

The Village Board meeting was called to order on January 13, 2014, at 6:30 p.m. by President Walsten with Trustees Frandy, McCallum, Lust, McNaughton, Klahn present. Others present were Clerk Strause, Public Works Director Langer, Police Chief Barger, and Levi Cutler. Officer Engelhart and Stacey Hardy arrived later in the meeting. All stood for the Pledge of Allegiance.

**A Public Hearing for Ordinance, Chapter 18 Municipal Court Shared Services with the Village of Belleville** was held at 6:35 p.m. No public comments were received. The hearing was closed at 6:40 p.m. per motion by Trustee Frandy, second Klahn, carried.

President Walsten conducted the **Oath of Office for Levi Cutler as Trustee**, to complete the term of Laura Clark Hansen. Trustee Cutler will serve on the following committees: Public Works and Personnel.

There were no Public Comments.

Trustee Frandy moved, second Klahn, carried to approve the minutes of 12-09-13 correcting a sentence on page two stating that WSOR has applied (striking "will be applying") for a permit to the Federal government to operate the rail line. Abstain: McNaughton and Cutler.

President Walsten requested Committee chairs and department heads to review 2013 accomplishments so she can put together the Village annual accomplishments report for next month. Walsten will be presenting to the Oregon Chamber on Jan 16<sup>th</sup> regarding the Business Park. Meeting is at 11:30 at the State Bank of Cross Plains in Oregon.

Clerk Strause gave an overview of the monthly financials for November with revenue of \$655,701.15, expenses 373,859.24, and an end of month balance in all funds of \$1,520,869.95. End of year tax collection resulted in 54% collected for Dane County and 51% collected for Green County. Nomination paper process closed on January 7<sup>th</sup> and resulted in two filings for three trustee positions. Ballot line up for the April election for Village Trustees will be Zak Leavy and Susan McCallum. A Feb 18<sup>th</sup> primary election will be conducted for the Oregon School Board race only.

**PUBLIC WORKS:** Director Langer reported the **Brooklyn Business Complex** (BBC) is almost done with 14 items on a punch list. Pay request #3, to be discussed later, retains 1% of the contract (\$3748.55) until the punch list is complete. Four post holes for BBC signs will be dug soon waiting for signs designed by the Economic Development Committee to be installed. No checks have been received yet for either of the two 2013 **Urban Forestry Grants**. No award has been announced for the \$5,000 2014 UFG applied for. Langer received a check for \$500 on an ATC (American Transmission Co) grant. In accepting the \$500, the Village is committed to ATC's maintenance standards near high voltage lines. There are no high voltage lines in the Village or in the Brooklyn Business Complex's berm where the trees will be planted. An Alliant Foundation E-grant application was submitted today (due Wed) for \$4500. Any funds received will be used for trees for the BBC berm. Langer reported on cold weather related issues on equipment at the treatment plant (influent screen freeze ups, aerators/D.O. issues, oxidation ditch temperatures, ice buildup in bio-solids tank), an electrical transducer problem at a lift station, and lots of snow and ice to contend with. He also reported there is **great ice on the ice rink** in Smithfield Park for skaters.

**SAFETY:** Chief Barger presented his monthly report and statistics. **DaneCom radio upgrade** is on hold again. Department had their first OWI arrest, 3<sup>rd</sup> offense, with driver having infant in the vehicle which classifies as an

