

BROOKLYN VILLAGE NEWS December 15, 2014

Clerk's Office - 455-4201 Fax - 455-1385 PO Box 189 210 Commercial St Email: clerk@brooklynwi.gov

Public Works Dept. - 455-1842

Finance – John McNaughton, Chair

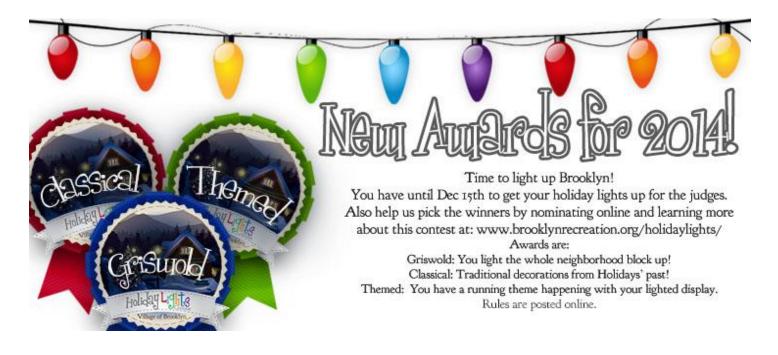
Ordinance - Pat Hawkey, Chair

Fax - 455-1501 102 Windy Lane Police Department - 455-2131 Fax - 455-1799 Email: police@brooklynwi.gov

Municipal Court - 455-1168 Email: brooklynmunicipalcourt@brooklynwi.gov

Email: publicworks@brooklynwi.gov Village Board - Nadine Walsten, President Economic Develop. – Heather Kirkpatrick, Chair

Personnel – Nadine Walsten, Chair Planning/Zoning – Nadine Walsten, Chair Public Works – Todd Klahn, Chair Recreation – Stacey Hardy, Chair Safety – Sue McCallum, Chair



BROOKLYN VILLAGE BOARD MEETING MINUTES

DECEMBER 8, 2014

A Village Board meeting of the Village of Brooklyn was called to order at 6:40pm in the Village Hall by President Nadine Walsten. Trustees present were Todd Klahn, John McNaughton, Pat Hawkey, Zach Leavy, and Susan McCallum. Trustee Frandy was absent. Others present were Clerk Strause, PW Director Langer, Police Chief Barger, Timothy Fenner, Lori Lubinsky, Paul Johnson, Steven Zach, Marty Pilger. All stood for the Pledge of Allegiance.

Public Comments: Marty Pilger 330 N Rutland Ave, Brooklyn, handed out a letter pertaining to the proposed **Ordinance 22.05-01 Maintenance of Vegetation/brush.** Pilger stated the ordinance was poorly written and he questioned the intent suggesting the word bushes, garden plants, and trees be removed from the definition paragraph as many would be in violation in the Village if the wording remained in the Ordinance. Section 22.05-01(c)(1) is worded so that it applies to all property in the Village, even public property. Pilger asked if that was the intent and if the Village would be trimming all the trees in the parks and cemetery to bring into compliance? Pilger also questioned whether the Village is willing to pay for a survey in order to prove violations in court. Typically municipalities treat these as civil matters between property owners. He asked the Board to reject this ordinance or refer back to committee for further refinement.

Interviews were done at this time for a Village Attorney. Two firms recommended by the Personnel Committee to continue the interview process are Axley Brynelson, LLP and Boardman & Clark, LLP. Timothy Fenner and Lori Lubinsky from Axley Brynelson Law firm were present. Fenner stated he would do most of the municipal interaction with Lubinsky doing the liability and personnel issues. Organized in 1985, the firm has various legal teams, litigation being one, business, labor, etc. Fenner stated he chairs the municipal team. Fenner emphasized he practices preventative law to keep the municipality out of the court room and guard the general fund. Their work involves zoning and development, preventative law, handling all aspects of municipal issues, appearance before PSC on utility issues, DNR regulatory issues, and TIF financials. Lubinsky has the expertise in prosecution in several municipal courts, also court structuring. Lubinsky represents the League of Municipalities and does litigation work for many municipalities statewide on claims. Their rate is \$165 per hour for the first fifty hours in six months as a learning period. The rate is \$180 after the fifty hours. Paralegal rates are \$90 to \$115. Lubinsky stated it is rare that they would use a paralegal unless in litigation. They will not charge for mileage to come to Brooklyn and do not charge to review minutes and agendas. If they have a question, they will contact the Village Clerk. Associate attorneys are at a lower rate and also unlikely to be used. Fenner was asked what they charge for meeting with a developer or business entity. He stated if there is a preliminary meeting "to lay the plan on the table", there is no charge for the first meeting, however, if a third party is responsible for the legal counsel, the rate would be higher as the fee is the special project rate. Currently they are representing a local community which required creating a distressed TIF for a blighted area, and a developer's agreement is using upfront financing. For budgeting purposes, the firm does an annual review of the rate structure each fall and will review with the Board if there is going to be an increase. In closing, Fenner again stated he believes the attorney's job is to be proactive and practice preventative law.

