

**CITY OF BRODHEAD COMMON COUNCIL MINUTES  
MONDAY, FEBRUARY 9<sup>TH</sup>, 2015**

**Present:** Mayor Pinnow, Alderman Nyman, Hale, Anderson, Bernstein, Stocks and Rosheisen. Clerk Meixelsperger and City Attorney Mark Schroeder.

Mayor Pinnow called meeting to order at 7 PM. Roll call vote shows all Aldermen present.

Motion by Bernstein to amend the agenda to allow Mike Peters from WPPI to start the meeting. Second by Stocks. Motion carries.

**Water & Light Commission:** a) Mike Peters from WPPI presentation: Mike Peters, President/CEO of WPPI Energy membership, distributed a handout titled "Stronger together: Brodhead and the WPPI Energy membership" to the Council. Peters introduced the history of the 1980 incorporation of WPPI – have fifty-one (51) members today, serving in three (3) states, WI, MI and IA. WPPI is larger than MG&E. WPPI is governed by their members. Brodhead has been a WPPI Energy member since 2001. Average annual increase has been less than 2%. Power supply: biggest challenge is predicting the future. Own some resources (Coal, Gas & Wind) and purchase some resources (Nuclear, Gas, Wind, Biogas, Hydro, and Solar). New regulations on greenhouse gas emissions are being analyzed as to their impact on the environment and cost to consumers. WPPI also gets involved in advocacy for energy policy that protects local customers. Best-in-class support services are shared by members to provide high quality, while offering lower overall cost to members. Other dividends for Brodhead: 129 megawatt-hours and \$12,221 saved for local customers. \$4,816 in Wholesale Commitment to Community dollars for local energy efficiency projects. \$4,874 in Community Relations Funds.

**Minutes:** Motion by Bernstein to approve the January 12th meeting minutes as presented. Second by Hale. Roll call vote: Six ayes. Motion carries.

**Audit/Finance:** a) Resolution for Advisory Referendum – recommendation for Council consideration: Alderman Nyman read the minutes from the January 7th meeting: "Tim Stocks addressed the committee on why he felt that the resolution he was proposing should be recommended to the City Council. After much discussion, Olson made a motion that the Resolution for Advisory Referendum not be adopted. It was seconded by Faville. Motion carried. It was recognized that the City does not have a concrete definition of essential vs. nonessential expenditures and discretionary spending vs. mandatory/statutory spending." Attorney Schroeder suggests this be placed on a future agenda for action.

**Park Board:** Park Director Wade Boegli stated 2<sup>nd</sup> & 3<sup>rd</sup> grade basketball program finishes up Wednesday. All summer work applications are due at the end of the month.

**CITY OF BRODHEAD COMMON COUNCIL MINUTES  
MONDAY, FEBRUARY 9<sup>TH</sup>, 2015**

**Public Works:** a) 2015 Pearl Island Report and discussion on the project: Public Works Director Rich Vogel stated that all Council members have received the Pearl Island report. Discussion on the financial report. Vogel stated they expect to get an extension on the grant to continue the project. Mayor stated Gala went very well on Saturday night and is well supported by the Community.

**b) WI Statutes Sec. 19.85(1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds to consider CTH E nominal payment parcel report.**

Motion to enter closed session by Bernstein. Second by Stocks. Roll call vote: 60 in favor. Motion carries.

Motion to leave closed session and return to Open Session by Hale. Second by Stocks. Motion carries.

Mayor stated there was no action to report from closed session.

c) Discussion regarding CTH E Project Update-Final Plan Submittal to WisDOT 2-2-2015: Engineer Dave Sauer recapped the CTH E project. Projected let/bid date is May 12<sup>th</sup> by WI Department of Transportation. Construction is planned to start mid-June and should end in mid-November. Lift station will go on the end of McEwan St., and underground force main will go from the lift station to the raceway to prevent future flooding of the area. (Area flooded in 2008).

**Forestry and Native Plants:** No report.

**Library Board:** No report.

**Economic Development:** Alderman Bernstein stated that ED101 was presented to twenty-two (22) attendees on January 26<sup>th</sup>. Good overall meeting.

