

**CITY OF BRODHEAD
COMMON COUNCIL MINUTES
MONDAY, JUNE 8, 2020**

1) Roll Call

Mayor Nyman called the meeting to order at 7:00 pm. Roll calls shows all Aldermen present except Menzel (7:02 pm).

Present at City Hall: Mayor Nyman, Alderperson Naramore, Schadewaldt, Lowery, Fox, Clerk Wahl, Treasurer Miller, Attorney Schroeder, Parks Director Boegli, Public Works Director Vogel, Todd Hasse

Present by video and phone: Alderperson Huffman, Menzel (7:02 pm) Chief Hughes, Library Director Noel

2) Agenda

Motion by Lowery to approve the agenda as presented. Second by Naramore. Council six ayes. Motion carried.

3) Previous Minutes

Motion by Lowery to approve minutes from May 19, 2020 with changes as stated. Second by Naramore. Council six ayes. Motion carried.

4) Old Business

a) Ordinance 2020-003 Rezone John B Pierce Property, part of lots 3 & 4 of Lot 192 original plat

Attorney Schroeder discussed rezoning parcel from C-1 General Commercial to R-2 Two Family Residential. Also proposed with this rezone is a Certified Survey Map to divide the commercial lot from the residential lot. Public hearing with Plan Commission and they recommend to approve the ordinance rezone.

Motion by Fox to approve Ordinance 2020-003 Rezone John B Pierce Property, part of lots 3 & 4 of Lot 192 original plat from C-1 General Commercial to R-2 Two Family Residential. Second by Huffman. Council six ayes. Motion carried.

b) Covered Bridge Condominiums of Brodhead, LLC (Tonya Briggs)

i. Final Condominium Plat

Attorney Schroeder discussed the final condominium plat. The plat was approved by Plan Commission. The preliminary plat was provided to council previously but subject to 5 contingencies. These contingencies have been reviewed & approved. Plat has not changed since it was last brought to council only the fact that the 5 contingencies have been met.

Motion by Fox to approve Final Covered Bridge Condominiums of Brodhead, LLC (Tonya Briggs) Condominium Plat. Second by Naramore. Council six ayes. Motion carried.

ii. Grant of Easement

Attorney Schroeder discussed the grant of easement. One of the conditions of the plat is an easement for Brodhead Water & Light for utilities. No landscaping or constructions on the easements. If there is it will be at the cost of the owner to replace.

Motion by Fox approve Covered Bridge Condominiums of Brodhead, LLC (Tonya Briggs) Grant of Easement. Second by Lowery. Council six ayes. Motion carried.

iii. Agreement for Construction and Installation of Water Lateral

Attorney Schroeder discussed the agreement for construction and installation of water lateral. There are water mains on 5th St & 6th St but there was not a water main on E 8th Ave. Water lateral to be installed by the developer on E 8th Ave from 6th St. After the developer test and approval, it becomes property of the utility because it's in the right of way.

Motion by Fox to approve Covered Bridge Condominiums of Brodhead, LLC (Tonya Briggs) Agreement for Construction and Installation of Water Lateral. Second by Naramore. Council six ayes. Motion carried.

5) Committee

a) Park Board

i. Park and Rec Opening Brodhead Pool and Ball Programs

Swimming Pool - Director Boegli discussed opening the pool for the summer and youth and adult ball programs with the covid-19 virus. A lot of local area pools are closing. Over 60 pools are closed in WI for summer 2020. The Department of Health Services & Green County Health Dept recommends not opening. Max capacity based on guidelines for opening is 40 people vs 180 when opened normally. The pool could have 4 two-hour blocks for

