

Village of Shorewood Hills
Special Meeting of the Board of Trustees
Draft Meeting Minutes
Monday, May 12, 2014

1. **Call to Order** Village President Mark Sundquist called the meeting to order at 7:00 pm.
2. **Roll Call** Members of the Board present were Mr. Sundquist and Trustees John Imes, David Benforado, Mark Lederer, Bob Hurley and Tim Ridders. Felice Borisy-Rudin was excused. Also in attendance were Village Treasurer David Kuenzi, Village Administrator Karl Frantz, Emergency Services Coordinator David Sykes, and Village Clerk Cokie Albrecht. Approximately eight visitors were in the audience.
3. **Statement of Public Notice** Karl Frantz confirmed the meeting had been properly posted and noticed.
4. **Procedures Orientation** There was none tonight.
5. **Appearances and Communications**
 - i) **Flad Development concept to redevelop ATT Plaza and Village Hall property**
Mr. Flad presented his plans to purchase Village Hall and the ATT Plaza, raze both buildings, and construct a mixed use building with retail on the ground floor and four stories of apartments above on the combined lots. He has an option to buy the ATT Plaza from the present owner, Jackie Groves, within 24 months. He proposed to purchase the Village Hall for \$1.9 million. The project would require \$2.2 million in developer-financed TIF funding. The Village would need to amend TID 3's boundaries to include the Village Hall property. Although TIF funds can not be used for municipal buildings, Mr. Flad suggested the Village would want to use them to defray the Village Hall relocation costs.
6. **Board Matters**
 - i) **Consider methodology and authorization to proceed with facilities programming analysis** After discussion, the consensus of the Trustees was that Mr. Flad's proposal—or any plan to utilize the Village Hall property—could not be effectively evaluated until the Village did research on its space needs. The Trustees instructed staff to put together a request for proposals as a first step in selecting a consultant to assist the Village in sorting out its space needs.
 - ii) **Please take notice that the Board may adjourn to Closed Session as per §19.85(1)(e) due to bargaining reasons and may reconvene to open session as per Wisconsin State Statutes 19.85(2) to address any business that may be the result of the deliberations made in closed session (Village response to Right of First Refusal for purchase of ATT Plaza property)** At 8:11 pm, Mr. Sundquist announced that the Board would consider going into Closed Session. The roll call vote was: Mr. Sundquist – yes; Mr. Benforado – yes; Mr. Imes – yes; Mr. Ridders – yes; Mr. Lederer – yes; and Mr. Hurley – yes. Village Attorney Matt Dregne, Mr. Kuenzi, Mr. Frantz and Ms. Albrecht were asked to stay. The remaining attendees left the meeting.

While in Closed Session, the Trustees discussed the Right of First Refusal included in a Joint Easement Agreement dated November 14, 1977 between the owners of the property at 810 Shorewood Boulevard and 3306-3310 University Avenue. The document indicates that either property owner has the first opportunity to purchase the other property if it becomes available. The Trustees concluded that they did not think the Right of First Refusal was enforceable by either party. Mr. Dregne was directed to send a letter to Ms. Groves, as the present owner of ATT Plaza, stating this.

Open Session At 8:45 pm, Mr. Sundquist announced that the Board would return to Open Session as per Section 19.85(2) to address any business that may be the result of discussions conducted in Closed Session. The roll call vote was: Mr. Sundquist – yes; Mr. Benforado – yes; Mr. Ridders – yes; Mr. Lederer – yes; Mr. Hurley – yes; and Mr. Imes – yes.

Melanie Lee, attorney for Ms. Groves from Reinhart Attorneys, returned to the meeting and was informed of the Trustees' decision that a letter will be sent to the owner of ATT Plaza indicating the Village believes the Right of First Refusal is not enforceable by either property owner.

7. Adjourn Meeting adjourned at 8:46 pm.

Respectfully submitted,

Colleen Boyle Albrecht
Village Clerk