



Community Development Authority Agenda

Wednesday, December 6, 2023 @ 4:00 PM

415 Main Street, Onalaska WI 54650

Meeting in person in Room 112 & remotely on Zoom

Members of the public wishing to attend remotely and provide public input:

Meeting Link: <https://us06web.zoom.us/j/89351127817?pwd=N8jl2aNPGUlhCr3gee2kcHBiOFGny.1>

Phone Number: 1-312-626-6799 Meeting ID: 893 5112 7817 Password: 54650

1. Call to Order and roll call.
2. Consideration and action on minutes from the previous meeting.
3. Public Input (limited to 3 minutes per individual).

Consideration and possible action on the following items:

4. Discussion on Role, Powers and Duties of the Community Development Authority (CDA).
5. Discussion on potential Economic Development options.
6. Adjournment.

Notice is hereby given that members of and possibly a quorum of the Common Council of the City of Onalaska who do not serve on the Community Development Authority and members of and possibly a quorum of members of other governmental bodies may attend this meeting to gather information about a subject over which they have decision making responsibility. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

Notices also provided to: Community Development Authority (Mike Gargaro - Chair, Ann Brandau – Vice Chair, David Xiong, Ald. Diane Wulf, Ald. Leanne Stokes, John Lyche, Andrew Avery-Johnson), Common Council (Ald. Shawn McAlister, Ald. Leanne Stokes, Ald. Dan Stevens, Ald. Diane Wulf, Ald. Steven Nott, Ald. Larry Jiracek), Mayor Kim Smith, City Administrator Rick Niemeier, City Attorney Amanda Jackson, Department Heads, Media, & Applicants.

In compliance with the Americans with Disabilities Act of 1990, the City of Onalaska will provide reasonable accommodations to qualified individuals with a disability to ensure equal access to public meetings provided notification is given to the City Clerk within seventy-two (72) hours prior to the public meeting and that the requested accommodation does not create an undue hardship for the City.

Statutory Notice Mailed and Posted: 11/30/2023

**Community Development Authority
of the City of Onalaska**

Wednesday, December 6, 2023

1

1 The meeting of the Community Development Authority of the City of Onalaska was called to
2 order at 4:03 p.m. on Wednesday, December 6, 2023. It was noted that the meeting had been
3 announced and a notice posted at City Hall.

4

5 Roll call was taken with the following members present (either in person or remotely): Ald.
6 Diane Wulf, Ald. Leanne Stokes, John Lyche, Ann Brandau, David Xiong, Andrew Avery-
7 Johnson.

8

9 Also Present (either in person or remotely): City Administrator Rick Niemeier, Mayor Kim
10 Smith, Planning Director Katie Aspenson.

11

12 Excused Absence: Mike Gargaro.

13

14 **Item 2 – Consideration and action on minutes from the previous meeting**

15

16 Motion by Ald. Wulf, second by Ald. Stokes, to approve the minutes from the previous meeting
17 as printed and on file in the City Clerk’s Office.

18

19 On voice vote, motion carried.

20

21 **Item 3 – Public Input (limited to 3 minutes/individual)**

22

23 Ann called three times for anyone wishing to provide public input and closed that portion of the
24 meeting.

25

26 Ann noted the CDA has two new members (David Xiong, Andrew Avery-Johnson) and asked
27 those attending today’s meeting to introduce themselves.

28

29 David said he enjoys hiking and boating.

30

31 Andrew said both he and his wife attended UW-La Crosse, and that he had returned to the area
32 from north of Milwaukee. Andrew said he has served in public sector administration for 12 to 15
33 years, and that he currently is a grad student who is pursuing a master’s degree in public
34 administration.

35

36 Ann noted she currently serves as the CDA’s Vice Chair and said she is an attorney who had had
37 a practice for more than 30 years in La Crosse before going into semi-retirement in 2020. Ann
38 said she currently has a mediation practice and works with family law couples who are working
39 on ending their marriages with some civility. Ann noted she has been an Onalaska resident for
40 more than 30 years and said she has served on the CDA almost that long.

41

**Community Development Authority
of the City of Onalaska**

Wednesday, December 6, 2023

2

42 Ald. Stokes said she serves as a First District Alderperson and has resided in Onalaska since
43 1972. Ald. Stokes noted both of her daughters grew up and attended public school in Onalaska,
44 and they now live in California and Utah, respectively. Ald. Stokes also shared she had decided
45 two years ago that she wanted to start being involved in municipal government, and that she was
46 elected as an alderperson in April 2022. Ald. Stokes also said she will be running for a second
47 term in April 2024.

