

VILLAGE OF BROOKLYN

November 14, 2011

The Village Board meeting was called to order on Nov 14, 2011 at 6:34 pm by President Walsten. Trustees present were Todd Klahn, Steve Lust, Mark Bruner, Dorothy Frandy, Dean Van Den Eng. Trustee Hawkey was absent. Others present were Clerk Strause, Police Chief Barger, Public Works Director Langer, Gloria & Jim Dorn, John McNaughton, and Paul Douglas.

PUBLIC HEARING FOR 2012 BUDGETS was conducted. The 2011 proposed levy is at \$672,748 which is a 5.46% increase from last year. There were no public comments offered. Trustee Bruner moved, second Van Den Eng, carried to close the hearing at 6:35 p.m.

There were no public comments received.

Trustee Van Den Eng moved, second Lust, carried to approve the October 10, 2011 minutes. Trustee Bruner moved, second Lust, carried to approve the October 17, 2011 minutes.

Trustee Bruner moved, second Van Den Eng, carried, to accept the Plan Commission's recommendation to approve a **rezoning request from Jim and Gloria Dorn, Village View Styles, at 105 S Rutland Ave, from Single Family Medium Density (R-SFM) to General Business** to allow for the operation of a hair salon. A public hearing was conducted on 10-24-2011.

President Walsten attended the annual **League of Municipalities Conference**, Oct 19-21 in Milwaukee. Workshops attended provided valuable information, i.e., **Ustream** will be further investigated to do live coverage of Village Board meetings at no cost which would further transmit information to the community; also **Lean Management** presentation explained how to identify an item, examine how to meet objective at less cost, more effectively; and, creation of more **effective web sites**. Walsten also attended the **CARPC annual conference** Oct 27-28 in Madison attending workshops focused on how to engage citizens in governmental decision with emphasis on targeted surveys, online communications and not to rely on citizens attending meetings for input/feedback.

Clerk Strause reported on the **nomination process that begins Dec 1, 2011**. Nomination papers, Campaign Registration Statements, Declaration of Candidacy papers all need to be filed with the Village Clerk by 5 pm on January 3, 2012. Packets can be picked up in the Clerk's Office. Trustees Lust, Bruner, and Van Den Eng have expiring terms in April 2012. Each position is for two years. Deadline to file a Notification of Noncandidacy is Dec 23, 2011.

Public Works: Director Langer reported on meeting requirements for After School Program in the gym, i.e. the **new exit lighting** has been installed with battery backup. Langer asked how to proceed with replacement of the **railing for the south gym exit** with estimates: 1)\$900 metal railing with powder coat paint; 2)\$1280 for a wood deck type exit; and, 3)\$2500 for a second metal rail pricing. All proposals are built to code. Langer was directed to get three prices on comparable design. Trustee Klahn moved, second Van Den Eng, carried not to exceed \$1,000 for gym exit railing.

Three conceptual layouts for the alley south of Hotel Street businesses were presented. Langer reported he had contacted both owners who own property from their business contiguous to the south property line of the alley. One owner asked if the Village wants to purchase their share of the alley while the other wants to know how the Village will proceed. Langer stated it is easier for snow plowing to have this area as a through street. The three layouts offered a different number of parking stalls. One layout would only surface, curb, etc. the village sections of the alley precluding drive through, whereas, the other two permitted drive through. Langer stated in his opinion a two way street with twenty-six parking stalls was the best design. Cost estimates are from \$85,000-\$115,000 dependent on design. Board members indicated they would incur all costs of upgrade but they are not interested in purchasing land. There is no money in the budget at this time; however, Walsten emphasized the plan for upgrading the alley would provide

downtown parking, which enhances all the businesses. The Board agreed it is a project that should be discussed further and funding sources explored, with the intent to put in a through street that would be maintained by the Village; assuming agreements can be made with the property owners, including residential properties.

Langer reported the holiday decorations are up. Street sweeping will begin on Thursday, 11/17, starting at 5 a.m. Lift station pumps for the Church/Kerch lift station have been ordered with six repair calls in October and two this month because the pumps were plugged. Each repair call costs approximately \$300-\$400 and attempts to identify what material and where this originates from have been unsuccessful. L.W. Allen representative states this problem is seen across communities in the past few years and it is suspected that "Swiffer" type cleaning materials are being flushed rather than discarded in the trash. The Board reviews the **sewer connections fees** annually, and the consensus was to leave unchanged and review again next year. Raising connection fees has an impact on developers and builders with costs carried on to buyers.

