

City of Wisconsin Dells Joint Review Board Meeting
Wisconsin Dells City Municipal Building
300 La Crosse St, Wisconsin Dells, Wisconsin
Meeting Agenda
January 24, 2012 – 6:00 PM

1. Call to Order
2. Roll Call
3. Consideration of minutes of the January 11, 2012 meeting
4. Review of the Public Record regarding Amendment #2 to TID No. 3
5. Consideration of a Resolution Approving Amendment #2 to TID No. 3
6. Any other matters to come before the Joint Review Board
7. Adjournment

For further information contact the City Clerk's Office, 300 La Crosse St, Wisconsin Dells, WI (phone number 608-254-2012).

Nancy Holzem, City Clerk

CITY OF WISCONSIN DELLS JOINT REVIEW BOARD
WISCONSIN DELLS MUNICIPAL BUILDING
300 LA CROSSE STREET
WISCONSIN DELLS, WI 53965
JANUARY 11, 2012

1. Wisconsin Dells Mayor Brian Landers called the meeting to order at 5:00PM. Notice of the meeting was provided to the *Dells Events*, WNNO Radio, and posted in accordance with State Statutes. Notice of the meeting was published in the Dells Events on January 4, 2012.
2. Present: Wisconsin Dells Mayor Brian L. Landers, John West representing Adams County, John W. Act representing MATC, Robert McClyman representing the Wisconsin Dells School District, and citizen member Brent Stowell.

Others: City Clerk Nancy R. Holzem, City Treasurer Kate Anger-Seep, Assistant City Attorney Joseph Hasler, Dave Anderson from Public Financial Management (PFM) and Kay James from the Dells Events.
3. It was moved by McClyman seconded by West to elect Mayor Landers as chairperson. There were no other nominations. Motion carried unanimously.
4. It was moved by Landers seconded by Act to appoint Brent Stowell as the public member. Motion carried unanimously.
5. Dave Anderson from PFM discussed the responsibilities and the roll of the Board. He stated that members should review the information presented, review the numbers, and determine if the district meets the qualifications to be declared distressed.
6. Dave Anderson gave a general overview and history of TID No 3 and the Proposed Amendment to Tax Incremental District (TID) No. 3. The increment value in this District has decreased by 32.14% and it is anticipated that the revenues generated will be insufficient to pay off the project costs during the existing life of the District. The City of Wisconsin Dells is asking to have this District designated as "severally distressed" in accordance with Wis. State Stat. Sec. 66.105(4e) and amend the project plan to reflect the severely distressed status. The Wisconsin Dells Plan Commission will be holding a Public Hearing on the distressed status on Wednesday, January 11, 2012. The Wisconsin Dells City Council will also hold a Public Hearing on Monday, January 16, 2012.
7. The next meeting of the Joint Review Board will be held on Tuesday, January 24, 2012 at 6:00PM in the Common Council chambers of the Wisconsin Dells Municipal Building.
8. Motion by McClyman seconded by Act to adjourn. Motion carried unanimously.

Nancy R. Holzem, City Clerk
Distributed: 01/18/12

**CITY PLAN COMMISSION
CITY OF WISCONSIN DELLS
MUNICIPAL BUILDING-300 LACROSSE STREET
JANUARY 11, 2012**

Mayor Landers called the meeting to order at 5:15 PM. Notice of the meeting was provided to the Dells Events, WNNO/WDLS Radio, and posted in accordance with State Statutes.

1. Present: Mayor Brian Landers, City Planner/Zoning Administrator Chris Tollaksen, Alderperson Jesse DeFosse, Fire Chief Tory Wolfram, Dan Anchor, Michael Warnke, Shaun Tofson and Chris Lechnir

Others: Assistant City Attorney Joe Hasler, City Clerk Nancy R. Holzem, City Treasurer Kate Anger-Seep, Director of Public Works David W. Holzem, Public Works Office Clerk Monica Dorow-Leis, Bill Ryan, Dave Schultz, Eric Helland, David Thalacker, Shawna White, Chad Van Schoyck, Irena Winkowski, Karl Lastrup, Kurt Muchow, Tom Sather, and Kay James from the Dells Events
2. Motion by Tory Wolfram, seconded by Dan Anchor approve the minutes of the December 14, 2011 meeting. Motion carried unanimously.
3. Mayor Landers declared the public hearing open for anyone to speak for or against the proposal to amend Tax Incremental District #3. With no one speaking for or against this, Mayor Landers declared the public hearing closed.
4. Dave Anderson, Senior Managing Consultant of Public Financial Management spoke on behalf of the city. He said with 110M dollars in new value and a value drop to 74M within the last three years with the economy going down, the current values are not enough to support the debt the city undertook for this project. Declaring TID #3 severely distressed, you can spread the debt over a longer period, up to 40 years or until there is enough cash to payoff the debt. During the life of the TID it will be primarily in the negative areas, but in the end will recover that with positive areas and numbers. It is severely distressed at this time, but with enough time, the city should be able to recover the city money invested in this TID. Chris Tollaksen asked about the donor TID option, which is where it allows a successful TID help another TID. The state law currently does not allow this unless the donor district and the recipient district have the same overlying taxing jurisdictions. Motion by Alderperson DeFosse, seconded by Dan Anchor approve the following Resolution:

**RESOLUTION APPROVING AMENDMENT #2 TO THE PROJECT PLAN
FOR TAX INCREMENTAL DISTRICT NO. 3
CITY OF WISCONSIN DELLS, WISCONSIN**

WHEREAS, In May of 2005, the City of Wisconsin Dells created Tax Incremental District No. 3 (TID No. 3 or the "District") for the purpose of promoting mixed-use development in accordance with Wisconsin Statutes Section 66.1105 (2) (cm); and

WHEREAS, In July of 2006, the City amended the boundaries and the project plan of TID No. 3 to encourage additional development and provide for additional projects; and

WHEREAS, The Legislature in 2010 created (and in 2011 amended) Section 66.1105 (4e) of the Wisconsin Statutes to authorize a city to designate a tax incremental district meeting certain criteria as a “severely distressed tax incremental district;” and

WHEREAS, TID No. 3 meets the severely distressed tax incremental district criteria identified in Section 66.1105 (4e); and

WHEREAS, Section 66.1105 (4e) (3) of the Wisconsin Statutes requires that the Plan Commission amend the District’s project plan under sub. (4) (h) 1 to reflect the District’s severely distressed status; and

WHEREAS, the Plan Commission, after completing preliminary planning work, scheduled, gave public notice of, and on January 11, 2012, held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed amendment to TID No. 3 and the proposed amendment to the project plan for said district, and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the Adams Board Chair, the President of Madison Area Technical College, (the other entities having the power to levy taxes on property located within the proposed District) and the board of education of the School District of Wisconsin Dells (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the Plan Commission after due consideration following the said public hearing, determined that the Tax Incremental District No. 3 should be amended to reflect the District’s “severely distressed” status; and

WHEREAS, the City of Wisconsin Dells Plan Commission has prepared a project plan for amending Tax Incremental District No. 3, attached as Exhibit A, in accordance with Wisconsin Statutes 66.1105 (4) (f).

NOW THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Wisconsin Dells:

1. That the Plan Commission hereby adopts such project plan for Amendment #2 to Tax Incremental District No. 3, attached to this resolution as Exhibit A.
2. That the Plan Commission hereby recommends that the Common Council adopt a resolution approving Amendment #2 to the Project Plan for Tax Incremental District No. 3, and thereby formally amend the District’s project plan to reflect the District’s “severely distressed” status in accordance with the provisions of the Tax Increment Law.

That the City Clerk is hereby authorized and directed to provide the Mayor and Common Council with Certified Copies of this resolution, upon its adoption by the Plan Commission. Motion carried unanimously.

5. Mayor Landers declared the public hearing open for anyone to speak for or against the Land Owner-Initiated Zoning Map Application request from Riverview Boat Line to allow land

use 3.4 Residence, multi-family as a conditional use in C-4 Commercial-large scale zoning. With no one speaking for or against this, Mayor Landers declared the public hearing closed.

6. Mayor Landers declared the public hearing open for anyone to speak for or against the request from Silverstone Hosing Partners II for a conditional use permit in order to allow Residence, multi-family located on a portion of Sauk County parcels 0031, 0032, 0033, and 0035, which are located SE of the intersection of Pioneer Drive and Fitzgerald Road. The property is zoned C-4 Commercial-large scale. Carl Laustrup, area resident said he was not opposed to development or affordable housing, but is opposed to affordable housing such as the apartments on Clara Avenue outside the city boundary where several parked vehicles are around the apartment. He asked about city provisions as to the number of parked vehicles allowed. He said if the project was for senior housing that would be fine, but he is not in favor of seniors with kids living there. Noted later was that this project was not for senior housing, but for residential-multi family. Mayor Landers said he did not think it was fair to compare one development to another and not fair for anyone to slight another community on the enforcement of ordinances and property. He added that he is confident people will be pleased with Silverstone, having several developments within the South Central Wisconsin area. He is hopeful projects like these will drive out the Shady Nooks, referring to Shady Nook, a township property, which was condemned. Irena Winkowski, area resident, asked how the city was going to enforce the number of people allowed per unit. Mayor Landers responded saying they can be fined for noncompliance with city ordinances. Chad Van Schoyck, area resident is for affordable housing, but not next to his residence purchased just four years ago under the previous zoning code. He commented on Fitzgerald Road being in bad shape and wanted to know if there were plans to reconstruct the road with increased traffic. There are not plans at this time, but every year the Public Works Committee identifies streets that need repair. With no one else speaking for or against this, Mayor Landers declared the public hearing closed.
7. Chris Tollaksen said multi-family was allowed on this Sauk County property before the May 2007 zoning code revision, and multi family residential was discussed to remain in C-4 Commercial large-scale zoning district. As it is now, a large portion of the city does not allow multi family residential, but there is existing multi-family residential such as Van Schoyck's condominium and others that were grandfathered in. Tory Wolfram pointed out there are a number of permitted uses not requiring a CUP in C-4 Commercial large-scale, such as an amusement park, and it would seem it would be better protection for existing residents to have a type of project more transitional to other commercial types of development. Motion by Dan Anchor, seconded by Tory Wolfram to approve the Land Owner-Initiated Zoning Map Amendment application request from Riverview Boat Line to allow Land Use 3.4 Residence, multi-family as a conditional use in C-4 Commercial-large scale. Motion carried unanimously.
8. Tom Sather, CEO Silverstone Housing Partners II spoke and discussion included the following:
 - They have been in the affordable housing business for about 15 years
 - They have developed, owned and asset managed over 1,000 units throughout WI
 - They are proposing basically ranch-style condominiums, but they are rented property
 - They are proposing to do this under WHEDA Section 42 Workforce Housing federal funded program where each state is granted an allocation of tax credits on a per capita basis, which is administered by WHEDA
 - Developers compete on an annual basis and based on a point system where they get points for things such as the quality of location and amenities

