



Whitewater CDA – **AMENDED** Agenda (**ITEMS 12 & 14B**)  
**Tuesday, June 21, 2011**  
**4:00 PM – CDA Board of Directors**  
1<sup>st</sup> Floor Community Room  
312 W Whitewater Street  
Whitewater, WI 53190

1. Call to order and roll call
2. Election of Officers
3. Approval of the Agenda
4. **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.*
5. Approval of the May 18, 2011 Minutes
6. April 2011 and May 2011 Financials
7. CDA Coordinator Updates
  - a. Retention Visits
  - b. Site Inquiries
  - c. Housing Study Update
8. Discuss Zoom Prospector Enterprise Web Application Proposal
9. Review Bids for Lab Build Out at Innovation Center
10. Tech Park Memorandum of Understanding (MOU) Update
11. Authorization to amend Agenda, per Whitewater Transparency Enhancement Ordinance No 1804A, to Discuss Legal Representation for Sale of the Former Alpha Cast Property
12. Discussion and Possible Action on Legal Representation on the Former Alpha Cast Property
13. Authorization to amend Agenda, per Whitewater Transparency Enhancement Ordinance No 1804A, to Discuss Extension of Economic Development Loan with Zingg Motors
14. Adjourn to closed session at approximately 6:00PM to reconvene at approximately 6:15PM per Wisconsin State Statutes 19.85(1)(c) “considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility” and Per Wisconsin Statute 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.**
  - a. Discussion of CDA Coordinator Position
  - b. Request for Extension of Economic Development Loan with Zingg Motors
15. Discussion and Possible Action on Extension of Economic Development Loan with Zingg Motors
16. Adjourn

*It is possible that a quorum of Common Council and Technology Park Board members may attend this meeting. Even if a quorum is present, no Common Council and/or Technology Park Board business will be conducted at this meeting. Anyone requiring special arrangements is asked to call the office of the City Manager/ City Clerk at least 24 hours prior to the meeting.*



Whitewater CDA - MINUTES  
 Wednesday, May 18, 2011  
 4:30 PM – CDA Board of Directors  
 1<sup>ST</sup> Floor Community Room  
 312 W Whitewater Street  
 Whitewater, WI 53190

**1. Call to order and roll call**

Tom Miller called the meeting to order at 4:33PM.  
 Present: Donna Henry, Larry Kachel, Jeff Knight, Tom Miller, Patrick Singer, Jim Stewart  
 Absent: Jim Allen  
 Others Present: Mary Nimm, Kevin Brunner

**2. Election of Officers**

Jeff Knight motioned to nominate Tom Miller as Chair. Singer seconded.  
 Ayes: Henry, Kachel, Knight, Miller, Singer, Stewart  
 Nays: None  
 Absent: Allen  
 Larry Kachel nominated Jeff Knight for Vice-Chair. Singer seconded.  
 Ayes: Henry, Kachel, Knight, Miller, Singer, Stewart  
 Nays: None  
 Absent: Allen  
 Singer questioned the appointment of the CDA Rep to the Tech Park Board. Nimm will research and bring back in June if necessary.

**3. Approval of the Agenda**

Jeff Knight motioned to approve the agenda. Singer seconded.  
 Ayes: Henry, Kachel, Knight, Miller, Singer, Stewart  
 Nays: None  
 Absent: Allen

**4. 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.*  
**No Citizen Comments**

**5. Approval of the May 2, 2011 Minutes**

Jeff Knight motioned to accept the May 2, 2011 minutes. Signer seconded.  
 Ayes: Henry, Kachel, Knight, Miller, Singer, Stewart  
 Nays: None  
 Absent: Allen

**6. CDA Coordinator Updates**

**a. Retention Visits**

**Nimm noted that** During the month of April, the Retention Team visited with Executives at Generac. I am still contacting these businesses in an attempt to schedule future visits:  
 Universal Electronics  
 Polymer Tech  
 Provisor  
 Randix  
 Schenk Accurate

**b. Site Inquiries**

Nimm noted that she received inquiries on available lease spaces to include office and labs.

**c. WUP 0033 & WSS 00060 – North Jefferson Street**

**Nimm noted Appraisal Status** – A copy of the summary statement is in the packet.

**Brownfield Status** – the package of materials for the DNR has been submitted. I am working to assemble information as it relates to disturbed soil and how to handle with future developments.

**d. Housing Study Update**

Nimm noted there was a meeting with Russ Kashian to discuss the initial steps in the Housing Study and Survey process.

Knight asked if there was a 2008 Study done by Kashian.

**7. Discussion and Possible Action on Proposals for Listing of Vacant Parcels for Sale in the Whitewater Business Park**

John Henderson, MLG – expressed an interest in working with Whitewater to market the Business Park. I will work with Vyttau Barcus closely along with Nimm and Brunner to find space available for inquiries. The CDA should have property listed with “some agency” so that people know the property exists. Process has changed and brokers are 100% commission. Advantage is to work together to market the area, especially Walworth county as “one”. Goal is to market collectively. Currently direct marketing to contractors. There isn’t much space in Walworth County and there is a demand for space. Land sales will happen where companies need to be. Whitewater has qualities that others don’t. MLG are members of WCEDA and are on the WCEDA board. There is a property database and there is a link through WCEDA. MLG also represents Fort Atkinson and the goal is to have a mass of properties to market collectively to get prospects looking.

Knight – 10% or min per acre? Calculations are over at approx 12.5%.

Henderson – same fee as other communities. Last piece of industrial land sold was to a utility company for a substation. Must make sure people know you exist.

Knight – co broker piece – 50/50 split or 10/40 fee... how would you handle the two locals?

Henderson – if they do commercial, we will do 50/50.

Brunner – would you write into the agreement that Walton and Tincher would have 50/50?

Henderson – yes.

Knight – look at land prices and market?

Henderson – will evaluate pricing per acre. Price of land has little to do with the decision. Tools can be made available through our global company that will be practical for WW. Like to build relationships to build other opportunities.

Knight – pricing to be merit based? No TID funding available to help assist. Does this include any of the land in the research park?

Henderson – should be marketed as two separate parks. Could install a cancellation clause. Don’t want to miss this year’s sales season.

Brunner – does it make sense to have two agreements?

Henderson – can amend contract to include.

Knight – would like to combine and have the discussion on using same agency.

Henderson – encourage moving forward to get the property on the market.

Henry – representing many communities – how do you decide which community to sell?

Henderson – depends on what companies are looking for (company criteria) and which community has what the company needs. Every community is vastly different. It really is a company decision.

Brunner – many interested parties call City Hall.

Henderson – web-based communication system for daily access to what’s going on at no cost.

Knight – what’s in it for whitewater?

Henderson – original proposal included in marketing plan for Whitewater. Specific marketing for Whitewater to brokers, users and related firms.

Kachel – how long have you had contracts and what are the terms?

Henderson – most are two-year contracts.

Brunner – please recount the comment on space in Walworth County.

Henderson – no space available, how can we entice someone to build here? I brought in the building that WinkHaus was in. There is a demand for space and there is none.

Brunner – broker open house? Consider at IC? Helpful...

Henderson – can coordinate. Need to have something that makes it worthwhile.

Knight – concern about priorities... what’s different today and what would put whitewater ahead of other communities?

Henderson – highlight benefits of WW to prospects. Need to have criteria and highlight what makes whitewater different than others.

Henry – University is mixed blessing...

Stewart – TPB and CDA – combined contract? Adding later would be better, than approving contingent to.

Knight – would like to discuss with TPB to see if they have an interest. Signing is premature. Would rather table, talk to TPB and let them come back with new ideas. Concern is they list all around us.

Stewart – timing of TPB?

Brunner – not scheduled to meet until second Wednesday of June.  
Knight – downside of delaying?  
Brunner – decisions are made between May and December?  
Stewart – enter now, and bring in others later.  
Singer – want someone to advocate for us.  
Miller – waiting might push back too far.  
Knight – clause that if TPB goes after other marketing, we can cancel at any time. The TP property is special.  
Singer – is going with them going to give us an opportunity that we might miss if we wait?  
Miller – we need to be pro-active.  
Knight – not force on TPB and go another approach if need be.  
Brunner – what about a 6mo opportunity?  
Kachel – same commission if we bring the opportunity to the broker?  
Singer – can't compare Equity... what do we have to lose?  
Singer motioned to enter into a contract with MLG for a 6mo term, to include the 50/50 sharing with Tincher and Walton to include legal review. Stewart seconded.  
Ayes: Henry, Kachel, Knight, Miller, Singer, Stewart  
Nays: None  
Absent: Allen

**8. Future Agenda Items**

Knight – market comparison? Housing report. Joint meeting with TPB.

**9. Adjourn**

Singer motioned to adjourn at 5:40pm. Stewart seconded.

Respectfully Submitted,

*Mary S Nimm*  
CDA Coordinator

**CITY OF WHITEWATER  
BALANCE SHEET  
MAY 31, 2011**

**CDA FUND**

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
900-11100 CASH	23,335.29	( 8,277.60)	( 44,687.56)	( 21,352.27)
900-11200 GENERAL CHECKING ACCOUNT	14,569.77	2.81	13.26	14,583.03
900-15100 DUE FROM GENERAL FUND	129.25	.00	.00	129.25
900-18400 OFFICE EQUIPMENT	14,101.41	.00	.00	14,101.41
<b>TOTAL ASSETS</b>	<b>52,135.72</b>	<b>( 8,274.79)</b>	<b>( 44,674.30)</b>	<b>7,461.42</b>
<u>LIABILITIES AND EQUITY</u>				
<u>LIABILITIES</u>				
900-21100 VOUCHERS PAYABLE	1,171.59	.00	( 1,171.59)	.00
900-21106 WAGES CLEARING	3,118.87	.00	( 3,118.87)	.00
900-22000 ACCUM DEPR - EQUIPMENT	12,704.22	.00	.00	12,704.22
900-25100 DUE TO GENERAL FUND	65.95	35.52	172.62	238.57
900-25101 DUE TO 910	15,711.04	.00	.00	15,711.04
900-25920 DUE TO INNOVATION CTR-FD 920	.00	75.00	75.00	75.00
<b>TOTAL LIABILITIES</b>	<b>32,771.67</b>	<b>110.52</b>	<b>( 4,042.84)</b>	<b>28,728.83</b>
<u>FUND EQUITY</u>				
900-34300 PROPRIETARY CAPITAL	19,364.05	.00	.00	19,364.05
UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD	.00	( 8,385.31)	( 40,631.46)	( 40,631.46)
<b>BALANCE - CURRENT DATE</b>	<b>.00</b>	<b>( 8,385.31)</b>	<b>( 40,631.46)</b>	<b>( 40,631.46)</b>
<b>TOTAL FUND EQUITY</b>	<b>19,364.05</b>	<b>( 8,385.31)</b>	<b>( 40,631.46)</b>	<b>( 21,267.41)</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>52,135.72</b>	<b>( 8,274.79)</b>	<b>( 44,674.30)</b>	<b>7,461.42</b>