Safety: Chief Barger stated the **concealed carry issue** is ongoing and complicated. No decision on posting signs at Village owned buildings has been made and an ordinance has not yet been adopted pertaining to this subject. The department has entered into an investigative agreement with Green County Human Services regarding elder abuse intervention. The department recently **won a new Laser Technology, Inc. Laser Speed Enforcement Device from WISDOT, Bureau of Traffic Safety and also won a \$4,000 equipment grant from WISDOT with the hope of purchasing a Traffic Safety Speed Board and new radar set.** A demo portable speed board that runs on battery is a few hundred dollars less than a new one and comes with a full warranty. Balance of the \$4,000 funds would replace the ten year old radar unit with newer technology for a combined package of \$3900. Trustee Van Den Eng moved, second Klahn, carried to approve up to \$4100 for a new speed board and radar unit with the excess \$100 over the \$4,000 grant to be taken from police general expenses.

Chief Barger explained Baycom's Motorola **radio base station and portable price quote** with a \$1250 promotional discount that ends Dec 18th. Barger reported the Green County Sheriff's Dept has already switched to narrow band frequency leaving the Village department with one portable to use. January 2013 is when all radio communication changes to narrow band. The total package for the police department is \$15,294.80. With only one portable being compatible, there is a need for two additional portables and a base radio that could also be used in a command post if needed for an emergency in addition to a mobile in the squad car. WISCOM now has grant money but radios may not be an eligible expenditure. Langer stated he needs a bare minimum of five portables (\$4500). There may also be a need for a new base radio for the Clerk's Office. DaneCom is asking the FCC for a one year extension to go live because of several towers that have recently been found needing to be revamped. Dane County needs additional time to be in compliance. Barger asked for a minimum of two portables now so there is uniformity of use by officers. Cost would be \$3,000 with a discount. It was questioned whether the cost would come down if purchasing all radios at one time or if delayed purchasing? Walsten advised this question should be researched before making any assumptions based on information provided at Dane Co Cities & Villages Association meetings. Trustee Van Den Eng moved, second Frandy, carried to purchase two portables for the police dept from Baycom. Langer will get two quotes and check to see when the current radio frequency will actually be lost with the information taken to the next meeting.

New Business: "No fault" Sewer/Water Back-up insurance coverage was discussed. The premium for next year increases from \$1594 to \$2452. Many other municipalities are taking this cost to the utility rate structure. Municipalities do not have statutory liability for loss from back up with the exception of a few circumstances; however, the League of Municipalities developed the extended coverage to assist municipalities in dealing with losses from residents and business owners. Back up would have to be caused by the main and not the land owner's lateral. Yearly maintenance is done on the infrastructure along with spot problem areas. Clerk will check with Baer Insurance to see if a \$500 or \$1,000 deductible can be added. Consensus was to add the cost to the utility budgets and not to the rate structure.

Habitat for Humanity will begin building in the Spring of 2012 two condos (four units). They are looking for volunteers to help with the building projects. Clerk will ask the building inspector for a reduced rate for permits for this non-profit project.

Resolution #2011-12 Promoting Civil Public Discourse was read by President Walsten. The resolution was passed at the League of Municipalities Conference and LOM recommended each municipal board pass this commitment re: elected officials treat each other in a civil manner, stopping divisiveness at all levels of government. Trustee Bruner asked what defines “uncivil discourse” and what is the enforcement? Walsten stated civil discourse is how we treat one another—rude, disrespectful behavior and personal attacks. Klahn pointed out “it is a sad day when we even have to have this resolution.” Walsten reminded the trustees, Brooklyn’s reputation is the Board is not civil toward one another and this Resolution sends a message this is a new day for Brooklyn. Bruner stated he would like the Resolution expanded to include what is uncivil, citing some examples, with potential consequences, i.e., individual may be removed from their position. Walsten commented the Trustee Orientation Manual is being worked on in Personnel that may serve this purpose as a section is dedicated on appropriate communication between trustees. Trustee Van Den Eng moved, second Bruner, carried to postpone approval of the Resolution pending further work.

Unfinished Business: 2012 Budgets: Wage Resolution will be voted on after budget discussion at the request of Trustee Bruner. Trustee Van Den Eng reported on the changes to the General Fund budget made at the Finance Committee meeting. Those changes were summarized by Clerk Strause and now presents a levy at \$660,300 which is a 3.51% increase over last year’s levy. The US Cellular tower debt is now paid off with an additional \$7826 of revenue each year. Strause explained the **restructuring of the 2007 BAN, Water Revenue Bond, and 2008 WWTP BAN refinancing** has changed significantly since the last meeting. The new proposals will not require principal payments until 2013. The 2007 BAN and Water Revenue Bond were going to be refinanced as general obligation debt in the amount of \$858,786 through the State Trust Fund at 3.75% on a 10 year note. However, a private entity through the Village’s bonding company, Hutchinson, Shockey, Erley & Co., has offered 3.25%. Strause contacted the Village’s local banks with their interest also in bidding this. The loan would be dated 2-1-2012 with no payment on the new loan in 2012. Interest would be paid on the old debt when refinancing the 2007 BAN, along with repayment of \$165,000 which is the balance of funds unspent. The water revenue bond would pay \$97,761 for its 2012 debt in addition to using its debt reserve fund of \$110,500 to pay down the note to \$651,286. There would be no payment on the new note in 2012. Frandy moved, second Lust, carried to refinance the above notes at the lowest rate yet to be determined.

