

**COMMUNITY DEVELOPMENT AUTHORITY
OCTOBER 12, 2015 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 5:30 P.M.

I. Roll Call

Present: Village President Krueger; Ron Kunding, John Coons, Scott Fleming, Ted Wagner.

Also Present: Michael Hall, Village Manager; Nate Piotrowski, Community Development Director;
Village Attorney Rebecca Boyle

II. Persons Desiring to be Heard

None

III. Consideration of Minutes: June 10, 2015 – Meeting

It was moved by Mr. Fleming and seconded by Mr. Coons to approve the minutes from the September 16, 2015 meeting. The motion carried unanimously.

IV. Report of Staff

None

V. Recess into Closed Session pursuant to § 19.85 (1)(e) Wisconsin Statutes for the following reasons:

- (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require closed session.

- 1. Reviewing possible new development proposal in Tax Incremental District #4

It was moved by Mr. Kunding and seconded by Mr. Wagner to recess into Closed Session at 5:35p.m. The motion carried unanimously.

Mr. John Daniels and Mr. James Bradley of V&J Holding Inc. were on hand to present plans for a Captain D's quick service restaurant. Mr. Daniels provided history on V&J, described the site plan and explained the Captain D's concept.

Mr. Kunding asked why Village assistance was needed for this particular project. Mr. Daniels replied that it was due to demolition costs for the existing structure and rising construction costs of recent years.

President Krueger asked why the Bradley Road site was preferred and not a location further north in the Green Bay Road corridor. Mr. Daniels said that the Bradley Road was a very good fit for Captain D's based on their research and he added that he personally preferred that location to sites further north.

Mr. Fleming asked if the revenue and expense projection which listed "Burger King" was still applicable to Captain D's. Mr. Daniels stated that it was. Mr. Fleming asked why the restaurant was projected to only have a \$22,000 annual profit. Mr. Daniels replied that this was a conservative estimate.

President Krueger asked if V&J would be willing to provide a personal guarantee for the repayment of the Village's assistance. Mr. Daniels replied that they would supply a letter of credit instead.

Mr. Daniels and Mr. Bradley were asked to step out of the room while the Board deliberated.

Mr. Fleming stated that he was concerned that the restaurant did not project to make a profit once depreciation was accurately figured in.

Mr. Kunding stated that he did not see any particular hardship that would necessitate Village assistance and substantiate the “but for” test.

President Krueger stated that he also did not see adequate information explaining the need for assistance and was concerned about the sustainability of the concept given the pro-forma and market profile data supplied by Staff.

Mr. Piotrowski reviewed the terms of the proposed memorandum of understanding and along with Mr. Hall presented the financial impacts on TIF #4. Ultimately the increment from the new guaranteed value would repay the borrowing by 2026 but the borrowing would further worsen the position of TIF #4 in the short term.

VI. Reconvene into Open Session for Possible Action on Closed Session Deliberations

It was moved by Mr. Fleming and seconded by Mr. Coons to reconvene into Open Session at 6:40 p.m. The motion carried unanimously.

VII. New Business

- A) Consideration of a Memorandum of Understanding for municipal participation/financial assistance at 4102 W. Bradley Road

It was moved by Mr. Kunding and seconded by Mr. Fleming to recommend denial of the Memorandum of Understanding to the Village Board. The motion carried unanimously.

- B) Recommendation on the sale and marketing of the Public Works facility, 8717 N. 43rd Street

Mr. Piotrowski reviewed the proposal and stated how the \$1.00 sale price would help to attract interest in the site while remaining competitive with neighboring municipalities who are also redeveloping public property.

It was moved by Mr. Kunding and seconded by Mr. Coons to recommend a sale price of \$1.00 for the Public Works facility to the Village Board. The motion carried unanimously.

VIII. Adjournment

It was moved by Mr. Fleming and seconded by Mr. Wagner to adjourn at 6:42 p.m. The motion carried unanimously.



Nate Piotrowski, Community Development Director