- Their application is due February and will find out in April on whether or not they get tax credits in order to move forward with their plans
- Each unit would have washers, dryers and an enclosed garage
- By provisions of the Section 42 program, they are required to enter on 1yr leases
- With rules set by WHEDA, they are bound for a minimum of 30 years when they enter into a Land Use Restriction Agreement limiting the use of the property

Tom said the project costs about \$130,000/unit to develop. Market rate, the units would be about \$1,100/month, but with federal funds, they can provide the same unit for around \$700/month. A site plan request needs to be submitted yet and would cover other areas of concern such as buffering, vehicle headlights facing the direction into another residence window, and number of parking stalls. Tom Sather said they can work with the city on these things and said Oakbrook of Madison, WI will be managing the property. Chris said the management company will be sort of selective with who they rent to by already checking income levels, so they will be checking job and criminal history, with Tom Sather agreeing. Motion by Chris Tollaksen, seconded by Tory Wolfram approve the request from Silverstone Housing Partners II for a conditional use permit in order to allow residence, multi-family located on a portion of Sauk County parcels 0031, 0032, 0033, and 0035, which are located SE of the intersection of Pioneer Drive and Fitzgerald Road with the following contingencies:

- The zoning code amendment to allow residence, multi-family in the C-4 district takes effect
- The proposed development be contained by a single parcel
- The applicant take control of the property
- A storm water plan be created to the satisfaction of the city
- A buffer is established and maintained between this development and the surrounding properties. If a minimal buffer is allowed to be constructed, it is to be enhanced at the City's request, if the City's sole discretion it is deemed necessary

The property is zoned C-4 Commercial-large scale. Motion carried unanimously.

9. The Special meeting scheduled for January 16, 2012 has been cancelled. The Horizon Project application has been withdrawn.
10. A Special Plan Commission meeting is tentatively scheduled for end of January.
11. Motion by Dan Anchor, seconded by Alderperson DeFosse to adjourn. Motion carried unanimously and the meeting adjourned at 6:17pm.

Monica Dorow-Leis
 Public Works Office Clerk
 Distributed: January 16, 2012

**RESOLUTION APPROVING AMENDMENT #2 TO THE PROJECT PLAN
FOR TAX INCREMENTAL DISTRICT NO. 3
CITY OF WISCONSIN DELLS, WISCONSIN**

WHEREAS, In May of 2005, the City of Wisconsin Dells created Tax Incremental District No. 3 (TID No. 3 or the “District”) for the purpose of promoting mixed-use development in accordance with Wisconsin Statutes Section 66.1105 (2) (cm); and

WHEREAS, In July of 2006, the City amended the boundaries and the project plan of TID No. 3 to encourage additional development and provide for additional projects; and

WHEREAS, The Legislature in 2010 created (and in 2011 amended) Section 66.1105 (4e) of the Wisconsin Statutes to authorize a city to designate a tax incremental district meeting certain criteria as a “severely distressed tax incremental district;” and

WHEREAS, TID No. 3 meets the severely distressed tax incremental district criteria identified in Section 66.1105 (4e); and

WHEREAS, Section 66.1105 (4e) (3) of the Wisconsin Statutes requires that the Plan Commission amend the District’s project plan under sub. (4) (h) 1 to reflect the District’s severely distressed status; and

WHEREAS, the Plan Commission, after completing preliminary planning work, scheduled, gave public notice of, and on January 11, 2012, held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed amendment to TID No. 3 and the proposed amendment to the project plan for said district, and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the Adams Board Chair, the President of Madison Area Technical College, (the other entities having the power to levy taxes on property located within the proposed District) and the board of education of the School District of Wisconsin Dells (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the Plan Commission after due consideration following the said public hearing, determined that the Tax Incremental District No. 3 should be amended to reflect the District’s “severely distressed” status; and

WHEREAS, the City of Wisconsin Dells Plan Commission has prepared a project plan for amending Tax Incremental District No. 3, attached as Exhibit A, in accordance with Wisconsin Statutes 66.1105 (4) (f).

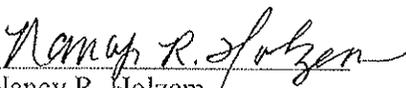
NOW THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Wisconsin Dells:

1. That the Plan Commission hereby adopts such project plan for Amendment #2 to Tax Incremental District No. 3, attached to this resolution as Exhibit A.
2. That the Plan Commission hereby recommends that the Common Council adopt a resolution approving Amendment #2 to the Project Plan for Tax Incremental District No. 3, and thereby formally amend the District's project plan to reflect the District's "severely distressed" status in accordance with the provisions of the Tax Increment Law.
3. That the City Clerk is hereby authorized and directed to provide the Mayor and Common Council with Certified Copies of this resolution, upon its adoption by the Plan Commission.

Adopted this 11th day of January, 2012


Chairman

Attest:


Nancy R. Holzem

City Clerk



COMMON COUNCIL MEETING
CITY OF WISCONSIN DELLS
MUNICIPAL BUILDING ~ 300 LACROSSE STREET
WISCONSIN DELLS, WI 53965
JANUARY 16, 2012

Mayor Landers called the meeting to order at 7:30P.M. Notice of the meeting was provided to the *Dells Events*, WNNO Radio, and posted in accordance with State Statutes.

1. Present: First District Alderpersons Brian Holzem and Jesse DeFosse
Second District Alderpersons Dar Mor and Debbie Kinder
Third District Alderpersons Dave Murray and Ed Wojnicz

Others: City Clerk/Coordinator Nancy R. Holzem, City Treasurer Kate Anger-Seep, Police Chief Jody Ward, Public Works Director David Holzem, Planning & Zoning Administrator Chris Tollaksen, Parks Director Thad Meister, Fire Chief Tory Wolfram, Ed Karis, Anna Karis, Philip Schultz from Horizon Developers, Adam Breest, Antoni Wolan, Mark Nykaza, Brad Boettcher, Dave Anderson from PFM, Dave Schultz, Tom Sather, Eric Helland, Assistant City Attorney Joseph Hasler, and Kay James from the *Dells Events*.
2. The Pledge of Allegiance was said.
3. Motion by Ald. Wojnicz seconded by Ald. Mor to approve the following consent agenda items:
 - a. December 19, 2011 Common Council meeting minutes.
 - b. Schedule of Bills Payable dated January 16, 2012.Motion carried unanimously.
4. Mayor Landers declared the Public Hearing open to consider designating Tax Incremental District No. 3 as severely distressed. No one spoke for or against at the hearing. Mayor Landers declared the Public Hearing closed.
5. There were no citizen appearances.
6. Motion by Ald. Murray seconded by Ald. Holzem to approve the application for an Original Class C Wine License to San Antonio Mexican Restaurant, 742 Eddy Street, for the licensing period of January 17, 2012 through June 30, 2012. Applicant currently holds a Class "B" Beer license for this location as well. Motion carried unanimously.
7. Ald. Kinder introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3851
RESOLUTION DESIGNATING TAX INCREMENTAL DISTRICT NO. 3
AS A DISTRESSED TAX INCREMENTAL DISTRICT;
AND APPROVING AMENDMENT #2 TO THE PROJECT PLAN
FOR TAX INCREMENTAL DISTRICT NO. 3
CITY OF WISCONSIN DELLS, WISCONSIN

WHEREAS, In May of 2005, the City of Wisconsin Dells created Tax Incremental District No. 3 (TID No. 3 or the "District") for the purpose of promoting mixed-use development in accordance with Wisconsin Statutes Section 66.1105 (2) (cm); and

WHEREAS, In July of 2006, the City amended the boundaries and the Project Plan of TID No. 3 to encourage additional development and provide for additional projects; and

WHEREAS, the value increment in the District has declined by 32.14% since the District's highest value increment as determined by the Wisconsin Department of Revenue; and

WHEREAS, The Legislature in 2010 created (and in 2011 amended) Section 66.1105 (4e) of the Wisconsin Statutes to authorize a city to designate a tax incremental district meeting certain criteria as a severely distressed tax incremental district; and

WHEREAS, TID No. 3 meets the severely distressed tax incremental district criteria identified in Section 66.1105 (4e); and

WHEREAS, the Common Council, scheduled, gave public notice of, and on January 16, 2012, held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed designation of TID No. 3 as a severely distressed tax incremental district; and

WHEREAS, prior to its publication, the Common Council sent a copy of the notice of the public hearing to the Adams County Board Chair, the President of Madison Area Technical College District, (the other entities having the power to levy taxes on property located within the proposed District) and the board of education of the School District of Wisconsin Dells (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the Common Council after due consideration following said public hearing, determined that the Tax Incremental District No. 3 should be designated as a severely distressed tax incremental district; and

WHEREAS, Section 66.1105 (4e) (3) of the Wisconsin Statutes requires that the Plan Commission amend the District's Project Plan under sub. (4) (h) 1 to reflect the District's severely distressed status; and

WHEREAS, the Plan Commission, after completing preliminary planning work, scheduled, gave public notice of, and on January 11, 2012, held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed amendment to the project plan for Tax Incremental District No. 3, and

WHEREAS, prior to its publication, the Plan Commission sent a copy of the notice of the public hearing to the Adams County Board Chair, the President of Madison Area Technical College District, (the other entities having the power to levy taxes on property located within the proposed District) and the board of education of the School District of Wisconsin Dells (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the Plan Commission after due consideration following the said public hearing, determined that the Tax Incremental District No. 3 should be amended to reflect the District's severely distressed status; and

