

ORDINANCE NO.: 4838

AN ORDINANCE to amend Section 2-404(g)(5) to modify the application review procedure for economic development incentives; and to create Section 2-404(m) regarding sale of City-owned land.

WHEREAS, the Common Council adopted Resolution No. 2004-12-034 on December 9, 2004 pertaining to the disposition of surplus property; and

WHEREAS, the Economic Development Commission identified both the need for providing adjacent land owners of developable land purchase priority if land is needed for future expansion, and the need for determining the sale price for the land;

WHEREAS, the Economic Development Commission recommended that Resolution No. 2004-12-034 be rescinded and incorporated into Municipal Code Chapter 2.23.

NOW, THEREFORE, THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 2-404(g)(5) is hereby amended to read as follows:

- (5) Sale of City-owned land. For development projects involving the sale of City-owned land, the procedures in Section 2-404(g)(5) must be followed. ~~the property must first be declared "surplus" by the Board, Committee, or Commission overseeing such land and the Common Council and shall be advertised for sale via public bidding through sealed bids, request for proposals or public auction. The sales price for the sale of City-owned land shall be determined using the "residual land value" method. Redevelopment Authority properties are presumed "surplus" and shall be sold in the manner outlined herein.~~

SECTION II: Section 2-404(m) is hereby created to read as follows:

(m) SALE OF CITY-OWNED LAND

The following is the formal established policy and procedure for the sale of City-owned property which is intended to provide a common standard for sales and will assist the City in stimulating interested purchasers/developers.

- (1) Each City Department shall maintain a listing of property under its jurisdiction and shall annually present a list of its properties to the Board or Committee that oversees the respective department, to determine if any property

can be deemed "surplus". The Board of Public Works shall annually request the surplus property listing from each Department to ensure annual compliance.

- (2) Property may only be offered for sale if it is first determined to be "surplus" by the Board or Committee that oversees such land and by Common Council resolution. Once a property is deemed surplus it shall be advertised with a display ad in at least three prominent metropolitan newspapers with the La Crosse Tribune being one of the three; or by request for qualification/proposal that is widely distributed; or by sealed bid (this requirement shall only apply to commercially zoned land, parcels zoned for multiple dwelling, or parcels suitable for platting). A "For Sale" sign with contact information is required to be located on the property for minimum of (10) consecutive days.
- (3) It shall be the responsibility of each Department to advertise surplus property under its jurisdiction.
- (4) Future land use must be compatible with the City's Comprehensive Plan and other adopted plans.
- (5) The City may add conditions or contingencies to any land sale, and sales shall not be approved for speculative development.
- (6) The City may add a reverter clause to any purchase agreement to buy back land at the original sale price if the land is not developed or if the land is deemed tax exempt.
- (7) The sales price of property shall be determined by the City Assessor or by a third party appraisal unless the property sale is part of an application for City assistance through the Economic Development Commission; then the sales price shall be determined by the residual land value method.
- (8) Lands that are deemed of local interest, such as a parcel smaller than 7,200 square feet or a remnant parcel created as a result of a highway construction project or remnant or surplus parcels that would only have an interest by the abutting property owner, shall only be required to be advertised via a legal ad in the La Crosse Tribune. Per the discretion of the Board or Committee overseeing the sale, adjacent land owners in need of land for business expansion may be given priority in the land sale.
- (9) The above policies and procedures for land sale in 2-204(e)(5), shall not apply to the following:
  - a. Land sold to non-profit entities or corporations for municipal public purpose.
  - b. Land sold in the City's industrial/business parks, land sold for industrial purposes, or land sold by the Redevelopment Authority where Wisconsin Law otherwise authorizes sale of industrial or Redevelopment Authority lands. However, such land sales shall be

advertised on the City website as well as with signage on the property.

- c. Land or projects under the authority of the Housing Rehabilitation Review Board.
- d. Whereas otherwise provided by law or otherwise directed by Common Council Resolution.

SECTION III: This ordinance shall supersede all resolutions and ordinances regarding economic development incentives, including Resolution No. 2004-12-034..

SECTION IV: This ordinance shall take effect and be in force from and after its passage and publication.

\_\_\_\_\_/s/\_\_\_\_\_  
Timothy Kabat, Mayor

\_\_\_\_\_/s/\_\_\_\_\_  
Teri Lehrke, City Clerk

Passed: 9/11/14  
Approved: 9/15/14  
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