



**Community Development Authority  
Board of Directors Meeting**

**AGENDA**

**Thursday, February 16, 2023 at 5:30 p.m.**

**Location: Municipal Building – Community Room 1<sup>st</sup> Floor  
312 W. Whitewater St., Whitewater, WI 53190**

**This will be an IN-PERSON and VIRTUAL MEETING**

**Citizens are welcome (and encouraged) to join us via computer, smart phone or telephone.  
Citizen participation is welcome during topic discussion periods.**

You are invited to a Zoom webinar.

When: Feb 16 2023 05:30 PM Central Time (US and Canada)

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://us06web.zoom.us/j/82620171822?pwd=MGMvanpWNXNwMGx1U0FXcFNPUWprUT09>

Passcode: 389030

Or Telephone:

Dial: 1-312-626-6799

One tap mobile:

Webinar ID: 826 2017 1822

Passcode: 389030

**All agenda items are subject to discussion and/or action.**

**To make a comment during this period, or during any agenda item: On a computer or handheld device, locate the controls on your computer to raise your hand. You may need to move your mouse to see these controls. On a traditional telephone, dial \*6 to unmute your phone and dial \*9 to raise your hand. Review of City**

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**1) Administrative Items.**

**a) Call to Order:**

**b) Roll Call:**

**c) Declaration of Conflict of Interest: Would any member(s) of the Board wish to declare any known conflict of interest with the items presented on today's CDA Board Agenda?**

d) **Hearing of Citizen Comments:** No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.

2) **Approval of Minutes:**

CDA Board Meeting January 19, 2023.

3) **Review and Acknowledge Financial Statements:**

Financials for Period Ending January 31, 2022 (Pending).

4) **Action Items:**

- a) Acknowledge resignation of Board Member Jake Gildemeister effective 02-03-2023.
- b) Approval of Second Amendment to Cash Rent Farm Lease regarding approximately 90.2 acres of tillable land in the Whitewater Business and Technology Park.

5) **Updates and Discussion:**

- a) Presentation: "Perspectives on (RE) Development" (Kristen Fish-Peterson).
- b) Economic Development Activity Report.

6) **Board Member Requests for Future Agenda Items:**

- a) Create policy between the CDA and City regarding transfers of residual equity from the CDA to the City.
- b) Improvement of the physical condition of Lot 9B in the Business Park.
- c) CDA Alternative Revenue Streams.
- d) Director to visit (virtual/in-person) with Whitewater's employers.
- e) Recruit Developer that would include a grocery merchant.

**(The above matters may be discussed at this meeting but no substantive action will be taken.)**

7) **EXECUTIVE SESSION. 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:

- (a) Deliberating acquisition of 126 North Jefferson Street (Tax Parcel /BIRW 00002) and Vacant Land at 104 East Main Street (Tax Parcel /BIRW 00002).
- (b) Letter of Intent regarding potential mixed-use development on East Main Street/Jefferson Street.

8) **RECONVENE INTO OPEN SESSION.** Possible action on Closed Session items.

9) **Adjournment.**



**Community Development Authority  
Board of Directors Meeting  
312 W. Whitewater St., Whitewater, WI 53190**

**MINUTES  
January 19, 2023**

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**Call to Order and Roll Call:** Chairman Singer called the meeting to order at 5:30 p.m. PRESENT: Jim Allen, Lisa Dawsey-smith, Joe Kromholz, Jason Gleason, Patrick Singer; ABSENT: Jon Kachel, Jake Gildemeister. STAFF PRESENT: John Weidl (City Manager), Steve Hatton (Finance Director), Brad Marquardt (Director of Public Works). PRESENTER: Kristin Fish-Peterson (Redevelopment Resources).

**Declaration of Conflict of Interest:** Would any member(s) of the Board wish to declare any known conflict of interest with the items presented on today's CDA Board Agenda? None stated.

**Hearing of Citizen Comments:** No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time. None.

**Approval of Minutes:** Moved by Kromholz to approve the Minutes of the December 15, 2022 CDA Board Meeting; seconded by Gleason. AYES: All by voice vote (5); NOES: None; ABSENT: Gildemeister, Kachel.

Kachel enters the meeting at 5:37 p.m.

