	1605 W. Small Road	Radish	5.00	82,200	114,300	196,500	93.58%	87,839	122,141	209,981	5.00		5.00
1287999	16560 W. College Avenue	Szczupakiewicz	46.83	74,300	125,400	199,700	93.58%	79,397	134,003	213,400	46.83		46.83
1288998001	6051 S. Moorland Road	Saltzman	13.80	2,900	0	2,900	93.58%	3,099	0	3,099	13.80		13.80
1288998002		Saltzman	20.01	30,500	0	30,500	93.58%	32,592	0	32,592	10.01	10.01	20.02
1288997001		Saltzman	36.71	21,600	0	21,600	93.58%	23,082	0	23,082	18.36	18.36	36.72
			Total Acreage 127.32	275,200	369,600	644,800		294,080	394,956		98.96 77.73%	28.37 22.28%	127.33 100.01%
										689,036			

SECTION 6: Equalized Value Test

The following calculations demonstrate that the City is in compliance with Wisconsin Statutes Section.66.1105(4)(gm)4.c., which requires that the equalized value of the taxable property in the proposed District, plus the value increment of all existing tax incremental districts, does not exceed 12% of the total equalized value of taxable property within the City.

The base value of the proposed District is estimated at \$689,036. This value is less than the maximum of \$622,379,964 in equalized value that is permitted for the City of New Berlin. The City is therefore in compliance with the statutory equalized valuation test and may proceed with creation of this District.

City of New Berlin, Wisconsin	
Tax Increment District # 3	
Valuation Test Compliance Calculation	
District Creation Date	2/13/2018
	Valuation Data Currently Available 2017
Total EV (TID In)	5,186,499,700
12% Test	622,379,964
Increment of Existing TIDs	0
Total Existing Increment	0
Projected Base of New or Amended District	689,036
Total Value Subject to 12% Test	689,036
Compliance	PASS

SECTION 7:

Statement of Kind, Number and Location of Proposed Public Works and Other Projects

The following is a list of public works and other TIF-eligible projects that the City expects to implement in conjunction with this District. Any costs necessary or convenient to the creation of the District or directly or indirectly related to the public works and other projects are considered "Project Costs" and eligible to be paid with tax increment revenues of the District.

Property, Right-of-Way and Easement Acquisition

Acquisition of Rights-of-Way

The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire rights-of-way are eligible Project Costs.

Acquisition of Easements

The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.

Site Preparation Activities

Environmental Audits and Remediation

There have been no known environmental studies performed within the proposed District. If, however, it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediations are eligible Project Costs.

Site Grading

Land within the District may require grading to make it suitable for development, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

Utilities

Sanitary Sewer System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand sanitary sewer infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; pumping stations; lift stations; and all related appurtenances. To the extent sanitary sewer projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand sanitary sewer infrastructure located outside of the District. That portion of the costs of

sanitary sewer system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs. The improvements to the wastewater treatment facilities, although not within the ½ mile radius, is an eligible project cost under Section 66.1105(2)(f)1 k.

Water System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: distribution mains; manholes and valves; hydrants; service laterals; pumping stations; wells; storage tanks and reservoirs; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Stormwater Management System Improvements

Development within the District will cause stormwater runoff and pollution. To manage this stormwater runoff, the City may need to construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; bridges; stabilization of stream and river banks; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Gas Service

The City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.

Streets and Streetscape

Street Improvements

There are inadequate street improvements serving areas of the District. To allow development to occur, the City may need to construct and reconstruct streets, highways, alleys, access drives and parking areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, box culverts and bridges; rail crossings and signals; utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

Streetscaping and Landscaping

In order to attract development consistent with the objectives of this Plan, the City may install amenities to enhance development sites, rights-of-way and other public spaces. These amenities include, but are not limited to: landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles; signage/monument signage/wayfinding and similar items; and installation of brick or other decorative walks, terraces and street crossings. These and any other similar amenities installed by the City are eligible Project Costs.

Miscellaneous

Cash Grants (Development Incentives) for Public Infrastructure

The City may enter into agreements with property owners, lessees, or developers of land located within the District for the purpose of providing a cash grant for reimbursement of public infrastructure costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

Projects Outside the Tax Increment District

Pursuant to Wisconsin Statutes Section 66.1105(2)(f)1.n, the City may undertake projects within territory located within one-half mile of the boundary of the District provided that: 1) the project area is located within the City's corporate boundaries and 2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible project costs, and may include any project cost that would otherwise be eligible if undertaken within the District. The City intends to make the following project cost expenditures outside the District:

Map ID on p. 18	Project	Notes
3	East Road Segment	
4	Utility & stormwater improvements east of CTH O	
6	Moorland Road Expansion	
7	Lighting/Signs and related landscaping	
8	Calhoun/Small intersection	There is a population of drivers that access the Westridge Industrial park and Proposed northern TID boundary from the South and West through this intersection. The existing intersection at Small Road and Calhoun Road intersects at a 55-degree angle and two of the approaches decline into the intersection. The proposed improvement would be to realign the intersection to a 90 degree angle and reduce the slope of the approaches.
10	Small Road Reconstruction	Existing conditions on Small Road vary from one end to the other. Project will improve traffic movement around the northern portion of the TID boundary to a typical roadway cross section of 40 feet of pavement.
11	Lowering of ANR pipeline	
Throughout area	Internal trail network	

See the map in Section 8 and the project list in Section 10 for more information.

Professional Service and Organizational Costs

The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include, but are not limited to: architectural; environmental; planning; engineering; legal, audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.

Administrative Costs

The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees in connection with the implementation of the Plan.

Financing Costs

Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

With all projects the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for public works, legal and other consultant fees, testing, environmental studies, permits, updating City ordinances and plans, judgments or claims for damages and other expenses are included as Project Costs.

In the event any of the public works project expenditures are not reimbursable out of the special TIF fund under Wisconsin Statutes Section 66.1105, in the written opinion of counsel retained by the City for such purpose or a court of record so rules in a final order, then such project or projects shall be deleted herefrom and the remainder of the projects hereunder shall be deemed the entirety of the projects for purposes of this Project Plan.

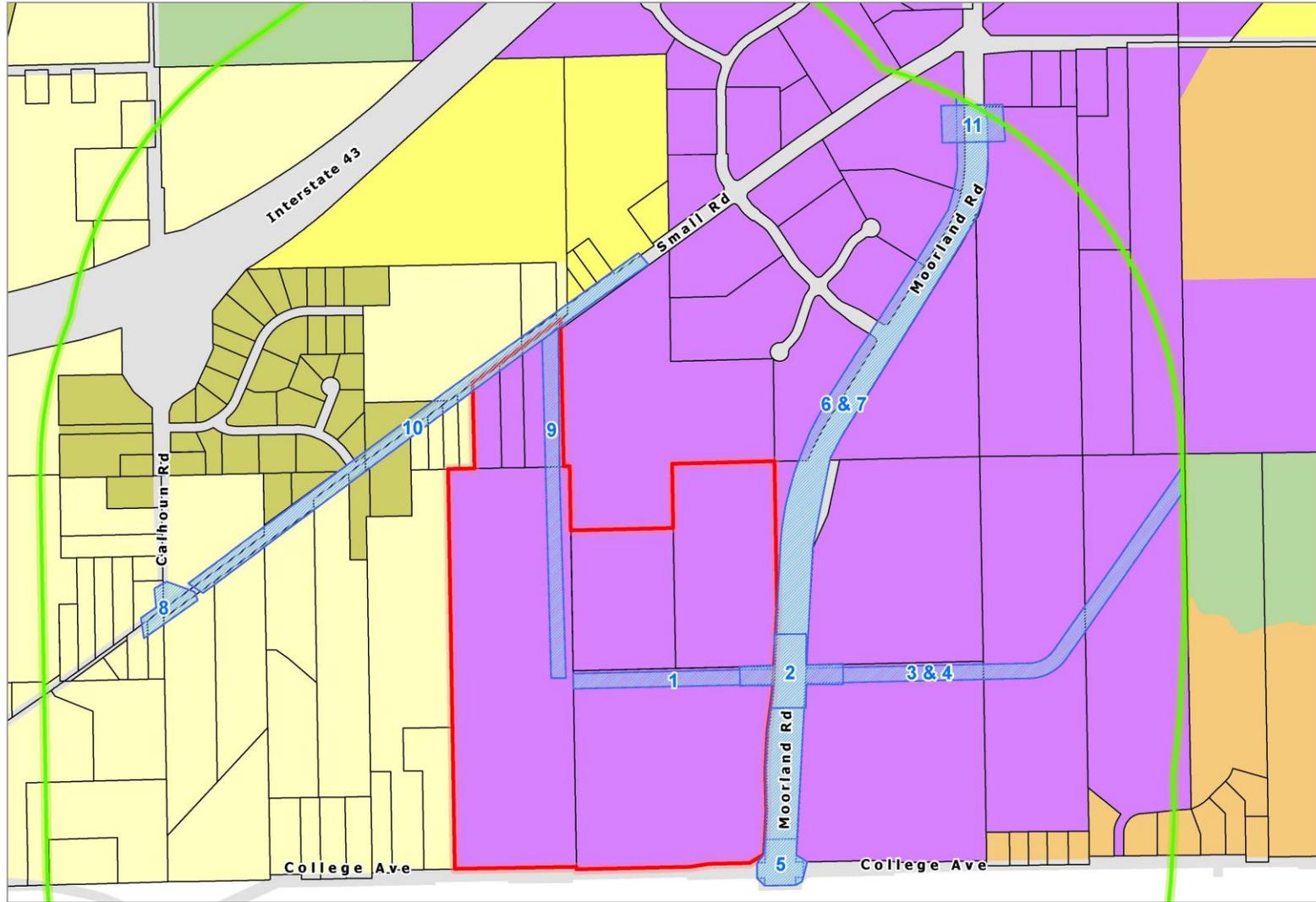
The City reserves the right to implement only those projects that remain viable as the Plan period proceeds.

Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred, by the City and as outlined in this Plan. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges. To the extent the costs benefit the municipality outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning is completed. Prorations of costs in the Plan are also estimates and subject to change based upon implementation, future assessment policies and user fee adjustments.

SECTION 8: Map Showing Proposed Improvements and Uses

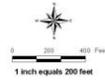
See the following page.

TID #3 Project Locations with Future Land Use & Half Mile Buffer



Legend	
■ Business Park / Industrial (i.e. light manufacturing, office, retail, commercial, and/or hotel & entertainment)	■ Suburban Commercial
■ Urban Residential (i.e. single family residential)	■ Mixed Use Residential
■ Park (i.e. both active and passive park uses)	■ Suburban Residential
	■ Country Residential
	■ Residential Estate
	■ Institutional
	■ Transportation ROW
	 Project Locations
	 TID #3 Boundary
	 1/2 Mile Buffer
	 Parcel Lines

Project Number	Project Name
1	West Road Segment
2	Moorland College Intersection
3, 4, 4	East Road Segment (William & Stone (part of C14 C))
5	Moorland College Intersection
6, 6, 7	Moorland Intersection (at Moorland/College)
8	Calhoun Road Intersection
9	Small Road (West Side to Small Rd)
10	Small Road Reconstruction
11	Local Road Resurfacing



Date Issued: 02/20/20

SECTION 9: Detailed List of Project Costs

This Plan is not meant to be a budget nor an appropriation of funds for specific projects, but a framework within which to manage projects. All costs included in the Plan are estimates based on best information available. The City retains the right to delete projects or change the scope and timing of projects implemented as they are individually authorized by the Common Council, without amending the Plan.

All costs are based on 2018 prices and are preliminary estimates. The City reserves the right to increase these costs to reflect inflationary increases and other uncontrollable circumstances between 2018 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 Plan. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of the Plan.

