

RESOLUTION № 913-071320

Establishing a TID 4 Loan Program

WHEREAS, THE VILLAGE BOARD HAS DEVELOPED PLANS WITH INPUT FROM ITS CITIZENS TO REDEVELOP AND REINVIGORATE DOWNTOWN; AND

WHEREAS, IMPROVING THE EXISTING BUILDING STOCK IN THE HERITAGE DESIGN DISTRICT WILL SUBSTANTIALLY IMPROVE THE QUALITY OF LIFE AND PROPERTY VALUES OF THE VILLAGE, AND;

WHEREAS, THE VILLAGE OF WATERFORD INSTITUTED A CURB APPEAL GRANT PROGRAM, ADOPTED: 8/28/12, BY RESOLUTION #713, AND DISPENSED \$60,000 IN GRANT FUNDS TO IMPROVE THE COMMUNITY, AND;

WHEREAS, THE TID 4 LOAN PROGRAM PROGRAM IS ENACTED AS FOLLOWS:

RATIONALE: THE TID 4 LOAN PROGRAM IS INTENDED TO STIMULATE IMPROVEMENTS TO COMMERCIAL BUILDINGS LOCATED IN THE VILLAGE OF WATERFORD TID 4, AND OTHER STATUTORILY PROSCRIBED AREAS.

SOURCE: TID 4

PURPOSE: PROVIDES FUNDING TO STIMULATE BUILDING IMPROVEMENT THROUGH A FORGIVABLE LOAN.

ELIGIBILITY: OWNERS AS TENANTS OF EXISTING COMMERCIAL BUILDINGS THAT OPERATE OR INTEND TO OPERATE CONFORMING BUSINESS TYPES ONLY. ALL APPLICANTS AGREE TO COMPLY WITH THE HERITAGE DISTRICT DESIGN GUIDELINES TO THE EXTENT THE DESIGN GUIDELINES DO NOT CONFLICT WITH THE REGULATIONS FOR THE APPLICANT'S APPLICABLE DISTRICT.

ELIGIBLE USES: THE TID 4 LOAN PROGRAM CAN BE USED TO FUND IMPROVEMENTS TO THE EXTERIOR FRONT, REAR AND SIDE FACADES AND SIGNS OF EXISTING COMMERCIAL BUILDINGS, PARKING AREAS, LANDSCAPING AND INTERIORS OF THOSE BUILDINGS.

INELIGIBLE USES:

- TAX DELINQUENT AND TAX EXEMPT PROPERTIES
- PROPERTIES DELINQUENT ON UTILITY CHARGES AND BILLINGS FROM THE VILLAGE
- EXCLUSIVELY RESIDENTIAL PROPERTIES
- PROJECT EXPENSES INCURRED BEFORE GRANT IS APPROVED
- SPECULATIVE INVESTMENT IN REAL ESTATE
- NON BUSINESS OWNER OCCUPIED REAL ESTATE

MAXIMUM LOA AMOUNT:

THE MAXIMUM LOAN AMOUNT WILL BE 80% OF THE TOTAL ELIGIBLE IMPROVEMENT PROJECT, BUT WITH A MAXIMUM OF A \$75,000 LOAN PER PROPERTY. PROJECTS WILL BE EVALUATED ON A CASE BY CASE BASIS ACCORDING TO THE ATTACHED SCORING RUBRIC. A PROPERTY DOES NOT HAVE TO USE ALL OF ITS ALLOCATED MAXIMUM OF \$75,000 IN A SINGLE APPLICATION CYCLE.

AMOUNT OF FUNDS AVAILABLE:

PROJECTS WILL BE AWARDED ON A FIRST COME, FIRST SERVED BASIS ON TOTAL DOLLARS AVAILABLE IN THE FISCAL YEAR (\$200,000 AVAILABLE IN 2020, AND IN FUTURE YEARS AS DETERMINED BY THE VILLAGE BOARD ANNUALLY IN ITS TID 4 BUDGET).

MARKETING: MARKETING OF THE PROGRAM IS DONE THROUGH THE VILLAGE STAFF. INFORMATION ABOUT THE GRANT CAN BE FOUND AT WWW.WATERFORDWI.ORG.

APPLICATION: APPLICATIONS WILL BE ACCEPTED BY THE VILLAGE OF WATERFORD CLERK VIA HARD COPY, OR E-MAIL; THE DEADLINE IS THE 5TH DAY OF EACH MONTH. THE VILLAGE BOARD WILL REVIEW ALL APPLICATIONS AT ITS MEETING FOLLOWING THEREAFTER, AND WILL MAKE A RECOMMENDATION FOR GRANT AWARD AFTER SCORING AND REVIEWING ALL APPLICATIONS RECEIVED.

