



Legislation Text

File #: 37346, **Version:** 1

Fiscal Note

This resolution establishes a process for payment for municipal services similar to certain other tax-exempt properties. While the residential structures proposed to be constructed on this property will be taxable, a payment for municipal services will be calculated in the event that the residences become tax exempt in the future. Those payments will be based on a per unit cost to provide certain essential city services, such as public safety and health, parks, streets, fixed route and paratransit services, traffic engineering, debt service and Library services. No appropriation is necessary and no revenues are anticipated in the current year.

Title

Authorizing the Mayor and City Clerk to sign an Agreement with Holy Name Catholic Center Inc, for payment of municipal services.

Body

WHEREAS, on December 2, 2014, the Common Council adopted Ordinance Number 14-00170 rezoning property at 702 South High Point Road to change the zoning from A (Agricultural) and SR-C1 (Suburban Residential - Consistent 1) Districts to PD (GDP and SIP) District to allow construction of market rate apartments.; and

WHEREAS, the above rezoning was conditioned on Holy Name Catholic Center, Inc. (HNCC) executing an agreement with the City of Madison requiring it to make a payment reflecting the value of municipal services provided to the proposed development on the rezoned site for any year in which the proposed development is exempt from paying property taxes.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison hereby authorizes the Mayor and City Clerk to sign an Agreement with HNCC on the following terms and conditions:

1. In recognition of the value of municipal services provided to HNCC and in further recognition of the economic impact the provision of such services has on the City, HNCC shall make an annual payment for municipal services (PMS) to the City for the portion of the property at 702 South High Point Road used for apartments in any year the property is deemed exempt from property taxation by the city assessor or a court of law.

2. The PMS is intended to reflect those expenditures relating to municipal services directly or indirectly made available for use by HNCC. In each year that PMS payments are due, the total PMS shall be calculated as a per unit fee based on the City's approved and adopted budget for the particular Municipal Services for the year PMS payments are due. The PMS shall be based on budget figures for some or all of the expenditures of the following: public safety and health, parks, streets, paratransit, traffic engineering, library, and debt service from the above agencies.

3. The Agreement for PMS shall terminate if:

- (a) A court of competent jurisdiction determines that the City does not have the authority to charge, assess, levy or collect PMS;
- (b) The State of Wisconsin enacts any legislation requiring payment of a service fee (or similar fee) upon owners or occupants of property that is exempt from real estate

taxation under applicable provisions of Wisconsin law; provided such legislation is intended to address the economic impacts of the Project as contemplated in the ordinance; or

- (c) HNCC determines to abandon the Project and not construct the same.