



MINUTES OF THE REDEVELOPMENT AUTHORITY OF THE CITY OF GREEN BAY

TUESDAY, MARCH 14, 2023, 1:30 PM
City Hall, Room 604 - The Harry Maeir Room.
Virtual attendance is also available via Zoom.

A. ZOOM MEETING INFORMATION.

I. This item contains Zoom information, instructions, and a link to the Virtual Comment Form.

B. ROLL CALL.

I. Members: Gary Delveaux, Chair; Matt Schueller, Vice-Chair; Ald. Randy Scannell, Deby Dehn, Kathy Hinkfuss, Melanie Parma, and Jessica Ganther.

Liaisons: Jeff Mirkes, Leah Weycker, and Brooke Hafs.

Present: Randy Scannell, Gary J. Delveaux, Melanie Parma, and Deby Dehn

Excused: Matt Schueller, Jessica Ganther, and Kathy Hinkfuss

Liaisons Present: Brooke Hafs and Leah Weycker

Others Present: Mayor Eric Genrich, Ald. Brian Johnson, and Ald. Mark Steuer

C. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the March 14, 2023, meeting of the Redevelopment Authority.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to amend the agenda and remove Item #7.

Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to approve the agenda as amended. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

D. APPROVAL OF MINUTES.

1. Approval of the minutes from the February 2, 2023 and February 14, 2023, meetings of the Redevelopment Authority.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to approve the minutes. Motion Passed.
Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

E. REGULAR BUSINESS.

1. Election of Officers - Chair, Vice-Chair, and Secretary.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to nominate Gary Delveaux as Chair. Gary Delveaux asked if there were any other nominations. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to nominate Matt Schueller as Vice-Chair. Gary Delveaux asked if there were any other nominations. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

Moved by Gary J. Delveaux, seconded by Deby Dehn to appoint Neil Stechschulte as Secretary. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

2. Selection of members to serve on various subcommittees of the Redevelopment Authority.

Moved by Deby Dehn, seconded by Ald. Randy Scannell to approve the subcommittees as currently assigned. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

Funding Administration Subcommittee - Melanie Parma, Ald. Randy Scannell, Deby Dehn

Real Estate Subcommittee - Melanie Parma, Matt Schueller, Kathy Hinkfuss

Community Development Revolving Loan Fund - Matt Schueller, Kathy Hinkfuss

3. Consideration with possible action on the award of a Fair Housing Services three-year contract to Metropolitan Milwaukee Fair Housing Council with Community Development Block Grant funding.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to award a Fair Housing Services three-year contract to Metropolitan Milwaukee Fair Housing Council with Community Development Block Grant funding. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

4. Consideration with possible action to approve and recommend to the Common Council the City of Green Bay's 2023 Annual Action Plan for Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME) entitlement programs.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to approve and recommend to the Common Council the City of Green Bay's 2023 Annual Action Plan for Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME) entitlement programs. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

5. Consideration with possible action to terminate and replace a grant agreement with BFAM, LLC for the renovation of 317 Dousman Street.

Moved by Ald. Randy Scannell, seconded by Melanie Parma to terminate and replace the Grant Agreement with BFAM, LLC for the renovation of 317 Dousman Street. Motion Passed.
Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

6. Consideration with possible action on the award of selected playground equipment for Farlin Park.

Moved by Melanie Parma, seconded by Ald. Randy Scannell to award selected playground equipment for Farlin Park. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

7. Consideration with possible action on a development agreement with Henry Real Estate Development, LLC, Gorman & Company, the Green Bay Redevelopment Authority, and the City of Green Bay regarding the redevelopment and reuse of the property at 216 South Military Avenue (parcel #6-266-E).

This item was removed from the agenda.

8. Reconsideration with possible action on a no-build easement on RDA-owned property (parcel #12-112) and request to acquire/transfer RDA-owned property (parcel #12-86-1).

The Authority may convene in closed session pursuant to Sections 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the sale of public properties, investing of public funds or conducting other specified public business as necessary for competitive or bargaining reasons. The Authority will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to open the floor. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

Speaker:

Dave Dewick, Attorney

Moved by Ald. Randy Scannell, seconded by Melanie Parma to close the floor. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to enter closed session at 2:09 p.m. Motion Passed.

Ald. Randy Scannell read the closed session language.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to return to regular session at 2:45 p.m. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

Moved by Melanie Parma, seconded by Ald. Randy Scannell to direct staff to execute the transfer of RDA-owned property on the NW corner of the building (parcel #12-86-1), based on prior RDA-approval of this action, and refer to staff to have continued conversations to review the plans with the developer based on no easement as well as continued conversations on options with the easement. Motion Passed.

Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

F. INFORMATIONAL.

1. Financial report and check register.
2. Director's report and project updates.
Neil Stechschulte provided the Director's report and project updates.
3. Next Regular Meeting: April 11, 2023 at 1:30 PM

G. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Deby Dehn to adjourn. Motion Passed.
Yes- Gary J. Delveaux, Melanie Parma, Deby Dehn, Randy Scannell, No- None, Abstain- None.

VERBATIM MINUTES

- So let's rock and roll. Roll call please. All right. Delveaux? Yes. Schueller.
- Recording in progress.
- All right.
- Delveaux is here. Schueller is excused.
- Scannell.
- Present.
- Dehn.
- Here.
- Hinkfuss. Parma.
- Here.
- And Ganther is excused, I believe. We have forum.
- We have a forum barely, but we have a forum and, and maybe Kathy will still be joining us. Okay. Approval of the agenda. Okay. First of all, number seven.
- Staff's requesting number seven be removed for the agenda. There's no need for it at this.
- Point to amend the agenda to eliminate number seven. Okay. Keep the rest.
- Motion. And second, they'll be the once in the while we're moving to number seven.
- We're eliminating.

- Well, it's essentially in discussions with the developers and involved in the projects. There are two actually do two different. The primary owner and the second developer involved in that both proceeding with planning and development for their sites. The development agreement was essentially ascended to kind of document and codify the, some of the background information on how we got there.

- Okay.

- After discussing and going through with legal counsel and the, the amount of removing language that they just really wasn't anything outside of the plan unit development left in the very, in the document anymore. So there is no need to go into the, with an external document other than the two plan unit development center are still proceeding to counsel next week.

- So, so Randy made the motion. All those if favor say aye.

- Aye. Motion carried. Agenda's been motion.

- Motion to approve the agenda is amended.

- Second. All those in favor say aye. Aye. Aye. Motion carried. Very good. Thank you. We have minutes, so February 2nd on February 14th. I hope everybody had a chance to look at him. I know. I didn't have any problem. Anybody else?

- Motion to approve it? All the minutes. In the hours.

- Second. A second there. Yeah. Okay. A motion a second to approve the minutes of February 2nd, and February 14th, all in favor say aye.

- Aye. Aye. Motion carried. That time of year again, I guess. Election.

- Yes it is.

- Election of officers. I didn't get any campaign mail.

- Looks like our general procedure here is to ask if, just open if there's any members who, you know, wish to nominate someone. And then with the first and second, if there's multiple candidates, we'll do a vote. If there are just one candidate, we will just approve that one. Okay. Depending on what the member of the, the body's desires are here.

- Okay.

- Nominations are open.

- Well, I moved to approve the committee of members as they were listed in total.

- Was that, oh, this, that our, this.

- This is the chair, vice chair.
- Oh, yep.
- Sorry. Nevermind.
- That's all right. Do one at a time. I'm moving off.
- I'm moving too fast.
- We appreciate that.
- We actually, any motion that Gary Delveaux be our chair.
- I think we'll need separate motions on those. Yes. Is there any other, other candidates who wish to be chair?
- Any other nominations.
- Going once, going twice. Going three times. Okay. I think then that's a motion in second. We have a vote on that, please.
- All those in favor of the nomination of Gary being the chair say aye.
- Aye. Aye.
- Even though Matt's not here.
- Better yet, I nominate Matt for vice chair.
- There you go.
- I second.
- Okay. The motion a second. Any nominees? Nominations? Any other nominations? All those in favor of Matt being the vice chair say Aye.
- Aye. Aye.
- Matt, hope you're happy. This is, you are.
- Serves you right for going on vacation. Sorry.
- This can do, this we've been doing this lately, the secretary obviously using our executive director as, is our secretary. So I'll make the nomination that Neil could either to be our executive director and our secretary. Can I get a second motion. All those in favor say aye.
- Aye.

- Aye.

- Very good, thanks Ellen. Thanks for your vote of confidence, we appreciate that. We have, we have the list of the chair of the, the committee and unless there are some changes, we have a lot of, lot of agendas. So I guess I'd recommend that anybody wants some changes that we talk about next meeting, whatever. Unless you wanna discuss it now. But I mean, I, I think our committees are fine unless somebody wants to switch between committees or whatever. We're gonna let 'em stand as as they are.