However, if total project costs exceed \$27,527,000, the City would pursue an amendment to the Plan in accordance with the amendment procedures specified in Wisconsin Statutes Section 66.1105(4)(h), which include review by the Joint Review Board.

The City may finance project costs directly as a city public infrastructure project (alternative #1). The City may also use a combination of providing a development incentive to reimburse for public infrastructure projects and financing city public infrastructure projects (alternative #2). The total project costs authorized, regardless of which approach is used, shall not exceed \$27,527,000. The City can use either approach on any TID project.

All projects identified are TID eligible. The City will use increment generated within the District to pay for projects supported by the overall cash flow of the District and will use a phased approach so project costs are incurred to match the pace of development within the District.

Proposed TIF Project Cost Estimates

City of New Berlin, Wisconsin								
Tax Increment District # 3								
Estimated Project List								
Alternative #1 City Financed Infrastructure								
Project ID	Project Name/Type	Potential Funding Source	Within District Boundary	Within 1/2 mile radius	Phase I	Phase II	Phase III and Beyond	Total (Note 1)
1	West Road Segment	City Financed	Yes	No	882,000			882,000
2	Moorland/34 intersection	City Financed	Yes	No	1,932,000			1,932,000
3	East Road Segment	City Financed	No	Yes		3,322,000		3,322,000
4	Utilities & Storm (East of CTH O)	City Financed	No	Yes		6,360,000		6,360,000
5	Moorland/College Intersection	City Financed	Yes	No		881,000		881,000
6	Moorland Expansion	City Financed	No	Yes			7,370,000	7,370,000
7	Lighting/Signs Landscaping	City Financed	No	Yes			685,000	685,000
8	Calhoun Small Intersection	City Financed	No	Yes			805,000	805,000
9	Sanitary (West Road to Small Road)	City Financed	Yes	No			425,000	425,000
10	Small Road Reconstruction	City Financed	No	Yes			3,210,000	3,210,000
11	Lowering ANR Pipeline	City Financed	No	Yes			1,380,000	1,380,000
12	Internal Trails	City Financed	No	Yes			275,000	275,000
Total Projects					2,814,000	10,563,000	14,150,000	27,527,000
Notes:								
Note 1 Project costs are estimates and are subject to modification								

City of New Berlin, Wisconsin

Tax Increment District # 3

Estimated Project List

Alternative #2 City Financed Infrastructure and/or Development Incentives for Public Infrastructure

Project ID	Project Name/Type	Potential Funding Source	Within District Boundary	Within 1/2 mile radius	Phase I	Phase II	Phase III and Beyond	Total (Note 1)
1	West Road Segment	Development incentive for public Infrastructure	Yes	No	882,000			882,000
2	Moorland/34 intersection	Development incentive for public Infrastructure	Yes	No	1,932,000			1,932,000
3	East Road Segment	Development incentive for public Infrastructure	No	Yes		3,322,000		3,322,000
4	Utilities & Storm (East of CTH O)	Development incentive for public Infrastructure	No	Yes		6,360,000		6,360,000
5	Moorland/College Intersection	Development incentive for public Infrastructure	Yes	No		881,000		881,000
6	Moorland Expansion	City Financed	No	Yes			7,370,000	7,370,000
7	Lighting/Signs Landscaping	City Financed	No	Yes			685,000	685,000
8	Calhoun Small Intersection	Development incentive for public Infrastructure	No	Yes			805,000	805,000
9	Sanitary (West Road to Small Road)	Development incentive for public Infrastructure	Yes	No			425,000	425,000
10	Small Road Reconstruction	Development incentive for public Infrastructure	No	Yes			3,210,000	3,210,000
11	Lowering ANR Pipeline	City Financed	No	Yes			1,380,000	1,380,000
12	Internal Trails	Development incentive for public Infrastructure	No	Yes			275,000	275,000
Total Projects					2,814,000	10,563,000	14,150,000	27,527,000

Notes:

Note 1 Project costs are estimates and are subject to modification

SECTION 10: Economic Feasibility Study, Financing Methods, and the Time When Costs or Monetary Obligations Related are to be Incurred

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” follows.
- 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. A table identifying 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 Phase 1 the cost of the projects. Future development will be needed to generate increment for future phases. Within this Section are tables identifying: 1) the development expected to occur for Phase 1; 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 Phase 1 Project Costs.

Available Financing Methods

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 (TID IN). As of the date of this plan, the City has a G.O. debt limit of \$259,324,985, of which \$207,450,407 is currently unused 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 a 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 the 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.

Plan Implementation

Projects identified will provide the necessary anticipated governmental services to the area. A reasonable and orderly sequence is outlined on the following page. However, public debt and expenditures should be made at the pace private development occurs 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.

Interest rates projected 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.**

Implementation and Financing Timeline

City of New Berlin, Wisconsin Tax Increment District # 3 Estimated Financing Plan: Phase 1		
		G.O. Bond 2018
Projects		
West Road Segment ¹		882,000
Moorland/34 Intersection ¹		1,932,000
Total Project Funds		<u>2,814,000</u>
Estimated Finance Related Expenses		
Municipal Advisor		21,710
Bond Counsel		12,000
Rating Agency Fee		11,500
Underwriter Discount	12.50	36,188
Total Financing Required		2,895,398
Estimated Interest	0.25%	(3,518)
Assumed spend down (months)	6	
Rounding		3,120
Net Issue Size		2,895,000
Notes:		
1. Includes allowances for lighting, landscaping, and signage.		

Development Assumptions

City of New Berlin, Wisconsin					
Tax Increment District # 3					
Development Assumptions					
Construction Year		Phase 1: Briohn Project	Annual Total	Construction Year	
1	2018	15,116,500	15,116,500	2018	1
2	2019		0	2019	2
3	2020		0	2020	3
4	2021		0	2021	4
5	2022		0	2022	5
6	2023		0	2023	6
7	2024		0	2024	7
8	2025		0	2025	8
9	2026		0	2026	9
10	2027		0	2027	10
11	2028		0	2028	11
12	2029		0	2029	12
13	2030		0	2030	13
14	2031		0	2031	14
15	2032		0	2032	15
16	2033		0	2033	16
17	2034		0	2034	17
18	2035		0	2035	18
19	2036		0	2036	19
20	2037		0	2037	20
Totals		<u>15,116,500</u>	<u>15,116,500</u>		

Notes:

1. Reflects only development anticipated at this time. Additional development is needed to support project costs identified beyond phase I.

Increment Revenue Projections

City of New Berlin, Wisconsin

Tax Increment District # 3

Tax Increment Projection Worksheet: Phase 1

Type of District	Mixed Use	
District Creation Date	February 13, 2018	
Valuation Date	Jan 1,	2018
Max Life (Years)	20	
Expenditure Period/Termination	15	2/13/2033
Revenue Periods/Final Year	20	2039
Extension Eligibility/Years	Yes	3
Recipient District	No	

Base Value	689,036
Appreciation Factor	0.00%
Base Tax Rate	\$17.20
Rate Adjustment Factor	
Tax Exempt Discount Rate	3.00%
Taxable Discount Rate	4.50%

Apply to Base Value

Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment	Tax Exempt	Taxable NPV
								NPV Calculation	NPV Calculation
1 2018	15,116,500	2019	0	15,116,500	2020	\$17.20	260,028	237,962	227,861
2 2019	0	2020	0	15,116,500	2021	\$17.20	260,028	468,993	445,910
3 2020	0	2021	0	15,116,500	2022	\$17.20	260,028	693,295	654,570
4 2021	0	2022	0	15,116,500	2023	\$17.20	260,028	911,064	854,244
5 2022	0	2023	0	15,116,500	2024	\$17.20	260,028	1,122,490	1,045,319
6 2023	0	2024	0	15,116,500	2025	\$17.20	260,028	1,327,758	1,228,167
7 2024	0	2025	0	15,116,500	2026	\$17.20	260,028	1,527,048	1,403,140
8 2025	0	2026	0	15,116,500	2027	\$17.20	260,028	1,720,533	1,570,579
9 2026	0	2027	0	15,116,500	2028	\$17.20	260,028	1,908,382	1,730,808
10 2027	0	2028	0	15,116,500	2029	\$17.20	260,028	2,090,760	1,884,137
11 2028	0	2029	0	15,116,500	2030	\$17.20	260,028	2,267,826	2,030,863
12 2029	0	2030	0	15,116,500	2031	\$17.20	260,028	2,439,735	2,171,271
13 2030	0	2031	0	15,116,500	2032	\$17.20	260,028	2,606,637	2,305,632
14 2031	0	2032	0	15,116,500	2033	\$17.20	260,028	2,768,678	2,434,208
15 2032	0	2033	0	15,116,500	2034	\$17.20	260,028	2,925,999	2,557,247
16 2033	0	2034	0	15,116,500	2035	\$17.20	260,028	3,078,737	2,674,988
17 2034	0	2035	0	15,116,500	2036	\$17.20	260,028	3,227,027	2,787,658
18 2035	0	2036	0	15,116,500	2037	\$17.20	260,028	3,370,998	2,895,476
19 2036	0	2037	0	15,116,500	2038	\$17.20	260,028	3,510,776	2,998,652
20 2037	0	2038	0	15,116,500	2039	\$17.20	260,028	3,646,482	3,097,385
Totals	15,116,500		0		Future Value of Increment		5,200,551		

Notes:

Actual results will vary depending on development, inflation of overall tax rates.

NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).

Cash Flow

City of New Berlin, Wisconsin															
Tax Increment District # 3															
Cash Flow Projection Phase 1															
Year	Projected Revenues				Expenditures						Balances			Year	
	Tax Increments	Advance from Debt Service	Advance from General Fund	Total Revenues	G.O. Bond \$2,895,000 Dated Date: 09/01/18 Principal (12/1) Est. Rate Interest			TIF Planning Costs	TIF Fees	Repayment of Advance	Total Expenditures	Annual	Cumulative		Principal Outstanding
2018			26,150	26,150				25,000	1,000		26,000	150	150	2,895,000	2018
2019		98,514		98,514					150		98,664	(150)	0	2,895,000	2019
2020	260,028			260,028		2.10%	78,811		150	124,664	203,625	56,403	56,403	2,895,000	2020
2021	260,028			260,028	140,000	2.15%	78,811		150		218,961	41,067	97,469	2,755,000	2021
2022	260,028			260,028	140,000	2.23%	75,801		150		215,951	44,077	141,546	2,615,000	2022
2023	260,028			260,028	145,000	2.29%	72,679		150		217,829	42,199	183,744	2,470,000	2023
2024	260,028			260,028	150,000	2.36%	69,359		150		219,509	40,519	224,263	2,320,000	2024
2025	260,028			260,028	150,000	2.45%	65,819		150		215,969	44,059	268,322	2,170,000	2025
2026	260,028			260,028	155,000	2.52%	62,144		150		217,294	42,734	311,056	2,015,000	2026
2027	260,028			260,028	160,000	2.58%	58,238		150		218,388	41,640	352,697	1,855,000	2027
2028	260,028			260,028	165,000	2.65%	54,110		150		219,260	40,768	393,465	1,690,000	2028
2029	260,028			260,028	170,000	2.73%	49,737		150		219,887	40,141	433,605	1,520,000	2029
2030	260,028			260,028	170,000	2.80%	45,096		150		215,246	44,782	478,387	1,350,000	2030
2031	260,028			260,028	175,000	2.84%	40,336		150		215,486	44,542	522,928	1,175,000	2031
2032	260,028			260,028	180,000	2.90%	35,366		150		215,516	44,512	567,440	995,000	2032
2033	260,028			260,028	185,000	2.96%	30,146		150		215,296	44,732	612,171	810,000	2033
2034	260,028			260,028	195,000	3.01%	24,670		150		219,820	40,208	652,379	615,000	2034
2035	260,028			260,028	200,000	3.04%	18,801				218,801	41,227	693,606	415,000	2035
2036	260,028			260,028	205,000	3.05%	12,721				217,721	42,307	735,913	210,000	2036
2037	260,028			260,028	210,000	3.08%	6,468				216,468	43,560	779,472	0	2037
2038	260,028			260,028							0	260,028	1,039,500	0	2038
2039	260,028			260,028							0	260,028	1,299,527	0	2039
Total	5,200,551	98,514	26,150	5,325,214	2,895,000		977,623	25,000	3,400	124,664	4,025,687				Total

Notes:

1. Interest rates based on Bloomberg Aaa scale of 12/26/2017 plus 50 basis points.

Projected TID Closure

SECTION 11: Annexed Property

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

SECTION 12: Estimate of Property to be Devoted to Retail Business

Pursuant to Wisconsin Statutes Sections 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.

