

VILLAGE BOARD AGENDA
VILLAGE OF DEERFIELD
Monday, July 27, 2020, 7:00 p.m.
Teleconference Meeting

Due to the COVID-19 Pandemic, Including Federal, State and County Emergency orders limiting crowds, the meeting is being held via teleconference. Village Board members will attend by electronic device. Members of the Village Board and public may attend by:

Phone in 1-978-990-5087 Access code: 4962217

Or by logging into www.freeconferencecall.com – drop down Online meetings, Join meeting, code mcredie

- I. CALL TO ORDER – NOTING OF ROLL BY CLERK/SIGN IN SHEET**

- II. CONSENT AGENDA**
 - A. APPROVAL OF MINUTES FROM JULY 13, 2020**
 - B. APPROVAL OF VOUCHERS**
 - C. COMMITTEE REPORTS**
 - 1. JOINT LAW ENFORCEMENT**
 - 2. DCCVA**
 - 3. EMS**
 - 4. PLANNING COMMISSION**
 - 5. LIBRARY**
 - 6. DEERFIELD CARES**
 - 7. COMMUNITY CENTER**
 - 8. FINANCE**

- III. NEW BUSINESS**
 - A. RESOLUTIONS**
 - 1. RESOLUTION R2020-09 AWARD CONTRACT FOR TID #3 DOWNTOWN REDEVELOPMENT PROJECT – MAIN STREET AND PARK DRIVE AND CONSIDER CHANGE ORDER #1**
 - 2. RESOLUTION R2020-10 AMENDING CONDITIONAL USE PERMIT #2019-01 – WINNING DESIGNS.ROY & CYNTHIA AITCHISON/6 LAKE STREET**
 - B. LICENSES & PERMITS**
 - 1. CONSIDER A REQUEST FOR AN OPERATOR’S LICENSE FOR THE PERIOD OF JULY 28, 2020 TO JUNE 30, 2021 TO JASON A ELLINGSON**
 - C. REVIEW & ACTION:**
 - 1. DISCUSS/CONSIDER AGREEMENT AMENDMENT NO 1 WITH VIHERBICHER FOR THE MAIN STREET/PARK DRIVE STREET IMPROVEMENT**
 - 2. DISCUSS/CONSIDER AMENDMENT NO. 2 TO A TID #3 DEVELOPER’S AGREEMENT WITH WILFREDO DEXTRE FOR 28-30 N MAIN STREET**
 - 3. DISCUSS/CONSIDER CELL TOWER AGREEMENT**

- IV. STAFF/BOARD COMMUNICATION**

- V. ADJOURN**

Notice is hereby given that it is possible that a majority of the Village Board or other governmental body may be present at the above meeting of the VILLAGE BOARD to gather information about a subject over which they have ultimate decision-making responsibility. If such a majority is present, it will constitute a meeting of the Village Board or other governmental body under Wisconsin's Open Meeting Laws and is hereby being noticed as such, although only the VILLAGE BOARD will take formal action at the above meeting. If you require an interpreter, materials in alternate formats, or other accommodations to access this meeting, please contact the Village Clerk at 764-5404 at least 24 hours prior to the meeting.

Elizabeth McCredie, Clerk
Village of Deerfield

Posted (3) 7/24/2020 (Mun. Bldg, Library, Bank)

VILLAGE BOARD MINUTES

VILLAGE OF DEERFIELD

Monday, July 13, 2020, 7:00 p.m.

Teleconference Meeting

CALL TO ORDER – NOTING OF ROLL BY CLERK/SIGN IN SHEET

The meeting was called to order at 7:00pm by President Frutiger. The meeting was held virtually via Free Conference Call technology. Roll call: Evensen, Wilkinson, Wiczorek, Kositzke, McMullen and Frutiger present, Tebon absent.

CONSENT AGENDA

Motion by Frutiger and seconded by Evensen to approve the July 13, 2020 agenda as posted. All ayes, motion carried.

A. APPROVAL OF MINUTES FROM JUNE 22, 2020

Motion by Evensen and seconded by Wilkinson to approve the minutes from June 22, 2020 as amended. All ayes, motion carried.

