



**Community Development Authority
Board of Directors Meeting**

AGENDA

Thursday, March 16, 2023 at 5:30 p.m.

**Location: Municipal Building – Community Room 1st Floor
312 W. Whitewater St., Whitewater, WI 53190**

This will be an IN-PERSON and VIRTUAL MEETING

Citizens are welcome (and encouraged) to join us via computer, smart phone or telephone.

Citizen participation is welcome during topic discussion periods.

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://us06web.zoom.us/j/81234148608?pwd=dUJmMm1UzdrWTl0ZmVST0xlanNpZz09>

Passcode: 775379

Or join by phone: 1 312 626 6799

Webinar ID: 812 3414 8608

Passcode: 775379

All agenda items are subject to discussion and/or action.

To make a comment during this period, or during any agenda item: On a computer or handheld device, locate the controls on your computer to raise your hand. You may need to move your mouse to see these controls. On a traditional telephone, dial *6 to unmute your phone and dial *9 to raise your hand. Review of City

1) Administrative Items.

a) **Call to Order:**

b) **Roll Call:**

c) **Declaration of Conflict of Interest:** Would any member(s) of the Board wish to declare any known conflict of interest with the items presented on today's CDA Board Agenda?

d) **Hearing of Citizen Comments:** No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.

2) **Approval of Minutes:**

CDA Board Meeting February 16, 2023.

3) **Review and Acknowledge Financial Statements:**

- a) Financials for Period Ending January 31, 2023.
- b) Financials for Period Ending February 28, 2023.

4) **Action Item:**

- a) CDA Loan Programs – Establishment of 2022 Loan Loss Reserves (Steve Hatton).

5) **Updates and Discussion:**

- a) Presentation and update by City Attorney concerning conflict of interest regulations and policies.
- b) Affordable Housing Policy: Overview and Public Input Plan (Kristen Fish-Peterson)
- c) CDA Director Recruitment (Kristen Fish-Peterson).
- d) CDA Subcommittee - Affordable Housing Policy.
- e) Update regarding improvement of physical condition of Lot 9B in the Business Park.
- f) Economic Development Activity Report.

6) **Board Member Requests for Future Agenda Items:**

- a) Create policy between the CDA and City regarding transfers of residual equity from the CDA to the City.
- b) Improvement of the physical condition of Lot 9B in the Business Park.
- c) CDA Alternative Revenue Streams.
- d) Director to visit (virtual/in-person) with Whitewater's employers.
- e) Recruit Developer that would include a grocery merchant.
(The above matters may be discussed at this meeting but no substantive action will be taken.)

7) **EXECUTIVE SESSION.** Adjourn to Closed Session, **TO RECONVENE**, pursuant to Wisconsin Statutes 19.85(1)(e) "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Items to be discussed:

- (a) Deliberate Development Agreement with Becker & Bolton, LLC for further recommendation to Common Council for review and approval regarding proposed project to be located at 501 North Prospect Drive (Tax Parcel No. 262-0515-3434-001).

8) **RECONVENE INTO OPEN SESSION.** Possible action on Closed Session item.

9) **Adjournment.**



Community Development Authority
Board of Directors Meeting

MINUTES

Thursday, February 16, 2023

1) Administrative Items.

- a) **Call to Order:** Vice Chair Jim Allen called the meeting to order at 5:30 p.m.
- b) **Roll Call:** PRESENT: Jim Allen, Lisa Dawsey-Smith, Joe Kromholz, Jason Gleason, Jon Kachel; ABSENT: Patrick Singer. STAFF: John Weidl (City Manager); Brad Marquardt (Director of Public Works); Bonnie Miller (Administrative Assistant); Kristen Fish-Peterson, Consultant (Redevelopment Resources).
- c) **Declaration of Conflict of Interest:** Would any member(s) of the Board wish to declare any known conflict of interest with the items presented on today's CDA Board Agenda? None stated.
- d) **Hearing of Citizen Comments:** No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time. None.

2) **Approval of Minutes:** Moved by Dawsey-Smith to approve the Minutes of the January 19, 2023 CDA Board Meeting; seconded by Gleason. AYES: All by voice vote (5); NOES: None; ABSENT: Singer.

3) **Review and Acknowledge Financial Statements:**
Financials for Period Ending January 31, 2022 (Pending).

4) Action Items:

- a) Moved by Dawsey-Smith to acknowledge resignation of Board Member Jake Gildemeister effective 02-03-2023; seconded by Kachel. AYES: All by voice vote (5); NOES: None; ABSENT: Singer.

Note: Singer enters the meeting.

- b) Moved by Dawsey-Smith to approve the Second Amendment to Cash Rent Farm Lease regarding approximately 90.2 acres of tillable land in the Whitewater Business and Technology Park; seconded by Allen. AYES: All by voice vote (6); NOES: None; ABSENT: None.

5) Updates and Discussion:

- a) City Manager Weidl introduced Kristen Fish-Peterson of Redevelopment Resources who has been engaged by the City to help determine what the most important things our next CDA Director will need to handle and to be with us through the recruitment process. Discussion included what is most important for the CDA to do as a part of that process. Ms. Fish-Peterson

discussed project analysis, the difference between Community or publicly driven development and development of publicly-owned property, the components of area planning, and the eight steps to the development process and potential obstacles to (re)development. (Meeting video can be found at: <https://vimeo.com/799695570>).

- b) Economic Development Activity Report. Weidl stated that a Development Agreement discussed at 02/16/2023 CDA meeting has been sent to the developer for review and signature. Next step would be a referral to Common Council for approval.
- 6) **Board Member Requests for Future Agenda Items:**
- a) Create policy between the CDA and City regarding transfers of residual equity from the CDA to the City.
 - b) Improvement of the physical condition of Lot 9B in the Business Park.
 - c) CDA Alternative Revenue Streams.
 - d) Director to visit (virtual/in-person) with Whitewater's employers.
 - e) Recruit Developer that would include a grocery merchant.
(The above matters may be discussed at this meeting but no substantive action will be taken.)

7) **EXECUTIVE SESSION. Moved by Singer to adjourn to Closed Session, TO RECONVENE, pursuant to Wisconsin Statutes 19.85(1)(e) "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Items to be discussed:**

- (a) Deliberating acquisition of 125 North Jefferson Street (Tax Parcel /BIRW 00002) and Vacant Land at 104 East Main Street (Tax Parcel /BIRW 00002).
- (b) Letter of Intent regarding potential mixed-use development on East Main Street/Jefferson Street.

Seconded by Allen. Kristen Fish-Peterson, two representatives from the Whitewater Gro-Co, and Jon Tanis were invited to join the closed session to make brief statements to the Board and then were dismissed from closed session prior to discussion and deliberation of closed session items. AYES: Kachel, singer, Allen, Gleason, Kromholz, Dawsey-Smith; NOES: None. ABSENT: None.

8) **RECONVENE INTO OPEN SESSION.** Moved by Dawsey-Smith to reconvene into open session for possible action on Closed Session items; seconded by Kachel. AYES: All by voice vote (6); NOES: None; ABSENT: None.

Moved by Allen to make an offer to purchase not to exceed \$150,000 to purchase vacant land at 104 East Main Street and commercial property at 126 North Jefferson Street to Rod and Mary Dalee. Seconded by Gleason. AYES: Dawsey-Smith, Singer, Gleason, Kachel, Kromholz, Allen; NOES: None; ABSENT: None.

Moved by Allen to accept the Letter of Intent to Tanis Properties, LLC; seconded by Dawsey-Smith. AYES: Kromholz, Kachel, Allen, Dawsey-Smith, Gleason, Singer; NOES: None; ABSENT: None.

9) **Adjournment.** Moved by Allen and second by Kachel to adjourn. AYES: All by voice vote (6); NOES: None; ABSENT: None. Meeting adjourned.

Respectfully submitted,
Bonnie Miller, Recorder

Minutes approved on _____, 2023.

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2023

ECONOMIC DEVELOPMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET	
<u>OTHER FINANCING SOURCES</u>						
900-49265-56	TRANSFER TID #4 AFFORD HOUSING	.00	.00	50,000.00	50,000.00	.0
900-49266-56	TRANSFER TID #11-ADMIN	.00	.00	5,000.00	5,000.00	.0
900-49267-56	TRANSFER TID #12-ADMIN	.00	.00	5,000.00	5,000.00	.0
900-49268-56	TRANSFER TID #13-ADMIN	.00	.00	35,000.00	35,000.00	.0
900-49290-56	GENERAL FUND TRANSFER	.00	.00	32,500.00	32,500.00	.0
900-49300-56	FUND BALANCE APPLIED	.00	.00	63,244.84	63,244.84	.0
TOTAL OTHER FINANCING SOURCES		.00	.00	190,744.84	190,744.84	.0
TOTAL FUND REVENUE		.00	.00	190,744.84	190,744.84	.0

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2023

ECONOMIC DEVELOPMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>CDA</u>					
900-56500-111 SALARIES	850.00	850.00	83,999.92	83,149.92	1.0
900-56500-115 WAGES/PART-TIME/PERMANENT	878.40	878.40	23,063.04	22,184.64	3.8
900-56500-151 FRINGE BENEFITS	587.68	587.68	34,079.72	33,492.04	1.7
900-56500-210 PROFESSIONAL DEVELOPMENT	.00	.00	3,535.00	3,535.00	.0
900-56500-212 LEGAL SERVICES	.00	.00	12,625.00	12,625.00	.0
900-56500-215 PROFESSIONAL SERVICES	.00	.00	2,525.00	2,525.00	.0
900-56500-219 AUDIT FEES	.00	.00	4,040.00	4,040.00	.0
900-56500-222 COUNTY/REGIONAL ECON DEV	.00	.00	9,342.50	9,342.50	.0
900-56500-223 MARKETING	.00	.00	2,525.00	2,525.00	.0
900-56500-224 SOFTWARE/HARDWARE MAINTENANCE	259.54	259.54	7,012.02	6,752.48	3.7
900-56500-225 TELECOM/INTERNET/COMMUNICATION	224.65	224.65	2,210.34	1,985.69	10.2
900-56500-310 OFFICE & OPERATING SUPPLIES	.00	.00	606.00	606.00	.0
900-56500-311 POSTAGE	.00	.00	202.00	202.00	.0
900-56500-320 DUES	6,300.00	6,300.00	1,191.80	(5,108.20)	528.6
900-56500-325 PUBLIC EDUCATION	.00	.00	50.50	50.50	.0
900-56500-330 TRAVEL EXPENSE	.00	.00	3,737.00	3,737.00	.0
TOTAL CDA	9,100.27	9,100.27	190,744.84	181,644.57	4.8
TOTAL FUND EXPENDITURES	9,100.27	9,100.27	190,744.84	181,644.57	4.8
NET REVENUE OVER EXPENDITURES	(9,100.27)	(9,100.27)	.00	9,100.27	.0

Report Criteria:

Report type: GL detail

Invoice Detail, GL account = 9001000000-9009999999,9101000000-9109999999

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Notes	Description	Invoice Number	Invoice GL Account	Invoice Amount
900									
01/23	01/05/2023	94569	191	JEFFERSON CO ECON DEV CO		2023 CONSORTIUM FEES	2023-C-WHI	900-56500-320	6,300.00
01/23	01/19/2023	94661	8438	JAMES LEASING LLC		DEC 2023 COPIES CHARGE	11243	900-56500-310	14.66
01/23	01/27/2023	900179	8487	US BANK	KATHRYN BOYD-ODP BUS	CDA-File folders	JANUARY 20	900-56500-310	14.03
01/23	01/30/2023	900179	8487	US BANK	KATHRYN BOYD-ODP BUS	CDA-File folders	JANUARY 20	900-56500-310	14.03- V
01/23	01/27/2023	900179	8487	US BANK	MICHELE SMITH-SHRED-IT	NOV/DEC 2022 SHREDDING SVCS	JANUARY 20	900-56500-310	15.00
01/23	01/30/2023	900179	8487	US BANK	MICHELE SMITH-SHRED-IT	NOV/DEC 2022 SHREDDING SVCS	JANUARY 20	900-56500-310	15.00- V
01/23	01/27/2023	900179	8487	US BANK	CAMERON CLAPPER-THE B	CDA-Credit Business Journal Subscription	JANUARY 20	900-56500-341	145.48-
01/23	01/30/2023	900179	8487	US BANK	CAMERON CLAPPER-THE B	CDA-Credit Business Journal Subscription	JANUARY 20	900-56500-341	145.48 V
01/23	01/31/2023	900180	8487	US BANK	KATHRYN BOYD-ODP BUS	CDA-File folders	JANUARY 20	900-56500-310	14.03
01/23	01/31/2023	900180	8487	US BANK	MICHELE SMITH-SHRED-IT	NOV/DEC 2022 SHREDDING SVCS	JANUARY 20	900-56500-310	15.00
01/23	01/31/2023	900180	8487	US BANK	CAMERON CLAPPER-THE B	CDA-Credit Business Journal Subscription	JANUARY 20	900-56500-341	145.48-
Total 900:									6,198.21
Grand Totals:									6,198.21

**CITY OF WHITEWATER
BALANCE SHEET
JANUARY 31, 2023**

ECONOMIC DEVELOPMENT FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
900-11100 CASH	47,001.45	(10,524.32)	(10,524.32)	36,477.13
900-19000 GASB 68-WRS NET PENSION ASSETS	27,755.39	.00	.00	27,755.39
900-19021 GASB 68-WRS DOR	45,943.68	.00	.00	45,943.68
900-19999 GASB 68-PENSION CLEARING ACCT	(10,378.68)	.00	.00	(10,378.68)
TOTAL ASSETS	110,321.84	(10,524.32)	(10,524.32)	99,797.52
<u>LIABILITIES AND EQUITY</u>				
<u>LIABILITIES</u>				
900-21100 ACCOUNTS PAYABLE	906.21	101.79	101.79	1,008.00
900-21106 WAGES CLEARING	1,525.84	(1,525.84)	(1,525.84)	.00
900-29011 GASB 68-WRS DIR	60,841.45	.00	.00	60,841.45
TOTAL LIABILITIES	63,273.50	(1,424.05)	(1,424.05)	61,849.45
<u>FUND EQUITY</u>				
900-34300 PROPRIETARY CAPITAL	47,048.34	.00	.00	47,048.34
UNAPPROPRIATED FUND BALANCE:				
REVENUE OVER EXPENDITURES - YTD	.00	(9,100.27)	(9,100.27)	(9,100.27)
BALANCE - CURRENT DATE	.00	(9,100.27)	(9,100.27)	(9,100.27)
TOTAL FUND EQUITY	47,048.34	(9,100.27)	(9,100.27)	37,948.07
TOTAL LIABILITIES AND EQUITY	110,321.84	(10,524.32)	(10,524.32)	99,797.52

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2023

CDA PROGRAMS FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>ACTION LOAN REVENUE</u>					
910-46001-00 INT INC-ACTION-LRN DEPOT \$41K	91.06	91.06	.00	(91.06)	.0
910-46003-00 INT INC-ACTION-BIKEWISE \$23K	15.72	15.72	.00	(15.72)	.0
910-46006-00 INT INC-ACTION-BLUELINE \$34K	86.58	86.58	.00	(86.58)	.0
910-46007-00 INT INC-ACTION-BLUELINE \$45K	116.79	116.79	.00	(116.79)	.0
TOTAL ACTION LOAN REVENUE	310.15	310.15	.00	(310.15)	.0
<u>MISCELLANEOUS REVENUE</u>					
910-48103-00 INTEREST INCOME-FACADE	82.20	82.20	.00	(82.20)	.0
910-48104-00 INTEREST INCOME-HOUSING	47.84	47.84	.00	(47.84)	.0
910-48108-00 INTEREST INCOME-SEED FUND	1.94	1.94	.00	(1.94)	.0
910-48109-00 INTEREST INCOME-ACTION FUND	3,348.80	3,348.80	.00	(3,348.80)	.0
TOTAL MISCELLANEOUS REVENUE	3,480.78	3,480.78	.00	(3,480.78)	.0
TOTAL FUND REVENUE	3,790.93	3,790.93	.00	(3,790.93)	.0

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 1 MONTHS ENDING JANUARY 31, 2023

CDA PROGRAMS FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>CDA PROGRAMS</u>					
910-56500-219 PROFESSIONAL SERVICES	385.24	385.24	.00	(385.24)	.0
TOTAL CDA PROGRAMS	385.24	385.24	.00	(385.24)	.0
TOTAL FUND EXPENDITURES	385.24	385.24	.00	(385.24)	.0
NET REVENUE OVER EXPENDITURES	3,405.69	3,405.69	.00	(3,405.69)	.0

910-11600 HOUSING RLF/XXX553 Total Deposit Debit 910-11600

HO# 1 Payment Principal Credit 910-14027
 HO# 11 Payoff Principal Credit 910-14037

910-11800 ACTION-BUSINESSDEV/XXX Total Deposit Credit 910-11800 4,014,160

PAUQUETTE CENTER LOAN RECV Principal Debit 910-13500 (1,289.52) 01/05/2023 ACH PAYMENT
 ACTION-BIKEWISE-\$23,099 Principal Credit 910-13503 (984.28) 01/30/2023 CK 10757
 INT INC-ACTION-BIKEWISE \$23K Interest Credit 910-46003-00 (15.72) 01/30/2023 CK 10757
 ACTION-BLUE LINE \$34,520 Principal Credit 910-13506 (371.18) 01/07/2023 ACH PAYMENT
 INT INC-ACTION-BLUELINE \$34K Interest Credit 910-46006-00 (86.58) 01/07/2023 ACH PAYMENT
 ACTION-BLUE LINE \$45,457 Principal Debit 910-13507 (452.48) 01/09/2023 ACH PAYMENT
 INT INC-ACTION-BLUELINE \$45K Interest Credit 910-46007-00 (116.79) 01/09/2023 ACH PAYMENT
 ACTION-MEEPER TECH-\$97,907 Principal Credit 910-13504 REQUESTED TO HAVE ALL PAYMENTS STOPPED
 INT INC-ACTION-MEEPER \$97K Interest Credit 910-46004-00 REQUESTED TO HAVE ALL PAYMENTS STOPPED
 ACTION-MEEPER-\$82,310 Principal Credit 910-13505 REQUESTED TO HAVE ALL PAYMENTS STOPPED
 INT INC-ACTION-MEEPER \$82K Interest Credit 910-46005-00 REQUESTED TO HAVE ALL PAYMENTS STOPPED
 ACTION-LEARNING DEPOT \$41,294 Principal Credit 910-13501 (606.99) 01-06-2023 ACH PAYMENT
 INT INC-ACTION-LRN DEPOT \$41K Interest Credit 910-46001-00 (91.06) 01-06-2023 ACH PAYMENT
 ACTION-SAFEPRO TECH \$100K Principal Credit 910-13509
 INT INC-ACTION-SAFEPRO \$100K Interest Credit 910-46008-00

