

A quorum of the Administration Committee, Board of Public Works, Park Board, and/or Common Council may attend this meeting; (Although it is not expected than any official action of any of those bodies will be taken).

**CITY OF MENASHA
REDEVELOPMENT AUTHORITY
Menasha City Center
April 10, 2023
Room 132**

4:00PM

AGENDA

A. CALL TO ORDER

B. ROLL CALL/EXCUSED ABSENCES

C. PUBLIC HEARING

D. MINUTES TO APPROVE

1. Minutes of the March 7, 2023 Redevelopment Authority Meeting

E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN ON THIS AGENDA

(five (5) minute time limit for each person)

F. DISCUSSION / ACTION ITEMS

1. Letter of Intent Withdrawal– Dark House Development, LLC – Vacant Banta Parking Lot South of Ahnaip Street (477 Ahnaip Street)
2. Lot 13 of Lake Park Villas – 850 Lake Park Road – Parcel 7-01700-13 – Right of Reversion
 - a. The RDA may adjourn into Closed Session pursuant to Wis. Statute 19.85(1)(e) and (g): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Lot 13 of Lake Park Villas – 850 Lake Park Road – Parcel 7-01700-13 – Right of Reversion).
 - b. The RDA may adjourn into Open Session to take action on items discussed in closed session
3. Set Next Meeting

G. ADJOURNMENT

If you have questions, please call the Community Development Department at (920) 967-3650 between 8:00 AM – 4:00 PM, Monday through Friday.

**CITY OF MENASHA
Redevelopment Authority
Menasha City Center
100 Main Street, Room 133
March 7, 2023
DRAFT MINUTES**

A. CALL TO ORDER

The meeting was called to order by Chairperson Vanderhyden at 5:15 PM.

B. ROLL CALL/EXCUSED ABSENCES

REDEVELOPMENT AUTHORITY MEMBERS PRESENT: Chairperson Kim Vanderhyden, Kyle Coenen, Matt Vanderlinden, and Kip Golden.

REDEVELOPMENT AUTHORITY MEMBERS EXCUSED: Gail Popp, Alderperson Nichols and Bob Stevens

OTHERS PRESENT: CDD Schroeder and Andrew Dane (Neighborhood Planners)

C. PUBLIC HEARING

None

D. MINUTES TO APPROVE

1. **Minutes of the January 10, 2023 Redevelopment Authority Meeting**

Vanderhyden made a motion to approve the minutes of the January 10, 2023 RDA meeting. The motion was seconded by Vanderlinden. The motion carried.

E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN ON THIS AGENDA

(five (5) minute time limit for each person)

None

F. DISCUSSION / ACTION ITEMS

1. **NAI Listing Agreement Amendment – Province Terrace Lots**

CDD Schroeder provided an overview of the proposed listing agreement amendment to extend an additional 6 months. Staff is recommending we modify to extend a full year. In addition, discussions were had with the broker in regards to interest and listing price, whereas no changes were recommended. Additional modifications such as the land purchase and development agreement requirement remain in effect as per previous amendments.

Vanderlinden made a motion to approve the listing agreement with NAI Pfefferle and the RDA for the listing of the Province Terrace Lots through February 13, 2024. The motion was seconded by Coenen. The motion carried.

2. **Brownfield Advisory Committee**

a. **General Update**

CDD Schroeder provided an overview of the RDA's role as the Brownfield Advisory Committee (BAC) noting that this designation is providing for a venue for staff and the consultant to publically provide updates as well as give the public the opportunity to guide the use of the grant funds and the direction of redevelopment. The exact use of the funds remains with the Community Development Department and the Consultant under the guidance of the EPA following the proposal and approved plan. The RDA as the BAC remains as a sounding board to guide conversation and direction.

b. **Community Outreach, Planning and Public Engagement**

CDD Schroeder and consultant Dane provided an overview of the proposed community outreach, planning and public engagement plan as part of the EPA grant. Part of the EPA site assessment grant is not only understanding the site constraints but also determining a vision for possible redevelopment. The 5 steps as called out in the plan include the development of a base map and target areas, a neighborhood survey, district branding survey, district wayfinding study, and community outreach. All of these steps will be outward facing to the public and the Common Council.

General discussion ensued regarding the process of getting public feedback, the proposed plan and how it effects the redevelopment and marketing of the community, the downtown focus area, the budget being a portion of the planning dollars in the EPA grant, and the timeline.

No action was taken. The RDA acting as the BAC supported the proposed plan as presented.

3. Set Next Meeting

The next meeting was set for April 4, 2023

G. ADJOURNMENT

Chair Vanderhyden made a motion to adjourn the meeting at 6:04 PM. The motion was seconded by Coenen. The motion carried.

