

VILLAGE OF GRAFTON

COMMUNITY DEVELOPMENT AUTHORITY MEETING MINUTES

WEDNESDAY, JANUARY 13, 2016 AT 6:15 P.M.

The Community Development Authority meeting was called to order at 6:15 p.m. by Chair John Gassert.

Board members present: Alan Kletti, Dan McKelvey, Village President Jim Brunnquell, Al Richards, Roger Kirgues, Trustee Dave Antoine, and John Gassert

Staff/Officials present: Village Administrator Darrell Hofland and Director of Planning and Development Jessica Wolff, and Village Attorney Mike Herbrand

Public present: Cindy Shaffer and Emily Shaffer of Shaffer Development LLC

MINUTES

Motion by Commissioner McKelvey, seconded by Commissioner Richards to approve the minutes of the December 16, 2015 Community Development Authority meeting, as presented. Motion carried.

HEAR PERSONS REQUESTING TO BE HEARD

None.

AUTHORIZE VILLAGE ATTORNEY TO BEGIN EVICTION PROCESS FOR LITTLE HANDS CHILD CARE, 1517 WISCONSIN AVENUE

Attorney Herbrand updated the Commission on the status of Little Hands' relocation. The Commission discussed four requirements needed to not move forward with the eviction including a signed lease at the new location, a staff-approved concept plan on new location, applications for the February Plan Commission meeting and to be current with rent by the February Plan Commission meeting.

Commissioner Kletti asked about the timeline to evict Little Hands if the CDA took action today. Mr. Herbrand responded that the eviction could be processed by mid-February and served within 10 days after that; the total timeline could be between 30 and 45 days. Commissioner McKelvey thought the back rent is the most significant concern. Chair Gassert suggested putting it on the agenda for the next CDA meeting; all requirements should be met at this time and if not the CDA could proceed with the eviction process.

Motion by Commissioner Kletti, seconded by Trustee Antoine to accept the proposed Little Hands Child Care relocation timeline with review at the February 3, 2016 CDA meeting with the following requirements: signed lease at the new location, submittal of a conditional use permit and site plan application for the February Plan Commission meeting, and a plan to bring rent current by the February Plan Commission meeting. Motion carried.

CONVENE TO CLOSED SESSSION

Motion by Commissioner Kirgues, seconded by Commissioner McKelvey to convene to closed session at 6:35 p.m., pursuant to Wisconsin Statutes 19.85(1)(e) for real estate and competitive bargaining matters (Shaffer Development LLC (Lumberyard 1505) development agreement and sale of property).

Mr. Alan Kletti – Aye
President Brunnquell – Aye
Mr. Al Richards – Aye
Chair John Gassert – Aye

Trustee Dave Antoine – Aye
Mr. Roger Kirgues – Aye
Mr. Daniel McKelvey – Aye

Motion carried.

A closed session of approximately 57 minutes was held. The CDA discussed negotiation strategies associated with the development agreement and sale of property for Lumberyard 1505.

RECONVENE TO OPEN SESSION AND THE REGULAR ORDER OF BUSINESS

Motion by Trustee Antoine, seconded by Commissioner Richards, to reconvene to open session and the regular order of business, at 7:32 p.m.

Mr. Alan Kletti – Aye
President Brunnquell – Aye
Mr. Al Richards – Aye
Chair John Gassert – Aye

Trustee Dave Antoine – Aye
Mr. Roger Kirgues – Aye
Mr. Daniel McKelvey – Aye

Motion carried.

ACTION ON SHAFFER DEVELOPMENT LLC (LUMBERYARD 1505) DEVELOPMENT AGREEMENT

Motion by Commissioner Kletti, seconded by Commissioner Richards to approve Shaffer Development LLC (Lumberyard 1505) development agreement as revised (version 18 dated January 13, 2016) with the following amendment: remove “the greater of” and “ii the fair market value of the Lot as determined by an appraiser, chosen jointly by the CDA and Developer” on page 7. Motion carried.

ACTION ON SHAFFER DEVELOPMENT LLC (LUMBERYARD 1505) ENVIRONMENTAL INDEMNIFICATION AGREEMENT

Motion by Trustee Antoine, seconded by Commissioner McKelvey to approve the Shaffer Development LLC (Lumberyard 1505) environmental indemnification

agreement as revised with the following amendment: remove "costs of delay" on page 3. Motion carried.

ACTION ON RESOLUTION FOR SALE OF PROPERTIES LOCATED AT 1421 WISCONSIN AVENUE, 1505 WISCONSIN AVENUE, 1517 WISCONSIN AVENUE, 1005 BEECH STREET, 1001 BEECH STREET, 905-07 BEECH STREET, 1405-1407 11TH AVENUE, AND 1413 11TH AVENUE, 1417 11TH AVENUE TO SHAFFER DEVELOPMENT LLC (Lumberyard 1505) was offer by Trustee Antoine.

Motion by Commissioner Kirgues, seconded by Commissioner Kletti to approve resolution for sale of properties located at 1421 Wisconsin Avenue, 1435 Wisconsin Avenue, 1505 Wisconsin Avenue, 1517 Wisconsin Avenue, 1005 Beech Street, 1001 Beech Street, 905-07 Beech Street, 1405-1407 11th Avenue, 1413 11th Avenue, and 1417 11th Avenue to Shaffer Development LLC (Lumberyard 1505) subject to the following:

1. Closing contingencies in the offer to purchase would mirror changes in the Development Agreement.
2. Successful vacation of a portion of the former 11th Avenue right of way.

Motion carried.

OLD/NEW BUSINESS

None.

ADJOURN

Motion by Commissioner Kirgues, seconded by Commissioner McKelvey to adjourn at 7:37 p.m. Motion carried.