910-11900 CAP CATALYST ASSOC BANK Total Deposit Credit 910-11900

BLUE LINE BATTERY \$64,614 K Interest Credit 910-43015

LEGAL/PROFESSIONAL/MARKETING 910-56500-212
 LEGAL/PROFESSIONAL/MARKETING 910-56500-212
 PROFESSIONAL SERVICES 910-56500-219 385.24 2023 Building Ins MPIC-Innovation Ctr
 ACTION-LAND PURCHASE-XXX127 910-11801 (385.24) 2023 Building Ins MPIC-Innovation Ctr
 FACADE CKING-1ST CIT- XXX442 910-11702
 FACADE-BOWERS HOUSE LLC \$50K 910-16008

**CITY OF WHITEWATER
BALANCE SHEET
JANUARY 31, 2023**

CDA PROGRAMS FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>LIABILITIES</u>				
910-22000 ACCUM DEPREC-BUILDING	1,461,118.56	.00	.00	1,461,118.56
910-25100 DUE TO GENERAL FUND	3,698.00	(500.00)	(500.00)	3,198.00
910-26101 DEF REVENUE-FD 610-CDBG	851,866.00	.00	.00	851,866.00
TOTAL LIABILITIES	2,316,682.56	(500.00)	(500.00)	2,316,182.56
<u>FUND EQUITY</u>				
910-30110 CONTRIBUTED CAPITAL	456,815.37	.00	.00	456,815.37
910-34300 PROPRIETARY CAPITAL	6,642,838.06	.00	.00	6,642,838.06
910-34400 RESERVE FOR LAND PURCHASES	238,031.94	.00	.00	238,031.94
UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	.00	3,405.69	3,405.69	3,405.69
BALANCE - CURRENT DATE	.00	3,405.69	3,405.69	3,405.69
TOTAL FUND EQUITY	7,337,685.37	3,405.69	3,405.69	7,341,091.06
TOTAL LIABILITIES AND EQUITY	9,654,367.93	2,905.69	2,905.69	9,657,273.62

**CITY OF WHITEWATER
BALANCE SHEET
JANUARY 31, 2023**

CDA PROGRAMS FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
910-11600 CDBG-HOUSING CHK-1CSB XXX450	13,790.70	47.84	47.84	13,838.54
910-11702 FACADE CKING-1ST CIT- XXX442	23,693.95	82.20	82.20	23,776.15
910-11800 ACTION-BUS DEV-BUS PARK-XXX127	261,460.54	6,478.16	6,478.16	267,938.70
910-11801 ACTION-LAND PURCHASE-XXX127	702,295.93	(10,000.00)	(10,000.00)	692,295.93
910-11900 CAP CAT-ASSOC BK XXXXX3734	9,134.66	1.94	1.94	9,136.60
910-13500 PAUQUETTE CENTER LOAN REC V	127,371.52	(1,289.52)	(1,289.52)	126,082.00
910-13501 ACTION-LEARNING DEPOT \$41,294	27,317.14	(606.99)	(606.99)	26,710.15
910-13503 ACTION-BIKEWISE-\$23,099	4,716.24	(984.28)	(984.28)	3,731.96
910-13504 ACTION-MEEPER TECH-\$97,907	81,791.63	.00	.00	81,791.63
910-13505 ACTION-MEEPER-\$82,310	71,814.49	.00	.00	71,814.49
910-13506 ACTION-BLUE LINE \$34,520	25,975.45	(371.18)	(371.18)	25,604.27
910-13507 ACTION-BLUE LINE \$45,457	35,039.56	(452.48)	(452.48)	34,587.08
910-13508 ACTION-FINE FOOD ARTS \$31,810	30,000.00	.00	.00	30,000.00
910-13509 ACTION-SAFEPRO TECH \$100K	100,000.00	.00	.00	100,000.00
910-13510 ACTION-SWSPOT/GILDEMEISTER 54K	54,000.00	.00	.00	54,000.00
910-13999 ACTION LOAN-LOAN LOSS RESERVE	(53,273.32)	.00	.00	(53,273.32)
910-14000 CDBG HOUSING-MO301	8,220.00	.00	.00	8,220.00
910-14001 CDBG HOUSING-A8416	10,203.84	.00	.00	10,203.84
910-14003 CDBG HOUSING-B935	18,420.02	.00	.00	18,420.02
910-14006 CDBG HOUSING-C932	8,062.00	.00	.00	8,062.00
910-14009 CDBG HOUSING-J8802	10,818.00	.00	.00	10,818.00
910-14011 CDBG HOUSING-M8501	11,000.90	.00	.00	11,000.90
910-14013 CDBG HOUSING-P954	11,000.00	.00	.00	11,000.00
910-14016 CDBG HOUSING-V902	12,504.15	.00	.00	12,504.15
910-14025 CDBG HOUSING-M0801	18,422.00	.00	.00	18,422.00
910-14026 CDBG HOUSING-B0803-0901	34,448.00	.00	.00	34,448.00
910-14030 CDBG HOUSING-HO#13-2016	8,000.00	.00	.00	8,000.00
910-14031 CDBG HOUSING-HO#4	37,795.00	.00	.00	37,795.00
910-14038 CDBG HOUSING-HO#14	18,000.00	.00	.00	18,000.00
910-14039 CDBG HOUSING-HO#15	36,815.00	.00	.00	36,815.00
910-14040 CDBG HOUSING-HO#18	4,235.00	.00	.00	4,235.00
910-15000 CAP CAT-SLIPSTREAM-\$102,500	102,500.00	.00	.00	102,500.00
910-15003 CAP CAT-SLIPSTREAM-\$42,000	42,000.00	.00	.00	42,000.00
910-15004 CAP CAT-MEEPER TECH-\$102,000	102,000.00	.00	.00	102,000.00
910-15006 CAP CAT- ROYAL-INVENT-27.5K	27,500.00	.00	.00	27,500.00
910-15011 CAP CAT-ROYAL-SCANALYTICS-95K	97,500.00	.00	.00	97,500.00
910-15012 CAP CAT-ROYAL-INVENTALATOR-75K	77,500.00	.00	.00	77,500.00
910-15015 CAP CAT-BLUELINE BATT-\$64,614	64,614.00	.00	.00	64,614.00
910-15017 CAP CAT-BLUELINE BATT \$36,600	36,600.00	.00	.00	36,600.00
910-15018 CAP CAT-RECRUITCHUTE \$51,050	51,050.00	.00	.00	51,050.00
910-16008 FACADE-BOWERS HOUSE LLC \$50K	75,000.00	.00	.00	75,000.00
910-17002 UDAG-SLIPSTREAM-LOC	12,500.00	.00	.00	12,500.00
910-17999 UDAG-LOAN LOSS RESERVE	(12,500.00)	.00	.00	(12,500.00)
910-18103 LOAN DUE FROM FD 610-CDBG	851,866.00	.00	.00	851,866.00
910-18350 LAND	275,171.53	10,000.00	10,000.00	285,171.53
910-18360 REAL ESTATE	6,087,994.00	.00	.00	6,087,994.00
TOTAL ASSETS	9,654,367.93	2,905.69	2,905.69	9,657,273.62

LIABILITIES AND EQUITY

ACTION FUND		ORIGINAL	12/31/2022				01/31/2023		01/31/2023		NOTES
ACCT #	CLIENT	LOAN	BALANCE	PRINCIPAL	INTEREST	TOTAL	BALANCE	GL Balance			
910-13500	PAUQUETTE CENTER LOAN REC V	\$88,660.00	\$127,371.52	1,289.52	0.00	1,289.52	\$126,082.00	\$126,082.00	\$0.00	Current	
910-13501	ACTION-LEARNING DEPOT \$41,294	\$41,294.63	\$27,317.14	606.99	91.06	698.05	\$26,710.15	\$26,710.15	\$0.00	Current	
910-13503	ACTION-BIKEWISE-\$23,099	\$23,099.36	\$4,716.24	984.28	15.72	1,000.00	\$3,731.96	\$3,731.96	\$0.00	Making Payments	
910-13504	ACTION-MEEPER TECH-\$97,907	\$97,907.69	\$81,791.63	0.00	0.00	0.00	\$81,791.63	\$81,791.63	\$0.00	In Default	
910-13505	ACTION-MEEPER-\$82,310	\$82,310.00	\$71,814.49	0.00	0.00	0.00	\$71,814.49	\$71,814.49	\$0.00	In Default	
910-13506	ACTION-BLUE LINE \$34,520	\$34,520.75	\$25,975.45	371.18	86.58	457.76	\$25,604.27	\$25,604.27	\$0.00	Current	
910-13507	ACTION-BLUE LINE \$45,457	\$45,457.82	\$35,039.56	452.48	116.79	569.27	\$34,587.08	\$34,587.08	\$0.00	Current	
910-13508	ACTION-FINE FOOD ARTS \$31,810	\$30,000.00	\$30,000.00	0.00	0.00	0.00	\$30,000.00	\$30,000.00	\$0.00	In Default	
910-13509	ACTION-SAFEPRO TECH \$100K	\$104,940.00	\$100,000.00	0.00	0.00	0.00	\$100,000.00	\$100,000.00	\$0.00	New loan April 2022	
910-13510	ACTION-SWSPOT/GILDEMEISTER 54K	\$54,000.00	\$54,000.00	0.00	0.00	0.00	\$54,000.00	\$54,000.00	\$0.00	New loan June 2022	
910-17002	UDAG-SLIPSTREAM-LOC	\$12,500.00	\$12,500.00	0.00	0.00	0.00	\$12,500.00	\$12,500.00	\$0.00		
TOTALS		\$614,690.25	\$584,213.91	\$3,704.45	\$310.15	\$4,014.60	\$566,821.58	\$566,821.58	\$0.00		
910-13999	ACTION LOAN-LOAN LOSS RESERVE		(\$53,273.32)	0.00	0.00	0.00	(\$53,273.32)	(\$53,273.32)			
910-17999	UDAG-LOAN LOSS RESERVE		(\$12,500.00)	0.00	0.00	0.00	(\$12,500.00)	(\$12,500.00)			

FAÇADE LOAN		ORIGINAL	12/31/2022				01/31/2023		01/31/2023		NOTES
ACCT #	CLIENT	LOAN	BALANCE	PRINCIPAL	INTEREST	TOTAL	BALANCE	GL Balance			
910-16008	FAÇADE-BOWERS HOUSE LLC \$50K	-	75,000.00	-	-	-	75,000.00	75,000.00	-	New loan April 2022	
TOTALS \$		-	\$ 75,000.00	\$ -	\$ -	\$ -	\$ 75,000.00	\$ 75,000.00	\$ -		

CAPITAL CATALYST		ORIGINAL	12/31/2022				01/31/2023		01/31/2023		NOTES
ACCT #	CLIENT	LOAN	BALANCE	PRINCIPAL	INTEREST	TOTAL	BALANCE	GL Balance			
910-15000	CAP CAT-SLIPSTREAM-\$102,500	\$102,500.00	\$102,500.00	0.00	0.00	0.00	\$102,500.00	\$102,500.00	\$0.00	interest only	
910-15003	CAP CAT-SLIPSTREAM-\$42,000	\$42,000.00	\$42,000.00	0.00	0.00	0.00	\$42,000.00	\$42,000.00	\$0.00	annual net revenue royalty-no payments have been received.	
910-15004	CAP CAT-MEEPER TECH-\$102,000	\$102,000.00	\$102,000.00	0.00	0.00	0.00	\$102,000.00	\$102,000.00	\$0.00	annual net revenue royalty-no payments have been received.	
910-15006	CAP CAT- ROYAL-INVENT-27.5K	\$27,500.00	\$27,500.00	0.00	0.00	0.00	\$27,500.00	\$27,500.00	\$0.00	annual net revenue royalty-no payments have been received.	
910-15011	CAP CAT-ROYAL-SCANALYTICS-95K	\$97,500.00	\$97,500.00	0.00	0.00	0.00	\$97,500.00	\$97,500.00	\$0.00	annual net revenue royalty-no payments have been received.	
910-15012	CAP CAT-ROYAL-INVENTALATOR-75K	\$77,500.00	\$77,500.00	0.00	0.00	0.00	\$77,500.00	\$77,500.00	\$0.00	annual net revenue royalty-first payment due October 2016	
910-15015	CAP CAT-BLUELINE BATT-\$64,614	\$64,614.00	\$64,614.00	0.00	0.00	0.00	\$64,614.00	\$64,614.00	\$0.00	First payment received 08-21-2018	
910-15017	CAP CAT-BLUELINE BATT \$36,600	\$36,600.00	\$36,600.00	0.00	0.00	0.00	\$36,600.00	\$36,600.00	\$0.00		
910-15018	CAP CAT-RECRUITCHUTE \$51,050	\$51,050.00	\$51,050.00	0.00	0.00	0.00	\$51,050.00	\$51,050.00	\$0.00		
TOTALS		\$601,264.00	\$601,264.00	\$0.00	\$0.00	\$0.00	\$601,264.00	\$601,264.00	\$0.00		
910-15999	CAP CAT-LOAN LOSS RESERVE		\$0.00				\$0.00	\$0.00			

HOUSING		ORIGINAL	12/31/2022				01/31/2023		01/31/2023		Current
ACCT #	CLIENT	LOAN	BALANCE	PRINCIPAL	INTEREST	TOTAL	BALANCE	GL Balance			
910-14000	CDBG HOUSING-MO301	\$8,220.00	\$8,220.00	0.00	0.00	0.00	\$8,220.00	\$8,220.00	\$0.00		
910-14001	CDBG HOUSING-A8416	\$10,203.84	\$10,203.84	0.00	0.00	0.00	\$10,203.84	\$10,203.84	\$0.00		
910-14003	CDBG HOUSING-B935	\$18,420.02	\$18,420.02	0.00	0.00	0.00	\$18,420.02	\$18,420.02	\$0.00		
910-14006	CDBG HOUSING-C932	\$8,062.00	\$8,062.00	0.00	0.00	0.00	\$8,062.00	\$8,062.00	\$0.00		
910-14009	CDBG HOUSING-J8802	\$10,818.00	\$10,818.00	0.00	0.00	0.00	\$10,818.00	\$10,818.00	\$0.00		
910-14011	CDBG HOUSING-M8501	\$11,000.90	\$11,000.90	0.00	0.00	0.00	\$11,000.90	\$11,000.90	\$0.00		
910-14013	CDBG HOUSING-P954	\$11,000.00	\$11,000.00	0.00	0.00	0.00	\$11,000.00	\$11,000.00	\$0.00		
910-14016	CDBG HOUSING-V902	\$12,504.15	\$12,504.15	0.00	0.00	0.00	\$12,504.15	\$12,504.15	\$0.00		
910-14025	CDBG HOUSING-M0801	\$18,422.00	\$18,422.00	0.00	0.00	0.00	\$18,422.00	\$18,422.00	\$0.00		
910-14026	CDBG HOUSING-B0803-0901	\$34,448.00	\$34,448.00	0.00	0.00	0.00	\$34,448.00	\$34,448.00	\$0.00		
910-14030	CDBG HOUSING-HO#13-2016	\$8,000.00	\$8,000.00	0.00	0.00	0.00	\$8,000.00	\$8,000.00	\$0.00		
910-14031	CDBG HOUSING-HO#4	\$37,795.00	\$37,795.00	0.00	0.00	0.00	\$37,795.00	\$37,795.00	\$0.00		
910-14038	CDBG HOUSING-HO#14	\$14,671.00	\$18,000.00	0.00	0.00	0.00	\$18,000.00	\$18,000.00	\$0.00		
910-14039	CDBG HOUSING-HO#15	\$21,090.00	\$36,815.00	0.00	0.00	0.00	\$36,815.00	\$36,815.00	\$0.00		
910-14040	CDBG HOUSING-HO#18	\$4,235.00	\$4,235.00	0.00	0.00	0.00	\$4,235.00	\$4,235.00	\$0.00		
TOTALS		\$228,889.91	\$247,943.91	\$0.00	\$0.00	\$0.00	\$247,943.91	\$247,943.91	\$0.00		
910-14999	CDBG HOUSING-LOAN LOSS RESERVE		\$0.00				\$0.00	\$0.00			
910-35000	GENERAL LOAN LOSS RESERVE		\$0.00				\$0.00	\$0.00			

Account Name	CDA Operating	Action Bus Dev (UDAG) Checking	Facade Checking	CDBG Housing	Capital Cat Checking
Fund	Fund 900	Fund 910	Fund 910	Fund 910	Fund 910
Account Number		xxx-127	xxx-442	xxx-450	xxxxxx3734
Bank	1st Citizens	1st Citizens	1st Citizens	1st Citizens	Associated
Interest Rate	4.03%	4.03%	4.03%	4.03%	0.25%
GL Account Number(s)	900-11100	910-11800 910-11801 910-11806	910-11702	910-11600	910-11900
GL Balance as of:					
02/28/2022	19,109.24	801,151.59	48,259.16	13,997.64	1,108.67
03/31/2022	8,172.91	896,389.22	48,262.70	13,998.67	1,108.76
04/30/2022	41,737.78	548,362.38	48,267.82	13,635.13	1,108.85
05/31/2022	29,441.85	537,221.02	48,278.66	13,638.19	1,108.94
06/30/2022	24,425.41	474,394.36	48,299.88	13,644.18	1,109.09
07/31/2022	18,673.95	476,879.17	48,332.72	13,653.46	1,109.33
08/31/2022	12,479.29	944,815.37	48,393.66	13,670.67	1,109.57
09/30/2022	9,778.45	947,454.93	48,473.61	13,693.25	1,109.80
10/31/2022	70,610.54	941,037.42	48,570.01	13,720.48	1,110.04
11/30/2022	51,923.25	956,241.31	23,627.48	13,752.01	9,132.72
12/31/2022	47,150.93	963,756.47	23,693.95	13,790.70	9,134.66
01/31/2023	36,851.26	960,234.63	23,776.15	13,838.54	9,136.60
Outstanding items					
Current Bank Balance	36,851.26	960,234.63	23,776.15	13,838.54	9,136.60
Difference:	0.00	0.00	0.00	0.00	0.00

Monthly GL bank balances may not agree with the actual month end bank account balances due to outstanding items.

