



Redevelopment Authority

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Regular Meeting

Agenda

Monday, February 24, 2020

6:00 PM

De Pere City Hall Council Chambers

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Redevelopment Authority** of the City of De Pere will be held on **February 24, 2020 at 6:00 PM** in the **De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI 54115.**

This meeting can be viewed LIVE at www.depere.tv. This meeting is also rebroadcast on Spectrum Cable Channel 4 and AT&T U-verse Channel 99 throughout the week and available on demand at www.depere.tv.

Call to Order

1. Roll Call
2. Approval of the minutes of the January 27, 2020 Redevelopment Authority meeting.
3. Review of Request of Wisconsin Public Service for Utility Easement.
4. Resolution #RDA 20-01 Authorizing Grant of Utility Easement (ED-812; 221 South Broadway).

Adjournment

Any person wishing to attend this meeting, who, because of disability, requires special accommodations should contact the Development Services Department at 339-4043 by noon on the day of the meeting so that arrangements can be made.

*Items with an asterisk require City Council approval.

Agenda Sent To:

Alderspersons
City Administrator
Mayor
Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce



City of De Pere, Wisconsin

Request For Redevelopment Authority Action

MEETING DATE: February 24, 2020

DEPARTMENT: City Attorney

FROM: Judith Schmidt-Lehman

SUBJECT: Approval of the minutes of the January 27, 2020 Redevelopment Authority meeting.

ATTACHMENTS:

- RDA_Jan2020_Minutes_Draft (PDF)



Redevelopment Authority

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Regular Meeting

Draft Minutes

Monday, January 27, 2020

6:00 PM

De Pere City Hall Council Chambers

Call to Order

The meeting was called to order at 6:00 PM by Chairman Ted Penn

Attendee Name	Title	Status	Arrived
Jerry Henrigillis	Board Member	Present	
Carol Karls	Board Member	Present	
Ted Penn	Chairman	Present	
Tina Quigley	Board Member	Excused	
Lisa VandenAvond	Board Member	Present	
Joe Van Deurzen	Board Member	Present	
Julie Van Straten	Vice Chair	Excused	

Also present: City Attorney Judy Schmidt-Lehman, City Administrator Larry Delo, Development Services Director Daniel Lindstrom and members of the public.

- Approval of the minutes of the December 3, 2019 Special Redevelopment Authority meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Van Deurzen, Board Member
SECONDER:	Carol Karls, Board Member
AYES:	Henrigillis, Karls, Penn, VandenAvond, Van Deurzen
EXCUSED:	Tina Quigley, Julie Van Straten

- Introduction of Daniel Lindstrom, Director of Development Services.

City Attorney Judy Schmidt-Lehman introduced the new Development Services Director Daniel Lindstrom. He provided a brief overview of his professional background.

RESULT:	NO ACTION
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- Review and Possible Action on Request of Mulva Cultural Center to Acquire Parcel ED-812. *

The representatives for the Mulva Cultural Center introduced themselves. Rick Bilotto is the representative for the Mulva family and Tony Meeuwssen represents Boldt, who is developing the \$58 million building. Rick and Tony gave a brief presentation of the proposed Mulva Cultural Center, which is aimed at creating a first class cultural designation, featuring museum-type traveling exhibits. The two story facility will feature a 10,000 square foot exhibit hall on the second floor devoted to national touring exhibits from leading firms like the Smithsonian and National Geographic. Also on the second floor will be a terrace overlooking the Fox River. The first floor will include a 250 seat auditorium, two educational classrooms, a restaurant, and a gift shop. A two story atrium will overlook the Fox River. There is also a full basement for deliveries and storage. The total number of parking spaces is 123, which is four more spaces than the required number of 119 per zoning code. The applicants asked if the RDA had any questions. Joe Van Deurzen asked for more details on the restaurant. Rick Bilotto stated that options for the restaurant are still being considered and the hours of operation would be primarily for lunch, during normal hours of the Center. Carol Karls asked what the hours of operation

Attachment: RDA_Jan2020_Minutes_Draft (9221 : Approval of the minutes of the January 27, 2020 Redevelopment Authority meeting.)