48
49 Ald. Wulf noted she serves as both Second District Alderperson and Common Council President,
50 and she said this is her 12th year serving on the Council, adding she has not yet decided if she
51 will run for reelection in April 2024. Ald. Wulf noted this is her second year serving on the
52 CDA, and she expressed her gratitude toward Mayor Smith for appointing her. Ald. Wulf
53 welcomed both David and Andrew, stating she believes new members bring a fresh perspective.

54
55 John noted he has served on the CDA for more than a decade, and also that he has not been
56 employed for the past 10 to 15 years as he has been doing different things in private interest.

57
58 Mayor Smith welcomed both David and Andrew, and she said she hopes to “blend the old with
59 the new” and take on a project that will benefit the community.

60
61 Katie noted she has been a City of Onalaska employee for 10 years and said she believes she has
62 served the CDA during that entire time. Katie next introduced City Administrator Niemeier and
63 said he will be taking over the CDA from her. Katie added she still will attend meetings and
64 assist the CDA.

65
66 City Administrator Niemeier said he had come to the City of Onalaska in September after being
67 employed by Trempealeau County for more than six years.

68

69 **Consideration and possible action on the following items:**

70

71 **Item 4 – Discussion on Role, Powers and Duties of the Community Development Authority**
72 **(CDA)**

73

74 City Administrator Niemeier said he had examined the files from the CDA and told its members
75 he had put together basic information for them. That information includes the following:

76

77 • A background regarding the CDA as well as a mission statement City Administrator
78 Niemeier said he believes is between 10 to 15 years old. City Administrator Niemeier
79 said the intent with sharing this background is to tell CDA members what he understands
80 the current status to be, adding that the CDA may make changes going forward.

81 • A list of tools available to the CDA. City Administrator Niemeier told CDA members
82 the list is not exhaustive and said there typically are additional opportunities as time

**Community Development Authority
of the City of Onalaska**

Wednesday, December 6, 2023

3

83 passes and laws change.

- 84 • Previous projects the CDA has previously discussed, including downtown commercial
85 redevelopment, residential improvement programs, and the purchase of some form of
86 property that could be a stream of revenue that would go back into the CDA’s account.
87 The funds also could be utilized for redevelopment.
- 88 • The CDA has meeting options, including inviting guest speakers from organizations such
89 as LADCO, engaging developers by inviting them to meetings or meeting with them
90 outside of the official organization, and engaging in detailed discussions within the
91 group.

92

93 City Administrator Niemeier noted he had found an operations manual reference guide that was
94 last updated in 2010 and said the CDA is welcome to examine it and determine if it needs to be
95 updated. City Administrator Niemeier told CDA members he will email them a copy and said
96 they can examine it going forward at a future meeting if they so choose. City Administrator
97 Niemeier noted CDA members also had received a copy of a memo Katie had written for the
98 July meeting that addresses residential improvement programs, and he said he is willing to email
99 a copy to individuals. City Administrator Niemeier said CDA members also had received a copy
100 of the CDA’s approved 2024 budget.

101

102 Ann referred to the packet CDA members had received includes the language of Ordinance
103 2.04.15 (“Community Development Authority”) and asked if the CDA will be discussing it, or if
104 what its members had received is for information only.

105

106 City Administrator Niemeier told Ann everything the CDA had received today is for information
107 only, and he said it can be included on a future meeting agenda if the CDA wants it to be.

108

109 John referred to Ordinance 2.04.15 and asked if it has been in effect for the CDA over the years.

110

111 City Administrator Niemeier told John that while he does not know when it specifically was
112 enacted, it is his understanding that it has been in effect for some time.

113

114 John referred to the ordinance and notes it mentions the CDA “being bound by the policies and
115 governance of the ordinance for the transact business ...,” and he asked what some of the
116 personnel policies are of which the CDA’s members might or might not be aware. John said,
117 “When somebody says you’re going to be bound by and governed by, it seems to me I should
118 know what that means.”

