



# MINUTES

## REDEVELOPMENT AUTHORITY OF THE CITY OF STEVENS POINT

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<b>Date and Time:</b>	November 13, 2018 3:00 PM	<b>Location:</b>	Police Department (Room 122) 933 Michigan Avenue Stevens Point, WI 54481
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**Present:** Chairperson Schlice, Alderperson Phillips, Commissioner Cooper, Commissioner Gardner, Commissioner Kemmeter, Commissioner Sawyer, and Commissioner Segura

**Also Present:** Executive Director Ostrowski, Comptroller/Treasurer Ladick, Ryan Esch, and Pete Arntsen

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1. Roll call.
  2. Persons who wish to address the Board on specific agenda items other than a “Public Hearing” must register their request at this time. Those who wish to address the Board during a “Public Hearing” are not required to identify themselves until the “Public Hearing” is declared open by the Chairperson.
  3. Public comment for pre-registered individuals for matters appearing on the agenda.
- Discussion and possible action on the following:
4. Minutes and actions of the Redevelopment Authority meeting(s) of October 9, 2018
  5. Financial reports, claims, and statements from prior month(s)
  6. Acknowledgement of the Plan Commission’s recommendation of November 5, 2018 relating to the following:
    - a. Transfer of three properties: 916 Centerpoint Drive (Parcel ID 281240832200408 and 281240832200419) and an unaddressed property north of Centerpoint Drive along Third Street (Parcel ID 281240832200413) from the City of Stevens Point to the Redevelopment Authority of the City of Stevens Point.
    - b. Request from the Redevelopment Authority of the City of Stevens Point to sell 101 Georgia Street (281240830400103)
    - c. Request from Wisconsin Public Service Corporation for an easement to install utilities at an unaddressed property bounded by Strongs Avenue, Third Street, Main Street and Centerpoint Drive, owned by the Redevelopment Authority of the City of Stevens Point (Parcel ID 281240832202968)
  7. Acceptance of three properties: 916 Centerpoint Drive (Parcel ID 281240832200408 and 281240832200419) and an unaddressed property north of Centerpoint Drive along Third Street (Parcel ID 281240832200413) from the City of Stevens Point to the Redevelopment Authority of the City of Stevens Point
  8. Request from Wisconsin Public Service Corporation for an easement to install utilities at an unaddressed property bounded by Strongs Avenue, Third Street, Main Street and Centerpoint Drive, owned by the Redevelopment Authority of the City of Stevens Point (Parcel ID 281240832202968)

9. Occupancy License Agreement with Penguin Properties, LLC for the property located north of 1136 Main Street (281240832202930)
10. Voluntary Party Liability Exemption Program for 1017 Third Street (former Lullabye Furniture property)
11. EPA Communitywide Brownfield Assessment Grant activities
12. Director's Update.
13. Enter into closed session pursuant to Wisconsin Statutes 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, relating to the following:
  - a. Negotiating the terms of a possible development agreement relating to 1017 Third Street (Parcel ID 281240832200301)
  - b. Negotiating the terms of a possible development agreement relating to the block located on the northwest corner of Centerpoint Drive and Third Street (Parcel IDs 281240832200419, 281240832200417, 281240832200409, 281240832200408, 281240832200413, 281240832200418, 281240832200414, 281240832200402, and 281240832200401)
  - c. Negotiating the terms of a possible sale of 101 Georgia Street (Parcel ID 281240830400103)
14. Reconvene into open session (approximately 60 minutes after entering into closed session) for possible action on the above
15. Adjourn.

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1. Roll call.

**Present: Schlice, Phillips, Cooper, Gardner, Kemmeter, Segura**

**Not Present: Sawyer**

2. Persons who wish to address the Board on specific agenda items other than a "Public Hearing" must register their request at this time. Those who wish to address the Board during a "Public Hearing" are not required to identify themselves until the "Public Hearing" is declared open by the Chairperson.

No one registered to speak.