SECTION 13: Proposed Zoning Ordinance Changes

The City anticipates that a portion of the District will be rezoned prior to development to allow a Business Park Development District zoning. This is intended for light manufacturing, office and business uses of a moderate scale and intensity. In addition, the zoning will provide a broader mix of allowable uses including retail establishments to support the business development.

This zoning is further intended to promote open space, intense vertical landscape, planting screens, buffer yards, and preservation of existing environmental features.

SECTION 14: Proposed Changes in Master Plan, Map, Building Codes and City of New Berlin Ordinances

It is expected that this Plan will be complementary to the City's Master Plan. There are no proposed changes to the Master Plan, map, building codes or other City ordinances for the implementation of this Plan.

SECTION 15: 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 Wisconsin Statutes Section Chapter 32.

SECTION 16: Orderly Development of the City of New Berlin

The District contributes to the orderly development of the City by providing the opportunity for continued growth in tax base, job opportunities and general economic activity. The City has identified the broader Section 34 and Section 35 as a key development area within the City's comprehensive plan. The City has held numerous public workshops and received input from residents during its comprehensive plan update to further define the vision and purpose for development within this area. The District is a tool to implement the goals and objectives of the comprehensive plan.

SECTION 17: List of Estimated 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 Project Plan.

SECTION 18:
Opinion of Attorney for the City of New Berlin Advising
Whether the Plan is Complete and Complies with
Wisconsin Statutes 66.1105

January 2, 2018

SAMPLE

Mayor David Ament
City of New Berlin
3805 S. Casper Drive
New Berlin, Wisconsin 53151

RE: City of New Berlin, Wisconsin Tax Incremental District No. 3

Dear Mayor:

As City Attorney for the City of New Berlin, I have reviewed the Project Plan and, in my opinion, have determined that it is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).

Sincerely,

Attorney Mark G. Blum
City of New Berlin

Exhibit A:
**Calculation of the Share of Projected Tax Increments
 Estimated to be Paid by the Owners of Property in the
 Overlying Taxing Jurisdictions**

Estimated portion of taxes that owners of taxable property in each taxing jurisdiction overlaying district would pay by jurisdiction.						
Statement of Taxes Data Year:		2017		Percentage		
County		10,123,388		11.35%		
Municipality		25,550,392		28.64%		
School District of New Berlin		51,745,449		58.00%		
Technical College		1,796,710		2.01%		
Total		89,215,938		100.00%		

Revenue Year	County	Municipality	School District of New Berlin	Technical College	Total	Revenue Year
2020	29,505	74,469	150,817	5,237	260,028	2020
2021	29,505	74,469	150,817	5,237	260,028	2021
2022	29,505	74,469	150,817	5,237	260,028	2022
2023	29,505	74,469	150,817	5,237	260,028	2023
2024	29,505	74,469	150,817	5,237	260,028	2024
2025	29,505	74,469	150,817	5,237	260,028	2025
2026	29,505	74,469	150,817	5,237	260,028	2026
2027	29,505	74,469	150,817	5,237	260,028	2027
2028	29,505	74,469	150,817	5,237	260,028	2028
2029	29,505	74,469	150,817	5,237	260,028	2029
2030	29,505	74,469	150,817	5,237	260,028	2030
2031	29,505	74,469	150,817	5,237	260,028	2031
2032	29,505	74,469	150,817	5,237	260,028	2032
2033	29,505	74,469	150,817	5,237	260,028	2033
2034	29,505	74,469	150,817	5,237	260,028	2034
2035	29,505	74,469	150,817	5,237	260,028	2035
2036	29,505	74,469	150,817	5,237	260,028	2036
2037	29,505	74,469	150,817	5,237	260,028	2037
2038	29,505	74,469	150,817	5,237	260,028	2038
2039	29,505	74,469	150,817	5,237	260,028	2039
	590,110	1,489,376	3,016,331	104,733	5,200,551	

Notes:
 The projection shown above is provided to meet the requirements of Wisconsin Statute 66.1105(4)(i)4.

RESOLUTION NUMBER #18-01

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

WHEREAS, the City of New Berlin (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 3 (the "District") is proposed to be created by the City as a mixed-use district in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, a Project Plan for the District has been prepared that 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 Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., 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 the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes 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 plan for relocation of any persons to be displaced;
- j. A statement indicating how the District promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Waukesha County, the New Berlin School District, and the Waukesha County Area Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on January 10, 2018 held a public hearing concerning the project plan and boundaries and proposed creation of the District, providing interested parties a reasonable opportunity to express their views thereon.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of New Berlin that:

1. It recommends to the Common Council that Tax Incremental District No. 3 be created with boundaries as designated in Exhibit A of this Resolution.

2. It approves and adopts the Project Plan for the District, attached as Exhibit B, and recommends its approval to the Common Council.
3. Creation of the District promotes orderly development in the City.

Adopted this _____ day of _____, 2018.

APPROVED:

David A. Ament, Mayor / Plan Commission Chair

Certified/Countersigned:

Gregory Kessler, AICP
Secretary of the Plan Commission

**LEGAL BOUNDARY DESCRIPTION OR MAP OF
TAX INCREMENTAL DISTRICT NO. 3
CITY OF NEW BERLIN**

THIS CAN BE FOUND IN THE PROJECT PLAN

PROJECT PLAN

THIS WILL BE HANDED OUT SEPARATELY



REQUESTED ACTION STATEMENT

TO: Mayor Dave Ament and Common Council

FROM: Gregory Kessler, AICP – Director of Community Development 

RE: Requested Action Statement for the approval of an agreement with Ehlers & Associates for \$7,800 for the preparation of a Tax Incremental Financing District (TID) Project Plan for Section 35.

DATE: December 6, 2017

REQUESTED ACTION: Recommend to the Common Council approval of an agreement to hire Ehlers & Associates to prepare a TID Project Plan for Section 35 in the amount of \$7,800.

FISCAL IMPACT: The services offered by Ehlers & Associates are outlined in the attached proposal. Based upon their “Scope”, the cost for their services would be \$7,800. Should additional analysis be required, their hourly rates are outlined in the attached agreement.

SOURCE OF FUNDS: CIP Account #: 04251100 63000 C2015 \$7,800

RATIONALE / BACKGROUND: As part of their economic development and financial planning services work that Ehlers & Associates has completed over the past 1 ½ years on behalf of the City, Staff and Ehlers have determined a phased approach to developing the Section 35 area is the most appropriate way of financing the public infrastructure costs to not only support new development but to also mitigate impacts for existing residents and developments. Focusing on areas where initial development has been approved is considered to be the best way to move forward.

The City has approved a development in an area west of Moorland Road, north of College Avenue. The Briohn development comprises a 192,800 square foot development that is estimated to generate \$15.1 million in value. The City would like to use this project as a catalyst to support initial infrastructure investment in Section 35. The City has determined an access road (western road segment) is necessary for the proposed Briohn development and surrounding parcels. Access is essential for the Briohn project to proceed.

This project alone is estimated to support \$3.0 million in project costs within a 15 year period, consistent with the City's TIF policy. Cost estimates for the western road segment are not finalized yet, but initial estimates are approximately \$900,000. This leaves approximately \$2.1 million in other infrastructure costs that could be supported from this project alone. Staff is recommending that the City use this project to provide initial increment to a proposed TID. If other development materializes, it could be used to support other infrastructure investment within the initial development area and within the ½ mile radius of the proposed TID boundary. For now, the plan would be for the City to focus solely on what is supported by known development. Future TID's could be proposed as new development and/or a master developer are brought forward that could support and guarantee increment growth in the district.



EHLERS
LEADERS IN PUBLIC FINANCE

Overview of Tax Incremental Financing

Greg Johnson, Ehlers Senior Municipal Advisor/Vice President
Phil Cosson, Ehlers Senior Municipal Advisor/Director

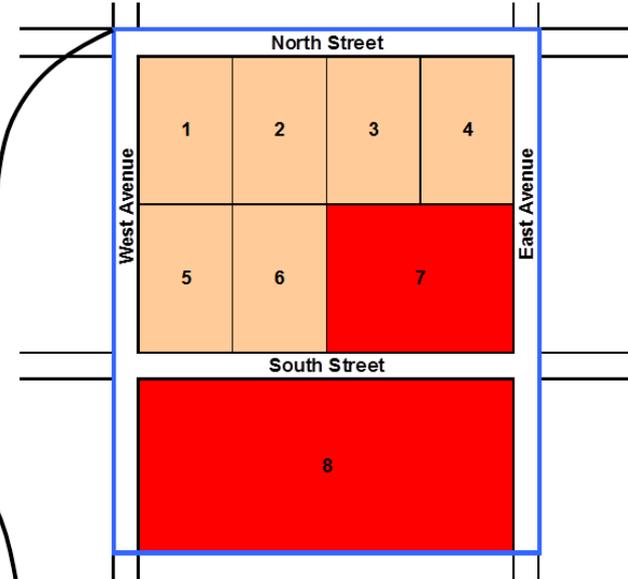
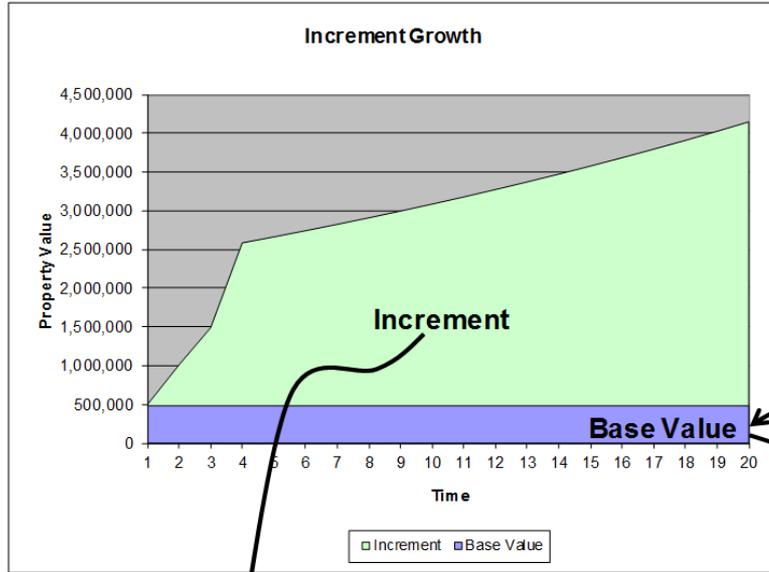


What is Tax Increment Financing?

- Economic development tool used in Wisconsin and many other states
- Allows cities to capture all **property tax revenue** from **growth** in defined area and use that revenue to **benefit** that area
- Key acronyms:
 - TIF = Tax Increment Financing (the tool)
 - TID = Tax Increment District (where the tool is used)



How Does TIF Work?