**Presentation.** City Manager Weidl introduced Kristin Fish-Peterson of Redevelopment Resources who has been hire to act as a consultant to the CDA to establish a clear delineation of roles and responsibilities between the CDA and the City. Ms. Fish-Peterson began with a summary of her experience in economic development and provided a presentation to the Board entitled "What is a CDA", followed by a question and answer period. A discussion of CDA priorities followed including the following: finalizing a job description for the role of Economic Development Director/CDA Director; ED Director/CDA Director position is considered a City employee who reports to the City Manager and will be a part of the Development Team; establish a recruitment timeline and form a five-member committee to carry out the selection process; establish clear lines of communication between the CDA Director, Chairperson and Board Members; establish goals and document the process for reaching those goals; continuation of business retention visits as a means of establishing open lines of communication between the CDA/City and existing businesses; encourage flexibility and responsiveness to potential developers; continue coordination with City staff/development team to address any issues raised.

***A video of Ms. Fish-Peterson's presentation is available for viewing on the City Website under "Agendas & Minutes" for the January 19, 2023 CDA Meeting.***

**Review and Acknowledge Financial Statements:** Moved by Dawsey-Smith to acknowledge preliminary Financial Statements for period ending December 31, 2022; seconded by Kromholz. AYES: All by voice vote (6); NOES: None; ABSENT: Gildemeister.

**Discussion and possible action regarding reduction of electric consumption of City owned street lights.**

Marquardt provided a brief summary of a budget initiative to reduce electric consumption. The proposal for consideration by the CDA included turning off City-owned street lights in the Industrial Park on Starin Road, Executive Drive, Prospect Drive, Industrial Drive, Universal Boulevard and Howard Road. Marquardt stated that the actual savings would only be \$5,000 rather than the estimated \$50,000. A discussion of safety issues ensued due to the high volume of traffic. Moved by Kachel to reject the proposal to turn off the City-owned lights in the Industrial Park and to keep the lights on; seconded by Gleason. AYES: All by voice vote (6); NOES: None; ABSENT: Gildemeister.

**Discussion and possible action regarding extension of the Construction Deadline called for under the Development Agreement entered into between PropertyX LLC and the City dated March 29, 2022.**

City Manager Weidl stated that Neighborhood Services has received an application for Plan Review and a copy of the project's Conditional Approval from the State of Wisconsin Department of Safety and Professional Services. Weidl recommended seeking approval from the Common Council to amend the Development Agreement so as to avoid expiration of the March Construction Deadline called for in the Agreement.

Moved by Dawsey-Smith to recommend that the Common Council direct Weidl to amend the Development Agreement to extend the Construction Deadline to 09/02/2024; seconded by Kromholz. AYES: All by voice vote (6); NOES: None; ABSENT: Gildemeister.

**Update regarding Board Member attendance and removal of Board Member.** Weidl stated that he will place a request on the February Agenda of the Common Council to remove a CDA Board Member due to non-attendance and seek to fill the vacant position.

**Update regarding recruitment of grocery merchant.** Weidl stated that he has met with a property owner that the Gro Co has targeted as a site and this person is amenable to working with the City. Weidl will speak with another property owner next week in order to make everything go. If that happens, Weidl will put preliminary documents together outlining what the City would need from the CDA in order to make that happen. They are making positive progress, they have identified a site and Weidl will bring this back to the CDA for closed session discussion at a future meeting.

**Economic Development Activity Report (Weidl).** Weidl stated that working with Kristin Fish-Peterson will consume most of our economic development capacity. Soon, they will bring back a job description for Economic Development Director/CDA Director for review and comment by the CDA Board. The CDA could then post the job description and begin recruiting as Kristin continues her work.

**Board Member Requests for Future Agenda Items:**

- a) Create policy between the CDA and City regarding transfers of residual equity from the CDA to the City.
- b) Improvement of the physical condition of Lot 9B in the Business Park.
- c) CDA Alternative Revenue Streams.
- d) Director to visit (virtual/in-person) with Whitewater's employers.
- e) Recruit Developer that would include a grocery merchant.