**CITY OF WHITEWATER**  
**REVENUES WITH COMPARISON TO BUDGET**  
**FOR THE 5 MONTHS ENDING MAY 31, 2011**

**CDA FUND**

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>MISCELLANEOUS REVENUE</u>					
900-48100-56 INTEREST INCOME	2.81	17.56	.00	( 17.56)	.0
900-48630-56 GRANT ADMINISTRATION-REVENUE	.00	.00	6,000.00	6,000.00	.0
<b>TOTAL MISCELLANEOUS REVENUE</b>	<b>2.81</b>	<b>17.56</b>	<b>6,000.00</b>	<b>5,982.44</b>	<b>.3</b>
<u>OTHER FINANCING SOURCES</u>					
900-49262-56 TRANSFER-TID #4-ADMINISTRATION	.00	.00	45,000.00	45,000.00	.0
900-49263-56 TRANSFER-TID #6-ADMINISTRATION	.00	.00	5,000.00	5,000.00	.0
900-49290-56 CITY TRANSFER INCOME	.00	.00	61,803.00	61,803.00	.0
900-49300-56 FUND BALANCE APPLIED	.00	.00	5,802.00	5,802.00	.0
<b>TOTAL OTHER FINANCING SOURCES</b>	<b>.00</b>	<b>.00</b>	<b>117,605.00</b>	<b>117,605.00</b>	<b>.0</b>
<b>TOTAL FUND REVENUE</b>	<b>2.81</b>	<b>17.56</b>	<b>123,605.00</b>	<b>123,587.44</b>	<b>.0</b>

**CITY OF WHITEWATER**  
**EXPENDITURES WITH COMPARISON TO BUDGET**  
**FOR THE 5 MONTHS ENDING MAY 31, 2011**

**CDA FUND**

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>CDA</u>					
900-56500-111 SALARIES	6,362.56	31,481.57	72,977.00	41,495.43	43.1
900-56500-151 FRINGE BENEFITS	1,177.76	6,436.51	22,328.00	15,891.49	28.8
900-56500-154 PROFESSIONAL DEVELOPMENT	.00	170.00	1,075.00	905.00	15.8
900-56500-212 LEGAL SERVICES	.00	.00	1,500.00	1,500.00	.0
900-56500-219 AUDIT FEES	.00	.00	700.00	700.00	.0
900-56500-223 MARKETING	.00	288.26	12,800.00	12,511.74	2.3
900-56500-224 COUNTY/REGIONAL ECON DEV	.00	.00	5,755.00	5,755.00	.0
900-56500-225 MOBILE COMMUNICATIONS	267.90	349.92	850.00	500.08	41.2
900-56500-310 OFFICE SUPPLIES	85.88	596.95	900.00	303.05	66.3
900-56500-311 POSTAGE	35.52	200.21	500.00	299.79	40.0
900-56500-320 DUES	.00	.00	720.00	720.00	.0
900-56500-321 SUBSCRIPTIONS & BOOKS	.00	.00	300.00	300.00	.0
900-56500-330 TRAVEL EXPENSE	178.50	349.77	2,200.00	1,850.23	15.9
900-56500-341 MISC EXPENSE	280.00	775.83	1,000.00	224.17	77.6
<b>TOTAL CDA</b>	<b>8,388.12</b>	<b>40,649.02</b>	<b>123,605.00</b>	<b>82,955.98</b>	<b>32.9</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>8,388.12</b>	<b>40,649.02</b>	<b>123,605.00</b>	<b>82,955.98</b>	<b>32.9</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>( 8,385.31)</b>	<b>( 40,631.46)</b>	<b>.00</b>	<b>40,631.46</b>	<b>.0</b>

**CITY OF WHITEWATER**  
**REVENUES WITH COMPARISON TO BUDGET**  
**FOR THE 5 MONTHS ENDING MAY 31, 2011**

**CDA PROGRAMS FUND**

	PERIOD ACTUAL	YTD ACTUAL	BUDGET AMOUNT	VARIANCE	% OF BUDGET
<u>MISCELLANEOUS REVENUE</u>					
910-48101-00 INTEREST INCOME-BUSINESS DEV	55.09	1,431.73	15,500.00	14,068.27	9.2
910-48102-00 INTEREST INCOME-ECONOMIC DEV	2,164.13	3,949.92	4,800.00	850.08	82.3
910-48103-00 INTEREST INCOME-FACADE	8.80	183.06	600.00	416.94	30.5
910-48104-00 INTEREST INCOME-HOUSING	15.67	85.04	400.00	314.96	21.3
910-48105-00 INTEREST INCOME-ED DEV	2.85	13.44	30.00	16.56	44.8
910-48106-00 INTEREST INCOME-MORAINNE VIEW	.52	2.44	6.00	3.56	40.7
910-48107-00 INTEREST INC-WETLAND ESCROW	.00	1,655.10	700.00	( 955.10)	236.4
910-48602-00 MISC INCOME	880.00	915.20	.00	( 915.20)	.0
910-48604-00 RENTAL INCOME-HOWARD ROAD	700.00	3,500.00	8,400.00	4,900.00	41.7
910-48605-00 RENTAL INCOME-CROP LEASES	.00	5,880.00	5,880.00	.00	100.0
910-48608-00 LOAN INTEREST-LAVELLE	.00	408.24	408.00	( .24)	100.1
910-48613-00 LOAN INTEREST-ZINGG MOTORS	180.23	916.32	2,220.00	1,303.68	41.3
910-48645-00 LOAN INTEREST-LEARNING DEPOT	299.34	1,486.77	3,494.00	2,007.23	42.6
910-48647-00 LOAN INT-TOPPERS-\$115,659	120.79	646.94	1,596.00	949.06	40.5
910-48648-00 LOAN INT-TOPPERS-\$33,960	36.89	196.98	554.00	357.02	35.6
910-48649-00 FACADE LOAN-INT-TOPPERS-15K	.00	.00	277.00	277.00	.0
910-48650-00 FACADE-INT.-RR WALTON-15K	.00	129.61	130.00	.39	99.7
910-48651-00 FACADE-INT-WALTON DIST-30K	53.67	274.71	655.00	380.29	41.9
910-48653-00 LOAN INT-RR WALTON-15K-HOTEL	46.97	242.44	588.00	345.56	41.2
910-48655-00 ED LOAN-INT-DAN'S MEAT-15K	.00	83.76	340.00	256.24	24.6
910-48657-00 FACADE-INT-WARHAWK-45K	132.06	664.97	1,609.00	944.03	41.3
910-48658-00 LOAN INT.-960 E. MILWAUKEE LLC	836.17	2,108.99	4,951.00	2,842.01	42.6
910-48660-00 FACADE-1117 W. MAIN(SWD/TDW)	47.91	240.96	572.00	331.04	42.1
910-48662-00 LOAN-IDL-INTEREST-DR PLASTICS	.00	1,515.84	5,078.00	3,562.16	29.9
910-48680-00 ADMINISTRATION FEE-LOANS	200.00	1,700.00	1,500.00	( 200.00)	113.3
<b>TOTAL MISCELLANEOUS REVENUE</b>	<b>5,781.09</b>	<b>28,232.46</b>	<b>60,288.00</b>	<b>32,055.54</b>	<b>46.8</b>
<u>OTHER FINANCING SOURCES</u>					
910-49300-56 FUND BALANCE APPLIED	.00	.00	( 52,888.00)	( 52,888.00)	.0
<b>TOTAL OTHER FINANCING SOURCES</b>	<b>.00</b>	<b>.00</b>	<b>( 52,888.00)</b>	<b>( 52,888.00)</b>	<b>.0</b>
<b>TOTAL FUND REVENUE</b>	<b>5,781.09</b>	<b>28,232.46</b>	<b>7,400.00</b>	<b>( 20,832.46)</b>	<b>381.5</b>

**CITY OF WHITEWATER**  
**EXPENDITURES WITH COMPARISON TO BUDGET**  
**FOR THE 5 MONTHS ENDING MAY 31, 2011**

**CDA PROGRAMS FUND**

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET AMOUNT</u>	<u>VARIANCE</u>	<u>% OF BUDGET</u>
<u>CDA PROGRAMS</u>					
910-56500-212 LEGAL/PROFESSIONAL/MARKETING	7,639.67	7,639.67	4,400.00	( 3,239.67)	173.6
910-56500-295 ADMINISTRATIVE EXPENSE	.00	500.00	500.00	.00	100.0
910-56500-408 RENTAL EXPENSES	.00	1,840.45	2,500.00	659.55	73.6
<b>TOTAL CDA PROGRAMS</b>	<b>7,639.67</b>	<b>9,980.12</b>	<b>7,400.00</b>	<b>( 2,580.12)</b>	<b>134.9</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>7,639.67</b>	<b>9,980.12</b>	<b>7,400.00</b>	<b>( 2,580.12)</b>	<b>134.9</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>( 1,858.58)</b>	<b>18,252.34</b>	<b>.00</b>	<b>( 18,252.34)</b>	<b>.0</b>

