

COMMUNITY DEVELOPMENT AUTHORITY
August 13, 2018

CDA20180813-1
UNAPPROVED

A meeting of the Community Development Authority of the City of Cedarburg, Wisconsin, was held Monday, August 13, 2018 at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers.

The meeting was called to order by Mayor Mike O'Keefe at 6:35 p.m.

Roll Call: Present - Mayor Mike O'Keefe, Council Member Jack Arnett, Dale Lythjohan (via phone), Joe Kassander

Excused - Andy Dettro, Eric Stelter, Eric Arvold

Also present - City Administrator/Treasurer Christy Mertes, Attorney Mike Herbrand, DJ Burns, Council Members Pat Thome and Rick Verhaalen and other citizens and news media

STATEMENT OF PUBLIC NOTICE

Mayor O'Keefe acknowledged that the agenda for this meeting was posted and distributed in compliance with the Wisconsin Open Meetings Law.

COMMENTS & SUGGESTIONS FROM CITIZENS - None

APPROVAL OF MINUTES

Motion made by Council Member Arnett, seconded by Mayor O'Keefe, to approve the minutes from the July 12, 2018 meeting. Motion failed with Council Member Arnett, Mayor O'Keefe and Dale Lythjohan voting to approve, Joe Kassander abstaining, and Andy Dettro, Eric Stelter and Eric Arvold excused. Minutes will be reviewed at the next meeting for approval.

NEW BUSINESS

Consider Tax in Rem Assignment and Cancellation Agreement for the Amcast Property; and Action Thereon

Attorney Herbrand explained that through the tax foreclosure process the County will assign the property to the CDA first, and then to DJ Burns for governmental immunities. The County needs an entity in place to remediate the site and the agreement between the DNR and DJ Burns is an exhibit in this agreement to satisfy this requirement. An assignment and cancellation agreement was distributed at the meeting with updated tax delinquency amounts.

Paragraph 12, page 5 of the agreement is the section that pertains to the CDA. The judgement will occur on August 24 to transfer the property to the CDA and then immediately to Oliver Fiontar, LLC.

Council Member Arnett stated the CDA's liability is limited because of the short duration of time it will hold onto the property.

Dale Lythjohan asked what happens if DJ Burns fails to sign the agreement. Attorney Herbrand stated that DJ Burns will sign the agreement before the judge signs.

Council Member Arnett reminded the members that the real estate taxes are TIF eligible and could be recovered through the TIF, after project costs are covered.

Attorney Herbrand reminded the members that the County Board voted unanimously to support the forgiveness of the taxes so the remediation could begin.

Motion made by Council Member Arnett, seconded by Joe Kassander, to approve the Tax in rem Assignment Agreement for the Amcast property and to authorize Chairperson O'Keefe to sign all real estate transfer documents. Motion carried unanimously with Andy Dettro, Eric Stelter and Eric Arvold excused.

ADJOURNMENT

Motion made by Council Member Arnett, second by Joe Kassander, to adjourn the meeting at 6:46 p.m. Motion carried unanimously with Andy Dettro, Eric Stelter and Eric Arvold excused.

Christy Mertes
City Administrator/Treasurer