

**CITY OF  
MIDDLETON**

**TID NO. 3  
AMENDMENT NO. 6**

**City Council Action**

**August 4, 2009**

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## **SECTION I INTRODUCTION**

The City of Middleton is proposing to amend the TID #3 boundary for the third time. This amendment reflects that boundary change as well as the estimated equalized value of property that will be taken out of the district and put back on the general tax rolls.

### SECTION III. TAX INCREMENT BOUNDARY AND EQUALIZED VALUES

The first boundary amendment took place in 1996 which added parcels to the northwest portion of the district. In 2006, the City amended the boundary a second with the subtraction of approximately \$150,000,000 of value from the district. This subtraction was effective under new legislation passed that allowed the City to amend the district boundaries up to a total of four times and also allow the subtraction of parcels as an eligible activity. Prior to the 2005 legislation, a municipality could only add parcels to an existing TID boundary.

The City deems it advisable to take an additional minimum of \$50,000,000 of equalized real estate value and personal property value out of the TID #3 boundary. Current budget constraints require more tax revenues for general City expenditures. Historically, more growth has taken place proportionately within the TID #3 boundaries as compared to within the total City corporate limits. Subtracting an additional \$50,000,000 plus of real estate and personal property will help equalize the disproportionate growth between the TID and the remainder of the City.

The following table identifies which parcels are proposed for subtraction. The table includes the current TID #3 map number (please refer to Map 1: Proposed Property Subtraction), the Parcel number, assessed land, improvements and total values, equalized total real estate values, personal property (assessed) and equalized personal property as well as current zoning classification. It also identifies the original 1993 TID parcels and values and calculates an estimated net subtraction based on those values.

The table has used 2009 real estate and personal property assessed valuations. However, the equalization ratios for 2009 will not be available until after August 15, 2009. The project plan will have already been approved by the Council at their August 4, 2009 meeting. Consequently, the total deduction from the district may be slightly modified once the 2009 equalization ratios are made available to the City. The lack of the most current information is reflected in the table showing an estimated equalized value of \$51,086,265 taken out of the district. This value (\$51,086,265) minus the base value when the district was created in 1993 (\$177,565) equals a total subtraction of \$50,908,700. This "extra" over \$900,000 included in case the equalization ratios are lower than the 2008 numbers which would lower the equalized value of the improved properties and lessen the amount of value subtracted from the district.

Additionally, the 2009 equalized value of the City and TID is not available until August 15, 2009. This project plan assumes that the City has no further capacity within the 12% limitation to create additional TIDs or expand the boundary after August 15, 2009 without conducting appraisals and a concurrent subtraction/addition amendment.

Properties 233, 234, 250, 252, 253, 254, 256 and 257 were all part of the original Bruce Company nursery property (parcel #3497505) which totaled over 180 acres and had an original land value of \$390,500. The value per acre was \$2,169.50 when the TID was created in 1993. The total amount of acreage within these 8 parcels is 38.6101. If multiplied by the original base value per acre of \$2,169.50, the total base value of these parcels is \$83,765. The total valuation for these parcels is \$42,852,475 or 512 times the original value for the same acreage.

Parcel #15 on the map, the Lexus dealership, had an original base value of \$93,800. Its current equalized value, with personal property, is \$8,233,790 which reflects the original base value increasing 88 times.

The City has one more boundary amendment remaining. Developer agreements for two properties within TID #3 run until the end of the statutory retirement period for the district, or 2020. The City will need to carefully monitor future needs of the TID in reference to finalizing projects and completing those projects by 2015 as well as future needs of the City in its budgetary process. These factors will determine whether or not the City uses the final boundary amendment prior to retirement of the district.