B. APPROVAL OF VOUCHERS

The Finance Committee reviewed, approved and forwarded their recommendation for payment of the vouchers listed to the Village of Board.

Motion by Wilkinson and seconded by Frutiger to approve payment of check #55465 to #55506 totaling \$153,111.93. All ayes, motion carried.

C. TREASURER'S REPORT FOR MAY AND JUNE 2020

McCredie gave the May 2020 Treasurer's report with a beginning balance in the checking account of \$3,145.54, deposits totaling \$215,162.56, checks totaling \$162,908.65, payroll checks totaling \$35,231.84 and the other expenses for the month totaling \$32,068.26 leaving an ending balance of \$-11,900.32. The ending balance in the May 2020 Money Market account was \$2,035,227.21 and the Local Government Investment Pool's balance was \$2,654,904.72 resulting in a total fund balance of \$4,678,231.61 at the end of May 2020.

Motioned by Evensen and seconded by McMullen to approve the May 2020 Treasurer's report as presented. Motioned by Evensen and seconded by Tebon to approve the March 2020 Treasurer's report as presented. Upon roll call vote, all ayes, motion carried.

June's beginning balance in the checking account was of \$-11,900.32, deposits totaled \$331,853.56, checks totaled \$217,629.65, payroll checks totaled \$29,217.03 and the other expenses for the month totaled \$32,251.45 leaving an ending balance of \$40,855.11. The ending balance in the June 2020 Money Market account was \$1,862,598.59 and the Local Government Investment Pool's ending balance was \$4,055,283.24 resulting in a total fund balance of \$5,958,736.94 at the end of June 2020.

Motioned by Evensen and seconded by McMullen to approve the June 2020 Treasurer's report as presented. All ayes, motion carried

D. 2019 AUDIT PRESENTATION – BAKER TILLY/JODI DOBSON

Auditor Jodi Dobson, from Baker Tilly, attended the board meeting virtually and explained the 2019 fund balance, cash reserves, debt obligations and expenditures for the General, Water and Sewer funds. Frutiger thanked Dobson for the report.

E. COMMITTEE REPORTS

1. JOINT TIF REVIEW BOARD

McCredie reported that the Joint TIF Review Board met on June 23rd to review and approve the annual audit report for TID No. 3, 4 and 5.

2. CABLE

Kositzke reported that Cable met on July 7th and discussed Larry Chua taking over Lynn Myer's cable responsibility but training has been limited.

3. COMMUNITY CENTER

Evensen reported that the Community Center discussed their rental policy, an extra \$50 fee is being charged for clean-up and the kitchen is currently not being rented out. They are currently having a playground program that is limited to 25 people plus they are looking for grants to help cover their revenue losses.

4. PUBLIC WORKS

Frutiger reports that the Public Works committee was informed of a resident's lateral that was not hooked back up during the Washington Street project and that it was just discovered, they approved the purchase of a computer for Derek Anderson/Public Works that was accounted for in the 2020 Water budget. There was also a major water main break in the industrial park by Central Ceilings.

5. FINANCE

Everything on the Finance agenda is also on the Board agenda

6. BOR

McMullen reported that Open Book will be held on July 15th from 10am to 12pm and the Board of Review will be held on July 30th starting at 1pm for a minimum of two (2) hours.

NEW BUSINESS

A. LICENSES & PERMITS

1. CONSIDER A REQUEST FOR AN OPERATOR'S LICENSE FOR THE PERIOD OF JULY 14, 2020 TO JUNE 30, 2021 FOR BENJAMIN E PETERSON

Frutiger stated that the Finance Committee reviewed the request from Benjamin Peterson for an Operator's license and noted that the applicant must have checked the wrong box for having been convicted of a felony or any alcohol/drug-related misdemeanors as the police okayed the license and the background check didn't show anything so they recommended its approval to the Village Board.

Motion by Wilkinson and seconded by Evensen to approve an Operator's license for the period of July 14, 2020 to June 30, 2021 for Benjamin E. Peterson. All ayes, Kositzke opposed, motion carried.