	Mill Rate
TID	20.00
Total	20.00

The TID receives taxes on the increment value at the combined rate of all taxing entities

	Mill Rate
Local	6.50
County	4.00
School	7.50
VTAE	2.00
Total	20.00

All taxing jurisdictions continue to receive their share of the tax levy on the base value of the TID



The “But For” Test

- Key underpinning of the TIF program is referred to as the “but for” test
- “But for” the use of TIF, the proposed development would not occur:
 - As proposed
 - Within the same time period
 - With the same level
 - Property value
 - Jobs
 - Amenities



General Qualifications

- Maximum combined base value of existing and proposed new districts cannot exceed 12% of total Equalized Value. For New Berlin, this amount is approximately \$622 million in value.
- At least 50% of land area in proposed TID is:
 - Blighted or in need of conservation/rehabilitation
 - Suitable and zoned for industrial use
 - Suitable for mixed-use development as determined by any combination of:
 - Industrial
 - Commercial
 - “Qualifying” Residential (limited to 35% of total area for newly platted)



Maximum Life

- A district may remain open until the earliest of the following:
 - The district's maximum life is reached, which varies by type of district and when it was created
 - When total tax increments collected are sufficient to pay all of the district's project obligations
 - When the City passes a resolution to close the district
- At closure:
 - Remaining funds distributed proportionately to taxing jurisdictions (***shared benefit***), OR
 - Any unreimbursed project costs become general liability of the City (***this risk not shared***)



Maximum Life

TID Creation Date	10-1-2004 or later
Blight Elimination	27 Years (+3)*
Conservation or Rehabilitation	27 Years (+3)*
Industrial	20 Years (+3)*
Mixed Use	20 Years (+3)*

* Eligible for a 3 year extension



Expenditure Period

- Maximum time period TID can incur expenses related to project plan
- Five years shorter than maximum life
- After expenditure period ends, TID may continue to pay:
 - Debt service on existing obligations
 - Ongoing administrative expenses



Procedure to Create a TID

1. Plan Commission prepares project plan
2. Convene Joint Review Board
 - Each taxing body represented
 - One member of the public appointed
3. Public Hearing by Plan Commission
4. City Council approval (official “Creation Date”)
5. Joint Review Board approval
6. State approval (procedural and legal review)

Note: variety of date/procedural/notice requirements at each step



Amendments

- Boundary amendment
 - May add and/or subtract property
 - Must be in compliance with 12% test to add territory
 - Limit of 4 allowed during life of district
- Plan amendment
 - Used to amend list of projects to be undertaken
 - No limit to number allowed (except maximum expenditure period)
- Essentially same procedure as establishing TID



New Berlin Policy for TIF

- Not a commitment to use TIF, outlines parameters City will consider.
- Encourage development & redevelopment in commercial and industrial growth areas identified in comprehensive plan.
- Potential to reduce costs for public infrastructure borne solely by the City – partner with other taxing jurisdictions to pay for these improvements.



New Berlin TIF Policy for Expenditures

- Focus TIF funding, if any, towards public infrastructure projects that directly supports a given development to reduce impacts on the City's overall CIP programming.
 - Extraordinary public infrastructure costs may cause delays in development or generating a desired level of taxable value.
- No development incentives or cash grants provided.
 - No direct support for land purchase, site grading, general development costs, and construction building costs.
 - Only direct reimbursement for public infrastructure considered.



New Berlin Desired Performance Standards

- TID will have a maximum life of 15 years or less.
- Minimum desired ratio of Developer funding (dollars) to TIF funding at a ratio of 2:1.
- Development Agreement will specify benchmarks for taxable value, provide guarantees for debt service, evidence of tenant commitments.
- All projects reviewed independently on a case-by-case basis.



Overview of TIF Documents

- Project Plan for each TIF district outlines land use objectives and legally permitted expenditures.
 - Not a budget or a commitment to fund a project.
 - Each project requires approval from City Council.
 - Serves as planning document and creates framework to manage TIF.
- TIF policy provides general direction and parameters to consider utilization of TIF. Does not represent a commitment to TIF - this requires separate approval.



Benefits to using TIF

- Use TIF to define land use objectives in comprehensive plan by directing infrastructure investment needed to serve growth. Assists City with implementation of comprehensive plan.
- Partnership with other taxing jurisdictions to promote economic development.
- Economic development and general City infrastructure projects compete for City funding.
 - TIF provides alternative to funding economic development projects with other taxing jurisdictions, allowing City to fund other capital projects solely on its own.



Risks to using TIF

- TIF underperforms.
 - City obligated to pay debt service even if TID revenue is not sufficient.
 - May require levy support for TIF projects that reduces the City's ability to pay for other infrastructure costs in the City.
 - Advances from other funds (if required) may never be repaid.
- Steps need to be taken to mitigate risk
 - Letters of credit
 - Value guarantees/shortfall payments
 - Special assessments



Risks to using TIF

- Cannot fully eliminate risks
 - Economic cycles (downturns in economy)
 - Changes in state law detrimental to TIF performance outside control of City.
- Variety of tools available for underperforming TIF, ***each with a cost.***
 - Fund balance utilization
 - Tax levy & user fee support
 - Debt restructuring
 - Increment sharing (“Donation”)
 - Territory amendment
 - Enforcing security provisions in developer agreements



Proposed TID

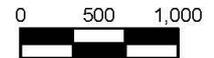
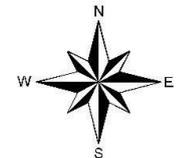
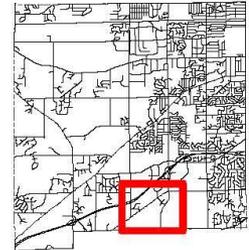
- Map on next page illustrates an initial TIF district boundary encompassing Briohn project & surrounding properties.
- Initial infrastructure priorities include the western road segment of the internal road network and related intersection improvements on Moorland Road.
- The Briohn project alone estimated to support \$3.0 million in project costs.
 - City could include other projects within a ½ mile radius of proposed boundary in the event additional development within the TIF district could support additional project costs.
 - The City can also consider amending the boundaries or creating additional TIF districts in the future to facilitate additional development if the City chooses to do so.



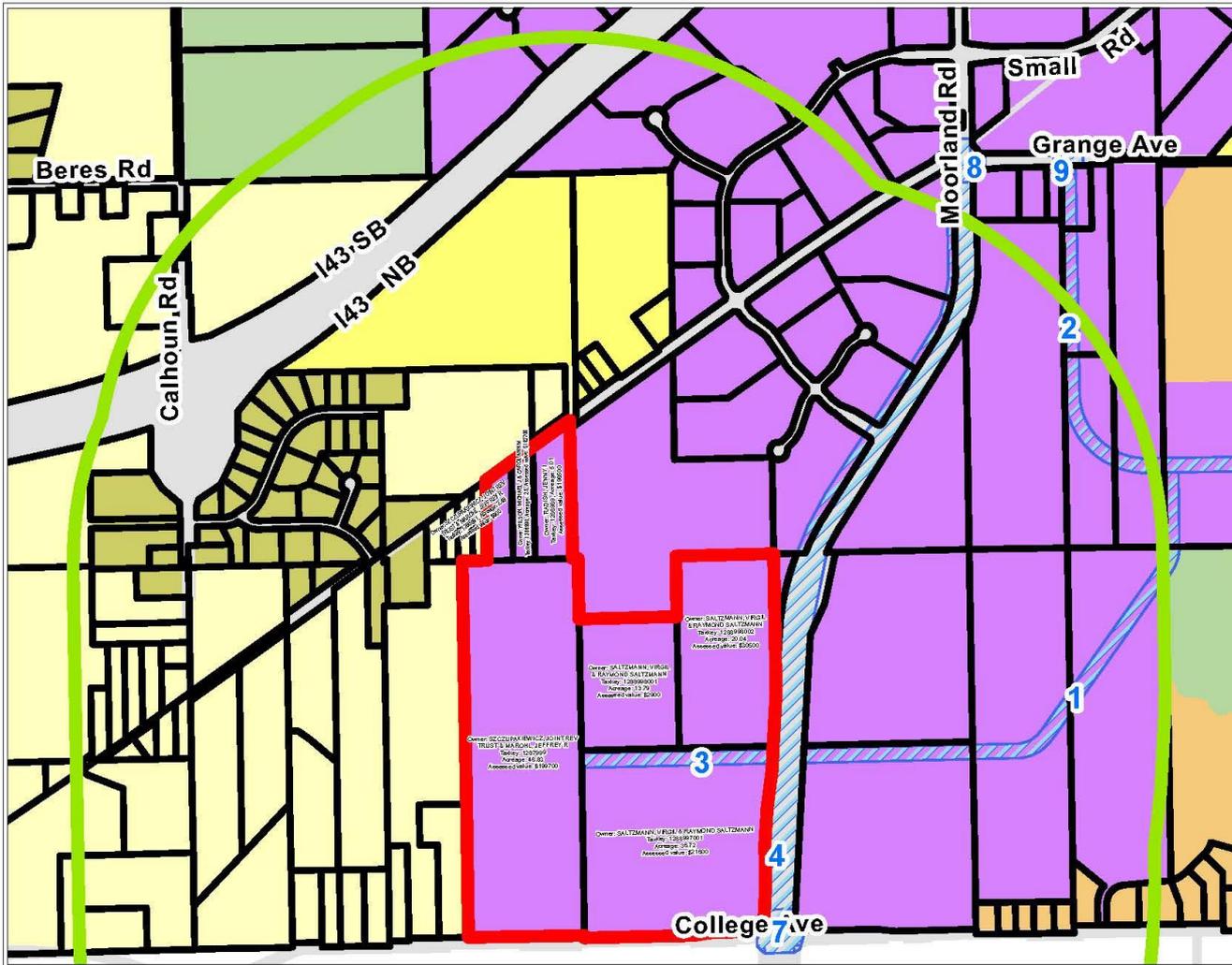
Updated TID Boundary with Future Land Use & Half Mile Buffer

Updated: 10/2/2017

Overview Map



1 inch = 1,000 feet



TID boundary	Future Land Use 2020 Business Park/Industrial (i.e. light manufacturing, office, retail, commercial, and/or hotel & entertainment)	Urban Residential (i.e. single family residential)	Suburban Commercial	Country Residential
1/2 mile buffer	Park (i.e. both active and passive park uses)	Suburban Residential	Mixed Use Residential	Residential Estate
Parcel Lines			Institutional	



City of New Berlin, Wisconsin

Tax Increment District

Development Assumptions:

Construction Year		Briohn	TOTAL	Construction Year	
1	2018	15,116,500	15,116,500	2018	1
2	2019		0	2019	2
3	2020		0	2020	3
4	2021		0	2021	4
5	2022		0	2022	5
6	2023		0	2023	6
7	2024		0	2024	7
8	2025		0	2025	8
9	2026		0	2026	9
10	2027		0	2027	10
11	2028		0	2028	11
12	2029		0	2029	12
13	2030		0	2030	13
14	2031		0	2031	14
15	2032		0	2032	15
16	2033		0	2033	16
17	2034		0	2034	17
18	2035		0	2035	18
19	2036		0	2036	19
20	2037		0	2037	20
Totals		<u>15,116,500</u>	<u>15,116,500</u>		

Notes:

1. Estimated value of Briohn Building is \$15,116,500.

Draft

City of New Berlin, Wisconsin

Tax Increment District

Tax Increment Projection Worksheet

Type of District	Mixed Use	
District Creation Date	February 1, 2018	
Valuation Date	Jan 1,	2018
Max Life (Years)	20	
Expenditure Period/Termination	15	2/1/2033
Revenue Periods/Final Year	20	2039
Extension Eligibility/Years	Yes	3
Recipient District	No	

