

**CITY OF EDGERTON
REGULAR COMMON COUNCIL MEETING
EDGERTON CITY HALL, COUNCIL CHAMBERS
12 ALBION STREET**

Monday, February 3, 2020 at 7:00 p.m.

1. Call to order; Roll call
2. Pledge of Allegiance.
3. Confirmation of appropriate meeting notice posted on Friday, January 31, 2020.
4. Council acceptance of agenda.
5. Personal appearances for non-agenda items limited to 3 minutes.
 - A. The public will be allowed to speak on agenda items during the meeting.
6. Minutes:
 - A. Consider approval of minutes from January 20, 2020 Council meeting.
7. Committee Reports:
 - A. Finance Committee:
 1. Consider approval of bills and payroll vouchers.
 2. Consider approval of licenses.
 3. Consider adoption of City of Edgerton Resolution 01-20: Resolution Authorizing the 2019 Property Tax Equivalent Charged to the Water Utility.
 4. Consider adoption of City of Edgerton Resolution 02-20: Resolution Approving the Assigned Fund Balance for the Year Ending December 31, 2019.
 5. Consider adoption of City of Edgerton Resolution 03-20: Resolution Approving Budget Transfers and Amendments for the Year Ending December 31, 2019.
 6. Consider agreements for impoundment and stray animals between the City of Edgerton and Dane County Humane Society.
 7. Consider purchase of fill dirt for 407 N Main Street.
 8. Consider loan subordination for Edgerton Gear.
 - B. Fire District:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
8. Consider Realtor RFP for sale of Veteran's Memorial Building.
9. Demonstration of election equipment.
10. Mayor, alderperson and staff reports.
11. Adjourn.

Notice: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Administrator's office at least 6 hours prior to the meeting to request adequate accommodations. Telephone: (608) 884-3341.

**JANUARY 20, 2020 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 7:00 p.m.

Present: Sarah Braun, David Esau, Candy Davis, Debbie Olson (arrived at 7:03), Anne Radtke and Jim Burdick

Others Present: City Administrator Ramona Flanigan, City Clerk/Treasurer Cindy Hegglund, Utility Director Randy Oren, Municipal Services Director Howard Moser, Police Chief Bob Kowalski, Edgerton Reporter and a group of citizens.

Hegglund confirmed the meeting agendas were properly posted on Friday, January 17, 2020 at the Post Office, Edgerton Library and City Hall.

ACCEPT THE AGENDA: A Candy Davis/Jim Burdick motion to accept the agenda as posted passed, all voted in favor.

MINUTES: A Candy Davis/Sarah Braun motion to approve the minutes from the January 6, 2020 Common Council meeting passed, all voted in favor.

COMMITTEE REPORTS:

Finance Committee: A Candy Davis/Sarah Braun motion to approve the bills and payroll list in the amount of \$2,054,875.32 passed on a 6/0 roll call vote.

Candy Davis/Sarah Braun moved to reject the bid for the tree trunk purchase from the ash tree removal efforts and adopt a policy for tree trunk disposal conditional upon find out if any DNR permits are needed. Motion passed on a 6/0 roll call vote.

A Candy Davis/David Esau motion to approve the contract with Clark Companies for the 2020 landscape services in the amount of \$11,500 passed on a 6/0 roll call vote.

Plan Commission: An Anne Radtke/Jim Burdick motion to approve a Plat of Survey for 218 York Rd passed on a 6/0 roll call vote.

An Anne Radtke/Jim Burdick motion to approve an extraterritorial land division for Purnell, Town of Albion, Section 36 to combine two lots on E. Hillside Rd #10355 passed on a 6/0 roll call vote.

An Anne Radtke/Jim Burdick motion to approve an extraterritorial land division for Purnell, Town of Albion, Section 36 to combine two lots on E. Hillside Rd and Highwood Dr #10354 passed on a 6/0 roll call vote.

LIFTING HIRING FREEZE: A Debbie Olson/Sarah Braun motion to lift the hiring freeze to fill a Police Department Patrol Officer vacancy passed on a 6/0 roll call vote.

407 N MAIN ST PURCHASE AGREEMENT: A Candy Davis/Debbie Olson motion to approve an addendum to the purchase agreement for 407 N Main St to allow a reduction in the parcel size passed on a 6/0 roll call vote.

VETERANS' MEMORIAL BUILDING SALE: Dave Esau asked what the impediment to the sale would be if there is a tenant with a 36-month lease. Flanigan stated if the lease was at a sub market rate then the sale would not be as attractive for the duration of the lease and would lower the sale price.

