

Village of Brooklyn

July 8, 2013

The Village Board meeting was called to order by President Walsten on July 8, 2013 at 6:31 p.m. Trustees Lust, Frandy, and McCallum were present. Trustee Klahn arrived at 6:37 p.m. Trustees Van Den Eng and McNaughton were absent with the exception of a conference call for voting as described later. Others present were Clerk Strause, PW Director Langer, Chief Barger, Heather Kirkpatrick, Laura Clark-Hansen, Keith Arndt, Brit Springer, Josh Straka, and Wm Brockman. The Pledge of Allegiance was cited by all.

Public Comments: Keith Arndt asked the Board to reconsider their previous vote on the berm for the Business Complex. Arndt stated all neighbors with land abutting the park are involved and want the berm. He asked the Board to take their back yards into consideration, their view, the sound that may come from future development.

Trustee Frandy moved, second Lust, carried to approve the minutes of 6-10-13. Trustee Lust moved, second Frandy, carried to approve the minutes of 6-24-13.

President Walsten reported on the League of Municipality's Board meeting that she will attend July 10-12 in Green Lake. Agenda includes selecting workshop topics for the fall conference. The agenda was distributed and Walsten invited the trustees to offer suggestions for workshop topics for the Fall Annual conference. Another topic will be discussion of the League's partial funding the Local Government Institute. Thursday there is an Ice Cream Social fundraiser for the Oregon Senior Center.

Clerk Strause gave a financial update with May deposits of \$66,033, expenses \$433,130 and an end of month balance of \$1,169,085 for all funds.

PUBLIC WORKS: Lust moved, second Frandy, carried to approve the committee's recommendation that two older **generators at the WWTP be declared surplus** and have Director Langer decide on the way to dispose of either by sale or trade in, whichever is most economical to the Village. RFP's were sent to nine contractors for new generators. Only one company, PDC, offered a **proposal for three generators** less a deduct at \$81,700. 2013 generator budgets include \$22,500 each from water and sewer fund and \$10,000 from the emergency management budget for a total of \$55,000. Sale or trade in of old generators could offer \$5-8,000, leaving a shortfall for the purchase of three generators. The three generators include one for well #2, one portable trailer unit for the three sewer lift stations and Community Building, and a permanent emergency backup generator for the Community Building because it is the Emergency Operations Center should a disaster strike the village (i.e. tornado, etc.) rather than rotate use with the three lift stations. Purchasing all three generators would be ideal as during a disaster, the mobile generator wouldn't be able to power lift stations and Community Building/EOC simultaneously. Klahn moved, second Frandy, carried to postpone and have public works committee look at other options, explore ideas with the contractor, including possible purchase of used generators. The **DNR Urban Forestry Catastrophic Grant** will provide \$23,368 for pruning 115 trees and removing 6 trees in Mt. Hope Cemetery due to the December 2012 snow storm. Since that storm, a spruce tree was hit by lightning and needs to be taken down. Six new trees will be planted and is included in the grant funding. Eleven companies were contacted and four responded with proposals. Whitney Tree Service was the lowest price for tree pruning, removal, stump grinding, and planting at \$15,718.00. Klahn moved, second Lust, carried to hire Whitney not to exceed grant money of \$23,368.00. The **2013 DNR Urban Forestry Grant** is a matching grant for \$5,000. Four proposals were received with Jim's Tree Service being the lowest in the amount of \$6587 for 9 tree removals.

