

MINUTES OF SPECIAL VILLAGE OF BELLEVILLE BOARD MEETING
HELD MONDAY, MAY 17, 2010 AT
7:00 P.M. VILLAGE HALL - 24 WEST MAIN STREET

1. Call to order - The meeting was called to order by Village President Terry Kringle at 7:01 PM.
2. Roll call by Clerk – Trustees present were: John LaFay, Ben O’Brien, Terry Kringle, Jim Schmitz, Gary Ziegler, Deb Kazmar and Bonnie Wilcox
3. Visitors: Greg Hofmeister-Montgomery Assoc., Dave Eustice, Laurine Lusk, Ruth J Kringle, Rick Francois, Herb Blaser, Katy Freye, Judy Patrick, Ron Pattinson, G S Donovan, Brad Petersen-Recorder, Jill Wennesheimer-ADA Chair, Renee Funseth, Juanita Harbort-Vision Impaired People Support Group Leader, Debbie Bongard, Larry Roosli, and Shawn Monroe
4. The Clerk stated that the meeting has been noticed as required by law.
5. Visitors Who Would Like to Speak Now – None.
6. Visitors Who Would Like to Speak On an Agenda Item
7. **Consent Agenda:** Removed applications for Clinton Kelley and Carla Enlow, requested by Trustee Kazmar. **Trustee Ziegler made a motion to approve the consent agenda other than items e and g, seconded by Trustee Wilcox. Motion passed unanimously.** It was clarified that the license term in item g would be through June 30, 2011. Item e – application was not complete. **Trustee Wilcox made a motion to grant an operator’s license for Carla Enlow; seconded by Trustee Kazmar. Motion passed unanimously.** Item 7e on next agenda.
 - a. Approval of Minutes (May 3, 2010)
 - b. Approval of Bills for April 2010
 - c. Approval of Treasurer’s Report for April 2010
 - d. Approval of Permit for Park Use for Belleville/Albany Bobcat Youth Football Inc. for Community and Sugar River Parks, Various Dates August 10 – October 23, 2010
 - e. Approval of Operator License Application for Clinton K. Kelley (Sugar River Lanes)
 - f. Approval of Operator License Application for Richard J. Moreland (J&M)
 - g. Approval of Operator License Application for Carla Enlow
8. **Committee Reports** – Trustee Kazmar: Bike rodeo was a big success.
9. **President’s Report** – President Kringle said that a person he talked to was very pleased with construction work being done on the Church Street project; however another person had concerns with tree damage. Correspondence was received from Rosemary Gall.
10. Administrator/Clerk/Treasurer’s Report – No report.

11. **Unfinished Business:**

- a. **Dane County Emergency Radio Communications Network** – No major developments.
- b. **2010 Project Priorities / Village Board Goals** – A revised project list was presented.
- c. **Terms for Economic Development Committee Members** - Trustee Ziegler made a motion to approve terms as follows; seconded by Trustee LaFay. Motion passed unanimously. **2011** - Anna Maria Bliven; Herb Blaser; Deb Watterson; Paul Lawinger; Mike O’Connor; Terry Kringle, Trustee; Jim Schmitz, Trustee. **2012** - Keith Lehnherr; Rick Francois; Judy Bacha, chair; Jerry Jansen; New member (vacant).

12. New Business:

- a. **Presentation and Lake Restoration Project Update by Montgomery Associates** – A presentation was given by Siggi Sigmarsson and Steve Gaffield. Findings included thermal imaging that show ground water flows into the lake; also, sandy sediment can be used for berm construction. DNR Chapter 30 permit is in hand. Chapter 31 DNR permit for the dam is under review; approval is anticipated soon. Army Corp of Engineers issued a provisional permit; a revised permit is expected soon.

The Corp would like the new wetlands donated by Herb Blaser and wetlands pending purchase from Cosgrove to be written with a restrictive covenant to prevent development; they want the federal government to be able to enforce violations. This language may help issue the permit; but it may not be necessary. The message was that the Village has no plans to develop these lands but cannot take action now as the lands are not annexed. Expecting a low hazard rating for the dam; the spillway capacity is too small and must be mitigated, however. Options are being developed.

Engineering plans were reviewed. The bid document will have a provision to add unit costs to do additional dredging should funds become available. The berm will be 20-foot wide with a 10-foot wide limestone trail on top. The lake-river connection will have a pipe with a fish screen to keep out carp. It will be closed most of time and act as a safety valve in drought times.