January 2023 Interest Income

ACTION-BUS DEV-BUS PARK-XXX127	910-11800	3,348.80	January 2023 Interest Income
FACADE CKING-1ST CIT- XXX442	910-11702	82.20	January 2023 Interest Income
CDBG-HOUSING CHK-1CSB XXX450	910-11600	47.84	January 2023 Interest Income
CAP CAT-ASSOC BK XXXXX3734	910-11900	1.94	January 2023 Interest Income
INTEREST INCOME-ACTION FUND	910-48109-00	(3,348.80)	January 2023 Interest Income
INTEREST INCOME-FACADE	910-48103-00	(82.20)	January 2023 Interest Income
INTEREST INCOME-HOUSING	910-48104-00	(47.84)	January 2023 Interest Income
INTEREST INCOME-SEED FUND	910-48108-00	(1.94)	January 2023 Interest Income

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

ECONOMIC DEVELOPMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>OTHER FINANCING SOURCES</u>					
900-49265-56 TRANSFER TID #4 AFFORD HOUSING	.00	.00	50,000.00	50,000.00	.0
900-49266-56 TRANSFER TID #11-ADMIN	.00	.00	5,000.00	5,000.00	.0
900-49267-56 TRANSFER TID #12-ADMIN	.00	.00	5,000.00	5,000.00	.0
900-49268-56 TRANSFER TID #13-ADMIN	.00	.00	35,000.00	35,000.00	.0
900-49290-56 GENERAL FUND TRANSFER	.00	.00	32,500.00	32,500.00	.0
900-49300-56 FUND BALANCE APPLIED	.00	.00	63,244.84	63,244.84	.0
TOTAL OTHER FINANCING SOURCES	.00	.00	190,744.84	190,744.84	.0
TOTAL FUND REVENUE	.00	.00	190,744.84	190,744.84	.0

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

ECONOMIC DEVELOPMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>CDA</u>					
900-56500-111 SALARIES	1,700.00	2,550.00	83,999.92	81,449.92	3.0
900-56500-115 WAGES/PART-TIME/PERMANENT	1,756.80	2,635.20	23,063.04	20,427.84	11.4
900-56500-151 FRINGE BENEFITS	629.80	1,217.48	34,079.72	32,862.24	3.6
900-56500-210 PROFESSIONAL DEVELOPMENT	.00	.00	3,535.00	3,535.00	.0
900-56500-212 LEGAL SERVICES	.00	.00	12,625.00	12,625.00	.0
900-56500-215 PROFESSIONAL SERVICES	.00	.00	2,525.00	2,525.00	.0
900-56500-219 AUDIT FEES	.00	.00	4,040.00	4,040.00	.0
900-56500-222 COUNTY/REGIONAL ECON DEV	.00	.00	9,342.50	9,342.50	.0
900-56500-223 MARKETING	.00	.00	2,525.00	2,525.00	.0
900-56500-224 SOFTWARE/HARDWARE MAINTENANCE	.00	259.54	7,012.02	6,752.48	3.7
900-56500-225 TELECOM/INTERNET/COMMUNICATION	48.27	272.92	2,210.34	1,937.42	12.4
900-56500-310 OFFICE & OPERATING SUPPLIES	41.67	41.67	606.00	564.33	6.9
900-56500-311 POSTAGE	.00	.00	202.00	202.00	.0
900-56500-320 DUES	4,879.00	11,179.00	1,191.80	(9,987.20)	938.0
900-56500-325 PUBLIC EDUCATION	195.00	195.00	50.50	(144.50)	386.1
900-56500-330 TRAVEL EXPENSE	.00	.00	3,737.00	3,737.00	.0
TOTAL CDA	9,250.54	18,350.81	190,744.84	172,394.03	9.6
TOTAL FUND EXPENDITURES	9,250.54	18,350.81	190,744.84	172,394.03	9.6
NET REVENUE OVER EXPENDITURES	(9,250.54)	(18,350.81)	.00	18,350.81	.0

Report Criteria:

Report type: GL detail

Invoice Detail.GL account = 9001000000-9009999999,9101000000-9109999999

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Notes	Description	Invoice Number	Invoice GL Account	Invoice Amount
900									
02/23	02/02/2023	94734	8120	FEI WORKFORCE RESILIENCE		2023 EAP SERVICES	FEI2550-IN	900-56500-151	37.20
02/23	02/09/2023	94773	9519	GOVTEMPSUSA LLC		WEIDL, JOHN TEMP HOURS	4040268(A)	900-56500-115	1,008.00
02/23	02/09/2023	94776	8438	JAMES LEASING LLC		JAN 2023 COPIES CHARGE	11478	900-56500-310	11.94
02/23	02/09/2023	94796	3939	WALWORTH CO ECONOMIC DE		2023 MEMBERSHIP RENEWAL	1319	900-56500-320	4,554.00
02/23	02/28/2023	900181	8487	US BANK	JOHN S WEIDL-NAME BAD	CDA-Name plate for City Mgr	February 202	900-56500-310	29.73
02/23	02/28/2023	900181	8487	US BANK	KATHRYN BOYD-WEDA	CDA-WEDA membership	February 202	900-56500-320	325.00
02/23	02/28/2023	900181	8487	US BANK	JEREMIAH THOMAS-CENTR	2023 SPRING CITY GUIDE	February 202	900-56500-325	195.00
Total 900:									6,160.87
Grand Totals:									6,160.87

**CITY OF WHITEWATER
BALANCE SHEET
FEBRUARY 28, 2023**

ECONOMIC DEVELOPMENT FUND

		BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>					
900-11100	CASH	47,001.45	(10,258.54)	(20,782.86)	26,218.59
900-19000	GASB 68-WRS NET PENSION ASSETS	27,755.39	.00	.00	27,755.39
900-19021	GASB 68-WRS DOR	45,943.68	.00	.00	45,943.68
900-19999	GASB 68-PENSION CLEARING ACCT	(10,378.68)	.00	.00	(10,378.68)
TOTAL ASSETS		110,321.84	(10,258.54)	(20,782.86)	89,538.98
<u>LIABILITIES AND EQUITY</u>					
<u>LIABILITIES</u>					
900-21100	ACCOUNTS PAYABLE	906.21	(1,008.00)	(906.21)	.00
900-21106	WAGES CLEARING	1,525.84	.00	(1,525.84)	.00
900-29011	GASB 68-WRS DIR	60,841.45	.00	.00	60,841.45
TOTAL LIABILITIES		63,273.50	(1,008.00)	(2,432.05)	60,841.45
<u>FUND EQUITY</u>					
900-34300	PROPRIETARY CAPITAL	47,048.34	.00	.00	47,048.34
UNAPPROPRIATED FUND BALANCE:					
REVENUE OVER EXPENDITURES - YTD		.00	(9,250.54)	(18,350.81)	(18,350.81)
BALANCE - CURRENT DATE		.00	(9,250.54)	(18,350.81)	(18,350.81)
TOTAL FUND EQUITY		47,048.34	(9,250.54)	(18,350.81)	28,697.53
TOTAL LIABILITIES AND EQUITY		110,321.84	(10,258.54)	(20,782.86)	89,538.98

CITY OF WHITEWATER
REVENUES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

CDA PROGRAMS FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>ACTION LOAN REVENUE</u>					
910-46001-00 INT INC-ACTION-LRN DEPOT \$41K	89.03	180.09	.00	(180.09)	.0
910-46003-00 INT INC-ACTION-BIKEWISE \$23K	12.44	28.16	.00	(28.16)	.0
910-46006-00 INT INC-ACTION-BLUELINE \$34K	84.10	170.68	.00	(170.68)	.0
910-46007-00 INT INC-ACTION-BLUELINE \$45K	115.29	232.08	.00	(232.08)	.0
TOTAL ACTION LOAN REVENUE	300.86	611.01	.00	(611.01)	.0
<u>MISCELLANEOUS REVENUE</u>					
910-48103-00 INTEREST INCOME-FACADE	76.60	158.80	.00	(158.80)	.0
910-48104-00 INTEREST INCOME-HOUSING	44.59	92.43	.00	(92.43)	.0
910-48108-00 INTEREST INCOME-SEED FUND	1.75	3.69	.00	(3.69)	.0
910-48109-00 INTEREST INCOME-ACTION FUND	3,091.82	6,440.62	.00	(6,440.62)	.0
TOTAL MISCELLANEOUS REVENUE	3,214.76	6,695.54	.00	(6,695.54)	.0
TOTAL FUND REVENUE	3,515.62	7,306.55	.00	(7,306.55)	.0

CITY OF WHITEWATER
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

CDA PROGRAMS FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>CDA PROGRAMS</u>					
910-56500-212 LEGAL/PROFESSIONAL/MARKETING	10.00	10.00	.00	(10.00)	.0
910-56500-219 PROFESSIONAL SERVICES	.00	385.24	.00	(385.24)	.0
TOTAL CDA PROGRAMS	10.00	395.24	.00	(395.24)	.0
TOTAL FUND EXPENDITURES	10.00	395.24	.00	(395.24)	.0
NET REVENUE OVER EXPENDITURES	3,505.62	6,911.31	.00	(6,911.31)	.0

910-11600 HOUSING RLF/ XXX553		Total Deposit	Debit	910-11600	
HO# 1 Payment	Principal	Credit	910-14027		
HO# 11 Payoff	Principal	Credit	910-14037		
910-11800 ACTION-BUSINESS DEV/ XXX		Total Deposit	Credit	910-11800 6,014.60	
PAUQUETTE CENTER LOAN RECV	PrincipAL	Debit	910-13500	(1,289.52)	02/07/2023 ACH PAYMENT
ACTION-BIKEWISE-\$23,099	Principal	Credit	910-13503	(2,987.56)	02/28/2023 CHECK 10764
INT INC-ACTION-BIKEWISE \$23K	Interest	Credit	910-46003-00	(12.44)	02/28/2023 CHECK 10764
ACTION-BLUE LINE \$34,520	Principal	Credit	910-13506	(373.66)	02/07/2023 ACH PAYMENT
INT INC-ACTION-BLUELINE \$34K	Interest	Credit	910-46006-00	(84.10)	02/07/2023 ACH PAYMENT
ACTION-BLUE LINE \$45,457	Principal	Debit	910-13507	(453.98)	02/08/2023 ACH PAYMENT
INT INC-ACTION-BLUELINE \$45K	Interest	Credit	910-46007-00	(115.29)	02/08/2023 ACH PAYMENT
ACTION-MEEPER TECH-\$97,907	Principal	Credit	910-13504		REQUESTED TO HAVE ALL PAYMENTS STOPPED
INT INC-ACTION-MEEPER \$97K	Interest	Credit	910-46004-00		REQUESTED TO HAVE ALL PAYMENTS STOPPED
ACTION-MEEPER-\$82,310	Principal	Credit	910-13505		REQUESTED TO HAVE ALL PAYMENTS STOPPED
INT INC-ACTION-MEEPER \$82K	Interest	Credit	910-46005-00		REQUESTED TO HAVE ALL PAYMENTS STOPPED
ACTION-LEARNING DEPOT \$41,294	Principal	Credit	910-13501	(609.02)	02/03/2023 ACH PAYMENT
INT INC-ACTION-LRN DEPOT \$41K	Interest	Credit	910-46001-00	(89.03)	02/03/2023 ACH PAYMENT
ACTION-SAFEPRO TECH \$100K	Principal	Credit	910-13509		
INT INC-ACTION-SAFEPRO \$100K	Interest	Credit	910-46008-00		
910-11900 CAP CATALYST ASSOC BANK		Total Deposit	Credit	910-11900	
BLUE LINE BATTERY \$64,614 K	Interest	Credit	910-43015		
LEGAL/PROFESSIONAL/MARKETING			910-56500-212		
LEGAL/PROFESSIONAL/MARKETING			910-56500-212		
PROFESSIONAL SERVICES			910-56500-219		
ACTION-LAND PURCHASE-XXX127			910-11801		
FACADE CKING-1ST CIT- XXX442			910-11702		
FACADE-BOWERS HOUSE LLC \$50K			910-16008		

**CITY OF WHITEWATER
BALANCE SHEET
FEBRUARY 28, 2023**

CDA PROGRAMS FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>LIABILITIES</u>				
910-22000 ACCUM DEPREC-BUILDING	1,461,118.56	.00	.00	1,461,118.56
910-25100 DUE TO GENERAL FUND	3,698.00	(3,181.00)	(3,681.00)	17.00
910-26101 DEF REVENUE-FD 610-CDBG	851,866.00	.00	.00	851,866.00
TOTAL LIABILITIES	2,316,682.56	(3,181.00)	(3,681.00)	2,313,001.56
<u>FUND EQUITY</u>				
910-30110 CONTRIBUTED CAPITAL	456,815.37	.00	.00	456,815.37
910-34300 PROPRIETARY CAPITAL	6,642,838.06	.00	.00	6,642,838.06
910-34400 RESERVE FOR LAND PURCHASES	238,031.94	.00	.00	238,031.94
UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	.00	3,505.62	6,911.31	6,911.31
BALANCE - CURRENT DATE	.00	3,505.62	6,911.31	6,911.31
TOTAL FUND EQUITY	7,337,685.37	3,505.62	6,911.31	7,344,596.68
TOTAL LIABILITIES AND EQUITY	9,654,367.93	324.62	3,230.31	9,657,598.24

**CITY OF WHITEWATER
BALANCE SHEET
FEBRUARY 28, 2023**

CDA PROGRAMS FUND

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
910-11600 CDBG-HOUSING CHK-1CSB XXX450	13,790.70	44.59	92.43	13,883.13
910-11702 FACADE CKING-1ST CIT- XXX442	23,693.95	76.60	158.80	23,852.75
910-11800 ACTION-BUS DEV-BUS PARK-XXX127	261,460.54	5,915.42	12,393.58	273,854.12
910-11801 ACTION-LAND PURCHASE-XXX127	702,295.93	.00 (	10,000.00)	692,295.93
910-11900 CAP CAT-ASSOC BK XXXXX3734	9,134.66	1.75	3.69	9,138.35
910-13500 PAUQUETTE CENTER LOAN REC V	127,371.52 (	1,289.52) (	2,579.04)	124,792.48
910-13501 ACTION-LEARNING DEPOT \$41,294	27,317.14 (	609.02) (	1,216.01)	26,101.13
910-13503 ACTION-BIKEWISE-\$23,099	4,716.24 (	2,987.56) (	3,971.84)	744.40
910-13504 ACTION-MEEPER TECH-\$97,907	81,791.63	.00	.00	81,791.63
910-13505 ACTION-MEEPER-\$82,310	71,814.49	.00	.00	71,814.49
910-13506 ACTION-BLUE LINE \$34,520	25,975.45 (	373.66) (	744.84)	25,230.61
910-13507 ACTION-BLUE LINE \$45,457	35,039.56 (	453.98) (	906.46)	34,133.10
910-13508 ACTION-FINE FOOD ARTS \$31,810	30,000.00	.00	.00	30,000.00
910-13509 ACTION-SAFEPRO TECH \$100K	100,000.00	.00	.00	100,000.00
910-13510 ACTION-SWSPOT/GILDEMEISTER 54K	54,000.00	.00	.00	54,000.00
910-13999 ACTION LOAN-LOAN LOSS RESERVE	(53,273.32)	.00	.00 (	53,273.32)
910-14000 CDBG HOUSING-MO301	8,220.00	.00	.00	8,220.00
910-14001 CDBG HOUSING-A8416	10,203.84	.00	.00	10,203.84
910-14003 CDBG HOUSING-B935	18,420.02	.00	.00	18,420.02
910-14006 CDBG HOUSING-C932	8,062.00	.00	.00	8,062.00
910-14009 CDBG HOUSING-J8802	10,818.00	.00	.00	10,818.00
910-14011 CDBG HOUSING-M8501	11,000.90	.00	.00	11,000.90
910-14013 CDBG HOUSING-P954	11,000.00	.00	.00	11,000.00
910-14016 CDBG HOUSING-V902	12,504.15	.00	.00	12,504.15
910-14025 CDBG HOUSING-M0801	18,422.00	.00	.00	18,422.00
910-14026 CDBG HOUSING-B0803-0901	34,448.00	.00	.00	34,448.00
910-14030 CDBG HOUSING-HO#13-2016	8,000.00	.00	.00	8,000.00
910-14031 CDBG HOUSING-HO#4	37,795.00	.00	.00	37,795.00
910-14038 CDBG HOUSING-HO#14	18,000.00	.00	.00	18,000.00
910-14039 CDBG HOUSING-HO#15	36,815.00	.00	.00	36,815.00
910-14040 CDBG HOUSING-HO#18	4,235.00	.00	.00	4,235.00
910-15000 CAP CAT-SLIPSTREAM-\$102,500	102,500.00	.00	.00	102,500.00
910-15003 CAP CAT-SLIPSTREAM-\$42,000	42,000.00	.00	.00	42,000.00
910-15004 CAP CAT-MEEPER TECH-\$102,000	102,000.00	.00	.00	102,000.00
910-15006 CAP CAT-ROYAL-INVENT-27.5K	27,500.00	.00	.00	27,500.00
910-15011 CAP CAT-ROYAL-SCANALYTICS-95K	97,500.00	.00	.00	97,500.00
910-15012 CAP CAT-ROYAL-INVENTALATOR-75K	77,500.00	.00	.00	77,500.00
910-15015 CAP CAT-BLUELINE BATT-\$64,614	64,614.00	.00	.00	64,614.00
910-15017 CAP CAT-BLUELINE BATT \$36,600	36,600.00	.00	.00	36,600.00
910-15018 CAP CAT-RECRUITCHUTE \$51,050	51,050.00	.00	.00	51,050.00
910-16008 FACADE-BOWERS HOUSE LLC \$50K	75,000.00	.00	.00	75,000.00
910-17002 UDAG-SLIPSTREAM-LOC	12,500.00	.00	.00	12,500.00
910-17999 UDAG-LOAN LOSS RESERVE	(12,500.00)	.00	.00 (	12,500.00)
910-18103 LOAN DUE FROM FD 610-CDBG	851,866.00	.00	.00	851,866.00
910-18350 LAND	275,171.53	.00	10,000.00	285,171.53
910-18360 REAL ESTATE	6,087,994.00	.00	.00	6,087,994.00
TOTAL ASSETS	9,654,367.93	324.62	3,230.31	9,657,598.24