**CITY OF WHITEWATER  
BALANCE SHEET  
MAY 31, 2011**

**CDA PROGRAMS FUND**

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>ASSETS</u>				
910-11101	57,504.49	1,192.51	7,420.72	64,925.21
910-11102	361,285.07	( 193,073.56)	( 49,310.03)	311,975.04
910-11103	376,215.11	( 204,313.51)	( 117,549.36)	258,665.75
910-11104	14,767.79	2.85	13.44	14,781.23
910-11105	114,100.94	115.67	585.04	114,685.98
910-11106	2,689.53	.52	2.44	2,691.97
910-11107	1,508.39	.00	( 1,508.39)	.00
910-11303	416,910.05	202,100.00	202,100.00	619,010.05
910-11305	25,000.00	.00	.00	25,000.00
910-11310	375,000.00	200,000.00	200,000.00	575,000.00
910-11315	75,849.27	.00	( 75,849.27)	.00
910-14303	122,473.47	.00	( 122,473.47)	.00
910-14308	56,116.11	( 458.70)	( 2,278.33)	53,837.78
910-14310	88,614.04	( 776.66)	410.77	89,024.81
910-14320	14,542.54	( 42.99)	( 213.54)	14,329.00
910-14337	15,000.00	( 229.28)	( 1,138.81)	13,861.19
910-14338	3,239.80	.00	( 3,239.80)	.00
910-14339	42,028.30	( 1,460.13)	( 7,257.66)	34,770.64
910-14340	12,762.69	( 427.30)	( 2,123.97)	10,638.72
910-14341	6,935.36	.00	.00	6,935.36
910-14342	17,109.37	( 766.45)	( 1,775.59)	15,333.78
910-14343	8,347.60	.00	83.76	8,431.36
910-14344	40,177.21	( 140.63)	( 698.48)	39,478.73
910-14345	170,689.39	( 1,989.85)	( 4,956.06)	165,733.33
910-14350	8,220.00	.00	.00	8,220.00
910-14351	10,203.84	.00	.00	10,203.84
910-14353	18,420.02	.00	.00	18,420.02
910-14354	9,000.00	.00	.00	9,000.00
910-14356	8,062.00	.00	.00	8,062.00
910-14359	10,818.00	.00	.00	10,818.00
910-14361	11,000.90	.00	.00	11,000.90
910-14363	11,000.00	.00	.00	11,000.00
910-14364	2,412.00	.00	.00	2,412.00
910-14366	12,504.15	.00	.00	12,504.15
910-14368	15,517.48	.00	.00	15,517.48
910-14371	4,300.00	( 100.00)	( 500.00)	3,800.00
910-14375	18,422.00	.00	.00	18,422.00
910-14378	34,448.00	.00	.00	34,448.00
910-14554	750,000.00	.00	.00	750,000.00
910-15208	15,711.04	.00	.00	15,711.04
910-15500	5,416,458.00	.00	.00	5,416,458.00
910-15521	275,171.53	.00	.00	275,171.53
<b>TOTAL ASSETS</b>	<b>9,050,535.48</b>	<b>( 367.51)</b>	<b>19,743.41</b>	<b>9,070,278.89</b>
<u>LIABILITIES AND EQUITY</u>				

**CITY OF WHITEWATER  
BALANCE SHEET  
MAY 31, 2011**

**CDA PROGRAMS FUND**

	BEGINNING BALANCE	ACTUAL THIS MONTH	ACTUAL THIS YEAR	ENDING BALANCE
<u>LIABILITIES</u>				
910-21200 DEPOSITS	900.00	.00	.00	900.00
910-25920 DUE TO FD 920-INNOVATION CTR	.00	1,491.07	1,491.07	1,491.07
<b>TOTAL LIABILITIES</b>	<b>900.00</b>	<b>1,491.07</b>	<b>1,491.07</b>	<b>2,391.07</b>
<u>FUND EQUITY</u>				
910-30110 CONTRIBUTED CAPITAL	456,815.37	.00	.00	456,815.37
910-34300 PROPRIETARY CAPITAL	7,955,855.18	.00	.00	7,955,855.18
910-35000 HOUSING LOANS RESERVE	174,316.71	.00	.00	174,316.71
910-35100 ECONOMIC DEV LOANS RESERVE	433,615.17	.00	.00	433,615.17
910-35160 FACADE LOANS RESERVE	29,033.05	.00	.00	29,033.05
<b>UNAPPROPRIATED FUND BALANCE: REVENUE OVER EXPENDITURES - YTD</b>	<b>.00</b>	<b>( 1,858.58)</b>	<b>18,252.34</b>	<b>18,252.34</b>
<b>BALANCE - CURRENT DATE</b>	<b>.00</b>	<b>( 1,858.58)</b>	<b>18,252.34</b>	<b>18,252.34</b>
<b>TOTAL FUND EQUITY</b>	<b>9,049,635.48</b>	<b>( 1,858.58)</b>	<b>18,252.34</b>	<b>9,067,887.82</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>9,050,535.48</b>	<b>( 367.51)</b>	<b>19,743.41</b>	<b>9,070,278.89</b>



**MEMORANDUM**

DATE: 06/16/2011  
 TO: Whitewater CDA Board of Directors  
 FROM: Mary S. Nimm, Coordinator  
 RE: **Notes on the June 22, 2011 Board of Directors Meeting**

**Retention Visits**

Mid-Year Summary of Retention Visits for 2011

Company #1G - completed a corporate restructuring of staff and department structure, they are however maintaining current levels of staffing at approximately 115, with the possibility of adding additional staffing over the next few years. Challenge: finding employees.

Company #2H - influx of new customers and applications and working to take over market share and expects significant future growth. Current facility is filled to capacity with both operations equipment and staffing at approximately 300 employees. Challenge: finding employees.

Company #3i- sales are increasing and looking to revamp the current facility. Company would like to increase employees from 350 to 400. Challenge: finding employees.

Company #4T - company has a niche market, with the product for one larger customer near the end of its sales opportunities. Staffing is at 150 employees. Challenge: finding appropriate employees. Of note: Company would like to see 4-lane Highway 12 to Madison, WI.

Company #4P - has orders for product at capacity. They are working to increase staffing levels. Challenge: finding employees.

Company #6G - company has launched new product line and manufacturing of existing product lines holding steady. Current staffing is level. Challenge: finding employees.

Company # 7P - "We certainly appreciation the invitation but things are really busy for us right now and would prefer that we get skipped for this yearly visit but do keep us in mind for next years."

In general, each was talked to about opportunities to utilize the meeting spaces in the Technology Park and Innovation Center, and was also asked about implications with the new Truck Traffic Ordinance with none expressing any concerns. Each was asked about the current level of City services, and none expressed any concern nor did they ask for help with anything. The common theme is the challenge to find employees. There is a need for mid-level engineers, inside sales personnel, line persons who can pass drug tests, and CNC Operators.

**Site/Expansion/Recruitment Inquiries**

Talked with a client looking for secure site for storage of trucks, with a need for water and electricity inside the facility so that he can bring business into Whitewater.

Talked with a client about new opportunities for and assisting with the recruitment for "fast food retail" on an existing site in Whitewater.

Talked with a client about assisting with marketing of a vacant parcel in/near the Downtown District.

Talked with two clients about assisting with the marketing and recruitment of specific retailers for sites in the west retail corridor.

Talked with a client about using the ED Loan Program to assist with purchasing of a business.

Talked with a client about Façade loan applications and process.

**Housing Study Update**

A copy of the draft survey and cover letter has been distributed to the Housing Subcommittee for response. Starting the week of June 20<sup>th</sup>, Mary Nimm and Russ Kashian will start distributing the survey to the larger employers.

#8

Proposal for:  
City of Whitewater

# ZoomProspector Enterprise Web Application – Local Edition

With Geographic Information System (GIS) Software, Google Mapping

*Submitted by GIS Planning Inc.*



GIS Planning, [www.gisplanning.com](http://www.gisplanning.com), is the world leader in online economic development solutions and an exclusive partner of International Economic Development Corporation (IEDC).

Confidential proposal submitted by: Russell Riblett, GIS Planning, 14 Mint Plaza, 4<sup>th</sup> Floor, San Francisco, CA 94103

## Introduction

GIS Planning's ZoomProspector Enterprise Local Edition web applications provide comprehensive information to help new, expanding and relocating businesses find the optimal location for success in your community. Using Geographic Information System (GIS) Software, our website tools provide access to in-depth information, including powerful real estate search, demographic analysis, industry reports, along with dynamic mapping tools. The applications are built upon proprietary GIS Planning and Google Maps technology, which offer state-of-the-art site selection analysis capabilities.

## ZoomProspector Enterprise Local Edition Capabilities

ZoomProspector Enterprise offers the following features designed to help expanding businesses find locations within your community:

- **Property Database** – A searchable online database of available land and buildings based on user-defined criteria.
- **Demographic Analysis** – Ability to generate user-defined drive-time and radius analysis for a complete overview of the surrounding areas around each property.
- **Search by Businesses** – Ability to search businesses by name, type, number of employees and annual revenue.
- **Property Reports** – Ability to generate presentation-quality property reports for available properties.
- **Demographic Reports**- Ability to save and share demographic, consumer expenditure and business and workforce reports within a user-defined distance from a selected property.
- **Business Reports** – Ability to analyze businesses within a user-entered radius of the site of interest to view potential suppliers and competitors.
- **Save Reports** – Ability to save user-defined property, demographic and business reports in one location for further analysis and distribution.
- **Thematic Mapping** – A visual display (also known as a “heat map”) of specific demographic variables by geography, allowing a visitor to identify optimal business locations which can be geographically understood in one glance.
- **Map Legend Display** – A map legend describing graphic elements shown on the map interface.
- **Analysis Reports** – Capability to download/save/email/share reports in Word, Excel and Adobe Acrobat or through social media for further analysis and for presentations.
- **Website Analytics** – Ability to better understand the specific interests of website visitors through quantifiable metrics.