At 7:15 pm, the second interview was with Boardman & Clark, Attorneys Paul Johnson and Steven Zach. Zach stated Boardman & Clark is one of the oldest and largest firms in Madison. Zach joined the firm in 1981, Johnson joined three years ago with twenty one years of practice at Lathrop and Clark. (The two firms merged 3 years ago.) The office is located on the Capital square. The firm covers all areas of law but specializes on municipal law. Zach stated he does labor employment law but also does general municipal law statewide. Johnson does general law currently in four municipalities. They do whatever legal work needs to be done. They frequently provide legal counsel for land use and developer agreements, writes codes of ordinances, drafts contracts, real estate transactions, and answers day to day questions. They try to get answers for the least amount of cost trying to be aware of municipal budgets. They do not believe in reinventing the wheel, so use many forms/contracts already created and used in other municipalities. Zach stated they work with other associates in the firm that have the expertise on an issue. Zach said there needs to be a limit on who can call them to control costs and start the meter suggesting one or two have authorization to contact them. They will review all agendas and minutes. Asked how they would respond if they see an agenda item that is questionable. Johnson said they would contact the president or clerk to ask more info. Asked how they would interact with an economic development team for a business park, Johnson stated upon Village request, they could be at all meetings or get involved after an agreement has been negotiated, whatever the Village wants. Transactions on both sides need to be done properly. Johnson would be doing most of the prosecution for the municipal court. Zach would be doing any litigation related to employment which is a significant part of his work. Rates are \$185 per hr for partners, \$170 for associates, and \$110 for paralegals. Rates could be increased for special project, i.e., PSC

rate case or a complex issue; however, this would be discussed beforehand. Mileage is charged from their Madison office; however, no mileage would be charged for Zach who lives in Oregon.

Hawkey moved, second McNaughton, carried to approve the minutes of 11-10-14. Trustee Klahn abstained. Hawkey moved, second Leavy, carried to approve the minutes of 11-19-14. Trustee McCallum abstained.

President Walsten reported on her meeting with Pedro Ruiz, CDBG Specialist, and David Phillips, Dane County Economic Development Director, on November 14, 2014; met with representatives of MOR Strategy Group, 11/18; met with economic development contact, Joe Stadelman, Director, and Laura Fox, Business Development, Angus Young of Janesville, 11-18; attended workshop on writing Social Media policies, Alliant Center, Madison, 11-19; attended Dane County Cities and Villages Association meeting, Fitchburg, 11-19; attended Oregon Area Chamber of Commerce meeting, Oregon, 11-20; and met with Kirk Penney, Capstone student, on downtown landscape architecture project (Planning Commission sponsors),11-24. Announcements: End of year review of goals for committees, department should be turned in January, 2015 so that a Year End Report can be created. Genesis Housing, Inc. Board, elderly and handicapped housing, is looking for citizen members. Contact the Village Hall for interest form and contact information. Walsten stated she has put together four ordinances that represent Municipal Codes changes and organizational formatting. There will be about four more that will be in Trustee packets for the weekend. A special meeting will be held next week to review so that they can be sent off to Municipal Code.

Clerk Strause gave the **October financial balances** with income of \$76,138.38, expenses \$176,586.25 and an end of month balance of \$1,321,647.83 in all funds. Agenda item some time in New Year for restitution.