B. REVIEW & ACTION:

1. DISCUSS/CONSIDER AGREEMENT AMENDMENT NO 1 WITH VIERBICHER FOR THE MAIN STREET/PARK DRIVE STREET IMPROVEMENT

In 2019 the board approved hiring Vierbicher to perform the work for on this project and recently draft report of the project was submitted. Vierbicher has been working with the steering committee and Town & Country in order to have this ready for the September 12th TID #3 deadline. Their current contract has been utilized and this is an amendment for additional time to complete the project. After discussion the board felt additional information was needed.

Motion by McMullen and seconded by Evensen to table this agenda item to the next board meeting in order to obtain additional detail work information from Vierbicher. All ayes, motion carried.

2. DISCUSS/CONSIDER TID #3 FUND DISTRIBUTION REQUEST FROM WILFREDO DEXTRA

McCredie informed the board that Marisa Mutty/Redevelopment Resources contacted her regarding Wilfredo Dextra TID #3 grant. Dextra's share of the project consists of \$10,000 in equity and \$14,485 in-kind labor and he is asking that the percentage of his pay request distributions be handled a little differently and a spreadsheet showing the percentage was included in this packet.

Motion by McMullen and seconded by Evensen to approve the TID #3 distribution request from Wilfredo Dextra per the spreadsheet submitted. All ayes, motion carried.

3. DISCUSS/CONSIDER PAY REQUEST #1 FROM GMS EXCAVATING FOR W NELSON STREET PROJECT

Pay request #1 from GMS Excavating is for work completed to this point and Engineer TeBeest has approved the payment. Motion by Kositzke and seconded by Wilkinson to approve pay request #1 from GMS Excavating for the W. Nelson Street project for \$79,311.70. All ayes, motion carried.

4. DISCUSS/CONSIDER CELL TOWER OFFER FROM AMERICAN TOWER

The board reviewed the cell tower agreement request from MD7 and agreed it should be sent it to the Village Attorney for review.

Motion by Evensen and seconded by Wilkinson to approve sending the cell tower agreement request from MD7, LLC to the Village Attorney for legal guidance. All ayes, motion carried.

COMMUNICATIONS

Frutiger mentioned that Deerfield's Dane County Supervisor, Kate McGinnity, contacted him to find out if the Village was considering giving to the Deerfield Food Panty and suggested that this be looked at once the Village receives the check.

STAFF/BOARD REPORTS

ADJOURN

Motion by Evensen and seconded by Kositzke to adjourn at 8:14 pm. All ayes, motion carried.

/S/ Elizabeth McCredie
Village Administrator/Clerk-Treasurer

Village of Deerfield, Wisconsin
RESOLUTION NO. R2020-09

VILLAGE BOARD OF THE VILLAGE OF DEERFIELD

A RESOLUTION AWARDING A CONTRACT FOR THE TID #3 DOWNTOWN REDEVELOPMENT
PROJECT/MAIN STREET AND PARK DRIVE

WHEREAS, as part of the TID #3 amendment the Village of Deerfield, Dane County, Deerfield School District and MATC agreed to a redevelopment project for Main Street and Park Drive; and

WHEREAS, the Village will use funds raised through a Wisconsin State Trust Fund loan to pay for the project, and

WHEREAS, the Village received _____ (?) bids prior to the public bid opening on July 23, 2020 deadline for the W Nelson Street project, and

BE IT THEREFORE RESOLVED by the Village Board of the Village of Deerfield awards a contract to _____ in the amount of \$_____ for the TID #3 Downtown Redevelopment project/Main Street and Park Drive.