**(The above matters may be discussed at this meeting but no substantive action will be taken.)**

**EXECUTIVE SESSION.** Motion by Singer 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:

- a. Negotiation of sale of Lot 6B (Tax Parcel 262-0515-3434-001) located on Endeavor Drive to David & Goliath LLC.
- b. Deliberation regarding Blue Lien Battery Intercreditor Agreement.

- c. **Deliberation of Letter of Intent to purchase Bluff Road Lots (Tax Parcels /A323600002, /A503200001 and /A503200002.**

Singer noted that Ben Bolton of David & Goliath LLC will be invited to join the meeting to present additional information and respond to questions from the Board regarding Item a, after which Mr. Bolton will be excused. Motion seconded by Allen. Roll call on the motion: AYES: Kromholz, Kachel, Allen, Dawsey-Smith, Gleason, Singer; NOES: None; ABSENT: Gildemeister.

**RECONVENE INTO OPEN SESSION.** Moved by Dawsey-Smith to reconvene into open session for possible action on Closed Session items; motion seconded by Kromholz. AYES: All by voice vote (6); NOES: None; ABSENT: Gildemeister.

Regarding Item a: No action was taken.

Regarding Item b, moved by Allen and seconded by Dawsey-Smith to reject a request that the CDA join in an Intercreditor Agreement regarding Blue Line Battery. AYES: All by voice vote (6); NOES: None; ABSENT: Gildemeister.

Regarding Item c: Moved to approve the non-binding Letter of Intent at 6 months subject to attorney approval; seconded by Gleason. AYES: All by voice vote (6); NOES: None; ABSENT: Gildemeister.

**ADJOURNMENT.** Moved by Dawsey-Smith to adjourn the meeting; seconded by Allen. AYES: All by voice vote (6); NOE: None; ABSENT: Gildemeister. Meeting adjourned at 6:45 p.m.

Respectfully submitted,  
Bonnie Miller, Recorder

## Bonnie Miller

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**From:** Jacob Gildemeister <jakegildemeister@gmail.com>  
**Sent:** Saturday, February 4, 2023 11:36 AM  
**To:** Bonnie Miller  
**Subject:** CDA Seat

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Bonnie,

I spoke to John the other day about my seat on the CDA board and I realized I never officially reached out to step down. Unfortunately, I have become way too busy to be an active member with the board and need to step down. I think it would be best to give my seat to another active participant in the community who hopefully shares similar views to local business as I do!

If you have any questions please email text or call me!

Cheers,

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### **Jacob R. Gildemeister**

Licensed WI Realtor  
Whitewater Cinemas - Owner  
2LT WI Army National Guard  
[JakeGildemeister@gmail.com](mailto:JakeGildemeister@gmail.com)  
Cell: [262.960.3858](tel:262.960.3858)



## CDA Agenda Item

Meeting Date: February 16, 2023

Agenda Item: Second Amendment to Cash Rent Farm Lease

Staff Contact (name, email, phone): John Weidl, City Manager  
[jweidl@whitewater-wi.gov](mailto:jweidl@whitewater-wi.gov)  
262-473-0104

### BACKGROUND

(Enter the who, what when, where, why)

The CDA entered into a Cash Rent Farm Lease with Timothy Kiel and Rachel Kiel on March 3, 2021 for 120.7 acres of tillable land located in the Whitewater Business and Technology Park.

At the request of the CDA, the CDA and the Kiels entered into First Amendment to Cash Rent Farm Lease dated March 21, 2022 to exclude Parcel 1T and Parcel 2T from the Leased Land, reducing the tillable acreage to 85.02 acres for the 2022 crop year. Due to the failure of a pending sale of Parcel 2T to close, the CDA is requesting that the Lease be amended to include Parcel 2T containing 5.7 tillable acres in the Leased Land for crop year 2023.

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

### FINANCIAL IMPACT

(If none, state N/A)

### STAFF RECOMMENDATION

Request that the CDA approve the attached Second Amendment to Cash Rent Farm Lease.

### ATTACHMENT(S) INCLUDED

(If none, state N/A)

Second Amendment to Cash Rent Farm Lease.

