

### **CIATTI'S RESTAURANT**

Term: 10 years from 1989 -1999; Occupied 1989 – 1993. Closed before end of first term. Lease assigned to Poniewaz brothers on 10/1994.

Rent: 1989 – 1991 = \$93,170 p/yr  
1992 --1994 = \$101,640 p/yr

Six amendments were signed to lower rent because of poor performance. Late on many months of rent.

Description: National Italian restaurant chain headquartered in Minnesota with similar format to Olive Garden. Well-capitalized.

### **LEGENDS (PONIEWAZ BROTHERS)**

Term: 10/1994 - 6/99. Occupied from 2/1995 – 1996;  
Lease assigned to CHIPS Investments in 3/1997

Rent:

Three amendments to lease to lower rent and to provide free customer parking during non-events.

Defaulted with several months of rent owed to City and to Ciatti's for furniture, fixtures and equipment.

### **LEGENDS SPORTS CLUB (CHIPS INVESTMENTS)**

Term: 4/1/1997 -3/31/2014 Occupied: 4/1997 – 2/2002.  
Negotiated new lease with new rents and terms (see below).

Rent: \$93,170 p/yr. - \$119,935 p/yr.  
Two-month rent abatement at lease inception.

Description: A couple plus one employee were operating this bar. They had no other employees. They closed their lunch business soon after beginning. They decided to close and remodel and asked City for a new lease under a new name in 2002.

### **GAMETIME (CHIPS INVESTMENTS)**

Term: 5/1/20002 – 12/31/17. Occupied from 2002 – 2/16/2007. First four months rent abatement while some remodeling took place and while establishment was closed.

[In May 2006, lease assigned to Peter Bethke (It's Gametime, LLC) and all contents sold to new tenant ]

Rent: 2002 = \$111,804; 2003 = \$113,257; 2004 = \$114,730; 2005=\$116,221; 2006 = \$117,732

(Rents from 2007 – 2017 would have been \$119,263 - \$135,706).

Description: Tenants business decreased and they requested City permission to assign lease to new tenant.

**IT'S GAMETIME (It's Gametime, LLC -PETER BETHKE)**

Term: 2007 - 2017 Occupied 1/1/2007 -- 7/11/2008 (Terminated by City).  
Left 3 months unpaid (about \$30k)

Rent: Peter Bethke was assigned the lease with approval of City Attorney's office. \$119,263 - \$135,706. There were approximately six months of unpaid rent of about \$30,000. Claim was adjust down to \$9858 at advice of City Atty in exchange for early termination of lease.

Description: Peter Bethke had one employee for about six months and then worked the bar and kitchen himself. He closed for lunch or served no food. He defaulted on about six months of rent. He also owed money to Waukesha Bank for all the restaurant contents and equipment. City terminated his lease.

**PROPERTY VACANT FOR 17 MONTHS** - DPW hired real estate broker who showed property to potential tenants. No one submitted offer until CenterCourt owners Brian James and Rick Kohen.

**CENTERCOURT SPORTS BAR (1118 LLC)**

Term: 12/2009 - 12/2016. Occupied: Jan 2010 – Jan 2013; Lease terminated by City in Jan 2013

Rent: Abated until April 2010. Owed: 2010 = \$56,250; 2011 = \$82,000; 2012 = \$90,000;  
After security deposit of \$25,000 and auction proceeds of \$23,044, unpaid balance due was \$152,202.

Description:

After various attempts at changing menu, hours, some remodeling, providing baseball stadium shuttle, opening ½ of property as non-sports venue, marketing, advertising, etc., unable to make payments.

Business finances reviewed by Comptroller's office in 2011. Business looked as if it were becoming financially sustainable.

City worked with tenants to develop financial plan to be presented to Council for approval. Tenants unable to sustain.