Adopted this 27th day of August, 2020
Village of Deerfield
Dane County, Wisconsin

Gregory Frutiger, Village President

Attest: _____
Elizabeth J. McCredie, Village Clerk-Treasurer

Dated: _____

Village of Deerfield, Wisconsin
RESOLUTION NO. R2020-10

VILLAGE BOARD OF THE VILLAGE OF DEERFIELD

**A RESOLUTION AMENDING THE COMPLETION DATE OF CONDITIONAL USE PERMIT #2019-01
GRANTED TO WINNING DESIGNS/ROY & CYNTHIA AITCHISON – 6 LAKE STREET**

WHEREAS, as on February 18, 2019 a public hearing was held by the Planning Commission to hear a request from Winning Design/Roy & Cindi Aitchison – 6 Lake Street to allow the parking of two (2) shipping containers as an accessory use and an additional seven (7) shipping containers to be used for the fabrication of a residential home; and

WHEREAS, no one spoke against the request at the public hearing and the Planning Commission recommend to the Village Board issuance of a Conditional Use Permit (CUP) to Winning Designs/Roy & Cynthia Aitchison at 6 Lake Street allowing the parking of two (2) shipping container as an accessory use plus allowing an additional seven (7) containers being used for the fabrication of a residential home contingent upon the seven (7) being removed from the premise by June 2020, all fabrication of the containers being done inside the main building structure and all other miscellaneous items on the property being removed within 30 days of approval of a CUP, and

WHEREAS, on February 25, 2019 the Village Board approved the issuance of a CUP to Winning Design/Roy and Cynthia Aitchison per the recommendations made by the Planning Commission, and

WHEREAS, on June 30, 2020 Roy & Cindi Aitchison submitted a request to have their completion date extended due to unforeseen circumstances, and

WHEREAS, on July 20, 2020 the Planning Commission reviewed the request and recommended to the Village Board amending the completion date for CUP #2019-01 to October 1, 2020 with no further extensions, and

BE IT THEREFORE RESOLVED by the Village Board of the Village of Deerfield hereby approves amending the completion date for CUP #2019 to October 1, 2020.

Adopted this 27th day of July, 2020
Village of Deerfield
Dane County, Wisconsin

Gregory Frutiger, Village President

Attest: _____
Elizabeth J. McCredie, Village Clerk-Treasurer

Dated: _____

RECEIVED

JUN 30 2020

June 29, 2020

VILLAGE OF DEERFIELD

Dear Deerfield Village Board,

Due to unforeseen circumstances, COVID-19, we are running behind in our container project. As of yet we have no foundation on our property. We are hoping to get it in before the snow flies, but just don't know at this point. We are continuing to clean around the shop and the stack of materials are diminishing as the project continues.

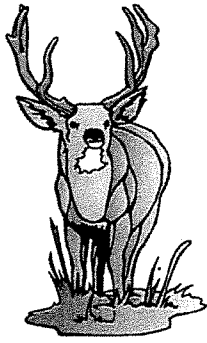
We would like to ask for more time.

Thank you,



Cindi Aitchison

Roy & Cindi Aitchison



VILLAGE OF DEERFIELD

4 North Main St., P.O. Box 66, Deerfield, WI. 53531

TELEPHONE: 608-764-5404

FAX: 608-764-5807

Village President: Greg Frutiger

Village Administrator / Clerk-Treasurer: Elizabeth McCredie

www.deerfieldwi.com

CONDITIONAL USE PERMIT #2019-01

6 Lake Street

PARCEL #0712-281-1240-1

Original CUP: February 25, 2019

Amendment: N/A

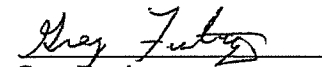
Granted to: Winning Designs/Roy & Cynthia Aitchison

Permit Use: Allowing the parking of two (2) brown shipping containers as an accessory use plus allowing an additional seven (7) shipping containers to be used for the fabrication of a residential home in the C-1 zoning District.

Conditions:

1. The seven (7) shipping containers, being used for a home fabrication, are to be removed from the premise by June 2020 with all fabrications of the containers being conducted inside the main building structure.
2. All other miscellaneous items on the property being removed within 30 days of approval of CUP.