Public Works Director Langer stated he is awaiting information on the application for the 2015 Urban Forestry grant and expects to be receiving an update soon. The Village applied for \$5,000 in matching funds for tree maintenance/removal/plantings on Village properties. In continuing the SCADA/computer upgrade, the Public Works Committee recommends buying a computer not to exceed \$1500 directly from Dell and to continue on the software design. Trustee Klahn moved, second McNaughton, carried to purchase from Dell a computer at the stated not to exceed \$1500. Utility report: a water main break has been repaired; a private broken water lateral was on Division St.; the frozen water policy was approved last year and Public Works will be calling residents on the annual list to notify when to start running water. It was recommended to also send a letter just to confirm the order. Sewer-phosphorus work is still being worked on; all the equipment damaged from the lightening strike at the plant has now been replaced. A sink hole near a sewer line was televised and the sewer line is ok. Emergency management will meet before year end. Berm trees have been planted with funds of \$4,000 from Alliant and \$500 from ATC. Tree city documents have been sent in.

Safety-A DOT grant for the purchase of a new data terminal and printer for the squad car has been approved. Barger continues to work on the background check for the hiring of a part-time officer. Barger has been meeting with Oregon School District officials for safety and policy updates. The elementary school will be used as a catalyst in developing updated plans that will be used in the entire Oregon school district. Barger is working on a computer server purchase for the office. Walsten stated she discussed a server with Computer Know How who suggested an external storage drive with large capacity would be less costly than a server. Walsten suggested Barger call CKH to discuss this. Hawkey stated location of this storage is critical with security important. A recent meeting between Dane County Law Enforcement and Public Health officials is resulting in each agency having to establish their own preparations. Barger will be looking into purchasing more equipment beyond face masks and gloves for the squad. The Safety Committee continues to work on the "Special Event Policy." McCallum reported the policy is expected to come to the Board n February. She continued that two operator licenses were reviewed at the Safety Committee but two were late coming in for meeting review. She felt a letter to businesses communicating the process would help with timely applications. Walsten questioned if it was necessary to make an applicant wait a month or purchase a provisional license waiting for the Safety Committee to meet. Barger continued his report, stating the Dane County Board recently voted to create only one Board to oversee the 9-1-1 Public Safety Communications Center and discontinue having both a board and an advisory committee. Executive Board members from the Dane County Police Chiefs, Fire Chiefs, and EMS met with Director Dejung on November 4th to discuss these changes. Barger will report on this when he has more information. The Brooklyn Police Department trains with the Belleville, Blue Mounds, and Cottage Grove Police Departments. There was some speculation that the Cottage Grove Police Department was going to be leaving the training group because the combined town/village police department is being dissolved so the departments will be functioning independently. The municipality had released the previous Chief, will be hiring a new Chief and at this time, the Department will be staying with the current training group. Brooklyn Police Department will be participating in the WI DOT "Booze and Belts" traffic safety initiative December 12-20, 2014. Barger reported to the Safety Committee that a former Brooklyn resident is being released back into the community from the Department of Corrections. Barger has requested further information regarding the release criteria and any additional information. The Safety Committee approved Barger's attendance at the WI Chief's Mid-Winter Conference

February 9-11, 2015. The Safety Committee approved Barger's subscription to IACPnet which is a resource program through the International Association of Chiefs of Police which provides policies and ordinances for law enforcement for a \$250.00 fee.

Unfinished Business: Discussion on the selection of legal counsel for the village, the trustees shared their views on the proposals available from both firms and interviews with their representatives, conducted earlier in the meeting. Trustee McNaughton moved, second Leavy, carried to **hire as Village counsel beginning Jan 1, 2015, Axley Brynelson,** Madison. Trustees Klahn and Hawkey voted NAY. McNaughton moved, second Klahn, carried to postpone discussion on the **Capital Improvement Plan**. **Ordinance recodification**-In addition to the 4 ordinances distributed, Walsten will produce the remaining ordinances in Friday packets so trustees have time to review. She said some are only small amendments to existing codes. A special meeting will be held on December 16th at 6:30 to review and approve ordinances before sent to Municipal Code, a recodification company. **Municipal Court** –The first court session in Belleville is expected to begin in February, 2015. A new bond schedule needs to be approved.