PROCESS: 1) THE TID 4 LOAN APPLICATION IS AVAILABLE AT VILLAGE HALL AND AT THE WWW.WATERFORDWI.ORG WEBSITE.

2) ALL APPLICATIONS REQUIRE A COLOR RENDERING, ELEVATION DRAWINGS, AND SITE PLANS SHOWING PROPOSED CHANGES. A VISION BOARD IS ALSO REQUIRED TO BE SUBMITTED TO SHOW THE LOOK AND FEEL OF THE BUSINESS. A BUSINESS PLAN IS REQUIRED FOR ALL NEW BUSINESS SUBMISSIONS (BUSINESSES IN EXISTENCE WITH THE 2 MOST RECENT YEARS SHOWING A PROFIT ON FEDERAL TAX FILINGS IN WATERFORD FOR 2 YEARS ARE EXEMPT FROM THE VISION BOARD REQUIREMENT). PERSONAL FINANCIAL STATEMENTS, BUSINESS PLANS, AND INCOME STATEMENTS MAY BE REQUIRED BEFORE A FINAL AWARD IS MADE.

3) IN ORDER TO COMPLETE THE LOAN APPLICATIONS THE APPLICANT MUST SCHEDULE A MEETING WITH THE VILLAGE ADMINISTRATOR AND BUILDING INSPECTOR TO DISCUSS THE PROPOSED PROJECT AND ANY SITE PLANS DEVELOPED. ANY QUESTIONS REGARDING THE GRANT AND RELATED MATTERS MAY BE DISCUSSED WITH THE APPROPRIATE VILLAGE STAFF.

4) COMPLETED LOAN/GRANT APPLICATIONS (INCLUDING ALL REQUIRED ATTACHMENTS) MUST BE RETURNED TO THE VILLAGE CLERK FOR REVIEW.

5) VILLAGE STAFF REVIEWS THE GRANT APPLICATION AND CHECKS FOR UNPAID TAXES, UNPAID UTILITY CHARGES, AND OUTSTANDING BILLINGS FROM THE VILLAGE.

6) COMPLETED LOAN APPLICATIONS, ALONG WITH THE VILLAGE STAFF RECOMMENDATION PERTAINING TO THE LOAN APPLICATION, WILL BE PRESENTED TO THE VILLAGE OF WATERFORD HERITAGE DISTRICT DESIGN COMMITTEE. APPLICANTS ARE ENCOURAGED TO ATTEND THE MEETING AND PRESENT MATERIALS AS DEEMED NECESSARY.

7) UPON APPROVAL OF THE TID 4 LOAN APPLICATION, LOAN DOLLARS WILL BE AWARDED (EARMARKED) TO THE APPLICANT FOR REIMBURSEMENT PURPOSES. ALL LOAN DISBURSEMENTS WILL BE HANDLED IN ACCORDANCE WITH A DEVELOPMENT AGREEMENT APPROVED BY THE VILLAGE BOARD AND ENTERED INTO BY BOTH PARTIES.

8) ALL AWARDEES WILL ENTER INTO BINDING DEVELOPMENT AGREEMENTS WITH THE VILLAGE BEFORE ANY AWARDED MONIES ARE DISPERSED.

9) LOAN RECIPIENTS WILL AGREE TO ALLOW VILLAGE STAFF TO TAKE BEFORE AND AFTER PHOTOS OF THE PROPERTY AND UTILIZE THE PHOTOS IN PROGRAM MARKETING AND ADVERTISING.

10) LOAN RECIPIENTS ARE VERY STRONGLY ENCOURAGED TO GIVE BACK TO THEIR COMMUNITY BY VOLUNTEERING THEIR TIME TO THE NONPROFIT ORGANIZATIONS LOCATED IN THE VILLAGE OF WATERFORD.

11) LOAN MONIES WILL BE DISTRIBUTED TO THE APPLICANT UPON COMPLETION OF THE FOLLOWING ACTIVITIES:

A. THE BUILDING INSPECTOR WILL MONITOR THE PROGRESS OF THE PROJECT FOR COMPLETION.

B. ANY MINOR CHANGES MUST BE APPROVED BY THE VILLAGE ADMINISTRATOR AND BUILDING INSPECTOR. MAJOR CHANGES MUST BE APPROVED BY THE VILLAGE BOARD. APPROVED CHANGES IN WORK SPECIFICATIONS MUST BE ATTACHED TO THE ORIGINAL DATED GRANT APPLICATION. ANY UNAPPROVED DEVIATIONS FROM THE ORIGINAL WORK SPECIFIED IN THE LOAN APPLICATION WILL DISQUALIFY THE APPLICANT.