**Emergency Management:** Alderman Bernstein stated that on April 21<sup>st</sup> there will be a mock accident at the High School in time for prom. Hope to have Med Flight there. PIO (Public Information Officer) training in Monticello June 22<sup>nd</sup> thru 23<sup>rd</sup>.

**Public Safety:** Licenses/Permits: Interim Police Chief Brian Raupp presented a bartender licenses for Jordan Bret Schubert and Ashley Marie Frye recommended for approval. Motion by Stocks to approve permit applications as presented. Second by Anderson. Roll call vote: Six ayes. Motion carries.

Application for public event: Cub Scouts Pack 108 will conduct a Klondike Derby on Saturday, February 21st from 8 a.m. to 5 p.m. on the field across from Water & Light located on 19th Street to 23rd Street. Also asking for a permit to burn within the City Limits from the Fire District that was approved on January 21st. Motion by Anderson to approve event application as presented. Second by Hale. Roll call vote: Six ayes. Motion carries.

**CITY OF BRODHEAD COMMON COUNCIL MINUTES  
MONDAY, FEBRUARY 9<sup>TH</sup>, 2015**

Ordinance codification project: Interim Police Chief Raupp updated Council on project status. Dispatcher Dawn Irwin stepped up to fill in and keep the project on track, and Raupp wants to publicly thank her for her involvement in the project. Raupp will complete it for TRACS (Traffic Reporting Criminal System), will then have it ready next week for TIPPs. Raupp is working with the Green County Sheriff's Department to enter the new ordinance numbers into Spillman, a Reporting system Green County uses. Project is on track to be completed prior to March 17th.

Cardinal Crest concerns: Interim Police Chief Raupp stated eleven (11) code violations were issued and are being followed up on. Alderman Hale had approached Raupp with the concerns.

**Fire District:** Ron Schwartzlow, Fire Commissioner, stated they approved a three (3) month Leave of Absence for fire Chief Rob Scheidegger. They have appointed as Co-Interim Volunteer Fire Chiefs Brian Shearer and Chris Searles during Scheidegger's leave.

**BID Board:** No report

**Senior Citizens:** No report

**Tech Committee:** No report

**Water & Light Commission:** No report

**Historic Preservation Commission:** No report

**Buildings and Grounds:** Sub-Committee Senior/Community Center Report: Alderman Rosheisen recapped their last meeting with Pastor Bates and City Engineer MSA rep. The group believes they will need \$8,000 to \$10,000 for an architect or contractor for the cost of remodeling an already built structure or building a new structure. There are so many possibilities for the Senior Center/Community Center. The Committee needs Council support for the project. City Attorney Schroeder recommends this be placed as a future agenda action item.

City Hall Remodel Update: Aldermen Nyman and Hale stated the remodel is progressing along right on track. Should be ready in early March.

**Plan Commission:** a) Recommend adoption of proposed revisions to Title 13 regarding Zoning, Floodplain Zoning, and Shoreland/Wetland Zoning: Attorney Schroeder stated a Public Hearing was held on the proposed Amendments to the Zoning ordinance for the City of Brodhead. No members

**CITY OF BRODHEAD COMMON COUNCIL MINUTES  
MONDAY, FEBRUARY 9<sup>TH</sup>, 2015**

of the public appeared. Plan Commission voted to recommend to Council adoption of the zoning ordinance as in the draft of the Ordinance codification. Also approved participation in the US Census Bureau BAS.

**Personnel and Insurance:** a) Fireworks display insurance costs report: Alderman Stocks stated after a lot of discussion on the matter with TRICOR, the City's Insurance provider, Personnel received an estimate of \$1,500 to \$2,000. TRICOR recommended they purchase it from the providers of the fireworks as a package – will be less expensive that way. Ron Schwartzlow stated they paid \$750.00 last year from the fireworks providers. Chamber will present to the Fire District an idea to help defray the costs of the fireworks insurance at their March meeting.