## SECOND AMENDMENT TO CASH RENT FARM LEASE

**THIS AMENDMENT** (this “Amendment”) is made to become effective as of the 1st day of March, 2023 (the “Effective Date”) by and between the **Community Development Authority of the City of Whitewater** (hereinafter “Landlord”), 312 W. Whitewater Street, Whitewater, WI 53190, and **Timothy Kiel and Rachel Kiel** (hereinafter “Tenant” whether one or more) of 10251 East State Road 59, Milton, WI 53563.

**WHEREAS**, Landlord and Tenant entered into First Amendment to Cash Rent Farm Lease dated effective March 1, 2022, (the “Lease”) providing for the lease by Tenant from Landlord of the real estate described therein;

**WHEREAS**, the parties desire to amend the Lease upon the terms and conditions set forth herein.

**NOW, THEREFORE**, in consideration of the mutual covenants of the parties and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed as follows:

1. Section 1 of the Lease is hereby deleted and the following provision is inserted in place of said Section 1:

**Lease.** For and in consideration of the covenants and agreements set forth in this Lease to be kept and performed by Tenant, Landlord agrees to lease to Tenant certain real property consisting of approximately 90.72+/- acres of vacant land located in the Whitewater Business and Technology Park, City of Whitewater, Walworth and Jefferson Counties, State of Wisconsin (hereinafter the “Leased Land”). The Leased Land is identified in the sketch attached as Exhibit A\* and incorporated herein by reference which shows the general location and configuration of the Leased Land. (\*Note, Exhibit A referenced above means Exhibit A which is attached to this Amendment).

2. Section 2 of the Lease is hereby deleted and the following provision is inserted in place of said Section 3:

**Rent.** Tenant shall pay to Landlord a total rent of **\$15,876.00 each year (\$175.00 per acre)** during the term of this Lease, payable in full on or before March 1 of each year during the lease term, unless otherwise agreed to in writing by the parties. All rent shall be payable to Landlord at the address set forth above unless otherwise directed by Landlord.

3. Certain capitalized terms in this Amendment shall have the same meaning as corresponding capitalized terms in the Lease.

4. Except as amended and modified by this Amendment, all other terms and conditions of the Lease shall be and remain in full force and effect, without interruption.

5. In the event of a conflict between the provisions of this Amendment and the provisions set forth in the Lease, the provisions of this Amendment shall control.

**IN WITNESS WHEREOF**, Landlord and Tenant, by their respective duly authorized representatives, have executed this Amendment to become effective as of the Effective Date first written above.

