

**From:** [Dorothy](#)  
**To:** [Finance Committee](#)  
**Subject:** Agenda Items 9 & 10 - Legistar #78324 & #78325  
**Date:** Sunday, June 25, 2023 11:33:23 PM

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TO: The Finance Committee

From: Dorothy Borchardt - 12th district resident

Date: 6/26/23

RE: Agenda items 9 & 10

I'm requesting that the above items be referred to the Finance Committee's September meeting to give our 12th district alder time to hold public meetings with her constituents, so we have a voice at the table. We did not have an alder to represent us when the Lincoln Avenue Capital project was approved in December of 2022, now we do, and would like Alder Amani Latimer Burris to have the needed time to share information on the project to help insure there are no unintended consequences.

Thank you for your time and attention.

Dorothy Borchardt

**From:** [sluysb@aol.com](mailto:sluysb@aol.com)  
**To:** [Finance Committee](#)  
**Subject:** Agenda Items 9 and 10 - In Opposition  
**Date:** Sunday, June 25, 2023 5:05:24 PM  
**Attachments:** [FC\\_062523.pdf](#)

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Dear Finance Committee members,

Please find attached my comments related to agenda Items 9 and 10.

Thank you,

Beth Sluys  
District 18  
Northside Neighbor

To: City of Madison Finance Committee

From: Beth Sluys

Date: 6/25/2023

RE: Agenda Item 9, Legistar #78324      Agenda Item 10, Legistar #78325

Submitted in Opposition.

Each meeting we attend we see the following at the head of the meeting agenda:

“Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?”

To that end, I will try to answer these questions as it relates to these two agenda items:

#### **Q. Who Benefits?**

The redevelopment of highly contaminated land in the post-industrial Oscar Mayer corridor at 2007 Roth Street should not be allowed to proceed until a full site investigation takes place and the land cleaned up. This area has been designated a priority Brownfield area, and as such, should be thoroughly investigated and cleaned up prior to any of the land being disturbed. The only TID that should be considered for this property is an environmental remediation TID (ER TID).

The only people who benefit from this TID are the out of state investors in the two shell corporations that have been formed for the redevelopment of this priority Brownfield property. Why are we providing tax breaks via a TID to Lincoln Avenue Capitol? When they launched this entire redevelopment process, they claimed to have already secured WHEDA funding. No WHEDA funds have been granted. In fact, a spokesperson at WHEDA indicated that they are a little more cautious with funding right now due to what they are seeing at local WHEDA-funded affordable housing developments. Three facilities that are struggling are out of state owned, and horribly mismanaged and have been found to be nuisance properties by the city. In addition, WHEDA requires a Phase I environmental site assessment. No Phase I site assessment has been completed on Lots 1 and 2, where people will be living. We know that area is contaminated. The Hartmeyer family had it tested in 2019 and found high levels of toxic metals and chemicals. They sued Kraft Heinz to clean it up. It is the reason that Kraft Heinz bought the property. It was cheaper to settle out of court and buy it than test and clean it up.

TID #40 was in this area and was deemed “unsuccessful” and “closed” when discussing it with city planning staff. Why didn’t that TID flourish and why was it closed out and labeled unsuccessful only to bring forward two more TIDS in the same area? What happened with TID #40 to insure that we do not repeat mistakes?

In 2021, Lincoln Avenue Capitol acquired a majority interest in 37 affordable properties at a lofty price tag of \$125 million dollars. This company has the funds to not only pay for a complete and thorough environmental site investigation for Lots 1 and 2, but also the requisite clean up prior to any land being used for housing for working poor families with little children. This company has the money.