Klahn moved, second Frandy, carried to hire Jim's Tree Service to remove 9 trees only at a cost of \$6587 which includes stump grinding. In kind labor added to the contract cost will maximize the \$5,000 matching grant. Langer reported on **recent flooding issues**. The Village pumped down the Lincoln St pond with water eventually flowing through the newly installed DOT storm water system crossing St Hwy 92. Per Trustee Klahn, the new system is working properly. Langer and Spilde looked at some basements that had ground water coming in. The WWTP is taking in approximately 285,000 gal/day from ground water getting into the system. Two manholes were found to have ground water entering at full stream with one at Bowman and First Streets and the other one inside the gate at the treatment plant. Both manholes are being fixed for under \$5,000. Televising a sewer line in an easement off of W. Main St. should also be done. Sand and bags were placed in the Community Building parking lot for residents that needed them. Information was also on the website. Langer reported **mowing 9-10 lots** to bring into compliance with Village ordinance with some lots mowed twice. Bills have been sent for this work. **Holt Road paving project** is done with LRIP funding request to be submitted soon. **Smithfield Park shelter** roof replacement is complete with work done by Dan Olson. Nine companies were contacted for **Community Building bathroom repairs/replacement of exhaust fans, windows** to save energy. No one replied with an offer. The **dedication of the small diamond fence at Legion Park** was held June 18. The **Oregon Girls fast pitch donated \$8,000 for rehabilitating the small diamond, including a new fence, creating two softball diamonds for league play**. The diamonds are being used almost every night and week-ends by the OGFPS Association program with tournaments planned.

Board consensus was to move up on the agenda **discussion on approval of the final bid specifications for the Business Complex**. Trustees Van Den Eng and McNaughton attended by speaker phone for further discussion on berm options. Previously the Board approved a combination of options A&B for infrastructure design which did not include a berm. Tree planting was also removed from the infrastructure bidding process with the Village to bid separately at a later date. Josh Straka, Strand, Eng., presented recalculations for a 3' high berm vs. the previously discussed 5' high berm. Scaling back to a **3' berm that would be 20' wide and a swale on both sides for drainage is estimated to cost \$8,050** and does not include any cost for trees. Low grow, no mow grasses would be planted on the rather steep 3' berm. Trustee Klahn said he was opposed to the cost of the 5' berm but would approve a 3' berm with the Village planting trees next fall. Trustee McNaughton felt the berm will possibly keep water from going into homeowners' yards from the Business Complex. Trustee Van Den Eng stated the cost for the 3' berm is affordable with no trees at this time. Trustee Frandy stated she would not support the berm because of the cost, setting precedence requiring extension of the berm as the business park developed, and concerns the berm would prevent stormwater drainage, causing flooding of the lowest properties. Straka suggests the 3' berm and swale to be 10' off the residential property lines with a 2/1 slope. The 20' wide berm + 10' setback is equal to the rear yard building setback requirements of the Business Complex at 30'. Who would maintain the berm until the lot is sold was discussed. Having the contractor do the maintenance the first two years would add cost to the bid placing more liability on the contractor. Trustee McCallum questioned where the plan for the swales originated as from the beginning the Planning & Zoning Commission discussed the berm but now the Board is looking at three choices. McCallum asked what the water flow historical data is in the area of the proposed berm and why swales are needed at all as the property owners report there has not been water issues in their back yards. She also asked where the money comes from for engineering redesign and when the engineering costs will stop. Straka stated if a berm is built, swales are needed for proper drainage. Trustee Klahn commented that the elevation of the area will be changed and the normal flow will change needing the swales to

take water to St Hwy 92 on the residential side. Walsten said the project bidding time is now beyond the timeline and the Board needs to keep this project moving to stay on track and not jeopardize our CDBG funding. Van Den Eng stated he did not support the berm at the last meeting because of the cost for a 5' berm and would not support the 3' berm unless there is a swale on both sides. Van Den Eng moved to **approve a 3' tall berm with a swale on both sides, not including any trees at this time, amending his motion to include the swale on the residential side be 10' off the property line.** Trustee Klahn second the motion with voting as follows: AYE: McNaughton, Van Den Eng, Klahn, Lust, Walsten. NAY: Frandy. Abstain-McCallum. Motion carried. Trustee McNaughton signed off the conference call at this time.

President Walsten read **Trustee Van Den Eng's resignation letter.** Trustee Klahn moved, second Frandy, carried to accept his resignation. President Walsten thanked Van Den Eng for his service to the community and the Village Board and read his Certificate of Appreciation that will be mailed to him. Van Den Eng signed off the conference call at this time.

