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Economic Development Advisory Committee (EDAC)
Monday, September 21, 2009 – 11:30 a.m.

PRESENT: Ms. Walsh, Messrs. Simi (via phone), Richards, Kronquist, and Ald. Dennik

EXCUSED: Ms. Kuhn-Dirkse, Mr. Bartolotta

ALSO PRESENT: Mayor Didier; Mr. Archambo, City Adm.; Mr. Kesner, City Attorney; Ms. Welch, Community Development Director; Ms. Aldana, Asst. City Atty./HR Director

Ald. Dennik in the Chair

The Mayor explained that as part of the initiative to spur economic development, Horton URS was commissioned to perform an analysis of the city's economic development practices and to identify best practices in place elsewhere to determine whether refinements in the current process and structure should be made.

One of the study's recommendations was the formation of an economic development advisory committee. This six-member committee ("EDAC") was recently appointed, and Ald. Dennik was selected by his colleagues to serve as the aldermanic representative. It is hoped this board can assist the city in creating a positive climate for economic development such that Wauwatosa will be well prepared once the economy improves and developers approach the city with development opportunities. Further, it is hoped the committee will assist in creating a proactive approach for the redevelopment of properties in the city.

The human resources department has analyzed a number of job descriptions from other sources and has created a draft job description for an economic development manager. This issue will be part of the discussion at the Budget Committee meeting on September 24th when the Community Development Department's budget will be presented. It is anticipated that EDAC, after today's meeting, will forward its preliminary salary recommendation for this position to the Budget Committee.

It was noted that while EDAC did meet last week, that meeting was not properly noticed. As such, the intent of this meeting is to revisit the discussions from that meeting and formalize some actions. Mr. Kesner advised the committee that there is no specific content requirement for minutes of a group such as this beyond the requirement to record motions made and votes taken. Typically, however, minutes of Wauwatosa's boards, committees, and commissions contain some background information as well. Henceforth, meeting agendas will be properly posted and minutes will be taken. Mr. Kesner added that there is no requirement that minutes be approved, though such an action can lead to assurances that attendees are 'on the same page.'

Mr. Kesner briefly addressed open meetings and open records requirements, advising that written communications – including e-mails – of this committee's business among members are considered open

records. Members, if they are using personal e-mail addresses, are responsible for proper maintenance of those records. The city's IT department has created an " EDAC@wauwatosa.net" address grouping that includes committee members, the mayor, city administrator, the community development director, the city attorney, and the city clerk's office. Using this city address group will preserve and make searchable e-mails that are sent and received. Mr. Kesner also suggested that committee members may wish to have Wauwatosa.net e-mail addresses established so as to keep business or personal e-mails separate from committee business.

Mr. Kesner also cautioned attendees that conversations among several committee members, including serial conversations, may be subject to the open meetings law. One-way e-mail conversations to the committee are permissible; however, the danger of meetings law violation exists with interactive conversations. Don't invite these types of exchanges. Based upon these remarks, all members present (Walsh, Simi, Kronquist, and Richards) requested that Wauwatosa.net e-mail addresses be created.

Committee members then briefly introduced themselves.

Ms. Aldana reviewed the proposed job description, noting that this type of document would not be used for the posting of a job opening. A primary function is to outline expectations for the position to the employer and employee. Ms. Welch provided input, as did the Horton report, as well as research by the HR staff. One issue to decide is the correct structure of this position within the city. Should it be within the Community Development Department, or a stand-alone department, etc.? Salary ranges should also be considered, as this has a direct connection to the immediate budget.

Ms. Aldana noted that she discussed the creation of this position with West Allis's economic development director, John Stibal. He opined that a salary range of $70-99,000 will attract a person who could function well either within a stand-alone department, or as a division of a larger department. Mr. Stibal opined that in order for a program to be effective, commonality among council members, and between the council and mayor, is important.

Discussion ensued concerning the program/department structure. Mr. Simi commented that he envisioned a community development director with increased authority at a salary level over $100,000. The previous discussion last week, however, seemed to indicate that the newly created position will be subordinate to, or adjacent to, Ms. Welch's position and salary range. Mr. Simi suggested creating a position that Ms. Welch can re-apply for and receive, but there would be an open market process to arrive at that point. An issue yet to be determined is whether this position will be separate from the community development department. Further, who will this person report to?

Ald. Dennik replied that he was unsure whether the city could act as suggested (with the community development director's position) because of civil service regulations and personnel policies. Does this flexibility exist?