LIABILITIES AND EQUITY

ACTION FUND		ORIGINAL	01/31/2023			02/28/2023		02/28/2023		NOTES
ACCT #	CLIENT	LOAN	BALANCE	PRINCIPAL	INTEREST	TOTAL	BALANCE	GL Balance		
910-13500	PAUQUETTE CENTER LOAN REC	\$88,660.00	\$126,082.00	1,289.52	0.00	1,289.52	\$124,792.48	\$124,792.48	\$0.00	Current
910-13501	ACTION-LEARNING DEPOT \$41,294	\$41,294.63	\$26,710.15	609.02	89.03	698.05	\$26,101.13	\$26,101.13	\$0.00	Current
910-13503	ACTION-BIKEWISE-\$23,099	\$23,099.36	\$3,731.96	2,987.56	12.44	3,000.00	\$744.40	\$744.40	\$0.00	Making Payments
910-13504	ACTION-MEEPER TECH-\$97,907	\$97,907.69	\$81,791.63	0.00	0.00	0.00	\$81,791.63	\$81,791.63	\$0.00	In Default
910-13505	ACTION-MEEPER-\$82,310	\$82,310.00	\$71,814.49	0.00	0.00	0.00	\$71,814.49	\$71,814.49	\$0.00	In Default
910-13506	ACTION-BLUE LINE \$34,520	\$34,520.75	\$25,604.27	373.66	84.10	457.76	\$25,230.61	\$25,230.61	\$0.00	Current
910-13507	ACTION-BLUE LINE \$45,457	\$45,457.82	\$34,587.08	453.98	115.29	569.27	\$34,133.10	\$34,133.10	\$0.00	Current
910-13508	ACTION-FINE FOOD ARTS \$31,810	\$30,000.00	\$30,000.00	0.00	0.00	0.00	\$30,000.00	\$30,000.00	\$0.00	In Default
910-13509	ACTION-SAFEPRO TECH \$100K	\$104,940.00	\$100,000.00	0.00	0.00	0.00	\$100,000.00	\$100,000.00	\$0.00	New loan April 2022
910-13510	ACTION-SWSPOT/GILDEMEISTER 54K	\$54,000.00	\$54,000.00	0.00	0.00	0.00	\$54,000.00	\$54,000.00	\$0.00	New loan June 2022
910-17002	UDAG-SLIPSTREAM-LOC	\$12,500.00	\$12,500.00	0.00	0.00	0.00	\$12,500.00	\$12,500.00	\$0.00	
TOTALS		\$614,690.25	\$584,213.91	\$5,713.74	\$300.86	\$6,014.60	\$561,107.84	\$561,107.84	\$0.00	
910-13999	ACTION LOAN-LOAN LOSS RESERVE			0.00	0.00	0.00				
910-17999	UDAG-LOAN LOSS RESERVE			0.00	0.00	0.00				

FAÇADE LOAN		ORIGINAL	01/31/2023			02/28/2023		02/28/2023		NOTES
ACCT #	CLIENT	LOAN	BALANCE	PRINCIPAL	INTEREST	TOTAL	BALANCE	GL Balance		
910-16008	FAÇADE-BOWERS HOUSE LLC \$50K	-	75,000.00	-	-	-	75,000.00	75,000.00	-	New loan April 2022
TOTALS \$		-	\$ 75,000.00	\$ -	\$ -	\$ -	\$ 75,000.00	\$ 75,000.00	\$ -	

CAPITAL CATALYST		ORIGINAL	01/31/2023			02/28/2023		02/28/2023		NOTES
ACCT #	CLIENT	LOAN	BALANCE	PRINCIPAL	INTEREST	TOTAL	BALANCE	GL Balance		
910-15000	CAP CAT-SLIPSTREAM-\$102,500	\$102,500.00	\$102,500.00	0.00	0.00	0.00	\$102,500.00	\$102,500.00	\$0.00	interest only
910-15003	CAP CAT-SLIPSTREAM-\$42,000	\$42,000.00	\$42,000.00	0.00	0.00	0.00	\$42,000.00	\$42,000.00	\$0.00	annual net revenue royalty-no payments have been received.
910-15004	CAP CAT-MEEPER TECH-\$102,000	\$102,000.00	\$102,000.00	0.00	0.00	0.00	\$102,000.00	\$102,000.00	\$0.00	annual net revenue royalty-no payments have been received.
910-15006	CAP CAT-ROYAL-INVENT-27.5K	\$27,500.00	\$27,500.00	0.00	0.00	0.00	\$27,500.00	\$27,500.00	\$0.00	annual net revenue royalty-no payments have been received.
910-15011	CAP CAT-ROYAL-SCANALYTICS-95K	\$97,500.00	\$97,500.00	0.00	0.00	0.00	\$97,500.00	\$97,500.00	\$0.00	annual net revenue royalty-first payment due October 2016
910-15012	CAP CAT-ROYAL-INVENTALATOR-75K	\$77,500.00	\$77,500.00	0.00	0.00	0.00	\$77,500.00	\$77,500.00	\$0.00	First payment received 08-21-2018
910-15015	CAP CAT-BLUELINE BATT-\$64,614	\$64,614.00	\$64,614.00	0.00	0.00	0.00	\$64,614.00	\$64,614.00	\$0.00	
910-15017	CAP CAT-BLUELINE BATT \$36,600	\$36,600.00	\$36,600.00	0.00	0.00	0.00	\$36,600.00	\$36,600.00	\$0.00	
910-15018	CAP CAT-RECRUITCHUTE \$51,050	\$51,050.00	\$51,050.00	0.00	0.00	0.00	\$51,050.00	\$51,050.00	\$0.00	
TOTALS		\$601,264.00	\$601,264.00	\$0.00	\$0.00	\$0.00	\$601,264.00	\$601,264.00	\$0.00	
910-15999	CAP CAT-LOAN LOSS RESERVE		\$0.00					\$0.00		

HOUSING		ORIGINAL	01/31/2023			02/28/2023		02/28/2023		Current
ACCT #	CLIENT	LOAN	BALANCE	PRINCIPAL	INTEREST	TOTAL	BALANCE	GL Balance		
910-14000	CDBG HOUSING-MO301	\$8,220.00	\$8,220.00	0.00	0.00	0.00	\$8,220.00	\$8,220.00	\$0.00	
910-14001	CDBG HOUSING-A8416	\$10,203.84	\$10,203.84	0.00	0.00	0.00	\$10,203.84	\$10,203.84	\$0.00	
910-14003	CDBG HOUSING-B935	\$18,420.02	\$18,420.02	0.00	0.00	0.00	\$18,420.02	\$18,420.02	\$0.00	
910-14006	CDBG HOUSING-C932	\$8,062.00	\$8,062.00	0.00	0.00	0.00	\$8,062.00	\$8,062.00	\$0.00	
910-14009	CDBG HOUSING-J8802	\$10,818.00	\$10,818.00	0.00	0.00	0.00	\$10,818.00	\$10,818.00	\$0.00	
910-14011	CDBG HOUSING-M8501	\$11,000.90	\$11,000.90	0.00	0.00	0.00	\$11,000.90	\$11,000.90	\$0.00	
910-14013	CDBG HOUSING-P954	\$11,000.00	\$11,000.00	0.00	0.00	0.00	\$11,000.00	\$11,000.00	\$0.00	
910-14016	CDBG HOUSING-V902	\$12,504.15	\$12,504.15	0.00	0.00	0.00	\$12,504.15	\$12,504.15	\$0.00	
910-14025	CDBG HOUSING-M0801	\$18,422.00	\$18,422.00	0.00	0.00	0.00	\$18,422.00	\$18,422.00	\$0.00	
910-14026	CDBG HOUSING-B0803-0901	\$34,448.00	\$34,448.00	0.00	0.00	0.00	\$34,448.00	\$34,448.00	\$0.00	
910-14030	CDBG HOUSING-HO#13-2016	\$8,000.00	\$8,000.00	0.00	0.00	0.00	\$8,000.00	\$8,000.00	\$0.00	
910-14031	CDBG HOUSING-HO#4	\$37,795.00	\$37,795.00	0.00	0.00	0.00	\$37,795.00	\$37,795.00	\$0.00	
910-14038	CDBG HOUSING-HO#14	\$14,671.00	\$18,000.00	0.00	0.00	0.00	\$18,000.00	\$18,000.00	\$0.00	
910-14039	CDBG HOUSING-HO#15	\$21,090.00	\$36,815.00	0.00	0.00	0.00	\$36,815.00	\$36,815.00	\$0.00	
910-14040	CDBG HOUSING-HO#18	\$4,235.00	\$4,235.00	0.00	0.00	0.00	\$4,235.00	\$4,235.00	\$0.00	
TOTALS		\$228,889.91	\$247,943.91	\$0.00	\$0.00	\$0.00	\$247,943.91	\$247,943.91	\$0.00	
910-14999	CDBG HOUSING-LOAN LOSS RESERVE		\$0.00					\$0.00		
910-35000	GENERAL LOAN LOSS RESERVE		\$0.00					\$0.00		

Account Name	CDA Operating	Action Bus Dev (UDAG) Checking	Façade Checking	CDBG Housing	Capital Cat Checking
Fund Account Number	Fund 900	Fund 910 xxx-127	Fund 910 xxx-442	Fund 910 xxx-450	Fund 910 xxxxxx3734
Bank	1st Citizens	1st Citizens	1st Citizens	1st Citizens	Associated
Interest Rate	4.28%	4.28%	4.28%	4.28%	0.25%
GL Account Number(s)	900-11100	910-11800 910-11801 910-11806	910-11702	910-11600	910-11900
GL Balance as of:					
03/31/2022	8,172.91	896,389.22	48,262.70	13,998.67	1,108.76
04/30/2022	41,737.78	548,362.38	48,267.82	13,635.13	1,108.85
05/31/2022	29,441.85	537,221.02	48,278.66	13,638.19	1,108.94
06/30/2022	24,425.41	474,394.36	48,299.88	13,644.18	1,109.09
07/31/2022	18,673.95	476,879.17	48,332.72	13,653.46	1,109.33
08/31/2022	12,479.29	944,815.37	48,393.66	13,670.67	1,109.57
09/30/2022	9,778.45	947,454.93	48,473.61	13,693.25	1,109.80
10/31/2022	70,610.54	941,037.42	48,570.01	13,720.48	1,110.04
11/30/2022	51,923.25	956,241.31	23,627.48	13,752.01	9,132.72
12/31/2022	47,001.45	963,756.47	23,693.95	13,790.70	9,134.66
01/31/2023	36,477.13	960,234.63	23,776.15	13,838.54	9,136.60
02/28/2023	26,218.59	966,150.05	23,852.75	13,883.13	9,138.35
Outstanding items		3,000.00			
Current Bank Balance	26,218.59	963,150.05	23,852.75	13,883.13	9,138.35
Difference:	0.00	0.00	0.00	0.00	0.00

Monthly GL bank balances may not agree with the actual month end bank account balances due to outstanding items.

February 2023 Interest Income

ACTION-BUS DEV-BUS PARK-XXX127	910-11800	3,091.82	February 2023 Interest Income
FACADE CKING-1ST CIT- XXX442	910-11702	76.60	February 2023 Interest Income
CDBG-HOUSING CHK-1CSB XXX450	910-11600	44.59	February 2023 Interest Income
CAP CAT-ASSOC BK XXXXX3734	910-11900	1.75	February 2023 Interest Income
INTEREST INCOME-ACTION FUND	910-48109-00	(3,091.82)	February 2023 Interest Income
INTEREST INCOME-FACADE	910-48103-00	(76.60)	February 2023 Interest Income
INTEREST INCOME-HOUSING	910-48104-00	(44.59)	February 2023 Interest Income
INTEREST INCOME-SEED FUND	910-48108-00	(1.75)	February 2023 Interest Income



Community Development Authority Agenda Item

Meeting Date:	March 16, 2023
Agenda Item:	Loan Program Write-offs – Provision for Doubtful Accounts
Staff Contact (name, email, phone):	Steve Hatton, shatton@whitewater-wi.gov , 262-473-1380

BACKGROUND

(Enter the who, what when, where, why)

CDA Program Fund #910 includes several loan accounts that are less than likely to be fully recovered. Two actions are being taken as we close out or 2022 Financials:

1. Loan Write-offs: We established reserves in the past to mark the loan carrying value to market. The reserve is not sufficient to fully cover the non-collectable loans. An additional provision of 100,332.80 is necessary to fully write-off Meeper, Inc.. Recovery options were explored and deemed non-recoverable by the CDA. The following loan and loan reserves will now be written off:

<u>Borrower</u>	<u>Program / Account</u>	<u>Account</u>	<u>Amount</u>
Meeper, Inc.	Action Fund Loan	910-13504	(\$81,791.63)
	Action Fund Loan	910-13032	(\$71,814.49)
	Action Loan Loss Reserve	910-13999	\$53,273.32
	Capital Catalyst Loan	910-15004	\$102,000.00

2. Provision for Loan Loss: The following reserves are being established to mark loan carrying value to market:

<u>Borrower</u>	<u>Program / Account</u>	<u>Account #</u>	<u>Amount</u>
Meeper, Inc.	Provision for Action Loan Loss	910-56500-415	(\$100,332.80)
	Provision for Catalyst Loan Loss	910-56500-417	(\$102,000.00)

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

FINANCIAL IMPACT

(If none, state N/A)

1. Write-off: Applies Reserve to Asset. No impact to fund balance or operating statement.
2. Provision for Loan Loss: Writes-down asset value. Will appear as loan loss expenditure in 2022 and will deplete fund balance.

STAFF RECOMMENDATION

N/A, Informational

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Portfolio Summary

Type	Prin. GL	Borrower	Status	Orig. Date	Maturity	Loan Amount	Int.	Pmt Amt	Last Pmt	% Advance / (Arrears)	Action	Credit Watch Balance	General Reserve	Specific Reserve	Total Reserve \$	Total Reserve %	Current Bal (GL)	Princ. Advance / (Shortfall)	Int. Advance / (Shortfall)	Total Adv. / (Shortfall)	Comments
Action	910-13500	<u>DAUQUETTE CENTER LOAN REGV</u>	Current	1/1/2021	1-Dec-27	158,330	0.00%	\$ 1,289.52	3-Mar-23	0.0%						0%	124,792	-	-	-	Balloon payment forgivable if all terms honored
Action	910-13501	<u>ACTION-LEARNING DEPOT \$41,794</u>	Past Due	7/1/2016	1-Jun-21	68,947	4.0%	\$ 698.05	3-Feb-23	(0%)	Acquire					0%	26,101	-	(0)	(0)	Matured 6/1/21 w/ 38K balloon due. Continuing monthly prmts.
Action	910-13503	<u>ACTION-BIKewise-523,099</u>	Past Due	12/27/2012	27-Dec-22	62,600	4.0%	\$ 633.79	1-Mar-23	90%	Acquire					0%	744	(4,716)	1,138	(3,578)	Requested Payoff quote
Action	910-13504	<u>ACTION-MEEPER TECH-\$97,907</u>	Past Due	2/12/2015	12-Feb-25	102,510	4.0%	\$ 1,249.53	23-May-22	(450%)	Acquire	(81,792)		81,792	81,792	100%	81,792	(4,716)	(74,051)	(60,578)	Write-off Balance 81,792
Action	910-13505	<u>ACTION-MEEPER-\$82,310</u>	Past Due	4/26/2016	26-Apr-26	82,310	4.0%	\$ 908.78	25-May-22	(114%)	Acquire	(71,814)	71,814	71,814	71,814	100%	71,814	(39,427)	2,509	(36,917)	Write-off Balance 71,814
Action	910-13506	<u>ACTION-BLUE LINE \$34,520</u>	Current	3/6/2018	6-Mar-28	41,460	4.0%	\$ 457.76	7-Mar-23	-	Acquire					0%	25,231	(10,040)	10,040	-	Current
Action	910-13507	<u>ACTION-BLUE LINE \$45,452</u>	Current	9/13/2018	13-Sep-28	51,560	4.0%	\$ 569.27	8-Feb-23	-	Acquire					0%	34,133	(11,326)	11,326	-	Current
Action	910-13508	<u>ACTION-FINE FOOD ARTS \$31,810</u>	Past Due	12/29/2021	29-May-26	30,000	5.0%	\$ 951.72	none	(19%)		30,000				0%	30,000	(1,969)	(3,300)	(5,269)	First payment due June 2023.
Action	910-13509	<u>ACTION-SAFEPRO TECH \$100K</u>	Past Due	4/11/2022	1-Jan-30	100,000	4.0%	\$ 1,473.00	none	(0%)						0%	100,000	367	(667)	(300)	Non-standard payment schedule \$100 was due 6/1/22, 12/1/22,
Action	910-13510	<u>ACTION-SWSPOT/GILDEMEISTER \$4K</u>	Past Due						None	(7%)						0%	54,000	(3,494)	-	(3,494)	3/1/23 with regular monthly payment beginning April.
Action	910-17002	<u>UDAG-SLUPSTREAM-LOC</u>	Past Due	5/27/2015	27-May-16	12,500	15.00%	LOC	none	Due in Full						0%	12,500	(12,500)	(9,428)	(21,928)	Letter to be sent
Action	910-17999	<u>UDAG-LOAN LOSS RESERVE</u>										(12,500)			(12,500)						Due in full as of 5/27/16
Action	910-13999	<u>ACTION LOAN-LOAN LOSS RESERVE</u>										(153,606)	153,606	(53,273.32)							
Total Gross						710,207						(123,606)				-9%	561,108	(69,632)	(62,432)	(132,065)	
Housing	910-14000	CDBG HOUSING-M0301	Current	-	upon sale	8,220	-	-	none	-	-	-	-	-	-	0%	8,220	-	-	-	-
Housing	910-14001	CDBG HOUSING-A8416	Current	-	upon sale	10,204	-	-	none	-	-	-	-	-	-	0%	10,204	-	-	-	-
Housing	910-14003	CDBG HOUSING-B9315	Current	-	upon sale	18,420	-	-	none	-	-	-	-	-	-	0%	18,420	-	-	-	-
Housing	910-14006	CDBG HOUSING-C932	Current	-	upon sale	8,062	-	-	none	-	-	-	-	-	-	0%	8,062	-	-	-	-
Housing	910-14009	CDBG HOUSING-J8802	Current	-	upon sale	10,818	-	-	none	-	-	-	-	-	-	0%	10,818	-	-	-	-
Housing	910-14011	CDBG HOUSING-M8501	Current	-	upon sale	11,001	-	-	none	-	-	-	-	-	-	0%	11,001	-	-	-	-
Housing	910-14013	CDBG HOUSING-P954	Current	-	upon sale	11,000	-	-	none	-	-	-	-	-	-	0%	11,000	-	-	-	-
Housing	910-14016	CDBG HOUSING-V902	Current	-	upon sale	12,504	-	-	none	-	-	-	-	-	-	0%	12,504	-	-	-	-
Housing	910-14025	CDBG HOUSING-M0801	Current	-	upon sale	18,422	-	-	none	-	-	-	-	-	-	0%	18,422	-	-	-	-
Housing	910-14026	CDBG HOUSING-B0803-0901	Current	-	upon sale	34,448	-	-	none	-	-	-	-	-	-	0%	34,448	-	-	-	-
Housing	910-14030	CDBG HOUSING-H0M13-2016	Current	-	upon sale	8,000	-	-	none	-	-	-	-	-	-	0%	8,000	-	-	-	-
Housing	910-14031	CDBG HOUSING-H0M4	Current	-	upon sale	37,795	-	-	none	-	-	-	-	-	-	0%	37,795	-	-	-	-
Housing	910-14038	CDBG HOUSING-H0M14	Current	-	upon sale	18,000	-	-	none	-	-	-	-	-	-	0%	18,000	-	-	-	-
Housing	910-14039	CDBG HOUSING-H0M15	Current	3/31/2020	upon sale	21,090	-	-	none	-	-	-	-	-	-	0%	36,815	-	-	-	-
Housing	910-14040	CDBG HOUSING-H0M18	Current	2/2/2022	upon sale	4,235	-	-	none	-	-	-	-	-	-	0%	4,235	-	-	-	-
Housing	910-14999	CDBG HOUSING-LOAN LOSS RESERVE																			
Total Gross						232,219										0%	247,944	-	-	(134,164)	
CAP CAT	910-15000	<u>CAP CAT-SLUPSTREAM-\$102,500</u>	Past Due	8/29/2013	29-Aug-15	102,500	5.25%	\$ 25,000.00	31-Oct-16	(100%)		102,500				0%	102,500	(102,500)	(31,664)	(134,164)	Matured in 2015. No pmts to date, Recommend Full Reserve
CAP CAT	910-15003	<u>CAP CAT-SLUPSTREAM-\$42,000</u>	Past Due	9/23/2014	23-Sep-19	42,000	12.0%	Royalty	None	(100%)		42,000				0%	42,000	(42,000)	(32,874)	(74,874)	Matured September 2019
CAP CAT	910-15004	<u>CAP CAT-MEEPER TECH-\$102,000</u>	Past Due	9/24/2014	24-Sep-19	102,000	4.0%	Royalty	None	(100%)		102,000	102,000	102,000	100%	102,000	(102,000)	(38,707)	(140,707)	Matured September 2019	
CAP CAT	910-15006	<u>CAP CAT-ROYAL-INVNT-27,5K</u>	Past Due	12/1/2014	1-Dec-19	27,500	4.0%	Royalty	26-Aug-20	(100%)						0%	27,500	(27,500)	(8,923)	(36,423)	Matures December 2019
CAP CAT	910-15011	<u>CAP CAT-ROYAL-SCANNALVTCS-45K</u>	Past Due	10/26/2015	26-Oct-20	97,500	4.0%	Royalty	2-Apr-19	(100%)						0%	97,500	(97,500)	(11,802)	(109,302)	Royalty based payment, single payment paid April 2019
CAP CAT	910-15012	<u>CAP CAT-ROYAL-INVNTALTOR-75K</u>	Past Due	4/8/2016	8-Apr-21	77,500	4.0%	Royalty	26-Aug-20	(17%)						0%	77,500	-	(13,050)	(13,050)	Royalty based payment, need financials. No pmts life to date
CAP CAT	910-15015	<u>CAP CAT-BLUELINE BATT-\$64614</u>	Past Due	7/12/2017	12-Jul-22	64,614	4.0%	Royalty	4-May-20	(5%)						0%	64,614	-	(3,383)	(3,383)	Royalty based payment, need financials
CAP CAT	910-15017	<u>CAP CAT-BLUELINE BATT \$36,600</u>	Past Due	5/13/2019	14-May-23	36,600	4.0%	Royalty	None	(6%)						0%	36,600	-	(2,210)	(2,210)	New loan - annual payment. Accrued interest reflected
CAP CAT	910-15018	<u>CAP CAT-RECRUITCHUTE \$51,050</u>	Past Due	5/6/2019	6-May-23	51,050	4.0%	Royalty	None	(6%)						0%	51,050	-	(3,250)	(3,250)	New loan - annual payment. Accrued interest reflected
CAP CAT	910-15999	<u>CAP CAT-LOAN LOSS RESERVE</u>										(102,000)	102,000								
Total Gross						601,264						246,500				0%	601,264	(371,500)	(345,862)	(517,362)	
Facade	910-16008	<u>FACADE-BOWERS HOUSE LLC \$50K</u>		4/2/2022	11-Mar-27	75,000	1.0%	\$ 2,115.61	None							0%	75,000	(75,000)	75,000	-	Payments begin 4/11/2024