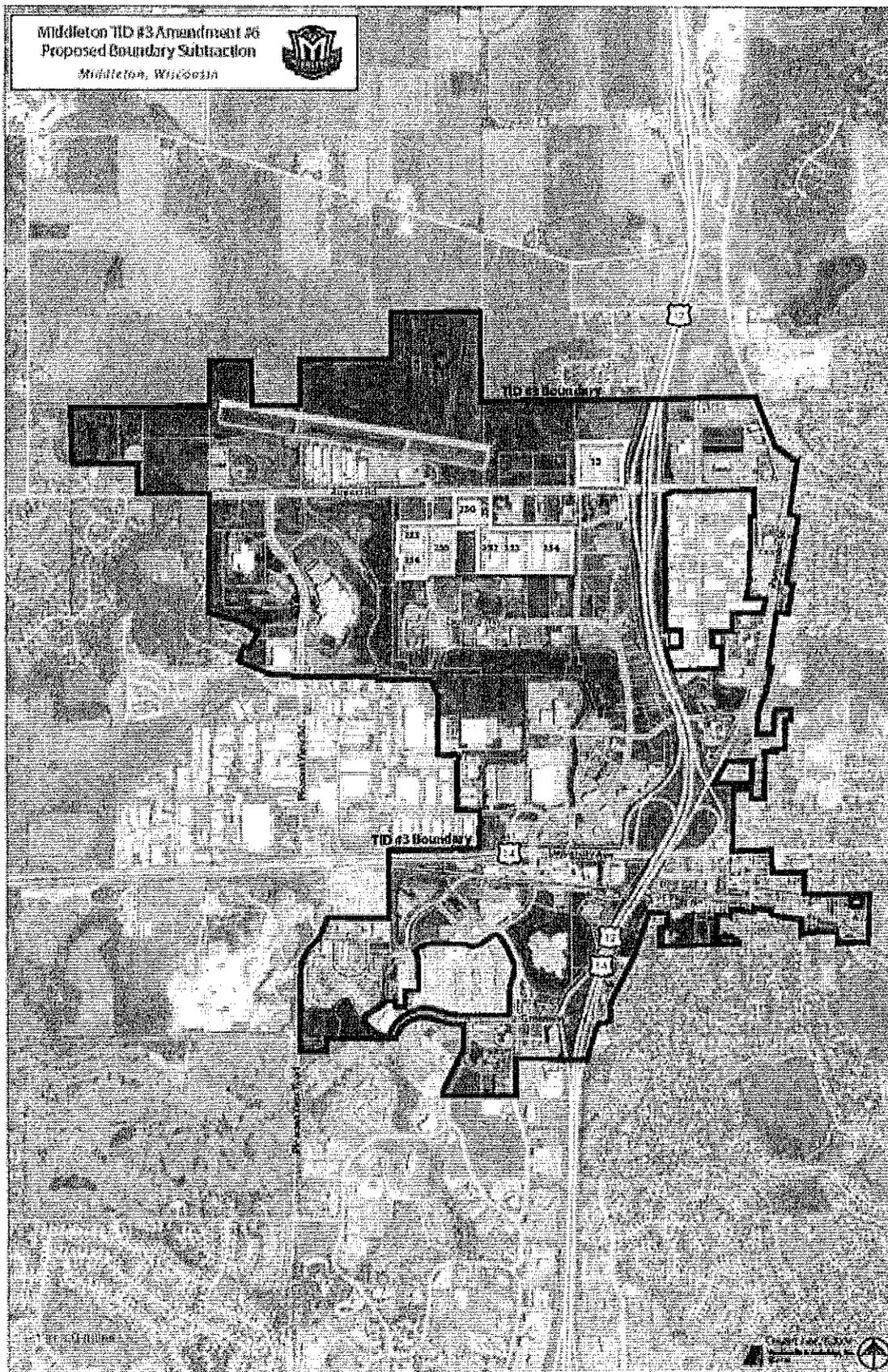
No other sections of the original project plan or any subsequent amendments have been amended in this amended project plan.

MIDDLETON TID #3 AMENDMENT #6  
PARCEL SUBTRACTION 2009

TID #3 AMENDMENT #6 SUBTRACTION 2009															
TID #3 CUR MAP #	ASSESSED LAND [1/1/09]	ASSESSED IMPRVM [1/1/09]	ASSESSED TOTAL [1/1/09]	EQUAL LAND [1/1/09]*	EQUAL IMPRV [1/1/09]*	EQUALIZED TOTAL [1/1/09]*	ASSESSED PERSONAL PROPERTY [1/1/09]	EQUAL PERSONAL PROPERTY [1/1/09]*	ORIG TID #3 BASE MAP #	ORIGINAL PARCEL #	ORIGINAL BASE VALUE	AC	ORIG. VALUE PER LOT	NET SUBTRAC	CUR CLASS
233	3454757	\$6,509,600	\$3,295,600	\$9,805,200	\$5,726,249	\$3,853,856	\$0	\$0	1	3497505	2,169,500	3,1729	\$6,884	\$9,575,221	Com
234	3454202	\$0	\$0	\$0	\$0	\$0	\$0	\$0	1	3497505	2,169,500	3,9508	\$8,571	\$8,571	Com
250	3446131	\$1,105,300	\$7,021,900	\$8,127,200	\$972,291	\$8,215,631	\$538,800	\$592,703	1	3497505	2,169,500	5,2641	\$11,420	\$9,176,501	Com
252	3445114	\$1,077,600	\$9,395,400	\$4,473,000	\$947,924	\$3,972,622	\$188,500	\$199,536	1	3497505	2,169,500	5,2639	\$11,424	\$4,909,122	Com
253	3444606	\$599,500	\$2,759,400	\$3,358,900	\$527,557	\$3,228,501	\$360,500	\$382,372	1	3497505	2,169,500	5,2668	\$11,416	\$3,744,432	Com
254	3443852	\$2,112,200	\$6,713,200	\$8,825,400	\$1,858,023	\$7,854,452	\$83,350	\$99,014	1	3497505	2,169,500	10,7759	\$23,386	\$9,689,089	Com
257	3440619	\$784,200	\$2,999,000	\$3,783,200	\$689,831	\$3,438,633	\$0	\$0	1	3497505	2,169,500	3,4969	\$7,587	\$4,120,878	Com
15	2292002	\$3,229,400	\$4,539,600	\$7,769,000	\$2,840,781	\$5,311,337	\$77,000	\$81,672	62	2295003	2,169,500	1,4134	\$3,066	\$2,880,14	Com
		\$15,746,700	\$30,664,100	\$46,412,800	\$13,853,356	\$35,877,033	\$1,278,150	\$1,355,696			\$93,800		\$177,565	\$50,908,700	

Total	\$51,086,265
Only Park RE & Lexus	\$49,730,569
Personal Prop	\$1,355,696
Minus Original Base Values	-\$177,563
Total Deduct	\$50,908,700

\* NOTE: 2008-equalization ratios used in this table until 2009 ratios available.