WHEREAS, the Plan Commission has prepared a project plan for amending Tax Incremental District No. 3, attached as Exhibit A, in accordance with Wisconsin Statutes 66.1105 (4) (f); and

WHEREAS, said project plan contains a financial analysis which demonstrates that anticipated revenues from Tax Incremental District No. 3 are insufficient to pay for the project costs incurred during the life of the District; and

WHEREAS, the Plan Commission recommends that the Common Council adopt a resolution approving Amendment #2 to the Project Plan for Tax Incremental District No. 3, City of Wisconsin Dells, Wisconsin, and thereby formally amend the District's Project Plan to reflect the District's severely distressed status in accordance with the provisions of the Tax Increment Law;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Wisconsin Dells:

1. That the Common Council finds that the project costs incurred with regard to Tax Incremental District No.3 exceed the amount of revenues from all sources that the City expects the District to generate to pay off such project costs during the life of the District;
2. That the Common Council further finds that Tax Incremental District No. 3 was created prior to October 1, 2008, and the Common Council has not approved an amendment to the Tax Incremental District's Project Plan after October 1, 2009;
3. That the Common Council finds that increment values in Tax Incremental Financing District No. 3 have declined by at least 25% from the District's highest value increment as determined by the Wisconsin Department of Revenue;
4. That the Common Council hereby designates Tax Incremental Financing District No. 3 as a severely distressed tax incremental financing district in accordance with Section 66.1105 (4e) of Wisconsin Statutes;
5. That the Common Council approves Amendment #2 to the Project Plan for Tax Incremental District No. 3, City of Wisconsin Dells, Wisconsin, and thereby formally amends the District's Project Plan to reflect the District's severely distressed status in accordance with the provisions of the Tax Increment Law;
6. That the Common Council finds that the project plan, as amended, is feasible and in conformity with the Master Plan of the City; and,
7. That the City Clerk is hereby authorized and directed to provide the Wisconsin Department of Revenue and the Joint Review Board with copies of this resolution.

Ald. Wojnicz seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3851 adopted.

8. Ald. Wojnicz introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3852

WHEREAS the City of Wisconsin Dells, Adams, Columbia, Sauk and Juneau Counties, Wisconsin, ("City"), is presently in need of funds up to a maximum aggregate amount of \$500,000 for public purposes of meeting general capital and current municipal expenses (67.12(12)) and;

WHEREAS, the Council deems it necessary and in the best interests of the City that, pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, a sum of up to Five Hundred Thousand and no/100 Dollars (\$500,000) be borrowed for such purpose(s) from time to time upon the terms and conditions hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED, that for the purpose(s) hereinabove set forth the City, by its Mayor and Clerk, pursuant to Section 67.12(12), Wisconsin Statutes, borrow from The Bank of Wisconsin Dells ("Lender"), from time to time, in one or more advances, a maximum aggregate amount of \$500,000 or if less, the aggregate principal amount of all advances as may be required to meet the above-stated purpose(s);

BE IT FURTHER RESOLVED, that each such advance shall be requested in writing by the City Clerk or City Treasurer which request may be conclusively relied upon by Lender;

BE IT FURTHER RESOLVED, that to evidence such indebtedness, said Mayor and City Clerk shall make, execute and deliver to the Lender for and on behalf of the City the promissory note of the City to be dated January 16, 2012, in said principal amount with interest at the rate of Three percent (3%) per annum and payable as follows:

Single Payment. In one payment on January 2, 2013, plus interest payable as set forth below.

Interest is payable on January 2, 2013. Said interest to be payable on the dates set forth above on the outstanding principal balance, with prepayment privileges on any principal or interest payment without penalty. A copy of the promissory note shall be attached to this resolution.

BE IT FURTHER RESOLVED, should the note principal and interest not be prepaid, that these be levied on all taxable property of the City a direct annual irrevocable tax. The tax should be sufficient to pay the principal and interest outstanding at the maturity date of January 2, 2013. The said tax would be levied on the 2012 tax roll.

If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said note when due, the requisite amount shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied. In the event that the City exercises its prepayment privilege, if any, then no such direct annual tax shall be included on the tax rolls for the prepayments made and the amount of direct annual tax hereinabove levied shall be reduced accordingly for the year or years with respect to which said note was prepaid. In each of said levy years, the direct annual tax so levied shall be carried into the tax rolls each year and shall be collected in the same manner and at the same time as other taxes of the City for such years are collected; provided,

that the amount of tax carried into the tax roll may be reduced in any year by the same amount of any surplus in the debt service account for the note. So long as any part of the principal of, or interest on, said note remains unpaid, the proceeds of said tax shall be segregated in a special fund used solely for the payment of the principal of, and interest on, said note.

BE IT FURTHER RESOLVED, that there be and there hereby is established in the treasury of the City, if one has not already been established, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Sinking funds established for obligations previously issued by the City may be considered separate and distinct accounts within the debt service fund. There shall be deposited in said account any accrued interest paid on said note at the time it is delivered to the Lender, all money raised by taxation or appropriated pursuant hereto, and such other sums as may be necessary to pay principal and interest on said note when the same shall become due.

BE IT FURTHER RESOLVED, that the proceeds of said note shall be used solely for the purposes for which it is issued, but may be temporarily invested until needed in legal investments, provided that no such investment shall be in such manner as would cause said note to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended.

BE IT FURTHER RESOLVED, that the City Clerk shall keep records for the registration and for the transfer of the note. The person in whose name the note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on the note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such note to the extent of the sum or sums so paid. The note may be transferred by the registered owner thereof by presentation of the note at the office of the City Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his legal representative duly authorized in writing. Upon such presentation, the note shall be transferred by appropriate entry in the registration records and a similar notation, including date of registration, name of new registered owner and signature of the City Clerk, shall be made on such note.

BE IT FURTHER RESOLVED, that the note is not a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code.

BE IT FURTHER RESOLVED, that the City officials are hereby authorized and directed, so long as said note is outstanding, to deliver to the Lender any audit statement or other financial information the Lender may reasonably request and to discuss its affairs and finances with the Lender.

BE IT FURTHER RESOLVED, that said note shall be delivered to the Lender on or after the date of said note, upon receipt of the total principal amount of the loan evidenced thereby, plus accrued interest, if any to date of delivery, provided that, if this is a refinancing, the refunding note shall be immediately exchanged for the note being refinanced

Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3852 adopted.

9. Ald. Mor introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3853
(Horizon I)

Horizon Development Group, Inc. proposes to construct and develop a 41 unit senior housing project in the City of Wisconsin Dells. The City has approved zoning and a conditional use permit for the project subject to certain specified contingencies. The project requires financial assistance from the Wisconsin Housing and Economic Development Authority (WHEDA). Horizon's WHEDA application will be enhanced if the City makes the following commitments to the Horizon project:

1. The City shall provide a developer financed tax incremental finance loan in the amount of \$185,000.00, with an interest rate of approximately 8% and a term of 13 years. Horizon will obtain this loan from a lender and the City shall have no financial obligations. The City will rebate property taxes on the increment created in the approximate amount of \$23,500.00 per annum over 13 years; provided that the project value supports the rebate.
2. Horizon shall pay City permit and utility connection fees in the approximate amount of \$85,000.00 and the City will loan those monies to Horizon payable in 30 years; 0% interest.
3. The City will make off-site public infrastructure improvements within two-tenths (2/10ths) of a mile of the Horizon project site having an approximate cost of \$276,000.00.

BE IT RESOLVED, the City of Wisconsin Dells Common Council hereby consents to the above described City participation in the proposed Horizon senior housing project; subject to financing and negotiation of a final development agreement.

Ald. Murray seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3853 adopted.

10. Ald. Mor introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3854

Silverstone Partners, Inc. proposes to construct and develop a 70 unit workforce housing project in the City of Wisconsin Dells. The City has approved zoning and a conditional use permit for the project subject to certain specified contingencies. The project requires financial assistance from the City as follows:

Developer financed tax incremental loan of \$600,000 to be used for eligible project costs having the following terms: interest rate of 4%; 14 year term; annual payments of \$55,855.00.

BE IT RESOLVED, the City of Wisconsin Dells Common Council hereby consents to the above described City participation in the proposed Silverstone workforce housing project; subject to financing and negotiation of a final development agreement.

Ald. Holzem seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3854 adopted.

11. Ald. Kinder introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3855

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the CITY PLAN COMMISSION from their January 11, 2012 Public Hearing and meeting;

TO APPROVE a Conditional Use Permit to Silverstone Housing Partners to allow land use 3.4 Residence, Multi-Family on a portion of Parcels 0031, 0032, 0033 and 0035 located on the south-east corner of Fitzgerald Road and Pioneer Drive, with the following contingencies:

1. Zoning Code amendment is approved.
2. Proposed Development is to be contained to a single parcel.
3. Applicant takes ownership of the property.
4. Storm water plan is to be created to the satisfaction of the city.
5. A buffer is established and maintained between this development and the surrounding properties to the satisfaction of the city.
6. The owner of the property shall be responsible for any and all nuisance violations issue at the site.
7. Additional parking areas may be required, as discussed and acknowledged by the developer at the meeting, should the city deem it necessary in the future.

Ald. Mor seconded the motion. Ald. Murray questioned Chris Tollaksen's earlier concerns regarding the Fitzgerald Road intersection. Tollaksen stated that this project should not cause any major issues with the intersection however if additional development takes place in that area the intersection would definitely need to be addressed. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3855 adopted.

12. Ald. Kinder introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3856

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin,

TO fill the vacancy on the Parks, Recreation & Waterway Committee with a representative from the Village of Delton.

Ald. DeFosse seconded the motion. . Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3856 adopted.

13. Ald. Murray introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3857

Establishing an Ad Hoc Athletic Fields Development Committee

WHEREAS, the City of Wisconsin Dells acknowledges that the development of athletic fields would be beneficial to the community;

WHEREAS, the development of an athletic fields and related events would establish Wisconsin Dells as a premier sports destination;

WHEREAS, the development of an athletic fields and related events would have a positive financial impact on lodging facilities, restaurants, retail and other related businesses in the area;

FURTHERMORE, the development of an athletic fields and subsequent developments would generate an increase in Room Tax and Premier Resort Tax;

NOW THEREFORE BE IT HEREBY RESOLVED, that the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, does hereby create and establish and ad hoc committee to be known as the **Athletic Fields Development Committee** to study, review and move forward with this development;

BE IT FURTHER RESOLVED, that the committee shall consist of the following members: Mayor Brian Landers to serve as Chairperson, Ald. Dar Mor to serve as Vice-Chairperson, 1 representative from the School District, 1 representative from the WDVCB, 1 representative from the BID Committee, and 1 representative from the community.