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Jonathan K. McDonell
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To: The Community Development Authority

From: Wallace K. McDonell, City Attorney

Date: March 9, 2023

Re: Conflicts of Interest

John Weidl requested that I provide the CDA with a summary of the rules and regulations concerning conflicts of interest in City government. I am planning on attending the March 16, 2023 CDA meeting to make a brief presentation on the subject.

Important resources can be found at:

- 1) Wisconsin Statutes 19.42, 19.46, 19.59 and 946.13
- 2) Whitewater Municipal Code Chapter 7.04
- 3) Ethics.wi.gov

I have attached the following for reference:

- 1) Whitewater Municipal Code Section 7.04.070
- 2) Wisconsin Statutes 19.59, 19.46 and 946.13



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7.04.070 - Conflict of interest.

- (a) Financial and Personal Interest Prohibited. No official or employee, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest contrary to the provisions of this chapter or which would tend to impair independence of judgment or action in the performance of official duties.
- (b) Specific Conflicts Enumerated.
 - (1) Incompatible Employment. No official or employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties, unless otherwise permitted by law and unless disclosure is made as hereinafter provided.
 - (2) Gifts and Favors.
 - (A) No official or employee shall accept any gift whether in the form of service, loan, thing or promise, from any person which may tend to impair his independence of judgment or action in the performance of his duties or grant in the discharge of his duties any improper favor, service or thing of value. EXCEPTION: Advertising or promotional items having a value of ten dollars or less per gift shall be exempt.
 - (B) No official or employee may solicit or accept, either directly or indirectly, from any person or organization, money or anything of value if it could reasonably be expected to influence the employee's official actions or judgments or be considered a reward for any action or inaction on the part of the official or employee.
 - (C) An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or a member of the guest's immediate family, was a city official or employee. Participation in celebrations, grand openings, open houses, informational meetings and similar events are extended from this prohibition. This paragraph further shall not be construed to prevent candidates for elective office from accepting hospitality from citizens for the purpose of supporting the candidate's campaign.
 - (D) Gifts received by an official or employee under unusual circumstances should be referred to the ethics board within ten days of receipt for recommended disposition.
 - (3) Representing Private Interests Before City Agencies or Courts. No official or employee shall appear on behalf of any private person (other than him or herself, his or her spouse or minor children) before any city agency, board, commission or the common council if the official or employee or any board, commission or committee of which the official or employee is a member has any jurisdiction, discretion or control over the matter which is the subject of such representation. However, members of the common council may appear before city agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations.
 - (A) Ad Hoc Committee. EXCEPTION: No violation of this section shall exist, however, where an individual serves on an ad hoc committee charged with the responsibility of addressing an issue or topic in which that individual, or the employee or a client of that individual, has an interest so long as the individual discloses to the ad hoc committee that such interest exists.
- (c) Contracts with the City. No city officer or employee who, in his capacity as such officer or employee, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract with some function requiring the exercise of discretion of his part, shall enter into any contract with the city unless it falls within the confines of Sec. 946.13, Wis. Stats. "Private Interest in Public Contract Prohibited," or the following:
 - (1) The contract is awarded through a process of public notice and competitive bidding or the common council waives the requirement of this section after determining that it is in the best interest of the city to do so.
 - (2) The provisions of this section shall not apply to the designation of a public depository of public funds.
- (d) Disclosure of Interest in Legislation.
 - (1) Any member of the common council who has a financial interest or personal interest in any proposed legislation before the common council, shall disclose on the records of the common council, the nature and extent of such interest.
 - (2) Any other official or employee who has a financial interest or personal interest in any proposed legislative action of the common council or any board, commission or committee upon which the official or employee has any influence or input or of which the official or employee is a member that is to make a recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the common council or the appropriate board, commission or committee the nature and extent of such interest.

(Ord. 1529A §§ 1, 2, 2003; Ord. 1203(2/5/91) § 2(part), 1991).

19.57 Conferences, visits and economic development activities. The Wisconsin Economic Development Corporation shall file a report with the commission no later than April 30 annually, specifying the source and amount of anything of value received by the Wisconsin Economic Development Corporation during the preceding calendar year for a purpose specified in s. 19.56 (3) (e), and the program or activity in connection with which the thing is received, together with the location and date of that program or activity.

History: 1991 a. 39; 1995 a. 27 s. 9116 (5); 2011 a. 32; 2015 a. 118 s. 266 (10).

19.575 Tourism activities. The department of tourism shall file a report with the commission no later than April 30 annually, specifying the source and amount of anything of value received by the department of tourism during the preceding calendar year for a purpose specified in s. 19.56 (3) (em) and the program or activity in connection with which the thing is received, together with the location and date of that program or activity.

History: 1995 a. 27; 2015 a. 118 s. 266 (10).

19.579 Civil penalties. (1) Except as provided in sub. (2), any person who violates this subchapter may be required to forfeit not more than \$500 for each violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of any other provision of this subchapter. If the court determines that the accused has realized economic gain as a result of the violation, the court may, in addition, order the accused to forfeit the amount gained as a result of the violation. In addition, if the court determines that a state public official has violated s. 19.45 (13), the court may order the official to forfeit an amount equal to the amount or value of any political contribution, service, or other thing of value that was wrongfully obtained. If the court determines that a state public official has violated s. 19.45 (13) and no political contribution, service, or other thing of value was obtained, the court may order the official to forfeit an amount equal to the maximum contribution authorized under s. 11.1101 (1) for the office held or sought by the official, whichever amount is greater. The attorney general, when so requested by the commission, shall institute proceedings to recover any forfeiture incurred under this section which is not paid by the person against whom it is assessed.

(2) Any person who violates s. 19.45 (13) may be required to forfeit not more than \$5,000.

History: 2003 a. 39; 2007 a. 1 ss. 121, 130, 131; 2015 a. 117; 2015 a. 118 s. 266 (10).

19.58 Criminal penalties. (1) (a) Any person who intentionally violates any provision of this subchapter except s. 19.45 (13) or 19.59 (1) (br), or a code of ethics adopted or established under s. 19.45 (11) (a) or (b), shall be fined not less than \$100 nor more than \$5,000 or imprisoned not more than one year in the county jail or both.

(b) Any person who intentionally violates s. 19.45 (13) or 19.59 (1) (br) is guilty of a Class I felony.

(2) The penalties under sub. (1) do not limit the power of either house of the legislature to discipline its own members or to impeach a public official, or limit the power of a department to discipline its state public officials or employees.

(3) In this section “intentionally” has the meaning given under s. 939.23.

(4) A person who violates s. 19.50 may be fined not more than \$10,000 or imprisoned for not more than 9 months or both.

History: 1973 c. 90; Stats. 1973 s. 11.10; 1973 c. 334 ss. 33, 57, 58; Stats. 1973 s. 19.50; 1975 c. 200; 1977 c. 277 ss. 34, 37; Stats. 1977 s. 19.58; 2003 a. 39; 2015 a. 118.

19.59 Codes of ethics for local government officials, employees and candidates. (1) (a) No local public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated. A violation of this paragraph includes the acceptance of free or discounted admissions to a pro-

fessional baseball or football game by a member of the district board of a local professional baseball park district created under subch. III of ch. 229 or a local professional football stadium district created under subch. IV of ch. 229. This paragraph does not prohibit a local public official from using the title or prestige of his or her office to obtain campaign contributions that are permitted and reported as required by ch. 11. This paragraph does not prohibit a local public official from obtaining anything of value from the Wisconsin Economic Development Corporation or the department of tourism, as provided under s. 19.56 (3) (f).

(b) No person may offer or give to a local public official, directly or indirectly, and no local public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the local public official’s vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the local public official. This paragraph does not prohibit a local public official from engaging in outside employment.

(br) No local public official or candidate for local public office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer or promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of, or upon condition that, any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of a candidate, a political party, any committee registered under ch. 11, or any person making a communication that contains a reference to a clearly identified local public official holding an elective office or to a candidate for local public office.

(c) Except as otherwise provided in par. (d), no local public official may:

1. Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.

2. Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official’s immediate family either separately or together, or an organization with which the official is associated.

(d) Paragraph (c) does not prohibit a local public official from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses, or prohibit a local public official from taking official action with respect to any proposal to modify a county or municipal ordinance.

(f) Paragraphs (a) to (c) do not apply to the members of a local committee appointed under s. 289.33 (7) (a) to negotiate with the owner or operator of, or applicant for a license to operate, a solid waste disposal or hazardous waste facility under s. 289.33, with respect to any matter contained or proposed to be contained in a written agreement between a municipality and the owner, operator or applicant or in an arbitration award or proposed award that is applicable to those parties.

(g) 1. In this paragraph:

a. “District” means a local professional baseball park district created under subch. III of ch. 229 or a local professional football stadium district created under subch. IV of ch. 229.

b. “District board member” means a member of the district board of a district.

2. No district board member may accept or retain any transportation, lodging, meals, food or beverage, or reimbursement therefor, except in accordance with this paragraph.

3. A district board member may receive and retain reimbursement or payment of actual and reasonable expenses for a published work or for the presentation of a talk or participation in a meeting related to processes, proposals and issues affecting a dis-

trict if the payment or reimbursement is paid or arranged by the organizer of the event or the publisher of the work.

4. A district board member may receive and retain anything of value if the activity or occasion for which it is given is unrelated to the member's use of the time, facilities, services or supplies of the district not generally available to all residents of the district and the member can show by clear and convincing evidence that the payment or reimbursement was unrelated to and did not arise from the recipient's holding or having held a public office and was paid for a purpose unrelated to the purposes specified in subd. 3.

5. A district board member may receive and retain from the district or on behalf of the district transportation, lodging, meals, food or beverage, or reimbursement therefor or payment or reimbursement of actual and reasonable costs that the member can show by clear and convincing evidence were incurred or received on behalf of the district and primarily for the benefit of the district and not primarily for the private benefit of the member or any other person.

6. No district board member may intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person, if the information has not been communicated to the public or is not public information.

7. No district board member may use or attempt to use the position held by the member to influence or gain unlawful benefits, advantages or privileges personally or for others.

8. No district board member, member of a district board member's immediate family, nor any organization with which the district board member or a member of the district board member's immediate family owns or controls at least 10 percent of the outstanding equity, voting rights, or outstanding indebtedness may enter into any contract or lease involving a payment or payments of more than \$3,000 within a 12-month period, in whole or in part derived from district funds unless the district board member has first made written disclosure of the nature and extent of such relationship or interest to the commission and to the district. Any contract or lease entered into in violation of this subdivision may be voided by the district in an action commenced within 3 years of the date on which the commission, or the district, knew or should have known that a violation of this subdivision had occurred. This subdivision does not affect the application of s. 946.13.

9. No former district board member, for 12 months following the date on which he or she ceases to be a district board member, may, for compensation, on behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employee of the district with which he or she was associated as a district board member within 12 months prior to the date on which he or she ceased to be a district board member.

10. No former district board member, for 12 months following the date on which he or she ceases to be a district board member, may, for compensation, on behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employee of a district with which he or she was associated as a district board member in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding which was under the former member's responsibility as a district board member within 12 months prior to the date on which he or she ceased to be a member.

11. No former district board member may, for compensation, act on behalf of any party other than the district with which he or she was associated as a district board member in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding in which the former member participated personally and substantially as a district board member.

(1b) If a local public official receives an item that the official is not permitted to accept or retain under this subchapter or subch. III of ch. 13, the official shall do one of the following:

(a) Give the item to the official's agency to use or sell, except that the agency may not sell the item to any government employee or official.

(b) Give the item to another local agency or to a public institution, such as a local school, library, or museum, that can use the item.

(c) Give the item to a charitable organization, as defined in s. 11.0101 (4), not including a charitable organization with which the official or his or her immediate family is associated.

(d) Return the item to the donor.

(e) If the donor is neither a lobbyist, as defined in s. 13.62 (11), nor a principal, as defined in s. 13.62 (12), purchase the item at its full retail value and keep the item.

(1m) In addition to the requirements of sub. (1), any county, city, village or town may enact an ordinance establishing a code of ethics for public officials and employees of the county or municipality and candidates for county or municipal elective offices.

(2) An ordinance enacted under this section shall specify the positions to which it applies. The ordinance may apply to members of the immediate family of individuals who hold positions or who are candidates for positions to which the ordinance applies.

(3) An ordinance enacted under this section may contain any of the following provisions:

(a) A requirement for local public officials, other employees of the county or municipality and candidates for local public office to identify any of the economic interests specified in s. 19.44.

(b) A provision directing the county or municipal clerk or board of election commissioners to omit the name of any candidate from an election ballot who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

(c) A provision directing the county or municipal treasurer to withhold the payment of salaries or expenses from any local public official or other employee of the county or municipality who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

(d) A provision vesting administration and civil enforcement of the ordinance with an ethics board appointed in a manner specified in the ordinance. A board created under this paragraph may issue subpoenas, administer oaths and investigate any violation of the ordinance on its own motion or upon complaint by any person. The ordinance may empower the board to issue opinions upon request. Records of the board's opinions, opinion requests and investigations of violations of the ordinance may be closed in whole or in part to public inspection if the ordinance so provides.

(e) Provisions prescribing ethical standards of conduct and prohibiting conflicts of interest on the part of local public officials and other employees of the county or municipality or on the part of former local public officials or former employees of the county or municipality.

(f) A provision prescribing a forfeiture for violation of the ordinance in an amount not exceeding \$1,000 for each offense. A minimum forfeiture not exceeding \$100 for each offense may also be prescribed.

(4) This section may not be construed to limit the authority of a county, city, village or town to regulate the conduct of its officials and employees to the extent that it has authority to regulate that conduct under the constitution or other laws.

(5) (a) Any individual, either personally or on behalf of an organization or governmental body, may request of a county or municipal ethics board, or, in the absence of a county or municipal ethics board, a county corporation counsel or attorney for a local governmental unit, an advisory opinion regarding the propriety of

any matter to which the person is or may become a party. Any appointing officer, with the consent of a prospective appointee, may request of a county or municipal ethics board, or, in the absence of a county or municipal ethics board, a county corporation counsel or attorney for a local governmental unit an advisory opinion regarding the propriety of any matter to which the prospective appointee is or may become a party. The county or municipal ethics board or the county corporation counsel or attorney shall review a request for an advisory opinion and may advise the person making the request. Advisory opinions and requests therefor shall be in writing. It is prima facie evidence of intent to comply with this section or any ordinance enacted under this section when a person refers a matter to a county or municipal ethics board or a county corporation counsel or attorney for a local governmental unit and abides by the advisory opinion, if the material facts are as stated in the opinion request. A county or municipal ethics board may authorize a county corporation counsel or attorney to act in its stead in instances where delay is of substantial inconvenience or detriment to the requesting party. Except as provided in par. (b), neither a county corporation counsel or attorney for a local governmental unit nor a member or agent of a county or municipal ethics board may make public the identity of an individual requesting an advisory opinion or of individuals or organizations mentioned in the opinion.

(b) A county or municipal ethics board, county corporation counsel or attorney for a local governmental unit replying to a request for an advisory opinion may make the opinion public with the consent of the individual requesting the advisory opinion or the organization or governmental body on whose behalf it is requested and may make public a summary of an advisory opinion issued under this subsection after making sufficient alterations in the summary to prevent disclosing the identities of individuals involved in the opinion. A person who makes or purports to make public the substance of or any portion of an advisory opinion requested by or on behalf of the person waives the confidentiality of the request for an advisory opinion and of any records obtained or prepared by the county or municipal ethics board, the county corporation counsel or the attorney for the local governmental unit in connection with the request for an advisory opinion.