The millrace will be modified. The concrete is leaky and the bottom would be dried out. Plans are to fill in the millrace, cut down higher sections of wall, move utilities, restore grass, and remove existing bridge and repave with asphalt (shifting the road a bit to the south). The additional cost will be \$50-\$60,000, but would increase safety and usable park areas and remove long-term maintenance problems.

Estimate for base plan is \$2.1 million. Berm and earthwork are most costly portions. Award recommendation is expected mid-June; construction in early August. Completion would depend somewhat on contractor but early summer 2011 would be expected.

Herb Blaser: asked about new utility pipe’s angle at the mill race. Reason is to use support from existing concrete.

Laurine Lusk: asked about the ceiling for fundraising. Once a bid is accepted there will be a fixed number for base plan plus additional dredging during the entire

project.

Rick Francois: encouraged the board to push the project along.

b. Recommendation from Lake Committee

- i. **Army Corp of Engineers Response** – The discussion was whether to involve the Corp again in the planning process to obtain more federal funds. Their position had essentially not changed from before, and cooperation would delay the project essentially to 2012 with no guarantees. No interest was heard from Village Board to pursue.
- ii. **Bidding of Lake Construction Project** – Trustee Kazmar made a motion to put the lake project out to bid. Seconded by Trustee Wilcox. It was for base plan plus alternate for additional dredging. Motion carried with President Kringle abstaining.

c. Other Lake Restoration Issues

- i. **Fundraising Committee Appointment** – It was suggested to formalize the fundraising committee so that the Village officially endorses its efforts and can it can access the funds for fundraising. Trustee Wilcox made a motion to formalize the fundraising committee establishment [no members named]; seconded by Trustee Kazmar. This is for the lake project only. Motion passed unanimously. Members to be named.
 1. **Scope of Fundraising Efforts** – One suggestion is to put out the whole gamut of needs for fundraising. This includes the pedestrian bridge and park restoration. The park restoration and additional dredging are priorities time-wise.
 2. **Fundraising Update** – Funds were denied through Senator Kohl’s office and National Fish and Wildlife. A \$30,000 challenge grant was received from Madison Community Foundation. The Pepsi Refresh challenge is continuing. Paperwork is in process to obtain the dedicated funds from Dane County.
- ii. **Hiring of Professional Fundraiser** – Madison Community Foundation could provide overall strategy services. However a local team is still needed for legwork. Rick Francois said that the Catholic Church used a professional fundraiser. He highly recommended hiring a professional fundraiser. Joe Donlin agreed. Trustee Ziegler made a motion to craft a RFP to hire a professional fund-raiser; seconded by Trustee LaFay. Motion passed unanimously.
- iii. **Lake Committee Future Role / Friends Group** – It was suggested the Committee continue through to project maintenance. There may be some grant funds to help set up a friends group.

- d. **Recommendations from the ADA Committee** – Jill Wennesheimer and other committee members were present including Linda Kahl, Renee Funseth and Debbie Baumgartner. They reviewed federal regulations to develop their recommendations and provided a resource manual for board members. The guidelines are intended to be win-win. A best practices tool-kit was used to test for compliance in various

categories. They are compiling a list of potential vendors for assistance; they also submitted suggestions for public facility modifications.

They are interested in applying for grant funding to improve public facility accessibility. Unsure whether matching funds were available. This would be a collaborative effort. It was suggested to get a detail of potential cost items. President Kringle suggested having another meeting to review the list of suggestions. Some items might also be included in the 2011 budget. To be continued at next Village Board. Trustee O'Brien made a motion to allow the ADA Committee to move forward with the Community Developers Block Grant; seconded by Trustee LaFay. Motion passed unanimously. John LaFay complimented the Committee's efforts.

- i. Proposed Ordinance 2010-06-01: An Ordinance Amending Title 2 Chapter 6: Grievances Regarding Access to Public Buildings, Programs, Services and Employment – Ordinance comments were reviewed.**

e. Proposed Ordinance Amendments (First Reading):