would be. The Center will be open from 9 am to 6 pm, six or seven days a week. It would also be open occasionally in the evening for private receptions. Ted Penn asked how firm the timeline is. Rick stated that construction will start in late spring/early summer and last approximately 20 months, with the opening occurring sometime in 2022. Lisa Vanden Avond asked for clarification of Parcel ED-812. City Attorney Judy Schmidt-Lehman clarified that the RDA owns all of parcel ED-812; the school is across the street and is not part of ED-812. Lisa Vanden Avond moved, seconded by Jerry Henrigillis, to authorize City staff to negotiate an agreement with the Cultural Foundation for the transfer of ED-812 with final approval of the same by the RDA and the Common Council. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Lisa VandenAvond, Board Member
SECONDER:	Jerry Henrigillis, Board Member
AYES:	Henrigillis, Karls, Penn, VandenAvond, Van Deurzen
EXCUSED:	Tina Quigley, Julie Van Straten

Adjournment

Joe Van Deurzen moved, seconded by Jerry Henrigillis, to adjourn the meeting at 6:26 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker



City of De Pere, Wisconsin

Request For Redevelopment Authority Action

MEETING DATE: February 24, 2020

DEPARTMENT: City Attorney

FROM: Judith Schmidt-Lehman

SUBJECT: Review of Request of Wisconsin Public Service for Utility Easement.

ATTACHMENTS:

- RDA Staff Report - Mulva Cultural Center Request - Utility Easement on Lewis ST for ED-812 (DOCX)

Item 3: Staff recommendation and possible action regarding a request of the Mulva Cultural Center/De Pere Cultural Foundation Inc. to add a 12-foot utility easement on the Lewis Street side of 221 S. Broadway Street (Parcel ED-812).

Project Description:

The Redevelopment Authority (RDA) has received a formal request for the Mulva Cultural Center/De Pere Cultural Foundation Inc. (Foundation) to add a 12-foot utility easement on the Lewis Street side of 221 S. Broadway Street (Parcel ED-812). The Foundation needs the easement to construct a first-class cultural destination in downtown De Pere, with a two-story building which includes a large exhibition hall, an auditorium, and a large double-height and multi-purpose atrium. A DRAFT of the easement documents are under review by the City Attorney. The DRAFT text may be revised but the general location of the proposed easement remains the same.

Note: On January 27, 2020, the RDA authorized agreements to transfer ownership of Parcel ED-812 to the Foundation.



Staff Recommendation:

City staff recommends the RDA authorize City staff to negotiate the addition of an easement on the Lewis Street side of 221 S. Broadway Street (Parcel ED-812).

Attachment: RDA Staff Report - Mulva Cultural Center Request - Utility Easement on Lewis ST for ED-812 (9219) : Review of Request of



City of De Pere, Wisconsin

Request For Redevelopment Authority Action

MEETING DATE: February 24, 2020

DEPARTMENT: City Attorney

FROM: Judith Schmidt-Lehman

SUBJECT: Resolution #RDA 20-01 Authorizing Grant of Utility Easement (ED-812; 221 South Broadway).

ATTACHMENTS:

- ResoRDA20-01 (DOCX)
- WPS Easement Request ED-812 draft (PDF)
- WPS Easement Request ED-812 diagram (PDF)

REDEVELOPMENT AUTHORITY
RESOLUTION #RDA 20-01

AUTHORIZING GRANT OF UTILITY EASEMENT
(ED-812; 221 South Broadway Street)

WHEREAS, the Redevelopment Authority (“RDA”) has authorized City staff to negotiate the transfer of ownership of Parcel ED-812 to the Mulva Cultural Center/De Pere Cultural Foundation Inc. (“the Foundation”); and

WHEREAS, in order to facilitate planned construction of the Foundation’s first-class cultural destination center, a formal request has been made to add a 12-foot utility easement on the Lewis Street side of said parcel for underground utility facilities construction and maintenance; and

WHEREAS, the RDA has reviewed the attached Utility Easement and believes it is in the best interest of the RDA authorize such grant of utility easement to support development of said parcel.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The Redevelopment Authority hereby approves of, adopts and authorizes the Chair to execute the attached Utility Easement and further recommends approval and adoption thereof to the Common Council of the City of De Pere.

BE IT FURTHER RESOLVED THAT:

All City officials, officers and employees are authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Redevelopment Authority of the City of De Pere, Wisconsin, this 24th day of February, 2020.