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swimming that patrons would need to sign up for. We cannot limit the use of the pool to only residents due to discrimination. If the pool opens there would be no swim lessons or baby pool. The bathrooms would be how patrons enter the pool. The Baby pool would become the exit for the pool. Seating around the deck area would be eliminated. There would be enhanced cleaning and sanitizing by the staff and signage for social distancing. Limited number of people in the pool. Schadewaldt suggested purchasing thermometer(s) to test incoming pool patrons & workers. Lowery asked if pool staff is supportive of opening and the extra cleaning that must happen. Boegli said the pool manager is on board with opening. Fox is concerned how you would separate kids in the pool, the health & safety of the life guards, issues with the sign-up process, loss of income for the pool staff, kids getting the virus in August and affecting the start of the school or fall sports, the cost of running the pool at a reduced capacity since the pool normally loses money every year. Fox also inquired about the liability to the City if someone would catch the virus. Attorney Schroeder wasn't sure if recreational immunity would apply since people pay to enter the pool. Lowery shared Fox's concern for social distancing and the loss of income for staff. Menzel & Huffman agree the City needs to be responsible to keep citizens safe and staff would be unable to keep kids apart. Huffman and Menzel also feel the City should follow health dept guidelines. Huffman is concerned that people from neighboring towns/cities would come to our pool since theirs are closed. Boegli said he has things that the pool staff could do to still this summer like painting at the pool or creating outdoor activities for citizens to sign up for. Boegli also stated the pool needs to be filled to run the equipment but there would be no heating & no chemicals. It's not good for the equipment to sit for a year, could cause a lot of problems next year.

Leonard Hatter, citizen attending meeting allowed to comment, believes the pool should open and you would swim at your own risk. Could have parents sign document to authorize kids to swim or play ball. He also agrees guards won't be able to keep kids apart for social distancing.

Motion by Fox to close the Brodhead Swimming Pool for the summer. Second by Lowery. Council six ayes. Motion carried.

Summer Ball – Boegli discussed if summer ball happens players would use their own equipment, no sharing, the bleachers would be used for players to sit on to keep social distancing, only 3 players in the dugout, no handshakes or high fives, ump would be behind the pitcher not the catcher. Fox thinks team sports are discouraged as well. Fox supports adult leagues but concerned about kids' health. Attorney Schroeder said there are no orders in affect at this time from Green County Health Dept. Menzel said Green County Health Dept recommends groups of no more than 10. Huffman inquired about opening the City up to a lawsuit. Schroeder said potential liability is yet to be seen, no precedent since the virus is so new. Schroeder believes the City is no more responsible than an employer. Schroeder said the City could do a waiver for adults but questions adults signing a waiver for a minor because the parents' rights for a minor only go so far. Schroeder wasn't sure when you pay to participate if you have recreational immunity. Menzel inquired who is going to enforce social distancing. Boegli says coaches will be need to enforce. Parents have not contacted Boegli and said they would like their money back or doesn't want their kid to play. It would be a short season 4-6 weeks not the normal 8 weeks. Huffman inquired tabling it a week to look into liability. Schroeder said he could look into it and the City will talk with their insurance company.

Aaron Guilbault, citizen attending meeting allowed to comment, discussed as a coach and parent that the ball program is a benefit for kids of all ages. He also thinks ball can be managed better than a pool for social distancing.

Motion by Lowery to keep the Brodhead Youth & Adult Ball Programs for the summer. Second by Naramore. Council two ayes. Huffman, Menzel, Fox, Schadewaldt Nay. Motion failed.

Motion by Huffman to table the Brodhead Youth Ball Program for the summer to seek more information about the liability to the City. Second by Schadewaldt. Council six ayes. Motion carried.

Motion by Lowery to approve the Brodhead Adult Ball Program for the summer. Second by Schadewaldt. Council six ayes. Motion carried.

