

**Minutes**  
**Community Development Authority Meeting**  
**January 25, 2011**

The meeting of the Community Development Authority for the City of Monona was called to order by Chair Bob Miller at 7:00 p.m.

Present: Chair Bob Miller, Aldm. Jim Busse, Mr. Andrew Homburg, Mr. George Lightbourn, Mr. Jason Scott, and Aldm. Jeff Wiswell.

Absent: Mr. John Surdyk

Also Present: City Administrator Patrick Marsh, Planning and Community Development Coordinator Paul Kachelmeier, City Attorney Bill Cole, and CDA Consultant from Vierbicher Associates Gary Becker.

**MINUTES**

A motion was made by Aldm. Wiswell, seconded by Aldm. Busse, for approval of the minutes of November 23, 2010.

The motion carried.

**APPEARANCES**

There were no appearances and the appearance section was declared closed.

**NEW BUSINESS**

Item 5.A. Public Hearing – North Monona Drive Redevelopment Plan.

Chair Miller declared a public hearing on the North Monona Drive Redevelopment Plan No. 7 to be open. He stated that during the public hearing the public will be able to speak and make comments. He introduced the CDA's consultant Gary Becker of Vierbicher Associates.

Mr. Becker gave a Power Point Presentation on the Draft North Monona Drive Redevelopment Plan. He stated that the CDA has been discussing economic development of Monona Drive since the early years of the last decade, and working with the CDA's consulting firm Vierbicher Associates on a market study of the Monona Drive commercial area. He said that property values on the north part of Monona Drive are not keeping pace with the property values in the rest of the City and are declining over time. He also noted that infrastructure on many parts of the corridor is in poor condition and the City is in the process of reconstructing Monona Drive.

Mr. Becker said that there are about 8.3 acres in the area of the proposed North Monona Drive Redevelopment Plan. He said that the City Council made the "finding of blight" in 2009, which

is necessary for a City to be involved in the creation of a Redevelopment Plan. The finding of blight includes among other things sidewalks in poor condition, sidewalks right next to the street, the poor condition of pavement and poor traffic circulation on private sites.

Mr. Becker said that Monona Drive has been impacted and affected by City plans, such as the Comprehensive Plan, the Monona Drive Corridor Study, the Monona Drive Design Guidelines, the Strategic Plan for Economic Development, and the 2007 Strategic Housing Plan.

Mr. Becker described the strategies of the CDA that are outlined in the draft Redevelopment Plan as including an acquire and hold strategy until a sufficient number of properties have been assembled to make development of an appropriate scale possible, possibly a purchase of the property if there is a health and safety issue, encouraging the assembly of parcels and development proposals, purchase at a reasonable cost, and the potential vacation of streets. The CDA has expressed little interest in acquiring properties through the condemnation process he said.

Dave and Judy Peterson of 4514 Gorden Avenue, Monona appeared to speak for informational purposes. Ms. Peterson said she just wants to be aware of the City's plans.

John and Monica Quale of 4605 Monona Drive appeared to speak against the proposed plan. Mr. Quale said the bar Snicks Sportsman's Bar has been serving the community for 75 years since it opened in 1941. He asked if the CDA has also put the Water Tower Pub out of business. He said he received a letter two weeks ago and it was the first he heard of this redevelopment plan. He said he thinks the City is trying to steal their property, and is concerned that businesses were shut down for the development of a strip mall and condo project where the Water Tower Plaza and Woodland Condominiums are now.

Mr. Quale said that he believes the City has slandered his business by declaring it blighted, and this is forcing them out of business. He said it seems the Mayor and the City Council and the CDA are in collusion to drive them out of business and they feel very threatened by all of these actions. He said they talked to the owners of the Water Tower Pub, who did not have anything positive to say about the City and the process that they went through.

Diane Frailey of 5409 Schluter Road appeared to speak for informational purposes. She said that it is not really the owner of Snick's Sportsman's Bar's fault that their building is depreciating.

Terry Jorgenson of 5514 Pheasant Hill Road appeared to speak. She asked how a whole area can be labeled blighted without speaking about a specific area. She said assessment we mentioned but the value is determined by an appraisal. She asked if the sidewalks are in poor shape, isn't that the City's responsibility to maintain them? Ms. Jorgenson also said she has talked to the State Historical Society about the potential historical significance of this area, and said that many people feel this is a very important place to congregate and has meaning to her and others.

Peter John Clooman of 4509 and 4507 Monona Drive appeared to speak. He said that the draft redevelopment plan is two years old already and should be updated. He said he can't get a loan

from a bank to make improvements to his buildings at 4509 and 4507 Monona Drive, and said that a lot of the buildings are City-owned and are not being maintained by the City. He said he thinks it is a mistake to get rid of these properties that are paying taxes.

Don Gilbertson of 4503 Monona Drive appeared to speak. He asked if things are wrong with a building why have they not received a letter from the City telling them they have a code violation?

There were no other appearances and the public hearing was declared closed.

## **OLD BUSINESS**

Item 6.A. Consideration of Resolution Adopting the North Monona Drive Redevelopment Plan and Forwarding it to City Council for Consideration.

Chair Miller recognized City Attorney Bill Cole, who was present to discuss the plan.

A motion was made by Mr. Lightbourn, seconded by Mr. Busse, to approve the resolution to adopt Redevelopment Plan No. 7

City Attorney Bill Cole said that this is not at all about placing blame on a property owner. If the City feels a property is unsafe a code violation is issued. He said that this Redevelopment District is more about the fact that the properties are not at their highest value.

He said that the CDA is going through the following process:

1. Define areas and have them looked at to determine if there is a condition of blight.
2. The CDA then has the right to purchase a property.