APPROVED:

Theodore J. Penn, Chair

Ayes: _____

Nays: _____

Attachment: ResoRDA20-01 (9220 : Resolution #RDA 20-01 Authorizing Grant of Utility Easement (ED-812 - 221 S Broadway Lewis to Wis))

1048560 WPSC

DOCUMENT NUMBER

UTILITY EASEMENT

THIS INDENTURE is made this _____ day of _____, _____, by and between **The Redevelopment Authority of The City of De Pere**, ("Grantor") and **WISCONSIN PUBLIC SERVICE CORPORATION**, a Wisconsin Corporation, along with its successors and assigns and **Charter Communications, Inc. and Wisconsin Bell Inc. d/b/a AT&T of Wisconsin, a Wisconsin Corporation**, (collectively, "Grantee") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor, owner of land, hereby grants and warrants to, Grantee, a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area" more particularly described as follows:

Part of Lot 1 of Certified Survey Map No. 7902, Recorded in the Brown County Register of Deeds Volume 54 of Certified Survey Maps Page 312, Document 2415438, being part of Lots 6 and 7 and vacated alley all in Block 17 of the recorded Plat of De Pere, Private Claim 33 East side of the Fox River, **City of De Pere, County of Brown, State of Wisconsin**, more particularly described as follows:

A 12 foot wide easement strip described as the South 12 feet of said Lot 1 lying North of and abutting the Northerly right of way line of Lewis Street.

See the attached Exhibit "A".

- 1. Purpose: UTILITY** - The purpose of this easement is to construct, install, operate, maintain repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground, and to construct, erect, operate, maintain and replace overhead utility facilities, including a line of poles, together with the necessary conductors, anchors, guy wires, underground cable, pedestals, riser equipment and all other appurtenant equipment above ground, as well as pipeline or pipelines with valves, tieovers, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, including cathodic protection apparatus used for corrosion control, as deemed necessary by Grantee, for the transmission and distribution of electric energy, signals, television and telecommunications services, natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed by Grantee whenever it decides it is necessary so as not to interfere with Grantee's use of the easement area.
- 2. Access:** Grantee shall have the right to enter on and across any of the Grantor's property outside of the easement area as may be reasonably necessary to gain access to the easement area and as may be reasonably necessary for the construction, installation, operation, maintenance, inspection, removal or replacement of the Grantee's facilities.

Return to: Wisconsin Public Service Corp. Real Estate Dept. P.O. Box 19001 Green Bay, WI 54307-9001
Parcel Identification Number (PIN) ED-812

Attachment: WPS Easement Request ED-812 draft (9220 : Resolution #RDA 20-01 Authorizing Grant of Utility Easement (ED-812 - 221 S

3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric and gas codes or any amendments thereto.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until sometime in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

[REMAINDER OF PAGE LEFT BLANK]

WITNESS the hand and seal of the Grantor the day and year first above written.

The Redevelopment Authority of The City of De Pere

Corporate Name

Sign Name

Print name & title

Sign Name

Print name & title

STATE OF _____)
)SS
COUNTY OF _____)

This instrument was acknowledged before me this _____ day of _____, _____, by the above-named _____

The Redevelopment Authority of The City of De Pere, to me known to be the Grantor(s) who executed the foregoing instrument on behalf of said Grantor(s) and acknowledged the same