BE IT FINALLY RESOLVED, that the committee shall operate pursuant to Robert's Rule of Order and receive assistance from city staff as needed.

Ald. Mor seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No 3857 adopted.

14. Ald. Holzem introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3858

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the PARKS, RECREATION & WATERWAYS COMMITTEE from their January 3, 2012 meeting;

TO APPROVE the Recreation Program Coordinator job description for the Parks & Recreation Department; and to approve the appointment of Adam Breest to the 1-year position.

Ald. Mor seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3858.

15. Ald. Wojnicz introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3859

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the PERSONNEL COMMITTEE from their January 13, 2012 meeting;

TO APPROVE the hiring of Adam Watson a city mechanic. This is a union position with wage and benefits according to the union contract.

Ald. Mor seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3859 adopted. The employee will replace Jerry Jermier who is retiring.

16. Ald. Holzem introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3860

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the PARKS, RECREATION & WATERWAYS COMMITTEE from their January 3, 2012 meeting;

TO APPROVE a \$300 annual fee, plus the cost of supplies used, to be paid to the city by the Wisconsin Dells Art Association for use of Bowman Park during WoZhaWa Festival weekend. The Art Association requests that this be a five (5) year agreement.

Ald. Murray seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3860 adopted.

17. Motion by Ald. Holzem seconded by Ald. Wojnicz to table the Resolution to approve an official city logo. Designs are currently being reviewed. Motion carried unanimously.
18. Ald. Murray introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3861

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the PUBLIC SAFETY COMMITTEE from their January 6, 2012 meeting;

TO APPROVE the promotion of Brianna Sanner to Communications Supervisor effective February 1, 2012.

Ald. Mor seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3861 adopted.

19. Ald. Murray introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3862

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the PUBLIC SAFETY COMMITTEE from their January 6, 2012 meeting;

TO APPROVE the hiring of Rick Cornelius as a full-time dispatcher effective February 1, 2012.

Ald. Wojnicz seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3862 adopted.

20. Ald. Holzem introduced and moved for adoption the following Resolution:

RESOLUTION NO. 3863

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the PARKING BOARD from their January 6, 2012 meeting;

TO APPROVE the purchase of the Visitor Bureau parking lot adjacent to JAG for \$280,000.

Ald. Mor seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared Resolution No. 3863 adopted.

21. Ald. Murray introduced and moved for adoption the second reading of the following Ordinance:

ORDINANCE NO. A-714

(Sex Offender Residency Restrictions; Child Safety Zones)

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE AND INTENT

This ordinance establishes sex offender residency restrictions and child safety zones.

- (1) According to the National Center for Missing and Exploited Children, in 2011, there are 739,853 sex offenders registered in the United States and its territories.
- (2) The City finds and declares that sex offenders are a serious threat to public safety. When convicted sex offenders re-enter society, they are more likely than other types of offenders to be re-arrested for new sex offenses. The high rate of recidivism for sex offenders supports measures to protect children where they congregate or play in public spaces and venues.

- (3) This ordinance is a regulatory measure designed to protect the health, safety and welfare of children in the City of Wisconsin Dells from the risk that convicted sex offenders may re-offend in locations close to their residences. It is not the intent of this section to impose criminal penalties. The City has a compelling interest and intent to promote and protect the health, safety and welfare of the public and children by creating child safety zones which restrict the proximity of sexual offenders to children.

SECTION II: PROVISION CREATED

Wisconsin Dells Code sec. 9.10 is created.

SECTION III: PROVISION AS CREATED

9.10 SEX OFFENDER RESIDENCY RESTRICTIONS; CHILD SAFETY ZONES.

- (1) Definitions. As used in this section and unless the context otherwise requires:
- (a) *Crime against children* means any of the following offenses set forth in the Wisconsin Statutes, as amended, or the laws of this or any other state or the federal government, having like elements necessary for conviction and involving a person under the age of 18 years, respectively.

Wisconsin Statute Sections

- §940.225(1) First Degree Sexual Assault;
- §940.225(2) Second Degree Sexual Assault;
- §940.225(3) Third Degree Sexual Assault;
- §940.22(2) Sexual Exploitation by Therapist;
- §940.30 False Imprisonment - victim was minor and not the offender's child;
- §940.31 Kidnaping - victim was minor and not the offender's child;
- §944.01 Rape (prior statute);
- §944.06 Incest;
- §944.10 Sexual Intercourse with a Child (prior statute);
- §944.11 Indecent Behavior with a Child (prior statute);
- §944.12 Enticing Child for Immoral Purposes (prior statute);
- §948.02(1) First Degree Sexual Assault of a Child;
- §948.02(2) Second Degree Sexual Assault of a Child;
- §948.05 Sexual Exploitation of a Child;
- §948.055 Causing a Child to View or Listen to Sexual Activity;
- §948.06 Incest with a Child;
- §948.07 Child Enticement;
- §948.08 Soliciting a Child for Prostitution;
- §948.095 Sexual Assault of a Student by School Instructional Staff;
- §948.11(2)(a) or (am) Exposing Child to Harmful Material - felony sections;
- §948.12 Possession of Child Pornography;
- §948.13 Convicted Child Sex Offender Working with Children;
- §948.30 Abduction of Another's Child;
- §971.17 Not Guilty by Reason of Mental Disease - of an included offense; and
- §975.06 Sex Crimes Law Commitment.

- (b) *Facility for children* means a public or private school, a *group home*, as defined in Wis. Stat. § 48.02(7); a *residential care center for children and youth*, as defined in Wis. Stat. § 48.02(15d); a *shelter care facility*, as defined in Wis. Stat. § 48.02(6); a *treatment foster home*, as defined in Wis. Stat. § 48.02(17q); a *day care center licensed under Wis. Stat. § 48.65*; a *day care program established under Wis. Stat. § 120.13(14)*; a *day care provider certified under Wis. Stat. § 48.651(m)*; or, a *youth center*, as defined in Wis. Stat. § 961.01(22).
- (c) *Offender* means a person who has been convicted of or has been found delinquent of or has been found not guilty by reason of disease or mental defect of a sexually violent offense and/or a crime against.
- (d) *Permanent residence* means a place where the person sleeps, abides, lodges or resides for 14 or more consecutive days.
- (e) *Sexually violent offense* shall have the meaning as set forth in Wis. Stat. § 980.01(6) as amended from time to time.
- (f) *Temporary residence* means a residence or premises meeting either of the following criteria:
 1. A place where the person sleeps, abides, lodges or resides for a period of 14 or more days in the aggregate during any calendar year and which is not that person's permanent residence as defined in (1)(d) above; or,
 2. A place where the person routinely sleeps, abides, lodges or resides for a period of four or more consecutive or non-consecutive days in any month and which is not that person's permanent residence as defined in (1)(d) above.
- (2) Residency restrictions.

An offender shall not reside within 1,000 feet of real property that supports upon which there exists any of the following uses:

- (a) Any facility for children;
- (b) A public park, parkway, parkland, park facility;
- (c) A public swimming pool;
- (d) A public library;
- (e) A recreational trail;
- (f) A public playground;
- (g) A school for children;
- (h) Athletic fields used by children;
- (i) A daycare center;
- (j) Any specialized school for children, including, but not limited to, a gymnastics academy, dance academy or music school; or,
- (k) Aquatic facilities open to the public.

(3) Measurement of distance. The distance shall be measured from the closest boundary line of the real property supporting the residence of an offender to the closest boundary line of

the real property that supports or upon which there exists any of the uses enumerated in (2) above.

(4) Residency restriction exceptions. An offender residing within 1,000 feet of real property that supports or upon which there exists any of the uses enumerated in (2) above does not commit a violation of this section if any of the following apply:

- (a) The offender is required to serve a sentence at a jail, prison, juvenile facility, or other correctional institution or facility.
- (b) The offender has established a permanent or temporary residence and reported and registered that residence pursuant to Wis. Stat. § 301.45 prior to the effective date of this section.
- (c) The use enumerated in (2) above began after the offender established a permanent or temporary residence and reported and registered that residence pursuant to Wis. Stat. § 301.45.
- (d) The offender is a minor or ward under guardianship.

(5) Original domicile restriction. Subject to (4) above, no offender shall be permitted to reside in the City of Wisconsin Dells, unless that person was domiciled in the City of Wisconsin Dells at the time of the most recent offense giving rise to that person's status as an offender.

(6) Child Safety Zones.

No offender shall enter or be present upon any real property that supports or upon which there exists any facility used for or that supports any one or more of the following uses:

- (a) Any facility for children;
- (b) A public park, parkway, parkland, park facility;
- (c) A public swimming pool;
- (d) A public library;
- (e) A recreational trail;
- (f) A public playground;
- (g) A school for children;
- (h) Athletic fields used by children;
- (i) A daycare center;
- (j) Any specialized school for children, including, but not limited to, a gymnastics academy, dance academy or music school; or,
- (k) Aquatic facilities open to the public.