**LANDLORD:**

**TENANT:**

COMMUNITY DEVELOPMENT AUTHORITY  
OF THE CITY OF WHITEWATER

\_\_\_\_\_  
Timothy Keil

By: \_\_\_\_\_  
John Weidl, City Manager

Date Signed: \_\_\_\_\_

Date Signed: \_\_\_\_\_

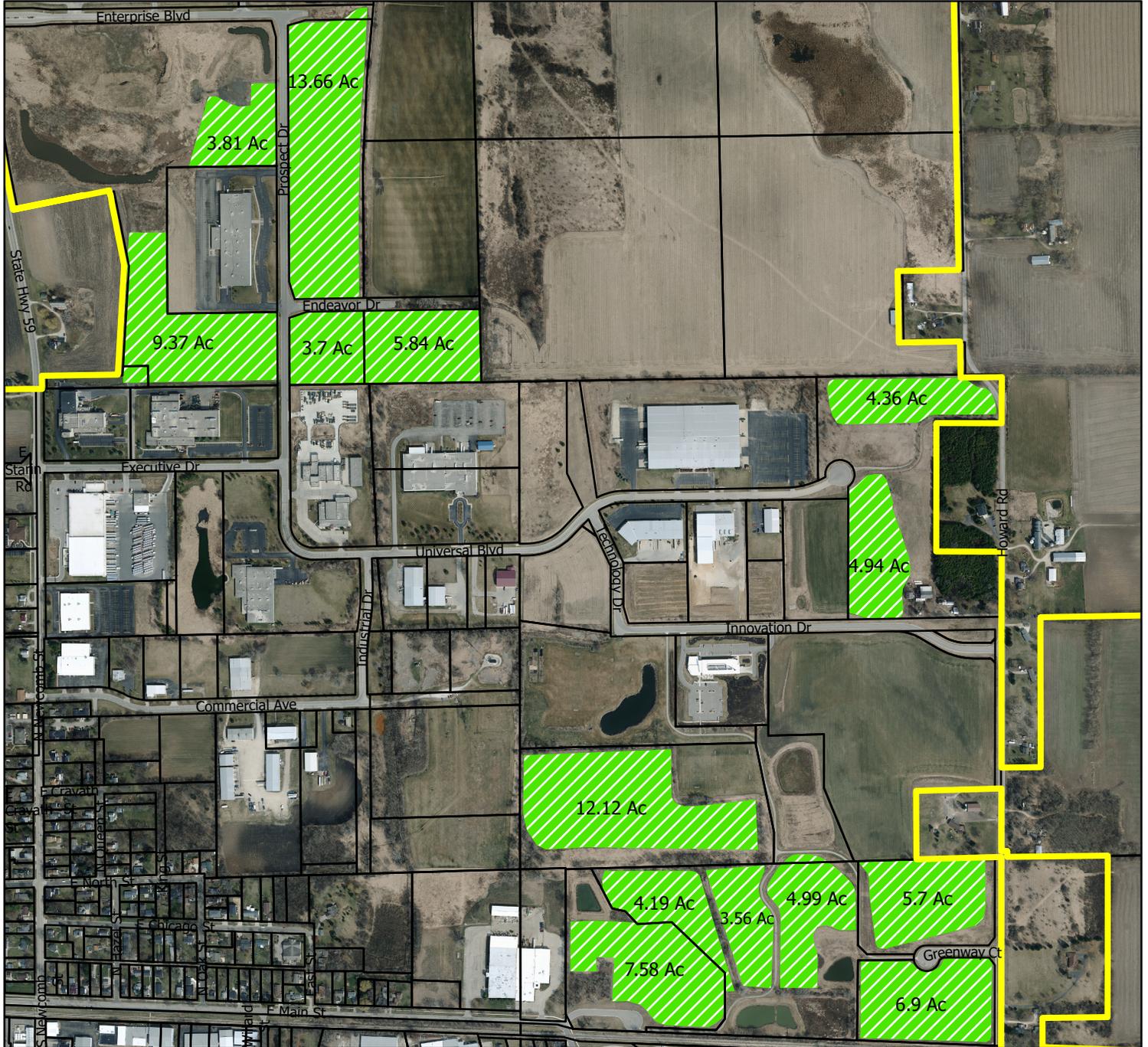
\_\_\_\_\_  
Rachel Keil

Date Signed: \_\_\_\_\_

DRAFT

# CROP LEASE LAND

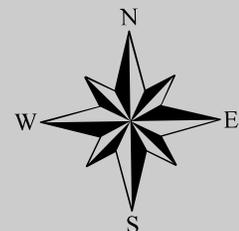
## WHITEWATER BUSINESS & TECH. PARKS



90.72 Acres Total

 Parcels For Lease

 City Boundary



An aerial photograph of a town street. The street is lined with multi-story brick and stone buildings. In the background, a prominent church with a tall, dark steeple is visible. The street has several cars driving on it. A bridge with a metal railing is in the foreground, crossing over a small stream or canal. The sky is clear and blue.

# Perspectives on (Re)Development

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Is it Community vs. Developer, OR  
Community + Developer?

