

Resolution approving Second Amendment to the Development Agreement between Spies Construction, LLC and the City of La Crosse for the former Navy Reserve site.

RESOLUTION

WHEREAS, Spies Construction, LLC and the City of La Crosse entered into a development agreement ("Development Agreement") in May 2018 for the development and construction of a multi-phase residential / mixed use project on lands comprised of the former Navy Reserve Training Center; and

WHEREAS, the parties entered into a First Amendment to the Development Agreement in January 2019; and

WHEREAS, Spies Construction submitted a communication to the City dated August 16, 2023 requesting that certain property that was previously designated in Resolution No. 2006-07-024 for a Navy memorial be transferred to it for the benefit of the project; and

WHEREAS, the status of the Navy memorial is currently unknown at this time, yet a viewing of the property demonstrates that no memorial exists to date; and

WHEREAS, certain procedural steps would need to occur in order to vacate the memorial dedication on the property before it could be transferred, if the Common Council decides to approve the transfer. These steps include the Common Council deciding to vacate the designation as well as a Circuit Court decision to remove the designation; and

WHEREAS, the purpose of this Second Amendment is to allow City staff to commence the process to remove the designation and determine what, if any, progress has been made to date on the memorial; and

WHEREAS, upon obtaining additional information, subsequent legislation would be submitted to the Common Council to either (1) remove the designation and convey the property, (2) partially remove the designation and convey part of the property, or (3) not remove the designation nor convey the property.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF LA CROSSE that it approves the Second Amendment with Spies Construction, LLC.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to sign the Second Amendment.

BE IT FURTHER RESOLVED that City staff is authorized to obtain information about the status of the memorial and return new legislation to the Common Council for a determination on whether the designation shall be removed.

I, Nikki M. Elsen, certify that this resolution was duly and officially adopted by the Common Council of the City of La Crosse on October 12, 2023.



*Nikki M. Elsen, WCMC, City Clerk
City of La Crosse, Wisconsin*