

VILLAGE OF BROOKLYN
7-12-10 BOARD MEETING

Village President, Nadine Walsten, called the Board meeting to order on July 12, 2010 at 6:31 p.m. Trustees Steve Lust, Mark Bruner, David Natzke, Tim Belter, Dean Van Den Eng were present. Trustee Klahn arrived at 6:36 pm. Others present were Clerk Strause, PW Director Anderson, Police Chief Barger, Steve Eager, Diana Sims, Wade Engelhart, and Luis Herrera.

There were no public comments offered. Walsten stated she was asked by a resident if she was aware that sewer rates were forcing people to move out of the Village, in particular renters who are less likely to tolerate increases.

Trustee Bruner moved, second Van Den Eng to approve the minutes from June 14, 2010 with the correction of adding the words "congressional districts" under the Clerk's report of 435 House of Representatives.

Trustee Van Den Eng moved, second Bruner to approve the minutes from 7-7-10. Belter abstained.

President Walsten gave the Oath of Office to the Village's permanent part-time police officer, Wade Engelhart. Wade has been working here part time since 2003. Wade's status changed in Jan 2010 to permanent part-time. Trustee Klahn arrived.

PRESIDENT'S REPORT: State Statute AB 260 passed and this prohibits a municipality from denying approval of land division in its Extra-territorial Zoning district on the basis of concerns over the proposed use of the land. There will not be the same control over land in the ETZ that we had before. The State Supreme Court handed down a ruling on the Mazomanie vs. CARPC suit which stated that the DNR must review the denial by CARPC, raising the question of who has the final decision on requests for Urban Service Area extensions by municipalities. It is unclear if we ask for an urban service expansion, what the outcome would be. The recession is moving from individuals and the private sector and is now hitting municipalities. The Wisconsin State Journal reported 2011-2013 shortfall for the State will be at \$2.5 billion. It is anticipated shared revenue will be cut again. The statewide smoking ban law became effective 7/5/10 which requires all establishments to be smoke free. Walsten stated she will trial holding office hours at the Village Hall the 2nd and 4th Wednesdays of each month 1:30—3:30 pm and 6:30—7:30 pm to provide greater access for residents who wish to discuss local governmental issues.

President Walsten presented a **Certificate of Appreciation to Luis Herrera** for translating the Community Center policy into Spanish. This was a great service to the community and Luis was thanked for his service.

CLERK'S REPORT: **E-Cycle Wisconsin** brochures were in Board packets as a reminder that as of Sept 1, 2010, it is illegal to landfill or incinerate electronics such as computers, monitors, TV and other video display devices, fax machines, DVD and VCR players, printers, and cell phones. Manufacturers will be responsible for collecting and recycling these electronics from households and schools. Harmful materials, in electronics, including lead, mercury, cadmium, other heavy metals and chemical flame retardants can leach into the environment where they may affect human and environmental health. Next Electronics Round Up recycling collection will be in Oregon in Oct. sponsored jointly by the Village of Brooklyn and Oregon Rotary Club.

Upon request by the Village Board, Steve Eager, Senior Vice President of Union Bank & Trust, was present to discuss the **lack of proper collateral coverage as of 12/31/09** as stated in the 2009 audit report. In response to this lack of coverage, Eager stated "there is a simple answer—it was a mistake on my part by having only \$200,000 rather than \$500,000 of extra collateral coverage". On January 12, 2010 total collateral was at \$700,000. The ramification would be if the bank failed, the Village would lose \$383,000 as stated in the audit