# Project Analysis from the beginning

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## WHAT

Community- or Publicly-driven  
development

## WHY

Area plan

Publicly-owned property

Blight elimination, revitalization

Generate tax base

Placemaking



# Community-driven development

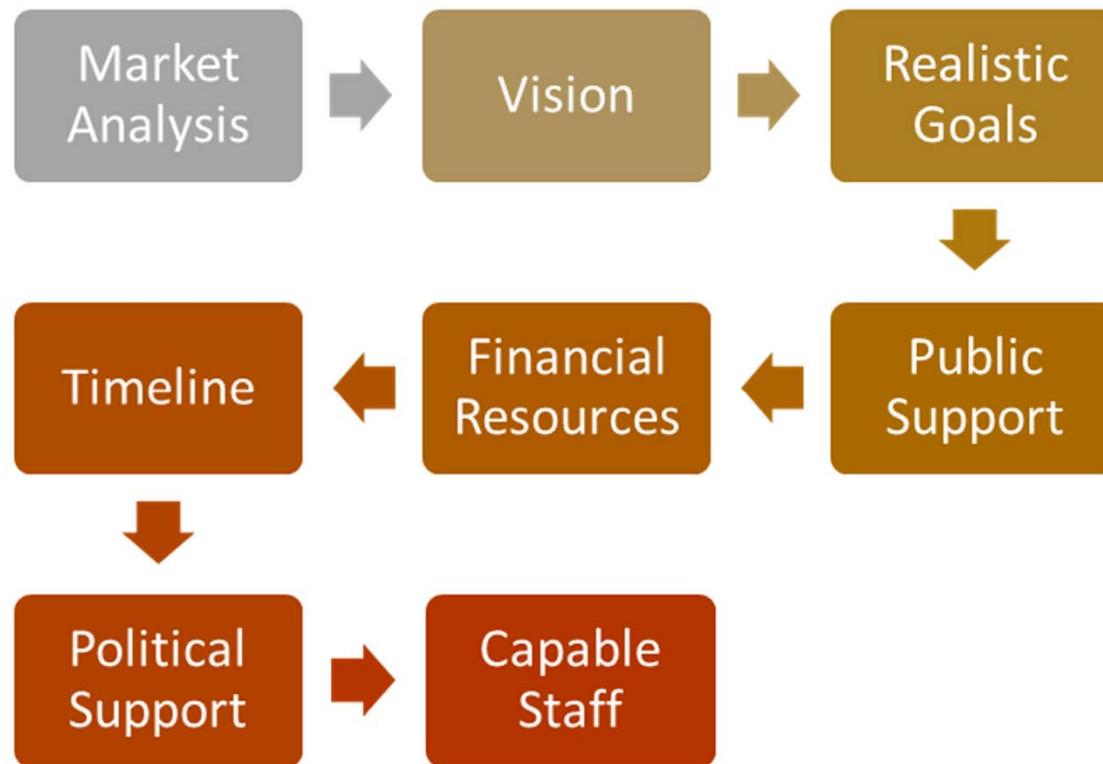
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Comprehensive Plan, Area Plan, Downtown Revitalization Plan

- Time
- Money
- Political Capital



# Components of Area Planning



# Publicly-Owned Property

- Former schools
- Former public facilities
- Former healthcare facilities
- Properties taken on a tax deed
- Not generating tax base
- Burden to maintain
- Expensive to demolish
- Need to offer via RFP, publicly bid



# Blight Elimination

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Environmental Contamination (site or bldg.)