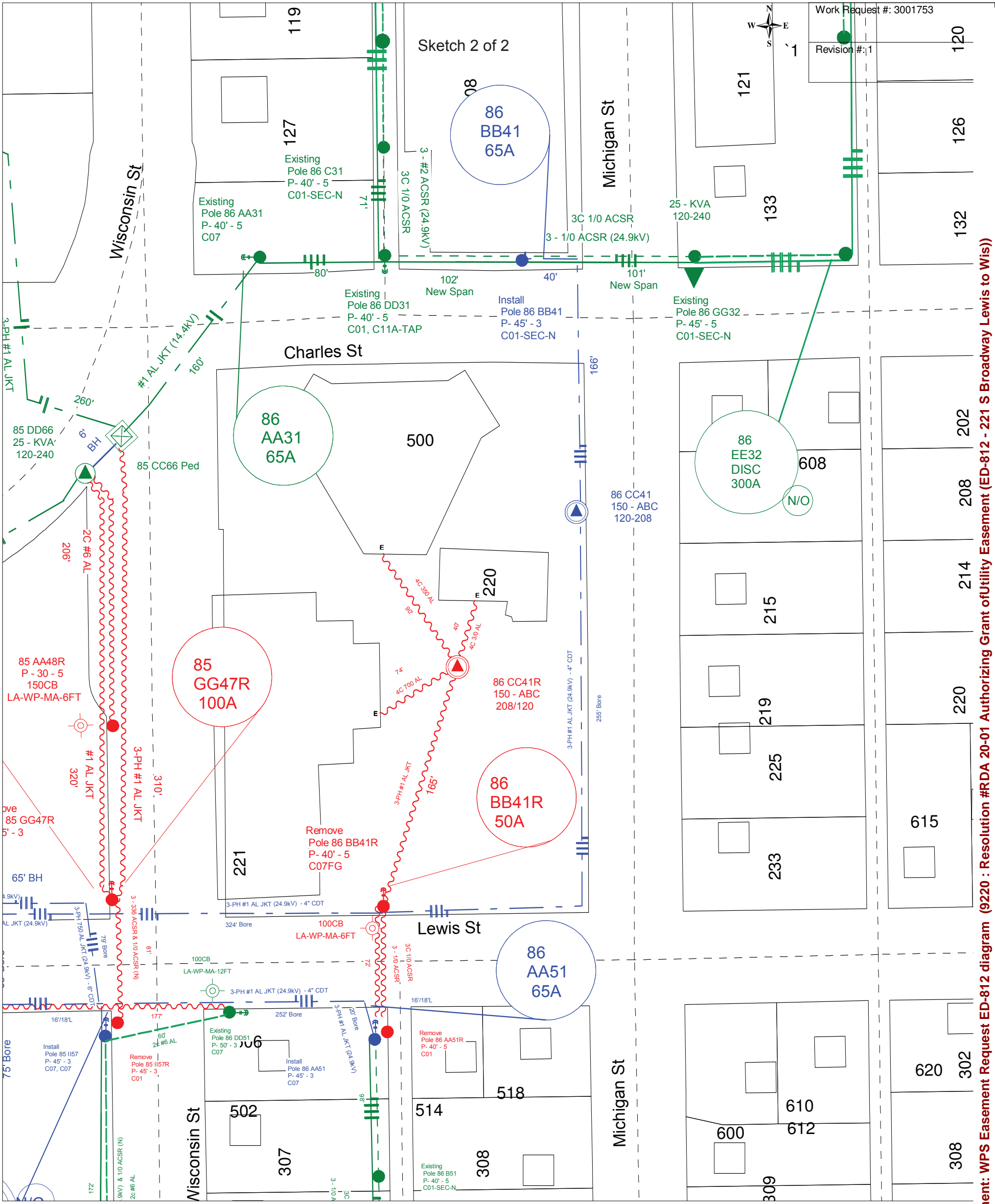
Sign Name _____
Print Name _____

Notary Public, State of _____
My Commission expires: _____

This instrument drafted by: Michelle Somers
Wisconsin Public Service Corporation

Date	County	Municipality	Site Address	Parcel Identification Number
January 16, 2020	Brown	City of De Pere	221 S Broadway St	ED-812
Real Estate No.	WPSC District	WR#	WR Type	I/O
1048560	Green Bay-10	3001753	ERU	21810176EC

Attachment: WPS Easement Request ED-812 draft (9220 : Resolution #RDA 20-01 Authorizing Grant of Utility Easement (ED-812 - 221 S



Work Request #: 3001753
Revision #: 1

Sketch 2 of 2

Attachment: WPS Easement Request ED-812 diagram (9220 : Resolution #RDA 20-01 Authorizing Grant of Utility Easement (ED-812 - 221 S Broadway Lewis to Wis))

Crew Leader Signature:		Construction Complete Date:		Energized Date:	
Action Code: Remove/Abandon - Red Sine Wave, Existing - Green, Install - Blue				Work Request Name: BOLDT CONSTRUCTION	
TELE Co:		Exchange:		Work Request Address: LEWIS AT WISCONSIN ST	
CATV Co:		System:		IFRIS Project #: 2181017600	
Response by: [] Phone [] CATV (check one)		Operating District: 10		CIS Field Order: 0445267636	
W.O. #:		Date: 12/11/2019 9:07:47 AM		Tax District: GBSC-DE PERE-C	
Engineer:		Eng Phone #:		Estimate by: WINDUS,CHARLES	
Const. Coord:		Phone #:		Est. Phone #: (920) 617-5281	
				Date Sent to Comm Co:	
				Customer Ready Date: 4/2	