

The Village Board meeting was called to order by President Walsten on September 8, 2014 at 6:32 pm with Trustees McNaughton, Leavy, McCallum, Hawkey present. Trustee Frandy was absent. Trustee Klahn arrived at 6:38 pm. Others present were Public Works Director Langer, Clerk Strause, Police Chief Barger, Teresa Pelton. Trustee Hawkey moved, second McNaughton to call the Public Hearings to order at 6:32 p.m.

PUBLIC HEARINGS: Repeal and Recreate Chapter **48-552(4) and 48-553(3) relating to Existing Nonconforming Uses and Structures** to allow a non-conforming structure destroyed by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation to be rebuilt with the same foot print per WI Stats 59.69(m) or to be made larger than the size it was immediately before the damage or destruction if necessary for the structure to comply with State or Federal requirements. Clerk Strause explained the need for the amendment in order to comply with State Code so that nonconforming structures can be rebuilt. Zoning Administrator, Rob Roth, wrote the language necessary to comply rewriting 48-552 and 48-553. There were no comments written or verbal received on this amendment. Repeal and Recreate **Chapter 45, Section 1.5(2)(a) Updating Dane County Flood Insurance Rate Maps (FIRM) dated Sept 17, 2014 , and Section 9 Enforcement and Penalties.** Clerk Strause stated FEMA and DNR have issued new Dane County FIRMS with new panel numbers dated Sept 17, 2014. Green County FIRMS are unchanged. Section 9.0 Enforcement and Penalties also has a change with a penalty not to exceed \$50 per day per violation. The current ordinance is \$150 per day. There were no verbal or written comments received on this amendment. Hawkey moved, second Leavy to close the hearings at 6:40 p.m.

Public Comments: Trustee McCallum recused herself from the Board and presented two handouts. One referring to the September League of Municipalities legal comment on pages 286-295, Question VI. "If a member discloses decisions made or information considered at a closed session, it is not a violation of the open meetings law." McCallum continued that she "has responded and has stated multiple times since the accusations of January 2014 "that I violated closed session by removing a document presented in a closed session", that I have never violated a closed session." McCallum hoped Board members will read the article and gain a better understanding of closed session laws. The second hand out showed a string of emails between Trustee McCallum, President Walsten and Clerk Strause regarding an open records request starting July 8th for emails for specific dates with Atty Christopher. Clerk Strause responded immediately with her two emails. The other six emails between President Walsten and Atty Christopher have not been received yet after repeated requests, the latest being August 25th. Walsten replied by email on August 1st that she was not going to spend time on this. The specific dates requested coincide with Atty Christopher's monthly bill. McCallum asked the Board to review this violation of the Open Records Law and that the request be complied with. McCallum rejoined the Board.

Hawkey moved, second Klahn, carried to approve the minutes of 8-11-14. McCallum and Walsten abstained. Hawkey moved, second McNaughton, carried to approve the minutes of 8-14-14. Walsten abstained.

President Walsten reported on the 2015 budget timeline that is currently not on schedule with some committees having not met because of lack of a quorum. 2015 goals need to be set so that budget requests support the goals. Committees need to reschedule meetings if they have not met in committee to work on budget and goals. A 1-3% budget increase is encouraged. League of Municipalities Annual Conference is in Middleton, Oct 15-17th. New this year is a one day registration and a leadership pre-conference workshop. Deadline to register is Sept 15th. Walsten encouraged Board members to attend because of the classes, opportunities to learn more about such subjects as economic development, budgeting, municipal financing.

Clerk Strause gave the July financials with income of \$129,584.24, expenses \$93,311.95 and balance 7/31/14 for all funds at \$1,332,950.01. The Dept of Revenue's Equalized Value Report for TID #1 and TID #2 was presented showing a negative value increment in both districts which will not create a TID tax increment for 2015.