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b) Public Works

i. Update on Street Projects

Director Vogel discussed street projects that are beyond the seal coating. Working with Green County Highway getting proposals. Also, will be repairing broken curbs this summer.

ii. Update of Phosphorus Trading Projects

The projects were supposed to be completed October 2019. Weather delayed the projects. Sent a letter to contractor Nelson Excavating to complete by end of this month. City needs this project done to get credits for phosphorus trading with the DNR.

iii. Seal Coat Bid from Fahrner Asphalt for \$104, 847.00

Director Vogel discussed BID for seal coating. Put bids out but only got one back from Fahrner. The bid came in about where Vogel projected. MSA approved the bid. Vogel has worked with Fahrner in the past and been pleased with their work. List of several different streets and avenues. Fahrner has been here and reviewed the list. Some of the other work will be resurfacing then seal coat in 2021.

Motion by Fox to approve Bid from Fahrner Asphalt for \$104,847.00 for Seal Coating. Second by Schadewaldt. Council six ayes. Motion carried.

iv. Wastewater Facility Compliance Maintenance Annual Report and Resolution 2020-010.

Director Vogel discussed the annual wastewater report for the City on everything they did the previous year. All grades received were an "A".

Motion by Fox to approve Wastewater Facility Compliance Maintenance Annual Report and Resolution 2020-010. Second by Naramore. Council six ayes. Motion carried.

c) Finance

i. March 2020 Voucher Report

Huffman discussed the March 2020 Voucher Report. BID checks 1502 – 1503 totaling \$1,598.36. General checks 79115 – 79205 totaling \$276,265.64.

Motion by Huffman to approve March 2020 Voucher Report. Second by Fox. Roll Council Six ayes. Motion carried.

ii. April 2020 Voucher Report

Huffman discussed the April 2020 Voucher Report. BID check 1504 totaling \$10.08. General checks 79206 – 79291 totaling \$307,902.93.

Motion by Huffman to approve April 2020 Voucher Report. Second by Fox. Roll Council Six ayes. Motion carried.

iii. May 2020 Voucher Report

Huffman discussed the May 2020 Voucher Report. BID check 1505 totaling \$10.34. General checks 79292 – 79356 totaling \$495,353.41

Motion by Huffman to approve May 2020 Voucher Report. Second by Fox. Roll Council Six ayes. Motion carried.

d) Personnel

i. Recommendation to fill full-time Public Safety Dispatcher Vacancy

Fox discussed moving Derek Johnson from part time police officer to full time dispatch. Salary would be \$16/hr while training & \$17/hr after training. Personnel recommends hiring.

Motion by Fox to approve hiring Derek Johnson as full time Public Safety Dispatcher starting immediately. Second by Naramore. Council six ayes. Motion carried.

ii. Approval to Enroll in EMC On Call Nurse for Workman's Comp.

Fox discussed the On-Call Nurse. There is no cost to the City to enroll. If/when an employee gets hurt with minor injuries, they call the on call the On-Call Nurse. The nurse advises them on how to care for the wound. This saves the employee a trip to the clinic and EMC would get the workman's comp paperwork started for the employee. Lowery

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has used this program and says it's a very positive program for the employee and employer. Personnel recommends enrollment.

Motion by Fox to approve enrollment in EMC On Call Nurse for Workman's Comp. Second by Lowery. Council six ayes. Motion carried.

iii. City Hall part time help

Fox discussed the need for part time help in City Hall on occasion. There are only the Clerk & Treasurer. If one is sick and one is on vacation. Rotate between the two people. Personnel recommends hiring.

Motion by Fox to approve hiring on an as needed basis at \$12.00/hr Beth Stafeil & Susan Coplien not to exceed 1200 hours per year for part time City Hall help. Second by Naramore. Council six ayes. Motion carried.

e) Fire District

Fox discussed there is no date for sportsmen banquet due to Covid-19 virus, fire inspections are being done, audit is being worked on but delayed because Benning Group has not had in office hours, the district is looking into joint a internship with the EMS, Engine 1 has an oil leak & the district is looking to replace or refurbish Engine 6 in the not too distant future, Green County is going to a new radio system, this may mean Fire District needs to also. July 7th at 5:00 pm is the next meeting. The budget was included in the council packet. There were no questions or comments on the on the budget.

f) Plan Commission

i. Moratorium on issuance of Building Improvement Program grants pending development of new guidelines

Attorney Schroeder discussed the Building Improvement Program. Businesses in the downtown TIF/BID District can apply for a max \$5,000 matching grant for improving their buildings. Improvements can be made in interior and exterior of buildings. Program has been very successful, and some applicants are making multiple requests for grant payments. Plan commission recommends a moratorium on applications until the City can put together new guidelines. No timeline on the moratorium from the plan commission. TIF audits will be done Thursday.