In a previous meeting the Council was given an estimate on improvements the building will need. The estimate was approximately \$61,200. David Esau inquired if any of the improvements would be done prior to the sale. Flanigan said there were no funds budgeted in 2020 to make improvements. If the city owns the building for an extended period of time, analysis would have to be done to determine what improvements need to be done immediately.

At a previous meeting Candy Davis suggested moving the lease termination deadline from February 1st to March 1st. David Esau asked what the status of that extension was at this time. Flanigan was unaware of any further discussion on that extension.

David Esau stated he would like to consider amending the current lease to allow the current tenant first right of refusal when the time comes to sell. Attorney Morgan stated the lease could be amended to include that option at any time.

Debbie Olson asked about selling the building to the current tenant for \$1 similar to what has been done in the past for other properties. Sarah Braun added the previous sales were done to non-profit entities. Attorney Morgan stated it very unusual to give public property to a private entity unless it is part of a TIF and will provide a tax base. The Council would have to establish a public purpose such as raising the tax base, to sell it to a private entity in that fashion.

Jim Burdick/Sarah Braun moved to take action on the option to shorten the lease term for the Veteran's Building lease agreement. The motion passed on a 4/2 roll call vote. Debbie Olson and Anne Radtke voted against the motion.

Two potential options for selling the Veteran's Memorial Building were discussed at the previous Council meeting. The options discussed were to sell the property by sealed bid or sell using a real estate agent. The Council discussed the advantages and disadvantages of each option.

A Candy Davis/Jim Burdick motion to start the process of selling the Veterans' Memorial Building by requesting proposals from realtors for listing the property passed on a 5/1 roll call vote. Debbie Olson voted against the motion.

CLOSED SESSION: Candy Davis/Sarah Braun moved to go into closed session pursuant to Wis. Stat. 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." Discuss and consider sale negotiations of Veterans' Memorial

Building and discuss and consider purchase of fill for 407 N Main St. The motion passed on a 6/0 roll call vote.

Being no other business before the Council, a Candy Davis/David Esau motion to adjourn passed, all voted in favor.

Cindy Hegglund/wl
City Clerk-Treasurer
Adopted February 3, 2020

Memo

To: Common Council
From: Staff
Date: 1/31/2020
Re: February 3, 2020 Meeting

Dane County Humane Society Contracts: The City has contracted with the Dane County Humane Society stray animal services for several years. The only change to the 2020 contracts is an increase in the euthanasia fee from \$50 to \$55.

Legal Services Contract: The contract with Murphy Desmond for City Attorney services expire in April of this year. The Finance Committee should decide if it wishes to negotiate a new contract with Murphy Desmond or request proposals. Staff evaluated the retainer contract rate and determined the rate is reasonable based on the time spent on retainer work. Staff is not aware of any performance reasons to seek a different vendor at this time.

The contract for Prosecuting Attorney with Murphy Desmond has a date discrepancy: the contract indicates it expires in April 2020 but the compensation section suggests it was intended to be a 3 year contract which should take it to 2021. Staff recommends we clarify the contract for prosecuting services so that its expiration date is April 2021.

Purchase Fill for 407 N Main Street. Please recall, one required step in the redevelopment of 407 N Main Street is raising the level of the site by filling. An estimated 4,500 cubic yards (cy) of fill was created with the construction of a large greenhouse structure on Caledonia Road. The fill has the correct properties to use as fill on the site. Mr. Bob McGuire has proposed to sell and transport the fill to the site at the appropriate time for \$10/cy. The Engineer's estimate for fill delivered to the site is \$8-15/cy. The estimated cost of the fill is \$45,000. This is within the cost anticipated when evaluating the redevelopment plan and is a TIF eligible expense.

Realtor RFP: Included in your packet is a draft RFP for Realtor Services for listing the Veterans' Memorial Center.

Subordination Agreement: Edgerton Gear is refinancing their bank loans for their building at 20 Gear Drive. The City has three, second position mortgages from TIF incentives. In order to refinance, the City would have to agree to the terms of the refinancing through a subordination agreement. The amount of the primary financing will increase back to the original mortgage amount so the City's position would be similar to when the original subordination was approved. The development has produced significantly more tax increment than required by the TIF agreements making the TIF loans relatively secure.

February 3, 2020

**REQUEST FOR PROPOSALS (RFP) FOR SERVICES
OF WISCONSIN LICENSED REAL ESTATE BROKER**

The City of Edgerton is seeking proposals from qualified firms or individuals holding an active Wisconsin license in Real Estate Brokerage to solicit interest in potential offers for the purchase of the Veterans' Memorial Community Center, 414 Albion Street, Edgerton WI 53534.

We ask that proposals be submitted to City of Edgerton, 12 Albion Street, Edgerton WI 53534 to the attention of Jenny Salvo. Proposals are to be submitted no later than **2:00 P.M. – Thursday, February 13, 2020**. Proposal may be submitted via in person delivery, mail, fax, or email.