PUBLIC WORKS: Director Langer reported that some equipment has arrived and is being installed after the **August 25th lightning strike at the WWTP**. Other equipment arrival is expected in the next 2-3 weeks. Langer is keeping track of parts, equipment, and labor for repairs for the insurance claim. There was also minor damage to Well #1. Water Well Solutions ordered **Well #1 to be shut down** when issues appeared on the SCADA pumpage report. Water Well Solutions pulled the pump and found a coupling to be bad which could be a manufacturing defect from the major repair work done last year by them. No bill has been received for repairs. **Generators** are finally in and running. Final bill will be submitted soon. A back up generators is at Well #2, and a portable generator is ready to be used on lift stations/Community Bldg/EOC/Police Dept if needed. Langer asked how to handle a situation at **330 N Rutland where Charter damaged a sidewalk and underground dog fence** late July/early August with repairs of the sidewalk unacceptable. Langer has had many emails between the landowner and Charter's contractor and the sidewalk is still not fixed properly. Trustee Hawkey stated the landowner should go after Charter as it is their responsibility. Langer was directed to tell the landowner that the Village supports their effort and will have the building inspector inspect the sidewalk and send a letter to the landowner if the latest replacement does not meet standards. Langer was directed to **apply for a tree grant** to continue with planting inventory and treating EAB/replacement. **Utilities age report** was again handed out for review. Much of the Village's infrastructure is very old. When doing major street repair, infrastructure should be considered for replacement. Some **Community Building kitchen cabinets** were replaced as the old cabinets were falling off the wall. The cost is around \$300. Balance of cabinets are also in poor condition. Floor under the sink was rotted out and replaced a while ago. An old closet in the kitchen corner evidently was closed off when the paneling was installed as the door was facing the hallway and close to the steps. This area is empty space that someday could be utilized. There has been no **2015 budget work** done in committee for lack of quorums, so Langer handed out to Trustees a list of things to consider. Langer said this isn't a complete list but to get back to him with other ideas. Langer asked for a larger door to PW garage so the new portable generator will fit in. **Utility report:** WRWA presented the department with the president's award for winter operations. WWTP wet testing is not complete. This is a requirement in our permit due every four years. The first test failed and other tests sent by overnight express to the lab failed to be delivered on time. Next testing will be done as soon as possible. Phosphorus and Jar testing is in the process per our permit. Yearly calibration of flow meters was done before the lightning strike and are now getting repaired. **Public Works report:** Inlets are being cleaned from heavy rains; mower was sold at Wis Surplus for \$2135; Madison Power and Mid States both have prices exactly the same for a new mower at \$9839.18 for the same mower specs. Langer asked which one to purchase from. Consensus was to let the department choose. Highway lines have been painted through the Village. Tree quotes for the BBC berm shows the low bidder to be Oak Village from Janesville. McCallum moved, second Klahn, carried to award the contract for \$6200 to Oak Village. Dane Recycling will continue to pick up metal and cans even though they have moved their business to Monroe.

SAFETY: Chief Barger reported **DaneCom** conducted radio testing in Brooklyn on Aug 29th. Motorola portables will not work on the new channels and this needs to be fixed. The DaneCom interdepartmental communication issues continue and Chief Barger is concerned for the efficacy of the system. Four interviews for **part-time officers** are scheduled for Tuesday night, 9/9. The Chief will be out of the office Wed-Fri at a conference in Wis Dells. The Draft 2015 budget and narrative were handed out. There is a **woman's bike race** being planned to go through Brooklyn July 11, 2015 with an anticipated 350 riders. Barger said he is working on an **after-action plan**

for the Labor Day celebration. Damage of four trash cans in Legion Park is being investigated. Barger will be meeting with the Oregon School District Supt. Andy Weiland and Brooklyn Elementary School Principal Kerri Modjeski on Sept 16th to discuss emergency response plans and the recently installed identification equipment protocols and railroad safety issues. Trustee McCallum reported there have been complaints on night time fireworks and other activity and wanted to remind all that this needs to be communicated to the Police Dept by leaving a message of the activity so it can be investigated.

NEW BUSINESS: Jacobson Appraisal letter dated 8-28-14 announced Mr. Jacobson's partial retirement from being an assessor so he will no longer serve as the Village's assessor. The Finance committee recommended the Village send out RFPs **requesting a two year maintenance contract**. A draft RFP will come back to the Board for approval in October with RFP's due back to the Clerk by November 1st. The plan is to be make a recommendation at the Nov 10th Board meeting. The contract would be effective November 15th so year-end work can begin.

UNFINISHED BUSINESS: Trustee McNaughton continues to work on summarizing the EDC survey done in 2011 to correlate to spreadsheets done by all Trustees and department heads to create a five year **Capital Improvement Plan**. Next Board meeting or special budget meetings will prioritize projects. **Ordinance recodification**-Walsten will be contacting Municipal Code to determine whether we will need a new contract.

