

Village of Brooklyn
February 8, 2010

Village President, Nadine Walsten, called the February 8, 2010 meeting to order at 6:42 pm. Trustees present were Mark Bruner, Tim Belter, Lilly Irvin-Vitella. Trustee McCord, Klahn, Layton had excused absences. Others present were Clerk Strause, Chief Barger, David Natzke.

There were no comments from the public. A letter from Jason Thomas was read regarding high taxes, spending, LED sign, Pleasant View Nursing Home referendum, new fire department building. Pres. Walsten will follow up with Thomas. The LED sign expense was incorrectly written in his letter costing \$25,000. Actual expense was \$16,629.

Walsten moved, second Bruner, carried to postpone approving the January minutes until the March meeting due to 2 abstentions regarding absences. Spelling corrections will be made to Trustee Irvin-Vitella's name and Trustee Bruner's name will be added in the first paragraph.

President Walsten reminded Trustees to look at outcome budgeting goals and expenses throughout the year. The Complete Census Count initiation will begin in March. The Clerk's office will handle publicity through the newsletter and website. Walsten reported on an appropriation request she wrote for 2011 to Rep Baldwin for \$2.6 million which would include infrastructure and an incubator building for TID #1. The five year planning process will be discussed later during the finance report.

Clerk Strause reported on the Spring Primary being held on Feb 16th for the District IV Court of Appeals Judge. The polls are open 7 a.m. to 8 p.m. Tax collection is over with 77% collected in Green county (\$475,485), 16% postponed (\$97,458), and 7% delinquent (\$40,187); and in Dane County 80% collected (\$1,042,533), 16% postponed (\$206,926), and 4% delinquent (\$57,040). All 2008 payable 2009 personal property tax has been collected with no need for a charge back to the taxing jurisdictions this year. Utility bills with the new sewer rates were sent out last Thursday with many calls received starting Friday questioning the increase. Several had much higher usage indicating a possible leak and that was explained to them along with the new rate structure.

Unfinished Business: President Walsten has attended Dane County Cities and Village Association (DCCVA) meetings since Jan 14 regarding **DaneCom 's new interoperability radio system**. The original proposal from the County Executive's office was very vague. The County will be funding the \$30 million to purchase and install this system, however there have been several counter proposals on paying for the operation and maintenance costs (\$1.6 million annually) and governance, primarily. The last County offer would have Dane County paying 100% of the O&M costs in 2011-2012. In 2013, the latest proposal offered by the County Board is the county will fund 50% of O&M and the participating municipalities will share the remaining 50%. In 2014, O&M costs will be split among the municipalities that signed up for the new system. There are sixty-one municipalities in Dane County, however, almost all municipalities in the Dane County City and Villages Association were opposed to this proposal voting the county should pay all costs. County Executive Falk has countered again with a substitute Resolutions going to the County Board. Five municipalities have voted against Falk's proposal; three or four municipalities are in favor of the County Executives' original proposal. Most have deferred their vote until after the next county board meeting Feb 18th. March 1st is the amended deadline to sign on with the County's DaneCom system. The Village may need to have an emergency Board meeting before March 1st to approve a new resolution. The deadline for a response to the County Executives' office has changed three times. Trustee Bruner moved, second Belter, carried to postpone until the next regular meeting, or if needed, an emergency meeting to discuss a counter proposal resolution. Trustee Bruner moved, second Belter, carried to lay on the table Resolution #234, 09-10 which has been struck down at the

County level and will not be going forward to the County Board (this is the 100% County funding resolution which the County Executive will not support as the County is unable to provide 100% funds.).

Emerald Ash Borer: Trustee Bruner reported on the final plan: Phase #1 remove 8 ash trees along Church St. and two very large trees in Legion Park. These two trees are about 75 years old and could fall in the playground area, if infested. One would be removed in 2010 and one in 2011 as budget permits. Inventory shows thirty two trees in the Village on public property, i.e., terrace, parks, public accessible areas, each of which will be looked at on a case by case basis if they need to be taken down. Two ash trees in Smithfield Park will be removed and replaced. Bruner stated a public educational meeting will be held in March that will be well publicized, explaining the plan and options, i.e., what we are doing, why we are doing it, what steps are going to be taken. Trustee Irvin-Vitella requested the educational forum help residents identify their own ash trees on private property and what they need to look for if a tree becomes infected. There is a new insecticide coming out and PW Director Anderson will gather info for the next PW meeting. Insecticide is injected directly into a tree so there is minimal risk to the public as it is not sprayed. Trustee Bruner moved to implement the EAB plan as stated, second Irvin-Vitella, carried. Pres. Walsten voted NAY wanting more detail.

