

**CITY OF BRODHEAD COMMON COUNCIL MINUTES
TUESDAY, MARCH 17TH, 2015**

Present: Mayor Pinnow, Alderman Nyman, Hale, Anderson, Bernstein and Stocks.

Absent: Rosheisen.

Clerk Withee and City Attorney Jamie Olson.
Mayor Pinnow called meeting to order at 7 PM.

Mayor Pinnow requested council consider amending the agenda item b in Mayor's Report to move the candidates up and have them speak after the public hearing. Motion by Bernstein to amend the agenda, seconded by Anderson. Five ayes. Motion carried.

PUBLIC HEARING to consider revisions to Title 14 regarding Subdivision Regulations

Public hearing opened by Mayor Pinnow

City Attorney Jamie Olson explained the reason for the public hearing is that by statute in order to amend a land division ordinance, there must first be a public hearing to amend those ordinances. When the Council considers the recodification of the City's ordinances after this hearing, they will consider this hearing result. Primary change is that the subdivision regulations are renumbered. All changes are identified by Chapter 472 in footnotes in editor's notes that it is amended at time of adoption. The recodified ordinances have been available for public viewing in the Clerk's office since January 2015 as has been publically noticed.

Schedule A, pages 45-46 lays out the changes in title 14 that now will be chapter 472. Mayor Pinnow asked if there was anyone in the public that had any questions. There were none. No one from the council had any questions.

Public hearing closed by Mayor Pinnow.

Green County Judge candidates Dan Gartzke and Jim Beer both were given the opportunity to address the council as to why they are running.

Minutes: Motion by Stocks to approve the March 9th meeting minutes as presented. Second by Anderson. Roll call vote: Five ayes. Motion carries.

Audit/Finance: Nyman made a motion to approve the following checks: Police CK 726 to 735 - \$4,588.35 Sewer Fund CK 7278 to 7295 - \$43,805.23 Bid CK 12811 - \$6.70, General CK 73016 To 73102 - \$616,586.76. Seconded by Hale to approve the above checks. Roll Call 5 ayes. 0 nays. Motion carries.

Treasurers Report. Mayor asked for a motion to approve the Treasurer's Report. Motion by Bernstein, seconded by Nyman. All ayes. Motion carries.

Budget to Actual as of February 28, 2015. No questions.

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City Clerk reported we paid out debt service and received the February tax settlement. We are at 17% of expenditures and have received 38% of revenues. We are in a good cash position at this time.

Public Safety:

- a) Licenses/Permits: Interim Police Chief Brian Raupp presented a renewal bartender licenses for Troy Gerber with a recommendation for approval and an application for Class B License for the Fire Department Sportsman's banquet on March 28. Motion by Hale to approve both license applications as presented. Second by Anderson. Roll call vote: Five ayes. Motion carries.

Buildings and Grounds:

- a) City Hall Remodel Update: City Clerk presented a short slide show with before and after pictures showing the progress of the remodel.

Personnel and Insurance: Alderman Bernstein introduced the new potential Chief Chris Hughes. Hughes stated he is looking forward to starting here in Brodhead as the new Police Chief.

Alderman Stocks stated they are working on the City's insurance which is up for renewal in April. They have been working with Tricor and Baer insurance, personnel committee has decided to stay with Tricor. Attorney Jamie Olson addressed the umbrella policy. She stated the committee recommended that we decrease the coverage from \$9 million to \$5 million. There will be a \$1 million liability with a \$5 million umbrella. Work Comp is a standard amount regardless of what insurance company is chosen. They also considered raising the cyber liability limit. Notice and defense of liability coverage is currently at \$50,000 each and identity recovery is currently at \$25,000. The premium could increase approximately \$500/year to add this coverage. Alderman Stocks stated that we will have better coverage with approximately \$10,000 in cost savings, this does not include the cyber protection. The cyber quote is not ready at this time. Stocks made a motion to approve continuing with Tricor insurance and lowering the umbrella, seconded by Bernstein. Stocks requested that the cyber coverage not be included in the motion and that he would like to see the committee make the recommendation. Attorney Olson stated that this is a change and the motion should include that the personnel committee be given discretion to handle the cyber protection. Stocks amended his motion with Attorney Olson's recommendation. Seconded by Bernstein. Five ayes. Motion carried.

Closed session: Per WI State Statues Sec. 19.85(1) (c), to consider Employee Salaries, Wages & Benefits, regarding Police Chief.

Motion to enter Closed Session by Bernstein. Second by Nyman. Roll call vote: 5-0 in favor. Motion carries.

Motion to return to Open Session by Bernstein. Second by Anderson. Five Ayes. Motion carries.

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Motion by Bernstein, seconded by Anderson to create a negotiation committee of Alderman Bernstein and Alderman Stocks to handle negotiations with the potential police chief with the assistance of Attorney Jensen.