enhancer to the charge. Officer Engelhart will be attending Firearms Instructor Training in Feb so that we have our own in-house instructor. Chief will be attending the WIS Police Chief's Assoc training conference also in Feb. A new digital traffic sign board will be purchased using the WI DOT grant. One computer will be ordered soon with Windows 7 that is compatible with department software. Entire computer system in the office will be rebuilt in the near future. Officer Engelhart attended the annual WISDOT luncheon and the department was given a new Stalker Brand radar unit worth \$3500. The existing unit that is only two years old will be moved to the old squad. **Special Events Policy/Application** was presented by the Safety Committee. Trustee Lust explained the need for this application allowing communication with all departments on the needs for an event. Recreation Committee's annual fun run and July 4<sup>th</sup> events will need application to be filled out along with the Labor Day event. Portable toilet chart in application determines how many are needed for an event based on the approximate number of attendees and duration of the event. Frandy moved, second McNaughton, carried to postpone approval of the policy until the February meeting giving more time to read. The Committee presented its **2014 Mission Statement and Goals**. Trustee Klahn reported on some changes that are being worked on for **Ordinance 32.12 Operating of vehicles on public property**. Klahn stated the issue is skid steers being used for snow removal in the Village. The ordinance will go to Public Works Committee for recommendations so that snow removal can be done safely. The draft ordinance will be presented when done. Complaints have been received from one condo resident because of snow removal contractors working too early in the a.m. clearing snow from driveways. Klahn stated it is unsafe to clear snow later in the day when there is more vehicle and pedestrian traffic. Snow removal needs to be done early. Walsten pointed out that the EDC survey revealed that a significant number of Village residents work in health care and need to be at work by 6—7 AM so restricting plowing time would not be possible.

**NEW BUSINESS: Resolution #2014-01 in Opposition to SB 349, Preempting Municipal Authority to Regulate Water Quality, Air Quality, Use of Explosives, Borrow Pits Associated with DOT Construction Projects, and Nonmetallic Mining** was introduced. President Walsten stated this bill which deals with frac sand mining, if passed, would preempt any local ordinances which regulate air and water quality and water quantity ordinances and ordinances which would address local flooding or stormwater concerns. It also prohibits local government to regulate the use of explosives by quarry operators outside of time restrictions and to enter into contracts that require reimbursement for highway damage. She reported that semi-trucks carrying sand away from sand mining operations are breaking down town roads. Walsten reported this bill is another measure to take away local control and what is left of home rule. Trustee Frandy moved, second McCallum, carried, to approve Resolution 2014-01. Trustee McNaughton abstained. Klahn moved, second McNaughton, carried to approve any members of EDC or Board that want to attend the **annual Oregon Area Chamber's Awards Night on Jan 25<sup>th</sup>** at \$40 per person. Last year Heather Kirkpatrick, chair of EDC and Walsten attended.

**UNFINISHED BUSINESS:** The **Community Building Policy Review Committee** will meet soon. Frandy moved, second Klahn, carried to postpone until Feb. meeting **prioritizing capital improvement projects for a five year plan**. The current list of projects will be numbered and under each section, trustees are to rank projects listed and to add unlisted projects felt to be important to consider before the next board meeting. Those numbered projects will then be combined into one report to be reviewed in February. Clerk Strause reported on the proposed changes for the **reassessment process** that would be retroactive to Jan 1, 2014 if approved as written in Senate Bill 414. Again the changes proposed will make it more difficult and time consuming for assessors changing the notice to property owners before Board of Review (BOR) from 15 days to 60 days and allowing property owners to submit written statements under oath to the Board of Review without appearing before the BOR. This would eliminate the ability of the BOR members and the Assessor to ask the property owners questions regarding their claim. Also included in SB414, if the assessment exceeds \$1,000,000, the property owner may

commence an action with the tax appeals commission rather than in circuit court. Our current reassessment continues with BOR expected in June or July. The assessor continues to view properties and will leave a note on the door if someone is not home. Walsten stated she has contacted Municipal Code and will soon have a conference call between Walsten, Clerk Strause, and Trustee McNaughton regarding the current state of the **recodification process**. Walsten reported that our fee schedule for fines will be impacted when the Municipal Court agreement with Belleville takes place in 2016 as the fees between the two communities should be the same for the same ordinances. **Ordinance, Chapter 18 Municipal Court Shared Services with the Village of Belleville** was presented. Hearing was held at the beginning of this meeting with no comments offered. This is currently a subcontract with the Village of Belleville. In 2016, a merger between the two communities would need to take place. Frandy moved, second Klahn, carried to approve Ordinance Chapter 18. Trustee McCallum requested the bill for the Village Attorney to have a breakdown on hours giving more detail to the \$1330 he charged for drafting the Memorandum of Understanding (MOU) and the Ordinance. The bill currently has the dates, what was worked on, and the total cost. Clerk Strause will get this info from the attorney. **Pay request #3 from Krause Excavating for infrastructure in the Business Complex** was presented in the amount of \$36,416.93. Frandy moved, second McNaughton, carried to approve this payment with 1% being held in the amount of \$3748.55 pending completion of a punch list.