**A. Only the development corporation and its investors will benefit.**

**Q. Who is Burdened?**

The future tenants will be burdened. The land is contaminated with benzo a pyrene, arsenic and volatile organic chemicals. We do not know if PFAs, PCBs or other chemicals are present. The groundwater flow in this area is towards the south/southeast. There is a known plume immediately to the north that contains trichloroethylene (TCE, a well known carcinogen) and other toxic volatile chemicals. In addition, a 1984 Truax Landfill study shows a massive TCE plume emanating from that site that could migrate towards Municipal Well #7. There is a highly contaminated site at Oscar Mayer (the property that the city walked away from purchasing under advisement of Mr. Arthur Harrington, an expert environmental attorney from Milwaukee. The city walked away after being denied access to conduct a Phase I study by Reich Rabin, current owners of Oscar Mayer). WDNR staff members have stated that known subsurface contamination at the Hartmeyer property has migrated off site and is under the railroad tracks. As such, not all of it could be cleaned up. If contamination can flow that readily off of this site, why not into this site from other contaminated properties? Groundwater flows and knows no manmade property boundaries.

Right now, in Milwaukee, at the Community within a Corridor (CWC) facility, hundreds of low income families have been evacuated as they were living in recently opened apartments built on a post-industrial property without their fully understanding the toxic chemical contamination that lies under the facility and all of the paths through which the cancer causing chemical can travel. TCE contamination. **No one told the residents that they were living on top of contaminated land.** The buildings and parking lots and roads were supposed to be considered “caps.”

The developers at CWC promised to install a vapor mitigation system that failed miserably. Vapor mitigation systems do not work well with moisture, and when you install them in a marsh and wetland area, or low lying river bottoms, they tend to have moisture. The residents who were upended from their new apartments have been in hotels in Milwaukee

since March. The CWC solution? To pay people to move out and sign a form that they will never take legal action against the developer for any reason. Mothers at CWC are blaming themselves for having put their children in harm's way. Meanwhile, for 8 months, residents were exposed to TCE while living in affordable apartments on top of a plume, thinking that they were in safe homes.

<https://www.wisn.com/article/what-could-happen-to-me-residents-forced-to-evacuate-community-within-the-corridor/43422114>

<https://www.jsonline.com/story/news/local/milwaukee/2023/03/28/dnr-unaware-community-within-the-corridor-apartments-were-occupied/70057026007/>

[https://captimes.com/news/community/madison-m-block-housing-complex-declared-chronic-nuisance/article\\_c6ec9609-a382-5ac0-a17e-dcb2b4db3a81.html](https://captimes.com/news/community/madison-m-block-housing-complex-declared-chronic-nuisance/article_c6ec9609-a382-5ac0-a17e-dcb2b4db3a81.html)

[https://www.wkow.com/news/increasing-police-activity-leads-madison-apartment-complex-to-be-declared-chronic-nuisance/article\\_d6f18ddc-c9cd-11ed-9fa8-c301afc07173.html](https://www.wkow.com/news/increasing-police-activity-leads-madison-apartment-complex-to-be-declared-chronic-nuisance/article_d6f18ddc-c9cd-11ed-9fa8-c301afc07173.html)

The very land upon which you want to build roads and high-rise buildings of 7 stories is burdened. Burdened with chemicals that make it unhealthy. Soon to be burdened with thousands of cars in a time when the council wants fewer automobiles and greater use of public transportation.

How can we propose a 15-acre public park on land laden with chemicals and heavy metals where we expect children to play? How do we know that the water and sediments in the park area are safe from toxic chemicals? No testing has been completed.

In a meeting I attended with Lincoln Avenue Capitol, they indicated that they would install a vapor mitigation system in their buildings. If there are no issues with volatile organic chemicals leaching into the proposed buildings, and subsurface contamination is a non-issue, then why go to that extra expense? They also stated that they had WHEDA funds secured.

**A. The Northside neighbors and the constituents of Alder Amani's are burdened because we know that we as a community can do better.**

**Q. Who does not have a voice at the table?**

The very people who currently live in District 12 do not have a voice at the table. The Sherman Neighborhood Association is not at the table. Northside residents who care about their neighbors and the future of the Northside are not at the table. District 12 constituents want a public meeting to fully understand this TID and its impact on the area as well as look forward to having conversations with the developer.