Elizabeth J. McCredie
Village Clerk


Greg Frutiger
Village President

Application for an "Operator's" License

To Serve or Sell Fermented Malt Beverages and Intoxicating Liquors
Deerfield, WI

New **Renewal**

Date July 9 2020

I, the undersigned, do hereby respectfully make application to the local governing body of the Village of Deerfield, County of Dane, Wisconsin for a License to serve and/or sell, from date hereof to June 30, 21 inclusive (unless sooner revoked), Fermented Malt Beverages and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State or Local, affecting the sale or service of such beverages and liquors if a license be granted to me.

Answer the following questions fully and completely:

Name of Applicant Jason A Ellingson Phone 608-733-1471
First (legal) Middle Last

Address of Applicant 430 Wilcox St Deerfield WI 53531

*Date of Birth 7-21-84 *Sex male *Race white

*Driver's License Number _____ State issued out of WI

As required by WI Statutes Section 125.17 (6), have you completed the Beverage Server Training Course? Yes

If so, where? Learn to Serve

Have you been convicted of a felony or any alcohol-related or drug-related misdemeanor? NO YES

If yes, date of such conviction _____ Name of Court _____

Nature of offense _____

Have you been convicted of violating any law or ordinance regulating the sale of Fermented malt beverages or intoxicating liquors?

NO YES - Date and Nature of violation _____

Have you ever had a license to serve alcohol beverages suspended or revoked, or surrendered the license in lieu of suspension or revocation? NO YES If yes, provide the place and date _____

Have you been convicted of operating a motor vehicle while intoxicated? NO YES - Date(s) _____

Name of employer for which license is intended Frontier Flannel

Photo ID or copy provided yes

Fees: \$32.00 annual I understand that the fee is not refunded if this application is denied.

* We request this information so we can verify your criminal and driving history.

STATE OF WISCONSIN
Dane County

Jason Ellingson, being first duly sworn on oath says that (s)he is the person who made and signed the foregoing application for an operator's license; that all the statements made by the applicant are true.

X [Signature]
Applicant sign here

Subscribed and sworn to before me this _____ day of _____, 20 _____

Notary Public, _____ County, Wisconsin

The Deerfield Police Department conducted a background check on:	
Recommendation: <input checked="" type="checkbox"/> I recommend approval of the license <input type="checkbox"/> I recommend refusal of the license	Records: <input type="checkbox"/> records attached <input type="checkbox"/> no record
Explanation:	
Officer Signature: <u>[Signature]</u>	Approved by Village Board:

PL-2021-48
Sample Case



June 24, 2020

Elizabeth McCredie
Village Administrator/Clerk/Treasurer
Village of Deerfield
4 N. Main St
Deerfield, WI 53531

Re: Agreement Amendment No. 1
Main Street/Park Drive Street Improvement, Deerfield, WI

Dear Client Name:

We propose to amend our current Agreement, (dated October 7, 2019) for streetscape design services for the Village of Deerfield to include the additional services requested. The following services will be provided:

I. SCOPE OF ADDITIONAL SERVICES:

Our original contract included a design process and construction documents, but due to the longer than anticipated design process (additional meetings), we are amending our original contract to include an additional fee for construction services.

A. Finalize Streetscape Design for Construction

1. This item includes updating the conceptual streetscape design based on the final project extent and scope. Streetscape design will include one block of Main Street (Deerfield Street to Nelson Street) and a walkway within an easement on parcel number 117/0712-214-7345-3 located between 15 N Main St and 21 N Main St. No streetscape enhancements are proposed along Park Drive. Consultant will prepare final construction documents and details for inclusion in the project plan set assembled by Town & Country Engineers.

B. Project Bidding and Construction Oversight

1. Consultant will be available to answer any questions that arise during project bidding or construction. This item includes an updated Opinion of Probable Cost prior to bidding, attendance at a preconstruction meeting, and one site visit during construction.

II. INFORMATION PROVIDED BY OTHERS

- A. Updated survey and proposed street configuration dwg files from Village Engineer.