Consent Agenda: Trustee Bruner requested removing item #1, paying invoices, from the consent agenda. Trustee Irvin-Vitella moved, second Belter, carried to approve items #2-4 temporary Class "B" license for Brooklyn Sno Hornets, March 20-21, 2010 for their annual dance; resolution #2010-01 adopting equipment rates for contracted services and ordinance violation assessments for 2010, and annual prairie burn for educational purposes (classes on site) at Brooklyn Elementary with Brooklyn Fire to supervise, late April or early May, weather permitting. Trustee Bruner asked how much of the DeWitt Ross attorney bill of \$11,000 is attributed to the Bob Anderson employee issue. Finance chair, Trustee Belter, stated it is 100%. - Trustee Bruner stated he wants it on record to the taxpayers that the Village spent \$11,000 on this personnel issue. Pres. Walsten stated she wants it on record that there was potential litigation regarding concerns over nepotism, and Anderson brought in his attorney requesting an open session with no choice for a closed session. Trustee Irvin-Vitella commented the costs were maybe higher because of a junior staff person filling in for our regular attorney and perhaps the Board should question how this was handled as she felt the substitute attorney did not meet our expectations. Pres. Walsten stated the initial Board meeting was cancelled because Atty Christopher was unable to get to Brooklyn due to a December snowstorm. Christopher was unable to attend the next meeting and sent Atty Mindy Rowland who is a labor attorney dealing with personnel issues. Walsten further commented because of the comments made to the Oregon Observer, the issue had to be brought back to the 12/14 meeting to rescind a motion and revisit, requiring the attorney's presence. Part of the cost was also because of the way Anderson's attorney handled it. Trustees agreed there was no doubt the Village attorney had to be involved. Trustee Irvin-Vitella moved, second Belter, carried to approve payment of all bills with the addition of a bill from Two Rivers Sign Company for repair work to the LED costing \$180. Trustee Bruner voted NAY. Monthly expenses are \$48,528.28.

New Business: Pres. Walsten requested permission to create a **policy on legislative or political issues addressing the release of information to the public**, what goes to the public and who is going to release the information. Involvement by the Oregon Observer on recent personnel issues inflamed the situation further and as such, potentially damages Brooklyn's reputation as a desirable place to live and work. Issues can be politically or personally sensitive, and a policy is needed to insure all staff, Board and committee members understand the process of how information is released. Walsten quoted from the revised Johnson Creek Trustee Orientation Manual as follows: "The purpose of this policy is to ensure that boards, committees, and commissions do not make policy statements or take public positions which fall solely within the realm of the Village Boards' responsibilities, and might be misconstrued as representing the official position of the Village." Bruner felt he was speaking as a citizen, however, Irvin-Vitella pointed out that as a trustee he was representing the Board with his comments. Walsten pointed out that on 12/14, the Village attorney had

instructed the Board to not make public comments about the decision. Because Anderson wanted the discussion to be held in open session, everything became available to the public and the reporter for the Observer called following up on a story. Walsten reported the Observer is widely read (outside Oregon and Brooklyn) and an example is in a recent conversation with Topf Wells, County Executive Falks' Chief of Staff, pointed out "Brooklyn blows up every 2-3 years and ends up in the paper, with the Board usually attacking each other or the Village President." She pointed out how destructive this image is to future economic development goals. When a company considers moving to a new community, one of the first tasks is to read the articles in the local papers about the community. EDC has been working the past two-three years specifically to improve Brooklyn's image and reputation. Because of these recent events, Walsten feels there is a need to put together a public communications policy so all (officials, committee members, and staff) understand how to handle certain politically sensitive issues. A policy would make it clear what is released to the public and reflects decisions of the communication plan. It is not the purpose to prevent open dialogue on issues but to prevent personal attacks being carried out in the media. A written policy would direct the interface between the Village and the press/public to prevent future airing of comments damaging to Brooklyn. There is a need for guidance and education on what we should be doing and saying. Trustee Irvin-Vitella stated her concerns creating a policy that is too broad and the need for a policy that talks about protocol rather than content. Trustee Belter stated in theory this is a great idea, in reality, it could have major problems. The media can misquote and once printed it is too late. To say nothing to the media fosters speculation. Comments to the press need to be representative of the Board's decision. Trustee Irvin-Vitella offered to work on a draft policy. Trustee Irvin-Vitella moved, second Bruner, carried to have Irvin-Vitella create a work group to create a draft legislative and political issues communications policy.

Reports : Public Works: Trustee Bruner reported the **WWTP project** should be closed out by March 1st with just a few punch list items to be completed. The committee received a letter from Patricia Paulson requesting a **sewer credit** for an outside faucet left running from vandalism. Because the water did not enter the sewer system, the committee recommended looking at the past twelve months of her account and giving sewer credit on the amount over the highest usage on her account. Trustee Bruner moved, second Irvin-Vitella, carried to give sewer credit based on the above calculation. An ordinance needs to be drafted setting criteria for sewer credits which was referred to Ordinance Committee. The Public Service Commission does not allow the Village to not charge for water that has been metered.