Base Value	644,800
Appreciation Factor	0.00%
Base Tax Rate	\$17.70
Rate Adjustment Factor	
Tax Exempt Discount Rate	3.00%
Taxable Discount Rate	4.50%

Apply to Base Value

Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment	Tax Exempt	Taxable NPV	
								NPV Calculation	Calculation	
1	2018	15,116,500	2019	0	15,116,500	2020	\$17.70	267,562	259,769	256,040
2	2019	0	2020	0	15,116,500	2021	\$17.70	267,562	511,972	501,055
3	2020	0	2021	0	15,116,500	2022	\$17.70	267,562	756,829	735,519
4	2021	0	2022	0	15,116,500	2023	\$17.70	267,562	994,554	959,886
5	2022	0	2023	0	15,116,500	2024	\$17.70	267,562	1,225,356	1,174,591
6	2023	0	2024	0	15,116,500	2025	\$17.70	267,562	1,449,435	1,380,051
7	2024	0	2025	0	15,116,500	2026	\$17.70	267,562	1,666,987	1,576,663
8	2025	0	2026	0	15,116,500	2027	\$17.70	267,562	1,878,203	1,764,809
9	2026	0	2027	0	15,116,500	2028	\$17.70	267,562	2,083,267	1,944,852
10	2027	0	2028	0	15,116,500	2029	\$17.70	267,562	2,282,359	2,117,143
11	2028	0	2029	0	15,116,500	2030	\$17.70	267,562	2,475,651	2,282,014
12	2029	0	2030	0	15,116,500	2031	\$17.70	267,562	2,663,314	2,439,786
13	2030	0	2031	0	15,116,500	2032	\$17.70	267,562	2,845,510	2,590,764
14	2031	0	2032	0	15,116,500	2033	\$17.70	267,562	3,022,400	2,735,240
15	2032	0	2033	0	15,116,500	2034	\$17.70	267,562	3,194,138	2,873,495
16	2033	0	2034	0	15,116,500	2035	\$17.70	267,562	3,360,874	3,005,796
17	2034	0	2035	0	15,116,500	2036	\$17.70	267,562	3,522,754	3,132,400
18	2035	0	2036	0	15,116,500	2037	\$17.70	267,562	3,679,918	3,253,552
19	2036	0	2037	0	15,116,500	2038	\$17.70	267,562	3,832,505	3,369,487
20	2037	0	2038	0	15,116,500	2039	\$17.70	267,562	3,980,648	3,480,430
Totals		15,116,500		0		Future Value of Increment		5,351,241		

Notes:

Actual results will vary depending on development, inflation of overall tax rates.

NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).

City of New Berlin, Wisconsin

Tax Increment District

Estimated Financing Plan

	G.O. Bond 2018	
<u>Projects</u>		
Internal Road System		
Western Road Segment		881,239
Intersection Improvements		2,118,761
Total Project Funds		<u>3,000,000</u>
Estimated Finance Related Expenses		
Municipal Advisor		23,700
Bond Counsel		12,000
Rating Agency Fee		13,000
Paying Agent		675
Underwriter Discount	12.50	38,563
Capitalized Interest		0
Total Financing Required		3,087,938
Estimated Interest	0.25%	(3,750)
Assumed spend down (months)	6	
Rounding		813
Net Issue Size		3,085,000

Notes:

City of New Berlin, Wisconsin

Tax Increment District

Cash Flow Projection

Year	Projected Revenues				Expenditures							Balances			Year
	Tax Increments	Advance from Debt Service	Advance from other funds	Total Revenues	G.O. Bond \$3,085,000 Dated Date: 09/01/18 Principal (6/1) Est. Rate Interest			Repayment of Advance	TIF Planning Costs	TIF Fees	Total Expenditures	Annual	Cumulative	Principal Outstanding	
2018			21,150	21,150					20,000	1,000	21,000	150	150	3,085,000	2018
2019		98,368		98,368			98,368			150	98,518	(150)	0	3,085,000	2019
2020	267,562			267,562	65,000	1.63%	78,164	119,518		150	262,832	4,730	4,730	3,020,000	2020
2021	267,562			267,562	175,000	1.68%	76,165			150	251,315	16,248	20,978	2,845,000	2021
2022	267,562			267,562	175,000	1.76%	73,155			150	248,305	19,258	40,235	2,670,000	2022
2023	267,562			267,562	175,000	1.85%	69,996			150	245,146	22,416	62,652	2,495,000	2023
2024	267,562			267,562	175,000	2.02%	66,610			150	241,760	25,803	88,454	2,320,000	2024
2025	267,562			267,562	175,000	2.15%	62,961			150	238,111	29,451	117,906	2,145,000	2025
2026	267,562			267,562	175,000	2.29%	59,076			150	234,226	33,336	151,242	1,970,000	2026
2027	267,562			267,562	175,000	2.44%	54,937			150	230,087	37,475	188,717	1,795,000	2027
2028	267,562			267,562	175,000	2.57%	50,553			150	225,703	41,859	230,576	1,620,000	2028
2029	267,562			267,562	175,000	2.67%	45,968			150	221,118	46,444	277,020	1,445,000	2029
2030	267,562			267,562	180,000	2.77%	41,139			150	221,289	46,273	323,293	1,265,000	2030
2031	267,562			267,562	180,000	2.85%	36,081			150	216,231	51,331	374,624	1,085,000	2031
2032	267,562			267,562	180,000	2.92%	30,888			150	211,038	56,524	431,148	905,000	2032
2033	267,562			267,562	180,000	2.99%	25,569			150	205,719	61,843	492,991	725,000	2033
2034	267,562			267,562	180,000	3.06%	20,124			150	200,274	67,288	560,279	545,000	2034
2035	267,562			267,562	180,000	3.13%	14,553				194,553	73,009	633,288	365,000	2035
2036	267,562			267,562	180,000	3.19%	8,865				188,865	78,697	711,985	185,000	2036
2037	267,562			267,562	185,000	3.24%	2,997				187,997	79,565	791,550	0	2037
2038	267,562			267,562							0	267,562	1,059,112		2038
2039	267,562			267,562							0	267,562	1,326,674		2039
											0				
Total	5,351,241	98,368	21,150	5,470,759	3,085,000		916,167		119,518	20,000	3,400	4,144,085			Total

Notes:

1. 2018 rates based on 9/26/2017 MMD AAA scale plus 100 basis points.

Projected TID Closure

Draft

Sharing the Cost of Economic Development

- If development occurs and increment is generated, TIF allows the cost of promoting economic development to be shared among all the taxing jurisdictions.
- If the City bears the cost of economic development on its own, the full cost of infrastructure for economic development purposes will be paid solely by City taxpayers.



City of New Berlin, Wisconsin

Tax Impact Analysis to City Tax Payers (no TIF support)

Year	Expenditures			Tax Impact			Year	
	G.O. Bond \$3,085,000			Total Expenditures	Projected Equalized Value	Tax Rate		Impact on \$300,000 Home
	Dated Date: Principal (6/1)	Est. Rate	Interest					
2018				0	5,186,499,700	\$0.00	\$0	2018
2019			98,368	98,368	5,238,364,697	\$0.02	\$6	2019
2020	65,000	1.63%	78,164	143,164	5,290,748,344	\$0.03	\$8	2020
2021	175,000	1.68%	76,165	251,165	5,343,655,827	\$0.05	\$14	2021
2022	175,000	1.76%	73,155	248,155	5,397,092,386	\$0.05	\$14	2022
2023	175,000	1.85%	69,996	244,996	5,451,063,310	\$0.04	\$13	2023
2024	175,000	2.02%	66,610	241,610	5,505,573,943	\$0.04	\$13	2024
2025	175,000	2.15%	62,961	237,961	5,560,629,682	\$0.04	\$13	2025
2026	175,000	2.29%	59,076	234,076	5,616,235,979	\$0.04	\$13	2026
2027	175,000	2.44%	54,937	229,937	5,672,398,339	\$0.04	\$12	2027
2028	175,000	2.57%	50,553	225,553	5,729,122,322	\$0.04	\$12	2028
2029	175,000	2.67%	45,968	220,968	5,786,413,545	\$0.04	\$11	2029
2030	180,000	2.77%	41,139	221,139	5,844,277,681	\$0.04	\$11	2030
2031	180,000	2.85%	36,081	216,081	5,902,720,458	\$0.04	\$11	2031
2032	180,000	2.92%	30,888	210,888	5,961,747,662	\$0.04	\$11	2032
2033	180,000	2.99%	25,569	205,569	6,021,365,139	\$0.03	\$10	2033
2034	180,000	3.06%	20,124	200,124	6,081,578,790	\$0.03	\$10	2034
2035	180,000	3.13%	14,553	194,553	6,142,394,578	\$0.03	\$10	2035
2036	180,000	3.19%	8,865	188,865	6,203,818,524	\$0.03	\$9	2036
2037	185,000	3.24%	2,997	187,997	6,265,856,709	\$0.03	\$9	2037
Total	3,085,000		916,167	4,001,167				Total

Notes:

1. 2018 rates based on 9/26/2017 MMD AAA scale plus 100 basis points.

Summary

- City TIF policy does not represent a commitment to use TIF, but outlines general parameters City may consider.
- Potential Financial benefits of TIF:
 - Can reduce burden on City budget to fund economic development projects that compete with other City infrastructure improvements.
 - Other taxing jurisdictions share costs of infrastructure, not just City, since all taxing jurisdictions benefit from increase in the tax base resulting from infrastructure improvements.
- City must take steps to mitigate risks through a Development Agreement. TIF, however, is not risk free.
 - Costs are responsibility of City if increment revenue or security provisions are insufficient.



**CITY OF NEW BERLIN
PROCEEDINGS OF THE COMMITTEE OF THE WHOLE
Tuesday, December 12, 2017**

CALL MEETING TO ORDER

After the presentation of the Citizen of the Year Award, the meeting was called to order by Mayor Ament at 7:21 PM.

This meeting was noticed on Thursday, December 7, 2017 in accordance with the Open Meeting Law

ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

Present was Mayor Ament, Aldermen Hopkins, Garrigues, Seidl, Harenda, Stribl and Heun. Also present was City Attorney Mark Blum, Director of Community Development Greg Kessler, Ehlers Senior Municipal Advisor Greg Johnson, Finance Director Ralph Chipman and City Clerk Daniel Green.

Excused: Alderman Horbinski

APPROVAL OF MINUTES

- [November 14, 2017 Minutes](#)

Motion by Alderman Stribl to approve the November 14, 2017 minutes. Seconded by Alderman Heun.

Motion Passed 6 to 0.

The following items will be considered for approval or denial by the Aldermen with a recommendation to Common Council on the Consent Agenda

UTILITIES & FINANCE

- [Approval of November 29, 2017 Claims for Water Utility claims in the amount of \\$29,593.98, Sewer Utility claims in the amount of \\$28,789.28 and General City claims in the amount of \\$1,435,211.72.](#)

Motion by Alderman Heun to approve the November 29, 2017 Claims for Water Utility claims in the amount of \$29,593.98, Sewer Utility claims in the amount of \$28,789.28 and General City claims in the amount of \$1,435,211.72.. Seconded by Alderman Garrigues.

Motion Passed 6 to 0.

- [Approval of December 13, 2017 Claims for Water Utility claims in the amount of \\$159,010.95, Sewer Utility claims in the amount of \\$812.11 and General City claims in the amount of \\$365,821.13.](#)

Motion by Alderman Stribl to Approve the December 13, 2017 Claims for Water Utility claims in the amount of \$159,010.95, Sewer Utility claims in the amount of \$812.11 and General City claims in the amount of \$365,821.13. Seconded by Alderman Harenda.