## Taxing Jurisdiction Correspondence

OFFICE OF THE



CITY ADMINISTRATOR

June 26, 2009

Mayor Kurt Sonnentag  
City of Middleton  
7426 Hubbard Ave.  
Middleton, WI 53562

Re: TID No.4, TID No. 3 Amendment No. 6, City of Middleton, Wisconsin

Dear Kurt:

The Department of Revenue has determined that TID No. 4, as adopted, is not valid. The City of Middleton must repeat the statutory creation process and create TID #5. The boundary has been slightly adjusted from TID #4. No other changes to the project plan have been made to the TID #5 public hearing draft. The purpose of TID #5 is to construct public purpose improvements which will accomplish the goals and objectives of improving stormwater quality management, eliminate blighted conditions, create jobs, diversify tax base, provide work force housing, and promote other economic development activities within the proposed boundaries. The City is also proposing to amend the TID #3 boundary to subtract approximately \$50,000,000 of value for placement on the general tax rolls effective 1/1/2010.

Section 66.1105, Wis. Stats., requires the City to notify all of the affected taxing jurisdictions. Enclosed is a copy of the legal notice advertising the public hearings at which the proposed tax increment district's boundary and project plan will be considered and TID #3 Amendment #6 boundary change will be presented.

The public hearings are scheduled for Tuesday, July 21, 2009 beginning at 5:30 p.m. Prior to the public hearing, the Joint Review Board is requested to meet at 5:00 p.m. to elect a Chairperson and a member-at-large. Enclosed please find the agenda for that meeting. We ask that you send a representative of your taxing jurisdiction to the Joint Review Board meeting at 5:00 p.m. If your representative cannot attend the Joint Review Board meeting, please assign an alternative representative so that we can be assured of a quorum and proceed with the process of creating the TIF district. We also encourage that representative to attend the Plan Commission public hearings immediately after to hear public input. A copy of the proposed project plan is available on the City of Middleton's web site. We suggest that your representative print it out and review it prior to the July 21 meeting.

Please give your representative a copy of this letter as well as the notice and the agenda.

We will be contacting you to obtain the name and address of your representative as well as to confirm attendance at this meeting.

Sincerely,

CITY OF MIDDLETON

Mike Davis  
City Administrator

Enclosure: Public Hearing Notice  
Joint Review Board Agenda

CITY OF MIDDLETON

Est. 1856

7426 Hubbard Avenue | Middleton, WI 53562  
(608)827-1050 | Fax: (608)827-1057

OFFICE OF THE



CITY ADMINISTRATOR

June 26, 2009

Mr. Don Johnson, Superintendent  
 Middleton-Cross Plains School District  
 7106 South Avenue  
 Middleton, WI 53562

Re: TID No.4, TID No. 3 Amendment No. 6, City of Middleton, Wisconsin

Dear Don:

The Department of Revenue has determined that TID No. 4, as adopted, is not valid. The City of Middleton must repeat the statutory creation process and create TID #5. The boundary has been slightly adjusted from TID #4. No other changes to the project plan have been made to the TID #5 public hearing draft. The purpose of TID #5 is to construct public purpose improvements which will accomplish the goals and objectives of improving stormwater quality management, eliminate blighted conditions, create jobs, diversify tax base, provide work force housing, and promote other economic development activities within the proposed boundaries. The City is also proposing to amend the TID #3 boundary to subtract approximately \$50,000,000 of value for placement on the general tax rolls effective 1/1/2010.

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Please give your representative a copy of this letter as well as the notice and the agenda.

We will be contacting you to obtain the name and address of your representative as well as to confirm attendance at this meeting.

Sincerely,

CITY OF MIDDLETON

Mike Davis  
 City Administrator

Enclosure: Public Hearing Notice  
 Joint Review Board Agenda

CITY OF MIDDLETON

Est. 1856

7426 Hubbard Avenue | Middleton, WI 53562  
 (608)827-1050 | Fax: (608)827-1057

## OFFICE OF THE



## CITY ADMINISTRATOR

June 26, 2009

Mr. David Worzala  
Dane County Treasurer  
210 Martin Luther King Jr. Blvd.  
City-County Bldg., Rm 114  
Madison, WI 53703

Re: TID No.4, TID No. 3 Amendment No. 6, City of Middleton, Wisconsin

Dear David:

The Department of Revenue has determined that TID No. 4, as adopted, is not valid. The City of Middleton must repeat the statutory creation process and create TID #5. The boundary has been slightly adjusted from TID #4. No other changes to the project plan have been made to the TID #5 public hearing draft. The purpose of TID #5 is to construct public purpose improvements which will accomplish the goals and objectives of improving stormwater quality management, eliminate blighted conditions, create jobs, diversify tax base, provide work force housing, and promote other economic development activities within the proposed boundaries. The City is also proposing to amend the TID #3 boundary to subtract approximately \$50,000,000 of value for placement on the general tax rolls effective 1/1/2010.

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Please give your representative a copy of this letter as well as the notice and the agenda.

We will be contacting you to obtain the name and address of your representative as well as to confirm attendance at this meeting.

Sincerely,

CITY OF MIDDLETON

Mike Davis  
City Administrator

Enclosure: Public Hearing Notice  
Joint Review Board Agenda

CITY OF MIDDLETON

Est. 1836

7426 Hubbard Avenue | Middleton, WI 53562  
(608)827-1050 | Fax: (608)827-1057

## OFFICE OF THE



## CITY ADMINISTRATOR

June 26, 2009

Dr. Betty Barthorst, President  
MATC  
3550 Anderson St.  
Madison, WI 53704

Re: TID No.4, TID No. 3 Amendment No. 6, City of Middleton, Wisconsin

Dear Dr. Barthorst:

The Department of Revenue has determined that TID No. 4, as adopted, is not valid. The City of Middleton must repeat the statutory creation process and create TID #5. The boundary has been slightly adjusted from TID #4. No other changes to the project plan have been made to the TID #5 public hearing draft. The purpose of TID #5 is to construct public purpose improvements which will accomplish the goals and objectives of improving stormwater quality management, eliminate blighted conditions, create jobs, diversify tax base, provide work force housing, and promote other economic development activities within the proposed boundaries. The City is also proposing to amend the TID #3 boundary to subtract approximately \$50,000,000 of value for placement on the general tax rolls effective 1/1/2010.

