

Where/when does the development on Brown Deer Road assist the Village?

The Village will not begin to see any benefits from the development until at least 2025, if construction begins in 2023. The lawsuit that was filed regarding direct legislation delayed the development.

In 2020, the Village purchased the property along Brown Deer Road as settlement for a pending lawsuit. A group of residents including the Save River Hills group, filed petitions with the Village requesting that the Village implement 2 ordinances – one for the sale of any village property and one for any project over \$1 million and that these actions required a referendum be placed on an election before the Village could proceed with those activities. The Village Board took no action. In March, 2022, the petitioners, Victor Harding, James Gleason, and Frederick Vogel, filed a Mandamus lawsuit against the Village seeking an order requiring the Village Board to adopt the ordinances or set them for a referendum vote. On August 4, 2022 – the presiding judge for Milwaukee County Circuit Court granted the Village Board’s motion for summary judgment seeking dismissal of the complaint. The petitioners had 90 days to file an appeal; however, no appeal was filed.

During this time period, the Village was not able to move forward with the development due to the lawsuit. Originally the Village had anticipated the development would assist with budgetary matters; however, due to the factors noted above, the Village will not see any increase in property tax base in the next few years.

Any property in the Village is valued as whatever is in place as of January 1st of every year. The development property is currently valued at \$0 because it is owned by the Village and the Village is exempt from property tax. There will be no increase in the property values until development begins to take place. If construction begins in 2023, the Village would see an increase in property tax base in 2024 and thereby increasing our net new construction figure for 2025. Net new construction is the percentage that allows us to increase our operations budget (levy) each year.

Construction is anticipated to be completed in several phases over a period of four to five years. After construction, an estimated \$40 million is expected to be added to the Village property tax base.

At the end of the TID, a portion of the TID will be added to the allowable levy limit.