report because it was uncollateralized. UBT has a high bank rating so that chance was very low. Eager was asked how to prevent this from happening again. Eager reported that all documents for increases or decrease in collateral pledged go through Bankers Bank. A third party may be needed to communicate the change. Eager was also asked how Trustees should respond if residents ask why the Village does banking with UBT. Eager stated "timing was unfortunate because it was year end even though it is no less severe". UBT's history of what they have done on the Village's behalf is evident on deposits, paying above market rates on deposited funds and paying over the percentage rate of the State Investment Pool. Eager continued they loan out to the local community and have purchased bonds from the Village issued over the years. They have also actively participated in bidding loan requests. Eager further stated "the Village is an important customer". Asked why there is a need to change collateral, ideally less frequent, Eager reported that UBT manages their funds using municipal deposits in their portfolio. When asked, Eager reported he did not become aware of the lack of collateral until Clerk Strause called him. Email from Eager to the Clerk on Dec 23 stated there was proper collateral. Bankers Bank can generate collateral reports more frequently not just when there is an increase or decrease. Tax deposits increase the need to add collateral more frequently from Dec to March. Eager stated the bank could create a cushion for collateral but he was unprepared to guaranty that right now.

Request by UB&T to release \$400,000 collateral currently held by FHLB \$200,000, Buffalo Grove, IL, \$100,000, Cook County, IL \$100,000 was presented. Review by the finance committee recommended denying the request. Trustee Belter stated because of tax deposits arriving in August, the Village should not release these funds right now creating a cushion. Trustee Belter moved, second Van Den Eng, carried to deny release of \$400,000 of collateral. FDIC has \$250,000 and the State \$400,000 of insurance. Finance committee will look at other options for secondary deposits.

At 7:18 p.m., Trustee Klahn moved, second Bruner to **convene to closed session pursuant to Wis Stats 19.85 (1)(b) for reconsideration of a denied renewal operator license application** for Diana L. Sims (requested to be in closed session by applicant). Voice vote: AYE: Klahn, Lust, Bruner, Walsten, Natzke, Belter, Van Den Eng. NAY: none. Motion carried. Board will reconvene to open session in approximately 15 minutes. Trustee Bruner moved, second Klahn to reconvene to open session at 8:10 p.m.

Trustee Belter moved, second Klahn, carried that the **denied operator license renewal stands** for Diana L. Sims. Trustee Bruner abstained. President Walsten informed applicant Sims the decision was very difficult, however, the Board agreed the purpose of licensure is to protect the public and therefore, the decision to deny the license renewal remained.

At 8:15 p.m., Trustee Van Den Eng moved, second Klahn to **convene to closed session pursuant to Wis Stats 19.85 (1)(c) to discuss the performance improvement plan** for Bob Anderson, Director of Public Works. Voice Vote: AYE: Klahn, Lust, Bruner, Walsten, Natzke, Belter, Van Den Eng. NAY: none. Motion carried. The Board will reconvene in approximately 15 minutes. Trustee Bruner moved, second Klahn, carried to reconvene to open session at 8:57 p.m.

Trustee Klahn moved, second Bruner, carried to **accept the performance improvement plan for Bob Anderson** as presented by the Personnel Committee removing item # 6 on the first page and authorizing the Personnel Committee to implement the Performance Improvement Plan.

Trustee Klahn moved, second Bruner, carried to postpone until the next meeting discussion on the **balance of funds in the 2007 BAN**.

Trustee Bruner moved, second Van Den Eng, carried to approve **Consent Agenda items** as follows: Payment of July 2010 invoices totaling \$33,304.25; Resolution 2010-11 transferring funds from Chase Bank-Sewer

Connection Fund to pay for balance of WWTP contract in the amount of \$77,200 as needed; Ordinance Chapter 32.16 for Participation in the Non-moving Traffic Violations and Registration Program of the Wisconsin DOT.

New Business: Trustee Bruner moved, second Lust, carried to approve Resolution 2010-12 for **Borrowing up to \$180,000 from Brooklyn Community Bank** for the Hotel/Kerch Street storm water project with prepayment privileges changed to "at any time".