President Walsten recommended the **appointment of Laura Clark-Hansen as trustee to complete the unexpired term of Van Den Eng.** Clark-Hansen lives on Second St, she and her husband own their own business, has a background in communications and committed to civic issues in the Village. Walsten moved, second Frandy, carried to approve her appointment. Trustee McCallum objected to the appointment as she felt "a qualified write in candidate in the last April election should have been given the opportunity to fill the position". Walsten gave the Oath of Office to Clark-Hansen. Board members introduced themselves.

Safety Committee: Chief Barger stated **Policy 114** is being reviewed by Dane County Public Safety Communications Center staff. The committee discussed the **mis-handling of an EMS call in the Village.** Fire Chief Spilde has filed a complaint with the Dane County Public Safety Communications Center in regards to this incident. We are waiting for a reply. **Two bike ride groups will be coming through the Village on August 4th** anticipating up to 1700 bicyclists. Banners will be put up welcoming them. **Fireworks safety tips** are posted on the website. There have been some **water leaks in the PD office** and PW Director Langer is working on finding the source. The roof was fixed in 2009. One community is leaving the **consortium of the New World/LERMS Records Management System** by 12/31/13. This system has been difficult to work with and has been very costly. Barger will research the possibility of the Village also leaving the consortium. Walsten stated she will report to the Dane County Cities and Villages about the complaints with the New World Records Management System as a lot of money has been put into this system for many years which is now proving to have failed and is not user friendly. Chief Barger met with the Personnel Committee regarding hiring a part time officer. McCallum moved, second Frandy, carried to approve the Personnel Committee's recommendation to **hire Randy Burns as a part-time patrol officer** at \$18 per hr upon completion of a satisfactory background check, medical examination, psychiatric evaluation, and negative drug test with an 18 month probationary period. Another joint meeting needs to be held between Safety and Personnel to discuss the **attorney's opinion on release of information.**

NEW BUSINESS: An **Application Packet for Site Plan Review** was presented. Village Zoning Administrator, Rob Roth, worked on the packet. A filing fee will cost \$385 and replaces the existing cost recovery agreement with more detail. Frandy moved, second Klahn to accept the packet as is. Frandy moved, second Klahn, carried to

amend the motion to add another question line on page 2 to ask “is this a commercial development”?. **Dollar General will be making a proposal** before Planning & Zoning Commission on July 22.

UNFINISHED BUSINESS: Walsten read portions of Chapter 19.03-4 of the Fire Code and 19.03-18(1) prohibiting burning of construction waste and debris and outdoor fires. Frandy moved, second Klahn, carried to approve and **exemption to the code to allow downed trees in the area of the demolished farm buildings at the Business Complex to be burned.** An updated **Ordinance 48-537 B-P Business Park District** adds wording related to increased required investment criteria and building design for properties adjacent to Highway 92, site plan review, maintenance of berm and drainage swales, reference of Stormwater and Erosion Control Ordinances, and adding intrusive lighting as a nuisance. Frandy moved, second Klahn, carried to approve the amendment changes. **Finalizing the CDBG contract** will include a 20% retainage of the \$261,000 grant until completion of performance indicators indicated in the Scope of Services addendum to the contract. Green County residents can be counted toward the 27 permanent jobs that need to be created in the Business Complex. Village leveraging will use borrowed money. McCallum moved, second Lust, carried to approve the CDBG contract with changes as highlighted.