(7) Child safety zone exceptions. An offender does not commit a violation of (6) above, and may be allowed on the property used for or supporting a use enumerated in (6) above if any of the following apply:

- (a) The property used for or supporting a use enumerated in (6) above also supports a church, synagogue, mosque, temple or other house of religious worship (collectively "church"), subject to all of the following conditions:
 - 1. The offender's entrance and presence upon the property occurs only during hours of worship or other religious program/service as posted to the public; and,

2. The offender sends advance written notice to an individual designated by the church to be in charge and receives advance approval from that individual allowing the offender's attendance; and,
 3. The offender shall not participate in any religious education programs which include individuals under the age of 18.
- (b) The property used for or supporting a use enumerated in (6) above also supports a use lawfully attended by an offender's natural or adopted child, which child's use reasonably requires the attendance of the offender as the child's parent upon the property, subject to all of the following conditions:
1. The offender's entrance and presence by the offender upon the property occurs only during hours of activity related to the use as posted to the public; and,
 2. The offender sends advance written notice to an individual designated by the property owner to be in charge of the property's enumerated use, and receives advance approval from that individual allowing the offender's attendance.
- (c) The property used for or supporting a use enumerated in (6) above also supports a polling location in a local, state or federal election; subject to all of the following conditions:
1. The offender is eligible to vote;
 2. The designated polling place for the person is an enumerated use; and,
 3. The offender enters the polling place, proceeds to cast a ballot with whatever usual and customary assistance is provided to any member of the electorate, and vacates the property immediately after voting.
- (d) The property used for or supporting a use enumerated in (6) above also supports an elementary or secondary school lawfully attend by an offender as a student, subject to the condition that the offender may only enter upon the property supporting the school at which the person is enrolled for such purposes and at such times as are reasonably required for the educational purposes of the school.
- (8) Penalties and Remedies.
- (a) *Forfeitures.* Any person found guilty of violating this section shall be subject to a forfeiture as provided in section 30.04 of this code. Each violation and each day a violation continues or occurs shall constitute a separate offence. Neither the issuance of a citation nor the imposition of forfeiture hereunder shall preclude the City from seeking or obtaining any or all other legal and equitable remedies to prevent or remove a violation of this section.
- (b) *Injunction.*
1. *Violation of residency restrictions.* If an offender establishes a permanent or temporary residence in violation of subsection (2) above, the Chief of Police may refer the matter to the City attorney. The referral shall include a written determination by the Chief of Police that, upon all of the facts and circumstances and the purpose and intent of this section, such violation interferes substantially with the comfortable enjoyment of life, health, safety of another or others. Upon

such referral, the City attorney may bring an action in the name of the City to permanently enjoin such residency as a public nuisance.

2. *Violation of child safety zones.* If an offender violates subsection (6) above, more than once in any twelve-month period, the Chief of Police may refer the matter to the City attorney. The referral shall include written determination by the Chief of Police that, upon all of the facts and circumstances and the purpose and intent of this section, such violation interferes substantially with the comfortable enjoyment of life, health, safety of another or others. Upon such referral, the City attorney may bring an action in the name of the City to permanently enjoin such residency as a public nuisance.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 9.

Ald. Mor seconded the motion. Upon roll call vote the motion carried unanimously. Mayor Landers declared Ordinance No. A-714 adopted and in full force upon publication scheduled for January 25, 2012.

22. Ald. Holzem introduced and moved for adoption the first reading of the following Ordinance:

**ORDINANCE NO. A-715
(Zoning Code Amendment)**

The City of Wisconsin Dells, Columbia, Sauk, Juneau and Adams Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

To allow Land Use 3.4 – Residence, Multi-Family, as a Conditionally Permitted Use in the C-4 Zoning District.

SECTION II: PROVISIONS AMENDED

Exhibit 5-1 Principal Uses by District is amended.

SECTION III: PROVISIONS AS AMENDED

Exhibit 5-1 Principal Uses by District is amended to reflect Residence, Multi-Family as a Conditionally Permitted Use in the C-4 Zoning District.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VII:

This ordinance becomes a part of Wisconsin Dells Code, Chapter 19.

Ald. Mor seconded the motion. Upon roll call vote the motion carried 6-0. Mayor Landers declared the first reading of Ordinance No. A-715 adopted. It was moved by Ald. Mor seconded by Ald. Murray to suspend the rules in order to adopt the second reading of this ordinance. Upon roll call vote the motion carried 6-0. Ald. Mor introduced and moved for adoption the second reading of Ordinance No A-715. Motion was seconded by Ald. Holzem. Upon roll call vote the motion carried 6-0. Mayor Landers declared Ordinance No. A-715 adopted and in full force after publication scheduled for January 25, 2012.

23. Ald. Mor introduced and moved for adoption the first reading of the following Ordinance:

ORDINANCE NO. A-716
(Rapid Entry Key Lock Box)

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance requires the installation of rapid entry key lock boxes in specified structures. It authorizes the Fire Chief to designate the system to be used and issue rules and policies to implement this ordinance.

SECTION II: PROVISION CREATED

Wisconsin Dells Code sec. 9.09 is created.

SECTION III: PROVISION AS CREATED

9.09 Rapid Entry Key Lock Box.

- (1) All structures constructed after the adoption of this ordinance that fall into the following categories shall be equipped with a rapid entry key lock box at or near the main entrance or such other location required by the Fire Chief or designee:
 - (a) Commercial or industrial structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency;
 - (b) Multi-family residential structures including senior citizen apartment/condo complexes that have restricted access through locked doors and have a common corridor for access to the living units; and
 - (c) Commercial and industrial buildings identified by fire officials as difficult to access during emergencies.
 - (d) Any building or structure having on-site 24 hour security personnel may be exempt from the requirement of this section at the discretion of the Fire Chief.
- (2) All newly constructed structures subject to this section shall have the key lock box installed and operational prior to the issuance of any occupancy permit.
- (3) The Fire Chief shall designate the type of key lock box system to be implemented within the City or fire service area and shall have the authority to require all structures to use the designated system.
- (4) The owner or operator of a structure required to have a key lock box shall keep the following keys in the lock box. All keys shall be clearly identified as to what they open.
 - (a) Locked points of access in the exterior of the buildings or facility.
 - (b) Locked points of access to common areas, such as hallways or utility rooms, contained within such buildings or facilities.
 - (c) Locked mechanical rooms.
 - (d) Locked electrical rooms.
 - (e) All other locked areas, other than individual apartments or rented rooms, as directed by the Fire Chief.

- (f) Lock box shall contain an index card with contact names and telephone numbers.
- (5) The fire chief is authorized to promulgate rules and regulations for the implementation of the lock box system.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII

This ordinance becomes a part of Wisconsin Dells Code, Chapter 9.

Motion seconded by Ald. Murray. Upon roll call vote the motion carried 6-0. Mayor Landers declared the first reading of Ordinance No. A-716 adopted.

- 24. There were no items for referral.
- 25. Motion by Ald. Wojnicz seconded by Ald. Mor to adjourn. Motion carried unanimously and the meeting adjourned at 7:45PM

Nancy R. Holzem
Admin. Deputy Clerk/Treasurer
Distributed: January 19, 2012
Published: January 25, 2012

**RESOLUTION DESIGNATING TAX INCREMENTAL DISTRICT NO. 3
AS A DISTRESSED TAX INCREMENTAL DISTRICT;
AND APPROVING AMENDMENT #2 TO THE PROJECT PLAN
FOR TAX INCREMENTAL DISTRICT NO. 3
CITY OF WISCONSIN DELLS, WISCONSIN**

WHEREAS, In May of 2005, the City of Wisconsin Dells created Tax Incremental District No. 3 (TID No. 3 or the "District") for the purpose of promoting mixed-use development in accordance with Wisconsin Statutes Section 66.1105 (2)-(cm); and

WHEREAS, In July of 2006, the City amended the boundaries and the Project Plan of TID No. 3 to encourage additional development and provide for additional projects; and

WHEREAS, the value increment in the District has declined by 32.14% since the District's highest value increment as determined by the Wisconsin Department of Revenue; and

WHEREAS, The Legislature in 2010 created (and in 2011 amended) Section 66.1105 (4e) of the Wisconsin Statutes to authorize a city to designate a tax incremental district meeting certain criteria as a severely distressed tax incremental district; and

WHEREAS, TID No. 3 meets the severely distressed tax incremental district criteria identified in Section 66.1105 (4e); and

WHEREAS, the Common Council, scheduled, gave public notice of, and on January 16, 2012, held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed designation of TID No. 3 as a severely distressed tax incremental district; and

WHEREAS, prior to its publication, the Common Council sent a copy of the notice of the public hearing to the Adams County Board Chair, the President of Madison Area Technical College District, (the other entities having the power to levy taxes on property located within the proposed District) and the board of education of the School District of Wisconsin Dells (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the Common Council after due consideration following said public hearing, determined that the Tax Incremental District No. 3 should be designated as a severely distressed tax incremental district; and

WHEREAS, Section 66.1105 (4e) (3) of the Wisconsin Statutes requires that the Plan Commission amend the District's Project Plan under sub. (4) (h) 1 to reflect the District's severely distressed status; and

WHEREAS, the Plan Commission, after completing preliminary planning work, scheduled, gave public notice of, and on January 11, 2012, held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed amendment to the project plan for Tax Incremental District No. 3, and

WHEREAS, prior to its publication, the Plan Commission sent a copy of the notice of the public hearing to the Adams County Board Chair, the President of Madison Area Technical College District, (the other entities having the power to levy taxes on property located within the proposed District) and the board of education of the School District of Wisconsin Dells (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the Plan Commission after due consideration following the said public hearing, determined that the Tax Incremental District No. 3 should be amended to reflect the District's severely distressed status; and

WHEREAS, the Plan Commission has prepared a project plan for amending Tax Incremental District No. 3, attached as Exhibit A, in accordance with Wisconsin Statutes 66.1105 (4) (f); and

WHEREAS, said project plan contains a financial analysis which demonstrates that anticipated revenues from Tax Incremental District No. 3 are insufficient to pay for the project costs incurred during the life of the District; and

WHEREAS, the Plan Commission recommends that the Common Council adopt a resolution approving Amendment #2 to the Project Plan for Tax Incremental District No. 3, City of Wisconsin Dells, Wisconsin, and thereby formally amend the District's Project Plan to reflect the District's severely distressed status in accordance with the provisions of the Tax Increment Law;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Wisconsin Dells:

1. That the Common Council finds that the project costs incurred with regard to Tax Incremental District No.3 exceed the amount of revenues from all sources that the City expects the District to generate to pay off such project costs during the life of the District;
2. That the Common Council further finds that Tax Incremental District No. 3 was created prior to October 1, 2008, and the Common Council has not approved an amendment to the Tax Incremental District's Project Plan after October 1, 2009;

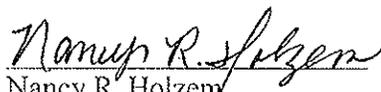
3. That the Common Council finds that increment values in Tax Incremental Financing District No. 3 have declined by at least 25% from the District's highest value increment as determined by the Wisconsin Department of Revenue;
4. That the Common Council hereby designates Tax Incremental Financing District No. 3 as a severely distressed tax incremental financing district in accordance with Section 66.1105 (4e) of Wisconsin Statutes;
5. That the Common Council approves Amendment #2 to the Project Plan for Tax Incremental District No. 3, City of Wisconsin Dells, Wisconsin, and thereby formally amends the District's Project Plan to reflect the District's severely distressed status in accordance with the provisions of the Tax Increment Law;
6. That the Common Council finds that the project plan, as amended, is feasible and in conformity with the Master Plan of the City; and,
7. That the City Clerk is hereby authorized and directed to provide the Wisconsin Department of Revenue and the Joint Review Board with copies of this resolution.

