



City of Algoma
Planning Commission Meeting
Thursday, February 25, 2016

Minutes

The February 25, 2016 meeting of the Planning Commission was called to order in the Common Council Chambers at 6:00 PM by Council President Dart.

Present at roll call: Dachelet, Dart, Groessl, Glime, Konkel, Mcluen, Olejniczak, Ortlieb, and Wiswell. Absence excused at roll call: Mayor Schmidt, Haasch, and Mueller.

It was noted that the meeting was in compliance with the open meeting law.

Glime moved, seconded by Ortlieb, to approve the agenda. Motion passed.

A motion was made to approve the minutes of the: January 21, 2016 regular meeting of the Planning Commission by Olejniczak, and seconded by Konkel. Motion passed.

Old Business

Kevin Kleinert appeared before the Planning Commission to discuss the proposed Construction Amendment to the Maritime Pointe Developers Agreement as prepared by the City Attorney. As requested, Mr. Kleinert presented the commission with: (1) Architectural renderings, showing the footprint and two-dimensional design images for each proposed building, and (2) a Certification of Ownership and Mortgage Consent showing the support of nine of the affected parties for the next phase of the Maritime Pointe Condominium project. He also produced a written loan commitment, in the amount of \$265,000.00, from Oostburg State Bank for the completion of the first of two buildings in the next phase of the project.

Mr. Kleinert stated that after further review of the draft Amendment to the Developers Agreement he believes there is no need to amend section 4 entitled Section XI DEFAULT / REMEDIES of the Development Agreement to provide for the addition of the following paragraph:

“f. Penalty: If the Developer fails to comply with the deadlines set forth in Section II.d. the Developer agrees to pay an annual penalty equal to the amount that would be paid for real estate taxes on a building with an assessed value of \$360,000.00 for each building not constructed by said deadlines. The penalty shall be due no later than January 31st of each year following the deadline contained in paragraph II.d that has not been complied with.”

He described the project as a “pay as go” effort and contends (1) that the value will be there as the project is constructed, and (2) that there is no liability or expense to the city if he doesn’t perform. He said that if the penalty is eliminated he is prepared to sign the agreement and move forward to start construction on the first duplex this coming spring.”

After discussion by the Commission, Ortlieb moved, seconded by Olejniczak, to amend the penalty language to read as follows:

f. Penalty: If the Developer fails to comply with the deadlines set forth in Section II.d. the Developer agrees to pay an annual penalty equal to the amount that would be paid for real estate taxes based on an assessed value of \$720,000.00 for the parcel until the first building is substantially completed. If the first building is substantially completed but the Developer does not meet the deadline for the second building set forth in Section II.d., the Developer agrees to pay an annual penalty equal to the amount that would be paid for real estate taxes based on an assessed value of \$240,000.00 until the second building is substantially completed. The penalty shall be due no later than January 31st of each year following the deadline contained in paragraph II.d that has not been complied with and is in addition to the annual real estate taxes that are due for the parcel.

Motion passed.

New Business

There was no new business pending before the Commission.

Planning Director’s Report

Administrator Wiswell reported that if the Algoma School remodeling referendum is approved by the voters at the spring 2016 election then the district will be seeking approval from the City of Algoma to vacate the alley between City Hall and Algoma Elementary School. The Administrator also reported that the developer of the GrandStay Hotel project is expected to make a presentation on the site plan at prehearing before the Commission at its March 24th meeting.

Motion made by Glime, to adjourn, with a second made by Mcluen. The motion carried, at 6:59 PM and the Commission stood adjourned until Thursday, March 24, 2016 at 6:00 PM.