Motion Passed 6 to 0.

LICENSES & PERMITS

[Bartender License for the licensing period ending June 30, 2019 to Christine Beck, Emma Bonack, Christopher Fryman, Darren Fuller, Brian Heck, Rochelle Herrmann, Shannon Koehler, Russell Koehn, David Loncaric, Terry McKee Jr, James Pauley](#)

Motion by Alderman Seidl to approve Bartender License for the licensing period ending June 30, 2019 to Christine Beck, Emma Bonack, Christopher Fryman, Darren Fuller, Brian Heck, Rochelle Herrmann, Shannon Koehler, Russell Koehn, David Loncaric, Terry McKee Jr, James Pauley. Seconded by Alderman Stribl.

Motion Passed 6 to 0.

[Approval of Change of Agent for Kwik Trip Inc. \(Kwik Trip #499\), 15700 W. Small Rd., to Agent - Joshua G. Dahl, 4562 S. 62nd St., Greenfield WI 53220.](#)

Motion by Alderman Garrigues to approve a Change of Agent for Kwik Trip Inc. (Kwik Trip #499), 15700 W. Small Rd., to Agent - Joshua G. Dahl, 4562 S. 62nd St., Greenfield WI 53220. Seconded by Alderman Heun.

Motion Passed 6 to 0.

["Class B" Liquor and Beer license to Park 124 LLC \(Pendulum Pub\), located at 1959 S. 124th St., Agent - Ryan Larscheidt, 714 S. 57th St., West Allis, WI 53214.](#)

Motion by Alderman Hopkins to approve a "Class B" Liquor and Beer license to Park 124 LLC (Pendulum Pub), located at 1959 S. 124th St., Agent - Ryan Larscheidt, 714 S. 57th St., West Allis, WI 53214. Seconded by Alderman Seidl.

Motion Passed 6 to 0.

["Class A" Liquor and Beer License to Ruchika Enterprise LLC \(Hometown New Berlin\), located at 13996 W. National Ave., Agent - Sangita A Wagle, 1036 Pilgram Pkwy, Elm Grove, WI 53122.](#)

Motion by Alderman Hopkins to approve a "Class A" Liquor and Beer License to Ruchika Enterprise LLC (Hometown New Berlin), located at 13996 W. National Ave., Agent - Sangita A Wagle, 1036 Pilgram Pkwy, Elm Grove, WI 53122. Seconded by Alderman Garrigues.

Motion Passed 6 to 0.

MISCELLANEOUS

- [Finance Department Update to Council by Finance Director Ralph Chipman](#)
- [Recommend the Common Council approve Resolution #17-34 to transfer \\$36,000 from the 2017 Contingency Account to the 2017 Police Department Budget to purchase a new police squad car.](#)

Motion by Alderman Hopkins to approve Resolution #17-34 to transfer \$36,000 from the 2017 Contingency Account to the 2017 Police Department Budget to purchase a new police squad car. Seconded by Alderman Heun.

Motion Passed 6 to 0.

- [Approve Resolution 17-35 nominating the attached list of Election Inspectors from Mayor Dave Ament for the City of New Berlin Aldermanic Districts 1 through 7 and Central Count for a 2-year term beginning January 1, 2018 and ending December 31, 2019.](#)

Motion by Alderman Stribl to approve Resolution 17-35 nominating the attached list of Election Inspectors from Mayor Dave Ament for the City of New Berlin Aldermanic Districts 1 through 7 and Central Count for a 2-year term beginning January 1, 2018 and ending December 31, 2019. Seconded by Alderman Seidl.

Motion Passed 5 to 0. Alderman Garrigues abstained.

- [Recommend Common Council Approve the attached 2018 Salary Range Table](#)

Motion by Alderman Harenda to approve the attached 2018 Salary Range Table. Seconded by Alderman Stribl.

Motion Passed 6 to 0.

- [Discussion and Possible Action on Proposed 2018 CIP Budget](#)

Motion by Alderman Hopkins to approve the Proposed 2018 CIP Budget. Seconded by Alderman Garrigues.

Motion Passed 6 to 0.

- [Discussion and Possible Action on a Raze Order for the property located at 1624 S. Woodside Drive](#)

Motion by Alderman Hopkins to defer "Discussion and Possible Action on a Raze Order for the property located at 1624 S. Woodside Drive" to the January 23rd meeting. Seconded by Alderman Seidl.

Motion Passed 6 to 0.

- [Request that the New Berlin Common Council approve 3-year Fiber Locating contract with Excel Underground, to locate City of New Berlin Municipal Fiber Network.](#)

Motion by Alderman Seidl to approve a 3-year Fiber Locating contract with Excel Underground, to locate City of New Berlin Municipal Fiber Network. Seconded by Alderman Garrigues.

Motion Passed 6 to 0.

- [Request that the New Berlin Common Council approve Contract with Naviant for Hyland OnBase Software, including Installation, Configuration and Conversion of Current Data.](#)

Motion by Alderman Seidl to approve Request that the New Berlin Common Council approve Contract with Naviant for Hyland OnBase Software, including Installation, Configuration and Conversion of Current Data. Seconded by Alderman Harenda.

Motion Passed 6 to 0.

- [Request that the New Berlin Common Council approve a 3-year contract with ESRI for Enterprise Licensing Agreement for Software used by the GIS/LIS Department in the City of New Berlin.](#)

Motion by Alderman Seidl to approve a 3-year contract with ESRI for Enterprise Licensing Agreement for Software used by the GIS/LIS Department in the City of New Berlin. Seconded by Alderman Garrigues.

Motion Passed 6 to 0.

- [Recommend to the Common Council approval of an agreement to hire Ehlers & Associates to prepare a TID Project Plan for Section 35 in the amount of \\$7,800.](#)

Motion by Alderman Hopkins to approve an agreement to hire Ehlers & Associates to prepare a TID Project Plan for Section 35 in the amount of \$7,800 funds to come from TIF Account Number 20350000-52030. Seconded by Alderman Seidl.

Motion Passed 6 to 0.

- [Recommend to Council to Amend the 2018 Clerk Fee Schedule to remove the Late Fee for Dog Licenses not collected by April 1st until 2019.](#)

Motion by Alderman Seidl to amend the 2018 Clerk Fee Schedule to remove the Late Fee for Dog Licenses not collected by April 1st until 2019. Seconded by Alderman Heun.

Motion Passed 6 to 0.

ADJOURN

Motion by Alderman Hopkins to adjourn at 8:33 PM. Seconded by Alderman Seidl.

Motion Passed 6 to 0.

Respectfully Submitted:

Daniel Green
City Clerk

CITY OF NEW BERLIN
PROCEEDINGS OF THE COMMON COUNCIL
Tuesday, December 12, 2017

[CALL TO ORDER; PLEDGE OF ALLEGIANCE; INVOCATION; PUBLIC NOTICE](#)

The meeting was called to order by Mayor Ament at 8:38 PM.

[ROLL CALL; DECLARATION OF QUORUM](#)

This meeting was noticed on Thursday, December 7, 2017 in accordance with the Open Meeting Law

Present was Mayor Ament, Aldermen Hopkins, Garrigues, Seidl, Harenda, Stribl and Heun. Also present was City Attorney Mark Blum, Finance Director Ralph Chipman and City Clerk Daniel Green.

Alderman Horbinski was excused.

APPROVAL OF MINUTES

- [November 14, 2017 Minutes](#)

Motion by Alderman Seidl to approve the November 14, 2017 Minutes. Seconded by Alderman Stribl.

Motion Passed 6 to 0.

REPORTS

- City Clerk
- Council President
- [Mayor](#)

Congratulations to Cascio Interstate Music for being named the City's December Business of the Month. Cascio Music has been doing business in the Milwaukee area for over 70 years and ranks as the 14th largest musical instrument dealer in the US! Stop by their impressive store at 138th & National Avenue.

Winter hours of operation for the Recycling Center are now in effect thru April 2, 2018. The Center is open 8 am to 4 pm on Saturdays only. Please note that the Center is closed on 12/23rd and 12/30th for the Holidays.

The 12/26th COW/CC meeting is cancelled. The next meeting will be held Tuesday January 9, 2018.

Santa also will be making a visit to the Library this Thursday 12/14th starting at 6:30 pm. Tickets are required. For more information please visit the Library's website.

Just a reminder that City Hall is closed on Friday 12/22nd, Monday 12/25th (Christmas) & Monday 1/1st (New Year's Day). In addition City Hall will also close at noon on 12/29th

Property Tax Bills were mailed out yesterday and we anticipate Personal Property Tax Bills going out today.

And finally, on behalf of the entire Council, & myself we would like to wish all our Citizens and staff a very Merry Christmas & a Happy, safe & healthy New Year.

[BOARD OF PUBLIC WORKS](#)

- [Recommend to the Common Council approval of the Development Agreement for the Calhoun Land](#)

Development

Motion by Alderman Seidl to approve the Development Agreement for the Calhoun Land Development. Seconded by Alderman Heun.

Motion Passed 6 to 0.

- [Recommend to the Common Council approval of an Intermunicipal Agreement with West Allis for the Design and Construction of 124th St. from National Ave. to Lincoln Ave.](#)

Motion by Alderman Seidl to approve Item 19-17 to enter into an Intermunicipal Agreement with the City of West Allis for the Rehabilitation of 124th Street in 2018. Funds estimated at \$865,375.00 plus 15% for engineering and inspection fees from the 2018 CIP Budget Account. Seconded by Alderman Hopkins.

Motion Passed 6 to 0.

UTILITY COMMITTEE

- [Recommend to the Common Council a one-time wastewater rate increase of 6.5%](#)

Motion by Alderman Harenda to approve a one-time wastewater increase of 6.5%. Seconded by Alderman Garrigues.

Motion Passed 6 to 0.

- [Recommend to the Common Council to reject all bids received for the Private Property I/I Implementation Program.](#)

Motion by Alderman Harenda to approve rejecting all bids received for the Private Property I/I Implementation Program. Seconded by Alderman Stribl.

Motion Passed 6 to 0.

- [Recommend to the Common Council approval of the 2018 Water Utility Operating Budget](#)

Motion by Alderman Harenda to approve the 2018 Water Utility Operating Budget. Seconded by Alderman Hopkins.

Motion Passed 6 to 0.

- [Recommend to the Common Council approval of the 2018 Water Utility CIP Budget](#)

Motion by Alderman Harenda to approve the 2018 Water Utility CIP Budget. Seconded by Alderman Garrigues.

Motion Passed 6 to 0.

- [Recommend to the Common Council approval of the 2018 Wastewater Utility Operating Budget](#)

Motion by Alderman Harenda to approve the 2018 Wastewater Utility Operating Budget. Seconded by Alderman Hopkins.

Motion Passed 6 to 0.

- [Recommend to the Common Council approval of the 2018 Wastewater Utility CIP Budget](#)

Motion by Alderman Harenda to approve the 2018 Wastewater Utility CIP Budget. Seconded by Alderman Stribl.

Motion Passed 6 to 0.**RECREATION COMMISSION**

- [Recommend to the Common Council approval of the New Berlin Heat 2018 Agreement](#)

Motion by Alderman Harenda to approve the New Berlin Heat 2018 Agreement. Seconded by Alderman Stribl.

Motion Passed 6 to 0.

- [Recommend to the Common Council approval of the New Berlin Magic 2018 Agreement](#)

Motion by Alderman Harenda to approve the New Berlin Magic 2018 Agreement. Seconded by Alderman Garrigues.

Motion Passed 6 to 0.

- [Recommend to the Common Council approval of the New Berlin Pumas 2018 Agreement](#)

Motion by Alderman Harenda to approve the New Berlin Pumas 2018 Agreement. Seconded by Alderman Stribl.

