



## CITY OF WAUWATOSA

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### COMMUNITY DEVELOPMENT COMMITTEE

Meeting – Tuesday, April 12, 2011

Committee Room #1

PRESENT: Alds. Birschel, Jay, Meaux, Nikcevich, Organ, Pantuso, Roznowski,  
Wilke – 8

ALSO PRESENT: Alds. Causier, Wilson; J. Archambo, City Admin.; A. Kesner, City Atty.; E.  
Miller-Carter, Asst. City Atty.; P. Enders, Econ. Devel. Dir.

Ald. Organ as Chair called the meeting to order at 8:02 p.m.

#### **Ordinance repealing Wauwatosa Municipal Code Chapters 6.55 and 6.57 and recreating Chapter 6.55 for the purpose of licensing and regulating secondhand dealers**

Ms. Miller-Carter commented that the same ordinance draft from two weeks before was being brought back to the committee. She noted that clothing consignment would not be required to file a report or a license. They were removing consignment and leaving the rest of the ordinance in place.

Ms. Miller-Carter and Mr. Kesner answered questions regarding specifics such as the sale of CDs and DVDs. Mr. Kesner noted that anything under \$20 would not have to be reported and items such as CDs and DVDs would not need photos because they are self explanatory.

Ms. Deb Cruz, 1903 N. 84<sup>th</sup> Street, owner of U-Turn Consignment, was there to ask about changing her secondhand license to a consignment license. Mr. Kesner explained that once this ordinance is implemented they would not need a business license because consignment is excluded.

Mr. Joe Dech, District Manager for Half Price Books, 1356 N. 55<sup>th</sup> Street, Milwaukee, told the committee of his experience with the secondhand dealer licenses in the communities his stores are located in. He was particularly concerned about the Greenfield ordinance that was later canceled by their Common Council due to a number of problems. He urged the committee to take time to look at the ramifications of passing and enforcing this ordinance.

In response to some of Mr. Dech's concerns, Mr. Kesner noted that no fees will be charged for the software so there would be no cost to the business owner for complying with the reporting requirements using this method. He added that Ms. Miller-Carter reviewed the Greenfield ordinance in order to avoid any problematic aspects.

Ald. Meaux had a number of questions including the necessity of the ordinance, concern for a growing market for resale goods and the effect on the growth of secondhand businesses.

Moved by Ald. Meaux, seconded by Ald. Nikcevich to hold this item  
until the next committee meeting --

Other concerns expressed by the committee were the proposed 30 day waiting period and a preference that the reporting limit be raised to \$50. Ald. Nikcevich wanted clarification on the definition of what is considered a "collection".

Ald. Organ suggested that the committee look at this ordinance as a way for police to keep track of what is being catalogued.

Vote on the motion was Ayes: 8

**Ordinance creating Section 2.90 of the city code pertaining to the Community Development Authority**

Mr. Kesner explained that the Community Development Authority (CDA) would include the Redevelopment Authority (RDA) and Housing Authority (HA).

Mr. Bob Simi, Chair of the Economic Development Advisory Committee (EDAC), outlined the recommendations of the Horton URS Report. In response to a question about the members of the CDA, Mr. Kesner responded that state statute requires that the Mayor appoint the members of the CDA. He explained that the CDA is a body politic with the ability to bond, borrow money, purchase land, and include TIFs. Their meetings are subject to open meetings and open records laws.

The committee recessed at 8:35 p.m. and reconvened at 8:55 p.m.

Ms. Gloria Stearns, member of the Plan Commission, 815 N. 116<sup>th</sup> Street expressed concern that one of the items takes away the Plan Commission's authority to approve TIF Districts.

Ms. Enders explained that with the creation of a CDA, the Council can add groups and functions to the organizational structure. She added that anything that is statutory such as TIF Districts would move over to the CDA. Mr. Kesner pointed out that this change would actually distinguish some of the Plan Commission's duties. In other words, zoning and planning would stay with the commission and financial issues would be handled by the CDA. Ms. Stearns urged close coordination between the CDA and the Plan Commission.

Mr. Nick Schweitzer, 2749 N. 75<sup>th</sup> Street, expressed concern about some of the ordinance language regarding Eminent Domain especially as it pertains to blighted properties. Mr. Kesner responded that blight elimination language is already in the description of the RDA and HA which will be incorporated into the CDA. There are steps to be taken regarding Eminent Domain under state and federal law. This ordinance does not change that.

Ald. Nikceovich had a number of questions especially expressing the need for more information regarding the formation of the CDA and the event the EDAC is planning in June to inform the public of the changes in Community and Economic Development in the city.

Mr. Simi commented that they have enough structure in place so that they can go public using this public event as a public relations and marketing tool. The economy is improving and the city has a number of large parcels and very key micro parcels to offer. They want to get things moving.

Ms. Enders emphasized that there would be one point of contact for a developer with anything financial rolled into one entity. Mr. Kesner noted that the EDAC will be putting the high level pieces and parts together for recommendation and the Council will be making the rules.

With regard to functions, Mr. Kesner reiterated that the CDA is a state statutory term. Within that definition the CDA will address urban renewal and blight elimination.

Mr. Simi responded that the vision is one stop shopping with the focus on the customers and protecting the constituents.

Mr. Archambo added that all the financial resources will be in one place with the CDA which will help developers and business to move more easily through the process.

Ald. Nikcevich requested an update on the progress of the EDAC and the CDA before the June launch.

Ald. Causier asked about expenditures coming out of the Economic Development Department budget. If the budget grows they may have to add a line item. Mr. Kesner noted that it is required in the state statute that the city will provide necessary expenses for the commissioners.

Ald. Wilson noted that this is a big deal. The EDAC has been working a long time on this project. Ald. Organ asked how long has the CDA been defined by the state statutes. Mr. Kesner responded that the CDA has been in the statutes since 1990s. Wauwatosa is probably one of the last cities to do this.

Moved by Ald. Nikcevich seconded by Ald. Pantuso to recommend approval of the ordinance creating Section 2.90 of the city code pertaining to the Community Development Authority --

Ald. Pantuso asked why Wauwatosa was one of the last. Mr. Kesner answered that both the RDA and the HA have not been very active in the past.

Vote on the motion was Ayes: 8

The meeting adjourned at 9:45p.m.

Carla A. Ledesma, City Clerk  
Wauwatosa, Wisconsin

svh