Mr. Archambo replied that Mr. Aldana investigated whether the position should be stand-alone, or part of a department. Mr. Aldana added that some cities use a 'contract' employee as opposed to a 'regular' employee. The difference is that instead of a city proving 'just cause' for discipline or termination, a 'contract' employee has terms inserted into the employment contract detailing under what circumstances employment would continue. Regarding Ald. Dennik's question, Ms. Aldana stated she would need to research the issue further to determine whether the newly created position differs enough from the existing community development director position to warrant reopening it. Or is just reassignment of duties involved?

Ms. Aldana further noted either a 'contract' employee or a 'regular' employee could be positioned outside of the community development department.

Mr. Archambo added that with a 'contract' employee, salary is negotiated separately from the steps and grades governing 'regular' employees.

Discussion ensued over placement of this position within the city – either as part of a department, or as a stand-alone position.

Mr. Kronquist noted that the community development department may be more involved with interpretation and enforcement of codes and regulations; an economic development manager may prefer to be separate from that structure. The economic development manager's focus is more on marketing and promotion. Enforcement and marketing may be difficult to combine. An ombudsman-type position is aware of the need to adhere to codes and ordinances, but facilitates a proposal to the extent possible. This person should be a 'cheerleader' and not an 'enforcer.'

Ms. Walsh inquired whether it was within the committee's responsibilities to change recommendations in the Horton URS report. Ald. Dennik noted that the common council did not give the committee the authority to look for a 'contract' employee.

Mr. Richards suggested that perhaps a "plan B" should be developed in the event the committee's recommendation is not implemented. He added that the committee should aim higher with the position in order to attract and retain a qualified individual.

Ald. Dennik observed that $180,000 has been allocated for this position; assuming benefits cost 48% of that amount, there is some room to increase the salary range if the committee desires. Mr. Simi inquired whether an option might be to raise money outside of the budget process.

Mr. Kesner pointed out that a separate ordinance will be submitted to the council in the future formalizing the title of this position and the salary range. The budget committee discussion will help drive the decision where the position will appear within the salary structure.

In addressing placement of the position within the organization, Mr. Richards noted that while the economic development manager can't get bogged down in enforcement, s/he must work with the community development department to accomplish necessary approvals. The economic development division should have some autonomy to seek development proposals and function as a project manager while working with the community development department to get things done. This is a peer – not subordinate – arrangement. The Horton plan envisions the economic development component being subordinate as a division within the community development department.

The mayor opined that more autonomy in this position may give a new, fresher perspective to the issue of economic development. If all these activities reside within one department and under one person, will necessary attention be given to economic development?

Mr. Simi concurred that adequate staffing is critical at some point so one person is not over-burdened and cannot focus on the work to be done. He voiced his preference for an ombudsman-type position and added he is comfortable with the new position reporting to the community development director.

Ms. Walsh voiced preference for the peer arrangement; having the economic development function report to the community development department is the second choice. This person needs to be a positive, 'let's figure out how to do this' kind of person.

Mr. Kronquist envisioned a peer/ombudsman position, autonomous to the extent that it creates 'one-stop shopping' for the developer and facilitates navigating the development process within the city.

Ald. Dennik stated he was comfortable with the economic development manager being on equal footing with the community development director.

Mr. Simi added that his vision for this position is to possess the internal authority to urge flexibility in code interpretation by other departments. Ombudsmen are influential people; if they don't have necessary authority, their effectiveness is limited. He cited West Allis's John Stibal as an effective example. Mr. Simi stated he will support the majority opinion, however.

The mayor cautioned that the new employee must be a consensus-builder because of his/her expertise. Placing this position above everyone else in terms of authority could become an obstacle to working together. The procedures and processes of government must be observed.

Ald. Dennik noted that in his economic development capacity, he used to report to the county executive and to the county department of administration. Cities have many structures; some move slowly in terms of economic development, while others go to great lengths to accommodate development. Wauwatosa's economic development director needs to be the 'face' who will get things done, who attracts and maintains business; the person needs to report to the city administrator (and indirectly, to the council).

Mr. Kronquist speculated how the council would feel about a radical restructuring whereby this person had uber power, versus the Horton subordinate model, versus a parallel position.

Mr. Kesner noted that when the ordinance creating the economic development manager was submitted to council, it originally had the new position reporting to the community development director. The council removed this provision prior to passage.

Discussion turned to the draft job description. Based on the discussion just completed, it was agreed that the position should report to the city administrator; that the department should be separate from the community development department and shall be called the Economic Development Department; that the phrase, "other duties as assigned" should be added to the position overview. Further, remove any references to the position/division being part of the community development department.

> Moved by Mr. Richards, seconded by Mr. Kronquist to recommend that a separate Department of Economic Development be established, that the manager report to the city administrator, that the position be equal to that of the community development director, that pay be within the $70-130,000 range, and that changes to the draft job description be made as previously noted. 5-0

The meeting adjourned at 1:08 p.m.

Carla A. Ledesma, City Clerk