Is it right that we insist on creating high density affordable housing in places that do not provide for the needs of the residents nor respect that they deserve **safe** housing?

***Will future residents at the Roth Street facilities be notified prior to signing a lease and moving in that their apartment sits on top of and immediately next to land with toxic chemicals?*** The residents in Milwaukee were not notified and only found out about the public health and safety issues when they were told to evacuate or came home from work and told that they could not enter their apartment.

Currently we are saying that we are OK with installing 553 units of affordable housing in a tight area surrounded by two active railroad companies that transport hazardous materials as well as a potential AmTrak route on the track closest to the apartment locations that will travel 55+ MPH immediately near where children will be playing. Seniors living. In addition, the building courtyards face the airport and will cause an intensification of the already loud noise from F 35 nuclear bomber jets. We will have 20 jets by the end of 2023. If this were HUD housing, they would never approve this design or placement of buildings. Two major roadways should not be allowed as any construction on this site will be exposing area residents and the contractors doing the excavating to hazardous chemicals.

The two busy roads will run immediately next to and between the two buildings. Railroad track crossing for traffic as high as 5,000 average daily trips will be bringing thousands of cars through those roads. 800 cars will be squeezed into the apartment buildings. What kind of future home place will this be for families with little children? For our vulnerable senior citizens?

**A. The community wants a voice at the table, side by side with Alder Amani.**

**Q. How can policymakers mitigate unintended consequences?**

First you can refer these two agenda items and fulfill your aldermanic roles. You can listen to the constituents of District 12 and your colleague Alder Amani.

A city brochure describes the **"The Core Alder Job"** as follows:

**Advocate for your district** and your constituents in the City process.

Serve on City committees as appointed and be an active, prepared and equal participant.

**Communicate actively with your constituents in multiple ways** (e.g. listservs, newsletters, website, and meetings) about City resources and issues, policy debates, development proposals, and other relevant information.

**Communicate the needs and views of your constituents to City staff, committees and the Council.**

Ultimately, if this redevelopment occurs, without appropriate remediation, the burden will be on our hearts and minds.

We see what happens when we rush to create housing on land that is poisoned with toxic chemicals and at densities that are not supported nor cared about by out of town developers. We need not speculate.

Years of community work throughout the Oscar Mayer Special Area Plan (OMSAP) process, we asked that the contamination be addressed. As this priority Brownfield site the contamination is not being addressed prior to any land disturbance, I remind this committee that the Council voted to accept this language into the OMSAP:

**ADDRESS RACIAL JUSTICE AND SOCIAL EQUITY  
DURING THE OMSAP REDEVELOPMENT PROCESS,  
WHICH MUST INCLUDE ASSESSING AND PREVENT-  
ING HUMAN EXPOSURES TO TOXIC CHEMICALS  
AT THE SITE AND/OR RELEASED FROM THE SITE  
AMONG ALL PEOPLE AND PARTICULARLY AT-RISK  
LOW INCOME AND PEOPLE OF COLOR.**

**OSCAR MAYER  
SPECIAL AREA PLAN**

If contamination were not on everyone's mind during this process, then how did planning, engineering, and the council vote to accept this environmental justice language into the plan? It truly is the ONLY city plan that contains environmental justice language. This Council action and the language in our special area plan should be first and foremost at every step of the way as planning and redevelopment in this post-industrial corridor takes place.

***A. You can mitigate unintended harmful consequences by referring these agenda items to allow for public engagement and planning for a better, safer outcome. The only TID that should be considered is an environmental remediation TID to fund an authentic environmental site assessment and clean up.***

Thank you for your time on this matter.