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Please give your representative a copy of this letter as well as the notice and the agenda.

We will be contacting you to obtain the name and address of your representative as well as to confirm attendance at this meeting.

Sincerely,

CITY OF MIDDLETON

Mike Davis  
City Administrator

Enclosure: Public Hearing Notice  
Joint Review Board Agenda

CITY OF MIDDLETON

Est. 1846

7426 Hubbard Avenue | Middleton, WI 53562  
(608)827-1050 | Fax: (608)827-1057

OFFICE OF THE



CITY ADMINISTRATOR

June 26, 2009

Ms. Kathleen Falk  
Dane County Executive  
210 Martin Luther King Jr. Blvd  
City-County Building, Room 421  
Madison, WI 53703

Re: TID No. 5, TID No. 3 Amendment No. 6, City of Middleton, Wisconsin

Dear Kathleen:

The Department of Revenue has determined that TID No. 4, as adopted, is not valid. The City of Middleton must repeat the statutory creation process and create TID #5. The boundary has been slightly adjusted from TID #4. No other changes to the project plan have been made to the TID #5 public hearing draft. The purpose of TID #5 is to construct public purpose improvements which will accomplish the goals and objectives of improving stormwater quality management, eliminate blighted conditions, create jobs, diversify tax base, provide work force housing, and promote other economic development activities within the proposed boundaries. The City is also proposing to amend the TID #3 boundary to subtract approximately \$50,000,000 of value for placement on the general tax rolls effective 1/1/2010.

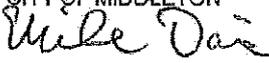
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Please give your representative a copy of this letter as well as the notice and the agenda.

We will be contacting you to obtain the name and address of your representative as well as to confirm attendance at this meeting.

Sincerely,

CITY OF MIDDLETON  
  
Mike Davis  
City Administrator

Enclosure: Public Hearing Notice  
Joint Review Board Agenda

Cc: David Worzala, Dane County Treasurer

CITY OF MIDDLETON

Est. 1856

7426 Hubbard Avenue | Middleton, WI 53562  
(608)827-1050 | Fax: (608)827-1057

Publish in newspaper  
Publish on July 2 & 9, 2009

PUBLIC NOTICE  
CITY OF MIDDLETON

TO WHOM IT MAY CONCERN:

At a meeting of the City of Middleton Plan Commission to be held on or about 5:30 p.m., Tuesday, July 21, 2009 at City Hall, City of Middleton, a Public Hearing will be held on the boundary for the City of Middleton Tax Increment District #5 (TID #5). At a meeting of the City of Middleton Plan Commission to be held on or about 5:35 p.m., Tuesday, July 21, 2009 at City Hall, City of Middleton, a Public Hearing will be held on the proposed Project Plan for the City of Middleton Tax Increment District #5. The City reserves the right to expend funds as cash grants to potential developers in TID #5.

At a meeting of the City of Middleton Plan Commission to be held on or about 5:45 p.m., Tuesday, July 21, 2009 at City Hall, City of Middleton, a Public Hearing will be held on the boundary amendment for the City of Middleton Tax Increment District #3 (TID #3).

A copy of the proposed amended boundary map for TID No. 3 is available and will be provided upon request at the City Clerk's office at City Hall between the hours of 8:00 am and 4:00 pm, Monday through Friday.

A copy of the proposed boundary map and Project Plan for TID No. 5 is available and will be provided upon request at the City Clerk's office at City Hall, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. A copy of the proposed boundary map and Project Plan for TID No. 5 will also be available on the City of Middleton's web site.

At the Public Hearing, interested parties will be afforded a reasonable opportunity to express their views on the proposed Project Plan.

CITY OF MIDDLETON  
TIF DISTRICT NO. 5  
TIF DISTRICT NO. 3 AMENDMENT NO. 6  
JOINT REVIEW BOARD

July 21, 2009

5:00 p.m.

City Hall

City of Middleton

1. Call to order
2. Election of Chairperson
3. Election of Fifth Member-at-large
4. Initial explanation of TID #3 Amendment #6 boundary subtraction.
5. Explanation of TID #5 Project Plan and boundary.
6. Other items as allowed by law
7. Set next meeting
8. Adjourn

## Proof of Publication

# STATE OF WISCONSIN AFFIDAVIT OF PUBLICATION

Kay Rettenmund

being duly sworn, doth depose and say that he ~~she~~ is an authorized representative of the:

**NEWS-SICKLE-ARROW**

**SAUK PRAIRIE STAR**

**MIDDLETON TIMES-TRIBUNE**

**MOUNT HOREB MAIL**

**POST MESSENGER RECORDER**

a weekly newspaper published by News Publishing Co. Inc. at

Middleton WI

in Dane County,

and that an advertisement of which the annexed is a true copy, taken from said paper, was published therein on

July 2, 2009

July 9, 2009

**PUBLIC NOTICE  
CITY OF MIDDLETON**

TO WHOM IT MAY CONCERN:

At a meeting of the City of Middleton Plan Commission to be held on or about 5:30 p.m., Tuesday, July 21, 2009 at City Hall, 7426 Hubbard Ave., Middleton, WI, a Public Hearing will be held on the boundary for the City of Middleton Tax Increment District #5 (TD #5). At a meeting of the City of Middleton Plan Commission to be held on or about 5:35 p.m., Tuesday, July 21, 2009 at City Hall, City of Middleton, a Public Hearing will be held on the proposed Project Plan for the City of Middleton Tax Increment District #5. The City reserves the right to expend funds as cash grants to potential developers in TD #6.