Adopted this 16th day of January, 2012



Brian L. Landers
Mayor

Attest:



Nancy R. Holzem
City Clerk



Project Plan for Amendment #2 of Tax Incremental District No. 3 in the City of Wisconsin Dells



Public Hearing Held: January 11, 2012

Adopted by Plan Commission: January 11, 2012

Adopted by City Council: January 16, 2012

Approved by Joint Review Board:

Draft Dated

January 16, 2012

City of Wisconsin Dells, Wisconsin

City of Wisconsin Dells Elected Officials

Jesse DeFosse
Brian Holzem
Debbie Kinder
Darrel Mor
David Murray
Ed Wojnicz

City of Wisconsin Dells Plan Commission

Mayor Brian Landers
Jesse DeFosse
Chris Tollaksen
Tory Wolfram
Shaun Tofson
Dan Anchor
Mike Warnke
Chris Lechnir

City of Wisconsin Dells Joint Review Board

Mayor Brian Landers
Brent Stowell
John West
Robert Clyman
John Alt



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I. Background and Introduction

In May of 2005, the City of Wisconsin Dells created Tax Incremental District Number 3 (TID No. 3 or “the District”) for the purpose of promoting mixed-use development in accordance with Wisconsin Statutes Section 66.1105(2) (cm). The primary purpose of TID No. 3 is to provide for the expansion of the City’s tax base and employment opportunities by encouraging development of a water park, conference center and banquet facilities at the Chula Vista Resort and condominiums on and adjacent to the Chula Vista property.

On July 19, 2006, the City amended TID No. 3. This amendment significantly expanded the boundaries of TID No. 3 to include additional developed and undeveloped properties in the City’s downtown and an area south of downtown.

As contemplated in the original and amended project plans, the City undertook numerous projects designed to encourage mixed use development primarily related to the Chula Vista development.

Significant development occurred in the District from 2005 through 2008. As of January 1, 2009, the increment value of the District was \$110,073,500. The increment value has declined significantly in each of the last three years. The most recent (January 1, 2011) increment value is \$74,411,700, which represents a cumulative decline of 32.14%. As a result, it is now anticipated that TID No. 3 revenues will be insufficient to pay off TID No. 3 project costs during the life of the District.

The City, therefore, desires to designate Tax Increment District No. 3 as “severely distressed” in accordance with Wisconsin Statutes Section 66.1105 (4e) and amend the project plan to reflect the District’s severely distressed status.



II. Severely Distressed TID Requirements

A number of tax increment districts throughout the State have been negatively impacted by national economic conditions and face the possibility that revenues will be insufficient to pay for TID-related project cost. In recognition of this fact the Legislature in 2010 created (and in 2011 amended) Section 66.1105 (4e) of the Wisconsin State Statutes to authorize communities to declare a TID to be “distressed” or “severely distressed.” Once a TID has been determined to be distressed, the community can increase the possibility that such a TID would have sufficient revenues by authorizing an extension of time for the TID to collect increment revenues and sharing revenues from more successful TIDs.

In order to be considered to be severely distressed the TID must meet the following requirements:

- The TID must have been created prior to October 1, 2008.
- The TID must not have amended the TID project plan after October 1, 2009 (except an amendment to reflect the District’s distressed status).
- Revenues must be insufficient to repay project costs.
- The increment value in the TID must have declined by at least 25% from the District’s highest increment value.

As previously indicated, TID No. 3 was created in 2005 and was amended in 2006 (no subsequent amendments have been made to date) and as will be demonstrated in this report, anticipated revenues are insufficient to repay project costs. Additionally, the increment value declined by more than 25% from the District’s highest increment value.

In order to be designated as a distressed or severely distressed TID, the following procedural steps must be taken:

- After conducting a public hearing the City must adopt a resolution with the finding that anticipated revenues are insufficient to pay project costs during the life of the district.
- The City must take all appropriate steps necessary to amend the TID project to reflect the TID’s distressed status including a public hearing and approval by the Plan Commission, City Council and Joint Review Board.



III. Financial Analysis

In order to provide the funding necessary to encourage development through projects identified in the original and amended project plans, the City borrowed funds as follows:

Obligation	Amount
2005 CDA Lease Revenue Bonds	\$ 11,400,000
2006 CDA Lease Revenue Bonds	15,900,000
2007 CDA Lease Revenue Bonds	5,100,000
2008 CDA Lease Revenue Bonds	1,730,000

The payments required for each of these debt issues are shown on Page 4.

As shown on Page 5, assuming no changes in increment values or tax rates going forward, TID No. 3 will generate \$1,924,800 in increment revenues each year.

Page 6 shows the total revenue available from all sources compared with the outstanding TID related debt. The numbers indicate that TID No. 3 would not be able to repay its current obligations and would owe \$7,839,803 at the end of its projected life.

When a TID has been declared severely distressed, the Statutes allow the City to take two actions to help the TID: 1) The TID can receive excess revenues from a more successful TID, and 2) the life of the District can be extended for up to 40 years after the TID was created (2045). Page 7 shows the impact of extending the life of the District by an additional 20 years. By extending the life of the District, TID No. 3 will be able to repay its obligations. Page 8 graphically shows the TID fund balance over the extended time. Page 9 shows the annual cash flow.



Existing TID No. 3 Debt Schedules

Year	2005 CDA		2006 CDA		2007 CDA		2008 CDA		Total	
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
2006	--	491,025	--	232,250	--	--	--	--	723,275	723,275
2007	--	491,025	--	696,750	--	--	--	--	1,187,775	1,187,775
2008	--	491,025	--	696,750	--	185,679	--	--	1,373,454	1,373,454
2009	200,000	487,725	100,000	695,000	200,000	199,675	--	84,245	1,466,645	1,966,645
2010	300,000	479,250	400,000	686,050	250,000	191,800	50,000	78,168	1,435,268	2,435,268
2011	350,000	467,775	500,000	669,600	300,000	182,025	100,000	75,605	1,395,005	2,645,005
2012	400,000	454,075	600,000	648,950	300,000	171,150	100,000	71,980	1,346,155	2,746,155
2013	450,000	438,125	700,000	623,900	300,000	160,200	100,000	68,105	1,290,330	2,840,330
2014	500,000	419,825	800,000	594,250	300,000	149,175	100,000	64,055	1,227,305	2,927,305
2015	550,000	399,075	900,000	559,800	300,000	138,000	100,000	59,905	1,156,780	3,006,780
2016	600,000	375,625	1,000,000	520,350	300,000	126,675	100,000	55,605	1,078,255	3,078,255
2017	650,000	349,200	1,000,000	477,850	300,000	115,125	105,000	51,043	993,218	3,048,218
2018	700,000	319,825	1,000,000	434,350	300,000	103,275	110,000	46,095	903,545	3,013,545
2019	750,000	287,738	1,000,000	389,850	300,000	91,125	115,000	40,750	809,463	2,974,463
2020	800,000	253,050	1,100,000	341,350	300,000	78,675	120,000	35,050	708,125	3,028,125
2021	850,000	215,925	1,200,000	287,100	300,000	66,000	125,000	28,985	598,010	3,073,010
2022	1,000,000	174,300	1,250,000	229,475	300,000	53,175	130,000	22,578	479,528	3,159,528
2023	1,050,000	127,650	1,350,000	169,050	325,000	39,494	135,000	15,853	352,046	3,212,046
2024	1,100,000	78,200	1,450,000	104,650	350,000	24,475	140,000	8,805	216,130	3,256,130
2025	1,150,000	26,450	1,550,000	35,650	375,000	8,344	100,000	2,600	73,044	3,248,044
Total	11,400,000	6,826,888	15,900,000	9,092,975	5,100,000	2,084,067	1,730,000	809,425	34,130,000	18,813,355
										52,943,355



Tax Increment District No. 3

Historic and Projected Growth

Base Year:	2005
Base Value:	\$19,469,800
Assumed Inflation Rate:	0%

	Construction Year	Jan. 1 Valuation	Revenue Collection	Inflation	New Increment	Total Increment	Tax Rate	TID Revenues
1	2005	2006	2007		26,109,000	26,109,000	21.66	565,542
2	2006	2007	2008		58,774,300	84,883,300	21.36	1,812,715
3	2007	2008	2009		25,190,200	110,073,500	21.67	2,384,871
4	2008	2009	2010		(6,030,800)	104,042,700	22.58	2,349,468
5	2009	2010	2011		(17,032,600)	87,010,100	25.37	2,207,021
6	2010	2011	2012		(12,598,400)	74,411,700	25.87	1,924,820
7	2011	2012	2013			74,411,700	25.87	1,924,820
8	2012	2013	2014			74,411,700	25.87	1,924,820
9	2013	2014	2015			74,411,700	25.87	1,924,820
10	2014	2015	2016			74,411,700	25.87	1,924,820
11	2015	2016	2017			74,411,700	25.87	1,924,820
12	2016	2017	2018			74,411,700	25.87	1,924,820
13	2017	2018	2019			74,411,700	25.87	1,924,820
14	2018	2019	2020			74,411,700	25.87	1,924,820
15	2019	2020	2021			74,411,700	25.87	1,924,820
16	2020	2021	2022			74,411,700	25.87	1,924,820
17	2021	2022	2023			74,411,700	25.87	1,924,820
18	2022	2023	2024			74,411,700	25.87	1,924,820
19	2023	2024	2025			74,411,700	25.87	1,924,820
20	2024	2025	2026			74,411,700	25.87	1,924,820
						Total		38,191,919