119

120 City Administrator Niemeier asked John to which page he is specifically referring.

121

122 John referred to 2.04.15.I.3. and noted it reads in part as follows: “*The employees of the CDA
123 shall be selected and serve under the provisions of the City's civil service system and shall be*

**Community Development Authority
of the City of Onalaska**

Wednesday, December 6, 2023

4

124 *subject to pertinent civil service and personnel policies established for City employees ...*” John
125 noted there is a reference to lawsuits in the ordinance, and he said he does not know if the CDA
126 is covered by D&O (Directors & Officers) insurance or its equivalency.

127

128 City Administrator Niemeier said he suspects this ordinance predated the dissolution of the
129 unions, and he told John some of the language likely can be cleaned up regarding how it
130 functions. City Administrator Niemeier said, “Because the CDA is allowed to hire employees if
131 they so choose, the minor thing is the CDA does not have any actual employees at this point in
132 time. But if there were employees and there would be certain personnel rules that would be
133 applicable, they are not applicable to the board members themselves because they are not
134 considered employees. Having said that, this looks like it predates the dissolution of the union,
135 so it probably would need some updating going forward. We can do some proposed changes that
136 would bring it up to code by our legal department too, and then we can bring it back at the next
137 meeting for some discussion if you would like.”

138

139 John told City Administrator Niemeier he would like to see that happen and asked that the
140 coverage of defense be addressed in the event the CDA were to be sued. John noted there had
141 been some contentious points in the past and said, “None of us want to defend ourselves. We
142 want the city to bear that cost if in fact it would be levied against us individually.”

143

144 City Administrator Niemeier told John he suspects that is the case and said he will do those
145 clarification points and include it on the next meeting agenda. City Administrator Niemeier
146 asked CDA members to inform him of any other specifics and said he will obtain answers to the
147 questions they have.

148

149 John said he is certain that also applies to the Mayor and the alderpersons in their roles, adding
150 he believes the research City Administrator Niemeier is conducting will benefit everyone.

151

152 Andrew asked if there is a general guideline or expectation for conducting official business on
153 separate email accounts or email accounts provided by the city.

154

155 City Administrator Niemeier said he does not believe the members who are not either employees
156 or elected officials have city email accounts.

157

158 Katie noted some of the city’s committees have city email accounts, and she told CDA members
159 that city email accounts can be established for them by the IT Department if there is interest in
160 doing so. Katie said there would not be a question of open records and sending items to a
161 personal email account and having it opened.

162

163 Ald. Wulf said she strongly recommends taking that action, as the Plan Commission had done.

164

**Community Development Authority
of the City of Onalaska**

Wednesday, December 6, 2023

5

165 City Administrator Niemeier said staff can speak with the IT Department regarding how many
166 licenses are available and whether or not there would be a cost. City Administrator Niemeier
167 said that while he does not expect that there would be a cost, he will confirm that with the IT
168 Department.

169

170 Ann asked if that is an item members want to include on the next meeting agenda.

171

172 City Administrator Niemeier nodded in the affirmative.

173

174 Katie asked CDA members if they would be interested in having email accounts set up prior to
175 the next meeting if there is an opportunity to do so.

176

177 John said he is “ambivalent” on the idea of emails.

178

179 City Administrator Niemeier addressed the legal standpoint and said, “Whenever you’re
180 conducting business as part of a government entity, of course having a government email is
181 ideal. We do understand that we do have some members of other committees that don’t. When
182 it comes to open records, yes, there would be the potential that someone might have to look at a
183 personal email account. We wouldn’t necessarily have to look at every email in that account, but
184 there are ways that we could do searches to try and clarify which ones are business-related or
185 not. But again, it’s one of those things that gets a little bit messier as the time goes on.”

186

187 Ald. Wulf said it is her assumption that CDA members do not receive outside emails from
188 constituents; rather, only from city staff. Ald. Wulf said, “When Plan Commissioners ... I think
189 it started when they were getting an inordinate amount of ... because people were contesting
190 some possible agenda items, so that’s when I think we ended up moving that way.” Ald. Wulf
191 next asked Andrew and David if City Clerk JoAnn Marcon had given them the Rules of the
192 Common Council and its Subcommittees.

193

194 Both Andrew and David acknowledged they had received them.

195

196 Ann noted the CDA has created subcommittees in the past and said that would be subject to open
197 records. Ann said, “Otherwise, we’re mostly just getting notices of meetings. But I think that
198 maybe that would be of value.”