**From:** [chet\\_hermansen](mailto:chet_hermansen)  
**To:** [Finance Committee](#)  
**Subject:** Fw: Agenda Items 9 and 10 - In Opposition  
**Date:** Monday, June 26, 2023 12:03:47 PM

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chetherm@hotmail.com

**Subject:** Agenda Items 9 and 10 - In Opposition

Dear Finance Committee:

We are asking Alder Amani to slow down this process and to refer this TID funding and budget amendment process until the public is involved and included in this pivotal decision.

This TID should not be awarded due to the fact that the application does not meet the requirements as stated in the MSA report that the land within the TID is at least 50% blighted.

The Railroad property is an interstate commerce transportation corridor that also serves our neighbors to the north, the Canadian Pacific railroad. The rail yard is in an industrial area and zoned accordingly. It is not blighted, but rather, industrial in nature and a local provider of good jobs (about 50).

The wetland property has been rezoned for a conservation natural area park. It is functioning as it should with an intended use. Why is the wetland property being considered as blighted? It is a re-emerging wetland property functioning as a carbon sink, infiltration point for groundwater.

The community requests transparency with this process as well as the opportunity for important conversations about the future of their district in terms of environmental and social justice, the impact on public services, and how best to create safe housing in the post-industrial Oscar Mayer corridor.

We are asking for a referral of Agenda Items 9 and 10.

Thank you. Chet hermansen  
1745 Boyd Av.  
Madison Wi. 53704



**From:** [chet hermansen](#)  
**To:** [Finance Committee](#)  
**Subject:** Items 9 & 10  
**Date:** Sunday, June 25, 2023 6:02:05 PM

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items 9 &10 should not be appoved unless public hearings are held.  
The city plan for the developement of the property plainly states the property should be cleaned of contamination and be safe for the people who may be living on the property. I know that public meetings have not been held. The neighborhood has not been listen too. Please slow down this rush to commit a crime against the people who will occupy this contaminated land and the existing people of the SNA.  
We are good citizens of Madison and deserve to be heard.  
Thank you.

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**From:** [Dave J. Bierman](#)  
**To:** [Finance Committee](#)  
**Subject:** City of Madison, Finance Committee, and Staff- 6-26-2023 Letter Requesting Referral of Agenda item 9 (Legistar 78324) and agenda item 10 (Legistar 78325)  
**Date:** Monday, June 26, 2023 10:34:03 AM  
**Attachments:** [LettertoRefer Legistar 78324-78325 6-26-23 DJB.pdf](#)

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Finance Committee, and Staff

Attached above, please find Letter Request to Refer: Agenda item 9 (Legistar 78324) and agenda item 10 (Legistar 78325), creation of the Tax Incremental District (TID) #54.

Please distribute this document to Finance Committee and post to Agenda Item 9 (Legistar 78324) and Agenda Item 10 (Legistar 78325) as testimony of record in in regard to these items.

Thank You

David Bierman  
514 Nova Way  
Madison WI 53704  
608-370-3701  
[dbierman@watco.com](mailto:dbierman@watco.com)

6/26/2023 Letter Request to Refer:

Agenda item 9 (Legistar 78324) and agenda item 10 (Legistar 78325), creation of the Tax Incremental District (TID) #54

To: City of Madison Finance Committee,

I urge the City of Madison Finance Committee to refer agenda item 9 (Legistar 78324) and agenda item 10 (Legistar 78325), creation of the Tax Incremental District (TID) #54, until such time as full transparency and disclosure of the facts and Statutory inconsistencies currently represented in the matter are satisfied through equitable and ethical due public process and participation.

This initiative has been presented to your committee for furtherance without proper and sufficient public engagement protocol, and includes erroneous miscalculation "blight study" data, which prevents your body from utilizing factual data from which to make accurate decisions.

This matter warrants referral until such time all parties involved, District 12 constituents, and property owners affected by these actions can be apprised of all facts, legal and physical surrounding the matter, and a public engagement process fulfilled.