The refinancing of the 2008 WWTP BAN (\$2,015,000) also has significant changes since the last meeting with an offer from WI Dept of Administration for principal forgiveness in the amount of \$201,500, if the Village refinances 4-25-2012 using State Fiscal Year (SFY) 2012 funds at an interest rate of 3.06%. SFY 2011 funds were offered at 2.496%. The higher interest rate and principal forgiveness has a net overall savings of \$129,505. This loan would be split with the general fund to ensure no sewer rate increase at this time. Principal forgiveness would be split using the same percentage as the loan split. The new CWF#4 loan will be in the amount of \$1,047,500 and the General Obligation loan in the amount of \$765,000. There would only be an interest payment in Nov 2012 on the new loans. There would be an interest payment on the 2008 BAN made in 2012 in the amount of \$40,300. This refinancing structure prevented an increase in sewer rates. Trustee Van Den Eng moved second Klahn, carried to refinance the 2008 WWTP BAN with SFY 2012 Clean Water Funds with principal forgiveness as stated. The 2002 Highway 92 note will be paid off in 2012 with the final principal payment being \$75,000 and these funds will be available to pay the general fund portion of CWF#4 loan in 2013.

In other budget discussion, the Village of Oregon will pay the difference in the **Oregon-Brooklyn’s Senior Center** budget keeping the Village’s cost the same as last year at \$14,336. The Village will need to pay Oregon’s attorney cost and our attorney for drawing up an agreement for the Oregon judge, Judge Beth Cox, and municipal court clerk to provide **Village municipal court services** on a temporary basis until the next judicial election in 2015. This is projected to be at a much lower cost annually than currently. The need for equipment reserve funds was discussed. The General

Fund budget with the new debt restructuring has a surplus of \$32,887. Van Den Eng stated he would like to offer a small wage increase to the employees and lower the levy to 3% increase. Currently it is at 3.51%. Bruner stated a wage increase was first and foremost and second to lower the debt. Walsten stated she would like some of the surplus funds used for wages and benefits for 2012. The Village already approved picking up the entire base cost of the health insurance plan offered through the State Employee Trust Funds. In 2011, the employees had to pay the difference in base costs between 2010 and 2011 amounting to \$66 per month per employee. A 1% raise would cost the Village \$3452 and a 2% raise would cost \$6904. A poll of the Board members resulted in Van Den Eng considering a wage offer of 1%, Frandy 1%, Bruner 2% due to inflation last year at 3%, Lust 2%, Klahn 1%, Walsten 2%. Chief Barger requested the Police Dept. secretary be included in the rate increase. Klahn moved, second Frandy, to approve 1.5% wage increase in addition to the insurance that was already approved with voting as follows: AYE – Klahn, Frandy, Van Den Eng. NAY-Bruner, Lust, Walsten. Motion denied. Bruner moved, second Lust to offer a wage of 2% with voting as follows: AYE: Bruner, Lust, Walsten. NAY: Klahn, Frandy, Van Den Eng. Motion denied. Bruner moved, second Lust to offer a wage increase of 1.75% with voting as follows: AYE: Bruner, Lust, Walsten, Van Den Eng. NAY: Klahn, Frandy. Motion carried for a 1.75% wage increase for employees Strause, Brewer, Langer, Spilde, Golz, Barger, Engelhardt, Hardy. Board members stated they appreciate the skillful staff the Village employs. Director Langer stated the Public Works employees also appreciate the Board's efforts in the wage consideration. Clerk Strause will recalculate wages and enter the data into the budget. Trustee Frandy moved, second Van Den Eng, carried to include the new wage data and Resolution #2011-13 lowering the levy to 3% (\$657,036), and placing the balance of reserve funds in an undesignated reserve account with budgets for Mt. Hope Cemetery, Special Revenue, Debt, Capital Projects, TID, Water Utility, Sewer Utility, approved as presented incorporating changes as previously discussed. Bruner moved, second Van Den Eng, carried to approve **Resolution 2011-08 Employee Wages and Fringe Benefits for 2012** modifying item "A" for a 1.75% wage increase. The full allowable levy at \$669,960 would not be used and Clerk Strause informed the Board she would adjust debt lines on the Levy Limit Worksheet so that the allowable and actual would be the same at \$657,036 incorporating the State's changes in the levy limit formula from allowable to actual on Line 1 of the worksheet. Exempt computer aid will need to be calculated on the 3% levy.

