

**PLANNING COMMISSION MINUTES**  
Mayville City Hall, 15 S. School Street, Mayville, WI  
July 25, 2012

**1.) Call to Order and Roll Call.**

Meeting called to order at 5:30PM

Members Present: Dolores Neumeyer, David Pasbrig, Merlin Kahlhamer, Jerry Moede, Bob Smith, and Ron Henkel

Absent: DJ Legas

Others Present: (see attached sign in sheet)

**2.) Approve Agenda.**

Motion by Pasbrig, second by Smith to approve the agenda. Motion carried on a voice vote; no objections.

**3.) Approve the Minutes of the June 27, 2012, meeting.**

Motion by Smith, second by Pasbrig to approve the Minutes of the June 27, 2012 planning commission meeting. Motion carried on a voice vote; no objections; one member abstained (Henkel)

**4.) PUBLIC HEARING on Zoning Change Request for Parcel 251-1216-1414-005, 850 Mallard Drive, River Knoll Industrial Park, from M-2 General Manufacturing District to I-1 Institutional District.**

City Attorney Phil Eckert opened this portion of the meeting by stating the basic rules and guidelines for how the Public Hearing would be conducted; stressing that only factual statements may be made. People's opinions must be reserved for a public hearing which would be held at a City Council meeting.

Don Neitzel then stated that Phil Cosson of Ehlers and Associates was present to give a presentation on the current status of TID #3 and the possible impacts to TID #3 should this parcel be rezoned to I-1, Institutional District. Mr. Cosson began by stating that Ehlers and Associates provides financial consulting services to both the City of Mayville and Dodge County.

Mr. Cosson then handed out a 2012 Cash Flow Analysis Report for TID #3 that was prepared by Ehlers and Associates. Mr. Cosson stated that TID #3 was created in 1997 and has a 23 year life, thereby being set to close in 2020. He also stated that at least 50% of the land in TID #3 has to be zoned and operated for industrial use. Mr. Cosson then went on to review the report with the Planning Commission, pointing out that an equalized tax rate was assumed in their calculations for all future tax years. Based on Ehlers and Associates report, if the property were to be rezoned and sold to Dodge County for \$1.8 million dollars and a pilot payment was received in the amount of \$42,971 in lieu of the lost taxes for the remaining life of TID #3, the Cumulative Balance would be \$537,307. In contrast, if the building were not to be sold and remained on the tax roll, the Cumulative Balance would be \$541,286, which is \$3,979 more than if the building were to be rezoned to I-1 Institutional District and sold to Dodge County.

Dave Pasbrig asked Mr. Cosson if the City would receive any payment in lieu of taxes after TID #3 closes. Mr. Cosson stated that he is not the person to answer that question.

Bob Smith asked if TID #3 would still close out if the property were to be rezoned and sold to Dodge County. Mr. Cosson stated that TID #3 would close out if this were to happen.

Bob Smith also asked if there are any by-laws in regards to TID #3 and the possibility of rezoning this property to I-1, Institutional District. Mr. Cosson stated there are none in place, besides the requirement of at least 50% of the property being zoned and used for industrial purposes.

Bob Smith asked if Mr. Cosson has seen tax exempt properties prohibited from TIDs in other communities. Mr. Cosson replied that they have seen them prohibited in other community TIDs.

Mayor Moede then opened the floor to others in the audience that may have facts to present. City Attorney Phil Eckert once again reviewed the guidelines by which people may speak.

Attorney Charles Averbeck introduced himself as an attorney for M-6 Holdings LLC, who is the current owner of the property and requesting the property to be rezoned. Attorney Averbeck pointed out that by Dodge County Highway Department relocating their satellite office from its current location on Horicon Street in the middle of Mayville out to this parcel in the River Knoll Industrial Park, they would be much more harmonious with their neighbors and also provide more room for the highway department.

Attorney Averbeck also stated that by the County purchasing this property, they will be utilizing a currently under utilized facility in the City.