# Sample Local Edition Website Applications

- South Central Connecticut <http://rexdevelopment.org/siteselect/cerc.html>
- South Central Connecticut Council of Governments <http://scrcog.zoomprospector.com>



Results Based On Viewing 1-7 of 45 Pages: 1 | 2 | 3 | 4 of 7

Print Sort by Export Advanced

 <p><b>308 Main Street</b> Address: 308 Main Street City: West Haven County: New Haven Zip Code: 06516 Type: Office, Investment Min Size: 13,504 sqft Max Size: 13,504 sqft Total: 13,504 sqft For Sale: yes Sale Price: \$890,000 Number Floors: 3 Highest Ceiling Height: 10 ft</p> <p>1 of 45</p>	 <p><b>171 South Broad Street</b> Address: 171 South Broad St City: Meriden County: New Haven Zip Code: 06451 Type: Office, Retail Min Size: 4,350 sqft Max Size: 4,350 sqft Total: 4,350 sqft For Sale: yes Sale Price: \$450,000 Number Floors: 1 Highest Ceiling Height: 10 ft</p> <p>2 of 45</p>	 <p><b>71 Bradley Road - Unit 10</b> Address: 71 Bradley Road - Unit 10 City: Shelton County: New Haven Zip Code: 06483 Type: Office Min Size: 1,553 sqft Max Size: 1,553 sqft Total: 10,000 sqft For Lease: yes Lease Rate: \$15 Lease Terms: \$10,000/yr</p> <p>3 of 45</p>	 <p><b>344-354 Washington Avenue</b> Address: 344-354 Washington City: North Haven County: New Haven Zip Code: 06473 Type: Office Min Size: 1,829 sqft Max Size: 6,839 sqft Total: 22,000 sqft For Lease: yes Lease Rate: \$14.95 Lease Terms: \$14,950/yr Number Floors: 1 Highest Ceiling Height: 9 ft</p> <p>4 of 45</p>	 <p><b>14 Summit Place</b> Address: 14 Summit Place City: Branford County: New Haven Zip Code: 06405 Type: Office Min Size: 1,175 sqft Max Size: 1,791 sqft Total: 10,000 sqft For Lease: yes Lease Rate: \$12.5 Lease Terms: \$12,500/yr Number Floors: 2 Highest Ceiling Height: 9 ft</p> <p>5 of 45</p>	 <p><b>131 Bradley Road</b> Address: 131 Bradley Road City: Woodbridge County: New Haven Zip Code: 06525 Type: Office Min Size: 2,114 sqft Max Size: 4,884 sqft Total: 13,000 sqft For Lease: yes Lease Rate: \$19 Lease Terms: \$10,000/yr Highest Ceiling Height: 10 ft</p> <p>6 of 45</p>	 <p><b>352 Sackett Point Road</b> Address: 352 Sackett Point Rd City: North Haven County: New Haven Zip Code: 06473 Type: Industrial, Warehouse Min Size: 10,837 sqft Max Size: 10,837 sqft Total: 60,000 sqft For Lease: yes Lease Rate: \$4.75 Lease Terms: 10/yr Number Floors: 1</p> <p>7 of 45</p>
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Print Sort by Export Advanced Viewing 1-7 of 45 Pages: 1 | 2 | 3 | 4 of 7

## Project Deliverables – Local Edition

- **Project Design** - A meeting to kick-off the development of the project will include a discussion of functionality, design and data.
- **Interface Design** - GIS Planning will develop a web interface design for the Internet GIS application. This will include customized colors selected by City of Whitewater
- , the inclusion of a customized web page header with the client logo, and additional design options shared by our project manager.
- **Development of Web-GIS Features** - GIS Planning will program the web-GIS tools and functionality of the application.
- **Online Testing and Review** - GIS Planning will provide a development website for staff review and comment. This will include application testing.
- **Project Development Completion** - GIS Planning will complete modifications and optimization of the web site completing project development.
- **Ongoing Maintenance/Hosting** – Ongoing technology assistance; website will be hosted on GIS Planning’s servers.

## Pricing

ZoomProspector Enterprise License with Google Maps .....\$4,800

### Price Includes:

- Sites and Buildings Database
- Thematic Mapping
- Demographic Mapping and Reports to 60 miles
- Business Mapping
- Demographic Data
- Hosting and Technical Assistance

Annual Renewal Fee.....\$4,800

(Price includes standard updates, hosting and ongoing technical assistance.)

Budget is based on a project area with a population of no more than 50,000 people. Quote valid thru 9/15/2011

Kevin M. Brunner, City Manager  
312 W. Whitewater Street  
Whitewater, WI 53190  
kbrunner@ci.whitewater.wi.us



# Memo

**To:** Community Development Authority  
**From:** Kevin Brunner  
**Date:** 06/17/2011  
**Re:** Award Bids for Innovation Center Lab Shell and Lab Buildout

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This is just an information item for you. The City Council is set to review and award the necessary remaining work to construct the wet labs at the Innovation Center at its meeting next Tuesday evening.

There are two pieces to this bid award. The first is to award the general construction bid to Magill Construction of Elkhorn, Wisconsin which submitted the low bid of \$99,500 for this project. Other bids submitted were for \$113,300 and \$117,600. The recommendation is to hire Magill to do the general construction work.

In addition, under the Innovation Center construction contract the other prime contractors have submitted bids that would be done as change orders on the original Innovation Center construction contract. These bids have been reviewed/negotiated with our consulting architects at Eppstein, Uhen and are recommended by them. These amounts are for the HVAC work to North American Mechanical in the amount of \$182,995; for the electrical work to Rewald Electric in the amount \$38,338; for the plumbing work to DeGarmo Plumbing in the amount of \$29,838; and for fire protection to Freedom Fire in the amount of \$3,750.

The reason why we had to bid the general construction work on this project is that the Economic Development Administration (EDA) would not have paid for any general construction work to be done by J. P. Cullen, hence, we competitively bid this portion of this project out. The total construction cost is \$354,421. We have sufficient funds on hand to complete this work, taking into account the expected EDA reimbursement for the lab shell construction. The EDA will not contribute toward the lab build out cost.

The University of Wisconsin-Whitewater will be leasing two of the four labs that will be constructed as part of this project. The other two labs are to be leased to other parties.

The EDA has requested that this project construction be completed no later than September 30th so that we can receive reimbursement during the current federal fiscal year. Expedited approval of the low bid for the general construction contract as well as the change order for the related HVAC, electrical, plumbing and fire protection work is needed.

BID FOR: Whitewater Innovation Center - Laboratory Fit Out

EUA PROJECT NO: 711025-01  
 EDA AWARD NO: 06-01-05479  
 BID DATE: June 16, 2011

	BIDDER	BASE BID	OWNER PURCHASED	TOTAL BID - GC	HVAC (NAMI)	ELECTRICAL (Rewalk)	PLUMBING (Degarmo)	FIRE PROTECTION (Freedom)	TOTAL CONSTRUCTION
#1	Magill Construction 977 Koopman Lane Elkhorn, WI	65,891.00	33,609.00	99,500.00	182,995	38,338	29,838	3,750	\$ 354,421 <sup>00</sup>
#2	Scherrer Construction POB 740 Burlington	79,200.00	38,400.00	117,600.00	182,995	38,338	29,838	3,750	\$ 372,521 <sup>00</sup>
#3	Gilbank Construction 301 Scot Dr. Clinton, WI 53525	80,586.00	32,714.00	113,300.00	182,995	38,338	29,838	3,750	\$ 368,221 <sup>00</sup>
#4					182,995	38,338	29,838	3,750	
#5					182,995	38,338	29,838	3,750	
#6					182,995	38,338	29,838	3,750	
#7					182,995	38,338	29,838	3,750	
#8					182,995	38,338	29,838	3,750	
#9					182,995	38,338	29,838	3,750	
#10					182,995	38,338	29,838	3,750	

Received by Michelle Smith  
 Bids taken by Cliff Goodhart

**MEMORANDUM**

**TO:** Community Development Authority  
**FROM:** Kevin Brunner, City Manager  
**DATE:** June 17, 2011  
**RE:** Memorandum of Understanding between the University Technology Park Board and UW-Whitewater for Operation of Technology Park and Innovation Center

Please find attached a copy of the approved Memorandum of Understanding between the University Technology Park Board of Directors and UW-Whitewater for the Operation of the Technology Park and Innovation Center for your review and information. This MOU was approved by the Technology Park Board of Directors at its June 15, 2011 meeting.

The next step in our process of formalizing the working relationship for the Innovation Center and Whitewater University Technology Park will be to negotiate a long-term agreement between the City, CDA and the Technology Park Board. As you recall, a one year agreement was put into place earlier this year. The CDA wanted to have the Technology Park Board execute its agreement with the University next and then requested to have a 5-10 year agreement (or longer) be negotiated between the parties. We are ready to now go forward with that step in our organizational development.

I will review this agreement with you at next week's meeting.

cc- Chancellor Telfer  
Mary Nimm

**MEMORANDUM OF UNDERSTANDING BETWEEN THE WHITEWATER  
UNIVERSITY TECHNOLOGY PARK BOARD AND THE UNIVERSITY OF  
WISCONSIN-WHITTEWATER CONCERNING CONTRIBUTIONS TO THE  
WHITEWATER INNOVATION CENTER AND TECHNOLOGY PARK**

06-15-11 Approved by Whitewater Tech Park Board

This Memorandum of Understanding is made by and between the Whitewater-University Technology Park, Inc., hereinafter at times referred to as the "Board", and the University of Wisconsin-Whitewater, hereinafter at times referred to as the "University".

WHEREAS, the parties seek to cooperate in the operation and use of the City of Whitewater Innovation Center and Technology Park.

Now, therefore, **IT IS HEREBY AGREED AS FOLLOWS:**

**ARTICLE I**

**TERM OF AGREEMENT**

**1.01 Initial Term.** The initial term of this Agreement shall run for one year commencing on May 1, 2011, and ending on April 30, 2012, unless sooner terminated in accordance with this Agreement or in furtherance of the parties' rights and remedies in the event of a default.

**1.02 Extension of Term.** The parties may by agreement extend or shorten the term of this memorandum of Understanding at any time.

**ARTICLE II**

**COMMITMENTS**

**2.01 Commitments.**

(a) The Board shall provide to the University as a contribution under this agreement the use of Innovation Center Suites 224 and 226 and two additional suites (totaling approximately 2,200 square feet) and a portion of lab space 118 (totaling approximately 1,275 square feet).

The Board shall complete the construction of the building shell for this lab space (walls, ceilings, floors, electrical, HVAC, plumbing stubs). The University shall be responsible for any enhancement such as propane gas and distilled water related improvements, additional benches, and other additional improvements. The parties shall collaborate on the design of the lab space buildout.

The Board shall receive a credit under 3.01 for \$41,437.50 per year for providing the lab space (\$32.50 per square foot) and \$44,000.00 per year for the suite space (\$20.00 per square foot). These rates shall increase annually based on square footage rates established by the Board and agreed to by the University.