**CONSENT AGENDA:** Frandy moved, second Klahn, carried to approve payment of all January invoices in the amount of \$94,118.89.

**COMMITTEE REPORTS:** **Planning and Zoning** will be meeting on Jan 27<sup>th</sup>. There was no meeting in December. **Ordinance committee** did not meet. **Fire/EMS** – working on legal status as part of their reorganization. **EDC**-Errin Welty, Vierbicher, resigned effective 1-1-14. Errin will be working for the WI Economic Development Corporation (WEDC). Gary Becker will be our consultant until Welty is replaced. Trustee McCallum asked for reconsideration by EDC for releasing the mailing addresses of commercial entities in the area. She was told several months ago, the list was not available to the public. Walsten stated EDC and the Village Attorney agreed it is unethical to release the names of the businesses to the public when they were not collected for that purpose. The names were collected so EDC can pass along economic development information, not for marketing purposes. McCallum suggested the 70+ businesses be contacted for permission to release their info because she would like to know which businesses are local so she can utilize them. Walsten pointed out it is the Chambers responsibility to create a list of local businesses for distribution and marketing purposes, not the Economic Development Committee. **Recreation**-Frandy reported the committee is working on several projects. Three new committee members will be on the Feb agenda for approval. A young band out of Oregon will perform during the July 4<sup>th</sup> celebration. The Farmers Market may make a comeback. Stacey Hardy, chair of the committee, reported on a great attendance at yoga tonight with 17 present. She also asked for approval to pay \$100 to have membership in the Oregon Area Wellness Coalition so the two communities can support one another in marketing healthy lifestyles and programs. **Finance**-As discussed and approved at the committee meeting, McNaughton moved, second Klahn, carried to approve a **\$100 membership in the Oregon Area Wellness Coalition**. Clerk Strause and Deputy Clerk Brewer will be attending the **International Institute of Municipal Clerks** in Milwaukee in May. This is the first time IIMC will be in Wis. Clerk Strause reported the Avaya phone system had to be disconnected from the **modem line for the new election system** as there was too much static and an unstable line. The modem and Municipal Court phone are on the same line. A new phone and recorder was installed in that office and will be much easier to operate. Police Dept will also be disconnecting from the Avaya system once all the new computers/server equipment arrives. **Emergency Management** has a tentative date of Jan 28<sup>th</sup> for the next meeting at the Community Bldg. There were no **recycling or website** reports.

**Personnel Committee:** A request by an employee to use his **sick time for an extended family member** was discussed. Committee will handle these requests on a case by case basis for special circumstances. Trustee Frandy moved, second Klahn, carried to approve Curt Golz to use his sick time for an extended family member. **Dept head evaluations** will begin Jan-Feb.