Attorney Averbeck stated that based upon Mr. Cosson's presentation he was happy to hear that there is not a substantial impact to the TID, should this property be rezoned.

Attorney Averbeck also stated that should this property be rezoned to I-1, Institutional District, that it would be exempt from taxes after the TID closes and he felt that it would not be good to deny the rezoning request based on a loss of tax revenue, because the City would be setting a precedent for future schools, churches, etc. that may want to develop in the City.

Mayor Moede stated that should this property be rezoned and following the closing of TID #3, the tax revenue that is lost from the property would fall back on the tax payers.

Dave Pasbrig asked if anyone else has expressed interest in this property to M-6 Holdings LLC. Attorney Averbeck stated that the City had provided M-6 Holdings LLC with the name of someone who was interested. This person was contacted by representatives of M-6 Holdings LLC and following their conversation, M-6 Holdings LLC felt they were not a potential buyer.

Bob Smith asked that if Dodge County purchased the property and M-6 Holdings LLC leases a portion of the property back from the County, what if any affects are there to the taxes. City attorney Phil Eckert stated that that the real estate taxes would not be affected, but that personnel property taxes would still stand.

Ron Henkel stated that he was a member of the Plan Commission when TID #3 was created and there was a lot of controversy with the creation of the TID at that time. He stated that the River Knoll Industrial Park has remained fairly empty for the last 14 years, but this TID and the Industrial Park was intended to be for new industry and the creation of new jobs. He didn't feel that the Plan Commission would be doing the citizens of Mayville justice by recommending approval of this rezoning petition.

Don Neitzel referred to page 1, the second paragraph of the TID #3 Project Plan that was approved in 1997. Mr. Neitzel handed this out to all Plan Commission members prior to the beginning of the meeting. He stated that this paragraph basically backs up what Mr. Henkel was just stated about the intention of TID #3.

Bob Smith stated that this is an unusual circumstance, because the City doesn't want to be averse to hosting governmental tax-exempt business, but the improvement for this is all ready there and this is why it is unique.

Ron Henkel stated that he agrees with Bob Smith, but TID #3 was created for industrial business and revenue. He also feels that there are other lots in the City of Mayville, where the City could possibly entertain this.

Brian Fields, Dodge County Highway Commissioner, stated that Dodge County is not the “big bad wolf” in this matter. Mr. Fields stated that he and other members of the Dodge County Highway Committee met with members of the City of Mayville staff well over a year ago to discuss potential sites for a new highway satellite office in the City. Mr. Fields then referred to an email and a city map he received about a year ago from the City listing some potential sites for this new facility. Mr. Fields also stated that this email contained information on the Schmid Pipeline property being a potential site as it might be for sale. He stated that that this email from the City basically invited the County to look at this property and led them to believe that this was a potential site as well.

Brian Fields pointed out that the County would utilize this facility as a multi-purpose building by incorporating the county emergency management facility in this building as well. He also stated that the County currently has two prospective buyers for their current facility on Horicon Street, so this could be occupied almost immediately rather than remaining vacant following a relocation by the County.

Ron Henkel stated that he doesn’t see the County as a “big bad wolf”, but feels that this property is not the right place for this.

Bob Smith stated that M-6 Holdings LLC and Dodge County are willing to pay a pilot payment for the remainder of the life of TID #3. Mr. Smith feels there is a resolution even though the County doesn’t want to pay taxes after TID #3 closes. Mr. Smith asked Phil Cosson if they see pilot payments from all different types of entities. Mr. Cosson stated that this true.

Mayor Moede asked Phil Cosson if he has seen tax-exempt businesses go into TID’s before. Phil Cosson stated that he has seen this happen before and cited fire, police, and ems facilities as examples.

Dolores Neumeyer asked that if this property were to be rezoned to I-1, Institutional District, would the City go back to all of the other tax-exempt agencies and rezone them to I-1, Institutional District.

Bob Smith stated that there are currently 7 places in the City that could have I-1, Institutional District zoning that were built following the creation of I-1 zoning, but are currently classified under another zoning category. He stated the City has the right to do this.