(6) Any county corporation counsel, attorney for a local governmental unit or statewide association of local governmental units may request the commission to issue an opinion concerning the interpretation of this section. The commission shall review such a request and may advise the person making the request.

(7) (a) Any person who violates sub. (1) may be required to forfeit not more than \$1,000 for each violation, and, if the court determines that the accused has violated sub. (1) (br), the court may, in addition, order the accused to forfeit an amount equal to the amount or value of any political contribution, service, or other thing of value that was wrongfully obtained.

(b) Any person who violates sub. (1) may be required to forfeit not more than \$1,000 for each violation, and, if the court determines that a local public official has violated sub. (1) (br) and no political contribution, service or other thing of value was obtained, the court may, in addition, order the accused to forfeit an amount equal to the maximum contribution authorized under s. 11.1101 (1) for the office held or sought by the official, whichever amount is greater.

(8) (a) Subsection (1) shall be enforced in the name and on behalf of the state by action of the district attorney of any county wherein a violation may occur, upon the verified complaint of any person.

(b) In addition and supplementary to the remedy provided in sub. (7), the district attorney may commence an action, separately or in conjunction with an action brought to obtain the remedy provided in sub. (7), to obtain such other legal or equitable relief, including but not limited to mandamus, injunction or declaratory judgment, as may be appropriate under the circumstances.

(c) If the district attorney fails to commence an action to enforce sub. (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the district attorney refuses to commence such an action, the person making the complaint may petition the attorney general to act upon the complaint. The attorney general may then bring an action under par. (a) or (b), or both.

(cm) No complaint alleging a violation of sub. (1) (br) may be filed during the period beginning 120 days before a general or spring election, or during the period commencing on the date of the order of a special election under s. 8.50, and ending on the date of that election, against a candidate who files a declaration of candidacy to have his or her name appear on the ballot at that election.

(cn) If the district attorney for the county in which a violation of sub. (1) (br) is alleged to occur receives a verified complaint alleging a violation of sub. (1) (br), the district attorney shall, within 30 days after receipt of the complaint, either commence an investigation of the allegations contained in the complaint or dismiss the complaint. If the district attorney dismisses the complaint, with or without investigation, the district attorney shall notify the complainant in writing. Upon receiving notification of the dismissal, the complainant may then file the complaint with the attorney general or the district attorney for a county that is adjacent to the county in which the violation is alleged to occur. The attorney general or district attorney may then investigate the allegations contained in the complaint and commence a prosecution.

(d) If the district attorney prevails in such an action, the court shall award any forfeiture recovered together with reasonable costs to the county wherein the violation occurs. If the attorney general prevails in such an action, the court shall award any forfeiture recovered together with reasonable costs to the state.

History: 1979 c. 120; 1981 c. 149; 1981 c. 335 s. 26; 1983 a. 166 s. 16; 1991 a. 39, 269; 1995 a. 56, 227; 1999 a. 167; 2001 a. 109; 2003 a. 39; 2007 a. 1; 2015 a. 117; 2015 a. 118 ss. 204, 266 (10); 2017 a. 112; 2021 a. 267.

SUBCHAPTER IV

PERSONAL INFORMATION PRACTICES

19.62 Definitions. In this subchapter:

(1) “Authority” has the meaning specified in s. 19.32 (1).

(2) “Internet protocol address” means an identifier for a computer or device on a transmission control protocol–Internet protocol network.

(3) “Matching program” means the computerized comparison of information in one records series to information in another records series for use by an authority or a federal agency to establish or verify an individual’s eligibility for any right, privilege or benefit or to recoup payments or delinquent debts under programs of an authority or federal agency.

(5) “Personally identifiable information” means information that can be associated with a particular individual through one or more identifiers or other information or circumstances.

(6) “Record” has the meaning specified in s. 19.32 (2).

(7) “Records series” means records that are arranged under a manual or automated filing system, or are kept together as a unit, because they relate to a particular subject, result from the same activity or have a particular form.

(8) “State authority” means an authority that is a state elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, rule or order; a state governmental or quasi–governmental corporation; the supreme court or court of appeals; or the assembly or senate.

History: 1991 a. 39; 1993 a. 215; 1995 a. 27; 1997 a. 79; 2001 a. 16; 2007 a. 20.

19.65 Rules of conduct; employee training; and security. An authority shall do all of the following:

sky box or private luxury box, at a stadium that is exempt from general property taxes under s. 70.11 (36).

History: 1991 a. 37.

19.46 Conflict of interest prohibited; exception.

(1) Except in accordance with the commission's advice under sub. (2) and except as otherwise provided in sub. (3), no state public official may:

(a) Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.

(b) Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.

(2) (a) 1. Any individual, either personally or on behalf of an organization or governmental body, may make a request of the commission in writing, electronically, or by telephone for a formal or informal advisory opinion regarding the propriety under ch. 11, subch. III of ch. 13, or this subchapter of any matter to which the person is or may become a party. Any appointing officer, with the consent of a prospective appointee, may request of the commission a formal or informal advisory opinion regarding the propriety under ch. 11, subch. III of ch. 13, or this subchapter of any matter to which the prospective appointee is or may become a party. The commission shall review a request for an advisory opinion and may issue a formal or informal written or electronic advisory opinion to the person making the request. Except as authorized or required for opinions specified in s. 19.55 (4) (b), the commission's deliberations and actions upon such requests shall be in meetings not open to the public. A member of the commission may, by written request, require the commission to review an advisory opinion.

2. To have legal force and effect, each formal and informal advisory opinion issued by the commission must be supported by specific legal authority under a statute or other law, or by specific case or common law authority. Each formal and informal advisory opinion shall include a citation to each statute or other law and each case or common law authority upon which the opinion is based, and shall specifically articulate or explain which parts of the cited authority are relevant to the commission's conclusion and why they are relevant.

3. No person acting in good faith upon a formal or informal advisory opinion issued by the commission under this subsection is subject to criminal or civil prosecution for so acting, if the material facts are as stated in the opinion request.

4. At each regular meeting of the commission, the commission administrator shall review informal advisory opinions requested of and issued by the administrator and that relate to recurring issues or issues of first impression for which no formal advisory opinion has been issued. The commission may determine to issue a formal advisory opinion adopting or modifying the informal advisory opinion. If the commission disagrees with a formal or informal advisory opinion that has been issued by or on behalf of the commission, the commission may withdraw the opinion, issue a revised formal or informal advisory opinion, or request an opinion from the attorney general. No person acting after the date of the withdrawal or issuance of the revised advisory opinion is exempted from prosecution under this subsection if the opinion upon which the person's action is based has been withdrawn or revised in relevant degree.

5. Except as authorized or required under s. 19.55 (4) (b), no member or employee of the commission may make public the identity of the individual requesting a formal or informal advisory opinion or of individuals or organizations mentioned in the opinion.

(b) 1. The commission may authorize the commission administrator or his or her designee to issue an informal written advisory opinion or transmit an informal advisory opinion electronically on behalf of the commission, subject to such limitations as the commission deems appropriate. Every informal advisory opinion shall be consistent with applicable formal advisory opinions issued by the commission, statute or other law, and case law.

2. Any individual may request in writing, electronically, or by telephone an informal advisory opinion from the commission under this paragraph. The commission's designee shall provide a written response, a written reference to an applicable statute or law, or a written reference to a formal advisory opinion of the commission to the individual, or shall refer the request to the commission for review and the issuance of a formal advisory opinion.

3. Any person receiving an informal advisory opinion under this paragraph may, at any time, request a formal advisory opinion from the commission on the same matter.

(c) 1. Any individual may request in writing, electronically, or by telephone a formal advisory opinion from the commission or the review or modification of a formal advisory opinion issued by the commission under this paragraph. The individual making the request shall include all pertinent facts relevant to the matter. The commission shall review a request for a formal advisory opinion and may issue a formal advisory opinion to the individual making the request. Except as authorized or required for opinions specified in s. 19.55 (4) (b), the commission's deliberations and actions upon such requests shall be in meetings not open to the public.

2. Any person requesting a formal advisory opinion under this paragraph may request a public or private hearing before the commission to discuss the opinion. The commission shall grant a request for a public or private hearing under this paragraph.

3. Promptly upon issuance of each formal advisory opinion, the commission shall publish the opinion together with the information specified under s. 19.55 (4) (c) on the commission's Internet site.

4. If the commission declines to issue a formal advisory opinion, it may refer the matter to the attorney general or to the standing legislative oversight committees.

(3) This section does not prohibit a state public official from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses, or prohibit a state public official from taking official action with respect to any proposal to modify state law or the state administrative code.

History: 1973 c. 90; Stats. 1973 s. 11.06; 1973 c. 334 ss. 33, 57, 58; Stats. 1973 s. 19.46; 1975 c. 422; 1977 c. 223, 277, 449; 1983 a. 166; 1985 a. 29; 1989 a. 338; 2007 a. 1; 2015 a. 118.

19.47 Operation. (1) **OFFICE.** The office of the commission shall be in Madison, but the commission may, after proper public notice and in compliance with subch. V, meet or exercise any of its powers at any other place in the state.

(2) **ADMINISTRATOR.** The commission shall appoint an administrator in the manner provided under s. 15.62 (1) (b). The administrator shall be outside the classified service. The administrator shall appoint such other personnel as he or she requires to carry out the duties of the commission and may designate an employee of the commission to serve as legal counsel of the commission. The administrator shall perform such duties as the commission assigns to him or her in the administration of ch. 11, subch. III of ch. 13, and this subchapter.

(3) **STATEMENTS OF ECONOMIC INTERESTS.** All members and employees of the commission shall file statements of economic interests with the commission.

(4) **ACTION.** Any action by the commission, except an action relating to procedure of the commission, requires the affirmative vote of at least two-thirds of its members.

discretionary power in a manner inconsistent with the duties of the officer's or employee's office or employment or the rights of others and with intent to obtain a dishonest advantage for the officer or employee or another; or

(4) In the officer's or employee's capacity as such officer or employee, makes an entry in an account or record book or return, certificate, report or statement which in a material respect the officer or employee intentionally falsifies; or

(5) Under color of the officer's or employee's office or employment, intentionally solicits or accepts for the performance of any service or duty anything of value which the officer or employee knows is greater or less than is fixed by law.

History: 1977 c. 173; 1993 a. 486; 2001 a. 109.

Sub. (5) prohibits misconduct in public office with constitutional specificity. *Ryan v. State*, 79 Wis. 2d 83, 255 N.W.2d 910 (1977).

Sub. (3) applies to a corrupt act under color of office and under de facto powers conferred by practice and usage. A person who is not a public officer may be charged as a party to the crime of official misconduct. *State v. Tronca*, 84 Wis. 2d 68, 267 N.W.2d 216 (1978).

An on-duty prison guard did not violate sub. (2) by fornicating with a prisoner in a cell. *State v. Schmit*, 115 Wis. 2d 657, 340 N.W.2d 752 (Ct. App. 1983).

Sub. (3) is not unconstitutionally vague. It does not fail to give notice that hiring and directing staff to work on political campaigns on state time with state resources is a violation. A legislator's duty under this section may be determined by reference to a variety of sources including the Senate Policy Manual, applicable statutes, and legislative rules and guidelines. The Senate Policy Manual and senate guidelines restricted political campaigning with public resources. *State v. Chvala*, 2004 WI App 53, 271 Wis. 2d 115, 678 N.W.2d 880, 03–0442.

Affirmed. 2005 WI 30, 279 Wis. 2d 216, 693 N.W.2d 747, 03–0442.

See also *State v. Jensen*, 2004 WI App 89, 272 Wis. 2d 707, 684 N.W.2d 136, 03–0106.

Affirmed. 2005 WI 31, 279 Wis. 2d 220, 694 N.W.2d 56, 03–0106.

Sub. (3) regulates conduct and not speech and is not subject to an overbreadth challenge under the 1st amendment. Legislators or their employees are not prohibited from doing or saying anything related to participation in political campaigns so long as they do not use state resources for that purpose. Legitimate legislative activity is not constrained by this statute. The line between "legislative activity" and "political activity" is sufficiently clear to prevent any confusion as to what conduct is prohibited under this statute. *State v. Chvala*, 2004 WI App 53, 271 Wis. 2d 115, 678 N.W.2d 880, 03–0442.

Affirmed. 2005 WI 30, 279 Wis. 2d 216, 693 N.W.2d 747, 03–0442.

See also *State v. Jensen*, 2004 WI App 89, 272 Wis. 2d 707, 684 N.W.2d 136, 03–0106.

Affirmed. 2005 WI 31, 279 Wis. 2d 220, 694 N.W.2d 56, 03–0106.

Enforcement of sub. (3) against a legislator does not violate the separation of powers doctrine. Enforcement does not require the courts to enforce legislative rules governing the enactment of legislation. Rather, the courts are asked to enforce a penal statute that relates to the duties of a legislator. A court may interpret an internal legislative rule to determine criminal liability if, when applied to the facts of the specific case, the rule is not ambiguous. *State v. Chvala*, 2004 WI App 53, 271 Wis. 2d 115, 678 N.W.2d 880, 03–0442.

Affirmed. 2005 WI 30, 279 Wis. 2d 216, 693 N.W.2d 747, 03–0442.

See also *State v. Jensen*, 2004 WI App 89, 272 Wis. 2d 707, 684 N.W.2d 136, 03–0106.

Affirmed. 2005 WI 31, 279 Wis. 2d 220, 694 N.W.2d 56, 03–0106.

Sub. (3) provides, as separate elements of the crime, the requirement that the conduct be inconsistent with the duties of one's office and the requirement that the conduct be done with intent to obtain a dishonest advantage. Although both elements may be proved through the same transaction, there must nevertheless be proof as to both elements. The state is required to prove beyond a reasonable doubt that the defendant exercised his or her discretionary power with the purpose to obtain a dishonest advantage. Guilt of misconduct in office does not require the defendant to have acted corruptly. *State v. Jensen*, 2007 WI App 256, 06–2095. See also *State v. Schultz*, 2007 WI App 257, 306 Wis. 2d 598, 743 N.W.2d 823, 06–2121.

946.13 Private interest in public contract prohibited.

(1) Any public officer or public employee who does any of the following is guilty of a Class I felony:

(a) In the officer's or employee's private capacity, negotiates or bids for or enters into a contract in which the officer or employee has a private pecuniary interest, direct or indirect, if at the same time the officer or employee is authorized or required by law to participate in the officer's or employee's capacity as such officer or employee in the making of that contract or to perform in regard to that contract some official function requiring the exercise of discretion on the officer's or employee's part; or

(b) In the officer's or employee's capacity as such officer or employee, participates in the making of a contract in which the officer or employee has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on the officer's or employee's part.

(2) Subsection (1) does not apply to any of the following:

(a) Contracts in which any single public officer or employee is privately interested that do not involve receipts and disbursements by the state or its political subdivision aggregating more than \$15,000 in any year.

(b) Contracts involving the deposit of public funds in public depositories.

(c) Contracts involving loans made pursuant to s. 67.12.

(d) Contracts for the publication of legal notices required to be published, provided such notices are published at a rate not higher than that prescribed by law.

(e) Contracts for the issuance to a public officer or employee of tax titles, tax certificates, or instruments representing an interest in, or secured by, any fund consisting in whole or in part of taxes in the process of collection, provided such titles, certificates, or instruments are issued in payment of salary or other obligations due such officer or employee.

(f) Contracts for the sale of bonds or securities issued by a political subdivision of the state; provided such bonds or securities are sold at a bona fide public sale to the highest bidder and the public officer or employee acquiring the private interest has no duty to vote upon the issuance of the bonds or securities.

(g) Contracts with, or tax credits or payments received by, public officers or employees for wildlife damage claims or abatement under s. 29.889, for farmland preservation under s. 91.13, 2007 stats., or s. 91.60 or subch. IX of ch. 71, soil and water resource management under s. 92.14, soil erosion control under s. 92.10, 1985 stats., animal waste management under s. 92.15, 1985 stats., and nonpoint source water pollution abatement under s. 281.65.

(3) A contract entered into in violation of this section is void and the state or the political subdivision in whose behalf the contract was made incurs no liability thereon.

(4) In this section "contract" includes a conveyance.

(5) Subsection (1) (b) shall not apply to a public officer or public employee by reason of his or her holding not more than 2 percent of the outstanding capital stock of a corporate body involved in such contract.

(6) Subsection (3) shall not apply to contracts creating a public debt, as defined in s. 18.01 (4), if the requirements of s. 18.14 (1) have been met. No evidence of indebtedness, as defined in s. 18.01 (3), shall be invalidated on account of a violation of this section by a public officer or public employee, but such officer or employee and the surety on the officer's or employee's official bond shall be liable to the state for any loss to it occasioned by such violation.

(7) Subsection (1) shall not apply to any public officer or public employee, who receives compensation for the officer's or employee's services as such officer or employee, exclusive of advances or reimbursements for expenses, of less than \$10,000 per year, merely by reason of his or her being a director, officer, employee, agent or attorney of or for a state or national bank, savings bank or trust company, or any holding company thereof. This subsection shall not apply to any such person whose compensation by such financial institution is directly dependent upon procuring public business. Compensation determined by longevity, general quality of work or the overall performance and condition of such financial institution shall not be deemed compensation directly dependent upon procuring public business.

(8) Subsection (1) shall not apply to contracts or transactions made or consummated or bonds issued under s. 66.1103.

(9) Subsection (1) does not apply to the member of a local committee appointed under s. 289.33 (7) (a) acting as a member of that committee in negotiation, arbitration or ratification of agreements under s. 289.33.

(10) Subsection (1) (a) does not apply to a member of a local workforce development board established under 29 USC 2832 or to a member of the council on workforce investment established under 29 USC 2821.

946.13 CRIMES AGAINST GOVERNMENT AND ITS ADMINISTRATION

Updated 21–22 Wis. Stats. 4

(11) Subsection (1) does not apply to an individual who receives compensation for services as a public officer or public employee of less than \$10,000 annually, exclusive of advances or reimbursements for expenses, merely because that individual is a partner, shareholder or employee of a law firm that serves as legal counsel to the public body that the officer or employee serves, unless one of the following applies:

- (a) The individual has an interest in that law firm greater than 2 percent of its net profit or loss.
- (b) The individual participates in making a contract between that public body and that law firm or exercises any official discretion with respect to a contract between them.

(c) The individual's compensation from the law firm directly depends on the individual's procurement of business with public bodies.

(12) (a) In this subsection:

1. "Research company" means an entity engaged in commercial or nonprofit activity that is related to research conducted by an employee or officer of the system or to a product of such research.

2. "System" means the University of Wisconsin System.

(b) Subsection (1) does not apply to a contract between a research company and the system or any institution or college campus within the system for purchase of goods or services, including research, if the interest that a system employee or officer has in the research company has been evaluated and addressed in a management plan issued by the individual or body responsible for evaluating and managing potential conflicts of interest and the management plan complies with the policy adopted under par. (d).