REPORTS: Public Works-Director Anderson stated the WWTP is still not closed out. A meeting was held last Friday with the engineer and contractors. Lien waivers are not back yet. Electrical contractor's work is not complete and some painting is left to be done. The project is very close to completion. Penalties could be assessed for incomplete work. Trustee Bruner moved, second Lust, carried to authorize **Strand Engineering to write a letter indicating the Village will proceed with penalties because of incomplete work.** Contractor will be here on Thursday to begin the Hotel/Kerch Street project. Anderson stated he will be gone but the engineer will be on site. There is no time schedule yet for the curb and gutter replacement on N. Rutland. Fire and EMS purchased a new set of bleachers for Legion Park in appreciation for use of the park on Labor Day weekends. Cost of the bleachers is about \$2,000. Ball park lighting was postponed until the Aug meeting. Anderson will be attending a Wisconsin Rural Water meeting on July 13th in Plover. Emergency generator discussion was postponed until the August meeting. Seven seasonal lawn meters were prepared for rental. There are three left to be rented out. Meters are tested before being used for lawn meters. All residents requesting a meter have been called. No additional meters will need to be created until demand warrants more.

Planning and Zoning-Trustee Natzke moved, second Klahn, carried to postpone until the next meeting approval of Ordinance **Chapter 43**, Sign Code as recommended by the PZ Commission until Trustees have had more time to read the chapter. **Ordinance committee** will be meeting on July 19th.

Safety-Chief Barger presented the monthly reports. Barger stated he needs \$150 to start up the parking citation follow up and registration suspension program with DOT. Klahn moved, second Natzke, carried to take **\$150 out of the training fund temporarily** until funds come back from \$10 administration fees from the program. Of the \$10 charge, \$5 is sent to DOT for processing. Chief Barger will be working on protocol for handling **junk vehicles** (not registered, not operable) to be reviewed by the committee. Time sheets are being changed to chart how hours are spent.

Fire-EMS-No report. **Personnel**-Discussed previous in meeting. **EDC**-Will be meeting Thursday. **Bluegrass**-President Walsten handed out the 2010 financial report showing a loss of \$5375. Some pledges have yet to be received; more bills may come in. There are two reports due on the Bluegrass festival to the Wis Arts Board and Dane County Cultural Affairs Commission. Publicity was better than ever but still not a significant enough attendance to make a substantial profit. The committee will meet on July 20th to debrief the Festival and review the revenue/expense sheet with recommendations to follow. Trustee Bruner stated this is an \$8,000 cost to taxpayers including the \$2500 budget commitment. Walsten commented this is the first year we have had a 3 day festival; that other festivals have noted a decreased attendance related to the economy; and the purpose of the festival is to promote Brooklyn as a community, not just bluegrass music.

July 4th- Legion Park was full for the fireworks display. Some fireworks did not go very high because of the humidity and it was slower than usual trying to get fuses to light. Many residents from outside the Village attended. **Website**-Missing content has been identified and is being updated. Another meeting will be held soon.

Finance-Budget worksheets are out to department heads. The relationship between Depot Days and the Village was discussed to clarify the financial responsibilities/agreement between the two entities. President Walsten met with Lavern Dvorak regarding Depot Days and the relationship between the Chamber and the Village. Lavern indicated Depot Days is independent from the Chamber and there is a separate bank account for Depot Days. Depot Days purchases its own liability insurance and all money earned (minus expenses) goes into the account to fund the next year's event. Discussion centered on the changes that have occurred. In the past when Depot Days had a relationship with the Village, there was no charge for the Community Building to be used. However, with the revision of the Community Building's rental policies, this event no longer meets the criteria and rental fees as established need to be paid. The other issue discussed was whose responsibility it is when the terrace is torn up when the speeder cars are loaded and unloaded onto the railroad tracks. LaVorn pointed out Depot Days cleans up this area, reseeds and repairs—that it is not a Public Works responsibility, nor has Public Works repaired the terrace. The Board agrees that expenses of this nature should be handled by Depot Days. LaVorn also identified the extra rail requested by the speeder car group to be installed to prevent future damage to the terrace is an issue to be decided by those that own the line, the Oregon/Fitchburg communities, not the Village. Bruner reminded the Board, Depot Days should come before the Board for approval and a copy of the liability insurance needs to be given to the Village before the event.

Trustee Bruner moved, second Klahn, carried to adjourn at 9:40 pm.

Carol A. Strause,
MMC, WCMC, CMTW