(b) The University shall provide a manager for the Innovation Center. Said manager shall be a University of Wisconsin-Whitewater employee, and the University shall pay the employee's salary and benefits. The University will receive a credit for this contribution under Article III. The employee will be a full-time University employee who will be assigned to work approximately 50% of the time as the manager of the Innovation Center. (See attached position description, Appendix A.) The Board shall provide office space to the manager (without contribution credit). The University will provide furnishings and equipment for the space (without contribution credit).

(c) The University shall provide Information Technology support for the Whitewater University Technology Park, including the Innovation Center, on an "Infrastructure Support/Project Work Model", whereby infrastructure support is provided on a "retainer" basis (1 hour per week per service) and project work is funded on a per hour basis. The University shall receive a credit for this contribution under Article III. See attached ICIT Scope of Services description, Appendix B.

(e) The University of Wisconsin-Whitewater will manage the business incubation program and provide services as described in the attached Inventory of Business Incubation Services, Appendix C. No credit will be given for Incubator Services provided by the University.

(f) In certain instances upon written agreement of the parties, the University will pay for construction, services, or supplies for the Innovation Center and Technology Park. Any payments for these activities will be considered University of Wisconsin-Whitewater contributions and will be credited in Article III.

### ARTICLE III

#### ACCOUNTING AND BUDGET

**3.01 Accounting for Contributions.** On a quarterly basis the parties shall calculate and exchange contribution figures for the purpose of providing the parties with information on a quarterly basis for planning purposes. On an annual basis by February 1, the parties shall calculate and agree upon the contributions made by each party during the previous calendar year. If the Board's contribution is greater, the University will provide a cash payment to the Board. If the University's contribution is greater, the University will be given the use of additional space at the Innovation Center to compensate it for its excess contribution. Also, upon agreement of the parties, the excess contributions by either party may be carried over and subject to future agreements.

All University contributions, including cash and third party in-kind, shall be accepted as part of the University's contribution (i.e., cost sharing) or matching when such contributions meet all of the following criteria:

(a) Are verifiable from the University's records.

- (b) Are necessary and reasonable for proper and efficient accomplishment of project or program objectives.
- (c) Are allowable under the applicable principles outlined in this MOU.
- (d) Facilities and administrative costs (aka indirect costs) may be included as part of cost sharing or matching.
- (e) Values for University contributions of services and property shall be established in accordance with the applicable cost principles.
- (f) Volunteer services furnished by professional and technical personnel, consultants, and other skilled and unskilled labor may be counted as cost sharing or matching if the service is an integral and necessary part of an approved project or program. Rates for volunteer services shall be consistent with those paid for similar work in the recipient's organization. In those instances in which the required skills are not found in the recipient organization, rates shall be consistent with those paid for similar work in the labor market in which the University competes for the kind of services involved. In either case, paid fringe benefits that are reasonable, allowable, and allocable may be included in the valuation.
- (g) When an employer other than the recipient furnishes the services of an employee, these services shall be valued at the employee's regular rate of pay (plus an amount of fringe benefits that are reasonable, allowable, and allocable, but exclusive of overhead costs), provided these services are in the same skill for which the employee is normally paid.
- (h) Donated supplies may include such items as expendable equipment, office supplies, laboratory supplies or workshop and classroom supplies. Value assessed to donated supplies included in the cost sharing or matching share shall be reasonable and shall not exceed the fair market value of the property at the time of the donation.
- (i) The value of donated property shall be determined in accordance with the usual accounting policies of the recipient, with the following qualifications:
  - 1. The value of donated equipment shall not exceed the fair market value of equipment of the same age and condition at the time of donation.
  - 2. The value of loaned equipment shall not exceed its fair rental value.
  - 3. The following requirements pertain to the recipient's supporting records for in-kind contributions from third parties:
    - i. Volunteer services shall be documented and, to the extent feasible, supported by the same methods used by the recipient for its own employees.

- ii. The basis for determining the valuation for personal service, material, and/or equipment, shall be documented.
- j. All contributions must be consistent with the Innovation Center's EDA authorized purpose and intent, a facility funded in part by the U.S. Economic Development Administration (EDA-grant #06-01-05479).

The accounting shall include the following:

(a) The Board shall be credited for the fair market value (as established by the Board and agreed to by the University) of the office and lab space it provides to the University and such other contribution credit that is agreed to by the parties for any other contributions it makes.

(b) The University will receive a contribution credit for:

1. Fifty percent (50%) of the Technology Park manager's salary and benefits.
2. The IT support services it provides to the Innovation Center and Technology Park as set forth in Section 2.01(d). The value of these services shall be established by the University policy for the value of said services.
3. The construction services or supplies it provides to the Innovation Center or Technology Park under 2.01(f).
4. For such other contributions as are agreed to in writing by the parties.

The format and content of the report will be determined by mutual agreement of both parties at least 60 days prior to the first report deadline.

#### ARTICLE IV

#### TERMINATION

**4.01. Termination.** Any party to this Agreement may terminate the Agreement by giving all other parties to the Agreement six (6) months written notice. After notice is given, the parties shall meet within thirty (30) days to agree on the process that will be used for the 6-month period to accomplish a professional and efficient termination.

#### ARTICLE V

#### EQUAL OPPORTUNITIES

**5.01. Discrimination.** All parties agree that in the operation, management and use of the leased premises they will abide by all applicable federal, state and local laws, codes and ordinances relating to equal opportunities and non-discrimination. Without limiting the generality of the foregoing, all parties covenant that they will not discriminate against any

employee or applicants for employment at the Innovation Center or the Technology Park in any manner or commit discrimination on the basis of race, religion, marital status, age, color, sex, sexual orientation, physical condition, disability, national origin or ancestry.

## ARTICLE VI

### ECONOMIC DEVELOPMENT AUTHORITY OF THE UNITED STATES GRANT REQUIREMENTS

6.01. **Grant Requirements.** Both parties agree that the operation and use of the Innovation Center and Technology Park is subject to certain grant requirements established by the Economic Development Authority of the United States. Both parties agree to abide by said grant requirements.

## ARTICLE VII

### MISCELLANEOUS

7.01. **Governing Law.** Laws of the State of Wisconsin (and, where applicable, Federal law due to the EDA grant funding) shall govern the interpretation and enforcement of this Agreement.

## ARTICLE VIII

### SUCCESSORS AND ASSIGNS

8.01. **Successors and Assigns.** Except as limited or conditioned by the express provisions hereof, no party shall assign its rights or obligations under this Agreement to any other party without written agreement by all parties to this Agreement.

## ARTICLE IX

### AMENDMENT

9.01. **Amendment.** This Agreement shall not be amended, changed, modified or altered without the written consent of all parties hereto and no modification, alteration or amendment to this Agreement shall be binding until such modification, alteration, or amendment is reduced to writing and executed by all parties to this Agreement. Any proposed amendment to this Memorandum of Understanding shall be provided in writing, along with a memorandum in support of the amendment, to all parties to this agreement fifteen (15) days prior to final action on the amendment by any party.

## ARTICLE X

### COUNTERPARTS

**10.01. Counterparts.** This Agreement may be signed in any number of counterparts with the same effect as if the signatures thereto and hereto were on the same instrument.

## ARTICLE XI

### SEVERABILITY

**11.01. Severability.** If any provision of this agreement shall be held or deemed to be or shall in fact be inoperative or unenforceable as applied in any particular case because it conflicts with any other provision or provisions hereof or any constitution or statute or rule of public policy or for any reason such circumstance shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstances or of rendering any other provision or provisions herein contained invalid, inoperative or unenforceable to any extent whatever, the invalidity of any one or more phrases, sentences, clauses or paragraphs in this Memorandum of Understanding shall not affect the remaining portions of this document or any part thereof.

## ARTICLE XII

### THIRD PARTY BENEFICIARIES

**12.01. Third Party Beneficiaries.** This Memorandum of Understanding is entered into for the sole and exclusive benefit of the parties hereto. No third party shall have, obtain, or derive from this document any rights or other benefits or interests under any laws or otherwise.

## ARTICLE XIII

### EXCULPATORY PROVISION

**13.01. Exculpatory Provision.** The parties to this Memorandum of Understanding expressly acknowledge and agree that, anything herein to the contrary notwithstanding, no officer, director, employee, agent, or officials (elected or appointed) of any party hereto shall have any personal liability or obligation arising out of this Agreement, and no party hereto shall make any claims to the contrary.

## ARTICLE XIV

### RULES OF CONSTRUCTION/CONDUCT

**14.01. Rules of Construction/Conduct.** The parties to this Memorandum of Understanding acknowledge and agree that this Memorandum of Understanding is a good faith attempt to memorialize the intent of the parties. That in the course of its preparation, each party has been adequately and fully represented, and that accordingly rules of interpretation that signify that an agreement shall be construed against the drafter shall not apply. In addition, the parties acknowledge and agree that they shall endeavor to resolve any and all issues that may





**POSITION DESCRIPTION**  
**[OUTREACH PROGRAM MANAGER III, HAYES HILL CLASSIFICATION]**  
**INNOVATION MANAGER, WORKING TITLE**  
**OFFICE OF THE CHANCELLOR**  
**UNIVERSITY OF WISCONSIN-WHITEWATER**  
 Supervisor: Richard Telfer, Chancellor

Schedule Comment:		
Appointment percent: 100	Anticipated start date:	Number of positions: 1

#### GENERAL DESCRIPTION (1 JUNE 2011)

The Whitewater-University Technology Park is a new, not-for-profit venture including an Innovation Center focused on technology and business incubation and acceleration. The Park provides early stage companies with access to the University of Wisconsin-Whitewater and community business services, financing sources, management talent, and state-of-the-art research space. This job description for the newly created position of Innovation Manager is intended to further the organization's mission and foster its values as it relates to the University's role as a partner in the new venture.

The Innovation Manager is expected to perform key duties related to the outreach, regional engagement, and economic development mission of the Chancellor's Office and assist the University of Wisconsin-Whitewater, Technology Park Board President, the Whitewater City Manager, and the Whitewater Community Development Authority (CDA) Coordinator with outreach and operational issues.

#### GOALS/WORKER ACTIVITIES

The business incubator is being developed to attract new firms to the University of Wisconsin-Whitewater. The incubator will offer individual entrepreneurs and firms access to world class facilities, connections to cutting edge university research teams, and possible partnerships with industrial affiliates/industry mentors. In addition, the incubator will provide direct business advisory services to clients, including but not limited to: cash flow management, human resource planning, capital procurement, sales and marketing advice. The incubator will provide clients with the assistance necessary for a successful launch or transition from research to commercialization.