At a meeting of the City of Middleton Plan Commission to be held on or about 5:45 p.m., Tuesday, July 21, 2009 at City Hall, City of Middleton, a Public Hearing will be held on the boundary amendment for the City of Middleton Tax Increment District #3 (TD #3).

A copy of the proposed amended boundary map for TD No. 3 is available and will be provided upon request at the City Clerk's office at City Hall between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

A copy of the proposed boundary map and Project Plan for TD No. 5 is available and will be provided upon request at the City Clerk's office at City Hall, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. A copy of the proposed boundary map and Project Plan for TD No. 5 will also available on the City of Middleton's web site.

At the Public Hearing, interested parties will be afforded a reasonable opportunity to express their views on the proposed Project Plan.

Public: 7-2-09; 7-9-09 WNA:JLP

SIGNED Kay Rettenmund

DATED 7/16/09

Diane Baumgartner  
Notary Public, State of Wisconsin

My Commission Expires 10/3/10

# of Lines \_\_\_\_\_ # of Weeks Published \_\_\_\_\_

Printers Fee \$ \_\_\_\_\_

Proof of Publication \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

-or-

See monthly invoice for cost

Received Payment \_\_\_\_\_



## Joint Review Board Minutes

**MINUTES**  
**CITY OF MIDDLETON**  
**TIF DISTRICT NO. 5**  
**TIF DISTRICT NO. 3 AMENDMENT NO. 6**  
**JOINT REVIEW BOARD**

**TUESDAY JULY 21, 2009 5:00 P.M.**

Present: Mike Davis, City of Middleton Administrator; Tom Wohlleber, Middleton Cross Plains School District; David Worzala, Dane County Treasurer; Ed Noehre, MATC; Carol Biendseil, City of Middleton resident; Eileen Kelley, City Planning Director; Susan Hoeft, City TID consultant; Abby Attoun, Associate Planner for Middleton.

**1. Call to Order**

Mike Davis, as the Mayor's designated alternate, called the meeting to order at 5:03 pm.

**2. Election of Chairperson**

Moved by Worzala, seconded by Wohlleber, to nominate Mike Davis as chair. Motion carried.

**3. Initial Explanation of TID #3 Amendment #6 Boundary Subtraction**

Susan Hoeft presented information regarding the amendment to take a minimum of \$50,000,000 of equalized real estate value and personal property value out of the TID #3 boundary.

**4. Explanation of TID #5 Project Plan and Boundary**

Susan Hoeft provided information on the TID #5 project plan and boundary, which is essentially the same as TID #4, with several properties eliminated.

**5. Election of Fifth Member-at-large**

Moved by Wohlleber, seconded by Davis, to elect Carol Biendseil as the fifth member of the Joint Review Board. Motion carried.

**6. Set Next Meeting**

Joint Review Board members selected Thursday, August 6 at 8:00 a.m. as their next meeting.

**Adjourn**

Moved by Worzala, seconded by Wohlleber, to adjourn at 5:29 p.m. Motion carried.

*For more information contact:*

*Eileen Kelley, City Planning Director & Zoning Administrator  
Phone: 827-1070 Fax: 827-1080 E-mail: [ekelley@ci.middleton.wi.us](mailto:ekelley@ci.middleton.wi.us)*

## Plan Commission Public Hearing Minutes

**MINUTES**  
**SPECIAL MIDDLETON PLAN COMMISSION**  
**TUESDAY JULY 21, 2009 5:30 P.M.**

**PRESENT:** Wexler, Barmore, Elskamp, Hungness, Zellers

**ABSENT:** Sonnentag, Hubbard

**ALSO PRESENT:** Davis, Kelley Attoun

**1. Public Hearing on Tax Increment District #5 (TID #5) Boundary**

Acting Chair Wexler opened the public hearing at 5:32 p.m.

Susan Hoefft, TID consultant for the City, presented information related to the proposed TID #5 boundary.

Acting Chair Wexler closed the public hearing at 5:34 p.m.

**2. Public Hearing on Tax Increment District #5 (TID #5) Project Plan**

Consultant Susan Hoefft provided information on the TID # 5 Project Plan.

Acting Chair Wexler opened the public hearing at 5:35 p.m.

Emmy Lou Immell, 6608 Boulder Ln., asked why does the City have to have TID #5?

Staff and consultants provided information on the process.

Barmore stated that the added value from TID's goes a long way in helping to control residential property taxes.

Jeanne Whitish, representing Bruce Company, Bowling Green and Madison Golf and Development, spoke in support of TID #5. The related parties she represents participated in TID #3, and support the City's efforts.

Dan Stuntebeck, 2312 Amherst, reiterated concerns expressed last year during the adoption of Redevelopment District #3 and TID #4. He wants to ensure community input into future projects.

Acting Chair Wexler closed the public hearing at 5:45 p.m.

**3. Public Hearing on Tax Increment District #3 (TID #3) Boundary Amendment**

Acting Chair Wexler opened the public hearing at 5:45 p.m.