(d) The board shall adopt a policy specifying the contents required for a management plan under par. (b).

History: 1971 c. 40 s. 93; 1973 c. 12 s. 37; 1973 c. 50, 265; 1977 c. 166, 173; 1983 a. 282; 1987 a. 344, 378, 399; 1989 a. 31, 232; 1993 a. 486; 1995 a. 27, 225, 227, 435; 1997 a. 35, 248; 1999 a. 9, 85; 1999 a. 150 s. 672; 2001 a. 109; 2005 a. 417; 2009 a. 28; 2019 a. 36.

A county board member did not violate sub. (1) by accepting a job as airport manager while he was serving as a county board member for a county that was co-owner of the airport when he was appointed pursuant to advice and approval of the county corporation counsel. *State v. Davis*, 63 Wis. 2d 75, 216 N.W.2d 31 (1974).

Sub. (1) (b) is a strict liability offense. It does not include the element of corrupt motive. *State v. Stochr*, 134 Wis. 2d 66, 396 N.W.2d 177 (1986).

The defendant could not have had a pecuniary interest in, or have negotiated in his private capacity for, a position that had not yet been posted. *State v. Venema*, 2002 WI App 202, 257 Wis. 2d 491, 650 N.W.2d 898, 01–2502.

A county board member employed by an engineering and survey firm may have a possible conflict of interest in public contracts. 60 Atty. Gen. 98.

A member of the Wisconsin board of vocational, technical and adult education [now Technical college] may not bid on and contract for the construction of a building project for a vocational–technical district that would entail expenditures exceeding \$2,000 in any year, when availability of federal funds for use on such project is subject to his approval as a member of the board. 60 Atty. Gen. 310.

Discussing conflicts arising from election of a school principal to the office of alderperson. 60 Atty. Gen. 367.

Appointment of counsel for indigents involves a public contract. 62 Atty. Gen. 118.

A county supervisor who is a pharmacist probably does not violate this section in furnishing prescription services to medicaid patients when the state is solely liable for payment. 64 Atty. Gen. 108.

The marital property law does not change the applicability of this section to a member of a governmental body when that body employs the member's spouse. 76 Atty. Gen. 15.

This section applies to county board or department purchases aggregating more than \$5,000 from a county supervisor–owned business. 76 Atty. Gen. 178.

When the village board administers a community development block grant program, a member of the village board would violate this section if he or she obtained a loan in excess of \$5,000 under the program. Acting as a private contractor, the board member would violate sub. (1) if he contracted to perform the construction work for a third person who obtained a loan under the program. 76 Atty. Gen. 278.

Sub. (1) (a) may be violated by members of the Private Industry Councils when private or public entities of which they are executives, directors, or board members receive benefits under the Job Training Partnership Act. 77 Atty. Gen. 306.

A municipality's zoning decision is not a contract under sub. (1) (a), and therefore the statute does not apply to an official's participation in a zoning decision. OAG 9–14.

946.14 Purchasing claims at less than full value. Any public officer or public employee who in a private capacity

directly or indirectly intentionally purchases for less than full value or discounts any claim held by another against the state or a political subdivision thereof or against any public fund is guilty of a Class I felony.

History: 1977 c. 173; 2001 a. 109.

946.16 Judicial officer collecting claims. Any judicial officer who causes to be brought in a court over which the officer presides any action or proceeding upon a claim placed with the officer as agent or attorney for collection is guilty of a Class B misdemeanor.

History: 1977 c. 173.

946.17 Corrupt means to influence legislation; disclosure of interest. Any person who gives or agrees or offers to give anything of value to any person, for the service of such person or of any other person in procuring the passage or defeat of any measure before the legislature or before either house or any committee thereof, upon the contingency or condition of the passage or defeat of the measure, or who receives, or agrees to receive anything of value for such service, upon any such contingency or condition, or who, having a pecuniary or other interest, or acting as the agent or attorney of any person in procuring or attempting to procure the passage or defeat of any measure before the legislature or before either house or any committee thereof, attempts in any manner to influence any member of the legislature for or against the measure, without first making known to the member the real and true interest he or she has in the measure, either personally or as such agent or attorney, is guilty of a class A misdemeanor.

History: 1977 c. 278 s. 1; Stats. 1977 s. 946.17; 1993 a. 213.

946.18 Misconduct sections apply to all public officers. Sections 946.10 to 946.17 apply to public officers, whether legally constituted or exercising powers as if legally constituted.

History: 1977 c. 278; 1979 c. 110.

SUBCHAPTER III

PERJURY AND FALSE SWEARING

946.31 Perjury. (1) Whoever under oath or affirmation orally makes a false material statement which the person does not believe to be true, in any matter, cause, action or proceeding, before any of the following, whether legally constituted or exercising powers as if legally constituted, is guilty of a Class H felony:

- (a) A court;
- (b) A magistrate;
- (c) A judge, referee or court commissioner;
- (d) An administrative agency or arbitrator authorized by statute to determine issues of fact;
- (e) A notary public while taking testimony for use in an action or proceeding pending in court;
- (f) An officer authorized to conduct inquests of the dead;
- (g) A grand jury;
- (h) A legislative body or committee.

(2) It is not a defense to a prosecution under this section that the perjured testimony was corrected or retracted.

History: 1977 c. 173; 1979 c. 110; 2001 a. 109.

An arbitrator selected from a list provided by the Wisconsin Employment Relations Commission is authorized by s. 111.10 to arbitrate as provided in ch. 298 [now ch. 788] and so is "authorized by statute" within meaning of sub. (1) (d). *Layton School of Art & Design v. WERC*, 82 Wis. 2d 324, 262 N.W.2d 218 (1978).

Perjury consists of a false statement that the defendant knew was false, was made under oath in a proceeding before a judge, and was material to the proceeding. Materiality is determined by whether the trial court could have relied on the testimony in making a decision, not on whether it actually did. *State v. Munz*, 198 Wis. 2d 379, 541 N.W.2d 821 (Ct. App. 1995), 95–0635.

From: Wallace McDonell <wkm@hmattys.com>
Sent: Thursday, February 23, 2023, 2:23 PM
To: John Weidl <jweidl@whitewater-wi.gov>
Cc: Bonnie Miller <BMiller@whitewater-wi.gov>; JonathanMcDonell <jm@hmattys.com>
Subject: RE: CDA vote - offer on Dalee Property (Confidential legal opinion only to be released upon the City Manager's approval)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

John,

I received a return call from the David Buerger, Legal Counsel for the State of Wisconsin Board of Ethics and, based on information I received from him, I'm modifying my recommendation regarding the CDA vote on the Dalee property purchase. I now only recommend that there be a new vote if the action would not have passed if individuals or one of their family members were Officers or Board Members of Gro-Co abstained. In other words, if the action would have passed if those members abstained, I don't believe a new vote is necessary.

The reason I have changed my opinion is that Mr. Buerger said the Ethics Board only considered a person to be **associated** with an organization if they are Officers or Board members of the organization or own a 10% interest in it. I believe that is a reasonable interpretation and am I adopting it.

Please be advised that I am not giving the opinion that any Gro-Co Officers or Board Member who voted had a conflict of interest, rather it is my opinion that in order to avoid any possible problem it would be best for them to abstain from voting on the matter.

Wallace K. McDonell

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> your system.

From: Wallace McDonell
Sent: Tuesday, February 21, 2023 4:59 PM
To: John Weidl <jweidl@whitewater-wi.gov>

Cc: Bonnie Miller <BMiller@whitewater-wi.gov>; JonathanMcDonell <jm@hmattys.com>

Subject: RE: CDA vote - offer on Dalee Property (Confidential legal opinion only to be released upon the City Manager's approval)

John,

I recommend that there be a new CDA vote based on the below statutory section that has been adopted by Whitewater Ordinance 7.04.030.

19.46 Conflict of interest prohibited; exception. (1) Except in accordance with the commission's advice under sub. (2) and except as otherwise provided in sub. (3), no state public official may: (a) Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest. (b) Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.

Please be advised that I am not giving the opinion that the Gro-Co members who voted had a conflict of interest, rather it is my opinion that in order to avoid any possible problem it would be prudent to have a new vote.

Wallace K. McDonell

Harrison, Williams & McDonell, LLP
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From: John Weidl <jweidl@whitewater-wi.gov>

Sent: Tuesday, February 21, 2023 2:13 PM

To: Wallace McDonell <wkm@hmattys.com>

Cc: Bonnie Miller <BMiller@whitewater-wi.gov>

Subject: CDA vote - offer on Dalee Property

Wally,

Jim Allen indicated to me that there's a potential conflict of interest of members of the CDA voting on the Dalee purchase, considering that the City intends to work with a private developer to ultimately locate the Gro-Co in a future development.

I think this error is on me because I was trying to be forthright in providing information. I wanted to not seem like staff was hiding the intent of purchasing the property therefore, I took the extra step of using a letter of intent to explain that the City is aware that the Whitewater Gro-Co has identified that parcel for their future location and intends to work with Tanis and the City. Having said that, this is an arm's length transaction between the CDA and Rod Dalee and there is no contingency that the Gro-Co be included.

Would you weigh in on this for me?

If members of the CDA who are also members of the Gro-Co are should not have voted, Jim Allen has offered to do the motion of reconsideration to obtain abstentions from those CDA members. I also did not know we had members of the Gro-Co on the CDA. I do not think they are board members, but I do think that they are members that have contributed financially in some capacity as members.

If it's the case that this item needs to be revisited, I'd ask that you attend that CDA meeting and you can effectuate that item being added to the agenda with Bonnie's assistance.

Thanks Wally.

Best, - JSW

John S. Weidl

City Manager, City of Whitewater

312 W. Whitewater St., Whitewater, WI 53190
262-473-0104 | jweidl@whitewater-wi.gov

www.whitewater-wi.gov

CITY OF WHITEWATER

AFFORDABLE HOUSING FUND POLICY

ALLOCATION OF TAX INCREMENTAL DEVELOPMENT EXTENSION FUNDS

Date Issued:

Effective Date:

Responsible Department/Division:

DRAFT

PURPOSE

The purpose of the Affordable Housing Fund is to assist home buyers and developers by addressing the lack of housing stock available in the City of Whitewater, especially for low-income residents, through supporting home buyers in acquiring homes and incentivizing contractors/developers with the construction of new housing units.

The goal of the Affordable Housing Fund is to aid homebuyers and provide gap financing for projects in the City of Whitewater that seek to increase the supply of safe, quality, affordable housing and facilitate long-term affordability and sustainability. In addition, the funds seek to achieve a wider dispersion of affordable housing units throughout the city and discourage development of more affordable housing in areas with existing high concentrations.

STATEMENT OF POLICY

Background

The State of Wisconsin created the Affordable Housing Extension program ("AHE") to the Tax Incremental Finance law in 2009. Under this provision, cities with a Tax Increment District ("TID") that has retired its debt and paid for all its project costs can extend the life of the district for one year. The funds captured in the one-year extension must be used solely to benefit affordable housing and improve housing stock anywhere in the community. A city must use at least 75% of those tax increments to benefit affordable housing anywhere in the community. Affordable housing is defined as housing costing no more than 30% of the household's gross income. Any remaining portion of the increment must be used by the municipality to improve its housing stock.

Affordable Housing Funding

1.1 Funding Availability

Funding will become available intermittently as TIDs close and the one-year extensions are approved by the City Council through a resolution.

1.2 Down payment assistance

- Up to \$500,000 will be set aside initially for down payment assistance to home buyers who income-qualify, earning 80% or less of the County Median Income.
- Income-qualified homebuyers could receive a 0% interest loan for \$25,000 to be put toward the down payment on a home.
- Loan payments would be deferred until the borrowers sell the home at a point in the future.

1.3 Developer Incentives – for development of single-family homes

- A maximum of \$25,000 per dwelling unit created for households whose income is at or below 60% of the County Median Income (CMI)
- A maximum of \$10,000 per market rate unit created where at least 75% of the units in the project have an average income at or below 60% of CMI

- An additional \$5,000 per unit may be considered when necessary for projects providing fully accessible units
- Maximum amount per project: \$500,000
- Incentive would be paid out to the developer as homes are sold if they are priced to income-qualify.

1.4 Capital contribution to Homeowner Rehab Revolving Loan Fund

- A one-time contribution to the Homeowner Rehab Revolving Loan Fund to replenish funds for repairs in the amount of \$200,000.

Affordability Definition

2.1 Affordability

The maximum program mortgage payments will not exceed 30% of the household's gross income. Buyers must be qualified upon initial offer to purchase the unit by the developer or the assigned realtor.

Eligibility and Application

3.1 Applicant Eligibility - Developers

- Projects must be located in the City of Whitewater
- Projects must meet the affordability definition in section 2.1 of this document
- Projects where the developer owns the land in fee simple or has the land under a binding offer to purchase and plans have been submitted to Planning Department for review/approval

3.2 Applicant Eligibility – Down payment Assistance for Homebuyers

- Applicants must have combined household income of 80% or less than County Median Household Income
- Buyers must be prequalified by a bank for housing with consideration for the down payment assistance.
- Buyers must have an accepted offer to purchase contingent on financing

3.3 Application Process - Developers

- The Developer must meet with the Community Development Authority Office and the Neighborhood Services Department to determine eligibility
- Staff will review the application for eligibility and against the criteria outlined in this policy
- Prior to approval by CDA and City Council, staff will collect the following documents from the developer:
 - Evidence of all secured financing, including all terms and conditions
 - Copy of a partnership agreement or operating agreement if

- the applicant is a partnership or limited liability corporation.
 - Statement of cash contributions of any partner or LLC members
 - Copy of construction cost estimates, construction contract, and preliminary bids
- Applicants will present their project to CDA and City Council for approval
- The City of Whitewater Economic Development Office will receive draw requests and process grant disbursements

3.4 Application Process – Home Buyers

- Homebuyers must meet with Neighborhood Services Office with accepted offer, to determine eligibility.
- Staff will review the application for eligibility and against the criteria outlined in this policy
- Staff reports internally reviewed applications to CDA for approval

3.5 Application

To apply for the Affordable Housing Fund, applicants should complete the Affordable Housing Fund application. The application will allow the developer to describe the proposed development concept and their experience developing and operating multi-family, affordable housing projects.

Project Summary - Describe basic information on project sponsors and project ownership.

Project Description- Include the following:

- Project narrative - Describe how the proposed project meets the City's goals
- Design and Quality - Describe the construction of the units and the materials used
- Units by Bedroom Count and Income Levels
- Project Schedule
- A concept plan and site plan - Submit both plan view and elevations
- Location of the site regarding proximity to schools, shopping, employment, recreational activities, and public transportation

Development Budget

- Sources and uses budget

Financing Sources

- Financing narrative

Project Operations

- Operating narrative
- Proposed sale prices detailed by unit size and income level
- Marketing plan for sale of homes

Organizational Capacity

- General Ownership experience
- Personnel
- References
- Resume of Lead Project Manager
- Corporate philosophy on affordable housing, fair housing, and diversity, equality, and inclusion

Evaluation of Application

4.1 Project Description and Technical Approach

Evaluation of the organization's approach to the project, proposed design quality, and success in understanding and meeting the city's goals and visions for single-family development. Should conform with adopted plans.

4.2 Development Concept, Site Design, and Proposed Location

Strength of design concept, sensitivity to neighborhood context, readiness to proceed. Demonstrated commitment to energy efficiency and sustainable design. Proximity of proposed site to public transit, schools, employment opportunities, and shopping districts. Project amenities.

4.3 Financial Soundness and Capacity to Obtain Funding for the Project

Evaluation of the financial soundness of the proposed funding plan and the capacity of the developer to successfully obtain the funding necessary for the project, including operating subsidies.

4.4 Organizational Capacity

The city is seeking to invest in a developer that represents a sound, long-term investment in scarce housing resources. The city will evaluate whether all involved parties have demonstrated the experience necessary to execute the project within budget, secure funding and operate the development over the long term. The city will also determine if the mission, vision, and values of the applicant aligns with those of the City of Whitewater.

TIF Increment Policy for Affordable Housing

March 16, 2023

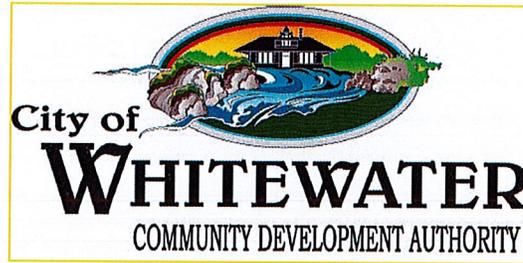
Kristen Fish-Peterson, CEcD, EDFP





Process for Receiving Input

- Draft Policy will be made available for public comment
 - Presented to CDA and City Council
 - Draft policy will be posted on web site
 - Direct outreach to contractors & developers
 - Public open house
 - Promoted on social media and public notice
 - Hosted at City Hall, evening hours, Q&A, discussion with public
 - Staffed by Kristen Fish-Peterson and members of Neighborhood Services
 - Posted as public meeting so CDA and City Council can attend if available
 - Feedback will be shared with CDA
 - CDA can initially approve and forward to Council
 - City Council provides final approval



JOB DESCRIPTION

Title:	Economic Development Director	Department(s):	Community Development Authority
Reports to:	City Manager	Location	Municipal Building
FLSA:	Exempt	Pay Grade:	Salary Resolution Full Time
Shift:	Day	Status:	Vacant
Bargaining Unit:	None	Date:	March 16, 2023

JOB SUMMARY

Provides coordinated, meaningful services and programs to residents, businesses, development prospects and other City departments that directly maintain and grow Whitewater's quality of life. Works with various commissions and community organizations to promote common development goals and objectives in the City. Initiates and coordinates activities designed to promote job growth, new investment, and economic growth in the City. Initiates and implements specific efforts towards facilitating growth and retention of both existing and new businesses in the City. Maintains a positive working relationship with Department Heads and staff, business representatives, elected and appointed city officials, community groups, outside governmental agencies, local media, and the general public.

The Economic Development Director serves on a number of staff teams including the Economic Development Team, Project Management Team and the Management Team. As a member of the City's Management Team, the Economic Development Director may be called upon to assist with the overall administration of the City of Whitewater in the consideration of general policies, programs and projects. The Economic Development Director functions under the direction of the City Manager within the Department of Administration. The Economic Development Director also serves as the Director of the Community Development Authority.

ESSENTIAL DUTIES AND RESPONSIBILITIES

This list of duties and responsibilities is not all inclusive and may be expanded to include other duties and responsibilities, as management may deem necessary.

- Serves as the primary point of contact for business inquiries, business development projects, and business prospects.
- In conjunction with the Economic Development Team, develops and implements citywide economic development marketing strategies to address business retention and recruitment as well as industry/sector development. Develops and maintains appropriate materials for the same. Responsible for **maintaining-operating** an effective business retention and expansion program (BRE), strengthening public-private relationships, bolstering a positive local business climate, and promoting/facilitating business expansion. Maintains a schedule of frequent one-on-one visits and joint visits with local businesses as part of the program.