Consent Agenda: Trustee Klahn moved, second McNaughton, carried to approve payment of all bills for December; and approve operator licenses for Alex Poppe, Sarah Unbehaun, Patrick Horn, and Jamie Hefty.

Committee Reports: Planning & Zoning will be meeting tomorrow night and then January 26th. Trustee Hawkey said she would like to attend this meeting; however, the disclaimer of a possible quorum of the Board is not at the bottom of the agenda. Walsten gave her permission. Hawkey recommended having it as a standard statement on every agenda, but Clerk Strause pointed out that is not advised as a policy under open meetings law. Ordinance-Chapter 19, Fire Protection was presented. McNaughton moved, second Hawkey, carried to approve. Chapter 22.05-01 Maintenance of Vegetation/brush was presented. A letter from Duane & Sue Nettum was presented stating they would like the current ordinance to remain unchanged. They also questioned the liability of Village employees on private property. Previous public comments from Marty Pilger questioned the liability also. Hawkey stated Public Works Director Langer is against having to go on private property to maintain overgrown plantings where property lines are questionable. Trustee Klahn stated there is a fine line before it becomes a civil matter. Hawkey continued that this is not isolated to just one issue, that another case exists. Walsten stated trustees are to minimize the legal risk for the village and because this has liability issues, she would like the new attorney to review before any further decisions are made. Hawkey stated a responsible property owner has the responsibility to take care of what they have planted. McCallum moved, second Leavy, carried to postpone until Atty Fenner, Axly-Brynelson, can review after January 1st. There were no reports from Fire/EMS, Recreation, Personnel, Emergency Management, Recycling, Website. EDC will be meeting Thurs night. Finance-McNaughton stated the committee recommends approving Chief Barger's request to purchase a Taser ECD and associated equipment for the Police Department at a cost of \$1522.80 with no shipping charge. 2014 funds would be used with \$761.40 to be taken equally from the training and uniform accounts. The old taser would be used for parts. Hawkey moved, second McNaughton, carried to approve the Finance Committee recommendation to purchase a Taser ECD as stated.

Klahn moved, second McNaughton, carried to adjourn at 8:47 p.m.

Carol A Strause, Clerk-Treas. MMC, WCMC, CMTW

Three Trustee positions as well as the Village President position are up for election this Spring on Tuesday, April 7, 2015
If you are interested in running for any of these positions, please obtain nomination papers at the Village Clerk's office.
The final day for filing nomination papers is 5:00 pm on Tuesday, January 6, 2015. If a primary is necessary, it will be held on Tuesday, February 17, 2015.

President's Letter Nadine S. Walsten December, 2014

If you read my Facebook post, you will find the following comments similar. (By the way—if I have 2 (count them!) more likes, I can stop requiring that unbelieveably long Facebook address for the Village President Facebook page! Brit Springer tells me at 25 likes, I can then have a short address. I think it is important to have an opportunity to have a dialogue with you, the resident, about problems identified, solutions made, topics under discussion, etc. etc. Communicating with your elected representatives is the most underutilized tool in our democracy, I swear, and it is the one our democracy depends on the most. If money talks, it's because we haven't. Please give my Facebook page a try.

I love the location of my house—up against the cemetery and near the woodland where I can walk on the paths and shut away my day. But there is more—two nights ago the Great Horned owl was back in the huge catalpa tree, about 100 feet away, in my neighbors backyard. As I was walking from my garage, I heard him calling for a mate so they can go on the nest in January: hooot, hoot-hoot, hooot. This eerie call always stops me in my tracks as I wait for the next, and he never disappoints. I always smile and say "hello" to this fellow and feel so blessed I live in this village. Where else can you have a Great Horned owl for a friend? And a natural woodland a 10 minute walk (or out your back door, in my case) from your house? Do you know about this woodland? It is yours to enjoy.

The year 2014 is almost over and I'll give a year-end report after the February Board meeting. It's been a busy year. On Monday night, we interviewed and selected a new legal counsel for the village—Axley-Brynelson. Either firm could have served us well, however, we need general municipal counsel for out Municipal Court transition, ordinance recodification, etc., to mention just a few, a strong in economic development issues (developer agreements, commercial real estate, etc), too. Ordinance Committee has offered a revision to our vegetation ordinance whereby a public works staff would assess a complaint by one neighbor against another of weeds, etc. encroaching on the neighbor's property. This may seem trivial but management of the plants or trees we put in the ground, is ripe for a turf conflict and living next to a neighbor you do not get along with can be very toxic. (It's always time to be grateful for nice neighbors, BTW.) This matter was referred to our new legal counsel.