III. SCHEDULE:

A. The schedule to complete the activities noted above are as follows:

<u>Activity</u>	<u>Date</u>
1. Streetscape plans to Town & Country	July 1, 2020
2. First Bid Ad- Plans Available to Bidders	July 8, 2020
3. Bid Opening	July 23, 2020
4. Award of Bid.....	July 27, 2020
5. Executed Contracts.....	Sept 12, 2020

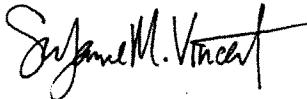
IV. AGREEMENT STATUS:

A. Original Agreement.....	\$9,100
B. Agreement Amendment No. 1	\$4,300
Current Total Agreement Amount:	\$13,400

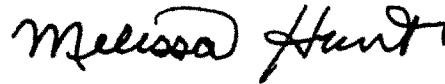
All other terms and conditions of the original Agreement remain in effect.

If the Agreement amendment is acceptable, please sign below and return one executed copy to our Madison office.

Sincerely,



Suzanne M. Vincent, PLA



Melissa Hunt, CECD, EDFP
Department Manager

Elizabeth McCredie, Village of Deerfield

Authorization to Proceed: _____

Date: _____

Deerfield 2020 Downtown TIF Streetscape Enhancement Project: Time Analysis & Project Evolution

Original Contract				
Task	Time Allocated (Hours)	Time Spent (Hours)	Time Billed (Hours)	Notes
Steering Committee Meeting Notes				
Evaluation Phase				
Site Evaluation	10	10	10	Site visit, site analysis, graphic summary of findings & opportunities for SC review
Meeting 1	1	1	1	Steering committee meeting # 1 12.16.2019
				Extra width in parking lanes could be reallocated; Park drive lot usually 50-66% empty; Look at parking lights for intersections; DOT likely against bump outs; light relocation will be part of DOT project- consider turning light ownership over to State; Need easement for walkway improvements; OK w/ no street trees on Main but need better planters. Park Drive needs curb (mountable?) along west side to control drainage; need to accommodate driveway openings on E side; potential for tabletop crosswalk at pedestrian crossing across Park Dr; Need additional islands to define drive aisles
Preliminary Design Phase				
Preliminary Streetscape Design	12	12	12	3 alternate cross sections for Main Street, initial plan for Park Dr & Main St, initial sketch for walkway and amenities
Meeting 2	2	2	2	Streetscape Committee meeting #2 02.03.20
				Preference for slightly wider sidewalks and bike lanes on Main; Does it make sense to have bike lanes just on one block?; Support for in-ground planters around light poles on Main. Chamber wants to look into relocation of concession stand in park to accommodate sidewalk along west side of Park Drive; May need to include mid-block crossing on Main at walkway; Need more green space along Park Dr- consider one-way alternative to narrow paved width
Concept Development	15	20	20	Refine plan based on committee feedback; develop one-way alternative for Park Dr, add sidewalk along west side of Park Dr.
AARP Grant Application Coordination	0	1	1	Opinion of probable cost for walkway portion for grant application
Final Design Phase				
Meeting 3	2	2	2	Streetscape Committee Meeting #3 03.26.20
				DOT Feedback: Bump outs can be considered but Village will be responsible for design and construction cost (same w/ storm sewer). Park Drive: No committee support for one-way traffic on Park Dr and associated reduction in parking; add crosswalk from library to Park Dr. Walkway: Add more seating, support for arch feature but look at Savannah Park arch for design inspiration? Reduce amount of planting along Flannel Frontier. Main St. Alliant to take over lighting. Opportunity to widen Main St E of Industrial to accommodate bike lane extension to path crossing. Support for bike lanes along two blocks; add bike lane on Nelson to walk. Discussion of bump out location/quantities, decision to maintain at each end and not mid block. Add connection to Glacial Drumlin trail at end of Grand Ave