- Can I just get a list of, so I know.

- Yep.

- I missed it. Too fast.

- Some of those don't need billed often.

- Probably revolving an old footage.

- So did you make a motion for that?

- Or I, I need to make a motion for that.

- Yeah, please.

- Okay.

- I make a motion that we approve the subcommittee's funding administration subcommittee bill Estate Subcommittee and Community Development Subcommittee Loan Fund, and their members as is listed.

- Second. Second.

- Motion second leave subcommittees as is. As always, somebody wants to make a change after this, we can certainly do that. All those the favor by saying aye.

- Aye. Aye.

- Opposed. Great. All the subcommittees will stand as, as presented. Number three, consideration with possible action on the award of a Fair Housing services for your contract in metropolitan Milwaukee. Fair Housing Council with Community Development Black Brand funding. Marissa?

- Yeah, that's me. So we are, our Fair Housing contract has expired with Metropolitan Milwaukee Fair Housing Council. And as part of our federal regulations, we have to comply with fair housing. So we've put some, we made an rfp, we put together an RFP and we put it out. We received one applicant back, which was Metropolitan Milwaukee Fair Housing Council. They have been doing our fair housing for the past 20 years, if not more. I believe they do a great job, so we would like to

award them the, the contract for the next three years.

- Excellent. And no complaints over the past. Deby, please.

- Do you know how many complaints have come from the city of Green Bay?

- Yeah, they, they give us a, a quarterly breakdown and then a yearly breakdown. So complaints usually around, or fair housing issues that they research and, and dive into is usually around 10 to 15 a year. Okay. But they do refer people, they get other complaints and they do a variety of different services for us. They do training and they, they put, you know, yeah.

- We also had some recommendations from the ERC with regards to doing more locally based outreach. Okay. In regards to fair housing. And I've talked with Erica from this firm totally on board with us, maybe focusing our efforts to specific non-profits in the area that could help us get the word out.

- I was just, I guess I was kind of wondering if, like, during the pandemic there's a lot of high complaints and they've gone down.

- No, it seems to be steady. From their reports.

- All right. Thank you.

- Sounds fair to me. I make a motion to approve. Second. Second by Debbie. Questions for comments regard to the motion, if not all in favor of motion please signal saying aye.

- Aye.

- Motion carried. Thank you. Number four. Thank you Mr. Mayor for joining us. No. Great. Okay. Number four, consideration of possible action to approve and recommend Travel Council with the city of Green Bay 2023 annual action plan for community development program, CDBG and Home Investment Partnership Program, home Entitlement Programs.

- Say that again, please.

- Yep. So we received notice or notification from HUB that they did their allocation. They released their allocation amounts for the entitlement communities. Since we received that dollar amount, we moved ahead with our procedure for putting together our annual action plan. We had a public hearing, we talked internally with staff in the mayor based on what we are receiving in funds for community development block grant and for homes. We, we drafted, this is budget with activities from last year. We're receiving a little bit more in CDBG funds and a little less in home funding. The categories and activities that we put together coincide with our five year consolidated plan for community development block grant and home. And they're really, the only difference from this year to last year is we're putting a little bit more into our public service activity categories and we're, we're gonna possibly open that up to the communities so that they can fill out applications and we will award funding based on the activities that are presented to us. It's kind of like an open account, you know, open call for public service activities. Does anybody have questions?

- I have a question. Yeah. Okay. So there's a total of \$250,000 then for single family rehab?
- Yes.
- Between home and Cdpg. What's the maximum amount loan that they can get? Is that 50,000?
- It's based on, well I think it's 35,000 for home and, or for help. Yes. 35,000 is the max.
- Gonna pass the other clause, that makes it so you can't go higher.
- Well, I think you can go higher than that. I mean, with home funding, with the help program based on the regulations, you have to bring the whole house up to code. So if they have enough equity in the house, those loans can go up over 35,000. But typically that's kind.
- I just remember there was a threshold that if they went over it, then the whole house had to be lead abated.
- Yes. But that's a calculation that you, that the contractor does with what type of work is being done.
- Oh, okay.
- If you're touching things that need the lead abatement, you add those dollars amount, dollar amounts up, and if they go over that 35,000, then you have to do that. So it's, it's a calculation. We test for lead too test for our home program.
- Right. I know it's very expensive. Yep. Whole thing. So I'm just, you know, wondering, how many homes.
- Yeah. And the reason why it, it's a little bit less this year is because we do have some funding that is still out there and available. Yeah. So.
- It's hard to get contractors out.
- Yes. It's hard to get contractors right now. So there is kind of a bottleneck. People waiting on the waiting list for that due to those issues, which are out of our control. So.
- Last question, is there still a prior prioritization on certain types of homes to get fixed?
- Like an emergency? Yes. Yes, there still is. Okay.
- All right.
- Well's good? Go to the city council. What do you think?
- Oh, yeah, I good. I had a few questions earlier. My staff answered that, so I'm, I'm good.
- Good.

