

**CITY OF BRODHEAD COMMON COUNCIL MINUTES
MONDAY, JANUARY 12TH, 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.

Minutes: Motion by Bernstein to approve the December 16th meeting minutes as presented. Second by Anderson. Roll call vote: Six ayes. Motion carries.

Park Board: Update on Emergency Repair of Pool main drain: Park Director Wade Boegli stated work is completed, and it came in at approximately \$2,300. Park Reservations began on Friday, January 2nd. The 2nd and 3rd Grade basketball program is starting. Summer work applications are being accepted until Friday, February 27th.

Public Works: Storm Water Utility Audit Scope of Services: Public Works Director, Rich Vogel, stated he has been in contact with Joseph DeYoung of MSA on some billing discrepancies in the storm water area. The billing system does not have a way currently to identify the impervious areas of commercial lots. MSA is hoping to establish a spreadsheet and a database for the City's use. De Young stated that MSA may want to make some recommendations for consistency with other storm water utilities. Discussion on storm water in general. Proposal on Scope of Services for a Storm Water Utility Audit was presented to Council in the estimated cost to complete the project of \$15,000.00

Vogel would like to receive authorization to retain MSA to complete the storm water billing project. Motion by Bernstein to take the Storm Water Utility Audit proposal to Public Works Committee and return to Council in February. Second by Stocks. Roll call: Six ayes. Motion carries.

Forestry and Native Plants: No report.

Library Board: Library Board Director, Nikki Busch, presented the December Library report. Visits 3,303; Items out 5,103; 175 e-books & audio books were circulated, which is a 45% increase from 2013. Loaned to other SCLS Libraries: 2,360. Borrowed from other SCLS Libraries: 1,745. New Materials Added: 258. New Library Cards Issued: 6

Public Use of Library Rooms: VFW Room – 15; Small Study Room – 25; Program Room – 8; and History Room - 4.

Upcoming: 1,000 books Before Kindergarten has launched this month. Parents or caregivers can now register their child online or at the library to

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participate. Early Literacy/1K Books Celebration will take place at the library on Saturday, January 31st.

January Craft will be snowmen pins and takes place this Friday, January 16th at 6:30 p.m.

Economic Development: Alderman Bernstein stated that on January 26th from 6 p.m. to 9 p.m. at the Library ED-101 will be presented. Geared towards the Council, BID Board, and Chamber of Commerce members.

Emergency Management: No report

Public Safety: Licenses/Permits: Interim Police Chief Brian Raupp presented a bartender licenses for Brandi M. Hardy, Rhonda R. Bowers, and Nickolas B. Vance recommended for approval. Motion by Stocks to approve permit applications as presented. Second by Anderson. Roll call vote: Six ayes. Motion carries.

Ordinance codification project: Raupp is working with Monroe Police Department to enter the new ordinance numbers into Spillman, a Reporting system Green County uses. Also have TRACS (Traffic Reporting Criminal System) that has to have the new ordinance numbers entered into a table. TIPPS (Titan Public Safety Solutions) program in Municipal Court will have everything updated also. Projecting to be done by March 17th so it doesn't cost more money for the City per the General Code contract deadline if the ordinances aren't adopted by that time.

Radio system upgrade to digital: Raupp stated that we currently cannot communicate with Rock Counties digital radios. The money has been set aside for this transition process in the budget. Will phase in over three (3) to four (4) months.

Fire District: Public Information comments on Resolution providing for a Fire Protection Response Fee Schedule and Billing: Clerk Meixelsperger stated that citizen comments had been compiled and provided to Council and Fire District Commissioners. Clerk read the citizen comments to the audience regarding what if there is no transport, taxes are high enough, insurance comments, question on legality of charging when people are already being taxed, and the Clerk's research into the Levy Limits. Meixelsperger stated that due to the fact that per 2013 Wisconsin Act 20, if a municipality adopts a new fee for covered services such as Fire Protection, that municipality must reduce its levy limit in the current year by the amount of the new fee or fee increase. Meixelsperger stated that due to this reason and unfavorable citizen comments, she does not recommend that the Council adopt a Fire Protection Response Fee.

