

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: November 7, 2022

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

From: Guy D. Smith, Executive Director, Milwaukee County Parks

Subject: From the Executive Director of Milwaukee of County Parks, requesting authorization to amend its lease with the Milwaukee Kickers Soccer Club, Inc., to remove parking rights and any reference to the property located at 7201 W. Good Hope Road

File Type: Action Report

REQUEST

The Executive Director of Milwaukee County Parks (Parks) is requesting authority to Amend the Lease with Milwaukee Kickers Soccer Club, Inc., (MKSC) to remove any rights identified in Sections 13, 14, and 15 of the Fourth Amendment of the 1994 Lease, which was entered into on October 28, 2014, relating to the property at 7201 W. Good Hope Road, Milwaukee, WI, (aka the Melody Top parcel) due to the sale of that parcel.

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.

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| 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

In 1994, Milwaukee County entered into a lease with the MKSC. Since the original lease, there have been four subsequent amendments. The MKSC leases the real estate, building and certain other improvements at 7101 West Good Hope Road from Milwaukee County. The County is the owner of the real estate and the buildings on the premises.

In 2014, the MKSC exercised its option to renew the lease. The first renewal term began on November 1, 2014 and ends on October 31, 2029. The current lease permits the MKSC to renew the lease under the same terms and conditions for two additional 15 year periods. The Melody Top parcel was part of the Leased Premises at the time and MKSC originally hoped to develop the parcel, but the topography did not allow for development. The Fourth Amendment to the Lease removed the Melody Top parcel from the Leased Premises, but reserved parking rights for MKSC.

In December 2019, the Milwaukee County Board of Supervisors adopted Resolution 19-959 (“Resolution”). The Resolution directed Parks with the Department of Administrative Services (“DAS”), the Office of the Comptroller, and MKSC to explore the mutual benefits of Milwaukee County financing an indoor, full-sized soccer field and sports facility (“Indoor Sports Dome”) at Uihlein Soccer Park (“USP”). The County would be repaid by MKSC. The feasibility of the partnership was to be presented to the County Board during the March 2020 meeting cycle, but due to the pandemic the file was never heard.

MKSC continued to pursue all avenues for development of the Indoor Sports Dome and this current offer to purchase the Melody Top parcel by a developer is the result. The offer to purchase is for \$500,000 and one of the contingencies is that MKSC needs to relinquish any rights identified in its lease with Milwaukee County Parks to the Melody Top parcel.

Economic Development is handling the sale of Melody Top due to it being zoned Industrial. Parks holds the lease with MKSC and is asking for authorization to amend the lease in order to execute the amendment removing reference/requirements related to the Melody Top parcel. Additionally, due to this being the Fifth Amendment to the Lease, Parks is requesting the ability to do execute a restatement of the lease to reflect all amendments in one document.

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| Related File No’s: | 14-814 , 19-779 , 19-959 , 20-273 |
| 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 sale price of the Melody Top property is \$500,000. Revenue to the County.

FISCAL EFFECT

No fiscal effect for Milwaukee County Parks. The sale of the Melody Top property is handled by Economic Development. Sale price for the property is \$500,000.

TERMS

This Fifth Amendment to the Lease will extinguish all rights of the Milwaukee Kickers to

the property at 7201 W. Good Hope Road, Milwaukee, WI.

VIRTUAL MEETING INVITES

Erica Goblet, Contracts Manager, Milwaukee County Parks
Emily Herrick, Associate Project Manager, Economic Development

PREPARED BY:

Erica Goblet, Contracts Manager, Milwaukee County Parks

APPROVED BY:

Guy Smith, Executive Director Milwaukee County Parks *Guy Smith*

ATTACHMENTS:

Report
Resolution
Counteroffer
1994 Lease and Amendments

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