- All right.
- Well, any questions, comments?
- Nope, I'm good.
- Motion to approve.
- Motion to approve by Alder Scannell.
- Second.
- Second by Deby. Questions or comments? And encourage your recommendation and the motion, if not all favoring. Aye, aye.
- Aye.
- Oppose? Motion carried. Thank you.
- Can I just make a comment? I'm having a little hard time hearing Deby, when Deby is speaking.
- Okay. Sorry. Okay.
- No, that's okay.
- You're coming in loud too Melanie.
- A common complaint.
- We, we'll get the microphone a little closer to her. How's that? All right. Just teasing you. Okay. Number five, consideration of possible action. I interpret to replace a grant agreement with B FM LLC for innovation on three 17 Nelson Street.
- I can take that one. We might recall back in June of last year, the r d approved grant agreement with BFA M the grant agreement is for TODA funds our tax increments development, affordable housing dollars. That was to help with the renovation of the building and creating six new affordable housing units. On the second story of that building, that's the former Bangkok Gardens building. For all of those, you're not aware That grant grant's agreement was contingent on the city being awarded a CDI grant, community Development Investment grant through W E D C, which we did receive. We received \$250,000 the city did, which we're passing those dollars through to BFA m to improve their project. So this is really just amend Well, we were gonna amend the TIDA agreement that we had previously approved just because the amount of changes required with the CDI grant being included into the scope loss, the law department recommended we just terminate the old agreement and create this new one. So that's essentially what we're doing here today.
- Good.

- Questions.

- Glad to hear you got the dead. When I first saw it, I'm like, wait a minute, youu can't use that ground residential. Oh, it's mixed. Mixed. There are Did. I did. I'm like, you can't just use it. Motion to approve Second Ms. Scandal As second by Melanie. Questions, comments, regard to the motion? If not all in favor to motion say aye.

- Aye. Aye.

- Oppose? Motion carried. Number six, consideration of possible action on, on the award of selected playground equipment for Farland Park.

- Yeah, this is part of our 2022 CDBG funds Parks Department is, would like to purchase park equipment for Farland Park. I attached a copy of the proposed equipment to your agenda items. So this would just be approving those block grant dollars to purchase that equipment and to award that rfp.

- I see Mr. Parks is here. I It's pretty cut and dry, but anybody questions or comments? No.

- I motion to approve.

- Motion. Second. Motion to second questions or comments? If not all of those in favor say aye.

- Aye.

- Carried. Thank you. All right, that is a very good use of our funds. Absolutely. All right. And number seven is are removed. Number eight, which is, we're gonna be talked about a couple different times and now it sounds if we don't make some type of move, it's gonna cost.

- That's the short, short chairman can give a quick update on this. Yeah, please. So obviously these are the two items bringing, brought forward here again today are the, the RDA O'S owned parcel on the northwest corner of the bay lake former Bay Lake City center building and then an easement on the, the south side of the property and, and it's immediately adjacent to the RDA owned property. Yes. Parking lot on that. In several conversations. Obviously this group has had been concerns over the overall general project. I think in general, certainly in some, with regards to the particular items being in question, but usually in the context of, of concerns over the overall project. The developer of that project is essentially, it was the pre, my previous action on this was to, I believe it was to deny the easement and then to, to, there was no action on the, the northwest corner parcel at this point. So essentially the developer proceeded then when in reaction to that action, the, the direction from this body to proceed with revising plans for renovating that building that that does not require those two items. So essentially that would be, I just, I guess in summary would be kind of a, the primary change that would be noticeable would be probably be without the easement that would be required to essentially to fill in the enclosures egress and egress on the, the Adams Street parking lot side of the building. So windows and doors would likely need to be bricked in or, or otherwise filled in. Right. Essentially, so I, guess I wanted to recap the option. So already retaining the ownership of the parcel. You know, we do have, now that we are aware of the, the code violation that is actually going down because of plans that have been submitted to the city. Essentially we, we are have a responsibility to get that addressed. It's been around for a long time, but it was never in a situation

