

**CITY OF KAUKAUNA
ORDINANCE _____**

**ORDINANCE AMENDING SECTION 1.33
INDUSTRIAL AND COMMERCIAL DEVELOPMENT COMMISSION**

WHEREAS, the Industrial and Commercial Development Commission is established by ordinance to assist the City of Kaukauna in the development, promotion, and sale of industrial and commercial properties; and

WHEREAS, Section 1.33 of the City of Kaukauna Municipal Code currently provides for a nine-member commission with staggered three-year terms; and

WHEREAS, two positions on the Industrial and Commercial Development Commission are currently vacant, and the commission has been operating with seven members for a period of time; and

WHEREAS, the Common Council finds that a seven-member commission will continue to allow for effective operation while improving efficiency and simplifying appointment and quorum requirements; and

WHEREAS, the Common Council further finds it is in the best interest of the City to maintain three-year terms while ensuring that no more than three terms expire in any one year to promote continuity of experience on the commission; and

WHEREAS, the Common Council desires to amend Section 1.33 of the Municipal Code to reflect a seven-member commission and clarify term structure consistent with current practice;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Kaukauna, State of Wisconsin, that Section 1.33 Industrial And Commercial Development Commission of the City of Kaukauna Municipal Code is hereby amended as follows:

BEFORE AMENDMENT

1.33 Industrial And Commercial Development Commission

1. *Composition.* The development, promotion, and sale of the city industrial park is under the direction of the city industrial and commercial development commission which consists of nine citizen members who shall be residents of the city.

2. *Appointments.* Three citizen members shall be appointed annually by the mayor, subject to confirmation by the council, for three-year terms. Appointments shall be from a list of not less than five persons, submitted to the mayor by the commission, at least 30 days prior to the appointment date, in the order of the commission's preference. If the commission fails to submit the list within the time required, the mayor shall make such appointments as he determines to be in the public interest.
3. *Compensation.* Members of the commission shall serve without compensation but shall receive such reimbursement of expenses as the commission shall direct.
4. *Budget.* Annually, at the time the regular city budget is prepared, the commission shall submit, to the council for approval, a budget regarding the operations of the commission for the succeeding year. Such budget, as approved by the council, shall become part of the regular city tax levy. Expenditures of such appropriated monies are under the direction of the commission, which shall submit requisitions to the city for payment as part of the regular payment by the city of its monthly bills.
5. *Powers and duties.*
 - a. *Deed restrictions.* The commission shall study the establishment and use of deed restrictions for the industrial park and shall recommend to the council such restrictions most advantageous to the development and sale of the park. No deed restrictions shall be implemented without final approval of the council.
 - b. *Conduct of affairs.* The commission may establish rules for the conduct of its affairs, including the time and place of meetings, rules governing the transaction of business at such meetings, the formation of any subcommittees it deems advisable, and the organization of the commission.
 - c. *Contracts.* The commission may enter into contracts, except final contracts for the sale of land and construction contracts, subject to the monetary limitations of its annual budget. The commission may further enter into preliminary contracts for the sale of land in the industrial park, subject to final approval of the council. All monies received by the commission for the sale of lands in the industrial park shall be turned over to the city.
 - d. *Development of industrial park.* The commission shall make specific recommendations regarding the future development of the industrial park, including the need for installing additional sewer and water facilities, rail sidings, and roads. However, all construction contracts relating thereto shall be let by and remain under the supervision of the city until completion.

- e. *Commission assistance.* The commission shall assist the city in the development and sale of areas in the city, other than the industrial park, when requested to do so by the council.

AFTER AMENDMENT

1.33 Industrial and Commercial Development Commission

1. *Composition.* The development, promotion, and sale of the city industrial park is under the direction of the City Industrial and Commercial Development Commission which consists of ~~nine~~ seven (7) citizen members who shall be residents of the City.
2. *Appointments and Terms.* ~~Three citizen~~ Members shall be appointed ~~annually~~ by the Mayor, subject to confirmation by the Council, for three-year terms. ~~Terms shall be staggered so that no more than three (3) terms expire in the same calendar year.~~ Appointments shall be from a list of not less than five persons, submitted to the Mayor by the Commission, at least 30 days prior to the appointment date, in the order of the Commission's preference. If the Commission fails to submit the list within the time required, the Mayor shall make such appointments as ~~he~~ the Mayor determines to be in the public interest.
3. *Compensation.* Members of the Commission shall serve without compensation, but shall receive such reimbursement of expenses as the Commission shall direct.
4. *Budget.* Annually, at the time the regular city budget is prepared, the Commission shall submit, to the Council for approval, a budget regarding the operations of the Commission for the succeeding year. Such budget, as approved by the Council, shall become part of the regular city tax levy. Expenditures of such appropriated monies are under the direction of the commission, which shall submit requisitions to the city for payment as part of the regular payment by the city of its monthly bills.
5. *Powers and duties.*
 - a. *Deed restrictions.* The Commission shall study the establishment and use of deed restrictions for the industrial park and shall recommend to the Council such restrictions most advantageous to the development and sale of the park. No deed restrictions shall be implemented without final approval of the Council.
 - b. *Conduct of affairs.* The Commission may establish rules for the conduct of its affairs, including the time and place of meetings, rules governing the transaction of business at such meetings, the formation of any subcommittees it deems advisable, and the organization of the Commission.

- c. *Contracts.* The Commission may enter into contracts, except final contracts for the sale of land and construction contracts, subject to the monetary limitations of its annual budget. The Commission may further enter into preliminary contracts for the sale of land in the industrial park, subject to final approval of the Council. All monies received by the Commission for the sale of lands in the industrial park shall be turned over to the City.
- d. *Development of industrial park.* The Commission shall make specific recommendations regarding the future development of the industrial park, including the need for installing additional sewer and water facilities, rail sidings, and roads. However, all construction contracts relating thereto shall be let by and remain under the supervision of the City until completion.
- e. *Commission assistance.* The Commission shall assist the City in the development and sale of areas in the city, other than the industrial park, when requested to do so by the Council.

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL
_____, 2026.

Presiding Officer

Attest

Anthony J. Penterman, Mayor,
City of Kaukauna

Kayla Nessmann, Clerk,
City of Kaukauna