Mission and goals for 2012 will need to be addressed in each committee. Personnel and Finance committees will vote at their next meeting on their respective mission and goals.

President Walsten reported on the latest **DaneCom agreement**. Each Trustee will need to read this agreement before the next meeting. An agreement will need to be signed by the Village by Dec 22, to participate with the county program. The 50/50 formula for cost sharing has not changed. County has agreed to pick up 70% and other like communities (cities, villages or towns) 30% of the cost for maintenance for the municipalities that decline to participate in the DaneCom system.

The **Union Bank & Trust lease** was included, and therefore, approved, in the 2012 budget. The lease will be forwarded to the Village attorney for review and be sent back to the Finance Committee. The lease would be for the Clerk's Office to move Village Hall to UBT in 2012.

Chief Barger again stated that everybody is struggling with all the changes to the **Concealed Carry Law** since the law was adopted. No ordinance has been drafted as of this date.

President Walsten reported the resignation of Judge Glasier for Dec 1st has been withdrawn so that court paperwork can be completed. Walsten is meeting with the Oregon Village Board on Dec 5th and they will hopefully approve a plan two weeks later for their **judge to handle our court cases** until the end of Glasier's four year term. Earliest date for a beginning this new court arrangement would be February 2012. Judge Glasier will resubmit her resignation.

The **lease with the Heart of Brooklyn** renting our gym area could begin in December after a licensure inspection. Their insurance carrier will list the Village as an additional insured. An independent inspection last month showed no

changes are needed other than the ones the Village was already working on, i.e., battery backup exit lighting and exit railing.

The joint meeting with the Town of Rutland will be held on 11/22 at 6:30 pm at the Community Building, regarding the **Hwy 14/92 remediation plan intergovernmental agreement**.

Release of John DeWitt's Letter of Credit (LOC) was discussed. Langer said everything is complete, erosion fence down, lots mowed. Clerk Strause asked that the approval be contingent on DeWitt paying all Strand Engineering bills and any other bills owed the Village before the release of the LOC is signed. Trustee Klahn moved, second Van Den Eng, carried to approve release of the LOC contingent on payment of any outstanding bills to the Village.

Bruner moved, second Klahn, carried to **approve the consent agenda**: payment of all November invoices as listed; approve closing the Clerk's Office on Friday, Nov 25th (day after Thanksgiving); approve operator license for Alta M Lemke; approve President Walsten's re-appointment to the League of WI Municipalities Board of Directors.

Committee reports: Planning and Zoning-Walsten reported Habitat for Humanity's condo project had some changes in the plans with the 2nd floor removed but offers the same footprint. **Ordinance**-will meet next week and review Chapter 2, and will also review an ordinance for vacant property maintenance. **Fire/EMS**-No report.

Personnel Committee presented a **policy for department heads to communicate extended time off preferably via email to the President, chair of the appropriate committee, and other employees**. Van Den Eng explained they are not asking for permission just notification if an employee is gone for an entire day. Bruner moved, second Klahn to open for discussion of the policy. Chief Barger asked the committee to review what other communities have for longer range day off plans and requested the policy be changed to three or more days off rather than a day or two. Part time police staff is not scheduled on a regular basis. Barger stated he always gives notice of succession of command if he is gone for more than a couple of days or out of the area. Notification when sick was also discussed. Bruner and Klahn withdrew their motion. Bruner moved, second Van Den Eng, carried to approve the policy with a change from one day to two days for notification.

Economic Development Committee will be presenting to the Board their goals and plans. Recreation-Van Den Eng moved, second Klahn, carried to appoint Rebecca Fenstermann and Brit Springer to the Committee. Volunteers are needed to erect the ice rink on Saturday at 9 a.m. at Smithfield Park. Frandy questioned why the committee is obligated to erect the ice rink not knowing how it is to be put up. Trustee Bruner has in the past assisted with this project and will be on hand Saturday to help. This will be discussed at the next public works meeting as possibly having Public Works department erect the ice rink in the future. **Emergency Management, Recycling, Website** – no reports.

Finance—everything covered under budget report. **Bluegrass**-Walsten stated she was contacted by Jim Knobloch of the Southern Wisconsin Bluegrass Music Association who states SWBGMSAI wants the Festival to continue and for it to be held in Brooklyn as it is now known statewide. Walsten told the association the Festival would have to have a joint sponsorship between the Village and SWBGMAI, that it cannot cost the taxpayers and an agreement would need to be reached whereby the association would pick up the difference if costs run over. Mr. Knobloch will present this proposal to the SWBGMAI Board on 11/18/11 and will contact Walsten.

Klahn moved, second Bruner, carried to adjourn 9:25 pm.

Carol A. Strause, MMC, Clerk-Treas.