where there were formal plans in front of us. Right. It was more of a discussion item. It was like we, we knew, but we didn't officially know. So there was kind of a, an ongoing leaving that property in its state that it was at. But now that we're aware of it, we actually do have direction from the chief building official to get that resolved. We need to give them a plan of action essentially by tomorrow. So we ask them to hold off till after the chance we have a chance for this meeting. Obviously there are, you know, just like any other owner, we would be subject potentially to reinspection fees without responding to that. Right. Take some action on that. So again, just need to provide them a plan of how we plan to intend to address that issue. Probably would want a contract for formal architectural services to design and oversee the corrective actions for someone actually working for the RDA. Up to this point we've been relying on, on the developer's contractor and conversations with our, our chief building official, which we have, you know, don't have any reason to question, but just to be on the safe side and to knowing the cost we might be talking about here, we definitely would want to have somebody take a look at that who's actually representing us specifically. The actual cost for that is not determined. We don't know exactly what that would be. Again, the actual construction cost for the improvements most likely, and again very short, would be the construction of a party wall between the two partners, essentially the, the current building as it lies, lies across a parcel, a parcel boundary line, which is generally not allowed. So we are actually need to have some sort of physical boundary according to code between the two ownership parties as it exists. So it would be a more of a fire code related issue. There's also the issue of utilities that would need to be correctly served to the corner of space as separate ownership versus what is there right now, there's been kind of a, essentially the existing utilities from the building developers have been covering those at this point. So those are kind of key items that would need to be addressed if the RDA was to Right. Keep those, there's certainly, from an overall commercial viability standpoint, it is a great location for space. It's just not very big. And in terms of the ability to generate revenue is probably would be somewhat limited on that site. Right. So we've had costs arranging from everywhere for at least preliminary up to this point from 800,000 to, to one up to 1.2 million potentially in terms of making calls, improvements for that site, primarily related to the party wall and utilities as being the primary cost items. Right. Plans have been submitted, the building owner to proceed without this, without this RDA parcel. So they're, they're actually here certainly. So if they, if, if the actions is to retain that parcel, they will proceed with those plans assuming they, they are fine formally approved so they have an option to proceed without these properties or this easement. Right. At this point did note, I think I did share with, I think with with you Mr. Chair and our previous meeting, that this act, this action was actually originally approved by the RDA in March of 2015. For some reason it was not executed. We can't find any reasoning why it wasn't executed. Right. Right. I don't, I believe the applicant as developers looked for that as well. They can't find, it seems to maybe something that just kinda slipped through the cracks. Obviously that was for a different project at the time. Right. But certainly it, it was actually previously approved. So, and sure all of our plans in 2015 that we have reviewed and are consistent all seem to indicate this was the intent back in 2015 was to make this happen. Right. And I do believe it's like the last things we noticed, you know, even issuance of a building permit for them to do their work is still contingent on this being resolved on our side. Cause I see the wall affects both properties. If we do transfer that, the ownership of that parcel, I think code issues would be addressed by the previously approved plans that they have, they already had submitted earlier that were already approved. Again, they have, they've submitted the second round of plans and the event, this doesn't move forward. No further action or investment would, would by the RDA would like to be necessary. The formal mechanism for transferring the property would still need to be drafted and executed at this time if approved. We actually, he, I would need to make that actually happen. And in terms of, this is obviously an assumption that the developer would still accept the parcel at this point. It's obviously they have an

option to proceed without it. Sure. We're assuming we think we do take our conversations with them most, they do feel that the best approach would be still to take on this parcel and use that as an access for the, the second floor. Good. It would make sense I think for both of us. But certainly that is something that I believe they would've to take back and still get formally approved at this point.

- Good. The simple solution is the transfer.

- In my opinion, Mr. Chair, I think that has been, I think a lot of this, certainly, again, I think the concern was whether or not, again, while we're not voting on the actual project that's occurring on the second floor, there's enough con, I know this buddy and and staff have had concerns over the project. This is certainly not viewed as an endorsement necessarily of that particular project. Right. But it is something that is, it is cleaning up a a, a parcel situation in a building code situation that has existed for a quite some time. Yes. And this was certainly correct that it would be something that if something else was to happen with the building, we would still need to address this. Yes. It would still need to be taken care of at that point. So I think then in that regard, yeah, certainly staff's recommendation on this one is to, to transfer the property would to, so we get that cleaned up.