**Closed session: Per WI State Statues Sec. 19.85(1) (c), to consider EmployeeSalaries, Wages& Benefits for the2015 budget and recommendation of Clerk-Treasurer replacement new hire.**

Motion to enter Closed Session by Anderson. Second by Nyman. Roll call vote: 6-0 in favor. Motion carries.

Motion to return to Open Session by Anderson. Second by Hale. Motion carries.

Motion by Stocks to approve the Personnel Committee recommendation for 2015 of 2% pay increase for all unrepresented City Employees retro to January 1st. Second by Anderson. Roll call: Six ayes. Motion carries.

Mayor appoints Teresa Withee as City Clerk-Treasurer, subject to Common Council confirmation, on a six (6) month probation period at a \$42,500 annual salary after which time Audit/Finance Committee will review performance and consider an increase to \$44,000 annual salary. Starting date of employment will be no later than March 13<sup>th</sup>, with appointment to the position to be effective April 21st, 2015. Motion to confirm the appointment as stated by Hale. Second by Anderson. Roll call: Six ayes. Motion carries.

**Mayor's Report:** a) Future agendas: Advisory resolution recommendation. Senior Center/Community Center as an action item. Update on Chief of Police hiring process.

b) SWAG Southern WI Agricultural Education & Innovation Complex update: Mayor stated they decided not to come to Brodhead.

c) Committees: Board of Appeals, Historic Preservation Commission, Audit/Finance, Emergency Management, and Public Safety are seeking members.

**CITY OF BRODHEAD COMMON COUNCIL MINUTES  
MONDAY, FEBRUARY 9<sup>TH</sup>, 2015**

**Attorney Report:** A Resolution Providing for the Publication, Filing, Inspection and Adoption of a Code of General Ordinances: Notice has been published that the City's Code of Ordinances is on file for public inspection, and at Council meeting on March 17<sup>th</sup> will be considered for possible adoption. Motion by Bernstein to accept resolution as presented. Second by Anderson. Roll call vote: Six ayes. Motion carries.

Veterans Memorial Park response to Freedom From Religion Foundation: Attorney Schroeder stated the City has received a letter in January from the Attorney for Freedom From Religion Foundation regarding the nativity scene in Veterans Park. A Letter was sent from the City Attorney providing information to them referencing the City's policy on the reservation of park space located at Sec. 1215 of its Ordinances. Also subsequent to the photograph that was enclosed with the letter, there was a secular holiday display sign and décor placed near the scene. The placement of those secular holiday items make it likely that such was a constitutional display per the dictates of King v. Village of Waunakee, 185 Wis.2d 25, 517 N.W.2d 671 (1994).

c) Fire Protection Response fee opinion: Attorney Schroeder stated that based on the January Council meeting the issue of the proposed fire protection response fee was discussed. The Brodhead Fire District would like the City to agree that a \$500 response fee be imposed upon citizens for the use of fire protection, seeking to have the City impose that fee on its residence thru its ordinances. The City Clerk had raised concern as to implications to State levy limits. Legal researched the issue at Council request, and referred to Wis. Stat. sec. 66.0602(2m) (b) created in 2013 that if the City funded its fire protection partly or wholly by a tax levy in 2013 and later adopts a fee increase (i.e. \$500 response fee) after July 1, 2013, then the City must reduce its' tax levy by the same amount as it would receive from the fee increase. Only exception to that would be in the City were to adopt a resolution that states that the tax levy will not be reduced. Any such resolution must then be approved by an elector's referendum. Discussion. Ron Schwartzlow stated the District at their past Monday meeting passed the Fire District fee. City Attorney stated if the City adopts an ordinance enforcing this fee, then the fee that's allocated to the City's share has to reduce its' tax levy.

d) LP Line on City right-of-way at the west end of 14<sup>th</sup> Street update: Attorney Schroeder stated that Attorney Olson met with Landmark and Kuhn representatives, as well as City Public Works Director and Water & Light Director. Landmark Services had contacted Digger's Hotline to ensure that the lines are appropriately marked and noted.

**Adjournment:** Motion to adjourn by Stocks. Second by Anderson. Adjourned at 9:40 p.m.

Douglas A. Pinnow, Mayor Approved this 17th day of February, 2015.