Susan Hoefft presented information regarding the amendment to take a minimum of \$50,000,000 of equalized real estate value and personal property value out of the TID #3 boundary.

Acting Chair Wexler closed the public hearing at 5:55 p.m.

## PLAN COMMISSION MINUTES

JULY 21, 2009

**4. Approval of Tax Increment District #5 (TID #5) Project Plan and Boundary**

Moved by Zellers, seconded by Barmore, to approve the project plan and boundary for TID #5. Motion carried 5-0.

**5. Resolution Approving Tax Increment District #5 (TID #5) Project Plan and Boundary**

Moved by Zellers, seconded by Elskamp, to approve the Resolution adopting the boundary and project plan for Tax Increment District #5. Motion carried 5-0.

**6. Approval of Tax Increment District #3 (TID #3) Boundary Amendment**

Moved by Barmore, seconded by Hungness, to approve the Resolution amending the boundaries and project plan for Tax Increment District #3. Motion carried 5-0.

Eileen Kelley

*Note: These minutes were prepared by Eileen Kelley, Planning Director & Zoning Administrator. These minutes are based on the notes of the recorder and are subject to change at a subsequent meeting.*

## Resolution Amending TID #3

**PLAN COMMISSION OF THE CITY OF MIDDLETON****RESOLUTION AMENDING THE BOUNDARIES AND PROJECT PLAN  
TAX INCREMENT DISTRICT NO. 3  
CITY OF MIDDLETON, WISCONSIN**

**WHEREAS**, the City of Middleton Plan Commission has prepared an Amendment to the Project Plan for Tax Increment District No. 3, which subtracts territory from the District in a way that does not remove contiguity from the District; and

**WHEREAS**, a public hearing was properly noticed and held by the Plan Commission on July 21, 2009, wherein interested parties were afforded a reasonable opportunity to express their views on the proposed Project Plan amendment and the proposed boundary amendments thereof; and

**WHEREAS**, the City of Middleton has notified the Chief Executive Office of the Middleton-Cross Plains School District, the Dane County Board and the Madison Area Technical College, representing the entities having power to levy taxes on property located within TID No. 3 pursuant to Wis. Stats. § 66.1105(4)(a); and

**WHEREAS**, pursuant to such procedure and after due reflection and consideration, the Plan Commission desires to favorably recommend to the Common Council of the City of Middleton the amendment to the boundaries of Tax Increment District No. 3, the lands of which are shown on a map on the attached Exhibit A, which is entitled "City of Middleton TID No. 3 Map 1: TID Amending Boundaries," and the Boundary and Project Plan;

**NOW, THEREFORE, BE IT RESOLVED** by the Plan Commission of the City of Middleton as follows:

1. Amendment No. 6 to Tax Increment District No. 3, including the text and boundary map included therein in the form attached hereto as Exhibit "A" is hereby adopted.
2. Such Amended Project Plan for Tax Increment District No. 3 remains feasible after subtraction of the properties as set forth in the said Project Plan amendment.
3. The Amended Project Plan for TID No. 3 is in conformity with the Comprehensive Plan of the City of Middleton.

**BE IT FURTHER RESOLVED** that the Plan Commission recommends that the Common Council approve the amendment to the boundaries of Tax Increment District No. 3, City of Middleton Wisconsin, and Amendment No. 6 of the Boundary and Project Plan for Tax Increment District No. 3 pursuant to the provisions of Wis. Stats. § 66.1105(4)(h)1.

200738-11eb-160709kka  
Amend TIF 3 Res (Plan Comm)

- 2 -

This Resolution was duly adopted at a regular meeting of the Plan Commission of the City of Middleton on the 21st day of July, 2009.

PLAN COMMISSION

By: Kurt J. Bunting

ATTEST:

E. Dyer

Ayes: 5  
Noes: 0  
Adopted: 7-21-09

200738-11eb-160709kkn  
Amend TID #3 Res (Plan Comm)

**RESOLUTION NO. 2009- 25****RESOLUTION AMENDING TAX INCREMENT DISTRICT NO. 3  
PROJECT PLAN AND BOUNDARIES**

**WHEREAS**, the City of Middleton Plan Commission has prepared and adopted an Amendment to the Project Plan for Tax Increment District No. 3, which subtracts territory from the District in a way that does not remove contiguity from the District; and

**WHEREAS**, the Plan Commission has held a public hearing on Tuesday, July 21, 2009, on the proposed Project Plan amendment and the proposed boundary amendments thereof; and

**WHEREAS**, the City of Middleton has notified the Chief Executive Office of the Middleton-Cross Plains School District, the Dane County Board and the Madison Area Technical College, representing the entities having power to levy taxes on property located within TID No. 3 pursuant to Wis. Stats. § 66.1105(4)(a); and

**WHEREAS**, the City Plan Commission has submitted such Amended Project Plan to the Common Council of the City of Middleton;

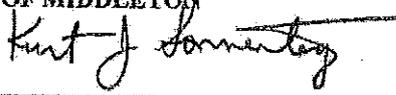
**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Middleton as follows:

1. Amendment No. 6 to Tax Increment District No. 3, including the text and boundary map included therein in the form attached hereto as Exhibit "A" is hereby approved in accordance with Wis. Stats. § 66.1105(4)(h)2.
2. Such Amended Project Plan for Tax Increment District No. 3 remains feasible after subtraction of the properties as set forth in the said Project Plan amendment.
3. The Amended Project Plan for TID No. 3 is in conformity with the Comprehensive Plan of the City of Middleton, as well as other policies and laws of the City of Middleton.