Finalize Design	19	24	24	24	Refine plan based on committee feedback; redesign Park Drive to two way traffic; with increased tree planting locations; revise landscaping in walkway; develop opinion of probable cost for all streetscape elements	
Meeting 4	0	1	1	1	Streetscape Committee Meeting #3 04.23.20	Review and general approval of revised plans; discussion of lighting options from Alliant; Committee wants to schedule small business owner meeting ahead of community meeting. Project schedule: Plans out to bid in August, award bid last board meeting in Aug; construction Spring 2021
Meeting 5	0	0.5	0.5	0.5	Budget reduction options meeting 04.30.20	Remove all amenities on Park Drive; scope of work to include only grading adjustments to improve grading and mill & overlay paving
Meeting 6	0	1.2	1.2	1.2	Meeting to discuss project scope reduction to meet project budget 05.04.20	Review revised OPC based on Park Drive scope reductions. Project schedule adjusted to meet AARP grant construction deadline
Meeting 7	0	1	1	1	Review project with business owners 05.11.20	
Contract Amendment						
Construction Documents	26	26	0	0	Revise all streetscape element locations/design based on survey data and final curb configuration from Town & Country; construction details for custom elements and alternates (gateway feature, planters and planter alternates), construction specifications for streetscape elements (plants, paving, bollard lighting, benches);	
Meeting 8	3	3	0	0	Sidewalk condition walk; pre-bidding coordination with Village staff	
Construction Assistance	6	0	0	0	Answer questions during bidding period, attend pre-con, one site visit during construction or answer questions during construction	
Additional Time Donated to Project						
	0	12	0	0	Additional research/design/revision time spent on the project in the interest of providing a unique project and keeping the project on schedule	

July 22, 2020

Village of Deerfield
Attn: Planning Commission & Village Board 4 N Main St
Deerfield, WI 53531

To whom it may concern,

Our project is requiring an extension until September 31st, 2020; this timeframe has been determined by our 3 contractors. The HVAC has been completed and 50% of the plumbing. The electrician has estimated to complete the project a week after the plumber is done. The project's delay was due to the state's approval for the grease trap (it was approved 3 weeks ago) and they have installed it already.

We estimate to open our restaurant 2 weeks after we get all work with the contractors completed. This time will be used to accommodate all commercial kitchen equipment within its place and enhance the customer area. Thank you for your consideration and your patience. We can assure you that we are working to get this project done.

Wilfredo Dextre



June 16, 2020

Village of Deerfield, Wisconsin
Attn: Elizabeth McCredie, Administrator
Deerfield, WI 53531

RE: American Tower Site No. 410774 / Wisconsin Deerfield Wi

Dear Valued Landlord,

As the leading independent operator of wireless and broadcast communication sites, American Tower understands the importance of maintaining long term relationships with landlords. We also firmly believe that it is in both of our best interests to grow and develop our partnership. Recently, an increasing number of Carriers have demanded a desire for better economics in order to continue to lease from American Tower.

In connection with this interest and our own desire to maintain a long-term relationship with you, American Tower has engaged Md7 to present you with the offers as described below:

Option 1

- Rent to be \$825.00 per month commencing on September 1, 2020
- 10% term-based escalation – Next escalation on April 1, 2021
- 5 Year Rent Guarantee commencing on effective date of new amendment
- All other terms to remain in full force and effect

Option 2

- Rent to be \$911.00 per month commencing on September 1, 2020
- 5% term-based escalation – Next escalation on April 1, 2021
- 10 Year Rent Guarantee commencing on effective date of new amendment
- Signing Bonus of \$5750.00.
- All other terms to remain in full force and effect

Option 3

A conditional offer of **\$150,410.00** in a lump sum payment in exchange for a perpetual easement interest in your property paid at close in lieu of rental payments.

American Tower values its affiliation with you and hopes to continue a long and mutually profitable relationship in the years to come. After having reviewed these options, please contact me.

Respectfully,
Kevin Lomax

Md7 | Lease Consultant
klomax@md7.com
O (858) 291-1907
An authorized partner of American Tower Corporation

cc: Brandon Ruotolo - Senior Manager, Land Acquisitions - American Tower Corporation

*****PLEASE NOTE: This conditional offer expires and is for discussion purposes only. The parties will not be bound in any respect until and unless a written agreement is signed by all applicable parties.***

Elizabeth McCredie

From: Anita T. Gallucci <agallucci@boardmanclark.com>
Sent: Tuesday, July 21, 2020 9:38 AM
To: Elizabeth McCredie
Cc: Steven C. Zach; Jared Walker Smith; Charlene Beals
Subject: Deerfield/ATC Land Lease
Attachments: McCredieAnalysis.pdf

