

Resolution authorizing application and acceptance of a Wisconsin DNR for a Ready for Re-Use Loan for the remediation, monitoring and closure activities on the former Trane Plant 6 Property owned by LIPCO.

AMENDED RESOLUTION

WHEREAS, the City of La Crosse is a partner in the La Crosse Industrial Park Corporation (LIPCO) with LADCO and Xcel Energy and LIPCO is in the process of redeveloping the former Trane Plant 6 site and there remains environmental contamination on the site from the 1940s which was likely caused by La Crosse Footwear which is no longer in business; and

WHEREAS, the City has used DNR Ready for Reuse Brownfield Cleanup Project Loans and Grants in the past to remediate other sites in the City such as the Patros Site and the Desmond Formal Wear Site; and

WHEREAS, the environmental remediation, site monitoring, and closure on the LIPCO Trane Plant 6 property is estimated to cost between \$550,000 and \$680,000 depending on which landfill is used to accept the waste; and

WHEREAS, the Wisconsin DNR has been working with the City and LIPCO and in order to receive a loan for the remediation, the City must be the applicant rather than LIPCO primarily for the reason that the DNR only has loan funds available at this time and the DNR has indicated that Federal assistance would be in the form of a five year, zero interest loan to the City of La Crosse for \$250,000 of which a portion would be forgivable and require a City secured promissory note; and

WHEREAS, the Ready for Reuse program requires a sponsor match of not less than 22 percent (\$55,000.00); and

WHEREAS, the Common Council is considering a TIF District for this area of the City and any expenditure of funds would be TIF eligible if expended after the creation of the TIF District.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of La Crosse that it hereby authorizes an application to the Wisconsin DNR Ready for Reuse (RR Loan) Hazardous Substances and Petroleum program on behalf of LIPCO; and

BE IT FURTHER RESOLVED by the Common Council of the City of La Crosse authorizes the Mayor and City Clerk to execute and accept a standard Ready for Reuse Program Loan Agreement with the Wisconsin Department of Natural Resources in the amount of up to \$260,000.00 ~~\$250,000~~ (5 years at 0% interest with up to \$75,000 forgivable), with loan proceeds to be placed in TID 16 revenue account to be used for the remediation project and that TIF increment proceeds be used to reimburse the City for the DNR Ready for Reuse Program Loan as well as the local share of \$55,000.00 and all other expenses related to the clean-up; and

BE IT FURTHER RESOLVED by the Common Council of the City of La Crosse that it hereby authorizes the Mayor and Clerk to sign a promissory note with the Wisconsin Department of Natural Resources in the amount of up to \$260,000.00 ~~\$250,000~~, 0% interest, for 5 years with \$75,000.00 being a forgivable portion of the loan; and

BE IT FURTHER RESOLVED by the Common Council of the City of La Crosse that there is hereby appropriates up to \$680,000.00 from the Reserve Fund as a TID 16 expense after creation of TID #16 to provide for project related expenses, the City's required \$55,000.00 local match, and to secure the City issued promissory note issued to the Wisconsin Department of Natural Resources for the 5 year 0% interest, up to \$250,000.00 loan with \$75,000.00 being a forgivable portion of the loan; and

BE IT FURTHER RESOLVED that up to \$680,000.00 be included as a TID 16 expense in the 2016-2020 Capital Improvement Program Budget to reimburse the Reserve Fund should the creation of TID#16 be approved; and

BE IT FURTHER RESOLVED that the Board of Public Works is hereby authorized to enter into a professional services agreement in an amount not to exceed \$50,000.00 with Cedar Corporation (LIPCOs consultant) to assist the City in preparing plans, specifications and estimates so the City can bid out the remediation and closure of the site, which funding is included in the estimate for remediation of \$680,000.00; and

BE IT FURTHER RESOLVED that an additional \$80,000.00 be appropriated from the Sanitary Utility Fund to abandon an old sewer line and install new water and sewer on behalf of LIPCO to separate stormwater from sanitary sewer flows from an adjacent property which funds shall be reimbursed to the Sanitary Sewer Utility as a TID 16 expense in the 2016-2020 Capital Improvement Program Budget or through TIF revenue (proceeds) should the creation of TID#16 be approved; and

BE IT FURTHER RESOLVED that an additional \$400,000 be appropriated from the Reserve Fund as a TID 16 expense after creation of TID #16 to pay for the cost of trucking clean fill to the site to bring the site out of the floodplain and that that up to \$400,000.00 be included as a TID 16 expense in the 2016-2020 Capital Improvement Program Budget to reimburse the Reserve Fund should the creation of TID#16 be approved; and

BE IT FURTHER RESOLVED that the Board of Public Works, the LIPCO Board of Directors, Director of Finance and Purchase, City Engineer, Director of Planning and Development, City Attorney and other appropriate City staff are hereby authorized to carry out the activities required in the grant and to take any and all steps necessary to effectuate this resolution in accordance with State and local laws including project bidding, building demolition, concrete and asphalt removal, remediation and other matters related to this project and further being subject to the creation of Tax Increment District 16.