

## FULL BOARD - MINUTES

January 14<sup>th</sup>, 2021

At 7:10 p.m. Chairman Dahlke called the meeting to order and noted compliance with the open meetings law.

Present: Bulin, Dahlke, Arndt, Bowers, Allen, Bauman, Beard

Others Present: Owen Mergen, Julia Potter (Virtual), Matt Morrow, Jeremiah Conley, Frank Roman (Virtual), Raine Gardner, Luke Pelton (Virtual)

Absent: None

The Pledge of Allegiance was recited

Moved by Beard, second by Allen, to adopt the agenda as posted. Motion carried.

Moved by Allen, second by Arndt, to adopt the minutes of the 12/7/20 and 12/10/20 Village Board meetings. Motion carried.

### NEW BUSINESS:

- A. Raine Gardner of MSA presented information to the board regarding the proposed Village Forest Master Plan and Comprehensive Outdoor Recreation Plan. Multiple board members commented on items to consider when committing to the agreement; including a request from the City of Baraboo for the Village to contribute financing to their upcoming splash pad project, the need to preserve the quality of the forest and the need for the Public Works/Parks Committee to provide input on the adoption of the agreement. The Board considered the Finance/Personnel recommendation that the Board approve the engagement of the presented agreement. After the discussion, it was moved by Arndt, second by Bowers, to table to decision of committing to the referenced agreement until after the Public Works/Parks Committee has an opportunity to review the item and make a recommendation to the Full Board.
- Aye – 7
  - Nay – 0
  - Motion Carried

### OLD BUSINESS:

- A. Clerk/Treasurer Mergen provided an update regarding to Raze Order proceedings concerning a structure located at 830 W. Pine Street. The owner of the property has failed to reply to the previous request to engage in an agreement in which he would raze the structure at his own expense. Moved by Allen, second by Bowers, to issue an Order to Raze Building – Order to Remove Personal Property, for the fire damaged Log Lodge Motel building, located at 830 West Pine Street.
- Aye – 7
  - Nay – 0
  - Motion Carried
- B. Luke Pelton fielded questions from the Full Board regarding his proposed development, located at 1805 West Pine Street, and the terms of the requested TIF financing for that development. They also considered the Finance/Personnel recommendation to proceed with the TIF application on the terms and conditions specified in item C below.

**CLOSED SESSION:** At 8:01 p.m., it was moved by Bulin, second by Allen, to enter closed session pursuant to Wis. Stat. 19.85(e) Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session for the purpose of negotiating the terms of a TIF financing request. Roll call vote:

- Aye – 7
- Nay – 0
- Motion Carried

**RETURN TO OPEN SESSION:** At 8:29 p.m., it was moved by Bowers, second by Bulin, to return to open session.

- Aye – 7
- Nay – 0
- Motion Carried

C. Moved by Allen, second by Bowers, to adopt Finance/Personnel Committee recommendation to proceed with Luke Pelton's TIF application with respect to Phase 1 and Phase 2 (but not Phase 3) on the following terms:

- a. Phase 1 will be a 51-unit Huntington-style building with construction to start in 2021 with a guaranteed assessed value of \$4.5 million. Phase 2 will be four 16-unit buildings with construction to start in 2024, with a guaranteed assessed value of \$4.8 million.
  - b. The Village will provide a \$570,000 up-front cash grant and a 40% pay-go incentive for Phase 1 and a \$250,000 up-front cash grant and a 50% pay-go incentive for Phase 2.
  - c. The Village will pay the up-front cash grants in a lump sum if the developer provides a satisfactory letter of credit securing the payment.
  - d. Pay-go will be calculated based on a percentage of the actual tax increment generated by the project (even if it's higher than the guaranteed increment), but pay-go will only be paid out after the Village debt service and TID administration fees have been paid.
  - e. The duration of the pay-go will not be through the end of TID 3, but instead will only run until the Village's debt is extinguished (as shown in the calculations by Ehlers and included in the Board and Finance Committee packet).
  - f. Final approval of TIF incentives is subject to compliance with the Village's TIF policy (which includes a public hearing), receipt of all necessary approvals for the project, and negotiation of a development agreement (including security provisions) that is satisfactory to the Village Board.
- Aye – 6 (Beard, Dahlke, Bowers, Bulin, Bauman, Allen)
  - Nay – 1 (Arndt)
  - Motion carried

D. Consider Finance/Personnel recommendations regarding:

- a. The Board considered the F/P Committee recommendation to direct Clerk/Treasurer Mergen to negotiate a payment plan for Invoice No. 12420 dated 12/4/2020 and amend the current Pre-Annexation and Development Agreement Top Tier Grading LLC to reflect such payment plan. The Board discussed the extenuating circumstances applicable to this development and developer that justify the Board's action in this unique circumstance, including (a) the learning curve of new Village staff requiring more consultation with contracted Village professionals than usual, (b) a first-time developer who is not familiar with and did not budget for customary development expenses and does not have his own professional staff to advise him, (c) the bill was sent all at once rather than in periodic increments, (d) the project is highly desirable to the Village Board because it will provide much-needed workforce housing, (e) the property is well suited for inclusion in a Tax Incremental Financing district due to its high inherent development costs, and would have been included in TID 3 if it had been located within Village boundaries at the time of the District's creation. Moved by Bauman, second by Allen, for the reasons stated on the record, to (1) suspend developer's payment obligation with respect to \$4,670.72 of Invoice No. 12420 dated 12/4/2020 and permanently waive payment of said amount upon issuance of an occupancy permit for a multi-family housing development located at 1401 Terrytown Road and (2) instruct Village Clerk to negotiate a payment plan with the developer for the remaining \$5,000, which will be documented in a form approved by the Village Attorney.
  - o Aye – 7
  - o Nay – 0
  - o Motion carried
- b. Plan Commission recommendation to amend TIF 3 to include the property located at 1401 Terrytown Road was deferred until a future meeting, per Finance/Personnel recommendation.
- c. Discussion regarding changes to Committee/Commission meeting pay was deferred until a future meeting, per Finance/Personnel recommendation.

## **COMMITTEE REPORTS:**

**BEDC/CHAMBER/SCDC/BARABOO ACTS:** Jim Bowers provided a brief update on his recent communications with the Chamber of Commerce budget shortfalls. He made the recommendation that the Economic Development/Tourism Commission potentially consider sharing a portion or all of the their room tax revenues with the Chamber of Commerce in 2021.

**TRUSTEE/STAFF COMMENTS:** Clerk/Treasurer Mergen informed the Board that the abandoned properties on Viola Ct. are now being listed for public sale in February. He also gave the Board advance notice that he is working with the Boardman-Clark on updating the Village sign ordinance.

**APPROVE MONTHLY EXPENDITURES:** Moved by Arndt, second by Allen, to approve the monthly expenditures. Motion carried.

Adjourn: At 8:47 p.m. it was moved to adjourn by Bauman, Second by Arndt. Motion carried.

Respectfully submitted,  
Owen Mergen, Clerk/Treasurer