Mr. Cole said that the determination of blight does not mean a property loses value, in fact it may even be in more demand by a developer for redevelopment. Mr. Cole read a summary of the blight statute Section 66.1333(2m). He said if there are issues in an area that is determined blighted it can affect the welfare of an area.

Mr. Lightbourn asked how is the determination of blight applied to an individual property?

Gary Becker of Vierbicher Associates said they physically looked at the area and the condition of the properties.

Aldm. Busse stated that some questions were generated by the Plan Commission which he chairs about the review of construction and development in a redevelopment area by the Plan Commission, CDA, and the City Council.

Mr. Cole said that the City can impose a six-month moratorium on development while a redevelopment plan is being prepared, and the City Council has the discretion to require that plans for development and construction be reviewed and approval by the CDA as well. He said

once the Redevelopment Plan is adopted then a moratorium is adopted that precludes any new construction unless it is approved by the City Council.

Aldm. Wiswell asked what other redevelopment areas the City has had.

There was a brief discussion of other redevelopment areas in the City.

Mr. Cole said he could not think of a business that was not allowed to improve their business, and wanted to build something and were not allowed to do this.

Mayor Kahl said that in the most recent redevelopment project plan in the City, Redevelopment Plan No. 6, after a Redevelopment Project Plan was created two properties were purchased by developers for new development projects. He said that a redevelopment plan is not a tool the City uses in an effort to say we are going to require you to sell your property, but is a tool to help an area improve and attract development to the area. He said the City will now have two new health clinics there instead of a vacant property and old storage unit buildings. The two properties the City has purchased along Monona Drive are arm-length transactions. He said unless we use these tools this area will probably not improve and even a new street will not be enough.

Aldm. Wiswell said we wanted them to be fair and reasonable transactions with mutually willing sellers and buyers. He said it is not anyone's intention on the CDA to harm anyone in the redevelopment process.

Chair Miller said the CDA is a very open body, that no one is trying to drive any business out, and that he hopes to work together for a common good without being adversarial. He stated that back 2003 the formal process was started to look at the economic condition of Monona Drive, and in 2006 the Strategic Plan for Economic Development was adopted. He read some of the sections from the Strategic Plan for Economic Development including that the City must take a proactive position on redevelopment.

Chair Miller said he welcomes discussion on these goals and plans. He noted that none of these plans were done during the poor economy we have now. He said that properties were purchased from willing sellers, in order for the CDA to better be able to encourage and assist in redevelopment. He told property owners that the CDA will make every effort to keep them informed and welcome their questions.

City Administrator Pat Marsh said the next City Council meeting is Monday February 7, 2011 for the first reading on the proposed North Monona Drive Redevelopment Plan No. 7, and February 21, 2011 would be the second reading.

Aldm. Busse said this is putting tools in place for redevelopment to occur. There is not a large developer waiting to redevelop this area right now.

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Aldm. Wiswell said a major redevelopment occurred at the Garden Circle area on Owen Road, but the local businesses on Monona Drive are still there including Ken's, the Ultimate Salon, and Monona State Bank. He said that the CDA wants to make it a better business area.

Chair Miller said there will be some edits yet to the plan.

Mr. Homburg said this is our first reading of the document since we received it at the most recent meeting on November 23, 2010. He asked if the plan and moratorium would affect substantial or ordinary remodeling, and asked about the definitions of substantial remodeling.

City Attorney Bill Cole said that no one is precluded from making improvements to their property. The City Council will have to decide whether the improvements proposed will impair the purposes of the plan and the City's ability to implement it, but that there is no definition of substantial remodeling.

Mr. Homburg asked if the determination of substantial remodeling is a subjective decision.

Mr. Cole said a proposal for construction gets routed to the zoning administrator first, who determines if it is substantial enough or not to go to the City Council for review. If not, it is just reviewed by the Plan Commission and also goes to the CDA for review since it is in a Redevelopment Project Plan.

Mr. Homburg asked about changes to Chapter 8, Conclusions.

The consensus of the CDA was to take out the last sentence of Chapter 8 in the first paragraph, and make changes to page 31, Implementation and Financing, and that density must still be appropriate to the neighborhood and sensitive to adjacent properties and adjacent property owners.

Chair Miller said that any comments should be directed to Planning and Community Development Coordinator Paul Kachelmeier or City Administrator Pat Marsh. He said if there is a content change it has to go back to the CDA for them to approve it.

The motion carried unanimously.

## **NEW BUSINESS**

Item 7.A. Renew Monona Loan Program – Round Two Loan Requests – City Administrator

City Administrator Pat Marsh said that the CDA had discussed having another round of applications for the Renew Monona Loan Program. The consensus of the CDA was to have another round of loans in this program.

Chair Miller asked Mr. Marsh to include a list of the scoring criteria too.

**MISCELLANEOUS BUSINESS**

Item 8.A. Status of Demolition of City Owned Buildings in the North Part of Monona Drive – City Administrator

City Administrator Pat Marsh said the City Council approved the demolition of the buildings the CDA had purchased on Monona Drive across from the high school, and that the company the City hired to do an inspection is going through the process of removing asbestos in the buildings.

The CDA discussed doing an evaluation of abatement costs before a building is purchased.

Item 8.B. Discussion – Redevelopment of Mobile Home Park – Chair Miller

Chair Miller informed the CDA that there may be development interest in the former M.H.P. on West Broadway.

Item 8.C. Review of City Debt Policy – City Administrator

To follow-up on the CDA's request, City Administrator Pat Marsh included a copy of the City Debt Policy in the CDA agenda packet for this meeting.

The next meeting is scheduled for Tuesday February 22, 2011 at 7:00 p.m.

**ADJOURNMENT**

A motion was made by Mr. Wiswell, seconded by Mr. Scott to adjourn.

The motion carried.

9:00 p.m.

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