Motion by Fox to create moratorium on the Building Improvement Plan. Second by Schadewaldt Council 5 ayes.

g) Economic Development

i. Update on Affordable Housing Project

Lowery discussed southwest community action workforce housing. 2 sites are being discussed for the project. The developer will come down and review both of the sites.

h) BID Board

Lowery discussed concerts in the park and continuing with those amid Covid-19. No food will be served at the concerts this year. Will look into broadcasting the concerts for local residents. Discussing replacing the concrete seats in Tinker's Garden.

6) New Business

a) Discussion and possible action Resolution 2020-009 to change street names in Crosswinds Subdivision

Chief Hughes discussed changing part of E 4th St in the Crosswinds Subdivision (Northeast of City in Rock County). Chief would like to rename the eastern part of E 4th St (south of E 10th Ave to all the way around to south of E 3rd St) to Crosswinds Street to bring the address up to the current ordinance standards. There are currently no houses on this section of the street but 2 lots have recently been sold to be built on. Fox said this has been brought up in the past & she went door to door to residents and they were in favor of changing the street name.

Motion by Fox to approve Resolution 2020-009 changing Eastern part of E 4th St in Crosswinds Subdivision to Crosswinds St. Second by Menzel. Council six ayes. Motion carried.

b) Capital Projects Capital Improvement Funds for Evidence Lockers, Security Camera Systems

Chief Hughes discussed upgrading evidence lockers. The police dept needs to separate valuables, weapons and drugs. Purchase lockers from Axium for a total of \$5,323.46. Chief Hughes discussed security cameras at Police Dept and City Hall. Expand on what both facilities already have in place and update what is currently in place. \$23,523.00

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Motion by Fox to approve purchasing police evidence lockers and also purchasing and installing security cameras at the Police Station and City Hall not exceed \$28,846.46. Second by Naramore. Council six ayes. Motion carried.

c) Commercial Building Delegated Authority for the City

Attorney Schroeder discussed Commercial Building Delegated Authority for the City. Application needs to be filed with DSPS. Building Inspector Schrader also sent an email stating why the council should approve becoming the delegated authority. It keeps the control at a local level instead of at the state level. Also, the City would receive the fees for plan approvals instead of the state. It would be no additional cost to the city.

Motion by Fox to approve Attorney Schroeder to prepare documentation necessary to allow the building inspector to apply for delegated authority for small commercial building plan review and inspection. Second by Schadewaldt. Council six ayes. Motion carried.

7) Mayor Report

a) Open Book is June 17, 2020 via phone teleconference starting at 4:00 pm

b) Future Agenda Items: Youth Ball, Moratorium for BIP, Police Contract Negotiations, Sugar River Trail ATV/UTV use, Annual license renewals

i. Board of Review – July 9, 2020 at 4:30 pm

c) Next Council Meeting June 16, 2020 at 7:00 pm

d) 7 Day Notice Personnel & Finance Committee

Fox discussed personnel losing member Scott Anderson due to personal changes and not being available. Personnel recommends Nellie Logan. Huffman discussed Finance has lost two members Jen Naramore and Andy Strommen. Finance has one replacement now, Doug Pinnow. They are still looking for one more person for finance.

8) Attorney Report

No report

9) Adjourn

Motion to adjourn by Lowery. Second by Fox. Council six ayes. Motion carried. Adjournment 9:08 p.m.

Mayor Nyman Approved this 16th day of June, 2020.

Nikolai Wahl, City Clerk