



## Legislation Text

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**File #: 220295, Version: 0**

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220295

ORIGINAL

121557, 220015

ALD. COGGS

Resolution approving the Land Disposition Report and conveyance of the Redevelopment Authority of the City of Milwaukee property at 4132 North Holton Street, in the 6th Aldermanic District.

This resolution authorizes the conveyance of the Redevelopment Authority-owned property to 4132 Holton LLC for development according to the conditions in a Land Disposition Report pursuant to Sections 304-49-5 and 304-49-8, Milwaukee Code of Ordinances.

Whereas, On February 21, 2013, the Redevelopment Authority of the City of Milwaukee (“RACM”) adopted File No. 10401 and on March 21, 2013 the Common Council of the City of Milwaukee (“Common Council”) adopted Common Council File No. 121557 approving the blight designation and acquisition of the City of Milwaukee (“City”) owned brownfield property at 4132 North Holton Street (the “Property”) and authorized a Remediation, Long-Term Care and Access Agreement with Fisher Controls International LLC and Pharmacia LLC; and

Whereas, The Environmental Protection Agency negotiated an Administrative Order on Consent (“AOC”) regarding the Property with Fisher Controls International LLC and Pharmacia LLC as Potential Responsible Parties (“PRPs”) for the purposes of resolving certain environmental remediation actions at the Property; and

Whereas, The PRPs have complied with the environmental removal actions in the AOC even though regulatory site closure has not yet been obtained; and

Whereas, The PRPs are continuing to conduct ongoing assessment activities, including groundwater monitoring; and

Whereas, In accordance with the Remediation, Long-Term Care and Access Agreement, the PRPs, on April 9, 2019, transferred the continuing obligations, relating to securing the Property and ongoing maintenance of the clay cap at the Property to RACM; and

Whereas, On May 10, 2022, the Common Council adopted File No. 220015 authorizing an Intergovernmental Cooperation Agreement between the City and the Milwaukee Metropolitan Sewerage District (“MMSD”) allowing MMSD to conduct necessary Polychlorinated Biphenyls (“PCBs”) removal in the area near the Property; and

Whereas, MMSD is seeking a temporary easement from RACM at the Property that will allow MMSD to temporarily install a water line that will extend from a fire hydrant on North Holton Street that crosses the northern and northeastern property line boundary of the Property; and

Whereas, The MMSD temporary easement is crucial to facilitate the MMSD’s efforts to remediate the PCBs within MMSD and City sanitary sewer lines near the eastern boundary of the Property; and

Whereas, The Property has been remediated to a point that RACM issued a Request for Proposal in 2021 for the purchase and development of the Property and selected 4132 Holton LLC (the “Buyer”) to develop the Property with a new manufacturing building as summarized in the Land Disposition Report (“LDR”) and Due Diligence Checklist, copies of which are part of this Common Council File; and

Whereas, The term of the MMSD easement shall terminate on or before December 31, 2023 and MMSD has agreed to work with the Buyer so that the temporary easement does not interfere with development of the Property; and

Whereas, On June 16, 2022, the RACM Board passed a resolution approving conveyance of said RACM Property for this development; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the LDR is approved and that the proper RACM and City officials are authorized to negotiate and enter into an Offer to Purchase with the Buyer, or assignee, for conveyance of the Property to the Buyer in substantial accordance with the LDR and to close the transaction and to take such further actions, as may be required, to effectuate the intent of this resolution; and, be it

Further Resolved, That the sale proceed shall be credited to the Delinquent Tax Fund.

DCD:Matt.Haessly:mfh

06/21/22/A