

# COMMUNITY DEVELOPMENT AUTHORITY OF WHITEFISH BAY, WISCONSIN

## By-Laws and Rules of Procedure

Approved by Whitefish Bay Community Development Authority 8/28/02

Approved by Whitefish Bay Village Board: 9/9/02

### 1. GENERAL RULES BY STATUTE, ORDINANCE OR RESOLUTION

The Community Development Authority of Whitefish Bay shall be governed and controlled by Statutes of the State of Wisconsin, and as the same may hereafter be amended; by all ordinances of Whitefish Bay as they relate to the Authority, and as such ordinances may hereafter be amended and adopted; and by the By-laws and Rules of Procedure set forth herein. All provisions of the Wisconsin Statutes, ordinances or resolutions of Whitefish Bay as may be enacted from time to time, shall take precedence over these By -Laws and Rules of Procedure.

### 2. GENERAL POWERS AND DUTIES

The Authority shall exercise all powers conferred, and perform all duties imposed, by state and local ordinance of the Village of Whitefish Bay, and shall perform such further and other duties as may properly from time to time be required by the Village Board.

Specific action taken related to the following powers shall be subject to review and approval by the Village Board:

- a. Acquisition of land
- b. Issuance of debt, other than "conduit debt" which is not support in any way by the CDA or the community
- c. Expenditure of any funds in excess of \$10,000
- d. Exercise of powers of eminent domain.
- e. Amendments, deletions, or additions to Section 2 of these By-Laws

### 3. OFFICERS AND THEIR DUTIES

Presiding Officers. The presiding officer of the Authority shall be designated as chairperson and shall be elected annually at the meeting of the Authority in April of each and every year. To act in the absence of the chairperson, the Authority shall elect a vice-chairperson to preside at the meeting. The presiding officer shall preside at all meetings of the Authority and shall have the right to vote and make motions; shall rule on matters of procedure, subject to appeal from such rulings by proper motion; shall conduct the meetings in accordance with the

within rules; shall have such powers and duties as may be necessary for conduct of orderly meetings; and such other powers and duties as herein assigned to him/her, or as may be assigned to him/her.

The executive director of the Authority shall be the Village Manager.

Treasurer. The Authority shall annually elect a treasurer from among its members. The treasurer of the Authority shall handle and keep a record of financial dealings of the Authority. The treasurer of the Village shall serve as Co-Treasurer of the Authority. The treasurer may utilize such members of the Village staff as may be made available by the Village Board to accomplish his/her tasks.

Secretary. The executive director shall serve the Authority as its secretary and advisor and shall perform all duties requested by the Authority. These duties include handling all correspondence and clerical work of the Authority; to keep accurate notes of all matters coming before the Authority; to receive and file all communications, applications, request any and all documents directed to the authority; to mark each document so received with the official filing stamp of the Authority; to publish or mail, as the case may be, all notices and advertisements required by law or as directed by the Authority; to prepare and mail to each member of the Authority not later than the Friday prior to the meeting, a summary statement of the nature of each item on such agenda and a copy of the minutes of the last meeting. The secretary may utilize such members of the Village staff as may be made available by the Village Board to accomplish his/her tasks.

4. **AGENDA**

The Executive Director shall prepare the agenda with direction from the chairperson.

5. **MEETINGS**

Regular Meetings. Regular meetings shall be held at a time and place designated by the Authority. Regular meeting times are subject to change only by consensus of the members.

Special meetings. Special meetings may be called by the presiding officer whenever in his judgment such meeting is necessary, and the presiding officer shall call such special meeting whenever he is requested to do so by at least three (3) members of the Authority. Such request may be made orally. Notice of such special meetings shall be given by announcement thereof at any regular meeting and by written or telephone notice as hereinafter provided, to such members not present at such meetings, by written notice mailed not less than 48 hours before the time fixed for such hearing; or by telephone notice not less than 24 hours before the time fixed for such hearing. Any business which could be

done at a regular meeting may be done at such special meeting. Notwithstanding these rules, the CDA shall also be subject to the Wisconsin Open Meetings law as amended from time to time.

Quorum. A quorum for all meetings shall consist of four members and the presiding officer shall be included in such a count

Order of Business. The order of business at all meetings, regular and special, shall be determined by the presiding officer.

6. **VOTING**

Provided a quorum is present and except as otherwise by law or these rules provided, the affirmative vote of a majority of the members present shall be required to decide any matter up for consideration.

Disqualification of members to vote in the event that any member shall disqualify himself or herself to vote on any matter, he/she shall, none the less, be counted in determining whether a quorum is present, but his/her disqualification shall not decrease the number of votes required for passage of any motion, resolution or the taking of any other action.

7. **PUBLIC HEARINGS**

Conduct of Public Hearings. The presiding officer shall announce immediately prior to each public hearing that no one will be heard unless he states his/her name and address. The presiding officer shall briefly explain the order of business. The presiding officer shall have the right prior to the hearing to announce that each person's statement shall be limited to a specified period of time, and that rebuttals shall be limited to a specified period of time, and the presiding officer shall have the right to terminate any statement when the speaker's time has elapsed, or in the event of unnecessary repetition, or in the event the statement is not material or germane.

Withdrawal of Application. At any time prior to a motion to grant or refuse a request, application or petition, the applicant may withdraw his/her request, application or petition and such withdrawal shall not entitle the applicant to a refund of whatever filing or publication fee may previously have been paid.

8. **DECISIONS**

All final decisions by the Authority shall be in writing and recorded as a part of the minutes of the Community Development Authority.

9. **AMENDMENT OF RULES**

These rules may be amended from time to time upon a concurring vote of a majority of all members of the Authority and upon approval of the Village Board.

The general rules of procedure of the Authority shall be governed by Robert's Rules of Order where no specific statute, law or ordinance controls.

