

**RESOLUTION NO. 21**

**RESOLUTION APPROVING AN AMENDMENT TO THE PROJECT PLAN AND BOUNDARIES OF TAX INCREMENTAL DISTRICT NO. 6, VILLAGE OF LITTLE CHUTE, WISCONSIN**

**WHEREAS, the Village of Little Chute (the "Village") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the Village; and**

**WHEREAS, Tax Incremental District No. 6 (the "District") was created by the Village on July 20, 2016 as a mixed-use district; and**

**WHEREAS, the Village now desires to amend the Project Plan and boundaries of the District in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and**

**WHEREAS, such amendment will cause territory to be added to the District, providing incentive and opportunities for additional private development and redevelopment; and**

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

**WHEREAS, an amended Project Plan for the District (the "Amendment") 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 Village 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 amendment of the District promotes the orderly development of the Village;**
- k. An opinion of the Village Attorney or of an attorney retained by the Village 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 Outagamie County, the Kaukauna School District, and the Fox Valley 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 June 18, 2018 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon; and**

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the amended district, adopted the Project Plan, and recommended to the Village Board that it amend the Project Plan and boundaries for the District.

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

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Little Chute that:

1. The boundaries of the District that shall be named "Tax Incremental District No. 6, Village of Little Chute", are hereby amended as specified in Exhibit A of this Resolution.
2. The territory being added shall become part of the District effective as of January 1, 2018.
3. The Village Board finds and declares that:
  - (a) Not less than 50% by area of the real property within the District, as amended, is suitable for a combination of industrial, commercial and residential uses, defined as "mixed-use development" within the meaning of Wisconsin Statutes Section 66.1105(2)(cm).
  - (b) Based upon the findings, as stated in 3.a. above, and the original findings as stated in the resolution creating the District, the District remains a mixed-use district based on the identification and classification of the property included within the District; and
  - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
  - (d) The equalized value of the taxable property within the territory to be added to the District by amendment, plus the value increment of all other existing tax incremental districts within the Village, does not exceed 12% of the total equalized value of taxable property within the Village.
  - (e) The Village estimates that approximately 25% of the territory within the District, as amended, will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
  - (f) The project costs of the District relate directly to promoting mixed-use development in the District consistent with the purpose for which the District was created.
  - (g) Lands proposed for newly platted residential development comprise no more than 35% of the real property area within the District.
  - (h) Costs related to newly platted residential development may be incurred based on the proposed development having a density of at least 3 units per acre as defined in Wisconsin Statutes Section 66.1105(2)(f)3.a.

4. The amended Project Plan for "Tax Incremental District No. 6, Village of Little Chute" (attached as Exhibit B) is approved, and the Village further finds the Plan is feasible and in conformity with the master plan of the Village.

BE IT FURTHER RESOLVED THAT the Village Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2018, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b) and to pay the fee(s) associated with such determination.

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

Adopted this 18th day of July, 2018.

  
Michael R. Vanden Berg, Village President

  
Laurie Decker, Village Clerk