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Ron Schwartzlow, Fire Commissioner, stated that the process started about one year ago. Schwartzlow distributed a Brodhead Fire District Cost Cap Analysis as a fee schedule that doesn't include the boat. This schedule would be in effect from the time Firefighters leave the station until they leave the site. This schedule does not have a flat \$500.00 first hour fee as had been previously presented.

Schwartzlow addressed the question of if there's no transport? Fire District does not transport. Alderman Stocks asked if this fee schedule was revised, would it come to the Council for review and approval. Schwartzlow stated no – it would be handled by the Fire Commissioners.

Schwartzlow stated there is about a \$42 difference in the range of tax rates from the City to the lowest of the Rural. The ISO favorable rating by the Brodhead Fire District helps lower homeowner's insurance premiums. By living in the City, the response time is very favorable. Mayor asked a question about the Fire Hydrant fees paid by the City at a current cost of \$180,000/annually, which City taxpayers are paying in addition to their share of the Fire District budget in the form of taxes.

Schwartzlow stated that one of the comments about the kayak rescue that resulted in a \$500 bill to a City resident, as his son was in Decatur at the time of the rescue. Seventeen (17) firefighters were involved to rescue the kayak. Would have been a fee of \$343 to make the rescue of three (3) people in the river using the fee schedule vs. the \$500 fee they were assessed per current Town of Decatur ordinance.

Schwartzlow stated the volunteer members are working together. There are over forty (40) volunteers on the Fire District.

Schwartzlow stated the Fire Commissioners hope is that the money collected from the user fees would go to equipment maintenance. Every ten (10) years need to replace some equipment, SCBA's at fifteen (15) years, vehicles at thirty (30) years – projecting \$135,000 a year should be set aside. That's one half of the annual budget. If the District cannot locate other funding, the fire protection levy will go up.

If there are multiple Fire Services arriving at a scene to fight a fire, only one District will send out a bill – mutual aid (MABAS) comes into play.

Alderman Anderson stated there will be an appeal process in place if there is a dispute on the fees charged.

Clerk Meixelsperger stated that it is not in the City's best interest to pursue the fire response fee, as it will lose levy by the amount of the fire protection fees, and the levy tax revenue benefits all areas of City provided services. Meixelsperger requested a legal opinion on Fire Commissioner Schwartzlows'

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assertion that the Fire District is not a quasi-municipal entity, and that they cannot render the fees without the City's consent thru agreeing to the Fire District Fee schedule.

Motion by Anderson to table until the Fire District meets again and legal issues are resolved. Second by Stocks. Roll call vote: Six ayes. Motion carries.

BID Board: No report

Senior Citizens: No report

Tech Committee: No report

Water & Light Commission: No report

Historic Preservation Commission: No report

Buildings & Grounds: Sub-Committee on Senior Community Center: Alderman Rosheisen stated MSA came in and spoke with them about grant funding that may be available for a Senior Center/Community project. Have decided to gather more information on what they want, and determine exactly what the needs are for our community. Will work on a grant next year. Surveys indicate there is a lot of support. For example, on the question of "would you be willing to pay a modest user fee the use the center", had forty-five (45) yes's and seven (7) no's. The committee will continue to meet and develop the concept of building new or repurposing an existing building. Joseph DeYoung of MSA stated two of his staff were at the meeting to discuss grants and funding. This process started about a year ago. MSA believes with the senior center as part of the community center it would automatically qualify for the grant funding. The committee needs to explain what the need is, and tell the story to apply for the grant. The committee needs to develop a plan and a layout that the Council can support. Could use a feasibility study to make your goals known. Mayor suggested the Council needs to determine if they want to support the process. This will be a future agenda item.

City Hall upstairs remodel preliminary plans: Clerk Meixelsperger stated Kenney Construction has provided a plan for one-half of the upstairs of City Hall to be remodeled from a storage area to a large Conference Room that will be 38'8" long by 18'8" wide. There will also be an office for the Mayor and possible future City Administrator that will be 10'8" long by 18'8" wide. The remodel is in the 2015 budget.

Plan Commission: No report

Personnel and Insurance: Fireworks display insurance costs report: Alderman Stocks stated they are working on obtaining a quote for the fireworks with our insurance provider.