A cursory review of the 2022 Pennsylvania Avenue Blight Study, City of Madison, Wisconsin reveal multiple statutory irregularities and inconsistencies in regard to properties utilized within the calculations to determine to be area to be labeled "blighted". The report incorrectly includes wetland, woodland and acreage which are ineligible for blight inclusion by State of Wisconsin Statute, and incorrectly includes both Federal and State of Wisconsin exempt properties such as transportation corridors (railroad, utility, and roadway) acreage into the calculations. When these improperly allocated properties are removed from the TID presentations before you, the remaining percentages are of land area disqualify the area's eligibility for a blight Tax Incremental Financing District.

More troubling is the fact that the "Blight Study Report" cites incorrect and consultant subjective indices and conditions of private property and draws conclusion of fact without inclusion of the property owner, constituents, nor legal representation nor review or appeal process.

Constituents and property owners of District 12 and further, the tax paying constituents of the City of Madison will be burdened by this furtherance of this initiative without full transparency and disclosure of the facts through equitable and ethical due public process.

As public servants tasked to act lawfully and with due fiduciary responsibility in the public interest and trust, I request that you refer agenda item 9 (Legistar 78324) and agenda item 10 (Legistar 78325), creation of the Tax Incremental District (TID) #54, until such time as full transparency and disclosure of the facts and Statutory inconsistencies currently represented in the matter are satisfied through equitable and ethical due public process and participation as coordinated and scheduled by the District 12 Alder.

David Bierman  
514 Nova Way  
Madison WI 53704

**From:** [DOLORES KESTER](#)  
**To:** [Finance Committee](#)  
**Cc:** [Latimer Burris, Amani](#)  
**Subject:** Meeting 6/26/23 Agenda items 9 and 10--please refer these items to September to permit community participation and engagement  
**Date:** Sunday, June 25, 2023 11:37:27 AM

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**Greetings, members of Finance Committee:**

**Items 9 and 10 of your agenda for tomorrow's meeting relate to a proposed TIF or TID for two lots on Roth Street on the Northside of Madison. This TIF proposal came up too quickly to allow for any public meeting or public engagement related to this proposal. Please refer these two agenda items to September to allow for the public to be educated on the related issues, to ask questions, and to give input on how creation of such a TIF would affect the community on the Northside of Madison.**

**If this proposal is rushed through, there will be no transparency with this process and the community will have no meaningful opportunity to hold important conversations about the future of their district in terms of environmental and social justice, the impact on public services, and how best to create safe housing in the post-industrial Oscar Mayer corridor.**

**Thank you for your time and attention.**

**Dolores Kester, Attorney Emeritus  
State of Wisconsin  
1818 Winchester Street  
Madison, Wisconsin**

**From:** [Jennifer Argelander](#)  
**To:** [Finance Committee](#); [Latimer Burris, Amani](#)  
**Subject:** Oppose Item 9 (Legistar 78324) and Item 10 (Legistar 78325)  
**Date:** Monday, June 26, 2023 8:50:36 AM

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Hi Finance Committee members and Alder Amani,

The process for approving these two items is being rushed and is not acceptable. The Sherman Neighborhood Association fully supports and has asked for a public meeting to allow for community engagement and input to this important process. Please refer Item 9 and 10 (#78324 and 78325) to August or September in order for a public meeting to be held to fully understand the ramifications of this proposal.

Thank you for attention to this matter.

Jennifer Argelander  
Co-Chair, Sherman Neighborhood Association

**From:** [sluysb@aol.com](mailto:sluysb@aol.com)  
**To:** [Finance Committee](#); [Latimer Burris, Amani](#); [SAMBA BALDEH](#)  
**Subject:** Oppose items 9 (Legistar 78324) and 10 (Legistar 78325) - TID 54.  
**Date:** Monday, June 26, 2023 1:18:19 PM

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Dear Alder Amani and Finance Committee Members and Representative Baldeh,

In reviewing the blight study conducted by MSA that supports the TID application for District 54, the facts contained in the report, especially those related to the rail corridor and yard are in direct contradiction to reality. While I understand that visually it is highly industrial. But it is a rail corridor and rail yard. The lot is hardly underutilized, as described in the report. Parcel #3 is fully utilized not only by a local employer but also by the Canadian Pacific Railroad.