- That's the only action that needs to be taken at this point in time, right?

- That's, I think that's the one for, to allow that address. Well that the other one to the easement specifically would be the other item. You again, plans haven't submitted that they don't require the easement anymore. Okay. But it does require a building situation that I don't think anyone is, even developers not overly excited about having to pursue what's certainly being much nicer project if those were, we're certainly concerned about wanting to see more windows and more glass, this would actually cause that deal the other way in order to be compliant with code. You know, there's certainly some issues that if they do, they do proceed with, with kind of changing all that access and so forth on the inside that obviously it affects the first floor tenants in terms of their access and so forth and what those impacts would actually be to them and what actions they may wish to take are certainly unknown at this point. It is and I think at some point it's still, even if we don't, there's the city may still require an easement for our own development sometime in the future. Right. That areas to be maintained between two separate buildings, we would still need to see something between the two structures. Okay. Certainly in terms of the no build for minimum code requirements, more likely we'd probably want to see some sort of pedestrian access. I think we've discussed a little bit before, right. To actually give some purpose to that particular area to make it more of an amenity between the two buildings. So some outdoor seating, emergency access kind of things. Pedestrian access between the two structures. So if the easement is granted, I think there it was that there would be no more requirement for that particular aspect from the rda. Again, we might need it in the future. I think in any case, certainly like having these things results I think certainly helps our case in terms of marketing our own parcel in terms of future development, which I know may has given us direction to say you wanna make that a priority this year in terms of making that go. I think we still do wish to wanna meet probably with, with the developer and, and talk about their project a little bit and see if there's some things that can be done to try to make that a little better. Yes. So I guess, you know, that's, and this again the reasoning obviously we're kind of at a point where certainly for our own orders that we're, we're we're facing in terms of addressing the code issue, but then also for the developer, it's kind of at a point of they either need to go one direction or another at this point. So Exactly. So that is why it was brought back. Yep. For this body, obviously those were the actions. So Yep. Certainly would be available for any questions at this

point.

- So in a nutshell would be actually doing something that we had actually approved eight years ago but was never.

- Was never executed.

- Maybe they didn't give it the \$10 they're supposed to.

- I'm not sure why he wasn't. I really don't, don't understand. But.

- Mayor, did you have a question?

- Yeah, please. Yeah, just real quick for you director, I mean what we need to do at a minimum is probably get some architectural analysis.

- That's correct.

- Write some independent architectural analysis. I think that would be the thing that we want to do at this stage. And then probably come back to rda.

- Except there's no sense of urgency I think there as far as transferring that property. Otherwise we're gonna have some improvements.

- In terms of having, part of our plan would be contract the architect to, to, to verify what we think is we, again, knowing what our inspection staff has reviewed, we're fairly confident, but what the, the situation's been presented as pretty accurate. But then again this one we actually have an architect review to just to verify an independent verification if that was.

- Actually, and I guess the question is, is that action adequate for the building inspector to say yes, you're, you're pursuing a solution, a potential solution here. So no, we won't be experiencing reinspection.

- If, if not, we would certainly just be the \$75 a pop for a reinspection fee. Which certainly is, is not an enormous amount of money. But I think, I think in terms of being able to show them that that was our, our option have its sake, depending on the determination we were going to go one way or the other I think was some hard deadlines I think would probably be acceptable.

- Reinspection fees are issued if people aren't working with us. Right. So I would think that in this situation we're clearly working on a solution here.

- Would you say there was a sense of urgency, may I ask?

- I think just in terms of, of the developer obviously needing a full a building permit and, kind of make a determination from their standpoint which plan they would be pursuing.

- Right. So where do they read the March 15th?

- That's for our response to the building inspection. The 13th building official. Okay. So by tomorrow? Yes.

- Okay.

- And as far as the easement, this would then allow the building to have windows and things that makes it a better project. Certainly.

- At least to retain the ones that are there. Hopefully there's certainly some other ones that would be added.

- Right. And that wouldn't affect a development in the lot. Correct. Giving them that easement that, that that wouldn't have a negative impact on.

- I don't believe so. And the only thing is if it was going to be development, obviously that was taking up both parcels one development, then that would probably be eliminated and put. That could be something that could be dealt with in the future. If in fact that would happen, I think most likely we would still need to have the same fire code requirement distance between the buildings that they would on their, on their side. We would still need to have that space between the structures.

- Okay.