Motion Passed 6 to 0.**PARKS, BUILDINGS & GROUNDS COMMISSION**

- [Recommend to Council the awarding of a contract for an access audit to MSA Professional Services](#)

Motion by Alderman Harenda to award the access audit contract to MSA Professional Services in the amount of \$32,000 and direct the City Attorney to draft contract documents. Fiscal Impact: Monies to be transferred from Contingency Acct. #16000000-56120 to Facility Management – Contract Services Acct. #15131029-52030. This transfer will be reflected in resolution #17-32. Seconded by Alderman Heun.

Motion Passed 6 to 0.

- [Recommend to Council approval of Resolution 17-32 to transfer funds from Contingency to Facility Management-Contracted Services](#)

Motion by Alderman Harenda to approve Resolution 17-32, a resolution transferring funds from contingency to Facility Management – Contracted Services. Fiscal Impact: Monies to be transferred from Contingency Acct. #16000000-56120 to Facility Management –Contract Services Acct. #15131029-52030. Seconded by Alderman Seidl.

Motion Passed 6 to 0.**WATER RESOURCE MANAGEMENT COMMITTEE**

- [Recommend to Council approval of 2018 WRM Operating Budget](#)

Motion by Alderman Harenda to approve the 2018 WRM Proposed Operating Budget with changes to account 59010- Depreciation from \$430,000 to \$545,000 and account 57010-Interest Expense from \$32,500 to \$25,000 for a total of \$1,629,595.00. Seconded by Alderman Stribl.

Motion Passed 6 to 0.**MAYORAL APPOINTMENTS**

- [Recommend the reappointment of Robert Wincek to the Communications Committee with new term effective 1/1/2018 and expiring 12/31/2018.](#)

Motion by Alderman Seidl to approve the reappointment of Robert Wincek to the Communications Committee with new term effective 1/1/2018 and expiring 12/31/2018. Seconded by Alderman Heun.

Motion Passed 6 to 0.

- [Recommend the reappointment of Scott Schulpus to the position of Emergency Government Director with new term effective 1/1/2018 and expiring 12/31/2020.](#)

Motion by Alderman Harenda to approve the reappointment of Scott Schulpus to the position of Emergency Government Director with new term effective 1/1/2018 and expiring 12/31/2020. Seconded by Alderman Garrigues.

Motion Passed 6 to 0.

- [Recommend the reappointment of Tom O'Loughlin and Mary Claire Lanser to the Special Projects Commission with new terms effective 1/1/2018 and expiring 12/31/2018.](#)

Motion by Alderman Hopkins to approve the reappointment of Tom O'Loughlin and Mary Claire Lanser to the Special Projects Commission with new terms effective 1/1/2018 and expiring 12/31/2018. Seconded by Alderman Heun.

Motion Passed 6 to 0.

CONSENT AGENDA*****

(One motion and second will approve all of the following items listed. Any item may be pulled from the list and handled separately.)

Motion by Alderman Seidl to approve the Consent Agenda. Seconded by Alderman Hopkins.

Motion Passed 6 to 0.

MINUTES

- [November 14, 2017 Minutes](#)

UTILITY & FINANCE

- [Approval of November 29, 2017 Claims for Water Utility claims in the amount of \\$29,593.98, Sewer Utility claims in the amount of \\$28,789.28 and General City claims in the amount of \\$1,435,211.72.](#)
- [Approval of December 13, 2017 Claims for Water Utility claims in the amount of \\$159,010.95, Sewer Utility claims in the amount of \\$812.11 and General City claims in the amount of \\$365,821.13.](#)

LICENSES & PERMITS

[Bartender License for the licensing period ending June 30, 2019 to Christine Beck, Emma Bonack, Christopher Fryman, Darren Fuller, Brian Heck, Rochelle Herrmann, Shannon Koehler, Russell Koehn, David Loncaric, Terry McKee Jr, James Pauley](#)

[Approval of Change of Agent for Kwik Trip Inc. \(Kwik Trip #499\), 15700 W. Small Rd., to Agent - Joshua G. Dahl, 4562 S. 62nd St., Greenfield WI 53220.](#)

["Class B" Liquor and Beer license to Park 124 LLC \(Pendulum Pub\), located at 1959 S. 124th St., Agent - Ryan Larscheidt, 714 S. 57th St., West Allis, WI 53214.](#)

["Class A" Liquor and Beer License to Ruchika Enterprise LLC \(Hometown New Berlin\), located at 13996 W. National Ave., Agent - Sangita A Wagle, 1036 Pilgram Pkwy, Elm Grove, WI 53122.](#)

MISCELLANEOUS

- [Finance Department Update to Council by Finance Director Ralph Chipman](#)

- [Recommend the Common Council approve Resolution #17-34 to transfer \\$36,000 from the 2017 Contingency Account to the 2017 Police Department Budget to purchase a new police squad car.](#)
- [Approve Resolution 17-35 nominating the attached list of Election Inspectors from Mayor Dave Ament for the City of New Berlin Aldermanic Districts 1 through 7 and Central Count for a 2-year term beginning January 1, 2018 and ending December 31, 2019.](#)
- [Recommend Common Council Approve the attached 2018 Salary Range Table](#)
- [Discussion and Possible Action on Proposed 2018 CIP Budget](#)
- [Discussion and Possible Action on a Raze Order for the property located at 1624 S. Woodside Drive](#)
- [Request that the New Berlin Common Council approve 3-year Fiber Locating contract with Excel Underground, to locate City of New Berlin Municipal Fiber Network.](#)
- [Request that the New Berlin Common Council approve Contract with Naviant for Hyland OnBase Software, including Installation, Configuration and Conversion of Current Data.](#)
- [Request that the New Berlin Common Council approve a 3-year contract with ESRI for Enterprise Licensing Agreement for Software used by the GIS/LIS Department in the City of New Berlin.](#)
- [Recommend to the Common Council approval of an agreement to hire Ehlers & Associates to prepare a TID Project Plan for Section 35 in the amount of \\$7,800.](#)
- [Recommend to Council to Amend the 2018 Clerk Fee Schedule to remove the Late Fee for Dog Licenses not collected by April 1st until 2019.](#)

END CONSENT AGENDA*****

ITEMS REMOVED FROM CONSENT AGENDA, IF ANY

CLOSED SESSION

Motion by Alderman Seidl to Enter Closed Session at 9:04 PM. Seconded by Alderman Stribl.

Motion Passed 6 to 0.

- [The items to be discussed in Closed Session are as enumerated in Sections 19.85 \(1\) \(e\) of the Wisconsin State Statutes. \(e\) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session, more specifically:](#)
 - [Reimbursement of Legal Fees to James Ament](#)

RECONVENE TO OPEN SESSION - DISCUSSION AND POSSIBLE ACTION ON ITEMS LISTED BELOW

Motion by Alderman Seidl to Reconvene to Open Session at 9:09 PM. Seconded by Alderman Stribl.

Motion Passed 6 to 0.

- [Reimbursement of Legal Fees to James Ament](#)

Motion by Alderman Hopkins to Approve Reimbursement of Legal Fees to James Ament as outlined by the City Attorney. Seconded by Alderman Seidl.

Motion Passed 6 to 0.

ADJOURN

Motion by Alderman Seidl to Adjourn at 9:11 PM. Seconded by Alderman Hopkins.

Motion Passed 6 to 0.

Respectfully Submitted:

Daniel Green
City Clerk

City of New Berlin
Tax Incremental Financing Policy (TIF)
Adopted by the Common Council 01/12/2016

I. INTRODUCTION

Tax Incremental Districts (TIDs), also known as Tax Incremental Finance Districts (TIFs), were first established by the Wisconsin Legislature back in 1976 and, to this day, remain one of the few and generally, most effective ways, for municipalities to promote tax base expansion and economic development through its own initiative.

TIDs are authorized for cities and villages under Wisconsin Statute sections 66.1105. Over the years, TIDs have been aimed at eliminating blight, rehabilitating declining property values, promoting industry & economic development and encouraging mixed-used development. TIDs are a tool whereby a city can participate in local project financing by using some or all of the new incremental increase in property taxes generated by new development investment within a geographic district to pay for such projects as public infrastructure upgrades such as roads and utilities.

The most recent TID established in the city of New Berlin was for the Westridge/Towne Corporate Business Park and remains, still today, one of the best performing TIDs in all of Waukesha County both in terms of new property value created but, also in terms of the closing early. Westridge had an estimated timeline for completion at 17 years but, it was closed out in nine years and created over \$182 million in property value up from a base value of \$5 million.

As the City of New Berlin looks to prepare plans for future growth areas in the City, TIDs may be an appropriate topic worth evaluating as part of public infrastructure investment and/or other investments as these areas develop. Applications for tax incremental financing may be considered in mixed-use districts, industrial/business park districts, and/or commercial districts. Projects proposed in those areas of the City shall be reviewed in light of the goals established through the Comprehensive Plan.

The purpose of this policy is to outline standards and processes that the City of New Berlin will use in initiating or considering applications for Tax Increment Financing (TIF). It should be noted that the City will utilize the State of Wisconsin's "***A Guide to Wisconsin's Tax Increment Law***", Publication #: PE-207(R. 4-13) as amended from the Wisconsin Department of Revenue for guidance as to process and procedures, as well as applicable state statutes. The adoption of this policy in no way implies that the City will approve any or all applications for TID financing. Applications for TIF will be reviewed on a case-by-case basis by the City of New Berlin Common Council with recommendations coming from the Department of Community Development, the City's Plan Commission or the Community Development Authority (CDA) who are authorized to review projects on behalf of the City's Common Council. If a TIF application is initially deemed feasible, a TIF district can be created as prescribed in state statutes. Final approval of a TIF district lies with the Joint Review Board, which consists of representatives of all underlying taxing jurisdictions (including the City) and a citizen member. If approved, the TID project plan outlines the eligible expenditures and projects that can be funded with TID revenues. Project authorization is required by the Common Council. Tax Increment Financing is not a right under Wisconsin law and meeting these policies should not be interpreted as creating any rights or entitlements in any applications.

II. BASIC PROVISIONS

Once a TID is created, applications for Tax Increment Financing (whether initiated by the City of New Berlin or requested by a developer or business) will be reviewed by the Department of Community Development with all final approvals vested to the City of New Berlin Common Council. The Department of Community Development will seek input from the Finance Department, Assessor's Department, Mayor's Office, and City Attorney's Office and shall prepare a staff report for purposes of review and recommendation by the Plan Commission or Community Development Authority (where applicable). The Plan Commission and/or Community Development Authority shall review and make recommendations to the Common Council.

The terms and specific details of each TIF application are developed on a case-by-case basis based upon the merits of the project and adherence to this policy. In developing an application, the applicant (the City or developer) shall meet the following basic policies and requirements outlined in the subsequent sections in the opinion of DCD and the Common Council.

It should be noted that it is not the intent of the City to provide any direct TIF support to a developer that finances their direct development obligations such as land purchase, site grading, general development costs, and/or construction/building costs. It is the City's desire to focus TIF funding towards public infrastructure projects that directly supports a given development and that helps to reduce impacts on the City's overall CIP programming and financials.