It is a functioning industry within city limits. It is an employer of solid jobs for almost 50 people in Madison. It hauls primarily forest products, fertilizers, grain (corn, soybeans, and wheat), plastics, consumer foods, paper, aggregates, chemicals, frac sand, ethanol, and liquid petroleum.

It is important to farmers and industry both.

It is a transportation corridor. The railroad corridor was established in 1872.

It is also a place where the Canadian Pacific brings cars to interchange for transport to places south. They run on the rail that heads north out of town towards Portage and places north. That line has been in place since 1857. Just a hair more than statehood. This is interstate commerce transportation corridors that fall under federal law.

It shows up on ancient topographic maps when the Hartmeyer area was still undamaged marsh and wetland. It is very historic.

The city could put a sidewalk along the rail yard near Fordem but for some reason, has decided not to do so. I believe there is enough of a terrace along there that is city property. No sidewalk is allowed through the property of the rail yard due to safety precautions. Federal safety laws.

As such, parcel 3 should be outside of the blight boundary area. We cannot count the rail yard as a blighted area, so the TIF District #54 is less than 50% blighted and cannot qualify as a blight Tax Incremental Financing District.

The blight study upon which this application is based is at best inaccurate and misleading.

If flag poles need painting, buildings require some paint, parking lots need resurfacing....then we should be offering small business grants to help our neighbors stay in business and repair their facility exteriors rather than saying they are blighted and need to go. We need to penalize our neighbors and shutter their doors, but help them to thrive and keep Northside jobs.

Thank you for your time on this matter and please refer this TID and budget amendment discussion to allow time for correct application information to be provided and to allow for public input into the discussion about the TID.

Beth Sluys  
District 18  
Northside Neighbor

**From:** [gordian@nym.hush.com](mailto:gordian@nym.hush.com)  
**To:** [Finance Committee](#)  
**Subject:** Oppose items 9 (Legistar 78324) and 10 (Legistar 78325)  
**Date:** Sunday, June 25, 2023 6:53:52 PM

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Sunday June 25, 2023

Madison Finance Committee members,

Please vote "No" on your June 26'th meeting's items 9 (Legistar 78324) and 10 (Legistar 78325).

Don Lindsay

### TAX INCREMENTAL FINANCING DISTRICT #54 DOES NOT QUALIFY AS A BLIGHT TAX INCREMENTAL FINANCING DISTRICT

Misclassifying two large parcels in the area studied has mistakenly raised the fraction of Tax Incremental Financing District #54 classified as "blighted" above the 50% threshold required to create a blight Tax Incremental Financing District. The actual fraction of blighted land in Tax Incremental Financing District #54 is less than the 50% threshold required to create a blight Tax Incremental Financing District.

According to the "2022 Pennsylvania Avenue (TID 53) Blight Study, City of Madison, Wisconsin", "A blight TID requires that 50% [by area] of the real property within the district must be blighted. This area has exceeded that threshold." [1; p. 32] The exact figure given is 58.8%. [1; p.32] The State's definition of blight is provided by the "2022 Pennsylvania Avenue (TID 53) Blight Study, City of Madison, Wisconsin":

"Statute 66.1105(2)(ae)1. defines a blighted area as such:

"Blighted area" means any of the following:

a. An area, including a slum area, in which the structures, buildings or improvements, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of these factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare." [1; p. 2]

MSA Professional Services, Inc. made a major mistake in calculating the area of Tax Incremental Financing District #54 that is blighted. A map on page 9 clearly shows all of the former Hartmeyer property as blighted. The text beside the map states that the entire parcel is zoned IG [Industrial