Plan Commission: Report on public hearing on Ordinance Creating section 480-111 of the Zoning Code of Ordinances. Attorney Olson stated Plan Commission recommended to council that this section be approved by council, it includes the mobile service transmission cell tower service. There are two types, class one would be new and class two would be to modify an existing structure. The State Statute was changed and the City had to amend the ordinance.

Mayor's Report:

- a) Future agendas: Mayor Pinnow requested that any committee appointments be ready for the April meeting so new members could be appointed at that time.
- b) Dan Gartzke and Jim Beer – Green County Circuit Court Judge Candidates
- c) Committees – Board of Appeals, Historic Preservation, and Audit/Finance seeking members
- d) Mayor recommended Appointment of Mary Mason to Public Safety Committee. Motion by Stocks, seconded by Anderson. Five ayes. Motion carried.

Attorney Report:

An Ordinance to Revise and Consolidate, Amend, Supplement and Codify the General Code of Ordinances of the City of Brodhead. Attorney Olson stated the first 5 pages are the ordinance to adopt the code book and change ordinance numbers. This will replace the old book dated 1997. Everything will be up to date and it is also online. Motion by Stocks, seconded by Anderson. All ayes. Motion carried

An Ordinance Creating Section 480-111 of the Zoning Code of Ordinances of the City of Brodhead Relating to Mobile Service Transmission Towers. Attorney Olson stated Plan Commission recommends council approve. Motion by Bernstein, seconded by Anderson. All ayes. Motion carried.

Resolution for Youth in Government. Attorney Olson presented the resolution to council. Allows high school students to be a part of city government, attend council meetings, committee meetings and would be allowed to vote but in a non-binding advisory capacity only. Victoria Solomon, UW Extension, stated that this program is to encourage youth to be responsible and to be a part of their city government. Students must attend Brodhead school district or be a resident of the City. Youth would not be paid any stipend, they would create 4 advisory seats on council and each student would participate in one committee. Council would agree to be in a mentorship role. Youth would not be permitted to attend closed sessions. There would be an attendance requirement. Terms would not start for students until September but will have an orientation over the summer. Attorney Olson stated that the program will include up to 4 students, Victoria requested at least 2. Alderman Nyman asked if there are any other cities in this program. Solomon stated that we would be the fourth city to participate.

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Anderson stated that there seems to be a lot of interest from teachers and students to participate in this program. Solomon stated that it really helps youth connect to the community and gives them confidence. Stocks asked if the draft will come again before the council. Stocks recommends that 6.9.2 to be struck from the resolution. He is very much for the students being a part of this and believes this is a good idea but that they should only be allowed on the Monday night meetings; Council needs the opportunity to do city business without being in the role of instructors. There will have to be adjustments to how council interacts. Attorney Olson stated that Council will develop an operational policy. Motion by Bernstein to pass Youth in Government Resolution. Second by Stocks. Four ayes. One nay-Hale. Motion carried.

Development Agreement between the City of Brodhead and Kobussen Buses, Ltd. Attorney Olson stated there was a question showing a negative \$27,000 deficit in the TIF agreement that Ben Zellers had sent a letter to address the issue. The City provide TIF funding to Developer in the amount of \$81,600 for real estate. Secondly, if Developer increases the value of the property above \$506,000, then City would agree to give the Developer up to an additional \$54,400. If the property does not go above the \$506,000 the additional amount will not be granted. The agreement has an eleven (11) year term. Gary Becker, of Vierbicher, stated that Attorney Olson was correct and that the TIF is at the end of its term. City Clerk stated that the land has already been purchased. Becker stated that the "but for" test is if 'but for the assistance of the TIF will this project be able to continue'. He feels that even though the purchase of the land is done it still meets the 'but for'. City Clerk stated that Audit/Finance Committee requests a Letter of Credit from the Developers bank. This agreement requires the Clerk-Treasurer to evaluate this each year. The second part of the concern here is that the City would have to borrow money to fund the additional \$54,400. If there is a shortfall what will be the guarantee to the City that the shortfall will be returned. Becker stated the second tier is borrowed by the developer not the city. They would be responsible for the debt service payments not the City. City Clerk stated it will be monitored annually and the Audit/Finance Committee would still request a Letter of Credit. This will have to be watched carefully for the full 11 years to make sure there are enough funds to avoid a shortfall. Becker stated that he felt the Letter of Credit is an unnecessary burden to the Developer. He also stated that his concerns that this is a very low value project and will not help us meet our TIF objectives. From a TIF performance objective it is not really a good project for this TIF. Mayor Pinnow stated any development is better than no development. Motion by Bernstein to approve with a Letter of Credit from the Developer. Second by Stocks. Five ayes. Motion carried.

Adjournment: Motion to adjourn by Stocks. Second by Anderson. Adjourned at 9:09 p.m.

Douglas A. Pinnow, Mayor Approved this 13th day of April, 2015.