- And in fact, it was adjusted previously. I had incorrectly assumed that it was going to be 30 feet from the property line and it's actually 30 feet from the actual building wall. So they redesigned redrafted the easement to be 30 feet from their building wall. So that actually made I think 60% of the area on their, on the Bay Lake City center property and 40% on the RDA property. So it was considerably less than than we originally anticipated on.

- Okay.

- Sounds easier.

- Pardon?

- Sounds easier. Oh, easement.

- We can open up, but I'm not sure. I mean. It's up to you.

- Like, I said, the developers here, if you would like to ask them any questions, certainly.

- Mr. Mary you have recommendation.

- I mean, you know, I was asking a question about the architectural analysis. I think that is sufficient at this time. If, if that's enough to, you know, prevent us from suffering any, any reinspection fees or. penalties from

- Our staff could certainly prepare it to resolve whatever they needed, I think on that. Absolutely.

- So the motion may be, this is the motion we're looking at then.
- To obtain an architectural analysis of the parcel on the northwest corner of building.
- I would say Andrew respond formally, respond to.
- Yeah I was going to say too.
- The orders that have been issued, which is implied, but I think we also make sure that that action is clear that we have we've come we've achieved that.
- Should open the floor if you have any comment.
- Would you like to open the floor. Okay.
- We can open the floor. Motion second. All in favor say aye.
- Aye.
- Motion carried. Got some comments, please make them.
- Good afternoon everybody.
- I, my name is Dave Wick, I'm an attorney in town here at Haggard Wick and Zangler, I represent the condo association, not the developer. I want everybody to be clear on that. Josh is here on behalf of the developer, but the condo association asked me to attend today just to do a couple different things. One reaffirm to the R D A as it relates to the, the RDA parcel reaffirm that in light of, you know, the past approval back in March, 2015 of the transfer in light of the, the recent non-compliance orders that were issued and what we understand to be significant costs, I think Neil, you know, referenced that today that could, you know, the RDA could incur as well as other issues. Right. You know, issues again that Neil talked about that relate to the association members, certain condo unit owners and their tenants. You know, depending on if the RDA decides not to transfer the, the parcel as Neil alluded, there's gonna be significant changes that it may be needed to that building both south side and north side. Which one affects the aesthetics of the building? And I think everybody doesn't necessarily want that to happen, but two impacts the, the work life of the tenants and the employees that are there significantly could impact them. So in order to, you know, facilitate avoiding those issues, the association is still willing to cooperate and, you know, and obviously the, the transfer and the completion of the transfer of that parcel. Second of all, as it relates to the, to the easement, the no build easement or restrictive covenant. Similarly, we're still willing to participate in that. Recognize, I hope everybody understands it's a mutual reciprocal easement and that it's gonna benefit both parties long term. Without that, if there's any development that goes up there, there's gonna be, you know, significant aesthetic issues on the north side of whatever building goes on the RDA parking lot. So again, we think that that's beneficial from the association's perspective for everybody. So again, we're willing to participate in that. The documents have been drafted as maybe, you know, it's just a matter of tweaking those slightly with respect to identifying that easement area. But otherwise the, the documents related to the RDA parcel have been transferred and, and my, from my perspective on as the association council ready to, to proceed with execution. As far as urgency, it's not just the, the developer that sees this as urgent, the association sees it as urgent as

well. I can understand Mr. Mayer's opinion to, you know, pursue further verification as to the cost. But from my perspective, that's kind of kicking it down the road. This issue's been out there for years and, you know, going back to 2015 and I, from our perspective as the association, we don't understand necessarily why there's been a delay, but there has been for whatever reason. And, and it's just a matter of, in our opinion, the costs and the potential value, however minimal that might be to that with respect to that parcel going forward. We just looking for, you know, as, as immediate a, a decision as possible again, cause it's gonna impact what we're, what the association needs to do. Because if the RDA decides to retain the parcel, there's the utility issues of course, and the rerouting of all that. But then there's also the condominium association, how that impacts that parcel and the RDA possibly having to become involved somehow in the, in the association. And so it just complicates things from a, from a legal perspective as well. So again, we encourage, obviously a, a favorable decision in, in, in favor of the transfer and the easement and we're willing to participate in that.

- Very good. Thank you. Excellent. If the developer wants to make any comments. If anybody has any questions, I'm here to answer 'em. I guess if that's.

- I don't have any questions. The motion to go back regularly. Motion to close the floor. Motion.

- Second.

- All in favor motion aye.

- Aye.