199

200 John noted that in the past the CDA has utilized the negotiating committee structure in which a
201 subset of the CDA has entered into private negotiation with developers. John suggested that it
202 might be worthwhile for everyone to understand the structures utilized in the past to effectively
203 allow business to occur as there are times when it is not prudent to prematurely share certain
204 information with the public. John suggested that perhaps that topic should be addressed at the
205 next meeting.

**Community Development Authority
of the City of Onalaska**

Wednesday, December 6, 2023

6

206
207 Ann asked that a determination be made prior to the next meeting regarding if there will be a
208 sufficient number of licenses if CDA members wish to proceed with establishing a city email
209 account. Ann also asked that the CDA be provided with an update at its next meeting.

210
211 John asked City Administrator Niemeier to also address the subcommittee structures, such as
212 negotiating committees, that the CDA utilizes and the associated legalities.

213
214 **Item 5 – Discussion on potential Economic Development options**

215
216 City Administrator Niemeier said he will let Katie address some of the items that were discussed
217 in the past, including possibly purchasing a property that will generate income that will go into
218 the CDA’s account.

219
220 Katie noted the CDA had utilized some of its funds to develop both a Downtown Onalaska
221 Redevelopment Plan and a State Road 16 Redevelopment Plan. Katie said the intent had been
222 how the CDA can focus its efforts on the aforementioned areas, and also what it can do to
223 incentivize development. Katie noted the CDA had commissioned the two aforementioned
224 studies that the Planning Department has utilized on an individual basis when developers are
225 seeking to do projects in those particular areas. Katie further noted that information also has
226 been shared with the Lakota Group, the city’s consultant in updating its Live Ona 2040
227 Comprehensive Plan. Katie said the work the CDA had done is directly tying into the Future
228 Land Use Planning and Comprehensive Plan for the City of Onalaska.

229
230 Katie told CDA members there has been a discussion over the past couple of years regarding
231 conducting a similar study. One study specifically focuses on Sand Lake Road, starting where
232 Center 90 is located, the intersection, and the northern side of Main Street and Sand Lake Road,
233 which Katie noted could go all the way to Riders Club Road. Katie said another idea was for the
234 CDA to look at the property that Mayo has purchased located on the east side of Sand Lake Road
235 and determine if there is a visioning project in which the CDA would hire a consultant, work
236 with the community, and attempt to develop a plan. If the CDA were successful in doing so, it
237 then would attempt to push the plan outward and see if a developer could be incentivized to
238 bring the plan to fruition. The CDA also would present the plan to Mayo to determine if it would
239 be willing to partner with the city in some capacity.

240
241 Katie next referred to City Administrator Niemeier’s comments regarding the CDA considering
242 purchasing a property in an attempt to assist in cash-flowing with the CDA. This could include
243 purchasing a property and then finding a tenant and collecting rent. Katie noted the CDA does
244 not have a direct revenue source that continually refills, and she said, “As we spend our money,
245 we have to be very judicious about how that occurs because once it’s gone, unless different items
246 happen [such as] if money is provided [or] if the Common Council donates money to the CDA,

**Community Development Authority
of the City of Onalaska**

Wednesday, December 6, 2023

7

247 the fund is not unlimited. If we were able to purchase and obtain and have a revenue stream,
248 then that could potentially assist in the CDA doing more longer-term programming.”

249
250 Katie noted one item the CDA had previously expressed interest in but ultimately discarded was
251 looking into a commercial façade improvement program in which the CDA would work with
252 businesses and determine if investments could be made to improve the infrastructure and
253 appearance of the building. Katie noted all the CDA’s members had traveled throughout the city
254 and said it was determined that for the most part, the level of care that the buildings have today is
255 already there. Katie said that need was not present, adding she believes it had been a beneficial
256 exercise in getting CDA members out into the community and determining if that was the most
257 prudent way to utilize the CDA’s funds.

258
259 Katie said from that exercise, it had been acknowledged that perhaps the CDA could focus its
260 efforts on the city’s residential properties. Katie noted there are different areas within the city
261 that have an aging housing stock, adding the city also has an aging population. Katie said adding
262 those two factors together means there is not always the care and maintenance residential homes
263 that the city would like to see. Katie noted the city has a property maintenance program through
264 its Planning and Zoning Department in which she and city staff actively work with properties
265 and homeowners to ensure that they are maintaining their level of standard to what the City of
266 Onalaska expects. However, it is on a complaint basis, and Katie said that limits what the city
267 can do based on the staff it has available. Katie said another idea that came forward was for the
268 CDA to either do a grant or a loan program in which homeowners would do smaller projects – a
269 perhaps \$5,000 or \$10,000 – and reinvest in their homes, which Katie noted assists with property
270 taxes.

