



Community Development Authority Board of Directors Meeting (In-Person & Virtual)

Whitewater Municipal Building Community Room,
312 West Whitewater St., Whitewater, WI 53190
*In Person and Virtual

Thursday, June 20, 2024

MINUTES

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CALL TO ORDER

Vice-Chair Joe Kromholz called the meeting to order at 5:32 p.m.

ROLL CALL

PRESENT: Greg Majkrzak (Virtual), Neil Hicks, Chris Christon, Thayer Coburn, Joe Kromholz, Jeff Knight (Virtual) and Jon Kachel. STAFF PRESENT: Taylor Zeinert (CDA Executive Director), Rachelle Blich (Finance Director), Bonnie Miller (CDA Administrative Assistant).

APPROVAL OF AGENDA

Moved by Board Member Coburn to approve the Agenda; seconded by Board Member Kachel. ROLL CALL VOTE: AYES: Knight, Hicks, Coburn, Kachel, Kromholz, Christon, Majkrzak. NOES: None. ABSENT: None. Motion passed.

DECLARATION OF CONFLICT OF INTEREST

None.

HEARING OF CITIZEN COMMENTS

None.

APPROVE MINUTES

1. Moved by Board Member Hicks to approve the Minutes of the April 18, 2024 CDA Meeting; seconded by Board Member Kachel. Motion passed by unanimous voice vote.
2. Moved by Board Member Hicks to approve the Minutes of the May 16, 2024 CDA Board Meeting as amended to correct an omission of Board Member Christon in the vote to approve the 04/18/2024 Agenda; seconded by Board Member Majkrzak. Motion passed by unanimous roll call vote.

3. ACKNOWLEDGE FINANCIAL STATEMENTS

Moved by Board Member Majkrzak to acknowledge the Financial Statements for period ending 05/31/2024; seconded by Knight. Motion passed by unanimous roll call vote.

ACTION ITEMS

4. Discussion and Possible Action Regarding the Response to the Request for Proposals (RFP) to engage Legal Counsel for the CDA.

Director Zeinert provided an update regarding the four proposals received: Lindner & Marsack (Milwaukee), Stafford Rosenbaum (Baraboo), Von Briesen (Milwaukee), West & Dunn (Madison). Staff recommended Stafford Rosenbaum. Moved by Board Member Knight to approve recommendation of Director Zeinert to select Stafford Rosenbaum; seconded by Board Member Board Member Coburn. Motion passed by unanimous roll call vote.

5. Discussion and possible action with respect to amendment to Ordinance 5.28 regarding Mobile Food Establishments.

Director Zeinert provided a brief summary of the changes to Ordinance 5.28 and stated that the Common Council asked for feedback from the CDA with regard to the draft presented at their Common Council Meeting. After discussion by the Board, it was moved by Board Member Hicks to approve the Ordinance as presented; seconded by Board Member Coburn. After a brief discussion, Board Member Hicks rescinded the original motion. Moved by Coburn to recommend that the Common Council approve the Ordinance 5.28 as presented; seconded by Board Member Hicks. Roll Call Vote: AYES: Majkrzak, Hicks, Christon, Coburn, Kromholz, Kachel. NOES: None. ABSENT: Board Member Knight had left the meeting. Motion passed.

6. Update and possible action with respect to most recent draft of the Memorandum of Understanding (MOU) for the Innovation Center.

Vice-Chair Kromholz stated that he has not heard final approval from UW-Whitewater and recommended that we table this item until CDA Legal Counsel has had a chance to review and to extend the current MOUs that are in place for another 30 days until the end of June. Coburn moved to table the discussion of the approving the Innovation Center MOU and extend the CDA's approval of the current MOU until September 30, 2024; seconded by Board Member Hicks. Roll Call: AYES: Hicks, Coburn, Kachel, Kromholz, Christon, Majkrzak. NOES: None. Absent: Knight. Motion passed.

CONSIDERATIONS / DISCUSSIONS / REPORTS

7. Staff Update Regarding Why the Meeper Loan Was Written Off.

Director Zeinert provided a brief summary of this agenda item and introduced Finance Director Rachelle Blich who provided a detailed summary of her report regarding the circumstances surrounding the write-off of the Meeper Loan, followed by questions from the Board. The report included a timeline of all of the various loans issued to four entities owned or controlled by Liz Eversoll. Patrick Singer (263 Amber Drive) offered comments regarding his recollections from the time he served on the CDA Board of Directors. Chair Kromholz would like to see a report regarding next steps to be taken by the CDA regarding its loan portfolio.

EXECUTIVE SESSION

Moved by Board Member Kromholz to adjourn to Closed Session, TO RECONVENE, pursuant to Wisconsin Statutes 19.85(1)(e) "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. Items to be discussed: **(8)** Discussion and possible action with respect to Whitewater WindUp Winner Allocations; **(9)** Discussion and Possible Action Regarding draft of Letter of Intent for Jon Tanis; **(10)** Developers Agreement for Park Crest Development (Lots 44-58 Park Crest Subdivision); **(11)** Discussion and possible action regarding Developers Agreement for Royal Hounds Project (Lot /A323600002) located on Bluff

Road. Motion seconded by Board Member Coburn Roll Call Vote: AYES: Majkrzak Hicks, Christon, Coburn, Kromholz, Kachel. NOES: None. ABSENT: Knight. Motion passed.

RECONVENE INTO OPEN SESSION. Moved by Board Member Coburn to reconvene to open session to take action on Closed Session Items 8 and 11.

Item 8 – Discussion and possible action with respect to Whitewater WindUp Winner

Allocations. Moved by Board Member Hicks to instruct the Attorney to create the appropriate legal documents for obtaining funds and criteria for spending said funds; seconded by Kachel. Roll Call Vote: AYES: Hicks, Christon Coburn, Kromholz, Kachel. NOES: None. ABSENT: Majkrzak, Knight. Motion passed.

Item 9 – Discussion and Possible Action Regarding draft of Letter of Intent for Jon Tanis. No action taken.

Item 10 – Developers Agreement for Park Crest Development (Lots 44-58 Park Crest Subdivision). No action taken.

Item 11. Discussion and possible action regarding Developers Agreement for Royal Hounds Project (Lot /A323600002) located on Bluff Road. Moved by Board Member Hicks to approve the Development Agreement for Royal Hounds project on Lot /A323600002 located on Bluff Road; seconded by Board Member Kachel. Roll Call: AYES: Coburn, Kachel, Kromholz, Christon, Hicks. NOES: None. ABSENT: Majkrzak, Knight. Motion passed.

FUTURE AGENDA ITEMS

- Staff update regarding ongoing Litigation.
- Staff update regarding status of Action Fund Loan Loss Reserves.
- Staff update regarding status of Scanalytics Capital Catalyst Loan.
- Staff update regarding summary of Capital Catalyst original Catalyst Loans.
- Staff Update Regarding the Cost of Amending TIF District.
- Staff Update Regarding Future Whitewater WindUp 2025.
- Staff work with newly-selected CDA Attorney regarding Meeper and come back with possible actions.
- Coburn – reach out to local developers – incentives available???
- Coburn/Joe – conflict of interest and “manual”.

ADJOURNMENT. Moved by Board Member Kachel and seconded by Board Member Hicks to adjourn the meeting. Motion passed by unanimous voice vote. Vice-Chair Kromholz adjourned the meeting at approximately 8:13 p.m.

Respectfully submitted,

Bonnie Miller, Recorder