- Back to regular business. I'm just gonna make a, you know, I don't make a make an opinion here, but I'm gonna make an opinion. I think we should transfer. I, I I think it's gonna be made cleaner and then we should, we should transfer that, that piece of property. We have decision, we're gonna do it eight years ago. We, who knows why it wasn't, I have no idea. But that's, that's my opinion. So I'm, I'm, I don't normally make motions. I I usually help carry 'em out, but if, if it's gonna take a, a motion on this case, I I will make that motion that we actually transfer a piece of property.

- Gary, how is your motion both that northwest corner of the building as well as the easement? What is your, what are your thoughts on the easement?

- I'm simply concerned about the northwest, northwest corner of the building. Something as an opinion on the easement. You could talk about that as well, but it could either be two separate motions or, or combined into one. So I don't have any problem with the easement either, but I, I, I want, I want the group to talk, not not just me.

- Yeah, no, I honestly, as I, as I sit here and listen and think about it, I, I agree with you. I am not seeing the, the overall value in retaining that northwest corner. I can appreciate the comment, certainly from my perspective in, in getting, you know, whether that's additional information from, you know, from an architect or whatever the case may be. But I, I, I just don't see the value in keeping it, even if we, you know, if get additional information or on the, the cost from my perspective, I think it makes sense to transfer that. And from as far as the easement, that one's a little trickier for me. But as I think about it, I, I think that it probably, as you look to develop the other property, that you're still going to want to, you know, maintain that access and otherwise,

again, you run into to code issues with being that close on those property lines, et cetera. And so I think that it probably, you know, makes sense in the, the long run as well to grant the easement.

- Very good. You got two, two positive opinions here.

- Mr. Mayor, were you thinking of adding that to the, or just substituting.

- Substituting.

- Okay. I would like to go in a closed session.

- You certainly can.

- Do you want to read it?

- Certainly.

- The authority may convene a closed session pursuant to sections 19.85, subsection one, subsection e Wisconsin statutes for purposes of deliberating or negotiating the site of public's properties, investing in public funds or coordinating or conducting other specified public business as necessary for competitive or bargaining reasons. The authority will thereafter reconvene an open session pursuant to section 19.85, subsection two with scotch statutes to take action at items discussed in closed session. If appropriate and to consider the remainder of the agenda.

- Peter's a motion to go the closed session. Second, second. Second by Deby. Opposed appear saying aye.

- Aye.

- Okay, roll call please, please.

- Delveaux?

- Yes.

- Scannell?

- Yes.

- Dehn?

- Yes.

- Harma?

- Yes.

- Okay. Thank you.

- Do you want to stay for questions or anything?
- No, thank you. I don't think so. No, but don't go far.
- Recording stopped.
- What's wrong?
- Motion going, open session.
- And second by Deby. Roll call please. Delveaux? Yes. Scannell? Yes. Dehn? Yes. Harma?
- Here.
- They're coming.
- Good.
- Did you miss us?
- We, we had real good discussion in closed session. We're ready to make a motion, Melanie?
- Yeah. And I do make a motion, first part of the motion based on the prior approval of RDA to transfer that northwest corner of the property motion to for staff to execute the transfer of that northwest corner of the property regarding the easement motion to refer to staff to have continued conversations to review the plans with the developer based on no easement as long as, and as well as continued conversations on options with the easement.
- Okay, that's the motion there a second?
- Second, second.
- Second held by Scannell. Questions or comments in regard to the motion and second? If not all those in favor of the motion please signal by saying aye.
- Aye. Aye.
- Aye. Aye.
- Motion was carried. Thank you. Thanks for everybody's efforts I really appreciate it. Thank you very much. Okay. We are financial recording check. I have no questions or comments. I know anybody else did and director's report. I know you've been busy.
- Say, nah, nothing super new. Those, the two projects around the agenda today has been taking up quite a bit of our time here mostly. So obviously we're still working on existing projects and we'll be hoping to be bringing some updates for you regarding some other projects here in the next several weeks. So main objective is to kind of keep those projects moving forward at this point. All the

financial issues and other things constraint forth.

- Probably have the update on the

- We'll have the update for you, at the April meeting. Yes.

- Mr. Mayor? Anything else add?

- No, I don't think so.

- Close discussions. Thanks for everybody's help, and, appreciate everybody's input. Excellent, excellent comments. Next meeting is April 11th at 1:30. Motion adjourned. Oh, motion adjourned. Second by Deby. Second by aye. Thanks Melanie.

- Thank you.