III. CITY'S GOALS AND OBJECTIVES FOR THE USE OF TID

Using these policies, the City's Comprehensive Plan, Capital Improvement Budgets (CIP) and state statutes as guides, the City of New Berlin will consider using Tax Increment Financing to assist private development projects to achieve one or more of the following goals, objectives and/or priorities (not listed in any order of priority):

- ❖ Encourage redevelopment in the commercial and industrial areas of the City in order to encourage high quality development or redevelopment and private investment in those areas consistent with the City's Comprehensive Plan, CIP Budgets, and/or other planning & community development policies as established.
- ❖ Where the construction of new public infrastructure to service the proposed developments can be facilitated to alleviate future burdens on the City's Capital Improvement Budgets and to reduce and/or minimize costs to New Berlin taxpayers.
- ❖ The project creates public infrastructure facilities that have application and usefulness beyond that particular development under review, such as improvements to traffic patterns (roadways, signals, etc.), parking facilities, public utilities such as sewer, water & stormwater (storm sewer) and/or environmental remediation.
- ❖ To retain local jobs and/or increase the number of quality jobs (stable employment and/or attractive wages and benefits).
- ❖ To facilitate the development process and to achieve development on sites which would not be developed to the "highest and best use" of the site and the community's vision without this assistance.
- ❖ To meet other uses of public policy, as adopted by the Plan Commission and/or Common Council from time to time, including the quality of urban design, quality architectural design, green building/energy conservation, decreasing the capital and operating costs of the City of New Berlin, etc.

IV. QUALIFYING EXPENDITURES

Any costs allowable by *Wisconsin Statute Section 66.1105(2)(f)1 & 2* (as amended) may qualify for Tax Incremental Financing but, actual costs allowed are under strict evaluation of the City of New Berlin Common Council and must be authorized expenditures included in the TID Project Plan. These eligible expenses are to include all City staffing and consulting costs associated with the potential creation of a TID as provided for by Wisconsin statutes.

V. APPLICATION REQUIREMENTS

Applicants for Tax Incremental Financing shall demonstrate the “but for” test that the City of New Berlin’s participation is economically necessary and that participation is needed to undertake the project as without this participation the project could not proceed. The “but for” test will be evaluated for each TID or project on a case-by-case basis. Criteria to consider can include, but is not limited to, development not occurring in the manner, at the values, or within the timeframe desired by the City; job creation or job retention; and the level of public infrastructure required to make an area suitable for development or redevelopment.

In order to evaluate the project, the developer/owner shall be forthcoming with information helpful to the City in order to verify the need. This may be in the form of a pro-forma that identifies rent or sales projections, hard and soft construction costs, debt/equity ratios, terms and conditions of debt, capitalization rate, net operating income (NOI) expectations, etc. Additional information may include a development budget, financial commitments of project lender(s) market & financial feasibility studies, appraisals, absorption rates & schedules, and/or project implementation plan and schedule.

The developer/owner shall also provide proof that adequate financial assurances/guarantees are in place to ensure that increment generated will be sufficient to cover the annual debt service payments and to ensure that the project is completed. These may include, but are not limited to: letters of credit, bonds, or escrow accounts.

Any developer requesting TID assistance shall be able to demonstrate a track record of successful project completion and the ability to perform and develop said project in the type and size of development proposed. TIF will not be used if the developer’s credentials are, in the judgment of the City, inadequate due to past performance issues relating to: unfinished projects, bankruptcy, reputation, and/or any other issues or problems the City deems relevant as part of its evaluation of any given request.

VI. PERFORMANCE AND DESIRED QUALIFICATIONS

Projects should meet the following financial feasibility criteria as established by the City of New Berlin:

- ❖ Keeping a proposed TID District to 15 years or less.
- ❖ Keeping the ratio of Developer contributions (dollars) to TID monies to approximately 2:1. It is expected that the developer shall provide a higher contribution towards projects than will the City using TID funds.
- ❖ The Developer(s) shall be willing to enter into a Development Agreement with the City on each project approved. The Development Agreement will describe the obligations of both the City and developer and the terms and conditions of assistance.

- ❖ The applicant will guarantee an increased equalized real estate value.
- ❖ The applicant will be expected to outline and agree to performance based standards or benchmarks such as projected tax increment value (equalized), minimum square feet of construction by certain dates and other similar benchmarks.
- ❖ The applicant will be expected to financially guarantee that said performance based standards or benchmarks will be met and, if not, those guarantees can be used to secure the debt service payments in any given year or timeframe.
- ❖ The City will give preference to projects that will create a higher property tax based upon a before and after analyses. In general, the City would like to see a doubling of new taxes paid post-development or after redevelopment or a 1:2 ratio.
- ❖ TID proposals should not be used for speculative development. The City will require Letters of Intent, tenant commitments and/or filed applications for zoning amendments and/or use, site and architectural approvals.

VII. APPLICATION PROCESS

All applications for a TID shall be submitted with the required information, forms and fees as established by the Common Council and as amended from time-to-time. The applicant will be expected to present their development proposal to the Common Council for determination as to whether or not the City wishes to further review the application. The Common Council will refer the application on to the Plan Commission or Community Development for their review and recommendations prior to taking final Council action. Ultimately, all expenditures will need to be approved by the joint review board as part of the project plan.

Adopted by the Common Council on January 12, 2016.

**NOTICE OF PUBLIC HEARING
AND JOINT REVIEW BOARD MEETING
REGARDING THE PROPOSED CREATION OF
TAX INCREMENTAL DISTRICT NO. 3
IN THE CITY OF NEW BERLIN, WISCONSIN**

Notice is Hereby Given that the City of New Berlin will hold an organizational Joint Review Board meeting on January 10, 2018 at 4:00 p.m. at the New Berlin City Hall, located at 3805 S. Casper Drive. The purpose of this meeting is to organize a Joint Review Board for purposes of considering the proposed creation of, and proposed project plan for, Tax Incremental District No. 3 (the "District").

Notice is Hereby Given that the Plan Commission of the City of New Berlin will hold a public hearing on January 10, 2018 at 7:00 p.m. at the New Berlin City Hall, located at 3805 S. Casper Drive, for the purpose of providing the community a reasonable opportunity to comment upon the proposed creation of the Project Plan for the District.

The proposed boundaries of the District would be within an area detailed on the map below.



The District is expected to be a mixed-use district based on the identification and classification of the property proposed to be included within the District.

Proposed projects costs include various public improvements and cash grants to owners or lessee or developers of land located within the district (development incentives) and professional and organizational services, administrative costs, and finance costs. The proposed costs include projects within the proposed boundary and within a ½ mile radius of the proposed boundary of the District.

All interested parties will be given 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 thereof. A copy of the Project Plan, including a description of the proposed boundaries, will be available for viewing in the offices of the City Clerk at the New Berlin City Hall, located at 3805 S. Casper Drive, during normal business hours and will be provided upon request.

Such hearing shall be public and citizens and interested parties shall then be heard. This hearing may be adjourned from time to time.

By Order of the City of New Berlin, Wisconsin

Published December 27, 2017 & January 3, 2018

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CITY OF NEW BERLIN
PROCEEDINGS OF THE JOINT REVIEW BOARD
Wednesday, January 10, 2018

Please note: Minutes are unofficial until approved by the Joint Review Board at the next regularly scheduled meeting.

CALL TO ORDER;

The Joint Review Board meeting was called to order at 4:00 P.M.

ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

Present were Cary Tessmann, Norm Cummings, and Roger Dickson. Also present were Greg Johnson from Ehlers, Mayor Dave Ament, Director of Community Development Greg Kessler, Finance Director Ralph Chipman, City Attorney Mark Blum, Deputy Director of Community Development Nikki Jones, and Community Relations Debra Golla. Mary Claire Lanser was on conference call.

NEW BUSINESS

- [Consideration and appointment of the Joint Review Board's public member](#)

Motion by Mr. Cummings to appoint Mary Claire Lanser as the Joint Review Board's public member. When asked, Ms. Lanser stated that she had no conflict of interest. Seconded by Ms. Tessmann.

Motion carried unanimously.

- [Election of Chairperson](#)

Mr. Cummings nominated Cary Tessmann as Chairperson of the Joint Review Board. Ms. Tessmann accepted. Seconded by Mr. Dickson.

Motion carried unanimously.

- [Discuss responsibilities of the Joint Review Board](#)

The responsibility of the Joint Review Board is to form and create a TID, evaluate the project plan and make findings of compliance with the TIF Statutes. If approved by the Plan Commission and Common Council, further review by the Joint Review Board will be conducted.

- [Discuss & review project plan](#)

Greg Johnson from Ehlers led a review of the Draft Project Plan for the Creation of Tax Incremental District No. 3. Mr. Johnson referred to the map on Page 8 of the Project Plan showing the TID #3 Project Boundary and future land use defined as Business Park and Commercial. The map of proposed improvements on Page 18 corresponds with the list of TIF projects listed on Page 20 and 21. Mr. Kessler explained the project priorities numbered on Page 18 and said that Project 1 and 2 are a priority.

Mr. Cummings said the wording "change the scope" in the first paragraph on Page 19 needs more definition. Mr. Johnson said it means that funds from one project can be used by another project. It was decided that this exact wording be eliminated since it is also described further on.

The chart on Page 20 delineates which projects are in the project boundary and which are in the 1/2 mile radius. The intention is to react to the pace of development with additional TIF possibilities.

Page 27 represents the cash flow projection. The City to demonstrate that expenditures will be based on what the TIF District can support. Mr. Cummings asked if Moorland Road will be able to handle the added capacity.

Mr. Johnson said the Plan will do project adjustment to support the road.

Ms. Lanser asked who and when is there a decision referring to Alternative #1 and Alternative #2 on Pages 20 and 21. Mr. Johnson said the City would discuss and address on a case by case basis.

- [Set next meeting date](#)

The timeline on the front cover of the Project Plan was reviewed. Mr. Cummings advised an interim meeting in between and before their vote if questions arise. The next meeting is set for Wednesday, February 28, 2018 at 4:30 P.M.

ADJOURN

Motion by Mr. Dickson to adjourn the Joint Review Board meeting at 4:35 P.M. Seconded by Mr. Cummings. Motion carried unanimously.

Respectfully Submitted
Debra Golla

**CITY OF NEW BERLIN
PROCEEDINGS OF THE PLAN COMMISSION
Wednesday, January 10, 2018**

Please note: Minutes are unofficial until approved by the Plan Commission at the next regularly scheduled meeting.

PUBLIC HEARING(S)

- [\(4\) GK/NJ DCD1 1601613 Public Hearing regarding the proposed project plan, boundaries and creation of Tax Incremental District No. 3 \(See the Public Hearing Notice which was published on December 27, 2017 & January 3, 2018\).](#)

Public Hearing called to order at 7:00 P.M.

A formal presentation was made by Greg Johnson from Ehlers to review the Draft Project Plan for the Creation of Tax Incremental District No. 3.

Public Hearing adjourned at 7:55 P.M.

PRIVILEGE OF THE FLOOR

CALL TO ORDER; PLEDGE OF ALLEGIANCE

The Plan Commission was called to order by Mayor Ament at 6:11 P.M.

ROLL CALL; DECLARATION OF QUORUM

Present were Mayor Ament, Commissioners Reginato, Rafel, Felda, McGrath, Biller, and Alderman Stribl. Also present were Director of Community Development Greg Kessler, Deputy Director of Community Development Nikki Jones, City Engineer Tammy Simonson, and Community Relations Debra Golla.

APPROVAL OF MINUTES

- [December 4, 2017](#)

Motion by Alderman Stribl to Approve the Plan Commission minutes from December 4, 2017. Seconded by Mr. Reginato.

Motion Passed 7 to 0.

PLAN COMMISSION SECRETARY'S REPORT

No Report.

COMMUNICATIONS

- [Communication To: Plan Commission](#)

Communication From: Mark Blum, City Attorney

RE: 2017 Wisconsin Act 67

City Attorney Blum explained the impacts of ACT 67 upon the issue of Conditional Use Permits and how it affects the standards in the City's Code.

ADJOURN

Motion by Alderman Stribl to Adjourn the Plan Commission meeting at 6:45 P.M. Seconded by Mr. Felda.

Motion Passed 7 to 0.

Respectfully Submitted
Debra Golla