Minutes respectfully submitted by CDD Schroeder



Dark Horse Development, LLC
PO Box 2517
Appleton, WI 54912

March 23, 2023

Redevelopment Authority
100 Main Street, Suite 200
Menasha, Wisconsin 54952

Dear Redevelopment Authority,

We would like to express our gratitude for the opportunity to develop townhomes on the parcel located at 477 Ahnaip Street in Menasha. After careful consideration and extensive due diligence, we have come to the difficult decision that this development is not in our best interest due to the high level of risk involved, and therefore will have to pass on this opportunity.

If you have any questions or concerns, please do not hesitate to contact us. We remain committed to working with the Redevelopment Authority and the City of Menasha on future projects.

Sincerely,

Handwritten signature of Cole Alsbach in black ink.

Cole Alsbach
VP of Operations

Handwritten signature of Samuel Schmidt in black ink.

Samuel Schmidt
VP of Business Development



MEMORANDUM

Date: April 10, 2023
To: Redevelopment Authority
From: Community Development Department/SS
RE: **Lots 13 Lake Park Villas – 850 Lake Park Road – Parcel – Right of Reversion**

On April 16, 2020, the RDA motioned to approve the sale of Lots 13 and 15 to Silver Street Properties.

As a refresher, Silver Street Properties also purchased the former Source restaurant (now El Jaripeo) and purchased Lot 16 of Lake Park Villas, being the vacant lot on the corner of Lake Park Rd and Villa Way. These past few years have been a struggle for all to navigate with the Covid Pandemic, labor shortages, rising construction costs, and most recently rising interest rates. Silver Street Properties did officially sell the restaurant in the summer of 2022. Due to no development happening on the vacant lots, specifically Lot 13 and the on-going concerns of whom is responsible for what as it relates to the shared access, sign and parking areas, staff has been in conversation with the owners about executing the right of reversion on Lot 13.

Per the approved offer to purchase, the RDA has “a right of reversion if building permits are not obtained before May 14, 2021 – price will be the Lot sale less the closing cost. Closing costs are determined later as part of the closing statement.”

The RDA sold both Lot 13 and 15 in the amount of \$126,000. The closing costs including real estate commission, closing statements, assessment letters and title insurance at the time were \$3,556.92.

Lot 13 1.172 acres (40.7%)
Lot 15 1.711 acres (59.3%)
2.883 acres

Staff is proposing the price of the buy-back would be \$47,725.08 (40.7% of the total sale price less the closing costs). Since the RDA would be purchasing property it would also need Common Council approval even though the RDA sold it with the reversion.











Staff recommends the RDA adjourn into Closed Session pursuant to Wis. Statute 19.85(1)(e) and (g) to deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved as it relates to Lot 13 of Lake Park Villas – 850 Lake Park Road – Parcel 7-01700-13 – Right of Reversion.

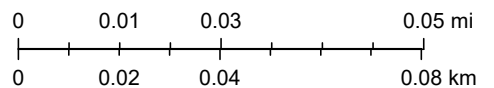
Site Map



4/5/2023, 3:58:02 PM

1:1,500

- | | |
|---|--|
|  Lakes, Ponds and Rivers |  Navigable - Permanent (checked) |
|  Navigable Waterways |  Navigable - Intermittent (checked) |
|  Navigable - Permanent (unchecked) |  Navigable - Stream (checked) |
|  Navigable - Intermittent (unchecked) |  Tax Parcel Boundary |
|  Navigable - Stream (unchecked) |  Road ROW |



Winnebago County GIS, Imagery Date: April 2020

WB-44 COUNTER-OFFER

Counter-Offer No. 1 by (Buyer/Seller) **STRIKE ONE**

NOTE: Number this Counter-Offer sequentially, e.g. Counter-Offer No. 1 by Seller, Counter-Offer No. 2 by Buyer, etc.