- Responsible for the research and coordination of work between City departments and local firms to resolve problems and respond to business and development issues. Responds to business inquiries and assists in obtaining services and assistance for new and existing businesses and industries in Whitewater.
- Develops and maintains contacts with local financial institutions, utilities, construction and real estate companies to facilitate business startups, expansions, and the site selection process.
- Maintains an up-to-date inventory of existing businesses and available industrial and commercial sites and buildings throughout the City; Maintains current data concerning the City of Whitewater, the Whitewater region, the City's labor force, and the City's retail trade areas. Analyzes the data to identify opportunities, concerns, and trends. Assembles and regularly presents data to site selectors, business leads, community groups, the Common Council, CDA, and city staff.
- Attends and may serve as the City Manager's designee to various local and regional boards that may include Whitewater's Chamber of Commerce, Tourism and Main Street entities as well as the Jefferson County Economic Development Consortium, Walworth County Economic Development Alliance. **and Capital Ideas Technology Zone.**
- Assists the City Manager and other staff members in the development and application of policies and programs related to Whitewater's Tax Increment Financing Districts (TIDs), New Market Tax Credits, and Economic Opportunity Zones. Assists in the development of strategies and plans related to the long-term closure, extension, or opening of TIDs for the City.
- Responsible to the City Manager for all day-to-day economic development activities in the City including budgeting of resources, developing and issuing reports, attending meetings, seminars, workshops and other trainings. Assists the City's Management Team in developing short- and long-term plans for the City of Whitewater, including capital plans, comprehensive plans, strategic plans, etc.
- Serves as Director of the CDA, and ensures the efficient and effective operation of the Whitewater CDA in compliance with all applicable federal and state statutes and administrative rules, and the ordinances and policies of the City of Whitewater. As CDA Director, is responsible to the CDA and the Common Council for execution of the following duties and responsibilities:
 - Prepares and distributes CDA agendas and supporting materials. Attends CDA meetings, takes minutes, prepares and posts public meeting notices, and coordinates materials for distribution to CDA members as needed.
 - Responsible for ensuring the effective marketing of all city-owned, developable properties available for sale and development. Provides regular updates regarding marketing and sale efforts to the CDA and assists the City Manager in providing similar reports to the Common Council and general public.
 - Coordinates organization participation in state and federal programs through WHEDA, SBDC, Rural Development, EPA, EDA, and other agencies.
 - Oversees the administration of all community development financial programs including, but not limited to the Economic Development Loan Program, Capital Catalyst Fund, Façade Loan Program and housing assistance programs offered, managed, or facilitated by the City of Whitewater and especially the CDA. Ensures said financial programs function in accordance with federal and state requirements and CDA-adopted policy manuals. Works with the City Manager, Finance Director, City Attorney, and other staff members as needed to evaluate the ramifications of financial assistance through various financial means available to the City to encourage economic opportunity.
 - Together with the City Manager, Finance Director, legal counsel, and others as needed, develops, manages, markets, and evaluates other incentive programs used to facilitate economic activity and development. Works to identify and develop additional programs or community and economic development including loan and grant program development, management of development application processing, tax rebate programs, and other incentives. Identifies appropriate grant opportunities and prepares grant applications for funding related to community and economic

development, public infrastructure, affordable housing, and other activities in support of the City's and CDA's goals. Provide required administration for any grant funds received.

- Represents the CDA on various local and regional boards as needed.
- Coordinates effective application of TID, NMTC, or EOZ resources to facilitate community growth and development in Whitewater. Maintains data related to TID, NMTC and EOZ resources and provides regular updates and instruction on the use of these resources to the CDA. Coordinates all reporting efforts related to these programs on behalf of the City. Reporting efforts include coordination and management of TID Joint Review Board meetings. Serves as the City's/CDA's primary contact for questions, concerns, requests related to TID, NMTC and EOZ programs.
- Oversees all day-to-day CDA operations including the expenditure of CDA funds, preparing and issuing reports, attending meetings, seminars, workshops and other trainings related to directing the CDA and administering CDA programs.
- Prepares supporting materials, presentations, requests, and proposals for review by the Common Council, Whitewater University Technology Park Board, Plan and Architectural Review Commission, and other boards and committees on behalf of the CDA.
- Conduct other tasks or assignments within the scope of the CDA as directed by the CDA.

ADDITIONAL TASKS AND RESPONSIBILITIES

- Occasionally responsible to provide materials for Common Council meetings and, as a member of the City's Management Team, assist in with a number of administrative duties as needed, including the development of Common Council agendas.
- Coordinate communications and public outreach and oversee the recruitment of sponsors for specific publications, events and initiatives to maximize the potential value of sponsorships.
- Conduct other tasks or assignments as directed by the City Manager.

SUPERVISION RECEIVED AND/OR EXERCISED

- The Economic Development Director reports to the City Manager.
- The Economic Development Director will supervise interns and clerical staff as assigned.

QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

- A minimum of a bachelor's degree in business public administration, planning, geography, economics, or a related field. A master's degree is preferred, as is designation as a Certified Economic Developer (CEcD).
- A minimum of three years of closely related professional experience preferred.
- Prior grant writing and administration experience a plus.
- Understanding of business plans, financial statements and complex financing options.
- Understanding of real estate transactions and properties with detailed covenants and special values.
- Understanding the unique nature of startups and how to lead those to success is preferred.

Language Skills

- Ability to analyze data and information using established criteria, in order to determine consequences and to identify and select alternatives. Ability to compare, count, differentiate, measure, copy, record and transcribe data and information. Ability to classify, compute, tabulate, and categorize data.

- Ability to persuade, convince, and/or train others. Ability to advise and interpret how to apply policies, procedures and standards to specific situations.
- Ability to utilize a variety of advisory data and information such as code manuals, City ordinances, directories, State statutes, procedures, guidelines and non-routine correspondence.
- Ability to communicate orally and in writing with City personnel, Department personnel and City residents.

Mathematical Skills

- Ability to calculate percentages, fractions, decimals, volumes, ratios, present values, and spatial relationships.
- Ability to interpret basic descriptive statistical reports.

Reasoning Ability

- Ability to use functional reasoning in performing influence functions.
- Ability to exercise the judgment, decisiveness and creativity required in situations involving the evaluation of information against sensory and/or judgmental criteria.
- Ability to work well under pressure and handle stressful situations, to organize work and set priorities, managing time and resources to meet deadlines and changing demands within the entire operation of administrative services, perform duties with a minimum of supervision.

Other Qualifications

- Ability to effectively meet and deal with the public.
- Ability to work effectively in cooperation with employees of the City and the University of Wisconsin-Whitewater.
- Ability to work in and maintain an environment that deals with sensitive and confidential information.
- Knowledge of federal and state statutes and rules related to community development authorities, tax incremental financing, redevelopment, eminent domain, comprehensive planning, public finance, and other pertinent topics.
- Comprehensive understanding of economic development including current practices and emerging issues.
- Excellent communications skills and the ability to work with people having very diverse interests.
- Working knowledge of modern office practices and procedures, including use of Microsoft Office.
- Advanced knowledge of Microsoft Excel, including features such as filters, formulas, charts, and tables. Experience designing/developing Excel spreadsheets in a financial environment preferred.
- Ability to operate phone system, desktop computer, copy machine, postage machine, fax machine, base radio and cash register.
- Proficiency in typing, 10 key calculator, computers and electronic data processing.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is required to walk; use hands to finger, handle, or operate objects, tools, or controls; and reach with hands and arms.
- Specific vision abilities required by this job include close vision, ability to adjust focus, and the ability to sustain prolonged visual concentration.

City of Whitewater
2023 Salary Resolution, Amendment One

WHEREAS, the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, set forth the wage and salary schedule in which wages are established for employees during 2023

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, that the following ranges and numbers of employees in the 2023 Wage and Salary Schedule are hereby adopted pursuant to Wisconsin Statutes: and

BE IT FURTHER RESOLVED that the contents of this resolution shall supersede such previously adopted schedules where the subject matter between the two shall be in conflict, and the changes contained herein shall be effective beginning January 1, 2023:

Position	Department	Grade	FLSA Status	Minimum Hourly	Maximum Hourly	Minimum Annual	Maximum Annual
Accountant	Finance and Administrative Services	J	Non-Exempt	\$24.85	\$37.25		
Accounting Technician II	Finance and Administrative Services	F	Non-Exempt	\$18.79	\$24.22		
Activity Instructors	Parks and Recreation	B	Non-Exempt	\$8.66	\$12.29		
Activity Leaders / Lifeguards & WSI Aide	Parks and Recreation	B	Non-Exempt	\$10.01	\$13.68		
Administrative Assistant I - Fire/EMS	Fire and EMS	F	Non-Exempt	\$18.79	\$24.22		
Administrative Assistant I - Records Technician	Police	F	Non-Exempt	\$18.79	\$24.22		
Administrative Assistant I - Utilities	Department of Public Works	F	Non-Exempt	\$18.79	\$24.22		
Administrative Assistant I- Neighborhood Services	Neighborhood Services	F	Non-Exempt	\$18.79	\$24.22		
Administrative Assistant I-CDA	Administration	F	Non-Exempt	\$18.79	\$24.22		
Administrative Assistant I-Deputy Clerk	Administration	F	Non-Exempt	\$18.79	\$24.22		
Adult Program Coordinator	Parks and Recreation	F	Exempt			\$39,754.57	\$49,461.75
Aquatic Coordinator	Parks and Recreation	F	Exempt			\$37,831.91	\$50,377.13
Assistant Library Director	Library	J	Exempt			\$54,272.22	\$69,978.00
Athletic Program Coordinator	Parks and Recreation	F	Exempt			\$37,831.91	\$50,377.13
Bailiff	Municipal Court	H	Non-Exempt	\$25.00	\$25.00		
Captain	Police	O	Non-Exempt			\$94,232.65	\$101,794.49
Certified Instructors	Parks and Recreation	F	Non-Exempt	\$16.77	\$23.79		
Chief	Fire and EMS	O	Exempt	\$45.67	\$45.67		
Chief Election Inspectors	Administration	C	Non-Exempt	\$12.98	\$13.60		
City Clerk	Administration	J	Exempt			\$54,272.22	\$69,978.00
Clerk of Court (Part-time)	Administration	F	Non-Exempt	\$18.79	\$24.22		
Communications Coordinator	Police	I	Non-Exempt	\$22.77	\$31.25		
Community Service Officer	Police	D	Non-Exempt	\$12.02	\$17.84		
Comptroller	Finance and Administrative Services	L	Exempt			\$62,141.09	\$80,125.55
Customer Service Specialist	Library	E	Non-Exempt	\$15.20	\$19.61		
Desk Staff	Parks and Recreation	C	Non-Exempt	\$10.82	\$17.84		
Desk Staff Lead	Parks and Recreation	E	Non-Exempt	\$16.23	\$20.12		
Detective	Police	L	Non-Exempt	\$35.71	\$35.71		
Detective Lieutenant	Police	M	Non-Exempt	\$38.17	\$38.17		
Director of Public Works/City Engineer	Administration	O	Exempt			\$86,449.98	\$110,734.78
Dispatcher / Records Communications Aide I	Police	H	Non-Exempt	\$20.70	\$28.40		
Dispatcher / Records Communications Aide II	Police	G	Non-Exempt	\$19.71	\$24.05		
Economic Development Director	Administration	L	Exempt			\$59,154.47	\$90,269.60
Election Inspectors	Administration	B	Non-Exempt	\$10.82	\$11.33		
EMS Chief	Fire and EMS	M	Exempt	\$38.46	\$38.46		
EMT Advanced	Fire and EMS	E	Non-Exempt	\$18.00	\$18.00		
EMT Advanced / Firefighter	Fire and EMS	F	Non-Exempt	\$20.00	\$20.00		
EMT Basic	Fire and EMS	D	Non-Exempt	\$16.00	\$16.00		
EMT Basic / Firefighter	Fire and EMS	E	Non-Exempt	\$17.00	\$17.00		
EMT Paramedic	Fire and EMS	F	Non-Exempt	\$20.00	\$20.00		
EMT Paramedic / Firefighter	Fire and EMS	G	Non-Exempt	\$22.00	\$22.00		
Engineering Technician	DPW	I	Non-Exempt	\$25.72	\$31.21		
Executive Assistant	Administration	G	Non-Exempt	\$18.79	\$24.90		
Facility Maintenance I	Parks and Recreation	I	Non-Exempt	\$25.72	\$31.21		
Facility Maintenance II	Parks and Recreation	G	Non-Exempt	\$20.53	\$25.98		
Finance and Administrative Services Director	Finance and Administrative Services	R	Exempt			\$86,449.98	\$110,734.78
Fire Inspector / Code Enforcement Officer	Neighborhood Services	D	Non-Exempt	\$14.05	\$18.13		
Fire Inspector EMT / Firefighter	Fire and EMS	I	Non-Exempt	\$28.00	\$28.00		
First Assistant Chief	Fire and EMS	K	Non-Exempt	\$33.08	\$33.08		
Foreman (Lead)	DPW	K	Non-Exempt	\$29.33	\$35.74		
GIS Analyst	Neighborhood Services	G	Non-Exempt	\$20.41	\$26.33		
Head Lifeguard	Parks and Recreation	D	Non-Exempt	\$13.41	\$17.84		

City of Whitewater
2023 Salary Resolution, Amendment One

Position	Department	Grade	FLSA Status	Minimum Hourly	Maximum Hourly	Minimum Annual	Maximum Annual
Human Resources Administrator	Finance and Administrative Services	G	Non-Exempt	\$18.79	\$24.90		
Human Resources Manager	Finance and Administrative Services	K	Exempt			\$57,056.66	\$78,275.09
Intern	Administration	C	Non-Exempt	\$10.00	\$15.00		
IT Administrator	Finance and Administrative Services	N	Exempt			\$73,558.53	\$99,520.36
Joint Services Officer	Neighborhood Services	D	Non-Exempt	\$12.02	\$17.84		
Lab Assistant	Wastewater	C	Non-Exempt	\$11.40	\$13.83		
Laborer I	Streets/Parks/Forestry	I	Non-Exempt	\$25.72	\$31.21		
Laborer I - Mechanic	Streets/Parks/Forestry	I	Non-Exempt	\$25.72	\$31.21		
Laborer II	Streets/Parks/Forestry	G	Non-Exempt	\$20.53	\$25.98		
Lead Operator	Wastewater/Water	K	Non-Exempt	\$29.33	\$35.75		
Library Director	Library	N	Exempt			\$70,007.06	\$90,269.60
Lieutenant	Police	M	Non-Exempt	\$38.17	\$38.17		
Media Coordinator	Public Relations and Communications	E	Non-Exempt	\$15.20	\$19.61		
Media Producer	Public Relations and Communications	D	Non-Exempt	\$11.18	\$17.84		
Neighborhood Services Director	Neighborhood Services	L	Exempt			\$68,154.36	\$92,209.63
Neighborhood Services Officer	Neighborhood Services	D	Non-Exempt	\$12.02	\$17.84		
Outreach Services Specialist	Library	F	Non-Exempt	\$17.27	\$22.28		
Parks & Recreation Director	Parks and Recreation	N	Exempt			\$70,007.06	\$90,269.60
Patrol Officer	Police	K	Non-Exempt	\$28.99	\$34.02		
Patrol Officer in Training	Police	G	Non-Exempt	\$21.74	\$21.74		
Program Attendants	Parks and Recreation	A	Non-Exempt	\$8.10	\$10.06		
Programming and Makerspace Librarian	Library	F	Non-Exempt	\$17.27	\$22.28		
Public Relations / Communications Manager	Finance and Administrative Services	I	Exempt			\$50,337.63	\$64,906.75
Recreation & Community Events Manager	Parks and Recreation	I	Exempt			\$50,337.63	\$64,906.75
Rental Attendant ¹	Parks and Recreation	J	Non-Exempt	\$27.05	\$27.05		
School Resource Officer (SRO)	Police	L	Non-Exempt	\$35.71	\$35.71		
Seasonal Laborer	Streets/Parks/Forestry	C	Non-Exempt	\$11.18	\$17.36		
Sports Officials ²	Parks and Recreation	G	Non-Exempt	\$20.00	\$25.00		
Streets, Parks & Forestry Superintendent	Streets/Parks/Forestry	N	Exempt			\$70,007.06	\$90,269.60
Support Services Manager	Police	K	Exempt			\$56,615.16	\$76,597.51
Technical Services Specialist	Library	F	Non-Exempt	\$17.27	\$22.28		
Tournament Manager	Parks and Recreation	E	Non-Exempt	\$15.20	\$19.61		
Vacant Grade		N	Exempt			\$77,876.23	\$100,417.11
Vacant Grade		O	Exempt			\$81,943.11	\$104,961.88
Vacant Grade		P	Exempt			\$91,204.72	\$116,825.19
WAFC Manager	Parks and Recreation	I	Exempt			\$50,337.63	\$64,906.75
Wastewater Operator / Lab Technician	Wastewater	J	Non-Exempt	\$25.72	\$33.09		
Wastewater Plant Superintendent	Wastewater	N	Exempt			\$70,007.06	\$90,269.60
Wastewater Specialist I	Wastewater	I	Non-Exempt	\$25.72	\$31.21		
Wastewater Specialist II	Wastewater	G	Non-Exempt	\$20.53	\$25.98		
Water Laborer I	Water	I	Non-Exempt	\$25.72	\$31.21		
Water Laborer II	Water	G	Non-Exempt	\$20.53	\$25.98		
Water Operator	Water	J	Non-Exempt	\$25.72	\$33.09		
Water Superintendent	Water	N	Exempt			\$70,007.06	\$90,269.60
WIAA Sports Officials ³	Parks and Recreation	P	Non-Exempt	\$35.00	\$65.00		
Youth Educational Services Librarian	Library	G	Exempt			\$44,938.93	\$57,944.30

¹ Annual Minimum and Maximum are estimated based on a full time schedule of 2080 hours. These amounts do not reflect a guaranteed annual sum for hourly employees.

² Benefit eligible staff hired prior to 11/20/2017 will be guaranteed a minimum wage adjustment based upon the schedule published in the 2017 Salary Resolution, All wage adjustments are contingent upon an acceptable performance evaluation.

³ Paid per game/event

Resolution introduced by Councilmember, _____

AYES: _____

NOES: _____

ABSENT: _____

ADOPTED: _____

Signatures:

City Manager

Michele R Smith, City Clerk



CDA Agenda Item

Meeting Date: 03-16-2023

Agenda Item: Update Regarding Improvement of Physical Condition of Lot 9B in the Business Park

Staff Contact (name, email, phone): Brad Marquardt

BACKGROUND

(Enter the who, what when, where, why)

Requested by Board Member Jim Allen.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

FINANCIAL IMPACT

(If none, state N/A)

STAFF RECOMMENDATION

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Drone Photos of Lot 9B