Good Morning Liz,

I enjoyed meeting you this morning to discuss the options md7 has proposed on behalf of American Tower ("ATC"). As I explained, md7 has been hired by all the major cellphone carriers and tower builders to contact their clients' landlords to attempt to renegotiate their current leases. The options proposed are all ones that greatly reduce the value of the leases to the landlord in exchange for a guaranteed term of 5 to 10 years. Understand that 10s of 1000s of these letters are sent every year in the hope that some landlords (likely very few) "bite." My recommendation to the Village is to not take the bait.

As you have already recognized (see the attached analysis that you prepared), ATC's offers three options, all of which significantly reduce the monetary value of the lease to the Village. The worst of the three options is Option 3, in which ATC offers to make a one-time payment of \$150,410 (with no more rent payments) in exchange for a perpetual easement in the leased premises. Essentially, Option 3 would tie up the leased premises forever, with the Village essentially losing all control over the land, including the ability to collect property taxes.

As I said above, the "new benefit" ATC is offering is security. Option 1 guarantees rent for 5 years while Option 2 guarantees the rent for 10 years. These rent guarantees are meaningless because there is very little to no risk that ATC will vacate the premises in 5 or 10 years because it would not make economic sense for them to do so. Why would ATC spend the money to remove its tower from the leased premises only to have to spend additional money acquiring a new site and building a new tower at significant expense? They wouldn't.

Thus, I recommend to the board that they not take ATC up on its offer.

Hope you have a great day,

Anita



Cell Tower Lease - Verizon Wireless/American Tower

The lease commence on March 14, 2001 and is automatically extended for four (4) additional five (5) year terms with a 15% increase annually

1st 5 year term	04/2001 to 03/2006	12	x	\$ 833.33	=	\$ 10,000	
2nd 5 year term	04/2006 to 03/2011	12	x	\$ 958.33	=	\$ 11,500	
3rd 5 year term	04/2011 to 03/2016	12	x	\$ 1,102.08	=	\$ 13,225	\$ 67,424
4th 5 year term	04/2016 to 03/2021	12	x	\$ 1,267.39	=	\$ 15,209	
5th 5 year term	04/2021 to 03/2026	12	x	\$ 1,457.50	=	\$ 17,490	

New lease signed 2/27/2017 with the option to extend the Lease for each of eight (8) additional five (5) year renewal terms

Initial term	04/2021 to 03/2026	12	x	\$ 1,457.50	=	\$ 17,490	
1st 5 year term	04/2026 to 03/2031	12	x	\$ 1,676.12	=	\$ 20,113	
2nd 5 year term	04/2031 to 03/2036	12	x	\$ 1,927.54	=	\$ 23,131	
3rd 5 year term	04/2036 to 03/2041	12	x	\$ 2,216.67	=	\$ 26,600	
4th 5 year term	04/2041 to 03/2046	12	x	\$ 2,549.17	=	\$ 30,590	\$ 293,584
5th 5 year term	04/2046 to 03/2051	12	x	\$ 2,931.55	=	\$ 35,179	
6th 5 year term	04/2051 to 03/2056	12	x	\$ 3,371.28	=	\$ 40,455	
7th 5 year term	04/2056 to 03/2061	12	x	\$ 3,876.97	=	\$ 46,524	
8th 5 year term	04/2061 to 03/2066	12	x	\$ 4,458.52	=	\$ 53,502	

Option 1

09/2020 to 03/2021	7	x	\$ 825.00	=	\$ 5,775
04/2021 to 3/2026	12	x	\$ 907.50	=	\$ 10,890

Option 2

09/2020 to 03/2021	7	x	\$ 911.00	=	\$ 6,377
04/2021 to 3/2026	12	x	\$ 956.55	=	\$ 11,479
Signing Bonus					\$ 5,750.00

Option 3

Lump Sum Payment					\$ 150,410.00
------------------	--	--	--	--	---------------