This Resolution shall take effect upon approval by the Joint Review Board pursuant to Wis. Stats. § 66.1105(4m).

This Resolution was duly adopted at a regular meeting of the Common Council of the City of Middleton on the 4 day of Aug, 2009.

CITY OF MIDDLETON

By: 

Kurt J. Sonnentag, Mayor

- 2 -

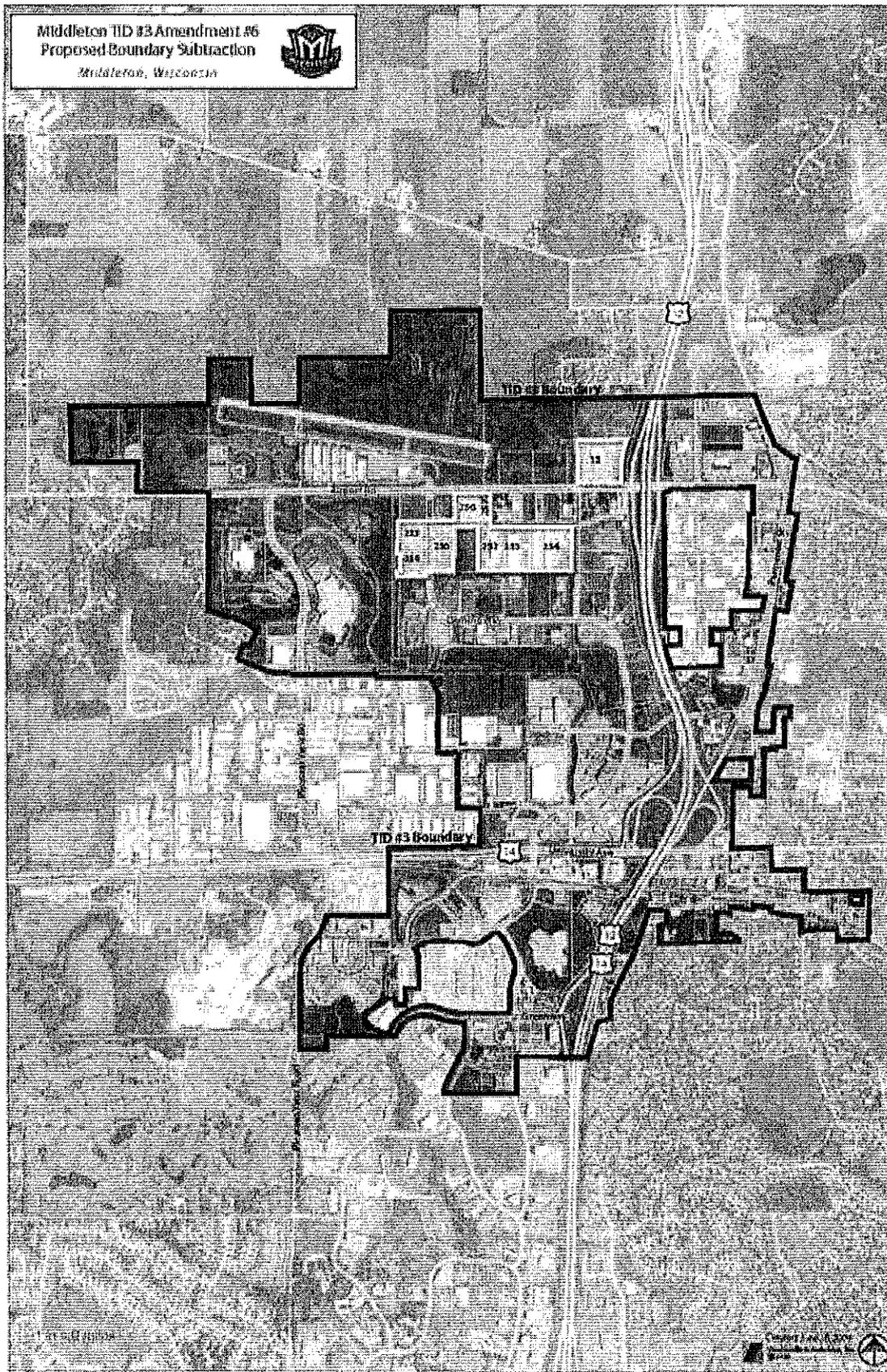
ATTEST:



Patricia A. Amble, Clerk

Ayes: 8  
Noes: 0  
Adopted: 8/4/09

200738-11ub-160709kka  
6th Amend TID 3 Resolution



## **TID #3 Joint Review Board Final Information and Decision**

JOINT REVIEW BOARD  
TIF DISTRICT NO. 3  
AMENDMENT NO. 6  
CITY OF MIDDLETON  
INFORMATION AND PROJECTIONS

Wisconsin state law requires that certain information and projections be provided to the Joint Review Board. The contents are listed in Section 66.1105(4m)(c)(1), Wis. Stats.

(i) *The local legislative body shall provide the joint review board with the following information and projections:*

1. *The specific items that constitute the project costs, the total dollar amount of these project costs to be paid with the tax increments, and the amount of tax increments to be generated over the life of the tax incremental district.*

Response:

No change has been made to add or subtract any project costs from the last applicable amendment (Amendment #3).

2. *The amount of the value increment when the project costs in subd. 1 are paid in full and the tax incremental district is terminated.*

Response:

Amendment #6 is subtracting approximately \$50,000,000 of equalized value out of TID #3. January 1, 2009 equalized value of the TID #3 increment is not yet available but is anticipated to be approximately \$234,000,000. Further development could yield an additional \$50,000,000 of increment over the remainder of the life of the TID.