Under limited supervision, the Innovation Manager will be responsible for the following four key performance areas:

- **Marketing:** Develop and implement an effective marketing strategy for the Innovation Center and the Whitewater-University Technology Park, including market segment identification, trade show participation, university partnerships, and industry referrals.
- **Business Incubation:** Provide coaching/mentoring support to Innovation Center clients.
- **Financial Management:** Responsible for developing and adhering to approved operational budget.
- **Administration/Process Management:** Within the leasing framework of UWW, market, manage and monitor tenant/client performance. Develop entry application standards, performance requirements and exit policies.
- **Community Engagement:** Promote the incubator facility to the community via presentations, media and other outlets.

#### TYPE OF APPOINTMENT

This position is a fixed-term academic staff appointment in the University of Wisconsin-Whitewater's (UWW). The Innovation Manager reports to the Chancellor and is also accountable to the Whitewater-University Technology Park Board for translating their vision into an action plan. The Innovation Manager will be expected to coordinate efforts with the University's Office of Research and Sponsored Programs (ORSP) and the Small Business Development Center (SBDC). The position is eligible for benefits provided to State of Wisconsin employees and is subject to UWW personnel rules. Fixed-term academic staff appointments are made on an annual basis, with renewal possible depending on performance and availability of funding.

**WORKING TITLE**  
**INNOVATION MANAGER**

**POSITION DUTIES AND RESPONSIBILITIES**

A. [40%] Market Innovation Center Facility, Business Incubation Program, and Whitewater University-Technology Park

1. Plan and implement a marketing strategy to bring clients to the incubator facility.
2. Handle the promotional, marketing and advertising activities for the Whitewater-University Technology Park and Innovation Center. Tasks could include almost every facet of marketing, from conducting market research to developing advertising messaging strategies to handling the Center/Park's public relations.
3. Participate in the development and implementation of relevant community, university, and/or regional marketing/public relations strategies.
4. Serve as lead "sales manager" for real estate development in the Park and Innovation Center tenant/client recruitment
5. Coordinate other marketing activities as directed by the Board.

B. [20%] Provide Business Incubation Support/Services

1. Plan activities and programs to enhance the performance of clients/tenants through the utilization of University resources; implement plans as assigned; and coordinate publicity.
2. Identify University technical and business resources helpful to tenants in the Center. Develop catalog/inventory of University expertise available to Center tenants.
3. Provide direct development services, coaching, and/or mentoring to Innovation Center tenants/clients in collaboration with the SBDC and ORSP staff/Fellows.

C. [5%] Coordinate Innovation Center Finances

1. Support project stakeholders in augmenting cash flow through grants and gifts. Manage other grant awards and contracts as received.
2. Contribute to the development of the Center's annual operating budget. Manage operations in accord with Board-approved budget. Develop financial reports and communicate to a variety of stakeholders.

D. [25%] Manage the Whitewater-University Technology Park Innovation Center (including process management)

1. Coordinate proper maintenance of the building and grounds.
2. Implement the policies, procedures, and decisions of the University and Whitewater-University Technology Park Board and/or its representatives. Prepare and provide reports to the Board and/or its representatives.
3. Manage operations including all process management for the facility and Park. Translate program/facility needs into business/action plan.
4. Develop and negotiate program objectives and direction with senior leadership and managers in varying business units.
5. Create project plans and execute them.
6. Recruit, hire, and supervise student support staff.

E. [5%] Facilitate Community Engagement

1. Develop internal and external partnerships with individuals (faculty, academic staff, classified staff, and students) or organizations (CEO, WBIA, WAN, WARF, WiSys, and WEN, for example).

#### F. [5%] Engage in Professional Development / Apply Knowledge Gained to Performance of Duties

1. Participate in management, business, technology, and / or business incubator training to meet annual professional development objectives.
2. Study training manuals and other documentation to learn advanced office and web tools used by this position, as well as relevant policies and procedures.
3. Collaborate and/or network with other technology incubator directors to identify "best practices" and develop methods for adopting those in Whitewater.

#### **MINIMUM AND PREFERRED QUALIFICATIONS**

Minimum requirements for the job of Innovation Manager are demonstrated experience in nonprofit organization management and/or a business development. A four-year college degree or relevant private sector experience is also required, preferably in business or science. Preferred requirements include post-graduate education at the master's level, strong writing and speaking skills, fundraising experience, and superb interpersonal skills.

The Innovation Manager must have the characteristics of an entrepreneur, including high energy, strong need for achievement, persistence, the ability to learn from mistakes, adaptability, strong work ethic, self confidence, self starter, and the ability to operate independently with minimal direction. Additionally, this person should exude qualities of caring and high integrity. Excellent skills in communication, sales, negotiating, decision-making, and networking are also desirable.

The Manager must also have the ability to teach, mentor and advise clients, a demonstrated business savvy to assist the incubator through its own start-up and financial self-sufficiency period is important. The Innovation Manager should be qualified to assist emerging companies, with the skills needed to help companies grow and succeed.

Demonstrated success in working with diverse populations and experience interacting with diverse populations are also important. The ideal applicant will be a flexible and self-motivated change agent. Candidates with transferrable skills, high motivation, and potential will also be considered.

#### **UNIVERSITY AND COMMUNITY**

Founded in 1868, UW-Whitewater is a premier, public regional comprehensive university with an enrollment of over 10,500 students in 43 undergraduate majors and 13 master's degree programs. The university offers high-quality, career-oriented programs integrated with a model general education curriculum. UW-Whitewater is part of the 26-campus University of Wisconsin-System. Located in a community of 12,000 residents near the scenic Kettle Moraine State Forest in southeastern Wisconsin, Whitewater is within convenient driving distance to the metropolitan areas of Milwaukee, Madison, and Chicago.

#### **HOW TO APPLY**

Interested candidates should submit a cover letter outlining their qualifications for the position, a resume, copies of all transcripts (may be unofficial), and the names and contact information for five professional references electronically to: INSERT NAME AND CONTACT INFORMATION. Please indicate that you are applying for the "Innovation Manager" position in the subject of the email.

Questions regarding this position should be addressed to the assistant to the search chair, INSERT NAME AND CONTACT INFORMATION

Review of applications will begin XXXX XX, 2011 and the position will remain open until filled.

The University of Wisconsin-Whitewater is an AA/EEO employer. We promote excellence through diversity and encourage all qualified individuals to apply. Criminal background checks of finalists will be conducted. Names of finalists will be released.

**POSITION DESCRIPTION**

[OUTREACH PROGRAM MANAGER III, HAYES HILL CLASSIFICATION]

INNOVATION MANAGER, WORKING TITLE

SCHOOL OF GRADUATE STUDIES AND CONTINUING EDUCATION

UNIVERSITY OF WISCONSIN-WHITTEWATER

Supervisor: Denise Ehlen, Director of Research and Sponsored Programs

Schedule Comment:

Appointment percent:  
100

Anticipated start date:

Number of positions:  
1**GENERAL DESCRIPTION (1 JUNE 2011)**

As an academic service and outreach unit, the Office of Research and Sponsored Programs (ORSP) is committed to the academic excellence of the University. As such, the ORSP values:

- A broad definition of research and creative activity that includes the scholarship of discovery, the scholarship of learning, and the scholarship of engagement;
- The pursuit of knowledge in an environment that encourages free and open inquiry, academic achievement, scholarship, and creativity;
- The celebration of academic achievement and entrepreneurial activity;
- The importance of research experiences for undergraduate and graduate students; and
- The collaborative nature of research, outreach, and other types of regional engagement.

The Office of Research and Sponsored Programs' mission is to enhance the research productivity of the University; increase internal and external support of scholarly activity; promote and facilitate technology commercialization, intrapreneurship, and entrepreneurship; and celebrate the achievements of faculty, staff, and students.

The Whitewater-University Technology Park is a new, not-for-profit venture including an Innovation Center focused on technology and business incubation and acceleration. The Park provides early stage companies with access to the University of Wisconsin-Whitewater and community business services, financing sources, management talent, and state-of-the-art research space. This job description for the newly created position of Innovation Manager is intended to further the organization's mission and foster its values as it relates to the University's role as a partner in the new venture.

As a team member, the Innovation Manager is expected to perform key duties related to the ORSP outreach, regional engagement, and economic development mission and assist the University of Wisconsin-Whitewater, Technology Park Board President, the Whitewater City Manager, and the Whitewater Community Development Authority (CDA) Coordinator with outreach and operational issues.

**GOALS/WORKER ACTIVITIES**

ORSP contributes to University goals by providing important support and services related to grants (both internal and external) and other sponsored projects, outreach, economic development, research commercialization/technology transfer, and compliance. The Office is responsible for providing a full-range of support to the campus community.

The business incubator is being developed to attract new firms to the University of Wisconsin-Whitewater. The incubator will offer individual entrepreneurs and firms access to world class facilities, connections to cutting edge university research teams, and possible partnerships with industrial affiliates/industry mentors. In addition, the incubator will provide direct business advisory services to clients, including but not limited to: cash flow management, human resource planning, capital procurement, sales and marketing advice. The incubator will provide clients with the assistance necessary for a successful launch or transition from research to commercialization.

Under limited supervision, the Innovation Manager will be responsible for the following four key performance areas:

- **Marketing:** Develop and implement an effective marketing strategy for the Innovation Center and the Whitewater-University Technology Park, including market segment identification, trade show participation, university partnerships, and industry referrals.
- **Business Incubation:** Provide coaching/mentoring support to Innovation Center clients.
- **Financial Management:** Responsible for developing and adhering to approved operational budget.
- **Administration/Process Management:** Within the leasing framework of UWW, market, manage and monitor tenant/client performance. Develop entry application standards, performance requirements and exit policies.
- **Community Engagement:** Promote the incubator facility to the community via presentations, media and other outlets.

#### **TYPE OF APPOINTMENT**

This position is a fixed-term academic staff appointment in the University of Wisconsin-Whitewater's (UWW) Office of Research and Sponsored Programs. The Innovation Manager will be a member of the ORSP team and is also accountable to the Whitewater-University Technology Park Board for translating their vision into an action plan. ORSP support staff, paraprofessionals, and student employees provide operational/logistical support to the Board and Innovation Center as well as managing programming that directly connects faculty, staff, and students to the facility and business incubation program.