3. Public comment for pre-registered individuals for matters appearing on the agenda.

Pete Arntsen (1016 Bukolt Ave) stated his background as a Plan Commission member and a hydrogeologist before providing additional comment for agenda item 10. Specifically, in that the EPA was ramping up their interest in the noted compounds within the voluntary party liability exemption letter. He stated familiarity with the contents of the exemption letter and made himself available for questioning.

Commissioner Sawyer arrived at 3:02 PM.

Discussion and possible action on the following:

4. Minutes and actions of the Redevelopment Authority meeting(s) of October 9, 2018

Commissioner Sawyer stated inconsistency in meeting attendance, to which staff noted for further review.

**Motion by Alderperson Phillips to approve the minutes and actions of the Redevelopment Authority meeting(s) of October 9, 2018; seconded by Commissioner Cooper.**

**Motion carried 7-0.**

5. Financial reports, claims, and statements from prior month(s)

Executive Director Ostrowski stated that aside from regular loan payoffs, there had been no real activity in the prior month.

**Motion by Commissioner Cooper to approve the reports, claims, and statements from prior month(s) and place them on file; seconded by Commissioner Sawyer.**

**Motion carried 7-0.**

6. Acknowledgement of the Plan Commission's recommendation of November 5, 2018 relating to the following:

- a. Transfer of three properties: 916 Centerpoint Drive (Parcel ID 281240832200408 and 281240832200419) and an unaddressed property north of Centerpoint Drive along Third Street (Parcel ID 281240832200413) from the City of Stevens Point to the Redevelopment Authority of the City of Stevens Point.
- b. Request from the Redevelopment Authority of the City of Stevens Point to sell 101 Georgia Street (281240830400103)
- c. Request from Wisconsin Public Service Corporation for an easement to install utilities at an unaddressed property bounded by Strongs Avenue, Third Street, Main Street and Centerpoint Drive, owned by the Redevelopment Authority of the City of Stevens Point (Parcel ID 281240832202968)

Executive Director Ostrowski explained that any transfer or sale of land, required a recommendation from the Plan Commission to the appropriate body. The agenda item would be to acknowledge those recommendations, with upcoming agenda items to deal with action on the requests. He lastly noted an additional condition placed on the Wisconsin Public Service request to have costs relating to any future modification or relocation, to be at the expense of the customer.

**Motion by Commissioner Sawyer to acknowledge the Plan Commission's recommendation of November 5, 2018 relating to the following:**

- a. **Transfer of three properties: 916 Centerpoint Drive (Parcel ID 281240832200408 and 281240832200419) and an unaddressed property north of Centerpoint Drive along Third Street (Parcel ID 281240832200413) from the City of Stevens Point to the Redevelopment Authority of the City of Stevens Point.**
- b. **Request from the Redevelopment Authority of the City of Stevens Point to sell 101 Georgia Street (281240830400103)**
- c. **Request from Wisconsin Public Service Corporation for an easement to install utilities at an unaddressed property bounded by Strongs Avenue, Third Street, Main Street and Centerpoint Drive, owned by the Redevelopment Authority of the City of Stevens Point (Parcel ID 281240832202968)**

**seconded by Commissioner Gardner.**

**Motion carried 7-0.**

7. Acceptance of three properties: 916 Centerpoint Drive (Parcel ID 281240832200408 and 281240832200419) and an unaddressed property north of Centerpoint Drive along Third Street (Parcel ID 281240832200413) from the City of Stevens Point to the Redevelopment Authority of the City of Stevens Point

**Motion by Commissioner Sawyer to approve the acceptance of three properties: 916 Centerpoint Drive (Parcel ID 281240832200408 and 281240832200419) and an unaddressed property north of Centerpoint Drive along Third Street (Parcel ID 281240832200413) from the City of Stevens Point to the Redevelopment Authority of the City of Stevens Point; seconded by Alderperson Phillips.**

**Motion carried 7-0.**

8. Request from Wisconsin Public Service Corporation for an easement to install utilities at an unaddressed property bounded by Strongs Avenue, Third Street, Main Street and Centerpoint Drive, owned by the Redevelopment Authority of the City of Stevens Point (Parcel ID 281240832202968)

Executive Director Ostrowski explained that Wisconsin Public Service was looking to widen the easement to install utilities for the purpose of providing power to future Wildcard offices. Due to the possible relocation of utilities, such as in a case for an expansion of the Fox Theater, it was recommended that any costs for relocation be at the expense of the requesting party or benefactor.