- i. Proposed Ordinance 2010-06-02: An Ordinance Amending Title 6 Chapter 2: Streets & Sidewalks – Snow Removal, Terraces and Street Numbers – No discussion.**
- ii. Review of Title 6 Chapter 3: Regulation of Underground Utilities – No discussion. Only one typo (ordinance change not necessary).**
- iii. Proposed Ordinance 2010-06-03: An Ordinance Repealing and Recreating Title 6 Chapter 4: Urban Forests (Trees & Shrubs) – More changes will be coming based on attorney comments.**
- iv. Proposed Ordinance 2010-06-04: An Ordinance Amending Title 6 Chapter 5: Parks and Recreation – Park Hours – No discussion.**
- v. Proposed Ordinance 2010-06-05: An Ordinance Amending Title 9 Chapter 2: User Charges and Sewer Use – Billing & Definitions – No discussion.**
- vi. Proposed Ordinance 2010-06-06: An Ordinance Amending Title 11 Chapter 4: Offenses Involving Alcoholic Beverages – Outside Consumption. This change would allow consumption in all parks.**
- vii. Proposed Ordinance 2010-06-07: An Ordinance Amending Title 11 Chapter 6: Public Nuisances Affecting Health – This would outlaw outdoor furnaces in the Village.**
- viii. Proposed Ordinance 2010-06-08: An Ordinance Amending Sections of Title 10 Chapter 1: Permitted/Conditional/Nonconforming Uses & Complaints; Commercial and Industrial Signs; Pollution & Swimming Pools – Would bring ordinance into conformance with state law in terms of non-conforming uses. It would prevent signs from extending into public right of ways. It would allow above-ground pools above 4 feet high to be without a fence if access can be prevented.**

- ix. **Proposed Ordinance 2010-06-09: An Ordinance Amending 10-6-44 Master Site Grading and Drainage Plan** – No discussion.
- x. **Proposed Ordinance 2010-06-10: An Ordinance Amending 10-7-2 Building Permits and Inspections** – No discussion.
- xi. **Proposed Ordinance 2010-06-11: An Ordinance Creating Title 7 Chapter 2 Section 19 Relating to Licensing and Regulation of Beer Gardens** –
Katie Frye: She wanted to thank the licensing board for considering a beer garden ordinance. She attended in support.

Larry Roosli from the Nest: one concern was that his license already allowed a beer garden. Also did not agree with proposed prohibition on advertising on umbrellas. It was agreed to remove this prohibition. Item b7 requiring presence of a licensed operator did not seem reasonable if alcohol was not being served. Monitoring would happen in the bar. If alcohol is served outside or there is an outdoors event, there would be a licensed bartender present. The board suggested requiring an operator at any time alcohol is being served in the beer garden as the modification. He also appreciated the happy medium struck by the proposed ordinance.

- xii. **Proposed Ordinance 2010-06-12: An Ordinance Creating Title 7 Chapter 2 Section 20 Relating to Licensing and Regulation of Sidewalk Cafes** –
Would allow sidewalk cafes. “No glassware” provision was kept in.
 - xiii. **Proposed Ordinance 2010-06-13: An Ordinance Amending Title 2 Chapter 2 Relating to President and Trustee Compensation** – No discussion.
 - xiv. **Proposed Ordinance 2010-06-14: An Ordinance Amending Title 8 Chapter 1 Relating to Regulation of Lawns and Weeds** – Would allow alternate appointment of weed commissioner.
- f. **Ramp Design for Old Library** – New design was presented. The ramp would go to old barn door area, and meet new sloping sidewalk to meet the required 1:20 slope. The area will meet ADA regulations without using a railing. Trustee Ziegler made a motion to approve the new “plan c” for a ramp at old library; to have General Engineering draw official plans and get it out to bid with the gazebo. Seconded by Trustee LaFay:

Ron Pattinson spoke: He feels all issues were hammered out. As a member of the Historic Preservation Committee, he felt he could speak on their behalf. This design would satisfy the Committee and Historical Society. Their position is to try to get a design as close to what was original and do nothing irreversible: this plan meets the criteria. Motion passed unanimously.

13. ADJOURN TO CLOSED SESSION for discussion of: a) **Purchase of Cosgrove Wetlands / Stewardship Grant Award** and b) **Sale of Village Property** per Wis. Stats. 19.85(1)(e) – Not held.

Trustee Ziegler made a motion to call the closed session to order for discussion of **Annual**

Performance Evaluation of Administrator/Clerk/Treasurer per 19.85(1)(c); seconded by Trustee Kazmar. Motion passed unanimously on a roll call vote.

14. RECONVENE TO OPEN SESSION for possible action on items discussed in closed session - Trustee Wilcox made a motion to go into open session; seconded by Trustee LaFay. Motion passed unanimously. No action. The evaluation was discussed with the Administrator/Clerk/Treasurer.
15. **Other Business:** No discussion.
16. **Adjournment** – Trustee Kazmar made a motion to adjourn; seconded by Trustee Wilcox. Motion passed unanimously. The meeting was adjourned by President Kringle at @ 10 PM.

By April Little, Administrator/Clerk/Treasurer

These minutes were approved by the Belleville Board of Trustees on June 7, 2010.