General]. [1; p. 9] The "2022 Pennsylvania Avenue (TID 53) Blight Study, City of Madison, Wisconsin" is dated January 23, 2023. That date is many months after the zoning was changed from IG. The City of Madison has approved measures to preserve land on this site as open space, which it is. As for the rest of the land, even a quick glance at the State Statute quoted above shows that woods and fields are not considered elements of blight; they are not "conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare." [1; p. 2]

Removing the 29 acres of the Hartmeyer site from the "blight" category in the report's totals means that the blighted area of Tax Incremental Financing District #54 is less than 50%. The study states, "Of the total area evaluated for blight (approximately 221.84 acres), 58.8% of this area (approximately 130.44 acres) has been determined by this study to be blighted." [1; p. 32]

130 Blighted acres  
- 29 Hartmeyer acres  
= 101 Blighted acres  
\* 100 Calculate percentage  
/ 222 Total acres  
= 45 Percent

After correcting for the error of including the Hartmeyer land in the "blighted" category, only 45%, by area, of Tax Incremental Financing District #54 is classed as blighted. Because less than 50% of Tax Incremental Financing District #54 is classified as blighted, it does not qualify as a blight Tax Incremental Financing District.

#### FOUR OTHER MISCLASSIFIED PARCELS

Parcels 3 and 38 are another case of misclassification. Both parcels are characterized as "poor condition". These two parcels are part of the Wisconsin Southern railroad switching yard, which handles millions of dollars worth of goods. Many jobs depend, directly or indirectly, on this vital piece of infrastructure. In the blight study, Parcel 3 is labeled, "Lot underutilized". Parcel 38 is labeled, "Not preferred land use". [1; p. 16] The railroad switching yard is zoned IL. [2] Someone is not living in the real world.

The study's authors complain about a "missing sidewalk" on both parcels 3 and 38. [1; p. 16] The railroad company has refused to allow a sidewalk on its land, and the City lacks the power to force the railroad company to allow a sidewalk there. It is a jurisdictional problem; it is not evidence of blight.

Other comments regarding parcel 3 would be legitimate when describing an untidy yard in a residential neighborhood, but they are inappropriate in evaluating a railroad operation in an industrial section of town. [1; p. 16]

The evidence in the report does not support rating parcels 3 and 38 as "poor condition". Removing the 37 acres of the railroad switching yard from the "blight" category in the report's totals means that the blighted area of Tax Incremental Financing District #54 is less than 50%.

130 Blighted acres  
- 37 acres in railroad switching yard [2]  
= 93 Blighted acres  
\* 100 Calculate percentage  
/ 222 Total acres  
= 42 Percent

After correcting for the error of including the railroad switching yard's land in the "blighted" category, only 42%, by area, of Tax Incremental Financing District #54 is classed as blighted. Because less than 50% of Tax Incremental Financing District #54 is classified as blighted, it does not qualify as a blight Tax Incremental Financing District.

Properly classifying both the former Hartmeyer property and the railroad switching yard reduces the total percentage of blighted area to 29%.

130 Blighted acres  
- 29 Hartmeyer acres  
- 37 Acres in railroad switching yard [2]  
= 64 Blighted acres  
\* 100 Calculate percentage  
/ 222 Total acres  
= 29 Percent

Parcel 28 on p. 12 is also misclassified. [1; p. 12] The building on the property looks as it does because it is being remodeled and expanded. A building permit placard is plainly visible in the accompanying picture. A temporary poor appearance caused by making building improvements is not evidence of blight. Investment in building improvements is the opposite of blight. The area of parcel 28 should also be subtracted from the fraction of Tax Incremental Financing District #54 that is classified as blighted. Doing so would further reduce the fraction of blighted areas to less than 50%.