1 The Offer to Purchase dated 03/27/2020 and signed by Buyer Silver Street Properties, LLC
 2 for purchase of real estate at Parcel 1 Lot 13 850 Lake Park Road
 3 Parcel 2 Lot 15 900 Lake Park Road is rejected and the following Counter-Offer is hereby made.
 4 **CAUTION: This Counter-Offer does not include the terms or conditions in any other counter-offer or multiple**
 5 **counter-proposal unless incorporated by reference.**
 6 All terms and conditions remain the same as stated in the Offer to Purchase except the following: _____
 7 Purchase Price shall be \$126,000
 8 Line 98 - N/A or Strike
 9 Lines 230-236 Buyer shall provide a proof of funds letter from their Lender Prior
 10 to the 7 days after acceptance
 11 Lines 306-308 - Strike - there isn't enough time to obtain these approvals prior to
 12 closing
 13 Line 333 should read N/A
 14 Line 338 - should place and "X" within the box for UTILITIES indicating that BUYER will
 15 obtain - at Buyers Expense the needed verification
 16 Line 343 - Buyer will obtain at Buyers expense any written verification for the access to
 17 the property
 18 Line 526 Bob Rossi is a member of Silver Street Properties, LLC and is also a Wisconsin
 19 Real Estate licensee
 20 _____
 21 1. A right of reversion if building permits are not obtained before May 14, 2021 -price
 22 will be the Lot sale less the closing cost. Closing costs are determined later as part of
 23 the closing statement.
 24 2. Grantee guarantees Grantor that if the property becomes tax exempt, the owner shall
 25 make an annual payment in lieu of taxes (PILOT) to the City of Menasha, in an amount equal
 26 to the value of the property multiplied by the tax rate, unless another amount is agreed
 27 to between the owner and the City of Menasha."
 28 The attached N/A is/are made part of this Counter-Offer.
 29 Any warranties, covenants and representations made in this Counter-Offer survive the closing of this transaction.
 30 This Counter-Offer is binding upon Seller and Buyer only if a copy of the accepted Counter-Offer is delivered to the
 31 Party making the Counter-Offer on or before April 22, 2020
 32 (Time is of the Essence). Delivery of the accepted Counter-Offer may be made in any manner specified in the Offer to
 33 Purchase, unless otherwise provided in this Counter-Offer.
 34 **NOTE: The Party making this Counter-Offer may withdraw the Counter-Offer prior to acceptance and delivery**
 35 **as provided at lines 30-33.**

36 This Counter-Offer was drafted by Elizabeth Ringgold-NAI Pfefferle on 04/20/2020

37 _____ Licensee and Firm ▲
 38 (x) [Signature] 4/20/2020 Date ▲
 39 Signature of Party Making Counter-Offer ▲
 40 Print name ▶ Philip Vanderhyden, Jr. Chairman

(x) [Signature] 4/22/2020 Date ▲
 Signature of Party Accepting Counter-Offer ▲
 Print name ▶ Eric Jacobson Member

41 (x) _____
 42 Signature of Party Making Counter-Offer ▲ Date ▲
 43 Print name ▶ Menasha Redevelopment Authority

(x) [Signature] 4/22/2020 Date ▲
 Signature of Party Accepting Counter-Offer ▲
 Print name ▶ ROBERT M. ROSSI, MEMBER

44 This Counter-Offer was presented by _____ on _____
45 Licensee and Firm ▲ Date ▲

46 This Counter-Offer is (rejected) (countered) **STRIKE ONE** (Party's Initials) _____ (Party's Initials) _____

47 **NOTE: Provisions from a previous Counter-Offer may be included by reproduction of the entire provision or**
48 **incorporation by reference. Provisions incorporated by reference may be indicated in the subsequent Counter-**
49 **Offer by specifying the number of the provision or the lines containing the provision. In transactions involving**
50 **more than one Counter-Offer, the Counter-Offer referred to should be clearly specified.**



**First American Title Insurance Company
- Evans Title Division**

330 W. College Avenue, P.O. Box 1234 • Appleton, WI 54912

Office Phone:(920)735-6000 Office Fax:(866)616-2014

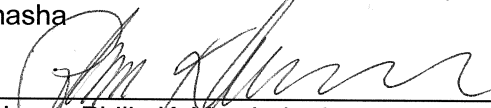
Seller's Final Settlement Statement

Property Address:	850 and 900 Lake Park Road, Menasha, WI	File No:	3028254
		Officer:	Karen Prue/KP
		Settlement Date:	05/13/2020
		Disbursement Date:	05/13/2020
		Print Date:	05/06/2020, 7:31 AM
Buyer:	Silver Street Properties, LLC		
Address:	733 Midway Road, Menasha, WI 54952		
Seller:	The Redevelopment Authority of the City of Menasha		
Address:	100 Main Street Suite 200, Menasha, WI 54952		

Charge Description	Seller Charge	Seller Credit
Consideration:		
Total Consideration		126,000.00
Earnest Money:		
Earnest Money Held By: NAI Pfefferle	2,000.00	
Commission:		
Real Estate Commission to NAI Pfefferle	5,560.00	
Title/Escrow Charges to:		
Closing Statement Preparation Fee to First American Title Insurance Company - Evans Title Division	125.00	
Special Assessment Letter (WI) to First American Title Insurance Company -	110.00	
Increased Liability / Take Off to First American Title Insurance Company -	245.00	
Cash (X To) (From) Seller	117,960.00	
Totals	126,000.00	126,000.00

SELLER(S):

The Redevelopment Authority of the City of
Menasha

By: 
Name: Philip K. Vanderhyden, Jr.
Title: Chairman

Initials: _____