After believing I was ready to step down as Village President and not run again, I have changed my mind. The risk of not having a tenant in our business park by 1/1/16 is increasing and I won't walk out on my goals with the job half done. Plus—finding prospects, meeting with contacts, is where the fun begins. I really enjoy this and having had 10 years of learning what economic development is, what municipalities must do to make it happen, and the knowledge Village Presidents must have to bring in prospective companies would most likely be lost if I step down and another inexperienced President would take my place. (I may be defeated so it's possible this will happen anyway, but at least that would be the choice of the voters, not me walking away.)

Brooklyn is "about to pop" as one Brooklyn watcher recently told me, because brining in new business will bring the village to the next level of services and amenities, which makes living here even better. If you wish to run for trustee (or Village President) and you want your name on the ballot, you have until January 6 to turn in your nomination papers (20 people at least) who believe you should have a shot at running for office. National and state politics can make you cynical and hopeless, but local politics gives you an opportunity to make a genuine impact on your community. If you want to feel you are doing something that truly makes a difference, being a trustee or committee member will do it! Seriously. Yes, reaching a decision can be "knarly" at times, but don't let that stop you—positive constructive solutions are only a vote away at each meeting.

Call 455 4201 X5 or check out my Facebook page with any questions. My address for my Brooklyn Village President Facebook page is: <u>https://www.facebook.com/#!/pages/Brooklyn-Village-</u>President/477635552284242

Merry, Merry Christmas; Happy Kwanza, Happy Hanukah to all. I look forward to 2015—I think it is going to a winner! Join the Board and make it happen!

Nadine

NOTES FROM PUBLIC WORKS

There will be no more leaf or brush pickup. Brush pickup will resume in spring.

Snow Removal

All sidewalks must be cleared of snow within 24 hours of snowfall ending. Snow <u>may not</u> be put into the street.

The owner or user of each mailbox shall, within twenty-four (24) hours after the end of each snowfall, remove all snow and ice which has fallen or accumulated in front of said mailbox, and shall remove the snow and ice away from the curb or area in front of the mailbox, a minimum of fifteen (15) feet on each side of said mailbox.

Please clear snow from around fire hydrants and water meter readers also.

The Public Works Department will close at 11am on Dec. 24th and Dec. 31st. They will be closed all day on Dec. 25th and Jan. 1st



No Parking on Village Streets from 1 am – 7 am. until April 15th



VILLAGE CLERK'S OFFICE

The office will be closing at noon on 12/24 and on 12/31. The office is closed all day on Dec. 25th and Jan. 1st As an added convenience to residents this year, we will be open on Sat., Dec. 27th from 7am - 11am for tax collection purposes.

* * * REMINDER * * *

Dog and cat licenses must be purchased by January 31st. If you have not previously registered your pet (age 6 mo. or older) with the Village, please provide a copy of a current rabies certificate. Also, if your pet was re-vaccinated during 2014, please provide a new certificate. The fee is as follows:

Neutered/Spayed dog - \$12 Unaltered dog - \$17 Cats - \$5 Village ordinance states that all animals must be licensed. Only 3 dogs/cats are allowed per residence.



The first installment of your property tax bill must be paid to the Village Clerk by January 31st. A 1/31/15 postmark will be honored. DO NOT put payments in the drop box after 5 pm on the 31st.

News from Your Senior Center

By Rachel Brickner

Are you on Medicare? Is anyone you care about on Medicare?

Do you realize that if you are on Medicare and in the hospital you need to be very aware of your status in order to protect your finances? There is quite a difference between being admitted to the hospital and being held in the hospital under observation.

Medicare is complicated, and when it comes to hospitalizations it is becoming even more complex.