An examination of just three properties in "2022 Pennsylvania Avenue (TID 53) Blight Study, City of Madison, Wisconsin" finds three serious flaws. The authors

- 1) Do not know the land use classification of the former Hartmeyer property,
- 2) Labeled the railroad switching yard, which is infrastructure vital to the Madison area economy, "Lot underutilized" and "Not preferred land use". The railroad switching yard is zoned IL. [2], and
- 3) Said that a building being remodeled and expanded is evidence of blight.

Such serious and obvious errors in fact and judgement call into question the authors' classifications of all parcels inspected in "2022 Pennsylvania Avenue (TID 53) Blight Study, City of Madison, Wisconsin".

[1] 2022 Pennsylvania Avenue (TID 53)  
Blight Study  
Madison, WI  
Prepared by MSA Professional Services, Inc.  
January 23, 2023

<https://madison.legistar.com/View.ashx?M=F&ID=12083748&GUID=487D8B88-3769-43BD-80E0-65C41091E7EB>

Accessed 20230622

[2] Area of railroad switching yard

<https://www.cityofmadison.com/assessor/property/propertydata.cfm?ParcelN=071006203021>

Accessed 20230625

1,615,054 square feet in railroad switching yard [2]  
/ 43,560 square feet per acre  
= 37 acres in railroad switching yard

For square feet per acre, see

<https://www.unitconverters.net/area/acres-to-square-feet.htm>

Accessed 20230625

**From:** [Latimer Burris, Amani](#)  
**To:** [Finance Committee](#)  
**Cc:** [Kapusta-Pofahl, Karen](#); [Windsor, Liz](#)  
**Subject:** Request to delay an approval on items # 9 and 10 of the consent agenda.  
**Date:** Saturday, June 24, 2023 1:45:03 PM

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Finance Committee,

As the sponsor of the items and as the Alder for District 12, I would like to ask the committee to delay the approval and/or consideration of items #9 (78324) and #10 (78325) and remove these items from the consent agenda on several grounds including giving District 12 and the constituents time to meet, hear about and understand the impact of these items and meet with some of the people who will ultimately benefit from these items as we proceed.

As you may or not may not know, some of the underlying projects have been at issue and are of concern; further, it is my understanding that within this there have been some changes of either ownership, thought, partnerships, representations, etc. since the projects started and I came on board.

So, I would like to have the opportunity to meet on these issues as a group.

Specifically, I am asking that the committee delay hearing these items until at least the August 31st or September 11, 2023 meeting (preferred).

With this notice, I would also like to register to vote to speak on the items before you enter into discussion.

Thank you,

Amani

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Alder Amani

**Amani Latimer Burris**  
**Alder, City of Madison, District 12**  
**Text/Cell: (608) 345-8747**  
**Council Office: 608/266-4071**  
[District 12 Website](#)  
[Sign up for District 12 emails](#)

**From:** [Latimer Burris, Amani](#)  
**To:** [Finance Committee](#)  
**Subject:** Request to Refer  
**Date:** Monday, June 26, 2023 3:04:54 PM

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Finance Committee,

As the Alder representing the constituents for the whole of District 12, I would ask the committee to Refer item numbers #78324 and #78325 to the September 11, 2023 meeting (preferred) or the August 28th, 2023, meeting with the same body.

This will give the developer (Lincoln) and Melissa Huggins (Urban Assests), who is a consultant for the developer, a chance to meet directly with the community.

**It is my understanding that they have scheduled a meeting with the community on 7/10, the day before these issues would go before council on 7/11.**

Further, its proposed there would be the opportunity to bring the related departments together with the community to interface their questions as this project has gone through changes and leaves unanswered questions.

I believe, as a new alder to this district, it is proper to hold a public meeting which has not been done since things have been redrafted. As you'll recall District 12 has gone without full-speed representation for a period within these updates.

I look forward to your support on this issue important to the constituents of District 12.

Amani

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Alder Amani

**Amani Latimer Burris**  
**Alder, City of Madison, District 12**  
**Text/Cell: (608) 345-8747**  
**Council Office: 608/266-4071**  
[District 12 Website](#)  
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