

Item # 9  
is Epower/Tac Tik  
lighting

**CITY OF SHEBOYGAN**  
**REDEVELOPMENT AUTHORITY MINUTES**

**Wednesday, March 20, 2024**

**MEMBER PRESENT:** Roberta Filicky-Peneski, Jim Conway, Darrell Hofland, Deidre Martinez, and Cleo Messner

**MEMBERS EXCUSED:** James Owen and Steve Harrison

**STAFF/OFFICIALS PRESENT:** City Attorney Charles Adams, Planning & Development Director Diane McGinnis-Casey, and Community Development Planner Janet M Duellman

**OTHERS PRESENT:** Tim Wassmer (Epower/Tac Tik Lighting)

**OPENING OF MEETING**

1. Roll Call: Steven Harrison, Cleo Messner, Jim Conway, Darrell Hofland, Deidre Martinez, James Owen, and Roberta Filicky-Peneski

2. Call to Order

Chair Roberta Filicky-Peneski called the meeting to order.

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Identify potential conflict of interest.

No committee member has a potential conflict of interest.

**MINUTES**

5. Approval of minutes from the February 21, 2024 and the March 6, 2024 meetings.

Motion by Jim Conway, second by Darrell Hofland to approve the minutes from February 21, 2024. Motion carried.

Motion by Deidre Martinez, second by Jim Conway to approve the minutes from March 6, 2024. Motion carried.

**ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

6. Discussion and possible action on Exclusive Right to Negotiate for the former Jakum property located on N 15th Street. (parcel # 59281718350 & 59281712930).

Planning & Development Director Diane McGinnis-Casey stated that the Redevelopment Authority purchased the Jakum property with ARPA funds which means that it will need to be affordable housing. The city has been contacted by a developer that is interested in developing the site and they are asking for the Redevelopment Authority for the Exclusive Right to Negotiate while the developer does his due diligence. The developer believes he can put approximately 32 two-story townhouses on the site.

The committee inquired who the developer is, if more Road Right-of-way (RROW) is needed, and the timeline. Diane McGinnis-Casey mentioned that it is the same developer as the Malibu Apartments on Kite Beach (Optenburg) property and the timeline is the same. Three Amigos would like to break ground in August. No additional RROW is needed for this development.

Motion by Darrell Hofland, second by Deidre Martinez to approve the Exclusive Right to Negotiate with the standard terms to expire on August 31, 2024. Motion carried.

7. Discussion and possible action on the payment of the invoice for the Sign Shop of Sheboygan to wrap back of sign on S 8th Street.

Planning & Development Director Diane McGinnis-Casey explained the sign that welcomes visitors to the downtown located at the intersection of 9<sup>th</sup>, 8<sup>th</sup>, and 7<sup>th</sup> Streets is going to have the back of the sign wrapped. Diane McGinnis-Casey inquired if the Redevelopment Authority would assist with the payment. The invoice amount is \$1,885.00 for the wrapping and the artist will be receiving \$1,000 for their design.

The committee inquired where the funding for this was coming from. Diane McGinnis-Casey stated that the city was paying for the artist with the room tax dollars. The committee asked why Visit Sheboygan, Parking Utility and BID were not paying for a portion of the sign wrap. Diane McGinnis-Casey mentioned that she was bringing it to the Redevelopment Authority first.

Motion by Darrell Hofland, second by Jim Conway to contribute \$600.00 towards the cost of the wrapping of the sign. Motion carried.

8. Discussion and possible action on Lino Ristorante Italiano LLC Leaseholder Mortgage (422 South Pier Drive).

City Attorney Charles Adams explained to the Redevelopment Authority that a new leaseholder mortgage has been submitted for Lino Ristorante Italiano LLC. He further stated that after reviewing the leasehold mortgage there were three items that he would like to bring to the committee's attention because they are different than the original leasehold mortgage.

1. The increase in the amount of the loan.
2. Changes in terms related to default that impact the landlord's rights and obligations.
3. The landlord giving up a right to a jury trial (only the mortgagor gave up that right under the prior mortgage).

The committee inquired if the new leaseholder mortgage would prohibit the lease increase. City Attorney Charles Adams stated that no it wouldn't. That the items mentioned really don't change much of anything. He just wanted the RDA to be aware of the changes.

Motion by Darrell Hofland, second by Jim Conway to authorize the appropriate Redevelopment Authority members to execute mortgage. Motion carried.

9. Discussion and possible action on Epower repayment schedule.

Tim Wassmer (Epower/ Tac Tik Lighting) was present.

Tim Wassmer explained that he started his business in 2016 and has met the job creation portion of the loan, but hasn't been able to make payments for the last two years due to 80% of his business being lost during COVID. The committee inquired as to why he did not come before them to ask for assistance and did not respond to request for payments for the last two years. Tim Wassner mentioned that he wasn't aware he could do that and explained that he can start making payments right away.

**CLOSED SESSION:**

Motion to convene into closed session under the exemption provided in Sec.19.85(1)(e) Wis Stats for the purpose of conducting other specified business, to wit: negotiating a settlement of an unpaid balance on a Business Development Loan held by ePower Manufacturing, LLC, where bargaining reasons require a closed session.

Motion by Deidre Martinez, second by Jim Conway to convene into closed session.

Roll Call Vote:

Yea: Filicky-Peneski, Conway, Hofland, Martinez, and Messner  
Nay: None.

Motion Carried.

**OPEN SESSION:**

*Motion to reconvene into open session.*

Motion by Deidre Martinez, second by Jim Conway to reconvene into open session.

Roll Call Vote:

Yea: Filicky-Peneski, Conway, Hofland, Martinez, and Messner  
Nay: None.

Motion Carried.

*Discussion and possible action of closed session item.*

Committee inquired if the owner was aware that his payments would be close to doubled. Tim Wassmer stated that he understood that. The committee further stated that due to COVID and the down turn in the economy that the committee could waive the late fees for the last two years but as of today the late fees will be reinstated from this point forward. The committee reiterated that communication with the committee is important and that failure to do so in the future the committee will not be as forgiving.

Motion by Jim Conway, second by Deidre Martinez that the Redevelopment Authority agrees to forbear on declaring a default provide the borrow agrees to

resume payment in an amount which will result in loan being paid in full by its due date. The Redevelopment Authority is not waiving its right to declare a default in the future if it occurs. The Redevelopment Authority is exercising its discretion to waive the late fee due to default being caused by COVID. Motion carried.

#### **NEXT MEETING**

10. April 3, 2024 at 7:45 am in Council Chambers

#### **ADJOURN**

11. Motion to Adjourn

Motion by Deidre Martinez, second by Cleo Messner to adjourn. Motion carried.

Being no further business, the meeting was adjourned 8:26 a.m.