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Mayor's Report: Future agendas: Senior Center/Community Center. January 1/26 ED101 training. Pearl Island annual report, and their February 7th fund raiser event. Fire District response fee.

SWAG Southern WI Agricultural Education & Innovation Complex update: Mayor stated they are still studying different applicants.

Spring Election information: Clerk stated the candidates for the three open Alderman At Large positions are: Beth Rosheisen, John Bernstein, and Debra Fox. There will not be a Spring Primary.

Committees: Board of Appeals, Historic Preservation Commission, and Emergency Management are seeking members.

Attorney Report: A Resolution Providing for the Publication, Filing, Inspection and Adoption of a Code of General Ordinances: Motion by Bernstein to table consideration of the resolution until the February Council meeting based on Police Chief's report. Second by Stocks. Roll call vote: Six ayes. Motion carries.

PUBLIC HEARING and possible action on Final Resolution Wis. Stats. 66.0703 in the matter of special assessments for installation of sanitary sewer main, water main and street improvements – Tax Parcel Numbers: 0853.0000, 853.1000 and 0838.000. Attorney Schroeder reviewed the Final Resolution. Indicates what the total parcel assessments would be for the water and sewer main itself. The special assessments may be paid in cash in full on or before November 12, 2015, without interest, or in five annual installments to the City Clerk/Treasurer, deferred payment to bear interest on the unpaid balance from and after January 1, 2015 at the rate per annum equal to one percent per annum above the highest rate of interest for investments of the City of Brodhead determined on January 2 of each year of the assessment payment.

Public Hearing was called open by Mayor Pinnow.

Joe DeYoung of MSA came forward and distributed what is being assessed to the seven parcels. Five parcels owned by Kakuske have five laterals assessed at \$1,185/water service and \$1,345/sanitary lateral for a grand total of \$12,650.00. Two parcels owned by Mason have two laterals assessed at \$1,720/water service and \$1,346/Sanitary lateral for a grand total of \$6,132.00.

There is a cost difference in the water service laterals. The length to go across to the Mason's (two parcels) is longer than the Kakuskes' (five parcels) length, so there is a cost difference.

Three options were presented:

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- 1) If the water lateral was measured to the center of the road, would reduce the cost by about \$200.00
- 2) Other option would be to match what was assessed to what was assessed to the other property.
- 3) If you split the costs of the water laterals and made them equal, it would cost \$1,377.86/water lateral.

De Young added that there had been a lot of discussion with the Mason's to reduce the planned three (3) laterals to two (2) laterals on the project.

Mary Mason approached the Council: Mason stated they do not feel they should be assessed that entire proposed amount. Believes it is unfair. Mayor stated they are trying to avoid having to dig up the street to place utilities in the future. Mason stated they were against the project in the first place. MSA and the City had planned three (3) laterals, and the City did reduce that to two (2) at the Mason's request. Joe De Young of MSA stated if in the future the work for the laterals occurred, it would be double the cost of what it is today.

Mayor asked if there were any other citizens who wished to speak. Hearing none, the Mayor closed the public hearing.

Attorney Schroeder stated Council can adopt the resolution as is, or it can be modified as the City Engineer presented in his three options.

The Council could put all the properties together and allocate the costs evenly to each lot, although Mr. DeYoung of MSA expressed concerns about that, and Attorney Schroeder has concerns about that on a legal basis to charge other than on a lineal foot basis.

Other basis would be to only charge to the center line to the Mason property, which would reduce it to \$1,520 for each of the water services, leaving everything else the same. The difference would be paid by the City thru its' TIF 2 fund.

Attorney Schroeder stated the Council could leave the payment annual installments at five (5) years, or could extend it to seven (7) years as has been done in the past.

Motion by Stocks to revise the resolution to charge the Mason's from the centerline of the street, resulting in a \$1,520 charge for each water lateral, and change the length of time of the installments to seven (7) years. Second by Bernstein. Roll call vote: Six ayes. Motion carries.

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Adjournment: Motion to adjourn by Stocks. Second by Anderson.
Adjourned at 8:55 p.m.

Douglas A. Pinnow, Mayor Approved this 9th day of February, 2015.