The position is eligible for benefits provided to State of Wisconsin employees and is subject to UWW personnel rules. Fixed-term academic staff appointments are made on an annual basis, with renewal possible depending on performance and availability of funding.

#### **WORKING TITLE**

INNOVATION MANAGER

#### **POSITION DUTIES AND RESPONSIBILITIES**

##### A. [50%] Market Innovation Center Facility, Business Incubation Program, and Whitewater University-Technology Park

1. Plan and implement a marketing strategy to bring clients to the incubator facility.
2. Handle the promotional, marketing and advertising activities for the Whitewater-University Technology Park and Innovation Center. Tasks could include almost every facet of marketing, from conducting market research to developing advertising messaging strategies to handling the Center/Park's public relations.
3. Participate in the development and implementation of relevant community, university, and/or regional marketing/public relations strategies.
4. Serve as lead "sales manager" for real estate development in the Park and Innovation Center tenant/client recruitment
5. Coordinate other marketing activities as directed by the Board.

##### B. [30%] Provide Business Incubation Support/Services

1. Plan activities and programs to enhance the performance of clients/tenants through the utilization of University resources; implement plans as assigned; and coordinate publicity.
2. Identify University technical and business resources helpful to tenants in the Center. Develop catalog/inventory of University expertise available to Center tenants.
3. Provide direct development services, coaching, and/or mentoring to Innovation Center tenants/clients in collaboration with the Small Business Development Center and ORSP staff/Fellows.

C. [5%] Coordinate Innovation Center Finances

1. Support project stakeholders in augmenting cash flow through grants and gifts. Manage other grant awards and contracts as received.
2. Contribute to the development of the Center's annual operating budget. Manage operations in accord with Board-approved budget. Develop financial reports and communicate to a variety of stakeholders.

D. [5%] Manage the Whitewater-University Technology Park Innovation Center (including process management)

1. Coordinate proper maintenance of the building and grounds.
2. Implement the policies, procedures, and decisions of the University and Whitewater-University Technology Park Board and/or its representatives. Prepare and provide reports to the Board and/or its representatives.

E. [5%] Facilitate Community Engagement

1. Develop internal and external partnerships with individuals (faculty, academic staff, classified staff, and students) or organizations (CEO, WBIA, WAN, WARF, WiSys, and WEN, for example).

F. [5%] Engage in Professional Development / Apply Knowledge Gained to Performance of Duties

1. Participate in management, business, technology, and / or business incubator training to meet annual professional development objectives.
2. Study training manuals and other documentation to learn advanced office and web tools used by this position, as well as relevant policies and procedures.
3. Collaborate and/or network with other technology incubator directors to identify "best practices" and develop methods for adopting those in Whitewater.

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Minimum requirements for the job of Innovation Manager are demonstrated experience in nonprofit organization management and/or a business development. A four-year college degree or relevant private sector experience is also required, preferably in business or science. Preferred requirements include post-graduate education at the master's level, strong writing and speaking skills, fundraising experience, and superb interpersonal skills.

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**UNIVERSITY AND COMMUNITY**

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offers high-quality, career-oriented programs integrated with a model general education curriculum. UW-Whitewater is part of the 26-campus University of Wisconsin-System. Located in a community of 12,000 residents near the scenic Kettle Moraine State Forest in southeastern Wisconsin, Whitewater is within convenient driving distance to the metropolitan areas of Milwaukee, Madison, and Chicago.

**HOW TO APPLY**

Interested candidates should submit a cover letter outlining their qualifications for the position, a resume, copies of all transcripts (may be unofficial), and the names and contact information for five professional references electronically to: INSERT NAME AND CONTACT INFORMATION. Please indicate that you are applying for the "ORSP Innovation Manager" position in the subject of the email.

Questions regarding this position should be addressed to the assistant to the search chair, INSERT NAME AND CONTACT INFORMATION

Review of applications will begin XXXX XX, 2011 and the position will remain open until filled.

The University of Wisconsin-Whitewater is an AA/EEO employer. We promote excellence through diversity and encourage all qualified individuals to apply. Criminal background checks of finalists will be conducted. Names of finalists will be released.

# Whitewater Technology Park: IT Support Proposal

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## I. Background

Whitewater Technology Park is scheduled to open in 2010. It is conceived to be a state-of-the-art facility, aimed to attract tenants with high-tech needs or aspirations. UW-Whitewater has been and will continue to be an active partner in this endeavor. In this role UW-Whitewater is anticipating to take full responsibility for data, voice, video and other technology introduction, deployment and support in the Innovation Park facility.

The goal of this engagement is to provide a cost-effective and flexible service, aligned with the evolving needs of the park tenants and occupants, as well as with the community outreach objectives of the city and the university.<sup>1</sup>

## II. Analysis of Needs

### Current Needs

The needs of the future park tenants are still being conceptualized. Architectural firm has been retained for the overall building design as well for the design of primary resources, such as water and power. The responsibilities of the A/E firm do not include architecture and design of necessary telecommunication and security services, such as data and voice networks, building signage or surveillance systems.

Design of these systems is commonly performed by an IT Consultant, who works closely with architectural and engineering firms to assure that building wiring plan is designed properly to support high-speed enterprise network and associated services. In addition to technical design, IT Consultant commonly provides engineering services, detailed specification of required equipment and cabling, assistance with or management of the procurement processes, and overall construction management to insure that contractors provide installation, documentation and maintenance services necessary to install highly reliable and complex telecommunications distribution systems, adaptable to change over the life of the facility.

In addition to these common needs the facility has a unique requirement:

The Building Entrance Facility (BEF), which is normally the point where the telephone service provider brings copper and/or fiber cables into a building for internet and telecommunication connectivity will be replaced by facility designed to meet UW-Whitewater standards, since the fiber to the facility will be brought from UW-Whitewater POP (Data Center).

- b) Requires resources to subcontract, monitor, manage and evaluate
- c) will have to either gain knowledge of UW-Whitewater technology infrastructure, or to replicate components of the infrastructure at the Tech Park - both options would result in considerable additional cost
- d) May result in inconsistencies in technology, as firms will be engaged to provide "point solutions" to specific problems rather than addressing IT issues systematically.
- e) Requires the Technology Park to develop IT support practices and procedures, or to adopt those practices and procedures implemented by suppliers. If sourcing from multiple suppliers, the Technology Park will need to resolve potentially conflicting processes.

## 2. Hire dedicated support personnel

- Pros:
- a) Ability to focus on the needs of the park as the only priority
  - b) fixed and predictable cost
- Cons:
- a) Difficult to find a person with a variety of skills and expertise required to support different technologies. Will require augmentation.
  - b) Is not available immediately
  - c) fixed cost may not be the best option during the design and deployment phase, since workload will vary greatly from week to week and month to month
  - d) will either have to gain knowledge of UW-Whitewater technology infrastructure, or replicate components of the infrastructure at the Tech Park - either at additional cost
  - e) Will need to develop standard practices and procedures and an appropriate organizational structure and workflow, and will need to devote resources to maintaining same.

## 3. Leverage UW-Whitewater expertise and technology infrastructure

- Pros:
- a) Variable cost based on the needs of each phase.
  - b) will have knowledge of UW-Whitewater technology infrastructure. Will enable Tech Park to take full advantage of technology already deployed on campus.
  - c) can be available immediately
  - d) Can take advantage of established UW Whitewater IT support processes, practices and standards, allowing the Technology Park to benefit from the University's experience

### Future Needs

After the essential completion of the building, and building turnover to the property owners, data, voice and video network equipment will need to be installed, connected, tested, and prepared for use by the tenants. This includes network switches, wireless access points, telephone service, and videoconferencing facility. Additional technology may also include digital signage, surveillance cameras, card-based door access, etc.

Finally there is may be a need to deploy office productivity equipment such as shared print centers, copiers, etc.

*While it is difficult to project the long-term technology needs of any facility, it is important that long-term facility planning include elements of IT and network planning. Doing so allows the building to keep pace with the evolving IT needs of its tenants, a critical factor in a successful Technology Park.*

### Ongoing Needs

Once the building is operational, it is important to establish a technology support mechanism. It is anticipated that technology support will fall into two major categories: infrastructure support and customer support.

infrastructure support encompasses monitoring of telecommunications, network and other equipment, timely problem detection and resolution to assure maximum uptime and service availability to the building tenants.

Customer support includes responding to customer reported problems about malfunctioning equipment and/or customer training in the use of technology deployed in the building.

## III. Options for Addressing Needs

Three most obvious options are:

- Subcontracting required services from established firms
- Hire a dedicated support personnel
- Leverage UW-Whitewater expertise and technology infrastructure

### 1. Subcontracting required services from established firms

Pros: a) Ability to target support on "as needed" basis

Cons: a) High cost

as well as providing the Technology Park with economies of scale not otherwise available.

Cons: a) support will mostly be provided remotely. May have competing priorities.

*Based on review of identified options Leveraging UW-Whitewater expertise and technology Infrastructure seems to be the most flexible and cost effective strategy.*

#### **IV. Options for Service Funding**

We currently have two models for reimbursement for provided services.

1. Shared Resource model. This model works well when similar services are provided to different areas on campus, and when the work volume is anticipated ahead of time. Under this model campus units enter into an annual agreement with ICIT to fund a portion of a position roughly equivalent to a portion of time person in this position spends supporting each unit. Allocations are adjusted based on actual hours.
2. Infrastructure support / project work model. This model works well for PR areas that have significant network infrastructure and require high availability of services. Under this model campus units enter into an annual agreement with ICIT to
  - a) fund infrastructure support on "retainer" basis – 1 hour per week per service, regardless of how much resources are actually used to support the infrastructure during a particular week, and
  - b) fund project work on per-hour cost based on actual number of hours spent on projects. at a portion of a position roughly equivalent to a portion of time person in this position spends supporting each unit. Allocations are adjusted based on actual hours.

To the best of our knowledge, it is anticipated that the needs will be refined in the next several months. Therefore it seems that Infrastructure support / project model would be a better a choice, at least until full scope of work is better known.

#### **V. Recommendation**

ICIT recommends that UW-Whitewater enter into an agreement with Whitewater Tech Park for providing technology support for Whitewater Tech Park facility and its tenants based on the Infrastructure support / project work model. Example of fee schedule for this model is attached.