C. THE APPLICANT, VILLAGE STAFF AND BUILDING INSPECTOR WILL CONDUCT A FINAL INSPECTION AND THE BUILDING INSPECTOR WILL PROVIDE WRITTEN CORRESPONDENCE OF PROJECT APPROVAL TO VILLAGE STAFF.

D. INVOICES AND RECEIPTS AND FINAL LIEN WAIVERS PROVIDED BY THE APPLICANT TO THE VILLAGE TREASURER WILL BE REVIEWED TO ENSURE COMPLIANCE WITH THE ORIGINAL LOAN APPLICATION BY VILLAGE STAFF. PROGRESS PAYMENTS MAY BE MADE IF A PART OF THE DEVELOPMENT AGREEMENT.

E. FUNDS WILL BE DISBURSED AND MAILED (OR MADE AVAILABLE FOR PICK UP) DIRECTLY TO CONTRACTORS FOR PROGRESS PAYMENTS AS INDICATED IN THE DEVELOPMENT AGREEMENT. NO MONIES WILL BE DISPERSED DIRECTLY TO APPLICANTS UNLESS SPECIFICALLY CALLED FOR IN THE DEVELOPMENT AGREEMENT.

12) LOANS ARE TO ENHANCE BUSINESSES THAT ARE LOCATED IN TID 4 (AND STATUTORILY PROSCRIBED ADJACENT AREAS) IN THE VILLAGE OF WATERFORD. THE LOAN IS NOT DESIGNED TO FACILITATE SPECULATIVE INVESTMENT IN PROPERTIES, NOR TO IMPROVE INVESTOR OWNED PROPERTIES. THE VILLAGE WANTS BUSINESS OWNERS TO BUILD EQUITY IN THE PROPERTIES THEY OWN, AND TO HAVE BUSINESS OWNERS BE SUCCESSFUL. LOAN AWARDEES WILL BE REQUIRED TO ENTER INTO A WAIVER OF SPECIAL ASSESSMENT ON THEIR PROPERTY FOR THE VALUE OF THE LOAN. **THE LOAN IS ISSUED IN THE FORM SUCH THAT A PORTION OF THE PRINCIPAL OF THE LOAN IS FORGIVABLE FOR EACH YEAR OF THE LOAN. THE LOAN PRINCIPAL WILL HAVE SOME PERCENTAGE OF ITS PRINCIPAL FORGIVEN**

FOR EACH YEAR THAT THE BUSINESS OPERATES, AS DETERMINED ON A CASE BY CASE BASIS AND APPROVED BY THE VILLAGE BOARD AND MEMORIALIZED IN A BINDING DEVELOPMENT AGREEMENT. OPERATION IS DEFINED AS ENGAGED IN REGULAR BUSINESS, OPEN TO THE PUBLIC FOR CONFORMING USES (EXCEPT IN CASES OF CLOSURE ORDERED UNDER STATE OF EMERGENCY) DURING MINIMUM HOURS AS SET FORTH IN A BINDING DEVELOPMENT AGREEMENT WITH THE AWARDEE. THE LOAN REPAYMENT AND PRINCIPAL FORGIVENESS SHALL BE SET FORTH IN A LOAN DOCUMENT WITH AMORTIZATION TABLE, AND INCORPORATED AS A PART OF THE DEVELOPMENT AGREEMENT.

NONDISCRIMINATION: IN AWARDING OR REFUSING A LOAN TO AN ELIGIBLE APPLICANT, THE VILLAGE WILL NOT DISCRIMINATE ON ANY BASIS PROHIBITED BY WISCONSIN STATUTE S. 111.321, INCLUDING BUT NOT LIMITED TO AGE, RACE, CREED, COLOR, DISABILITY, MARITAL STATUS, SEX, NATIONAL ORIGIN, ANCESTRY, ARREST RECORD, CONVICTION RECORD, OR MILITARY SERVICE, SUBJECT TO THE PROVISIONS OF WISCONSIN STATUTE SECTIONS 111.33 TO 111.365.

NOW, THEREFORE, BE IT RESOLVED, THAT THE VILLAGE OF WATERFORD BOARD OF TRUSTEES ENACTS THE TID 4 LOAN PROGRAM, AND AMENDS ITS 2020 BUDGET TO APPROPRIATE \$200,000 FOR SUCH PURPOSE.

INTRODUCED at a regular meeting of the Board of Trustees of the Village of Waterford held this 13th day of July, 2020.

Passed and adopted this 13th day of July, 2020.

Don Houston, Village President

ATTEST:

Rachel Ladewig, Village Clerk

VOTE: Ayes _____ Noes _____