The Finance Committee will review the proposals and recommend a successful bidder to the City Council.

In order to bid on Brokerage services, please submit the attached completed bid form and the documentation requested in the RFP.

Questions should be directed to:

Jenny Salvo
(608) 884 3341
Fax (608) 884 8892
jsalvo@cityofedgerton.com

The City of Edgerton reserves the right to accept or reject any or all proposals and to issue a contract based on experience, familiarity with project, and cost.

REQUEST FOR PROPOSALS FOR SERVICES OF WISCONSIN LICENSED REAL ESTATE BROKER

I. SCOPE OF SERVICES

The City of Edgerton is seeking proposals from qualified firms or individuals holding an active Wisconsin license in Real Estate Brokerage. The successful proposer, if awarded, will be expected to provide at least the following services:

1. To perform all customary activities and services associated with real estate transactions, to include, but not be limited to, assist in valuation of property, showing of the property, participation and assistance with drafting of the Purchase Agreement, participation in the closing for the property, etc.
2. To assist the City in determining the most advantageous time to commence the process of listing and marketing the property, taking into account such things as the market conditions, the status of the leasehold on the property and any other relevant factor.
3. Solicit interest in potential offers for the purchase of the Veterans' Memorial Community Center.
4. Work cooperatively with the City to negotiate the sale of the property with prospective buyers.
5. Provide oral and/or written updates to the City of Edgerton.

II. QUALIFICATIONS

Respondents to this RFP must possess the following qualifications:

1. Must be licensed and in good standing with the State of Wisconsin.
2. Must possess knowledge of the local real estate market and possess experience with the sale of commercial property.
3. Must be familiar with local zoning ordinances.
4. Must possess an excellent reputation, to be verified by at least three (3) independent references.

III. INSURANCE

Proposers must provide copies of Certificates of Insurance evidencing coverage under a General Liability Policy and Worker's Compensation Policy.

IV. FEE

Should the City complete a transaction for the sale of the property, the Broker will receive a brokerage commission paid by the City based on a percentage of the selling price of the

property. The commission will be paid from the proceeds of the sale. The Broker will state its requested commission in its proposal using the attached Fee Schedule. The proposed commission will be the total commission paid by the City and will include any commission due to the buyer's Broker. The Fee Schedule allows the Broker to provide an alternative commission percentage for up to three currently known potential buyers of the Property. Names of currently known entities will be disclosed prior to execution of the Broker contract with the selected Broker.

V. TERM OF CONTRACT

The initial contract period for the successful proposer shall be a period of six (6) months, with the mutual ability of the parties to exercise individual extensions not to exceed six (6) months each. The contract shall contain a mutual termination for convenience clause without the necessity of any prior notice.

VI. AWARD ISSUANCE PROCESS

By issuing this Request for Proposals and accepting the proposals, the City of Edgerton does not obligate itself to award a contract to any proposer. The City of Edgerton reserves the right to postpone the proposal deadline, and to accept or reject any or all proposals received in response to this RFP, to negotiate with any brokers submitting a response to the RFP, and/or to cancel all or part of this RFP at any time and for any reason whatsoever.

VII. SELECTION CRITERIA

1. 20% Real estate experience, qualifications, and references, particularly with respect commercial properties.
2. 20% Knowledge of the local real estate market in the City of Edgerton and ability to provide substantial real estate-related analytical data and financial information and comparative analysis of recent similar sales.
3. 20% Proposed strategy to market the property. (Note: the City reserves the right to not have a sign posted on the site.)
4. 40% Fees.
5. The City of Edgerton reserves the right to ask for additional information of any kind or nature whatsoever from any individual proposer.

VIII. PROPOSAL REQUIREMENTS

Each proposer should submit the following information. Failure to submit the requested information may result in the rejection of the proposal. However, the City of Edgerton reserves the right to request additional information to supplement and/or assist with its evaluation.

1. Provide resumes of key personnel that will be assisting with the sale of the Property.
2. Describe the experience your firm or organization has with the sale of similarly situated properties, especially those involving governmental agencies.
3. Provide a list of at least three (3) references for similar services provided. Please provide names and telephone numbers of contact persons for each reference.
4. Provide a marketing plan description with a description of how the property will be marketed to a potential buyer, including the level of advertising commitment you feel is necessary and that you will provide.

**FEE PROPOSAL FOR SERVICES
OF WISCONSIN LICENSED REAL ESTATE BROKER**

- A. Brokerage commission based on a percentage of the selling price of the property. _____%
- B. Brokerage commission based on a percentage of the selling price of the property for those buyers known by the City prior to contract with Broker. _____%