The City subtracted approximately \$150,000,000 of value in 2006. Currently, with the subtraction, TID #3 is anticipated to retire its current debt by 2015, subject to economic conditions and other factors out of the City's control. However, developer-financed obligations require that the applicable portion of the TID under developer-financed obligations remain intact until the end of the retirement period or 2020. The City may also choose to implement projects already identified in Amendment #3 yet to be undertaken. Implementation of these projects may extend the life of the remainder of the TID. Approval of these project expenditures will need to be made by the City Council. Only one boundary amendment remains after this subtraction. Consequently, the City will

need to carefully monitor the projects and district cash flow to ensure that the project plan is properly implemented and the TID retired when appropriate.

3. *The reasons why the project costs in subd. 1 may not or should not be paid by the owners of property that benefit by improvements within the tax incremental district.*

Response:

No change has been made to add or subtract any project costs from the last applicable amendment (Amendment #3) other than allowing for developer-financing and spending within a ½ mile radius of the TID boundary.

4. *The share of the projected tax increments in subd. 1 estimated to be paid by the owners of taxable property in each of the taxing jurisdictions overlying the tax incremental district.*

Response:

The January 1, 2008 total equalized value of TID #3 was \$299,267,300 with the increment valued at \$234,323,400. Equalized values for 2009 will be available on August 15, 2009. Assuming that the district will remain intact until 2020 with a 1% yearly inflation on both real estate and tax levy and no further development within the district, it is possible that an estimated additional \$68,000,000 of tax revenues will be generated by 2020. The share of project tax increments estimated to be paid by the owners of taxable property in each of the taxing jurisdictions overlying the developer-financed and/or contiguous properties could be estimated as follows:

State of Wisconsin	1.04%	\$ 707,200
Dane County	14.56%	9,900,000
Middleton School District	46.74%	31,783,200
Madison Area Technical College	7.45%	5,066,000
City of Middleton	30.21%	20,542,800

(Discrepancies may occur due to rounding)

5. *The benefits that the owners of taxable property in the overlying taxing jurisdictions will receive to compensate them for their share of the project tax increments in subd. 4.*

Response:

The reasons remain the same as when the TID was originally created and amended.

## JOINT REVIEW BOARD

TIF DISTRICT NO. 3  
AMENDMENT NO. 6

## CITY OF MIDDLETON

## DECISION CRITERIA

Under the Wisconsin Statutes, Joint Review Boards must base their decision to approve or deny a proposed tax incremental district plan and boundary designation on the following criteria:

- A. *Whether the development expected in the tax incremental district would occur without the use of tax incremental financing;*
- B. *Whether the economic benefits of the tax incremental district, as measured by increased employment, business and personal income and property value are insufficient to compensate for the cost of improvements; and*
- C. *Whether the benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying tax districts.*

This report has been prepared to address those criteria by providing some information and data on the impact of TIF District No. 3, Amendment No. 6, in the City of Middleton. The criteria are addressed in turn below.

- A. TIF District No. 3 was created for multiple purposes which included, but were not limited to the following: job creation (living wage jobs); tax base creation; diversifying the tax base from higher percentages of residential to more commercial and industrial/business, development to the City's standards of under-utilized properties; controlling the aesthetics of the properties along the old USH 12 corridor and the current West Beltline corridor; eliminating blighted conditions which included environmental, stormwater management, floodplain management; completing downtown revitalization projects and business recruitment and enhancing land use patterns and relocating inappropriate land uses to further enhance redevelopment of abutting properties.
- B. While the economic benefits of creating TIF District No. 3 were numerous and will benefit not only the City of Middleton but also the overlying taxing jurisdictions as well, the amount of revenue generated from increased employment and income taxes as well as increases in property values is insufficient to compensate for the project expenditures and debt service associated with borrowing for those project costs. Whether the City or developer borrowed for the project, pledging just the City's portion of the levy would only be able to

pay for a fraction of the project costs due to the constrained time period in which the debt must be paid (2020).

- C. Amendment of TID #3 will continue to encourage the orderly growth of the west side of the City by providing a stimulus for new development on already-improved business and industrial sites created under the existing TID #3.

RESOLUTION APPROVING CITY COUNCIL RESOLUTION  
AMENDING TIF DISTRICT NO. 3 PROJECT PLAN  
CITY OF MIDDLETON, WISCONSIN

WHEREAS, the Joint Review Board, Tax Incremental District No. 3, City of Middleton, Wisconsin, has reviewed the public record, planning documents and resolution related to the amended project plan for TIF District No. 3, City of Middleton, Wisconsin; and

WHEREAS, the Joint Review Board, Tax Incremental District No. 3, City of Middleton, Wisconsin has received in an open meeting additional information from the City of Middleton staff regarding the amended project plan for Tax Incremental District No. 3, City of Middleton, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED that the Joint Review Board finds:

1. The development expected in TIF District No. 3, City of Middleton, Wisconsin, would not occur without the use of tax incremental financing;
2. The economic benefits of TIF District No. 3, City of Middleton, Wisconsin, as measured by increased employment, business and personal income and property value, are insufficient to compensate for the cost of the improvements;
3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing districts.

Adopted this 6th day of August, 2009.

JOINT REVIEW BOARD  
TAX INCREMENTAL DISTRICT No. 3  
AMENDMENT No. 6  
CITY OF MIDDLETON, WISCONSIN



Mike Davis, Chair

## City Attorney Opinion

Insert Attorney opinion letter

## Boundary Description