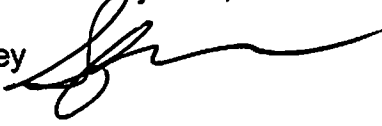


Legal Memorandum

To: Mayor Timothy Kabat

Cc: Council President Gaul; Teri Lehrke, City Clerk; Jason Gilman, Executive Director of the Redevelopment Authority, Cassandra Woodward, Commissioner; Edward Przytarski, Commissioner

From: Stephen F. Matty, City Attorney 

Date: July 15, 2019


Re: A19-00230- Requisite votes required to confirm appointment to Redevelopment Authority and holdover officer status.

After reviewing the statutes and other legal authority with regard to appointments made to the Redevelopment Authority on July 11, 2019 under Legistar file 19-0983, it has come to my attention that Ms. Cassandra Woodward and Mr. Edward Przytarski did not receive the requisite eleven (11) votes from the Common Council as required by state law to serve on the Redevelopment Authority. Rather the Council voted 10-0 in favor of appointment on July 11, 2019. See Wis. Stat. § 66.1333(3)(a)3 and (b) (requiring supermajority of 4/5 of the common council to confirm appointment).

Both Ms. Woodward and Mr. Przytarski are currently ineligible for reappointment to the Redevelopment Authority for the period of one year. See § 62.09(2)(d) ("An appointee by the mayor requiring to be confirmed by the council who shall be rejected by the council shall be ineligible for appointment to the same office for one year thereafter.").

Nonetheless, both Ms. Woodward and Mr. Przytarski may still continue to serve on the Redevelopment Authority at this time. Both Ms. Woodward and Mr. Przytarski were previously appointed and confirmed by the Council. Accordingly, they are holdover officers. See § 66.1333(3)(b) ("A commissioner holds office until a successor is appointed and qualified.").

Legal Memorandum

To: Mayor Mathias Harter, Common Council
Cc: Teri Lehrke – City Clerk, Larry Kirch – Executive Director of the
Redevelopment Authority and Redevelopment Authority
From: Stephen F. Matty – City Attorney 
Date: May 21, 2009
Re: Council Appointment of Mary Thompson to the Redevelopment
Authority

In the course of reviewing statutes and other legal authority with regard to an appointment on the Redevelopment Authority, it has come to my attention that Ms. Mary Thompson did not receive the requisite fourteen (14) votes from the Common Council as required by state law to serve on the Redevelopment Authority. Rather, the council voted 12-4 in favor at the December 18, 2008 Council Meeting. Under Wisconsin law, Ms. Thompson is currently serving as a de facto officer, which means the Mayor has the ability to make a new appointment. Please be further advised that under Wisconsin Statutes Section 62.09(2)(d):

An appointee by the mayor requiring to be confirmed by the council who shall be rejected by the council shall be ineligible for appointment to the same office for one year thereafter.

Accordingly, Ms. Thompson would not be eligible for reappointment to the Redevelopment Authority until December 19, 2009.

SFM:blb