5.) **Consideration of Recommendation of Zoning Change Request for Parcel 251-1216-1414-005, 850 Mallard Drive, River Knoll Industrial Park, from M-2 General Manufacturing District to I-1 Institutional District.**

Motion by Henkel, second by Pasbrig to recommend to City Council by way of a written report by Don Neitzel, to deny the petition for rezoning. Following the motion, Mayor Moede asked if there was anymore discussion. Ron Henkel wanted to again state that he is not against I-1 development in the City, just not in this Industrial Park. Roll was called; Motion carried 4-2(Smith, Neumeyer); (1 absent).

6.) **Discussion of Next Meeting Date with Possible Action.**

The next Plan Commission meeting is scheduled for August 22, 2012 at 5:30 p.m.

7.) **Adjournment.**

Motion made by Kahlihamer, second by Neumeyer, to adjourn. Roll was called; Motion carried 6-0 (1 absent); Meeting adjourned at 6:37 p.m.

Minutes prepared by Don Neitzel

Please sign in.

- 1) Kathy Senter
- 2) Charlie Averbeck
- 3.) DAN LANGDON
- 4.) Sue McDaniel
- 5) Harold Johnson
- 6) Jeff Bunn
- 7) Dale Toellner
- 8) Lourdes Robson
- 9 Russell Kathe
- 10 Phil Gour
- 11) Harold Buchanan
- 12) Bob Redeker
- 13) Andrew Johnson
- 14) Jennifer Shute
- 15) Mike Hansen
- 16 DIANNE SLATER
17. John F. COREY - Dodge County
- 18 Jim Mielke - Dodge County
- 19 MARK FOX
- 20 Mike Schmidt
- 21 Pete Thompson
- 22 Brian Field

Project Plan  
Tax Incremental District No. 3  
City of Mayville, Wisconsin

STATEMENT OF KIND, NUMBER AND LOCATION OF PROPOSED PUBLIC WORKS

**1**

**T**ax Incremental District No. 3, City of Mayville (the "District") was created under authority of Wisconsin Statute 66.46 primarily to assist expansion of the tax base by providing public improvements necessary to promote industrial development. The boundaries of the District are defined on Appendix A attached hereto. The inducement is to pay a portion of the cost of needed roadway and utility improvements on property that will allow industrial development to take place. This new industry will increase the tax base and provide additional employment opportunities. A portion of the lands included in the district are lands currently owned by the City located north of the City's sewer treatment plant. Due to the demand for improved industrial sites in the City, this TIF District is being proposed to assist the City in creating the industrial park. The City is currently sold out of improved industrial park land.

The City of Mayville intends that tax incremental financing (TIF) will be used to assure that high quality industrial, distributor and related private development locates in this District. The goal is to provide and preserve employment opportunities within the City and promote growth and to provide rehabilitation and conservation of lands currently lacking adequate infrastructure, roadways, sewers and platting consistent with the City's Master Plan.

The following is a list of public work projects that the City expects to implement in conjunction with this District. Any costs directly or indirectly related to the public works are considered "project costs" and eligible to be paid with tax increment revenues of the tax incremental district.

- ▶ **ROADWAY EXTENSIONS AND IMPROVEMENTS AND ASSOCIATED UTILITY IMPROVEMENTS.** A number of roadway improvements are required in order to provide proper ingress and egress to and from the industrial park. This is essential to the effective marketing of land within the park and for the safety and convenience of residential and corporate citizens of the community residing or expecting to reside in or near the industrial park. The roadway improvements expected to be funded by the district also include Slag Road and Metal Craft Drive which are the primary access road to the proposed industrial park and improvements to the proposed Tews Drive. The costs are projected, unless directly connecting into the Industrial Park are prorated based on engineering estimates of the portion of the roadways traffic volume expected to be generated by the Industrial Park. Costs include any necessary Utility improvements within the roadway right of way or which may be undertaken in conjunction with the scheduling of the Roadway construction.