**Written directives to improve Police Dept documentation and communication** were presented. Personnel Committee has been working the last few months on these directives to improve customer service and protect the department and Village from complaints of lack of oversight. A Committee meeting with Chief Barger on 11/21/13 identified a lack of documentation regarding daily schedules, daily activities, whereabouts of the police department officers and other issues. Without documentation, there has been no supporting data that can be demonstrated to citizens and it has made the Committee's duty of making informed approvals of payroll timesheets for the Police Department uncertain. Directive #1. Daily logs will keep a running description of the activities performed with approximate times, location, listed for each day and submitted with the timesheets at the end of each payroll period. Residents contacting the Clerk's Office are told to leave a message on the Police Department phone. However, the Police Department has a restricted line and when a call is returned, "restricted", not the department number, is recorded on resident's missed phone call log. Some call back numbers do not accept restricted calls. The Clerk's Office does not have a department schedule making it difficult to tell residents when they should expect an officer at the office or be able to call them. The other issue is the schedule keeps changing. Directive #3. A Police Department staff schedule will be given at the beginning of each month to the Clerk's Office and any changes to that schedule will be communicated to the Clerk's Office. This information is to assure that schedule information given to individuals seeking to contact the Village PD is accurate. A priority for customer service is to be responsive to the needs of the village. When the Clerk's Office was in the Community Bldg, it was evident when an officer was on duty. Since moving of the Clerk's Office, there is no indication when an officer is on duty or even in the village. Directive #4 Staff should notify the Clerk's Office (M-F) when they are on duty and when they leave the Village for any reason. Directive #5 is compliance with the Employment Manual for all employees of the Village, that any meetings, trainings, or conferences which will take Police Department staff away from the Village more than a day, needs to be approved by the Safety Committee, Personnel Committee, or the Village Board. Directive #2. Mileage on the squad will be recorded at the beginning and the end of each shift on the daily log.

Trustee McCallum stated the November 21<sup>st</sup> Personnel Committee minutes state Trustee Clark-Hanson was not present but the first paragraph of the directives state she was present. She requested information presented be corrected and there be accuracy in information gathering. McCallum stated she has wanted an annual joint meeting between the Safety and Personnel Committees and has been waiting for a year for this information sharing. Walsten reported the plan was for Safety and Personnel to meet to discuss the confidential information memo from the Village attorney in June, 2013, as his directive and Chief Barger's interpretation of information to be made available to the Safety Committee or the Board are not in agreement, however, Trustee Van Den Eng left the Board and this meeting did not take place. Attempts to set up this meeting for November failed because Walsten did not communicate early enough with Lust to get it on the Safety Co agenda and in December did not put it on the agenda in error. Chief Barger displayed a binder with daily log activities and said his department has been doing this but has never been asked for this information from the committee. Barger stated he has a problem with the Clerk's Office giving out information about when someone is on duty or not which could get out in the community, Facebook and the like. He questioned how many calls are really coming in to the clerk's office, and incomplete information on phone messages from residents make it hard to return calls. Officer Engelhart said the accountability of this department is leaps and bounds ahead of years ago. When an Officer is on duty, phone calls are transferred to the squad cell phone. If it is an emergency, residents need to dial 911.

Walsten reiterated we need to know whether you are on duty or not. When the 2013 budget was increased it was with expectations there would be more coverage and more service. The issue of not having a schedule and not knowing if you are in the Village is not too much to ask. Services need to meet our expectations. Trustee Klahn asked that the daily logs be informative and correlate to the timesheets.

McCallum moved, second Lust to postpone until information in first paragraph of the directives is corrected along with items in the Personnel Committee minutes, and there is scheduled a joint meeting between the Safety and Personnel Committees for further discussion. Voting as follows: AYE: Lust, McCallum; NAY: McNaughton, Cutler, Klahn, Frandy, Walsten. Motion denied. The directives will be discussed again next month.

At 8:57 p.m., Trustee Klahn moved, second Frandy, unanimously carried by voice vote to **convene to closed session pursuant to WI Stats 19.85(1)(b) considering dismissal, demotion, licensing, or discipline of any public employee**. At 9:40 p.m., Frandy moved, second Klahn, carried to reconvene to open session.

Trustee Klahn moved, second McNaughton, carried by voice vote to approve a written warning for Chief Barger. Trustee Lust abstained. Trustee McCallum voted NAY.

McNaughton moved, second McCallum, carried to adjourn at 9:45 p.m.

Carol Strause, Clerk-Treas.