**Innovation Center  
APPENDIX C**

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**INVENTORY OF BUSINESS INCUBATION SERVICES**

All participants in the Innovation Center Business Incubation Program receive access to the following free services and resources as follows:

Business organization and planning

- Business Development Consulting (developing business idea, business plan development assistance, business and strategic planning , and/or proactive support)
- Fiscal and Legal Advice
- Management Training/Support
- Process Improvement
- Diversification
- Mentoring

Marketing, promotion, sales

- Public Relations, Marketing, and/or Sales Consultation/Support
- Search engine optimization (SEO)
- Social media strategies and tactics
- Professional networking

Commercialization and product development

- Technology Commercialization
- Research and Development
- Grant Writing (SBIR, STTR, etc.)
- State of Ingenuity services (rapid prototyping, global business development, green manufacturing support/training, global business certification, family business support services, and open innovation/acceleration support.)

Business operations

- Business Services (all utilities—water, electric, heat/AC, secretarial/administrative support services, reception and telephone answering, office and/or workshop accommodation, conference and meeting rooms , photocopier, fax and postage services , and bookkeeping and word processing).

One-on-one consulting and/or web-based training is also offered in the following topics:

- Business Plan Development
- Financial Analysis
- Pre-Venture Planning
- Business Regulations and Licenses
- Financial and Loan Packaging Assistance
- Operational Planning
- Product Development/Prototyping and Testing
- Environmental Management Assistance
- Government Marketing Assistance
- Contract Compliance Advice

**ACCESS TO SERVICES VARIES BY TENANT/LEASE TYPE AS FOLLOWS**

- Tenants [50 hours per year],
- Associates—located in 'co-working' or shared space—including student participants in the Launch Pad [30 hours per year],
- Affiliates or virtual tenants [15 hours per year].

All business incubation program participants must also participate in mandatory coaching/mentoring sessions and monthly seminars.

## MEMORANDUM

**TO:** Common Council

**FROM:** Kevin Brunner, City Manager

**DATE:** June 17, 2011

**RE:** Proposed Reorganization of Neighborhood Services Department/Programs

As you know both Neighborhood Services Director Bruce Parker and Building Inspector Don Jones will be retiring from the city over the next several weeks. We will certainly miss both Bruce and Don's expertise and institutional knowledge. Their retirements, however, provide us with the opportunity to reorganize and refocus the Neighborhood Services Department. I would like to briefly explain my plan for this reorganization.

There are essentially five areas that the Neighborhood Services Department is responsible for:

1. Zoning and Code Enforcement
2. Planning
3. Building Inspection
4. Facilities Management
5. Geographical Information Systems (GIS)

While the 5<sup>th</sup> area of responsibility is not currently performed by the Neighborhood Services Department, it is one that I believe we need to focus on more in the future and Neighborhood Services should take the lead for the City organization.

In evaluating how the City should best proceed in providing these five functional areas, I have had three objectives in mind: 1) continue to maintain and even enhance these services to City residents, property owners and developers in the future; 2) reduce costs, particularly overhead costs, as much as possible in any reorganization effort; and 3) more fully utilize and develop the skills and talents of people we already have on City staff. With these three objectives in mind, I wish to proceed in reorganizing these services in the following manner.

1. **City Facilities.** Neighborhood Services currently provides facilities management services to all City facilities with the exception of those owned by the water and wastewater utilities. Over the last year, according to a position audit we performed, Don Jones spent approximately 57% of his time in the City facilities maintenance function. In addition, we have 1.5 FTE employees engaged in facilities maintenance (Dwight Slocum and Kyle Cromos) plus, of course, the management and oversight of facilities that Bruce Parker has performed.

In evaluating this functional area I am confident that we can continue to properly maintain our facilities by making the two following changes.

- 1) The overall management and responsibility for City's facilities management be performed by Parks and Recreation Director Matt Amundson. These responsibilities would be added to his current job duties. I am not recommending any increase in compensation for these additional responsibilities.
- 2) Increase the number of hours per week that Kyle Cromos works from 20 to 30 hours per week. The additional cost of this change is \$6,590 for the duration of this year or approximately \$13,080 on an annual basis.

If we find that we cannot continue to effectively and efficiently maintain our facilities given this staffing level, then I would look to either contract out certain necessary services or hire additional part-time personnel. With the impending changes in the State collective bargaining law, we should have additional flexibility to better our costs in this functional area.

2. **Planning.** Currently Bruce Parker staffs the Plan and Architectural Review Commission meetings as well as manages the work of contract City Planner Mark Roffers of Van de Walle and Associates. Roffers will continue as our contract planner as he has 2½ years remaining on a contract for city planning services that was approved in December of 2010.

I am proposing that Mary Nimm be named Neighborhood Services Manager and that she be given responsibility to not only staff Plan and Architectural Review Commission meetings but also to manage the work of the contract planner. In this new position, Nimm would also be responsible for zoning and code enforcement, management of building inspection services (which I will discuss in the next section) as well as responsibility for the further development and maintenance of the City's Geographic Information System (GIS).

3. **Building Inspection.** Currently over the last year approximately 43% of Don Jones' work has been building inspection related and Bruce Parker has also performed building inspections (we have also contracted for all plumbing-related inspections for a number of years now). Given the fact that development and building activity has appreciably decreased over the last several years, I see absolutely no need to hire on City staff a building inspector(s). It is much more prudent to contract for these services at the current time and for the foreseeable future until we know whether or not local building activity will resume to pre 2009 levels.

As such, I am recommending and am attaching to this report a recommended contract with Municipal Zoning and Inspection Services (MZIS) to perform all building inspections needed in the City on a contractual basis. Currently, MZIS provides a similar level of inspection services to the cities of Jefferson and Lake Mills. The total estimated cost of this service based on current building activity is approximately \$28,000 annually.

I have provided in the contract with MZIS 6 hours of office time that our contractual building inspector would spend each week here in the Municipal Building, during which he can meet with homeowners and builders as well as City staff on issues that might need his attention (these meetings will be primarily by appointment but there will also be time for meetings with city staff as well as drop-in opportunities). If inspections are needed he will respond

typically within 24 hours (maximum 48 hours) to perform those inspections and will be paid per inspection. These inspections will be logged by the Neighborhood Services office.

As noted above it will be Mary Nimm's responsibility to manage the building inspection contract as well as to work with the building inspector on issues of mutual need and interest.

4. **Zoning/Code Enforcement.** Currently we have a Neighborhood Services Officer, Scott Weberpal, who works on zoning related issues 10 hours per week. In addition, Bruce Parker has devoted anywhere between 30% and 45% of his time on zoning related issues.

This is a very important functional area for the City to continue, particularly because we receive more complaints and phone calls concerning zoning compliance than I think any other issue in the city. What I propose to do in this area is again assign Mary Nimm the responsibility as Neighborhood Services Manager to oversee Zoning and Code enforcement and actually become very involved in these activities. I believe, given her attention to detail, that she will perform very well in this area. In addition, I propose to expand the hours that Scott Weberpal performs for the City from 10 to 20 hours per week and that his job title be changed from Neighborhood Services Officer to Zoning/GIS Technician. Also, given the fact that Weberpal has not had a raise in quite some time and would be doing higher level work (Weberpal is a UW-Whitewater graduate in both Geography and GIS) that his current hourly rate be increased from \$10.54 to \$12.58 per hour. I would also put the Zoning/GIS Technician position on a schedule that would increase his rate of pay over a three year period to \$14.95 per hour based on continued good performance in the position.

The total increase in total compensation for this position as recommended would be approximately \$5,700 over the next six months or \$10,400 annually.

5. **Geographic Information Systems (GIS).** Since both Mary Nimm and Scott Weberpal have degrees in Geographic Information Systems, I believe that we have a great opportunity to further develop and improve our City's GIS in the future. As such, I would ask both of them to devote as much time as they can towards the improvement and expansion of our current GIS capabilities and this would be an integral part of their new job responsibilities.

The actions that I am requesting that the Common Council would consider approving for this reorganization plan are the following:

- 1) **Approve a six month contract with MZIS (please see attached). The City will have the option of either extending the contract with MZIS beyond January 1, 2012 or soliciting a RFP for building inspection services later this year and then selecting a contractor for a more extended period of time.**
- 2) **Changing the current Neighborhood Services Director position title to Neighborhood Services Manager and placing this new position in pay grade G in the City Professional and Technical Employee Pay Plan (the Neighborhood Services Director position is currently in Pay Grade I). Please note that Mary Nimm would be placed at step 2 in this pay grade (\$51,812) due to the fact that her current CDA**

**Coordinator salary (\$50,651) at the top of step 5 in pay grade E (\$49,559) is above step 1 for pay grade E.**

- 3) Changing the current Neighborhood Services Officer position title to Zoning/GIS Technician and authorize a starting hourly rate of \$12.58 per hour.**

The increase in hours for both the Building Maintenance and Zoning/GIS Technician positions will be covered by the resulting budgetary savings from not filling the Neighborhood Services Director (Bruce Parker) and Building Maintenance (Don Jones) positions. Please see the following for the financial impact of this reorganization plan.

### **Financial Impact of Reorganization Plan**

The total 2011 compensation cost of Bruce Parker and Don Jones' positions to the City is \$168,062. I am projecting that the total cost of the proposed reorganization of Neighborhood Services is \$107,814 so I am projecting an approximate \$60,000 in annual savings. This takes into account Mary Nimm's current compensation as CDA Coordinator which necessarily needs to be discounted in the savings calculation.

Obviously, a major question in this reorganization is how the CDA should be properly staffed in the future since Mary Nimm would be moving over to Neighborhood Services. Should the current CDA coordinator be filled? Can the CDA coordinator position be combined with the Whitewater Innovation Center Manager position in some fashion (leveraging UW-Whitewater resources with the CDA and City resources)? Can some economic development services be provided to the CDA and City by the University?

These are questions that we need to explore with the CDA and City Council as well as the University Technology Park Board in the near future. A joint meeting of the CDA and Council should be scheduled in the near future to discuss CDA staffing as well as how we might best work with the University and its business development staff to provide needed economic development to our community.

If any of you have any questions regarding this reorganization plan in advance of next week's Common Council meeting, please feel free to contact me.

Cc- CDA Board