271
272 Katie next addressed TIF District No. 5, the Great River Residences, in the downtown district,
273 and she noted there is funding dedicated to the CDA for downtown redevelopment projects.
274 Katie said, “A thought is if we wanted to look at housing because this particular TIF District is
275 very high-performing, we’re likely going to have the opportunity if we want to pay it off sooner
276 than expected that if we work within a half-mile boundary which covers a fair portion of original
277 City of Onalaska plats, we can focus those dollars in a certain area. Then we would have the
278 ability to use TIF money instead of CDA money potentially to do that, and then there would be
279 another pot of money to draw from.”

280
281 Katie told CDA members there have been several ideas over the years, including constructing a
282 downtown parking garage. Katie noted the Planning Department had hired a consultant a couple
283 of years ago to conduct a parking inventory and study, and she said the results of that study
284 showed that the city is not overparked, and also that there is sufficient parking available. Katie
285 said the city has moved on from doing that, noting it had been originally built into the TIF
286 District at hand. Katie told CDA members the funds expected for that could be reallocated
287 toward different projects, and she said the purpose of this item was to give them an idea of the

**Community Development Authority
of the City of Onalaska**

Wednesday, December 6, 2023

8

288 different projects the CDA has worked on over the past decade. Katie said, “There’s a lot of
289 opportunity here, and I think we would love the chance to do some good in Onalaska, and to be a
290 great committee to work on that for.”

291
292 Ann asked Katie if the purpose of the memo was to provide a summary of where the CDA had
293 been before, and she noted CDA members had asked her at the July meeting to conduct research.

294
295 Katie noted the memo before the CDA today is the original memo that was distributed, and she
296 said it serves as a guide that returns to the conversation regarding if this is an opportunity the
297 CDA wishes to pursue. Katie said that before the CDA takes additional steps, its members need
298 to answer questions such as whether to base a program on income requirements, if a grant or a
299 loan program should be offered, what the minimums and maximums should be, and how
300 recipients must utilize the funds (i.e., exterior improvements, heating system).

301
302 Katie said she believes more questions need to be asked, and she told CDA members she and
303 staff had contacted the Mississippi Valley Regional Planning Commission, which would have
304 the ability to administer. Katie said La Crosse County had informed her it could not administer
305 this type of program for the city, and she told CDA members, “It would be something where
306 either the city could review applications and if we approve them, then the [MVRPC] would take
307 over with the actual documentation, the pushing out of funding, and things of that nature, taking
308 some of that burden off city staff. We do have more information, but not too terribly much
309 because we wanted to make sure it was an avenue worth pursuing, especially with the new
310 members on the CDA.”

311
312 Andrew asked if the City of Onalaska has a relationship with WEDA (Wisconsin Economic
313 Development Association) or similar state-level organizations.

314
315 Katie said WEDA had recently announced it has several different loans and opportunities
316 available that are very similar to what the City of Onalaska is seeking. Katie noted much of it is
317 income-specific driven, and also is based on the property owner having to apply for the grants.
318 Katie said she believes the city in some instances has to be “a bit of a partner;” however, that
319 partnership has not been specifically defined. Katie noted WEDA still is working out its
320 programs and guidelines, which have not yet been released and likely will not be until early
321 2024. Katie said there is not an opportunity for the city to directly partner with WEDA or
322 WEDC (Wisconsin Economic Development Corporation) to obtain funds and push through,
323 noting it is directly with the lender and the property owner. Katie said, “The city would not
324 necessarily be a party to that unless there was some sort of an application that needed to be
325 signed by _____ of that nature.”

326
327 Andrew said he believes there also are requirements for doing homebuyer education, and he said
328 he is looking for ways to facilitate opening doors rather than providing the majority of the

**Community Development Authority
of the City of Onalaska**

Wednesday, December 6, 2023

9

329 service so that the administrative load may be outsourced.

330

331 Katie said, “It could be something the CDA is interested in promoting when those funds and
332 programs become available. ... We have a budget for those things, so that’s something we can
333 send out. We don’t necessarily qualify for CDBG [Community Development Block Grant]
334 funds as a city due to the income levels of our community [being] too high. We do not meet any
335 of the federal guidelines for those types of programming.”