Commissioner Sawyer asked if new easement went through pavement, if it would need to be fixed, to which it was confirmed that it would.

**Motion by Alderperson Phillips to approve the easement request from Wisconsin Public Service Corporation to install utilities at an unaddressed property bounded by Strongs Avenue, Third Street, Main Street and Centerpoint Drive, owned by the Redevelopment Authority of the City of Stevens Point (Parcel ID 281240832202968) with the following condition:**

1. All costs to relocate the easement would be at the expense of Wisconsin Public Service or the customer.

**seconded by Commissioner Cooper.**

**Motion carried 7-0.**

9. Occupancy License Agreement with Penguin Properties, LLC for the property located north of 1136 Main Street (281240832202930)

Executive Director Ostrowski explained that the easement would provide an entrance into the area and also prohibit parking in said area. A depiction of the licensed area and maintenance area was available on page 22 of the staff packet. He noted a similar license agreement with Guu's.

**Motion by Commissioner Segura to approve the Occupancy License Agreement with Penguin Properties, LLC for the property located north of 1136 Main Street (281240832202930); seconded by Commissioner Kemmeter.**

**Motion carried 7-0.**

10. Voluntary Party Liability Exemption Program for 1017 Third Street (former Lullabye Furniture property)

Executive Director Ostrowski stated that the Redevelopment Authority had applied to the Voluntary Party Liability Exemption Program with the Wisconsin Department of Natural Resources, noting that the certificate from the program, if obtained, would act as a sort of insurance program in that the DNR would accept liability for future cleanup if needed. However, the letter detailed a relatively new and emerging contaminant, PFAS, adding that the authority had not tested for it during remediation of the Lullabye site.

That being the case, the DNR had decided not to grant the blanket liability exception, and instead noted moving forward with a VPLE certificate covering the contaminants that were tested for. Thus, any contaminants not tested for, would not be covered under the liability exception. He was looking for additional comments and feedback on whether they should withdraw from the program, do additional testing, or move forward with the current VPLE certificate. Commissioners made the following comments:

- Noted unfamiliarity with all pollutants referenced, and asked how the list of pollutants to be tested were determined, to which staff noted that a general list of hazardous pollutants was used, adding that the new pollutant identified was currently emerging.
- Inquiry as to the likelihood of finding PFAS on the former Lullabye site, to which staff noted not high, but possible.
- Inquiry as to the cost if the contaminant was found with no prior testing, to which staff noted that it would depend on ownership and the testing results.
- Comment to move forward as is and case closure, but in the interest of full disclosure, all documents should be made available to the developer.
- Inquiry as to whether limitations would be placed on the property considering the contaminants, to which staff stated that it was too soon to tell if there would be any limitations.
- Comment that health concerns may be high with contaminants.
- Inquiry as to how further development timelines could be affected if additional testing was done, to which a projection could not be provided.
- Comment that it was a small price to pay for further testing and assurance, for both the authority and future developers, to which there was agreement.
- Agreement that potential health concerns was an issue, but noted that false positives in testing were common. Additionally, the parcel had been vacant for quite some time, and the future developer was in a better position to decide whether it was a large enough concern, or if they wished to pursue additional testing.

Commissioner Segura asked Mr. Arntsen to provide his professional opinion on the contaminant.

Pete Arntsen (1016 Bukolt Ave) explained that groundwater standards were typically used for testing levels, however the new compound was different. He noted that while the EPA had set guidance standards when acting on levels, it was quite small, adding that false positives were common. While the contaminant was starting to cause concerns in other states such as Michigan, he did not foresee huge health effects, but noted that the developer would perhaps need to dispose of fill in the future.

Executive Director Ostrowski stated that the EPA would alter the certificate to cover PFAS if they moved forward with testing for it.

Commissioner Segura asked what types of industry the pollutant was common in, to which Mr. Arntsen provided fire suppression and stain repellent as examples.