Dilapidated Building

Vacant Building

Underutilized

Functionally Obsolete

Not meeting its highest and best use



# Project Analysis from the beginning

## WHAT

Developer- or Privately-driven  
development

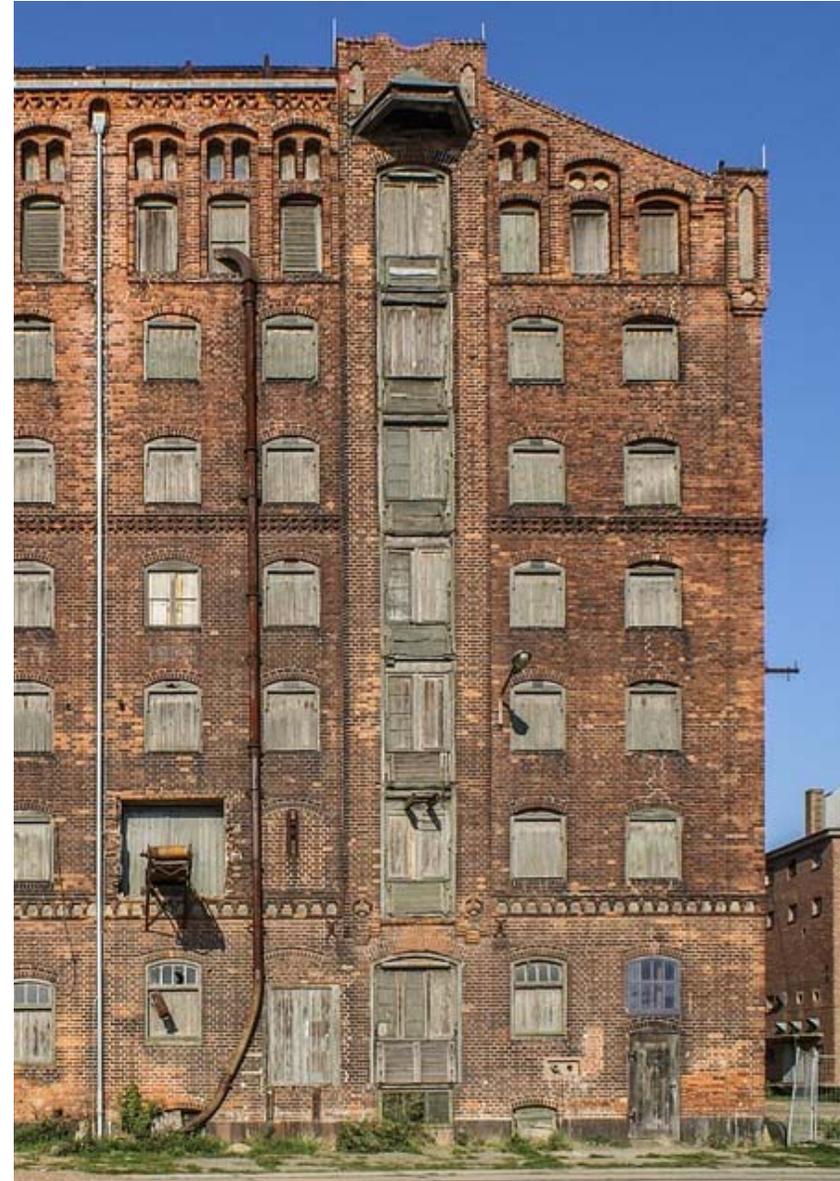
## WHY

Owned, in need of  
redevelopment

Interest in investment

Has tenant/tenants

Market Opportunity





# Privately-driven Development

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Could be part of a redevelopment plan

Businesses and investors want a part of the action

Private sector recognizes the opportunity to generate wealth

Why is this a bad thing?

They have done their market assessments

They must prove project success to a bank

There may be a gap that needs filling



## May have a tenant

National credit tenants work with developers who work with them

They may be asked to find more sites for national tenants

Many communities are now requiring mixed use with multifamily

Have the ability to get creative with property layout, use, and density



# Eight Steps to the Development Process

- Predevelopment
- Market, financial and political feasibility
- Site and engineering analysis
- Financing
- Contractor negotiations and public approvals
- Construction
- Marketing
- Building occupancy and management

# Predevelopment

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Site/location identification (lists, maps)

“Quick and dirty” analysis of projects

Size

Potential timeline

Other considerations

Obtain control of the site, or at least know how to get this done



# Feasibility

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## Market Analysis

Retail

Housing

Industrial

## Financial

Understand construction market

Understand obstacles

## Political



# Site and Engineering Analysis

Consider:

- visibility and access
  - natural conditions and contamination
  - site infrastructure (including utilities)
  - off-site planning and development
- Shovel ready – what does that mean?



# Financing

- Understand incentive your community is willing to use
  - TIF
  - Tax Credits
  - Infrastructure
  - Loans
  - Pass through grants, bonds, etc.
  - Non-monetary incentives
- Be prepared to get creative
  - Find best practices
- Keep the end goal in mind
  - Is it to create tax base, revitalize an area, eliminate blight, or something else?
- What about a policy?



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# Eight Steps to the Development Process

- Predevelopment
- Market, financial and political feasibility
- Site and engineering analysis
- Financing
- Contractor negotiations and public approvals
- Construction
- Marketing
- Building occupancy and management

# Obstacles to (Re)Development

## Community

Lack of sites

Lack of funding

Lack of political support

Lack of understanding among elected officials

Lack of staff capacity

## Developer

Lack of money

Lack of experience

Lack of tenants

Low appraisal

Wrong team

Fatal circumstances

# Questions?

Thank you!

Kristen Fish-Peterson, CEcD, EDFP, Principal & CEO  
Redevelopment Resources, LLC

[Kristen@redevelopment-resources.com](mailto:Kristen@redevelopment-resources.com)

