

COMMUNITY DEVELOPMENT AUTHORITY
MINUTES

09/23/14

MEMBERS PRESENT: Russ Wilson, Andy Witt, Dorothy Korzilius, David Welles, Sarah Napgezok

MEMBERS ABSENT: Romey Wagner, Gary Gisselman

OTHERS PRESENT: Ann Werth, Anne Jacobson, Betty Noel, Juli Birkenmeier, Kevin Fabel, Tammy Stratz, Mayor Tipple

(1) Call Meeting to Order

Meeting was called to order at 12:02 pm in the WCDA Boardroom at 550 E Thomas Street, Wausau, WI.

(2) Approval of Minutes

Napgezok moved to approve the minutes from 8/26/14. Witt seconded the motion. Motion approved unanimously.

(3) 303-305 S. Second Avenue Update

Fabel confirmed that an indoor soil sampling was completed and letters were mailed to the appropriate business owners summarizing the results. He said sewer lines from the area surrounding the contaminated site were examined using a televised method which resulted in no findings. He also gave an update on the status of reimbursement from the DERF fund and indicated that the application should be completed within the next month. Fabel stated that city staff met with the DNR and AECOM to determine future expectations of the project. He said Phase I is the clean-up work and Phase II will be the continued monitoring of conditions after completion of the actual remediation work. He also noted that while the timeframe to bring the project to closure could possibly take 5 years, presently there does not appear to be anything hindering the ongoing progress of the project.

(4) Discussion and Approval of Amendment of Development Agreement between Frerks Construction LLC and Community Development Authority-Sherman Street, to Amend Site Plan and Scope of Project

Werth reiterated that the property located on Sherman Street had previously been the site of Marathon Rubber Company. She said upon acquisition, the WCDA divided the property into lots, constructed a tot lot, and proceeded to sell the rest. Werth stated that Tabatha Frerks bought a portion of the property with an original intent to use the property for condominiums and duplexes. She said Frerks later requested, at the March 2014 board meeting, to amend the original agreement with the Community Development Authority to include a new site plan for individual handicapped units. Chairman Piehler requested a legal opinion from the City Attorney, Jacobson, on the validity of the original agreement. Following that meeting Frerks filed a discrimination complaint with the Housing and Urban Development (HUD).

Werth furthered that Frerks wishes to be released from the original agreement and would like to amend the plan without having to make a complete presentation to the WCDA board. Werth said that City Planner, Brad Lenz, provided the zoning requirements for the property and Jacobson provided the legal opinion on the agreement. Jacobson stated, in her opinion, the original agreement was still valid. Wilson established that both parties must put forth a good faith effort to resolve the issue. Werth provided commissioners with a drafted a letter in

response to Frerks' request for removal of the original development agreement on the Sherman Street property and sought board approval to sign and forward it to Frerks. Welles recommended that the WCDA use the draft letter, as written. Witt made a motion to approve the letter to Frerks stating the specific requirements of the WCDA. Napgezsek seconded.

(5) Discussion and Approval of Per Mar contracts for Riverview Towers, LLC and Riverview Terrace

Jacobson provided an update on the progress of contract negotiations between the WCDA and Per Mar. She stated that the contract currently was one-sided giving favor to Per Mar and holding the WCDA liable. Jacobson contacted CVMIC, insurance provider for the City of Wausau, on specific contract language needed to shift the liability to Per Mar. She also contacted other cities that utilize Per Mar and found that the City of Madison has a contract containing desired liability verbiage and has requested Per Mar to incorporate that paragraph into the WCDA's contract. Wilson stated that historically most companies providing security to buildings use the same form of contract language that does not accept any liability. Welles made a motion to have the Per Mar contract reflect the applicable verbiage from the City of Madison's contract placing more liability on Per Mar as well as any other modifications necessary to comply with the WCDA's needs. Napgezsek seconded. Jacobson will forward the appropriate information to Per Mar for consideration.

(6) Consideration and Possible Action on Resolution 14-007 – Annual PHA Plan for Fiscal Year 2015 and 5-Year Plan Fiscal Years 2015-2019

Noel provided copies of the Plan to all commissioners and sought board approval for submission of the 2015 PHA 5-Year and Annual Plan to HUD. She reviewed the components of the Plan which include WCDA goals and objectives, updates on policies, programs, and operations, projects and improvements based on current and future needs, strategies for addressing housing needs, and a performance and evaluation report on all open grants. Napgezsek made a motion to approve Resolution 14-007. Witt seconded. Roll call vote was taken with unanimous consent. Werth then formally thanked Noel for all of her hard work in preparing this intensive plan.

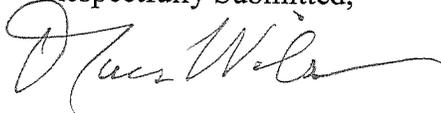
(7) Operational Issues

- **Occupancy Update** – Birkenmeier gave an update on the occupancy for Riverview Towers, Scattered Sites and Riverview Terrace reflecting an average occupancy rate of 95%.
- **Scattered Site Projects** – Werth reported that the Bopf Street flooring replacement project is progressing with an expected completion date in mid-October. She said the garage improvement project is being postponed until spring of 2015 to avoid possible weather related issues and secure more beneficial bid responses.
- **WAHA Conference** – Werth reported on the annual WAHA conference staff recently attended in Wisconsin Dells and said staff was pleased with the topics covered. Werth also mentioned that the local Housing and Homelessness Coalition approached the WCDA requesting housing vouchers for the coalition. She reiterated that the WCDA does not currently have a preference system but said she will continue to explore available options.

(8) Adjourn

Welles moved to adjourn, Napgezsek seconded. Meeting adjourned.

Respectfully Submitted,



Russ Wilson
Chairperson