Municipal Court-There will be a meeting between Belleville and Brooklyn on Thursday at 8:30 a.m. with Belleville President Ward, President Walsten, Belleville representatives and Trustee McNaughton to complete negotiations. Clerk Strause handed out November's sample ballots showing the referendum questions. Walsten suggested all Trustees attend the Oct 7th, 6 pm Brooklyn court session to understand better how local cases are handled. Walsten met with Jason Hanson, Dane County Circuit Court Commissioner, who is also municipal judge for the Deforest/Windsor Municipal Court, on 9/5/14, to discuss the process for handling local ordinances should the Village opt to abolish its court and have all citations processed by the Circuit Court. Commissioner Hanson stated the Dane County Circuit Court enforces state laws and state traffic code but does not enforce local ordinances unless Brooklyn's attorney prosecutes the ordinance violation (i.e. Village of Brooklyn vs. Resident). (Currently no local municipality in Dane County uses the Circuit Court .) He also stated that accessibility is a problem because court is held during weekday hours only, no evening sessions; finding parking is very difficult as ramps near City-County Building, County Jail and Circuit Court frequently are full, meters are less than 1 hour and parking tickets are \$25/\$35 every ½ hour. Traffic tickets are twice as expensive as local courts due to high overhead. Police Officers may need to attend Circuit Court for Village cases, and there is no 1:1 counseling for defendants but limited group instruction due to a large court docket. Walsten presented a draft of pros/cons of each court option. There was consensus the village needs a court system that provides a) a qualified judge and court clerk, b) enforcement of our local ordinances and c) it should be more cost effective. How many citations were residents vs. non-resident? Of the 57 citations issued this year from January—September 1st, 13 were village residents, and 44 non-residents. Annual revenue data from citations was reviewed but the previous years' data is unreliable because of the backlog of cases. With a local court, there is local control because the Board writes and approves its own ordinances. The draft information sheet needs to be condensed and formatted with bullet points for publication to our newsletter and website explaining the referendum questions. The information sheet also needs to be written as neutral as possible.

Community Building Policy Review Ad Hoc Committee—The final draft presented by the Committee was reviewed with the primary changes noted in red. McNaughton moved, second Klahn, carried to approve the draft in its entirety. Walsten outlined the primary changes made to the existing policy. The rental fees were

decreased significantly because the committee felt the current fees are unaffordable for many residents. Funeral receptions for residents and fundraisers for non-profit, local organizations and churches will no longer be charged. It was felt the resident has paid taxes and the local organizations, usually with small budgets, bring added value to the community and should not be charged. Another issue is the condition of the kitchen does not justify high rental fees. Security will be required if alcohol is served to an event with more than 250 persons. McCallum voted Nay. Trustee McCallum stated one security officer for the entire building may be not enough when there are large parties and mopping of the gym floor is an issue with no water in the upper level. There is needed police coverage during these events to protect Village property. Walsten stated custodial care of the community building is a separate issue that needs to be evaluated, because clean up after large events is only one of the questions that needs to be addressed.

Trustee McCallum moved, second Leavy, carried to **Repeal and Recreate Chapter 48-552 and 48-553** relating to existing nonconforming uses and structures to allow a non-conforming structure destroyed by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation to be rebuilt with the same foot print per WI Stats 59.69(m) or to be made larger than the size it was immediately before the damage or destruction if necessary for the structure to comply with State or Federal requirements. McCallum moved, second McNaughton, carried to **Repeal and Recreate Chapter 45, Section 1.5(2)(a) Updating Dane County Flood Insurance Rate Maps (FIRM) dated Sept 17, 2014, and Section 9 Enforcement and Penalties.**

CONSENT AGENDA: McNaughton moved, second Hawkey, carried to approve the consent agenda as follows: Payment of September 2014 invoices as listed; Temporary "Class B" license for Brooklyn Area Veterans Memorial, October 25, 2014 at Brooklyn Community Bldg; Temporary Operator Licenses for Lyle Wanless, Sharon George.

Committee Reports: Planning and Zoning-McNaughton moved, second Klahn, carried to accept the **resignation of Nissin Rodriguez**. Klahn moved, second McNaughton, carried to approve a **Minor Land Division in the Village's Extraterritorial Zoning Jurisdiction on North Holt Road**, Town of Union to widen the cul de sac, modifying the parcels to allow for the Township to maintain the road. **Dollar General's outdoor lighting** now has shields that has resolved the glare issues for the neighborhood and drivers. **Ordinance-** no report. **EMS-** Friends group is meeting on a regular basis. **EDC-**Klahn moved, second McNaughton, carried to accept the resignation of Nissin Rodriguez. **Recreation-**Zumba classes are meeting four nights a week and Saturday mornings. **Emergency Management-**no report. **Personnel-**attorney RFP's are due Oct 3rd. **Finance-** McNaughton moved, second Klahn, carried to **increase the NSF fee from \$20 to \$30** as recommended by the committee. NAY: Walsten. **Special budget meetings** will be needed to get through the process as several committees are late on submission of preliminary budget data. Further discussion on Police Dept laptop purchases will be postponed until Chief Barger knows what DOT funds will be allotted for computer purchases. Website meeting will be called soon.

Klahn moved, second Leavy, carried to adjourn at 8:44 p.m.

Carol A Strause, MMC
Village Clerk-Treas.