Tax Incremental District No. 3

Existing Financing Plan

Collection Year	TID No. 3 Revenues		Capitalized Interest		Est. DSRF Interest		Total TID No. 3 Debt		Annual (Deficit)/Surplus	Revenue Balance		Debt Balance	
	TID No. 3 Revenues	Capitalized Interest	Capitalized Interest	Est. DSRF Interest	Principal	Interest	Total	Revenue Balance		Debt Balance			
2005	--	--	--	3,800	--	--	--	--	3,800	3,800	34,130,000		
2006	--	723,275	723,275	22,000	--	723,275	723,275	22,000	22,000	25,800	34,130,000		
2007	565,542	1,187,775	1,187,775	28,920	--	1,187,775	1,187,775	594,462	594,462	620,262	34,130,000		
2008	1,812,715	942,263	942,263	32,752	--	1,373,454	1,373,454	1,414,275	1,414,275	2,034,537	34,130,000		
2009	2,384,871	--	--	33,939	500,000	1,466,645	1,966,645	452,164	452,164	2,486,701	33,630,000		
2010	2,349,468	--	--	33,939	1,000,000	1,435,268	2,435,268	(51,861)	(51,861)	2,434,840	32,630,000		
2011	2,207,021	--	--	33,939	1,250,000	1,395,005	2,645,005	(404,045)	(404,045)	2,030,795	31,380,000		
2012	1,924,820	--	--	33,939	1,400,000	1,346,155	2,746,155	(787,396)	(787,396)	1,243,399	29,980,000		
2013	1,924,820	--	--	33,939	1,550,000	1,290,330	2,840,330	(881,571)	(881,571)	361,828	28,430,000		
2014	1,924,820	--	--	33,939	1,700,000	1,227,305	2,927,305	(968,546)	(968,546)	(606,718)	26,730,000		
2015	1,924,820	--	--	33,939	1,850,000	1,156,780	3,006,780	(1,048,021)	(1,048,021)	(1,654,739)	24,880,000		
2016	1,924,820	--	--	33,939	2,000,000	1,078,255	3,078,255	(1,119,496)	(1,119,496)	(2,774,235)	22,880,000		
2017	1,924,820	--	--	33,939	2,055,000	993,218	3,048,218	(1,089,458)	(1,089,458)	(3,863,693)	20,825,000		
2018	1,924,820	--	--	33,939	2,110,000	903,545	3,013,545	(1,054,786)	(1,054,786)	(4,918,479)	18,715,000		
2019	1,924,820	--	--	33,939	2,165,000	809,463	2,974,463	(1,015,703)	(1,015,703)	(5,934,183)	16,550,000		
2020	1,924,820	--	--	33,939	2,320,000	708,125	3,028,125	(1,069,366)	(1,069,366)	(7,003,549)	14,230,000		
2021	1,924,820	--	--	33,939	2,475,000	598,010	3,073,010	(1,114,251)	(1,114,251)	(8,117,800)	11,755,000		
2022	1,924,820	--	--	33,939	2,680,000	479,528	3,159,528	(1,200,768)	(1,200,768)	(9,318,568)	9,075,000		
2023	1,924,820	--	--	33,939	2,860,000	352,046	3,212,046	(1,253,287)	(1,253,287)	(10,571,855)	6,215,000		
2024	1,924,820	--	--	33,939	3,040,000	216,130	3,256,130	(1,297,371)	(1,297,371)	(11,869,226)	3,175,000		
2025	1,924,820	--	--	3,427,826	3,175,000	73,044	3,248,044	2,104,603	2,104,603	(9,764,624)	--		
2026	1,924,820	--	--	--	--	--	--	1,924,820	1,924,820	(7,839,803)	--		
Total	38,191,919		18,813,355		34,130,000	18,813,355	52,943,355						



