

Minutes

NEW BERLIN COMMUNITY DEVELOPMENT AUTHORITY

APRIL 3, 2003

The Community Development Authority Meeting of April 3, 2003, was called to order by Mayor Wysocki at 7:35 A. M.

In attendance were Mayor Wysocki, Alderman Kenneth Harenda, Mike Holzinger – Director of Finance and Administration, Robert Dude, John Fillar, Doug Barnes, and Danielle Cast. Also present were Greg Kessler - Director of Community Development, David Haines - Planning Services Manager, Nikki Jones – Associate Planner, Olofu Agbaji – Associate Planner, Mark Blum – City Attorney, and J. P. Walker – City Engineer. Excused was Alderman Thomas Augustine.

Motion by Mr. Dude to approve the March 10, 2003, Community Development Authority Minutes. Seconded by Alderman Harenda. Motion carried unanimously.

3. Community Development Authority Secretary's Report.

Mr. Kessler stated that packets would be prepared for the Authority from the sessions that were attended by the Planners at the APA Conference.

The City Attorney responded to the question regarding insurance for the CDA, and part of that was whether it was an agent for the City or whether a separate body. The City Attorney stated the answer is both. The statute under which the CDA is created indicates that for purposes of blight elimination, urban renewal programs, and housing projects, it is considered a separate body of politics, meaning an independent body which functions independently from other bodies in the City. The statute that creates it then goes on to say that you can have the CDA act as an agent of the City for conducting activities that would normally be considered as part of the Plan Commission's jurisdiction. In that regard, the CDA can function in both capacities. Even with respect to blight elimination, etc., the CDA would still be receiving projects from the Common Council. Even though it is a separate body by operation statute, its marching orders are coming from the City itself. Because the CDA is considered a separate body, it is then considered independent for insurance purposes as well. The fact that this group was created by and the appointments were made by the City Council; the CDA would be a covered entity. A letter has been prepared confirming this understanding. The City Attorney stated this agency would work best when working in conjunction with Staff and with the Council. While there are some questions of statutory independence, the bottom line is the Council and CDA are working together to accomplish a common goal.

Mr. Fillar questioned if the CDA has the right of eminent domain? The City Attorney responded statutorily the CDA has the right of eminent domain, but the issue becomes whether the CDA is seeking direction from the Council with respect to a project in an area where the CDA might want to engage in eminent domain.

OLD BUSINESS

4. Meeting date discussion.

The next meetings will be scheduled for May 1, 2003 at 7:30 A.M. and June 5, 2003 at 7:30 A.M

5. Election of Officers.

a. Vice Chair

Motion by Mr. Dude to appoint Alderman Harenda as Vice Chairman of the Community Development Authority. Seconded by Mr. Fillar. Motion carried unanimously.

b. Co-Treasurer

Motion by Mr. Harenda to appoint Mr. Fillar as Co-Treasurer of the Community Development Authority. Seconded by Mr. Barnes. Motion carried unanimously.

NEW BUSINESS

6. We Energies "Reliability 2010" Project Presentation

Mr. Robert Huber gave a presentation regarding WE Energies Distribution 2010 – The Reliability Revolution. They are moving forward with their operating pilot and are ahead of schedule. Mr. Huber said they are looking toward 2004 for their operating pilot to be located in New Berlin.

7. Review the following Projects

a. New Berlin Industrial Park Monument Signage (New Berlin CIP & Waukesha County Community Development Block Grant Set-aside funds)

Ms. Jones stated the money granted to the City would be applied to the main signage for the New Berlin Industrial Park. There are also CIP funds available. The signage would be the first step in the modernization plan. In the future, the City would like to look at applying CIP funding to put together requests for qualifications for sign companies to help in the design of the signage.

Mayor Wysocki questioned if there is any consideration, based on the surveys or the workplace visits, for a different set of rules for signage? Mr. Agbaji responded there would not be a different set of rules for the signage.

Ms. Jones stated potentially there would be main signage indicating the combination of the three parks into one.

Mayor Wysocki informed the Authority regarding the revitalization of the Industrial Park Association and the reasoning behind why they became an Association in the past. An idea came about to have one park name for the entire system being the New Berlin Commercial Center North and South, the differentiation being Cleveland Ave. Mr. Dude felt someone from the Industrial Park Assn. should be informed of this idea to see if it would make sense from their respective.

Mr. Fillar questioned if it would be possible to set up an Industrial Improvement District as opposed to a Business Improvement District, so that the members of these parks could get financially involved in some of the improvements that don't involve road maintenance? The City Attorney stated he would look into that. Mayor Wysocki explained if you would set up an Industrial Improvement District on a Commercial Improvement District model that would allow for special assessments for specific improvements that would be identified to make it more attractive for business activity.

b. New Berlin Industrial Park Modernization Plan (Waukesha County Community Development Block Grant funds)

Ms. Jones stated the Utility Committee is working on some issues in the Industrial Park. As far as the grant was concerned, we were awarded \$9,000 from this grant and this project is not a CIP. Most of the work would have to be done in-house.

Mr. Walker stated the two engineering issues for the Industrial Park redevelopment are:

- 1) What should be done about the road system.
- 2) What should be done about the drainage system.

One of the biggest issues would be if we would have the right widths to the right-of-way on public lands throughout the Industrial Park. There is a major difference between the width of an arterial street versus the width of a street in the Industrial Park. There would be a need for storm sewer in some parts of the Park. Mr. Walker stated more detail will be presented at the May 1, 2003 Community Development Authority Meeting.

c. Update of the "City of New Berlin Comparison of Industrial and Residential Tax Revenues"

Ms. Jones stated this document is going to be updated on a City-wide basis.

8. 2004 Waukesha County CDBG Application

Ms. Jones stated if anyone has any ideas within the next couple of weeks to let her know. Staff will be working on this. If there is a property that you may think is blighted, or if there is anything that the City could do to help the property owner, these are the types of projects we would need to apply for this grant.

Mr. Fillar stated if we do run into a blighted property, what are the potential avenues the City could use to help with this type of property other than fixing the property? Ms. Jones explained what types of categories projects can fit under and cited the National Ave. project came under this grant funding as well. Mr. Kessler stated Code enforcement is very important when referring to blighted areas of the Industrial Park. This would get properties up to the point where they are architecturally significant similar to the properties in Westridge.

9. Persons wishing to be heard.

Alderman Wilkens questioned if the long-term reliability project was for about 10 years system-wide? This would not be system-wide. Mr. Huber stated if we were successful with the initiation of this project, almost every community would want it for their industrial and commercial parks. He also suggested that in the future this service would be introduced for residential areas.

Alderman Wilkens had a concern if any small businesses would be put into a position of having to be a participant and stated the kilowatt-hour analysis only might create some victims. Some of these businesses may be intolerant of any additional expense. Alderman Wilkens stated Mr. Huber should look very hard on how the tariff is structured so there would not be any additional imposition on the small businesses. Mr. Huber stated one of the things that would come out of the survey would be how many of the customers in the pod area would really have an interest in this service. One of the things we may look at is if a customer is small enough below a certain threshold, we may just give them the service with the idea that eventually we would include some additional cost in their tariff.

Motion by Mr. Harenda to adjourn the Community Development

Authority Meeting at 9:15 A. M. Seconded by Mr. Dude. Motion carried unanimously.