



# City of West Allis

## Legislation Text

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**File #:** R-2016-0170, **Version:** 1

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Resolution relative to approving financing park improvements utilizing interest payments generated from the \$4.2 million loan to Renaissance Faire (Joel Lee) for the Johnson Control parking structure.

WHEREAS, the Common Council of the City of West Allis (the "City") by Resolution No. R- 2014-0176, on August 4, 2014, authorized a \$4.2 million loan to First-Ring Industrial Redevelopment Enterprise (FIRE); and,

WHEREAS, FIRE by Resolution No. 508, on September 14, 2014, authorized a \$4.2 million loan to Edward Allis, LLC and/or Joel Lee; and,

WHEREAS, the loan is guaranteed in the event of default by Renaissance Faire II, LLC by Joel Lee personally, and by the assignment of the Johnson Control Inc. lease. In addition, FIRE is also obligated to make the principle and interest payments to the City; and,

WHEREAS, the Director of Development outlined the financial recommendations at the Common Council meeting on June 7, 2016 by Communication No. 2016-0388, and that without these funds, the park improvements would not occur; and,

WHEREAS, the City has received approximately \$126,900 in interest payments to date, and will receive an additional approximate \$457,921 over the next five and one-half years (about \$72,300 per year) for a total of \$584,784; and,

WHEREAS, the Departments of Development and Finance recommend using the existing interest received and existing cash on hand to pay for the improvements at Reservoir Park and other park projects not eligible for CDBG funding as long as the total expended for park improvements does not exceed the \$584,784 revenue stream provided by the interest on the loan.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of West Allis as follows:

1. Approves financing park improvements utilizing interest payments generated from the \$4.2 million loan to Renaissance Faire (Joel Lee) for the Johnson Control parking structure.
2. Authorizes the use of the existing interest received and existing cash on hand to pay for improvements at Reservoir Park and other park projects not eligible for CDBG funding.
3. Authorizes the allocation of these funds for the Reservoir Park project and other park projects not eligible for CDBG funding.
4. That the Director of Development, along with the acting Finance Director, is hereby authorized and directed to take any and all other actions deemed necessary or desirable to effectuate the intent of this Resolution.

5. That the City Attorney be and is hereby authorized to make such substantive changes, modifications, additions and deletions to and from the various provisions of any and all financing park improvements, loan agreements, mortgages, notes, guaranties, security agreements, escrow agreements, certificates, affidavits, assignment agreements, pledges, disbursing agreements, subordination agreements, environmental agreements, indemnification agreements, land use restriction agreements, certified survey maps, easements, operating reserve agreements, replacement reserve agreements, working capital agreements, grant agreements and financing statements, development agreements, property management agreements, consulting agreements, escrow agreements, certificates, affidavits, reimbursement agreements, assignment agreements, attachments, exhibits, addendums, amendments and/or any other documents as may be necessary, proper, or convenient to correct inconsistencies, eliminate ambiguity, and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof, and to prepare and deliver such other and further documents as may be reasonably necessary to complete the transactions contemplated therein.

cc: Development Department  
Finance Department

DEV-R-841-6-21-16