336

337 John noted the CDA has utilized a variety of different toolsets over the years to promote
338 development, and he suggested that perhaps it would be beneficial to do a listing of all the tools
339 that are available so that everyone knows the definition of, for example, a TIF District and a
340 revolving loan fund, and is aware of what is available to the CDA. John said that while the city
341 does not qualify for CDBG funds, it does qualify for other grant programs, and he also said it
342 might be worthwhile for everyone if the CDA has a “shopping list” that is provided by the La
343 Crosse Area Development Corporation (LADCO) or another entity.

344

345 Ann noted City Administrator Niemeier had previously mentioned that CDA members had once
346 received a packet upon joining the body that contained a significant amount of explanatory
347 information. Ann said City Administrator Niemeier had suggested bringing back that packet,
348 reexamining it, and updating it as needed at a future meeting as it has not been examined since
349 2010.

350

351 City Administrator Niemeier promised to send CDA members the current version so that they
352 may examine it and engage in a discussion at the next meeting. City Administrator Niemeier
353 also asked CDA members to email him if they are seeking additional information on something
354 specific that they want brought before this body so that he may gather it in advance of a meeting.

355

356 Ann asked when the next CDA meeting might be held.

357

358 City Administrator Niemeier said the next CDA meeting will be held February 7.

359

360 David inquired about the scope of the CDA and asked what it is attempting to accomplish right
361 now. David also asked if the CDA’s top priority is attempting to create a revenue stream for
362 itself, or if it is to improve the city.

363

364 City Administrator Niemeier told David the CDA can establish those priorities, and he said the
365 CDA examines areas such as economic development, improvements to the city, and seeking a
366 revenue stream so that the body may continue with the projects it wishes to complete long term.
367 City Administrator Niemeier said the aforementioned areas are goals, and that the priorities and
368 the order in which the CDA wants to do them may be established by this organization. City
369 Administrator Niemeier said it does not have to be one or two, but rather a number of them, and

**Community Development Authority
of the City of Onalaska**

Wednesday, December 6, 2023

10

370 he said, “Then you just look at them and [ask], ‘In what ways can we accomplish those?’ And
371 those would be discussions we have going forward.”

372

373 Ann told David she believes one of the things that has historically happened within the CDA is
374 there might be a project the city becomes aware of and believes it might be appropriate to bring
375 to the CDA. Ann said that while the CDA’s members might not be the last to know, they do not
376 necessarily find the project. Rather, oftentimes the city brings projects or ideas to the CDA.

377 Ann cited the residential improvement project as an example of something that the CDA had
378 discussed internally after its members chose not to pursue the commercial façade improvement
379 program. Ann reiterated the city oftentimes approaches the CDA with projects and noted one of
380 the earliest projects in which she had been involved was the construction of the Gundersen
381 Health System parking ramp. Ann noted the CDA became an integral part of how the project
382 came to fruition, and she said there have been other projects in which the CDA has worked on
383 behalf of the city to accomplish goals.

384

385 John noted the CDA had been involved in projects such as downtown redevelopment, the Great
386 River Residences, Dash-Park, and Keeper Goods Co. (the former Masonic Temple). John
387 further noted that the CDA has engaged in a variety of topics, and he said the CDA has been
388 peripherally involved with the hope that the project improves as a consequence. John noted the
389 projects in which the CDA has been involved have oftentimes been either at the City
390 Administrator’s or the Mayor’s request, and he said, “We’ve never said no.”

391

392 **Adjournment**

393

394 Motion by Andrew, second by David, to adjourn at 4:43 p.m.

395

396 On voice vote, motion carried.

397

398

399 Recorded by:

400

401 Kirk Bey

Ord. 2.04.15 Community development authority.

A. Findings and declaration of necessity. The Common Council hereby finds and declares that a need for blight elimination, community development, housing programs and projects exist in the City and that a community development authority functioning within the City constitutes an effective and efficient means for carrying out such programs and projects. The necessity in the public interest for the provisions of this section is also declared as a matter of legislative determination.

B. Creation of community development authority; status as public body. Pursuant to § 66.1335, Wis. Stats. (entitled "Housing and Community Development Authorities"), there is hereby created a community development authority, which shall be known as the "Community Development Authority of the City of Onalaska." The Community Development Authority (the "CDA") is deemed a public body and a body corporate and politic, exercising necessary public powers, and having all the powers, duties and functions conferred on redevelopment authorities, community development authorities, housing authorities and housing authorities for elderly persons by applicable law.