Commissioner Sawyer asked Mr. Arntsen what the concern was in Michigan, to which Mr. Arntsen noted groundwater contamination concerns as the contaminant did not biodegrade.

**Motion by Alderperson Phillips to move forward with the current Voluntary Party Liability Exemption Program certificate for 1017 Third Street (former Lullabye Furniture property); seconded by Commissioner Cooper.**

**Roll Call:**

**Yeas: Schlice, Phillips, Cooper, Kemmeter, Sawyer**

**Nays: Gardner, Segura**

**Motion carried 5-2.**

11. EPA Communitywide Brownfield Assessment Grant activities

The Executive Director provided an update on the current and potential activities relating to the Brownfield Assessment Grant in regards to the Belke and Soik properties, with additional sites to be called out in the future. The grant would assist in detecting contamination levels on the noted properties.

Commissioner Gardner asked whether the PFAS contaminant would be tested for, or whether there was a list of contaminants that were looked for.

Executive Director Ostrowski explained that their \$300,000 grant was split in half, with \$150,000 going to testing petroleum based contaminants, and \$150,000 to test hazardous contaminants. Additionally, PCE contaminants, asbestos work, and lead in soil were included. Whether PFAS would be included could not be confirmed, but stated that it warranted a further discussion with doing testing on the noted sites.

No action was taken.

12. Director's update.

The Executive Director provided updated on the following:

- a. Audit engagement letter to engage in audit services, and 2018 Audit Presentation timeline.
- b. Targeted Area Master Plans project update and next steps.

13. Enter into closed session pursuant to Wisconsin Statutes 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, relating to the following:

- a. Negotiating the terms of a possible development agreement relating to 1017 Third Street (Parcel ID 281240832200301)
- b. Negotiating the terms of a possible development agreement relating to the block located on the northwest corner of Centerpoint Drive and Third Street (Parcel IDs 281240832200419, 281240832200417, 281240832200409, 281240832200408, 281240832200413, 281240832200418, 281240832200414, 281240832200402, and 281240832200401)
- c. Negotiating the terms of a possible sale of 101 Georgia Street (Parcel ID 281240830400103)

**Motion by Alderperson Phillips to enter into closed session pursuant to Wisconsin Statutes 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, relating to the following:**

- a. **Negotiating the terms of a possible development agreement relating to 1017 Third Street (Parcel ID 281240832200301)**
- b. **Negotiating the terms of a possible development agreement relating to the block located on the northwest corner of Centerpoint Drive and Third Street (Parcel IDs 281240832200419, 281240832200417, 281240832200409, 281240832200408, 281240832200413, 281240832200418, 281240832200414, 281240832200402, and 281240832200401)**

c. **Negotiating the terms of a possible sale of 101 Georgia Street (Parcel ID 281240830400103)**

**seconded by Commissioner Sawyer**

**Roll Call:**

**Yeas: Schlice, Phillips, Cooper, Gardner, Kemmeter, Sawyer, Segura**

**Nays: None**

**Motion carried 7-0.**

**Motion by Commissioner Sawyer to reconvene into open session for possible action on the above;  
seconded by Commissioner Gardner.**

**Roll Call:**

**Yeas: Schlice, Phillips, Cooper, Gardner, Kemmeter, Sawyer, Segura**

**Nays: None**

**Motion carried 7-0.**

14. **Reconvene into open session (approximately 60 minutes after entering into closed session) for possible action on the above.**

**Motion by Commissioner Sawyer to approve the sale of 101 Georgia Street with the following condition:**

- 1. The Redevelopment Authority shall have the ability to buyback the property if a single family home is not constructed within three years.**

**seconded by Alderperson Phillips.**

**Roll Call:**

**Yeas: Schlice, Phillips, Cooper, Gardner, Kemmeter, Sawyer, Segura**

**Nays: None**

**Motion carried 7-0.**

15. **Adjourn**

**Meeting adjourned at 4:24 PM**

**Approved:**

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**John Schlice, Chairperson**

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**Date**

**Attest:**

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**Michael Ostrowski, Executive Director**

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**Date**