

TOWN OF PHELPS, WISCONSIN

RESOLUTION NO. _____

**RESOLUTION APPROVING BYLAWS OF THE
COMMUNITY DEVELOPMENT AUTHORITY OF THE
TOWN OF PHELPS, WISCONSIN; APPROVING
OFFICERS; AND OTHER ORGANIZATIONAL MATTERS
THERETO; AND DESIGNATING REDEVELOPMENT
BOUNDARIES AND DECLARING NEED FOR
REHABILITATION**

WHEREAS, the Community Development Authority of the Town of Phelps, Wisconsin (the "Authority") is a Community Development Authority organized by the Town of Phelps, Wisconsin (the "Town") and is authorized by Sections 66.1333 and 66.1335 of the Wisconsin Statutes, as amended (the "Act") to prepare redevelopment plans and urban renewal plans and undertake and carry out redevelopment and urban renewal projects within the corporate limits of the Town, including but not limited to:

- (a) to acquire property necessary or incidental to an urban renewal program and to lease, sell or otherwise transfer such property to a public body or private party for use in accordance with a redevelopment plan;
- (b) to enter into contracts determined to be necessary to effectuate the purposes of the Act; and
- (c) to issue revenue bonds to finance its activities; and

WHEREAS, a redevelopment plan ("Redevelopment Plan") is required to include property within its boundaries, as fully described on Exhibit A hereto (the "Project Area"); and

WHEREAS, the Town and the Authority have prepared a Redevelopment Plan attached hereto as Exhibit B in accordance with 66.1333(b) of the Wisconsin Statutes; and

WHEREAS, the Project Area's boundaries, as shown on the map attached hereto as Exhibit C, have been determined to be a blighted area in need of rehabilitation and blight elimination in accordance with Section 66.1333(6)(b)(1) of the Wisconsin Statutes, and

WHEREAS, the Authority will hold a public hearing on _____, 2016 in accordance with Section 66.1333(6)(b)(3); and

WHEREAS, the Authority has authorized and directed the Executive Director to publish the notice of public hearing attached hereto as Exhibit D regarding the proposed Redevelopment Plan in the official newspaper of the Town on _____, 2016 and _____, 2016;

WHEREAS, the Authority has authorized and directed the Executive Director to mail, on or before _____, 2016, by certified mail with return receipt requested, the Notice attached as Exhibit D, to each owner of the Project Area; and

WHEREAS, the Town and the Authority have found that the Redevelopment Plan is feasible and is in conformity with the master plan of the Town in accordance with Section 66.1333(6) of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Town Board that:

1. Findings and Determinations. It has been found and determined and is hereby declared:

- (a) that development in the Project Area is consistent with and in furtherance of the public purposes, plans and objectives set forth in the Redevelopment Plan; and
- (b) that development would act as an inducement for further development in the Project Area, thereby making more likely the accomplishment of the public purpose objectives set forth in the Act.

2. Preliminary Approval of the Redevelopment Plan. The Town Board does hereby preliminarily approve the Redevelopment Plan attached hereto as Exhibit B, for the Project Area. Approval of the Redevelopment Plan shall not be effective until: (i) the public hearing referenced herein has been held and (ii) the Authority and the Town Board approve such Redevelopment Plan by subsequent resolution.

3. Public Hearing. The Authority will hold a public hearing on _____, 2016, in accordance with Section 66.1333(6) (b) (3) and this resolution. The Executive Director has, on behalf of the Authority and the Town, published the notice of public hearing attached hereto as Exhibit D in the official newspaper of the Town.

4. General Authorizations. The Town Chairman and the Town Clerk/Treasurer and the appropriate deputies and officials of the Town, in accordance with their assigned responsibilities are hereby each authorized to execute, deliver, publish, file and record such other documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to accomplish the purposes of this resolution.

Any actions taken by the Town Chairman and the Town Clerk/Treasurer consistent with this resolution are hereby ratified and confirmed.

5. Resolution a Contract. No change or alteration of any kind in the provisions of this resolution may be made except as provided herein.

6. Bylaws. The Bylaws as heretofore presented to the Town Board and attached hereto as Exhibit E are hereby approved as the Bylaws of the Authority.

7. Election of Officers. The following persons have been elected to the offices of the Authority as set forth next to their names, to hold office until their respective successors are elected or until their prior death, resignation or removal and such election is hereby approved and such appointed by the Town.

Chairperson _____

Vice Chairperson _____

8. Appointment of Secretary/Executive Director. The following person has been appointed as the Secretary/Executive Director of the Authority, to hold office until his or her successor is appointed or until his or her prior death, resignation or removal:

Secretary/Executive Director _____

9. Payment of Organization Expenses. The appropriate officers of the Town are hereby authorized and directed to pay any and all expenses incurred incidental to the organization of the Authority.

10. Depository. The appropriate officers of the Authority are hereby authorized and directed to establish depository relations with such financial institutions as they may choose and they are further authorized to execute and deliver any certificate of depository resolutions which may be required, and the Commissioners are authorized to adopt the resolutions set forth on any such certificate effective as of the date of adoption indicated on such certificate. A copy of any certificate so delivered shall be maintained with the records of the Authority.

