

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: August 12, 2022

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Guy Smith, Executive Director, Milwaukee County Parks

Subject: From the Executive Director of Milwaukee of County Parks, requesting authorization to execute a ten-year lease extension with Mary-Bart, LLC, for the operation of Lake Park Bistro

File Type: Action Report

REQUEST

The Executive Director of Milwaukee County Parks requests authorization to execute a ten-year lease extension with Mary-Bart, LLC, also known as The Bartolotta Restaurants, for the operation of Lake Park Bistro, which shall include a commitment from Mary-Bart, LLC, of at least a \$300,000 investment in the repair of flooring and remodel of the kitchen in the Lake Park pavilion.

POLICY

§ 59.17(2)(b)3., Wis. Stats., states that the “county board may continue to exercise the authority under s. 59.52(6) with regard to land that is zoned as a park...”. In the law of property, authority over “land” includes authority over all rights appurtenant to the land.

Milwaukee County Code of General Ordinances 56.10 requires that leases over one year require County Board approval.

Wisconsin State Statutes:	§ 59.17(2)(b)3
Milwaukee County Code of General Ordinances:	56.10 - Procedures for leasing of county owned land or building space
Specific Adopted Budget:	
Specific Adopted Budget Amendment:	
Specific Adopted Capital Project:	

BACKGROUND

Milwaukee County Parks and The Bartolotta Restaurants (“Bartolotta’s”) have continued a strong relationship at, amongst other properties, Lake Park Bistro dating back to 1995. The Lease Agreement permits Bartolotta’s to use the premises for a full-service, year-round restaurant and related rental or catering activities and requires that the entire first floor meeting room remains open and available to the public. Parks receives rent of \$45,000 plus one percent in gross sales annually; and for gross sales over \$1,499,999, three percent goes to the Lake Park Pavilion Trust Fund, which is used to

enhance the interior and exterior of the building and any other Lake Park improvement, repair, or upgrade as agreed to between the Parties.

Over the years the trust fund has been used to remodel the community center on the first floor, replace the HVAC system, replace the stucco on the exterior, replace the wood guide railing along the bluff, other park repairs, and most recently for roof replacement. The recent roof replacement and the impacts of the pandemic have caused the Trust Fund to be depleted to approximately \$119,000.

As the building was constructed early in the 1900's, Lake Park is subject to some of the natural settling and wear, and from time to time requires reinvestment. Over the years, the flooring in the area where the kitchen resides has seen some significant wear and related softness. A full flooring replacement in the kitchen area is both timely and prudent for the long-term health of the building.

Costs

- **Flooring Replacement.** Conservatively, the cost to replace the flooring in the kitchen area will be approximately \$125,000 based on estimates in November 2021. With inflation trends this year, it's more likely the cost would be higher at this time.
- **Expanded Replacement.** Bartolotta's wishes to additionally improve the flow of the kitchen and layout, which work would only proceed with appropriate approvals, including historical preservation groups. The estimated cost of the total expanded replacement investment is in excess of \$250,000 (inclusive of the floor replacement).

With the Trust Fund balance just below \$120,000, Bartolotta's has proposed a solution which potentially preserves the Trust Fund. Bartolotta's will pay for the cost of the floor replacement up to three hundred thousand dollars (\$300,000), with excess over the amount determined, if any, to come from the fund. As this is a significant investment, they are requesting a ten-year extension to realize the return on this investment.

Related File No's:	
Associated File No's (Including Transfer Packets):	
Previous Action Date(s):	

ALIGNMENT TO STRATEGIC PLAN

Describe how the item aligns to the objectives in the [strategic plan](#):

3B: Enhance the County's fiscal health and sustainability

The investment by Bartolotta's will preserve a historic building and improve the kitchen's functionality reducing future costs for Milwaukee County. Additionally, the Lake Park Trust Fund will be conserved and available to offset future maintenance costs in the building and the park environs.

FISCAL EFFECT

No fiscal impact.

TERMS

- One ten-year extension, extending the lease to December 31, 2035
- A minimum \$300,000 investment by Bartolotta's to repair the flooring and remodel the kitchen.

VIRTUAL MEETING INVITES

Keith Trafton, Chief Executive Officer & Managing Partner, The Bartolotta Restaurants,
keithtrafton@bartolottas.com

PREPARED BY:

Erica Goblet, Contracts Manager, Milwaukee County Parks

APPROVED BY:

Guy Smith, Executive Director Milwaukee County Parks



ATTACHMENTS:

Resolution

Fiscal Note

1995 Lease Agreement

2010 Amendment

2021 Engineering Report

CC:

David Crowley, County Executive

Mary Jo Meyers, Chief of Staff, County Executive's Office

Sheldon Wasserman, Supervisor District 3, PEEC Chair

Steven Shea, Supervisor District 8, PEEC Vice Chair

Felicia Martin, Supervisor District 7, PEEC Member

Juan Miguel Martinez, Supervisor District 12, PEEC Member

Steve Taylor, Supervisor District 17, PEEC Member

Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors

Janelle M. Jensen, Legislative Services Division Mgr, Office of the County Clerk

Aaron Hertzberg, Director, Department of Administrative Services

Joseph Lamers, Fiscal & Budget Director, DAS

Vince Masterson, Fiscal & Strategic Asset Coordinator, DAS

Pamela Bryant, Capital Finance Manager, Comptroller's Office

Justin Rodriguez, Capital Finance Analyst, Comptroller's Office

Kelsey Evans, Committee Coordinator, Office of the County Clerk

Ciara Miller, Research & Policy Analyst, Office of the Comptroller

Anthony Rux, Budget & Management Analyst, DAS-PSB