C. Composition of governing body; powers vested in Commissioners; compensation. The CDA shall consist of seven resident persons having sufficient ability and experience in the field of urban renewal, community development, and housing, who shall serve as the governing body (the "Commissioners") of the CDA. In addition to the members set forth above, a student recommended by the Onalaska High School administration may be appointed to the Commission in an advisory, nonvoting capacity for a term of one year. The powers of the CDA shall be vested in, and exercised by, the Commissioners in office from time to time.

D. Compensation; oaths. No compensation shall be paid for service on the CDA. Citizen members shall take the official oath as required by § 19.01, Wis. Stats., said oath to be filed with the City Clerk.

E. Appointment, confirmation and term of Commissioners; vacancies. The Commissioners of the CDA shall be appointed by the Mayor and confirmed by the Common Council as follows:

1. Two of the Commissioners shall be members of the Common Council, one of which shall be a member of the Finance and Personnel Committee and the other shall not be a member of the Finance and Personnel Committee. Each of the Common Council Commissioners shall serve with full voting rights. The remaining five

Commissioners of the CDA shall be selected with preference to the following qualifications: (1) background in finance, banking, accounting, financial investments or any combination thereof; (2) legal, paralegal or real estate law background or any combination thereof; (3) background in either real estate, real estate development, commercial and residential construction or property management or any combination thereof; (4) background in the Onalaska business community and Onalaska community organizations; and (5) background in either manufacturing, business startups or other related background.

2. All Commissioners who are not members of the Common Council shall be appointed for terms of four years. A Commissioner who is not a member of the Common Council shall hold office until their successor has been appointed and qualified, unless such Commissioner's term is vacated earlier because of their change of residence, removal, resignation, incapacity or death.

3. Vacancies occurring during any term shall be filled for the unexpired portion of the term and new appointments or reappointments of Commissioners shall be made, in the same manner in which the original appointments were made.

4. The Mayor of the City of Onalaska shall be a nonvoting ex officio member of the Community Development Authority.

F. Evidence of appointment. The records maintained in the office of the City Clerk reflecting that the City Clerk administered the oath of appointment of the Commissioner. Such record shall be conclusive evidence of the due and proper appointment of the Commissioner if such Commissioner has been duly confirmed as herein provided and has duly taken and filed the official oath before entering upon their office.

G. Removal of Commissioners. A Commissioner may be removed from office by the Mayor by incompetency, inefficiency, neglect of duty or misconduct in office, but such Commissioner shall be removed only after they shall have been given a copy of the charges at least 10 days prior to the hearing thereon and had an opportunity to be heard in person or by counsel. In the event of the removal of any Commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the City Clerk. To the extent applicable, the provisions of § 17.16, Wis. Stats., relating to removal for cause shall apply to any such removal.

H. Meetings; quorum; bylaws. All meetings of the CDA shall be held in compliance with the provisions of Subch. IV of Ch. 19, Wis. Stats., and this Code of Ordinances.

Four Commissioners shall constitute a quorum of the CDA for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the CDA upon the affirmative vote of a majority of the Commissioners present at any meeting of the CDA at which a quorum is present. No vacancy in the membership of the CDA shall impair the right of a quorum to exercise the powers and perform the functions of the CDA. The CDA may adopt and from time to time amend or repeal such bylaws and other rules and regulations not inconsistent with applicable law as it deems necessary in the performance of its functions.

I. Selection of officers, agents and employees.

1. The CDA shall annually elect a Chairperson and Vice Chairperson from among the Commissioners. Vacancies occurring in the office of Chairperson or Vice Chairperson shall be filled from among the Commissioners for the unexpired portion of the term.

2. The CDA may employ technical experts and such other officers, agents and employees, permanent and temporary, as it may require from time to time in the performance of its duties and functions, within the limits of the funds available for such purpose. The CDA may delegate to one or more of its agents or employees such powers or duties as may deem proper.

3. The employees of the CDA shall be selected and serve under the provisions of the City's civil service system and shall be subject to pertinent civil service and personnel policies established for City employees with equivalent duties and responsibilities unless the CDA:

- a. Adopts and approves hiring, personnel and employment policies;
- b. Resolves to apply and maintain hiring, personnel and employment policies; and

c. The CDA provides 60 days' notice of the adoption of the policies and resolutions set forth above.