11. Effective Date: Conformity. This resolution shall be effective immediately upon its passage and approval. To the extent that any prior resolutions of the Town Board are inconsistent with the provisions hereof, this resolution shall control and such prior resolutions shall be deemed amended to such extent as may be necessary to bring them in conformity with this resolution.

Adopted and approved this _____ day of _____, 2016.

TOWN OF PHELPS, WISCONSIN

By: _____
Steve Doyen, Town Chairman

By: _____
Marjorie Hiller, Town Clerk/Treasurer

CERTIFICATION BY TOWN CLERK/TREASURER

I, Marjorie Hillet, being first duly sworn, hereby certify that I am the duly qualified and acting Town Clerk/Treasurer of the Town of Phelps, Wisconsin (the "Town"), and as such I have in my possession, or have access to, the complete corporate records of the Town and of its Town Board; that I have carefully compared the transcript attached hereto with the aforesaid records; and that said transcript attached hereto is a true, correct and complete copy of all the records in relation to the adoption of Resolution No. _____ entitled: "RESOLUTION APPROVING BYLAWS OF THE COMMUNITY DEVELOPMENT AUTHORITY OF THE TOWN OF PHELPS, WISCONSIN; APPROVING OFFICERS; AND OTHER ORGANIZATIONAL MATTERS THERETO; AND DESIGNATING REDEVELOPMENT BOUNDARIES AND DECLARING NEED FOR REHABILITATION."

I hereby further certify as follows:

1. Said Resolution was considered for adoption by the Town Board at a meeting held at Phelps Town Hall, 4495 Town Hall Road, Phelps, Wisconsin, at ___ p.m. on _____, 2016. Said meeting was a regular meeting of the Town Board and was held in open session.

2. Said Resolution was on the agenda for said meeting and public notice thereof was given not less than twenty-four (24) hours prior to the commencement of said meeting in compliance with Section 19.84 of the Wisconsin Statutes, including, without limitation, by posting on the bulletin board in the Town Hall, by notice to those news media who have filed a written request for notice of meetings, and by notice to the official newspaper of the Town.

3. Said meeting was called to order by _____, who chaired the meeting. Upon roll, I noted and recorded that the following supervisors were present:

_____	_____
_____	_____

and that the following supervisors were absent:

_____	_____
_____	_____

I noted and recorded that a quorum was present. Various matters and business were taken up during the course of the meeting without intervention of any closed session. One of the matters taken up was said Resolution, which was introduced, and its adoption was moved by _____ and seconded by _____. Following discussion and after all Supervisors who desired to do so had expressed their views for or against said Resolution, the

question was called, and upon roll being called and the continued presence of a quorum being noted, the recorded vote was as follows:

AYE:

_____	_____
_____	_____
_____	_____

NAY:

_____	_____
_____	_____

ABSTAINED:

_____	_____
_____	_____

Whereupon the meeting chairperson declared said Resolution adopted, and I so recorded it.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the Town hereto on this _____ day of _____, 2016.

TOWN OF PHELPS, WISCONSIN

[SEAL]

Marjorie Hiller, Town Clerk/Treasurer

EXHIBIT A

[LEGAL DESCRIPTION OF PROJECT AREA]

EXHIBIT B

[REDEVELOPMENT PLAN]

EXHIBIT C

[MAP OF PROJECT AREA]

EXHIBIT D

**NOTICE OF PROPOSED REDEVELOPMENT PLAN BY THE
COMMUNITY DEVELOPMENT AUTHORITY OF THE
TOWN OF PHELPS**

[NOTICE OF PUBLIC HEARING]

**NOTICE OF PROPOSED REDEVELOPMENT PLAN BY
THE COMMUNITY DEVELOPMENT AUTHORITY OF
THE TOWN OF PHELPS, WISCONSIN**

The Community Development Authority of the Town of Phelps, Wisconsin (the "Authority") and the Town of Phelps, Wisconsin have determined that the project area described as _____ (the "Project Area") is a blighted area in need of rehabilitation and blight elimination in accordance with Sections 66.1333 and 66.1335 of the Wisconsin Statutes. The Authority has scheduled a public hearing for _____ p.m. on _____ at Town Hall, 4495 Town Hall Road, Phelps, Wisconsin. The purpose of this public hearing is to allow all interested parties a full opportunity to express their views with respect to the proposed amendment to the Redevelopment Plan in order to assist the Authority in making its determination. Copies of the Redevelopment Plan are available from the Executive Director at Town Hall, 4495 Town Hall Road, Phelps, Wisconsin, weekdays from 8:00 a.m. to 4:30 p.m. or by mail.

_____, Executive Director
Authority to publish above as Class 2 Notice

Publish _____
Publish _____

Authority to mail form of notice above, by certified mail, with return receipt requested, to each owner of real property of record within the boundaries of the proposed Redevelopment Plan of the Project Area.

EXHIBIT E

[BYLAWS OF COMMUNITY DEVELOPMENT AUTHORITY
OF THE TOWN OF PHELPS, WISCONSIN]