After extensive research and many hours of labor, Brit Springer and Heather Kirkpatrick presented the Board with a **Business Complex Logo, economic development and business complex web pages, marketing plan, and a web page for the street naming contest--with all to go live soon.** They explained the need for the logo to have a modern feel with tie in to the color scheme of the current village logo. Extensive business resources will be available with links to many sites to assist a new or expanding business with Facebook and Twitter also linked. The proposed logo includes a windmill, clean linear “buildings” and a swerve foundation with the color scheme of green, gray and burgundy. McCallum stated she could not vote on the proposed logo as it would take away from the Brooklyn Historical Society’s logo which is the Duplex Windmill, an early 20th century depiction of the wood windmill manufactured in Brooklyn years ago. She felt the Historical Society will have issues with the Village using a windmill in its new logo. Kirkpatrick explained the windmill in this logo is a very modern version and represents “green”, contemporary energy. This logo pays tribute to Brooklyn’s agrarian past but portrays moving forward. Two color schemes were presented. Klahn moved, second Frandy, carried to approve option A color scheme for the new Business Complex logo. Trustee McCallum voted Nay. Brit and Heather were thanked for the tremendous job shown during their presentation. Walsten requested **alternate members be appointed to the EDC prospect team** to include Scott Meier, Todd Klahn, and Errin Welty from Vierbicher. Previously approved were Attorney Christopher, Langer, Strause, Walsten, and Kirkpatrick. Frandy moved, second Lust, carried to appoint as requested. Trustee Klahn abstained.

Municipal court update-Walsten will get a proposed contract to Chief Barger for review. **Recodification-** McNaughton is gone during the month of July and Walsten will organize ordinances for their meeting when he returns. Walsten met with Gail Brown who will recruit someone from the Methodist Church to join the **Community Building Policy Review ad hoc committee.** **Oregon Senior Center draft funding agreement** was presented at their May 29th meeting. As Walsten was unable to attend, a final draft will be available for the Board’s August meeting. Clerk Strause spoke on **Well #1 insurance claim denial by CNA.** A letter dated June 26th explains the investigation of the destruction and breakdown of the well and denial based on the equipment itself not failing but failure due to ground formation collapse. The total cost of the repairs was \$119,513. Strause

talked to both the Village's agent and John Kramer from CNA about the disappointment in their decision. PW Director Langer has left a message with Kramer for further discussion but he has not returned his phone call as of today.

Frandy moved, second Klahn, carried to approve the **Consent Agenda** paying all July bills as presented.

Committee Reports: Planning & Zoning worked on updating the BP covenants at previous meeting. **Ordinance**-no meeting. **Fire/EMS** created an ad hoc committee that will be meeting on July 13th to discuss reorganization of the department. **EDC**-previously discussed. **Recreation**-Frandy reported July 4th celebration was very successful with lots of volunteers. Bills Food Center in Oregon donated \$725 to pay the final amount needed for the fireworks. Donation cans passed around the park collected \$742.33 to help pay for activity expenses including \$200 for the DJ/band. Concession items sold brought in \$726 less expenses. Summer rec is going very well under the direction of the newly hired director, Lauren Rock. Committee chair, Jill Van Den Eng, has resigned. Stacy Hardy will be the new chair. Committee will again have the bouncy house at the Labor Day celebration. **Emergency Management** will meet soon to finalize changes in PIO job description. **Personnel**-A new chair will be appointed.

Finance- Ordinance 6.08 was presented by Clerk Strause which exempts the Village from the County treasurer's bond at tax collection time. A resolution is currently in place stating the same protocol but Green County has asked for an ordinance. Frandy moved, second Klahn, carried to approve Ordinance 6.08. Strause also reported on the **2014 Wisconsin Retirement System's increase in contribution by .7%** equally divided between employer and employee. Strause explained the **Intergovernmental Agreement between Dane County** and all municipalities in the county to **purchase new election equipment and software in 2014**. One-half of the cost will be paid by Dane County. The Village's share is estimated at \$2875. The existing equipment is old and starting to fail in some communities. Dane County would like to have all municipalities on one system. Frandy moved, second Klahn, carried to approve the MOU with Dane County to purchase election equipment in 2014. There was no recycling meeting; website committee will need a new chair.

Klahn moved, second Frandy, carried to adjourn at 9:40 p.m.

Carol Strause, MMC, Village Clerk-Treas.