On Thursday, Jan. 8, 2015, at 1:00 at the Oregon Area Senior Center I will be talking about the complexity surrounding the issue of hospitalization and what Medicare will and will not cover, both for the hospitalization itself, and for any skilled nursing rehabilitation care that may be needed after a hospitalization. One of the concerning aspects of this is that any private supplemental insurance likely will not cover what Medicare does not cover. In other words, you can have wonderful supplemental insurance, and you may still be left with medical bills that you have to pay out of your own pocket.

If you think this all sounds rather crazy, you are correct. That is why you need to become an informed consumer, so you know what can happen to seniors who go to the hospital, how to reduce your risks of having costs not covered by Medicare or private insurance, how this issue came to be, and what is being done at the federal level to try to correct it.

Join us at the Senior Center on Jan. 8 for information about a topic that concerns everyone on Medicare. This is one you cannot afford to miss.

TRASH & RECYCLING SOME WINTER REMINDERS:

<u>DO NOT</u> put bins on top of snow banks or in the street. Please place in the driveway apron. Christmas wrapping paper is recyclable. Remember to always have bins out by 7 am BROOKLYN POLICE DEP Activity for November

Thefts	1
Traffic citations	6
Traffic warnings	10
Assists	11
Suspicious activity	1
Financial/Fraud	2
Traffic incident	30
Misc/comp arrests	1
Open Records	6
Animal	2
Juvenile offenses/comp	2
Domestic/family	1
Parking citations	2
Total	75

REMEMBER TO CHECK OUR WEBSITE AT <u>WWW.BROOKLYNWI.GOV</u> STAY INFORMED OF VILLAGE HAPPENINGS AND SIGN UP TO RECEIVE THE VILLAGE NEWSLETTER ELECTRONICALLY. YOU CAN ALSO "LIKE" US ON FACEBOOK http://www.facebook.com/brooklynvillagewi

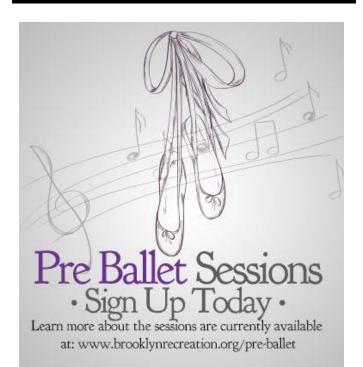


SENIOR POTLUCK LUNCH

Noon – January 22nd Brooklyn Community Building Bring a dish to pass and enjoy some good company with Brooklyn residents!

WINTER PARKING

New parking regulations: Between the hours of 1am and 7am, Nov. 15-April 15, on-street parking is only allowed on the north side of Sunrise Dr, the west side of N Kerch St north of Douglas Dr, the north side of Marcie Dr west of Pine St, and the north side of Daisy Lane west of Fourth St. On-street parking from 1am-7am during these months on any other street in the Village is prohibited. *(100 Block of Hotel St is 3am-7am)









January 2015

Sun.	Mon.	Tue.	Wed.	Thu.	Fri.	Sat.
				1 Village Offices closed	2	3 Yoga bootcamp- 9am FREE Community Movie-7pm
4	5 Yoga 101-6:30pm	6 Tire,oil,battery pickup Court-6:00pm	7 Finance mtg- 5:00pm Zumba-6:30pm	8 Yoga Flow- 6:30pm	9	10 Yoga bootcamp- 9am
11	12 Village Board- 6:30pm Yoga 101-6:30pm	13	14 RECYCLING Zumba-6:30pm	15 Yoga Flow- 6:30pm	16	17 Yoga bootcamp- 9am
18	19 Yoga 101-6:30pm	20	21 Zumba-6:30pm	22 Yoga Flow- 6:30pm Senior Lunch- Noon Comm Bldg	23	24 Yoga bootcamp- 9am
25	26 Planning & Zoning mtg- 6:30pm Yoga 101-6:30pm	27	28 RECYCLING Zumba-6:30pm	29 Yoga Flow- 6:30pm	30	31 Tax collection: 7a-11a Yoga bootcamp- 9am

REMINDERS: Please do not staple or tape your check when sending in utility or tax payments.

If you have a pet, please be sure to pick up after them by bringing along a plastic bag if they make a "mess" while out and about around town. We have had several complaints in regards to people not picking up after their pets. Please be courteous.

Please be sure to check out our website for new info/events at <u>www.brooklynwi.gov</u>

notes