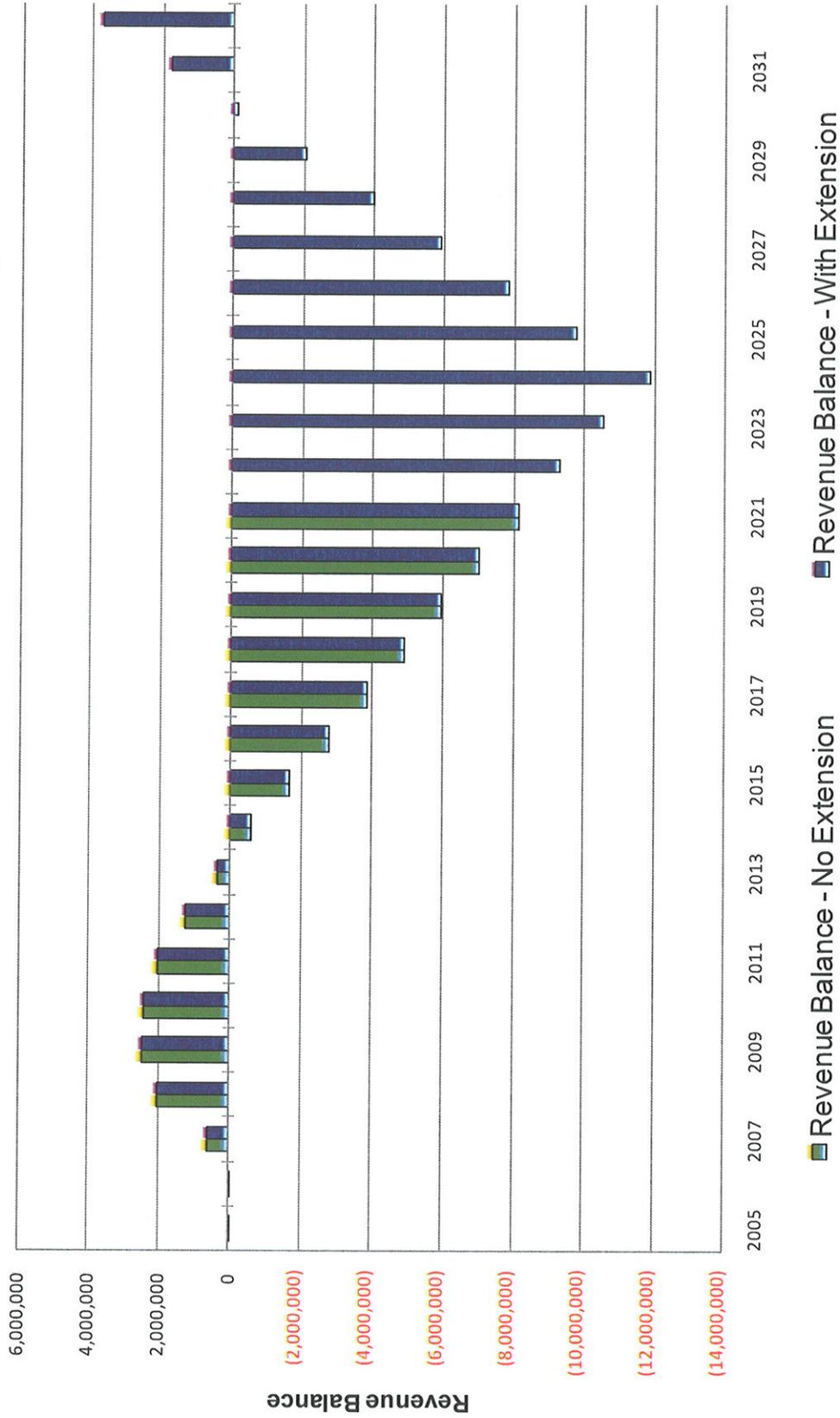
Tax Incremental District No. 3

DISTRESSED Financing Plan

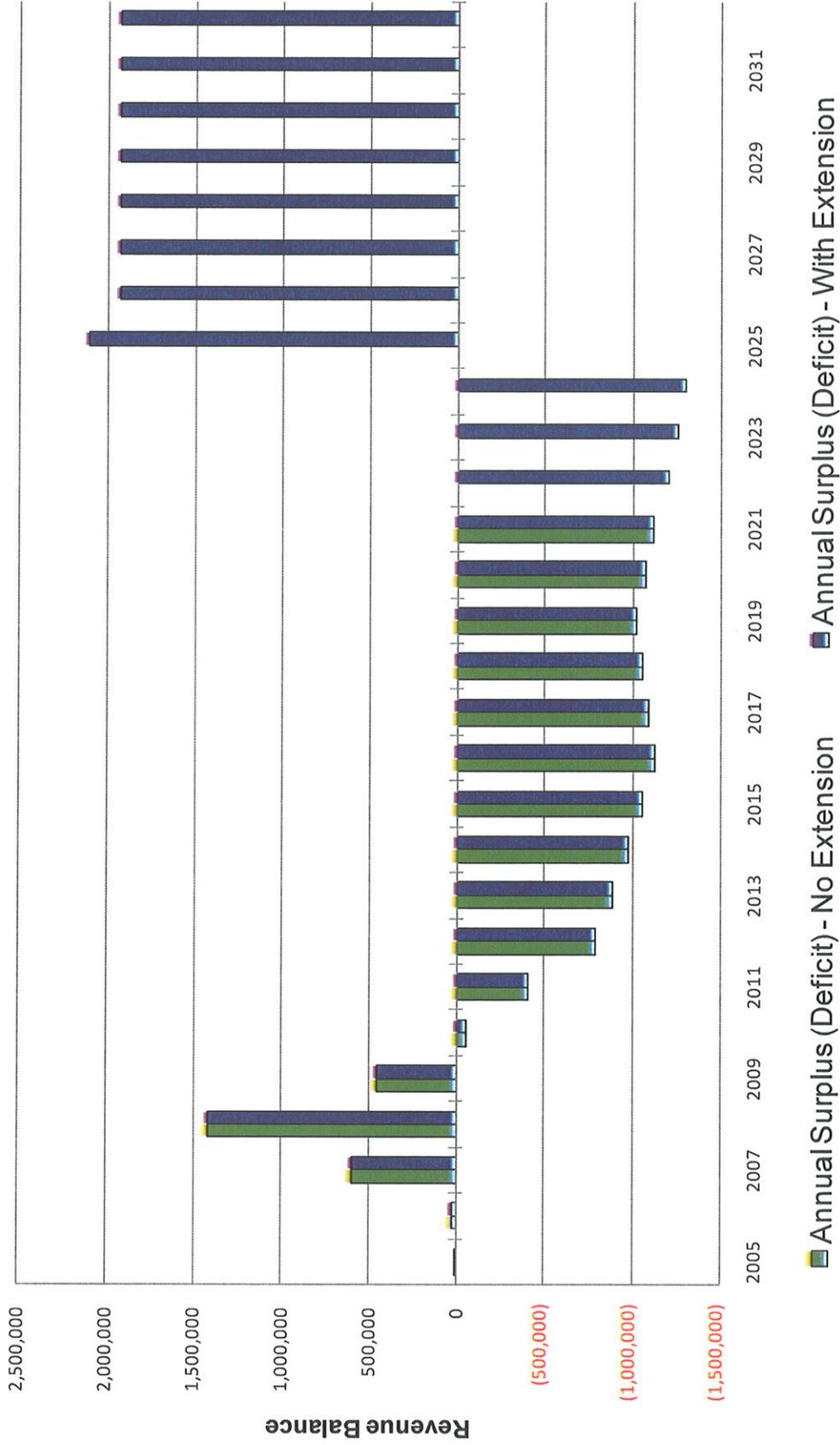
Collection Year	TID No. 3 Revenues	Capitalized Interest	Est. DSRF Interest	Total TID No. 3 Debt			Annual (Deficit)/Surplu	Revenue Balance	Debt Balance
				Principal	Interest	Total			
2005	--	--	3,800	--	--	--	3,800	3,800	34,130,000
2006	--	723,275	22,000	--	723,275	723,275	22,000	25,800	34,130,000
2007	565,542	1,187,775	28,920	--	1,187,775	1,187,775	594,462	620,262	34,130,000
2008	1,812,715	942,263	32,752	--	1,373,454	1,373,454	1,414,275	2,034,537	34,130,000
2009	2,384,871	--	33,939	500,000	1,466,645	1,966,645	452,164	2,486,701	33,630,000
2010	2,349,468	--	33,939	1,000,000	1,435,268	2,435,268	(51,861)	2,434,840	32,630,000
2011	2,207,021	--	33,939	1,250,000	1,395,005	2,645,005	(404,045)	2,030,795	31,380,000
2012	1,924,820	--	33,939	1,400,000	1,346,155	2,746,155	(787,395)	1,243,399	29,980,000
2013	1,924,820	--	33,939	1,550,000	1,290,330	2,840,330	(881,571)	361,828	28,430,000
2014	1,924,820	--	33,939	1,700,000	1,227,305	2,927,305	(968,546)	(506,718)	26,730,000
2015	1,924,820	--	33,939	1,850,000	1,156,780	3,006,780	(1,048,021)	(1,654,739)	24,880,000
2016	1,924,820	--	33,939	2,000,000	1,078,255	3,078,255	(1,119,496)	(2,774,235)	22,880,000
2017	1,924,820	--	33,939	2,055,000	993,218	3,048,218	(1,089,458)	(3,863,693)	20,825,000
2018	1,924,820	--	33,939	2,110,000	903,545	3,013,545	(1,054,786)	(4,918,479)	18,715,000
2019	1,924,820	--	33,939	2,165,000	809,463	2,974,463	(1,015,703)	(5,934,183)	16,550,000
2020	1,924,820	--	33,939	2,320,000	708,125	3,028,125	(1,069,366)	(7,003,549)	14,230,000
2021	1,924,820	--	33,939	2,475,000	598,010	3,073,010	(1,114,251)	(8,117,800)	11,755,000
2022	1,924,820	--	33,939	2,680,000	479,528	3,159,528	(1,200,768)	(9,318,568)	9,075,000
2023	1,924,820	--	33,939	2,860,000	352,046	3,212,046	(1,253,287)	(10,571,855)	6,215,000
2024	1,924,820	--	33,939	3,040,000	216,130	3,256,130	(1,297,371)	(11,869,226)	3,175,000
2025	1,924,820	--	3,427,826	3,175,000	73,044	3,248,044	2,104,603	(9,764,624)	--
2026	1,924,820	--	0	--	--	--	1,924,820	(7,839,803)	--
2027	1,924,820	--	0	--	--	--	1,924,820	(5,914,983)	--
2028	1,924,820	--	0	--	--	--	1,924,820	(3,990,163)	--
2029	1,924,820	--	0	--	--	--	1,924,820	(2,065,343)	--
2030	1,924,820	--	0	--	--	--	1,924,820	(140,523)	--
2031	1,924,820	--	0	--	--	--	1,924,820	1,784,297	--
2032	1,924,820	--	0	--	--	--	1,924,820	3,709,118	--
2033	1,924,820	--	0	--	--	--	1,924,820	5,633,938	--
2034	1,924,820	--	0	--	--	--	1,924,820	7,558,758	--
2035	1,924,820	--	0	--	--	--	1,924,820	9,483,578	--
2036	1,924,820	--	0	--	--	--	1,924,820	11,408,398	--
2037	1,924,820	--	0	--	--	--	1,924,820	13,333,218	--
2038	1,924,820	--	0	--	--	--	1,924,820	15,258,038	--
2039	1,924,820	--	0	--	--	--	1,924,820	17,182,859	--
2040	1,924,820	--	0	--	--	--	1,924,820	19,107,679	--
2041	1,924,820	--	0	--	--	--	1,924,820	21,032,499	--
2042	1,924,820	--	0	--	--	--	1,924,820	22,957,319	--
2043	1,924,820	--	0	--	--	--	1,924,820	24,882,139	--
2044	1,924,820	--	0	--	--	--	1,924,820	26,806,959	--
2045	1,924,820	--	0	--	--	--	1,924,820	28,731,780	--
2046	1,924,820	--	0	--	--	--	1,924,820	30,656,600	--
Total	76,688,322			34,130,000	18,813,355	52,943,355			



TID No. 3 Revenue Balance after Making Scheduled Debt Service Payments



TID No. 3 Annual Cash Flow after Making Scheduled Debt Service Payments



IV. City Attorney Opinion

Opinion of the attorney for the City advising whether the plan is complete and complies with Wisconsin Statutes, Section 66.1105

SAMPLE

December 20, 2011

City of Wisconsin Dells
300 La Crosse St
Wisconsin Dells, WI 53965

SUBJECT: Project Plan for Amendment #2 of Tax Incremental
District No. 3 of the City of Wisconsin Dells, Wisconsin

Ladies and Gentlemen:

We have acted as counsel to the City of Wisconsin Dells, Wisconsin (the "City") in connection with the proposed Amendment #2 of Tax Incremental District No. 3 of the City (the "District") and the preparation of the project plan for the District (the "Project Plan").

In this connection, we have reviewed the Project Plan, the law and such other documents as we deem necessary to enable us to give this opinion. We have relied on the statements of fact set forth in the Project Plan and the documents attached as exhibits to the Project Plan, without independent verification. We have not been engaged or undertaken to verify the reasonableness or accuracy of the assumptions, estimates or financial projections contained in the Project Plan and express no opinion relating thereto.

Based on our review, it is our opinion that the Project Plan is complete and complies with Section 66.1105(4) (f) of the Wisconsin Statutes.

Very truly yours,



**RESOLUTION APPROVING AN AMENDMENT #2 TO THE PROJECT PLAN
FOR TAX INCREMENTAL DISTRICT NO. 3
JOINT REVIEW BOARD OF THE CITY OF WISCONSIN DELLS**

WHEREAS, Tax Incremental District No. 3 meets the severely distressed tax incremental district criteria identified in Wisconsin Statutes, Section 66.1105(4e); and

WHEREAS, The City of Wisconsin Dells seeks to make an amendment to the Project Plan for Tax Incremental District No. 3 to reflect the District's severely distressed status; and

WHEREAS, Wisconsin Statutes, Section 66.1105 requires that a Joint Review Board shall convene to review the proposal; and

WHEREAS, the Joint Review Board consists of one representative chosen by the School District; one representative chosen by the Technical College District; and one representative chosen by the County, all of whom have the power to levy taxes on property within Tax Incremental District No. 3; and one representative chosen by the City and one Public Member; and

WHEREAS, on January 11, 2012, the Plan Commission of the City of Wisconsin Dells held a public hearing at which interested parties were afforded a reasonable opportunity to express their views on the proposed amendment to the Project Plan for Tax Incremental District No. 3; and

WHEREAS, on January 11, 2012, the Plan Commission of the City of Wisconsin Dells after due consideration following said public hearing, adopted a proposed Project Plan Amendment for Tax Incremental District No. 3; and

WHEREAS, on January 16, 2012, the Common Council of the City of Wisconsin Dells held a public hearing at which interested parties were afforded a reasonable opportunity to express their views on the designation of Tax Incremental District No. 3 as severely distressed; and

WHEREAS, on January 16, 2012, the Common Council of the City of Wisconsin Dells after due consideration following said public hearing, determined that Tax Incremental District No. 3 should be designated as a severely distressed tax incremental district; and

WHEREAS, on January 16, 2012, the Common Council of the City of Wisconsin Dells adopted a proposed Project Plan Amendment for Tax Incremental District No. 3; and

WHEREAS, the Joint Review Board has reviewed all the financial data that the local legislative body used in the adoption process; and

WHEREAS, the Joint Review Board has reviewed the Public Record, Planning Documents, and the resolutions passed by the local legislative body and Plan Commission under Subsection 66.1105 (4m) 4(b).

NOW THEREFORE, BE IT RESOLVED by the Joint Review Board of the City of Wisconsin Dells:

1. The Joint Review Board hereby approves the amendment to Tax Incremental District No. 3 in the City of Wisconsin Dells; and
2. The Joint Review Board hereby approves the proposed Project Plan Amendment for Tax Incremental District No. 3, reflecting the District's severely distressed status; and
3. The Joint Review Board positively asserts that in its judgment, the development described in the documents the board has reviewed, would not occur without the creation of a Tax Incremental District; and

Adopted this 24th day of January, 2012.

<u>Joint Review Board Member Signature</u>	<u>Representing</u>
_____	<u>City of Wisconsin Dells</u>
_____	<u>Wisconsin Dells School District</u>
_____	<u>Adams County</u>
_____	<u>Madison Area Technical College</u>
_____	<u>Public Member</u>