4. The CDA may call upon the City Attorney for such legal services as it may require, and may also retain specialists to render legal services as required by the CDA from time to time. The CDA may also contract with the City or any other agency or entity, public or private, for the provision of any necessary staff services associated with

or required by the CDA in the performance of its duties or functions which could be performed by the staff of the CDA.

J. City Assistance to CDA.

1. The CDA is authorized to call upon any department, board, commission or agency of the City for assistance and cooperation in the performance of CDA's duties and functions. All City departments, boards, commissions and agencies are hereby authorized and directed to cooperate with, and furnish assistance to, the CDA in the performance of the CDA's duties and functions to the extent that such cooperation does not interfere with or disrupt the priorities and work programs of the City agency.

2. In the event that any department or commission or agency shall have good cause for failing to comply with the request of the CDA for assistance, the matter shall be referred to the Mayor's office and, if deemed necessary, to the Common Council for adjudication.

3. In addition, the CDA may contract with the City of Onalaska for performance of such services as may be required by the authority in the performance of its functions. In the event assistance is provided by the department, board, commission or agency of the City, whether by contract or not, the CDA shall agree to compensate the City of Onalaska for all services rendered to the authority.

K. Interested Commissioners or employees. No Commissioner or employee of the CDA shall acquire any direct or indirect interest in any project or in any property included or planned to be included in any such project, nor shall they have any direct or indirect interest in any contract or proposed contract for insurance, materials or services to be furnished or used in any such project. If any Commissioner or employee of the CDA owns or controls a direct or indirect interest in any property included or planned to be included in any such project, they shall immediately disclose the same in writing to the CDA, and such disclosure shall be entered upon the minutes of the CDA, and such Commissioner or employee shall not participate in any action by the CDA relating to such property. Failure to so disclose such interest shall constitute misconduct in office.

L. Powers and duties of CDA.

1. The CDA shall have all powers, duties and functions set out in §§ 66.1201, 66.1213 and 66.1333, Wis. Stats., for housing and redevelopment authorities, and as to all housing projects initiated by the CDA, it shall proceed under §§ 66.1201 or 66.1213,

Wis. Stats., as applicable, and as to all projects relating to blight elimination, slum clearance, urban renewal and redevelopment programs, it shall proceed under §§ 66.1301 to 66.1327, 66.1333, 66.1337 or 66.1105, Wis. Stats., as determined appropriate by the Common Council on a project-by-project basis.

2. The CDA may, upon the direction of the Common Council, act as agent of the City in planning and carrying out community development programs and activities funded under the Federal Housing and Community Development Act of 1974, as amended, and any or all community development programs and activities initiated by the CDA and approved by the Mayor and Common Council shall be undertaken and carried out pursuant to such Act and other applicable law.

3. The CDA may, upon the direction of the Common Council, act as agent of the City in performing any or all acts, except the development of the general plan of the City, which may otherwise be performed by the Plan Commission under §§ 66.1301 to 66.1327, 66.1333, 66.1337 or 66.1105, Wis. Stats.

4. In addition to the foregoing powers, duties and functions, the CDA shall have such other powers, duties and functions related to community development as are conferred on it by the Common Council from time to time.

M. Annual budget. An annual budget shall be established by the CDA, which budget shall be subject to approval of the Finance and Personnel Committee and the Common Council.

N. Annual report. The CDA shall coordinate with City Staff to include a summary of their yearly activities in the annual Planning Department report.

O. Evidence of authority. A certified copy of this section shall be filed with the City Clerk and shall be prima facie evidence of the CDA's right to transact business, and such ordinance shall not be subject to challenge because of any technicality. In any suit, action or proceeding commenced against the CDA, a certified copy of such ordinance shall be deemed conclusive evidence that the CDA is established and authorized to transact business and exercise its powers hereunder and pursuant to § 66.1335, Wis. Stats.

P. Construction. All powers, duties and functions of a community development authority, as set forth in § 66.1335, Wis. Stats., are deemed to have been granted to the CDA as though set forth in this section, except as to those powers, duties and functions

which are subject to further authorization and direction of the Common Council, as set forth herein.

Q. Committees. The CDA shall create related committees and boards on an as needed basis to assist in the implementation of the powers and duties of the CDA as set forth above, including but not limited to those powers conferred to a redevelopment authority as set forth in § 66.1335, Wis. Stats., and such other duties, powers and functions related to community development as are conferred on it by the Common Council.