Trustee Bruner reported on the **Kerch and Hotel Street storm water** and street reconstruction proposed for 2010. Strand's engineering proposal was presented for design and construction documents, bidding services, construction related services costing \$23,000. Bruner stated this is the maximum cost. If less work is done, than costs will be less. \$180,000 has been budgeted with \$26,000 in Green County LRIP funds to be received. Bruner moved, second Belter second, carried to approve hiring Strand for this project.

Planning & Zoning continues to work on a sign ordinance and revision of the Village's Comprehensive Plan. Rob Roth was present for the last meeting. Also present for the PZ meeting was a business owner who is operating in a residential zoned district. The owner indicated he is in process of finding an appropriate location for his business.

Ordinance committee did not meet this month but may meet on Feb 25th.

SAFETY: Pres. Walsten moved, second Belter, carried to have Chief Barger join Dane County Police Chief Association, Green County Law Enforcement Administrators' Association, and Wis. Police Chief Association. Pres. Walsten moved, second Bruner, carried to approve Chief Barger and Brooklyn PD's continued participation in the Training Consortium. An Employment Agreement to hire Wade Engelhart as a permanent part time officer was presented. Overtime would be paid for hours worked over ninety-six hours per pay period, the same as other police department employees. The permanent part time position would be eligible for compensation through the Wisconsin Retirement System but no other benefits. The job description has

already been approved by the Personnel and Safety committees and Board. Bruner moved, second Belter, carried to approve per the committee's recommendation reassignment of Officer Engelhart from part-time to permanent part-time status. Probationary period is 18 months. Dane County probationary period is 24 months. Trustee Bruner moved, second Irvin-Vitella, carried to approve the employment agreement – with changes, i.e., removing Chief Barger's name and reference "Police Chief". Trustee Bruner thanked Chief Barger for personally contacting him regarding a light left on in his car one night. January activity sheet was presented and discussed. Chief Barger stated the call volume will increase when there is more permanent coverage.

Fire-EMS -no report. **Personnel Committee**-Ad Hoc Personnel Committee appointed Trustee Layton as chair, have met once to formalize their purpose. Trustee Bruner moved, second Belter, carried to approve Police Performance Evaluation form as recommended by the committee. Trustee Irvin-Vitella commended Chief Barger on presenting a well written evaluation form. Chapters 1 & 2 of the personnel manual were presented. Trustee Bruner moved, second Belter, carried to send back to committee to include definitions for permanent part-time and regular part-time, definitions of which are included in Chapter 8. Holiday overtime pay for officers will be discussed at the March 4th Public Safety Committee meeting.

Economic Development-Trustee Belter moved, second Walsten, carried to approve the resignation of Cheryl Parrish from the committee. **Recreation**-no report. **Bluegrass**-Trustee Bruner moved, second Belter, carried to hire Jennifer Niles, as recommended by the committee, to upgrade the BBG Festival website at a cost not to exceed \$800. Funds to be taken from last year's reserves or this year's budget. **Recycling**-committee needs to be reactivated. **July 4th** - fireworks contract has been signed. **Website**-needs to meet this month.

Finance-Trustee Belter reported the Village's Bank collateral has been sufficient during tax collection. Youth Center contribution for this year is recommended to be the same as budgeted at \$3800; however, the committee requests documentation on the number of youth participating from the Village and programs offered. Walsten will write a letter stating this to the Director and YWCA Board. A bidding policy was presented defining four types of quotations: verbal, informal, formal, and emergency. Trustee Bruner requested the verbal quotation (1) which is for amounts from \$1,000-5,000 be changed to be approved in committee rather than going to Village Board and add expenditures of less than \$1,000 do not need quotes. Formal Bid (3) definition for purchases of \$10,000 or higher will remove wording "and in some instances in amounts less than this amount" and insert "or as requested by the Village Board". Entire policy will be set up in table format for easier reading. Trustee Bruner moved, second Irvin-Vitella, carried to approve the bidding policy as corrected.

Trustee Belter moved, second Bruner, carried to approve a two year contract with Election Systems & Software for maintenance on the Automark election machine costing \$210 each year. Trustee Bruner moved, second Belter, carried to approve closing the Clerk's Office on April 28-29 for Strause and Brewer to attend the Wis. Municipal Treasurer's Conference in Madison.

Trustee Bruner moved, second Belter, carried to adjourn at 9:30 pm.

Carol A. Strause, MMC